LIVERMORE SLVSP
So. Livermore Valley Specific Plan & GPA
Final EIR Vol. III (Sep 1997)

FINAL

ENVIRONMENTAL IMPACT REPORT
State Clearinghouse No. 96052025

SOUTH LIVERMORE VALLEY SPECIFIC PLAN & GENERAL PLAN AMENDMENT

VOLUME III

RESPONSES TO COMMENTS ON THE DRAFT EIR

CITY OF LIVERMORE
CALIFORNIA

September 12, 1997

WALLACE ROBERTS & TODD

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RESPONSES TO COMMENTS ON THE DRAFT EIR

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WALLACE ROBERTS & TODD

Table of Contents

LETTERS RECEIVED ON THE DRAFT EIR **page**

1. Antero A. Rivasplata, Chief, State Clearinghouse, Governor's Office of Planning and Research, July 11, 1997 13

2. Dennis H. Gambs, Chief, Water Supply Engineering, Zone 7, Alameda County Flood Control and Water Conservation District, July 14, 1997 19

3. Ellen Garvey, Air Pollution Control Officer, Bay Area Air Quality Management District, July 14, 1997 33

4. Douglas A. Bell, General Manager, Livermore Area Recreation & Park District, July 11, 1997 48

5. Adolph Martinelli, Community Development Director, Community Development Agency, Alameda County, July 14, 1997 58

6. Jean Hart, Deputy Director, Alameda County Congestion Management Agency, July 14, 1997 64

7. Ralph Johnson, Deputy Director Development Services, Public Works Department, Alameda County, July 14, 1997 70

8. Brian Hunter, Regional Manager, Region 3, Department of Fish and Game, July 25, 1997 75

9. Patricia N. Smith, Director of Facilities, Human Resources and Logistics, Sandia National Laboratories, July 14, 1997 81

10. William G. Hoppes, Chair, Board of Directors, South Livermore Valley Agricultural Land Trust, July 10, 1997 84

11. Thomas C. Mooers, East Bay Field Representative, Greenbelt Alliance, July 14, 1997 87

12. Sierra Club, San Francisco Chapter, Tri-Valley Group, July 11, 1997 92

13. Eric P. Wente, CEO, Wente Vineyards, July 10, 1997 96

14. Philip R. Wente, EVP, Wente Bros. and Jim Sheidenberger, Manager, Property & Contract Administration, RMC Lonestar, June 26, 1997 99

15. Howard Sword, The Sword Company, for various planning area landowners, July 14, 1997 104

16. Trent W. Orr, Attorney at Law, for *Concerned Citizens for the Completion of Mines Road*, July 14, 1997 113

17. Gary K. Black, Principal Associate, Barton-Aschman Associates, Inc., for the *Concerned Citizens for the Completion of Mines Road,* July 14, 1997 137

18. Geoffrey C. Etnire, for the *Olivina Ranch Group*, July 14, 1997 155

19. Earl E. Mason, Civil and Structural Engineer, for the owners of the Norman Property, July 14, 1997 166

20. David Tabor, David Tabor & Associates, for the owners of the Norman Property, July 14, 1997 169

21. Donald W. Hughes, 1732 Buena Vista Avenue, July 9, 1997 178

22. John Shirley, 4218 Drake Way, July, 13, 1997 182

23. Libby Mihalka, 2075 Buena Vista Avenue, July 14, 1997 187

24. Alex Mihalka, 2075 Buena Vista Avenue, July 14, 1997 191

25. The Parker Family, 2027 Buena Vista Avenue, July 12, 1997 194

26. Valerie A. Raymond, 2368 Buena Vista Avenue, July 8, 1997 198

27. Mary M. and Jay C. Davis, Buena Vista Avenue, June 19, 1997 201

28. Linda Trame, 2772 Provence Court, May 29, 1997 203

29. Mike Trame, 2772 Provence Court, June 23, 1997 207

30. Linda Trame, 2772 Provence Court, June 23, 1997 215

31. Lori Carpenter, 2783 Provence Court, July 1, 1997 224

32. Lori Carpenter, 2783 Provence Court, July 8, 1997 227

33. Ron Sadler, 2784 Normandy Court, June 22, 1997 232

34. Pamela Kay Whitman, 2662 Tuscany Court, July 11, 1997 235

35. Thomas G. Parham, 2662 Tuscany Court, July 11, 1997 238

36. Chris and Donna Johnson, 2634 Marina Avenue, July, 14, 1997 241

37. Pat Mann, 2200 Marina Avenue, July 11, 1997 243

38. Jim Burbach, 1860 Sterling Place, July 14, 1997 246

39. Jack and Judy McKissack, 9620 Huer Huero Road, Creston, CA, June 26, 1997 ... 249

40. Kenneth and Shirley Volkman, 2657 So. Vasco Road, July 7, 1997 251

41. Mark J. Eckart, 2569 Walker Place, July 14, 1997 253

42. Joanne Moody, 555 Cinnabar Drive, July 14, 1997 255

43. Susan Bothwell, 1125 Canton Avenue, July 8, 1997 258

44. James Day, 745 Cardinal Drive, July 8, 1997 265

45. James Day, 745 Cardinal Drive, July 13, 1997 270

46. Clarence L. Hoenig, 588 Tyler Avenue, July 9, 1997 276

47. William E. Zagotta, 5155 Lillian Court, July 12, 1997 280

48. Doreen & Mark Ptak, 2437 Regent Road, July 13, 1997 284

49. Kai and Carla Wong, 2601 Reed Avenue, July 14, 1997 288

50. Martha Silberman, July 14, 1997 290

51. Margaret J. Tracy, 1262 Madison Avenue, July 14, 1997 294

52. Michael Ferrucci, 505 South Livermore Avenue, July 14, 1997 298

53. John Kurtzer, 801 East Vineyard Avenue, July 14, 1997 302

54. Donald G. Miller, 2862 Waverley Way, July 14, 1997 306

RESPONSES TO ORAL COMMENTS RECEIVED AT PUBLIC HEARING

Speaker #1: Erne Kirkewoog, 2839 Reed Avenue 319
Speaker #2: William Bryson, 3033 Reed Avenue 319
Speaker #3: Mark Eckart, 2569 Walker Place 319
Speaker #4: Kai Wong, 2601 Reed Avenue 320
Speaker #5: Neal Frank, 1780 Buena Vista Avenue 320
Speaker #6: Daryl Hoon, 215 Flicker Court 320
Speaker #7: Bill Zagotta, 5155 Lillian Court 321
Speaker #8: Gary Rollins, 1801 Sterling Place 321
Speaker #9: Clarence Hoenig, 588 Tyler Avenue 321
Speaker #10: Tot Green, 673 North M Street 321
Speaker #11: Margaret Tracy, 1262 Madison Avenue 321
Speaker #12: John McMichael, Sandia National Laboratories, 7011 East Avenue 322
Speaker #13: Steve Carpenter, 2783 Provence Court 322
Speaker #14: Ron Sadler, 2784 Normandy Court 322
Speaker #15: Alex Mihalka, 2075 Buena Vista Avenue 323
Speaker #16: Doug Mann, 661 South N Street 323
Speaker #17: Al Duba, 341 Lincoln Avenue 323
Speaker #18: Libby Mihalka, 2075 Buena Vista Avenue 323
Speaker #19: Michael Ferrucci, 508 South Livermore Avenue 324
Speaker #20: James Day, 745 Cardinal Drive 324
Speaker #21: John Kurtzer, 801 E. Vineyard Avenue 324
Speaker #22: Marge Jergentz-Stout, 1776 Lomitas Avenue 324
Speaker #23: Valerie Raymond, 2368 Buena Vista Avenue 324
Speaker #24: Don Miller, 2862 Waverly Way 324
Speaker #25: Ralph Peterson, 2830 Reed Avenue 327
Speaker #26: Thomas Raison, 5244 Kathy Way 327
Speaker #27: Don Hughes, 1732 Buena Vista Avenue 327
Speaker #28: Doug Manatt, 724 South J Street 328
Speaker #29: Harriet Cole, 6148 Mines Road 328
Speaker #30: John Shirley, 4218 Drake Way 328
Speaker #31: Owen Parker, 2027 Buena Vista Avenue 328

APPENDIX

Letters Addressing Non-EIR Issues

1. Patricia N. Smith, Director of Facilities, Human Resources and Logistics, Sandia National Laboratories, May 30, 1997.

2. William G. Hoppes, Chair, Board of Directors, South Livermore Valley Agricultural Land Trust, April 21, 1997.

3. Trent W. Orr, Attorney at Law, for *Concerned Citizens for the Completion of Mines Road*, June 5, 1997.

4. David C. Scarpetti, 2216 Pyramid Street, June 20, 1997.

5. Reno R. Dell'acqua and Susan Williams, 1843 Buena Vista Avenue, July 14, 1997.

6. Home Owners Adjacent to Subarea #3, April 26, 1997.

7. Shirley Goldstein, 2393 Vintage Lane, May 21, 1997.

8. Pat and Alan Carbonaro, 1834 Sterling Place, July 13, 1997.

9. Jean King, 4205 Colgate Way, July 14, 1997.

10. David M. Eller, 3797 Oregon Way, July 14, 1997.

11. Gary Rollins, 1801 Sterling Place, July 9, 1997.

12. Tim Ricard, 1239 Hillcrest Avenue, May 29, 1997.

13. William T. McCarvill, 330 Knottingham Circle, July 6, 1997.

14. Jim and Bobbie Hadley, 4355 Emory Way, July 8, 1997.

15. Larry Schmidt and Carol Linkhart, 3854 Greewood Avenue, Oakland, CA, July 7, 1997.

16. Barbara Baird, Susan Bothwell, Clarence Hoenig, and William Zagotta, June 27, 1997.

17. Douglas A. Bell, General Manager, Livermore Area Recreation and Park District, April 17, 1997.

RESPONSES TO COMMENTS ON THE DRAFT EIR

The following text provides the City of Livermore's responses to comments received on the South Livermore Valley Specific Plan and General Plan Amendment Draft EIR.

The full text of each letter is included in this document, followed by the City's responses. Each of the letters received has been divided into a series of individual comments that require some response. The individual comments are identified with brackets in the right-hand margin, and each is signified with a number and letter that references the appropriate response. The responses to each letter are located immediately after the full text of the letter.

Letters Received on the Draft EIR

The following letters were received by the City of Livermore during the public review period on the Draft EIR, which ended on July 14, 1997. The order in which the letters are listed is the same order they are responded to in the following section. Following the responses to letters received on the Draft EIR, are responses to oral comments made during the Public Hearing held before the City of Livermore Planning Commission on July 8, 1997.

1. Antero A. Rivasplata, Chief, State Clearinghouse, Governor's Office of Planning and Research, July 11, 1997.

2. Dennis H. Gambs, Chief, Water Supply Engineering, Zone 7, Alameda County Flood Control and Water Conservation District, July 14, 1997.

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Letters Addressing Non-EIR Issues

In addition to the letters commenting on the Draft EIR, the City received a number of letters that address the Specific Plan, General Plan Amendment, or other planning-related issues. These letters have been included in an appendix to this document, but have not been addressed in this Final EIR, because they do not pertain to the EIR. Key points made in the letters are addressed in the City staff's report to the Planning Commission and City Council. The following non-EIR related letters were received:

1. Patricia N. Smith, Director of Facilities, Human Resources and Logistics, Sandia National Laboratories, May 30, 1997.

2. William G. Hoppes, Chair, Board of Directors, South Livermore Valley Agricultural Land Trust, April 21, 1997.

3. Trent W. Orr, Attorney at Law, for *Concerned Citizens for the Completion of Mines Road*, June 5, 1997.

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17. Douglas A. Bell, General Manager, Livermore Area Recreation and Park District, April 17, 1997.

MASTER RESPONSES

Due to the large number of comments received on particular issues and the similarity of many of the comments, the City has prepared "master responses" that address these issues comprehensively in a single location, rather than creating a series of dispersed and fragmented responses. For many of the individual questions, the reviewer will be referred back to these master responses, rather than repeating the text for each letter. Master responses have been prepared in response to comments on two issues: the traffic analysis, particularly as it relates to Buena Vista Avenue, and Water Supply and Water Quality.

Master Response: Traffic

Comment: Several commentors requested additional information concerning the traffic analysis contained in the Draft EIR. Among the commentors is the transportation engineering and consulting firm of Barton-Ashman Associates, Inc. The firm commented on the traffic forecasts for Buena Vista Avenue and the Draft EIR's forecasting methodology, among other comments.

Response: (Barton Aschman's comments may be found at letter 17.) There are a number of possible approaches to projecting future traffic conditions within the project area. The approach taken by the City's traffic consultant was to rely on the Tri-Valley Transportation Model (TVTM) augmented by actual traffic counts. This approach produces accurate current and projected traffic volumes for Specific Plan area streets and is considered to be the best approach for the Draft EIR's analysis for the following reasons:

1. It relies on the version of the TVTM adopted by the Board of the TVTC to provide a uniform tool to analyze projects within the Tri-Valley;

2. It avoids the introduction of model-wide variations due to area-specific calibration; and,

3. It allows for manual adjustment of volumes on individual facilities, where necessary.

The TVTM is appropriate for use in an EIR for a project of the nature of the Specific Plan area. The TVTM has been calibrated to acceptable levels of accuracy for a regional model, and has been accepted for use by the Tri Valley Transportation Council. However, it is commonly known that calibration does not result in all links having volumes which match existing counts. For this reason, the City's traffic consultants took traffic counts for streets where the model might under-predict the existing traffic pursuant to their recommendation. This may occur on smaller streets because the relatively low volumes carried by smaller streets have a relatively low effect on the "screenline" volume calibration, which calibrates the model across groups of several parallel facilities. For example, actual counts were taken on Buena Vista because it was known that the model counts were lower than existing volumes. However, model counts are accurate for

East Avenue and Tesla Road, the major streets that could contribute trips to Buena Vista Avenue.

The approach proposed by Barton Ashman would have required that the model be re-calibrated. Re-calibration of the model would not necessarily result in all links matching existing counts. For this project, the TVTM model was not re-calibrated to produce a better match on Buena Vista because (1) such re-calibration could have effects on other parts of the model and (2) the model results were manually adjusted based on existing counts to produce a reasonable forecast of future volumes on Buena Vista. Therefore, it was not necessary to re-calibrate the model in order for the Draft EIR to accurately present current and forecasted traffic conditions within the Special Plan area and on Buena Vista Avenue.

Using the Draft EIR's approach, traffic volumes on Buena Vista would remain well within the environmental capacity of the street.

The City and its consultants do not believe the alternative approach proposed by Barton Ashman is a valid method for projecting future volumes because:

1. A number of assumptions on which it is based are unverified including, but not limited to, the estimate of cut-through traffic, the average daily traffic estimate of 1,700 vehicles per day, the application of the north-south traffic growth rate on all parallel routes, among other assumptions which are critical to the accuracy of the analysis. See Response to Comments 17-B and -C for more details concerning the unverified assumptions.

2. Also, the approach presumes that drivers would consider the Buena Vista Route equivalent to South Vasco and South Livermore, not only for travel to and from North Mines Road, but to and from all directions. The City and its consultant concluded that this assumption is highly unlikely since Buena Vista will remain a narrow-lane, low speed roadway while the other two roadways permit higher speeds and, in the case of South Vasco, will be improved.

In light of public concerns, however, the City and its consultants prepared a high-end estimate of the potential future volume on Buena Vista in acknowledgment that future volume projections are estimates and can vary, especially on low-volume roadways. A potential maximum future volume (2010 With Project) for Buena Vista can be estimated by applying the growth rate on parallel facilities to Buena Vista. This approach presumes that drivers would consider the Buena Vista Route equivalent to South Vasco and South Livermore, not only for travel to and from North Mines Road, but to and from all directions. The City and its consultant believe this assumption to be highly unlikely since Buena Vista will remain a narrow-lane, low speed roadway while the other two roadways permit higher speeds and, in the case of South Vasco, will be improved. The growth rate on South Livermore Avenue and South Vasco Road is 44% (1990 to 2010 With Project), rather than the 71% suggested by Barton-Aschman (refer to preceding paragraph for reasons for not accepting the higher figure). This growth rate applied to the base volume of 1,540 vehicles per day produces a high end future volume estimate of 2,218 vehicles

per day. While this growth rate would be noticeable relative to current traffic conditions, it is still well within the range of acceptable environmental capacity (2,000 to 3,000 vehicles per day).

The Draft EIR included Mitigation Measure 4.5-4 to address the possibility that volumes could exceed the lower level of the environmental capacity range. The lower level was selected for the measure because of the sensitivity of residents to traffic volumes and speeding on Buena Vista. However, the lower level does not translate into a significant impact in the City's or its consultant's view. Decision-makers may desire to set an even lower level for purposes of the mitigation measure. Traffic calming measures as developed with Alameda County through its Traffic Calming Program are required if volumes exceed the lower level. These measures have been demonstrated to be effective in many jurisdictions (e.g., Las Vegas, Nevada; Kansas City, Missouri; Farmington Hills, Michigan; and Thousand Oaks, California. A recent paper that examines the effectiveness of traffic-calming devices in these communities is: *Humps - A Speed Reduction Strategy in Local Street Systems*, Resource Paper for the 1997 International ITE Conference, Sue Datta and Tapan K. Datta, Ph.D, P.E., 1997).

Master Response: Water

Comment: Several commentors requested additional information regarding residential and agricultural water supply in the project area and the project's effects on that supply.

Response: Urban water users in the City of Livermore are supplied by the California Water Service Company (Cal Water) and the City of Livermore; both of these suppliers receive their water from Zone 7 of the Alameda County Flood Control and Water Conservation District. Agricultural water users in the City and in the unincorporated lands within the SLVSPA receive water directly from Zone 7 or from groundwater.

The City and Cal Water contract with Zone 7 for water supply on an annual basis. The City and Cal Water each seek to contract for sufficient water to meet the prior year's demand and the demand associated with residential and commercial growth that is anticipated to occur within the contract term. Agricultural water users contract with Zone 7 for varying terms. Zone 7 policy prohibits it from contracting for water in excess of its long term capacity. If Zone 7 is unable to provide the quantity of water requested, the City and Cal Water must reduce deliveries to their customers. Traditionally, consumption reductions have been achieved through rate increases and water conservation programs. In the past, Zone 7 has been unable to accommodate the requested deliveries from the City and Cal Water only in drought situations.

If the Specific Plan is approved, the City's and Cal Water's requests to Zone 7 would reflect projected development in the SLVSAP at a total of 200 units per year for 8 years in accordance with the specific plan's growth management policies (see Section 4.7.3). Because Zone 7 policy prohibits it from contracting for water in excess of its long term capacity, the Draft EIR assumes that water available in one year in contracts with the City and Cal Water will generally be available in subsequent years. Although this would not be the case in a drought year, past

experience in the City indicates that rate increases and consumption reduction programs can operate to avoid serious shortfalls in capacity and the approval of Specific Plan units would not effect the need for conservation during drought periods.

The Draft EIR indicates that the residential, commercial, and related agricultural development contemplated by the Specific plan will exceed Zone 7's existing long term water supply. The Draft EIR concludes that this would be a significant environmental impact unless additional supplies are available prior to development of water consumptive uses under the plan. The Draft EIR notes several possible additional sources of supply being considered by Zone 7 and notes the type of environmental impacts that could occur if Zone 7 seeks to develop one or more of those sources of supply. Because those sources of supply are not assured, however, the Specific Plan includes a policy (Policy 8-1) providing that urban development in the SLVSPA shall not be allowed to proceed unless adequate water supplies are available to service that supply. This policy is intended to ensure that adequate water exists to serve development in the SLVSPA prior to that development taking place, and to ensure that development within the SLVSPA does not result in reduced water deliveries to current users of Zone 7 water or new development in central Livermore.

Based on comments received on the Draft EIR and further analysis of the circumstances affecting water supply in the SLVSPA, proposed Policy 8-1 has been revised as shown below:

> Policy 8-1 **The City shall request that its water supply be augmented to allow development of up to 200 units per year in accordance with the growth management policies of this Specific Plan. The City shall impose a condition on all tentative maps that prior to approval of a final subdivision map** ~~Urban development within the Specific Plan area shall be prohibited unless the City determines at the time of tentative subdivision map approval~~ that ~~there exists~~ **(1) Zone 7 has agreed to provide the water supplier for the uses permitted by the map,** an adequate and permanent domestic water supply and an emergency fire fighting supply sufficient to service the proposed development ~~and that~~; **and (2)** the quality of the domestic water meets all applicable state and local standards. **The City shall deny approval of a tentative subdivision map unless, at the time of tentative map approval, the City determines that the domestic water supply and emergency fire fighting supply available from Zone 7 is sufficient to serve all existing domestic uses within the City and uses that may be permitted in accordance with the number of units available for allocation pursuant to the City's growth management program.** ~~**Agricultural development shall be prohibited unless the City can find there exists an adequate and permanent irrigation water supply.**~~ Development that requires agricultural mitigation shall be prohibited if adequate and permanent irrigation water is unavailable for the land to be used for agricultural mitigation.

These revisions reflect several considerations. First, because the City contracts for water on an annual basis, the determination that an adequate supply exists to serve the development must be made at the time closest to actual development. The determination of an adequate supply to

urban development will be based on the adequacy of the City's and/or Cal Water's contracted water supply from Zone 7. Because the City and Cal Water contract only for the water required to serve reasonable foreseeable development over the coming year, it is unlikely that sufficient water would be contracted at the time of tentative subdivision map approval because such approvals often occur well in advance of actual construction and in advance of a growth management allocation. Requiring a determination regarding the adequacy of the water supply at the tentative map stage could require the City to contract for water in advance of the time that the water would actually be required.

The revised policy also ensures that the City does not approve tentative subdivision maps where it appears that there will not be sufficient water available to service the project at the time it is constructed. The best objective indicator of this fact is the availability of water to serve development that has already been conditionally approved. Where sufficient supplies are not available, approval of tentative subdivision maps will de deferred until such time as additional water supplies are obtained to serve development that has already been approved.

Finally, the restriction on approval of agricultural development pending water supply verification has been removed to avoid any implication that the City is seeking though the Specific Plan to impose new regulations on agriculture in the SLVSPA. The Specific Plan does not seek to regulate agricultural planting practices only to state requirements for agricultural mitigation. The intent of the deleted sentence was to ensure that agriculture developed in order to satisfy the City's agricultural mitigation requirements did not result in water demands exceeding the available supply. This function is served adequately by the last sentence of the policy which requires that sponsors of projects requiring agricultural mitigation demonstrate that sufficient water exists to satisfy their mitigation obligations before commencing urban development in reliance on that mitigation.

STATE OF CALIFORNIA — PETE WILSON, *Governor*

Governor's Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

RECEIVED
JUL 15 1997
PLANNING DEPARTMENT

July 11, 1997

MARC ROBERTS
CITY OF LIVERMORE
1052 SOUTH LIVERMORE AVENUE
LIVERMORE, CA 94550

Subject: SOUTH LIVERMORE VALLEY SPECIFIC PLAN SCH #: 96052025

Dear MARC ROBERTS:

The State Clearinghouse submitted the above named environmental document to selected state agencies for review. The review period is closed and none of the state agencies have comments. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. **1-A**

Please call Kristen Derscheid at (916) 445-0613 if you have any questions regarding the environmental review process. When contacting the Clearinghouse in this matter, please use the eight-digit State Clearinghouse number so that we may respond promptly.

Sincerely,

Antero A. Rivasplata

ANTERO A. RIVASPLATA
Chief, State Clearinghouse

Notice of Completion

See NOTE below

SCH # 96052025

Mail to: State Clearinghouse, 1400 Tenth Street, Sacramento, CA 95814 916/445-0613

Project Title: South Livermore Valley Specific Plan

Lead Agency: City of Livermore — Contact Person: Marc Roberts

Street Address: 1052 South Livermore Avenue — Phone: (510) 373-5200

City: Livermore — Zip: 94550 — County: Alameda

Project Location

County: Alameda — City/Nearest Community: Livermore

Cross Streets: Vasco Road/Tesla Road/Wente Street/Arroyo Road/Wetmore — Total Acres: 1,887

Assessor's Parcel No. ____ — Section: ____ Twp. ____ Range: ____ Base: ____

Within 2 Miles: State Hwy #: 84 — Waterways: Arroyo Mocho, Arroyo Del Valle

Airports: ____ — Railways: UP/SP — Schools: LVJUSD - several

Document Type

CEQA: ☐ NOP ☐ Early Cons ☐ Neg Dec ☒ Draft EIR ☐ Supplement/Subsequent ☐ EIR (Prior SCH No.) ☐ Other

NEPA: ☐ NOI ☐ EA ☐ Draft EIS ☐ FONSI

Other: ☐ Joint Document ☐ Final Document ☐ Other

Local Action Type

☐ General Plan Update ☒ General Plan Amendment ☐ General Plan Element ☐ Community Plan

☒ Specific Plan ☐ Master Plan ☐ Planned Unit Development ☐ Site Plan

☐ Rezone ☒ Prezone ☐ Use Permit ☒ Land Division (Subdivision, Parcel Map, Tract Map, etc.)

☒ Annexation ☐ Redevelopment ☐ Coastal Permit ☐ Other

Development Type

☒ Residential: Units 1,494 Acres 628

☐ Office: Sq.ft. ____ Acres ____ Employees ____

☒ Commercial: Sq.ft. 233,170 Acres 42 Employees 189

☐ Industrial: Sq.ft. ____ Acres ____ Employees ____

☐ Educational

☐ Recreational

☐ Water Facilities: Type ____ MGD ____

☐ Transportation: Type

☐ Mining: Mineral

☐ Power: Type ____ Watts ____

☐ Waste Treatment: Type

☐ Hazardous Waste: Type

☐ Other:

Project Issues Discussed in Document

☒ Aesthetic/Visual ☒ Agricultural Land ☒ Air Quality ☒ Archeological/Historical ☐ Coastal Zone ☒ Drainage/Absorption ☒ Economic/Jobs ☐ Fiscal

☒ Flood Plain/Flooding ☒ Forest Land/Fire Hazard ☒ Geologic/Seismic ☐ Minerals ☒ Noise ☒ Population/Housing Balance ☒ Public Services/Facilities ☒ Recreation/Parks

☒ Schools/Universities ☐ Septic Systems ☒ Sewer Capacity ☒ Soil Erosion/Compaction/Grading ☐ Solid Waste ☐ Toxic/Hazardous ☒ Traffic/Circulation ☒ Vegetation

☒ Water Quality ☒ Water Supply/Groundwater ☒ Wetland/Riparian ☒ Wildlife ☒ Growth Inducing ☒ Landuse ☒ Cumulative Effects ☐ Other

Present Land Use/Zoning/General Plan Use The land within the Specific Plan area is either vacant, used for intensive agriculture or used for grazing. The Alameda County General Plan designates the area for agriculture and the area is zoned "A" (Agriculture). City General Plan designations include Limited Ag (20 ac/min), Viticulture and General Ag (100 ac/min).

Project Description

Adoption of a Specific Plan, General Plan Amendment, Prezoning, Amendment of the City's Sphere of Influence, Annexation, Land Division, and project development to: Permit development of up to 1,494 housing units and up to 13 commercial sites (including wineries, an olive press, bed and breakfast inns, and wine country retail), provide streets, public facilities and services, establish open space trail corridors and regional park land, create a mechanism to permanently protect about 2,000 acres of intensive agriculture.

State Clearinghouse Contact: Mr. Chris Belsky (916) 445-0613

State Review Began: 5.27.97

Dept. Review to Agency 7.3

Agency Rev to SCH 7.9

SCH COMPLIANCE 7.11

Please note SCH Number on all Comments

96052025

Please forward late comments directly to the Lead Agency

AQMD/APCD 2 (Resources: 5/27)

Project Sent to the following State Agencies

- X Resources
- ____ Boating
- ____ Coastal Comm
- ____ Coastal Consv
- ____ Colorado Rvr Bd
- ____ Conservation
- X Fish & Game # 3
- ____ Delta Protection
- ____ Forestry
- X Parks & Rec/OHP
- ____ Reclamation
- ____ BCDC
- ____ DWR
- ____ OES

Bus Transp Hous

- ____ Aeronautics
- ____ CHP
- X Caltrans # 4
- X Trans Planning
- X Housing & Devel

Health & Welfare

- ____ Drinking H20
- ____ Medical Waste

State/Consumer Svcs

- ____ General Services

Cal/EPA

- X ARB
- ____ CA Waste Mgmt Bd
- ____ SWRCB: Grants
- ____ SWRCB: Delta
- ____ SWRCB: Wtr Quality
- ____ SWRCB: Wtr Rights
- X Reg. WQCB # 2
- ____ DTSC/CTC

Yth/Adlt Corrections

- ____ Corrections

Independent Comm

- ____ Energy Comm
- ____ NAHC
- ____ PUC
- ____ Santa Mn Mtns
- X State Lands Comm
- ____ Tahoe Rgl Plan
- ____ Other:

Letter #1. Antero A. Rivasplata, Chief, State Clearinghouse, Governor's Office of Planning and Research, July 11, 1997.

Response to Comment 1-A: Circulation of Draft EIR

Comment regarding the circulation of the Draft EIR to affected State agencies is acknowledged.

ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
5997 PARKSIDE DRIVE • PLEASANTON, CALIFORNIA 94588-5127 • PHONE (510) 484-2600 FAX (510) 462-3914

July 14, 1997

RECEIVED
JUL 21 1997
PLANNING DEPARTMENT

Mr. Marc Roberts
City of Livermore
Planning Department
1052 South Livermore Avenue
Livermore, CA 94550-4899

RE: South Livermore Specific Plan Draft Environmental Impact Report

Dear Mr. Roberts:

The South Livermore Valley Specific Plan Area (SLVSPA) is located in unincorporated Alameda County, south of the City of Livermore. The plan provides for the development of 1,494 single family residential units within the 1,887 acre SLVSPA. The plan provides for agricultural mitigation by requiring planting of about 2,000 acres of vineyards and orchards. The plan also allows for some development related to wine country commercial uses.

We have reviewed the Draft Environmental Impact Report and offer the following comments grouped under: 1) Water Supply, 2) Salt Loading/Water Quality, and 3) Flood Control.

WATER SUPPLY

The Draft EIR correctly identifies the need to develop new sources of water for serving the vineyards. The estimates for the agricultural demand would require 4,615 acre-feet/year of untreated water. Deliveries requested from Zone 7 by municipal water retailers and agricultural customers can be met with current supplies for the next five years. Our planning efforts which identify and assess potential sources are summarized in the planning documents mentioned in the Draft EIR; 1) Zone 7 Water Supply Planning Report and 2) Water Connection Charge Program Update. Our current estimate for obtaining new water is 6-12 months. The contracts now being negotiated by Zone 7 are for water transfers from the Byron-Bethany Irrigation District (2,000-5,000 acre-feet) and for State Water Projects Entitlements from the Berenda Mesa Water District in Kern County (7,000 acre-feet). 2-A

Mr. Marc Roberts
City of Livermore
Planning Department
July 14, 1997
Page 2

Although not quite as urgent as water supply, new water conveyance facilities into the Livermore-Amador Valley will also be needed to serve the new demands of South Livermore as well as the urban areas within Zone 7. The high peak demands of agriculture will definitely require more aqueduct capacity. Enlarging the South Bay Aqueduct and purchasing unallocated South Bay Aqueduct conveyance capacity are the most probable near term solutions. 2-B

As a consequence of developing new water for vineyards, there will likely be a revisit of the issue of water acquisition costs for increased untreated water demands. One form of cost-sharing might be an increase in the charges for untreated water. Very preliminary estimates indicate that untreated water could be $200 per acre-foot or more as compared to the current price of $50/acre-foot. It should be noted that $200/acre-foot cost would be reduced if connection fees are paid to Zone 7 up front. We understand that the increased untreated water rate may affect the economic viability of the wine industry/agricultural community. We suggest that an informed discussion on this matter take place prior to project approval. 2-C

Imported Surface Water from the State Water Project (SWP) - p. 4.9-2

Estimates for deliveries from the SWP range from 5,060 (11%) to 46,000 (100%) acre-feet per year with an average yield of about 34,800 (75%) acre-feet per year. 2-D

Water Transfers - p. 4.9-10

The Department of Water Resources and State Water Project contractors can implement entitlement transfers under the principles of the Monterey Agreement regardless of the outcome of the current litigation. 2-E

Draft Plan Policies/Policy 8-1 - p. 4.9-12

Zone 7 would only approve requests for water deliveries which do not exceed its long-term yield. 2-F

State Water Project Improvements - p. 4.9-12

The State has stopped its planning efforts on Los Banos Grande Reservoir. However, they are working on a project known as "American Basin Conjunctive Use Plan" which would increase our SWP yield and dry year reliability. 2-G

Mr. Marc Roberts
City of Livermore
Planning Department
July 14, 1997
Page 3

SALT LOADING/WATER QUALITY

As a result of additional imported water to irrigate 2,000 acres of new vineyards and landscaping associated with 1,494 new housing units, salt loading on the Livermore-Amador Valley main groundwater basin will increase. The main basin currently experiences an average net salt influx of approximately 3,000 tons/year. This influx of salts comes from irrigation with imported water, irrigation with recycled water, stream recharge, and subsurface inflow.

To address this water quality degradation problem, Zone 7 is developing a Salt Management Program (SMP) that has a long-term goal of reducing the annual salt imbalance in the main basin to zero. To achieve this goal, mitigation measures need to be implemented to eliminate both the existing salt imbalance and to offset "new" salt loading sources within the watershed. The proposed project's residential and agricultural development will increase salt loading in proportion to the new area under irrigation and intensity of irrigation. This project should acknowledge that it will conform with the Salt Management Program when adopted. **2-H**

Much of the project area is located over the Amador and Mocho subbasins, where the majority of salts and other constituents in the percolate from irrigation will directly enter the main basin, impacting an important municipal source of supply. During high rainfall years, some salts may potentially be transported laterally from the less permeable areas to adjacent creeks. These salts will either be recharged further downstream (east) in the main basin, or else conveyed out the Livermore Amador Valley and be recharged in the Niles Cone, another important municipal groundwater supply source.

Salt Mitigation

Zone 7 supports a watershed based approach to addressing the impacts of increased TDS loading on the main groundwater basin, the Valley creeks, and the Niles Cone from new development and all types of irrigation within the watershed. Zone 7 will work with the project proponent to identify feasible and equitable salt mitigations. Two key salt mitigation projects being investigated by the Zone's Salt Management Program include 1) groundwater injection of demineralized recycled water and 2) increased conjunctive use (i.e., groundwater recharge and pumping) coupled with wellhead demineralization. The latter is currently Zone 7's preferred conceptual salt management and mitigation approach. **2-I**

Mr. Marc Roberts
City of Livermore
Planning Department
July 14, 1997
Page 4

Hydrology, Drainage, and Water Quality Impacts and Mitigation Measures - p. 4.3-18

Stormwater runoff, irrigation related runoff and base flow from urban areas and agricultural areas contain elevated levels of pollutants including total dissolved solids (TDS). This section needs to more comprehensively assess the water quality impacts of urban and agricultural runoff from the project on both local and downstream creeks, and particularly on the main groundwater basin. **2-J**

The section should reference Livermore, Alameda County, and Zone 7 as permittees under the Alameda Countywide Clean Water Program (ACCWP) NPDES permit. The ACCWP has collected several years of water quality monitoring data that would most likely be more relevant for estimating project related contaminant loadings than the national data used in Exhibit 4.3-11. This section and Exhibit 4.3-11 should also assess the resultant salt (TDS) loadings and impacts on stream and groundwater quality from the individual project areas and cumulatively. **2-K**

Estimates of likely potential fertilizer, herbicide, and pesticide usage should be provided along with a more quantitative evaluation of resultant water quality impacts. This should include estimates of amounts not taken up by plants and relative amounts likely to runoff to surface water and to percolate into the groundwater. **2-L**

Impact 4.3-4 Water Quality - p. 4.3-27

This impact statement needs to be broadened to include impacts on main basin groundwater quality, particularly from increased TDS. (To minimize redundancy, we suggest that the detailed evaluation of irrigation related salt loading and associated impacts be included in Section 4.9 Public Services, Water Service - Impacts and Mitigation Measures and the results referenced in this section). Mitigation Measure 4.3-4 simply proposes to implement Draft Plan Policies 8-21 and 8-22 through 8-27. These proposed mitigation measures are not comprehensive enough since they are limited primarily to erosion and sediment management. **2-M**

The Draft EIR needs to identify and commit to complying with relevant Best Management Practices and other requirements of the ACCWP regarding new development and overall stormwater quality management. Management plans and measures need to be identified and committed to regarding "irrigation related salt loading impacts."

Mr. Marc Roberts
City of Livermore
Planning Department
July 14, 1997
Page 5

Impact 4.9-2 Groundwater Resources - p. 4.9-14

This section does not address impacts on groundwater quality. The section should be edited to be consistent with the above comments regarding salt loading impacts. Similarly, Mitigation 4.9-2 should be changed from "no mitigation required" to include compliance with the Salt Management Program when adopted. **2-N**

FLOOD CONTROL

1. It appears from Exhibit 2.1-2 that none of the proposed SLVSPA subareas include any major arroyos/creeks. **2-O**

2. Zone 7 does not own any of the nearby channels and, hence, would not be reviewing any connecting storm drain outlet design. (We would, however, be happy to provide the City or a developer with standard details or other helpful information.) **2-P**

3. Small portions of Subareas 5, 6 and 7 lie within the current FEMA 100-year flood zone. These areas should be examined more closely to ensure that all structures are built above the 100-year flood elevation under a fully developed watershed condition. **2-Q**

4. While small local detention ponds may work well for the more frequent storms (i.e., Q_5, Q_{15}, etc.) to reduce localized flooding and improve culvert design for small areas, their usefulness on a system-wide basis is questionable. During a large rainstorm, as much runoff as possible should leave the area before the larger upstream peaks pass. Therefore, in the case of the SLVSPA subareas, the use of detention ponds is not required or desirable from a basin wide flood control point of view. **2-R**

Please feel free to give me a call at extension 224 if you have any questions regarding our comments.

Sincerely,

Dennis H. Gambs, Chief
Water Supply Engineering

DHG:as

cc: Each Member, Zone 7 Board of Directors

Letter #2. Dennis H. Gambs, Chief, Water Supply Engineering, Zone 7, Alameda County Flood Control and Water Conservation District, July 14, 1997.

Response to Comment 2-A: Water Supply

The commentor correctly states that the estimates for agricultural water demand to serve the new viticultural areas would require approximately 4,615 acre-feet per year of untreated water. Thank you for the information about Zone 7's ongoing efforts to secure additional water transfers from the Byron-Bethany Irrigation District (2,000 to 5,000 acre-feet) and for State Water Projects Entitlements from the Berenda Mesa Water District in Kern County (7,000 acre-feet).

Response to Comment 2-B: Water Supply

The City concurs with Zone 7's comment that new water conveyance facilities will also be needed to serve the new demands.

Response to Comment 2-C: Water Supply

Zone 7's comments concerning the project's economic viability if agricultural water increased in price are noted.

Response to Comment 2-D: Imported Surface Water from the State Water Project (p. 4.9-2)

The EIR authors appreciate the updated information on imported surface water from the State Water project. Please note that the second to the last sentence in paragraph 6 on page 4.9-2 is hereby changed as follows to reflect that information.

> "Estimates for deliveries from the SWP range from 5,060 (11%) to 46,000 (100%) acre feet per year with an average yield of about 34,800 (75%) acre feet per year."

Response to Comment 2-E: Water Transfers (p. 4.9-10)

The commentor's opinion regarding water transfers is acknowledged and will be forwarded to city decision makers. The EIR takes a conservative approach in identifying potential impediments to providing an adequate water supply to serve the project.

Response to Comment 2-F: Draft Plan Policies/Policy 8-1 (p. 4.-12)

Comment noted. Refer to the Master Water Response at the beginning of this Final EIR.

Response to Comment 2-G: State Water Project Improvements (p. 4.9-12)

Comment noted regarding the State's modified planning efforts. Paragraph 2 page 4.9-13 is hereby replaced with the following text to reflect this updated information:

> **State Water Project Improvements.** Planned improvements to the State Water Project (SWP) include a project known as the "American Basin Conjunctive Use Plan", which would increase the SWP yield and dry year reliability. The Department of Water Resources (DWR) recently concluded that the project has the potential to yield 55,000 acre-feet of water to the State Water Project during critical and dry years and that the project is technically and economically feasible. Implementation would require a memorandum of agreement among project participants and environmental review pursuant to CEQA. (Memorandum of Karl Winkler, Department of Water Resources, July 2, 1997.)

Response to Comment 2-H: Salt Loading/Water Quality

The information provided by the commentor is acknowledged and is incorporated into the FEIR by this reference.

Response to Comment 2-I: Salt Mitigation

In order to support Zone 7's plans to develop a basin-wide approach to salt management, the following policy could be included in the Specific Plan:

> *Policy 8-11* *The City shall cooperate in development and implementation of the Zone 7 Salt Management Plan.*

Proposed changes to the EIR are included in Section 2 of this Response document.

Response to Comment 2-J: Water Quality Impacts (p. 4.3-18)

This comment refers to regional water quality data compiled as part of the Alameda Countywide Clean Water Program (ACCWP). This data has been reviewed and incorporated into a revised exhibit 4.3-11 included in the FEIR. In addition, changes have been made within the FEIR text to reflect the ACCWP water quality monitoring data and the status of Livermore, Alameda County and Zone 7 as permitted under the ACCWP NPDES permit. Finally, a rough quantitative assessment of the TDS loading from the increase in irrigated agriculture in the SLVSPA is provided in the responses below.

> **Revised Draft EIR text, page 4.3-17, first paragraph under "Water Quality"**
>
> ~~No surface water quality data are available for the principal streams which drain the SLVSPA. This lack of data is typical of urban communities throughout the U.S. Data on stormwater quality has been limited to point source analyses conducted for mixed industrial effluents or to programmatic non-point source analyses by the U.S. Environmental Protection Agency (USEPA). In the case of the USEPA's data collection efforts, representative urban areas have been targeted only for brief periods of time. Due to the low density of existing development in~~

~~the subareas, typical stormwater contaminant concentrations probably are much lower than those measured in areas dominated by urban land uses. Moreover, given~~ **Surface water quality data were compiled for storm drain and natural channel sampling sites in Alameda County during a 1988-1995 monitoring study conducted for the Bay Area Stormwater Management Agency (BASMAA --Woodward-Clyde 1996). Five categories of land use were investigated to determine loading rates for specific stormwater contaminants, including industrial, commercial, residential, transportation and open space. While some open space sampling probably included agricultural sites, the sampling did not include nutrients or herbicide/pesticide chemicals commonly associated with agricultural settings. The results of the monitoring confirmed that open space contaminant concentrations, while not necessarily negligible, were one or two orders of magnitude less than the urbanized land uses. Given** the intensive groundwater pumping for irrigated agriculture and the losing condition (the streambed seepage to the groundwater system rather than groundwater discharge to the streams) of streams in the area, the bulk of agricultural contaminants entering the groundwater system reach the surface water system much farther downstream.

Revised Draft EIR text, page 4.3-19, fifth paragraph under "Peak Flow and Water Quality Assessments"

The EIR's second comparative assessment was made to clarify the significance of development impacts on the quality of area stormwater discharge. The assessment applied contaminant loading rates cited in **two studies on urban stormwater quality. The first study was the U.S. Environmental Protection Agency's (EPA's)** ~~the USEPA's~~ National Urban Runoff Program (NURP) studies, adjusted to reflect SLVSPA departures from the baseline mean annual precipitation used in normalizing EPA study sites. **The second study was the baseline urban stormwater quality analysis performed for the BASMAA (Woodward-Clyde 1996). This latter analysis segregated the Alameda County sampling sites and estimated stormwater concentrations for three of the heavy metals also identified in the NURP study.** Surface water loading rates were computed for five urban stormwater constituents typically associated with urbanization assuming both existing and post-development land uses. **The Alameda County data included ambient concentrations in unurbanized watershed runoff. As the table indicates, these ambient concentrations were low but not undetectable. This likely derives from natural watershed geology as well as from ranch-style residential and agricultural operations. No estimates were given in the study for agricultural land uses, although the NURP data did include some nutrients such as nitrat-nitrogen (N03-N). The contaminant concentrations based on this local data is presented along with the estimates derived from the more comprehensive NURP study in Exhibit 4.3-11.**

Revised Draft EIR text, page 4.3-20, seventh paragraph under "Peak Flow and Water Quality Assessments"

Exhibit 4.3-11 lists the loading rates computed for the SLVSPA under existing and post-development land uses**, using each of the two baseline data sources - NURP and BASAMAA.** The exhibit also shows threshold values for the assessed water quality indicators, known as

maximum contaminant levels (MCLs). [1] In ~~both~~ **all** cases, contaminant concentrations are calculated to be significantly less than the threshold MCLs for urban stormwater. Because of the relatively large area designated for open space and vineyard cultivation, the cumulative water quality impact of SLVSPA buildout also would be minor (see ***Impact 4.3-4***). **It is evident from the tabulated data, however, that the levels of stormwater contaminants in area stormwater would be increased relative to existing conditions. Note that the increases in post-project contaminant concentrations are of a similar order of magnitude for each of the analyses. For the Cu an Pb concentrations in particular, application of the local BASMAA estimates resulted in significantly lower concentrations than the NURP-derived estimates.**

Exhibit 4.3-11
Annual Contaminant Loading to SLVSPA Drainages from Subareas [a]

Contaminant	Loading Rate			Criteria	Weighted Area Concentration (mg/l)	
	Existing Conditions [b]	*Post-Project Conditions* [b]	*mg / l* [c]	*mg / l* [d]	*Existing*	*Post-Project*
NO 3-N	663	3,725	2.2	96.0	NA	NA
Total Cu	222	1,426	0.9	12.0	0.005	0.013
Total Pb	135	755	0.4	3.2	0.007	0.028
Total Zn	157	886	0.5	4.7	0.046	0.109
Oil and Grease	0.3 mg /1		1.74	5.3	NA	NA

[a] Assumptions:
1) Representative rainfall year = 1984-1985 (14.59 inches)
2) Number of storms in 1984-1985 = 20
3) Average storm rainfall depth = 0.70 inches
4) Loading rates for residential and commercial land uses based on Table 6-25 "Annual Urban Runoff Loads", *Results of the Nationwide Urban Runoff Program*, U.S. EPA, December 1983.

[b] Pounds per acre per year (lb / ac / yr)
[c] Milligrams per liter (mg / l) = parts per million (ppm)
[d] Toxicity thresholds for selected contaminants from *Quality Criteria for Water*, U.S. EPA, May 1986, and *Oil and Grease in Urban Stormwaters,* Michael Stenstrom *et al,* ASCE Journal of Environmental Engineering, February 1984.
[e] **Woodward-Clyde 1996. *San Francisco Bay Area Stormwater Runoff Monitoring Data Analysis: 1988-1995*, Prepared for BASMAA, Oct. 15, 1996.**

Response to Comment 2-K: Water Quality Monitoring Data (p. 4.3-18)

To estimate potential loading of TDS (salts) into nearby streams and groundwater from the SLVSPA projects, a conservative approach adopted by Zone 7 in their Annual Salt Balance Reports was used (Zone 7, 1996). This approach assumes that additional irrigation will increase salt loading to groundwater by the entire amount of salts in the water. Plant uptake of salts,

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[1] *Quality Criteria for Water*, U.S. Environmental Protection Agency, May 1986.

attenuation/storage of salts in the vadose zone, or other losses of salts from the system are assumed to be negligible.

Salt loading estimates are required to evaluate a basin-wide salt balance, but may not be reflective of decreased water quality. Ultimately, water quality is related more to the TDS concentration in water, a function of the amount of salts per unit volume of water. If applied water has a lower TDS than ambient groundwater, salt loading still occurs but groundwater quality may actually improve. For example, review of the Zone 7 salt balance calculation for water year 1995 indicates that salt loading to the main basin increased by 1,340 tons (Zone 7, 1996). However, because groundwater levels rose from increased recharge, the net TDS concentration in the recharge water was estimated at 77 mg/l, an improvement in water quality over current ambient TDS concentrations. Nonetheless, additional salt loading from water with relatively high TDS concentrations may require additional groundwater recharge or salt removal to counterbalance the salt loading. Both of these measures are likely to be a component in the Zone 7 Salt Management Plan.

Approach

To address Zone 7's comments on assessing salt loading from individual and cumulative projects, the following equation was applied to subarea-specific urban and agriculture irrigation (applied water):

Salt Load = (Applied Water AFY) x (0.000897 mgd/AFY) x (8.34 lb-l / 10^6 gal-mg) x (TDS mg/l) x (365 days/year) / (2,000 lb/ton)

This equation yields salt loading in tons per year and is consistent with previous salt loading calculations by Montgomery Watson (1996) and Zone 7 (1996). Estimates assume buildout for all proposed projects.

To obtain reasonable volumes for applied water, total water demand was subdivided for each land use in each subarea. Demand calculations per subarea were consistent with the calculation methods presented in the Draft EIR. For agriculture, neighborhood parks, and other landscaped areas, the entire demand was assumed to be applied water. For residential and commercial (urban) use, applied water was assumed to be 55 percent of demand, consistent with Zone 7 methodology (Zone 7, 1996).

The estimated amounts of applied water for each subarea were coupled with various TDS concentrations representative of potential water sources for the projects. Imported surface water via the South Bay Aqueduct (SBA) is assumed to be the main water source; however, SBA water may be supplemented by other water sources in the future. Several groundwater wells just outside of Subarea #2 are currently used as a back-up water supply for existing viticulture irrigation (Gatzman, 1997). The potential for expanded groundwater use was not explored for this preliminary estimate of salt loading; however, if used, groundwater could potentially decrease salt loading from SBA water. Consistent with Zone 7 calculations, use of groundwater

would result in a zero salt load since the water (and salts) are simply removed from the basin and then re-applied. To illustrate this, one salt loading scenario includes using up to 25 percent of groundwater for agriculture irrigation. The plan also envisions the availability of recycled water in the future as a potential secondary source for irrigation (City of Livermore, 1997). However, because the infrastructure to support the project is still in the early planning stages, recycled water is not used in these estimates of salt loading.

TDS concentrations in SBA water range from 100 mg/l to more than 700 mg/l (Zone 7, 1997). A review of concentrations used in Zone 7's annual salt balance over the last 22 years indicate TDS concentrations in urban and agriculture irrigation average 245 mg/l. The most recent annual salt balance (water year 1995) used flow-weighted TDS averages of 130 mg/l and 180 mg/l for SBA agriculture irrigation and SBA urban irrigation, respectively (Zone 7, 1996). In Zone 7's recent Screening Level Salt Balance Studies, a TDS concentration of 300 mg/l (range from 250 mg/l to 440 mg/l) was used for SBA water in the baseline case (Zone 7, 1997). An additional screening level scenario assumed the availability of higher water quality in the future, with average TDS concentrations of 100 mg/l. A range of reasonable TDS concentrations including 130 mg/l,250 mg/l, and 440 mg/l are used in the salt loading estimates in this response.

Salt Loading Estimates

Results of annual salt loading estimates are summarized in Table 1. Total salt loading estimates to the main basin range from 912 tons/year to 3087 tons/year. Various scenarios provide a range of estimates based on different TDS concentrations of applied water, as well as one scenario with a combination of groundwater and SBA water. Neither the higher TDS value nor the lower TDS value would likely be applicable over the long term, as TDS concentrations in SBA water vary from year to year. Specific impacts on groundwater quality as a result of this loading would depend on other factors including rainfall recharge, artificial recharge, and salts removed from the groundwater basin.

Amounts of applied water are constant for each scenario. This is considered conservative as it assumes that each acre in the SLVSPA is fully developed for its intended land use and includes conservative estimates for agricultural demand.

These estimates represent a total annual salt loading from the subareas rather than incremental loading associated with modifications to current conditions by the *Draft Plan*. The agriculture land use is permitted under current conditions, so the incremental effects of the *Draft Plan* are somewhat less than the total loading estimates. However, this response incorporates a simplifying assumption that the current agriculture acreage is predominantly un-irrigated. The SLVSPA agriculture is required to be viticulture or orchards, requiring irrigation (City of Livermore, 1997).

Potential pathways by which these salts could enter the main basin are discussed below.

Salt Transport into the Main Basin

Salts that enter the groundwater basin will be transported either directly to the water table by infiltrating water or carried by rainfall runoff to local streams, where groundwater recharge may occur. Project subareas are located in areas of the basin where streams recharge groundwater (rather than groundwater rising into streams, as evident in the western portions of the basin). However, not all of the stream flow infiltrates; a portion continues as surface flow that leaves the basin and is available for downstream recharge in the Niles Cone area. Since the salt loading methodology used in this response assumes that all salts applied to the surface reach the main groundwater basin, it is also assumed that any subarea salts reaching nearby surface streams are recharged. Therefore, salt loading estimates are maximized by assuming no surface outflow of salts associated with these projects.

Since the plan requires drip irrigation for all new agriculture, surface runoff during irrigation season is assumed to be negligible. Both urban and agriculture irrigation occur predominantly during the summer months; current practice for typical vineyards includes irrigation from March into November (Gatzman, 1997).

Salt loading estimates and salt transport are described below for each subarea. The descriptions of salt transport do not relate directly to the conservative salt loading calculations (Table 1) because all of the salts in the applied water are assumed to enter the main basin as previously discussed.

Subareas #1 and #2: As indicated in Table 1, salt loading estimates from these two subareas range from approximately 153 tons/year (46 tons/year + 107 tons/year) to approximately 519 tons/year (156 tons/year + 363 tons/year). This range accounts for approximately 17 percent of the total estimated salt loading from the SLVSPA projects. These subareas are located outside the main groundwater basin as defined by Zone 7 (1994). Salt loading to the main basin from these subareas would likely occur as subsurface inflow. However, both subareas contain low permeability soils, and the consolidated Livermore Formation underlies almost one-third of the agricultural acreage. These conditions are expected to limit the amount of infiltrating water and salts reaching the relatively deep water table (80 feet below ground surface) beneath the subareas. Clayey soils may also retain more irrigation water, allowing for demand (and salt loading) to be slightly lower than predicted. Therefore, the predominant pathway for salt loading to the main basin from Subareas #1 and #2 is likely to be winter surface runoff of salts into nearby streams and subsequent infiltration to the water table. Given subarea-specific conditions, actual annual salt loading is expected to be less than estimates presented in Table 1.

Subarea #3: This subarea contains the smallest amount of applied water, and therefore, the smallest amount of estimated salt loading. Salt loading estimates range from 16 tons/year to 55 tons/year, or approximately 2 percent of the total project loading (Table 1). The entire subarea is located within the main groundwater basin just south of Arroyo Mocho, along a reach of groundwater recharge into the main basin (Sorenson, et al. 1984). Salts reaching the main basin

TABLE 1
ESTIMATED SALT LOADING

C:\Soliv\Salt-ld.xls

Subarea	Agriculture Applied Water (1) (AFY)	Urban Applied Water (2) (AFY)	Parks/ Landscaped Applied Water (3) (AFY)	Total Applied Water (AFY)	ANNUAL SALT LOADING ESTIMATES TO MAIN BASIN				
					100% SBA TDS 130 mg/l (tons/year)	100% SBA TDS 250 mg/l (tons/year)	100% SBA TDS 440 mg/l (tons/year)	25% GW 75% SBA TDS 250 mg/l (tons/year)	Percent Loading By Subarea (%)
1	214.2	40.5	5.6	260.3	46	89	156	67	5%
2	425.7	163.2	15.0	603.9	107	206	363	155	12%
3	35.3	56.0	0.6	91.9	16	31	55	24	2%
4	330.5	56.7	3.2	390.4	69	133	235	100	8%
5	96.5	65.0	6.5	168.0	30	57	101	43	3%
6	390.6	4.0	0.0	394.6	70	135	237	101	8%
7	812.9	94.1	14.4	921.4	164	314	553	236	18%
Unspecified	2308.5			2308.5	410	788	1387	591	45%
TOTALS	4614.3	479.4	45.3	5139.0	912	1754	3087	1316	100%

Notes:

(1) Agriculture Applied Water is 100% of demand using 2.25 AFY/ac as documented in the DEIR.

(2) Urban Applied Water is 55% of demand, consistent with Zone 7 methodology (Zone 7, 1996). Demand is recalculated by subarea using housing density methodology documented in the DEIR.

(3) Parks/Landscaped Area Applied Water is 100% of demand using 800 gpd/ac as documented in the DEIR.

SBA = South Bay Aqueduct

GW = Groundwater

are expected to be transported through the underlying gravely soils to the relatively shallow water table (approximately 14 feet below ground surface).

Subarea #4: Salt loading estimates associated with this subarea range from 69 tons/year are expected to be transported through the underlying gravely soils to the relatively shallow water table (approximately 14 feet below ground surface).

Subarea #4: Salt loading estimates associated with this subarea range from 69 tons/year to 235 tons/year, or approximately 8 percent of the total salt loading (Table 1). This subarea is just outside the main basin and is underlain predominantly by alluvium in the west and the consolidated Livermore Formation in the southeast. Soil infiltration rates are characterized as slow throughout the entire subarea, and depth to water exceeds 150 feet. As in Subareas #1 and #2, groundwater recharge (and vertical salt transport) is expected to be more limited than in more permeable sediments such as Subarea #3. Therefore, predominant transport of salts into the main basin is expected to be from winter surface runoff to Arroyo Valle and subsequent infiltration along the permeable stream gravels. Actual annual salt loading is expected to be less than predicted in Table 1.

Subareas #5 and #6: Salt loading estimates from these two subareas range from 100 tons/year to 338 tons/year, or approximately 11 percent of the total estimated salt loading (Table 1). Both of these subareas are in the main basin and located along the northern side of Arroyo Valle. Soil infiltration rates vary from slow on the eastern end of Subarea #5 to rapid along the southwestern edges of Subarea #6 near Arroyo Valle. Depth to groundwater is minimal, approximately ten feet below ground surface along the western margin. Most of the applied water is proposed for the larger agricultural area of Subarea #6. Therefore, salts applied to the surface of these two subareas could percolate directly into the main basin. Any surface runoff of salts from the lower permeability areas of Subarea #5 would flow into Arroyo Valle and percolate to groundwater along the stream bed.

Subarea #7: Estimates of salt loading from Subarea #7 range from 164 tons/year to 553 tons/year, or approximately 18 percent of total annual salt loading (Table 1). This subarea is situated on the edge of the main basin, south of Arroyo Valle. A small portion on the eastern edge is underlain by highly permeable soils. Water applied to agricultural acreage here would likely have a high recharge rate, transporting salts to the shallow groundwater below. However, most of the subarea is underlain by low permeability sediments and consolidated bedrock. The predominant pathway of salts into the main basin from these areas is likely through winter surface runoff into Arroyo Valle and percolation to groundwater through the permeable stream gravels.

Unspecified Areas: Additional agriculture acreage in unspecified areas of south Livermore comprise the largest salt loading component due to the relatively large amount of agricultural acres and demand. Estimates of loading from these areas range from 410 tons/year to 1387 tons/year, or approximately 45 percent of the total salt loading. Assuming that these acres fall into the same general areas as the subareas above, salt transport to the main basin is likely to be

predominantly by groundwater infiltration directly into the main basin or recharge along nearby stream channels.

Conclusions

- Increased urban and agriculture irrigation associated with the *Draft Plan* will increase salt loading to the main groundwater basin in the Livermore-Amador Valley.
- Conservative simplifying assumptions allow for a range of maximum annual salt loads to be estimated. These estimates range from 912 tons/year to 3087 tons/year.
- Consistent with Zone 7 methodology, all of the salts associated with TDS concentrations in applied water are assumed to be transported into the main basin.
- Actual salt loading to the groundwater basin is dependent on subarea-specific conditions and may be significantly less than estimated.
- Zone 7 indicates that salt loading in the groundwater basin will be offset by development and implementation of a Salt Management Plan. The EIR proposes a new City policy to participate in the development and implementation of this Plan.

References Cited:

City of Livermore, 1997, Draft South Livermore Valley Specific Plan, May.

DSRSD/EBMUD Recycled Water Authority (DERWA), 1996, Draft Environmental Impact Report (DEIR) for the San Ramon Recycled Water Program, August.

Montgomery Watson, 1996, DERWA Salt Loadings, Memorandum to Bert Michalczyk from Lendel Melton, IN DERWA DEIR, July 18.

Gatzman, Michael, Wente Brothers Winery, 1997, Personal conversation, August 18.

Sorenson, S.K., Cascos, P.V. and Glass, R.L., 1984, Water-Quality Conditions and An Evaluation of Ground- and Surface-Water Sampling Programs in the Livermore-Amador Valley, California, USGS Water-Resources Investigations Report 84-4352.

Zone 7, Alameda County Flood Control and Water Conservation District (Zone 7), 1997, Screening Level Salt Balance Studies at 2010 Land Use Conditions, unpublished working document, June 18.

_____, 1996, Main Groundwater Basin Salt Balance, 1974-1995 WY, Internal Memorandum, June 11.

_____, 1994, Main Basin Boundary Definition, Internal Memorandum, May 26.

Response to Comment 2-L: Fertilizer, Herbicide, & Pesticide Impacts (p. 4.3-18)

All of the specialists interviewed for this EIR assessment regarding the impacts of pesticide, herbicide and fertilizer application on surface water and groundwater contamination, including staff at the Regional Water Quality Control Board, suggested that the use of drip irrigation and the improved methods of chemical application have greatly reduced these potential water quality impacts to a negligible level assuming recommended practices.

Response to Comment 2-M: Impact 4.3-4 Water Quality (p. 4.3-27)

The Best Management Practices (BMPs) referred to by the commentor are required components of all Stormwater Pollution Prevention Plans (SWPPPs) prepared in association with the Regional Board's General Construction Activity permits applications, which are described in detail in the general discussion under Impact 4.3-3. The project engineer/hydrologist/erosion control specialist is required to select the best measures for the particular site conditions and other variables using these sources. To clarify this, the text has been revised to specifically refer to the BMP Handbooks for Construction Activity/Commercial prepared for the Storm Water Quality Task Force and distributed by the Regional Board and other Task Force members (including Alameda County Public Works).

Add to text of Policy 8-27 as follows: "Prepare and implement..... would disturb more than five acres of land). The SWPPP shall identify all Best Management Practices (BMPs) planned for implementation during and following project construction, including Source Control BMPs, Treatment Control BMPs, and Post-Construction BMPs. The SWPPP should be submitted.... (as is).

Response to Comment 2-N: Impact 4.9-2 Groundwater Resources (p. 4.9-14)

Refer to Response to Comment 2-J.

Response to Comment 2-O: Flood Control/Presence of Arroyos or Creeks

The commentor is correct in noting that there are no major arroyo/creeks that are within the planning subareas.

Response to Comment 2-P: Flood Control/Storm Drain Outlet Design

Comment noted. No text changes are required.

Response to Comment 2-Q: Flood Control/100-Year Flood Zone

Comment noted as required by City ordinance. The City of Livermore will continue to require any property developer within either of the FEMA or ACFCWCD flood hazard zones to conduct a site specific flood evaluation.

Response to Comment 2-R: Flood Control/Local Detention Ponds

Comment noted. It is understood that Zone 7's approach to stormwater management is to create and maintain flood control channels to flush surface runoff as quickly and efficiently as possible into and through the drainage network. As a result, Policy 8-24 has been amended as follows:

"Policy 8-21: Consistent with the rural image of the planning area, encourage the use of permeable surface drainage and runoff detention systems both inside and outside the development areas. The use of grass-lined swales and detention basins is encouraged as a means of 1) minimizing the increase in the ~~rate and~~ volume of stormwater runoff associated with new urban development, 2) maximizing the potential for groundwater recharge, and 3) filtering the urban pollutants that get carried into the major drainage channels."

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

ALAMEDA COUNTY
Scott Haggerty
Greg Harper
(Vice-Chairperson)
Mary King
Ben C. Tarver

CONTRA COSTA COUNTY
Paul L. Cooper
Joseph Canciamilla
Gayle Uilkema

MARIN COUNTY
Harold C. Brown, Jr.

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William Carroll

SONOMA COUNTY
James Harberson
(Chairperson)
Patricia Hilligoss

Ellen Garvey
Air Pollution Control Officer

July 14, 1997

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JUL 14 1997

PLANNING D.

Mr. Marc Roberts
City of Livermore Planning Department
1052 South Livermore Avenue
Livermore, CA 94550-4899

Subject: South Livermore Valley Specific Plan and General Plan Amendment DEIR

Dear Mr. Roberts:

Bay Area Air Quality Management District (BAAQMD) staff have reviewed the Draft Environmental Impact Report (DEIR) for the South Livermore Valley Specific Plan and General Plan Amendment. The DEIR examines the potential impacts to the environment of developing the 1,887-acre South Livermore Valley Specific Plan Area with 1,494 housing units, 13 commercial sites, a 20-acre school site, 156 acres of public streets, 178 acres of open space and 1,025 acres of agricultural land. The DEIR also evaluates, in less detail, three development alternatives, a "No Development" Alternative and nine subalternative scenarios for a portion of the project site known as Subarea 7.

According to the DEIR, project-related emissions at buildout are expected to be 127 lb/day of reactive organic gases, 176 lb/day of nitrogen oxides and 253 lb/day of particulate matter (PM_{10}), generated mostly by motor vehicles. These figures are well in excess of the BAAQMD's significance threshold of 80 lb/day for each pollutant and, according to the DEIR, would be reduced by only 1-2% percent by the proposed mitigation measures. For this reason, and especially because Livermore experiences the worst ozone readings in the Bay Area, the BAAQMD is concerned about the project's impacts on regional air quality. 3-A

BAAQMD staff appreciate the multi-jurisdictional planning process begun in 1987 for the South Livermore Valley that has led to the proposed project. However, we have concerns about the preferred alternative presented in the DEIR. The project's design, scale and remote location at the urban fringe of the Bay Area will result in a large number of new vehicle trips and miles traveled. The proposed housing is not dense enough to support frequent bus service and project residents will not be within walking or biking distance of routine destinations. Further, the large majority of residents will not be able to work in the project area because the project's commercial space will support only 189 jobs. An additional concern for BAAQMD staff is the lack of buffer zones to minimize dust impacts from agricultural operations immediately adjacent to proposed housing units. 3-B

The preferred alternative conflicts with the City of Livermore Community General Plan, which calls for contiguous development to fill in existing neighborhoods, development only on properties immediately adjacent to established neighborhoods, preserving large contiguous tracts of agricultural land, and minimizing conflicts with non-farm uses. It also 3-C

conflicts with recommendations in the "Tri-Valley Subregional Planning Strategy," prepared in 1995 by seven local governments (including the City and Alameda County) to manage growth in the area. Among the Strategy's recommendations are compact, city-centered growth and discouragement of long-distance commuting.

"Leapfrog" development is detrimental to air quality because it increases the distances that people must drive. The BAAQMD instead favors contiguous and infill development, which reduces driving distances and is more compatible with transit, walking and bicycling. For this reason, the BAAQMD finds the "1,482-Unit Consolidated Development Alternative" more beneficial to air quality than the preferred alternative. The consolidated-development alternative would cluster growth in the three project subareas closest to established neighborhoods in the City. As shown in Exhibit 5.2-2 of the DEIR, this alternative generates 20-25% less air emissions (depending on the pollutant) than the preferred alternative, largely as a result of reduced driving distances. Emissions under this alternative could be lowered further by providing small-scale, neighborhood-serving commercial and retail uses in each subarea, as well as direct routes and safe, convenient facilities for bicyclists and pedestrians. These measures would have the additional benefit of reducing transportation and circulation impacts. 3-D

The BAAQMD also strongly urges the City to adopt Subalternative 9 for Subarea 7, which would designate the area as permanent open space. Because it is the most distant from the City limits, Subarea 7 is the least appropriate for development. The development proposed for this area would not only worsen the project's air quality and traffic impacts but would also significantly weaken the City's commendable goal of establishing an urban boundary along Livermore's southern edge. 3-E

Regardless of the alternative chosen, we urge the City of Livermore to adopt dust control measures and establish buffer zones between agricultural and residential uses to protect residents from dust, odors, and other impacts from agricultural operations. 3-F In addition, we encourage the City to establish a permanent urban growth boundary around the entire City (not just along the southern edge), reserving land outside it for open space, parks, and recreational, agricultural and other low-intensity uses only. 3-G

If you have any questions regarding our comments, please call Niko Letunic, Environmental Planner on my staff, at (415) 749-5170.

Sincerely,

Ellen Garvey
Air Pollution Control Officer

EG:NL

cc: BAAQMD Director Scott Haggerty
BAAQMD Director Greg Harper
BAAQMD Director Mary King
BAAQMD Director Ben C. Tarver

Letter #3. ***Ellen Garvey, Air Pollution Control Officer, Bay Area Air Quality Management District, July 14, 1997.***

Response to Comment 3-A: Impacts on Regional Air Quality

The BAAQMD's comments and concerns regarding the project's contribution to regional air quality impacts are noted.

Response to Comment 3-B: Location and Design of Project

The project's location with respect to employment centers is reflected in the average trip lengths used in the EIR analysis. The lack of density and relative remoteness is one of the reasons cited for the limited availability of mitigation and the limited effectiveness of proposed mitigation measures. Lack of buffer zones between agricultural operations and proposed housing units is discussed under Impact 4.6-4.

Response to Comment 3-C: Conflicts with Growth Policies

The Commentor's opinion regarding the proposed project's consistency with the General Plan is noted and will be provided to City decision makers. The information and analysis in the EIR do not support this conclusion. According to the Governor's Office of Planning and Research *General Plan Guidelines*, "an action, program or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment" (p. 212). The DEIR discusses the project's relationship with the General Plan policies referenced in the comment as well as a number of other competing General plan policies such as discouraging development on lands suitable for viticulture while at the same time permitting limited new development in the South Valley that significantly contributes to the goal of maximizing the number of acres of permanently protected vineyards. Thus while the DEIR notes areas where an inconsistency could arise between the Specific Plan and specific general plan policies, the proposed Specific Plan as a whole is compatible with and furthers the objectives and policies of the City's general plan by locating development to the maximum extent feasible adjacent to existing City boundaries in a manner that maximizes the number of acres of permanently protected vineyards in and along the outer edge of the City.

Response to Comment 3-D: Leapfrog Development

While contiguous and infill development could be expected to reduce trip length, the differences between the project and the Consolidated Development Alternative shown in Exhibit 5.2-2 are due to differences in trip generation and not trip length. Although both assume equal residential development, the project also assumed considerable commercial development which is not included in the 1,482-unit alternative that is the cause of the difference in emissions. Trips lengths were identical for both alternatives.

Response to Comment 3-E: Subalternative #9 for Subarea #7

The District's preference for Subarea #7 to remain as open space is noted, however, several statements within the comment are incorrect. Subarea #7 is not distant from the City Limits, it is immediately adjacent to them along its western boundary with Vineyard Estates. Moreover, the land secured as parkland or agricultural easements as mitigation for Subarea #7 development would provide a more secure urban boundary than currently exists.

Response to Comment 3-F: Dust Control

The Draft EIR addresses agricultural/residential conflicts such as dust in Impact 4.6-4 on page 4.6-9. Once vineyards are planted, plowing and discing of fields will be quite minimal and intermittent, although it could still be an occasional nuisance in isolated areas immediately down wind of the vineyard. Requiring developers to provide disclosure statements to prospective buyers warnings of possible agricultural nuisances, and adoption of the Right-to-Farm ordinance will adequately address potential conflicts.

Response to Comment 3-G: Urban Growth Boundary

The commentor's support of an urban growth boundary is noted. The EIR notes that an urban growth boundary would provide additional protection against growth-inducing impacts along the southern edge of the city. Mitigation Measure 4.1-6 on page 4.1-45 of the DEIR suggests the adoption of an Urban Growth Boundary as a means of further reducing the potential for growth inducing impacts.

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Livermore Area Recreation & Park District
– an independent special district

71 Trevarno Road, Livermore, CA 94550-2277
(510) 373-5700, Fax (510) 447-2754

General Manager
Douglas A. Bell

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PLANNING DEPARTMENT

July 11, 1997

Marc Roberts
Planning Department
City of Livermore
1052 S. Livermore Avenue
Livermore, CA 94550

Dear Marc:

Enclosed for your review and comment are the District's comments on the South Livermore Valley Specific Plan DEIR.

In addition to the comments on the DEIR, the District would like to address the following three items:

1. Neighborhood Park and Regional Trail Development Schedule.

   The District recommends that the timing of development and dedication of the Regional Trail segments within each Subarea be tied to incremental development of the Subarea's residential units. The timing should be included in conditions of development for each Subarea.

   The District recommends that the neighborhood park in Subarea 2 be developed on a schedule based on an allocation of 75 units per year.
   - Prior to occupancy of Subarea 2's 75th unit, a conceptual park plan shall be submitted and approved by the City and LARPD. **4-A**
   - Prior to occupancy of Subarea 2's 150th unit, 4 acres of the 12.5 acre park site shall be developed to LARPD standards and dedicated to LARPD.
   - Prior to occupancy of Subarea 2's 225th unit, 4 additional acres (total of 8 acres) of the park site shall be developed to LARPD standards and dedicated to LARPD.
   - Prior to occupancy of Subarea 2's 300th unit, dedication and completion of the remainder of the neighborhood park.

2. The District is concerned with acquisition of right-of-way for the connecting trail segments which fall outside the subareas. The completion of the connectors is crucial to the trail plan. The **4-B**

Board of Directors
Larry Faltings *Maryalice Faltings* *Marlin A. Pound* *Alice Quinn* *Ernie Rodrigues*

District recommends the City require that agreements between landowners and LARPD for trail connectors be in place prior to permits for residential units.

Alternatively, acquisition of right-of-way for connecting segments could be the responsibility of the developers and secured by developer agreements. Perhaps there is a way to link connecting trail acquisition to the development of units in adjacent subareas.

3. Developers should be required in disclosure statements to describe the possible impacts to residents associated with living adjacent to Robertson Park. 4-C

As you can see, we need some discussion on these items. Thanks for your consideration.

Sincerely,

Douglas A. Bell

Douglas A. Bell
General Manager

Enclosure

Livermore area Recreation and Park District

SOUTH LIVERMORE VALLEY SPECIFIC PLAN
AND
GENERAL PLAN AMENDMENT

DRAFT ENVIRONMENTAL IMPACT REPORT

COMMENTS ON SIGNIFICANT OR POTENTIALLY SIGNIFICANT IMPACTS

4.1-4 Compatibility of Adjacent Land Uses.
Subarea 3 adjoins Robertson Park. Immediately north of the proposed residential units adjacent to Robertson Park there currently exist three developed soccer fields and the Equestrian Center including the Livermore Valley Stadium.. Two soccer fields are lighted and have accommodations for seating of up to 1200 persons. The stadium is lighted and can accommodate up to 8500 people for major events. LARPD anticipates use of the soccer fields in excess of 150 days per year, including significant night use. Robertson Park is the site of major community events, including concerts, with attendance of up to 10,000 persons. The noise, light and traffic generated by these facilities is intermittent, but cumulatively could be potentially significant for those residential units adjacent to Robertson Park. **4-D**

4.4-2 Disturbance to Sensitive Natural Communities and Loss of Native Trees.
Throughout this DEIR, reference is made to the "proposed regional park open space area above an elevation of 650 feet in Subarea 7". In this instance the regional park is a mitigation measure for minimizing disturbance of native grassland. In other sections of the DEIR the "regional park" area is repeatedly described as particularly important for wildlife habitat, visual and aesthetic resources, riparian corridors, and as a regional trail opportunity. The proposed dedication of this area as public regional park land mitigates the environmental concerns contained in this and other sections. **4-E**

Independent of the environmental mitigation considerations is the value of the public benefit which may be calculated from the increased value of the residential property adjacent to a regional park or trail which may be attributed to its location near the park or trail. This value is conservatively twice the value of any developed vineyard land. When the public recreational value of the park is added to the increase in property values, is is easy to argue that the value of the public benefit from the dedication of park and trail property far exceeds the value of cultivated agricultural acreage.

Given that the value of publicly dedicated park land is in excess of cultivated agriculture, the mitigation credit of one acre for each three acres of regional parkland is clearly inequitable, especially since no rationale is given in the Specific Plan for the 3:1 ratio. Where did the 3:1 ratio come from?

4.4-3 Loss and Fragmentation of Wildlife Habitat
Mitigation Measure 4.4-3 includes providing access to residential development in the eastern half of Subarea 7 from Arroyo Road by a bridge across Arroyo Del Valle.

The major development on the Hospital Bluff area of Subarea #7 -- Alternatives #5 and #7 would have significant unavoidable impacts on Sycamore Grove Park, only one of which is the development of a public road and bridge access to Arroyo Road. These impacts include destruction of viewshed from existing Sycamore Grove Park, habitat degradation in the Sycamore Grove Nature Area which is immediately adjacent, and wildlife corridor disruption through the existing Arroyo Del Valle channel area.

Any development alternative proposing more than the six units as shown in Alternative #2 and requiring access from Arroyo Road will have significant unavoidable primary and secondary environmental impacts on Sycamore Grove Park.

4-F

4.5-3 Potential Traffic-Related Impacts to Marina Avenue.
The option of providing a cul-de-sac at the end of Marina Avenue is the only way to completely mitigate traffic volumes and/or speeds on Marina Avenue and Wente Streets. Because the regional trail will be immediately adjacent to the entire length of Wente Street and along the most easterly portion of Marina Avenue, the District supports a cul-de-sac approach for safety reasons.

4-G

4.5-6 Pedestrian/Bicyclist Safety and Mobility
Mitigation measure 4.5-6 (b) includes a statement that "developers should pay for the improvements along subarea frontage". It has been LARPD's understanding that public park and trail improvements throughout the South Livermore Valley Specific Plan area would be accomplished as follows:

(1) With respect to the public park in Subarea 2 (approximately 12.5 acres), the land for the park would be dedicated to LARPD by the developer without cost or credit against park fees, but with agricultural mitigation credit of 1:1. The park would be developed to LARPD standards by the developer as a condition of approval. The cost of development would be credited against park fees.

(2) With respect to the regional trail segments within the subareas, the land for the trail would be dedicated to LARPD by the developer without cost or credit against park fees, but with agricultural mitigation credit of 1:1. The trail would be developed to LARPD standards by the developer as a condition of approval. The cost of development would be credited against park fees.

(3) With respect to the regional trail connectors outside the subareas, either the land or easements for the trail would be acquired by LARPD through negotiation with the landowners. The trail would be developed by LARPD using park fees generated within the plan area.

4-H

The following trail segments are designated at "regional trail" and are to be acquired and developed as described above:

Segment A: South along the east side of Vasco Road from the northern-most entry to Subarea #1 to Tesla Road.

Segment B: East Avenue south to southern edge of the developed area within Subarea #2 where it intersects Segment C. Within this segment, the trail crosses the major collector street on a curve. Care needs to be taken to design this crossing with long enough sight lines that drivers and trail users are able to see each other.

Segment C: South Vasco Avenue to the western boundary of the developed area within Subarea #2.

Segment D: West from the western boundary of the developed area to the PG&E transmission corridor, then south to Tesla Road. Segment D is entirely within Subarea #2.

Segment E: Mines Road to Concannon Blvd. (Wente Street) along the south side of Tesla Road and South Livermore Avenue. Segment E is entirely outside any subarea.

Segment F.1: South Livermore Avenue to Robertson Park Road along the east side of Concannon Blvd. Segment F.1 is entirely outside any subarea. **4-I**

Segment F.2: Robertson Park Road to the new connector with Wente Street along the east side of Concannon Blvd., and from there along the north east side of the new Wente Street connector to the east side of the existing section of Wente street. Segment F.2 is entirely within Subarea #3.

Segment F.3: From the new Wente Street connector with Concannon Blvd. to Marina Avenue along the east side of Wente Street. Segment F.3 is entirely outside any subarea.

Segment G: From Robertson Park south along the western edge of the school site, then east along the southern edge of the school site, then south to Concannon Blvd. along the eastern edge of the main entry drive to the school site, then east to the intersection of Concannon Blvd. and Wente Street, crossing Concannon Blvd. to intercept Segment F.2. Included also is the connector along the north side of Concannon Blvd. from the Tapestry subdivision. Segment G is entirely within Subarea 3. Within this segment, the trail crosses Concannon Blvd. on a curve. Care needs to be taken to design this crossing with long enough site lines so that drivers and trail users are able to see each other.

Segment H: From Wente Street to the eastern edge of the Reed/Edwards area along the south side of Marina Avenue, then south along the eastern edge of the Reed/Edwards area to the northern edge of Subarea 4. Segment H is entirely outside any subarea.

Segment I: From the southeast corner of the Reed/Edwards area south east through the Zumbach property to the base of the hills to be included in the park site, along the base of the hills to the PG&E transmission line corridor to the southern property line of Subarea 4, then west along the southern property line to Arroyo Road. Segment I is entirely within Subarea 4.

Segment J: From the southern edge of the Ravenswood property to Wetmore road along the west side of Arroyo Road. Segment J is entirely within Subarea 5.

Segment K: From the existing intersection of Holmes Street and Vallecitos Road south to Wetmore Road along the abandoned Holmes Street right-of-way. Segment K is entirely within Subarea 5.

Segment L: From Arroyo Road along the south side of Wetmore Road to the existing Sycamore Grove Parking Area near the corner of Holmes Street and Wetmore Road. Segment L is entirely within Subarea 6. Responsibility for development of this segment will be that of the developers of Parcels 2A & 2B. 4-I

Segment M: From Wetmore Road southeast along the south side of Arroyo Road to the edge of Subarea 6. Segment M is entirely within Subarea 6. Responsibility for development of this segment will be that of the developers of Parcels 2A & 2B.

Segment N: From the existing regional trail in Sycamore Grove west to Vallecitos Road to connect with EBRPD's trail along the north side of Vineyard Avenue. Segment N is entirely outside any subarea. **NOTE: Segment N as describe here is different from Segment N as described in the Specific Plan.**

Segment O.1: From the existing regional trail in Sycamore Grove Park to the northern edge of Subarea 7 in the area of the central drainageway from Subarea 7. Segment O.1 is entirely outside any subarea. Segment O.1 is not shown on any plan map.

Segment O.2: From the northern edge of Subarea 7 along the central drainageway south to the roadway connector to Foley Road. Segment O.2 is entirely within Subarea 7.

Segment O.3: South of the roadway, the trail will split into Segments O.3 & O.4. Segment O.3 will continue south through Subarea 7 and could potentially connect with trail segments to Del Valle Regional Park. Segment O.3 will not be paved. Segment O.3 is entirely within Subarea 7.

Segment O.4: From Segment O.3, south to the natural end of this canyon within Subarea 7. Segment 0.4 will not be paved. Segment O.4 is entirely within Subarea 7.

Segment O.5: From Segment O.2 west to Foley Road along the edge of the bluff overlooking Sycamore Grove Park. This segment is entirely within Subarea 7. Segment O.5 is described in the plan but not shown on any plan map.

Exhibit 4.5-15 shows the current Livermore Bicycle/Pedestrian Plan Update and Equestrian Trails Study. The Specific Plan and the trail routing proposed herein are changes to the City's current plan. These changes are supported by the District with the exception of the elimination of the historical trail segment through Subarea 6 which would connect the Olivina Gate at the corner of Wetmore Road and Arroyo Road with the historic Olivina Winery in Subarea 7. This trail section is currently in the City's adopted general plan and should be included.

The DEIR fails to address the potential problems related to trails safely crossing Tesla Road, Concannon Blvd. and Arroyo Road. The DEIR should include specific mitigation measures in these three instances. **4-J**

4.8-7 View of Subarea 7

Subarea 7 -- The District has on numerous occasions expressed the position that development in Subarea 7 must be accomplished without impact on the viewshed from existing Sycamore Grove Park. To accomplish that objective, units proposed for development south of the park were to be set back from the edge of the bluff and limited in height so that they could not be seen from the park. Subarea 7 alternatives #5 and #7 place units on the "Hospital Bluff" area immediately adjacent to Sycamore Grove Park's nature area. These units would be visible from the park would have significant unavoidable impacts on Sycamore Grove Park for which there would be no appropriate mitigation. **4-K**

OTHER COMMENTS

The Plan proposes a medium-sized winery located in Subarea 6. A medium-sized winery is described with up to 50,000 feet of building area. The development of a facility of that size would have significant visual and noise impacts on Sycamore Grove Park. The current language indicates the area will drain overland through Sycamore Grove. A medium-size commercial winery site is a potential **4-L** **4-M**

source of surface water contamination and mitigation should be addressed, especially since the contamination would run directly into Sycamore Grove Park.

The plan proposes a medium-size winery located on the lower terrace of Subarea 7. Page 5-30 describes access to the commercial winery site in Subarea 7 "from Vallecitos Road via Foley Road and the current ranch entrance." We assume the "current ranch entrance" to be the Olivina Road. The Olivina Road is the southern boundary of Sycamore Grove Park. Development of the Olivina Road as the entrance to a commercial winery site will have significant traffic, noise and visual impact on Sycamore Grove Park. If a commercial winery site is developed on the lower terrace of Subarea 7, it should be located adjacent to Foley Road and be accessed from Foley Road.

A medium-size winery is described with up to 50,000 square feet of building area. The development of a facility of that size on the lower terrace of Subarea 7 would have significant visual impact when viewed from Sycamore Grove Park. This commercial site also poses the surface water contamination issues raised for the commercial site in Subarea 6.

Esthetically, a facility of that size is not compatible with the historic winery locate just across Foley Road. A small winery located adjacent to Foley Road might be more compatible with the existing historical winery and could be sufficiently screened from Sycamore Grove Park.

4-N

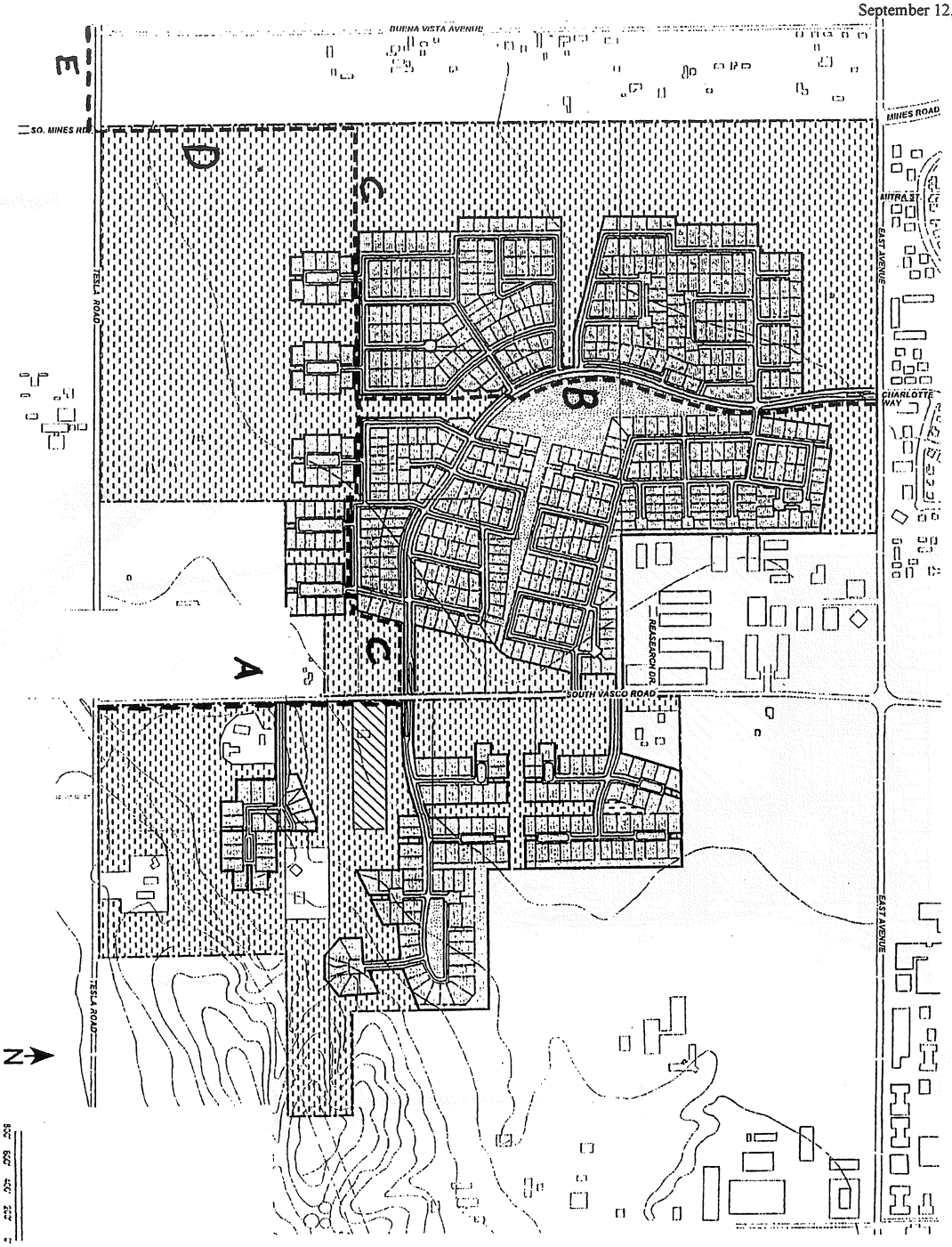
The District is concerned with the number of commercial sites located adjacent to the Ravenswood Historical Site and the esthetic impact these commercial site will have. Ravenswood sits on the highest point in the vicinity, and the viewshed from the site will include most of Subarea 4 and the Arroyo Road area of Subarea 5. Any commercial development within the viewshed should include mitigation.

4-O

Throughout the plan reference is made to "park" land. Depending on the reference, "park" is used to describe private mini-parks, private open spaces, regional trail corridors, public park spaces, school sites, regional parks, and probably other things. The District expects to accept, develop, and maintain at public expense only the following areas:

- The neighborhood park site in Subarea 2. (Approx. 12 acres)
- The open space area in Subarea 4 (Approx. 32 acres)
- The open space areas in Subarea 7 described in the Plan as "Regional Park" (80 acres)
- The Regional Trail system as describes in Segments A through O.5 above.
- Dedicated open space in the southern portion Subarea 7 (Approx. 200 acres).

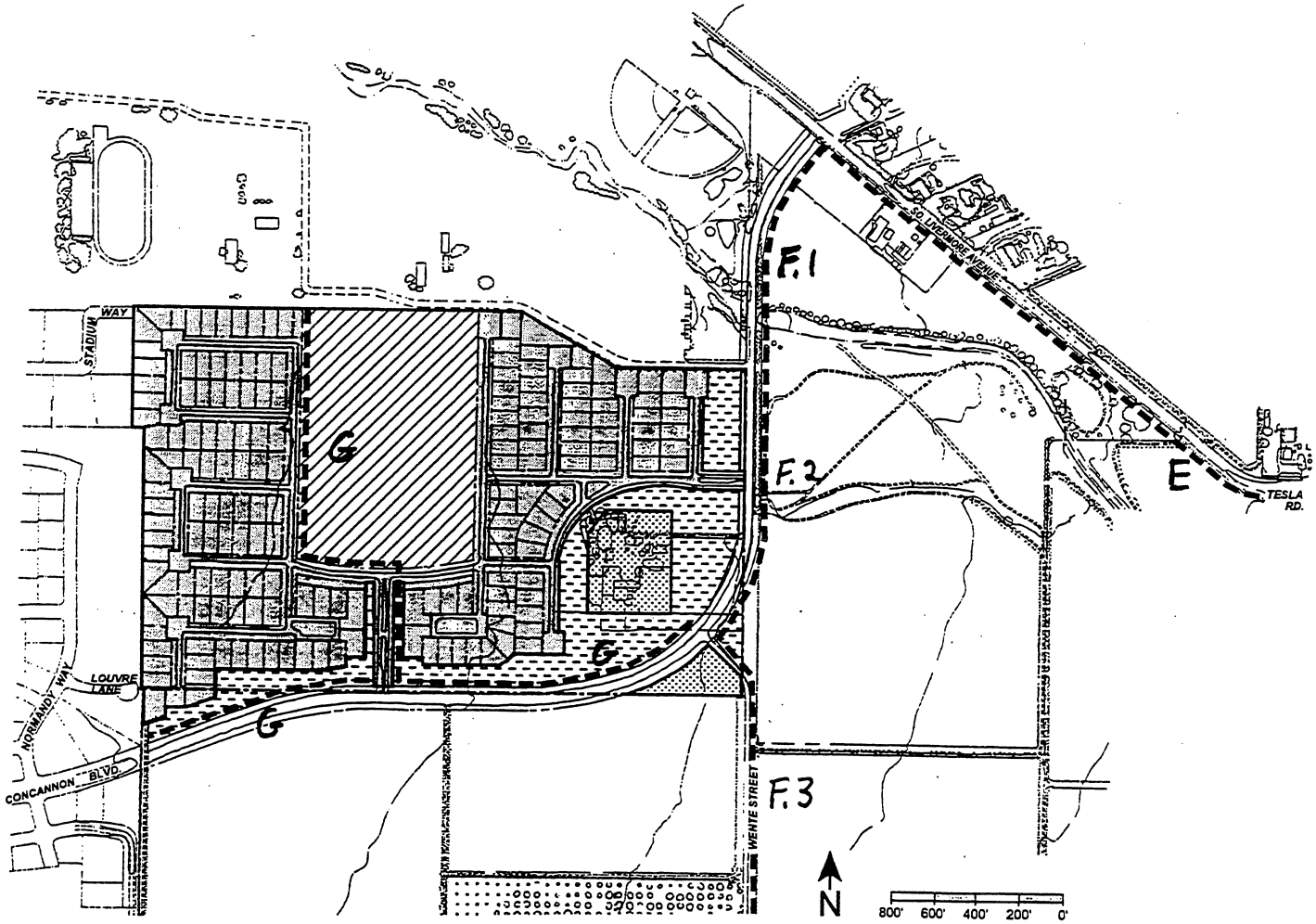
4-P



Source: Wallace Roberts & Todd

Exhibit 2.2-1
Subareas 1-2 Site Plans

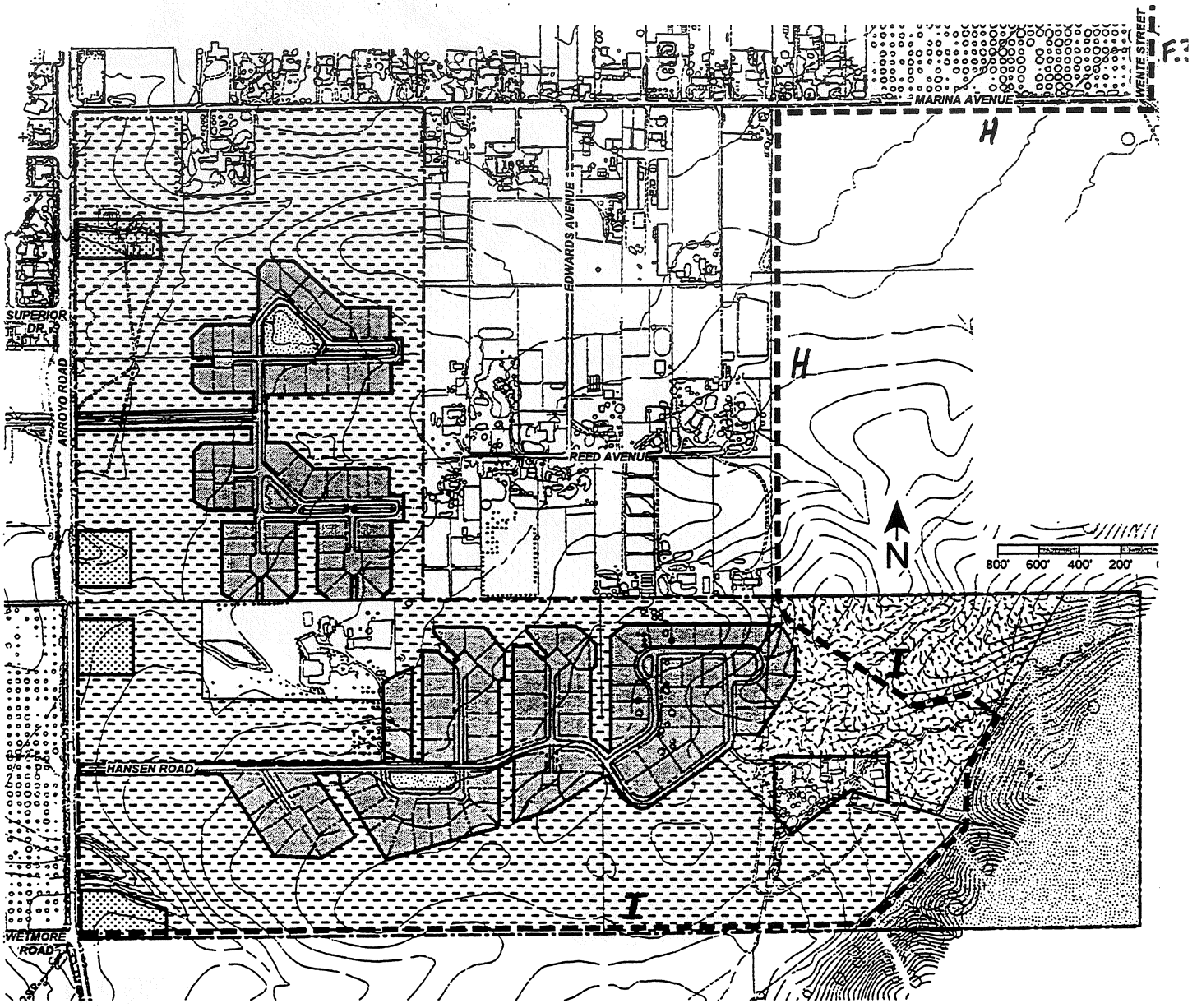
Exhibit 2.2-2
Subarea 3 Site Plan



Legend:

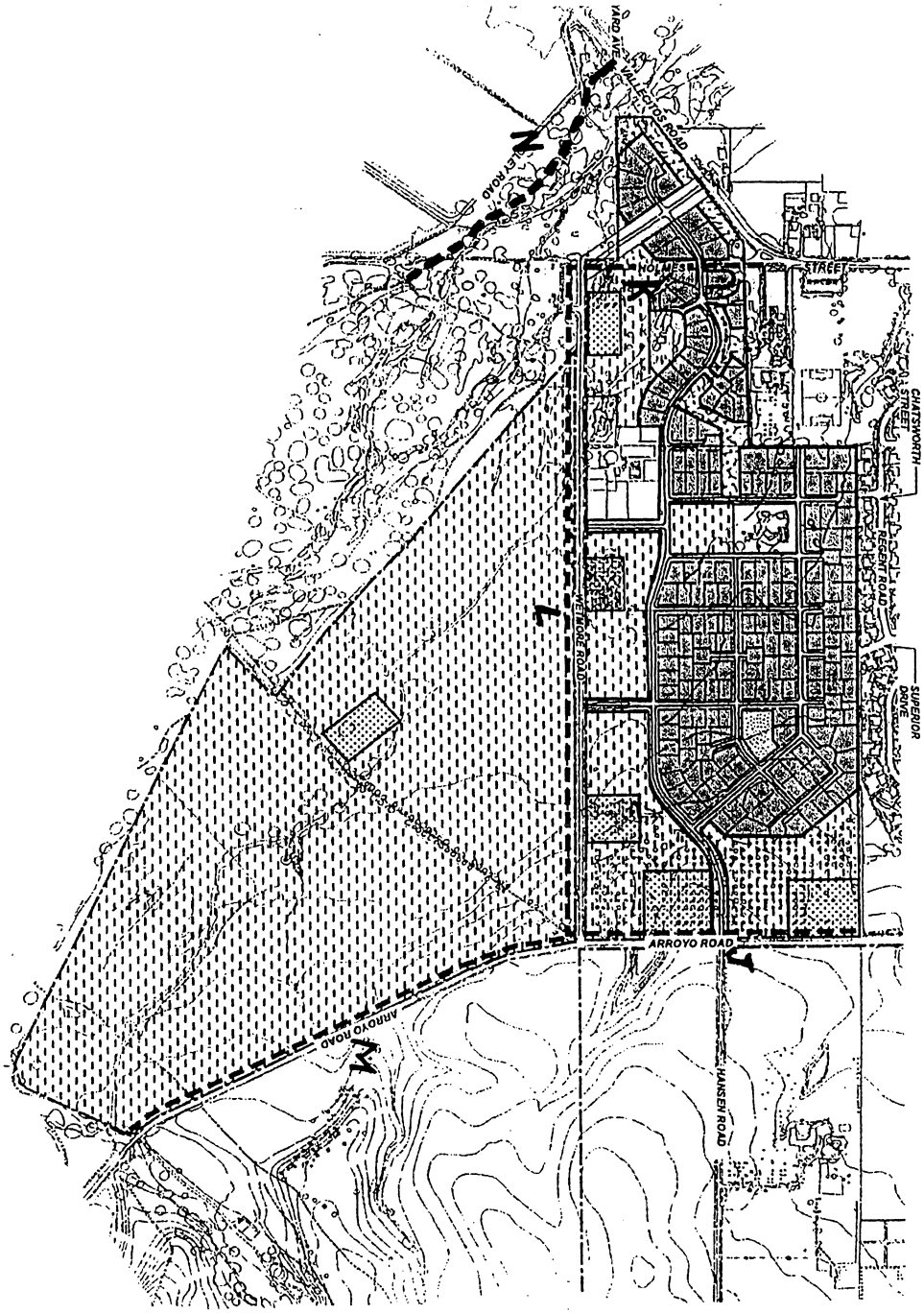
- Residential
- Commercial
- School
- Agriculture
- Open Space
- Park
- Developed Area Boundary
- Regional Trail Corridor
- Subarea Boundary

Exhibit 2.2-3
Subarea 4 Site Plan



Legend:

- Residential
- Commercial
- School
- Agriculture
- Open Space
- Park
- Developed Area Boundary
- Regional Trail Corridor
- Subarea Boundary



Source: Wallace Roberts & Todd

Exhibit 2.2-4
Subareas 5-6 Site Plans

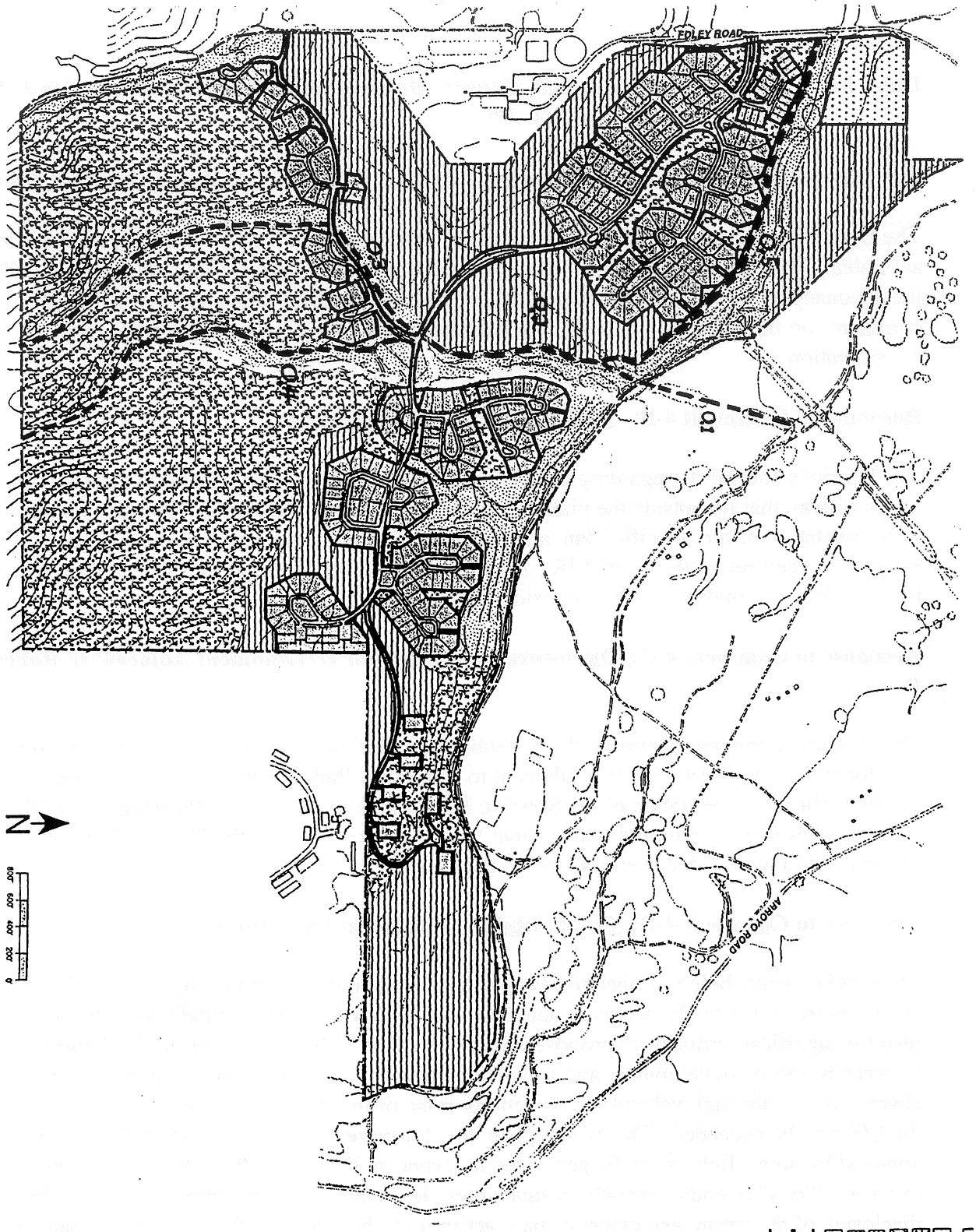


Exhibit 2.2-5
Subarea 7 Site Plan

Source: Wallace Roberts & Todd

Letter #4. ***Douglas A. Bell, General Manager, Livermore Area Recreation & Park District, July 11, 1997.***

Response to Comment 4-A: Neighborhood Park and Regional Trail Development Schedule

The District's comments regarding the timing of dedication and development of parks and trails are noted. The comment relates to the implementation of the Specific Plan, and does not address the adequacy of the EIR. As such, no further comment is required in this Final EIR. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration.

Response to Comment 4-B: Trail Right-of-Way Acquisition

The District's comments regarding possible mechanisms for ensuring the acquisition of trail rights-of-way that lie outside the planning subareas are noted. Since this comment relates to the implementation of the Specific Plan, and does not address the adequacy of the EIR, no further response is required in this Final EIR. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration.

Response to Comment 4-C: Disclosure Statements for Development Adjacent to Robertson Park

The District's comment regarding the desirability of disclosure statements in deeds for future development in Subarea #3 that is adjacent to Robertson Park is noted. Since this comment relates to the implementation of the Specific Plan, and does not address the adequacy of the EIR, no further response is required in this Final EIR. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration.

Response to Comment 4-D: Compatibility of Adjacent Uses (Impact 4.1-4)

The special events held at Robertson Park will generate levels of noise, light and traffic that exceed those generated by a typical neighborhood park or residential subdivision, but will not result in significant impacts to proposed development in Subarea #3. Due to the distance between proposed development and actual activities, the intermittent nature of the events, and the absence of any through vehicular connections, none of the thresholds of significance identified in the EIR will be exceeded. This is not to say that future residents may not occasionally be annoyed by noise, light or traffic generated by events at Robertson Park, but no mitigation is required. The City could partially mitigate these less than significant impacts by requiring disclosure of the nature and extent of park activities to be placed in the title deed of parcels potentially affected by noise, light, and traffic from park activities. This could be implemented by including the following policy in the Specific Plan:

Policy 7-22 *In order to ensure compatibility between uses at Robertson Park and nearby residential properties, deeds for residential lots within 1,000 feet*

of Robertson Park shall include a disclosure statement that identifies the potential for periodic noise, light and traffic impacts in connection with park activities.

The EIR has been revised to insert this policy as part of Mitigation Measure 4.1-4 on page 4.1-34.

Response to Comment 4-E: Disturbance to Sensitive Natural Communities and Loss of Native Trees (Impact 4.4-2)

The EIR authors do not agree with this assessment. The mitigation formula recommended in the Draft Specific Plan establishes a framework for determining adequate and equitable mitigation for all property owners within the Specific Plan area. Since the original mitigation formula developed in the County's South Livermore Valley Area Plan only addressed agricultural mitigation (i.e., the loss of agricultural land to development), the Specific Plan has also introduced the concept of providing mitigation credit for important environmental and open space resources. The formula recommended in the Specific Plan provides enough flexibility for the City to sensitively address the different conditions that exist in each subarea. The mitigation ratio is based, in part, on the City Council's determination during the planning process that the relatively steep slopes of the regional parkland in Subarea 4 would receive one acre of mitigation credit for every three acres of regional parkland dedicated. The commentor's opinion regarding the values promoted by a parkland mitigation requirement is noted and will be forwarded to the City's decision makers.

Response to Comment 4-F: Loss and Fragmentation of Wildlife Habitat (Impact 4.4-3)

As discussed under Impact 4.4-3 on page 4.4-31 of the Draft EIR, proposed development could contribute to fragmentation of wildlife habitat in the study area, particularly Subarea #7. Proposed development in the majority of the Subarea #7 alternatives would extend along most of the undeveloped northern edge of the subarea, adjacent to Sycamore Grove Park, and would create a barrier to the movement of terrestrial species.

The concerns expressed by the commentor regarding the effects of development in new locations called for in Mitigation Measure 4.4-3 of the Draft EIR are noted. The secondary effects of this mitigation are briefly described on page 4.4-33 of the Draft EIR, and include a permanent bridge crossing over Arroyo del Valle. While considerably more vehicle traffic would utilize the permanent bridge, the bridge itself would be an improvement to the degraded paved roadway which currently passes through the creek channel itself. Any wildlife species using the Arroyo channel as a movement corridor already pass under the existing bridge to the Veterans Hospital, located about 0.5 miles upstream. Constructing a second bridge should not be considered a significant change to wildlife use of the corridor. Appropriate measures would be necessary to minimize construction related disturbance to the creek, and ensure movement by fish, amphibians, and other species is not permanently disrupted, but these would be evaluated as part

of further environmental review for a development application for the site and as part of the Streambed Alteration Agreement process with the California Department of Fish and Game.

Under the alternative scenarios which incorporate recommendations in Mitigation Measure 4.4-3, most of the land area where residential use would be sited in the eastern portion of Subarea #7 (i.e., Crohare Family parcel) currently supports a cover of non-native grassland, and its loss would not be considered significant. A band of woodland vegetation occurs in the parkland, just north of this portion of the subarea, and would continue to serve as a screen between future residential use and wildlife activity in the park. It should be noted that the Veterans Hospital is located immediately south of the proposed eastern development area of concern to the commentor, which generally precludes movement of terrestrial wildlife species that are sensitive to human activity. Planting the eastern most portion of the subarea with vineyards would also eliminate the existing wildlife habitat adjacent to the parklands. Although the potential for increased disturbance to wildlife habitat in the parklands must be addressed, fencing and other provisions should serve to minimize the effects of residential development in the eastern portion of the subarea on the adjacent parklands.

Response to Comment 4-G: Potential Traffic-Related Impacts to Marina Avenue (Impact 4.5-3)

The District's comments regarding it's preference for the treatment of Marina Avenue are acknowledged. It should be noted however, that the EIR indicates that the creation of a cul-de-sac on Marina Avenue "is not advisable based on standard transportation planning guidelines" (page 4.5-35). In addition, the EIR indicates that any potential impacts related to the cumulative growth of traffic volumes on Marina Avenue can be adequately mitigated with traffic calming devices (Mitigation Measure 4.5-3).

Response to Comment 4-H: Regional Trail Implementation

The District's comments regarding the implementation of the sections of Regional Trail proposed by the Specific Plan are correct in their understanding.

Response to Comment 4-I: Description of Regional Trail Segments

The District's description of the proposed Regional Trail segments, including three discrepancies with those proposed in the Specific Plan (Segments N, O.5 and the historic trail through Subarea #6), is a planning issue that is not pertinent to the adequacy of the EIR. Thus, no further response is required in this Final EIR. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration.

Response to Comment 4-J: Trail Crossings at Key Roadways

Impact 4.5-6 identifies the lack of trail crossing detail in the Specific Plan as a significant impact, and includes Mitigation Measure 4.5-6(a) to ensure that trail crossings are appropriately designed

and have the proper input from staff of the LARPD, City Public Works Department and County Public Works Department.

Response to Comment 4-K: View of Subarea #7 (Impact 4.8-7)

The District's comments regarding the visual impacts on Sycamore Grove Park users that would be associated with Alternatives #5 and #7 are acknowledged. The EIR acknowledges these impacts in Impact 4.8-8 (pp. 33-35) and in the alternatives analysis on pages 5.0-46 and 48.

Response to Comment 4-L: Winery-Related Visual and Noise Impacts on Sycamore Grove Park

Development of a medium-size winery in Subarea #6 would not result in any of the significance criteria for noise or visual impacts being met.

The Draft EIR found the visual impact associated with the development of a winery in Subarea #6 (Impact 4.8-7) to be less than significant given the viticultural nature of the use, and its similarity to other such uses in the South Valley. While no mitigation measures are required, the Draft EIR suggests that locating the winery near the edge of the subarea, rather than in the center, would further reduce the visual intrusiveness of the new development. Specific Plan Policy 4-8, which requires the design of all commercial facilities to be consistent with the rural, wine country character of the area, and Policy 4-9, which requires the adoption of design guidelines for commercial development prior to any development approvals, will also both reduce the visual impact of a new winery on users of Sycamore Grove Park.

The EIR also found no significant noise issues resulting from the proposed winery. The site for the winery is shown about 500 feet from the park boundary. Noise from the crushing operations, which typically occur during the months of August and September, would be audible in the park areas closest to the winery. However, noise levels in the park would remain clearly compatible based on the City's guidelines. Given the District's concern about winery noise, appropriate site planning and design can be used to minimize noise levels in the park. Winery operations noise can be reduced by using the winery buildings to shield the park from the winery's outdoor machinery.

Response to Comment 4-M: Surface Water Contamination

The development of a medium-size winery in Subarea #6 would not result in contaminated runoff draining into Sycamore Grove Park. Standard City conditions of approval for new development would not permit overland runoff from developed areas. Stormwater runoff will be contained on site.

Response to Comment 4-N: Winery-Related Traffic, Visual and Noise Impacts on Sycamore Grove Park

Development of a medium-size winery in Subarea #7 would not result in any of the significance criteria for noise or visual impacts being met.

The Draft EIR found the visual impact associated with the development of a winery in Subarea #7 (Impact 4.8-8) to be less than significant given the viticultural nature of the use, and its similarity to other such uses in the South Valley. While no mitigation measures are required, locating the winery near Foley Road as shown in the Plan, rather than adjacent to the park, would minimize the visual intrusiveness of the new development. The Specific Plan emphasizes the need for high quality design given the visibility of the winery site from the park, and recommends that the winery be set back from the park and surrounded by vineyards. In addition, Specific Plan Policy 4-8, which requires the design of all commercial facilities to be consistent with the rural, wine country character of the area, and Policy 4-9, which requires the adoption of design guidelines for commercial development prior to any development approvals, will also both reduce the visual impact of a new winery on users of Sycamore Grove Park.

The EIR also found no significant noise issues resulting from the proposed winery. The site for the winery is shown about 300 feet from the park boundary and 400 feet from proposed residential development. Noise from the crushing operations, which typically occur during the months of August and September, would be audible in the park and residential areas closest to the winery. However, noise levels in both areas would remain clearly compatible based on the City's guidelines. Given the District's concern about winery noise, appropriate site planning and design can be used to minimize noise levels in the park. Winery operations noise can be reduced by using the winery buildings to shield the park from the winery's outdoor machinery.

Traffic noise generated by winery traffic along the access road will increase from the very low existing levels and will be audible to park users nearest the roadway, but winery-related traffic would not create significant noise impacts. However, it is also not essential that the winery be accessed via the ranch entrance road (i.e., Olivina Road). Given the location of the winery site in the western end of the lower terrace, the winery access could be taken from Foley Road.

Response to Comment 4-O: Number of Commercial Sites

The District's concern regarding the number of commercial facilities identified in the vicinity of the Ravenswood Historic Site is acknowledged. The introduction of wineries and other wine country commercial uses, in addition to the planting of new vineyards and orchards, will alter the existing character of the area. The degree of change in the visual character will be affected by the number of commercial sites ultimately approved by the City and the commercial design guidelines that are required by Specific Plan Policies 4-8 and 4-9. However, as identified in the DEIR (Section 4.8, page 28), the commercial development would be located in an area of moderate sensitivity for color and texture, and low sensitivity for line and form. With the

implementation of required agricultural buffers and commercial design guidelines, no significant visual impact is anticipated.

Response to Comment 4-P: "Parkland" Definition

The District's understanding of which lands will be acceptable as parkland is acknowledged. District parkland descriptions are consistent with the descriptions used in preparation of the Environmental Impact Report. No change in the analysis or conclusions of the Environmental Impact Report is required. These comments are noted, but since they address Specific Plan issues rather than the EIR, they require no further response in this Final EIR. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration.

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RECEIVED
JUL 14 1997
PLANNING DEPARTMENT

July 14, 1997

Marc Roberts
City of Livermore Planning Department
1052 South Livermore Avenue
Livermore, CA 94550-4899

RE: South Livermore Valley Specific Plan DEIR

Dear Mr. Roberts:

Thank you for the opportunity to review and comment on the South Livermore Valley Specific Plan Draft EIR. As you are aware, the County has a keen interest in enhancing the South Livermore Valley as an agricultural area centered on wine production, as envisioned in the 1993 South Livermore Valley Area Plan. The proposed City Specific Plan is a key part in implementing this goal, and we commend the City on the progress made so far. The County looks forward to a continued cooperative relationship with the City so that the goals of the South Livermore Valley Area Plan can be achieved.

Overall, we found the DEIR to be well-written and quite thorough in its discussion of the likely environmental impacts of the City's proposed South Livermore Valley Specific Plan. Our specific comments on the DEIR are as follows. Specific comments on the Draft Specific Plan document will be provided at a later date.

Annexation Alternatives

The County supports the "minimum annexation" alternative. To the extent feasible, all agricultural lands should stay within the jurisdiction of the County, consistent with the understanding between the County and City during the formulation of the South Livermore Valley Area Plan. While annexation of some agricultural lands within the identified subareas may be justified to establish logical and effective service boundaries, new City boundaries should minimize areas that will remain in agriculture.

5-A

As noted in the DEIR, from a LAFCO perspective annexation of potential agricultural land to the City of Livermore, especially in Subarea 6, would represent effective loss of farmlands. The DEIR offers Draft Plan policy 6-10 as a mitigation for this concern, which would require easements on all non-developed land prior to Final Map approval. However, this policy would not necessarily address Subarea 6, which is not slated for subdivision and therefore will probably not require a Final Map.

Marc Roberts
July 14, 1997
Page 2

Please clarity which County Road segments are proposed to be annexed. Generally, the City should include County road segments directly adjacent to annexed lands, since most of the traffic using these roads will be City residents and the City will be collecting Traffic Impact Fees from South Livermore urban development. **5-B**

Urban-Rural Conflicts

The discussion on page 4.1-41 regarding the potential for the draft Plan to create agricultural parcels that may be too small to be economically viable mis-represents County policy as the standard for what should be considered a "viable agricultural unit". The 20 acre minimum parcel size in the County was not based on an assumption that 19 or 20 acres is the minimum area needed to be "viable". The case can be made that smaller parcels may be viable in that landowners find it worthwhile to keep land in agricultural production for commercial purposes, as is evidenced by a number of existing parcels that are smaller than 19 acres in the South Livermore Valley that contain commercially productive vineyards. **5-C**

Mitigation Measure 4.1-5(a) suggests that the proposed Livermore right-to-farm ordinance be amended to require that individual developers identify an Information Officer to handle complaints between homeowners and agriculturalists. Urban-rural conflicts are likely to arise after homeowners have moved into a particular development, and after the developers are no longer on the scene. While the concept of having a mediator available to resolve potential conflicts has merit, this could probably be carried out most efficiently as a City function, especially given the low level of conflicts to date. **5-D**

The DEIR also suggests, on page 4.1-42, that the proposed right-to-farm ordinance be modified to increase the area requiring "right-to-farm" deed restrictions on non-agricultural development adjacent to agricultural areas from 1,000 feet to 2,000 feet. This recommendation apparently is based on the potential impacts of the "urban shadow", which is defined as the agricultural area up to 1/3 mile from adjacent urban development that is most susceptible to impacts from non-agricultural development. Applying the "urban shadow" concept to urban development appears to be backward. While non-agricultural development may have an impact on adjacent agricultural lands for up to 1/3 mile, it doesn't necessarily follow that potential agricultural impacts, such as noise, dust, odor, etc., extend an equal distance into adjacent urban areas. Increasing the requirement for deed restrictions on urban development adjacent to agriculture to 2,000 feet would appear to include a good portion of the existing development in southern Livermore. **5-E**

Consistency with County Policies

Exhibit 4.1-11 lists relevant County East County Area Plan (ECAP) policies and comments on the consistency of the Draft Specific Plan with these policies. While the exhibit indicates that the **5-F**

Marc Roberts
July 14, 1997
Page 3

Draft Plan is consistent with most County policies regarding South Livermore, it also indicates that the Draft Plan may be partly inconsistent with County (and City) policies to direct development and development speculation away from productive and potentially productive lands. While the Draft Plan does allow some development on potentially production lands, the County recognizes that in the larger context the Draft Plan, if implemented, will create a permanent urban edge that protects most of the South Livermore Valley as productive agricultural land. Recognizing the tradeoffs of development and agricultural mitigation, the Draft Plan seeks to minimize development on lands with existing vineyards and lands suitable for viticulture, at the same time requiring the planting and permanent protection of over 2,000 acres of additional vineyards. Therefore, we find that the Draft Plan is generally consistent with these policies. **5-F**

Exhibit 4.1-11 indicates that the Draft Plan is partly inconsistent with ECAP Policy 313, which calls for the County to work with Pleasanton and Livermore to limit further urbanization in South Livermore to areas under city jurisdiction and to development that substantially enhances agriculture. Since the urban development called for in the Draft Plan will be annexed to the City of Livermore and will be required to enhance agriculture through the mitigation requirements called for by the County and City in their respective General Plans, we believe that the proposed Plan is completely consistent with this County policy.

Roadways

Two alternatives routes are described for extending Concannon Boulevard from its current eastern terminus to South Livermore Avenue. Alternative A would generally follow the Wente Street alignment, intersecting South Livermore Avenue near Robertson Park. Alternative B would cross existing vineyards east of Wente Street to connect with South Livermore Avenue at Tesla Road.

While the discussion of these alternatives indicates that Alternative B would result in the loss of 4.5 more acres of vineyards than Alternative A, the impacts could be far greater than suggested. Alternative B would bisect the southern portion of the historic Concannon Vineyard, which is protected by a conservation easement purchased by the South Livermore Valley Agricultural Land Trust. The impacts on vineyard operations of running a major road through the middle of an existing vineyard, rather than along the edge, are not discussed. Furthermore, while the DEIR states that both alternatives would result in one crossing of the Arroyo Mocho, Alternative B would in fact result in two crossings, unless the existing culverts at Wente Street were removed. **5-G**

Given that the two alternatives would cost approximately the same and provide the same level of service, Alternative A would appear to be the environmentally superior alternative and would be more consistent with City and County policies regarding minimizing impacts to vineyards than Alternative B.

Marc Roberts
July 14, 1997
Page 4

As noted in the DEIR, the County has adopted a traffic calming program and the County traffic engineer has met with Buena Vista residents to discuss the program. As outlined in the DEIR, potential physical improvements could include planting street trees, speed bumps and/or turn lane restrictions. As a last resort, cul de sacs could be created. **5-H**

Significant Unavoidable Impacts

The DEIR Summary (page 3.0-1) lists ten separate Significant Unavoidable Impacts that will require the City adopt findings and statements of overriding considerations if the project is approved. In examining this list, we believe that the DEIR has taken a very conservative approach in determining whether an identified impact was unavoidable and unmitigatible. A close reading of the text indicates that many of the identified unavoidable impacts are actually potentially significant impacts that may result in the future, and are considered unavoidable because not enough information is currently available to assess what the impacts might be. For instance, impacts involving the regional road system, the school district and the sewer export are identified in the text as significant unavoidable impacts, because improvements to these systems that would increase capacity to permit the Draft Plan development (as well as other development) are not funded or designed, and therefore may be significant. While these may need to be considered "significant unavoidable impacts" to satisfy legal interpretations of CEQA, the fact is that these improvements will be needed regardless of whether or not the Draft Plan is implemented, and will require their own individual CEQA analysis. Given the benefits that the proposed Specific Plan could bring to the South Livermore Valley, including over 2,000 acres of additional intensive agriculture under permanent protection, and the establishment of a permanent urban boundary, it should be relatively easy for the City to make the necessary findings and statements of overriding considerations for the identified significant unmitigatible impacts. **5-I**

Thank you for considering our comments on the DEIR. If you have any questions about these comments, please contact Sara Pandl at 670-6519.

Sincerely,

Adolph Martinelli
Community Development Director

Letter #5. ***Adolph Martinelli, Community Development Director, Community Development Agency, Alameda County, July 14, 1997.***

Response to Comment 5-A: Annexation Alternatives

The County's preference for the "minimum annexation" alternative is acknowledged. It is worthy of note, that while the annexation of Subarea #6 could be viewed, from LAFCO's perspective, as the "effective loss of farmlands", the annexation of the subarea clearly would not result in any real loss of agricultural land or agricultural potential. In fact, implementation of the Specific Plan will result in all of Subarea #6 being placed under permanent agricultural easement, and being planted and maintained with vineyards. The Specific Plan identifies Subarea #6 as a receiver site for agricultural mitigation from Subarea #2, and requires that the entire subarea be placed under agricultural easements prior to Final Map approval for the first phase of development in either Parcel 2-A_1 or 2-A_2 (Draft Specific Plan p. 4-39). Planting of Subarea #6 would be phased in direct proportion to development approved in either Parcel 2-A_1 or 2-A_2. Thus, both agricultural protection and agricultural production would increase as a result of implementation of the Plan.

Response to Comment 5-B: Roadway Sections to be Annexed

The County's request to know which county roads would be annexed to the City is a planning issue that does not require a response in this Final EIR. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration.

Response to Comment 5-C: Agricultural Viability of Smaller Parcels

The County's conclusion that parcels less than 20 acres may be agriculturally viable is acknowledged. However, zoning throughout the South Livermore Valley currently precludes new development on parcels less than 20 acres.

Response to Comment 5-D: Urban-Rural Conflicts

The need for a permanent Information Officer to facilitate understanding and mediate complaints between homeowners and agriculturalists is acknowledged. Given its long-term interest in maintaining the viability of agriculture in the South Valley, the South Livermore Valley Land Trust has indicated a willingness to perform the Information Officer function, and developers will be encouraged to designate the Trust as their Information Officer.

Response to Comment 5-E: Right-to-Farm Ordinance Notification

The County's comment regarding the misapplication of the "urban shadow" concept to increase the area within which deed restrictions should be required is acknowledged.

Response to Comment 5-F: Consistency with County Policies

The EIR authors defer to the County on the matter of whether the proposed Specific Plan is consistent with County policies to direct development and development speculation away from productive and potentially productive lands, and to limit further urbanization in the South Livermore Valley. While some productive lands would be lost to development as a result of the Plan, the Plan would, as the County says, create a permanent urban edge that will provide greater protection for agriculture in the rest of the South Livermore Valley, and will result in the planting and permanent protection of over 2,000 acres of new vineyards.

Response to Comment 5-G: Concannon Boulevard Extension

The County's preference for the Alternative A alignment of the Concannon Extension is noted. It is true, as noted in the Plan, that Alternative A would have less impact on existing vineyards and their operations. While it is also true that Alternative B would have two crossings of Arroyo Mocho, compared to one for Alternative A, both alternatives would only require one new crossing with adequate height and culvert capacity to avoid flooding (i.e., it is assumed that the existing Wente Street crossing could remain as is in Alternative B, as long as a new all-weather crossing was provided nearby).

Response to Comment 5-H: Traffic Calming on Buena Vista Avenue

The County's comment regarding the traffic calming program that has been adopted for Buena Vista Avenue is acknowledged.

Response to Comment 5-I: Significant Unavoidable Impacts

The County's comment is acknowledged. The Draft EIR has indeed taken a conservative approach in determining whether an identified impact is unavoidable and unmitigable. As a full-disclosure document, the EIR may err on the side of over-stating rather than under-stating impacts, particularly when there is potential for significant impact but not enough information currently available to assess the precise degree of impact. By comprehensively identifying all potentially unavoidable impacts, the EIR provides a sound basis for the City making informed decisions regarding the Specific Plan.

ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

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Ben Tarver

City of San Leandro
Mayor
Ellen Corbett

City of Union City
Mayor
Mark Green

Executive Director
Dennis R. Fay

July 14, 1997

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JUL 17 1997
PLANNING DEPARTMENT

Mr. Marc Roberts
Special Projects Coordinator
City of Livermore
1052 South Livermore Avenue
Livermore, CA 94550

SUBJECT: Comments on the South Livermore Valley Specific Plan and General Plan Amendment Draft Environmental Impact Report in the City of Livermore

Dear Mr. Roberts:

Thank you for the opportunity to comment on the City of Livermore's Draft Environmental Impact Report on the South Livermore Valley Specific Plan and General Plan Amendment (Draft Plan). The Draft Plan provides for development of 1,494 single-family dwelling units, a 900-student school, and up to 13 commercial sites (such as wineries, small restaurants, and bed and breakfast inns).

The CMA respectfully submits the following comments on the DEIR.

General

- The analysis roadway network for Land Use Analysis Program in the CMP is the Metropolitan Transportation System (MTS) network. The Transportation and Circulation section should be revised to correctly state that the analysis network is the MTS network, not the "CMA network" or "CMA roadways". The MTS network includes not only freeways and state routes, but principal arterials as well. For CMP purposes the traffic analysis should also evaluate the following roadways as requested in our June 5, 1996 response letter to the Notice of Preparation: Stanley Boulevard, Vasco Road, Greenville Road, and Livermore Avenue. Additionally the Year 2000 analysis is not the CMA's but a requirement of the CMP. These types of references to the CMA throughout the DEIR need to be corrected to state CMP when appropriate. **6-A**

- The document should refer to the CMA Model as the Countywide Model. **6-B**

- For CMP purposes, an a.m. peak hour analysis of transportation conditions is not required. Also, the CMP has no threshold for volume increases if a transportation facility is already at LOS F conditions such as that stated on page 4.5-22 and other **6-C**

Mr. Marc Roberts
July 14, 1997
Page 2

places throughout the DEIR. The reference to one- percent increases should be deleted throughout the document. For CMP purposes, mitigation of project impact is required when project impact causes a reduction in LOS. If the facility is already at LOS F, the development is not precluded from identifying and implementing mitigation measures for that facility.

- It is appropriate that the City pursue funding for project mitigation through the sources identified in the DEIR. The DEIR should also address ways in which the developer can pay for their fair share of regional improvements as well. Developer participation in already established fee programs, such as the Tri-Valley Transportation fee, should be described if applicable. **6-D**

- It would be helpful in evaluating project impact to provide a one-page table comparing and summarizing freeway and roadway service levels across conditions and Years. All the MTS segments should be listed. The table should also show service levels with mitigation. This information is not provided in the DEIR for the MTS network. **6-E**

By Page

Page 4.5-1 and 4.5-38

- The Tri-Valley Traffic Model has not been fully certified. This needs to be clarified in the DEIR. The Tri-Valley Model has been conditionally certified for CMP purposes pending the incorporation of Projections '94 and review by CMA staff. Please clarify why the traffic impacts were analyzed using two different models and sets of assumptions: the Countywide Model for Year 2000 impacts and the Tri-Valley Model for Year 2010 impacts. The CMA is concerned that this is producing inconsistent results. The traffic analysis for 2000 and 2010 should be done using traffic forecasts developed from one model. For CEQA purposes, the model producing the higher traffic projections should be used to determine project impacts. Additionally, please clarify that the version of the Tri-Valley Model used in the analysis is the one most recently approved by the Tri-Valley Transportation Council. It should use Projections '94. **6-F**

Page 4.5-13

- BART is no longer operating express service in the study area. This service was recently taken over by LAVTA. New and expanded service schedules can be obtained from them. **6-G**

Mr. Marc Roberts
July 14, 1997
Page 3

Page 4.5-22

- The title of this section should reflect the comments above concerning the appropriate definition of the roadway network used in the CMP's Land Use Analysis Program. Specifically, the principal arterials should be referenced and described. **6-H**

- Delete reference to traffic volume increases of one percent or more. This is not a CMP policy or requirement. **6-I**

- Please clarify what the difference between the last two sentences in paragraph 5: "The LOS standard for Alameda County CMP roadways is LOS E, except where LOS F conditions already existed when originally measured by the CMA. The LOS standard for all of the CMP facility segments in the study area is LOS E." **6-J**

Page 4.5-30

- The Dublin/Pleasanton BART station is now open. **6-K**

- The Year 2000 is not the Countywide Model's validation year. The Countywide Model is validated to 1990 conditions. Traffic volume forecasts are produced for the planning years 2000 and 2010. Year 2000 forecasts are representative of 2002 conditions. **6-L**

Figures 4.5-21, and 4.5-31

- The decrease in project traffic on I-580 under the "With Project" scenario is suspicious. The figures show 12 and 13 percent *increases* on I-580 in the eastbound and westbound directions between First and Isabella and a 7 percent *decrease* in both directions just east of Isabella. On other segments in both figures the decreases are not as great, but still seem unusual. Please clarify. **6-M**

Page 4.5-63

- Mitigation Measure 4.5-5 should require the project to pay its fair share of route expansions and required capital improvements, especially in light of limited funding for transit. **6-N**

Page 4.5-69

- The DEIR rightly states that intersections are typically bottlenecks over arterials. The CMA is concerned that intersection volumes and service levels are generally better than the roadway segment volumes. How were the intersection turning movement volumes developed? They should be developed using the link volumes so that they are consistent. Please clarify what is meant by the following statement as it relates to the intersection vs. turning movement issue above: "This indicates that the State Route capacity may be set at a level which is lower than necessary, since **6-O**

Mr. Marc Roberts
July 14, 1997
Page 4

intersections are typically the main source of delay on an arterial..." This issue should be addressed and corrected. Please clarify what assumptions are being used to develop the intersection volumes.

Page 4.5-71

- Mitigation Measure 4.5-7 should require the project to pay its fair share of route expansions and required capital improvements, especially in light of limited funding for transportation improvements. **6-P**

Once again, thank you for the opportunity to comment. Please do not hesitate to contact me if you require additional information. I can be reached at 510/836-2560.

Sincerely,

Jean Hart

Jean Hart
Deputy Director

cc: Beth Walukas, Senior Transportation Planner
file: CMP - Environmental Review Opinions - Responses - 1997

Letter #6. ***Jean Hart, Deputy Director, Alameda County Congestion Management Agency, July 14, 1997.***

Response to Comment 6-A: Metropolitan Transportation Network

The correct nomenclature "MTS Network" (as opposed to "CMA Network" or "CMA roadways") is noted. The "CMP Requirement" (as opposed to "CMA analysis") wording is also noted. The text has been edited to reflect these changes. The four roadways noted in the comment, were reviewed relative to CMP requirements for this response. The results are presented in the Table 1 (attached), which also responds to comment 6-E.

Two of the four additional roadways have Level of Service (LOS) F operation projected for the years 2000 and 2010, with or without the Project: South Livermore Avenue immediately north of First Street, and South Vasco Road immediately south of I-580. The other two roadway segments, Stanley and Greenville, operate at LOS E or better for both horizon years. In the year 2010, the Project adds 5% to the total future volume on the South Livermore segment, and a negligible amount to the future volume on the South Vasco segment. Because the LOS F condition occurs without the Project traffic on these segments, mitigation measures are not proposed. These findings do not change the EIR's conclusions regarding the significant effects of the proposed SLVSPA.

Response to Comment 6-B: Countywide Model

Comment noted. The text has been edited to reflect this change.

Response to Comment 6-C: CMP Standards

The a.m. peak hour analysis was included for the MTS network to be consistent with the analysis of other facilities (local roadways and intersections) in the study.

The text has been changed to eliminate references to mitigation required based on 1% or greater increases in traffic volumes. However, the information on percent changes on various facilities is retained for informational purposes.

Response to Comment 6-D: Funding for Mitigation

The comment is acknowledged. In order to make clear that the City will require development to pay its fair share of cumulative mitigation costs, the Specific Plan could include the following policy:

Policy 5-45b: In order to help pay for necessary regional transportation improvements that result from cumulative growth, new development within the SLVSPA shall be subject to the Tri-Valley Transportation Fee once it has been adopted citywide by the Livermore City Council.

The EIR has been revised to insert this policy as Mitigation Measure 4.5-1(d) on page 4.5-38.

Response to Comment 6-E: Summary of MTS Network Impacts

The attached table, "Summary: MTS Network Impacts", provides the requested information. The mitigated service levels are not shown in the table. For the mitigation measures identified in the Draft EIR, the mitigated service levels are as follows:

Year 2000 Impacts (PM Peak Hour Only):

I-580 between Airway and I-680:	LOS E or better
SR 84 between Homes and South Livermore:	Not known
SR 84 between I-680 and Isabel	LOS B

The mitigated LOS for the first two segments cannot be predicted at this time because the LOS will depend on the re-distribution of traffic with an HOV lane for I-580 and the effectiveness of optimized signal operations on SR 84 in downtown Livermore.

Year 2010 Impacts (PM Peak Hour Only):

I-580 between Livermore Avenue and I-680:	LOS E or better
SR 84 between I-680 and Isabel Avenue:	LOS E

Response to Comment 6-F: Tri-Valley Traffic Model

Two different models were used for the 2000 and 2010 analyses for the following reasons. The Tri-Valley Traffic Model was used for the 2010 analysis because (1) it was conditionally certified for CMP purposes and (2) it is considered the more accurate model to use for sub-regional analyses such as that required for the Specific Plan. CMA staff approved the use of the TVTM in phone conversations with the EIR transportation consultant, and noted that it could be used in its response to the Notice of Preparation. The TVTM version used was the Dowling Associates update which was approved in December 1996 by the TVTC; this version is based on *Projections 1994*. The "Financially Constrained" version of the model was used.

For the year 2000 analysis, the TVTM could not be used because the 2000 version was not yet ready for use. The CMA's Countywide Transportation Demand Model was thus used.

Response to Comment 6-G: Transit Service

Comment noted. The information in the Setting section was originally prepared in the summer of 1995.

Table 1

SUMMARY: MTS NETWORK IMPACTS
SOUTH LIVERMORE VALLEY SPECIFIC PLAN EIR

Segment	Directional Capacity	PM Peak Hour LOS (Peak Direction)				
		Existing	2000 No Project	2000 With Project	2010 No Project	2010 With Project
I-680 n/o I-580	8,000	E	C (NB)	C (NB)	C (NB)	C (NB)
I-680 between I-580 and SR 84	6,000	E	E (NB)	E (NB)	E (NB)	E (NB)
I-680 s/o SR 84	6,000	E	n/a	n/a	F (NB)	F (NB)
I-580 between I-680 and Airway	8,000	E	F (EB)	F (EB)	F (EB)	F (EB)
I-580 between Airway and Livermore	8,000	E	E (EB)	E (EB)	F (EB)	F (EB)
I-580 between Livermore and Vasco	8,000	E	E (EB)	E (EB)	F (EB)	F (EB)
SR 84 between I-680 and Isabel	1,000	E	F (EB)	F (EB)	F (EB)	F (EB)
SR 84 between Isabel and Holmes	1,000	E	A (WB)	B (EB)	F (EB)	F (EB)
SR 84 between Vallecitos and Arroyo	1,600	E	C (WB)	C (WB)	E (EB)	E (EB)
SR 84 between Arroyo and Livermore	1,100	E	F (WB)	F (WB)	D (EB)	D (EB)
SR 84 between S. Livermore and I-580	1,600	E	F (EB)	E (EB)	F (EB)	F (EB)
South Livermore between I-580 and First	1,100	E	F (SB)[1]	F (SB)[1]	F (SB)[1]	F (SB)[1]
Stanley between Isabel and Holmes	1,600	E	E (EB)	D (EB)	E (EB)	D (EB)
South Vasco between I-580 and East	1,600	E	F (NB)[2]	F (NB)[2]	F (NB)[2]	F (NB)[2]
Greenville between I-580 and East	1,600	E	A (NB)	A (NB)	n/a	n/a

[1] LOS F occurs on a small segment just north of First Street; elsewhere, the LOS is E or better.
[2] LOS F occurs on a small segment just south of I-580; elsewhere, the LOS is E or better.
n/a = data not available

Response to Comment 6-H: Definition of Roadway Network

Comment noted. The title has been changed. The analysis of the principal arterials not included in the Draft EIR is contained in Response to Comment 6-E.

Response to Comment 6-I: Traffic Volume Increases

Please see Response to Comment 6-C regarding references to percent increases.

Response to Comment 6-J: Level of Service

The first sentence states the general policy of the CMA; the second states the actual CMA standards for facilities in the study area.

Response to Comment 6-K: Dublin/Pleasanton BART Station

Comment noted. The station was not open when the EIR transportation chapter was drafted.

Response to Comment 6-L: Validation of Countywide Model

The last line on page 4.5-30 states that the year 2000 is the CMA model's calibration year, which is incorrect; the intention of the sentence is made clear by the rest of the sentence, which goes on to state that the year 2000 version of the model serves as the basis for year 2002 analysis for the CMA.

Response to Comment 6-M: Decrease in Future Traffic Volumes

The City acknowledges that the volume decreases with the Project, particularly on I-580, are counter-intuitive. The Draft EIR discusses the potential factors affecting these volumes on page 4.5-44.

Response to Comment 6-N: Fair Share Costs

Specific Plan Policy 5-49 requires developers to fund the entire cost of transit stop improvements within or bordering the specific plan subareas. The City does not require development to fund the operating costs of any transportation facilities within the City.

Response to Comment 6-O: Intersection Turning Movements

The intersection volume projections were taken from the model and then furnessed (i.e., link volumes and turning volumes reconciled) based on existing turning movement patterns and model link volume projections. (In some cases the turning movements were left alone when they appeared consistent with link volumes and existing turning movement patterns). The furness process is contained in the TVTC LOS analysis software. The good intersection service level

results are due in part to the use of the TVTC-approved LOS methodology, the Contra Costa Transportation Authority's LOS program. This simple LOS analysis tool tends to provide service levels which are better than the more detailed Highway Capacity Manual operational methodology.

The Draft EIR's statement that State Route capacity may be set at a lower level than necessary refers to the fact that intersection analyses show available capacity remains at intersections along SR 84, while link analyses show over-capacity conditions at certain locations. While the good intersection service levels may be due in part to the "generous" intersection methodology, the link capacities may also be too stringent.

Response to Comment 6-P: Fair Share of Improvement Costs

Refer to Response to Comment 6-D. Mitigation Measure 4.5-1(d) has been added to make clear that the City will require development to pay its fair share of cumulative mitigation costs.

COUNTY OF ALAMEDA
PUBLIC WORKS AGENCY
951 Turner Court, Room 300
Hayward, CA 94545-2651
(510) 670-5543

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PLANNING DEPARTMENT

July 14, 1997

Mr Marc Roberts, Special Projects Coordinator
City of Livermore - Planning Department
1052 South Livermore Avenue
Livermore, CA

Dear Mr Roberts,

Thank you for referring a copy of the South Livermore Valley Specific Plan and General Plan Draft EIR documents to our office for our review and comment. Our Traffic Engineering Department's preliminary review of the Draft Environmental Impact Report (DEIR) indicates that there may be some inconsistency with the projected volumes for the year 2010. These inconsistencies may in turn adversely affect the necessary roadway improvements.

According to the DEIR there would be seven (7) sub-areas of development. Most of these sub-areas will be in tangent with County maintained roadways. However, with its close proximity to the County maintained roadways, their projected volumes decreased as opposed to increasing in some of these roadways (see Exhibits 4.5-5 and 4.5-22). The roadways in question are: South Vasco Road - south of East Avenue; Buena Vista Avenue; Wente Street - south of Concannon Boulevard; and Mines Road. **7-A**

Additional development will also increase "recreational" activity by young motorists. It is important that affected roadways such as Mines Road be assessed considering all roadway users and expected behavior. **7-B**

We suggest that further evaluation be undertaken on Alameda County maintained roadways to address the discussed and other similar concerns including traffic impacts during the different phases of the construction. Further, the project should contribute to bringing the roadways impacted by the proposed development to acceptable roadway design standards considering aggressive commuter behavior, multi-modal use, level of service, and safety. **7-C**

If you have any questions regarding this matter, please contact me at 670-5562.

Very Truly Yours,

for Ralph Johnson
Deputy Director - Development Services

Letter #7. ***Ralph Johnson, Deputy Director Development Services, Public Works Department, Alameda County, July 14, 1997.***

Response to Comment 7-A: Projected Decrease in Traffic Volumes

The Commentor notes volume decreases on certain roadways between the "Existing" and "2010 With Project" cases (Exhibits 4.5-5 and 4.5-22, respectively). For South Vasco Road south of East Avenue, the daily volume does increase from 4,570 (1994 City count) to 6,272 (model projection). The model's peak hour link volumes on South Vasco are lower than existing counts, but the adjacent intersection volumes were adjusted upward to ensure consistency with existing travel patterns and project trip generation. The existing peak hour volumes (580 to 720 vehicles per hour, total of both directions) leave substantial capacity for volume growth, especially given the planned pavement and turn-lane improvements on this section of South Vasco Road. The Tri-Valley Traffic Model sets the capacity of South Vasco Road at 800 vehicles per hour per lane.

The volume issue for Buena Vista Avenue is addressed in Response to Comment 16-C. See also the Master Traffic Response at the beginning of this document.

On Wente Street south of Concannon, the future volume is much lower than the existing volume due to traffic diverting to use Concannon as a through route once it is connected to South Livermore Avenue.

On Mines Road, the model under-predicts future volumes. A 1992 Alameda County count, as reported in the Draft EIR (Exhibit 4.5-5) , shows 260 p.m. peak hour vehicles using the roadway (2,830 daily vehicles). The model predicts 63 existing p.m. peak hour trips and 70 future p.m. peak hour vehicles, clearly less than the current usage of the road. The existing peak hour volume is well under the capacity for the roadway, which the model sets at 800 vehicles per hour per lane. The model's 11% growth rate (63 to 70), if applied to the actual existing volume, (260 p.m. peak hour trips), would produce an estimate of 288 vehicles per hour, still well under capacity. This response acknowledges that volumes will be slightly higher on Mines Road than indicated in the Draft EIR, but are estimated to remain well under capacity.

Response to Comment 7-B: Recreational Traffic Increases

The Draft EIR considered the weekday a.m. and p.m. peak hours in the quantitative analysis of facilities throughout the study area. While certain roadways, like Mines Road, which leads to Del Valle Regional Park, may experience weekend and summer peaks which exceed the commute period peaks, these periods were not quantitatively analyzed in the Draft EIR because the volumes would not be expected to approach the capacities of the roadways involved. See also Response to Comment 7-A, which discusses the capacity of Mines Road.

Response to Comment 7-C: Construction Impacts and Roadway Improvements

The potential for traffic impacts during construction of proposed road improvements is not anticipated to be a major concern. City staff will review detailed improvement plans and phasing prior to the construction of individual projects to insure that road improvement projects do not result in undue traffic delays or safety problems. In order to formalize this established practice, the EIR has been revised to propose the following policy (on page 4.5-48):

> *Policy 5-46b: Final subdivision map approval for any project within the Specific Plan area shall be conditioned upon approval by the Community Development Department of a construction phasing plan prepared by the applicant. At a minimum the construction phasing plan shall address potential construction-related impacts including those related to noise, traffic and air quality by: 1) specifying an acceptable staging area or areas for construction equipment and employee parking; 2) specifying the hours for haul truck trips and other construction activities; 3) specifying the routes for all construction related traffic; and 4) describe (I) a program to implement the Bay Area Air Quality Management District's basic construction dust control measures and (ii) for projects greater than four acres in size, a program to implement the Bay Area Air Quality Management District's enhanced construction dust control measures.*

The Project does contribute to necessary roadway improvements, both through improvements documented in the Specific Plan and mitigation measures identified in the Draft EIR

STATE OF CALIFORNIA - THE RESOURCES AGENCY

PETE WILSON, *Governor*

DEPARTMENT OF FISH AND GAME
POST OFFICE BOX 47
YOUNTVILLE, CALIFORNIA 94599
(707) 944-5500

July 25, 1997

RECEIVED
JUL 28 1997
PLANNING DEPARTMENT

Mr. Marc Roberts
Special Projects Coordinator
City of Livermore
1052 South Livermore Avenue
Livermore, California 94550

Dear Mr. Roberts:

South Livermore Valley Specific Plan and General Plan Amendment Draft Environmental Impact Report (DEIR)

Department of Fish and Game personnel have reviewed the above-named document which has been prepared to address the long-term planning goals of the 1,887-acre South Livermore Valley Specific Plan Area (SLVSPA). This area is located south of Livermore in an east-west trending valley formed by the foothills of the Diablo-Hamilton Range. The SLVSPA is composed of seven separate subareas. In general, the policies and mitigation measures that were developed to deal with potential impacts to biological resources are quite good.

Policy 6-25 addresses the requirement for site (subarea) specific special-status species surveys. These surveys will be conducted prior to approval of detailed site plans. We are pleased to see that the policy is to avoid special-status species habitat to the extent feasible by redesign and/or the elimination of lots within the designated development. We would appreciate the opportunity to review any special-status species survey reports submitted to the City, to determine if the surveys were conducted according to protocol. Survey protocols have been developed for rare plants, fairy shrimp, burrowing owl, California tiger salamander (CTS), and red-legged frog. Any biologist contracted to conduct surveys for rare plants or any of the species listed above should coordinate with this Department. **8-A**

While no adult or larval young CTS or red-legged frog were observed in the stock ponds in Subarea 7 during spring surveys conducted in 1995 (pages 4.4-21-22), these surveys may not have been conducted according to survey protocols. These areas should be resurveyed using techniques acceptable to the Department and the United States Fish and Wildlife Service. If either of these species are discovered in any of the stock ponds in Subarea 7, impacts should be avoided. **8-B**

Mr. Marc Roberts
July 25, 1997
Page Two

As described in Policy 6-26, every site should be surveyed for burrowing owls and any other potentially occurring raptor species (if trees occur on-site). If burrowing owls occur within the proposed development footprint for any of the subareas, mitigation for burrowing owl habitat must be provided. We suggest that approximately 6.5 acres of burrowing owl habitat be set-aside for every burrowing owl pair impacted by a project. The best method for mitigating impacts to burrowing owl habitat is on-site habitat preservation. If this is not feasible, off-site habitat preservation will be considered. Whether or not there are impacts to burrowing owls should be determined during project review, not 30 days prior to grading. Our survey protocol requires that four survey visits be conducted during the burrowing owl nesting season to establish presence or absence. However, preconstruction surveys should be conducted on all sites just in case the owls may have become established on the site since the time of the original survey. All survey reports should include the dates and times of the surveys, a complete habitat description, all wildlife species observed on the site, and a map which identifies the closest known burrowing owl occurrences (at a minimum), and should be submitted to the Department for review and approval. If burrowing owl habitat mitigation is necessary, the project proponent will be required to enter into a Burrowing Owl Mitigation Agreement with this Department. **8-C**

As stated in our previous letters, Subarea 7 provides the most valuable wildlife habitat of all the subareas. We are pleased to see so many different alternatives for the site evaluated in the DEIR. Due to the value of an open space corridor that would link Sycamore Grove park to open space to the south, we strongly recommend that the City adopt Subalternative 6. This alternative appears to be environmentally superior to all other alternatives for the site. Under this alternative, potential impacts to California tiger salamander, red-legged frog, oaks, drainages, and non-native grassland are greatly reduced. We agree with the statement in the DEIR that, "supplemental surveys still would be required to determine the extent of sensitive resources which could be affected by development (and agriculture), but sufficient land area appears to be available to provide mitigation opportunities if necessary should residential development not avoid these resources completely." **8-D**

Mr. Marc Roberts
July 25, 1997
Page Three

Thank you for providing us with the opportunity to comment on the DEIR. We appreciate being allowed an extension of the comment period. If you have any questions regarding our comments, please call Caitlin Bean, Environmental Specialist, at (408) 469-8759; or Carl Wilcox, Environmental Services Supervisor, at (707) 944-5525.

Sincerely,

Brian Hunter
Regional Manager
Region 3

Letter #8. ***Brian Hunter, Regional Manager, Region 3, Department of Fish and Game, July 25, 1997.***

Response to Comment 8-A: Surveys

Comment noted. As noted by the commentor, surveys recommended in Policy 6-25 of the SLVSP should be conducted according to established protocol, and the CDFG and USFWS should be given an opportunity to review their adequacy as part of further environmental review of individual development applications. In response to the comment, the EIR has been revised (on page 4.4-37) to recommend that proposed Policy 6-25 be revised as indicated below to insure that surveys are conducted according to established protocol, and that trustee agencies are given an opportunity to review the adequacy of the survey efforts.

> "Policy 6-25: Essential habitat for special-status species shall be accurately identified and avoided by proposed development to the extent feasible. Where possible this shall include redesign of site-specific infrastructure improvements and through relocations and/or the elimination of lots within designated development areas. Confirmation surveys, **conducted in accordance with established protocol,** shall be performed to determine whether special status plant and animal species occur within certain subareas where absence has not been confirmed. **Where appropriate, the scope of specific surveys shall be coordinated with the CDFG and USFWS, and trustee agencies shall be given an opportunity to review the adequacy of the survey efforts and recommended mitigation as part of environmental review of individual development applications.** ~~This~~ **Confirmation surveys** shall include:
>
> - Systematic rare plant surveys for all plant species of concern in Subarea 7
> - Surveys for suitable vernal pool and swale habitat in Subareas 2, 4, 5, 6, and 7 for the fairy shrimp species of concern
> - A surveys of the vernal pool in Subarea 7 to determine if this feature is used for breeding by California tiger salamander
> - **Surveys for possible nesting burrowing owl in all subareas were development is proposed, extending a minimum distance of 300 feet from the limits of grading and construction**
>
> If any special...."

Response to Comment 8-B: Potential Impacts on Special-Status Species and Need for Protocol Surveys

As noted on page 4.4-2 of the Draft EIR, a field visit of Subarea #7 was performed by the EIR biologist and CDFG biologists, primarily to discuss the potential for occurrence of California

tiger salamander and California red-legged frog, modifications in the project design. Also discussed was extensive habitat which would be protected with implementation of the adjustments to the development concept detailed in Mitigation Measure 4.4-3. Representatives of the CDFG concluded that supplemental surveys for California tiger salamander would be limited to a determination on possible breeding activity in the vernal pool in the large claypan area where development is proposed. Open space use and buffers were considered adequate in other locations to adequately protect potential populations of California red-legged frog and California tiger salamander at other locations on the site. The position of the CDFG is summarized in their October 1996 letter to Mr. Marc Roberts[2]. Preconstruction raptor surveys and protocol surveys for special-status fairy shrimp and burrowing owl would also be required for Subarea 7, including potential occurrence of vernal pool fairy shrimp in the vernal pool of the claypan.

Response to Comment 8-C: Preconstruction Surveys

Comment noted. Refer to the Response to Comment 8-A for recommended changes to Policy 6-25. This includes an additional provision to determine whether any burrowing owl nests occur within 300 feet of proposed development in any of the subareas. Preconstruction surveys recommended in Policy 6-26 should still include a determination on the presence or absence of burrowing owl as well in case new nests become established between the time the detailed nesting survey is conducted and development is to proceed in a specific subarea.

Response to Comment 8-D: Alternatives

Comment noted. As discussed on page 5.0-54 of the Draft EIR, Subalternative #6 for Subarea #7 was considered to be the environmentally superior alternative from a biological perspective, after the No Development Alternative and Subalternative #9 (Permanent Open Space Alternative).

[2]California Department of Fish and Game, 1996. Comment on the Proposed Adjustments to the Development Concept for South Livermore Valley Specific Plan, letter to Mr. Marc Roberts, City of Livermore from Kevin Hunting, Environmental Specialist, dated 31 October.

JUL 14 1997

PLANNING DEPARTMENT

Patricia N. Smith
Director of Facilities, Human Resources
and Logistics



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July 14, 1997

Marc Roberts
City of Livermore Planning Department
1052 South Livermore Avenue
Livermore, CA 94550-4899

Dear Mr. Roberts:

This responds to your invitation for public comment on the Draft Environmental Impact Report (EIR) for the South Livermore Valley Specific Plan (SLVAP) and General Plan Amendment. Sandia hopes to sustain and grow its positive relationship with the City of Livermore. We want to be good neighbors and contributors to the community for a long time to come.

With regard to the Subarea 1 proposals, the siting of residential housing immediately to the west of Sandia may well limit or even foreclose an exciting path for the future of the city. World class technology developed at Sandia and Lawrence Livermore for government purposes is also of intense interest to private industry. Industry now sponsors a considerable amount of the research at Sandia. This comes at a time when government funding is decreasing. If Sandia and Lawrence are to thrive, collaboration with industry must grow.

We think commercial usage, such as a high-technology research/science park, is the best use for the area adjacent to Sandia. The close proximity of Sandia and Lawrence labs could attract high tech industry, especially in lasers and microelectronics. The same idea is behind the famous Stanford Research Park where the university anchors a vibrant technology-based business environment. With two major scientific institutions calling it home, we think the City has a similar opportunity to create an even brighter technology-based future here in the Livermore valley.

9-A

Should the City choose housing, however, Sandia pledges it full support in working with you to achieve the best possible outcome. In that spirit, the attached comments offer some suggestions prepared by Jake McMichael, who has studied the proposals in detail on our behalf.

Sincerely,

P. N. Smith

Copy to:
the Honorable Cathie Brown
Richard Erdman, DOE/KAO
Deborah Garcia, DOE/KAO
Tom Hunter, Sandia VP 8000
Jake McMichael, 8305

-2-

Sandia National Laboratories
California Site
Response to Draft EIR
South Livermore Valley Specific Plan

Summary

- Mitigation measures for land use incompatibility impacts are insufficient.
- Developers and persons purchasing property in Subarea 1 should be advised prior to opening escrow of the general scope and nature of the activities conducted at Sandia National Laboratories.

Land Use and Public Plans Impact

- Impact 4.1-4 (page 4.1-29) addresses the incompatibility of land use between the existing operations of Sandia National Laboratories and the adjacent addition of new residential housing. It is pointed out in the EIR that "Encroachment of a new residential population in close proximity to non-residential uses (which formally were isolated from neighboring uses) could cause new or intensify previously encountered conflicts. While most of the impacts from these changes would not be expected to be significant, potentially significant conflicts may exist between the compatibility of residential development in Subarea 1 and activities on the adjacent Sandia National Laboratories site."

  Comment 1. Sandia disagrees with the statement included in Impact 4.1-4 that says, "...While most of the impacts from these changes would not be expected to be significant, ..." This land use incompatibility is the core issue and major concern for Sandia. Even unfounded complaints by future residents could curtail Sandia's ability to attract new government and industrial programs. **9-B**

- Mitigation measure 4.1-4 (page 4.1-34) calls for a 50-foot setback of the homes adjacent to the government property. Within 30 feet of this setback, trees would be planted, leaving 20 feet of landscaped open space between the trees and the fence line. This measure is expected to provide shielding and privacy for the residents.
- Per the Draft EIR, significance of the land use impact after mitigation (page 4.1-35) is, when coupled with proposed noise easement, reduced to a level the City deems acceptable, thus resulting in less-than-significant impacts.

  Comment 2. While we appreciate the acknowledgment and incorporation of Sandia staff member's earlier input to the process regarding mitigation measures, it should be recognized that this input was in response to security measures involving perimeter fencing, not land use. The mitigation efforts described in the Draft EIR would not provide sufficient isolation or privacy for the residents. A suggested layout for the residential area would include a 1000 foot offset from Sandia operations, the potential use of buffer zone land for viticulture, and tree plantings adjacent to a street along the Sandia western border that could further isolate residential units from the potential land use incompatibilities. **9-C**

Air Quality Impacts

- Impact 4.6-4 (Page 4.6-9) notes that "development of Subarea 1 would place residents in proximity to percolation ponds located on the Sandia National Laboratories site. These percolation ponds are an intermittent source of odors reportedly generated by decaying vegetation. The intermittent nature of these odors, the minimum 200 foot distance between ponds and eastern Subarea 1 boundary, and the ponds' location downwind from Subarea 1 suggest that this impact would be less-than-significant."

  Comment 3. Sandia is less optimistic than the conclusion postulated by the Draft EIR regarding the odors generated by the decaying vegetation from the percolation ponds. Two hundred feet may not be an adequate distance for the odors to dissipate when there is no wind or the wind is out of the north or east. **9-D**

Noise Impact

- Impact 4.7-2 (Page 4.7-10) notes that "implementation of the Draft Plan would result in development of noise sensitive land uses adjacent to...and near... industrial / research uses. This Plan includes policies to mitigate these potential adverse effects to a less-than-significant level." The EIR pages 4.7-11 and 4.7-12 contain a write-up on SNL generated noise from pistol/rifle range and hazardous test area.

- Policy 6-46 would mitigate the noise effect to a less-than-significant level. "As a condition of final map approval, the owners of all property designated for residential use within Subarea 1 shall grant a noise easement to Sandia National Laboratories, granting the Laboratories the right to generate noise at the existing facility and to be free from complaints or future legal action by the owners or residents of the residentially designated property. Deeds for residential lots shall include a disclosure statement that identifies the potential for noise, the character of the noise, and the terms and conditions of the easement held by the Laboratories."

  Comment 4. The wording should be such that Sandia is permitted to generate noise not only at all existing facilities, but also new ones. **9-E**

Visual and Aesthetic Quality Impact(s)

- The Draft EIR considers the impact of the residential use of Subarea 1 on the existing environment, We suggest that similar analysis of visual and aesthetic quality impacts, such as glare from perimeter lighting, should be given to existing facility's compatibility with the proposed residential development.

  Comment 5. The same approach of requiring easements for these impacts should be considered as that described in Policy 6-46 above concerning noise. **9-F**

General Comments

- The Draft EIR identifies the following ten (10) significant and unavoidable impacts from the proposed project:
  - Loss of prime farmland
  - Inundation from Del Valle Dam failure
  - Roadway and freeway traffic
  - Year 2000 CMP roadway network
  - Treatment plant/export pipeline
  - Construction period noise
  - Cumulative noise impacts
  - Water supply
  - Cumulative school impacts
  - Traffic-generated regional impacts

Comment 6. Under CEQA, the Draft EIR must describe such impacts, the implications of such impacts, and the lead agency's reasons from choosing to tolerate them rather than requiring an alternative design [CEQA Guidelines, Sec 15126 (b)]. The Draft EIR does describe the significant, unavoidable impacts and, in some cases, the implications of the impacts. However, the rational for choosing to tolerate the significant, unavoidable impacts rather than an selecting an alternative have not been discussed. **9-G**

Comment 7. One of the ten significant and unavoidable impacts identified in the Draft EIR is increased demand for water from Zone 7. Demand created by the project would exceed existing and planned water supplies of Zone 7. Sandia is supplied with Zone 7 water at various times throughout the year when water from Hetch Hetchy is not available. Availability of water from Zone 7 is critical to Sandia's site operations. What mechanisms are in place to ensure that existing customers of Zone 7 continue to receive Zone 7 water to meet existing needs? Under the Draft SLVAP, do existing Zone 7 customers maintain priority for water use over new customers? **9-H**

Letter #9. ***Patricia N. Smith, Director of Facilities, Human Resources and Logistics, Sandia National Laboratories, July 14, 1997.***

Response to Comment 9-A: Land Use in Subarea #1

The comments regarding Sandia National Laboratories' (SNL's) preference for commercial uses, such as a high-technology research/science park, in Subarea #1, rather than the proposed housing, are noted. The possibility of changing land uses in the area is a planning issue that will be considered by the City, but does not require further comment in this Final EIR. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration.

Response to Comment 9-B: Land Use Compatibility

The EIR acknowledges that there are potentially significant land use compatibility conflicts between SNL and Subarea #1 development, particularly related to noise and trespassing. The EIR also indicates that with proposed setbacks/buffers and recommended noise easements the potential for significant impact can be mitigated to an acceptable level. The comment provides no new evidence to change the conclusion of the EIR. SNL's disagreement with this conclusion is noted.

Response to Comment 9-C: Buffer Zone

All but five of the proposed residential parcels proposed in Subarea #1 are already located more than 1,000 feet from SNL's operations as suggested by SNL. The five parcels that are less than 1,000 feet from SNL's operations, have their rear lot line approximately 980 to 990 feet from SNL, so the actual units would be set back at least 1,000 feet. Tree planting in the buffer zone along the eastern edge of the Subarea is already proposed. The City would endorse SNL's suggestion to the use of its buffer zone for vineyards. The placement of a single-loaded roadway along the eastern boundary of the Subarea, as proposed by SNL, would provide little additional protection to future residents while increasing development costs. Such a roadway would also tend to focus views from houses fronting the roadway directly toward SNL's facilities, thus encouraging comment/complaints about its operations.

Response to Comment 9-D: Odors

As stated on page 4.6-9 of the Draft EIR, adverse impacts associated with odors generated by the SNL percolation ponds would be less than significant. Only one new residential lot would be located within 250 feet of the percolation ponds, and only 10 lots would be located within 600 feet of the ponds. Given the fact that odors from the pond will only occur intermittently, and that the prevailing wind pattern, which blows from west to east, will blow most odors away from Subarea #1, no significant impacts are anticipated.

Response to Comment 9-E: Noise Easements

The intent of the noise easements recommended in Policy 6-46 is to protect SNL's existing operations from undue hardship (e.g., sound-proofing improvements, etc.) as a result of the proposed development. The easements are not intended to provide SNL the license to create noise generating uses without consideration for its impact on the broader community. It is assumed that SNL would design any future uses to maintain acceptable noise levels on surrounding lands not owned by SNL.

Response to Comment 9-F: Aesthetic Easements

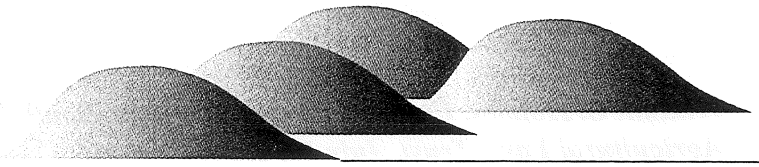
The tree planting proposed for the buffer zone between proposed residential uses and SNL will be adequate to screen future residents from potential glare from perimeter lighting at SNL. It is assumed that design controls implemented by SNL on any future development would not depend on "aesthetic easements" to ensure compatibility with surrounding uses.

Response to Comment 9-G: CEQA Requirement for Findings

As stated by SNL, CEQA requires the lead agency (in this case, the City of Livermore) approving a project with significant unavoidable impact to describe why it is choosing to tolerate rather than selecting an alternative. If the City decides to certify this EIR as complete and adequate and to approve the specific plan as proposed, it will prepare findings and statements of overriding considerations that explain the City's rationale.

Response to Comment 9-H: Increased Demand for Water

The letter from Sandia Laboratories states that availability of water from Zone 7 is critical to Sandia's site operations and requests information about the mechanisms currently in place that ensure Zone 7 will continue to meet existing customer needs. Zone 7 enters into contracts for regular water service with its customers. Such "regular" contracts provide commitments for a specified amount of water and delivery schedule. In addition, Zone 7 points out in their comment letter on the Draft EIR that the District "would only approve requests for new water deliveries which do not exceed its long-term yield so existing customers with Contracts would maintain priority." Sandia Laboratories uses Zone 7 water as emergency "back-up" water only when water from Hetch Hetchy, the Labs' regular supply, is not available. To the extent Zone 7 has water available, they provide it to the Laboratories upon request. However, the Laboratory has not requested and does not currently have a regular contract containing a commitment for emergency water (Telephone conversation with Dennis Gambs, Chief, Water Supply Engineering, Zone 7, August 11, 1997). Under specific plan Policy 8-1, no development may proceed within the specific plan area unless an adequate water supply is available. If Zone 7's contractual commitment to other users precludes it from providing additional supply to the city or Cal Water, development in the South Livermore Valley specific plan must be deferred until adequate suppliers are available. See water master response.



South Livermore Valley Agricultural Land Trust



Seeking to ensure the viability of the Valley as a permanent premier agricultural region with fertile soils, rural ambiance and scenic open space.

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July 10, 1997

Marc Roberts
City of Livermore Planning Department
1000 South Livermore Avenue
Livermore, CA 94550

Dear Mr. Roberts:

Thank you for the opportunity to review the Draft EIR and the Specific Plan and General Plan Amendment for the South Livermore Valley. The Trust Board of Directors has had the opportunity to consider the Plan as it relates to the Trust's involvement in the South Livermore Valley, and has asked me to communicate the following concern.

In several places, the documents refer to the Trust and its easement purchase program. The Trust requests that when the matter of easements is discussed, that the documents specifically refer to the Model Easement developed by the Trust for all easement acquisitions in the South Livermore Valley.

The model easement was developed with input from Alameda County and the Cities of Livermore and Pleasanton, as well as from the proponents of the Ruby Hill project and the Caroline subdivision. The use of this document as a basis for easements in the Valley ensures consistency between easements, resulting in ease of stewardship and a universal set of expectations for all property owners.

10-A

Thank you for your consideration of this matter. Should you have any questions regarding this information, please call Amalia Egri at the Trust office at (510) 449-8706.

Sincerely,

William G. Hoppes
Chair, Board of Directors

Post Office Box 2208
Livermore
California 94551

Letter #10. ***William G. Hoppes, Chair, Board of Directors, South Livermore Valley Agricultural Land Trust, July 10, 1997.***

Response to Comment 10-A: Model Easements

The Land Trust's desire to use the terminology "Model Easement" when referring to the matter of agricultural easements is acknowledged. It is the City's intention to use the model easement as a basis for negotiating agricultural easements. However, in certain circumstances additional restrictions on permitted uses included in the model easement may be necessary to protect adjacent residential uses or address unique circumstances.

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Marc Roberts
City of Livermore
Planning Department
1052 S. Livermore Ave.
Livermore, CA 94550

Dear Mr. Roberts:

Thank you for the opportunity to comment on the South Livermore Valley Specific Plan and General Plan Amendment Draft Environmental Impact Report.

Summary:
With its goals of preserving agriculture, protecting open space, and creating a firm urban/rural boundary, the South Livermore Plan can set an excellent example for the East Bay and beyond. **11-A**

However, leapfrog development in Subarea 7 threatens to burden city services, set an ugly precedent and break the spirit of the plan. Any alternative that includes five acre ranchettes in Subarea 7 could be even more damaging than more dense development. **11-B**

In order to best benefit the residents of Livermore, the preferred alternative for the South Livermore Plan should exclude any urban development in Subarea 7. **11-C**

The South Livermore Plan could create a solid urban/rural boundary that could become a segment of an Urban Growth Boundary. The plan should expressly direct the Livermore City Council to create a voter approved, long term Urban Growth Boundary (UGB) for the entire city. (Please see *Bound for Success, a Citizens' Guide to Using Urban Growth Boundaries for More Livable Communities and Open Space Protection in California*, Greenbelt Alliance, 1997) **11-D**

Specific Questions:
1. Regarding Subarea 7, the DEIR states, "permanent open space would be the environmentally superior alternative for this area." What is the benefit of allowing urban development in Subarea 7? **11-E**

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SOUTH BAY OFFICE ◆ 1922 The Alameda Suite 213, San Jose CA 95126 ◆ (408) 983-0539
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EAST BAY OFFICE ◆ 500 Ygnacio Valley Road Suite 250, Walnut Creek CA 94596 ◆ (510) 932-7776

2. What would be the growth-inducing impacts of urban development in Subarea 7. Specifically, what would be the impacts of expanded wastewater capacity? What would be the impacts of setting a precedent of five acre parcels? What would be the impact of speculative pressure on nearby Alameda County lands? **11-F**

3. How would urban development in Subarea 7 impact the viability of viticulture south of Livermore? **11-G**

3. How can Livermore incorporate the urban/rural boundary of the South Livermore Plan in an Urban Growth Boundary for the entire city? **11-H**

Conclusion:
Greenbelt Alliance commends the City of Livermore in its effort to accommodate residential development in a responsible manner -- with public involvement, open space preservation, agricultural enhancements, and limited burdens on city services. If the final version of the South Livermore Plan protects Subarea 7 from leapfrog development and creates a firm urban/rural boundary that can be a segment of an entire UGB, Livermore will set an important example for the rest of the East Bay. **11-I**

Sincerely,

Thomas C. Mooers
East Bay Field Representative

Letter #11. ***Thomas C. Mooers, East Bay Field Representative, Greenbelt Alliance, July 14, 1997.***

Response to Comment 11-A: Excellent Example

The commentor's support of the Specific Plan's goals are acknowledged.

Response to Comment 11-B: Five-Acre Parcels

The City concurs that 5-acre parcels could create significant adverse impacts and generate potentially adverse growth inducing effects (e.g. set a precedent for the acceptability of 5-acre parcels in the South Valley and/or elsewhere in Alameda County.

Response to Comment 11-C: Preferred Land Use Scenario for Subarea #7

The Greenbelt Alliance's preference for no development in Subarea #7 is a planning issue that will be addressed by the City when considering which land use scenario to approve for Subarea #7. Since the comment does not address the adequacy of the EIR, no further comment is needed in this Final EIR. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration.

Response to Comment 11-D: Urban Growth Boundary

Note that the EIR concluded that while the Plan would not have significant growth inducing impacts, an Urban Growth Boundary (UGB) could further reduce this insignificant impact. The Greenbelt Alliance's suggestion that the Specific Plan include a policy supporting a "voter approved, long term Urban Growth Boundary for the entire city" is a planning issue that would need to be addressed by the City Council. Since the comment does not address the adequacy of the EIR, no further comment is needed in this Final EIR. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration. The Greenbelt Alliance's support for such a policy is acknowledged.

Response to Comment 11-E: Benefits of Urban Development in Subarea #7

When weighing the benefits of development in Subarea #7 against potential impacts, some of the broader public benefits that might be identified include:

- addition of between 80-280 acres of new regional parkland to the existing Sycamore Grove Park (depending on the alternative selected);
- addition of between 140-200 acres of agricultural land put under permanent agricultural easement and planted with vineyards or orchards (depending on the alternative selected);

- creation of a permanent open space buffer between urban development and unincorporated lands to the south; and,

- provision of public access to dramatic viewpoints overlooking the Livermore Valley, and providing potential trail linkages to Del Valle Park.

These benefits will be weighed against the benefits of more limited development by the City Council in considering the policies it wishes to adopt as part of the specific plan.

Response to Comment 11-F: Growth-Inducing Impacts of Subarea #7

The Draft EIR addresses growth inducing impacts in Section 4.1 (pages 4.1-43 through 4.1-45), and concludes that the Plan, including Subarea #7, would not result in any significant growth inducing impacts. The infrastructure, including the sewer system, will be sized to serve no more than the proposed development, with the possible exception being an extension to the existing VA Hospital which currently owns a reservation for capacity in Livermore's treatment plant. No excess capacity would be provided to accommodate future growth.

The open space buffer to the south of proposed development, which would be established by permanent agricultural easements and open space easements and LARPD ownership, would prevent any future extensions of infrastructure to the south. The adjacent Vineyard Estates development would eliminate any growth potential to the west, and the VA Hospital and Veterans Park would prevent growth to the east. Sycamore Grove Park will prevent any growth to the north.

Approving 5-acre parcels would run counter to adopted City and County policy for the South Livermore Valley. City actions inconsistent with the agreement between the City and the County (such as approval of 5-acre parcels within the Plan area) could result in adoption of similar policies by the County. Unlike the more dense alternatives which require the extension of public infrastructure & services, 5-acre parcels could occur virtually anywhere. County policy specifically limits new development in the unincorporated Vineyard area of the South Livermore Valley to 100-acre parcels, with a density bonus program that allows development of up to 5 units if at least 90% of the land is in agriculture and under permanent easement. This policy was established to protect the viability of agriculture by prohibiting the proliferation of small lot rural development (e.g., 5-acre parcels).

Response to Comment 11-G: Impact on Agricultural Viability

Development in Subarea #7 generally supports the City's and County's objectives to increase agriculture and protect the environment by permitting limited development. Urban development in Subarea #7 would remove the agricultural potential from lands directly used for development, between 94-129 acres, but would also result in two to three times as much land being committed to agriculture or parkland as mitigation. In Alternatives #1 through #6, the development of Subarea #7 would provide between 220-430 acres of agricultural/open space mitigation

depending on the land use scenario. Alternative #6, which includes an assortment of 2-8 acre lots, would provide the least amount of viable agricultural land. Alternative #7, which consists of 20-acre parcels, would provide over 300 acres of viable agricultural land.

Response to Comment 11-H: Urban Growth Boundary

The relationship between the urban/rural boundary established by the South Livermore Valley Specific Plan and a possible citywide Urban Growth Boundary is a planning, rather than EIR, issue that is beyond the scope of this Final EIR, and will be presented to the City's decision-making bodies for their consideration.

Response to Comment 11-I: Plan's Merits

The Greenbelt Alliance's comments on the merits of the Plan are acknowledged. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration.

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Sierra Club
San Francisco Bay Chapter
Tri-Valley Group

July 11, 1997

Mr. Marc Roberts
Planning Department
City of Livermore
1052 South Livermore Ave
Livermore, CA 94550-4899

Subject: Comments on DEIR for South Livermore Valley Specific Plan

Dear Mr. Roberts:

As you may be aware, the Tri-Valley Group of the Sierra Club recently restarted in the Livermore Valley. This resurgence in activity is largely in response to the rapid urbanization and traffic congestion facing all residents in the cities of Livermore, Pleasanton, Dublin, and San Ramon. We currently have over 700 members with a substantial number of Livermore residents. Many of these individuals have followed the South Livermore planning process for several years.

Although the Tri-Valley Group generally supports the South Livermore Valley Specific Plan (Draft Specific Plan) and its goal of preserving agricultural lands and open space along the city's southern border, we are concerned about the inadequacies of the Draft Environmental Impact Report (DEIR). In particular, we are appalled at the proposal to build up to 304 houses in Subarea 7.

Subarea 7 is non contiguous with existing urban development and sits south of Sycamore Grove Park, beyond Livermore's actual southern boundary. The other 6 Subareas are contiguous with existing urban development and make more sense. The DEIR identifies Subarea 7 as the most environmentally sensitive subarea and notes that approving development there completely contradicts the Draft Specific Plan's goal of establishing "a permanent urban boundary for the south edge" of the city. The DEIR finds that the no-build option would constitute the most environmentally sound alternative. Despite these findings, the DEIR analyzes seven development alternatives for Subarea 7 involving up to 304 housing units. Because of their location, each of these alternatives are classic cases of leap-frog development and urban sprawl at its worst. **12-A**

The Tri-Valley Group has several key concerns with respect to the DEIR's inadequacies and potential urban sprawl in Subarea 7. Specifically, the DEIR fails to adequately address REAL IMPACTS ON EXISTING LIVERMORE RESIDENTS. These impacts include traffic, noise, air quality, water availability, sewer capacity, quality of life issues, and the ability to provide adequate city services such as police, fire, and schools to Livermore residents. **12-B**

Our concerns, expressed as questions to the Livermore Planning Commission, are as follows:

1) How do existing Livermore residents benefit from the construction of up to 304 new homes just south of Livermore's largest and most remote park? If we allow only limited or no residential development in Subarea 7, we do not need to dedicate more land to Sycamore Grove Park. Allowing substantial residential development in Subarea 7 to gain a small amount of park land is a poor concession. **12-C**

2) Development in Subarea 7 in conjunction with the Ruby Hills development will result in severe traffic impacts on an already excruciating commute to the South Bay. Why should commuters on Highway 84 have to endure not one, but two additional traffic signals as a result of Subarea 7 development? If the suggested improvements to Highway 84 do not occur (i.e., adding lanes), how do you propose to mitigate these impacts, especially given that the highway is already well over capacity? (Fifty-two percent over capacity in 1994 according to the DEIR.) **12-D**

3) Development of Subarea 7 would induce growth beyond the proposed urban limit line. Why should existing residents risk the possibility of additional urban growth beyond Subarea 7 as a result of the sewer line expansion which would occur with any development plan for more than 52 houses? How will you prevent such additional growth once the sewer line is in place? **12-E**

4) One of the Draft Specific Plan's goals centers on creating an urban limit for the city's southern boundary. How does the Draft Specific Plan guarantee this limit outcome when it contradicts the goal by considering development in Subarea 7? **12-F**

5) Another Specific Plan goal is to protect and enhance agriculture, particularly viticulture, in South Livermore. Viticulture is a highly unique resource for Livermore, for the Tri-Valley area, and for California. We understand that the urban growth pressures are tremendous on this resource throughout South Livermore. Is this resource best preserved by building up to 304 houses in the planning area's most environmentally sensitive area, well beyond existing development? **12-G**

Subarea 7 does not constitute orderly or logical growth, especially given the Specific Plan's goals. We support the current zoning in Subarea 7 and are opposed to any development option that requires a sewer line. Livermore needs a permanent urban boundary to contain urban sprawl and preserve our agricultural lands and open space. We all have worked too long and achieved too much progress to let this slip away in South Livermore. We hope the Livermore Planning Commission will adequately address these issues which affect the people that live in and appreciate Livermore's unique quality of life and resources. **12-H**

Respectfully submitted,
Tri-Valley Sierra Club

Letter #12. ***Sierra Club, San Francisco Chapter, Tri-Valley Group, July 11, 1997.***

Response to Comment 12-A: Leap-Frog Development

While it is true that Subarea #7 is not contiguous with "existing urban development," it is contiguous to the City's existing City Limits and to approved development in the Vineyard Estates subdivision. It should also be noted that only two of the six subareas proposed for development (Subareas #3 and #5) are contiguous to existing urban development. The Specific Plan intentionally creates gaps between existing suburban development and the proposed development to create a transition between existing urban development and agriculture. The intent is that the proposed Specific Plan development not appear to be just an extension of existing patterns.

The Draft EIR does not indicate that Specific Plan is at odds with the concept of creating a permanent urban boundary along the south edge of the City. The analysis of project consistency with existing policies indicates that Subarea #7 is consistent with City General Plan Goal #6, Objective #6: "Creation of a permanent boundary and open space buffer between the cities of Pleasanton and Livermore in the South Livermore Valley " (Draft EIR, p.4.1-50).

The Draft EIR's finding that the "no build" alternative is environmentally superior should not be surprising. Frequently, the "no build"/"no project" alternative is found to be environmentally superior. For this reason, CEQA requires the EIR to identify an environmentally superior alternative other than the "no build" scenario. It is also worthy of note that the purpose of the EIR alternatives analysis is to examine a range of alternatives that could feasibly attain the basic project objectives. In this instance, as in most projects, the "no build"/"no project" alternative would not further the project's objectives. Specifically, the "no build" scenario would not increase the amount of active agriculture in the South Valley or provide permanent protection for agricultural lands.

Response to Comment 12-B: Draft EIR's Inadequacies

The opinion of the commentor is noted. However, the commentor's statement that the "Draft EIR fails to adequately address REAL IMPACTS ON EXISTING LIVERMORE RESIDENTS" is not accurate because the EIR analyzes the potential impacts associated with ten different environmental factors, including: Land Use and Public Plans; Geology and Soils; Hydrology, Drainage, and Water Quality; Biological Resources; Transportation and Circulation; Air Quality; Noise; Visual and Aesthetic Quality; Public Services and Utilities; and Cultural Resources. The EIR examines the impact implications of a number of alternatives to the project, and evaluates both direct project impacts and cumulative impacts associated with citywide growth. Where impacts have been identified, the EIR provides mitigation measures to reduce if not eliminate adverse effects.

Response to Comment 12-C: Benefits of Subarea #7 Development

Refer to Response to Comment 11-C regarding the public benefits to be gained from development of Subarea #7. The commentor's opinion on the value of the benefits to be derived is a planning issue that does not address the adequacy of the EIR. The comment is noted and will be passed on with all other comments to the City's decision-makers for their consideration.

Response to Comment 12-D: Traffic Impacts on Highway 84

Impact 4.5-1 acknowledges that sections of SR 84 are already operating at LOS F and will continue to operate at LOS F for the 2010 case, with or without the Project. Specifically, the project worsens traffic on SR 84 westbound between Isabel Avenue and I-680 (p.m. peak hour) and eastbound between Isabel Avenue and Holmes Street (p.m. peak hour). Mitigation Measure 4.5-1(b) is included in the Draft EIR to address this impact, but the impact is stated to be "potentially significant after mitigation", because the City does not have control over the financing and implementation of a four-lane Vallecitos Road.

Response to Comment 12-E: Growth Inducement

Refer to Responses to Comments 11-D and 11-F regarding the potential for growth inducement impacts associated with the development of Subarea #7. Subarea #7 would not "induce growth beyond the proposed urban limit line" as suggested by the commentor, because there currently is no existing urban limit line. Implementation of the Plan would create a "defacto" urban limit line. In addition, the City decision-makers will be presented with a proposed General Plan Amendment to establish such a line.

Response to Comment 12-F: Urban Limit

The development of Subarea #7 does not contradict the concept of creating a permanent urban boundary. In fact it is one element in the overall strategy proposed by the Specific Plan to limit urban growth by acquiring agricultural easements along the south edge of town. Development of Subarea #7 would create a permanent open space buffer between Vineyard Estates and Arroyo Road that would effectively restrict any future growth to the south (refer to Response to Comment 11-D).

Response to Comment 12-G: Protection for Agriculture

Refer to Comment 11-G regarding the effect Subarea #7's development would have on the agricultural resource.

Response to Comment 12-H: Orderly and Logical Growth

The Sierra Club's opinion regarding development in Subarea #7 and the creation of a permanent urban boundary are planning issues, and do not address the adequacy of the EIR. As such, no

further comment is required in this Final EIR. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration.

RECEIVED 9:40 a
JUL 14 1997
PLANNING DEPARTMENT



WENTE
VINEYARDS

July 10,1997

Marc Roberts
City of Livermore Planning Department
1052 South Livermore Ave.
Livermore, CA. 94550

Dear Marc:

Wente Bros. would like to comment on the following items in the draft EIR.

Section 4.9 Water Supply (page 12) Policy 8-1

Issue: The City is not in a position to determine future water supply. This is strictly an economic determination driven by market forces, water resources are available, and artificially restricting supply will only result in the formation of a new supplier, or litigation. From a technical stand point, Zone 7 and the Cities of Livermore, Pleasanton, and Dublin have the capabilities through acquisition of DWR water from other contractors, recycling, and facilities enhancement, to supply more than double the current approximate use of 45,000 AF in the Zone 7 service area. Agricultural development may not be prohibited. Under State law, property owners have ground water pumping rights for beneficial use that supersede City policy, and further, determination of how an agricultural instillation will be farmed is the sole purview of the owner. **13-A**

Section 2.0 (page 2.0-43)

Issue: Moderate Annexation Scenario. Please amend our comments of June 26, 1997 to reflect our support for a "modified" Moderate Annexation Scenario which would not recommend annexation of any of the vineyard in Sub-Area 2 under Wente Bros. ownership. It is our desire to keep all of the Vineyard in this Sub-Area under one jurisdiction, Alameda County, and the residual vineyard in this area will be incorporate in a single County Assessors Parcel, which if subdivided will not meet County Zoning Standards. Further, it is adjacent to hundreds of acres of existing Wente vineyard under County jurisdiction. **13-B**

Please contact us if you have any questions.

Sincerely,
Wente Bros.

Eric P. Wente
C.E.O.

ESTATE WINERY AND TASTING ROOM
5565 Tesla Road Livermore, California 94550 USA *tel* 510-447-3603 *fax* 510-447-2972

Letter #13. ***Eric P. Wente, CEO, Wente Vineyards, July 10, 1997.***

Response to Comment 13-A: Future Water Supply

See Master Water Response at the beginning of this document.

Response to Comment 13-B: Preferred Annexation Scenario

Wente Bros. preference for a modified "Moderate Annexation Scenario" is noted. The comment does not address the adequacy of the EIR. As such, no further comment is required in this Final EIR. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration.

Q14



RECEIVED
JUN 30 1997
PLANNING DEPARTMENT

June 26, 1997

Marc Roberts
City of Livermore Planning Department
1052 South Livermore Avenue
Livermore, CA 94550-4899

Dear Marc:

Outlined below are the comments of RMC Lonestar(RMC) and Wente Bros.(Wente) in response to items in the Draft EIR that pertain to Subarea #6. As is referenced in Section 4.9.6 (Page 4-39) of the Specific Plan, RMC and Wente have entered into an exchange agreement in which RMC would acquire a 50 acre development parcel located in Subarea #2 currently owned by Wente, and would grant to Wente its interest in the 187 acre Smith Ranch (Subarea #6). The two parties have opened escrow for this transaction.

Of particular concern to RMC and Wente (as the current and future owners of Subarea #6) is the recommendation by the City of a modified Moderate Annexation plan. As you are aware, during the Citizens' Advisory Committee process, both parties have stated that it was imperative that Subarea #6 remain under the jurisdiction of Alameda County. The Subarea #6 parcel is currently zoned for agriculture, and it will remain in agriculture as mitigation acreage required under the proposed Specific Plan.

Our comments as they relate to the annexation of Subarea # 6 are as follows:

Section 2.0 (Page 2.0-43) Annexation Scenarios

Issue: The City's selection of a *modified* version of the Moderate Annexation Scenario.

Comment: RMC and Wente find unacceptable, the City's decision to recommend an annexation scenario which includes the annexation of Subarea #6 to the City. We support the Moderate Annexation Scenario as recommended by the Citizens Advisory Committee. Our reasons against annexing Subarea #6 are as follows:

1) There is no current or future urban development plan for Subarea #6. It will be planted to vineyards, used for mitigation, and placed under conservation easement. As an agricultural parcel it appropriately belongs in Alameda County.

2) It is contiguous to land (and vineyards) currently owned by Wente Vineyards, and it is important to Wente that it be allowed to conduct all of its agricultural operations under a single jurisdiction.

3) It is located within Alameda County, and is outside the City's sphere of influence. As noted in the Draft EIR, annexation by the City of agricultural land would conflict with LAFCO's agricultural preservation policies.

14-A

RESTAURANT AND VISITORS CENTER
5050 Arroyo Road Livermore, California 94550 USA *tel* 510-447-3023 *fax* 510-447-0970

Page 2
June 26, 1997

4) The goal of achieving a bridge or "adjacency" to Sycamore Grove Park will be accomplished by the annexation of Subarea #5 and/or Subarea #7.

Section 2.0 (Page 2.0-25) Roadways
Section 4.5 (Page 4.5-37) Transportation and Circulation

Issue: New access to Subarea #6

Comment: The owner of Subarea #6 reserves the right to determine exactly where to locate a new access road into the subarea. A number of factors, most yet to be determined, will enter into the decision of where the new access road should be located. **14-B**

Section 2.0 (Page 2.0-25) Trails

Issue: Proposed trail plan for Subarea #6

Comment: Trails Segments
1) Segment 11: Arroyo Road to Homes Street
2) Segment 12: Wetmore Road to Sycamore Grove Park

1) Routing of the proposed Segment L trail was discussed by the CAC and agreed to by RMC Lonestar and Wente. However, it was always presented as part of the inter-connecting trail system, and such its cost was to be shared 50/50 by The Plan and LARPD. It should not be an obligation of Subarea #2 developers. **14-C**

2) The concept of a Segment M trail was only briefly discussed by the CAC, and never agreed to by RMC or Wente. Connection to Veterans Park can be reasonably accomplished by using Segment L to Sycamore Grove Park and then Sycamore Grove Park to Veterans Park.

Section 4.5 (Page 4.5-17) Transportation and Circulation

Issue: Concannon Boulevard Extension

Comment: We believe that Alternative A is clearly the best solution for the re-routing of Concannon Blvd. Alternative B would be disruptive to existing agriculture and to the ambiance of the South Livermore Valley wine country, and we view it as an unacceptable alternative. **14-D**

Please contact us if you have any questions regarding our comments.

Sincerely,

Philip R. Wente
EVP
Wente Bros.

Jim Sheidenberger
Manager, Property & Contract Administration
RMC Lonestar

Letter #14. ***Philip R. Wente, EVP, Wente Bros. and Jim Sheidenberger, Manager, Property & Contract Administration, RMC Lonestar, June 26, 1997.***

Response to Comment 14-A: Preferred Annexation Scenario

Wente Bros. preference for a modified "Moderate Annexation Scenario" is noted. The comment does not address the adequacy of the EIR. As such, no further comment is required in this Final EIR. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration.

Response to Comment 14-B: Access to Subarea #6

Location of the access road to Subarea #6 is a planning issue. The comment responds to the content of the Specific Plan, and does not address the adequacy of the EIR. As such, no further comment is required in this Final EIR. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration.

Response to Comment 14-C: Proposed Regional Trail Alignments

The location of trail segments "L" and "M" and the responsibility for their implementation are planning issues. The comment responds to the content of the Specific Plan, and does not address the adequacy of the EIR. As such, no further response is required in this Final EIR. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration.

Response to Comment 14-D: Concannon Boulevard Extension

Wente Bros. preference for the alignment of the Concannon Boulevard extension entitled "Alternative A" is noted. The comment responds to the content of the Specific Plan, and does not address the adequacy of the EIR. As such, no further comment is required in this Final EIR. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration.

THE SWORD COMPANY
Post Office Box 93 • 355 West Las Palmas
Patterson, CA 95363
Tel. 209 892-3757 • Fax 209 892-3762

RECEIVED
JUL 14 1997
PLANNING DEPARTMENT

July 14, 1997

Marc Roberts
City of Livermore Planning Department
1052 South Livermore Avenue
Livermore, CA 94550

Re: South Livermore Valley Specific Plan / GPA DEIR

Dear Mr. Roberts,

A list of the property owners included in the SLVAP Specific Plan and represented by this letter is included at its conclusion. The following list of comments is our response to the DEIR.

1. The DEIR has adequately investigated potential significant environmental impacts caused by the development of the South Livermore Valley Specific Plan and General Plan Amendment and identified available measures to mitigate those impacts.

2. **1.3 Level of Detail and Incorporation by Reference, pp. 1.0-4.** The second paragraph on page 1.0-4 refers to the DEIR as a "program EIR". It is our understanding that the document is a project EIR. **15-A**

3. **2..0 Trails, pp. 2..0-25.** We do not recall Trail Segment 12 (Wetmore to Sycamore Grove Park) being included in the regional trail system as approved by the Citizens Advisory Committee. This trail segment serves a redundant purpose already accomplished by Segment 11 (Arroyo to Holmes). There are also terrain difficulties and other physical constraints in the location of Segment 12. Segment 12 should be deleted. **15-B**

4. **2..4 Annexation Scenarios, pp. 2.0-43.** The "modified" Moderate Annexation Scenario chosen by the City is unacceptable to the property owners represented by this letter. Sub Area 6 has been a crucial property in the development of this Specific Plan . The successful effort to maintain this land as viticultural mitigation is dependent on the private agreement between two land owners, Wente Vineyards and RMC Lonestar, to trade properties. Wente Vineyards, the future owner / operator of Sub Area 6, has vocally and consistently made a condition of the land trade that Sub Area 6 would remain zoned Agriculture in the jurisdiction of Alameda County. Sub Area 6 should not be subjected to a forced annexation that is not necessary for LAFCO's approval of annexation of the development Sub Areas. **15-C**

The property owners represented by this letter support a modified Moderate Annexation scenario that is consistent with the Modified scenario except for Sub Area 2 which has unique property boundaries. Wente Vineyards processed a

July 14, 1997
Response to Specific Plan / GPA DEIR
Page 2

subdivision map in the jurisdiction of Alameda County in order to accommodate the land trade with RMC Lonestar which preserves Sub Area 6 as vitacultural mitigation. This subdivision map defines the Specific Plan development area for Wente Vineyards / RMC Lonestar and creates a legal parcel which would be possible for LAFCO to annex. The specific modification to the Moderate Annexation scenario which we request is that all of the development parcels in Sub Area 2 be annexed to the City of Livermore and the agricultural parcels remain in the jurisdiction of Alameda County.

5. **4.1-2 Loss of prime farmland.** Significant Unavoidable Impact **(SU)**. The DEIR examination of this issue is a static analysis which ignores the historical land use change trends in the area and does not acknowledge the large amount of prime farmland that will protected in perpetuity by the agricultural mitigation program which is fundamental to the Specific Plan. This impact should be classified as Significant and eliminated by the Specific Plan's agricultural mitigation program. **15-D**

6. **4.1-5 Urban-rural conflicts, mitigation 4.1-5 (a).** The DEIR requires that each developer designate an Information Officer to formalize communications and resolve conflict between homeowners and farmers. This is a good idea in the short term because the builders on site sales staff can easily provide this service. This solution does not work well in the long term, however, because after the project is completed the developer / builder will not have a presence in the neighborhood and will have filled their obligation to the project. An institutional resource would be the ideal long term solution for this function. It has been suggested that the Land Trust might be an excellent resource to manage this function as a part of their monitoring and agricultural community outreach programs. **15-E**

7. **4.2 Geology, Soils and Seismicity, exhibit 4.2-4.** Studies that have been analyzed during the preparation of the Specific Plan do not support the location of the Las Positas fault on Sub Area 4. **15-F**

8. **4.4 Biological Resources, exhibit 4.4-1.** The Potential Seasonal Wetland shown on the Volkman property is an error. Further examination of the soil characteristics of this location will show incapability with the existence of a wetland. **15-G**

9. **4.5 Transportation and Circulation, pp. 4.5-17.** Alternative A is obviously the best solution to the Cancannon Blvd. Extension because it uses existing road right of ways instead of destroying established vineyards as does Alternative B. Alternative A also only requires one bridge crossing at the Arroyo Mocho. Alternative B requires two bridge crossings. **15-H**

10. **4.5 Transportation and Circulation, pp. 4.5-37.** The precise alignment of future access to a potential winery site on Sub Area 6 can only be determined if and when the owner of that property makes application to Alameda County for a specific project. The DEIR should not make assumptions about the size or location of a winery on this site. **15-I**

July 14, 1997
Response to Specific Plan / GPA DEIR
Page 3

11. **4.5-6 Pedestrian / bicycle safety, mitigation 4.5-6 (a).** This measure references the Livermore Bicycle / Pedestrian Plan Update and Equestrian Trails Study. A map describing this Study is shown on Exhibit 4.5-15 and is in conflict with the recommended trail alignment through Sub Area 6. The recommended alignment travels east / west along the north edge of this property. The map in conflict shows a trail bisecting the property. **15-J**

12. **4.7-3 Noise from commercial sites, mitigation 4.7-3.** The Olive Oil Press that operates in Sub Area 4 should not be required to provide any acoustical engineering information not required from winery operations. A simple phone call from the author of this mitigation would have revealed that the pressing process is operated entirely indoors and uses techniques and equipment very similar to winery operation. This mitigation measure should be deleted. **15-K**

13. **4.7-4 Construction period noise. SU.** This impact is customarily classified as a Significant Impact in DEIRs and is considered eliminated by the types of mitigation measures identified in this DEIR. What is different about this project that justifies this unique analysis? **15-L**

14. **4.7-5 Cumulative noise impacts. SU.** The DEIR references noise levels on Concannon Blvd. after the East / West arterial is completed. This arterial is a component of the General Plan circulation element and its impacts were considered as part of that document's environmental review. The South Valley Specific Plan only completes the General Plan's circulation element and therefore causes no impact by its implementation. This impact should be classified as Less than Significant if it is identified at all. **15-M**

15. **4.9-1 Water Supply. SU.** The DEIR analysis is based on water supply demand created by all of the projected General Plan growth in all of the jurisdictions served by Zone 7. General Plans are long range planning tools that do not reserve or guarantee services, utilities or infrastructure for projected future land use. Specific Plans are necessary to provide services, utilities and infrastructure for specific projects which are considered as part of a logical, orderly and timely land use pattern. There is available water supply for the South Livermore Valley Specific Plan at this time. This impact should be classified as Less than Significant. **15-N**

It is our understand that if this impact remains classified as **SU** the project will be able to proceed when Zone 7 officially designates a water supply allotment for the project.

16. **4.9-4 Treatment plant / export pipeline capacity. SU.** The DEIR analysis is based on wastewater capacity demand created by all of the projected General Plan growth in Livermore and export pipeline capacity of all of the jurisdictions served by LAVWMA. General Plans are long range planning tools that do not reserve or guarantee services, utilities or infrastructure for projected future land use. Specific Plans are necessary to provide services, utilities and infrastructure for specific projects which are considered in a logical, orderly and timely land use pattern. There is available wastewater treatment and export capacity for the **15-O**

July 14, 1997
Response to Specific Plan / GPA DEIR
Page 4

South Livermore Valley Specific Plan at this time. This impact should be classified as Less than Significant.

It is our understand that if this impact remains classified as **SU** the project will be able to proceed when the City of Livermore officially designates wastewater treatment capacity and LAVWMA designates wastewater export pipeline capacity for the project.

17. **4.9-16 Cumulative school impacts. SU.** The DEIR analysis does not recognize the LVJUSD's Facility Plan as a reliable document. The DEIR analysis also seeks information that is impossible to ascertain until further work is completed on the North Livermore GPA and Specific Plan. This impact should be classified as Significant and eliminated by the Specific Plan mitigation policy which requires a school impact fee that is acceptable to the LVJUSD. **15-P**

18. **5.6 Environmentally Superior Alternative.** It is short sighted for the DEIR to find the No Development Alternative to be the Environmentally Superior Alternative. Examination of the long term growth trends in the Livermore Valley leaves little doubt that without the containment of urban development provided by the strategically placed Agricultural Easements fundamental to this Specific Plan the entire South Livermore Valley would be developed within a relatively short period of time. The Specific Plan protects the South Valley from urban development and provides the agricultural infrastructure to support a thriving Wine Country that is very important to the quality of life desired by the community. **15-Q**

The No Development Alternative would lead to continued and eventual total urban sprawl and a failed wine industry in the South Livermore Valley. Is this Environmentally Superior Alternative?

Sincerely,

Howard Sword

Participating Property Owners:

Rick Corbett; Sub Areas 3 & 4
Davey Tree, Sub Area 2
Robert Ibarolle, Sub Area 7
Jack McKissack, Sub Area 4
Robert Minaker, Sub Area 1
Emery Nelson, Sub Area 5
Norman Reid, Sub Area 1
Hans Zumbach, Sub Area 4
Marguerite DePaoli, Sub Area 7
Rik Hansen, Sub Area 4
Alameda County, Sub Area 5
Dymond Developement, Sub Area 2
RMC Lonestar, Sub Area 2 & 6
Dr. Ray Young, Sub Area 3
Kenneth Volkman, Sub Area 2

Letter #15. ***Howard Sword, The Sword Company, for various planning area landowners, July 14, 1997.***

Response to Comment 15-A: Program EIR

This EIR is a "program" EIR because it addresses a whole series of interrelated actions related to the development of the South Livermore Valley, rather than just a specific development project. As discussed on page 1.0-4 of the Draft EIR, future projects within the Specific Plan area can rely on this EIR as long as the specifics of those projects are consistent with those set forth in the Specific Plan, and that new information revealed during detailed design of individual projects does not reveal any different or additional significant impacts from those identified in this EIR. State CEQA Guidelines (Article 11, Section 15168 © (5)) state that "w*ith a good and detailed analysis of the program, many subsequent activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required."*

Response to Comment 15-B: Trails

Trail Segment #12 was discussed with the CAC as an alternate trail alignment when it became clear the owners of Subarea #6 were opposed to providing public access along the historic Olivina Ranch entry drive that bisects Subarea #6. Based on a field survey conducted for the EIR, no significant terrain difficulties wer identified for Trail Segment #12. The field survey indicates that a trail alignment requiring a minimum of grading will be possible in the area indicated on the plan.

The inclusion of Trail Segment #12 (Wetmore to Sycamore Grove Park) in the Plan is a planning issue. The comment responds to the content of the Specific Plan, and does not address the adequacy of the EIR. As such, no further comment is required in this Final EIR. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration.

Response to Comment 15-C: Annexation Scenarios

The preference of the commenting property owners for a modified "Moderate Annexation Scenario" is noted. The comment responds to the content of the Specific Plan, and does not address the adequacy of the EIR. As such, no further comment is required in this Final EIR. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration.

Response to Comment 15-D: Loss of Prime Farmland

The EIR authors appreciate the commentor's position that the protection provided by the Plan should be considered enough to mitigate the loss of prime agricultural land that will result from the implementation of the Plan. The Draft EIR's determination that the loss of prime farmland is a significant unavoidable impact, in spite of all the agricultural mitigation that is required, is

based on the fact that there will be prime farmland lost as a result of the Plan that will not be replaced. Loss of wetlands might be used as a comparable example to explain the determination. If a project were to disturb wetlands, mitigation would involve replacement in kind or at a ratio greater than 1:1. Simply providing protection for wetlands on another site would not be considered adequate mitigation. While it is true that the Plan will help avoid future losses of prime farmland, it does not actually replace, and therefore mitigate, the lost farmland.

Having said this, it must also be acknowledged that unlike wetlands, which can be created, prime farmland can not be manufactured. Thus, the loss of prime farmland to development is considered a permanent and unmitigable loss. The City and County understood going into this planning process that agricultural land would be lost to development, but made the decision (in the SLVAP) that such a loss, as long as it was minimized, would be worth the added protection and enhancement provided for the remaining agricultural land in the South Livermore Valley.

Response to Comment 15-E: Urban-Rural Conflicts

Comment regarding the use of the Land Trust to manage the Information Officer function is acknowledged. Refer to Response to Comment 5-D.

Response to Comment 15-F: Seismic Fault in Subarea #4

As shown in Figure 4.2-4 of the Draft EIR, the EIR geologist has only identified the "probable" location of the Las Positas Fault trace the crosses through Subarea #4. Seismic studies performed as part of the environmental analysis were adequate to ensure that at least a 100-foot development setback is provided from proposed development (Draft EIR, page 4.2-34).

Response to Comment 15-G: Seasonal Wetland in Subarea #2

Information regarding the occurrence of possible seasonal wetland habitat in the various subareas is discussed on page 4.4-12 and 13 of the Draft EIR. Mapping contained in Exhibit 4.4-1 was based primarily on distinguishable vegetation characteristics observed during the field reconnaissance. No formal wetland delineation was performed as part of the assessment for the EIR. The wetland delineation required in Policy 6-23 will serve to determine whether any jurisdictional wetlands occur in Subarea #2, or any of the other subareas where development is proposed. Wetlands resulting from an artificial water source, such as the broken irrigation line referred to by the commentor, are generally not considered jurisdictional unless the area would qualify as a wetland without the artificial water source. Policy 6-23 also calls for avoidance of any wetlands to the extent feasible. Where wetlands cannot be completely avoided, a detailed wetland protection replacement and restoration plan is required. See Policy 6-23, page 4.4.34-35 of the Draft EIR.

Response to Comment 15-H: Concannon Boulevard Extension

The preference of the commenting property owners for the "Alternative A" alignment of Concannon Boulevard is noted. The comment responds to the content of the Specific Plan, and does not address the adequacy of the EIR. As such, no further comment is required in this Final EIR. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration.

Response to Comment 15-I: Subarea #6 Access

Subarea #6 is part of the Specific Plan area. Thus, the Specific Plan can, and has, recommended the location and alignment of the winery access. The commentor assumes that Subarea #6 will be in the County, but that will depend on the annexation boundaries that are ultimately approved. At this point, the Specific Plan assumes that Subarea #6 will be annexed into the City.

The size of the winery in Subarea #6 was established by the Specific Plan. Accordingly, the EIR analyzed the impacts of a winery of that size.

Response to Comment 15-J: Subarea #6 Trail Alignments

The commentor is correct in noting the error in Figure 4.5-15 in the Draft EIR. The same error also occurs in Figure 5.17 of the Specific Plan. Both figures have been revised. The Specific Plan text (page 5-48) correctly describes the two trail segments proposed for Subarea #6: Segment "L" which extends the length of Wetmore Road along the north edge of the subarea, and Segment "M" which extends along Arroyo Road on the east side of the subarea.

Response to Comment 15-K: Olive Press Noise

Specific information regarding noise levels from the proposed olive oil press were not available at the time the Draft EIR was prepared. Since that time the olive press has been installed. The fact that it is indoors and has a substantial setback from adjoining residential areas appears to be adequate to avoid any significant noise impacts. While City review of any future expansion plans will be important to ensure that noise generating facilities are not sited so they would affect nearby residents, implementation of Mitigation Measure 4.7-3 as proposed in the Draft EIR is no longer a necessity. Mitigation Measure 4.7-3 (at page 4.7-15) has been revised as follows:

> On behalf of the City, an acoustical engineer should review the detailed site plan and equipment layout ~~when designed for~~ **of any major expansion or change in operations of** the Subarea 4 olive press....

Response to Comment 15-L: Construction Noise

Often with implementation of a Specific Plan, construction noise can occur over a period of many years. Given the proximity of residential neighbors to many of the construction sites and

the uncertain construction periods, it was determined that the impact would be mitigated but would continue to be significant and unavoidable as described in the Draft EIR at page 4.7-17.

Response to Comment 15-M: Cumulative Noise Impacts

Noise levels are expected to increase 10 decibels as a result of the extension of Concannon Boulevard. A portion of this increase is attributable to the development of the South Livermore Valley Specific Plan. The increase is substantial and the cumulative impact is, therefore, significant as described in the Draft EIR on page 4.7-18.

Response to Comment 15-N: Water Supply

The commentor expresses the opinion that since there is available water supply for the South Livermore Valley Specific Plan at this time, water supply should be identified as an insignificant impact of the project. The Draft EIR explains in detail why water supply is considered a significant and unavoidable impact at this time. Zone 7, in its comment letter on the Draft EIR (Letter #2 in this document) states, that a new supply of water needs to be identified for the vineyards. Therefore, water supply remains a significant unavoidable impact. The commentor also notes his understanding that if the water supply impact remains classified as a significant unavoidable impact, the project will be able to proceed when Zone 7 officially designates a water supply allotment for the project. See also Master Response to Water Comments.

Response to Comment 15-O: Treatment Plant/Export Pipeline Capacity

Impact 4.9-4 analyzes the cumulative impact of growth, including the project, on treatment plant and export pipeline capacities. The analysis depends on available planning documents, such as the General Plan, to project the potential impact of growth on these facilities. Since there is not adequate capacity to serve projected growth, the lack of capacity has been identified as a significant cumulative impact. Until adequate capacity is provided, or potential growth is reduced, this will remain an unmitigated cumulative impact as described in the Draft EIR on page 4.9-19.

The commentor is correct, that there is adequate existing capacity to accommodate the Specific Plan. In order to ensure that Specific Plan development can move forward once the Plan is adopted, Specific Plan Policy 8-11 requires that adequate sewage treatment and export capacity be reserved at the time of Plan adoption.

Response to Comment 15-P: Cumulative School Impacts

The Draft EIR does not question the reliability of the LVJUSD's Facility Plan, it simply recognizes the fact that substantial growth is being planned within the District that is not yet reflected in the Facility Plan. As stated in the EIR, it is probable that new high school facilities will be required, and that the development of such facilities has the potential to generate

environmental impacts. However, since no sites have been identified for new high school facilities, it is impossible to speculate on what impacts might actually be generated.

The comment that school impact fees would reduce the impact to a level of insignificance, apparently comes from a misunderstanding of the significance criteria. According to the significance criteria on page 4.9-40, school impacts will occur if the need for new facilities results in adverse physical changes in the environment. Simply generating the need for new facilities or the money to pay for new facilities is not an environmental impact under CEQA.

Response to Comment 15-Q: Environmentally Superior Alternative

The commentor's point is well taken. It is for this reason that the Draft EIR also identifies, as required by CEQA, an environmentally superior alternative from the project alternatives (i.e., those that meet the basic objectives of the project as opposed to the "no project" alternatives). The Draft EIR identifies the 1,200-Unit Development Alternative (Alternative 5.3) as the environmentally superior alternative.

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RECEIVED
JUL 17 1997
PLANNING DEPARTMENT

July 14, 1997

Via fax and U.S. mail

Marc Roberts
City of Livermore Planning Department
1052 South Livermore Ave.
Livermore, CA 94550-4899

Re: Comments on behalf of Concerned Citizens for the Completion of Mines Road on the Draft Environmental Impact Report on the South Livermore Valley Specific Plan

Dear Mr. Roberts:

I am writing on behalf of the Concerned Citizens for the Completion of Mines Road ("CCCMR") to offer comments on the Draft Environmental Impact Report ("DEIR") prepared on the proposed South Livermore Valley Specific Plan ("SLVSP" or "the Project"). Pursuant to a conversation with Fred Osborne of your office on July 3, 1997, I am submitting these comments to your office today by fax and by mailing a hard copy, which you will receive shortly. Thank you for this opportunity to comment on the DEIR on behalf of CCCMR.

As you know, my clients, an unincorporated group of Buena Vista Avenue neighbors, are very concerned about the potential negative impacts of the implementation of the SLVSP on their quiet residential neighborhood and are particularly concerned that the Project, both by itself and in conjunction with reasonably foreseeable cumulative development affecting the area, will significantly increase traffic on Buena Vista Avenue, to the substantial detriment of their safe and peaceful enjoyment of their homes and neighborhood. Buena Vista Avenue is classified in the Livermore General Plan as a "rural residential" street, intended to serve the neighborhood, not to be a major or collector roadway. Given its narrowness and the fact that about 80 homes have driveways that open onto Buena Vista, this road is simply not suitable to be either a collector or a major roadway as these are defined by the Livermore General Plan. This issue was discussed in detail in my letter of June 5, 1996 to the City Council regarding the potential effects of the SLVSP on the Buena Vista neighborhood. (A copy of this letter is included herewith and incorporated by reference herein as part of CCCMR's comments on the DEIR.)

Unfortunately, the DEIR does not properly analyze the potential traffic impacts of the SLVSP, either by itself or cumulatively with other development, on Buena Vista Avenue. Its conclusion that implementation of the SLVSP would not have a significant traffic impact on that street is based on the application of a traffic model that is very far from the mark in predicting actual existing traffic volumes on the street and that cannot, therefore, be reasonably relied upon to predict traffic impacts there in the future. CCCMR employed traffic experts at Barton-Aschman Associates, Inc., to review and comment upon the DEIR's analysis of traffic impacts on Buena Vista Avenue. Their comments on behalf of my clients are also being submitted by fax and mail today, in a document entitled "South Livermore Valley Specific Plan: Impacts on Buena Vista Avenue" ("B-A Report").

What the B-A Report reveals quite plainly is that the Tri-Valley Transportation Model

16-A

("TVTM"), relied upon in the DEIR to predict the SLVSP's traffic impacts on Buena Vista Avenue, is by no means an accurate or reliable predictor of traffic volumes on Buena Vista Avenue (or nearby roads) and cannot defensibly be used to analyze the SLVSP's impacts on that street. The TVTM, validated with 1990 traffic counts, shows 90 vehicles per day on Buena Vista as the current situation and predicts that this will rise in 2010 to 97 vehicles per day without the Project and to 130 vehicles per day with the Project, according to the DEIR's technical appendix on traffic. However, an actual traffic count made in September 1995 by the Alameda County Public Works Department showed traffic on Buena Vista Avenue ranging from 1,624 to 1,736 vehicles on weekdays, with an average of 1,686 vehicles per day. (Relying on this count, the B-A Report soundly assumes a rounded average of 1,700 vehicles per weekday on Buena Vista.) City of Livermore counts done three times in a week in October 1996 (during a Lawrence Livermore Laboratory holiday) recorded a highest daily volume of 1,539.

16-A

Both the County's and the City's counts exceed the TVTM's assumptions about current traffic volume on Buena Vista Avenue by more than an order of magnitude (the County's count of average daily volume is nearly 19 times the TVTM's 90 vehicles per day!). The same is true of the TVTM's predictions for 2010; County counts in 1995 and City counts in 1996 are again more than an order of magnitude greater than the TVTM's projections for thirteen years in the future, when the population and development of the area will have significantly increased. Without a doubt, the TVTM severely underestimates both current and future traffic on Buena Vista Avenue. The absurdity of the DEIR's reliance on the TVTM for traffic impacts in the Buena Vista area is well-illustrated, for example, by the traffic map on page 4.5-50, which purports to predict project-generated intersection traffic volumes. Based on the TVTM, this map claims that *no more than three trips* would be generated by the SLVSP development in any one direction on Buena Vista Avenue during either the a.m. or p.m. peak hour. That conclusion is simply unbelievable for a project that will create 574 new housing units in Subarea 2, in the immediate vicinity of Buena Vista Avenue.

Given the gross inaccuracy of the TVTM as a predictor for Buena Vista, the DEIR's analysis of the Project's impacts on traffic on that street, which expressly relies on this inapt model, is wholly unreliable. (Indeed, the B-A Report demonstrates that the TVTM also seriously underestimates other roadway traffic volumes in the area near the Buena Vista neighborhood. See B-A Report, Section 4.) A revised draft EIR must provide a new analysis employing a model that far more accurately reflects the actual and observable traffic conditions on Buena Vista Avenue. To continue to rely upon a traffic model to analyze the SLVSP's impacts on Buena Vista Avenue that so grossly understates current conditions on that street (and surrounding roadways) would be a plain violation of CEQA's requirement that the Project's potential environmental impacts be fully and objectively examined in the EIR.

16-B

The DEIR states that the lower limit on the environmental capacity of residential streets is 2000 vehicles per day. DEIR, p. 3.0-8. As a *rural* residential street and a narrow road with one-foot shoulders, Buena Vista Avenue's environmental capacity should reasonably be set at this lower limit. While my clients feel that the existing levels of traffic on Buena Vista Avenue already have a negative impact on their lives and that *any* observable increase in that volume would have a significant negative impact upon them, they certainly agree that an increase in existing traffic of over 300 more vehicles per day (assuming a current average daily volume of 1,700 vehicles) would significantly increase the negative impacts of traffic on their neighborhood. The B-A Report, which reflects a much more thorough and site-specific analysis of the SLVSP's likely traffic impacts on Buena Vista Avenue than does the DEIR, concludes that the Project, considered cumulatively with other foreseeable development, is realistically likely to result in an average of more than 2,700 vehicles per day on Buena Vista Avenue in 2010, far in excess of the DEIR's

16-C

stated threshold of significance for adverse impacts on environmental capacity. Barton-Aschman Associates arrived at this projection by estimating the current amount of "cut-through" traffic -- as opposed to traffic generated by the residences along Buena Vista Avenue -- using the street and by making the reasonable assumption that such north-south cut-through traffic on Buena Vista Avenue would increase by approximately the same percentage as north-south traffic would increase in general in the immediate area as a result of the Project and other foreseeable development. As Table 1 in the B-A Report shows, the DEIR projects a 71% increase in north-south traffic on the roadways nearest (and including) Buena Vista Avenue in 2010 if the SLVSP is implemented, and thus the Report reasonably assumes that cut-through traffic on Buena Vista Avenue would also increase by this amount. (Given that Almond Avenue is not a north-south through route as the DEIR's traffic analysis incorrectly asserts, the increase in cut-through traffic on Buena Vista Avenue might well exceed 71% more than current levels.)

It is a sad commentary on the inadequacy of the DEIR's analysis of the SLVSP's traffic impacts on Buena Vista Avenue that the neighbors who would be directly affected, despite long being on record with the City about the need for a full, fair, and accurate CEQA analysis of those impacts on their street, have had to hire a traffic consultant themselves in order to get any measure of the severity of those impacts. The DEIR relies on a regional traffic model that is off by an order of magnitude regarding traffic volumes on their street, and that significantly understates traffic volumes on adjacent and nearby roads, to reach its unsupportable conclusion that the Project would have no significant traffic impacts on Buena Vista Avenue. Again, this portion of the EIR must be redone to address the very serious concerns raised by the B-A Report and to present a traffic analysis based on an appropriate model that accurately reflects current, observable traffic volumes on Buena Vista Avenue and neighboring roads; that revised EIR must be recirculated for full public comment. The B-A Report makes some initial suggestions concerning how a more accurate and reliable model might be created for analyzing Project impacts to Buena Vista Avenue and nearby roadways, but clearly the responsibility for doing so rests with the City under CEQA. My clients, who are neither the proponents nor the beneficiaries of the Project, nor the decisionmakers thereon, should not have to bear any further financial burden to get the reliable information on the SLVSP's potential traffic and related safety, noise, air-quality, and other impacts on their neighborhood to which CEQA entitles them.

16-D

The B-A Report, building on data from the DEIR itself, makes plain that the SLVSP *will* have a significant negative traffic impacts on Buena Vista Avenue. That being the case, the revised DEIR on this subject must present mitigation measures and a reasonable alternative or alternatives to eliminate those impacts or to reduce them to a level of insignificance. CEQA clearly requires that the EIR on a proposed action, here the SLVSP, contain "a range of reasonable alternatives to the project...which could feasibly attain the basic objectives of the project, and evaluate the comparative merits of the alternatives." CEQA Guidelines §15126(d).

> The discussion of alternatives shall focus on alternatives capable of eliminating any significant adverse environmental effects or reducing them to a level of insignificance, *even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly*.

16-E

CEQA Guidelines §15126(d)(3)(emphasis added). Alternatives analysis is one of the central requirements of CEQA.

Because of its faulty analysis of traffic impacts on Buena Vista Avenue, the DEIR wrongly concludes that the SLVSP would produce no significant traffic impacts there and fails to propose any meaningful alternatives or mitigation measures to address the Project's significant traffic

Marc Roberts
page 4
7/14/97

impacts. Traffic-calming measures on Buena Vista Avenue to be implemented by the County, which the DEIR suggests vaguely that the City encourage, are purported to address the problem of speeding on that street and are not measures that would necessarily reduce to insignificance the increased volume of traffic the Project and other development would entail. As the B-A Report notes, traffic calming devices of the sort that have been suggested for Buena Vista Avenue would not reduce traffic volumes significantly in the absence of some nearby alternative north-south route, which at present simply does not exist.

One obvious alternative to the SLVSP that would reduce traffic volumes on Buena Vista Road as a north-south cut-through route is the completion of Mines Road through the connection of its segments north of East Avenue and south of Tesla Road, as long proposed by CCCMR. The DEIR refuses to look at this proposal as an alternative to the SLVSP because of its faulty conclusion that the Project would not result in any significant traffic impacts on Buena Vista Avenue. DEIR, p. 3.0-10. Thus, while Mines Road completion is briefly discussed and then dismissed by the DEIR, it is expressly not treated as a CEQA alternative, nor are its traffic impacts quantitatively analyzed for fair comparison to the Project. To meet the standards of CEQA, the revised DEIR must thoroughly and neutrally analyze this alternative at a level of detail that will permit a reasoned comparison with the SLVSP as proposed. The completion of Mines Road is clearly a reasonable option for mitigating significant traffic and safety impacts to Buena Vista Avenue, a narrow, low-speed road not designed for carrying major arterial traffic. **16-F**

The DEIR's unfounded assertion that the completion of Mines Road might not reduce traffic problems on Buena Vista Avenue -- referring only to speeding, since it refuses to acknowledge the significant traffic volume increases the Project would produce -- "since drivers would choose either road interchangeably" is both self-serving and indefensible. DEIR, p. 3.0-9. Surely the EIR's authors cannot seriously believe that drivers looking for a north-south cut-through route would make no distinction between a narrow rural residential street, lined with residential driveways and with a posted 25 mph speed limit, and a major north-south roadway. Moreover, under CEQA, alternatives are to be designed in a manner that will mitigate significant impacts, and there is no reason why those who revise the DEIR to create a Mines Road alternative cannot incorporate measures in that alternative that would encourage drivers to use that route. **16-G**

To recapitulate, the DEIR's analysis of the SLVSP's traffic impacts on Buena Vista Avenue, based on the patently inaccurate TVTM, is insubstantial, unreliable, and legally inadequate. A revised DEIR must be prepared and circulated that provides a far more currently accurate and overall defensible analysis of the Project's traffic impacts on Buena Vista Avenue. Because a properly conducted traffic analysis will demonstrate that implementation of the SLVSP would have significant traffic impacts on Buena Vista Avenue, the revised DEIR must also set forth and seriously examine mitigation measures and alternatives, including the completion of Mines Road, that would eliminate or reduce to insignificance those traffic impacts.

Thank you for your consideration of these comments. If you have any questions or wish to discuss any of the matters raised in this letter further, please do not hesitate to contact me.

Very truly yours,

Trent W. Orr
Attorney for Concerned Citizens for the
Completion of Mines Road

Letter #16. ***Trent W. Orr, Attorney at Law, for Concerned Citizens for the Completion of Mines Road, July 14, 1997.***

Response to Comment 16-A: Existing Volumes on Buena Vista

The Commentor correctly notes that the Tri-Valley Traffic Model (TVTM) under-predicts base year (1990) traffic on Buena Vista Avenue. The model is calibrated to produce accurate volumes across broad "screenlines" which include several parallel roadways in various critical areas of the model. The calibration process attempts to bring freeway and major arterial links to within 10% to 20% of counted volumes, but not all links meet this goal. For a relatively low-volume roadway like Buena Vista, the model's performance does not significantly affect the calibration, and thus the model may not accurately reflect existing (1990) conditions for some low-volume roadways. For this reason, the Draft EIR reports actual traffic counts for existing conditions rather that the model results. It should be noted that the TVTM has been calibrated to within acceptable levels for a regional model and has been accepted by the Tri-Valley Transportation Council for use in future planning.

For a discussion of future volume predictions on Buena Vista Avenue, please see Response to Comment 16-C.

Response to Comment 16-B: Use of TVTM

The Tri-Valley Traffic Model is appropriate for use in a program-level EIR for an area the size of the Specific Plan area. It has been calibrated to acceptable levels of accuracy for a regional model, and has been accepted for use by the Tri-Valley Transportation Council; however, as noted in Response to Comment 16-A, calibration does not result in all links having volumes which match existing counts. For this project, the TVTM was not re-calibrated to produce a better match on Buena Vista because (1) such re-calibration could have effects on other parts of model; and (2) the model results were manually adjusted based on existing counts to produce a reasonable forecast of future volumes on Buena Vista. Thus, it was not necessary to re-calibrate the model in order to accurately present current and future conditions. See Response to Comment 16-C and Master Response to traffic for further discussion of future volume prediction on Buena Vista Avenue.

Response to Comment 16-C: Capacity of Buena Vista and Projected Future Volume on Buena Vista

Capacity of Buena Vista Avenue: The Draft EIR states the capacity of Buena Vista to be within the range of 2,000 to 3,000 vehicles per day, based on studies of residents' tolerance of traffic volumes on residential streets. The residents of Buena Vista clearly feel that the current traffic level is already too high, whether that level is 1,540 as the Draft EIR states, or the higher 1,700 proposed by the Commentor. The City recognizes the neighborhood's dissatisfaction with traffic volumes on Buena Vista, and acknowledges that the residents' tolerance of traffic volumes

appears to fall below the low end of the generally accepted range of residential roadway capacity (2,000 to 3,000 vehicles per day). The City proposes mitigation for Buena Vista which the City believes adequately address the neighborhood's concern regarding traffic volumes.

Projected Future Traffic Volumes on Buena Vista Avenue: The Draft EIR concludes that "Project implementation would result in an insignificant amount of additional traffic on Buena Vista Avenue". This conclusion is based on (1) the TVTM analysis, which assigned very little *new* traffic to Buena Vista Avenue, and (2) a review of the potential for Buena Vista to be used as a cut through, even though the model does not conclude that it is a reasonable cut-through. Estimated travel times for the two primary alternatives to Buena Vista (South Vasco Road and South Livermore Avenue) indicated that minor travel time differences exist among the three routes. Because the model under-predicts traffic on Buena Vista for the existing base year (1990), the future projection was also considered to be low, and was adjusted upward in the Draft EIR based on actual counts to more closely match existing traffic patterns.

The City has concluded that the model is the best tool to use in projecting future traffic in the study area, when the results are reviewed and adjusted as described above. However, the Commentor has submitted an alternate analysis approach which disputes the Draft EIR results. This analysis is addressed in the responses to comments in Letter 3 (see below). In summary of those responses, the City does not consider the alternative approach to be a valid method for future volume projection, because it depends on several assumptions which are unverified. However, in response to the Commentor's claim that volumes may be higher than those stated in the Draft EIR, a high-end estimate of the potential future volume on Buena Vista has been prepared by the City's traffic consultants, in acknowledgment of the fact that future volume projections are estimates and can vary.

A potential maximum future volume (2010 With Project) for Buena Vista can be estimated by applying the growth rate on parallel facilities to Buena Vista. This approach presumes that drivers would consider the Buena Vista route equivalent to South Vasco and South Livermore, not only for travel to/from North Mines Road but to/from all destinations. Because Buena Vista will remain a narrow-lane, low speed roadway while the other two roadways permit higher speeds and, in the case of South Vasco, will be improved, this assumption of equivalence would result in a conservative estimate of future traffic. (The Almond Avenue connection which appears to provide an erroneous through-route in the model is in fact coded to block through travel in the model; thus, volumes on the links to that zone reflect internally generated traffic only.) The growth rate on South Livermore Avenue and South Vasco Road is 44% (1990 to 2010 With Project). This growth rate, applied to the base volume of 1,540, produces a high-end future volume estimate of 2,218 vehicles per day. While this growth would be noticeable relative to current traffic, it is still within the range of accepted environmental capacity (2,000 to 3,000 vehicles per day).

Because future volume projections are estimates (as noted above), the Draft EIR includes Mitigation Measure 4.5-4 to address the possibility that volumes will exceed the lower level of the environmental capacity range. The City is confident that, should volumes grow to above

2,000 vehicles, sufficient measures are available to reduce cut-through traffic and restore volumes to below 2,000 vehicles per day. See Response to Comments E and F for more discussion of the effectiveness of traffic calming measures as well as Master Response to Traffic.

Response to Comment 16-D: Use of Inadequate Model

Please refer to Responses to Comments 16-A, 16-B and 16-C and the Master Traffic Response.

Response to Comment 16-E and 16-F: Significant Impact on Buena Vista; Alternatives Analysis Insufficient; Traffic Calming Ineffective

Regarding the comment that there will be a significant impact on Buena Vista, please see Response to Comment 16-C.

Regarding the comment that the Draft EIR failed to consider alternatives that would reduce the project's impact to insignificant levels: the traffic volume impact on Buena Vista, even at the high end estimated in response to comment C, is not considered significant and thus there is no requirement to analyze alternatives or mitigation to address any significant impact. Even so, Mitigation Measure 4.5-4 responds to Buena Vista residents' clear concern that traffic volume growth be minimized. The Commentor's clients favor a connection between Mines and North Mines Roads; however, provision of a new arterial connection with a capacity of 500 to 800 vehicles *per hour* would not be warranted by the volume projected for Buena Vista, either by the Draft EIR (1,300 vehicles per day) or the Commentor (2,700 vehicles per day).

Regarding the comment that traffic calming measures referred to in Mitigation Measure 4.5-4 would be ineffective in diverting cut-through traffic from Buena Vista: the EIR traffic consultant has concluded that sufficient measures could be implemented to make Buena Vista a less desirable route relative to other alternatives (South Vasco Road and South Livermore Avenue). The effectiveness depends not on the proximity of alternate routes, but on the differential in total travel times and on the perceived desirability of two competing routes. It should be noted that not all cut-through traffic on Buena Vista travels to/from North Mines Road, and for other destinations, Buena Vista provides a minimal advantage as a cut-through route. Given the availability of higher-speed, better quality roadways, the proposed traffic calming measures on Buena Vista can divert much of this cut-through travel if needed.

Response to Comment 16-G: Effectiveness of Mines Road Connection

The Draft EIR is correct in stating that driver behavior cannot be predicted with certainty, and thus some cut-through traffic could continue to use Buena Vista even if a Mines Road connection were added. The Commentor's statement that surely drivers would distinguish between the unimproved, low-speed Buena Vista and a new arterial is also correct, and it forms the basis for the Draft EIR's assertion that traffic growth will primarily use South Vasco Road and South Livermore Avenue, which are higher-speed, better quality roadways which provide reasonably direct routes to major destinations in the area, and competitive travel times.

A Mines Road connection would serve primarily travel to/from North Mines Road, which now connects through to First Street. The Tri-Valley Traffic Model shows that the demand for this route is not high, as evidenced by projected turning movements at the North Mines / East Avenue intersection. The shopping destinations at the northern end of North Mines Road do not generate a significant travel demand, relative to all commercial activity in downtown Livermore. In addition, the Tri-Valley Traffic Model does not assign substantial freeway commuter traffic to the new North Mines Road connection. Thus, the travel demand which a Mines Road connection would primarily serve is not high enough to warrant the connection.

BARTON-ASCHMAN ASSOCIATES, INC.
A UNIT OF PARSONS TRANSPORTATION GROUP INC

100 Park Center Plaza, Suite 450 • San Jose, California 95113 • (408) 280-6600 • Fax: (408) 280-7533

JUL 17 1997
PLANNING DEPARTMENT

Sent Via FAX
July 14, 1997

Marc Roberts
City of Livermore Planning Department
1052 S. Livermore Avenue
Livermore, CA 94550-4899

Re: ***SLVSP DEIR Comments***

Dear Mr. Roberts:

We are a traffic and transportation engineering consulting firm. We have worked on several projects in the Tri-Valley area since the establishment of our Bay Area office in 1972. Barton-Aschman developed the original Tri-Valley Transportation Model (TVTM) in 1991.

We were hired by the *"Concerned Citizens for the Completion of Mines Road"* to review the DEIR for the South Livermore Valley Specific Plan (SLVSP). We have found some traffic forecasting issues in the DEIR that need to be addressed in the FEIR. Please see the attached report for specific detail on these issues. A hard copy of the report is being sent in the mail.

Sincerely,

BARTON-ASCHMAN ASSOCIATES, INC.

Gary K. Black,
Principal Associate

cc: Libby Mihalka
Trent Orr

SOUTH LIVERMORE VALLEY SPECIFIC PLAN

IMPACTS ON BUENA VISTA AVENUE

Prepared by

Barton-Aschman Associates, Inc.

July 14, 1997

Contents

Chapters

		Page
1	Introduction	1
2	Review of DEIR Traffic Analysis	2
3	Revised Traffic Analysis	3
4	Review of the Model Results	7
5	Refinement of the Model	12

Tables

1	Two-Way Traffic Volume Analysis	6
2	Existing and Future Traffic Volumes	17

Figures

1A	In-Volumes: Buena Vista Avenue	4
1B	Out-Volumes: Buena Vista Avenue	5
1	1994/1996 AM Peak-Hour Traffic Counts	8
2	1994/1996 PM Peak-Hour Traffic Counts	9
3	Original Model: Estimated 1990 AM Peak-Hour Traffic	10
4	Original Model: Estimated 1990 PM Peak-Hour Traffic	11
5	Refined Model: Estimate 1990 AM Peak-Hour Traffic	13
6	Refined Model: Estimated 1990 PM Peak-Hour Traffic	14
7	Original Model: Estimated 1990 Average Daily Traffic	15
8	Refined Model: Estimated 1990 Average Daily Traffic	16

1. Introduction

The purpose of this study is to determine traffic impacts on Buena Vista Avenue as a result of implementation of the South Livermore Valley Specific Plan (SLVSP). The SLVSP includes a planning process to specify the number and location of additional housing units in the 1,887 acre unincorporated area. The SLVSP consists of 7 subareas that are located in the unincorporated area south of the City of Livermore, stretching from Vallecitos Road/State Route 84 on the west to the Sandia National Laboratories to the east. The Specific Plan designates 628 acres (33% of the total planning area) for the development of up to 1,494 dwelling units.

In addition, wineries make up a critical land use in the planning area. There are 11 wineries, ranging from large century-old wineries to small boutique wineries, that comprise 2,500 acres of vineyards. Some commercial development is included in the planning area as an amenity that will enhance the experience of the visitors to the South Livermore Valley wine country, and only those commercial uses that support wine-related tourism will be permitted. The Plan designates 13 sites, totaling 42 acres, for possible commercial development.

The specific plan constitutes a "project" under the California Environmental Quality Act (CEQA), and thus must be evaluated for its potential to create adverse effects on the environment, related to urban development. This includes new dwelling units, roadways, street extensions, and loss of vineyard lands that may have an adverse traffic impact on Buena Vista Avenue. More specifically, increased traffic volumes on Buena Vista related to future development in south Livermore is a key concern of local residents.

Buena Vista Avenue is currently a two-lane road that is 22 feet wide, and is classified as "rural residential" in the Livermore General Plan. The road itself serves 80 homes between East Ave. and Tesla Road (approximately 1 mile length). Buena Vista is the only north-south street between South Livermore Ave. and Vasco Road. Included in the Livermore Circulation Element and SLVSP, there are proposed extensions of nearby streets that could lead to increased traffic volumes in the area surrounding Buena Vista Ave. This includes connecting Mines Road between First St. and East Ave., as well as extending Concannon Boulevard from Arroyo Road to Wente Street.

2.
Review of DEIR Traffic Analysis

The Draft Environmental Impact Report (DEIR) traffic analysis for the SLVSP was conducted using the Tri-Valley Transportation Model (TVTM). The model was validated using 1990 traffic counts. Project impacts are evaluated using 2010 traffic forecasts. The capacity of Buena Vista Avenue is stated in the DEIR to be 2,000 vehicles per day. We concur with the capacity of 2,000 vehicles per day for Buena Vista Ave based on its designation as a rural- residential street. The 1990 TVTM validation, according to the DEIR traffic analysis technical appendix, shows 90 cars per day on Buena Vista. In September of 1995, the Alameda County Public Works Department conducted a traffic count around the midpoint of Buena Vista Avenue. The count was conducted for one week. The weekday traffic totals ranged from 1,624 cars to 1,736 cars. The average of the weekday counts was 1,686 cars. For the purposes of this traffic study, the average daily traffic (ADT) volume for Buena Vista is taken to be 1,700 cars. Also, the City of Livermore conducted a traffic count in August of 1996 on Buena Vista. This count only showed weekend volumes. The City also conducted another count in October of 1996 for one week. The highest volume recorded was 1,539. These October traffic counts were done during a Lawrence Livermore lab holiday, which might not make these counts representative of typical area traffic volumes.

Clearly the model is substantially underestimating traffic on Buena Vista. The increase in cars in the DEIR is shown to be up to 40 per day, which is the basis of the conclusion that there would be no impact. However, since the original (existing) forecast was substantially low, the 2010 forecasts and conclusions in the EIR are flawed. **17-A**

3.
Revised Traffic Analysis

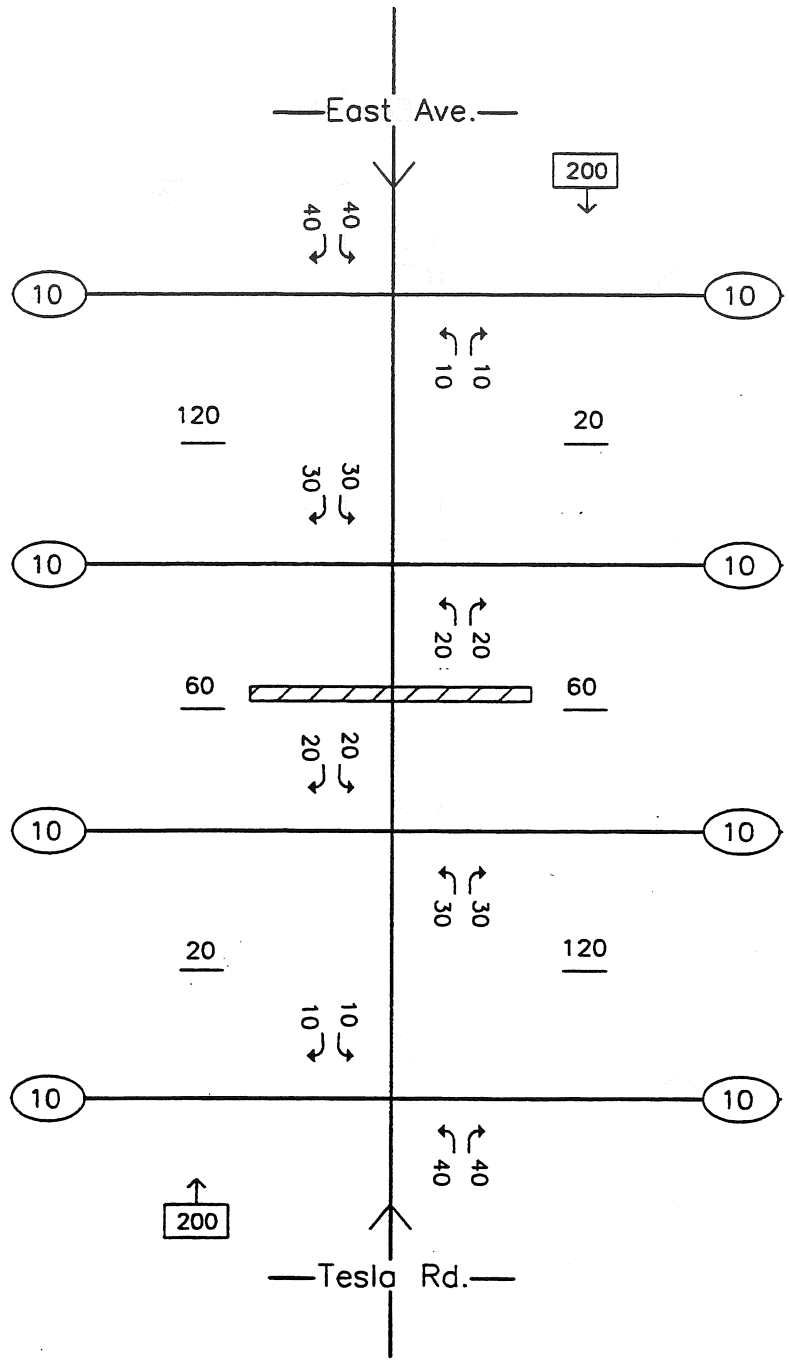
We have conducted a more thorough analysis for forecasting traffic impacts on Buena Vista Avenue by using the 1,700 ADT count data. Our approach first estimates the volume of resident trips versus cut-through trips and then estimates the increase in cut-through trips with the SLVSP.

There are 80 homes on Buena Vista, and each generate about 10 trips per day, making a total of 800 resident trips per day. The difference between these trips and the count of 1,700 are the cut-through trips on Buena Vista from either East Avenue or Tesla Road. If there were no cut-through traffic, the homes along Buena Vista would generate about 240 daily trips at the midpoint (see Figure 1A & B). The fact that the traffic count showed 1,700 cars indicates that 1,460 cars per day are using Buena Vista as a cut-through route at the midpoint. **17-B**

According to the DEIR traffic technical appendix, there would be a 71 percent increase in total north/south traffic in the area in 2010 with the Plan (see Table 1). It is reasonable to assume that cut-through traffic on Buena Vista would increase by a similar percentage. Applying the 71 percent growth to existing cut-through traffic of 1,460 yields an estimated increase in cut-throughs of 1,037 per day. Thus, the total future traffic estimate for Buena Vista Avenue is 2,737 vehicles per day. **17-C**

The South Livermore Valley DEIR concludes that a traffic volume of over 2,000 cars on Buena Vista Avenue would result in an impact on the neighborhood. Our revised traffic forecast shows over 2,700 vehicles per day on Buena Vista. Therefore, there would be a traffic impact on Buena Vista Avenue from the SLVSP.

The DEIR recommends traffic calming measures if the threshold of 2,000 vehicles per day is exceeded. However, it is highly questionable that any reasonable amount of traffic calming could reduce the volume to a level of insignificance. Traffic calming is effective at shifting volume only when there is a convenient alternate route. The nearest parallel north/south streets to Buena Vista are at least one mile away. It is unreasonable to assume that traffic would detour two miles (one mile over and one mile back) just to avoid some traffic calming measures on Buena Vista. **17-D**



LEGEND

200 = Total Trips

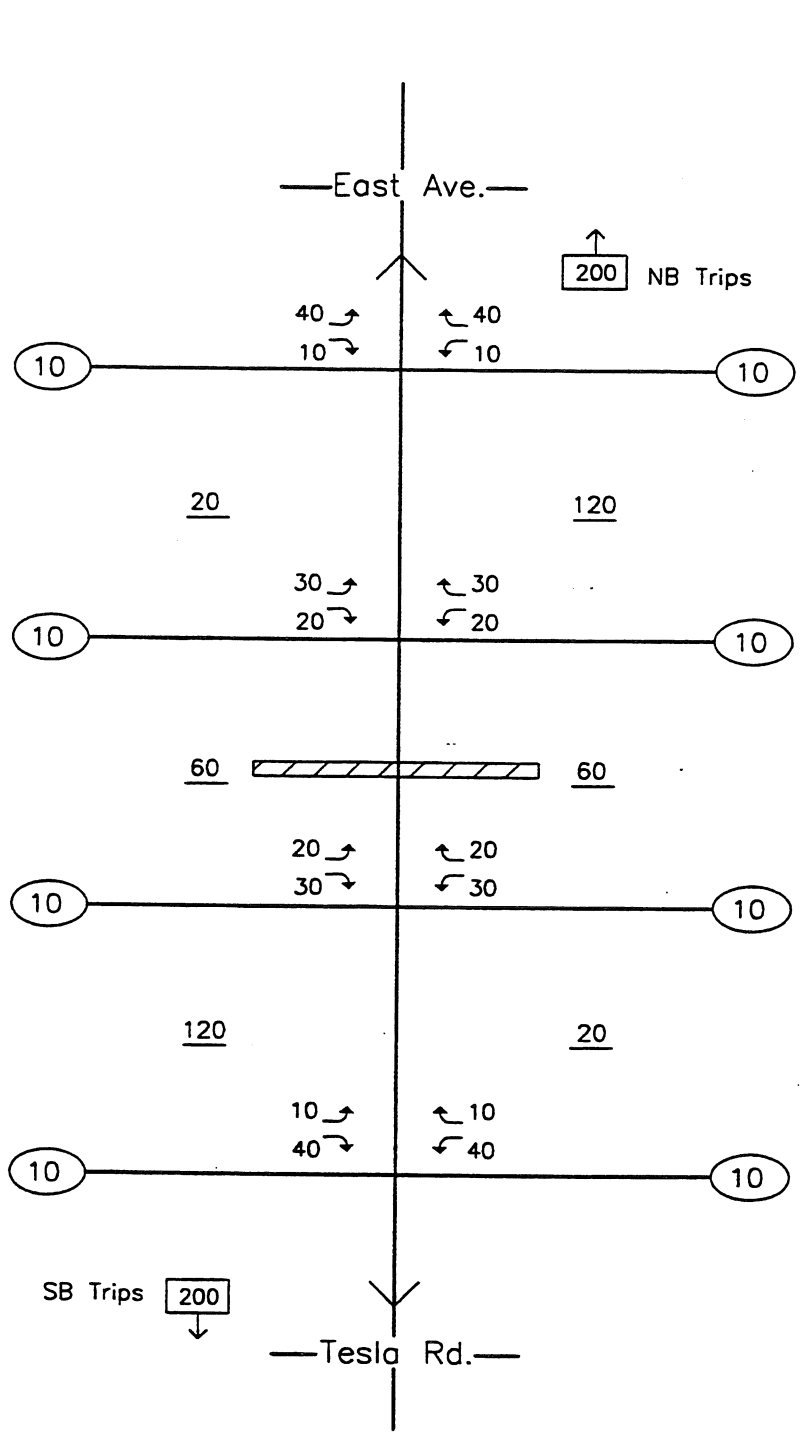
XX = Running Total

10 = 10 Single Family Dwelling Units

= Midpoint

Figure 1A

IN-VOLUMES: BUENA VISTA AVE.



LEGEND

200	= Total Trips
XX	= Running Total
10	= 10 Single Family Dwelling Units
	= Midpoint

Figure 1B

OUT-VOLUMES: BUENA VISTA AVE.

Table 1
Two-Way Traffic Volume Analysis

	Existing	Background (2010)	Project (2010)
So. Livermore Ave.	7,275	8,781	10,308
Almond Avenue	4,467	7,098	7,253
Buena Vista Avenue	90	97	130
Vasco Road	2,510	4,297	6,889
Totals	14,342	20,273	24,580
% Growth to Background		41%	
% Growth to Project			71%

Source: *SLVSP Draft EIR*

4.
Review of the Model Results

The Traffic Appendix of the South Livermore Valley Draft EIR includes computer-generated plots that present year 1990 and year 2010 (with and without the Project) traffic volumes. These plots show the *model estimated* AM and PM peak-hour and the average daily traffic volumes for these years.

As stated earlier, the model substantially underestimates traffic volumes on Buena Vista Avenue. We also conducted a detailed analysis of the traffic on other streets in the vicinity of Buena Vista Avenue. The intersection turning-movement counts reported in the DEIR were summarized and used to calculate AM and PM peak-hour directional volumes on the roadways. The intersection counts were taken between 1994 and 1996. The "existing" traffic volumes on the roadways are presented on Figures 1 and 2 for the AM and PM peak hour, respectively. Figures 3 and 4 present the 1990 model-estimated traffic AM and PM peak-hour traffic volumes for the roadways in the vicinity of Buena Vista Avenue. Although the 1990 traffic volumes produced by the model can be expected to be a little lower when compared to the 1994/1996 traffic counts, the differences are too large to be acceptable. The combined traffic counts on East Avenue and Tesla Road, east of Buena Vista, amount to 2,120 vehicles in the AM peak hour. The model estimates a total of 1,169 vehicles per hour. The numbers for the PM peak hour are 2,321 and 1,553, respectively. Traffic counts on Buena Vista Avenue and Vasco Road, combined, just south of East Avenue show 869 vehicles in the AM peak and 778 vehicles in the PM peak hour. The model estimates 176 vehicles in the AM peak and 220 vehicles in the PM peak hour at those locations, respectively. **17-E**

Clearly, the model underestimates "existing" conditions in this area of Livermore. As a result, the model will also underestimate the traffic volumes for future scenarios.

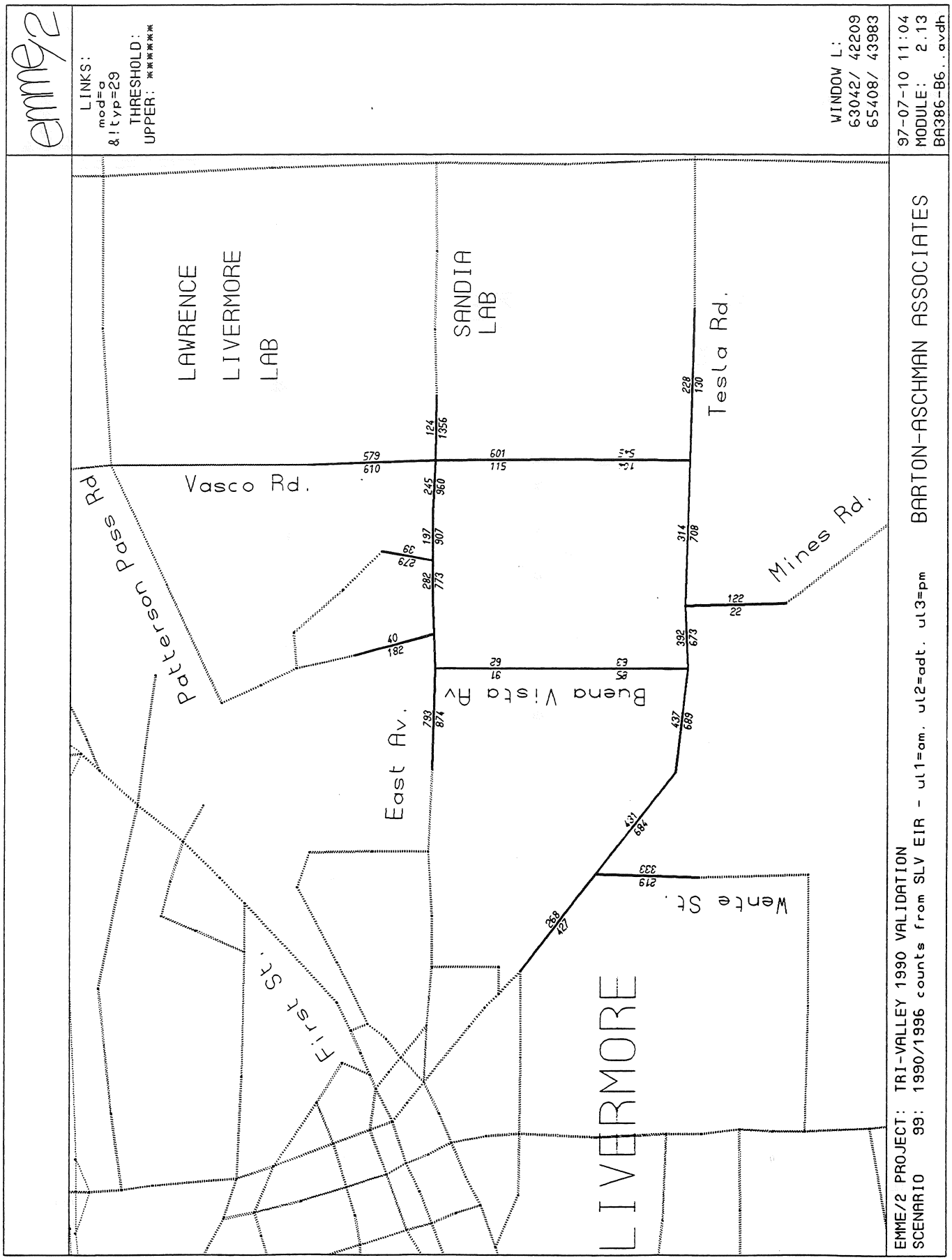


Figure1
1994/1996 AM PEAK-HOUR TRAFFIC COUNTS

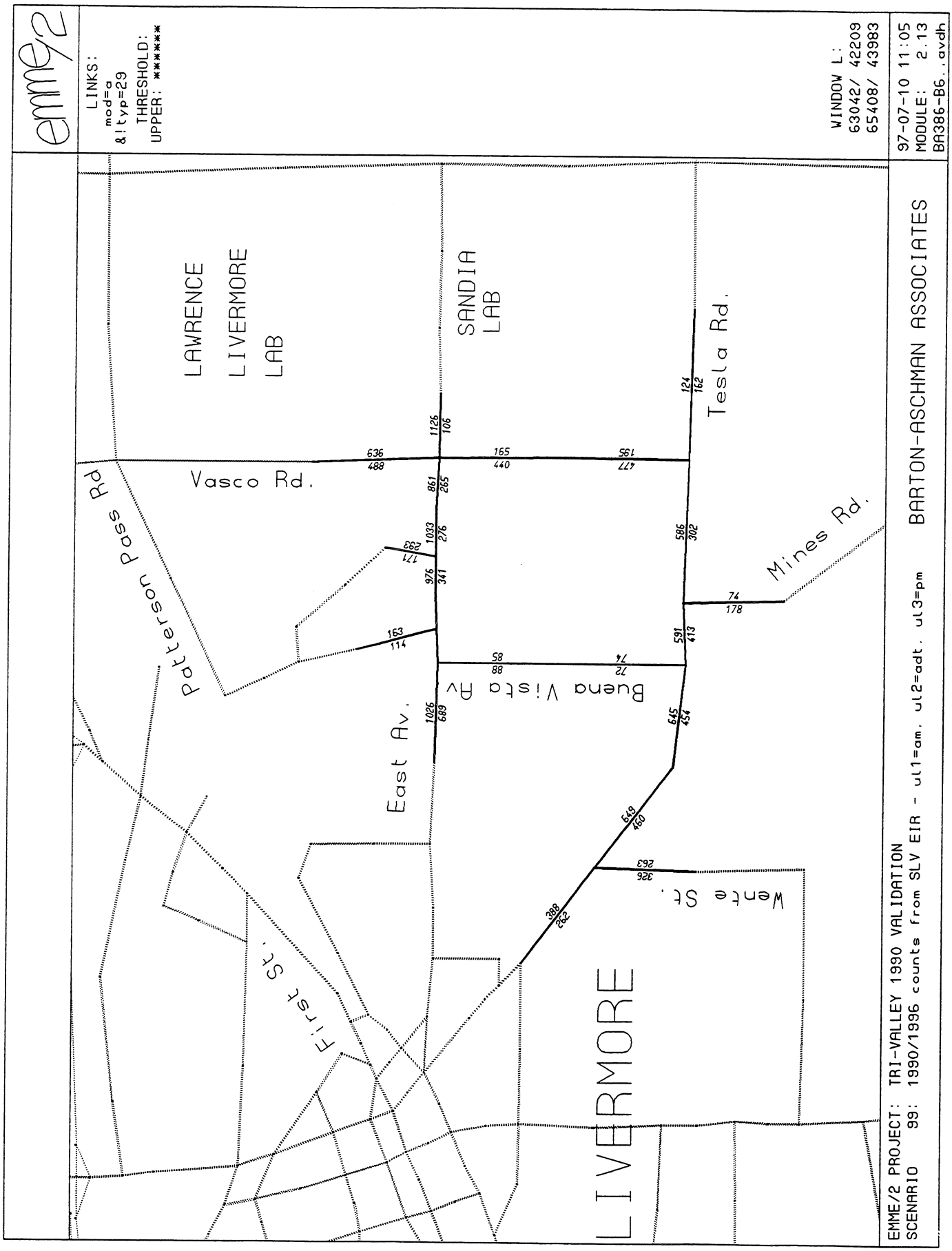


Figure 2
1994/1996 PM PEAK-HOUR TRAFFIC COUNTS

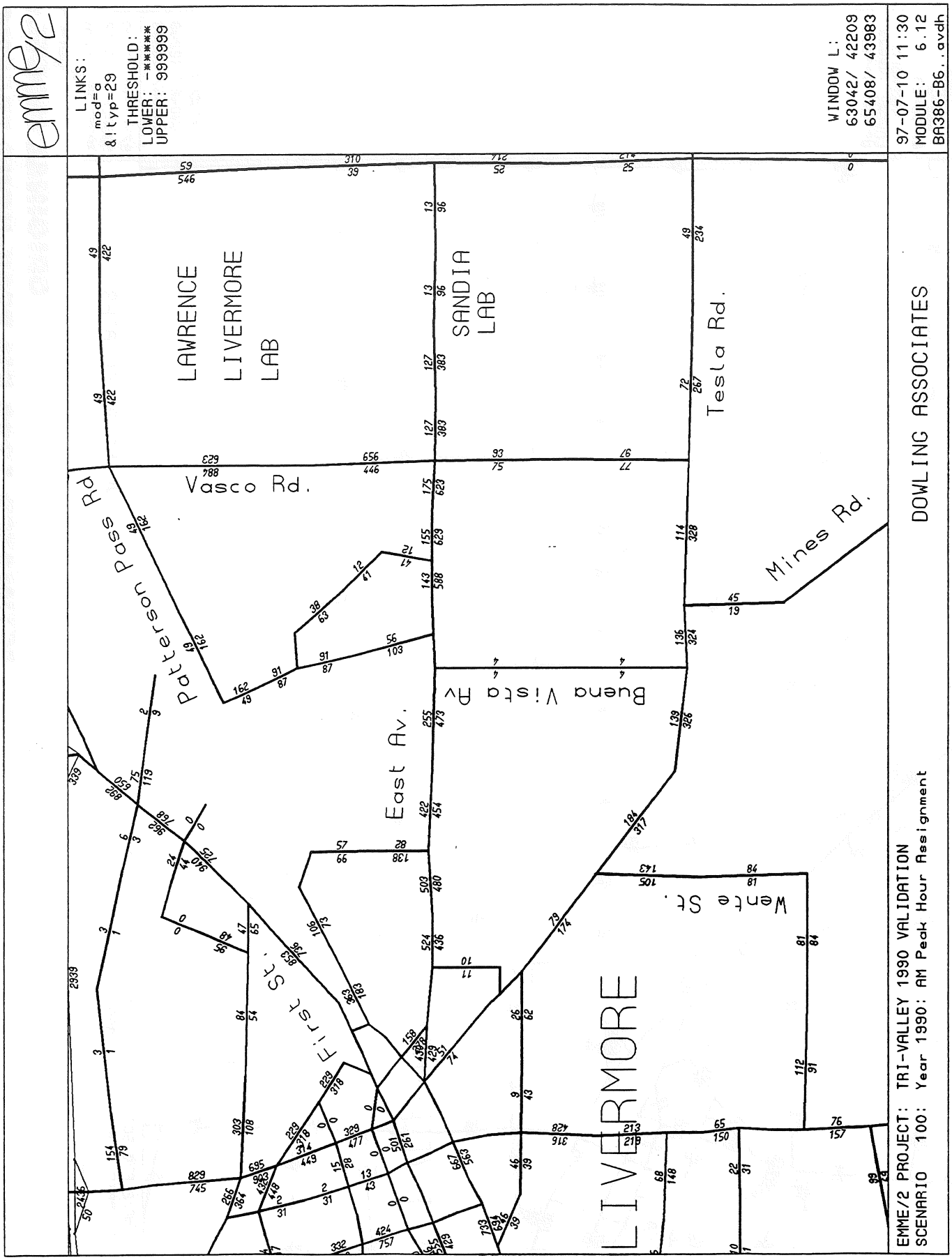


Figure 3
ESTIMATED 1990 AM PEAK-HOUR TRAFFIC
ORIGINAL MODEL:

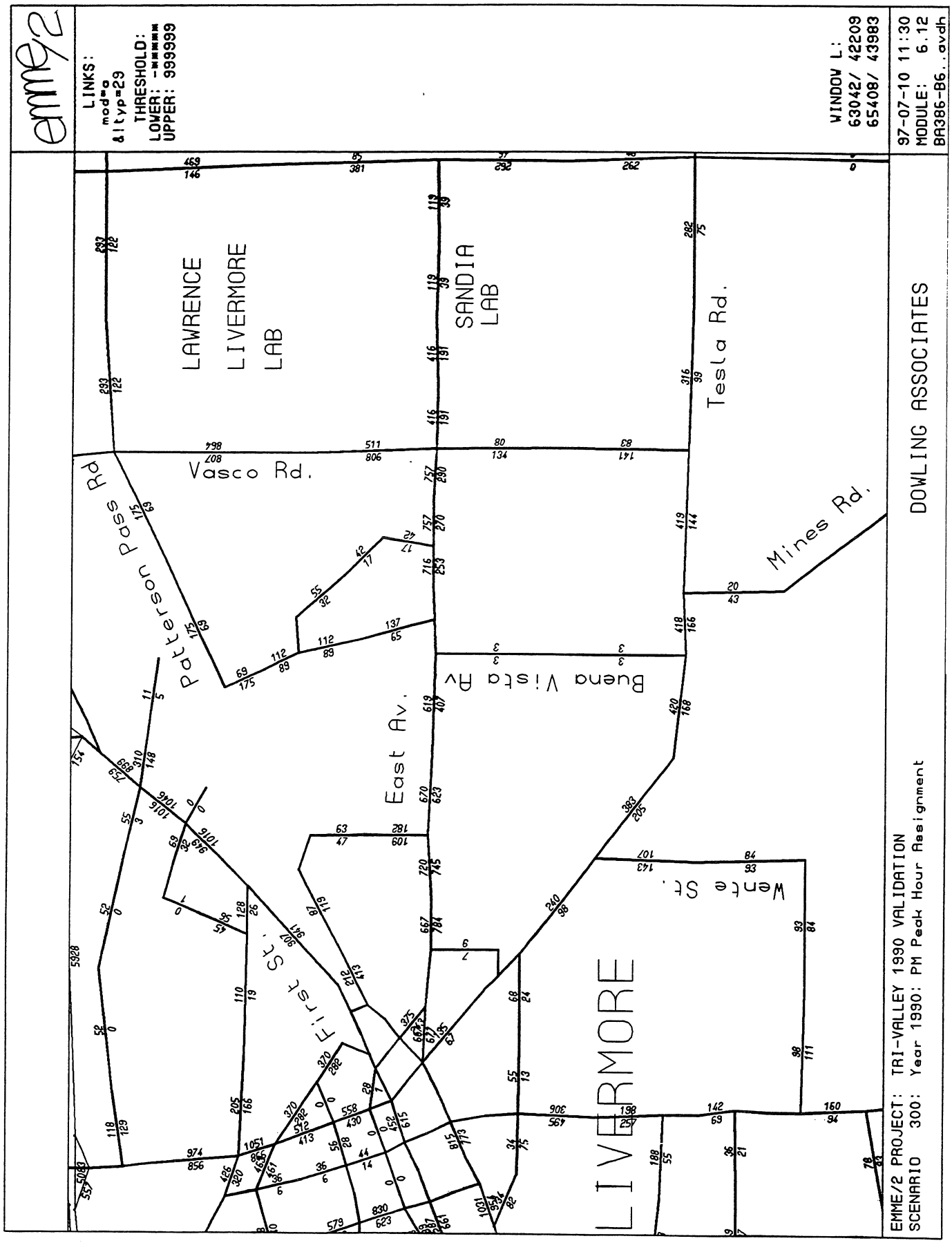


Figure 4
ORIGINAL MODEL: ESTIMATED 1990 PM PEAK-HOUR TRAFFIC

5.
Refinement of the Model

An effort was made to improve the model's ability to better estimate existing traffic conditions. Upon review of the existing model, the following refinements were made to the 1990 model:

- Changes to the speed and capacity assumptions of some roadways to reflect observed conditions.
- The model lumped together the homes along Buena Vista with the homes in the Almond Avenue area into one large zone. The zone had access to East Avenue and Tesla Road. In the refined model, the Buena Vista homes are treated independently and modeled as a separate zone with access to Buena Vista Avenue.
- The connection from the Almond Avenue area directly to Tesla Raod was incorrect and was removed.
- The points where the model loads the traffic onto the roadways in other locations was changed to better represent actual traffic patterns.

17-F

The AM peak-hour trips to and from the Livermore Lab were increased by 50 percent in the AM Peak and by 35 percent in the PM peak hour. The percentages were derived from peak hour trip generation data in other employment areas and checked for reasonableness against the traffic counts.

After the above changes to the model were made, a new 1990 forecast was developed. The results of the refined 1990 AM and PM peak hour forecasts are presented on Figures 5 and 6, respectively. The figures show a much better match of observed and estimated traffic volumes. The refined model estimates total traffic on East Avenue and Tesla Road, east of Buena Vista to be 1,916 (count=2,120) vehicles in the AM Peak hour. For the PM peak hour this number is 2,038 (count=2,321). The refined model estimates 833 vehicles (count=869) on Buena Vista Avenue and Vasco Road just south of East Avenue for the AM peak hour, and 921 (count=778) for the PM peak hour.

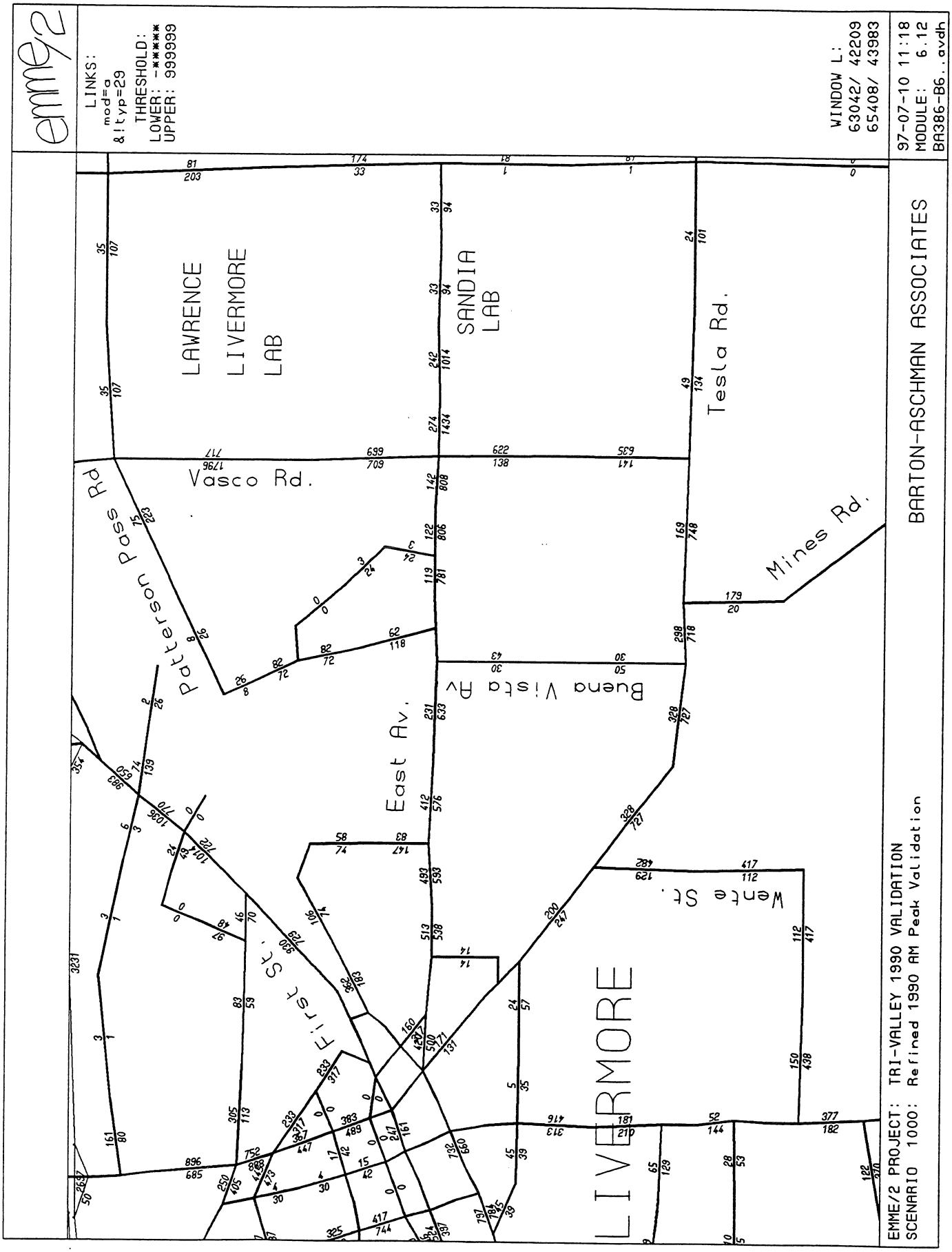


Figure 5
REFINED MODEL: ESTIMATED 1990 AM PEAK-HOUR TRAFFIC

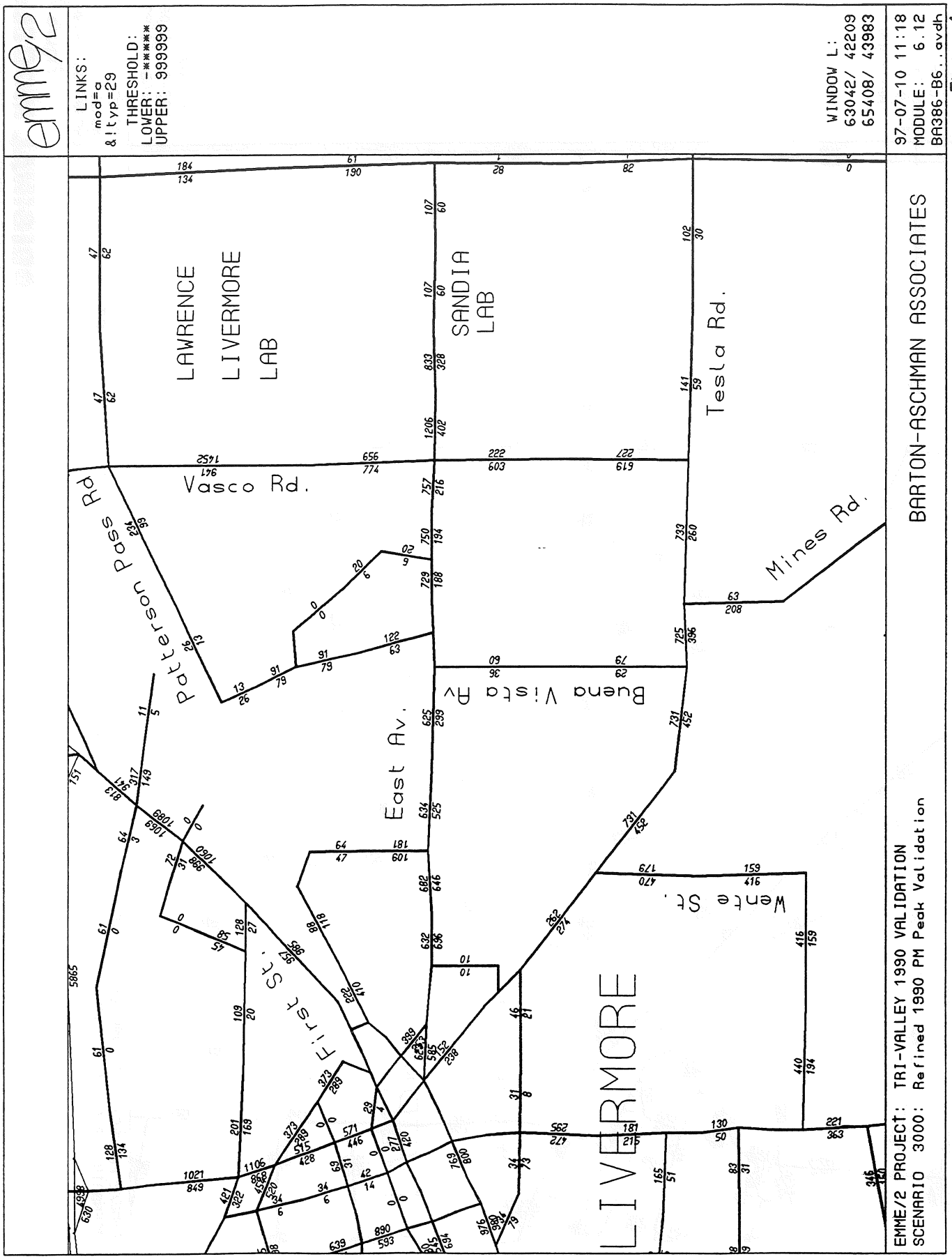


Figure 6
REFINED MODEL: ESTIMATED 1990 PM PEAK-HOUR TRAFFIC

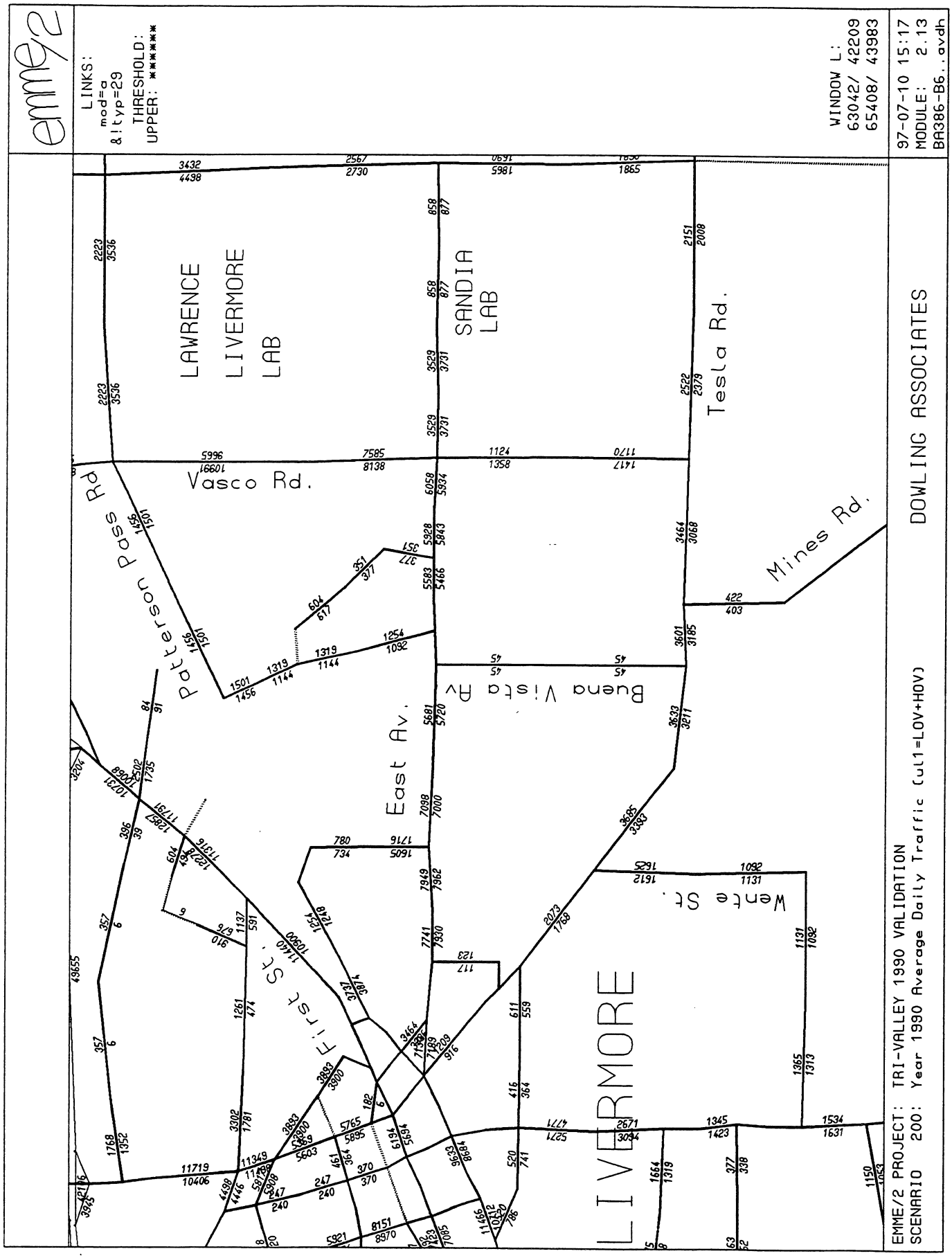


Figure 7
ORIGINAL MODEL: ESTIMATED 1990 AVERAGE DAILY TRAFFIC

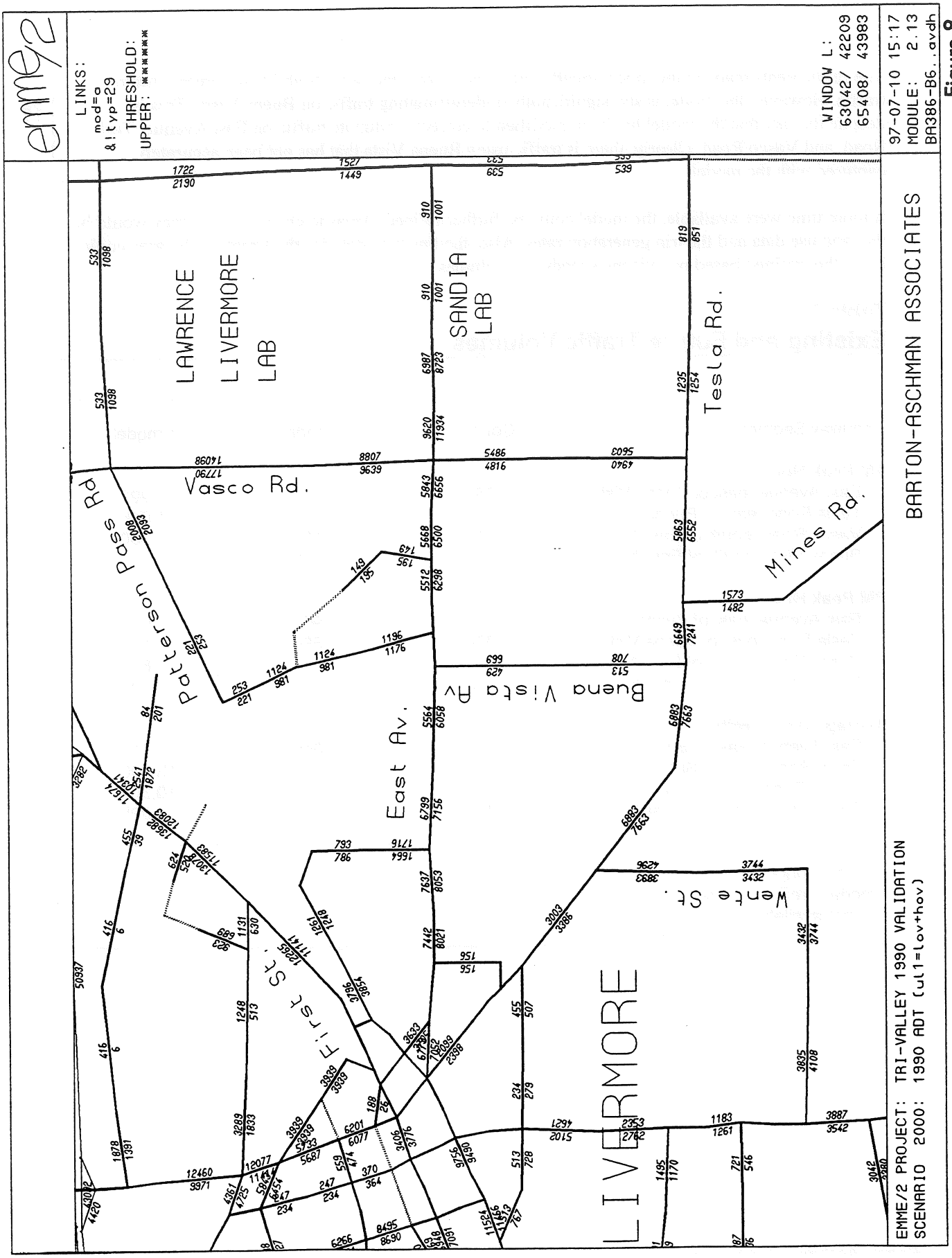


Figure 8
REFINED MODEL: ESTIMATED 1990 AVERAGE DAILY TRAFFIC

The refinements made to the model greatly improved its accuracy and its ability to forecast future traffic. However, the model is still significantly underestimating traffic on Buena Vista. This is despite the fact that the model has been modified to correctly estimate traffic on East Avenue, Tesla Road, and Vasco Road. Clearly, there is traffic using Buena Vista that has not been accurately captured with the model. **17-F**

If more time were available, the model could be further refined. Areas to check for accuracy would be the land use data and the trip generation rates. Also, the link type data for the streets in the area could be further refined based on existing speeds and volumes.

Table 2
Existing and Future Traffic Volumes

		1990/1996	
Roadway Segment	Count	o. model	r.model
AM Peak Hour			
East Avenue, east of Buena Vista	1,055	731	900
Tesla Road, east of Buena Vista	1,065	460	1,016
Vasco Road, south of East Av	716	168	760
Buena Vista, south of East Av	120	8	73
PM Peak Hour			
East Avenue, east of Buena Vista	1,317	969	917
Tesla Road, east of Buena Vista	1,004	584	1,121
Vasco Road, south of East Av	604	214	825
Buena Vista, south of East Av	173	6	96
Average Daily Traffic			
East Avenue, east of Buena Vista	n/a	11,049	11,810
Tesla Road, east of Buena Vista	n/a	6,786	13,890
Vasco Road, south of East Av	n/a	2,482	10,302
Buena Vista, south of East Av	1,700	90	1,098

o.model: original model
r.model: refined model
n/a: not available

Letter #17. ***Gary K. Black, Principal Associate, Barton-Aschman Associates, Inc., for the Concerned Citizens for the Completion of Mines Road, July 14, 1997.***

Response to Comment 17-A: Underestimating Traffic on Buena Vista Avenue

The Commentor is correct in stating that the model under-predicts existing traffic. This is why the Draft EIR presents existing volumes based on actual counts, not model results. For the future case, the future model results were adjusted based on existing traffic patterns as measured in link and intersection counts on Buena Vista. This manual adjustment process is often needed when regional models are used to predict volumes on individual facilities. Thus, while the model plots in the technical appendix show very low future volumes, the Draft EIR presents more reasonable levels for daily and peak hour trips on Buena Vista. See also Master Response to Traffic.

Response to Comment 17-B: Trip Generation on Buena Vista Avenue

The EIR preparers agree that approximately 800 trips would be generated by 80 homes. However, the EIR traffic consultant disagrees with the commentors' estimate of cut through traffic, which is based on an assumption of the internally generated traffic volume at the roadway's mid-point. The Commentor's estimate assumes a certain north-south distribution which would need to be verified through an all-day traffic patterns study. The actual internally-generated volume could be substantially higher than the 240 proposed by the Commentor, resulting in a smaller cut-through estimate.

Additionally, the EIR traffic consultant disagrees with the Commentor's average daily traffic estimate of 1,700 vehicles per day. The Draft EIR sets the value at 1,540, which is the average of all weekdays counted by Alameda County and the City of Livermore in the past two years. In reference to the paragraph on the second page of the Commentor's report, the City is not aware of any holidays falling during its October 1996 count. The Lawrence Livermore Lab was contacted and staff verified that no holidays occurred during the count period.

Response to Comment 17-C: Projected Increase in Traffic

The EIR traffic consultant disagrees that the north-south traffic growth rate on all local parallel routes, 71%, could reasonably be applied to Buena Vista Avenue, for the simple reason that growth on the other routes includes substantial traffic that would not use Buena Vista. The traffic growth on South Vasco Road includes project traffic which has access from South Vasco Road; traffic growth along South Livermore Avenue includes trips to/from many destinations, not just those which could reasonably use Buena Vista as an alternate route. (For example, traffic to/from downtown, I-580 to the west, etc.) Applying the total growth rate to Buena Vista implies an assumption that all new trips would consider Buena Vista an equivalent route. Since

the future volumes create no congestion problems on South Vasco or South Livermore, this is not a valid assumption.

A note on the Almond Avenue "route": while the model plots seem to show a through route connection between Almond Avenue and South Livermore Avenue, the model is coded to block through travel between East, Buena Vista and South Livermore. The "links" shown in the plots are actually just connectors for the internally generated traffic from the Almond Avenue neighborhood; in a regional model, these connections lump large areas together and thus do not match the roadway system exactly. The volumes using these links constitute Almond Avenue area traffic only.

Response to Comment 17-D: Traffic Calming Measures

The EIR traffic consultant has concluded that traffic calming measures could reduce volumes and speeds if properly planned and installed. The two-mile diversion referenced by the Commentor would only occur for trips to-from the North Mines Road route which now connects to First Street. The model shows relatively little demand for this route, as indicated by turning movements between East Avenue and North Mines Road. For other types of cut-through traffic (i.e. to/from the Lab or downtown), alternate routes require much less diversion. Please see also Response to Comments E and F, Letter #16 and Master Response to Traffic.

Response to Comment 17-E: Base Year Traffic Volumes on Buena Vista Avenue

The EIR traffic consultant agrees with the commentor that the model under-predicts base year (1990) traffic volumes on Buena Vista Avenue. Please see also Response to Comment A, Letter #16. The EIR traffic consultant also agrees that the model under-predicts future traffic volumes on Buena Vista Avenue, which is why the model results were adjusted based on existing traffic patterns. Please see also Response to Comment C, Letter #16 and Master Response to Traffic.

Response to Comment 17-F: Accuracy of the Traffic Model

The City's EIR traffic consultant has not reviewed the technical changes to the model made by the commentor because Barton Aschman did not provide the information to the City, but as described in the letter, they appear to be changes which would increase the accuracy of the model in the vicinity of Buena Vista Avenue. The basis for trip generation changes for Livermore Lab is not discussed, and may make the Commentor's model version inconsistent with ABAG's *Projections 1994*, the land use source for the model. As discussed in Response to Comment B, Letter #16, the model was not re-calibrated for this Project. The Commentor does not submit complete model results for the re-calibrated version; effects on other roadways would need to be assessed to ensure the model remained accurate for the rest of the study area; which is a substantial question when models are re-calibrated for limited purposes. See also Master Response to Traffic.

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July 14, 1997

16 Pages

Hand delivered

Marc Roberts
Special Projects Coordinator
Planning Department
City of Livermore

Re: South Livermore Valley Area Plan
Draft Environmental Impact Report

Dear Marc:

On behalf of the owners of the Olivina Ranch, all of whom are members of the family which has owned the Olivina Ranch since 1942, I submit the following comments to the Draft Environmental Impact Report.

The consultants did a remarkable job of assembling and commenting on a mass of information. We hope that our comments will assist the consultants in correcting errors in that mass of information and in fine tuning the analysis.

We look forward to participating the public hearings and anticipate making oral and further written comments on the subject matter.

Thank you very much for your time and dedication to this project.

Sincerely,

Geoffrey C. Etnire

Enclosure
8165070597a

P.O. Box 1713
Palo Alto, Ca. 94302-1713

4900 Hopyard, Suite 100
Pleasanton, Ca. 94588

Olivina Ranch Group

COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT

July 14, 1997

Section 2.1 Existing Land Uses Subarea 7 (page 2.0-5)

Add reference to the existing inadequate sewage treatment plant on the grounds of the V.A. Hospital.

Add reference to the Wente commercial winery, conference center, restaurant, golf course, and planned hotel, the only other significant improvements to the east of the site. Include reference to the fact that these improvements are serviced by septic tanks. **18-A**

Add reference to the vast open space, undevelopable land, to the south of Subarea 7.

Add reference to existing city boundaries. That is, Subareas 5 and 7, while outside the sphere of influence, are already directly contiguous to existing city boundaries.

Section 3.7 Areas of Controversy / Issues to be Resolved Subarea 7 (page 3.0-6)

Subarea 7 is already directly contiguous to existing City boundaries. Annexing Subareas 5 and 6 is not necessary to provide "adjacency."

There is no conflict between development on Subarea 7 and Goal B, "a consolidated pattern of urbanization, particularly with respect to minimizing the costs of urban services and achieving maximum public and private benefits from existing services and facilities." In this section, the DEIR cites community desires to "establish the permanent urban edge" and to "prevent 'leap-frog development' and subsequent growth inducements." It is evident in the statements and conclusions elsewhere in the DEIR that these concerns are not justified -- mention of this should be made here. Consider: **18-B**

> First, a core concept in the SLVAP is to cluster development, allowing development at the outskirts of the existing urban boundary in such a way that existing homes continue to abut open space. This means that, by definition and intended policy, there will not be a linear, smooth urban edge.
>
> Second, the Draft Specific Plan identifies sources for gas, power, water and telephone that are very close to the boundaries of Subarea 7.
>
> Third, the only public utility without an access point very close to Subarea 7 is sewer. However, development on Subarea 7 would allow the community an opportunity to eliminate the large-scale septic and inadequate water treatment facilities on the outskirts of the City (the Veterans' Administration Hospital and

the Wente complex). Note that Policy 3(b) (page 4.1-59) identifies the area near the VA as having "very rapid infiltration characteristics."

Fourth, development on Subarea 7 cannot have "subsequent growth inducements:"

- Land south of Subarea 7 is undevelopable.
- Land south of Subarea 7 must remain in the County and density can occur only within the City (per the terms of the settlement of the Ruby Hills litigation and the County General Plan).
- The development alternatives proposed for Subarea 7 all involve a substantial band of Regional Parkland and/or agriculture and conservation easements -- the grants of Regional Parkland and easements will expressly prohibit the extension of infrastructure. In fact, the grant of Regional Parkland to the LARPD can be preceded by grants of conservation easements to the Land Trust, each grant prohibiting the extension of infrastructure (a "belt and suspenders approach').

Consider the following comment at page 4.1-50 in the DEIR:

> "Subarea 7 offers an opportunity to provide a permanent buffer between the City-subarea boundary and unincorporated grazing lands farther south. This is because density would be clustered in the lower elevations of the northern part of the subarea (with some additional development envisaged up one of the main drainageways to the southwest) and because the southern upper elevations of Subarea 7 would remain undeveloped and retained as regional park or potential agricultural land."

Section 4.1 Land Use Subarea 7 (page 4.1-6)

In the brief section on existing Subarea 7 uses, make reference to the ruins of the 1881 distillery, which produced Olivina Brandy and was the first bonded distillery in Northern California.

In the section on surrounding uses, add reference to the existing old sewage treatment plant on the grounds of the V.A. Hospital. **18-C**

Also add reference to the Wente commercial winery, conference center, restaurant, golf course, and planned hotel, the only other significant improvements to the east of the site. Include reference to the fact that these improvements are serviced by septic tanks.

Add reference to the vast open space, undevelopable land, to the south of Subarea 7.

Exhibit 4.1-3 Summary of SLVSPA Agricultural Uses (page 4.1-7)

Row 2 of the table should be corrected and split into two rows. The first row should be labeled "Olivina Ranch" and should be shown at 512 acres. The Olivina Ranch is owned by four descendants of the rancher who bought the land in 1942 and the Williamson Act contract expires in January 1998. The second row should be labeled Crohare Family Parcel" and should show 66 acres. The Crohare Family Parcel is owned by Charles and Alice Crohare. **18-D**

Section 4.1 Impacts and Mitigation Measures - Annexation Alternatives (page 4.1-22)

With regard to the comment that "LAFCO may not deem it prudent to remove a traditional barrier to urban development by allowing annexation of agricultural land to the City" and Policy 6-10 from the Draft Specific Plan, reference should be made to the larger picture of the SLVAP:

- The Study Area is approximately 15,000 acres, with under 1500 homes.
- This mass of agricultural and native grasslands will be preserved with very little sacrifice.
- An important concept in the SLVAP is to establish a permanent open space boundary along the City's southern edge. Such an edge can be assured between Highway 84 and Arroyo Road if and only if Subarea 7 participates in this plan. If it does not, there will be no conservation and agricultural easements and no Regional Parkland in Subarea 7.

18-E

Given these considerations, LAFCO should not feel that it is "removing traditional barriers to urban development," as the SLVAP establishes that barrier through geography (the hills), Regional Parkland, and conservation and agricultural easements.

Impact 4.1-3 Conversion of Williamson Act Lands (page 4.1-27)

In the second full paragraph, the statement is made that development of Subarea 7 could not proceed for nine (9) years. That is an error. Development on the Olivina Ranch may proceed as of January 1998 (the date of termination of the Williamson Act contract on the Olivina Ranch). The Williamson Act contract consideration does apply to the Crohare Family Parcel -- the Williamson Act would prohibit development pursuant to Subalternatives #5 and #7, as each of these alternatives involves density on the Crohare Family Parcel. **18-F**

Impact 4.1-4 Compatibility of Adjacent Land Uses (page 4.1-30)

Development on Subarea 7 would allow the community an opportunity to eliminate the large-scale septic and inadequate water treatment facilities on the outskirts of the City (the Veterans' Administration Hospital and the Wente complex). Note that Policy 3(b) (page 4.1-59) identifies the area near the VA as having "very rapid infiltration characteristics." **18-G**

The comment about possible trespassing onto the VA Hospital from surrounding residential neighborhoods is strained and, in any event, applies only to Subalternatives #5 and #7, as these two subalternatives are the only two subalternatives to allow density on the Crohare Family Parcel. The Olivina Ranch and density on the Olivina Ranch will not be contiguous to the VA lands (that is, there would be intervening parcels of land). **18-H**

At page 4.1-33, the DEIR comments that "the proximity of a new subdivision on Subarea 7 would enclose the southern park boundary and alter the existing perception of unlimited expanse of open space . . ." This comment flies in the face of years of cooperation and planning between the LARPD and the owners of Subarea 7:

- The LARPD has worked very closely with the owners of Subarea 7 to assure that no homes are visible from the Park.
- Under Subalternatives #2 and #3, there would be a substantial addition to Sycamore Grove Park:

  Wide corridors of new Regional Park up into the southern hills
  Expanses of new Regional Parkland high in the hills
  From these hills, views of open space would be stunning.

18-I

In other words, the "perception of unlimited expansion of open space" from the floor of Sycamore Grove Park would not change and a new reality introduced -- "unlimited expansion of open space" from the new southern border of Sycamore Grove Park.

Exhibit 4.1-9 Conformance with the General Plan Goal 5 (page 4.1-50)

Development in Subarea 7 cannot extend the effect of the urban shadow. The planned pockets of development in Subarea 7 are extensively buffered by Regional Parkland (in Subalternatives #2 and #3) and by agriculture (in the other subalternatives). As discussed elsewhere, the grant of title to the Park can prohibit the extension of infrastructure and can be preceded by the grant to the Land Trust of conservation easements across the same land (with the conservation easements also prohibiting the extension of infrastructure). **18-J**

Exhibit 4.1-9 Conformance with the General Plan Goal 6 (page 4.1-50)

Coordination of land use planning between the City and County of Alameda can best be realized by selecting a subalternative for Subarea 7 which induces the owners of Subarea 7 to annex to the City, grant conservation and agricultural easements, and grant a substantial amount of Regional Parkland. Selecting an alternative which leaves Subarea 7 in the County leaves planning for that Subarea to another day and to another jurisdiction -- a significant unknown for the future. If the one important purpose of **18-K**

the SLVAP is to permanently retire land and to permanently establish the urban limit, Subarea 7 should be planned and retired now.

Exhibit 4.1-9 Conformance with the General Plan Objective 6 (page 4.1-50)

The DEIR states:

> "Subarea 7 offers an opportunity to provide a permanent buffer between the City-subarea boundary and unincorporated grazing lands farther south. This is because density would be clustered in the lower elevations of the northern part of the subarea (with some additional development envisaged up one of the main drainageways to the southwest) and because the southern upper elevations of Subarea 7 would remain undeveloped and retained as regional park or potential agricultural land."

18-L

This is correct and this should be repeated throughout the DEIR when the issue of permanent boundaries is mentioned.

Policy (6)(e) Historic Resources Policy (page 4.1-61)

Make reference to the ruins of the 1881 distillery, which produced Olivina Brandy and was the first bonded distillery in Northern California.

18-M

Mitigation Measure 4.4-3 Loss and Fragmentation of Wildlife Habitat (page 4.4-32)

Remarkably, the loss and fragmentation of wildlife habitat would be much more significant if the proposed mitigation measures are adopted.

The suggested mitigation measures include moving density on to the Crohare Family Parcel and requiring access to the eastern development from Arroyo Road (which involves a new bridge and road across Sycamore Grove Park and Veterans Park. The Crohare Family Compound and the corridor from Sycamore Grove Park through Veterans' Park and to Del Valle is an extremely sensitive habitat and is the most important wildlife corridor in that area (the drainageways going up into the hills of Subarea 7 are significant, but pale in importance to the main corridor). As described by the Director of the LARPD:

18-N

> "Any development alternative proposing more than six units [on the Crohare Family Parcel] and requiring access from Arroyo Road will have significant unavoidable primary and secondary environmental impacts on Sycamore Grove Park"

The CAC alternative (subalternative #1) and the Landowners' Alternative (subalternative #2) carefully avoid density on the Crohare Family Parcel (sometimes known as Hospital Bluff), a new road from Arroyo, and a new bridge. The homesites

on the eastern portion of Olivina Ranch, under all alternatives except #5 and #7, would gain access through via a road from the clay pan area, a road which can be carefully designed and constructed to preserve existing habitat and drainageways.

Section 4.5-20 Vallecitos Road (page 4.5-20)

The Foley Road also provides access to the 23 Vineyard Estate Parcels located on the former Detjens and Kalthoff parcels. The Foley Road has already become substantially public. **18-O**

Section 4.5 Transportation and Circulation Subarea 7 (page 4.5-37)

Commuter traffic to and from Subarea 7 will have little impact on local streets in the downtown area, as commuters will use Highway 84 northbound and southbound. **18-P**

Impact 4.8-8 View of Subarea 7 (page 33)

The views of development of Subarea 7 under Alternatives #1 (the CAC), #2 (the landowners), #3 (260 units)m, #4 (226 units), and #6 (159 units) would be less than significant.

In general, consider the following quote from the Draft Specific Plan:

> "Given the subarea's varied topography and sensitive environmental setting, the principal objective was to create a development pattern that would fit sensitively into the site without major alterations to the landscape and without major visual impacts to the surrounding areas. Thus, the Plan [Alternative #1, the CAC alternative] specifically avoids developing the low-lying areas that would be visible from Sycamore Grove Park or in the higher elevations in the southern portion of the site where it would disturb sensitive native grasslands, require significant grading, and be visible from distant surrounding viewpoints. The resulting development pattern concentrates development into three distinct clusters located on the upland terraces that comprise the middle elevations of the site. (See Figure 4.12). **18-Q**
>
> "The overall form of each development area and the intensity of proposed development responds to the character of the landscape. The terrace in the northwest portion of the subarea is the most densely developed area given its level topography and absence [of] vegetation. The development in the middle of the subarea consists of a number of clusters that are defined by existing drainages and tree stands, and the development in the southwest portion of the subarea has a more linear layout that follows the toe of the slopes. Throughout each of the development areas, the concept is to weave open space through the development to maximize the sense of openness and connection to the rural landscape."
>
> See Draft Specific Plan, page 4-44.

Specifically, please consider the following:

Views from Vallecitos and Vineyard

We agree with the conclusion that the impact on this view would be less than significant, as illustrated by Exhibits 4.8-17 and 18.

Views from Sycamore Grove Park

We agree that the medium-sized winery will have no significant visual impact.

The DEIR errs in referring to "residential development perched on the top of a slope." The owners have worked closely with the LARPD to keep housing away from ridge lines and visible areas. The consultants should contact LARPD, which will confirm that the visual impact will be less than significant. See also the Draft Specific Plan at page 4-44, as quoted above.

Views from Other Areas

Subarea 7 has a significant advantage in its varied terrain and vegetation. Housing units will not be prominent in views from a distance. This would be evident if the consultant would photograph from a distance pre- and post-development scenarios (as was done with the views from Vallecitos and Vineyard. **18-Q**

Remarkably, the only significant negative impact on views would be among the low-density alternatives. That is:

Subalternative #5 (205 units) -- would place housing on Hospital Bluff, the single area where housing would be most visible from Sycamore Grove Park and from a distance. As stated in the Draft Environmental Impact Report, housing in this area would "be prominent to viewers in the park" and "this is a significant impact." See page 5.0-46 and 52 of the DEIR. The LARPD is unalterably opposed to this alternative, due in substantial part, to the negative impact on the view shed.

Subalternative #7 (52 units) -- anticipate density on the Crohare Family Parcel identical to Alternative #5. See comments, above.

Subalternative #8 (17 units) -- creates 20 acre parcels throughout the Subarea. These houses would be in the County and in an agricultural area -- many of the twenty acre parcels would not have any 2 acre portion which is relatively hidden from view. That is, the houses, wineries and out-buildings on the 2 acres would be very visible from the distance, from Sycamore Grove Park, and from Vallecitos/Vineyard.

Section 4.9 Public Services Subarea 7 (page 4.9-4 and 6)

Reference to the new connection to the Del Valle trunkline should mention Subarea 7's existing encroachment rights and the existing turn-outs.

Reference should be made to the availability to Subarea 7 of agricultural water from an existing flange on the inlet side of the Zone 7 treatment plant. **18-R**

The Draft Specific Plan references to possibility of a new 500,000 gallon water tank on Subarea 7 to serve Subareas 4 and 7. An advantage of development on Subarea 7 is that this tank could serve Subareas 4 and 6, as well as 7. **18-S**

Section 4.9 Waste Water Services - the Setting (page 4.9-16)

The description of the existing setting should describe the existing water treatment facility at the VA hospital, including commentary on its inadequacy. Reference should also be made to the "very rapid infiltration characteristics" in the area of the VA. It should also reference the septic service at the Wente winery, conference center, golf course, restaurant, and planned hotel.

This section should also describe the 1988 study which concluded that the preferred route of a sewer line for the reserved capacity for the VA Hospital was across Subarea 7. The location of this line has already been plotted and engineered by Kennedy Engineers. This is an important aspect of "the Setting," as it highlights an opportunity for the community to take steps to protect its groundwater. **18-T**

Section 4.9 Existing and Proposed Infrastructure (page 4.9-17 and 18)

The language about designing the pipeline to handle the VA discharge and local septic users is permissive --- there should be clear encouragement to accomplish this service. **18-U**

Section 4.10 Cultural Resources -- the Setting (page 4.10-3)

In addition to the reference to the Olivina winery, reference should be made to the remains of the 1881 distillery, which produced Olivina Brandy and was the first bonded distillery in Northern California. **18-V**

Section 5.5 Subarea 7 Alternatives Mitigation Formula (page 5.0-23)

The mitigation formula described in the Draft Specific Plan is flawed -- it is internally inconsistent and creates negative environmental impacts.

The Draft EIR acknowledges that agriculture destroys existing habitat and does not provide alternative habitat of any significance. It also indicates that, for example, replacing one acre of residential units with one acre of agriculture in areas within Subarea 7 would not lead to any net benefit to wildlife habitat. See the second full paragraph on page 5.0-40. **18-W**

The relative value rendered by dedication to Regional Parkland in place of mitigation by agricultural uses is described by Executive Director of the LARPD as follows:

> "This value is conservatively twice the value of any developed . . . . . it is easy to argue that the value of public benefit from the dedication of part and trail property far exceeds the value of cultivated agricultural acreage."
>
> See submitted comments by Doug Bell.

The EIR should acknowledge that Regional Parkland is of greater mitigation value, acre for acre, than agricultural mitigation. The EIR should provide a basis for forming policy on mitigation. Consider the following.

The Draft Specific Plan first states, reasonably, that

> "minor portions of a parcel set aside [by the landowner] for agriculture may be excluded from the mitigation requirement [by the City] to preserve environmentally sensitive areas within the subareas, such as slopes in excess of 25%, tree groves, wetlands, or areas with unique environmental characteristics."

Note that the City may trigger this exclusion but may choose to allow the agriculture (agriculture will not be banned on all slopes, near all groves, etc.). In the event the City does trigger this exclusion, the landowner would retain ownership and still get mitigation credit for this land as if it had been planted in cultivated agriculture. On a case by case basis, the City may determine that the landowner would get less than a 1:1 credit, depending on the circumstances. **18-X**

While the foregoing standard makes sense, the problem is that draft standards for mitigation credit on Regional Open Space have an environmental effect contrary to the state policies. Condition #1 is stated as:

> "A minimum of one acre of environmental and open space land shall be dedicated for each acre developed and, in addition, a minimum of one acre of environmental and open space land shall be dedicated for each new unit permitted in the project."

The adoption of a 1:1 ratio is simply an error. First, it is not consistent with the other mitigation standards proposed in the Draft. Second, it makes bad public policy. Under the Draft, landowners in the following three different situations get the same "one acre for one acre" mitigation credit:

> A landowner who (a) plants one acre in agriculture (b) retains ownership of that acre, (c) excludes the public (from all use except a view easement), (d) operates the land for private profit and (e) disturbs native grasslands and habitat.

A landowner who would plant one acre in agriculture but for the City's determination that the acre is environmentally sensitive (a) retains ownership of that acre and (b) excludes the public (from all use except a view easement). The City might determine, on a case-by-case basis, that the ratio is less than 1:1.

A landowner who provides immeasurably greater benefit to the community by (a) surrendering legal ownership to the public, (b) allowing full public access and use, (c) sacrificing a personal asset which would yield investment return for years and years, and (d) protecting the environment by excluding the land from invasive agriculture.

The concept of "mitigation" means to provide a benefit which ameliorates or offsets the negative effects of development. The three landowners in the examples above are contributing different levels of mitigation --- establishing a formula which treats them as if they were contributing the same level of mitigation is wrong and leads to undesirable impacts.

Given that there is a current question of the dedication of Regional Parkland in lieu of the standard agricultural mitigation as to only one subarea, Subarea 7, the EIR can recognize that there is no need for a fixed formula -- the determination as to value of Regional Parkland as a proposed mitigation alternative can and should be made directly and without resort to a formula. The owners of Subarea 7 could create (and have created) an alternative mitigation scenario which the City can approve or disapprove (and on which the EIR consultants can comment). For example, if the proposed development on Subarea 7 would call for standard agricultural mitigation in the amount of 260 acres, the EIR could comment on the relative mitigation value 220 acres of Regional Parkland in place of the 260 acres in agriculture.

Section 5.5 Subarea 7 Alternatives Density on Hospital Bluff (page 5.0-28 through 34)

The Draft Specific Plan posited two new alternatives (#5 and #7) which posit density beyond six units on the Crohare Family Parcel. For environmental and legal reasons, there is no possibility of density on the Crohare Family Parcel. This should be recognized in next draft of the Specific Plan and in the Final EIR:

Environmental reasons:

- The Crohare Family Parcel is contains extremely sensitive habitat. Density on this parcel and the then necessary bridge and new road from Arroyo Road have severe and unmitigable environmental effects and is unalterably opposed by the LARPD, as discussed below. The habitat within the Crohare Family Parcel is the most sensitive on Subarea 7 and the most important wildlife corridor in the entire area is the corridor which runs from Sycamore Grove Park through Veterans' Park to the Del Valle Reservoir. The drainageways which run up into the hills of the Olivina Ranch are significant, put pale in comparison. **18-Y**

- Development on the Crohare Family Parcel would be harshly visible from Sycamore Grove Park. This is acknowledged in the Draft Environmental Impact Report and is one of the reasons density here is so strongly opposed by LARPD.

Legal reasons:

- The Crohare Family Parcel was not within the development or density "bubbles" identified by the CAC.

- The Crohare Family Parcel is under different ownership than the Olivina Ranch (that is, the land is not fungible and density is not transferable).

- Access from Arroyo Road for any significant density is a problematic for a number of financial and legal reasons (including opposition by LARPD and, probably, the Veterans' Administration, both of which own parcels affecting access).

Section 5.5 Subarea 7 Alternatives (page 5.0-23 through 37)

The subalternatives analyzed here were posited in the Draft Specific Plan. There were significant errors in the Draft Specific Plan in the descriptions of development under the subalternatives and in the assumptions. As it is likely that most of these errors will be corrected in the next draft of the Specific Plan, the Final EIR should comment on the corrections.

The most significant corrections which should be made to the Draft Specific Plan can be summarized as follows:

Subalternative 2 (the "landowners' alternative")

The mitigation formula and calculations do not accurately reflect the "Landowners' Scenario." The owners (a) are willing to follow the standard agricultural mitigation standards applicable to all subareas and (b) have proposed, in the alternative, the possibility of granting acreage to the park district in lieu of the standard agricultural mitigation requirements. The owners: **18-Z**

- have not proposed an formula or ratio between agricultural and Regional Parkland mitigation.

- have certainly not proposed a formula under which the transfer of ownership of one acre of land to LARPD for public possession and use is considered of no greater mitigation effect than the owner keeping private ownership of that one acre, excluding the public and putting it to private and financially productive agricultural use.

- believe that the determination as to value of Regional Parkland as a proposed mitigation alternative can and should be made on a case-by-case basis. Note that there are only two proposals to dedicate regional park land in the Draft Specific Plan.

See the comments on the mitigation formula, above.

Subalternative 2, with a Regional Park, allows an opportunity to avoid the negative impact of the new population in the study area exceeding LARPD standards.

Subalternative 3 (260 units)

The landowners did not suggest the possibility of the dedication of a substantial amount of Regional Parkland as a 1:1 tradeoff with agricultural acreage. Such a formula is poorly conceived and a Regional Parkland dedication would not take place with that type of trade-off. See the comments, above, on the mitigation formula.

Subalternative 3, with a Regional Park, allows an opportunity to avoid the negative impact of the new population in the study area exceeding LARPD standards.

Subalternative 4 (226 units)

18-Z

There would not be Regional Parkland under this alternative, as the landowners would choose the agricultural mitigation alternative. In commenting on the loss of Regional Parkland in Subalternative #8, the DEIR states that this loss would be a significant impact in that the result would be "overall park demand that is over LARPD standards."

Subalternative 5 (205 units, including Hospital Bluff)

This is not a possible alternative, as density on Hospital Bluff cannot be accomplished because of legal concerns (density transfers and rights of way) and because of environmental concerns. See the comments in the preceding section.

There would not be Regional Parkland under this alternative. Housing density on the Olivina Ranch could self-mitigate with agriculture and housing density on the Crohare Family Parcel would have to purchase agricultural easements off-site. In commenting on the loss of Regional Parkland in Subalternative #8, the DEIR states that this loss would be a significant impact in that the result would be "overall park demand that is over LARPD standards."

Subalternative 6 (159 units)

There would not be Regional Parkland under this alternative, as the landowners would choose the agricultural mitigation alternative. In commenting on the loss of Regional Parkland in Subalternative #8, the DEIR states that this loss would be a significant impact in that the result would be "overall park demand that is over LARPD standards."

There would be an 8.0 acre medium-sized winery under this alternative.

Subalternative 7 (52 units, including Hospital Bluff)

This is not a possible alternative, as density on Hospital Bluff cannot be accomplished because of legal concerns (density transfers and rights of way) and because of environmental concerns. See the comments in the preceding section.

There would not be Regional Parkland under this alternative. Housing density on the Olivina Ranch could self-mitigate with agriculture and housing density on the Crohare Family Parcel would have to purchase agricultural easements off-site. In commenting on the loss of Regional Parkland in Subalternative #8, the DEIR states that this loss would be a significant impact in that the result would be "overall park demand that is over LARPD standards."

Subalternative 8 (17 units)

The Draft Specific Plan substantially understates the number of 20 acre parcels which could be created under present County zoning. First, vineyards be cultivated on relatively steep slopes (as they are in Europe) and the visual effect is a significant positive. Second, other cultivated agricultural crops, particularly tree (such as olive trees, cork oaks, bay laurel trees, and others do extremely well on slopes. Third, the southern region of Subarea 7 contains a great deal of flat land, including land at higher elevations. For example, there is a prime area of slightly rolling land at the highest point in the southeasterly area --- this type of land will yield the very best of the 20 acre parcels available in the entire area.

There would be an 8.0 acre medium-sized winery under this alternative.

Note that the dedication of substantial Regional Parkland occurs only in subalternatives 2 and 3. Note that the medium-sized winery occurs in each of the subalternatives.

Section 5.5 Subalternative 2 – Landowners' 304 units (page 5.0-25)

All references to "landowner's" should be converted to "landowners'," as there are four owners. **18-AA**

Section 5.5 Environmental Assessment -- Land Use (page 5.0-37)

The statement that "subalternatives 1-8 would locate residential lots in similar geographic parts of Subarea 7, primarily lower elevations" is not correct:

> Subalternatives 5 and 7 differ radically from the other subalternatives in putting residential lots on Hospital Bluff, creating habitat and view impacts
>
> Subalternative 8 would result in 20 acre parcels at higher elevations.

18-BB

The Citizens' Advisory Committee, the Subarea 7 landowners, and the LARPD worked very hard to come up with a land use plan which would assure that that residential units on Subarea 7 would not interfere with sensitive habitat, wildlife corridors, and view sheds and would permit the dedication of a significant amount of Regional Parkland. See the description of the planning effort in the Draft Specific Plan (at page 4-44).

Section 5.5 Environmental Assessment -- Biology (page 5.0-39)

There is a substantial financial incentive for the owners of Subarea 7 to be expansive in the establishment of cultivated agriculture. Under existing County zoning and under the established agricultural mitigation program, the landowners may be aggressive in their agricultural work. The landowners do agree with the Draft EIR in its statement that, for example, replacing one acre of residential units with one acre of agriculture in areas within Subarea 7 would not lead to any net benefit to wildlife habitat. See the second full paragraph on page 5.0-40.

The Draft EIR proposes eliminating the cross-site road in favor of access from Arroyo Road. See Mitigation Measure 4.4-3 and subalternatives 5 and 7. Access from Arroyo Road has many legal obstacles, would be prohibitively expensive, involves a new bridge, would involve a new road bisecting Sycamore Grove Park and Veterans Park, and would have serious and unmitigable environmental impacts. The LARPD director and Board are staunchly opposed to this idea, an idea which was rejected early on by the CAC and City planning staff, but injected late in these proceedings. The cross-site road can be designed and built in such a way that the wildlife corridors and drainage patterns are preserved and not damaged.

18-CC

The Draft EIR concludes that Subalternative 5 is the environmentally superior alternative. When the problems associated with density on Hospital Bluff and the new bridge/road access from Arroyo Road are properly considered, Subalternative 5 will not be considered to be the environmentally preferred alternative.

Section 5.5 Environmental Assessment -- Visual and Aesthetic Quality (page 5.0-46)

We agree with the Draft EIR that housing on the Crohare Family Parcel would be "prominent to viewers in the Park" and would be "a significant impact." This is one of many reasons why development on this parcel is so strongly opposed by the LARPD. **18-DD**

Section 5.5 Environmental Assessment -- Public Services (page 5.0-48)

Water impacts differ among the subalternatives. For example, Subalternatives #2 and #3 involve a substantial swap of regional parkland for agriculture, lessening the need for water. **18-EE**

The DEIR states that Subalternative #8 would result in significant park and recreation impacts, as the lack of regional open space would result in overall project park demand that is over LARPD standards. There would be no park in Subalternatives #1, #4, #5, #6, #7, and #8. **18-FF**

(End)

Letter #18. *Geoffrey C. Etnire, for the Olivina Ranch Group, July 14, 1997.*

Response to Comment 18-A: Section 2.1 Existing Land Uses (page 2.0-5)

The commentor's request for more detailed information to be included is noted. While making the EIR more descriptive, none of the requested information would alter the existing EIR analysis. For this reason, the information has not been added to the EIR.

Response to Comment 18-B: Section 3.7 Areas of Controversy/Issues to be Resolved (page 3.0-6)

The commentor's perspective on the identified issues of controversy relating to Subarea #7 are noted.

Response to Comment 18-C: Section 4.1 Land Use (page 4.1-6)

The commentor's request for more detailed information to be included is acknowledged. While making the EIR more descriptive, none of the requested information would alter the existing EIR analysis. For this reason, the information has not been added to the EIR.

Response to Comment 18-D: Exhibit 4.1-3 Summary of SLVSPA Agricultural Uses (page 4.1-7)

Correction to Exhibit 4.1-3 (page 4.1-7 of the Draft EIR) is acknowledged and has been made in the following table. It should be noted, that the correction to the table does not change the analysis or conclusions in the EIR.

Exhibit 4.1-3
Summary of SLVSPA Agricultural Uses

Parcel (s)	Subarea	Activity	Acreage	Area Subtotal
Grazing / Vacant (grazing and dry land farming)				
Olivina Ranch	7	Grazing	511.9 acres	
Crohare Family	7	Grazing	66.0	
Zumbach	4	Grazing	75.0	
Coast (2 parcels)	1	Vacant (grazing)	49.0	
Scott	2	Vacant (grazing)	17.4	
Dymond	2	Vacant (grazing)	24.8	
McKissack	4	Vacant (grazing)	50.4	
Frydendel	1	Vacant	23.5	
Caldiera (2)	3	Vacant	71.0	
Nelson, Denton	5	Vacant	24.7	
Lone Star	6	Vacant	185.4	
Grazing Subtotal				*652.9*
Vacant (Grazing and Dry Land Farming) Subtotal				*446.2*
Grazing / Vacant Subtotal				***1,099.1***
Existing / Former Vineyard				
Rios	1	Vineyard / winery	22.2	
Wente (2 parcels)	2	Vineyard / vacant	336.7	
Lagiss	5	Vineyard / winery	32.4	
Vineyard Subtotal				***391.3***
Other Agriculture				
Volkman	2	Tree farm / grazing	12.1	
Hansen	4	Olive orchard	92.2	
Corbett	4	Olive orchard	45.4	
Alameda County	5	Former orchard	77.4	
Other Agriculture				***227.1***
Total Agricultural Land				***1,717.5***

Response to Comment 18-E: Impacts and Mitigation Measures - Annexation Alternatives (page 4.1-22)

The Draft EIR tries to anticipate how LAFCO might respond to annexation of agricultural land based on their standard policies. The commentor's comments are noted, with respect to his interpretation of LAFCO's possible response on this issue.

Response to Comment 18-F: Impact 4.1-3 Conversion of Williamson Act Lands (page 4.1-27)

The error in the discussion of Williamson Act Lands in Subarea #7 is acknowledged. The Williamson Act contract on the larger Olivina Ranch parcel will expire on January 1998, thus making development possible at that time. No notice of non-renewal has been filed for the Williamson Act contract on the smaller Crohare Family parcel. Thus, development of the units proposed in this area under all of the alternatives except Alternative #6, would be postponed for at least 10 years from the filing of a notice of non-renewal. The earlier than anticipated expiration of the Williamson Act contract on the Olivina Ranch parcel would not change the analysis or conclusions of the EIR.

Response to Comment 18-G: Impact 4.1-4 Compatibility of Adjacent Land Uses (page 4.1-30)

Comment regarding the Specific Plan's potential to improve sewage treatment for the VA Hospital and Wente complex is noted.

Response to Comment 18-H: Impact 4.1-4 Compatibility of Adjacent Land Uses (page 4.1-30)

The commentor is probably correct in observing that the potential for trespassing by future residents onto the VA Hospital grounds is very limited. The Draft EIR only identifies this as a possible conflict. It does not conclude that it represents a significant impact.

Response to Comment 18-I: Impact 4.1-4 Compatibility of Adjacent Land Uses (page 4.1-33)

The commentor's disagreement with EIR's conclusion that the development of Subarea #7 would alter the existing perception of continuous open space to the south of Sycamore Grove Park is noted.

Response to Comment 18-J: Exhibit 4.1-9 Conformance with the General Plan Goal 5 (page 4.1-50)

As described in the EIR, the "urban shadow" is the urban-rural interface where land use conflicts tend to be concentrated and be most acute, and where such conflicts can lead to the abandonment of agriculture and urban development. Based on this definition, the development of Subarea #7 would indeed extend the "urban shadow" and the potential for land use conflicts beyond the area that might now be considered the urban-rural interface. The commentor is correct in noting that the dedication of land to LARPD and the placement of agricultural easements on lands adjacent to proposed development would mitigate against the conversion of lands in the urban shadow to urban uses as a result of any land use conflicts.

Response to Comment 18-K: Exhibit 4.1-9 Conformance with the General Plan Goal 6 (page 4.1-50)

The commentor's belief that Subarea #7 should be developed and annexed into the City is noted.

Response to Comment 18-L: Exhibit 4.1-9 Conformance with the General Plan Objective 6 (page 4.1-50)

The commentor's agreement with the EIR's assertion that Subarea #7 offers an opportunity to provide a permanent boundary for urban development is noted.

Response to Comment 18-M: Policy 6(e) Historic Resources Policy (page 4.1-61)

Reference to the ruins of the 1881 distillery that produced Olivina Brandy and was the first bonded distillery in Northern California, is included by this reference.

Response to Comment 18-N: Mitigation Measure 4.4-3 Loss and Fragmentation of Wildlife Habitat (page 4.4-32)

Refer to Response to Comment 4-F. The EIR biological consultant disagrees with the assertion that the Arroyo Del Valle corridor east of Subarea #7 is "the most important wiildlife corridor" in the area. As discussed in Response to Comment 4-F, the existing road crossings of the arroyo, the presence of the VA Hospital and Wente Vineyards development, the presence of park users in Veterans Park all compromise the quality of the corridor for wildlife. The central drainages within Subarea #7 play a more important role in the movement of wildlife.

Response to Comment 18-O: Section 4.5-20 Vallecitos Road (page 4.5-20)

Comment acknowledged. Foley Road also provides access to the Vineyard Estate parcels to the west of Subarea #7. However, this information does not change the analysis or conclusions in the EIR

Response to Comment 18-P: Section 4.5 Transportation and Circulation Subarea #7 (page 4.5-37)

Exhibit 4.5-27 shows estimates of the various subareas' use of intersections in the study area, including downtown intersections. As indicated on that Exhibit, Subarea 7 contributes between zero to 1.9% of the total future traffic volume at downtown intersections, and 4.5% to 12.8% of the total future traffic volume to intersections further south along SR 84 (Concannon / Holmes, Wetmore / Holmes, and East Vineyard / Holmes.

Response to Comment 18-Q: Impact 4.8-8 View of Subarea #7 (page 33)

The Draft EIR does not agree with the commentor's contention that the only visual impact would be caused by the low density alternatives that place units in the eastern-most portion of the subarea. While the EIR (Impact 4.8-8, p. 33) does identify potentially significant impacts associated with development in this area, it also indicates that potentially significant impacts would be associated with development in upland areas in the southern portion of the subarea. The commentor is correct in noting that development has been kept off the ridgelines and has generally avoided the most visible areas. However, as indicated in the Draft EIR (Section 4.8, page 35), a limited number of units perched on the hillsides south of the park could would be visible to park users. Thus, all of the Subarea #7 alternatives except Alternative #6 would have potentially significant impacts.

Response to Comment 18-R: Section 4.9 Public Services -- Subarea #7 (page 4.9-4)

As stated by the commentor, Subarea #7 has existing encroachment rights and turn-outs on the Del Valle trunk line, and would be able to obtain agricultural water from an existing flange on the inlet side of the Zone 7 treatment plant. However, this information does not change the analysis or conclusions in the EIR

Response to Comment 18-S: Section 4.9 Public Services -- Subarea #7 (page 4.9-6)

The Draft Specific Plan does indicate that a single water tank in Subarea #7 could provide the necessary water supply and pressure for Subareas #4, #6 and #7 due to the subarea's higher elevation. Consolidation of the three subareas' water needs into one tank in Subarea #7 would reduce the costs and visual impacts associated with building two tanks (i.e., one in Subarea #4 and one in Subarea #7). However, development in Subarea #4 or #6 would not be dependent on development in Subarea #7 to meet their needs (i.e., they could provide their own storage tank).

Response to Comment 18-T: Section 4.9 Wastewater Services -- Subarea #7 (page 4.9-16)

Information regarding the condition of existing wastewater disposal at the VA Hospital or the Wente Sparkling Vineyards complex is not included in the Draft EIR because it is not pertinent to the impact analysis of Subarea #7 or the rest of the Specific Plan area. As noted in the Specific Plan (page 8-6), the City of Livermore has an agreement with the VA Hospital to provide future sewer service and has reserved treatment capacity to accommodate such service. The VA Hospital negotiated this agreement because the existing on-site system is reaching the end of its useful life. Rather than undertaking major upgrades of its existing system, the VA Hospital preferred to contract with the City for wastewater treatment and disposal services. It is with this background, that the Specific Plan goes on to state (page 8-8) that the sewer trunk line to Subarea #7 could be sized to accommodate discharge from the VA Hospital in addition to proposed development in Subarea #7. The fact that an alignment for a sewer line from the VA Hospital to a connection point at Isabel Avenue has been identified is acknowledged, however this information does not change the analysis or conclusions in the EIR

Response to Comment 18-U: Existing and Proposed Infrastructure (page 4.9-17 & 18)

The Specific Plan statement that the Subarea #7 sewer trunk line could be designed to also handle the VA Hospital discharge is intended to identify an opportunity to coordinate services between Subarea #7 and the VA Hospital, if the City approves the Specific Plan development proposed for the subarea. Since the City has agreed to provide service to the VA Hospital at some future point, the VA has the right to connect to the City sewer system. However, the responsibility for constructing the line to the City's system is the VA Hospital's.

Response to Comment 18-V: Section 4.10 Cultural Resources -- (page 4.10-3)

Refer to Response to Comment 18-M.

Response to Comment 18-W: Section 5.5 Subarea #7 Alternatives Mitigation Formula (page 5.0-40)

The commentor's opinion that the mitigation formula is flawed, inconsistent, and creates negative environmental impacts is noted. The EIR authors do not agree with this assessment. The mitigation formula recommended in the Draft Specific Plan establishes a framework for

determining adequate and equitable mitigation for all property owners within the Specific Plan area. Since the original mitigation formula developed in the County's South Livermore Valley Area Plan only addressed agricultural mitigation (i.e., the loss of agricultural land to development), the Specific Plan has also introduced the concept of providing mitigation credit for important environmental and open space resources. The mitigation ratio is based, in part, on the City Council's determination during the planning process that the relatively steep slopes of the regional parkland in Subarea 4 would receive one acre of mitigation credit for every three acres of regional parkland dedicated. A similar approach is justified for Subarea #7. The formula recommended in the Specific Plan provides enough flexibility for the City to sensitively and equitably address the different conditions that exist in each subarea. In this manner, implementation of the Plan can avoid the situation suggested by the commentor, and raised in the Draft EIR (page 5.0-40), where the introduction of agriculture as "agricultural" mitigation could in fact result in environmental impacts.

Response to Comment 18-X: Section 5.5 Subarea #7 Alternatives Mitigation Value

The "relative value" of the dedication of Regional Parkland versus the dedication of agricultural easements and planting of crops is a policy issue. The selection of one method of mitigation over the other is only a CEQA issue if one method (e.g., agricultural mitigation) would result in greater environmental impacts. In an attempt to justify the elimination of a standard mitigation formula that applies to all of the subareas, the commentor appears to be confusing a number of concepts, including: mitigation for loss of agricultural land with mitigation for other environmental impacts, and mitigation of environmental impacts with public benefit. Under the Plan, the dedication of agricultural easements is intended to compensate for the loss of agricultural potential due to development on agricultural lands. Such dedication will not mitigate other environmental impacts. As discussed in the Draft EIR, in instances where the introduction of agriculture would result in impacts to environmental resources, such as biology, the preservation of the affected land as permanent open space (i.e., regional parkland) does represent an environmentally superior approach (see discussion on page 5.0-41).

Response to Comment 18-Y: Section 5.5 Subarea #7 Alternatives Density on Hospital Bluff (page 5.0-28 through 34)

The commentor makes a number of points to support the contention that the Crohare Family parcel should not be considered for any more than six units of development. None of these points appears compelling enough to invalidate the consideration of Subarea #7 alternatives #5 and #7. Analysis of these scenarios provides the City with pertinent information that may help in selecting a final development plan for the subarea. The following are responses to the commentor's specific comments:

- The EIR does not agree with the commentor's assessment of the environmental sensitivity or value of the Crohare parcel, and the commentor provides no additional evidence to support his claim. Refer to Response to Comment 4-F for a more detailed discussion.

- The Draft EIR acknowledges the potential visual impacts associated with development of the Crohare Family parcel in Impact 4.8-8 (pp. 33-35) and in the alternatives analysis on pages 5.0-46 and 48.

- There is no legal requirement that the development alternative in the EIR or eventually adopted by the City, must conform with the initial recommendation of the CAC. In this case, the parcel is included within the Specific Plan area. Also, much of the rest of Subarea #7 proposed for development was not included in the CAC's original recommended development area.

- The fact that the Crohare Family parcel is under different ownership from the other parcel that comprises Subarea #7 makes it no different from the other subareas, which are also made up of properties under multiple ownership.

- The need to coordinate and get approval from LARPD and the VA Hospital for an improved access from Arroyo Road would not appear to be an insurmountable obstacle given the benefits that each would gain from development of Subarea #7. LARPD stands to gain between 80 and 280 acres of parkland as mitigation for development in Subarea #7, and the VA Hospital would not only obtain sewer service, but would also be able to share the cost of the improvements with Subarea #7.

Response to Comment 18-Z: Section 5.5 Subarea #7 Alternatives (page 5.0-23 through 37)

The commentor's opinions on how the alternative development scenarios for Subarea #7 should have been defined are noted. The comments do not alter the analysis or conclusions in the Draft EIR. The development scenarios presented in the Specific Plan and EIR were crafted to provide the broadest perspective on the implications of development, agriculture and parkland for Subarea #7. As suggested by the commentor's discussion, there are many permutations of these scenarios that can be considered.

The commentor's statements regarding scenarios in which the landowners would elect to dedicate parkland is inconsistent with the City's approach to plan land uses within each of the subareas as a complete unit. If the Specific Plan designates development for Subarea #7, it will also identify areas suitable for agricultural mitigation and parkland, as it has done for the other subareas.

Response to Comment 18-AA: Section 5.5 Subalternative #2 (page 5.0-25)

The commentor's reference to the fact that there are four land owners in Subarea #7 is acknowledged. All references to the "Landowner's" alternative are hereby changed by this reference to "Landowners'". This information, however, does not change the analysis or conclusions of the EIR.

Response to Comment 18-BB: Section 5.5 Environmental Assessment -- Land Use (page 5.0-37)

The EIR statement that "subalternatives 1-8 would locate residential lots in similar geographic parts of Subarea 7, primarily lower elevations" is correct. There are differences in the number and distribution of units, but all of the scenarios locate the units in the same general geographic locations. Subalternative #8 may include some areas with slightly higher elevations, but none of the scenarios place units in the southern-most portion of the site where the highest elevations occur.

Response to Comment 18-CC: Section 5.5 Environmental Assessment -- Biology (page 5.0-39)

Comments noted. Refer to the Response to Comment 4F, and the discussion of the various alternatives in Chapter 5 of the Draft EIR. A discussion of the environmentally superior alternative, from a biological perspective is provided on page 5.0-54 of the Draft EIR. This discussion concludes that Subalternatives #9 (the permanent open space alternative) would be the environmentally superior alternative because it would eliminate all impacts. Of the build alternatives, Subalternative #6 (the 159-unit alternative) would be the environmentally superior alternative.

Response to Comment 18-DD: Section 5.5 Environmental Assessment -- Visual and Aesthetic Quality (page 5.0-46)

Commentor's agreement with the Draft EIR's assessment of visual impacts associated with the Crohare Family parcel are acknowledged.

Response to Comment 18-EE: Section 5.5 Public Services (page 5.0-48)

Comment acknowledged. Alternatives for Subarea #7 which have more parkland and less agriculture would have less demand for irrigation water for agriculture. The project's demand for water is not just accounted for by agriculture however. It must also consider the water demand for development

Response to Comment 18-FF: Section 5.5 Public Services (page 5.0-48)

The Draft EIR is not wrong in analyzing parkland in subalternatives #1, #4, #5, #6, #7 and #8. The Specific Plan identifies each of these subalternatives as having parkland. Thus, the EIR must analyze them. Refer to Response to Comment 18-Z.

RECEIVED
JUL 14 1997
PLANNING DEPARTMENT

EARL E. MASON
CIVIL and STRUCTURAL ENGINEER

1866 Catalina Ct., Livermore, CA 94550
(510) 606-6901 Fax (510) 606-6941

ENGINEERING-PLANNING-ARCHITECTURE

July 14, 1997

Planning Department
City of Livermore
1052 S. Livermore Avenue
Livermore, CA 94550

REF: South Livermore Valley Specific Plan & General Plan

SUB: Comments on Draft EIR

To Whom It May Concern:

I have been retained by the Norman property owners to help them with their property on Wente Road. They have had David Tabor & Associates prepare a response and comments on the current draft EIR documents.

I am enclosing herewith Mr. D. Tabor's letter to the Planning Commission dated July 14, 1997. Also, I am attaching an Exhibit A, dated July 10, 1997. This is a combined map showing subject areas 3, 4, 5 & 6 and how the Norman, Kirkman and Wente parcels create a continuous developable area adjacent to the existing residential areas.

19-A

Please address any comments regarding these two letters to me.

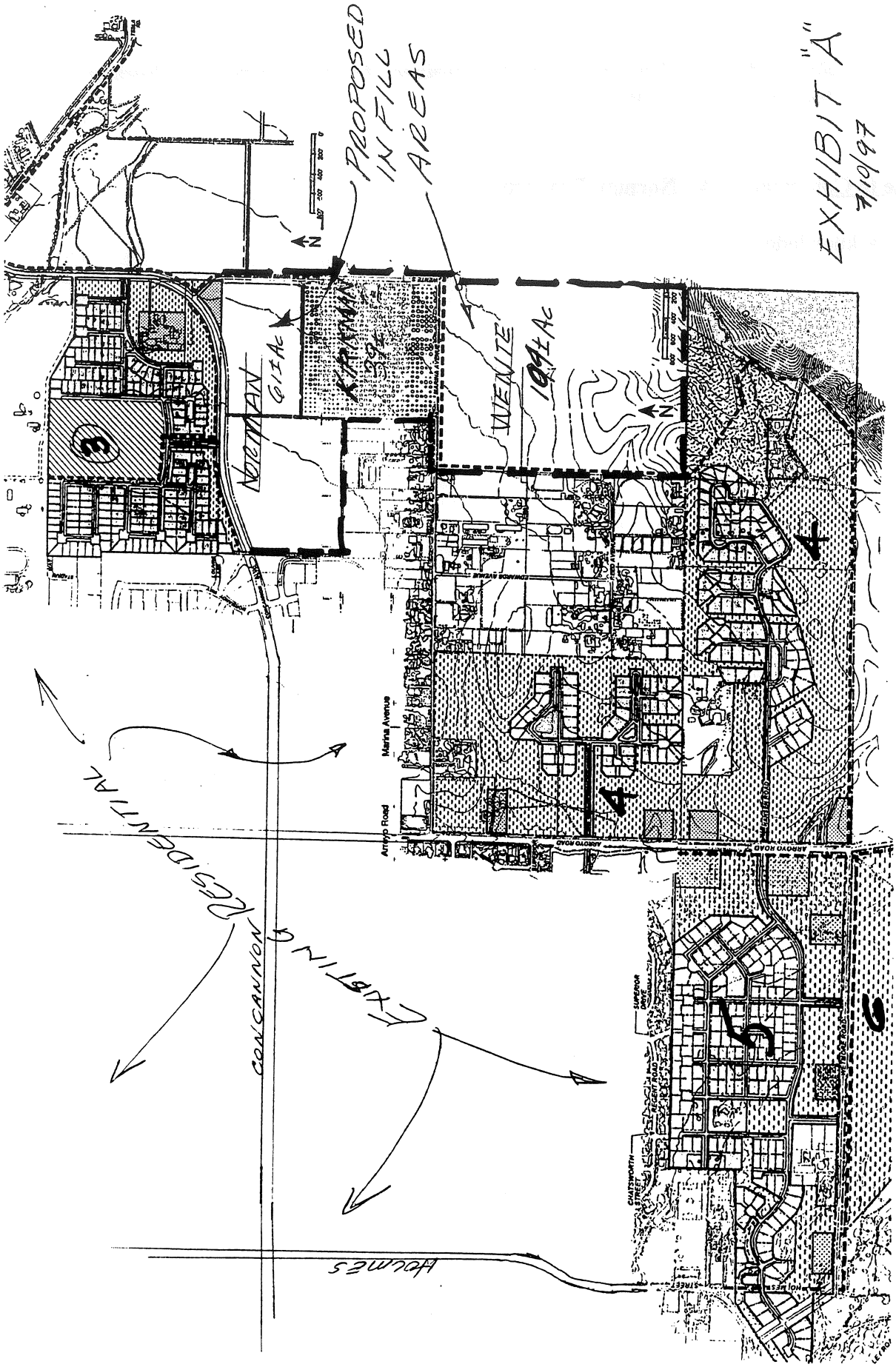
Sincerely,

Earl E Mason

Earl Mason

Attachments

EM/dtr.151


EXHIBIT "A"
9/10/97
PROPOSED
IN FILL
AREAS
KAISER
59± Ac
NORMAN
6.1± Ac
WENTE
19± Ac
Marina Avenue
Arroyo Road
ARROYO ROAD
EASTER ROAD
SUPERIOR DRIVE
REGENT ROAD
GAITHERSBURG STREET
CONCANNON BOULEVARD
EXISTING RESIDENTIAL
HOLMES
3
4
4
5
5

Letter #19. Earl E. Mason, Civil and Structural Engineer, for the owners of the Norman Property, July 14, 1997.

Response to Comment 19-A: Norman Property

Comment acknowledged.

D A V I D T A B O R & A S S O C I A T E S
Land Use Planning

1326 Kenwood Road Santa Barbara, CA 93109 805/966-3276

July 14, 1997

Planning Commission
City of Livermore
1052 S. Livermore Avenue
Livermore, CA 94550-4899

RE: *South Livermore Valley Specific Plan Amendments*
Comments on Draft Environmental Impact Report

Thank you for the opportunity to present these comments on the South Livermore Valley Specific Plan Amendment Draft Environmental Impact Report. I can say that in general the document is a thorough analysis of the potential impacts from the project. I believe it to be deficient in one major area, however. In its consideration of alternatives, the "off-site" alternative is basically ignored. In that regard, I am presenting these additional comments for consideration in preparing a Final Report. **20-A**

The way it is written, the DEIR is biased toward the project, which is somewhat understandable given the work done by the Advisory Committee in preparing the SLVSPA. However, this is not very different from what any developer does when choosing a site for a project. Many months of review and analysis narrow down the choices until a specific site is selected for a project, yet State law still requires that alternative sites that attain the basic project objectives be considered.

With the emphasis the Specific Plan places on creating a logical southern boundary to the City, a legitimate alternative would be to consider buildout within the existing sphere of influence. It appears that there are several sites within the sphere or immediately adjacent that could accommodate the anticipated number of residential units. These sites were apparently not chosen because of one item on the list of criteria: they are currently planted with vineyards and orchards. Since these owners have maintained their agricultural production, they are being passed over. Instead of awarding these families who have helped develop the image and character that the SLVSPA is attempting to foster, those who have abandoned agricultural production have been chosen to receive a higher land value that comes with the proposed land use changes. **20-B**

The area west of Wente Street and north of Wetmore Road appears to be a logical place to allow the extension of urban development to the south. This area would include sub areas 3, 4, and 5. In addition it would also include the Norman Vineyards immediately south of sub-area 3, the 39 acre Kirkman walnut orchard, and the 104 acre Wente Land and Cattle Company property south of Marina Avenue. These three properties are currently bordered on the west by residential uses, and would be bordered on the north and south by residential use when sub-areas 3 and 4 develop.

Comments on SLVSPA DEIR
July 14, 1997
Page 2

The selection of sub-areas 1 and 2 seems to leave many of the arguments regarding leap-frog development unanswered, and ignore their potential for agricultural mitigation acreage. Given their location and the adjacent vineyards to the south, they would become a large block of agriculture that would certainly have a substantial impact on the agricultural character of the area. East Avenue to the north serves as a strong and logical urban boundary to the north, and the rural residential development west of sub-area 2 provides an effective buffer between existing urban and rural land uses. Allowing development to leapfrog into sub-areas 1 and 2 also ignores the fact that existing vineyards were removed in sub-area 2 to make way for this development. **20-C**

The inclusion of sub-areas 6 as agricultural mitigation acreage makes sense. Extending urban development into sub-area 7 is not good planning and contradicts most of the main goals of the SLVSPA. Why this sub-area is being included is cause for consideration.

Including an alternative in the DEIR for development immediately adjacent to the southern City edge, as described above (west of Wente, north of Wetmore), would show a reduction in the potential urban-rural conflicts and growth inducing impacts associated with the SLVSPA. Because the new units would be closer to the urban core, the amount on vehicle-miles travelled would be less, reducing air quality impacts. There is also a greater potential for use of transit than with a more spread out pattern of development, potentially reducing traffic impacts. With the aesthetic controls suggested in the Specific Plan, and the agricultural mitigations, impacts in these areas would be similar, and would more closely meet the overall goals of the SLVSPA. **20-D**

Thank you for your consideration of these comments.

Sincerely,

David Tabor AICP

Letter #20. David Tabor, David Tabor & Associates, for the owners of the Norman Property, July 14, 1997.

Response to Comment 20-A: Analysis of Off-Site Alternatives

The commentor's opinion that the Draft EIR is deficient because it ignores "off-site" alternatives (i.e., alternatives that examine the implications of locating the project in areas outside the project area) is noted. However, the Draft EIR does not ignore the "off-site" option. As required by CEQA, the issue of "off-site" alternatives is considered in the Draft EIR (pages 5.0-2 through 5.0-4), and a number of reasons are identified for not pursuing further analysis of such alternatives.

Response to Comment 20-B: Possible Alternative Sites for Development

The commentor is correct in recognizing that a number of sites along the City's southern edge were not included in the Specific Plan area primarily because they are already actively cultivated with vineyards or orchards. While the commentor is also correct in noting that avoiding impacts to existing agriculture is only one of the criteria used in evaluating potential development areas, it is a critical one given that the primary goal of the Plan is to protect and enhance agriculture in the South Livermore Valley and given the City's General Plan requirement that urban development meet certain minimum criteria, including that "the project site will not displace a significant amount of any actively farmed vineyards" (Part IV B.6.g.2(d)). The Norman, Wente and Kirkman properties identified by the commentor as suitable development sites are all currently planted in vineyards (Norman and Wente) or walnuts (Kirkman).

One major purpose of the alternatives analysis required by CEQA is to identify ways in which identified project impacts can be reduced. While relocation of Specific Plan development to the Norman, Wente and Kirkman properties might create a more compact urban edge, it would also create substantial new impacts to existing agriculture that will not occur under the proposed Plan. It is also not clear that such an action would substantially reduce any of the identified environmental impacts created by the Plan. Thus, detailed consideration of this "off-site" alternative does not appear to be merited.

Response to Comment 20-C: Suitability of Selected Subareas

The commentor's opinions regarding the suitability or appropriateness of Subareas #1, #2, #6, and #7 for development are noted.

Response to Comment 20-D: New Off-Site Alternative

The Draft EIR already includes an alternative that evaluates the potential impacts associated with locating development closer to the City's urban edge. The "1,482-unit Consolidated Development Alternative" (pages 5.0-17 through 23) proposes that development be concentrated

in Subareas #2, #3, and #5, with no development in the other four subareas. As intended by CEQA, the environmental analysis of this alternative provides City decision-makers with the necessary information to make an informed decision regarding the benefit creating a more compact development area. It does not appear that analysis of the commentor's proposed "off-site" alternative would provide substantially different information for decision-makers to consider.

Donald W. Hughes
1732 Buena Vista Avenue

PLANNING DEPARTMENT

July 9, 1997

City of Livermore Planning Department
1052 South Livermore Avenue
Livermore, California 94550-4899

Attention: Marc Roberts

SUBJECT: Comments on SLVSP and General Plan Amendment and Draft Environmental Impact Report

Several issues are very troublesome in the Draft Environmental Impact Report (DEIR) for the South Livermore Valley Specific Plan (SLVSP). As a resident of Buena Vista Avenue I have strongly supported the inclusion in the DEIR of the connection of North Mines Road to Mines Road--the "Missing Link" required to complete Mines Road. Regardless of the politics involved in this issue the City is required by CEQA law to protect the rural character of Buena Vista Avenue and the rest of the South Livermore environment from adverse impact. It is very clear that this has not been done since full study of the Buena Vista Avenue impact was not included in the DEIR. **21-A**

The DEIR does not address the issue of traffic circulation in and around the sub areas and the city in general. Not only is there no provision for traffic circulation but there is no plan to improve roads; i.e., Vasco Road from East Ave. to Tesla Road. All of the traffic from Subareas 1 and 2 will be diverted to Vasco Road and East Avenue. **21-B**

It has been clear that the City forefathers and previous Planning Commissions and City Councils intended that Mines Road act as a major connector for traffic circulation because the connection of Mines Road between East Avenue and Tesla Road was in the Master Plan for decades prior to 1989 when it was removed. This additional development certainly warrants detailed study in the EIR. **21-C**

It also is a fact that over 1300 residents of the County and City of Livermore signed a petition and large numbers addressed the Planning Commission and City Council requesting that the Mines Road "Missing Link" be added to the SLVSP EIR.

- The draft EIR does not address the issue of traffic circulation in and around subareas and the City in general. **21-D**

- **Buena Vista Study**

It is apparent by the inaccurate calculations and good common sense evaluation that this DEIR spent very little time and effort studying the Buena Vista issue.

The traffic model used is outdated and is not modeled to look in detail at specific areas. The fact remains that this model was not updated since 1991. **This data is unacceptable.** **21-E**

The traffic counts are inaccurate. The first traffic count was started on a Friday and ran through a weekend. The second study was performed over a three day weekend for LLNL employees and on that Monday, the Highway Patrol was ticketing speeders. The numbers quoted for Buena Vista residential traffic is incorrect. You cannot subtract the 800 car trips a day for residents that the EIR sites in its traffic cut through calculation. **21-F**

In the discussion of the Concannon to Tesla extension -- the connection of two major east-west routes--there is no mention of any potential effects on Buena Vista Avenue. **21-G** In discussion of the North Mines Road Overpass, which the DEIR states will improve North-South traffic movement in East Livermore, it does not include potential effects on Buena Vista Ave. **21-H**

- **Proposed Mitigation for Buena Vista Avenue Traffic Calming**

It is very clear that that traffic calming is required only as a result of **POOR PLANNING. Now is the time to prevent the need for traffic calming, while the developers, landowners, city and county can share the cost of a two-lane, one-mile connection of Mines Road.**

Traffic calming is only effective if there is a close alternative route. In the case of Buena Vista there is no alternative for 2-1/2 miles and studies have shown that an alternative route must be located within a mile. **21-I**

The proposed mitigation referred to in the DEIR is a document proposed by Alameda County and is referred to as "Neighborhood Traffic Calming Program 1997." The problem remains that this plan does not define the issues required to implement any part of this proposed program; i.e., 2/3 consensus of 80 residents/property owners of Buena Vista Avenue, street lights installed at every speed bump, the liability issue--Residents would be required to sign a waiver releasing the county from any damages that my be incurred in the event of an accident, and the direct costs for infrastructure--transformers, etc.

TRAFFIC CALMING ON BUENA VISTA AVENUE WILL IMPAIR EMERGENCY SERVICES. Emergency services are hindered by proliferation of speed control devices (See attached articles "Berkeley Avoids New Speed Bumps" and "Speed Zones and Speed Bumps", City of San Buenventura).

I respectfully request that the City comment on these issues and include in the EIR the completion of Mines Road between East Avenue and Tesla Road.

Sincerely,

Don W. Hughes

Enclosures (2)

2 EXPRESS August 25, 1995

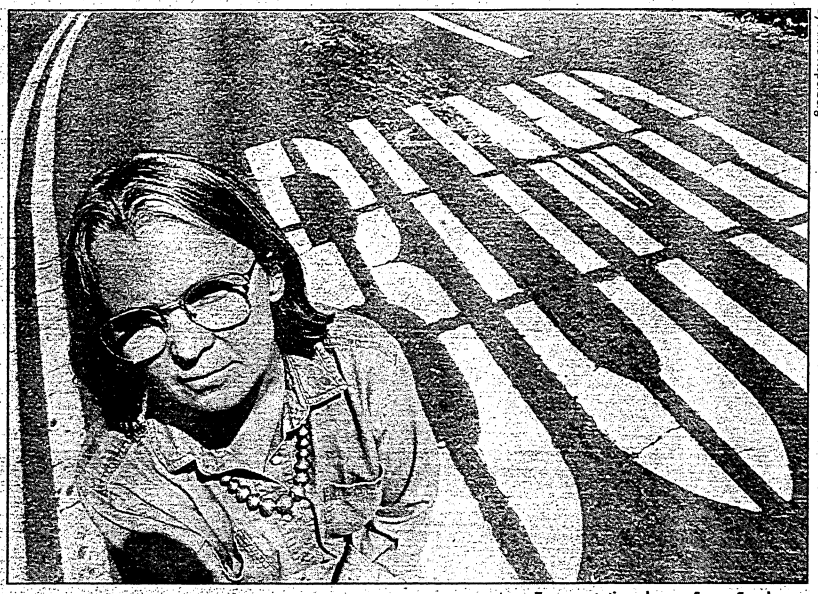
Berkeley Avoids New Speed Bumps

Emergency services are hindered by the proliferation of the speed control devices

By Dashka Slater

The city of Berkeley has long had the philosophy that the best way to reduce the impact of automobiles on its neighborhoods is to make the driving experience so teeth-gnashingly frustrating that drivers either climb on their bikes or are carted off to an insane asylum. Hence the city's mazelike configuration of traffic diverters, the near-absence of parking, and the relentless efficiency of the parking enforcement fleet. And hence the lowly speed hump, which has become a hotter commodity in Berkeley than tickets to see Noam Chomsky.

Since speed humps were introduced to Berkeley neighborhoods in 1993, they have sprouted like mushrooms on 86 city blocks. On May 9, the City Council was asked to add them to an additional 13 blocks near the UC campus, and another 19 blocks in other parts of the city. That same night, 32 more blocks joined the speed hump waiting list, and it seemed that Berkeley streets might soon have more undulations than a North Beach strip joint, but at a somewhat steeper price. Each bump costs around $1800.



By Anna Kupperberg

Transportation planner Susan Sanderson

What finally halted the spread of Berkeley's asphalt moguls, at least temporarily, was the intervention of the city's fire department. Most speed humps are installed for the purpose of making residential blocks more tranquil, by slowing down speeders and encouraging commuters to stay on the main arterials. But while speed humps may persuade Racer X to put on the brakes, they have the unfortunate side effect of slowing down the city's ambulances and fire trucks as well. Last month fire department Chief Gary L. Cates sent out a letter explaining that speed humps were adding significantly to emergency response times.

"It's been a concern ever since the city started installing them," explains fire department Captain Debra Pryor. "Sometimes it's just not possible to avoid them, especially if you're going to an emergency on a street that has them." Unlike cars, fire trucks have to slow down to around 5 miles per hour to go over a speed hump, and they don't have the power to get back up to speed between consecutive humps. Even at slow speeds, the jostling of the hump causes the frame of the fire trucks to flex, which has already damaged some of the city's equipment. The rough ride hasn't been great for ambulances either—paramedics report being unable to start CPR or hook up IVs while the ambulance is bouncing over humps. And for patients with fresh injuries, the experience of flying over a concrete bump is at best painful, and at worst dangerous. "Sometimes people's injuries are real sensitive to motion, like breaks and fractures," adds Pryor. "I don't know that [speed humps] have ever caused further spinal cord damage, but it can't be ruled out."

All of which leads to an obvious question: Why didn't anybody think about this before? "We did think about it," says transportation planner Susan Sanderson. "We always planned to evaluate the program after two years. The problem was that we didn't realize how many we were going to be putting in during that time." The city uses speed humps both to control crime (by making it harder for drug dealers to get in and out of favorite hotspots) and to control speeding. In both cases it has found that humps on one street seem inevitably to lead to humps on the streets nearby. "They tended to be much more concentrated than we expected,

especially the crime control ones, and so you'd have whole areas where there's one on every block," Sanderson explains. Part of this is the inborn covetousness of residential neighborhoods; no sooner has one block installed its humps than neighbors on every side begin crying out for theirs. "People think of traffic as a zero sum game," Sanderson says. "They think it's inevitable that people are going to drive and speed and if they can't do it on one street they'll do it on another. And to some extent, that's true."

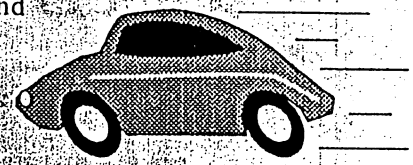
The speed hump issue was brought to a head last month, when the City Council considered the UC Neighborhoods Plan. The plan attempts to deal with longstanding complaints from the south and east campus neighborhoods about traffic and parking spillover from the university by adding speed humps, stop signs, traffic signals, cross walks, and additional parking restrictions. The plan was first started in 1990, but completion was delayed every time an additional neighborhood asked to be added to the planning area. "As soon as we'd get one draft done another group of people would ask to be included," Sanderson says. "So we kept expanding it until we reached the logical limit." The result is a plan that extends from Dwight Way to the Oakland border and from Martin Luther King, Jr. Way to Tunnel Road—somewhat beyond what most people would consider campus neighborhoods. A variety of traffic-battling strategies is to be used throughout this part of the city, including adding amenities for bicyclists and reducing the amount of time nonresidents can park in certain neighborhoods.

The one strategy that will not be used is the speed hump. After the fire department protested, the 13 speed humps originally included in the plan have been deleted. Aside from four blocks in West Berkeley where speed humps are considered "critical," no more will be added to Berkeley streets for at least a year. During that time, the city will conduct a speed hump study to decide whether, and where, more should be added—and whether some of the existing ones should be removed.

Just how much does it cost to remove a speed hump? According to the public works department, destroying a speed hump only costs about $300, one-sixth the price of building one. It is now up to the city's newly formed speed hump working group to decide which is a better use of the city's money.

SPEED ZONES

Speed zones are often taken for granted and until a problem arises, most people pay little attention to the theory behind them. The following information will help you understand how speed zones are established, and what they can and cannot do.



SPEED ZONE MISCONCEPTIONS

When traffic problems occur, concerned citizens frequently ask why we don't lower the speed limit. There are widely held misconceptions that speed limit signs will slow the speed of traffic, reduce accidents and increase safety. Most drivers drive at a speed that they consider to be comfortable, regardless of the posted speed limit. "Before and after" studies have shown that there are no significant changes in average vehicle speeds following the posting of new or revised speed limits. Furthermore, research has found no direct relationship between posted speed limits and accident frequency.

SPEED LAWS

All fifty states base their speed regulations on the Basic Speed Law: "No person shall drive a vehicle...at a speed greater than is reasonable or prudent...and in no event at a speed which endangers the safety of persons or property."

Under California law, the maximum speed limit in urban areas is 55 MPH. All other speed limits are called prima facie limits, which are considered by law to be safe and prudent under normal conditions. Certain prima facie limits are established by State law and include the 25 MPH speed limit in business and residential districts, 25 MPH in school zones when children are present, and the 15 MPH speed limit in alleys; at intersections and railroad crossings, where visibility is very limited. These speed limits do not need to be posted to be enforced.

Speed limits between 25 and 55 MPH are established on the basis of traffic engineering surveys. These surveys include an analysis of roadway conditions, accident records and a sampling of the prevailing speed of traffic. A safe and reasonable limit is set at or below the speed at which 85% of the drivers drive.

Traffic flowing at a uniform speed results in increased safety and fewer accidents. Drivers are less impatient, pass less often, and tailgate less, which reduces both head-on and rear-end collisions.

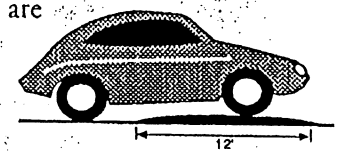
The posting of the appropriate speed limit simplifies the job of enforcement officers, since most of the traffic is voluntarily moving at the posted speed. Blatant speeders are easily spotted, safe drivers are not penalized, and patrol officers aren't asked to enforce unrealistic and arbitrary speed limits.

SPEED BUMPS

Speeding on residential streets is a common complaint reported by concerned citizens. Speed bumps are often requested because they are perceived as a quick and effective solution to speeding.

WHAT ARE SPEED BUMPS?

On public streets speed bumps or "humps" are 12 ft. long by 3 in. high ridges of pavement placed across a roadway that theoretically force cars to slow down as they pass over them. They are intended to be uncomfortable to drive over if crossed over too quickly.



ARE SPEED BUMPS SAFE?

Several tests throughout the world on speed bumps have raised questions about their safety and effectiveness. Test results indicate:

- Speed bumps do not significantly reduce vehicle speeds once the vehicle has left the speed bump. In fact, the discomfort and shock sometimes decrease as vehicle speeds increase.
- Speed bumps may present a potential hazard to all vehicles and an immediate danger to bicyclists, motorcyclists and emergency vehicles.
- Speed bumps cannot be designed to meet

the specifications for all types of vehicles because of the wide variety of handling and ride characteristics.

- Traffic volumes on streets adjacent to streets where the bumps are located often increase when drivers try to avoid the speed bumps.
- Speed bumps increase noise levels 10 to 20 decibels when wheels hit the pavement. Increased noise is particularly bothersome in residential areas.

LIABILITY

Speed bumps are not recognized by the State of California as an official traffic control device. Injuries caused by speed bumps may result in significant additional liability for the City. Results of various studies have raised concern about the potential dangers of speed bumps.

For these reasons, the City of San Buenaventura does not use speed bumps on public streets.

Other Traffic Information brochures available:

- Stop Signs and Traffic Signals
- Marked Crosswalks
- Pedestrian Signals
- Flashing Beacons
- Adult Crossing Guards
- Traffic Signal Systems
- Left Turn Signals
- Parking Pointers
- Avoiding Parking Tickets
- Traffic Safety Tips
- Traffic Flow Modifications
- Residential Parking Permits

If you have questions, requests or suggestions concerning traffic, please call the Engineering Division at 654-7887.

CITY OF SAN BUENAVENTURA · FOUNDED 1782 ·

THE CITY OF
SAN BUENAVENTURA
ENGINEERING DIVISION
501 Poli Street
P.O. Box 99
Ventura, CA 93002
(805) 654-7887

In compliance with the Americans with Disabilities Act, this document is available in alternate formats by calling 654-7887 or through the California Relay Service.

Printed on recycled paper.

Letter #21. Donald W. Hughes, 1732 Buena Vista Avenue, July 9, 1997.

Response to Comment 21-A: Buena Vista Avenue Impacts

Commentor's opinion noted. Based on community concern expressed early in the EIR process, the Draft EIR provides quite extensive analysis of the potential for impact to the Buena Vista Avenue neighborhood (refer to pages 4.5-59 through 62 in the DEIR). A more detailed or comprehensive study does not appear warranted given that no significant impacts related to traffic volumes on Buena Vista Avenue were identified in the Draft EIR. See also Master Response to Traffic.

Response to Comment 21-B: Traffic Circulation

The Draft EIR analyzes impacts to nineteen intersections and major roadway links in the study area, including South Vasco Road and its intersections with East and Tesla. The analysis showed no roadway capacity problems except on segments of SR 84 and Isabel Avenue. Although South Vasco Road between East and Tesla was not shown to have a capacity problem, the Specific Plan does propose improved pavement and shoulder treatment, and provision of turn lanes into the subareas, to smooth traffic flow. These improvements will also have a beneficial effect on the traffic-carrying capacity of the roadway.

Response to Comment 21-C: Mines Road Extension

The Draft EIR is not intended or required to provide an assessment of the need for a Mines Road connection as part of the General Plan network. The Draft EIR is required to provide an assessment of the impacts of the proposed Project on the General Plan network, and propose mitigation measures where required. The analysis of Project impacts on the General Plan network showed no reason to add a Mines Road connection. Please see also Response to Comments C and G, Letter #16. See also Master Response to Traffic.

Response to Comment 21-D: "Missing Link" Petition

Comment noted. The City advised the traffic consultant to perform the analysis using the General Plan network, which does not include the Mines Road connection, but to consider the impacts on parallel facilities (most notably Buena Vista Avenue) in the context of the potential for a new facility. As discussed in the Responses to Comments in Letter #16, the analysis showed no need for a new north-south connection in the area. See also Master Response to Traffic.

Response to Comment 21-E: Buena Vista Study -- Inaccurate Calculations

Please refer to Response to Comments in the Letter #16 for a discussion of the Buena Vista traffic analysis. Additionally, it is noted that the model is validated to 1990 conditions, but the future version of the model has recently been revised and updated, and has been accepted for use

by the Tri-Valley Transportation Council. The existing conditions reported in the Draft EIR are based on the most recently available counts (1992 - 1995), rather that 1990 model output. See also Master Response to Traffic.

Response to Comment 21-F: Buena Vista Study -- Inaccurate Traffic Counts

Only weekday traffic counts were used to develop the average daily traffic estimate of 1,540 vehicles per day. The Lab was contacted and staff verified that no holidays fell on the October 1996 count days (Friday, October 11, Monday, October 14 and Tuesday, October 15.) Refer to pages 3.0-8 and -9 regarding projections of future traffic.

Response to Comment 21-G: Buena Vista Study -- Concannon Blvd. Extension

The future analysis does include a Concannon extension, and thus the Buena Vista impact analysis assumes the extension is in place. The Concannon Extension discussion notes that travel times on either extension option would be similar, and would probably not affect use of the extension.

Response to Comment 21-H: Buena Vista -- Traffic Calming

Please see Response to Comments E and F, Letter #16, for a discussion of the effectiveness of traffic calming measures. Please see also Response to Comment C, Letter #16, for a discussion of the range of expected volume on Buena Vista Avenue. The volumes projected for Buena Vista and other area roadways (South Vasco, South Livermore) do not suggest the need for another north-south route in the area. The Draft EIR has included support of traffic calming measures, and if necessary, turning restrictions, in order to ensure that the volume on Buena Vista does not grow beyond 2,000 vehicles per day. The implementation of such measures will depend on the agreement of the neighbors and the cooperation of Alameda County, as noted in the Draft EIR. See also Master Response to Traffic.

Response to Comment 21-I: Effects of Traffic Calming on Emergency Services

The input of emergency services personnel is needed when planning traffic calming devices to ensure that acceptable response times can be maintained.

RECEIVED
JUL 14 1997
PLANNING DEPARTMENT

JOHN SHIRLEY
4218 Drake Way
Livermore, CA 94550-4914

Phone (510) 447-2256
Fax (510) 447-8835
E-mail jshir57718@aol.com

Sunday, July 13, 1997

Marc Roberts
City of Livermore Planning Department
1000 South Livermore Ave.
Livermore, CA 94550

Dear Mr. Roberts,

The Draft Environmental Impact Report for South Livermore Valley Plan is not adequate in my opinion, because it did not address the completion of Mines Road as a way to mitigate traffic impact on Buena Vista Avenue. **22-A**

I think the completion of Mines Road is very important to fulfill the master traffic plan for the east end of Livermore, as has been envisioned for many years.. I was on the City Council from 1958-1966 when this segment of the road was placed in the Master Plan in the early 1960's. North Mines Road was aligned to reach East Ave. where it does now, so it could link up, when completed, to Tesla Road. **22-B**

With the completion of the North Mines Road Overpass, North Mines Road will soon become a favorite route to Lake Del Valle even with the slow speed limit on Buena Vista Ave. More and more traffic will be generated as the Wine Country, Poppy Ridge, and Lake Del Valle draws people into the road net East of Livermore. I think it is important the South Livermore Plan show the North Mines Road completed, and that we work to see the road a reality. **22-C**

I believe the traffic plan for Sub-Area 2 would be much better served with their main collector street intersecting with the North Mines completion. . Residents going west from Sub-Area 2 could have the option of going north or south on Mines Road. It would keep residents going west off East Avenue between Charlotte Blvd. and Mines Road thereby reducing East Ave. traffic. In the present plan any resident wanting to go west on Tesla Road would first have to go east to Vasco Road then south to Tesla before turning west. It seem like a poor traffic plan. **22-D**

I know there is some concern by some Buena Vista residents the street adjacent to the PG and E right of way would be unattractive compared to vineyards. I am sure the street can be designed in such a way to be unobtrusive and attractive, and it will **22-E**

have plenty of distance from the few houses that exist on the east end of the Buena Vista Ave. properties.

Cost is a consideration. Developers have a responsibility for large portions of major and collector streets as well as interior streets of their development. There is adequate ground for a substantial contribution to the cost of the Mines Road completion. I believe the word is "nexus". The Mines Road extension will better serve the residents of Sub-area 2. It can be designed to be a major part of the traffic pattern for the development, and its costs can be justly borne by the residents in the new area, as it is in all major developments. **22-F**

Buena Vista Ave. is not designed to carry the through traffic that will be generated in near future. Because of the narrowness of the road, and the minimum set backs by many of the homes, it cannot be modified adequately meet the needs for the area. Speed bumps will not work, and the 25 mph limit is not realistic for a street that will have to carry much more traffic to golfing, camping, boating, picnicking, and wine tasting. **22-G**

The Mines Road completion between East Ave. and Tesla Road is the only solution for the area, and I urge it be put in the South Livermore Area Plan and provisions made for its construction with the development of Sub-area 2. **22-H**

Very sincerely,

John Shirley

Letter #22. John Shirley, 4218 Drake Way, July, 13, 1997.

Response to Comment 22-A: Completion of Mines Road

The Draft EIR discusses the concept of a Mines Road extension on pages 3.0-6 through -12, and on pages 4.5-59 through -62. The DEIR finds that the additional capacity which would be provided by a Mines Road - North Mines Road connection is not needed, based on the projected future volumes for north-south routes in the area (primarily South Vasco Road and Buena Vista Avenue). Please see also Response to Comment B, Letter 22.

Response to Comment 22-B: Mines Road Extension

The commentor's support for a Mines Road extension is noted. When the City Council first placed the Mines Road connection in the General Plan in the early 1960's, the City's goals for the South Valley called for substantial development in the area that would require the additional north-south collector street. When the City's goals for the South Valley shifted from development to agricultural preservation the City Council removed the Mines Road connection because it was no longer needed. The traffic analysis in the EIR confirms the fact that projected traffic volumes will not require such a connection.

Response to Comment 22-C: Recreational Traffic

The traffic analysis performed for the DEIR indicates that future travel demand on Mines Road, North Mines Road, and parallel routes, does not warrant provision of additional north-south capacity in southeastern Livermore. The traffic model employed for the analysis, the Tri-Valley Traffic Model, does not project a heavy "cut-through" travel pattern on North Mines Road as a route to Lake Del Valle, Poppy Ridge, or other points south.

Response to Comment 22-D: Subarea #2 Connection to Mines Road Extension

The traffic volumes forecast for East Avenue will not cause significant congestion at the study intersections. The net benefit to East Avenue delay from moving the Subarea #2 outlet to a new Mines Road connection would probably be small, because traffic delays would simply be shifted to the Mines Road signal from the Charlotte Way signal. The central collector in Subarea #2 connects to East Avenue and South Vasco Road, allowing those traveling to Tesla westbound to bypass East Avenue and enter the roadway system on South Vasco Road directly.

Response to Comment 22-E: Design of Mines Road Extension

Comment noted. The EIR preparers concur that if a Mines Road extension were adopted, it could be designed to minimize aesthetic impacts on adjoining Buena Vista Avenue residences.

Response to Comment 22-F: Mines Road Costs

The traffic analysis shows that a Mines Road - North Mines Road connection is not needed to serve Subarea #2 access to the existing roadway network (see also Response to Comment 22-D). If a Mines Road - North Mines Road connector was built, and Subarea #2's East Avenue access was shifted to the new roadway, the costs for the new roadway would need to be shared by Subarea #2, the other Subareas, and the City. To determine the cost shares, the proportional use of the new roadway by Specific Plan and non-Specific Plan traffic would need to be ascertained through additional traffic model runs.

Response to Comment 22-G: Buena Vista Design

Please see Responses to Comments 16-C and 16-F from Letter #16 from Trent Orr.

Response to Comment 22-H: Mines Road Completion

The commentor's request to have the Mines Road completion incorporated into the Specific Plan is noted. Refer to the responses to the preceding comments in this letter.

RECEIVED 23 9/a
JUL 14 1997
PLANNING DEPARTMENT

Libby Mihalka
2075 Buena Vista Ave.
Livermore, CA 94550
July 14, 1997

Marc Roberts
City of Livermore Planning Department
100 S. Livermore Ave.
Livermore, CA 94550

Dear Mr. Roberts,

I find the Draft Environmental Impact Report (DEIR) for the South Livermore Valley Plan (SLVP) to be inadequate regarding Buena Vista impacts and mitigation.

First, the entire traffic study for the plan underestimates the amount traffic on all the roads. In particular, the maps in the DEIR's Technical Appendix show a total of 90 car-trips per day on Buena Vista Avenue, which is ridiculous. **23-A**
Not only that, it shows Almond Ave. connecting to Tesla Rd This connection doesn't exist, nor will it ever now that Concannon Vineyards has been placed in permanent conservation easement. This model is seriously flawed. **23-B**

As part of our effort to receive fair treatment by the City of Livermore, the residents of Buena Vista and surrounding neighborhoods have hired a traffic consultant and attorney. Their findings have been submitted as part of the DEIR process. Through this process I have learned a tremendous amount about traffic modeling. It is an art and not a science. The DEIR's traffic consultants did not spend the necessary time on the traffic model. They took a traffic model designed for the Tri-Valley and then tried to magnify and focus on one small area, South Livermore. The Tri-Valley model focuses on major transportation routes, such as I-580, I-680 and 84. It does not focus on smaller streets, such as Vasco, East Ave. and Tesla. Your consultants never took the crucial step of adjusting the model for the current traffic volumes on these smaller streets. **23-C**

If East Ave., Tesla and Vasco are considered smaller streets where does that leave Buena Vista, a rural residential street, in the model? Not in very good shape. The DEIR consultants could not get the model to generate the current traffic using Buena Vista so they took the quick and easy route and plugged the number. But since traffic volumes on the surrounding streets are grossly underestimated and incorrectly configured, it showed the traffic along Buena Vista declining over time. **23-D**

Our consultant has valiantly tried to address some of these issues but we have run out of time. Even when traffic volumes on contiguous streets are adjusted, traffic along Buena Vista is still grossly underestimated. The model cannot understand how Buena Vista could have 1700 car trips a day. It underestimates the traffic volumes by over 40%. The models trip generation assumptions and land use assumptions are not capturing the true situation. It would take our consultant additional time to fix this problem. The result is a flawed model that is incapable of showing Buena Vista's current traffic levels unless it is plugged. Since the model cannot understand the current traffic situation it will underestimate the impact of future development. **23-E**

It is obvious based on a common sense approach and preliminary model results that Buena Vista will be experiencing traffic volumes well above 2700 car trips a day and probably over 3000. The DEIR states that Buena Vista will be negatively impacted by SLVP if traffic exceeds 2000 trips a day. We more than exceed this number. Our street will suffer significantly from the SLVP development. **23-F**

The DEIR's preferred mitigation for Buena Vista is traffic calming. As the County has said before traffic calming was devised as a solution to poor planning. There is no need for poor planning solutions in this case when a viable solution, completing Mines Road, is available.

Additionally, traffic calming is not effective in situations where there is no close alternative route. Traffic calming is only effective if there is a close alternative route that is easily accessed with no traffic lights or other delays. The purpose of traffic calming is not just to slow traffic but to deter it from taking that specific route. To decrease traffic there needs to be a close alternative route. In Buena Vista's case there is no alternative for 2 ½ miles. Traffic calming studies have consistently shown that the alternative route must be located very close to be effective. For traffic calming to be effective on Buena Vista would be difficult. It would require making it very inconvenient and unviable route by increasing the streets traverse time to be the equivalent of detouring to Vasco Road. This would require our slowing traffic down to less than 5 mph. Which is almost impossible on such a long stretch of road. There is no reasonable nearby alternative route available and therefore traffic calming is not a realistic option for discouraging traffic from using Buena Vista and should not be considered as mitigation. **23-G**

The DEIR leaves the impression that the County's Traffic Program is easily implemented. Unfortunately, this is not true. The County's Traffic Calming Program is quite onerous for the residents of Buena Vista to implement. For instance, before traffic calming can be used it has to be approved by two-thirds of Buena Vista's 80 households. How can the County and City expect us to gain that level of agreement on the type and location of traffic calming devices when it complains about having to get that level of approval to implement a new tax.

Second the program requires residents located close to devices to sign non-liability agreements with the County. So if any damage is done to their property the County is not liable. The County has said to us that signing such a document could also leave residents vulnerable to lawsuits if someone is injured due to traversing the traffic calming devices. The County estimates that there would have to be at least 5 calming devices installed on the street. The devices require the installation of a street lights above each of them. If transformers are not located in the correct locations then street residents would have to pay for the installation of additional transformers. Street lights will destroy the rural ambiance that Buena Vista residents so treasure. **23-H**

The County's Traffic Calming Program is onerous and difficult to implement. It is obvious that it was designed by bureaucrats and its focus was not to find viable alternatives for Buena Vista residents. The DEIR needs to include a thorough review of the County's program so Planning Commissioners and Council Members understand the difficulties in implementing this program.

My neighbor Valerie Raymond has raised the issue of annexation. She is afraid if the City's land is contiguous to Buena Vista then her neighbors will annex and then supposedly develop their land. I have no such plans. My husband and I own one small acre on Buena Vista, which has no rear access. We have no intention of following this plan. If this is a concern to Valerie, then she should ask the city to implement its maximum annexation scenario, as proposed in the SLVP, and survey the street to ask other residents their preferences. The City Planning Department has stated numerous times that it would be happy to create a special zoning district for our street to discourage development but it would take a leading citizen such as Valerie to implement such a plan. **23-I**

The City Council has made it clear that it does not think Buena Vista is an important traffic circulation street now or in the future. I wonder if the Council members have spoken to the City's own firefighters and policemen who continuously use our road for emergencies and to circulate around town. I would like to state that they are usually speeding even in non-emergency situations. In addition, if we are unimportant, why did the City send all Tesla traffic on the Fourth of July down our rural lane. This blockade and traffic redirection has become an annual event and makes our street very dangerous on a major holiday weekend. Also, if you look at an Alameda County Area map by AAA, Buena Vista is shown as a major circulation street. I know you find this all ludicrous but it does all add up to create an untenable situation. **23-J**

The completion of Mines Road needs to be reinstated onto the City's General Plan right now. If the plan is implemented in its current form then the land between Buena Vista and Sub-area #2 would be put into permanent conservation easement then completing Mines Road will never be an option. The easement language could be altered to put in a clause in that does not exempt the future construction of Mines Road. But this will not ensure that completing the road will be possible. It will be difficult to construct later for several reasons. It would be planted in vineyard and every vine-hugger , environmentalist as well as the vineyard owner and residents of the newly constructed Sub-are #2 homes would fight the completion of Mines Road. In order to avoid having to plant and then destroy vineyards, put the completion of Mines Road on the Plan now. Just a reminder, the majority of the land between East Ave and Tesla is currently fallow. There are only a few strips of vineyard currently in existence at this time. **23-K**

Secondly, funding in the future will be more of a problem. If the completion of Mines Road were reinstated on the General Plan now then the developers in the surrounding areas would have to contribute towards its construction. If you do not reinstate the road now you will lose these fees. **23-L**

Sincerely,

Libby Mihalka

Letter #23. Libby Mihalka, 2075 Buena Vista Avenue, July 14, 1997.

Response to Comment 23-A: Existing Traffic Volumes on Buena Vista

Please see Response to Comment 16-A for a discussion of the existing volume on Buena Vista Avenue. See also Master Response to Traffic.

Response to Comment 23-B: Almond Avenue Connection

While the model plots seem to show a through route connection between Almond Avenue and South Livermore Avenue, the model is coded to block through travel between East, Buena Vista and South Livermore. The "links" shown in the plots are actually just connectors for the internally generated traffic from the Almond Avenue neighborhood; in a regional model, these connections lump large areas together and thus do not match the roadway system exactly. The volumes using these links constitute Almond Avenue area traffic only.

Response to Comment 23-C: Traffic Modeling

The officially accepted version of the Tri-Valley Traffic Model was used for the Draft EIR analysis of the Specific Plan; modifications were not made to the land use or network assumptions, other than to add the Specific Plan land uses and subarea connections. Adjustments to the model results were performed manually after the model results were reviewed, to ensure consistency with existing traffic patterns. It is not practical or desirable to re-calibrate models for each application, and significant improvements in projection accuracy on all roadways of interest can be difficult to achieve. Please see also Response to Comment B, Letter #16 and Master Response to Traffic.

Response to Comment 23-D: Modeling of Buena Vista Avenue

Please see Responses to Comments A and C, Letter #16, for a discussion of the existing and projected future volumes on Buena Vista Avenue.

Response to Comment 23-E: Underestimation of Traffic Volumes

The comment reflects the difficulties in projecting relatively low volume roadways in a regional model, and also the problems inherent in specifically calibrating a model to predict accurately on a specific street. These are the reasons that the model results were reviewed and manually adjusted where necessary. In the case of Buena Vista Avenue, the model results indicate that little *new* travel demand is generated on Buena Vista for the 2010 scenario. Thus the Draft EIR set the future volume at a level consistent with the Buena Vista intersection projections, which were adjusted to reflect existing traffic patterns on East, Buena Vista and Tesla. However, in response to the residents' concern that the Draft EIR underestimates the potential future traffic, the City's consultant prepared a high-end estimate using further manual analysis. Please see

Response to Comment C, Letter #16, for further discussion of this estimate and Master Response to Traffic.

Response to Comment 23-F: Projected Traffic Volumes on Buena Vista Avenue

The Draft EIR states that the capacity of Buena Vista is 2,000 to 3,000 vehicles per day, which is consistent with studies of residential street environmental capacities. The mitigation measure for Impact 4.5-4 discusses traffic calming measures to keep the volume below 2,000 as a policy based on a conservative interpretation of the capacity range; however, a volume within the range of 2,000 to 3,000 would not be identified as a significant impact. While the high-end estimate discussed in Response to Comment C, Letter #16, is 2,200, the City has concluded that the actual traffic volume is not likely to reach this level. See also Master Response to Traffic.

Response to Comment 23-G: Traffic Calming

The potential effectiveness of traffic calming on Buena Vista is discussed in Response to Comment F, Letter #16. For a discussion of the Commentor's "alternative" to the traffic calming solution, a Mines - North Mines connection, please see Response to Comment G, Letter #16. The commentor's concerns with the manner of implementing a traffic calming program are noted and will be forwarded to City decision makers.

Response to Comment 23-H: County Traffic Calming Program

The County's Traffic Calming Program requirements are in place to ensure neighborhood agreement regarding device installation and commitment to the goals of the program. The City is committed to working with the County to implement MM 4.5-4 as needed.

Response to Comment 23-I: Annexation Scenarios

The commentor's opinion regarding annexation is noted. This issue does not address the adequacy of the EIR, and thus requires no response in this Final EIR. The comment will be forwarded to the City decision-makers for their consideration.

Response to Comment 23-J: Buena Vista as a Major Circulation Street

The commentor's opinion regarding the City's dependence on Buena Vista as a major circulation street is noted. This issue does not address the adequacy of the EIR, and thus requires no response in this Final EIR. The comment will be forwarded to the City decision-makers for their consideration.

Response to Comment 23-K: Re-instate the Mines Road Connection

The commentor's desire to have the Mines Road connection put back in the General Plan is noted. This issue does not address the adequacy of the EIR, and thus requires no response in this Final EIR. The comment will be forwarded to the City decision-makers for their consideration.

Response to Comment 23-L: Funding for the Mines Road Connection

The commentor's suggestion that developer's in the surrounding area should pay for the Mines Road connection is noted. This issue does not address the adequacy of the EIR, and thus requires no response in this Final EIR. The comment will be forwarded to the City decision-makers for their consideration.

Alex Mihalka
2075 Buena Vista Ave.
Livermore, CA 94550
July 14, 1997

RECEIVED 23
JUL 14 1997
PLANNING DEPARTMENT

Marc Roberts
City of Livermore Planning Department
100 S. Livermore Ave.
Livermore, CA 94550

Dear Mr. Roberts,

I find the Draft Environmental Impact Report (DEIR) for the South Livermore Valley Plan (SLVP) to be inadequate for the following reasons:

First, the traffic study for the plan is entirely absurd. In particular, the maps in the Technical Appendix for the study show a total of 90 car-trips per day on Buena Vista Avenue, which is ridiculous. Not only that, it shows over 3000 car-trips per day on Almond Ave. to Tesla Rd., a thoroughfare near Buena Vista Ave. that doesn't exist, nor will it ever exist now that Concannon Vineyards has been placed in permanent conservation easement! This model is seriously flawed. **24-A** **24-B**

Secondly, the text of the DEIR refers to a traffic count of 1300 car-trips per day. This number was derived from two traffic counts, both of which cannot be used. During one of these studies, the lines for the counters had come up and were lying along the side of the road, counting nothing. When the authorities were notified, the lines were fixed. At the completion of the study the lines had once again come up and were along the side of the road, counting nothing. The other study was done over a Lawrence Livermore Laboratory holiday, and is not a true example of traffic. During both studies the California Highway Patrol was actively ticketing motorists, reducing representative speeds and discouraging traffic along Buena Vista. **24-C**

Another problem with the traffic count is that there were not counters at each end of the road and in both directions. This needs to done to accurately determine residential traffic versus through trips. The amount of cut-through traffic on Buena Vista is therefore further underestimated.

Thirdly, there was no noise study done on Buena Vista Ave., which is required under the California Environmental Equality Act (CEQA). Traffic speeds are so high and the Buena Vista neighborhood so rural that there necessarily will be a noise impact due to more development. **24-D**

I recommend that there be another traffic study, done with noise monitoring devices, at a time that is mutually agreed upon by the residents of Buena Vista Ave. and the City of Livermore. A representative time needs to be picked that is agreeable to all parties. **24-E**

Finally, the completion of Mines Road as mitigation to the environmental impacts on Buena Vista Ave. had not been studied. I find this to be a serious shortcoming of the DEIR. A fair, proper, and honest analysis of the traffic situation on Buena Vista Ave. will show that it is necessary to study the completion of Mines Rd. as mitigation. **24-F**

To summarize, I find the DEIR for the SLVP to be inadequate because:

- the traffic study was based on an extremely flawed traffic model
- the traffic count on Buena Vista Ave. is erroneous and also contradictory with the traffic model
- a noise study on Buena Vista Ave. was not done, in violation of CEQA
- the completion of Mines Rd. as mitigation to the traffic impacts on Buena Vista Ave. was not done

Sincerely,

Alex Mihalka

Letter #24. Alex Mihalka, 2075 Buena Vista Avenue, July 14, 1997.

Response to Comment 24-A: Trips Per Day on Buena Vista

Please see Response to Comment A, Letter #16 for a discussion of the existing volume on Buena Vista.

Response to Comment 24-B: Trips Per Day on Almond Avenue

Please see Response to Comment C, Letter 17 for a discussion of the appearance of an Almond Avenue connection.

Response to Comment 24-C: Traffic Counts

The Draft EIR states the existing volume on Buena Vista to be 1,540 vehicles per day, which is the average of County and City weekday counts taken in 1995 and 1996. No problems with the count data were reported by City or County staff. Based on standard count data collection procedures, only full-day counts were forwarded by the County and City to the Draft EIR consultant, and that data gaps due to the displacement of the traffic counter hose were eliminated from the usable data. Lab staff were contacted and indicated that no holidays occurred during the October 1996 counts.

The Draft EIR does not identify internal versus cut-through traffic on Buena Vista. The analysis looks at traffic as a whole and determines whether volumes exceed the capacity range of the roadway. See also Master Response to Traffic.

Response to Comment 24-D: Noise Study

The Buena Vista Avenue neighborhood was included in the Draft EIR noise study. Ambient noise levels were measured in the area (Location D: long term, Location 4: short term). See pages 4.7-4 through 4.7-8 for more information about the measurement locations and findings. Future noise levels were evaluated based on the traffic projections. Impact 4.7-1 (page 4.7-10) indicates that the projected increase in traffic noise on Buena Vista would be less than significant, requiring no mitigation.

Response to Comment 24-E and 24-F: Traffic Model

Please see response to comments E and F, Letter #16, and Response to Comment 22-C for a discussion of the Mines - North Mines connection as it relates to the Draft EIR analysis. See also Master Response to Traffic.

The Parker Family
2027 Buena Vista Avenue
Livermore, California 94550

JUL14'97 PM 4:03 CLERK

7/12/97

RECEIVED
JUL 14 1997
PLANNING DEPARTMENT

Marc Roberts
City of Livermore Planning Department
1052 S. Livermore Ave.
Livermore, CA 94550

Dear Mr. Roberts:

After reviewing the lengthy drafts of the South Livermore Valley Specific Plan and the Environmental Impact Report (EIR), we have several concerns we would like to bring to your attention:

Transportation and Circulation of the EIR (Section 4.5)

- How can we have no significant increase in the number of car trips on Buena Vista in the year 2010? When the Lawrence Livermore National Laboratory is hiring people, this is not cutting back. The valley is growing, this is what the SLVSP is all about. **25-A**

- Concerning the impact of the North Mines Road extension, the EIR stated that this extension will improve the North-South Circulation in the East Livermore Valley and improve access to the freeway in the East Avenue and the North Mines Road Areas. What about the South and West Sides of Livermore? They would like to have easier access to the 580 Plaza Shopping Areas also. **25-B**

- Policy 5-38 pushes a problem, created by the City of Livermore, onto Alameda County. Subsequently, Alameda County then makes it the resident's problem in the form of traffic calming. Traffic calming is the result of poor planning and roadway design. With this comes several concerns:

  1) Liability associated with traffic calming devices.

  2) Potential impact on emergency vehicles, enforcement agencies and farm equipment.

  3) Increased noise and discomfort. **25-C**

  Would you want these concerns in front of your house?

Solution: Put Mines Road, the gap in the roadway between Tesla Road and East Avenue back into the general plan and also into the South Livermore Valley Plan Sub-Area Two by:

- Moving the entrance of Sub-Area Two from Charlotte Way to Mines Road.

- Run Mines Road East into the buffer area and the Bike and Equestrian trails under the power lines.

- The development now encompasses 3/4 of the distance from East Avenue to Tesla Road. By allowing more houses to be built in the Sub-Area Two development, the developer could then recoup the costs of the last 1/4 of the roadway.

This solution is good common sense when you look at the map of the area. This was demonstrated by the 1000 plus Livermore residents who signed on a petition in favor of the Mines Road extension . It would be a completion of a missing link creating good circulation in the South Valley by giving an alternative route for traffic. The other two possible routes, Almond Avenue and Hillcrest Avenue, have been put to bed or are no longer viable because of permanent land trust. Because of this fact, Mines Road remains the last hope for an additional North-South route between East Avenue and Telsa Road. It would be a travesty to allow the completion of Mines Road to not be a consideration, and fall to this same fate. **25-D**

The opposition to Mines Road comes from a minority of residents who live on the East side and their majority have 20 foot right of ways onto Buena Vista Avenue and are not subject to the sight and the noise caused by the traffic on Buena Vista Avenue. Please look at the big picture for the good of Livermore and the majority of residents who live on the road.

An Additional Thought on Sub-Area Seven in the Specific Plan

- This is a beautiful area and should be preserved, but the owners should be compensated as the other sub-area owners are compensated. Please look into transferring some of the homes to other sub-areas. **25-E**

Thanks you for your consideration in this matter and we hope that you take them into account when revising the EIR and the South Livermore Valley Specific Plan.

Sincerely,

The Parker Family

Owen Parker

Sharon L. Parker

Jenny Parker

Brian O Parker

Letter #25. The Parker Family, 2027 Buena Vista Avenue, July 12, 1997.

Response to Comment 25-A: Increase in Buena Vista Traffic in 2010

The reduction in workforce at the Lab is contained in the Association of Bay Area Government's *Projections 1994*, the land use forecast used in the Tri-Valley Traffic Model. Please see Response to Comment C, Letter #16 for further discussion of the Buena Vista traffic volume issue and the Master Response to Traffic. .

Response to Comment 25-B: North Mines Road Extension

Travel to and from the I-580 Plaza Shopping Areas from west and south Livermore is served by several routes, and the Tri-Valley Traffic Model does not show a high demand for the North Mines Road route from those areas, as evidenced by projected turning movements at East / North Mines Road. See also Master Response to Traffic.

Response to Comment 25-C and 25-D: Solution to Impacts on Buena Vista Avenue

Please see Response to Comment F, Letter #16, for a discussion of the potential effectiveness of traffic calming. The Draft EIR analysis indicates that such measures are the most appropriate way to deal with traffic growth on Buena Vista, should it occur. The comment that implementing traffic calming measures results in financial and liability impacts on affected residents is not an environmental comment, but will be forwarded to the City decision-makers..

Please see Response to Comment G, Letter #16 and Response to Comment C, Letter 22 for a discussion of the Mines - North Mines connection and Master Response to Traffic. .

Response to Comment 25-E: Transfer of Development From Subarea #7

The commentor's idea for transferring development from Subarea #7 into the other subareas in order to preserve the natural beauty of Subarea #7 is noted. This alternative was studied in the Draft EIR as a part of the 1,482 unit alternative which moved development from Subareas #1, #4 and #7 to Subareas #2, #3 and #5. All comments on the Plan and EIR will be forwarded to the City decision-makers for their consideration.

2368 Buena Vista
Livermore, Ca. 94550

July 8, 1997

Members of the Livermore Planning Commission.

I think staff and consultants should be commended for producing a EIR that, for the most part, has extensively and thoroughly covered all the relevant issues pertaining to the South Livermore plan.

I do have some minor corrections and additions that I would like to suggest.

In Section 3, p.7 and also in Section 4.5, page 59, where the text refers to "Residents of Buena Vista", the word "Some" should be added in front of "Residents". The text should also note that there is strong opposition from many Buena Vista residents to a North Mines Road extension. **26-A**

Also in Section 3, under the heading "Other Topics" on pages 11 and 12, I believe it should be noted that a North Mines road extension would likely create development pressure on Buena Vista, which is contrary to Plan purposes.

I'd like to expand on this point because it's also relevant to the various annexation scenarios. Despite disagreement on a North Mines Road extension, I believe the testimony from Buena Vista residents has consistently affirmed that they wish to retain their rural admosphere and current lifestyle. Clearly, lot-splitting and increased densification of the area is the activity that would most threaten that lifestyle and substantially increase traffic on Buena Vista. For example, a doubling of the existing number of houses on Buena Vista, to an average density of one house per acre, would result in a 50% increase in traffic. Therefore, the EIR should acknowledge any actions which might encourage speculative pressure on Buena Vista, and probably Marina Avenue also. **26-B**

This argument is also relevant to the next section which discusses the various annexation scenarios. At the bottom of Section 3, page 12, under the discussion of the Minimum Annexation scenario, which would annex just the actual urbanized land and leave the agricultural buffer areas as unincorporated territory, the text states that "the resulting ragged urban edge would suggest impermanence where permanence is desired....which could stimulate pressures to expand the urban area to fill in gaps." Yet on page 13, discussing the Moderate Annexation scenario which would annex these agricultural buffers, it states that "this might accentuate pressures to convert land the Draft Plan designates as potential agricultural land." In neither of these two annexation scenarios, though, does the EIR speak to pressures on adjoining rural residential land such as Buena Vista or Marina. It seems obvious to me that substantially extending the adjacency of the City boundary alongside Buena Vista property lines would create far more development pressure on that area than it would on protected buffer land. **26-C**

Under the Moderate Annexation scenario, the EIR also does not acknowledge that this alternative, by incorporating protected agricultural land inside the City's corporate boundary, actually brings a large amount of unprotected land, over and above that of Buena Vista, into direct contiguity with City limits, thus creating an unnecessary level of potential development pressure.

In fact, it is interesting to note that in the discussion of the Maximum Annexation scenario discussion the EIR acknowledges that this alternative would increase development pressures on vineyards south of Tesla Road and on areas such as Buena Vista and Marina and make them susceptible to "gradual intensification and conversion to higher density suburban or urban neighborhoods", but the EIR does not seem to recognize that the Moderate Annexation scenario presents virtually the same threat.

Parenthetically I note that in Section 4.1, page 22, it is stated that the Minimum Annexation Scenario is more consistent with LAFCO objectives regarding the preservation of agricultural lands.

Turning to Section 4.5, pages 19 and 20 where Concannon Boulevard Alternatives A and B are discussed, the EIR fails to acknowledge a benefit of Alternative A in that by essentially taking over Wente Street and having the new arroyo bridge crossing where Wente Street now fords the arroyo, it would eliminate the current flooding problem that occurs there with considerable regularity every winter. Since this corridor would continue to be used under either alternative, and provides convenient access to town for Area 3 residents as well as people traveling from the City Hall area to the Maintenance Yard, for example, this seems to me to be a small but fairly significant benefit that should be recognized. **26-D**

Finally, under Sub-alternative #9 for Sub-Area 7, it should be noted that if the South Livermore Valley Agricultural Land Trust were to expend resources in acquiring any of the property, there would be an associated loss of protection for other, possibly more vulnerable, lands that the Trust would no longer have resources to acquire. **26-E**

Thank you for your consideration.

Valeri Raymond

Valerie A. Raymond

Additional Minor Observations:

In Section 3, page 11, please note that there are two gas lines, not one, running along this corridor. **26-F**

In Section 4.5, pages 19 and 20 where Alternatives A and B for the Concannon extension are discussed, I find the text under "Level of Service" to be a little confusing. It seems to make no acknowledgement of what is now, at any rate, a fairly significant amount of traffic that travels directly in and out of town along South Livermore. There seems almost to be an implication that this traffic will virtually disappear in favor of traffic traveling East/West using Concannon. I find this a little hard to believe but, in any event, would like to see this point clarified. **26-G**

Finally, I note that in Section 4.5, page 64, near the bottom of the page, there is a reference to a landscaped buffer of five feet on Plan residential streets. I'm not sure where this number comes from. It seems to me that it should be the 12-18 feet (total of 30) that is laid out in the streetscape section. **26-H**

V. Raymond

Letter #26. Valerie A. Raymond, 2368 Buena Vista Avenue, July 8, 1997.

Response to Comment 26-A: Residents of Buena Vista Avenue (Section 3, page 3.0-7 and Section 4.5, page 4.5-59)

The commentor's clarification that not all Buena Vista Avenue residents favor the North Mines Road extension is acknowledged. When referring to residents on Buena Vista Avenue, the Draft EIR did not intend to suggest that all residents were of the same opinion. The following text revisions have been made and are incorporated by this reference.

The first full paragraph on page 3.0-7 is revised to read as follows:

> "**Some** ~~R~~ **r**esidents expressed concerns about safety of pedestrians walking along Buena Vista Road and effects on the neighborhood's rural character from increased traffic. These concerns partly reflect **these** residents' perceptions that the road currently is used as a commuter route between Vallecitos Road / State Route 84 and the Lawrence Livermore and Sandia National Laboratories (LLNL and SNL). **These** ~~R~~ **r**esidents asked the City to investigate construction of a new roadway between East Avenue and Tesla Road...."

The first full paragraph following Impact 4.5-4 is revised to read as follows:

> "**Some** ~~R~~ **r**esidents of Buena Vista Avenue have raised the issue that 707 new units in Subareas 1 and 2 would result in increased "cut-through" traffic using Buena Vista Avenue to travel to and from south-central Livermore and SR 84...."

Response to Comment 26-B: Growth Inducement

It is unclear how the extension of North Mines Road described in the Draft EIR would result in increased development pressures on the Buena Vista neighborhood. The alignment described in the EIR would not abut or provide access to the Buena Vista neighborhood. The PG&E transmission line easement would provide a 40-foot wide open space buffer between the roadway and the rear lot lines of parcels on the east side of Buena Vista.

Response to Comment 26-C: Growth Inducement

The commentor's point is acknowledged. Refer to the EIR discussion of growth-inducing impacts on page 4.1-22 and 23. Extending the City Limits to be contiguous with rural residential lands, such as those along Buena Vista Avenue and Marina Avenue (as is done in the Moderate Annexation scenario), could ultimately lead to those areas wanting to be annexed into the City, and wanting to be able to increase development densities to be consistent with other residential neighborhoods in the City.

Response to Comment 26-D: Concannon Boulevard Alignment

The comment regarding the benefits resulting from Alignment A (i.e., use of the existing Wente Street right-of-way, elimination of flooding problems on Wente, etc.) is acknowledged.

Response to Comment 26-E: Land Trust Resources

Comment acknowledged. The Land Trust has limited resources available to purchase agricultural easements. Acquiring the property suggested in Subalternative #9 would be likely to limit the Trust's ability to purchase easements in other areas.

Response to Comment 26-F: Gas Lines

Comment acknowledged. The third full paragraph on page 3.0-11 of the DEIR is revised as follows, and incorporated by this reference:

> "A major utility corridor is located in an easement between Subarea #2 and the Buena Vista Road neighborhood. It contains a 230 kilovolt (kV) electrical transmission line and ~~a~~ **two** high pressure natural gas pipeline~~s~~ ~~both~~ **all** operated by Pacific Gas and Electric Company (PG&E). ....

Response to Comment 26-G: Levels of Service with Concannon Blvd Extension

There was no intent to indicate that traffic on South Livermore Avenue would "virtually disappear." The discussion in the DEIR merely indicates that South Livermore Avenue would be carrying substantially less traffic than would the through extension of Concannon Boulevard. Exhibit 4.5-22 (page 4.5-46) shows average daily traffic volumes on South Livermore Avenue being 3,490 trips in the year 2010 with project buildout, whereas, Concannon Boulevard is projected to carry 7,007 average daily trips.

Response to Comment 26-H: Landscaped Buffers

The commentor is correct in noting that the width of the landscape buffer between pedestrian paths and the roadway on local residential streets is 12 to 18 feet, not 5 feet as stated in the DEIR. The fifth paragraph on page 4.5-64 of the Draft EIR is revised as follows, and incorporated by this reference:

> "Within the subareas, pedestrian and bicycle trips would use all of the internal roadways, primarily to access trails. *Draft Plan* site plans provide pedestrian / bicycle paths along all entry and collector roadways separated from the automobile traveled ways by landscaped buffers of at least eight feet. Local residential roadways would provide pedestrian paths separated from the traveled way by landscaped buffers of ~~five~~ **twelve to eighteen** feet. Bicycles.... "

Livermore City Planning Commission
Administration Building
1052 S. Livermore Avenue
Livermore, CA 94550

RECEIVED
JUN 23 1997
PLANNING DEPARTMENT

Dear Planning Commission members:

We have read over the DEIR and South Livermore Valley Plan and would like to commend all concerned for a job well done. It appears to be a very thorough, well researched, and unbiased assessment of the proposed plan and alternatives.

As residents of Buena Vista Ave. we would like to comment on a few things. First of all, many of us are relieved that the extension of Mines Road was not found to be a credible option in the DEIR. We have always felt that extending Mines Road was unnecessary, and that residents of Buena Vista can solve traffic problems on their street by working together in cooperation with the city or county. However, in spite of the DEIR findings, there is a group on Buena Vista that is still determined to find a way to build the Mines Road extension. Therefore, please do not refer to us in the EIR as a unified group of residents. **27-A**

Secondly, we are very much in favor of a Minimum annexation scenario, which leaves an easement area in between the new development boundary of subarea 2 and Buena Vista property lines. To bring the new development boundary right up to the Buena Vista property lines we fear would encourage lot splitting and densification on Buena Vista, which would worsen our traffic problems and create others as well. **27-B**

Finally, we would like to express the hope that the height and density of the houses on the western edge of subarea 2 will be kept low. Subarea 2 has so many more units than other subareas that east side Buena Vista residents need as much physical and visual separation as possible. We hope that a rural atmosphere will be maintained in the new development, and that the layout will encourage people to walk or ride their bikes. We welcome the presence of the trail behind us and look forward to using it. **27-C**

Sincerely,

Mary M. Davis
Mary M. Davis

Jay C. Davis

Letter #27. Mary M. and Jay C. Davis, Buena Vista Avenue, June 19, 1997.

Response to Comment 27-A: North Mines Road Extension

Comment acknowledged. It is understood that not all residents on Buena Vista Avenue favor the extension of North Mines Road.

Response to Comment 27-B: Annexation Scenarios

The commentor's preference for the Minimum Annexation scenario is acknowledged.

Response to Comment 27-C: Height and Density in Subarea #2

The commentor's desire to minimize the visual and physical impact on the existing Buena Vista residences is acknowledged. The Specific Plan provides a 650-foot minimum setback between proposed houses and the rear property lines of parcels along Buena Vista Avenue. In addition, the Plan requires at least one-third of all units along the west edge of Subarea #2 to be single story units.

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MAY 30 1997
PLANNING DEPARTMENT

2772 Provence Ct.
Livermore, CA 94550
May 29, 1997

Mayor Cathie Brown
1052 S. Livermore Ave.
Livermore, CA 94550

Dear Mayor Brown:

Yesterday I purchased the May, 1997 South Livermore Specific Plan and General Plan Amendment Draft EIR as well as the May, 1997 South Livermore Valley Specific Plan. Because these are lengthy documents, I have barely gotten read either of them. However, I was dismayed to see that the neighborhood that I live in is not included in either document even though my yard directly abuts Subarea #3. The streets that my neighbors and I live on are not included on the maps. The photograph in the EIR was taken before our homes were built. These omissions give an erroneous picture of the area west of Subarea #3. **28-A**

How can a fair evaluation of the impact of development be made if our neighborhood is not included?

Also omitted from the EIR, section 3.7, Areas of Controversy and Issues to be Resolved, were points raised at both City Council meetings and Planning Commission meetings by residents of the various subareas. I hope that the omission of the concerns of the residents does not mean that those concerns are being ignored. **28-B**

Sincerely,

Linda Trame

cc: Mare Roberts

Letter #28. Linda Trame, 2772 Provence Court, May 29, 1997.

Response to Comment 28-A: Existing Development Adjacent to Subarea #3

Comment acknowledged. The development that now exists along the west side of Subarea #3 did not exist when the base map for Subarea #3 was first drawn and the photography for the simulations was taken. The development was anticipated however, and has been accounted for in the EIR analysis. A revised graphic is included in this Final EIR to correctly illustrate the existing condition in this area. Refer to Response to Comment 30-T regarding the site photography.

Response to Comment 28-B: Areas of Controversy and Issues to be Resolved

Comment acknowledged. The concerns expressed by the neighbors to Subarea #3 were made after the EIR had already been prepared. These concerns are addressed in this Final EIR. Please refer to responses to Letters #29 through #34.

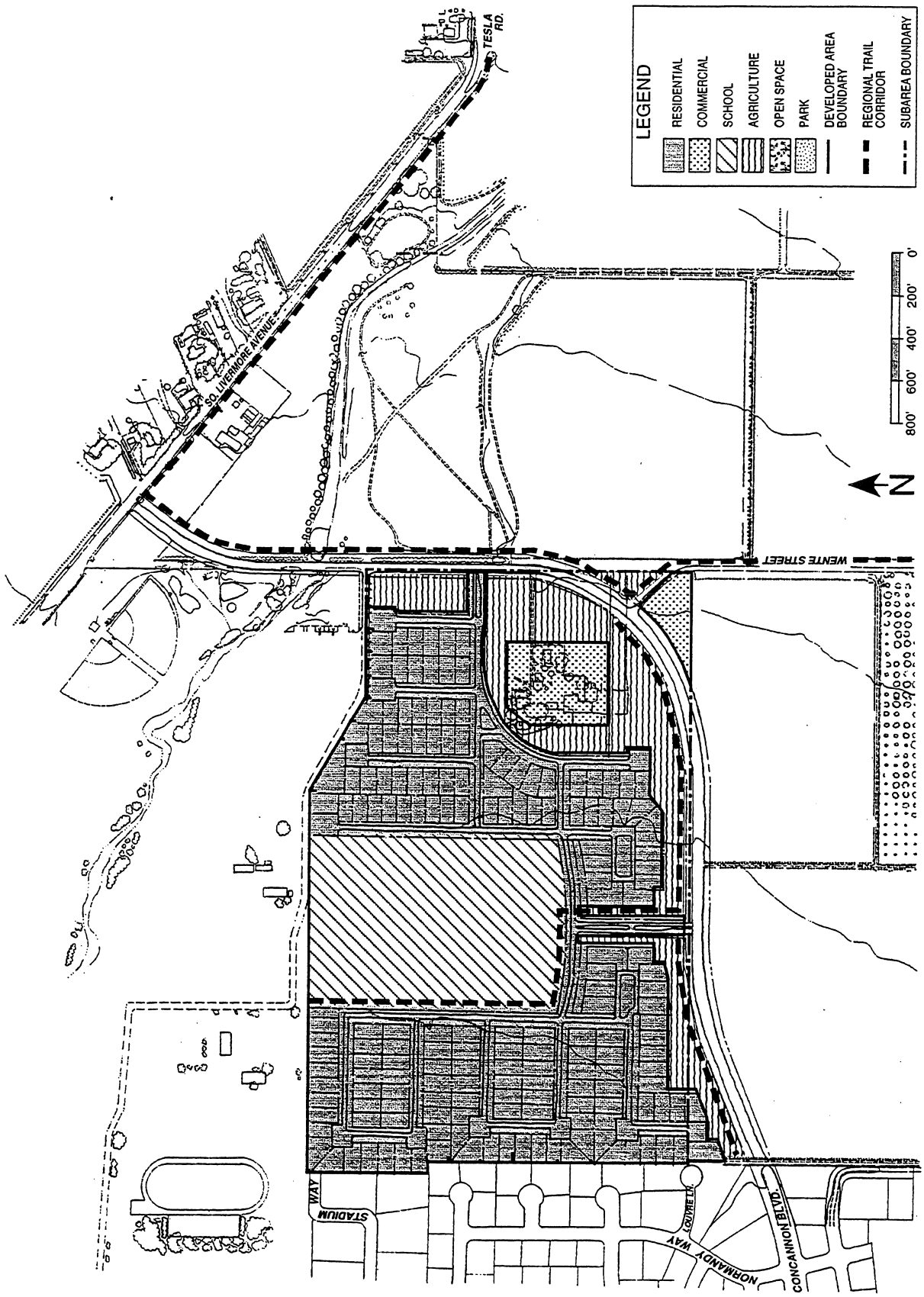


Figure 4.6
LAND USE--SUBAREA #3

South Livermore Valley Specific Plan
Wallace Roberts & Todd

2772 Provence Ct.
Livermore, CA 94550
June 23, 1997

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JUN 26 1997
PLANNING DEPARTMENT

Marc Roberts
City of Livermore Planning Department
1052 S. Livermore Ave.
Livermore, CA 94550

Dear Mr. Roberts:

The following questions concern the EIR for the South Livermore Specific Plan.

1. In the Hydrology section, p 4.3-4 indicates that no map was done for subarea 3 because there are no hydraulic features. However there is a large "storm drain" and an earthen culvert behind Provence Ct., in subarea 3. Should this not have been included? Where does this drain go? **29-A**

2. Also under Hydrology, the map on p. 4.3-16 indicates that a significant portion of subarea 3 has a permeability rate of "very rapid". Inspite of this the area is planned for homes on small lots with high floor density ratios. This is in conflict with the Community General Plan due to construction of impervious materials and pollution of the recharge by development. Why is this not addressed in the Impacts and Mitigation measures? **29-B**

3. In exhibit 4.3-11, Contamination of storm water. Because both the developed areas and those used for agriculture are combined, the levels although very high remain below maximum containment levels for *urban* stormwater. Is it not deceptive to combine all land use, both urban and rural in figuring these levels? The area is described in the report as rural. What are the maximum containment levels for rural areas? **29-C**

3. Although below the level of toxicity, do you believe that the residents of Livermore would approve of increasing chemicals, oil and grease in the stormwater 500% to 600%? Impact 4.3-4 indicates that increased water contamination would be mitigated by previously listed policies, but none of them addresses stormwater contamination after development. What mitigation will address this issue? **29-D**

4. Under section 4.1, Land Use, subarea 3 is described as " disced but uncultivated agricultural land". However, in 4.4 subarea 3 is said to "primarily support intensely managed agricultural crops". These descriptions are in conflict and although 4.1 is the more accurate, some of the area is not disced. I question how thorough a survey of seven areas in 2 days could have been. Certainly viewing from the roadside is not effective in assessing if there are indeed any native grasses. How does one adequately survey 100 acres or more from the street? To observe birds, one must be in the area at the appropriate times and be patient. For example, when I have seen **29-E**

the white tailed kite in subarea 3 it is usually between 6:45 and 7:15 PM. How much time was spent in each subarea? Are you aware that this is a California fully protected species?

5. While the surveyors missed the kite, they also missed California poppies which grow in subarea 3. I would like to request that a more thorough survey of all subareas be completed. **29-F**

6. Policy 6-20, p. 4.4-32 proposes to minimize disturbance to important wildlife habitat. Does development of subarea 3 meet that policy? There are many different birds that live and feed in the area. **29-G**

7. Policy 6-25 which refers to essential habitat for special-status species does not even mention subarea three. Is this because the survey was not adequate? Will this area be reinvestigated? **29-H**

8. Policy 6-26 How thorough will this survey be? Will it be done from roadside? How much time will be allotted for each subarea? Will it be done at several times of the year as some species are more likely to be seen at certain times? Will the surveyor be out at dawn or in the evening? **29-I**

Yours truly,

Mike Trame

Letter #29. Mike Trame, 2772 Provence Court, June 23, 1997.

Response to Comment 29-A: Hydrology (p. 4.3-4)

Subarea #3 has no significant natural drainage features on site. The existing drainage swale, which is located on the boundary between Subarea #3 and existing development, was required of the developer of the homes to the west of the subarea to catch surface flows which naturally flow toward the development from Subarea #3. Water from the swale is carried west into the residential development through an existing 10-foot drainage easement located north of Provence Court, and then flows into a storm drain that carries the water north to the Arroyo Mocho.

Response to Comment 29-B: Hydrology (p. 4.3-16)

The Draft EIR indicates that a portion of the development in Subarea #3 would be constructed on highly permeable soils, and thus would be partly inconsistent with existing General Plan policy to protect recharge areas. However, the development would not "substantially affect groundwater recharge", so is not identified as an impact. The narrower roadway cross-sections proposed in the Specific Plan, and it's use of grass-lined drainage swales will help to ensure that stormwater runoff from the area will continue to have ample opportunity to percolate into the groundwater basin. Thus, avoiding significant impact to groundwater recharge.

Response to Comment 29-C: Contamination of Groundwater

The computations referred to are based on area proportions assigned to each future land use. It is true that for the contaminants cited in the assessment, rural land uses are assigned essentially negligible loading rates. If anything, this maximizes the increases cited for urban development within the SLVSPA, since some agricultural land use (e.g. dairy, cattle operations) can flush significant amounts of nutrient contaminants (NO3-N, Ammonia) into stormwater runoff.

Response to Comment 29-D: Impact 4.3-4 Groundwater Contamination

The toxicity thresholds cited in the EIR section are based on the research conclusion of the USEPA, Regional Water Quality Control Board, and other public agencies which regulate stormwater discharges. The EIR must refer to such published standards in water quality assessment. The cited thresholds have been determined to reelect the minimum concentrations that could be harmful to human contact. To a certain extent would severely affect aquatic life. However, the Draft Plan's requirement for the use of grass swales within the urban development will substantially reduce urban pollutants from the levels cited in the Draft EIR. Studies have shown that grass swales remove up to two third of hydrocarbons and heavy metals from stormwater. The commentor's policy concern with the possibility of increasing the level of contaminant loading is noted and will be forwarded to City decision makers.

Response to Comment 29-E: Existing Condition of Subarea #3

Comment noted. A description of the methodology used in determining biological resources associated with each study area is provided on pages 4.4-1 and 2 of the Draft EIR. While portions of Subarea #3 may be fallow during different seasons or years, the entire subarea has been extensively altered by historic agricultural use. The only portions where trees and groundcover other than ruderal grassland occurs is in the vicinity of the existing residences, as indicated in Draft EIR Exhibit 4.4-2.

Roadways crossing this subarea, and the perimeter of the property were walked during the field reconnaissance surveys to verify absence of any sensitive natural communities and significant biological resources such as raptor nests. As indicated in Exhibit 4.4-6 on page 4.4-18 of the Draft EIR, and noted by the commentor, white-tailed kite is a California fully protected species. As discussed on page 4.4-23 of the Draft EIR, no nests of white-tailed kite or other raptors were detected in Subarea #3 during the field surveys. The potential still remains, however, that nests could be established in the future. As discussed on page 4.4-37 of the Draft EIR, Policy 6-26 calls for pre-construction raptor surveys before initiation of any development in each subarea, and will serve to protect any nest in active use until young have fledged. No additional mitigation measures are believed necessary to address potential nesting activity on Subarea #3.

Response to Comment 29-F: Biotic Survey

California poppies and a number of other native annual and perennial species often remain or become re-established in grasslands now dominated by non-native grasses and forbes. The occurrence of California poppies in the ruderal grasslands in Subarea #3 should not be interpreted as evidence that special-status plant species or sensitive natural communities occur at this location. The extent of past and on-going disturbance associated with the agricultural use of this and most of the other subareas precludes the presence of any special-status plant populations. As discussed on page 4.4-37 of the Draft EIR, Policy 6-25 was recommended to provide supplemental surveys for special-status species where warranted.

Response to Comment 29-G: Policy 6-20 (p. 4.4-32) Disturbance to Wildlife Habitat

As noted by the commentor and discussed on page 4.4-10 of the Draft EIR, developed areas and agricultural fields do support a number of birds and mammals, but the wildlife habitat value of these areas is generally considered to be low in comparison to habitat with diverse cover and water. As discussed under Impact 4.4-3 on page 4.4-31 of the Draft EIR, development in each subarea would result in loss of existing habitat for wildlife. However, due to the absence of any sensitive natural communities or important habitat features, the loss of existing wildlife habitat in Subarea #3 was not considered significant, and no additional policies or protective mitigation measures were considered necessary.

Response to Comment 29-H: Policy 6-25 Habitat for Special Status Species

Refer to Response to Comments 29-E and F. With the exception of possible nesting activity by raptors, which is addressed in Policy 6-26, suitable habitat for other special-status plant and animal species were considered absent in Subarea #3 due to the extent of past and on-going disturbance from agricultural use, and no additional supplemental surveys are considered necessary for this subarea.

Response to Comment 29-I: Policy 6-26 Pre-construction Raptor Surveys

As called for in Policy 6-26, a pre-construction raptor survey will be required for each development site before construction is initiated. The scope and duration of each survey effort will vary depending on the size of the individual site, complexity of vegetation, number of trees, and other potential nesting habitat.

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JUN 26 1997
PLANNING DEPARTMENT

2772 Provence Ct.
Livermore, CA 94550
June 23, 1997

Marc Roberts
City of Livermore Planning Department
1052 S. Livermore Ave.
Livermore, CA 94550

Dear Mr. Roberts:

In regards to the Environmental Impact Report for the South Livermore Valley Specific Plan, I would like to have the following items addressed:

Questions concerning the EIR for the South Livermore Valley:

1. Ref. 1.0-2, indicates that in May, 1996, Notice of Preparation of an EIR for the South Livermore Valley was sent to "... local landowners and individuals". However, when I surveyed my neighbors, more than 50 homeowners did not know of the plan for the development. How were these homeowners given notice? What plan is currently in effect to bring residents up-to-date on the plan? **30-A**

2. 2.0-10 Goal five : "To establish development patterns that minimize urban uses of valuable agricultural land while providing for a low density, rural development pattern." Given that goal, why does the plan for subarea 3 call for smaller lot sizes (8,000-10,000 sq. ft.) than the adjacent homes (20,000 sq. ft. -2 acres) on an area that is already devoted in part to agriculture? Is this really a low density, rural development? **30-B**

3. 2.0-18 In comparing subarea 3 with the other subareas, subarea 3 has the highest number of units/acre net, the least amount of landscaped area, no designated parks, and the least amount of potential agricultural land. Is subarea 3 being sacrificed for the benefit of areas farther away? Where will the mitigation areas be for subarea 3? Is it really mitigation if one has to *drive* to see the mitigation? **30-C**

4. 2.0-20 Landscaped areas: Every subarea is to have landscaped open space land. The existing plan for subarea 3 has *less than one acre*. This land is to: "maintain the openness and rural character of the SLVSPA." How can openness be maintained if only 1% of the land is so designated? Where is the rural character when large homes are built on small lots? **30-D**

5. 2.0-21 Why does the plan for subarea 3 call for only 18% of total land undeveloped when all other areas range from 33% to 90%? **30-E**

6. 2.0-30 (exhibit 2.2-9) Subarea 3 has the highest square foot building density/ acre and highest square foot of impervious material. If the residential subtotal of 794,579 sq. ft. is divided by the number of units to be built, 177, the total square footage per lot is 4,489 sq. ft. How can this be done if 162 lots are 8,000 - 10,000 sq. ft.? Will all these units be two story? Is this low density rural development? **30-F**

7. 2.0-33 What is a "density bonus" and a "conditional urban overlay district"? **30-G**

8. 3.0-4 Areas of Controversy: Why were public questions and comments concerning subarea 3 not included? **30-H**

9. 3.0-14 Special Status Species. When will further field studies be done? There is at least one white tailed kite hunting (nesting?) in subarea 3. Hawks and other birds also use the area for feeding. **30-I**

10. 3.0-15 (exhibit 3.0-1, 4.1-4) Compatibility of adjacent land uses. Why is the proposed lot size for subarea 3 so much smaller than the immediate adjacent lots which range from over 2 acres to 20,000 sq. ft.? The suggested mitigation in the EIR is to implement setbacks and plant trees in buffer areas. Why is the suggested mitigation in the EIR not included in the plan? Garages can be two story with habitable space above and within 5 ft. of the rear lot line. Is this not in conflict with ex. 3.0-1, 4.1-4? **30-J**

11. In reference to the land use map exhibit 4.1-1, the land to the west of subarea 3 is designated suburban residential. Some of the homes are on 1-2 acre lots and the owners do legally keep farm animals. A portion of the vineyards directly south of subarea 3 will be sacrificed for the extension of Concannon Bl. **30-K**

12. In assessing impacts to subarea 3 (p. 4.1-39), please note items 2, 3, 4, 5, 6, 10 and 11 above. **30-L**

13. Conformance with Policies p 4.1-48 Goals 4 & 5 Subarea 3 is a good example of potentially productive agricultural land that will be lost. **30-M**

14. Annexation and Urban Development Policies, policy 2: "All necessary public utilities and services are available". (p. 4.1-56) The EIR clearly states that fresh water resources and sewer capabilities are not yet available. Below the designation of "consistent", the EIR reiterates that ... sufficient (fresh water supplies are not secured at this time to meet the needs attributable to the Plan ... and would generate waste water flows in excess of existing treatment plant and export capacity." How can this be designated consistent? **30-N**

15. Vegetation and Wildlife Resources: p. 4.1-61 policy 5b. A survey of subarea 3 is needed as this is a feeding area for at least one kite, a hawk and other birds which may be protected species. **30-O**

16. Visual Resources Policy 7 h., p. 4.1-63. see items 3,4,5 and 6 above. Why was subarea 3 not even mentioned in this evaluation? Policy 7 j, Why was the impact of subarea 3 on views from Robertson Park not included? **30-P**

17. 4.4-3 and 4.4-5 In reference to wildlife habitat, are you aware of protected bird species that use subarea 3 as feeding grounds? **30-Q**

18. 4.8-3 Subarea 3 Visual and Aesthetic Quality. Whose view is it that no mitigation is required? The plan is to change open/agricultural land to two story homes that will block existing views of the vineyards and hills. **30-R**

19. 4.8 (p.3) Visual and Aesthetic Quality
" A project normally would have a significant effect on the environment if it affected a scenic vista or scenic highway" Is not replacing open fields &/or vineyards with houses affecting the scenic vista? **30-S**

20. Exhibit 4.8-4 Sensitivity Levels Please note that this map is so outdated that none of the existing homes west of subarea 3 are included. Therefore when indicating sensitivity levels, only views from the proposed Concannon extension are taken into consideration. Why was a more current map not used? Are views from Robertson Park considered? What about views from existing homes? **30-T**

21. Exhibit 4.8-11 The photo simulation blocks views of the hills to the west and blocks the openness of the area. Also the photo simulation shows the grape vines with summer foliage. What will it look like in the months when the vines are not leafed out? What about the views from other points such as Robertson Park looking south? **30-U**

22. 4.8-3 (p. 27) The view from Robertson Park would be markedly changed by the proposed construction. Views of the hills to the south would be eliminated, especially by two story homes. Some existing vineyards would be eliminated to build the Concannon extension. Why is the only concern the views from the roadways? **30-V**

23. 4.8-3 (p.28) "Development would be visible from the backyards of homes located west of the subarea but new SLVSPA development would look like an extension of this existing development." An extension is a continuation of something similar. *The proposed development is not similar to the existing homes.* "New SLVSPA homes would directly abut Robertson Park" In choosing to view subarea 3 from Wente St., the least impacted view was chosen. Why was this done? Will a views from the park be considered? What mitigation will be done on the northern border? What will be done to the west? **30-W**

24. 4.9-1 Water Supply Demand created by the draft plan would exceed planned water supplies of Zone 7 for this area by 2,911 to 4,711 acre feet a year. Zone 7 estimates of future demand "excludes agricultural uses". Where will the water come from? **30-X**

25. 4.9-1 According to the EIR urban areas built on smaller lots use less water than houses built on larger lots. However, given a specific number of acres to be developed, would not homes on larger lots use less water because there would be fewer homes and therefore fewer people using water? Are statistics available on this? **30-Y**

26. Throughout this section the lack of water for agriculture is noted. If the purpose of the plan is to encourage the planting of vineyards and orchards, where is the water to come from? One option is water transfers (4.9-9). The estimate is *2-5 years to identify sellers* and negotiate agreements. Shouldn't these agreements be in place or at least in process before the city agrees to this plan? What will happen in dry years when there are water cutbacks? "Water transfers must proceed in accordance with the principles of the 1995 Monterey Agreement which governs the amendment of the SWP contracts for water transfers. The Monterey Agreement is currently the subject of litigation which could lead to delays in implementing SWP entitlement transfers." If the transfers are delayed even further, where will the water come from? **30-Z**

27. Conveyance Zone 7 plans to purchase water from the South Bay Aqueduct that is currently not allocated. However, if there is another drought, will this water still be available to purchase? At what cost? **30-AA**

28. Draft Plan Policies 8-1: "Development within the plan shall be prohibited unless the city determines at the time of tentative subdivision map approval that there exists an adequate domestic water supply...agricultural development shall be prohibited unless there exists adequate and permanent irrigation...development that requires agricultural mitigation shall be prohibited if adequate and permanent irrigation is unavailable..." It is clear from the EIR that water is a major issue. There is no adequate and permanent source of supply at this time. Why proceed until sufficient water will be available? According to 4.9-14 "...the courts have stated that 'it is not mitigation of a significant environmental impact on a project to say that if the impact is not addressed then the project will not be built... the EIR must address the project and assumes the project will be built.'" It appears that the EIR states the project cannot go through. **30-BB**

8-8 "The appropriate service provider will be determined at the time each subarea is annexed into the City of Livermore." Annexation is expected to be ratified this Fall, but the water contracts will not be done for years. Is this not in violation of City policy? **30-CC**

29. Mitigation Measure 4.9-1 Even with mitigation measures, supplying water may have significant impacts that cannot be determined because the water sources are yet to be determined. Can this project proceed with these undetermined impacts in place? **30-DD**

30. Waste water: subarea 3 will access the sewer line at Normandy and Crescent Court. As this sewer line is now landlocked by residences, how and where will this be done? **30-EE**

31. Capacity for future wastewater treatment is limited. Expansion plans have not been determined. When will this be done? Like the need for fresh water, is this not putting the cart before the horse? How can the city plan for new development without having these basic services in place or at least planned for? **30-FF**

32. Parks: LARPD Master Plan shows that the area is deficient one neighborhood park (8 acre) and 3 community parks (90 acres) ref. p.4.9-31. Impact 4.9-12, Park Demand, page 4.9-36 says that the new development would generate demand for a new neighborhood park and regional parks, but not new community parks (although there is already a deficit of 3). Subareas, 1, 2, 4, **30-GG**

5, & 7 are all slated for new parks, but there is none for subarea 3. How will LARPD make up the deficit for community parks and why does subarea 3 not qualify for any parks?

33. The LVJUSD's open enrollment policy is not fully open. Some schools are at capacity and do not accept new students. This includes Almond Ave. and Livermore High which would serve the subareas 1 & 2. Also it is not accurate that subarea 3 is in the Granada High district. It is in Livermore High district. Where will the high school students go to school? **30-HH**

Thank you for your attention to these matters.

Sincerely,

Linda Trame

Linda Trame

Letter #30. Linda Trame, 2772 Provence Court, June 23, 1997.

Response to Comment 30-A: Public Notice (Page 1.0-2)

Public hearing notices were sent to all neighboring landowners within three hundred feet of the planning area. Altogether, over 1,200 notices were sent out, alerting the community of public hearings on the Specific Plan and EIR, beginning with a Planning Commission hearing on the Preferred Development Concept, and followed by a Design Review Hearing on the Specific Plan Design Guidelines, and a Planning Commission Hearing on the EIR. Additional hearings will be held before the Planning Commission and City Council to discuss the Plan and certification of the EIR.

Response to Comment 30-B: Goal 5 (Page 2.0-10)

Obviously, the concepts of providing low-density rural housing and minimizing the use of agricultural lands are contradictory and require some compromise to achieve a satisfactory middle ground. The development pattern proposed in Subarea #3 preserves 15.7 acres of agriculture and results in a gross development density of 1.83 units/acre (includes the entire Subarea), and a net density of 2.34 units/acre for the developed area (including the school) and 3.2 units per acre excluding the school site. With lots that range between 8,500-14,000 square feet the development pattern is not rural, but is still well below standard suburban densities.

This comment will be forwarded with all other comments to the City decision-makers for their consideration.

Response to Comment 30-C: Density (Page 2.0-18)

Subarea #3 has the highest net density and least amount of landscaped area only if one does not include the 20-acre school site at the heart of the development area. As with most schools, much of the school site will be devoted to play fields and landscaped open space. As stated in the previous response, the proposed density for the subarea when the school site is included is only 2.34 units/acre. No park acreage is provided within the subarea because of the extensive recreational acreage that will be available at the proposed school and at Robertson Park. The proposed site plan places the school site at the center of the new neighborhood and provides pedestrian connections between the proposed development and Robertson Park to emphasize these recreational, open space amenities.

This comment will be forwarded with all other comments to the City decision-makers for their consideration.

Response to Comment 30-D: Landscaped Areas (Page 2.0-20)

The commentor's concern that Subarea #3 has less open space than any of the other subareas,

does not consider that much of the 20-acre school site at the center of the development will be landscaped open space, and that the subarea is surrounded on three sides by parklands (Robertson Park) and vineyards. None of the proposed homes would be more than about a block away from one of these open space areas.

This comment will be forwarded with all other comments to the City decision-makers for their consideration.

Response to Comment 30-E: Undeveloped Area (Page 2.0-21)

The resulting ratio between developed and undeveloped areas within each subarea is a function of ownership patterns and parcel sizes. The density of development proposed within the actual developed areas generally falls within a very limited range (roughly 2 to 3.5 du's/acre).

This comment addresses the content of the Specific Plan, rather than the EIR. It will be forwarded with all other comments to the City decision-makers for their consideration.

Response to Comment 30-F: Exhibit 2.2-9 Building Area and Lot Coverage (Page 2.0-30)

The commentor is not correct in stating that Subarea #3 has the "highest square foot building density/acre and highest square foot of impervious material." As noted in the footnotes to Exhibit 2.2-9, the "maximum building area" and "coverage with impervious surfaces"is based on the same .33 FAR plus 600 square feet of garage for all of the subareas. As shown on page 2.0-12, the subarea does have the highest number of units per net acre (i.e., does not include the school site), but is in the mid-range for units per gross acre.

The 4,489 square feet of building per lot represents the maximum development potential distributed equally over all 177 lots proposed for Subarea #3. While this building potential is conceptually and legally possible under the proposed Plan, it would be unlikely to occur given the design guidelines and the market. For example it is highly unlikely that all of the units would have two-story garages with habitable space above them, as was assumed in the calculations of maximum building area, and it is not possible under the design guidelines for all of the units to have two-stories. One needs to be cautious in drawing conclusions from the coverage and building area numbers in Exhibit 2.2-9. The building area and coverage calculations were developed primarily to provide conservative, order-of-magnitude figures that could be used to evaluate storm water runoff for the entire project, and should not be depended on in absence of other information, to discuss aesthetic or land use concerns.

This comment also addresses the content of the Specific Plan, rather than the EIR. It will be forwarded with all other comments to the City decision-makers for their consideration.

Response to Comment 30-G: Density Bonus (Page 2.0-33)

The Conditional Urban Overlay District implements a density bonus which allows up to the

number of units described in the Specific Plan in return for complying with the goals, policies, standards, and design guidelines set forth in the Specific Plan.

Response to Comment 30-H: Areas of Controversy (Page 3.0-4)

The input from the residents west of Subarea #3 were received after the Draft EIR had been written (but not released), and thus were unable to be addressed.

Response to Comment 30-I: Special Status Species (Page 3.0-14)

Supplemental surveys called for in Policies 6-25 and 6-26 are to be performed prior to approval of specific development plans and 30 days prior to any grading, respectively. Refer to the Response to Comment 29-E for discussion of white-tailed kite occurrence in the study area.

Response to Comment 30-J: Compatibility of Adjacent Land Uses (Page 3.0-15)

The lot sizes throughout the Specific Plan area were arrived at through careful balancing of the desire to maximize the potential agricultural mitigation received in exchange for development (based on the adopted City/County mitigation formula), and to minimize the amount of viable agricultural land that was consumed by development. As illustrated by the Plan, the optimum density is generally in the 2 to 3 units per net acre range.

The impact that is cited from the Summary does not refer to Subarea #3. Impact 4.1-4 (page 4.1-29), which addresses compatibility issues between adjacent land uses, identifies the potential for conflicts between existing and proposed residential uses to be less than significant. Thus, no mitigation is required. The setbacks and buffers are proposed as mitigation between new residential uses and existing non-residential uses (e.g., Sandia Labs).

A certain number of garages with habitable space above could be located within five feet of the rear lot line. However, the Specific Plan design guidelines require that the second floor habitable space be set back another five feet (i.e., 10 feet total) if privacy is an issue. In addition, the Plan requires that at least one third of all homes adjacent to existing residential development be single story. Finally, if garages proposed for the rear of the lot appeared to create conflicts with existing neighbors, the City's design review process would be able to require site plan changes to remedy such a situation.

Response to Comment 30-K: Land Use Exhibit 4.1-1

Comment noted. Properties adjacent to the west side of Subarea #3 are zoned RS-1 and RS-2 (Suburban Residential 1 unit/acre and 2 units/acre). RS-1 and RS-2 do not permit large animals as a legal land use. However, no significant conflicts are anticipated from animals kept on adjacent properties. The Right-to-Farm Ordinance that will be adopted by the City in conjunction with the Plan will notify new residents of the potential for agricultural activities that may be a nuisance at certain times.

Comment acknowledged. A portion of the vineyard in the northwest corner of the Norman property would be lost due to the extension of Concannon Boulevard.

Response to Comment 30-L: Land Use Impacts to Uses Adjacent to Subarea #3

Comment noted.

Response to Comment 30-M: Conformance with Existing Policies (Page 4.1-48)

Comment acknowledged.

Response to Comment 30-N: Annexation and Urban Development Policies (Page 4.1-56)

The Draft EIR finds the Plan consistent with City General Plan Policy 2a requiring availability of public utilities and services because, "the Public Utilities Element [of the Specific Plan] would prohibit development of either urban or agricultural uses unless adequate water supplies exist for domestic use, firefighting, and irrigation."

Response to Comment 30-O: Vegetation and Wildlife Resources (Page 4.1-61)

Refer to Response to Comment 29-E for a discussion of survey methodology. Policy 6-26 calls for conducting pre-construction surveys for nesting raptors, which would include possible occurrence of white-tailed kite, burrowing owl, and other species of concern in Subarea #3.

Response to Comment 30-P: Visual Resources Policy 7h. (Page 4.1-63)

The fact that views from existing units west of Subarea #3 may be affected by the proposed development does not make the project inconsistent with Policy 7(h), which calls for the use of open space to protect and enhance community character. As noted in the Draft EIR (page 4.1-63), the Plan's use of agricultural buffers and landscaped open space are used to enhance the community character.

The Draft EIR does not mention Subarea #3 because the discussion of this policy specifically focusses on the use parkland to enhance community character. In response to this comment the EIR has been revised to note the benefits that will be provided to community character in Subarea #3 due to the open space value associated with the school site proposed for the subarea. Exhibit 4.1-9 on page 4.1-64 has been revised so that the right-hand column opposite Policy (7)(h) reads as follows:

> "*Consistent* In addition to potential agricultural land discussed above, the *Draft Plan's* site plans provide landscaped open space throughout developed parts of subareas and designate different types of parkland (local parks in Subareas 1,2,4, and 5 and regional parks in Subareas 4 and 7). **Also, the school in Subarea 3 has been centrally located so that the school's open fields and landscaping enhance the area's visual character and provide an attractive focus to the**

development. The *Plan*....

Policy 7(j) specifically addresses views from scenic corridors, including the arroyos. The Draft EIR acknowledges that development in Subarea #3 would be visible from the Arroyo Mocho. Robertson Park is not addressed because it is not a scenic corridor, and because the focus of views from the park is to the north or toward the arroyo, rather than to the south. The placement of the City Corporation Yard, the equestrian center, and parking lots along the south side of the park suggests that the view to the south is not highly valued.

Response to Comment 30-Q: Protected Bird Species (Page 4.4-3 and -5)

Refer to Response to Comment 29-E for a discussion of white-tailed kite occurrence in the study area. Occurrence of white-tailed kite throughout the Specific Plan area is noted on page 4.4-23 of the Draft EIR.

Response to Comment 30-R: Visual and Aesthetic Quality (Section 4.8, Page 3)

The proposed development of Subarea #3 may block views from some of the existing homes west of the subarea. However, the impact assessment was based on viewpoints from the local roadways (Wente Street and the future Concannon Blvd. Extension), where the largest number of people would have their views affected. While the introduction of development to the subarea will result in visual change, such change does not necessarily represent a significant impact. Based on the significance criteria described on page 3, Section 4.8, the effect on views would be less than significant.

Response to Comment 30-S: Visual and Aesthetic Quality (Page 4.8-3)

While the views from existing residences might be quite pleasant, none would qualify as "scenic vistas". A scenic vista typically includes distinctive visual features or dramatic contrasts that distinguish it from other views. The views from the existing residences are predominantly to the east across the fallow fields of Subarea #3 and the relatively flat and featureless land beyond. Neither the design of the homes or the fenced backyards suggest that the views from the existing residences west of Subarea #3 are considered of exceptional scenic quality.

Response to Comment 30-T: Exhibit 4.8-4 Sensitivity Levels

Comment acknowledged. When the photographs for the visual simulations were taken, the homes immediately west of Subarea #3 were not yet built. However, as can be seen from the photo in Exhibit 4.8-10, the presence of those houses would have little effect on either existing or future views due to their location in the distant middle ground. A revised map of Subarea #3 and it surroundings is provided in this document in Response to Comment 28-A.

Refer to Response to Comments 30-R and 30-S regarding consideration of views from Robertson Park and adjacent residences.

Response to Comment 30-U: Exhibit 4.8-11 Visual Simulation

Comment acknowledged. For the particular viewpoint from which the simulation was prepared, the proposed development would block views of hills in the distance and decrease the sense of openness. It should also be noted that this view would be of relatively short duration to travelers on Wente Street/Concannon Boulevard. The new extension of Concannon Boulevard would in fact open up new views of these same hills to southbound travelers as they swing westward around the south end of the subarea.

The photo simulations do show the vineyards when they are in leaf. The vineyards would provide less effective screening of development during the months when the vines are bare.

Response to Comment 30-V: Views From Robertson Park (Section 4.8-3, Page 27)

Comment acknowledged. The view from Robertson Park would be markedly changed by the proposed development in Subarea #3. Refer to Response to Comments 30-P and 30-R.

Response to Comment 30-W: Visual Character (Section 4.8-3, Page 28)

The commentor's opinion that the new development will not be "similar" to existing development adjacent to Subarea #3 is noted.

The viewpoint for the simulation in Exhibit 4.8-11 was selected because it represented a view that would be experienced by hundreds or thousands of people daily as they travel on Wente Street. Selecting a viewpoint from someone's private home along the west side of the subarea would have shown the impact on that one residence, but would have had little relevance to the potential impact on the community as a whole.

Refer to Response to Comment 30-R regarding views from Robertson Park.

No mitigation is proposed along either the north or west sides of the subarea, because no significant impacts have been identified that require mitigation.

Response to Comment 30-X: Impact 4.9-1 Water Supply (Page 4.9-6)

Refer to Master Water Response at the front of this FEIR.

Response to Comment 30-Y: Water Usage (Page 4.9-6)

Water usage is a function of the number of homes, the water requirements of the landscape, and the size of the lot. Smaller lots typically require less water because they have less area to irrigate. Large lot homes can generate demand for significant volume of water if they have water-intensive landscaping, so simply reducing the number of units will not necessarily reduce water usage.

Response to Comment 30-Z: Water Supply (Section 4.9)

Refer to Master Water Response at the front of this FEIR.

Response to Comment 30-AA: Water Purchases

Refer to Master Water Response at the front of this FEIR.

Response to Comment 30-BB: Water Supply (Page 4.9-14)

Refer to Master Water Response at the front of this FEIR.

Response to Comment 30-CC: Service Provider Policy 8-8

Designation of a water provider at the annexation stage is the first step towards ensuring that an adequate water supply exists prior to development within a particular sub-area. After a water supplier is selected at the time of annexation, the City will have a basis for determining whether that supplier has the capability to provide an adequate supply of water as development is proposed. If the supplier is unable to provide assurances of a long term supply in keeping with City policy as discussed in the Master Water Response, Policy 8-1 would not allow development until additional water supplies become available.

Response to Comment 30-DD: Mitigation Measure 4.9-1 (Page 4.9-6)

The EIR describes the range of environmental impacts expected in connection with water transfers on page 4.9-9. Though additional information regarding the effects of these projects may become available at some point in the future, there is no basis on which to speculate regarding the nature of those impacts. The EIR reflects all reasonably available information regarding the impacts of these projects at this time. Policy 8-1 precludes development in the absence of a long term water supply. Development will not be allowed to proceed if agencies responsible for approving the necessary water transfers conclude that the one or more of the transfer projects would have unmitigated environmental impacts which are not justified by overriding considerations.

Response to Comment 30-EE: Wastewater

As noted in the Specific Plan (page 8-7) and in the DEIR (page 4.9-18) Subarea #3 will connect to the sewer line in Chardonnay Way. This connection would be made through the 8" line in Louvre Lane.

Response to Comment 30-FF: Wastewater Treatment

There is currently sufficient capacity to serve all proposed South Livermore development. Only when combined with potential cumulative development in North Livermore is capacity exceeded.

Capacity for further development will be provided in advance of project approvals. Long range planning agreements with other jurisdictions have secured adequate sewer export capacity to serve all future development within Livermore.

Response to Comment 30-GG: Impact 4.9-12 Park Demand (Page 4.9-36)

The parks identified in the Specific Plan were developed with input from LARPD. The neighborhood park in Subarea #2 and the Regional Parkland in Subareas #4 and #7 were specifically identified by LARPD as important to their park system. Given the existing facilities and distribution of population in the planning area, LARPD did not feel it appropriate to locate a community park in the area.

Subarea #3 was not provided with any park land because it is located adjacent to Robertson Park, a 133-acre regional park and special use facility, and will have the fields and recreation facilities of the proposed school available for resident use.

Response to Comment 30-HH: Constrained School Capacity

Obviously, if schools are full, the District's open enrollment policy may not provide the desired or intended freedom of choice. The new combined elementary and middle schools proposed in Subarea #3 is intended to help relieve capacity constraints in the District as well as accommodate new students generated by the Specific Plan.

It is assumed that most students from Subarea #3 would go to the closest high school. However, under the District's open enrollment policy, high school students would be able to go to either of the two existing high schools or the proposed new high school.

2783 Provence Ct.
Livermore, CA 94550
July 1, 1997

RECEIVED
JUL - 8 1997
PLANNING DEPARTMENT

Marc Roberts
City of Livermore Planning Department
1052 S. Livermore Ave.
Livermore, CA 94550

Dear Mr. Roberts:

Below are some questions that I have concerning the EIR for the South Livermore Specific Plan. Please see that these are answered.

1. 4.1, pp. 4.1-8 to 4.1-12 According to the soils analysis, subarea 3 is 90% "prime soil" with a Storie index of 95, "excellent and well suited for intensive farming". As prime soils are an irreplaceable natural resource, is it not a significant unmitigatable impact to convert this area to primarily residential development? Planting vineyards or olives in another section of the valley does not conserve this soil. **31-A**

2. p. 4.1-20, Is it not deceptive to include the school site in figuring the maximum densities in subarea 3? To provide a true and accurate figure, only the acres used for residences should be included. **31-B**

3. Impact 4.1-2: according to the first paragraph on p. 4.1-9, "... 90% of subarea 3 is prime soil (see exhibit 4.1-5 as well). How then can a builder develop 155 lots on the remaining 10 acres of non prime soil? That would amount to lot sizes of less than 3,000 sq. ft.! **31-C**

4. The "Wine Country Residential" designation specifies densities ranging from 1.5 to 3.5 units per acre. Does this include streets, landscaped areas and other uses besides residential lots? Other land use categories included in the *Amendment* include schools and parks (see footnote p. 4.1-28). Referring back to the footnote 14 on p. 4.1-20, it appears deceptive to include the school site when figuring densities. What this report needs is some clear, honest definitions of terms. For the "Wine Country Residential" what is the true density minus streets, open space, school sites, parks etc.? **31-D**

Yours,

Lori Carpenter

Letter #31. Lori Carpenter, 2783 Provence Court, July 1, 1997.

Response to Comment 31-A: Loss of Prime Farmland

Comment acknowledged. Impact 4.1-2 on page 4.1-24 of the Draft EIR indicates that the loss of prime farmland, such as that identified in Subarea #3, would be a significant unavoidable impact. Given this impact, if the City is to approve the Specific Plan it will need to make findings of over-riding considerations that identify reasons why the Plan should be adopted in spite of the loss of agricultural lands.

Response to Comment 31-B: Calculating Development Intensity in Subarea #3

The table on page 2.0-12 of the Draft EIR provides both the gross densities and net densities for residential development in each of the subareas. The school site is included in the calculation of gross densities for Subarea #3 because it is part of the proposed development, just as parks and landscaped areas have been included in the calculation of gross densities for the other subareas. The text that has been cited by the commentor is specifically addressing changes in land supply, so it is appropriate to look at the total acreage of land lost to development, not just the acres set aside for residential development.

Response to Comment 31-C: Loss of Prime Farmland

An error was made in the table on page 4.1-24 regarding the number of units to be located on prime agricultural soils. The numbers of units on prime and non-prime soils were inadvertently transposed. The text and table on page 4.1-24 is corrected to read as follows:

"All or parts of approximately ~~743~~ **876** lots and five potential commercial sites are located on prime soils. Their distribution is summarized below. The Subarea 2 park and Subarea 3 school sites would also be located on prime soils.

Subarea	Prime Soils		Non-Prime Soils		Total	
	Lots [a]	Sites [b]	Lots [a]	Sites [b]	Lots [a]	Sites [b]
1	87	0	46	0	133	0
2	574	0	0	0	574	0
3	155 ~~22~~	2	22 ~~155~~	0	177	2
4	0	0	130	4	130	4
5	27	1	149	4	176	5
6	0	1	0	0	0	1
7	33	1	271	0	304	1
Total	*876 ~~743~~*	*5*	*618 ~~751~~*	*8*	*1,494*	*13*

This change in the numbers does not affect the impact conclusion in the Draft EIR. The loss of prime farmland is still considered a significant unavoidable impact.

Response to Comment 31-D: Wine Country Residential Densities

Refer to Response to Comment 31-B regarding the inclusion/exclusion of school site in Subarea #3 density calculations. The manner in which density is calculated depends on what is being evaluated. Sometimes gross density (i.e., all developed land) is appropriate, and sometimes net density (i.e., lots and streets only) is appropriate. To the knowledge of the EIR authors, a density calculation that eliminates everything except the actual residential lot is never used because it does not provide useful planning information.

Lori Carpenter
2783 Provence Ct.
Livermore, CA 94550

July 8, 1997

David R. Clemens
Secretary to the Planning Commission
City of Livermore Planning Department
1052 S. Livermore Ave.
Livermore, CA 94550

Dear Mr. Clemens,

Below are a few of my concerns about the EIR for the SLVSP:

The EIR 4.1 pg 9 states that 90% of subarea 3 is prime farm land. EIR 4.1 pg 24 then goes on to contradict this by stating that subarea 3 will have 22 lots and two sites on prime soil, and 155 lots on non prime soil. It appears there are omissions and changing of the classification system by the state FMMP that requires each reader to note that even though 90% of subarea 3 is considered prime soil, the state FMMP classifies subarea 3 as "Important Farm land" (EIR 4.1 pg 25). The EIR infers that it doesn't know why the state FMMP classified it differently but states "this probably reflects mapping unit size". What does this mean? I feel the table on EIR 4.1 pg 24 describing the number lots.sites on prime vs. non prime soil is completely misleading. **32-A**

The EIR 4.1 pg 24-25 states that any loss of prime soils would constitute a significant impact and "irreplaceable loss". Since subarea 2 and 3 are the only ones on 4.1 pg 25 that contain prime farm land or "important farm land" out of all seven of the subareas, wouldn't it be wise to try to conserve this precious viticulture acreage? **32-B**

Currently in Napa Valley there is no more land available to plant new vineyards. Due to the incredible viticulture boom throughout California during the past few years, and the fact that all of California's 1997 grape harvest was purchased by March, would it not be wise to try to preserve all prime soil for viticulture? **32-C**

The EIR 4.1 pg 26 states that "one potential mitigation measure would be to redesign the Draft *Plan* site plans" to minimize the permanent loss of prime farm lands. Shouldn't this alternative be fully explored based on the increased economic feasibility and increased demand for planting new vineyards in prime farm land? I realize the SLVSP process began many years ago, however the planning assumptions have changed drastically during this time and I feel this warrants a revision of the draft plan. **32-D**

Thank you for your attention to these concerns, I will be looking forward to your reply.

Sincerely,

Lori Carpenter

Letter #32. Lori Carpenter, 2783 Provence Court, July 8, 1997.

Response to Comment 32-A: Loss of Prime Farmland

Comment acknowledged. Refer to Response to Comment 31-C regarding the error in the table on page 4.1-24.

The Draft EIR points out on page 4.1-24 that there is an apparent discrepancy between the Soils Conservation Service classification of Subarea #3 as having prime agricultural soils, and the State Department of Conservation classification of the subarea as "Farmland of Statewide Importance" (a lower classification than "Prime Farmland"). The comment regarding "mapping unit size" refers to the fact that the Department of Conservation's statewide mapping of farmlands is typically less precise due to the scale at which the maps are drawn than the Soil Conservation Service's soil maps.

Response to Comment 32-B: Loss of Prime Farmland

Whether it is "wise" to conserve Subareas #2 and #3 to protect State designated "prime" and "important" farmlands is a question for City decision-makers, and does not address the adequacy of the EIR. As stated in Impact 4.1-2, the loss of prime farmland resulting from the project would be a significant unavoidable impact.

Response to Comment 32-C: Preservation of Prime Farmland

The key objective of the Specific Plan is the permanent protection of agricultural land in the South Livermore Valley. The trade-off for the agricultural land that will be lost to development is the acquisition of permanent agricultural easements and the planting of vineyards and orchards on approximately 2,000 acres.

Response to Comment 32-D: Redesign the Draft Plan to Preserve Prime Farmland

As discussed in the Draft EIR (page 4.1-26), re-designing the proposed development to move development off areas designated as prime farmland is likely to have as many or more impacts than would the Specific Plan. Subareas #2 and #3 are two subareas that are closest to existing urban boundaries. Relocating this development away from the City's existing urban edge would be inconsistent with a number of City goals and policies related to growth inducement, leap-frog development, and extension of urban services. If the development is re-located to areas on the Valley floor, it would still result in the loss of important agricultural land. If pushed farther south into the hills it would increase the potential for geologic, hydrologic, biologic, and visual impacts. If the development potential is re-located out of the South Valley altogether, none of the benefits associated with the agricultural mitigation program would be achieved.

Ron Sadler
2784 Normandy Ct.
Livermore, CA 94550
447-3049

June 22, 1997

David R. Clemens
Secretary to the Planning Commission
City of Livermore Planning Department
1052 S. Livermore Ave.
Livermore, CA 94550

RECEIVED
JUN 30 1997
PLANNING DEPARTMENT

Dear Mr. Clemens,

This letter is in regards to the Draft Environment Impact Report for the South Livermore Specific Plan. There are a number of important issues concerning air quality and traffic that have not been sufficiently addressed. In addition there are examples of estimates for future traffic volume that understate the probable future traffic volume.

This letter includes 11 questions along with supporting text from the DEIR and the Specific Plan. The questions are numbered by DEIR sub sections. Please address these questions. Thank you.

Sincerely

Ron Sadler

cc: Marc Roberts

6-22-97

Air Quality

EIR 4.6-8 Exhibit 4.6-5
"Exhibit 4.6-5 shows that emissions attributable to residential buildout of all subareas combined (180.5 pounds) would exceed the BAAQMD's threshold of 80 pounds of regional pollutants per day."
"The only way available to reduce the significance of this impact appreciably would be to decrease the total amount of development and corresponding trip generation of the respective land uses."

Question EIR 4.6# 1
How can 1494 additional houses be allowed to be built if doing so exceeds the BAAQMD's **threshold of 80 pounds of regional pollutants per day by 226 percent** ? **33-A**

L Street, South of Fourth Street

EIR 4.5-10
Roadway Segment Analysis, L Street
"L Street south of Fourth Street in downtown Livermore has a V/C (volume-to-capacity ratio) of 0.95, which is a LOS (level-of service) of E, in the PM peak hour for peak northbound direction. "

Question EIR 4.5 #1
L Street is a residential street and southbound traffic is the peak PM direction. What is the current V/C for L Street south of Fourth Street in the PM peak hour for peak southbound direction? **33-B**

Question EIR 4.5 #2
What is the projected impact of development in Sub Areas 3,4,5 and 7 on this heavily travelled section of L Street? **33-C**

EIR 4.5-46
Exhibit 4.5-22
The first foot note for Exhibit 4.5-22 states; "*Model project volumes which are substantially lower than existing counts on these facilities (L Street/ Arroyo Road, south of Fourth Street). This is due to the effect of the Isabel extension and SR 84 re-routing."

Question EIR 4.5 #3
The future amount of traffic on the already heavily congested L Street south of Fourth Street is projected to be significantly impacted by the completion or non completion of the Isabel extension to 580. Shouldn't Sub Area 3, 4, 5 and 7 development be deferred until the Isabel extension is complete? **33-D**

EIR 4.5-17
Isabel Avenue Extension
The proposed extension of Isabel Ave. from Stanley Blvd. to Jack London Blvd. has no funding for a direct interchange with 580. It is planned that traffic will use the Airway Blvd. interchange for access to 580.

Question EIR 4.5 #4
How can the extension of Isabel Ave. to Jack London Blvd. provide any significant relief from current and future thru traffic on L Street/Arroyo Road, First Street, and Concannon Blvd.(when it is extended) without a funded direct interchange with 580? **33-E**

Concannon Blvd.

EIR 2.0-21
Other Land Uses, Public School
"The Draft Plan designates a 20-acre site in Subarea 3 for Livermore Valley Joint Unified School District development of a public school, potentially a 900-student joint elementary/middle school."

EIR 4.9-39
Exhibit 4.9-4 Current Enrollment and Capacities
The average 1996 enrollment of Livermore's 11 regular elementary schools is 545. The average 1996 enrollment of Livermore's 4 regular middle schools is 664. That would make a total of 1209 students for an average elementary and middle school.

Question EIR 2.0 # 1
How can the quantity of 900 students be used for the planned joint elementary/ middle school in Sub Area 3, when average elementary and middle school enrollment combined is 1209? **33-F**

EIR 4.5-40
Exhibit 4.5-19
The Trip Rate used to calculate weekday AM peak hour trips generated by a 900-student school is 0.3.

Question EIR 4.5 #5
Is this the appropriate trip rate for an open enrollment, magnet joint elementary/middle school? **33-G**

Question EIR 4.5 #6
If it is not the appropriate trip rate how can it be adjusted to more accurately reflect future school trip generation? **33-H**

EIR 4.5-20
Level of Service
"Traffic modeling indicates that the major use of the Tesla/South Livermore/Concannon route will be to carry east-west traffic across town, particularly between Highway 84 and points west to Labs and points east."

EIR 4.5-40 Exhibit 4.5-19
EIR 4.5-46 Exhibit 4.5-22

Question EIR 4.5 #7
How does the AM peak hour traffic figure for east Concannon Blvd. (511 vehicles, Exhibit 4.5-22) accurately reflect the increase in commute traffic between SR84 and the Labs and points east (4.5-17), the combined AM peak hour traffic figure for Sub Area 3 (415 vehicles Exhibit 4.5-19), and the current neighborhood traffic? **33-I**

First Street, between Holmes and South Livermore

SP 5-13
Level Of Service Standards
Policy 5-8
"The Level of Service (LOS) at major planning area intersections shall not exceed a peak-hour volume-to-capacity (V/C) ratio of 0.85 (LOS D) for 2 hours or more per average day."

EIR 4.5-69
PM Peak Hour Conditions
"*Draft Plan* traffic would result in a five percent increase on eastbound traffic on First Street between Holmes and South Livermore and a three percent increase in eastbound traffic on Vallecitos between I-680 and Isabel Avenue."

"In summary, the *Draft Plan* traffic would have significant impacts in the PM peak hour on two sections of Route 84, adding more than one percent to the projected year 2000 traffic volume. The eastbound section of First Street between Holmes and South Livermore is projected to deteriorate from a V/C of 1.25 to a V/C of 1.31, and the eastbound section of Vallecitos between I-680 and Isabel is projected to deteriorate from a V/C of 1.29 to a V/C of 1.33."

EIR 4.5-71
Significance after Mitigation
"The mitigation measures identified above (4.5-7a & 4.5-7b) have the possibility of fully mitigating impact 4.5-7. However, because a funding source has not been identified for the Vallecitos widening, and because signal timing and geometric improvements may not fully mitigate the LOS F condition projected for First Street, this impact remains potentially significant after mitigation."

Question EIR 4.5 #8
How can future development in South Livermore be allowed when First Street will be LOS F in the year 2000 and *Draft Plan* traffic would result in a five percent increase on eastbound traffic on First Street between Holmes and South Livermore?

33-J

Question EIR 4.5 #9
How does the widening of Vallecitos Road to four lanes between I-680 and Isabel Ave. (Mitigation Measure 4.5-7a) help reduce traffic volume on First Street between Holmes and South Livermore Ave.?

33-K

Letter #33. Ron Sadler, 2784 Normandy Court, June 22, 1997.

Response to Comment 33-A: Regional Air Quality Impacts

The DEIR calculates that the new regional emissions associated with 1494 new residences would exceed the BAAQMD's threshold of significance by a substantial amount, so this impact is identified as significant. Given the stringency of the BAAQMD's threshold, any large development proposal will be identified as having a significant regional impacts.

Under CEQA, if an EIR indicates that a proposed project will have a significant impact, the document should identify feasible mitigation measures to reduce the impact below a level of significance. If, after the identification of mitigation measures, a project is still deemed to have significant environmental impacts, the lead agency must adopt a Statement of Overriding Considerations to explain why further mitigation measures are not feasible and why approval of a project with significant unavoidable impacts is warranted.

Response to Comment 33-B: PM Traffic Direction -- L Street

The DEIR mistakenly identifies the northbound direction as the p.m. peak direction. The commentor is correct that the southbound direction is the p.m. peak direction, and is the basis for the 0.95 v/c ratio. The first bullet on page 4.5-10 is revised as follows, and incorporated by this reference:

> ***L Street*** south of Fourth Street in downtown Livermore has a V/C ratio of 0.95 in the PM peak hour for the peak ~~north~~ **south**bound direction.

Response to Comment 33-C: Impact on L Street

Exhibits 4.5-27 and 4.5-28 show the contribution of each subarea to the total future projected volume at the study intersections. Residential traffic from subareas 3, 4, 5, and 7 contribute a combined 7.3% of the total future p.m. peak hour traffic volume at L Street / Fourth Street. This represents approximately 80 vehicles. The contribution of individual subareas to roadway segment volumes would be less than eighty p.m. peak hour vehicles on the section of L Street immediately south of Fourth Street.

Response to Comment 33-D: Possible Deferment of Development

The DEIR analysis does not provide a comparison of traffic on L Street with and without the Isabel extension. A two-lane Isabel extension is planned to be in place by the year 2001, and thus was assumed in the analysis for the year 2010, as a basis for Specific Plan build-out evaluation. If substantial levels of build-out in subareas 3, 4, 5 and 7 occur before the two-lane extension, volumes could increase on L Street beyond those indicated in the EIR. However, the Specific Plan is not expected to build beyond 10% - 20% by the year 2002.

Response to Comment 33-E: Absence of Funding for Interchange Improvements

The extension of Isabel Avenue will serve not only freeway-bound travel via the Airway ramps, but travel to/from downtown via connections with Jack London Boulevard and Stanley Boulevard. The completion of the connection between Vallecitos and I-580 will provide important new capacity for north-south travel on the western side of town, and would be expected to reduce congestion on L Street even without a direct interchange connection with I-580.

Response to Comment 33-F: Planned Elementary/Middle School Enrollment

The Livermore valley Joint Unified School District provided the 900-student enrollment figure. As a joint facility, the District indicated that it would not be designed to accommodate the maximum number of students that could be accommodated at two separate schools.

Response to Comments 33-G and 33-H: Vehicle Trip Rates for School

The Institute of Transportation Engineers *Trip Generation, 5th Edition* sets the morning trip generation rate at 0.3 trips per student. This trip rate is based on observations of several schools, and reflects the car pooling that occurs at school sites and the fact that school peaks generally do not exactly coincide with total street traffic peaks. There are no adjustment factors known for open enrollment magnet schools, but it is not likely that a significant variation in trip rate would be warranted.

Response to Comment I: AM Peak Hour Traffic on Concannon Blvd. Extension

The future volumes on Concannon reported in Exhibit 4.5-22 represent volumes on the section between Arroyo and Subarea 3. Only part of the traffic generated by subarea 3 (which generates a total of 415 a.m. peak hour trips and 295 p.m. peak hour trips) would use this section of Concannon. Other Concannon traffic sources are east-west through traffic and some of the current traffic on Marina - Wente which would divert to Concannon once it is extended. The model projections of 511 (a.m. peak hour) and 567 (p.m peak hour) appear reasonable given these travel demand sources.

Response to Comment 33-J: Projected Traffic Impacts on First Street

The City acknowledges that the impact on First Street may remain significant even after mitigation, and has noted this in Impact and Mitigation Measure 4.5-7.

Response to Comment 33-K: Widening of Vallecitos

The Vallecitos widening is intended to mitigate the Vallecitos section of SR 84, not the First Street section.

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JUL 14 1997
PLANNING DEPARTMENT

SOUTH LIVERMORE VALLEY
SPECIFIC PLAN AND GENERAL PLAN AMENDMENT
DRAFT ENVIRONMENTAL IMPACT REPORT
COMMENT SHEET

Use this sheet to comment on the Draft Environmental Impact Report.
The City will accept written comments n the EIR until July 14, 1997.

1. I find this EIR to be inadequate because it does not analyze the impact of the extension/connection of Concannon Road to Tesla/S. Livernmore roads on the existing developments. The assumption that the Concannon Road extension can be dismissed without analysis because it is included in the City of Livermore Community General Plan is INCONSISTENT with all other traffic assumptions. Like the widening of Isaebel Ave to 4 - 6 lanes and the other traffic mitigation projects which are discounted due to lack of identified funding sources (pp. 4.5- 17, 21), there are currently no independent funds identified for completion of this project. It is "anticipated that construction of the easterly extension of Concannon Boulevard will begin with the development of Subarea 3" (p. 4.5 - 17). Hence, the traffic, noise and pollution impact of the extension of Concannon Road is DIRECTLY linked to the development of Subarea 3, and must be considered as part of the SLVSPA Environmental Impact Report. No Subarea 3 development, no Concannon Road extension. Q. E. D. **34-A**
2. Other than the forgone conclusion that extending Concannon will have "significant and potentially unmitigable' noise impact on the proximate neighborhoods (Impact 4.7-5, pp. 4.7-18 & 19) I find no analysis of the impact of the proposed SLVSPA on the existing Tapestry development - viz. increase in noise, traffic and pollution from increased Arroyo Rd. traffic attributable to development of Subareas 4, 5, 6, & 7 whose primary ingress & egress (other than commute trips) will be on Arroyo. **34-B**
3. I find no analysis of the infiltration of traffic from Subarea 4, 5, 6, & 7 development into the Tapestry neighborhood even though it is inevitable that cars WILL use Latour Av./Normandy Wy. to avoid the Concannon/Arroyo traffic signal if Concannon is extended. The inclusion of a school in Subarea 3 will intensify this impact. The EIR analysis of the school's impact is limited to a trip generation line item in Table 4.5-19 and a comment that " the physical effects ...are analyzed in other sections of the EIR" (Impact 4.9 - 15, p. 4.9-40). This analysis is inadequate. **34-C**
4. The noise analysis for the extension of Concannon Rd. is inadequate since it assumes that the road will run at substantially below V/C ratio of 1. Since the EIR assumes that SR 84 and I 580 will continue to run at > V/C ratio 1 (p. 4.5 - 69), it is unreasonable to assume that any commute path between San Jose and the San Joaquin Valley will run at V/C ratio <1. The San Jose to San Joaquin Valley traffic will continue to funnel through all possible channels until all routes are equalized. The SLVSPA developments are designed to increase this problem; since there are few new jobs being created in Livermore, these homes will attract South Bay commuters much as the other new South Livermore developments have done. **34-D**

Name: Pamela Kay Whitman
Signature:
Address: 2662 Tuscany Ct.
Livermore, CA 94550

Letter #34. Pamela Kay Whitman, 2662 Tuscany Court, July 11, 1997.

Response to Comment 34-A: Concannon Boulevard Extension

Concannon is planned to be in place by the analysis year (2010), and it is analyzed as part of the future roadway network which will serve future traffic volumes. The traffic impacts on Concannon Boulevard and its intersections with Arroyo, Holmes and South Livermore / Tesla are included in the DEIR analysis; traffic volumes on local neighborhood streets are not modeled by the Tri-Valley Traffic Model and were not included in the DEIR because traffic volumes on local neighborhood streets will not change appreciably.

Response to Comment 34-B: Impacts Associated with the Concannon Blvd. Extension

The noise and traffic analyses in the Draft EIR each directly examine the potential impacts associated with the extension of Concannon Boulevard, and no significant impacts on the Tapestry subdivision were identified although the commentor is correct that the cumulative noise level will rise and that rise in noise level is a significant impact. However, the DEIR indicates that freeway noise levels will remain within acceptable levels along Concannon Boulevard. The DEIR traffic analysis indicates that future volumes along Arroyo and its intersections with Wetmore and Concannon will remain substantially under capacity. Traffic volumes on local neighborhood streets were not analyzed in the DEIR.

The Draft EIR also looked at potential for localized air quality impacts related to elevated carbon monoxide levels (Impact 4.6-2). This analysis also identified no potential air quality impacts on the Tapestry subdivision. The Draft EIR does indicate that the project as a whole would contribute to increased regional air pollution (Impact 4.6-3), but this would not represent a specific impact to the Tapestry subdivision.

Response to Comment 34-C: Impacts on Tapestry Neighborhood

The DEIR analysis indicates that the Concannon / Arroyo signal will continue to operate with very low delays in the future, at LOS A. Substantial cut-through traffic on Latour and Normandy would not be expected given low delays at the signal. However, as with any traffic problem that may develop in the City, if a substantial cut through problem develops, measures such as peak hour turn restrictions can be considered to keep traffic on Concannon.

School traffic from subarea 3 was included in the peak hour analyses. The afternoon school peak hour (mid-afternoon) was not analyzed in the DEIR, but total traffic volumes are generally higher in the morning and evening commute peaks than the mid-afternoon school peak.

Response to Comment 34-D: Noise Analysis of Concannon Blvd. Extension

The noise analysis is based on the best available traffic data. The distribution and volumes of traffic used in the analysis are based on the approved regional traffic model. There is no

evidence to support the commentor's assertion that traffic on Concannon Boulevard would be greater than currently projected.

The DEIR analysis does not indicate substantial congestion developing on Concannon Boulevard in 2010, even though primary commute routes (freeways and SR 84) show over-capacity demand on certain segments. The lower speed and number of controlled intersections on Concannon will discourage the level of traffic growth seen on higher-speed multi-lane facilities. The over-capacity conditions projected for SR 84 and I-580 will most likely lead to longer peak periods rather than high levels of traffic spill-over onto Concannon.

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PLANNING DEPARTMENT

SOUTH LIVERMORE VALLEY
SPECIFIC PLAN AND GENERAL PLAN AMENDMENT
DRAFT ENVIRONMENTAL IMPACT REPORT
COMMENT SHEET

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2. Other than the forgone conclusion that extending Concannon will have "significant and potentially unmitigable' noise impact on the proximate neighborhoods (Impact 4.7-5, pp. 4.7-18 & 19) I find no analysis of the impact of the proposed SLVSPA on the existing Tapestry development - viz. increase in noise, traffic and pollution from increased Arroyo Rd. traffic attributable to development of Subareas 4, 5, 6, & 7 whose primary ingress & egress (other than commute trips) will be on Arroyo. **35-B**
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Name: Thomas G. Parham
Signature:
Address: 2662 Tuscany Ct.
Livermore, CA 94550

Letter #35. Thomas G. Parham, 2662 Tuscany Court, July 11, 1997.

Response to Comment 35-A: Concannon Boulevard Extension

Refer to Response to Comment 34-A.

Response to Comment 35-B: Impacts Associated with the Concannon Blvd. Extension

Refer to Response to Comment 34-B.

Response to Comment 35-C: Impacts on Tapestry Neighborhood

Refer to Response to Comment 34-C.

Response to Comment 35-D: Noise Analysis of Concannon Blvd. Extension

Refer to Response to Comment 34-D.

RECEIVED
JUL 14 1997
PLANNING DEPARTMENT

Chris and Donna Johnson
2634 Marina Avenue
Livermore, CA 94550
447-8321

July 14, 1997

Marc Roberts
City of Livermore Planning Department
1053 South Livermore Avenue
Livermore, CA 94550

Dear Marc,

The purpose of this letter is to inform you that we do not believe the DEIR has adequately addressed the traffic problem that exists and will exist on Marina Avenue once the SLVAP project is implemented.

Exhibit 4.5-5 shows the average daily traffic volume on Wente/ Marina as 3,220 vehicles in a 1991 study. Traffic volume has increased since that time. Appendix 6.4 regarding traffic uses a figure of approximately 1,000 vehicles in many of its calculations. **36-A**

Exhibit 4.5-12 Year 2010 Segment Volumes -- no project; and exhibit 4.5-22 Year 2010 -- with project, show the same average daily traffic volume as 201 vehicles. Assuming this is correct, this means we will have no new traffic from the new housing or commercial sites. We find this hard to believe. In fact, this number of cars would indicate that only the residents of Reed/Edwards/Marina would be using this road (48 homes averaging approximately 10 trips per day - assuming half use the Arroyo/ Marina intersection and half use Wente/Livermore intersection. **36-B**

Impact 4.5-3 page 4.5-57 designates Marina Avenue as the Wine Trail which would likely result in increased traffic on weekends. We are not as concerned with this type of traffic as we are with cut through and commuter traffic. We still do not understand how traffic will diminish to the projected number by just putting Concannon Blvd. through. Our concern is not that Concannon will not be able to handle the traffic volume, but how to discourage people from using Marina at freeway speeds, a street with no stops signs, signals or speed control. Concannon will have signals, stops signs, and a 25 mph speed limit with radar control. **36-C**

Mitigation measure 4.5-3 supports traffic calming on Marina if trips increase to **36-D**

more than 2,000 per day. The 1991 study puts the number at over 3,000 already. Most traffic calming measures are not practical or are discouraged by the County. In order to maintain the rural ambience of the Wine Trail perhaps Marina Avenue can be closed to through traffic on weekdays by use of breakdown barriers and opened for weekend visitors.

Sincerely,

Donna Johnson

Letter #36. Chris and Donna Johnson, 2634 Marina Avenue, July, 14, 1997.

Response to Comment 36-A: Average Daily Traffic Volumes on Wente/Marina

The traffic volumes reported for existing conditions are the most recent counts available. The reference to 1,000 vehicles in Appendix 6.4 is not clear; the commentor may be referring to the peak hour capacity assumed for Marina Avenue.

Response to Comment 36-B: Year 2010 Segment Volumes

With the extension of Concannon Boulevard to South Livermore Avenue / Tesla Road, the DEIR analysis indicates that traffic would choose the improved, higher capacity Concannon to travel between Arroyo and South Livermore, rather than Marina Avenue, which would remain a narrow, lower-capacity roadway.

Response to Comment 36-C: Wine Trail

While the DEIR analysis indicates that through traffic would choose Concannon over Marina, Impact 4.5-3 recognizes the possibility that traffic could increase on Marina. Mitigation Measure 4.5-3 responds to this possible growth by ensuring City support for calming measures should traffic grow beyond 2,000 vehicles per day, the conservative environmental capacity of the roadway.

Response to Comment 36-D: Traffic Calming

The traffic on Marina is expected to decrease from 1991 count levels once the Concannon extension is in place. Regarding traffic calming measures, the County has a program for the evaluation and implementation of neighborhood traffic calming, and the City would support the Marina neighborhood in implementing measures should the need arise (as stated in Mitigation Measure 4.5-3). The suggestion of break-down barriers to bar weekday through traffic on Marina is addressed in the DEIR text (page 4.5-58); while not generally advisable based on standard traffic engineering practice, this measure can be considered if other traffic calming measures do not work.

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PLANNING DEPARTMENT

SOUTH LIVERMORE VALLEY SPECIFIC PLAN AND GENERAL PLAN AMENDMENT DRAFT ENVIRONMENTAL IMPACT REPORT

COMMENT SHEET

Use this sheet to comment on the Draft Environmental Impact Report. The City will accept written comments on the EIR until July 14, 1997.

2.0 There is no mention of mitigation for low cost housing for the less than well paid employees to be hired for the commercial enterprises. **37-A**

4.1.1 What is the impact of cattle grazing in that area to people using the park? **37-B**

4.1.5 There is no reference to non-commercial rural uses, such as the raising of 4H project pigs; apparently there is no reference to uses such as these in the proposed "right to farm" ordinance either. **37-C**

4.9.-1 Water supply. This is a changing picture all the time as projects throughout the state compete; no financial implications are mentioned that I see. **37-D**

4.1-5 a) Who pays for the information officer? **37-E**

4.1-44 If Concannon Blvd is not part of the project, how would it be described? The assumption is that it will be extended during the #3 parcel - who pays for it? **37-F**

4.5-2 What about the impacts on College and L Streets? **37-G**

4.5.4 The EIR was done before calming measures 1 and 2 were tried on Buena Vista and failed. **37-H**

4.9-1 There is a referral to the Monterrey Agreement. What is the status of that agreement in the court? **37-I**

Also, a factor is North Livermore. It is frustrating to have to think in isolation from what else is happening around us.

Name: Pat Mann (please print)

Signature: Pat Mann

Address: 2200 Marina Avenue
Livermore, CA 94550-9012

Letter #37. Pat Mann, 2200 Marina Avenue, July 11, 1997.

Response to Comment 37-A: Mitigation for Low Cost Housing

All development within the South Livermore Valley will be required to pay an in-lieu low income housing fee. Those funds are used to create affordable housing throughout the community. This requirement addresses the project's responsibility for providing affordable housing within the community.

Response to Comment 37-B: Impact of Cattle Grazing on Park Use

It is unclear from the comment which park the commentor is referring to. Cattle grazing is not a use that typically would impact park users. Park uses could create compatibility problems for cattle if children were allowed to chase or otherwise disturb the cattle.

Response to Comment 37-C: Urban/Rural Conflicts

Section 8.16.010 B.4 of the Draft Right-to-Farm Ordinance defines agricultural operations as raising of livestock for purposes "commercial or otherwise". This would include the rasing of 4H project pigs.

Response to Comment 37-D: Water Supply

Refer to the Master Water Response.

Response to Comment 37-E: Information Officer

If the a representative of the South Livermore Valley Land Trust acts as the Information Officer, as has been offered by the Trust, the task would become the responsibility of a paid employee of the Land Trust. It is likely, that the Trust would charge developers a fee to compensate for this service.

Response to Comment 37-F: Concannon Boulevard Extension

The extension of Concannon Boulevard is a City project that was identified as being needed prior to the preparation of the Specific Plan. The role of the Specific Plan in its implementation is just to ensure that the road extension is coordinated with the development of Subarea #3, which will be adjacent to it, and to confirm its alignment. As a City project, most of the extension of Concannon Boulevard will be paid for from Traffic Impact Fees. As is standard City practice, the half section of the roadway that is adjacent to a development area shall be paid for by the development. In this case, Subarea #3 will pay for the road half-section immediately adjacent to its boundaries.

Response to Comment 37-G: College and L Streets

The roadways and intersections selected for analysis were chosen to cover major facilities serving southern Livermore, and to provide an overview of the change in traffic volumes in and around the Specific Plan area. The College Avenue/L Street intersection was not analyzed in the DEIR, but the analysis of the neighboring intersections of Fourth Street/L Street and Concannon/Arroyo identified no significant traffic impacts along L Street/Arroyo Road.

Response to Comment 37-H: Traffic Calming Measures

No traffic calming measures have failed on Buena Vista Avenue. To date, the neighborhood has not agreed to any specific traffic calming measures.

Response to Comment 37-I: Monterey Agreement

The Monterey Agreement is the subject of a legal challenge. The extent to which that challenge may interfere with water transfers is unclear. Zone 7 has stated that the litigation will not interfere with the water transfers contemplated by Zone 7 (see Letter #2). In order to present a conservative analysis, this EIR notes the possibility that the litigation could delay water transfers. A more definitive determination cannot be made until resolution of the litigation.

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JUL 14 1997
PLANNING DEPARTMENT

Planning Department
City of Livermore
1052 So. Livermore Ave.
Livermore, Ca. 94550

Attn : Mr. Marc Roberts- Special Projects Coordinator

Dear Sir:

According to the most recent environmental impact report, the traffic on Concannon Blvd. would not increase If extended to Tesla rd.

What exactly would stop the commuters from Tracy, Modesto, Manteca, etc. from taking the shortest route to Highway 84? The impact on Southern Livermore would be devastating to the existing environment. Not to mention the traffic from the out of town lab workers which is currently dispersed throughout several avenues in town.

.

Highway 84 is just that, a fast moving shortcut from the Central Valley to the Silicon Valley. Isabel has been approved for connecting the 580 to 84, this should be more than sufficient in accommodating the needs of the locals who are trying to meet either destination,for which this corridor was designed. Isabel is on the fringe of town and will not feel the impact of commuter traffic as drastically as Concannon would. **38-A**

Livermore is a beautiful community nestled in the heart of grape country. A fragile . environment that has potential of rivaling the Napa Valley area in the next few years. With the upscale housing that has recently emerged and the new golf courses coming, Southern Livermore is blossoming into an area as sophisticated as the Castlewood and Ruby Hills communities

The commuters should remain on the freeways to get to the Bay Area . If for no other reason, the safety of the citizens and mainly the children of Livermore who frequent the tennis club on Concannon via bicycle and foot. Please don't let my new half million dollar home become a truck stop or toll booth. This area deserves better than that.

I pray that this letter will help you reconsider the consequences, and the magnitude of your decisions regarding this matter in the near future.

Sincerely Concerned,

Jim Burbach
1860 Sterling Pl.
Livermore, Ca. 94550

Letter #38. Jim Burbach, 1860 Sterling Place, July 14, 1997.

Response to Comment 38-A: Concannon Boulevard Extension

The DEIR analysis indicates that Concannon Boulevard, when extended, would not draw a substantial amount of commuter through traffic. Commuter traffic through Livermore is projected to primarily use the Isabel Avenue extension, which will be a higher-capacity, higher-speed facility. The Concannon extension is intended to serve primarily sub-regional east-west travel in southern Livermore, and will be designed with appropriate speed and intersection controls to serve this travel demand.

RECEIVED
JUL 21 1997
PLANNING DEPARTMENT

Jack and Judy McKissack
9620 Huer Huero Road,
Creston CA 93432

June 26, 1997

Marc Roberts
City of Livermore, Planning Department
1052 South Livermore Avenue,
Livermore CA 94550-4899

Reference:Draft Environmental Impact Report
City of Livermore, May 1997
Exhibit 4.2-4 Subarea 4 Geological Features
(Probable Location of Los Positas Fault)

Dear Marc:

Earlier studies of the suspected existence of the Los Positos fault have failed to produce the presence of this fault. The Los Positos fault maps have never extended into area 4, only through projection. These projections have proved false. I sight the Rogers/Pacific report dated August 18, 1995 wherin the fault was suspected to generate from area 1 and projected through 4 and 7. Subsequent trenching was conducted in all these areas. The fault was not present. Also, I sight the Earth Sciences Associates of Palo Alto Areal Gravity and Structure map dated 2/14/78 wherein the Los Positos fault was not present.

I believe this data to be correct and the projected Los Positos fault , in the DEIR does not exist in area 4. If my data is found to be correct, I submit that the fault be deleted from the revised DEIR and/or final EIR report. **39-A**

Reference: Draft South Livermore Valley Specific Plan
Section 4.0 Land Use..Page 4-31 paragraph two.

Studies in various cities, throughout California, have determined that small mini-parks located in many of the neighborhoods show results of widespread drug usuage and other illegal activities going on an a regular basis.in these parks. Additionally, maintenance, upkeep, police and fire protection becomes a major problem and concern because of the difficulty in performing the related functions and the enormous economic costs to the city and the neighborhoods. Due to all these negative factors and the lack of any positve factors the .6 acre park in area 4-C should be deleted.Perhaps the .6 could be added to the applicable lots. **39-B**

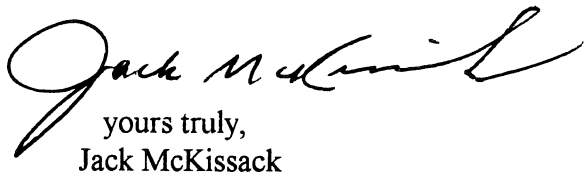
Specific Plan Section 5.0 Circulation

Under circulation, on page 5-26 paragraph four pertaining to access for the winery area on area 4-C, it is of paramount importance that this access remain at the winery site, at the location of Wetmore and **39-C**

Arroyo Roads. Transversing across this parcel from Hansen Road as the access, is not possible due to the topography.

Specific Plan..:Other.....

I propose that a signal light at the Arroyo/Wetmore intersection be installed. Due to the speed limit and traffic along Arroyo road a signal light will solve the problem of equestrians, bicyclists, hikers and walkers crossing this intersection to get to Sycamore Grove Park. Simultaneously this would solve the entrance to the area 4-C winery area problem. **39-D**



yours truly,
Jack McKissack

Letter #39. Jack and Judy McKissack, 9620 Huer Huero Road, Creston, CA, June 26, 1997.

Response to Comment 39-A: Las Positas Fault

As discussed in the Draft EIR (page 4.2-16 to 20), the location of the Las Positas Fault in the vicinity of Subarea #4 is inferred at this point in time, and has not been precisely located. As illustrated in Exhibit 4.2-4, the fault is believed to lie within the utility line corridors that cross the southeast corner of the subarea. While enough trenching was done in 1995 to ensure that the fault and typical seismic setbacks would not encroach on the proposed development, the trenching stopped at the utility line easements so the actual location was not identified. The trenching that was done did not prove that the fault does not pass through some portion of Subarea #4, as asserted by the commentor.

Response to Comment 39-B: Mini Parks

The commentor's concern regarding mini parks addresses the content of the Specific Plan, and as such does not require a response in this EIR Addendum. The comment will be forwarded to the City decision-makers along with other comments on the Plan and EIR.

Response to Comment 39-C: Location of Access to Subarea #4 Winery

The commentor's concern regarding the location of the access drive to the southernmost winery site addresses the content of the Specific Plan, and as such does not require a response in this EIR Addendum. The comment will be forwarded to the City decision-makers along with other comments on the Plan and EIR.

Response to Comment 39-D: Traffic Signal at Wetmore and Arroyo

The projected vehicular volume at the Arroyo Road/Wetmore Road intersection and the proximity of the multi-use trail do not warrant installation of a signal at the Arroyo Road/Wetmore Road intersection. The intersection is projected to operate at LOS A with the existing Wetmore stop control only. The trail crossing can be designed to safely operate without signal control.

Kenneth and Shirley Volkman

2657 So. Vasco Rd. Livermore, CA 94550-9690

RECEIVED
JUL - 8 1997
PLANNING DEPARTMENT

7/7/97

Marc Roberts
Special Project Coordinator
South Livermore Valley Plan
City of Livermore
1052 South Livermore Avenue
Livermore, CA 94550

Re: Draft Environmental Impact Report dated May 1997

Dear Marc,

This is written to respond to a specific issue in the Draft Environmental Impact Report. I want to report a misunderstanding or an error in interpretation or presentation in the Report regarding my property located in Sub area 2. Specifically in Exhibit 4.4-1 following page 4.4-2 in the Report, there are two small areas listed as "Potential Seasonal Wetland". I must assume that the area that was looked at was the land that had puddles of water standing due to a leaking underground irrigation line at that time.

I am sure that is the cause for the misinterpretation. In fact, the land is very gravely, in that location, and is underlain by a drift of what on the soil map is euphemistically called 'Livermore Gravel' consisting of boulders 3 to 8 inches in diameter generally laying in a Southeast to Northwest direction. In addition, the water table in that area, as measured by my domestic well, within 25 feet of the designated area is about 70 feet. **40-A**

I am not sure, because of my inexperience in dealing with matters of this nature, of the import of this information in the referenced document. However, because of the facts stated above, I must make the point that the information related to my property concerning 'Potential Seasonal Wetland' is misleading to the point of being in error.

Marc, I do not know how to proceed on this matter from this point on. I am writing this as a specific written comment on the Draft E.I.R. per your letter of May 22, 1997 to the South Livermore Valley Property Owners and will look for your response as to how and when I should proceed from this point on.

Thank you for your consideration in this matter.

copy:
Howard Sword
The Sword Company
Post Office Box 93 • 355 West Las Palmas
Patterson, CA 95363

Respectfully,

Kenneth W. Volkman

Letter #40. Kenneth and Shirley Volkman, 2657 So. Vasco Road, July 7, 1997.

Response to Comment 40-A: Potential Seasonal Wetland

Information regarding occurrence of possible seasonal wetland habitat in the various subareas is discussed on page 4.4-12 and 13 of the Draft EIR. Mapping contained in Exhibit 4.4-1 was based primarily on distinguishable vegetation characteristics observed during the field reconnaissance, and no wetland delineation was performed as part of the assessment for the EIR. The wetland delineation called for in Policy 6-23 will serve to determine whether any jurisdictional wetlands occur in Subarea #2, and other subareas where development is proposed. Wetlands resulting from an artificial water source, such as the broken irrigation line referred to by the commentor, are generally not considered jurisdictional unless the area would qualify as a wetland without the artificial water source. Policy 6-23 calls for avoidance to the extent feasible, and provides the necessary steps to take if avoidance is not feasible. Refer to DEIR, page 4.4-35 for full policy language.

2569 Walker Place
Livermore, CA 94550
voice 443-9997 fax 294-9477
email eckart@aimnet.com

July 14, 1997

RECEIVED 9:02 AM

JUL 14 1997

PLANNING DEPARTMENT

Marc Roberts
City of Livermore Planning Department
1052 South Livermore Avenue
Livermore, CA 94550-4899

Dear Mr. Roberts,

Herein are comments on, and requested actions concerning, the Draft Environmental Impact Report for the South Livermore Specific Plan. The topics addressed here are:

- **4.5 Transportation and Circulation** (motor vehicle traffic) and
- **4.7 Noise** (as the Draft EIR notes, the major source of noise in the study area is motor vehicle traffic)

The existing roadway volume data reported in the DEIR is significantly out of date. From first-hand observation, the hourly peaks on Wetmore (1992) and Wente (1991) do not capture the very large increase in cross-study-area commute traffic since 1991-1992. This can in fact be seen in the discrepancy between the segment volumes on Arroyo north of Concannon (1995), and the segment volumes at the southern edge of the study areas (1991-1993).

Please gather new data for traffic flow on (1) Wetmore, (2) Marina (or Wente), (3) Concannon between Arroyo and Holmes, (4) Lexington west of Regent, and Arroyo (5) between Vancouver and Concannon, (6) at Hansen, and (7) south of Wetmore. The data can then be used to calibrate the traffic model. I volunteer to help gather this data. **41-A**

The Tri-Valley Transportation Model (TVTM) may not have significant resolution to map the road segments in the study area. While there is a discussion of comparing model predictions with actual data in the context of turning movement volumes, the DEIR implies that predictions of simple link volumes are done without comparison with current actual volumes. And, as pointed out above, if this model does predict the traffic volumes reported in exhibit 4.5-5, then it does contain a heretofore unknown car source. For any traffic prediction tool, comparison with existing data and recorded recent trends must be an essential feature of certification. **41-B**

Please run the TVTM for 1 October 1997 and make the output available for comparison with the above newly gathered data. Run the recalibrated code for 2010. Make this data available also. **41-C**

The DEIR may have been authored by people unfamiliar with current South Livermore and the very human nature of commuter traffic. On page 4.7-10, it is posited that "noise levels are projected to decrease noticeably along Arroyo Road and South Livermore Avenue with or without SLVSPA development due to a drop in traffic volumes." This conclusion follows generally from the prediction that with the Concannon extension, and the rerouting of SR 84, commute traffic on Arroyo will decrease. Those familiar with South Livermore know that when driving from the Altamont Pass to Fremont or San Jose, a natural and scenic and today uncongested route is Greenville or Vasco to Tesla to Wente to Marina to Arroyo to Wetmore to SR84. The commuter/worker population that lives in the Central Valley (and North Livermore) knows this like ants know the best place to find sweets. Extending Concannon and moving SR84 will not change this. Just as water finds all the leaks in a bucket, not just the biggest one, so a significant number of commuters will find their way along the byways. **41-D**

Please include in the DEIR measures to mitigate cross-study-area commute traffic, to improve the quality of life in the study area (for everyone but commuters). I have no traffic flow model yet, but I have no doubt that a traffic barrier (one that would allow the passage of emergency vehicles) on Wetmore at Holmes would provide big bang for the bucks in rerouting the commuter flow. If access to Sycamore Grove from SR84 was desired, then the barrier could be on Wetmore at the entrance to the park. Know the bucket, though: through-commuter traffic on Superior must be discouraged. **41-E**

Sincerely,

Mark Eckart

Mark. J. Eckart

Letter #41. Mark J. Eckart, 2569 Walker Place, July 14, 1997.

Response to Comment 41-A: Out of Date Traffic Data

The existing traffic volumes reported in the DEIR are based on the most recent counts available, most of which are within one year of the original Setting preparation (in 1995). Re-calibration of the model is a labor-intensive process that is generally done every five to ten years, and is not typically performed for individual applications of the model. The Tri-Valley Traffic Model calibration was just revised by a consultant to the Tri-Valley Transportation Council, although the base year remains 1990. The Council, which includes the City of Livermore, has accepted the updated version for use in long-range transportation planning analyses. See also Master Response to Traffic.

Response to Comment 41-B: Tri-Valley Transportation Model (TVTM)

The model's future volume projections for roadway links were reviewed relative to existing volumes and, in some cases, revised manually. However, some model results which show volume decreases in the future were reported as-is, because changes in the network (such as the Isabel extension) are likely to produce travel pattern changes which could cause such decreases. It is noted that the primary tool for analyzing congestion on local street networks is intersection analysis, rather than link analysis. This is because intersections are generally the "bottlenecks" which cause most of the delay to drivers.

Response to Comment 41-C: TVTM Model

Please see Response to Comment 41-A.

Response to Comment 41-D: Commuter Patterns

The comment is noted. The model analysis indicates that the Isabel and Concannon extensions will provide sufficient capacity to serve the commuter traffic, and provide routes more desirable to drivers than the Arroyo - Wetmore route. Specific Plan traffic, particularly from subareas 4 and 5, will make use of Arroyo and Wetmore, but volume projections do not indicate that this would become a significant cut-through route for new regional traffic.

Response to Comment 41-E: Traffic Barrier at Wetmore and Holmes

The DEIR analysis indicates that east-west commuter traffic would not cause congestion problems on Concannon, Arroyo or Wetmore. The suggestion of a barrier on Wetmore near Holmes would create circulation difficulties for traffic from Specific Plan subareas 4 and 5, and would result in substantially higher traffic volumes on Arroyo Road and adjacent neighborhoods.

JOANNE MOODY

555 Cinnabar Drive
Livermore, CA 94550
July 14, 1997

3'P

RECEIVED
JUL 14 1997
PLANNING DEPARTMENT

Marc Roberts
City of Livermore Planning Department
1052 South Livermore Avenue
Livemore CA 94550-4899

Re: South Livermore Valley - Draft Environmental Impact Report

Dear Mr. Roberts,

Thank you for the opportunity to review the South Livermore Valley Plan and draft EIR report. I would like to provide written comments on the Draft EIR which I hope will be considered in finalizing the EIR.

Viewshed near Sycamore Park
The viewshed in the Sycamore Valley Park will be negatively impacted by allowing housing in subarea 7. I feel very strongly that no houses should be allowed. The EIR states "permanent open space would be the environmentally superior alternative for this area." Adding housing units to this area will forever destroy wildlife, add congestion, and add noise. Clearly, 304 units is going to be case of overbuilding in an environmentally sensitive area. This area is simply beautiful and we must protect it. **42-A**

Traffic, Gridlock, and Noise
It appears that the traffic data used in modeling the EIR report may be out of date, i.e. too low. Accurate data must be used or noise and traffic results will be erroneous. In addition, this plan must consider prior city commitments to First Street, Isabel, and Highway 84. The Concannon Blvd. extension appears to offer commuters an alternative to other paths. I believe that the overall traffic flow in Livermore need to be modeled or we will have gridlock throughout the city as commuters fill our streets. With proper traffic modeling and data, appropriate noise levels can be determined. **42-B**

A Possible Slum - Subarea 1
This area is located adjacent to commercial property and Sandia Lab, which is essentially a commercial property. This is also very close to the large power lines. The EIR needs to address the traffic, noise, visual and neighborhood concerns. I worry that houses so close to commercial areas will develop slumlike characteristics. We don't need to copy Oakland. **42-C**

Overbuilding and Costs
Overbuilding in Livermore will not assist the city in providing the infrastructure for schools, fire protection etc. Unless the costs are fully calculated and paid by the developers, the quality of Livemore's infrastructure is going to deteriorate. The 304 units in Subarea 7 are a clear example of overbuilding. **42-D**

Sincerely,

JoAnne Moody

Letter #42. Joanne Moody, 555 Cinnabar Drive, July 14, 1997.

Response to Comment 42-A: Viewshed Near Sycamore Grove Park

Comment acknowledged. The visual impact of development in Subarea #7 is addressed in Impact 4.8-8, page 34 of the Draft EIR. The Draft EIR concludes that some housing, particularly in the eastern portion of the subarea, would be visible from the park, and that, because of its visual prominence relative to park viewers, it could create a potentially significant impact. Mitigation 4.8-7 calls for the screening of visible home sites with trees or the relocation or elimination of the visible units.

Response to Comment 42-B: Accurate Traffic Data

The existing traffic volumes reported in the DEIR are based on the most recent counts available, most of which are within one year of the original Setting preparation (in 1995). Regarding the Concannon extension, the DEIR analysis indicates that Concannon Boulevard, when extended, would not draw a substantial amount of commuter through traffic. Commuter traffic through Livermore is projected to primarily use the Isabel Avenue extension, which will be a higher-capacity, higher-speed facility. The Concannon extension is intended to serve primarily sub-regional east-west travel in southern Livermore, and will be designed with appropriate speed and intersection controls to serve this travel demand.

Response to Comment 42-C: A Possible Slum in Subarea #1

Other than equestrian boarding and training facilities and the new winery at the south end of the subarea, no commercial uses are located in Subarea #1. The Sandia Labs are separated from the subarea by a permanent open space security buffer. The EIR has addressed the potential for traffic (Section 4.5, pp. 4.5-38 through 56), noise (Section 4.7, page 4.7-11), and visual (Section 4.8, page 10) impacts related to the proposed development in Subarea #1. Please refer to the pertinent sections in the Draft EIR for full discussion.

Response to Comment 42-D: Over-building and Costs

The commentor's opinion that the development of Subarea #7 is a clear example of over-building, is noted. The Specific Plan has been formulated so that proposed development will pay its fair share of any improvements that are needed. The project, like all other new development in Livermore, will contribute to citywide improvements, but pay the entire costs of improvements that are primarily required because of the project. Preliminary costs have been identified for all improvements and responsibility for those costs have been assigned (refer to the Financing Element of the South Livermore Valley Specific Plan).

Susan Bothwell
July 8, 1997
1125 Canton Ave.
Livermore, CA
449-1468

Marc Roberts
City of Livermore Planning Department
1052 South Livermore Ave
Livermore, CA 94550-4899

Subject: Comments on DEIR South Livermore Valley Plan

On behalf of the Tri-Valley Sierra Club Conservation Group, I would like to express oposition to development within subarea #7 of the South Livermore Plan. Subarea # 7 is outside the current urban boundary and development of any more than 17 units on 20-acre parsels would encourage growth beyond subarea #7. Even the EIR states that "permanent open space (for subarea #7) would be the environmentally superior alternative for the area". **43-A**

In addition to the above comments, I offer the following observations and questions regarding the SLP and EIR:

1. The EIR states that traffic generated by the Draft Plan would cause the LOS at both Wetmore/Vallecitos and East Vineyard/Vallecitos intersections to deteriorate below LOS D for both the AM and PM peak hours and hence would be significant enough to warrant installation of a traffic signal at each intersection. It continues that with implementation of Policys 5-32 and 5-35, (the signals), the intersections would be restored to acceptable LOS D. This designation is apparently for the traffic comming on to Vallecitos from Wetmore and East Vineyard and does not address the change in LOS or impact for the previously freely flowing Vallecitos through traffic. **43-B**

2. EIR states that with SLP project in Year 2010: (ref. Exhibit 4.5-20 and 4.5-21)

I-580 between 680-Airway wb in am will have a **10 %** increase in peak hour volume
I-580 between Airway-Liv Ave eb in pm will have a **13 %** increase and 12 **%** wb in peak hour volume

#84 between 680 - Isabel wb in pm will have **4 %** increase in peak hour volume
#84 between Holmes - Isabel eb in pm will have **11 %** increase in peak hour volume
#84 between Holmes - Isabel wb in pm will have **16 %** increase in peak hour volume
#84 between 680 - Isabel eb in am will have **13 %** increase in peak hour volume

Are these calculations correct ? **43-C**

3. Additionally, the EIR indicates that for the year 2000 with project: (ref p. 4.5-67 and exhibits 4.5-30 4.5-31)

1st St. between S. Liv-Arroyo wb in am will have a **22 %** increase in total traffic volume
Vallecitos between 680- Isabel wb in am will have a **28 %** increase in total traffic volume **43-D**

1st St. between S. Liv-Arroyo wb in am will have a 22 % increase in peak hour volume
Vallecitos between 680- Isabel wb in am will have a 27 % increase in peak hour volume

1st St.between Holmes-S. Liv. eb in pm will have a 5 % increase in total traffic volume
Vallecitos between 680-Vallecitos eb in pm will have a 3% increase in total traffic volume

Vallecitos between Holmes - Isabel eb in pm will have a 25 % increase in peak hour volume
1st St. between Arroyo-S. Liv. eb in pm will have a 5% increase in peak hour volume

Are these calculations correct ?

4. The Year 2000 CMP model indicates that in AM peak hour, the Draft Plan would cause LOS to decrease from E to F on #84 in between Arroyo and S. Liv as well as on Vallecitos between 680 and Isabel. What numbers are used in that calculation? **43-E**

5. Can you list what other local development projects or what growth rates are assumed in the Year 2000 and 2010 analysis ? **43-F**

6. Exhibit 4.5-5 shows that in 1994 #84 south of E. Vineyard was 52% over capacity. Is this correct ? **43-G**

7. Can you provide a table which indicates existing and future capacity according to each segment of road ? **43-H**

8. In Exhibit 4.5-5, are the peak hour traffic values for total traffic or is it a directional value? **43-I**

9. Existing Segment Volumes (4.5-5) use years 1991-1996 (most 1994) as "existing volumes". Are there any more recent data to use as existing? **43-J**

10. Existing Segment Volumes (4.5-5) shows a peak am hour for #84 between Isabel and I-680 as 1,730 whereas the year 2000 am no project shows a peak 841 wb. How can this be? **43-K**

11. Existing volumes doesn't match Year 2010 volumes (4.5-12). For example Exhibit 4.5-5 indicates Mines road had a average daily traffic of 2,830 but Exhibit 4.5-12 indicates an average daily traffic value of 974 for year 2010. **43-L**

12. Page 4.5-10 says "all but 3 study segments currently operate with V/C lower than .65 but this forgot to include S. Vasco road which has a V/C >.65 at .75 (see Exhibit 4.5-5) **43-M**

13. CMA says I-580 capacity is 2000 vehicles/lane (4.5-22) whereas the Tri-Valley Traffic model per lane capacity for I-580 is 2,200 vehicles. Can you clarify ? **43-N**

14. (p4.5-32) says "84 projected (with no project) to operate at acceptable LOS between 680 and S. Liv ave with V/C of .97 for Year 2000" although Exhibit 4.5-5 shows V/C of 1.52. Are these correct and how can it decrease by over 50% **43-O**

15. Exhibit 4.5-21 incorrectly states decrease of -7% on wb I-580 in pm when # is really -1 % **43-P**

thank you

Letter #43. Susan Bothwell, 1125 Canton Avenue, July 8, 1997.

Response to Comment 43-A: Opposition to Subarea #7

The commentor's opposition to development in Subarea #7 in noted. The "permanent open space" alternative for Subarea #7 is essentially a "no project" alternative. The Draft EIR also indicates that the "159-unit" alternative is the environmentally superior alternative involving some level of development.

Response to Comment 43-B: Traffic Impact on Vallecitos

The LOS D designation for a signalized intersection reflects the average stopped delay on all approaches. The commentor is correct to note that the signal will introduce delays to traffic along Vallecitos that otherwise would not need to stop. However, the traffic along Vallecitos is not projected to be "free flowing" in the year 2010, even without new signals.

Response to Comment 43-C: Projected Traffic Increases

The commentor's statement of the percentage changes is correct except for the last line: the 13% increase on SR 84, eastbound in the a.m. peak hour, is for the section between Holmes and Isabel, not Isabel and I-680.

Response to Comment 43-D: Projected Traffic Increases

The commentor's statement of the percentage changes is correct except for: (1) the second line, in which the increase is 27%, not 28%; and (2) the sixth line, in which the 3% increase should be described as "Vallecitos between I-680 and Isabel".

Response to Comment 43-E: Year 2000 CMP Model

The LOS calculation for CMP segments is calculated as a simple ratio of the *directional* volume to capacity for a given roadway type. The ratios correspond to service levels as follows: 1.00 and above, LOS F, 0.90 - 0.99, LOS E, 0.80 - 0.89, LOS D, etc. The exhibits in the DEIR show only total two-way volumes; the directional volumes and capacities are contained in the model plots prepared by the CMA.

For the segment of First Street between Arroyo and South Livermore, the single-direction capacity is 1,100 vehicles, and the peak direction volume is 1,104 vehicles (westbound). For the segment of Vallecitos between I-680 and Livermore, the single-direction capacity is 1,000 vehicles, and the peak direction volume is 1,077 (westbound).

Response to Comment 43-F: Assumptions for Year 2000 and 2010 Projections

The year 2000 and 2010 analyses growth projections presented in the Association of Bay Area Governments document, *Projections 1994,* which outlines future land use projections for the entire Bay Area. The projections were not based on a specific listing of local development projects. The following are the growth rates identified in Projections 1994, along with actual growth rate to-date:

ABAG projected population growth rate for Livermore 1990-2000	2.9%
ABAG projected population growth rate for Livermore 2000-2010	2.5%
Actual Livermore growth rate 1990-1997	2.6%

Response to Comment 43-G: V/C Ratio on Vallecitos South of E. Vineyard

The 1.52 v/c ratio corresponds to a 52% over-capacity condition. This calculation is based on the directional volume of 1,000 vehicles per hour and the peak direction volume of 1,520 vehicles (p.m. peak hour, westbound).

Response to Comment 43-H: Existing and Future Roadway Capacities

The attached Table 1 shows the directional capacities for the roadways in the study area. As indicated in the right-hand column, the source for the CMP facilities is the Congestion Management Agency's Countywide Model, and the source for the other local roadways is the Tri-Valley Traffic Model.

Table 1
DIRECTIONAL ROADWAY CAPACITIES
SOUTH LIVERMORE VALLEY SPECIFIC PLAN DEIR

Roadway Segment	Directional Capacity (hourly)	Source
I-580 east of I-680	8,000	Countywide Model (CMA)
I-680 south of I-580	6,000	Countywide Model (CMA)
I-680 north of I-580	8,000	Countywide Model (CMA)
SR 84 between I-680 and East Vineyard	1,000	Countywide Model (CMA)
SR 84 between East Vineyard and four-lane section	600	Countywide Model (CMA)
SR 84 between four-lane section and First Street	1,600	Countywide Model (CMA)
SR 84 between Holmes and S. Livermore Avenue	1,100	Countywide Model (CMA)
SR 84 between S. Livermore and Portola	1,600	Countywide Model (CMA)
SR 84 between Portola and I-580	2,400	Countywide Model (CMA)
East Vineyard between Vallecitos and Isabel	800	Tri-Valley Traffic Model
Isabel between E. Vineyard and Airway	900	Tri-Valley Traffic Model
Concannon east of Arroyo	800	Tri-Valley Traffic Model
Arroyo south of Fourth Street	800	Tri-Valley Traffic Model
Wetmore Road	800	Tri-Valley Traffic Model
Marina Avenue	800	Tri-Valley Traffic Model
Wente Street	800	Tri-Valley Traffic Model
Mines Road	800	Tri-Valley Traffic Model
Buena Vista Avenue	550	Tri-Valley Traffic Model
East Avenue between Buena Vista and South Vasco	1,600	Tri-Valley Traffic Model
South Vasco south of East	600	Tri-Valley Traffic Model
South Vasco north of East	1,600	Tri-Valley Traffic Model

Response to Comment 43-I: Traffic Volumes

The volumes shown in Exhibit 4.5-5 are total two-way traffic volumes.

Response to Comment 43-J: Segment Volumes

The most recent counts available were used for existing conditions. New counts were taken (in 1996) at certain locations where no recent count data were available; these counts are indicated by

the 'F' for Fehr & Peers Associates, the DEIR transportation consultant. It should be noted that the setting for the DEIR was originally prepared in 1995.

Response to Comment 43-K: Existing Segment Volumes for Highway 84

The CMA's Countywide model was used to develop year 2000 volume forecasts, with the assumption of 20% build-out of the Specific Plan. The model's projections on SR 84 along Holmes and Vallecitos appear to underestimate future traffic in the morning peak hour. The existing morning volume is 1,790, and the projected Year 2000 volume is 1,478 (841 westbound plus 637 eastbound). It should be noted that the CMA has commented on the DEIR and has noted that the a.m. peak hour is not required for CMP purposes. It should also be noted that the afternoon peak hour projection is higher relative to the existing volume, and that a significant impact is identified for this section of SR 84. (Refer to Impact 4.5-7).

Response to Comment 43-L: Existing Versus Year 2010 Volumes

The Tri-Valley Traffic Model projects future volumes which are lower or essentially the same as existing volumes on certain roadways in the study area. This is due to (1) the difficulty in using a regional model to accurately model relatively low-volume roadways (such as Mines Road and Buena Vista Avenue) and (2) the model's assignment of new traffic to other routes with lower overall delays. Also refer to Master Traffic Response.

Response to Comment 43-M: V/C Ratios

Comment noted. The 0.65 designation was chosen as an arbitrary level of congestion for discussion purposes; it corresponds to mid-LOS B. The 0.75 section of South Vasco corresponds to mid-LOS C.

Response to Comment 43-N: I-580 Capacity

The two models do use a different per-lane capacity for freeways. The setting of capacities depends on many factors (such as lane width, interchange and intersection spacing, shoulder treatment, traffic composition, etc.) and is subject to a certain level of interpretation. It can also be a factor in model validation and calibration. For the DEIR transportation analysis, the CMA value of 2,000 vehicles per lane was used to comply with the CMP-required analysis of the CMP network, which includes the freeways. (The CMP network is more accurately called the "MTS" network, as noted by the CMA.)

Response to Comment 43-O: Highway 84 Level of Service

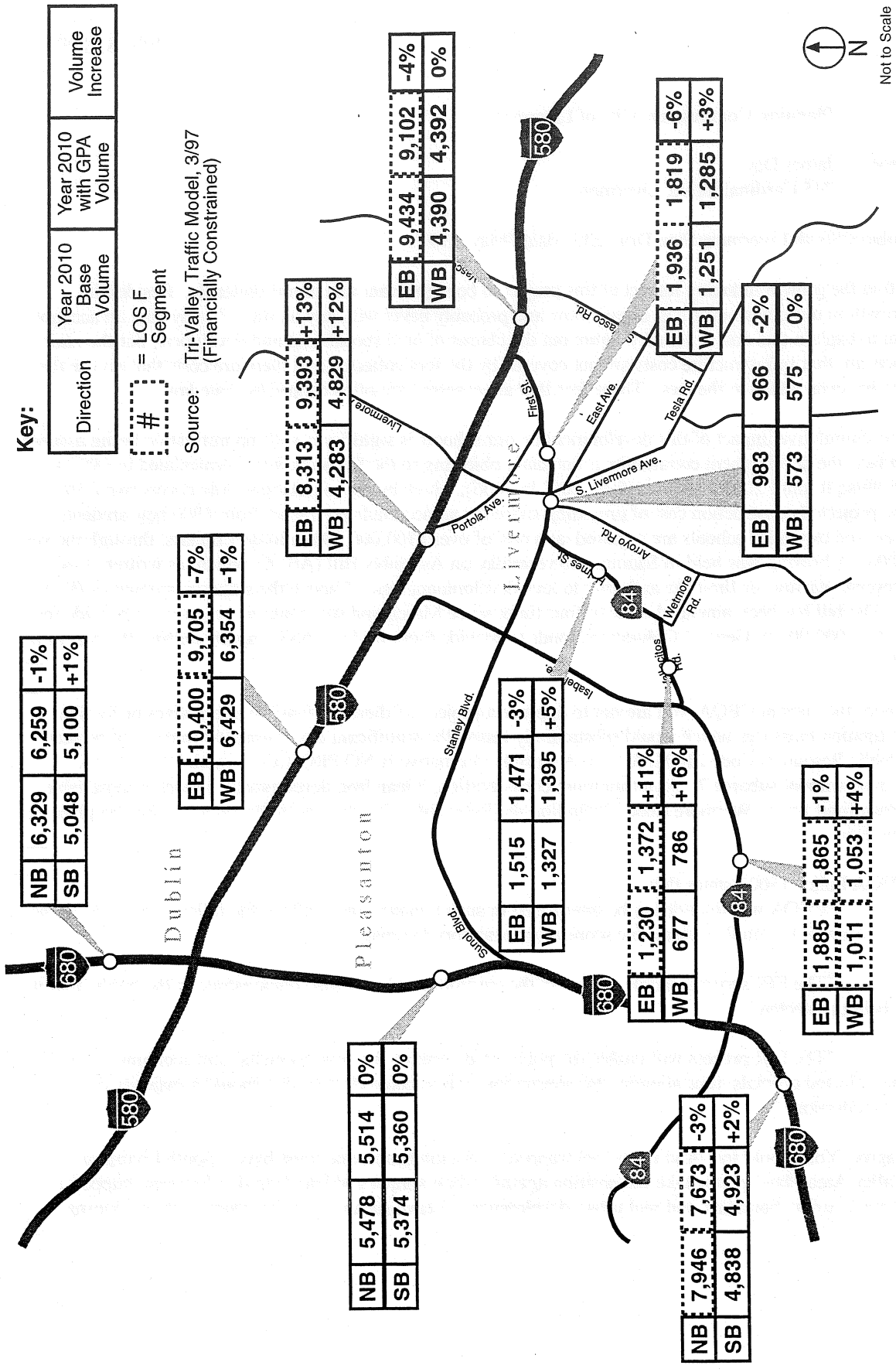
Please see response to comment K for a discussion of the a.m. peak hour CMA model results.

Response to Comment 43-P: Traffic Decrease on I-580

The commentor is correct. Exhibit 4.5-21 contains a typographical error: the segment of I-580 westbound between I-580 and Airway Boulevard should show a decrease of 1% rather than 7%.

Exhibit 4.5-21 is revised and attached:

Exhibit 4.5-21
Year 2010 PM Peak Hour Volumes -- With Project -- Alameda County CMA Roadways



July 8, 1997

To: Planning Commission, City of Livermore

From: James Day
745 Cardinal Drive, Livermore

Subject: South Livermore Plan Draft EIR, dated May, 1997

I find the growth inducing impact of this project to be significant and unmittigateable. Residential growth in our cities never has, doesn't now and probably never will, pay its way. It may take an accountant to explain this and to actually figure out the claims of land speculators and developers, but the plain facts are that infrastructure costs are not covered by the fees collected and there are costs that accrue that are not even added to the fees. Those fees that are assessed are often capped by state law. **44-A**

The cumulative impact of this development on our schools is significant with no mitigation being assured. In fact, the development community is currently objecting to the fee being asked (calculated in 1995 at $5.99/sq.ft. until 2003 and $7.52 from 2003 to 2006), which by my calculations only covers two thirds of the projected construction cost of providing space for an accumulated impact from 4800 new students. New and expanded schools are required, at a cost of over $100,000,000 in today's dollars, through the year 2006. A hearing was held in Sacramento yesterday on Assembly Bill (AB) 64 which, as written, would "reverse, narrow, or limit the authority to levy development fees...." above the statutory amount of ($1.84 ?). The bill has been amended three or four times since March and still contains language to provide for $2,025,000,000 in General Obligation Bonds to provide facilities for schools, again shifting the cost to us all. **44-B**

Under the current CEQA, you are not to approve a project "if there are feasible alternatives or feasible mitigation measures which would substantially lesson the significant environmental impacts of projects" (Public Resources Code 21002, & 2.1). A feasible alternative is NO PROJECT. Another is to do the project without subarea 7. As a minimum consideration, a leap frog development, beyond a reasonable urban limit line at Wetmore Rode , including the Ruby Hill mitigation/agricultural areas, has no place in this plan. **44-C**

CEQA Policy 15003 states that:

"CEQA was intended to be interpreted in such a manner as to afford the fullest protection to the environment within the reasonable scope of the statutory language."

"The EIR serves not only to protect the environment but to also demonstrate to the public that it is being protected."

"The EIR process will enable the public to determine the environmental and economic values of their elected officials, thus allowing for appropriate action come election day should a majority of the voters disagree." **44-D**

I agree. You should too. And if you feel trapped by circumstance, and must have a South Livermore Valley Area Plan, please take the position against urban sprawl and leap frog development, support a compact urban boundary and real urban development. Leave subarea 7 in the county with ag zoning.

Letter #44. James Day, 745 Cardinal Drive, July 8, 1997.

Response to Comment 44-A: Growth Inducement

The commentor's opinion that the project would have significant unmitigable growth inducing impacts is noted. The Draft EIR finds the potential for growth inducing impacts to be less than significant (refer to page 4.1-43 through 45). Nonetheless, the DEIR contains a mitigation measure 4.1-6 to further reduce this insignificant impact. See DEIR page 4.1-45. Comments regarding the inadequacy of fees to cover the cost of infrastructure address the content of the Specific Plan, rather than the EIR, and thus do not require a response in this FEIR. The comment will be forwarded to the City decision makers for their consideration.

Response to Comment 44-B: School Impacts

The comment that no mitigation is provided for cumulative impacts to schools is not correct. As discussed in the Draft EIR (page 4.9-40), the City of Livermore's Ordinance 1396 provides for the collection of fees to fully mitigate the impact of new development on schools. The full mitigation requirements are reviewed annually as part of the School District's Facilities Plan, and changes in the amount of funding required are made as necessary, based on the District's facility needs. The fact that the authority for this mitigation may be revised at some point in the future is acknowledged. In light of prior attempts to limit this authority however, it would be unduly speculative to conclude that the mitigation measure is infeasible at this time. In addition, it is important to note that school overcrowding (the likely consequence if school construction proves infeasible) is not an environmental impact within the scope of CEQA.

Response to Comment 44-C: Feasible Mitigation

The commentor's opinions regarding the feasibility of various project alternatives is noted. The City Council will consider the feasibility of project alternatives before taking action on the project will adopt findings setting forth the rationale for its decision. The commentor's letter will be forwarded to the City Council for consideration during that process.

Response to Comment 44-D: Urban Sprawl

The commentor's suggestion that the City take a position against urban sprawl and leap frog development, and leave Subarea #7 in the County, is noted. This is a policy question.

July 13, 1997
745 Cardinal Dr.
Livermore CA 94550

RECEIVED 11:45 am
JUL 14 1997
PLANNING DEPARTMENT

To: Marc Roberts,
City of Livermore Planning Department
1052 South Livermore Avenue
Livermore, California 94550-4899

From: James A. Day

I have read , in detail, maybe half of the Draft Environmental Impact Report (DEIR) for the South Livermore Valley Specific Plan and the following questions, so far, remain unanswered. Forty five(45) days to confront such a task, in addition to addressing County, State, and Tri-Valley proposals, is insufficient. Why do you pick the minimum review period of 45 days, instead of the full 90 days as allowed? A 90 day period would benefit the citizenry who have to deal with many public demands from many institutions at the same time. **45-A**

I also believe that the organization of the DEIR makes it particularly difficult to review in a logical fashion. It is a report to the people of your community and as such should be made easy for them to use. For instance, the page numbers and section numbers are nearly the same ... but not quite. There are no real page numbers for the various section beginnings, causing one to constantly "thumb through" looking for "4.6" (typically). (soon one starts adding tabs to facilitate re-entry at any interesting location--- like a section header!) Page numbers, for the average human, are generally consecutive, starting at one (1). Your section 4.8 is numbered consecutively, starting at one and really "appears out of nowhere" in the middle of section 4. Modern computers can help you organize public reports that favor the public reading. **45-B**

1. Why is the appendix, labeled "7.0 Appendix" at the top of pages 6.0-3 to 6.0-10, really "Appendix 6.2 and 6.3"? Is it just a clerical error? **45-C**

2. Why is Appendix 6.4 not included in this EIR? **45-D**

3. Has the EIR evaluated the impact of increased MTBE gasoline additive on the local environment, both air quality and water supply, as a result of increased trip ends? **45-E**

4. CEQA Guidelines, Section 15091, requires "written findings" for each "significant effect", and a brief explanation of the rationale for each finding. Growth inducing impacts are admitted within the SLVSPA (P4.1-45). The "Draft Plan" claims to "limit the likelihood" that significant growth will be induced "outside the SLVSPA". Where are the findings enumerated, as required under 15091 a (1), (2), & (3) and 15091 b? **45-F**

5. On page 3.0-6, Subarea 7 Development, it is noted that the "Draft Plan's modified **45-G**

July 13, 1997
745 Cardinal Dr.
Livermore CA 94550

moderate annexation scenario" of annexing Subareas 5 & 6 and Sycamore Grove Park, would provide a bridge or "adjacency" more directly connecting Subarea 7 to existing City neighborhoods". If the Park and/or Subarea 6 are not annexed, would permitting urbanization of Subarea 7 be admitted as "conflicting" with the City's General Plan? If so, do you list the "findings" required?

6. Impact 4.5-1 (p 4.5-39) relates that traffic will be reduced on parts of highways 580, 84 and 680 by this project. Some sections are to operate LOS F without the project. Other sections are said to "reduce volumes" on major sections of these same roads. How is this possible? Some of these segments are reported elsewhere (TVTC) as congested now and in year 2010. In fact, highway 84 is reported as congested from 680 to Vineyard Avenue (on "new" 84) and on 580 from Tasajara to Vasco - with zero growth through 2010. Can you account for this apparent difference - or conclusion? **45-H**

In fact, Exhibits 4.5-10, 4.5-11, 4.5-20 and 4.5-21 of the EIR show both 580 and 84 as LOS F, both directions, both now and in 2010, and "indicate" lower volumes between 1st Street and Vasco in 2010. Is this possible? Is it probable?

7. There is a major growth inducing impact not identified in 4.1-6. Sewer connections to Subarea 7 make available the 0.2MGD for the V.A. hospital. The V.A. can argue that if you extend for Subarea 7, you should size the line to serve the hospital its reserved capacity. Can the V.A. sell its unused capacity of .15 MGD? **45-I**

8. Impact 4.9-1 states that water demand due to this Plan will exceed planned supply for this area. Neither the City nor Zone 7 has offered us any plan that provides for the necessary water. Is there any legal way to deny service to these approved developments without first delineating what an "adequate" and "permanent" supply as is stated in Policy 8-1 (p 4.9-12)? **45-J**

9. Has Zone 7 obtained any additional water supply since the drought years or will added development extend the periods of "requested conservation" during the next drought? **45-K**

10. The EIR, page 4.9-38, under "Schools -- The Setting", states future capacity at 18,255 by the year 2005-2006. My copy of the Facilities Master Plan (received 6/12/97) says 16,725 in 2006-07 (see page 11). Which is right? (Please note that this also relates to the mitigation credits claimed in the Plan's Financial Analysis) The School District's projected enrollment to the same time period is 17,041, which in itself predicts an increase of 39%, and an annual growth rate averaging 3.38% and unhoused students by 2006. Considering the error band on this number to be at least +/- 15%, the spread will be 2.87% to 3.88%... or potentially 0.38% over our maximum allowable growth rate, as stated in our General Plan (GP). The GP growth rate restrictions are given as minimum and maximum limits, and were intended to accommodate the year to year variable growth rate. It can be deduced by this planning scenario, that the planning of the City is **45-L**

July 13, 1997
745 Cardinal Dr.
Livermore CA 94550

to violate the GP, especially, since the City's projected planning number of 18,255 would be a total of 7% higher yet. Who is correct? If, indeed, there are these errors or omissions, why are they always in the favor of more development?

11. Cumulative School Impacts page 4.9-41, lists the lack of space for 314 students at the high school level. Where will I find the written "findings" necessary to proceed with this plan? **45-M**

12. What schools would students from Subarea 7 attend and will this have any impact on the students now attending those schools? Do the school "service area" boundaries change as a result of this development and is this not a "physical change in the environment" for those families affected, thus creating a significant impact? **45-N**

I may have many more questions regarding the DEIR, but the time limit creeps up on us and since we also have to deal with the Specific Plan and the Residual Land Valuation Analysis', I again have to object to assuming the 45 day response limit as being appropriate. It is very frustrating, as a citizen of long standing, to see many developments proceed because ordinary citizens just can't muster the time and courage to face a hostile staff, Planning Commission and City Council and oppose them! The extensive economic and environmental damage that remains unmittigated in both the South and North Livermore Plans is mind boggling. Residential growth does not pay its way. School fees are under attack by the developers. Water supplies, since the drought, are unimproved, and will remain so simply because there is a limited supply of water, statewide. Sewer service is limited to the existing, failing pipeline and a promise of a new pipeline, essensially dedicated to new growth. And air polution continues to startle and agonize citizens, many days of the year, in particular those with asthma and other breathing disorders. **45-O**

The Residual Land Valuation Analysis for the SouthLivermore Valley (RLVASLV), Subarea 7 is connected to the DEIR , since it appears the reason that the "preferred plan" was selected was because it maximized the land owners return. While monetary considerations are not a part of the EIR process, the selection of what to study is. If real consideration of all environmental alternatives is to be carried out, then what has been the selection process that justifies studying eight economic plans that focus on the maximum return for the landowner? Who paid for these studies? What is considered a fair return for the landowner? **45-P**

Several citizens, including myself, have employed a Certified Public Accountant to analyze the RLVASLV and he finds it, after a "cursory look", to be flawed at the outset. Basic data to justify numbers for the 17 unit, Subarea 7 alternative, are missing (Exhibit VIII - years 2000 to 2002). On Page 15, the "Net Funds Flow" excluding agriculture mitigation is different from "Net Funds Flow" including agriculture mitigation by nearly eight (8) million dollars, with no justification, while agricultural mitigation costs are listed as Zero (0). Why is this represented as it is? **45-Q**

July 13, 1997
745 Cardinal Dr.
Livermore CA 94550

Should there also be listed on Page 15 the value, for instance, of 18 acres of vineyards? **45-R**

In Exhibit VIII, Detail D, why is the average sales price different from total revenue when only one unit is sold? Is the $1,662,342 cost in June for planting vineyards? Where does this information come from? In this same exhibit, the lot sale dates don't agree between Detail A and Detail E. The details of this exhibit are incomplete or undecipherable. **45-S**

James A. Day
(510) 447-3154

Letter #45. James Day, 745 Cardinal Drive, July 13, 1997.

Response to Comment 45-A: Length of Public Review Period

Comment suggesting a 90-day review period for the Draft EIR, rather than a 45-day review period, is noted.

Response to Comment 45-B: Organization of the Draft EIR

The commentor's statement that he found the organization of the Draft EIR difficult and would have preferred consecutively numbered pages (rather than numbered by section) is acknowledged. The EIR authors apologize for any confusion in the presentation of information. In particular, as the commentor noted, the page numbering of Section 4.8 is not consistent with the rest of the document. Due to a clerical oversight, the Chapter/Section prefix (i.e., 4.8-) was omitted from this section of the Draft EIR.

Response to Comment 45-C: Appendix 7.0?

The header at the top right corner of some of the appendix pages was inadvertently labeled "Appendix 7.0", rather than "Appendix 6.0."

Response to Comment 45-D: Appendix 6.4 Traffic

As noted in the Draft EIR, the full text of Appendix 6.4 is bound as a separate document. It was bound separately because it was felt that the technical nature of the traffic data in the appendix would be interest only to a portion of the general public. It was also bound separately to avoid the excessive bulk it would have contributed to the Draft EIR if bound as one.

Response to Comment 45-E: Increased MTBE Gasoline Additive

The comment refers to the use of the compound, methyl tertiary butyl ether (MTBE), which has been used as an octane booster in gasoline in portions of the United States since the 1970's. California has required the use of oxygenates such as MTBE in gasoline since about 1992 to comply with the Federal Clean Air Act. Because of its oxygen-containing properties, MTBE is added to gasoline to promote more complete combustion and reduce exhaust emissions of carbon monoxide (CO) and other reactive organic compounds (Cal EPA, 1997[1]).

Automobile tailpipe exhaust releases small amounts of MTBE into the atmosphere. The Bay Area Air Quality Management District monitors 18 air quality stations in the area and reports average MTBE concentrations of 1 part per billion per volume (ppb-v) in air. However, because MTBE

[1]California Environmental Protection Agency (Cal EPA), 1997, MTBE (Methyl Tertiary Buryl Ether) Briefing Paper by the California Protection Agency, September.

replaces more toxic compounds such as benzene, CalEPA reports that air quality is improved. Calculations performed by the California Air Resources Board indicate that the addition of oxygenates reduces carcinogenic risk from gasoline emissions by 40 percent. Oxygenated gasoline is also responsible for improvements in 1996 ozone levels in the Bay Area (CalEPA, 1997). General impacts of the SLVSPA on air quality are discussed in Section 4.6 of the EIR.

MTBE has also been reported in some surface water and groundwater samples in California. The primary source of these detections is thought to be localized and specific releases of gasoline to the environment (point sources), such as a leaking gasoline storage tank or in some instances, recreational boating. These point sources can result in relatively high MTBE concentrations in groundwater, well above the health advisory limits of 35 ppb in water established by the Office of Environmental Health Hazard Assessment. However, point sources that could release large concentrations of MTBE into surface water or groundwater are not included in the SLVSPA projects.

The U.S. Geological Survey (USGS) identifies nonpoint sources such as precipitation and stormwater runoff as potential pathways for moving MTBE from the atmosphere and road surfaces into surface water or shallow groundwater. However, results from investigations of these nonpoint sources indicate that associated MTBE concentrations are small (Squillace et al., 1996[2]). Using the average MTBE concentrations in Bay Area air of 1 ppb-v, precipitation could potentially contain about 1 microgram per liter (ug/l or ppb) of MTBE (Squillace, et al., 1997[3]). This concentration is well below any regulatory advisory level for MTBE. A recent USGS study of urban stormwater samples across the U.S. suggests that any MTBE concentrations detected in runoff are also expected to be minor. MTBE was detected in less than 7 percent of the stormwater samples and at lower concentrations than any state or federal regulatory limit (Delzer, et al., 1996[4]).

Response to Comment 45-F: Findings

Written findings will be adopted by the City Council following certification of the EIR.

The Draft EIR (page 4.1-45) identified no significant growth inducing impacts associated with implementation of the South Livermore Valley Specific Plan. See Response to Comment 44-A.

Response to Comment 45-G: Consistency of Subarea #7 with City Policy

If Sycamore Grove Park and Subarea #6 were not annexed into the City, Subarea #7 would still be consistent with City General Plan policies given that it is adjacent to the existing City limits along

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[2]Squillance, P.J., Pankow, J.F., Korte, N.E., and Zogorski, J.S., 1996, Environmental Behavior and Fate of methyl ter-Butyl Eether (MTBE), USGS Fact Sheet FS-203-96.

[3]Squillance, P.J., Pankow, J.F. Korte, N.E., and Zogorski, J.S., 1997, Review of the Environmental Behavior and Fate of Methyl tert-Butyl Ether, SETAC Journal, v. 16, no. 9, September.

[4]Delzer, G. C., Zogorski, J.S. Lopes, T.J., and Bosshart, R.L., 1996, Occurrence of the Gasoline Oxygenate MTBE and BTEX Compounds in Urban Stormwater in the United States, 1991-95, Water Resources Investigations Report 96-4145.

its western edge.

Response to Comment 45-H: Reductions in Traffic Volumes

The question regarding volume reductions is addressed in the DEIR on page 4.5-44. In short, when both land use and network changes are made to a model, the re-distribution of traffic can result in reductions on some facilities. This reflects both the effect of new capacity (i.e. the Isabel and Concannon extensions) on travel patterns, and the effect of new land uses on trip distribution. The model provides the best possible estimates of future volumes on major roadways, based on these factors. See Master Traffic Response.

Response to Comment 45-I: Sewer Connection to VA Hospital

The City of Livermore already has a contract with the VA Hospital to provide 0.2 MGD of sewer treatment capacity when the VA Hospital decides to connect to the City's sewer system. Thus, even if the extension of sewer lines to Subarea #7 facilitated the connection of the VA Hospital to the City system, it would not be considered growth inducing, because the connection would be accommodating an existing use whose use of City sewer services has already been planned.

Based on its contract with the City, the VA Hospital would not be able to sell the capacity that is currently reserved for it.

Response to Comment 45-J: Water Supply

Refer to Master Water Response.

Response to Comment 45-K: Water Supply

Refer to Master Water Response.

Response to Comment 45-L: School District Capacity

The School District data included in the Draft EIR is based on the October, 1996 Facilities Plan. The data referred to by the commentor is from the District's most recent edition of the Facilities Plan, date June 12, 1997. This more recent edition, which was not available at the time the Draft EIR was prepared, reflects the District's most recent projections.

Differences between the District's growth projections and the City's do not necessarily mean the City is intending to grow faster. First of all, the City is bound by its growth management system, and not by School District projections. Secondly, the School District extends beyond the City of Livermore's boundaries to include planned growth areas in Dublin, so its projections could very well be higher than the City of Livermore's without being inaccurate or in conflict with City of Livermore growth policies.

Response to Comment 45-M: Cumulative High School Impacts

Refer to Response to Comment 45-F.

Response to Comment 45-N: School Service Areas

As stated on page 4.9-39 of the Draft EIR, the LVJUSD has an open enrollment policy which allows students from the Specific Plan area to attend any school in the District. The Draft EIR also identifies the schools nearest to Subarea #7 as being: Smith, Sunset, and Joe Michtell elementary schools, Mendenhall Middle School, and Granada High School.

Existing school district bounaries extend south to Santa Clara County. No change in district boundaries will be required.

Response to Comment 45-O: Unmitigated Environmental and Economic Damage

The commentor's frustration relating to the time constraints imposed by the 45-day review period are noted, as are the list of issues that should be taken into account before approving additional development in Livermore. Since these comments do not address a specific issue related to the adequacy of the EIR analysis, they will be forwarded to the City decision-makers for their consideration.

Response to Comment 45-P: Residual Land Valuation Analysis

The "preferred alternative" for Subarea #7 was prepared prior to the Residual Land Valuation Analysis, so was not selected, as suggested by the commentor, because it maximized the land owners' return. The Residual Land Valuation analysis, which was funded by the City, was conducted to provide City decision-makers with additional information when considering how much, if any, development to approve for Subarea #7.

Rather than just evaluating the "preferred alternative" in the EIR, as would typically be done for a specific plan, the City Council asked to have additional alternatives examined in the DEIR that could potentially reduce the project-related impact. Altogether, the Draft EIR evaluates nine different scenarios for the subarea. Although all of the alternative scenarios look at an equal or lesser development potential, the preferred alternative does not generate the maximum return, the 205 unit alternative generates the larges return. While the focus of the study is on identifying the return to the landowner that could be expected from each scenario, the study does not focus on providing maximum return for the landowner. Development scenarios that call for either no development or a few as seventeen units would not maximize landowner return.

Response to Comment 45-Q-S: Residual Land Valuation Analysis

These comments do not address the adequacy of the EIR analysis. These comments will be forwarded to the City decision makers for their consideration.

July 9, 1997

RECEIVED
JUL 14 1997
PLANNING DEPARTMENT

Mr. Marc Roberts
City of Livermore Planning Dept.
1052 South Livermore
Livermore, CA 94550

Dear Mr. Roberts:

I have reviewed the Draft South Livermore Valley Specific Plan (DSP) , Environmental Impact Report (DEIR) and Subarea 7 Residual Land Valuation Analysis (RLVA). Overall, the plan meets its objectives of promoting and insuring viticulture and open space for over 15,000 acres on Livermore's southern border in exchange for an expanded urban component located close to city limits and close to city services.

However, I am opposed to any plan to extend city sewer service and urbanization into Subarea 7 south of Sycamore Grove Park. This concept would undermine the public's confidence in the integrity of the entire plan. It is completely contrary to the plan's stated goal of placing all new homes at or near existing city boundaries and services. Furthermore, the proposed sewer extension if coupled to the Veterans Administration's reserved capacity in our Wastewater Treatment facility represents an even greater threat to the plan. That capacity of 0.2 mgd could support an additional urban population of over 2500 people in the area. A sewer line and urbanization of Subarea 7 would also seriously compromise existing city services and set a dangerous precedent for all of Livermore's future growth.

Please also address the following points in the final reports:

1) Regarding Subarea 7 (DEIR, p. 5.0 - 23, Subarea 7 Subalternatives) and the mitigation program for park dedication a second park acquisition alternative should be recognized in the final report. Park land could be purchased by the South Livermore Valley Agricultural Land Trust to avoid extensive urbanization of the area. The cost effectiveness of Purchase vs Mitigation should be thoroughly evaluated with the assistance of the Land Trust. This evaluation should include but not be limited to the cost of infrastructure plus public service as compared to the cost of park land purchase price for all alternatives. The recent $2.3 million purchase of Concannon Vineyards by the South Livermore Land Trust should be used as reference for land and lot valuations. The details of the Concannon Vineyard purchase agreement should be added to the report as an appendix. **46-A**

2) Regarding Subarea 7 (DSP, p. 4-4, Land Use Program), the use of the term "base scenario" gives the impression of approval. The City Council clearly directed that no preferred alternative be designated. This term should either be fully explained or deleted. **46-B**

3) Regarding Subarea 7 (DEIR, p. 4.9 - 28 & 29, Livermore Police Dept.), the road distance (miles) and Average Priority One response time (minutes) should be estimated for the most distant home locations in the 304 unit scenario. The police report states that 3 minute Average Priority One response times are necessary in felony emergencies where life and property are in immediate danger. **46-C**

4) Regarding Subarea 7 (DEIR, p. 4.9 - 21 & 22, Livermore - Pleasanton Fire Dept.), the road distance from designated Station #9 located at Concannon Blvd. and Cordova to the most distant home locations in the 304 unit scenario should be given. Assurances should also be given that First Engine response times (5 minutes) from Station #9 are possible from that distant location. **46-D**

5) Regarding Subarea 7 (DEIR, Transportation and Circulation, p. 4.5 - 37) and schools, the road distances from the most distant home locations in the 304 unit scenario to the closest elementary, middle and high schools in the area should be estimated. Will these roads have bike lanes provided and will they be safe for children who bike to school? **46-E**

6) Regarding Subarea 7 (DEIR, Proposed Wastewater System, p. 4.9 - 18), the report should state clearly those unit plans which will need to be serviced by a sewer line. The 52 unit plan consisting of 2 to 8 acre lots should not be designated for septic system service in the final report without approval from the Alameda County Health Department. **46-F**

7) Overall, the reports do not indicate the role of Alameda County in the final approval process. This should be clarified and included in the final report. I have heard that sole Livermore planning authority for South Livermore was one of the conditions for our city's agreement to drop its law suit against Alameda County and Pleasanton regarding the Ruby Hill development? If so, then Alameda has no final approval authority and this information should be indicated in the final report. As the report stands, Livermore residents have no assurances that a Livermore approved plan will endure, in perpetuity, without future interference from Alameda County. **46-G**

8) The report should also recommend that an Urban Limit Line be drawn so as to reinforce the South Livermore planning prerequisite of urbanization at existing city boundaries. The report should also recommend that any future changes in Housing Caps and Urban Limit Lines first be approved by Livermore voters. **46-H**

Sincerely,

Clarence L. Hoenig

Clarence L. Hoenig
588 Tyler Avenue
Livermore, CA 94550

Letter #46. Clarence L. Hoenig, 588 Tyler Avenue, July 9, 1997.

Response to Comment 46-A: Parkland Dedication

The Draft EIR does evaluate an alternative (Alternative #9) that would retain Subarea #7 as permanent open space through purchase of the property by an appropriate agency, including the Land Trust (Refer to page 5.0-36 for a description of the alternative.).

Response to Comment 46-B: Subarea #7 Land Use Alternatives

The use of the term "base scenario" is explained on page 4-41 of the Specific Plan. The Specific Plan clearly states that no preference is given to the "base scenario."

Response to Comment 46-C: Police Services

Since the Police Department responds to calls for service from roving patrol cars, there is no set point from which to measure the distance from which the police would need to respond. As discussed on page 4.9-29 of the Draft EIR, the Police Department already has average response times that exceed its goal for Priority One calls. Impact 4.9-11 addresses the cumulative impacts to police services resulting from the expansion of the City's boundaries (particularly to the north), but finds that the Specific Plan is not expected to contribute to any significant police service impacts (page 4.9-30).

Response to Comment 46-D: Fire Department Response Times

As indicated in the Draft EIR (page 4.9-24), the Livermore-Pleasanton Fire District has reviewed the Specific Plan and determined that the District can meet response time criteria to calls from all of the subareas.

Response times to Subarea #7 will depend on which development scenario is selected. Station #9 will only have primary response responsibilities if development occurs in the eastern portion of the subarea. The Specific Plan requires that emergency access be provided from the VA Hospital to provide access to the east end of the subarea. Station #5 will have primary response responsibility for most of the subarea.

Response to Comment 46-E: Bicycle Connections to Schools

Regional bike trails that are separated from local roadways will connect Subarea #7 to the City's existing bikeway system. Trail connections will lead to bike lanes on both Holmes Street and Arroyo Road.

Response to Comment 46-F: Proposed Wastewater System

All of the Subarea #7 alternatives, except for Subalternatives #7 (52 units) and #8 (17 units), would require sewer service. Obviously, the "no project" alternative, with no development, would also not require sewer service.

Response to Comment 46-G: County Approvals

The Specific Plan is a City plan that must be reviewed and approved by the City of Livermore. The County's role in the process will be through LAFCO, which must approve annexation of the planning area in order for the City to implement the adopted plan.

The City and County have both adopted the goals and policies of the South Livermore Valley Area Plan (SLVAP) in order to provide common guidance on the future direction of the South Livermore Valley. However, the agricultural mitigation program was also included in the SLVAP to ensure that today's planning decisions could not be undone in the future. By acquiring permanent agricultural easements on strategically located lands along the City's southern boundary, a permanent urban boundary can be established.

Response to Comment 46-H: Urban Limit Line

In conjunction with this Specific Plan program, the City is initiating a General Plan Amendment that will establish an Urban Growth Boundary along the City's southern edge. The proposed growth boundary will be presented to the City decision-makers along with the Draft Specific Plan for their consideration.

The commentor's desire to have future amendments to the Housing Caps and Urban Limit Lines approved by Livermore voters is noted.

July 12, 1997

RECEIVED
JUL 14 1997
PLANNING DEPARTMENT

Livermore City Planning Commission
Administration Building
1052 S. Livermore Ave.

Dear Planning Commission:

The following is the statement I would have made orally at the planning commission public hearing on the South Livermore Plan of 8 July 1997 if the meeting had been conducted in an open, cordial and accepting manner. Because the meeting was run in an authoritarian and bureaucratic manner, several people and perhaps many citizens were too intimidated to speak for fear of being confronted by the chairman. In spite of the fact that the meeting ended hours earlier than anyone expected and in spite of the fact that there were no more speakers, and in spite of the fact that my first statement at this meeting took about four minutes less than the five minute ground rule the chairman set down, and in spite of the fact that my earlier statement dealt only with procedure and not with the comments I had come to make on the EIR, I was NOT PERMITTED to complete my remarks.

****

I request that the final EIR include a preferred alternative that excludes a sewer line extension to Subarea 7. Please generate either a detailed plan or a statement of principle for preferring such an alternative. The purpose of the preferred alternative designation is, not only to let the public know that the alternative is being considered but that the city intends to go in this particular direction. This aids the public in studying the EIR but does not restrict the City from choosing other alternatives.

My reasons for requesting the City to exclude the pipeline are:

If there is no pipeline then

- leapfrog residential development would be effectively blocked in SA-7 on the land currently controlled by the VA hospital, in areas south of SA-7 and the areas east of Arroyo Road near the VA hospital,
- development of SA-7 into a cookie cutter urban residential tract would be effectively blocked because without a sewer line the minimum permitted lot size would be 5 acres,
- the SLP planning principles of preserving open space and compact residential development will be preserved and, more importantly, the rural character of SA-7 could be preserved by giving the city the opportunity to develop a more imaginative plan for this sensitive region, for example as an equestrian center with a variety of large lot sizes, grazing areas and public access for trail and park land.

47-A

****

The following comments were not intended for the public meeting but are submitted herewith.

- The EIR makes a serious error in judging SA-4 as compatible with the SLP objectives of preserving open space and compact residential development. The logical urban boundary should go down Arroyo Road to Wetmore to Route 84. Developing SA-4 without a sewer but with large lots (~ 20 acres) would be the best way of controlling

47-B

development in the SLP in perpetuity; especially if the County could be enlisted to keep the 100 acre zoning in the area outside of the SLP.

- The traffic analysis with respect to Buena Vista is flawed and out of date as was effectively demonstrated at the public hearing. The Mines Road connection has been part of the city plan for decades. I have always opposed this connection but because I hope and believe the SLP will prevent runaway land speculation and development in the rural areas penetrated by the existing Mines Road, I now support the Mines Road connection. This will be our last chance to get this important traffic carrier. I enthusiastically support the Mines Road connection because it could then be used as an excellent egress route from SA-2 to I-580. **47-C**

I respectfully request City comment on these three suggested changes to the EIR.

Sincerely,

William E. Zagotta
5155 Lillian Ct.
Livermore, CA 94550
443-0451

Letter #47. William E. Zagotta, 5155 Lillian Court, July 12, 1997.

Response to Comment 47-A: No Sewer Alternative

The Draft EIR already includes three alternatives for Subarea #7 (#7, #8, and #9) that would not require the extension of a sewer line. The purpose of the alternatives analysis is to provide an assessment of how different alternatives affect all environmental factors, not just a single factor such as sewer service.

CEQA requires the alternatives analysis to identify an "environmentally superior" alternative, but the intention is not to determine a "preferred alternative" as requested by the commentor. Selecting a "preferred alternative" will be the responsibility of City decision-makers.

The commentor's reasons for preferring a development scenario for Subarea #7 that excludes sewer service are noted.

Response to Comment 47-B: Subarea #4 Consistency with Logical Urban Boundary

The commentor's opinion that the development proposed in Subarea #4 is inconsistent with City objectives for preserving open space and compact residential development are noted. The commentor's preference for 20-acre parcels on Subarea #4 and establishing Arroyo and Wetmore roads as the urban boundary are also noted.

Response to Comment 47-C: Buena Vista Avenue Traffic Analysis

The commentor's support of a Mines Road connection is noted. Please refer to the Master Response to comments regarding the adequacy of the Buena Vista Avenue analysis in the Draft EIR.

TO: Marc Roberts, City of Livermore Planning Department PLANNING DE . MENT
FROM: Doreen & Mark Ptak, 2437 Regent Road, Livermore
SUBJECT: Comments on the South Livermore Valley Specific Plan and General Plan Amendment Draft Environment Impact Report
DATE: July 13, 1997

We would like to submit the following specific comments on the SLVP Draft EIR.

No.	EIR Para.	Comment	
1	1.1	The text reads, "Impacts determined to be insignificant are listed in Chapter 6.0 Impact Overview." Our copy had no such list of impacts and we would be interested to know what impacts are considered insignificant.	48-A
2	4.8	The photosimulations of the views shown "after development" should be duplicated to show what the view will look like during those times of the year when the vines have lost their leaves.	48-B
3	4.8	Impact 4.8-5: View of Residential Development in Subarea 5 - According to the Specific Plan, re-routed Wetmore Road through Subarea 5A is intended to serve as an entrance to wine country. The existing Sycamore Stables in Subarea 5A are to be replaced with tract housing. In our view, a residential housing tract in Subarea 5A represents a poor entrance to wine country with a significant negative aesthetic impact. We believe the impact of replacing these stables with housing at the "entrance" to the SLVSPA should be specifically addressed in the EIR. The existing stables do a lot to establish the rural nature of the area and their replacement with tract housing is a clear sign that the Livermore Valley is nothing more than an extension of Silicon Valley.	48-C
4	5.5	Subalternatives 5 and 7 for Subarea 7 include significant development in the far eastern portion of the subarea. These subalternatives would place tract housing beside the main trail linking Veterans and Sycamore Grove Parks. Currently the link between the two parks make both seem larger than they really are. Placing tract homes adjacent to this main trail seriously degrades the quality of both these parks. The impact of these tract houses on this portion of the trail should be identified in the EIR. A "before" and "after" photosimulation of this area should be done and added to this paragraph. As regular users of these parks we would feel significant anti-development resentment every time we took this trail.	48-D

5 4.1 Impact 4.1-6: Growth Inducing Impacts - This section of the EIR downplays the growth pressures produced by the SLVSP by focusing on the elevation of water tanks in subareas 4 and 7. This paragraph should be expanded to include what mechanisms are (or will be) in place to ensure that these water tanks are built at those elevations rather than higher elevations. The role of sewer expansion into Subarea 7 and the possibility of closure of the VA Hospital due to future government downsizing should be discussed in this section. **48-E**

6 4.9 Impact 4.9-15: School Impacts - This section describes how the SLVSP would handle the additional 493 elementary and 239 middle school students with a combined elementary/middle school in Subarea 3. The EIR should point out in this paragraph that many people (such as ourselves) consider combining this wide range of age groups on one campus inappropriate and a serious degradation of the quality of education in South Livermore. **48-F**

7 4.9 Impact 4.9-17: Library Impacts - This paragraph contents that the SLVSP represents "no impact" to the library system in Livermore since new facilities are bound to be constructed as a result of the enormous development proposed in North Livermore. The addition of several thousand new patrons to the library system is bound to cause an impact since it should drive the city to build larger facilities than it would have built without the SLVSP. This should be included in the EIR. **48-G**

8 5.6 We agree with the EIR conclusion that the "No Development Alternative" is the preferred alternative. We are pleased to see that the city is preparing consolidated plans for the South Livermore area but would prefer to see the city hold out for more viticulture/open space and less development. **48-H**

In many instances the best alternatives are not clear since outside factors (such as the timing for widening SR 84 all the way between Livermore and Sunol and addition of car pools lanes over the Sunol grade) are not yet decided. The EIR should consider time-phasing developments included in the plan with such outside events. The overall traffic situation in the Tri-Valley area is in such terrible shape and the plans for correcting the problem at the regional level are in such flux that it is difficult for current residents to take a positive view of any new development. **48-I**

9 4.1 On page 4.1-45 the EIR states "Livermore could adopt an Urban Growth Boundary that would not allow the development of services and infrastructure to be extended beyond the limits of development in the SLVSPA." We agree with this concept and would like to see it get more emphasis in the EIR conclusions. **48-J**

In addition to these comments we agree with many of the speakers who addressed the planning commission during the July 8th hearing on the EIR on general topics such as:

- The grossly negative aesthetic aspects of development on the ridge in Subarea 7.
- The fact that the extension of Concannon Ave. will create a perfect commute corridor through South Livermore for people commuting from San Jocquin county to Santa Clara county.

48-K

We have comments on the Specific Plan itself but are saving them for the time when the plan is discussed directly.

Thank you for your consideration of these comments.

Mark S. Plak

Doreen J. Plak

Letter #48. Doreen & Mark Ptak, 2437 Regent Road, July 13, 1997.

Response to Comment 48-A: Impact Overview

A summary of all identified impacts, including those that are less than significant, are included in Exhibit 3.0-1 on page 3.0-15 of the Draft EIR.

Response to Comment 48-B: Photo Simulations

It is not critical to the environmental analysis to create another set of photographic simulations of the development areas when the vineyards are without foliage. The simulations in the Draft EIR provide enough information regarding the size and placement of units for readers to infer how the same views would be altered by the absence of foliage. While units would be more visible during the winter months when the vines are without foliage, the change in the appearance would not result in significant visual impacts because of the development's setback from the area's roadways and the use of colors and materials compatible with the local landscape. In the long term, the substantial requirements for landscaping will further reduce the contrast of the new development with its setting.

Response to Comment 48-C: View of Residential Development in Subarea #5

The commentor's opinion that the proposed Wetmore Road/Vallecitos Road intersection would create a visually unattractive entrance to the wine country because it would have housing on either side of the entry road, is noted. The Specific Plan goes to some lengths to create an attractive entrance at this location (for more detail refer to page 4-36 of the Specific Plan). Only four residences would side onto Wetmore Road (i.e., two on each side), and all four lots would be in the 18,000 to 20,000 square foot range. A minimum 75-foot landscaped and bermed buffer would be provided along Vallecitos Road and at least 50 feet of landscaped setback (i.e., 40-foot landscape easement plus at least 10 feet of Wetmore Road right-of-way) would be provided along both sides of the Wetmore Road extension. While the visual character would be altered from the existing equestrian facility, no significant visual impact is anticipated as a result of the project.

Response to Comment 48-D: Development Adjacent to Sycamore Grove and Veterans' Park

Comment acknowledged. Development proposed for the eastern most portion of Subarea #7 in subalternatives #5 and #7 would impact park users. As discussed on page 5.0-46 of the Draft EIR, development in this area would be highly visible from the park resulting in a significant impact to the existing natural character. Since most of the subalternatives have little development in the eastern portion of the subarea, photo simulations were not prepared showing the effect on views from the parks. In addition, since the EIR has identified the impact as significant, having additional photo simulations produced would not alter the impact conclusion.

Response to Comment 48-E: Growth Inducing Impacts

The Draft EIR does not down play the potential growth inducing impacts associated with the project, but rather; finds that the project would not create significant growth inducing impacts (see Response 44-A). If the VA Hospital closes its operations, its unused reservation of water treatment capacity would revert back to the City.

The sewer extension to Subarea #7 and the VA Hospital would be sized to accommodate just the Hospital and Subarea #7, so would not contribute to continued growth to the south. If the VA Hospital closes its operations, its reservation of water treatment capacity would revert back to the City.

Response to Comment 48-F: Combined Elementary/Middle School

The concept of a building a combined elementary/middle school in Subarea #3 has been proposed by the Livermore Joint Unified School District, not by the Specific Plan. The commentor's concern regarding the effect of this arrangement on students needs to be addressed to the School District.

Response to Comment 48-G: Library Impacts

As stated in the Draft EIR (page 4.9-42), library staff have indicated that they do not believe that Specific Plan development would have a significant effect on Library services. The fact that additional library space will ultimately be needed to accommodate cumulative development in the City is also addressed in the Draft EIR. However, since the amount, location, and timing of such library expansion is unknown, the identification of specific environmental impacts would be speculative at this time.

Response to Comment 48-H: No Development Scenario

The commentor's preference for the "No Development" Alternative is noted.

Response to Comment 48-I: Linking Development to External Improvements

The commentor's suggestion that development within the Specific Plan area should be tied to the completion of specific road improvement projects outside the project area (e.g., widening of SR 84 from Livermore to Sunol, addition of car pool lanes over the Sunol grade, etc.) is noted.

Response to Comment 48-J: Urban Growth Boundary

The commentor's suggestion that an Urban Growth Boundary be adopted by the City is noted. City staff are currently preparing a proposal for a General Plan amendment that would establish an Urban Growth Boundary for the southern edge of the City. This proposal will be presented to City decision-makers for their consideration along with the Draft Specific Plan and Final EIR.

Response to Comment 48-K: Support for Comments at the Public Hearing

The commentor's agreement with statements made at the Public Hearing on the Draft EIR are acknowledged, including: that development in Subarea #7 will have negative aesthetic impacts, and that the extension of Concannon Boulevard will create a perfect commute corridor for out-of-town travelers between San Joaquin County and Santa Clara County.

JUL 14 1997

PLANNING DEPARTMENT

SOUTH LIVERMORE VALLEY SPECIFIC PLAN AND GENERAL PLAN AMENDMENT DRAFT ENVIRONMENTAL IMPACT REPORT

COMMENT SHEET

The following comment on the Draft Environmental Impact Report (DEIR) is addressing on the discussion of natural storm drainage problem of Subarea-4, or more specifically, the lack of such discussion.

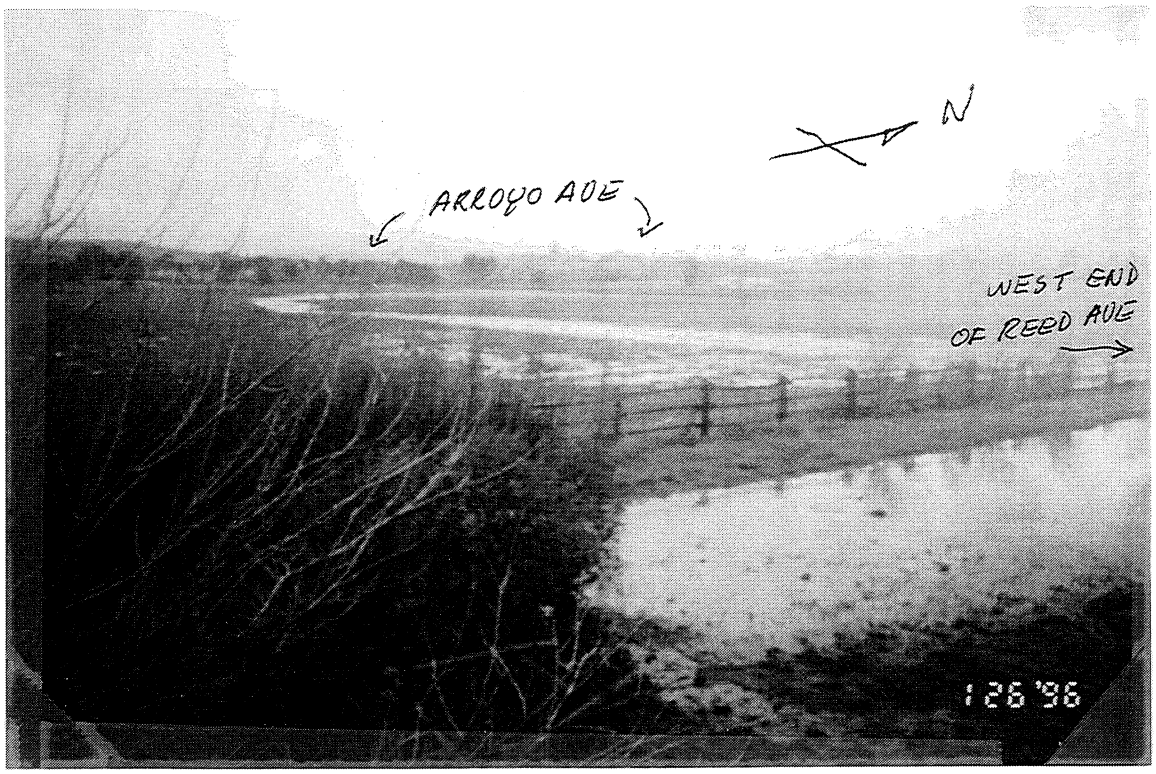
Every year for the past 19 years, since I have live in the Reed Ave., I saw storm runoff from the hills in Subarea-4 forming an active creek draining through the low land at the west end of Reed Ave. Depending on the severity of the rainfall, creek water from 10 to 50 ft wide stream through the west end of Reed Ave. toward Arroyo Ave. Accordant to the South Livermore Valley Specific Plan for Subarea-4, there will be development directly on the path of this natural storm runoff drainage. Any construction in this area that would restrain the natural flow of this storm water will cause damage to my property. However, there is no mention or discussion or solution addressing this problem in the DEIR. 49-A

Attached is a photo taken on 1-26-96 showing a typical path of the natural storm runoff west of the Reed Ave. area looking toward Arroyo Ave.

Name: Kai and Carla Wong Kai M Wong 7-14-97

Carla M. Wong

Address: 2601 Reed Ave.
Livermore, CA 94550



Letter #49. Kai and Carla Wong, 2601 Reed Avenue, July 14, 1997.

Response to Comment 49-A: Flooding in Subarea #4

The commentor is referred to the EIR impacts and mitigation sections, 4.3-1 and 4.3-2. The potential for Subarea #4 development to worsen the flooding situation upstream of the Arroyo Road culvert crossing is noted therein. In particular, it is specifically noted that any commercial development in the vicinity of the culvert inlet area needs to fully accommodate the culvert and its entrance/sump area. With regards to the impact of Subarea #4 residential and agricultural development, none of this development would occur upstream (and in the same sub-watershed) of the Wong property. Therefore, the only possible repercussion of the proposed development could be an increased backwater problem associated with the Arroyo Road culvert. This should be addressed in Policies 4.3-1 a) through c).

07-14-97 12:23PM FROM ALDEN LANE NURSERY P01

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PLANNING DEPARTMENT

7-14

Post-it™ brand fax transmittal memo 7671 | # of pages ▸

To Marc Roberts	From Martha Silberman
Co.	Co.
Dept.	Phone #
Fax #	Fax #

To: Marc Roberts, Livermore Planning
From: Martha Silberman
Re: SLVSP-DEIR

I must say my main concern regarding the DEIR is not so much the specific contents, but how much of it we implement! I thought the citizenry did a fine job developing questions about this document; I look forward to the consultants' responses.

I have a few questions:

1. On pg. 3.0-6, there is discussion about the superiority of the 205 unit alternative in SU 7. In the Alternatives section, pg. 5.0-5.0, the 159 unit alternative is named environmentally superior. Please clarify these two statements. **50-A**

2. Could we please evaluate the Futch plan? **50-B**

3. Re: 4.6-5, mitigation measures for construction impacts: Please tell us which of the mitigation measures are currently in place in city codes, and which would require new city action. **50-C**

4. Re: Section 4.6: Little reference is made to air quality impacts associated with (assumed) increases in recreational traffic to and/or through Livermore due to the SLVSP. If the commercial and recreational sites develop as anticipated, I would think air quality would be substantially affected at some peak periods. I think the DEIR should consider air quality impacts due to increased tourism, and mitigation thereof. **50-D**

That's all Marc!

Looks like my printer is running out of ink- hope you can read this

Letter #50. Martha Silberman, July 14, 1997.

Response to Comment 50-A: Environmentally Superior Alternative for Subarea #7

As noticed by the commentor, the summary discussion on page 3.0-6 is inconsistent with the discussion on page 5.0-50 regarding the environmentally superior alternative for Subarea #7. As discussed on page 5.0-50, Subalternative #6, the 159-Unit alternative, is the environmentally superior alternative that proposes development on the site (i.e., the "no development" scenario has fewer impacts, but is not an alternative that achieves any project objectives). Thel 59-Unit alternative is considered environmentally superior to the 205-unit scenario because it uses less land for development, eliminates visual and land use conflicts associated with development of the eastern portion of the subarea, and, because it has fewer units, generates less traffic, less air pollution, and less demand for services.

Response to Comment 50-B: The Futch Plan

The "Futch Plan" calls for a combination of five- and twenty-acre parcels in Subarea #7. In order to more clearly evaluate the environmental and economic performance of both the smaller parcels and the larger parcels, the EIR created two separate alternatives, one of which focused on smaller parcels (Subalternative #7) and one of which focussed on the larger twenty acre parcels (Subalternative #8). Thus, while the "Futch Plan" was not specifically evaluated, its component parts have been. One of the objectives of the EIR alternatives analysis was to evaluate a broad enough range of development scenarios so that, if the City did not want to approve any of the alternatives presented, it could craft an acceptable solution without having to conduct further environmental review.

The Draft EIR and the Residual Land Value Analysis have provided enough environmental and economic information for the City to consider the "Futch Plan" or any other combination of plan area comments, if it so desires.

Response to Comment 50-C: Construction Impacts

All of the measures recommended in Mitigation Measure 4.6-1(a) are currently required by City codes. None of the measures recommended int Mitigation Measure 4.6-1(b) are currently required by the City.

Response to Comment 50-D: Air Quality Impacts Associated with Increases in Recreational Traffic

Recreational traffic is reflected in both the local and regional air quality analysis within the DEIR. The local carbon monoxide analysis is based on peak-period traffic volumes reflecting both project and background recreational trips.

The regional air quality impact section identifies air quality impacts generated from traffic associated with all trip types, including recreational trips when appropriate. Recreational trips are also included as a component of commercial and residential trips.

JUL 14 1997

PLANNING DEPARTMENT

1262 Madison Ave.
Livermore, CA, 94550-5020
July 14, 1997

Marc Roberts
City of Livermore Planning Department
1052 South Livermore Ave.
Livermore, CA; 94550-4899

Subject: Comments on DEIR for South Livermore Valley Specific Plan
Section 4.9 Public Services--Water Service.

This is an excellent analysis with one exception; more information is needed to differentiate between surface and ground water demands and supply. **51-A**

A basic question re: footnote 10 on page 4.9-7 is whether this demand is made on surface water or ground water? or both? **51-B**

What are the present annual totals of groundwater pumped for ag on a per acre basis? for vineyards? for olive orchards? **51-C**

What are estimated future annual totals of groundwater pumped for ag? for vineyards? for olive orchards? **51-D**

How will this groundwater be replaced annually? Who pays? **51-E**

Should a pump tax be considered as mitigation for groundwater used for ag? for rural residential use? **51-F**

An economic/financial analysis is needed regarding the relationship between the costs and benefits of users of groundwater for ag and RR purposes. Traditionally the cost of untreated state water to recharge the groundwater basin has been $20/AF paid for by all Zone 7 water users through water rates. Future water obtained from Central Valley ag water transfers is estimated to cost $1,000 /AF. Those who benefit from this recharge by pumping from the basin, pay only their personal costs for energy to pump, not for the water used. The financial burden for the increase in untreated water to recharge the basin should be bourne by those who benefit from it. **51-G**

I disagree with the last two sentences at the bottom of page 4.9-14--"the depletion of groundwater resources is considered both a less than significant project and cumulative impact" and "No mitigation would be required". **51-H**

In my opinion, the groundwater basin should be kept in balance and what is used each year should be replenished within each water year (starts July 1). When withdrawals from the basin exceed deposits, it is a very significant and serious impact, comparable to overdrafting one's bank account. Particularly serious are cumulative impacts to the groundwater basin in a series of drought years. **51-I**

In my opinion, at such time that withdrawals exceed deposits, development approvals for residences and/or agriculture should cease until the basin is back in balance. A key Livermore monitoring well should be designated where this measurement shall be taken at least quarterly, if not monthly. **51-J**

To Marc Roberts from Margaret Tracy July 14, 1997 page 2

All draft plan policies on pages 4.9 - 12-14 are very important not only to benefit the public interest, but also to preserve water resources. These policies are well stated. 51-K

It is noteworthy to add that Arizona State Law requires all developers to prove that a sustainable one hundred year water supply is available before approval is given to any development proposals. 51-L

Yours truly,

Margaret J. Tracy

Margaret J. Tracy
member of Zone 7 Water Board
1978-94

Letter #51. Margaret J. Tracy, 1262 Madison Avenue, July 14, 1997.

Response to Comment 51-A: Surface and Groundwater Demands

Comment noted that the analysis needs to differentiate between surface and ground water demands and supply. Refer to Responses to Comments 51-B, -C, and -D.

Response to Comment 51-B: Surface and Groundwater Demands

The commentor questions whether the demand figure in the footnote on page 4.9-7 refers to surface or ground water or both. Footnote 10 describes the total assumed per acre average water use for viticulture in the South Livermore Valley. Since this is total demand, it includes both demand for surface and ground water.

Response to Comment 51-C: Annual Groundwater Totals

Comprehensive data on individual well pumping in the South Valley is not compiled by any public agency. For the most part, the new viticultural areas in the South Valley are not located over the central basin. All of the water Zone 7 provides to agricultural, including vineyards and olive orchards, is surface water from the aqueduct. In general, well water is only used if there is insufficient Zone 7 water available. Well water, where it exists, is used only as a backup, emergency supply. (Communication with Dennis Gambs, Zone 7 and Mike Gatzman, Wente Wineries, August 20, 1997).

Response to Comment 51-D: Future Groundwater Totals

Zone 7 has no plans to develop conveyance systems for delivery to groundwater to the South Valley agricultural areas at this time. Therefore, estimated future totals of groundwater use is zero. (Communication with Dennis Gambs, August 20, 1997).

Response to Comment 51-E: Paying for Groundwater

The commentor asks how groundwater will be replaced annually and who will pay. As pointed out in the DEIR, to redress the historic overdraft of the groundwater table and keep within the limits of long-term safe yield, Zone 7 artificially recharges the basin. Most of the newly planted acres will not be located over the central basin. Therefore, as described above, these agricultural areas will not rely on groundwater for irrigation.

Response to Comment 51-F: Pump Tax

The DEIR concluded that the project would not have a significant impact on groundwater. Therefore, no mitigation measures need be proposed for groundwater use-related impacts. Management of the groundwater basin is provided by Zone 7 and pumping of groundwater takes place only upon Zone

7's authorization. As such, consideration of a pump tax for groundwater use is a policy decision that should be made by Zone 7.

Response to Comment 51-G: Economic/Fiscal Analysis

Comment noted regarding the need for an economic/fiscal analysis regarding the cost and benefits of users of groundwater for agriculture and rural residential users. Again, this request should be routed to the water provider, Zone 7, for consideration.

Response to Comment 51-H: Depletion of Groundwater Sources

Comment noted that the commentor disagrees with the conclusion contained in the DEIR that impacts to groundwater resources are insignificant. No information is provided in the comment letter that demonstrates that this impact should be changed to significant.

Response to Comment 51-I: Replenishment of Groundwater Basin

Comment noted that the groundwater basin should be kept in balance and replenished each year in the amount used. Management of the qroundwater basin is under Zone 7's jurisdiction. According to Zone 7, the basin is being maintained to keep within the limits of long-term safe yield.

Response to Comment 51-J: Maintaining Groundwater Balance

Comment noted that the City should maintain a monitoring well to measure groundwater and if the withdrawals exceed deposits, development approvals should cease.

Response to Comment 51-K: Draft Plan Policies

Comment noted that the policies are well stated.

Response to Comment 51-L: Arizona State Law

Comment noted that Arizona state law requires all developers to prove a sustainable yield for one hundred years prior to development approval.

Michael Ferrucci
505 South Livermore Ave.
Livermore,CA 94550

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JUL 14 1997
PLANNING DEPARTMENT

July 14, 1997

Marc Roberts
City of Livermore Planning Department
1052 S. Livermore Ave.
Livermore, CA 94550

Dear Mr. Roberts:

I am very concerned that the Draft Environmental Impact Report (DEIR) for the South Livermore Valley Specific Plan (SLVSP) inadequately addresses the impact of the plan on Livermore's downtown economic development efforts. For years our city leaders have advocated that once Highway 84 is relocated, First Street, specifically between "L" Street and South Livermore Avenue, should be reconfigured to two lanes to create a "pedestrian-friendly" roadway. This is a direct contradiction to mitigation measure 4.5-7 which states that "the City should optimize traffic flow on SR 84 through the downtown". There is also no mention in the DEIR of the Livermore Redevelopment Agency's "Golden Triangle" project. I believe the success of our downtown redevelopment will be greatly affected by the implementation of the SLVSP and it's impact on downtown traffic. **52-A**

SLVSP automobile traffic would incrementally increase air pollutant emissions in the region. These increases would exceed the BAAQMD thresholds of significance and would represent a significant unavoidable impact. The DEIR states "`Primary impact would be due to vehicle trips associated with development. " The report goes on to say, "the only way available to reduce the significance of this impact appreciably would be to decrease the total amount of development and corresponding trip generation of the respective land uses." However it goes on to state that implementation of such a mitigation approach would be in conflict with underlying objectives of the Draft Plan" **52-B**

The Specific Plan states in it's Primary Criteria page 1-5, " plan should facilitate development of a circulation system that meets the needs of local residents and visitors to the wine country; and should promote development that will be of general benefit to the City as a whole" It does not appear that this is clearly demonstrated in the DEIR document as it is presented. 52-C

I urge that there be further analysis to identify the impact of SLVSP on our downtown's economic development .

Sincerely,

Michael Ferrucci

Letter #52. Michael Ferrucci, 505 South Livermore Avenue, July 14, 1997.

Response to Comment 52-A: Effects on Downtown Economic Development

The DEIR states that optimizing traffic flow would include such items as adjusting signal phasing and timing. In addition, the DEIR notes that restriping of some intersections (i.e. reconfiguring which lanes are reserved for turning) should be considered as traffic patterns change in the future. This would not be inconsistent with the City's goal of creating a pedestrian friendly environment once State Route 84 is moved to the Isabel Expressway. The City agrees with the commentor that the success of the City's downtown redevelopment will be greatly affected by the implementation of the SLVSP. The implementation of the Specific Plan will support the City's goal of creating a vibrant viticultural area with new wineries that will attract visitors to both the wine country and the downtown. The implementation of the SLVSP is one of the key strategies in the City's Economic Development Strategic Plan.

Response to Comment 52-B: Air Quality Impacts

The commentor correctly summarizes the Draft EIR's assessment of the project's contribution to regional air pollution. Because of existing air pollution levels in the Bay Area, all development of any size contributes to significant impacts on the region's air quality. While implementation of Mitigation Measure 4.6-3 will help to reduce project-related air emissions, it cannot reduce them to a level of insignificance. Thus, the City is faced with the difficult situation in which it must choose between rejecting development proposals to avoid contributing to regional air quality problems, or approving projects that meet certain City objectives in spite of the potential for adverse effects on air quality.

Response to Comment 52-C: Primary Criteria

The commentor's opinion that the Specific Plan has not met its Primary Criteria to provide a circulation system that meets the needs of residents and visitors, and to promote development that is a benefit to the City as a whole, is noted.

7/14/97

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JUL 14 1997
PLANNING DEPARTMENT

Marc Roberts
City of Livermore Planning Department
1052 South Livermore Ave
Livermore, Ca

I am John Kurtzer and reside at 801 East Vineyard Ave, Livermore, Ca which is just north of Subarea 7 and west of Sycamore Grove Park. Subarea 7 is a beautiful property which is why, I guess, there is some much passionate debate over its development.

I personally believe that this plan can work in the best interest of all parties. I do however have some concerns on how some aspects of the plan affect the park and our property. **53-A**

Of major concern is the commercial winery site. Why in a 577 acre development project is this placed right next to the park and our property. Surly there are other places that this site can be placed that would have less of an impact on its existing neighbors. This is not small scale or medium scale. This is placing a 50,000 sq.ft building that would have the most visibility of anything proposed in subarea 7. It is interesting to note that the photo of visual impact analysis exhibits 4.8-17,4.8-18 or 5.5-12 do not show this site and its impact. Access to the site is being proposed through our property using an prescriptive easement of use by the Crohare's. The plan says that LARPD is planning to use this access for additional parking for Sycamore **53-B**

Grove. I have talked to Doug Bell at LARPD and he says that this is one site and that there are alternatives. I do not believe this site should be approved based on an assumption that this parking access is a reality when it most likely will not happen. There are to many issues with liability with our farming operation to provide public access on this easement. Why not place the winery closer to other commercial sites like Zone 7 or maybe even the hospital which already has winery related traffic nearby. Why expand winery or other commercial use on roads or easements where there have been none in the past when there are other alternatives.

Another concern is drainage from subarea 7 across our property. The clay pan area presently drains onto our property. When the Zone 7 road was built it dammed the natural drainage across The Detjens property and was diverted onto our property. During periods of heavy rains this water can pond up to our driveway for a few hours until it drains away. My concern is that without a storm sewer system that more water will end up on our property with potential for flooding. Is there a plan for this additional drainage that will not impact our property? The Exhibit 4.3-5 does not show this flow/runoff direction and I want to make sure this is looked at.

53-C

To sum up I feel that any impact this development has should have the area around the proposed winery site be either park or vineyard as a buffer to the potential impacts that this project has to the surrounding areas and that any commercial sites, winery or equestrian be placed around the existing commercial sites nearby where there is less impact and access restrictions.

53-D

Addendem to remarks at Planning Commission:

One additional thought. My understanding is that there will be an urban limit line of some sort and that development in the future will be limited to a certain number of units yet to be determined. I have never wanted to develop this property. However if the impact is so great that I will no longer enjoy the use of this property I should look at this option. If an easement across my property is expanded to allow public use, if our vineyard operations will have to be altered because of this change, if a commercial winery or commercial equestrian center is placed next to our property when there are better alternatives, than I will ask that the same development right's as the Crohares be given to our property. That 9 units on 17 acres be granted in the allocation of the South Livermore Plan. This is not much different than the percentage allocation of 304 units/ 577 acres **53-E**

Approximately 4 acres of property the Park District wants could be donated and the units could be sold to the Land Trust so there would be no further impact to Sycamore Grove. This would alleviate the loss in value suffered on our property. We would then go and try to rebuild this environment somewhere further out of town. Just so there is no misunderstanding my preference is to stay with no expansion of easement rights and that the property next to Sycamore Grove remain as a buffer to the rest of the project in Subarea 7.

Sincerely;

John Kurtzer
801 East Vineyard Ave
Livermore, Ca

Letter #53. John Kurtzer, 801 East Vineyard Avenue, July 14, 1997.

Response to Comment 53-A: Commercial Winery

The likely placement of the winery, if approved by the City, would be several hundred feet (400-600 feet) from the existing Kurtzer residence and Sycamore Grove Park. While the development of the proposed winery would undoubtedly alter the current visual character, a winery would be consistent with the vineyard setting existing and land uses already established by the vineyards in Vineyard Estates, on the Kurtzer property, or with the Thomas Coyne Winery located across Foley Road from the proposed winery.

With regard to the Crohare's prescriptive easement, Policy 5-29 requires the developers of Subarea #7 to acquire and dedicate the Foley Road right-of-way as part of any urban development under the Specific Plan..

Response to Comment 53-B: Location of Winery

The proposed winery location in Subarea #7 has no connection with the possible re-located park entrance. The discussion of a possible southern access to the park was included for information purposes only. As addressed in the previous response, Foley Road would be acquired and dedicated as a public roadway if Subarea #7 is approved for development under the Specific Plan..

The placement of the winery is not inconsistent with existing and planned land uses in the area given the recent expansion of vineyards in the area, and the presence of three other wineries in the general vicinity.

Response to Comment 53-C: Drainage

Comment on local flooding: No specific drainage plans are available at this Specific Plan level of the planning process. Language has been added to the EIR text describing the flooding referred to in the comment. Additionally, a specific mitigation measure has been added to ensure the problem is addressed at the time a site-specific development plan is prepared.

Change text in Hydrology section as follows:

Add to the end of last paragraph under "Localized Flooding" section: "As mentioned above (in the preceding section.....season. This is a function... which impedes infiltration. The residents of the Kurtzer parcel, which abuts the northwest corner of Subarea 7, have reported driveway inundation due to poor local drainage from Subarea 7 along the Zone 7 access road.

Add following Policy 8-25a under Impact 4.3-1:
Policy 8-25a: For Subarea 7 development, conduct a site specific drainage assessment to control off-site runoff and flooding on the adjacent Kurtzer parcel. Implement engineering and other measure

to alleviate associated driveway and property flooding.

Response to Comment 53-D: Relocation of Winery

The commentor's desire to have any commercial uses (i.e., a winery or equestrian facilities) re-located to an area near existing commercial sites is noted. See responses above (53-A and 53-B).

Response to Comment 53-E: Request for Additional Development Potential

The commentor's request for the option to develop his property at similar densities to Subarea #7 if the Plan is approved, is noted. Such a scenario is not likely, given that the Specific Plan is intended to be the last urban development to be approved by the City in the South Livermore Valley. The City's staff report on policy matters will further elaborate on this comment for decision makers consideration.

Comments on the SLV Plan Draft EIR
Donald G. Miller
July 14, 1997

JUL 14 1997
PLANNING DEPARTMENT

1. General Issues

Although much work has gone into it, this EIR and its associated Specific Plan are development-driven, rather than an attempt to make a real Wine Region. The proposed development dominates the landscape, close-in or not, consisting of cookie-cutter subdivisions and houses crammed together in complete violation of our existing residential zoning ordinance. More specifically, labeling as "rural" huge houses on 6000-10000 ft^2 lots with reduced setbacks, even with no sidewalks, narrower streets, and varied frontages, is simply a fantasy. **54-A**

The no-development or low development cases should have been more adequately considered. When 1200-1600 units are considered, clearly 1200 is more environmentally acceptable than 1500. Even that should be further reduced on environmental grounds. **54-B**

The development is assumed to be consistent with the "goals" of the SLVP. However, when these goals for the assumed amount of development lead to unmitigatable environmental damage and are inconsistent with other policies of the General Plan, it is time to re-evaluate City and County goals. Consequently the project should be downsized to obtain the environmentally superior project, even if that is "no project" or minimal development. **54-C**

The EIR's treatment of Subarea 7 has completely ignored any variant of last year's 29 lot Futch plan This plan was endorsed by most of the public testimony last year, and by City Council direction was to have been included in the Subarea 7 alternatives. It is not simply a combination of Alternatives 7 and 8, particularly in an economic analysis. **54-D**

"Studying mitigation", "encouraging", and "shoulds" are NOT mitigation. **54-E**

The EIR says little about the high additional costs of water supply, sewer, roads, and schools for all the development. This applies especially to the further out subareas, like Subarea 7. We existing residents will bear the burden of these costs beyond the ones in place now. This outlying growth does not "pay for itself", as required by our General Plan. **54-F**

In Subarea 7, the 17 lot case (alt. 8) and the 29 lot Futch plan (refused consideration) provide good alternatives to unacceptable leap-frog subdivisions, and should have been chosen rather than a 159 unit one with a sewer line. **54-G**

The off-site alternatives should have also been seriously considered much earlier, using the transfer of development credits to the Northside. This could have allowed a real "rural ambiance" for a Wine Region, and should have been worked out with the County. Such consideration was possible, as the two areas were considered in parallel several years ago. **54-H**

2. Direct Environmental Issues

1.4, p 1.0-5. "Objectivity" has been overstated, as alternatives less than 1200 units and any variant of the 29 unit Futch plan have been ignored. **54-I**

Flooding and Runoff

4.3. pp 4.3-13. While development is allowed in flood plains, it is clearly bad policy to build there, no matter how unlikely a dam failure or flood is claimed to be. Dams do fail, and 500 year floods do happen. "Mitigation" which says notify home buyers is not mitigation. The only real mitigation is not to permit development in flood plains. **54-J**

Urban runoff and its associated pollution is increased significantly by the large increase of floor area coverage (FAC) over our existing residential ordinance (p2.0-26). The floor areas are increased by 1.4 to as much as 2.07 times if all the exceptions are taken. This goes unmentioned. **54-K**

Fire Protection

4.9. p 4.9-23. The reduced setbacks invoked to allow the large increase in floor area coverage increases fire hazards from fire jumping from house to house because they are closer. This is not mentioned among the significance criteria. **54-L**

Air Pollution

4.6. p 4.6-1. Only a part of the air pollution is blown in now. A significant fraction is created by Valley resident commuters and their family's local trips. Development aggravates the local sources, because more air pollution arises from "cold starts" by residents' automobiles than from commuters with a warmed-up engine. **54-M**

4.6. p 4.6-3. 1996 data has been available, and could have been included. In particular ozone had 22 adverse State days in 1996, higher that the 21 from 1995. We are the worst ozone are in the Region, and more development makes it still worse. Right now, Valley residents are subject to unhealthy air. It is a disgraceful policy to encourage more people to move to an unhealthy area even if they themselves did not make the situation worse. This impact of air pollution cannot be mitigated, since no amount of money can buy "clean air." This situation alone suggests that not only should the final SLVP project be significantly scaled way down (pp 4.6-8,9), but that the Northside Plan be significantly scaled down as well. **54-N**

Alternatives

5. p 5.0-50. The environmentally superior alternatives have been cavalierly dismissed. The no-development or low development cases should have been more adequately considered. The purpose of an EIR is to show the environmentally superior alternatives. CEQA states that public policy is to enhance the environment, not make environmentally inferior choices. When building alternatives are considered among the 1200-1600 units, clearly 1200 alternative is more environmentally acceptable than 1500. Even that should be further reduced on environmental grounds. Similarly the 17 lot alternative (Alt. 8) or at most a 29 lot Futch alternative should be taken in Subarea 7. **54-O**

3. Specific Plan Connections

The connection to the Specific Plan is as follows. The proposed high floor area coverages increase urban run-off and create fire hazards. They also take away privacy, cram houses together, and leave an unappealing view of cookie-cutter subdivisions in and at the entrances of a Wine Region.

The proposed floor area coverages can run as high as 39-58% with all the various exceptions, as much as twice what our current zoning ordinance allows. In general, for a given house, the buyer gets only 42-61 % of the lot provided by our current ordinance, with hopelessly inadequate setbacks and yards. These are truly huge houses on postage stamp lots. **54-P**

High density subdivisions (6000 to 10000 ft^2 lots) are NOT "rural" in anything other than developer fantasies. The Specific Plan descriptions are very careful not to show more than one house in a picture. A real attempt to have a rural look would put 1/4 to 1/3 the number of proposed houses in all the subareas.

All in all, this EIR is deficient because of its casual dismissal of serious unmitigatable environmental damage. It needs to be reworked with better alternatives. **54-Q**

Donald G. Miller
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e-mail: dmiller@llnl.gov

Letter #54. Donald G. Miller, 2862 Waverley Way, July 14, 1997.

Response to Comment 54-A: Character of Plan

The commentor's opinion that the project is "developer-driven", "dominates the landscape", is "in violation of our existing residential zoning", and is "simply a fantasy", is noted. These comments address the content of the Specific Plan, rather than the adequacy of the EIR. As such, the comment will be forwarded to City decision-makers along with all other comments received on the Specific Plan and EIR.

Response to Comment 54-B: Reduced Development Alternatives

The commentor's assertion that the no-development and low development alternatives were not adequately is noted. However, the Draft EIR evaluates both no-development and low-development alternatives, and provides a review of how each alternative would affect the different environmental factors. From a CEQA standpoint, the alternatives analysis is adequate.

Response to Comment 54-C: Inconsistent with City Goals

The commentor's opinion that the project needs to be down-sized is noted. As is the comment that the City and County's goals need to be re-evaluated if they lead to unmitigable environmental damage.

Response to Comment 54-D: The "Futch Plan"

Refer to Response to Comment 50-B.

Response to Comment 54-E: Mitigation

Comment acknowledged.

Response to Comment 54-F: Project Costs

Project costs are not an environmental factor that requires analysis in the EIR. However, the Specific Plan does identify costs associated with the Plan and allocates them to the various subareas according to their contribution to the need for such an improvement. The project has been planned to "pay for itself". Existing residents are not being asked to bear any project costs.

Response to Comment 54-G: Subarea #7 Alternatives

The commentor's preference for either Subalternative #8 (17 units) or the Futch Plan (29 units) is noted.

Response to Comment 54-H: Off Site Alternatives

The commentor's suggestion that off-site alternatives that transferred development credits to the north side of town should have been explored much earlier in the process is noted. However, it should be pointed out that without the Specific Plan, there was very little development potential to transfer (i.e., only one unit per 20 acres). The development potential was created specifically to obtain the agricultural mitigation that it will generate. Without the development potential, there is not mitigation, and without the mitigation there is no permanent protection of agricultural lands in the South Livermore Valley.

Response to Comment 54-I: EIR Objectivity

The commentor's opinion that the EIR is not objective because it did not examine the Futch Plan or alternatives with fewer than 1,200 units is noted. See response to Comment 50-B.

Response to Comment 54-J: Flooding and Dam Failure

Comment noted. While it is true that dams do occasionally fail, notification for relatively low probability events allows future residents to make appropriate decisions based on perceived risk. It is not the State's policy to limit development in dam inundation zones or 500-yr. floodplains.

Response to Comment 54-K: Urban Runoff and Associated Pollution

The EIR pre- and post-development peak discharges cited in Exhibit 4.3-10 show the significant increases in these rates following development. The causes for the increases are stated in the discussion preceding the tabulation. The estimates of increases in impervious surface coverage utilized in the computations are supplied in Exhibit 2.2-9, page 2.0-30 in the Draft EIR. The Specific Plan includes a Floor Area Ratio greater than the existing Suburban Residential (RS) District and the EIR analyzes the proposed Floor Area Ratio.

Response to Comment 54-L: Setbacks

The building setbacks proposed in the Specific Plan are not unusually small for development in Livermore. No increased fire danger will result from the setback standards proposed in the Specific Plan.

Response to Comment 54-M: Cold Starts

The effect of local trips and cold starts is implicit in the calculation of emissions by the URBEMIS-5 computer program. URBEMIS-5 calculates the excess emissions associated with cold starts. URBEMIS-5 further considers separately cold starts for each of five trip types. The following are the fractions of trips assumed to be in the cold start mode by trip type used in the EIR analysis, which are the default values for the Bay Area:

Residential Home-to-Work:	88.7%
Residential Home-to-Shop:	40.5%
Residential Home-to-Other:	59.0%
Commercial Work:	78.0%
Commercial Non-Work:	27.8%

Response to Comment 54-N: Recorded Air Quality Violations

During 1996 the Livermore monitoring station recorded 22 violations of the state ozone standard and 8 violations of the federal ozone standard. The recorded violations of the federal standard in the period 1994-1996 has threatened the air district's reclassification as a maintenance area for ozone, but to date the air basin is considered as having attained the federal standard.

The Livermore Valley has the highest ozone concentrations within the San Francisco Bay Area, but ozone exposures are far worse within portions of the Sacramento and San Joaquin valley air basins and most of Southern California.

The Bay Area Air Quality Management District's significance thresholds for regional impacts are equivalent to the District's offset threshold for stationary sources and is based on the District's definition of a major modification to a major facility within the District's Rules and Regulations. The establishment of the threshold is somewhat arbitrary, and other districts within California have established thresholds which are more and less stringent.

The current 80 pound/day threshold is used in all parts of the Bay Area Air Basin. Virtually all large projects will exceed the threshold. This means that all major projects will have a significant regional air quality impact. Even so, the addition of 80 pounds per day to the regional air pollutant burden would not even have a measurable impact on downwind concentrations.

There are currently no constraints to local development or land use decisions contained in federal, state, or local air quality rules and regulations. Local governments may approve development in areas with poor or "unhealthy" air quality subject to the disclosure requirements under the California Environmental Quality Act. Approval of development would not necessarily result in a degradation of air quality. For example, tremendous growth in population, employment and traffic has occurred in the Livermore Valley in the last twenty years yet ozone air quality has improved dramatically over this period.

Response to Comment 54-O: Environmentally Superior Alternatives

The Draft EIR considers a range of alternatives that would reduce, in some measure, the impacts associated with the proposed Specific Plan, and identifies environmentally superior "build" and "no-build" scenarios. As noted in the Draft EIR (page 5.0-13), the 1,200-unit scenario was selected as the reduced development alternative because it represented the low end of the range that had been considered capable of achieving City and County goals for agricultural mitigation. Alternatives that included fewer than 1,200 units were not evaluated because they would not achieve the project's

basic objectives.

Response to Comment 54-P: Development Intensity

The commentor's opinions regarding the inappropriateness of the proposed densities is noted. This comment addresses the standards proposed in the Specific Plan, and does not address the adequacy of the EIR. The comment will be forwarded to City decision-makers along with all other comments on the Plan and EIR.

Response to Comment 54-Q: Serious Unmitigable Environmental Impacts

The commentor's opinion that the EIR is deficient because of "its casual dismissal of serious unmitigable environmental damage" is noted.

MINUTES
PLANNING COMMISSION
CITY OF LIVERMORE
TUESDAY, JULY 8, 1997
CITY COUNCIL CHAMBERS
3575 PACIFIC AVENUE

SPECIAL MEETING - 7:30 p.m.

CALL TO ORDER - ROLL CALL:

The meeting was called to order at 7:30 p.m. by Chairperson Holm.

Present were Chairperson Holm, Commissioners Dietrich, Malone, Perry, and Silberman. Also present were Special Projects Coordinator Roberts and Department Secretary Halverson.

MINUTES APPROVAL: None.

OPEN FORUM: None.

1. COMMUNICATIONS: None.

2. REPORT FROM COMMUNITY DEVELOPMENT DEPARTMENT STAFF: None.

3. CONSENT CALENDAR: None.

4. PUBLIC HEARING ITEMS:

4.1 The City of Livermore has initiated consideration of the Draft Environmental Impact Report (DEIR) for the South Livermore Valley Specific Plan and General Plan Amendment. The DEIR is a statement of potential significant environmental impacts and available mitigation measures. The DEIR evaluates the environmental impacts of adoption of a Specific Plan, General Plan Amendment, Prezoning, Amendment to the City's Sphere of Influence, Annexation, Land Division, and project development. Project development would permit up to 1,494 single-family detached housing units and up to thirteen commercial sites including up to eight wineries, an olive press, bed and breakfast inns, restaurants, a 30 room inn, and a 25,000 square foot wine country retail center. In addition, the project would provide a 20 acre elementary/middle school, streets, public facilities and services, establish open space, trail corridors and regional park land, and create a mechanism to permanently protect about 2,000 acres of land as intensive agriculture or regional open space. The primary purpose of this hearing is to receive comments on the adequacy of the DEIR.

Mr. Roberts advised the Commission that the purpose of this meeting is to receive comments on the adequacy of the Draft Environmental Impact Report for the South Livermore Valley Specific Plan and General Plan Amendment. As required by State Law, oral testimony will be taken into the record. Comments received at this hearing will be responded to in the Final EIR document.

The comment period for the DEIR will remain open until July 14, 1997 at 5:00 p.m. Any comments submitted to the Planning Department prior to this time will be responded to in the Final EIR. The Planning Commission will not be making any decisions or recommendations on the documents at this meeting, only taking public testimony. The Planning Commission will review the draft Plan on August 12 and will give a recommendation to the City Council at their meeting on September 2, 1997.

Mr. Roberts introduced Mark Weinberger of Shute, Mihaly, and Weinberger, legal associates working with the City Attorney's office and Terrell Watt of Terrell Watt Planning Consultants who is working with the staff on the project.

Chairperson Holm opened the public hearing.

Erne Kirkewoog, 2839 Reed Avenue stated he is surprised about the reference to annexation. He had not heard this proposed at any previous meetings. He noticed all of the traffic data is based on 1991. He thinks that is inadequate. A lot of traffic is bypassing the freeway and using Marina Avenue. The report states their strata is different than the Livermore basin. All of the olive orchards are using groundwater. They have had to deepen their wells a couple of times. **O-1-A** **O-1-B** **O-1-C**

William Bryson, 3033 Reed Avenue, stated he does not think the report adequately addresses the impact of pumping ground water. It does not address where they are getting agricultural water. The traffic patterns on Marina Avenue are consistently getting worse. **O-2-A** **O-2-B**

Mark Eckart, 2569 Walker Place, referred to Section 4.7.1 regarding noise. There is no Federal regulation that governs noise. The noise data is from 1995 and is out of date. He does not understand how the mitigation measure for 4.7.1 was modeled regarding noise levels. It states noise levels are projected to decrease along Arroyo Road and South Livermore Avenue due to a drop in traffic volume. The presence of Concannon through Wente will not mitigate traffic; he believes it will increase. Improving the entry at Wetmore will encourage cross-commuting traffic; not discourage it. **O-3-A** **O-3-B** **O-3-C**

Kai Wong, 2601 Reed Avenue, stated he is concerned with the lack of discussion on the drainage water for Subarea 4. During storms, there is a river running up Reed Avenue. Blocking the water with construction will be devastating to his house. **O-4-A**

Neal Frank, 1780 Buena Vista Avenue, stated he believes something is wrong with the portion of the Draft EIR that deals with Buena Vista. The DEIR states that 8 **O-5-A**

years from now the traffic on Buena Vista will be less than it is today. The Mines Road overpass will soon be completed and new homes are being built all around. Traffic on Buena Vista will not go down. Thousands of people have signed a petition in support of completing Mines Road.

Daryl Hoon, 215 Flicker Court, stated he is strongly opposed to building anything in the environmentally sensitive area of Subarea 7 for the following reasons: 1) the proposed plan for up to a 304-unit subdivision adjacent to the City's largest and most beautiful park would degrade the quiet enjoyment that many park visitors now enjoy; 2) this Plan would require a sewer line to the area which would make it too convenient to build even more housing in the future; 3) the DEIR states that permanent open space would be the environmentally superior alternative for the area; 4) Wetmore Road should be the City's urban limit boundary for the south, not the City's nicest park; 5) building up to 304 units in an environmentally sensitive area does little to protect and enhance agriculture, particularly viticulture as stated in the staff's summary report; 6) an urban limit line has not been established by the City Council; and 7) Subarea 7 could be reserved until the City, LARPD, a land trust, or any other agency could purchase and/or acquire easements to increase Sycamore Grove Park, not close in on it. Any structures above the 1 unit per acre county zoning would adversely affect the rural character of this area. He urges a no-development option. **O-6-A**

Bill Zagotta, 5155 Lillian Court, agreed with the previous speaker. He recommended the Planning Commission include a preferred alternative for Subarea 7 that does not require a sewer pipeline. **O-7-A**

Gary Rollins, 1801 Sterling Place, stated the City has rerouted 84 down Isabel to take traffic out of the downtown. By extending Concannon Boulevard, there will be another route for people to bypass the intent of the City to have drivers use I-580 to 84 to Isabel. The City needs to look at what impact extending Concannon will have on the south side of town. **O-8-A**

Clarence Hoenig, 588 Tyler Avenue, referred to Section 4.9 under public services. He feels the report is inadequate in addressing the consequences of the sewer line that might be extended through Subarea 7 in close proximity to the Veteran's Administration Hospital. The report does not explore future ramifications of 0.2 mgd sewer capacity that the hospital holds in their plant and how that would be used. To even consider a sewer extension into Subarea 7 is completely contrary to Livermore's position on leapfrog development. Section 4.9 is inadequate in addressing public services such as police, fire, and schools. The report states that police response to Triad is 8.5 minutes. The report then says nothing of the urbanization of Subarea 7. Subarea 7 is about the same distance from the Police Department as Triad. He questioned where the money will come from to add new beats to the Police Department. Fire Station 9 is 3½ miles from the eastern most location of Subarea 7. The report says nothing about how children will get to and from the new school site. **O-9-A** **O-9-B**

Tot Green, 673 North M Street, stated she used to be on the board for LARPD. **O-10-A**

She got on the board to protect Sycamore Grove from being closed. The habitat of Sycamore Grove would be destroyed if Subarea 7 was urbanized. The 350 houses generate 600-700 cars, effecting traffic and roads. She thinks it is an inappropriate number. This is not the place for all those houses.

Margaret Tracy, 1262 Madison Avenue, is a 16 year member of the Zone 7 water board, stated it is refreshing to see a DEIR that looks honestly and forthrightly at the water supply issues. On Wednesday, July 16 there will be a report to the Zone 7 board about the increased agricultural demand for this Plan that had not been calculated into the prior Zone 7 water supply predictions. In Arizona, there is a State Law requiring a 100-year supply of water guaranteed to be sustainable before development approvals are given. There is a need for an economic equity study of water. Everyone pays in their water rates for the acquisition of state water to recharge the basis. The agriculturalists pump water with only a pump charge. Santa Clara County has a pump tax, Alameda County does not. Perhaps a pump tax should be considered. If Zone 7 has to acquire water from agricultural users in the central valley, the cost could be $1,000 an acre foot. That is a lot of money for people to pay on water rates for agriculturalists to pump out without paying for it. The economic equity needs to be addressed. Policies in 4.9 would justify no development in Subarea 7. **O-11-A**

John McMichael, Sandia National Laboratories, 7011 East Avenue, stated page 4.1-29 deals with incompatibility of land use between existing operations (Sandia) and the adjacent new residential population. He asked that the City explore the potential for a more compatible land use of Subarea 1 such as a science and technology park which would draw Silicon Valley-type industry into Livermore. **O-12-A**

Steve Carpenter, 2783 Provence Court, said Section 4.1, page 9 states that 90 percent of Subarea 3 is prime farm land. On page 24 it contradicts that Subarea 3 will have 22 lots and 2 sites on prime soil and 155 lots on non-prime soil which indicates there is not as much prime soil as stated earlier. He would like to know what the DEIR means that it does not know why the State FMMP classified it differently but states it probably reflects mapping unit size. The table that states the number of lots on prime soil vs. non-prime soil in Section 4.1, page 24 is misleading and he questioned if it is accurate. Since Subareas 2 and 3 are the only subareas that contain prime farm land, he feels it would be wise to conserve more acreage in this precious viticulture acreage. The value of viticulture land has gone up and is more desirable. Section 4.1, page 26 states one potential mitigation measure would be to redesign the site plans to minimize the permanent loss of prime farm land. He feels this alternative should be fully explored based on the increased economic feasibility and increased demand for planting new vineyards and prime farm land. Mr. Carpenter submitted a letter to the staff dated July 8, 1997. **O-13-A** **O-13-B** **O-13-C** **O-13-D** **O-13-E**

Ron Sadler, 2784 Normandy Court, said the DEIR stated that in a few years, the traffic on First Street downtown will be about 25-35 percent over the capacity without the buildout of the Plan. If Concannon Boulevard is extended through Livermore Avenue, it will become a thorough-fare for commuters. The DEIR states **O-14-A** **O-14-B**

the Isabel extension will be at capacity as soon as it is completed. He does not feel Isabel will offer much mitigation for cross-town traffic. He believes it is important that Isabel be funded to have a direct connection to I-580 and have additional lanes to accommodate the traffic to minimize the traffic that goes from Santa Clara Valley to San Joaquin County.

Alex Mihalka, 2075 Buena Vista Avenue, stated his agreement with the previous speaker's comments regarding cut-through traffic on Buena Vista Avenue. It will be too easy to by-pass Isabel bottleneck by using Mines Road, Buena Vista, and Concannon. The traffic study on Buena Vista is inadequate. The number that was used for the amount of traffic was the lowest of three studies. A second study was done over a 3-day weekend for Lab employees. The only meaningful study done on Buena Vista showed 1,700 car trips per day. When the County and City performed studies, they only placed one counter in the middle of the street. This does not capture trips generated by residents exiting at either end of the street. **O-15-A** **O-15-B**

Doug Mann, 661 South N Street, stated there are a lot of impacts that were not addressed because they did not directly include South Livermore. First Street is not in South Livermore, but it will be impacted by the Plan. He does not see discussion on the impact of noise for the downtown. The goal of the City is to make First Street pedestrian friendly. This is not addressed in the DEIR and he thinks it is important. The only way to reduce the amount of traffic is to reduce the number of houses. He does not know how the Isabel extension is going to solve the problem. He agreed with the previous speakers who were appalled at the 304 houses for Subarea 7. **O-16-A** **O-16-B**

Al Duba, 341 Lincoln Avenue, said he feels the DEIR does not adequately cover the impacts of traffic, dust, and noise. **O-17-A**

Libby Mihalka, 2075 Buena Vista Avenue, distributed traffic maps from the technical appendix of the DEIR. A group of homeowners on Buena Vista Avenue has hired an attorney as well as a traffic engineering firm, Barton Aschman. They have found the traffic modeling inadequate. The traffic model was originally designed to look at traffic throughout the Tri-Valley area. This model has been used to focus on a smaller area of South Livermore. When focusing on a smaller area, she has been told it is important to adjust to accurately show the region's true traffic volumes and the street configurations. These big models focus on major streets. This step was omitted by the traffic consultants. The DEIR does not reflect actual traffic volumes currently experienced in Livermore. She handed out two maps from 1990. The map shows Buena Vista only has traffic volumes of 90 cars a day. There are actually 1,300-1,700 car trips per day, without the completion of the Mines Road overpass. The map shows that Almond Avenue is connected between East Avenue and Tesla Road, which would cut through vineyards. **O-18-A**

Ms. Mihalka stated their consultant does not feel the lab traffic is reflected in the model. She wonders about the accuracy of the rest of the plan. Their attorneys and traffic engineer will make their findings available to the City before the July 14 deadline. The Buena Vista property owners have simply asked from the beginning **O-18-B** **O-18-C**

that the impact of the Mines Road overpass as well as the Plan be studied with their street. They asked to have the model runs showing the completion of Mines Road. The completion of Mines Road needs to be included in the City's General Plan and studied in the EIR. It would be difficult to construct Mines Road later because it would be planted vineyard. She suggested putting Mines Road in the Plan now and get mitigation fees from the developers. She asked, for the good of the people on Buena Vista, if the study could include the impact to their street.

Michael Ferrucci, 508 South Livermore Avenue, urged that everything possible be done to communicate the essence of the EIR to the residents of Livermore. Many of his concerns have been addressed by the previous speakers. He will be submitting written comments by July 14. Regarding Impact 4.5-7, all of the identified roadways exceed the maximum capacity. He questioned the City's ability to obtain funding for mitigation measure 4.5-7(a). He has heard for many years of the City's intention to make First Street downtown a pedestrian friendly two-lane shopping and dining destination. This contradicts mitigation measure 4.5-7(b). The DEIR states these impacts remain potentially significant after mitigation. Impact 4.6-3 stated pollution caused by vehicle trips associated with development will represent a significant, unavoidable impact that would exceed the Bay Area Air Quality District thresholds of significance. The report says the only way to reduce the significance of this impact would be to decrease the total amount of development. The primary criteria of the Plan is to facilitate development to the circulation system that meets the needs of local residents and visitors to the wine country and should promote development that will benefit the City as a whole. He is worried this is not the case. He feels the South Livermore Plan should benefit the entire Livermore community and urged the City to hold workshops and distribute information to increase awareness.

O-19-A
O-19-B
O-19-C
O-19-D

James Day, 745 Cardinal Drive, stated he will be submitting additional written comments. He finds the growth inducing impact to be significant and un-mitigatable. Residential growth in the City never has paid its way. Infrastructure costs are not covered by the fees collected. The school system will suffer with any development. The current developers are now objecting to the school fees being collected. State Bill AB64 would reverse, narrow, or limit the authority to level development fees above the statutory $1.84 currently. Under current CEQA, projects are not being approved if there are feasible alternatives or mitigation measures which would substantially lessen the significant environmental impacts. A feasible alternative is no project or the project without Subarea 7. CEQA Policy 1503 states it is intended to be interpreted in such a manner as to afford the fullest protection to the environment within the reasonable scope of the statutory language and the EIR serves not only to protect the environment, but also to demonstrate to the public that it is being protected.

O-20-A
O-20-B
O-20-C
O-20-D

John Kurtzer, 801 E. Vineyard Avenue, stated he is concerned with a commercial winery site. This building would be the most visible of anything proposed in Subarea 7. The photo visual impact analysis does not show this commercial site and its impact. Access to the site is being proposed through his property using the Crohare's entrance. He is also concerned about drainage of Subarea 7 across his

O-21-A
O-21-B
O-21-C

property. When the Zone 7 road was built, it dammed the natural drainage across the Detjen's property. During periods of heavy rain, this water can pond up to their driveway. He is concerned that without a storm sewer system, more water will end up on their property with a potential for flooding. He feels the area around the proposed winery should be either park or vineyard, as was in the original plan, as a buffer to the potential impacts of the project. Any commercial sites should be placed beside other existing commercial sites. **O-21-D**

Marge Jergentz-Stout, 1776 Lomitas Avenue, stated she is opposed to Subarea 3's large houses on postage stamp size lots. Please help maintain the visual beauty of Livermore for the existing homeowners and future generations. Keep Livermore unique. **O-22-A**

Valerie Raymond, 2368 Buena Vista Avenue, read a statement dated July 8, 1997. In summary, she said there is strong opposition from many Buena Vista residents to a North Mines Road extension. The EIR should acknowledge any actions which might encourage speculative pressure on Buena Vista and Marina Avenue. **O-23-A**

Don Miller, 2862 Waverly Way, stated he believes the alternatives of the DEIR are development driven rather than an attempt to make a real wine region. The DEIR's treatment of Subarea 7 has ignored last year's Futch plan, which was supposed to be included in the alternatives. The DEIR is very quiet about the high additional costs of water supply, sewer, roads, and schools. This applies especially to the further out subareas. Existing residents will bear the extra burden of these higher costs. The unmitigatable air pollution is essentially ignored even though summers are unhealthy now. All Livermore development should be halted. The environmentally superior alternatives have been dismissed. The Futch plan for Subarea 7 provided a good alternative to leapfrog subdivision and should have been chosen over a plan with a sewer line. Off-site alternatives should have been seriously considered. Using the transfer of development credits to the north side could have allowed a real rural ambiance for a wine region. The impacts of flooding and flood plain development are erroneously dismissed. The high density of the plan will result in 1½ to 2 times the urban runoff compared to the existing ordinance. Lots of 6,000-10,000 square feet do not make rural subdivisions. Studying mitigation is not mitigation. The DEIR is deficient because of its casual dismissal of serious unmitigatable environmental damage. It needs to be reworked with better alternatives. **O-24-A** **O-24-B** **O-24-C** **O-24-D** **O-24-E** **O-24-F** **O-24-G** **O-24-H**

Ralph Patterson, 2830 Reed Avenue, concurred with his neighbors regarding traffic comments on Marina Avenue. There was a resident-proposed potential mitigation which was rejected. He feels the water issues are dealt with inadequately. Impact 4.9-1 Policy 8-1 states it would eliminate any impacts created by a lack of water into the project by eliminating development. However, implementation of Policy 8-1 may have significant impacts depending on the particular method selected by Zone 7 to make an adequate water supply available. The environmental review of various water supply options concludes there is a possibility providing the water supply necessary may have significant, unavoidable impacts. The courts have stated that it is not mitigation of a significant environmental impact on a project to **O-25-A** **O-25-B**

say if the impact is not addressed then the project will not be built. The EIR must address the project and assume that the project will be built. Until an adequate water supply is found for the demand of the Plan, impacts created by implementing the Plan would remain significant and unavoidable. The DEIR does not address where the water shortfall will come from.

Thomas Raison, 5244 Kathy Way, stated he is opposed to large-scale development in Subarea 7. Arroyo Road presently is a dangerous road. The distance from a fire station is too great to put a large number of homes out there. **O-26-A**

Don Hughes, 1732 Buena Vista Avenue, believes it is in error that the DEIR states the volume of traffic on East Avenue will diminish by the year 2010 because of the downsizing of the Laboratory. He would like to see where that data came from. **O-27-A**

Mitigation Measure 4.5-4 on page 4.5-61 regarding traffic calming devices is good, but it cannot be implemented. Alameda County staff told him it would take 2/3 majority vote of property owners to implement. The liability issues of speed bumps is so high it would take all property owners to sign a waiver that there is no liability for the County or the City. **O-27-B**

Doug Manatt, 724 South J Street, stated the subareas were selected by a subcommittee. This committee was driving a politically sensitive selection process for subareas. **O-28-A**

The criteria for selecting the locations states that it should be generally contiguous to existing urban development, minimize the impact on significant view sheds, avoid environmentally sensitive features and impacts to important public facilities, and minimize impacts on rural character. The EIR needs to address if these criteria were applied consistently in the selection of subareas. **O-28-B**

He has not found this in the DEIR. After reviewing it, it may seem appropriate to remove Subarea 7. There is a scenic corridor along the freeway, but we're not worrying about views as you drive along the rural character area on the south side of town. The development on Subarea 7 is planned for the higher areas and would be easily visible from many places in town. He stated he agrees with previous speakers regarding traffic impacts. **O-28-C**

Harriet Cole, 6148 Mines Road, stated she concurs with what Clarence Hoenig and Bill Zagotta said about the water, the sewer pipe, and the missing Futch plan. It seems there has been a serious omission. She would like to see it analyzed with the other alternatives. **O-29-A**

All of the discussion in the DEIR regarding the Mines Road connection traffic impacts seems to be based on faulty data. She concurs with the Mihalkas and Mr. Hughes. It is peculiar to eliminate that road from the Plan. She is concerned that they do not act as if Del Valle is there. She is vice-president of Friends of the Vineyard. The wineries planned will probably become a very attractive part of the wine trail. She urged the Commission to think about good solid planning rather than have to clean up a mess later. **O-29-B**

John Shirley, 4218 Drake Way, stated he agrees with Ms. Cole's comments regarding the Mines Road extension. It was recognized 35 years ago that road should be there. With all the changes, he feels it is a very important road to put in. Subarea 2 development can be better served with this road. **O-30-A**

Owen Parker, 2027 Buena Vista Avenue, stated he thinks traffic calming devices comes from poor planning and roadway design. He would like to see Mines Road go through. He thinks it is interesting that in Policy 5-38 the City pushes responsibility for traffic calming devices onto the County. The County then pushes it back onto the residents. O-31-A O-31-B

No one else spoke and the public hearing was closed.

5. UNFINISHED BUSINESS: None.

6. NEW BUSINESS: None.

7. MATTERS INITIATED BY PLANNING COMMISSION AND STAFF: None.

8. ADJOURNMENT:

The meeting was adjourned at 9:30 p.m.

NEXT PLANNING COMMISSION MEETING DATE: July 29, 1997

submitted by:

Kelley Halverson
Department Secretary

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RESPONSES TO ORAL COMMENTS RECEIVED AT PUBLIC HEARING

Speaker #1: Erne Kirkewoog, 2839 Reed Avenue

Response to Oral Comment #1-A: Annexation

Annexation of the subareas into the City is part of the project that is evaluated in the Draft EIR. The proposed development and provision of urban services is contingent upon the City annexing the planning area.

Response to Oral Comment #1-B: Traffic Data

All of the traffic analysis is not based on 1991 data as suggested by the commentor. Exhibits 4.5-5 and -6 of the Draft EIR show the dates of all traffic volumes used in the EIR analysis. Most of the traffic volumes come from counts conducted within the last three years.

Response to Oral Comment #1-C: Water Supplies

Refer to Master Water Response.

Speaker #2: William Bryson, 3033 Reed Avenue

Response to Oral Comment #2-A: Ground Water

The commentor's concern that the impact of pumping groundwater to support agriculture has not been adequately addressed, is noted. For further discussion of this topic, refer to the responses to the comments from Zone 7 in Letter #2, and to the Master Water Response.

Response to Oral Comment #2-B: Traffic on Marina Avenue

The commentor's concern regarding increased traffic on Marina Avenue is noted. The Draft EIR addresses potential impacts to Marina Avenue on page 4.5-57.

Speaker #3: Mark Eckart, 2569 Walker Place

Response to Oral Comment #3-A: Noise

As pointed out by the commentor, the Federal government does not regulate noise. The City of Livermore has adopted its own noise level guidelines as part of the Noise Element of the General Plan. The noise measurements taken specifically for the planning and environmental review process were taken in Spring of 1995 and Summer of 1996. No significant changes have occurred in the surrounding areas that would result in substantial changes in the ambient noise levels.

Response to Oral Comment #3-B: Traffic Noise

Projections of future traffic-related noise are based on projections of future traffic volumes. Since the traffic projections show a decrease in future volumes, the associated noise levels will also decrease.

Response to Oral Comment #3-C: Cross-town Commuting

The City has determined that facilitating cross-town traffic with the Concannon Boulevard extension is important to meeting the community's circulation needs. The Draft EIR states on page 4.5-17, that the Concannon Boulevard "extension will provide improved east-west circulation in the southern part of the City. It is anticipated that a through connection between Holmes Street and Tesla Road will improve the flow of commute traffic between State Route 84 and the Lawrence Livermore and Sandia National Laboratories. Due to the absence of a direct connection, this traffic currently filters through local streets, including *Draft Plan* area streets such as Wetmore Road, Arroyo Road, Marina Avenue, and Wente Street."

Similarly, the re-alignment of Wetmore Road and the signalization of the new Wetmore Road/Vallecitos intersection will both contribute to safer, more efficient flow of traffic.

Speaker #4: Kai Wong, 2601 Reed Avenue

Response to Oral Comment #4-A: Subarea #4 Flooding Potential

Refer to Letter #49, Response to Comment #49-A.

Speaker #5: Neal Frank, 1780 Buena Vista Avenue

Response to Oral Comment #5-A: Traffic Volume Decrease

The City acknowledges that the volume decreases with the Project are counter-intuitive. The Draft EIR discusses the potential factors affecting these volumes on page 4.5-44.

Speaker #6: Daryl Hoon, 215 Flicker Court

Response to Oral Comment #6-A: Opposition to Development in Subarea #7

The commentor's opposition to any development in Subarea #7 greater than could occur under County zoning is noted.

Speaker #7: Bill Zagotta, 5155 Lillian Court

Response to Oral Comment #7-A: Opposition to Development in Subarea #7

The commentor's opposition to any development in Subarea #7 that requires sewer extensions is noted. The Draft EIR examines three alternatives that do not require sewer extensions: the "no project" alternative, the 17-unit alternative, and the 52-unit alternative.

Speaker #8: Gary Rollins, 1801 Sterling Place

Response to Oral Comment #8-A: Concannon Boulevard Extension

Refer to Response to Oral Comment #3C. The Draft EIR shows existing and projected segment volumes, volume-to-capacity ratios (Exhibit 4.5-22), and intersection levels of service (Exhibit 4.5-25) for all key roadways in the South Livermore Valley.

Speaker #9: Clarence Hoenig, 588 Tyler Avenue

Response to Oral Comment #9-A: Sewer Extension to Subarea #7

The commentor's opposition to the extension of sewer service to Subarea #7 is noted. Refer to Response to Comment 45-I for additional information regarding the extension of sewer service to the VA Hospital.

Response to Oral Comment #9-B: Public Services

Refer to Responses to Comments #46-C and #46-D.

Speaker #10: Tot Green, 673 North M Street

Response to Oral Comment #10-A: Sycamore Grove Park

The commentor's belief that the habitat in Sycamore Grove Park would be destroyed by urbanization in Subarea #7 is noted. Impact 4.4-3 of the Draft EIR acknowledges the potential for the loss and fragmentation of wildlife habitat due to the development proposed in Subarea #7. It also provides mitigation (Mitigation Measure 4.4-3, page 4.4-32) that would reduce such impacts to a level of insignificance.

Speaker #11: Margaret Tracy, 1262 Madison Avenue

Response to Oral Comment #11-A: Water Supply

Refer to the Master Water Response at the beginning of this document, and to the Responses to Comments in Letter #51.

Speaker #12: John McMichael, Sandia National Laboratories, 7011 East Avenue

Response to Oral Comment #12-A: Land Use Compatibility with Sandia Labs

Refer to Responses to Comments from Letter #9.

Speaker #13: Steve Carpenter, 2783 Provence Court

Response to Oral Comment #13-A: Number of Lots on Prime Soils

Refer to Response to Comment 31-C.

Response to Oral Comment #13-B: Loss of Prime Farmland

Refer to Response to Comment 32-A.

Response to Oral Comment #13-C: Table on Page 4.1-24

Refer to Response to Comment 31-C.

Response to Oral Comment #13-D: Conserve Agricultural Land

Refer to Response to Comment 32-B.

Response to Oral Comment #13-E: Redesign of Subarea #3

Refer to Response to Comment 32-D.

Speaker #14: Ron Sadler, 2784 Normandy Court

Response to Oral Comment #14-A: Concannon Boulevard Extension

Refer to Response to Oral Comment #3C.

Response to Oral Comment #14-B: Isabel Avenue Extension

While it is clear that the Isabel Avenue extension will not eliminate all cross-town traffic problems, it will help to significantly reduce the volume of cross-town traffic. The need for funding to implement the ultimate Isabel Avenue connection with six lanes and an interchange with I-580 is acknowledged.

Speaker #15: Alex Mihalka, 2075 Buena Vista Avenue

Response to Oral Comment #15-A: Cut-Through Traffic on Buena Vista Avenue

Refer to Master Traffic Response at the beginning of this document, and to Response to Comment 16-C.

Response to Oral Comment #15-B: Traffic Counts

Refer to Response to Comment 24-C.

Speaker #16: Doug Mann, 661 South N Street

Response to Oral Comment #16-A: Impact on Downtown Traffic

The Draft EIR identified no significant impacts on First Street or other downtown streets as a result of the project (refer to impact analysis beginning on page 4.5-39).

Response to Oral Comment #16-B: Subarea #7 Development

The commentor's opposition to development in Subarea #7 is noted.

Speaker #17: Al Duba, 341 Lincoln Avenue

Response to Oral Comment #17-A: Traffic, Dust and Noise Impacts

The commentor's opinion that the issues of traffic, dust and noise were inadequately addressed in the Draft EIR is noted. Traffic is addressed in Section 4.5 of the Draft EIR. Dust is addressed in the Air Quality section (Section 4.6, specifically Impacts 4.6-1 and -4). Noise is addressed in Section 4.7.

Speaker #18: Libby Mihalka, 2075 Buena Vista Avenue

Response to Oral Comment #18-A: Traffic Model

Refer to the Master Traffic Response at the beginning of this document for a discussion of the traffic model and the projection of traffic volumes on Buena Vista Avenue.

Response to Oral Comment #18-B: Lab Traffic

The commentor's opinion that traffic from the Labs is not accurately reflected in the traffic model is noted. As stated on page 4.5-61 of the Draft EIR, the down-sizing that was assumed for the Lab was based on ABAG's *Projections 1994*, the land use source for the Tri-Valley Traffic Model.

Response to Oral Comment #18-C: Mines Road Extension

The Draft EIR examines the project's potential for traffic impact on Buena Vista Avenue (page 4.5-61), and finds no significant impact. Extensive analysis of the Mines Road extension as possible mitigation for project impacts is therefore unwarranted given the absence of any identified impact. Also, in order to levy mitigation fees on Specific Plan developers, as suggested by the commentor, the City would be required to show some nexus between project impact and cost of the proposed improvement. Based on the EIR traffic analysis, very little demand for such a facility could be attributed to the Specific Plan, thus very little in impact fees could be legally required from Specific Plan developers.

Speaker #19: Michael Ferrucci, 508 South Livermore Avenue

Response to Oral Comment #19-A: Funding for Regional Transportation Improvements

The commentor expressed concern regarding the City's ability to fund improvements needed to State Route 84. As noted in Mitigation Measure 4.5-7, these improvements are a regional responsibility to which the City will need to contribute. In order make such a contribution, the City proposes to impose the Tri-Valley Transportation fee on South Livermore Valley development when the fee is adopted citywide by the Livermore City Council.

Response to Oral Comment #19-B: Consistency of Mitigation with City Goals

The commentor's concern that the proposed optimization of traffic flows through the downtown (Mitigation Measure 4.5-7(b)) would be inconsistent with the City's long-held goal to make First Street a two-lane, pedestrian-friendly shopping street is noted. See Response 52-A.

Response to Oral Comment #19-C: Air Quality Impacts

Refer to Response to Comment 52-B regarding the Draft EIR's assessment of potential air quality impacts.

Response to Oral Comment #19-D: Primary Criteria

The commentor's concern that the Specific Plan is not meeting its primary criteria to provide a circulation system that meets the needs of residents and visitors, and provides development that is a benefit to the entire City, is noted.

Speaker #20: James Day, 745 Cardinal Drive

Response to Oral Comment #20-A: Growth Inducing Impacts

Refer to Response to Comment 44-A regarding the EIR's assessment of the project's potential for growth inducing impacts.

Response to Oral Comment #20-B: School System Impacts

Refer to Response to Comment 44-B regarding mitigation of school system impacts.

Response to Oral Comment #20-C: Feasible Alternatives and Mitigation

Refer to Response to Comment 44-C regarding CEQA's requirements for feasible alternatives that mitigate project impacts.

Response to Oral Comment #20-D: Purpose of the EIR

The commentor's reminder that the purpose of the EIR is to afford the fullest protection to the environment within the reasonable scope of the statutory language, and to demonstrate to the public that the environment is being protected, is noted.

Speaker #21: John Kurtzer, 801 E. Vineyard Avenue

Response to Oral Comment #21-A: Winery Site

Refer to Response to Comment 53-A regarding the appropriateness of the proposed winery site and its visual impact.

Response to Oral Comment #21-B: Winery Access

Refer to Response to Comment 53-A and -B regarding the proposed access to the winery site in Subarea #7.

Response to Oral Comment #21-C: Drainage

Refer to Response to Comment 53-C regarding potential drainage issues related to the location of the winery in Subarea #7.

Response to Oral Comment #21-D: Winery Site

Refer to Response to Comments 53-A, -B, and -D regarding the appropriateness of the proposed winery site in Subarea #7.

Speaker #22: Marge Jergentz-Stout, 1776 Lomitas Avenue

Response to Oral Comment #22-A: Subarea #3 Density

The commentor's opposition to the lot sizes and floor area ratios permitted in Subarea #3 are noted.

Speaker #23: Valerie Raymond, 2368 Buena Vista Avenue

Response to Oral Comment #23-A: North Mines Road Extension

Refer to Responses to Comments in Letter #26.

Speaker #24: Don Miller, 2862 Waverly Way

Response to Oral Comment #24-A: Alternatives

The commentor's belief that the alternatives in the Draft EIR are development driven is noted. The fact that all of the alternatives look at development scenarios with less development does not appear to support this assertion. Neither does the fact that the alternatives for Subarea #7 look at scenarios with no development and as few as 17 units. Refer to Response to Comment 50-B regarding consideration of the "Futch Plan".

Response to Oral Comment #24-B: Increased Costs to Community

Refer to Response to Comment 54-F regarding project costs.

Response to Oral Comment #24-C: Air Quality Impacts

Refer to Response to Comment 54-N regarding air quality impacts.

Response to Oral Comment #24-D: "Futch Plan"

Refer to Response to Comment 50-B regarding consideration of the "Futch Plan".

Response to Oral Comment #24-E: Off-Site Alternatives

Refer to Response to Comment 54-H regarding the EIR's consideration of off-site alternatives.

Response to Oral Comment #24-F: Flooding Impacts

Refer to Response to Comment 54-J regarding the EIR's consideration of potential impacts related to flooding.

Response to Oral Comment #24-G: Rural Subdivisions

The commentor's observation that lots in the 6,000 to 10,000 square foot range do not make a rural subdivision is noted.

Response to Oral Comment #24-H: Unmitigable Environmental Damage

The commentor's opinion that the EIR is deficient because of its "casual dismissal" of serious environmental impacts is noted. The EIR does not dismiss any unmitigated impacts. All identified unmitigated impacts are identified as such (Refer to the Summary, page 3.0-15).

Speaker #25: Ralph Peterson, 2830 Reed Avenue

Response to Oral Comment #25-A: Traffic Impacts on Marina Avenue

Potential traffic impacts to Marina Avenue are addressed in the Draft EIR in Impact 4.5-3 on page 4.5-57. The EIR finds the increase in cumulative traffic to present potentially significant impacts, and recommends the implementation of traffic calming measures to reduce such impacts to acceptable levels (page 4.5-58).

Response to Oral Comment #25-B: Water Supply

Refer to the Master Water Response at the beginning of this document, and to Responses to Comments in Letter #2 from Zone 7.

Speaker #26: Thomas Raison, 5244 Kathy Way

Response to Oral Comment #26-A: Subarea #7 Development

The commentor's opposition to development in Subarea #7 is noted. The EIR did not identify, and City staff can not confirm, the commentor's assertion that Arroyo Road is dangerous. The ability of the Fire District to respond to calls from Subarea #7 is addressed on page 4.9-23 of the Draft EIR. The subarea will most likely be served by Station #5 in Ruby Hill.

Speaker #27: Don Hughes, 1732 Buena Vista Avenue

Response to Oral Comment #27-A: Down-sizing of the Labs

Refer to Response to Oral Comment 18-B.

Response to Oral Comment #27-B: Feasibility of Traffic Calming Measures

Traffic calming measures can be implemented, but will, as stated by the commentor, require a 2/3 majority of the residents of Buena Vista Avenue. Speed bumps are not the only effective traffic calming measure that can be used. Other options, that may be more appealing than speed bumps, are set forth in the County's Traffic Calming Program.

Speaker #28: Doug Manatt, 724 South J Street

Response to Oral Comment #28-A: Subarea Selection

The commentor's concern that the planning subareas were selected for political reasons is noted.

Response to Oral Comment #28-B: Selection Criteria

The EIR is not responsible for evaluating the subcommittee's success at applying its site selection criteria. The purpose of the EIR is to evaluate potential impacts associated with the proposed Specific Plan as set forth in the Draft document.

Response to Oral Comment #28-C: Scenic Corridors

As discussed in Section 4.8 of the Draft EIR (page 2), scenic corridors and key roadways are important viewpoints from which the proposed development will be seen. The visual impact analysis specifically examines the views of each of the subareas from adjacent and nearby roadways.

Speaker #29: Harriet Cole, 6148 Mines Road

Response to Oral Comment #29-A: The "Futch Plan"

The commentor's desire to have the "Futch Plan" analyzed in the EIR is noted. Refer to Response to Comment 50-B.

Response to Oral Comment #29-B: Mines Road Extension

The commentor's support of the Mines Road extension is noted. Refer to the Master Traffic Response at the beginning of this document, as well as to Response to Comments 16-E, -F, and G.

Speaker #30: John Shirley, 4218 Drake Way

Response to Oral Comment #30-A: Mines Road Extension

The commentor's support for an extension of Mines Road is noted.

Speaker #31: Owen Parker, 2027 Buena Vista Avenue

Response to Oral Comment #31-A: Traffic Calming

Refer to Responses to Comments 16-F and 21-H regarding the effectiveness of traffic calming.

Response to Oral Comment #31-B: Traffic Calming

The City is not "pushing" the responsibility for traffic calming onto the County. Buena Vista Avenue is a County road, thus any improvements proposed to it must be approved and implemented by the County.

SUMMARY OF ERRATA AND REVISIONS TO THE DRAFT EIR

The following summary lists all the errata and revisions that have been identified for incorporation into the South Livermore Valley Specific Plan and General Plan Amendment Final EIR.

☐ The first full paragraph on page 3.0-7 is revised to read as follows:

> "**Some** ~~R~~ **r**esidents expressed concerns about safety of pedestrians walking along Buena Vista Road and effects on the neighborhood's rural character from increased traffic. These concerns partly reflect **these** residents' perceptions that the road currently is used as a commuter route between Vallecitos Road / State Route 84 and the Lawrence Liver more and Sandia National Laboratories (LLNL and SNL). **These** ~~R~~ **r**esidents asked the City to investigate construction of a new roadway between East Avenue and Tesla Road...."

☐ The first full paragraph following Impact 4.5-4 is revised to read as follows:

> "**Some** ~~R~~ **r**esidents of Buena Vista Avenue have raised the issue that 707 new units in Subareas 1 and 2 would result in increased "cut-through" traffic using Buena Vista Avenue to travel to and from south-central Liver more and SR 84...."

☐The third full paragraph on page 3.0-11 of the DEIR is revised as follows, and incorporated by this reference:

> "A major utility corridor is located in an easement between Subarea #2 and the Buena Vista Road neighborhood. It contains a 230 kilovolt (kV) electrical transmission line and ~~a~~ **two** high pressure natural gas pipeline**s** ~~both~~ **all** operated by Pacific Gas and Electric Company (PG&E).....

☐ The fifth paragraph on page 4.5-64 of the Draft EIR is revised as follows:

> "Within the subareas, pedestrian and bicycle trips would use all of the internal roadways, primarily to access trails. *Draft Plan* site plans provide pedestrian / bicycle paths along all entry and collector roadways separated from the automobile traveled ways by landscaped buffers of at least eight feet. Local residential roadways would provide pedestrian paths separated from the traveled way by landscaped buffers of ~~five~~ **twelve to eighteen** feet. Bicycles.... "

☐ Exhibit 4.1-3 (page 4.1-7 of the Draft EIR) is revised as follows:

Exhibit 4.1-3
Summary of SLVSPA Agricultural Uses

Parcel (s)	***Subarea***	***Activity***	***Acreage***	***Area Subtotal***
Grazing / Vacant (grazing and dry land farming)				
Olivina Ranch	7	Grazing	511.9 acres	
Crohare Family	7	Grazing	66.0	
Zumbach	4	Grazing	75.0	
Coast (2 parcels)	1	Vacant (grazing)	49.0	
Scott	2	Vacant (grazing)	17.4	
Dymond	2	Vacant (grazing)	24.8	
McKissack	4	Vacant (grazing)	50.4	
Frydendel	1	Vacant	23.5	
Caldiera (2)	3	Vacant	71.0	
Nelson, Denton	5	Vacant	24.7	
Lone Star	6	Vacant	185.4	
Grazing Subtotal				*652.9*
Vacant (Grazing and Dry Land Farming) Subtotal				*446.2*
Grazing / Vacant Subtotal				***1,099.1***
Existing / Former Vineyard				
Rios	1	Vineyard / winery	22.2	
Wente (2 parcels)	2	Vineyard / vacant	336.7	
Lagiss	5	Vineyard / winery	32.4	
Vineyard Subtotal				***391.3***
Other Agriculture				
Volkman	2	Tree farm / grazing	12.1	
Hansen	4	Olive orchard	92.2	
Corbett	4	Olive orchard	45.4	
Alameda County	5	Former orchard	77.4	
Other Agriculture				***227.1***
Total Agricultural Land				***1,717.5***

☐ Exhibit 4.1-9 on page 4.1-64 has been revised so that the right-hand column opposite Policy (7)(h) reads as follows:

> "*Consistent* In addition to potential agricultural land discussed above, the *Draft Plan's* site plans provide landscaped open space throughout developed parts of subareas and designate different types of parkland (local parks in Subareas 1,2,4, and 5 and regional parks in Subareas 4 and 7). **Also, the school in Subarea 3 has been centrally located so that the school's open fields and landscaping enhance the area's visual character and provide an attractive focus to the development.** The *Plan*...."

☐ The text and table on page 4.1-24 is corrected to read as follows:

"All or parts of approximately ~~743~~ **876** lots and five potential commercial sites are located on prime soils. Their distribution is summarized below. The Subarea 2 park and Subarea 3 school sites would also be located on prime soils.

Subarea	Prime Soils		Non-Prime Soils		Total	
	Lots [a]	*Sites* [b]	*Lots* [a]	*Sites* [b]	*Lots* [a]	*Sites* [b]
1	87	0	46	0	133	0
2	574	0	0	0	574	0
3	155 ~~22~~	2	22 ~~155~~	0	177	2
4	0	0	130	4	130	4
5	27	1	149	4	176	5
6	0	1	0	0	0	1
7	33	1	271	0	304	1
Total	*876* ~~*743*~~	*5*	*618* ~~*751*~~	*8*	*1,494*	*13*

☐ The first paragraph on page 4.3-14 under "Localized Flooding" is revised as follows:

> "As mentioned above (in the preceding section on ***Local Hydrology***), the wide claypan plateau in Subarea 7 also is subject to stormwater ponding during the wet season. This is a function of the generally flat terrain and an underlying clayey substrate which impedes infiltration. **The residents of the Kurtzer parcel, which abuts the northwest corner of Subarea 7, have reported driveway inundation due to poor local drainage from Subarea 7 along the Zone 7 access road.**"

- The EIR is revised on page 4.3-22 to include Policy 8-25a under Impact 4.3-1:

  Policy 8-25a: For Subarea 7 development, conduct a site specific drainage assessment to control off-site runoff and flooding on the adjacent Kurtzer parcel. Implement engineering and other measure to alleviate associated driveway and property flooding.

- The first paragraph under "Water Quality" on page 4.3-17 is revised as follows:

~~No surface water quality data are available for the principal streams which drain the SLVSPA. This lack of data is typical of urban communities throughout the U.S. Data on stormwater quality has been limited to point source analyses conducted for mixed industrial effluents or to programmatic non-point source analyses by the U.S. Environmental Protection Agency (USEPA). In the case of the USEPA's data collection efforts, representative urban areas have been targeted only for brief periods of time. Due to the low density of existing development in the subareas, typical stormwater contaminant concentrations probably are much lower than those measured in areas dominated by urban land uses. Moreover, given~~ **Surface water quality data were compiled for storm drain and natural channel sampling sites in Alameda County during a 1988-1995 monitoring study conducted for the Bay Area Stormwater Management Agency (BASMAA -- Woodward-Clyde 1996). Five categories of land use were investigated to determine loading rates for specific stormwater contaminants, including industrial, commercial, residential, transportation and open space. While some open space sampling probably included agricultural sites, the sampling did not include nutrients or herbicide/pesticide chemicals commonly associated with agricultural settings. The results of the monitoring confirmed that open space contaminant concentrations, while not necessarily negligible, were one or two orders of magnitude less than the urbanized land uses. Given** the intensive groundwater pumping for irrigated agriculture and the losing condition (the streambed seepage to the groundwater system rather than groundwater discharge to the streams) of streams in the area, the bulk of agricultural contaminants entering the groundwater system reach the surface water system much farther downstream.

- The fifth paragraph under "Peak Flow and Water Quality Assessments" on page 4.3-19 is revised as follows:

The EIR's second comparative assessment was made to clarify the significance of development impacts on the quality of area stormwater discharge. The assessment applied contaminant loading rates cited in **two studies on urban stormwater quality. The first study was the U.S. Environmental Protection Agency's (EPA's)** ~~the USEPA's~~ National Urban Runoff Program (NURP) studies, adjusted to reflect SLVSPA departures from the baseline mean annual precipitation used in normalizing EPA study sites. **The second study was the baseline urban stormwater quality analysis performed for the BASMAA (Woodward-Clyde 1996). This latter analysis segregated the Alameda County sampling sites and estimated stormwater concentrations for three of the heavy metals also identified in the NURP study.** Surface water loading rates were computed for five urban stormwater constituents typically associated with urbanization assuming both existing and post-development land uses. **The Alameda County data included ambient concentrations in unurbanized watershed runoff. As the table indicates, these ambient concentrations were low but not undetectable. This likely derives from natural watershed geology as well as from ranch-style residential and agricultural operations. No estimates were given in the study for agricultural land uses, although the NURP data did**

include some nutrients such as nitrate-nitrogen (N03-N). The contaminant concentrations based on this local data is presented along with the estimates derived from the more comprehensive NURP study in Exhibit 4.3-11.

□ The seventh paragraph under "Peak Flow and Water Quality Assessments" and Exhibit 4.3-11 on page 4.3-20 are revised as follows:

Exhibit 4.3-11 lists the loading rates computed for the SLVSPA under existing and post-development land uses**, using each of the two baseline data sources - NURP and BASMAA.** The exhibit also shows threshold values for the assessed water quality indicators, known as maximum contaminant levels (MCLs). [1] In ~~both~~ **all** cases, contaminant concentrations are calculated to be significantly less than the threshold MCLs for urban stormwater. Because of the relatively large area designated for open space and vineyard cultivation, the cumulative water quality impact of SLVSPA buildout also would be minor (see ***Impact 4.3-4***). **It is evident from the tabulated data, however, that the levels of stormwater contaminants in area stormwater would be increased relative to existing conditions. Note that the increases in post-project contaminant concentrations are of a similar order of magnitude for each of the analyses. For the Cu an Pb concentrations in particular, application of the local BASMAA estimates resulted in significantly lower concentrations than the NURP-derived estimates.**

Exhibit 4.3-11
Annual Contaminant Loading to SLVSPA Drainages from Subareas [a]

Contaminant	Loading Rate			Criteria	Weighted Area Concentration (mg/l)	
	Existing Conditions [b]	*Post-Project Conditions* [b]	*mg / l* [c]	*mg / l* [d]	*Existing*	*Post-Project*
NO 3-N	663	3,725	2.2	96.0	NA	NA
Total Cu	222	1,426	0.9	12.0	0.005	0.013
Total Pb	135	755	0.4	3.2	0.007	0.028
Total Zn	157	886	0.5	4.7	0.046	0.109
Oil and Grease	0.3 mg /1		1.74	5.3	NA	NA

[a] Assumptions:
1) Representative rainfall year = 1984-1985 (14.59 inches)
2) Number of storms in 1984-1985 = 20
3) Average storm rainfall depth = 0.70 inches
4) Loading rates for residential and commercial land uses based on Table 6-25 "Annual Urban Runoff Loads", *Results of the Nationwide Urban Runoff Program*, U.S. EPA, December 1983.

[b] Pounds per acre per year (lb / ac / yr)

[c] Milligrams per liter (mg / l) = parts per million (ppm)

[d] Toxicity thresholds for selected contaminants from *Quality Criteria for Water*, U.S. EPA, May 1986, and *Oil and Grease in Urban Stormwaters,* Michael Stenstrom *et al*, ASCE Journal of Environmental Engineering, February 1984.

[e] **Woodward-Clyde 1996. *San Francisco Bay Area Stormwater Runoff Monitoring Data Analysis: 1988-1995*, Prepared for BASMAA, Oct. 15, 1996.**

---

onmental Protection Agency, May 1986.

[1] *Quality Criteria for Water*, U.S. Envir

□ The EIR has been revised (on page 4.4-37) to recommend that SLVSP Policy 6-25 be revised as follows:

"Policy 6-25: Essential habitat for special-status species shall be accurately identified and avoided by proposed development to the extent feasible. Where possible this shall include redesign of site-specific infrastructure improvements and through relocations and/or the elimination of lots within designated development areas. Confirmation surveys, **conducted in accordance with established protocol,** shall be performed to determine whether special status plant and animal species occur within certain subareas where absence has not been confirmed. **Where appropriate, the scope of specific surveys shall be coordinated with the CDFG and USFWS, and trustee agencies shall be given an opportunity to review the adequacy of the survey efforts and recommended mitigation as part of environmental review of individual development applications.** ~~This~~ **Confirmation surveys** shall include:

- Systematic rare plant surveys for all plant species of concern in Subarea 7
- Surveys for suitable vernal pool and swale habitat in Subareas 2, 4, 5, 6, and 7 for the fairy shrimp species of concern
- A surveys of the vernal pool in Subarea 7 to determine if this feature is used for breeding by California tiger salamander
- **Surveys for possible nesting burrowing owl in all subareas were development is proposed, extending a minimum distance of 300 feet from the limits of grading and construction**

If any special...."

□ Starting with the second paragraph on page 4.5-1, the EIR is revised as follows:

In addition to the intersection and local roadway impact analysis, this section provides an assessment of the Alameda County Congestion Management Agency's ~~CMP~~ **Metropolitan Transportation System (MTS)** network which consists of freeways**,** ~~and~~ State Routes**, and principal arterials** in the vicinity of the South Liver more Valley Specific Plan area (SLVSPA). This analysis was performed for both year 2000~~, as required by the CMA,~~ and year 2010. The CMA requires the year 2000 analysis because it corresponds to the CMA's seven-year Capital Improvement Plan (presently scheduled through the year 2002) and because the CMA's ~~traffic model~~ **Countywide Transportation Demand Model** currently projects traffic for the year 2000. The year 2000 analysis assumes that the SLVSPA would be 20 percent built out which corresponds to the reasonably foreseeable level of building that could occur by the year 2002. The 2010 ~~CMA~~ **MTS Network** analysis was performed with the Tri-Valley Traffic Model which is **conditionally** approved for use by the CMA.

The subsection on ***Impacts and Mitigation Measures*** first presents the year 2010 analyses followed by the more limited ~~CMA~~ **MTS Network** year 2000 analysis.

The traffic study area for the year 2010 analysis is bounded by the roadways and intersections selected for quantitative analysis shown in Exhibit 5.4-3. The locations for quantitative analysis

were chosen to ensure that impacts on both local and key regional facilities were identified. The study area boundaries include First Street at North Mines Road (north), Arroyo Road at Wetmore Road (south), South Vasco Road at East Avenue (east), and Vallecitos Road at Vineyard Avenue (west).

The traffic study area for the ~~CMA~~ **MTS Network** year 2000 analysis includes Interstate 580 (I-580) between Vasco Road (east) and Interstate 680 (I-680)(west), I-680 immediately north and south of I-580, and State Route 84 (SR 84) between I-580 and I-680.

□ The second paragraph under "***Roadway Segment Analysis***" on page 4.5-10 is revised as follows:

All but three study segments currently operate with a V / C ratio lower than **0.75** ~~0.65~~ (less than ~~65~~ 75 percent of capacity used or LOS B). The three segments operating at higher levels of congestion are:

□ The "***Regional Roadway Traffic -- CMA Facilities***" section on page 4.5-22 is revised as follows:

Regional Roadway Traffic -- ~~CMA Facilities~~ MTS Network
~~(Freeways and State Routes)~~

The Alameda County Congestion Management Agency (CMA) has designated a ~~Congestion Management Program (CMP)~~ **Metropolitan Transportation System (MTS)** roadway system in order to monitor performance in relation to established level of service standards. The ~~CMA~~ **Congestion Management Program** requires~~:~~

- ~~A~~ analysis of all general plan amendments (GPAs) which would generate 100 or more PM peak hour trips to determine if the amendment would cause a CMP facility to fall below CMA standards.

- ~~Disclosure of any GPA-related traffic volume increase of one percent or more if the facility is already below-standard without the amendment~~

If a GPA would cause a facility to decline from acceptable operation to below-standard operation ~~or if it would add one percent or more to the future traffic volume on a below-standard facility~~, the EIR must identify the impacts and appropriate mitigation measures.

The *Draft Plan* and accompanying GPA would meet the 100-trip threshold requiring CMA analysis.

The CMA currently only requires analysis for the year 2002 -- to be consistent with its seven-year Capital Improvement Plan which is developed through the year 2002. However, because this EIR also analyzes year 2010 project impacts, it assesses CMA facilities for year 2010 as well. Year 2010 "no project" traffic volumes on ~~CMA facilities~~ **the MTS Network** (without SLVSPA development) is discussed immediately below. (The year 2002 analysis is presented at the end of this ***Transportation and Circulation Setting*** because it is the only part of the transportation analysis which discusses conditions for a year other than 2010.)

The designated ~~CMP~~ **the MTS Network** system includes two interstate freeways (I-680 and I-580) and one state highway (SR 84) in the study area. The volumes are divided by the appropriate capacities for the given facility type to produce V / C ratios which correspond to service levels -- 0.90-0.99 = LOS E, 0.80-0.89 = D, 0.70-0.79 = C, etc. [2] The LOS standard for Alameda County CMP roadways is LOS E, except where LOS F conditions already existed when originally measured by the CMA. The LOS standard for all of the ~~CMP facility~~ **MTS Network** segments in the study area is LOS E (V / C ratio of 0.99 or better).

Exhibits 4.5-10 and 4.5-11 show year 2010 No Project traffic volumes on ~~CMA facilities~~ **MTS Network**. These volumes are generated by the Tri-Valley Traffic Model (Financially Constrained Network), and show that the CMA LOS standards are projected to be violated on several segments of the ~~CMP system~~ **MTS Network** by the year 2010. In particular: "

□ The first paragraph in the "***Local Roadway Traffic***" section on page 4.5-25 is revised as follows:

"The following discussion addresses volumes and capacities of roadways not part of the ~~CMP designated network~~ **CMA's MTS Network**...."

□ The "***Highway/State Route Traffic Volumes***" section on page 4.5-30 is revised as follows:

Highway / State Route Traffic Volumes -- Year 2000 No Project -- Congestion Management Program Analysis

This section describes year 2000 "no project" volumes on the Alameda County CMA's ~~designated roadway system~~ **MTS Network**. ***Regional Roadway Traffic -- ~~CMA Facilities~~*** **MTS Network** (above) describes the CMA analysis requirements and procedure.

Methodology

The CMA ~~Traffic Model~~ **Countywide Transportation Demand Model (CTDM)** was used to show year 2000 conditions in the study area without SLVSPA development. The year 2000 is used because it is the ~~CMA model's~~ **CTDM's** calibration year and serves as the Exhibit 4.5-15 ~~CMA's~~ analysis basis for the year 2002. As noted above in the Year 2010 ~~CMA~~ roadway discussion, the LOS standard for all ~~CMP facility~~ **MTS Network** segments in the study area is LOS E (V / C of 0.99 or better).

AM Peak Hour Conditions Exhibit 4.5-16 presents year 2000 AM peak hour volumes for the ~~CMP facility~~ **MTS Network** segments in the study area. The volumes indicate that, east of Airway Boulevard, both directions of I-580 will continue to operate at acceptable service levels with V / C ratios of 0.66 or better. For the I-580 segment between Airway Boulevard and the I-680 / I-580 interchange, the westbound direction will operate at LOS F (V / C OF1.05) in the AM peak hour. (The capacity set by the CMA for I-580 and I-680 is 2,000 vehicles per lane per hour.)

---

[2] The CMA capacities are 2,000 vehicles per lane for I-580 and I-680 and 600-1,600 vehicles per lane for SR 84, varying by section. Capacity is affected by the urban or rural nature of the surrounding area, lane width, speed limit, and number of signals, all of which vary along the length of SR 84.

I-680 is projected to operate at acceptable service levels just north and south of the I-580 interchange with V / C ratios of 0.81 or better north of the interchange and V / C ratios of 0.98 or better south of the interchange. The southbound direction on both of these I-680 segments has higher traffic volumes in the AM peak hour.

SR 84 is projected to operate at acceptable service levels between I-680 and South Liver more Avenue, with V / C ratios of 0.97 or better. Between South Liver more Avenue and Portola Avenue, the LOS is F (V / C of 1.11) for the eastbound direction. The capacity of this segment is set by the CMA at 1,600 vehicles per hour.

PM Peak Hour Conditions Exhibit 4.5-17 presents year 2000 PM peak hour volumes for the ~~CMP~~ **MTS Network** segments in the study area. For the I-580 segment east of Airway Boulevard, both directions of I-580...."

□ The third paragraph on page 4.5-38 is revised as follows:

Scope of Topics Addressed

The topics addressed below cover project impacts on all modes of transportation according to year 2010 conditions without adopting the *Draft Plan* and developing the SLVSPA. The year 2010 impact analysis evaluates full SLVSPA buildout and is the focus of the following discussions. In addition to the 2010 analysis, an ~~Alameda County CMA~~ analysis of year 2000 conditions **on the CMA's MTS Network** also is presented, in compliance with the Congestion Management Plan's Land Use Analysis Program.

□ The last sentence on page 4.5-38 is revised as follows:

"In addition, for the ~~Alameda County Congestion Management Agency~~ year 2000 **MTS Network** analysis...."

□ Impact 4.5-1, Roadway and Freeway Traffic on page 4.5-39 is revised as follows:

Impact 4.5-1 Roadway and Freeway Traffic
Regional Roadways (~~CMA Facilities~~ MTS Network)

- Draft Plan *development would add one percent or more to the peak hour traffic on the following ~~CMA~~ MTS Network roadways which are projected to operate at LOS F in the year 2010 without the project: SU*
  - *I-580 between Liver more Avenue and I-680 (AM peak hour westbound) and between Airway Boulevard and Liver more Avenue (PM peak hour eastbound)*
  - *SR 84 between I-680 and Isabel Avenue (PM peak hour westbound) and between Isabel Avenue and Holmes Street (PM peak hour eastbound)*
- Draft Plan *development is projected to reduce volumes on the following ~~CMA~~ MTS Network roadways: B*

□ The third paragraph on page 4.5-44 is revised as follows:

"~~The CMA requires mitigation measures to be developed when a project would contribute one percent or more in traffic on facilities projected to operate at substandard LOS.~~ While the 2010 analysis falls beyond the CMA target year of 2000, ***Mitigation Measures 4.5-1(b)*** and ***4.5-1©*** were designed to respond to the over-capacity conditions projected above.

The Tri-Valley Traffic Model's traffic distribution with SLVSPA development in place results in lower volumes on the following CMA **MTS** roadways...."

□ Impact statement 4.5-7, Year 2000 CMP Roadway Network Impact, and the following text on pages 2.5-67 to -69 is revised as follows:

Impact 4.5-7 Year 2000 ~~CMP Roadway~~ MTS Network Impact

- Draft Plan *development would cause the LOS to fall from E to F in the AM peak hour on two sections of Route 84 -- First Street between Arroyo Road and South Liver more Avenue and Vallecitos Road between I-680 and Isabel Avenue. The ~~CMA model~~ **CMA's Countywide Transportation Demand Model** projects volume increases on Route 84 of 196 vehicles (22 percent) and 236 vehicles (27 percent) respectively in year 2000 without* Draft Plan *traffic. SU*

- Draft Plan *development would result in significant impacts in the PM peak hour on two sections of Route 84, adding more than one percent to the projected year 2000 traffic volume on sections which already are projected to be LOS F without* Draft Plan *traffic. The addition of* Draft Plan *traffic would result in a five percent increase (65 vehicles) in eastbound volumes on First Street between Holmes and Arroyo and a three percent increase (40 vehicles) in the eastbound volumes on Vallecitos Road between I-680 and Isabel Avenue. SU*

The Alameda County CMA**'s Countywide Transportation Demand** Model was used to determine potential impacts of *Draft Plan* development on the designated CMP roadway system. The *Draft Plan* is assumed to be 20 percent built out (residential uses only) by the year 2000. This is the reasonably foreseeable level of development for the *Draft Plan* by that year. As described in the setting description of ***Regional Roadway Traffic: CMA Facilities*** (above), the LOS standard for all ~~CMP facility~~ **MTS Network** segments in the study area is LOS E (V / C ratio of 0.99 or better).

AM Peak Hour Conditions

Exhibit 4.5-30 presents year 2000 AM peak hour volumes for the ~~CMP roadway~~ **MTS Network** segments in the study area. Traffic from *Draft Plan* development (20 percent built-out) would cause two segments of the ~~CMP~~ **MTS** network to fall from acceptable (LOS E) to below-standard (LOS F) conditions -- SR 84 (First Street) between Arroyo Road and South Liver more Avenue and SR 84 (Vallecitos Road) between I-680 and Isabel Avenue.

On the First Street section, AM peak hour westbound traffic is projected to increase in volume from 908 vehicles (V / C of 0.82) to 1,104 vehicles (V / C of 1.00). The CMA defines the

capacity of this section of Route 84 as 1,100 vehicles per hour. On the Vallecitos Road section, the AM peak hour westbound traffic is projected to increase in volume from 841 vehicles (V / C of 0.84) to 1,077 vehicles (V / C of 1.07). The CMA defines the capacity of this section of Route 84 as 1,000 vehicles per hour.

Elsewhere, the ~~CMP roadway~~ **MTS** system is projected to operate at LOS F in the year 2000 without *Draft Plan* traffic. However, the *Draft Plan* would not add one percent or more in traffic to the section. It is I-580 between Airway Boulevard and I-680 (V / C of 1.05 westbound). The *Draft Plan* would result in volume decrease of three percent on the I-580 segment.

In summary, *Draft Plan* development would have significant impacts in the AM peak hour on two sections of Route 84, causing the LOS to fall from E to F -- First Street between Arroyo Road and South Liver more and Vallecitos Road between I-680 and Isabel Avenue. With the addition of *Draft Plan* traffic, the ~~CMA model~~ **Countywide Transportation Demand Model** projects volume increases on these sections of Route 84 of 196 vehicles (22 percent) and 236 vehicles (27 percent), under year 2000 conditions without *Draft Plan* traffic.

PM Peak Hour Conditions

Exhibit 4.5-31 presents year 2000 PM peak hour volumes for the ~~CMP roadway~~ **MTS Network** segments in the study area. Traffic from *Draft Plan* development (20 percent buildout) would not cause any segment to fall from an acceptable to an unacceptable service level. However, the *Draft Plan* would contribute a one percent or greater volume increase to two segments which are projected to operate at unacceptable service levels (LOS F) without *Draft Plan* traffic in the year 2000.

The sections of the ~~CMP roadway~~ **MTS Network** system which are projected to operate at LOS F in the year 2000 without *Draft Plan* traffic include...."

□ The last sentence of the first full paragraph on page 4.5-71 (***Significance After Mitigation***) is revised as follows:

"If funding is secured and improvements are made (Vallecitos Road widening, First Street signal timing, and First street Geometric configurations), the ~~CMP~~ year 2000 **MTS** roadway network impacts could be reduced to a less-than-significant level."

□ The first bullet on page 4.5-10 is revised as follows:

L Street south of Fourth Street in downtown Liver more has a V/C ratio of 0.95 in the PM peak hour for the peak ~~north~~ **south**bound direction.

□ The EIR is revised to insert this policy as Mitigation Measure 4.5-1(d) on page 4.5-38.

Policy 5-45b: In order to help pay for necessary regional transportation improvements that result from cumulative growth, new development within the SLVSPA shall be subject to the Tri-Valley Transportation Fee once it has been adopted citywide by the Liver more City Council.

- The EIR is revised to insert this policy as Mitigation Measure 4.5-1(e)on page 4.5-48:

> *Policy 5-46b: Final subdivision map approval for any project within the Specific Plan area shall be conditioned upon approval by the Community Development Department of a construction phasing plan prepared by the applicant. At a minimum the construction phasing plan shall address potential construction-related impacts including those related to noise, traffic and air quality by: 1) specifying an acceptable staging area or areas for construction equipment and employee parking; 2) specifying the hours for haul truck trips and other construction activities; 3) specifying the routes for all construction related traffic; and 4) describe (I) a program to implement the Bay Area Air Quality Management District's basic construction dust control measures and (ii) for projects greater than four acres in size, a program to implement the Bay Area Air Quality Management District's enhanced construction dust control measures.*

- The EIR is revised to insert this policy as part of Mitigation Measure 4.1-4 on page 4.1-34:

> *Policy 7-22 In order to ensure compatibility between uses at Robertson Park and nearby residential properties, deeds for residential lots within 1,000 feet of Robertson Park shall include a disclosure statement that identifies the potential for periodic noise, light and traffic impacts in connection with park activities.*

- SLVSP Policy 8-1 is revised as follows:

> "Policy 8-1: **The City shall request that its water supply be augmented to allow development of up to 200 units per year in accordance with the growth management policies of this Specific Plan. The City shall impose a condition on all tentative maps that prior to approval of a final subdivision map** ~~Urban development within the Specific Plan area shall be prohibited unless the City determines at the time of tentative subdivision map approval~~ that ~~there exists~~ **(1) Zone 7 has agreed to provide the water supplier for the uses permitted by the map,** an adequate and permanent domestic water supply and an emergency fire fighting supply sufficient to service the proposed development ~~and that~~; **and (2)** the quality of the domestic water meets all applicable state and local standards. **The City shall deny approval of a tentative subdivision map unless, at the time of tentative map approval, the City determines that the domestic water supply and emergency fire fighting supply available from Zone 7 is sufficient to serve all existing domestic uses within the City and uses that may be permitted in accordance with the number of units available for allocation pursuant to the City's growth management program.** ~~**Agricultural development shall be prohibited unless the City can find there exists an adequate and permanent irrigation water supply.**~~ Development that requires agricultural mitigation shall be prohibited if adequate and permanent irrigation water is unavailable for the land to be used for agricultural mitigation."

- SLVSP Policy 8-21 is revised as follows:

> "Policy 8-21: Consistent with the rural image of the planning area, encourage the use of permeable surface drainage and runoff detention systems both inside and outside the development areas. The use of grass-lined swales and detention basins is encouraged as a means of 1)

minimizing the increase in the ~~rate and~~ volume of stormwater runoff associated with new urban development, 2) maximizing the potential for groundwater recharge, and 3) filtering the urban pollutants that get carried into the major drainage channels."

☐ SLVSP Policy 8-27 is revised as follows:

"Prepare and implement..... would disturb more than five acres of land). **The SWPPP shall identify all Best Management Practices (BMPs) planned for implementation during and following project construction, including Source Control BMPs, Treatment Control BMPs, and Post-Construction BMPs.** The SWPPP should be submitted.....

☐ Mitigation Measure 4.7-3 on page 4.7-15 is revised as follows:

On behalf of the City, an acoustical engineer should review the detailed site plan and equipment layout ~~when designed for~~ **of any major expansion or change in operations of** the Subarea 4 olive press....

☐ The second to the last sentence in paragraph 6 on page 4.9-2 is revised as follows:

"Estimates for deliveries ~~range~~ from the SWP range from ~~28,500 to 35,600~~ **5,060 (11%) to 46,000 (100%)** acre feet per year **with an average yield of about 34,800 (75%) acre feet per year**."

☐ Paragraph 2 page 4.9-13 is replaced with the following text:

State Water Project Improvements. Planned improvements to the State Water Project (SWP) include a project known as the "American Basin Conjunctive Use Plan", which would increase the SWP yield and dry year reliability. The Department of Water Resources (DWR) recently concluded that the project has the potential to yield 55,000 acre-feet of water to the State Water Project during critical and dry years and that the project is technically and economically feasible. Implementation would require a memorandum of agreement among project participants and environmental review pursuant to CEQA. (Memorandum of Karl Winkler, Department of Water Resources, July 2, 1997.)

☐ The following policy is recommended for inclusion in the Specific Plan:

Policy 8-11 *The City shall cooperate in development and implementation of the Zone 7 Salt Management Plan.*

APPENDIX

Letters Addressing Non-EIR Issues

RECEIVED
JUL 11 1997
PLANNING DEPARTMENT

Sandia National Laboratories
Operated for the U.S. Department of Energy by
Sandia Corporation

Patricia N. Smith
Director of Facilities, Human Resources and Logistics

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Livermore, Ca 94551-mail stop 9002

Phone: (510) 294-2753
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May 30, 1997

Mr. Marc Roberts
City of Livermore
1052 South Livermore Ave.
Livermore, CA 94550-4899

Dear Mr. Roberts: Marc

As Director of the Facilities, Human Resources, and Logistics Center for Sandia National Laboratories/California, I want to thank you for the time you spent last month with Jake McMichael in discussions regarding the South Livermore Valley Area Plan (SLVAP). Jake represents Sandia as the leader of a project assessing the potential impact on Sandia of the Subarea #1 housing.

The primary purpose of this letter is to inform you that Sandia will be formally commenting on the draft EIR and draft SLVAP and expressing our opposition to the plan as we have seen it thus far. Our comments will address concerns of the Department of Energy (DOE) and Sandia regarding a housing development so close to our site boundary and our perceived impact both on Sandia and future homeowners.

I would like to emphasize that we want to work with the City of Livermore and perhaps jointly plan areas of common interest. Jake reported back to the team your challenge: "What options can the government offer in order to help mitigate the perceived impact of houses located to the immediate west of Sandia?" As a result, the team is looking into various alternatives that could be supported by both the DOE and the City of Livermore.

Before we formally address our comments to the City of Livermore, ideally we (Sandia and DOE) would like to sit and talk with you about some proposals. Please let Jake know how and when we can arrange such a meeting to discuss our ideas. Jake can be reached at 294-2569.

I look forward to working with you and the City in a joint effort to develop a win-win resolution to the issues of our concern.

Sincerely yours,

P. N. Smith

Patricia N. Smith

Mr. Marc Roberts May 30, 1997

Copy to:
Bob Brown, Planning Director
Jerry Peeler, City Manager
City Council Members:
Cathie Brown, Mayor
Tom Vargas
Tom Reitter
John Stein
Ayn Wieskamp
Planning Commission Members:
Ernie Holm, Chairman
Lorraine Dietrich
Martha Silberman
Tim Malone
Jim Perry
Sandia National Laboratories, CA
MS 9001 Tom Hunter, VP 8000
MS 9056 Jake McMichael, 8305
SNL/SLVAP Team Members
Department of Energy, NM
Richard Erdman
Deborah Garcia

RECEIVED
MAY 29 1997
PLANNING DEPARTMENT

South Livermore Valley Agricultural Land Trust

Seeking to ensure the viability of the Valley as a permanent premier agricultural region with fertile soils, rural ambiance and scenic open space.

Board of Directors
Archer Futch
Bill Hoppes
John Innes
Lois Lutz
Valerie Raymond
Barbara Stear
Art Toy

April 21, 1997

Marc Roberts
City of Livermore Planning Department
1000 South Livermore Avenue
Livermore, CA 94550

Dear Mr. Roberts:

Thank you for meeting with John Innes, Amalia Egri and me to discuss current planning efforts for south Livermore. The Trust Board of Directors has had the opportunity to consider your proposal regarding an open space alternative for Sub-area 7, and I have been asked to communicate the Trust's position.

While the Board would not propose an open space alternative for Sub-area 7, the Trust would be willing to comment on such a project, if asked.

The Trust's mission is to ensure the viability of the South Livermore Valley as a premier agricultural region. To that end, the Trust will ultimately conserve 5,000 acres of agriculture and open space in the Valley. The Trust's acquisition criteria include the conservation of land near urban development, agricultural operations or open space; the conservation of land with agricultural, scenic and/or historical value; and the preservation of resources and habitats.

To the extent that an open space alternative would further these goals, the Trust would consider playing a role. However, it is important to note that the Livermore Area Recreation and Park District is the most logical partner in any effort to preserve open space.

Thank you again for inviting the Trust to comment on this proposal. Should you have any questions regarding this information, please call me directly at (510) 422-0158, or call Amalia Egri at the Trust office at (510) 449-8706.

Sincerely,

Bill Hoppes

William G. Hoppes
Chair, Board of Directors

Post Office Box 2208
Livermore
California 94551

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June 5, 1996

Mayor Cathie Brown and City Councilmembers
City of Livermore
1052 South Livermore Ave.
Livermore, CA 94550

Re: Need to Examine the Alternative of Completing Mines Road in the EIR on the South Livermore Valley Specific Plan

Dear Mayor Brown and Members of the Council:

I am writing you on behalf of my client, Concerned Citizens for the Completion of Mines Road ("CCCMR"), a group of local citizens who live on Buena Vista Avenue and elsewhere in or near the City of Livermore and who support the completion of Mines Road as a vital element in the proper implementation of the South Livermore Valley Specific Plan ("the Plan"). For a variety of reasons based both in law and sound land use planning policies, the completion of Mines Road through the construction of the missing segment between East Avenue and Tesla Road must be considered as an alternative in the draft environmental impact report ("DEIR") on the Plan and examined in sufficient detail to allow its adoption as part of the City's final plan for South Livermore Valley. As we will show in this letter, the completion of Mines Road would be a key element in the mitigation of otherwise significant environmental impacts that implementation of the Plan as currently proposed would have on the rural neighborhood along Buena Vista Avenue and elsewhere in the South Livermore Valley area and, as such, must be studied in the EIR on the Plan. Moreover, the completion of this major north-south road is clearly a matter of sensible land use planning, given the growth that the Plan envisions in the South Livermore Valley, the extension of North Mines Road with the construction of the railroad overpass between First and East Avenues, the current status of Mines Road as a major route into the scenic rural and recreational areas to the south, and the City's and County's active promotion of increased tourism into the South Livermore Valley.

CCCMR submits this letter in reaction to the City's Notice of Preparation of the DEIR and other recent actions of the City that indicate that City staff does not presently intend to include an alternative in that document that would analyze the alternative of completing Mines Road as an environmentally superior means of implementing the Plan. My clients are quite upset to find that the City is apparently refusing to study the completion of Mines Road, *even as an alternative*, in the EIR for a plan that would have profound impacts on traffic circulation in the South Livermore Valley and on the safety and rural character of the neighborhood along Buena Vista Avenue and the surrounding area. This refusal is particularly frustrating given the fact that a majority of both the Livermore City Council and Planning Commission are on public record endorsing the consideration of such an alternative. Further, there is considerable public support for this alternative, as evidenced by extensive public involvement in the planning process to date and the gathering of over 1200 signatures on a petition in favor of the consideration of the Mines Road completion alternative.

While the Notice of Preparation is directed to other government agencies and the City has offered no official public scoping process concerning the matters to be covered in the DEIR, we submit this letter pursuant to §21082.1 of the California Environmental Quality Act ("CEQA"). This provision allows for submission of comments and information by any member of the public to an agency preparing a draft EIR and requires that the agency consider such comments and information. We are submitting this letter within a month of my client's receipt of the Notice of Preparation of the DEIR -- the same timeframe permitted public agencies to respond to the Notice -- so that City staff can ensure that the EIR analyzes an alternative South Livermore Valley plan that includes the completion of Mines Road. For a wide variety of reasons discussed below, such an alternative is both reasonable and feasible, and failure to include it in the DEIR would constitute a violation of CEQA.

The EIR Must Focus on the Plan's Potential Impacts on the Existing Environment of the Buena Vista Neighborhood.

At the outset, we must note a disturbing thread that runs through various of the discussions of the Plan's potential impacts on the Buena Vista neighborhood. To date, greater concern seems to have been expressed for preserving the "rural character" of the as-yet unapproved and unbuilt Subarea 2 housing than for protecting the *existing* rural character of the residential neighborhood along Buena Vista Avenue. While the implementation of the Plan and other planned developments in the area would significantly increase traffic along Buena Vista, bringing with it adverse noise, safety, emergency access, and air quality impacts, City discussions to date of the potential to reduce or avoid these impacts through the completion of Mines Road have often focused on that completion's effects on the proposed development at Subarea 2, not on its beneficial effects for the Buena Vista neighborhood. The City recognizes in concept the need to preserve rural character in the planning area but thus far has paid scant attention to it in the context of the rural character of an actual neighborhood.

It is understandable that the proponents of the development at Subarea 2 are concerned that the completion of Mines Road might affect the value of some of the units on the west side of the property. However, it is the City's duty under CEQA to identify and mitigate the proposed Plan's impacts on the existing environment, including the Buena Vista neighborhood, *not* to shield unapproved Plan proposals from the effects of such mitigations. Quite simply, CEQA requires that an EIR evaluate and provide mitigation for the impacts of a proposed project on the existing physical environment, not on the hypothetical environment envisioned in paper plans. *See Environmental Planning and Information Council v. County of El Dorado*, 131 Cal.App.3d 350, 354 (1982). The City's foremost concern in preparing the EIR must be to protect the Buena Vista neighborhood -- and the rest of the existing South Livermore environment -- from the adverse environmental impacts of the Plan.

To put this issue in perspective, it must be recognized that, while the plans for Subareas 1 and 2 commendably emphasize an "agricultural look" and orientation of housing units toward open space, these are essentially large housing developments, proposed to contain over 700 units, 574 of which are planned for Subarea 2. 4/22/96 City Council minutes, pp.272-73. This density of development can scarcely be characterized as "rural." To exalt "preservation" of its alleged "rural" and open space character over the actual rural character of the Buena Vista neighborhood would be absurd.

Without Mines Road Completion, the Plan Will Convert Buena Vista Avenue to "Major Road" Use for Which It Is Not Physically Suited.

Turning to the impacts that the Plan will likely have on the Buena Vista neighborhood

unless Mines Road is completed, the record before the City to date is replete with evidence that these will be significant and that they will stem from increased traffic using Buena Vista Avenue to get from North Mines Road and East Avenue to the residential and commercial components of the Plan (and other planned developments) south of East Avenue, and vice versa. The opening of the railroad overpass connecting North Mines Road to First Avenue will provide a major conduit for even more north-south traffic into the area. The proposed extension of Concannon Avenue towards Tesla Road will also put increased traffic pressure on Buena Vista Avenue, which is already experiencing unacceptable speeding problems. 4/22/96 City Council minutes, p. 278.

That Buena Vista Avenue will be affected by the Plan and the other developments just noted has been explicitly acknowledged by Robert Preston, a traffic engineer with the Alameda County Public Works Agency. In a letter to Buena Vista resident Donald Hughes, Mr. Preston wrote:

> Looking at the existing roadway network, one can *easily* see that Buena Vista Avenue provides a link between the two potential roadway extension projects (the extension of North Mines Road/Mines Road, from First Street to East Avenue, and Concannon Boulevard towards Tesla Road).
>
> *The traffic impacts to Buena Vista Avenue may be alleviated by extending Mines Road from East Avenue to Tesla Road.*

Preston letter (10/13/95), p. 1 (emphasis added). Mr. Preston went on to state that the Public Works Agency would "recommend that our Planning Department consider this conceptual extension in the East County Specific Plan." *Id.* Given the County Public Works Agency's acknowledgment that the Mines Road completion is worthy of further study as a solution to traffic impacts on Buena Vista Avenue, impacts attributable in part to the Plan and the related Concannon extension, the City would be hard pressed honestly to maintain that a Mines Road completion alternative is either unrelated to the Plan or an unreasonable approach to mitigating its impacts on the Buena Vista neighborhood. The City should consider this alternative in the EIR and coordinate its efforts with any similar efforts being undertaken by the County as part of the East County Specific Plan.

The importance of the so-called "missing link" in Mines Road to proper traffic circulation in the area has long been recognized by the City itself, both explicitly, with its inclusion in the City's General Plan until 1988, and implicitly, as a look at the Circulation Element of the current Livermore Community General Plan ("GP") plainly shows. In that element, North Mines Road is identified as a "major street," as is East Avenue. Map, p.23. First Street-Springtown Boulevard -- into which North Mines Road, with the completion of the railroad overpass, will feed -- is identified as a "primary north-south arterial." P.5. Widening North Mines Road to six lanes is listed as a "third priority improvement" in the Circulation Element, demonstrating that the City anticipates even greater use of this roadway in the future. Livermore Road System Improvements List (at end of Circ. El. document), p. 4. Clearly, North Mines Road is a major component of the north-south circulation system in Livermore, but it currently ends at East Road, with the nearest road continuing southward being Buena Vista Avenue.

To the south of Tesla Road, at the other end of the missing link, Mines Road is a major route into the South Livermore Valley, serving the wine country, Del Valle Regional Park, and points beyond. In the Circulation Element, it is recognized as a major local and regional road. See, *e.g.*, pp.6, 23. The GP's Scenic Route Element identifies Mines Road as a scenic route, which demonstrates that its important role in South Livermore Valley tourism is not just understood, but actively promoted by the City. Scenic Route Element, unnumbered second page.

With specific regard to the deletion in 1988 of the missing segment of Mines Road from the future road system laid out in the GP, Planning Director Bob Brown told the City Council that it was taken out of the GP at that time because "there seemed to be little direct rationale for [the missing segment] since the City's land use proposals in that area were extremely limited" and because of impacts building the road could have on viticulture areas. 4/22/96 City Council minutes, p.290. This brings us back to the Plan, which, with its ambitious residential development proposals, negates the 1988 situation where the City's land use proposals in South Livermore Valley were "extremely limited." (With regard to viticulture, little remains in the rectangle formed by East Avenue, Vasco Road, Tesla Road, and Buena Vista Avenue, and the 574-home development proposed for Subarea 2 would eliminate far more soil from future viticulture than the completion of Mines Road.)

The Plan and Other Planned Developments in the Area Will Cause Significant Adverse Impacts to the Environment of the Buena Vista Neighborhood.

In all, the Plan proposes 1500 new housing units in South Livermore Valley (4/22/96 City Council minutes, p.274) and up to 13 new commercial developments (p.275). South Livermore Valley is being actively promoted as a "premier wine-producing center" within which the City's General Plan explicitly encourages "appropriate tourist attracting and supporting uses, such as bed and breakfast establishments, bicycle and equestrian facilities, a conference center, a wine museum, or other uses..." GP, p.144. Given the planned extension of Concannon Boulevard towards Tesla Road, Buena Vista Avenue, in the absence of the completion of Mines Road, would be forced to handle considerable traffic between the Plan's developments and other tourist facilities in the South Livermore Valley on the one hand and large areas of Livermore (and points east) north of East Avenue. The full extent of these traffic impacts must be fairly analyzed and described in the EIR. Baseline studies to establish current traffic levels on Buena Vista Avenue should be conducted at peak summer tourist travel times, as well as daily morning and afternoon rush hours.

Equally importantly, CEQA requires that the EIR reveal and offer mitigation for the cumulative impacts that the Plan would have in conjunction with all other planned developments in the area that could affect the traffic load on Buena Vista Avenue. CEQA Guidelines §15130. Other projects that must be examined in assessing the Plan's cumulative impacts on Buena Vista Avenue should include the completion of the overpass linking North Mines Road to First Street, any and all other projects planned for the South Livermore Valley and adjacent areas, and the up to 3000 new homes that may be built over a five-year period in North Livermore. "Open Space Drives North Livermore Plan," *Independent* (5/22/96), p.1. The South Livermore area projects to be considered should include the golf courses and other nearby developments noted in the Initial Study for the Plan (p.2) and the 800 student K-8 school proposed for Subarea 3, which would be served by the Concannon extension. Letter from Livermore Valley Joint Unified School Dist. to Marc Roberts (2/20/96).

In assessing the impacts of traffic from the development envisioned by the Plan and other proposed projects on the Buena Vista neighborhood, the EIR should not focus solely on the traffic's impact on level-of-service ("LOS") standards on Buena Vista Avenue to measure the significance of those impacts. While the EIR certainly must examine the Plan's effects on the LOS along Buena Vista Avenue, my client's primary concern is not with the traffic's impacts on flow along their street, but rather with the impacts of increased traffic on the character and safety of their existing, quiet rural neighborhood. That is, even if traffic studies show that traffic on Buena Vista would not increase to the level where the LOS standards would be considered unacceptable (and "unacceptable" levels from a traffic circulation standpoint typically are not found unless a road would be virtually choked with traffic), the impacts of any substantial increase in the number and frequency of vehicles using the street would be significant in terms of the neighborhood character,

personal safety, noise, and air quality. According to the County Public Works Agency, 85% of the motorists currently using Buena Vista Avenue travel at average speeds of 46 miles per hour, well over the posted speed limit of 25 m.p.h. Letter from Traffic Engineer Preston to D. Hughes (10/13/96), p.1. It does not take any complicated analysis to conclude that even a modest 5 or 10 percent increase in traffic along the road, moving at comparable speeds, would significantly impact the neighborhood's environment from safety and noise perspectives. (Ironically, a bad LOS rating, while not desirable for other reasons, would actually reduce threats from speeding motorists.)

The Initial Study for the Plan, while not focusing on Buena Vista Avenue in particular in these regards, acknowledges as potentially significant the Plan's impacts on traffic noise (p.17-18), air pollution (p.11), additional vehicular movement (p.21), and impacts on the area's circulation system (p.21). With specific reference to Buena Vista Avenue, the Initial Study recognizes the current speeding problem on Buena Vista, *and specifically notes that the completion of Mines Road is an alternative that could mitigate the Plan's and other developments' cumulative impacts exacerbating this problem.* P.21.

Failure to Consider Mines Road Completion Would Be Inconsistent With the Policies and Programs of the City's General Plan Circulation Element.

That traffic generated by the Plan and other developments will cumulatively have significant impacts on the Buena Vista neighborhood is borne out by a careful look at the Circulation Element of the Livermore GP. As we will show, implementing the Plan without including the completion of Mines Road, and consequently making Buena Vista a major north-south route for Plan and other new development traffic in the area, would run directly counter to a number of sound policies and programs set forth in the Circulation Element. This would create a dual legal problem for the City because, under the California Planning and Zoning Law, the Plan cannot be lawfully approved unless it is consistent with all applicable provisions of the GP and, under CEQA, a project is considered to have a significant impact if it would "[c]onflict with adopted environmental plans and goals of the community where it is located." CEQA Guidelines, App. G(a). The Plan's conflicts with the City's GP are, by themselves, sufficient reason to study the alternative of Mines Road completion.

The Circulation Element has a very sensible program to avoid "staggered T intersection configurations at major intersections (*i.e.*, where major streets and collectors are planned to intersect)..." General Roadway Improvement Program 8, Circ. El., p.25. The Circulation Element identifies North Mines Road, East Avenue, Tesla Road, and Mines Road all as major roadways. Unfortunately, North Mines Road tees out at East Avenue and Mines Road tees out at Tesla Road, the staggered connector between these intersections being Buena Vista Avenue, which is a narrow, two-lane rural road onto which a large number of residences have direct driveway access. It is clear from the GP that Buena Vista Road is neither a major street nor a collector, the former being defined as "high capacity" and "typically four- and six-lane," and the latter defined as having "stringently limited" access from abutting properties. Circ. El., p.20. Instead, Buena Vista Avenue fits the Circulation Element's definition of "local street" ("low-speed, low-capacity," "direct access to abutting land uses"). This being the case, it is not appropriate for use as a "collector," let alone as a "major street," but this is exactly what increased traffic from the Plan would make it, in the absence of the completion of Mines Road.

The document entitled Environmental Setting and Planning Considerations (5/16/95) prepared on the Plan specifically states among the "significance criteria" for judging traffic impacts from the Plan that traffic that would "[r]esult in a change in roadway functional classification (that is, from rural highway to collector or arterial) due to increased traffic capacity requirements or

safety considerations" would represent a significant adverse environmental impact. P.4-16. Any substantial increase in the movement of traffic between North Mines Road and East Avenue to the north and Tesla Road and Mines Road to the south along Buena Vista Avenue would functionally convert Buena Vista from the local street it is designed as into a *de facto* collector or major street like those it connects. This very likely impact of the Plan and other developments must be forthrightly acknowledged and the obvious alternative of completing Mines Road carefully considered. That alternative would comport with the Circulation Element of the GP both by eliminating unsafe staggered T intersections and by avoiding the functional conversion of Buena Vista into a circulation role for which it is not physically suited. (It is worthy of note that attention has been given during the City's consideration of the Plan to curing an awkward intersection at Holmes and Vallecitos. 4/22/96 City Council minutes, p.274. The equally awkward Buena Vista-Mines/North Mines intersections deserve the same level of attention.)

Other Circulation Element policies also support the mitigation of the Plan's impacts on Buena Vista Avenue. Roadway Improvement Policy 10 (p. 21) requires the City to "[p]rovide a street system which minimizes traffic on local, minor (non-collector) streets in order to create and preserve a high quality residential environment." To the same effect is General Roadway Improvement Program 11, "Neighborhood Protection": "Incorporate roadway improvement design measures which *divert* through traffic from, and minimize local traffic on, local residential streets *in order to protect the quality and livability of Livermore neighborhoods.*" P.25 (emphasis added). Yet the Plan and other planned developments, without Mines Road completion, would effectively turn Buena Vista Avenue into a major street or collector despite its physical unsuitability to fill this role. The GP requires, in very plain language, that such traffic be diverted from Buena Vista, and the completion of Mines Road would provide a perfect avenue for such diversion.

More broadly, but no less to the same point, are Circulation System Goal 2 ("Plan local circulation system improvements with adequate consideration of their effects on *existing* land uses and the future land use pattern.") and Goal 6 ("Emphasize in local circulation planning the need to minimize adverse environmental impacts and protect neighborhood quality."). Circ. El., p.4. Once again, the City's GP explicitly requires that circulation system improvements must be made in a way that respects *existing* land uses and protects *existing* neighborhoods. Only an alternative, such as the obvious one of completing Mines Road, that would divert through traffic from Buena Vista Avenue would comport with the Circulation Element's clearly articulated policies to protect the safety and character of narrow residential streets like Buena Vista.

Potential Mitigation Measures for Buena Vista Traffic Impacts Proposed by the City Would Not Be Consistent With the Circulation Element nor Would They Truly Mitigate the Impacts.

In contrast to the completion of Mines Road, the mitigation measures that City staff have suggested to address potential traffic problems on Buena Vista Avenue would not be consistent with the Circulation Element or would simply be infeasible. For example, Associate City Planner Marc Roberts is quoted in a May 22, 1996 *Independent* article saying that the completion of Mines Road would be very expensive and that the more likely mitigation for Buena Vista traffic impacts would be the addition of shoulders and sidewalks along Buena Vista itself. Putting aside the issue of the impropriety of prejudging the relative merits of alternatives before they have even been analyzed in an EIR, this suggestion plainly conflicts with the City's GP. The proposed solution to the traffic problem is not, as the Circulation Element requires, one that would divert through traffic from a local neighborhood street to protect the quality and livability of that neighborhood (General Roadway Improvement Program 11, cited above) but rather one that would drastically alter the neighborhood to accommodate the problem. Sidewalks and shoulders would dramatically change the present rural character of the Buena Vista neighborhood, and the widening of the road by the

addition of shoulders would doubtless exacerbate the already serious speeding problem on that road. Moreover, as previously noted, Buena Vista Avenue, with its numerous driveways connecting residences directly to the street, is simply not a proper candidate for "improving" into a collector or major street as defined in the Circulation Element. Its widening would also perpetuate the existing staggered T intersections problem, again contradicting GP policies and goals. (And while Mr. Roberts seems concerned about the expense of completing Mines Road, it should be lost on no one that many of the residents along Buena Vista would vigorously contest attempts to condemn parts of their properties for any road widening project, so that this would be no inexpensive proposition.)

The other form of mitigation for Buena Vista traffic problems that has been discussed in the course of examination of the Plan to date, traffic calming devices, has been dismissed by the County Public Works Agency as infeasible. Director of Public Works Donald LaBelle noted in a February 26, 1996 memorandum to County Supervisor Campbell that the County's Technical Advisory Committee determined that "it would not be judicious to implement these traffic calming devices" (which ranged from speed bumps to gating, road closure, and a one-lane bottleneck) on Buena Vista Avenue. The staff report attached to the Director's memorandum also examined the possibility of adding bike lanes on either side of Buena Vista Avenue (akin to the proposal to add shoulders) but noted that this would not eliminate by-pass traffic, could create new conflicts between motorists and cyclists, and could exacerbate the speeding problem. P.6. Once again, the obvious alternative to be studied that would avoid all of these problems from the outset is the completion of Mines Road, which would divert the vast majority of through traffic from Buena Vista Avenue.

The Plan's Traffic Noise Impacts on the Buena Vista Neighborhood Would Be Significant and Potentially Inconsistent With the General Plan Noise Element.

The proposed Plan, without Mines Road completion, would very likely have significant traffic noise impacts on the Buena Vista neighborhood, and in this respect would also be inconsistent with various provisions of the GP. The Noise Element of the GP provides that an L_{dn} (day-night average noise level) of up to 60 dBA is "normally acceptable," and of between 60 and 70 "conditionally acceptable," and above that "normally unacceptable" in low density residential areas. Noise El., p.10. Worst case traffic noise along Buena Vista Avenue should be carefully analyzed in the EIR with these standards in mind. Of particular importance here is the significance criterion stated in the Environmental Setting and Planning Considerations document for the Plan that states that a noise impact is considered significant if it "would cause an increase of more than 5 dB in any noise level, whether measured for one hour or 24 hours and regardless of the existing noise level." P.5-11. Noise from increased traffic along Buena Vista Avenue attributable to the Plan and other area development could easily cross this threshold. Note also that causing noise levels to exceed an L_{dn} of 60 dBA is also considered significant. *Id.* The Noise Element provides:

> In approving any future project the City will give consideration to any means through which the noise impact of the new project...can be mitigated. *Particular attention will be directed to the impact of the automobile on residential development.*

Implementation Program C, Noise El., p.12.

The Plan EIR must provide a sound baseline of current hourly and day-night average noise levels in the Buena Vista neighborhood and accurately assess the potential increased traffic noise in that neighborhood related to the Plan considered cumulatively with other planned projects. It is instructive to note that among the noise mitigations mentioned in Environmental Setting and Planning Considerations are setbacks of housing from roadway centerlines at 200 feet or 100 feet

with a 6-foot barrier. Pp.5-11-12. Obviously, such mitigations to reduce significant traffic noise impacts could not be employed along Buena Vista Avenue, where housing is already in place, but could easily be factored into the alignment of the Mines Road completion in relation to both Buena Vista and Subarea 2 housing.

The City's Own Actions and Discussions Demonstrate That the Mines Road Completion Alternative Is Feasible, Reasonable, and Relevant to the Plan.

In light of the foregoing survey of the requirements of CEQA and the City's own general plan, it is readily apparent that the alternative of Mines Road completion must be considered in the Plan EIR as a matter of CEQA and planning law and should be considered in any event in light of the City's own sound planning policies and programs as expressed in the GP. That the Mines Road alternative is both feasible and reasonably considered in the context of the EIR on the Plan is plainly demonstrated by the City's own actions to date concerning the Plan. The Livermore Planning Commission originally considered Mines Road completion for inclusion as part of the preferred action itself, then voted (4 ayes and 1 abstention) that it be studied in the EIR as an alternative. Res. No. 21-96 (4/16/96), p.2, item 4. Planning Commissioner Malone stated his opinion that "the North Mines Road extension will be needed in the next few years and it should be included for study in the EIR," and the other planning commissioners followed that lead. Planning Commission Minutes (4/2/96), pp. 24-25.

The Staff Report to the City Council dated April 17, 1996 mischaracterized the Planning Commission's action. The Planning Commission did not "recommend[] considering the new roadway as an alternative to be explored *if traffic impacts to Buena Vista are identified in subsequent plan analysis.*" P.5 (emphasis added). Rather, the Planning Commission plainly recommended that "the following specific alternative components *shall be studied* by the Environmental Impact Report in addition to other alternatives...: 4. An extension of North Mines Road between East Avenue and Tesla Road." Res. No. 21-96, p.2. The Planning Commission resolution contains no qualifiers regarding any findings in "subsequent plan analysis;" rather, it says that Mines Road completion shall be an alternative considered in the EIR.

Although the City Council did not take specific action requiring the Mines Road alternative to be included in the EIR, the minutes of your discussion of the matter on April 22 indicate that a majority of the Council believes that this alternative would appropriately be studied in the Plan EIR. Councilmembers Wieskamp and Vargas both stated that Mines Road completion should be looked at as an alternative. 4/22/96 City Council minutes, pp. 292, 293. Councilmember Stein stated that it could be considered as an alternative. P.291. Councilmember Reitter noted that the EIR should identify the Buena Vista Avenue-Mines Road problem and that the EIR consultant should propose solutions. P.292. Obviously, one such solution could and should be Mines Road completion. In short, including the alternative of Mines Road completion in the EIR would be fully consistent with the Council's discussions and action on April 22. Once again, in light of these discussions by the City's own officials, it can scarcely be said that CCCMR is proposing the consideration of an unreasonable, infeasible, or irrelevant alternative.

The Mines Road Completion Alternative Must Be Included and Analyzed in the DEIR on the Plan.

The discussion at the City Council focused on the preferred alternative. Now that it has been identified, CEQA clearly requires that the EIR on that preferred action, the Plan, contain "a range of reasonable alternatives to the project...which could feasibly attain the basic objectives of the project, and evaluate the comparative merits of the alternatives." CEQA Guidelines §15126(d).

> The discussion of alternatives shall focus on alternatives capable of eliminating any significant adverse environmental effects or reducing them to a level of insignificance, *even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly*.

CEQA Guidelines §15126(d)(3)(emphasis added). Alternatives analysis is one of the central requirements of CEQA. Here, the City would be well served to get on with the necessary task of analyzing the Mines Road completion alternative as one of the range of alternatives examined in the EIR, even if it is not the Subarea 2 developers' ideal and even if it would be more costly than the Plan as proposed. CEQA plainly requires no less.

City staff's "wait and see" approach -- that is, a Mines Road alternative *may* be considered if EIR analysis shows the potential for significant traffic impacts on Buena Vista Avenue -- makes no sense. See Staff Report (4/17/96), p.5. Alternatives must be formulated *now* and presented in the draft EIR; their formulation cannot await the full analysis of the Plan's impacts in that document. More importantly, as we have amply demonstrated in this letter, the Plan clearly poses potentially significant impacts to the Buena Vista neighborhood, as evidenced by the current speeding situation on Buena Vista Avenue, the location of that road between major north-south streets and between much of the proposed Plan development and North Livermore, the expert opinions of the staff of the County Public Works Agency, the City's own Initial Study of the Plan, and voluminous public testimony.

Completion of Mines Road Is Entirely Feasible.

Finally, to anticipate any arguments that Mines Road completion is somehow infeasible within the framework of the Plan as regards Subarea 2, we will reiterate the statements of Buena Vista resident Libby Mihalka and others that the 650-foot buffer between Subarea 2 and Buena Vista properties proposed in the Plan is wide enough to accommodate both the road completion and a parallel multi-use trail and still allow generous buffers on either side of the roadway. For example, this buffer could provide a 120-foot right-of-way for Mines Road, 200-foot buffers on either side, and still leave another 130 feet leeway for the trail. Figure A-1 in the Livermore Bicycle/Pedestrian Plan Update and Equestrian Trails Study Background Report illustrates that all this could easily be accommodated in 650 feet. Nor is there a problem with the multi-use trail paralleling the completed roadway. Fig. 6 in the Livermore Bicycle/Pedestrian Plan Update and Equestrian Trails Study Background Report shows such trails proposed, for example, along Tesla Road, Vasco Road, and Patterson Pass Road.

We have gone into such detail in this letter to impress upon you both the multitude of reasons why the Mines Road completion alternative must be included in the draft EIR and the seriousness with which my client regards this issue. We are bringing this matter to your attention now fully to apprise you of our position and to give the City the opportunity to proceed from the outset of the EIR process in conformity with CEQA and California's Planning and Zoning Law and thus to avoid unnecessary contention and delay in the future. In the end, the CEQA process on the Plan must be fair, open, and respectful of widespread, legitimate, and documented public concerns, not an unquestioning promotion of a predetermined preferred action. Concerned Citizens for the Completion of Mines Road is confident that, if the Mines Road completion alternative is fully and fairly evaluated, it will become clear that it should be adopted, both for the protection of the existing Buena Vista neighborhood and for the proper implementation of the sound planning policies and goals contained in the City's General Plan. My client is also firmly committed to ensuring that the completion alternative is evaluated before any final approvals of the Plan become effective.

Thank you for your attention to my client's concerns. If you have any questions about these comments, or if there is any other information that I can supply, please do not hesitate to contact me.

Very truly yours,

Trent W. Orr
Attorney for Concerned Citizens for the
Completion of Mines Road

cc: Marc Roberts

RECEIVED
JUN 20 1997
PLANNING DEPARTMENT

Dear Mr. Clemens,

I am 10 years old and I live in south Livermore on Pyramid St. which is off of Arroyo Rd. right near where you're building. I want the land by "Ravens wood" to stay country I don't want it to get so busy. Please slow down the building because I like it here and I don't want to stop liking it.

In Christ,
David C. Scarpetti

From
David C. Scarpetti
2216 Pyramid St

RECEIVED
JUL 14 1997
PLANNING DEPARTMENT

RENO R. DELL'ACQUA
SUSAN N. WILLIAMS
1843 Buena Vista

TO: CITY OF LIVERMORE
PLANNING COMMISSION

JUL14'97 PM 4:03 CLERI

SUBJECT: FUTURE TRAFFIC IMPACTS
TO BUENA VISTA AVENUE

As residents of Buena Vista Avenue, we are very disappointed to see the lack of cooperation in pursuing the Mines Road extension, which is vital to maintaining the rural atmosphere of our neighborhood.

Upon completion of the North Mines Road overpass, it does not take a traffic engineer to foresee the future traffic increase. At present the average speed on Buena Vista is 46 MPH in a 25 MPH zone. As traffic calming devices are effective, they are also a "punishment" to Buena Vista residents. County of Alameda traffic engineer Robert N. Preston stated in his letter to Donald Hughs (B31407) dated October 13, 1995, "These traffic impacts to Buena Vista Avenue may be alleviated by extending Mines Road from East Avenue to Tesla Road."

Please have the foresight to place the Mines Road extension BACK on the General Plan. How could it have ever been removed, given the obvious existing alignment of Mines Road and North Mines Road. Also for the future you should take great care in choosing members of your advisory committees so there can be no more conflicts of interest in a plan such as the South Livermore Valley Area Plan.

We propose that the developers of Sub Area #2 pay for the Mines Road extension and keep it at least 400 feet east of existing Buena Vista fencelines. We're sure the Planning Department could design some type of scenic corridor that could be constructed for the Mines Road extension so that eastside Buena Vista residents would not be subjected to visual or audible impacts greater than they are at the present time.

We think it is time to stop building dead=end roads in Livermore. Maybe we should put it to a vote of Livermore residents to decide

Reno R. Dell'Acqua

Susan N. Williams

Susan N. Williams

Sent To
Marc Roberts

Home Owners Adjacent to Subarea 3
2783 Provence Ct.
Livermore, CA 94550

April 26, 1997

Mayor Cathie Brown and City Council Members
Administration Building
1052 S. Livermore Ave.
Livermore, CA 94550

CITY MANAGER'S OFFICE
MAY 08 1997

Dear Mayor Cathie Brown and City Council Members,

We are writing you concerning the South Livermore Valley Specific Plan (SLVSP). First of all we would to like to compliment the considerable effort that was put into this plan to preserve the character of the South Livermore Valley. The issues that we would like to bring to your attention involve Sub Area 3.

The SLVSP calls for 177 houses to be built in Sub Area 3. 92% of the lots in Sub Area 3 are planned to be between **8,000 and 10,000** square feet in size. There currently are ten homes adjacent to the western edge of Subarea 3, all of which are situated on lots which average **26,800** square feet in size. The smallest of these lots is **20,006** square feet.

In addition, the planned Floor Area Ratio range for Sub Area 3 is **.33 to .38**. This is over **twice** the Floor Area Ratio range of the adjacent properties, which have floor area ratios that range from **.14 to .18**. The high Floor Area Ratio proposed for Sub Area 3 combined with the small lot sizes dictates all two story houses with minimal set backs. Only 3 of the 18 properties within 200 feet of Sub Area 3 have two story homes built on them.

We feel the development planned for the western portion of Subarea 3 in the SLVSP is inconsistent with existing adjacent development, and therefore inappropriate. We propose:

- an agricultural buffer zone of 125 feet or more in width be established between the existing home sites and the proposed houses to be built in Sub Area 3. This would be very similar to the latest proposed Sub Area 4 plan.

- lot sizes on the western boundary of Subarea 3 be a minimum of 20,000 square feet.

- houses in the western portion of Subarea 3 be single story.

Thank you for your consideration of our concerns.

Sincerely,

Home Owners Adjacent to Subarea 3

cc: Planning Commissioners
Jerry Peeler
Marc Roberts

April 26, 1997

Home Owners Adjacent to Subarea 3

To Mayor Cathie Brown and City Council Members

	Signature	Address
1.	[illegible]	2716 Normandy Ct.
2.	Ronald D Sadler	2784 Normandy Ct
3.	Jennifer Kolling	2758 Vintage Ct.
4.	[illegible]	2702 VINTAGE CT.
5.	MARIA C RIEDY	2795 VINTAGE CT.
6.	Antoinette Montoya	2795 Vintage CT
7.	DBC DAVID BOEGER	2650 LOUVRE LN
8.	Lydia M Marks	2720 LOUVRE LANE
9.	[illegible]	1965 Normandy Way, LV.
10.	[illegible]	1965 Normandy Way
11.	[illegible]	2716 Normandy Ct.
12.	Cecilia Fraan Sadler	2784 Normandy Ct
13.	[illegible]	2783 PROVENCE CT.
14.	[illegible]	2787 PROVENCE CT.
15.	[illegible]	2622 Crescent Ct.
16.	[illegible]	2622 CRESCENT CT.
17.	[illegible]	2777 Normandy Ct.
18.	[illegible]	2777 Normandy Court
19.	CHRIS MONTE	2715 PROVENCE CT.
20.	MATT KOLLING	2758 VINTAGE CT.

April 26, 1997 Home Owners Adjacent to Subarea 3

To Mayor Cathie Brown and City Council Members

	Signature	Address
21.	Michael Billings	2415 Merlot Ln.
22.	[illegible]	2650 Bob White Ave.
23.	Patricia Fulle	1837 Normandy Way
24.	[illegible]	1837 Normandy Way
25.	Patricia A Wentworth	2619 Crescent Ct.
26.	Dee Lesner	2673 Crescent CT.
27.	Cheryl Gordon	2651 Crescent CT
28.	Beth Goodell	2664 Crescent Ct.
29.	Susan Putnam	2686 Crescent Ct.
30.	Michael Putnam	2686 CRESCENT CT
31.	[illegible]	1769 BOBWHITE RD
32.	[illegible]	2448 Chardonnay Way
33.	[illegible]	2575 VINTAGE LANE
34.	[illegible]	1958 CHALON GLEN COURT
35.	Teri Brock-Lesowsky	1958 Chalon Glen Ct
36.	Diane Chatterjee	1970 Chalon Glen Ct
37.	[illegible]	1970 CHALON GLEN CT
38.	Mark Grar	1969 Chalon Glen Ct.
39.	[illegible]	1969 CHALON GLEN CT
40.	[illegible]	1947 Chalon Glen Ct.

April 26, 1997 Home Owners Adjacent to Subarea 3

To Mayor Cathie Brown and City Council Members

	Signature	Address
41.	Marcia Weinst	1925 Chalon Glen Court
42.	Joanne Butler	1914 Chalon Glen Ct
43.	[illegible]	1785 Normandy Way
44.	[illegible]	2551 VINTAGE LANE
45.	[illegible]	2551 VINTAGE LANE
46.	[illegible]	2393 Vintage Lane
47.	[illegible]	2693 Covey
48.	[illegible]	2693 Covey
49.	[illegible]	2660 Covey Way
50.	[illegible]	2638 Covey Way
51.	[illegible]	2078 Covey Way
52.	[illegible]	1934 Chardonnay Ct
53.	Debi Williamsen	1934 Chardonnay Ct.
54.	GRAHAM WRIGHT	2569 BESS AVE
55.	LORI WRIGHT	2569 BESS AVE
56.	[illegible]	1981 NORMANDY WAY
57.	[illegible]	1981 Normandy Way
58.	Kathleen Carter	1879 Normandy Way
59.	[illegible]	2772 PROVENCE CT
60.	[illegible]	2772 Provence Ct.

RECEIVED
MAY 23 1997
PLANNING DEPARTMENT

Shirley Goldstein
2393 Vintage Ln
Livermore, CA 94550

May 21, 1997

Dear Mr. Roberts:

Upon review of a copy of the Planned High Density Housing Development -- Subarea #3 -- left with me by adjacent homeowners I am requesting one additional change. There is no immediate access from our neighborhood to the plan's school site. Children will only have access to it by following the future extension of Concannon Blvd.

I propose the establishment of a pedestrian walkway at the end of Louvre Lane that would allow access into the new development's school site.

Thank you for considering this proposal. I would appreciate it if you would present it to the Planning Commissioners on my behalf. Also, would you put me on a mailing list for updates/meetings associated with this plan.

Sincerely,

Shirley J Goldstein

Mr. Marc Roberts, Special Projects Coordinator
Planning Dept. City of Livermore
1052 So. Livermore Ave.
Livermore, CA 94550

July 13, 1997
2 47 p

RECEIVED
JUL 14 1997
PLANNING DEPARTMENT

Dear Sir,

My husband & I are not happy with the planned extension of Concannon Blvd. We do not need more traffic, more noise & much more pollution. The people along this street will not be prepared for it. We have nothing to block the noise even now. There are plantings along the road which are too young to protect us from noise, etc. Most of us do not have mature plantings to help either. One half of Concannon has a much smaller buffer zone. Imagine how those people will suffer. And the soundswall do nothing. When 84 gets bogged down, all the Tracy, Manteca & Stockton traffic will take a short cut through our neighborhood. Eventually they will avoid 84 altogether. What do you think 10,000 more cars will do here, especially to our beautiful vineyard area?

I have worked on & off as a chef for the Wente's since 1985. I helped start the restaurant. I have watched the area grow. Growth can be good but our agricultural areas need to be protected. There are many children in the area. More cars will not make this area safer. You're planning another neighborhood & a school - THEY WILL NOT BE SAFE!

But the one thing that is the most important to us, is our home. We waited many years to have our dream home. I wanted it here in Livermore because it is so beautiful & because people seemed to respect the land here. I lived in Pleasanton until 1995. I left because they are building on every speck of land & traffic in & out of town was horrendous. I watched as Pleasanton is slowly being destroyed in the name of growth.

There are no rural areas anymore. There is noise and traffic everywhere. I did not expect this to happen here. I see my property values going down, not up because now I will be subjected to more noise, traffic & pollution. Who would want to buy my house then? If you spent ½ million dollars on your dream home — WOULDN'T YOU BE UPSET & ANGRY? Do you think I'll be able to get what I paid for this house? I don't think so. Please, please think about what is happening here & plan differently. All of you are elected officials & there is a lot of money out this way. Do you think you will be reelected if you do this? If you were in our shoes — WOULD YOU? This road is not necessary, especially with 84 going through. Please reconsider your options!

Thank you,

Pat & Alan Carbonaro
1834 Sterling Place
Livermore, CA. 94550

July 1997

RECEIVED
JUL 14 1997
PLANNING DEPARTMENT

Livermore Planning Commission
City of Livermore
1052 South Livermore Ave
Livermore
Ca 94550

Commissioners,

I am very interested in the South Valley Area Plan so I attended the Public Hearing July 8. Unfortunately I was late & was standing in the entryway. With so many in attendence & no place to sit I left early after listening to several speakers.

I would like to inform you that I object to the plan for subarea 7 because of the density of housing, the effect on Sycamore Grove Park & the traffic congestion caused by this growth.

Thank you for your consideration.

Jean King
4205 Colgate Way
Livermore
Ca 94550

SOUTH LIVERMORE VALLEY
SPECIFIC PLAN AND GENERAL PLAN AMENDMENT
DRAFT ENVIRONMENTAL IMPACT REPORT

COMMENT SHEET

Use this sheet to comment on the Draft Environmental Impact Report.
The City will accept written comments on the EIR until July 14, 1997.

July 14, 1997

The South Livermore Valley Specific Plan may have good intentions, however, if finished as built it will prove to be a negative influence on the visual and environmental qualities that this plan should be promoting. 1 house on 40 acres and 1 house on 100 acres maximum.

Subarea 7 is the worst example of this plan. A maximum of 1 house on 40 acres should be allowed resulting in no more than 15 homes. Preferably only Vineyards, olive trees, and agriculture and one or two wineries would be best; otherwise all the negative ramifications of leapfrog development will result in subarea 7.

Name: DAVID M. ELLER (please print)

Signature: David M. Eller

Address: MAILING: P.O. Box 3103
3797 OREGON WAY WAY
LIVERMORE, CA 94550

RECEIVED
JUL - 9 1997
PLANNING DEPARTMENT

1801 Sterling Place
Livermore, Ca. 94550
July 9, 1997

Mr. Marc Roberts, Special Projects Coordinator
Planning Department
City of Livermore
1052 So. Livermore Ave.
Livermore, Ca. 94550

Dear Sir:

The City of Livermore has for years been trying to move the commute traffic out of the down town area. They finally found a way to do this by rerouting Highway 84 down Isabel to the freeway so that people coming and going from Tracy and Manteca,etc. would no longer clog Livermore's down town streets.

The city has also been working toward having the So. Livermore area develop into a small Napa Valley, by bringing in upscale housing to match Ruby Hills, Castlewood, etc. along with vineyards, shops and restaurants.

If the city extends Concannon Blvd. , they will defeat everything they have tried to accomplish. The traffic from the Big Valley will find its way down Greenville, Vasco, Tesla, and Concannon for a new short cut to Isabel [Highway 84]. All the city will have accomplished is to have moved the commute traffic from the down town area to the So. Livermore area, ruining the quiet open space, housing and vineyards.

It is not Livermore's responsibility to solve the Big Valley's commute problems by ruining its own best area. We've solved that problem by rerouting Highway 84, so please do not extend Concannon Blvd. Leave it as it is, a dead end street.

Thank You,

Gary Rollins

c.c. Mayor
City Council Members
Planning Commission

JUN09'97 AM10:16

1239 Hillcrest Ave
Livermore Ca. 94550

May 29,1997

Cathie Brown
Mayor
City of Livermore
1052 S. Livermore Ct
Livermore Ca. 94550

Hello my name is Tim Ricard and I have been a resident of Livermore for 18 years. In my eighteen years I have seen our town grow and change tremendously. Until this time I felt the growth has been positive. Recently a plan to develop a large area of South Livermore has been proposed. As you know this plan calls for a large scale development of the South Livermore Valley. The development will include 1,494 homes and 2.000 acres of new vineyards. I urge you to consider the harsh environmental devastation this will cause.

According to an aticle in the Tri Valley Herald a recent Environmental Impact Report backs up my concerns for this beautiful area. The EIR states that not developing the area is the optimal alternative. The EIR has many reasons for coming to this decision such as the decreased prime farmland and the possible conflicts between rural and urban uses. They also predict that the draft plan would wipe out nearly 700 acres of existing farmland, and put residents in a flood hazard area if the DeValle Dam ever broke.

My major concern is for Sycamore Grove Park. I have spend many hours jogging, hiking, and bike riding in this beautiful park. The area will become surrounded by homes and the Environmental Impact Report says some view corridors would be obstructed by a proposed 50,000 square foot winery.

I understand Livermore is trying to expand both financially and developmentally, but I feel this plan does far more harm than good. I ask you to please look at the bigger picture and save our beautiful rural areas.

Thank You for your time,

Sincerely

Tim Ricard

RECEIVED
JUL 11 1997
PLANNING DEPARTMENT

Livermore Planning Commission
1050 S. Livermore Ave
Livermore, CA 94550

July 6, 1997

Dear Sirs:

I am in favor of a permanent urban boundary on the south side of Livermore starting at the Sycamore Park. I believe that subarea 7 should not be developed. I am in favor of keeping it dedicated to wine grape growing. The green areas of the vines and the undeveloped surrounding hills are vital to the quality of life in Livermore.

Regards



William T. McCarvill
330 Knottingham Circle
Livermore CA 94550

cc Mayor Brown

RECEIVED
JUL - 8 1997
PLANNING DEPARTMENT

4355 Emory Way
Livermore, CA 94550
July 8, 1997

To the members of the Planning Commission
and City Council of Livermore,
C/O Marc Roberts:

We are writing out of concern over proposed new housing in Subarea No. 7, south of Sycamore Grove Park. To permit a 304-home tract in this area, well beyond the present limits of residential housing development, seems a serious violation of good planning principles on both esthetic and practical grounds. We can see no benefit in such a development for anyone except the developers.

Intrusion of rows of houses on what is now scenic open area at the south boundary of the city would be a most serious setback for Livermore's good record in maintaining an attractive setting for residents and visitors. As others have already pointed out, one need only look at spreading development in the hills west of Dublin to see how an area can be degraded by excessive and misplaced development.

Recent letters to the local newspapers have already called attention to potential seriously damaging effects on the strictly practical side, including overstrain on police, fire, and other public services; and poor access to schools, with likely need for bussing unless children are to bike on roads with heavy auto traffic.

We urge you to decide against the proposed housing development in Subarea No.7.

Jim and Bobbie Hadley

3854 Greenwood Ave.
Oakland Ca. 94602

July 7, 1997

Livermore Planning Commission
1050 S. Livermore Ave.
Livermore, Ca. 94550

Dear Sir or Ma'm,

I am concerned about South Livermore. Please select the "no build" option for Subarea 7 and uphold the principle of a permanent urban boundary.

Sincerely,

Larry Schmidt
Carl Lindhart

ATT: MARC ROBERTS

June 27, 1997

Dear Friends,

Reports on the long awaited South Livermore Valley Area Plan are now available ($5/each) at city hall. Public hearings begin soon on July 8. We urge you to get a copy. Your input will be crucial to be sure that the very best planning decisions are made by our elected officials. Remember, your voice at the public hearings will influence the final decisions.

The reports are detailed and extensive. Therefore, we are setting up an ad hoc citizens committee to review and critique all aspects of the plan. You are welcome to participate in this effort. Please call Bill Zagotta at 443-0451 if you are interested.

An initial review has already revealed some very important and critical aspects of the plan. Overall, the plan meets its objectives of promoting viticulture, open space and controlled residential growth for over 15,000 acres on Livermore's southern border. Another positive feature is the dedication of additional park land to expand Sycamore Grove Park. However, the plan, as presented, lacks adequate protection from future urbanization of vineyards and open space. A Housing Cap and Urban Limit Line guaranteeing this protection, in perpetuity, must still be approved by the city council and confirmed by Livermore voters.

There are also some very detrimental recommendations in the plan that must be addressed and changed. Mostly they relate to 578 rural acres (subares #7) located generally south and uphill from Sycamore Grove Park on the southern boundary of the plan. This area is the most remote and diverse of all subareas in the plan regarding location, topography, hydrology and vegetation. The Draft Environmental Impact Report (DEIR) states, "permanent open space would be the environmentally superior alternative for this area".

Contrary to this analysis the plan goes on to propose four (4) development scenarios containing from 159 to 304 homes all requiring a sewer line extension running right through the property! We believe that a fifth plan with a large and concentrated number of homes (52) on 2 - 8 acre lots with septic systems will not pass health department standards and therefore will also require a sewer line. This large number of houses located in a remote area with limited road access will cause the city and the people who live there many problems. Furthermore, variations of these proposals were opposed by most citizens at last year's hearings.

Only one plan alternative, without sewer, containing 17 homes on 20 acre lots was offered. A second alternative, without sewer, containing 29 homes on 5 and 20 acre lots was proposed by Mr. Archer Futch, Livermore's representative on the advisory committee and former Mayor of Livermore. This plan was not even included in the EIR. We believe an analysis of this compromise plan should be included. Both of these concepts could also include park dedication.

What is wrong with too many houses in subaren #7?

1) Fifty two to 304 unit subdivisions require a sewer line extension that ultimately could allow many more houses in the area. This sewer line would extend to the Veteran's Administration (VA) Hospital property. The VA has sufficient sewer capacity in Livermore's plant to support homes for 2500 people, should they decide to sell the land to developers.

2) Fifty two to 304 unit subdivisions represent the worst case of "Leap Frog " development ever proposed for Livermore. It degrades city services such as police and fire protection, stretches school district resources and penalizes all Livermore residents. These homes will be ~ 5.5 miles from the police station, requiring three times longer police response for felonies where life and property are in immediate danger. Two fire stations will be needed to service these homes. One station (#9) located at Concannon and Cordoba, is three (3) miles away. The closest elementary school will be miles away.

3) Fifty two 304 unit subdivisions impart a tract housing design to a beautiful rural area right next to Sycamore Grove Park. The alternative Futch plan for 29 homes on large lots fits the topography and natural contour of the property. Additionally, with more open space his plan also encourages an Equestrian Center. This suits the ambiance of the area, as well as providing land dedicated to Sycamore Grove Park.

4) Fifty two to 304 unit subdivisions present horrendous traffic problems on SR 84 at two intersections with Vineyard and Wetmore. The DEIR states in part: Daily traffic on SR 84 is currently at or near ultimate carrying capacity. These subdivisions would add significant traffic to these intersections causing them to fall well below the City's traffic standards.

We hope you agree that there are aspects of this plan that need to be improved to truly meet the goals and objectives of the South Livermore Plan. Again, we welcome your questions and participation and hope you will take part in the first Public Hearing at the Livermore Planning Commission on July 8, 1997. Please call Bill Zagotta at 443-0451 if you have any questions.

Sincerely,

Barbara (Bobbie) Baird

Susan Bothwell

Clarence Hoenig

William Zagotta

RECEIVED
JUL - 9 1997
PLANNING DEPARTMENT

LC. III. Reports
T. Watt

APR18'97 AM 9:20 CLERK

RECEIVED

APR 21 1997

PLANNING DEPARTMENT

Livermore Area
Recreation & Park District
- an independent special district
71 Trevarno Road, Livermore, CA 94550-2277
(510) 373-5700, Fax (510) 447-2754

General Manager
Douglas A. Bell

April 17, 1997

City Council
City of Livermore
1052 S. Livermore Avenue
Livermore, CA 94550

Re: South Livermore Specific Plan

Dear Mayor Brown and Council Members:

As you are aware, the District has participated as an interested party in the development of the South Livermore Specific Plan. We are genuinely pleased with the outcome of the process so far. Because of the complexity of the plan, we feel it is important to make sure you understand the District's position on park and trail issues within the plan.

The regional trail element of the plan is consistent with, or an improvement upon, both the District's and City's current trail plans. The only exception occurs in Subarea 6 where the historic connection between the Olivina Gate and the Olivina Winery has not yet been included. Trail segments within the subareas will be provided by the developers of those subareas; the cost of developing trail segments outside the subareas will be shared between LARPD and the developers.

Since the District's acquisition of Sycamore Grove Park more than twenty years ago, a major concern has been that encroachment upon the park by future development would destroy the open, natural feel which makes Sycamore Grove such a wonderful asset to the community. We have so far been very pleased with the sensitivity shown towards Sycamore Grove Park during the progress of the South Livermore planning effort.

Within this planning process, the designation of Subarea 6 (being contiguous to Sycamore Grove) as a vineyard mitigation site was the first step towards protection of the park.

With respect to Subarea 7, also contiguous to Sycamore Grove, the District's goal has been to mitigate as much as possible, any impacts resulting from development of the Olivina Ranch property. During the course of the planning effort it has become apparent that not only can the impacts on the existing Sycamore Grove Park be mitigated, but:

Board of Directors
Larry Faltings Maryalice Faltings Marlin A. Pound Alice Quinn Ernie Rodrigues

1. The park can be enlarged by as much as 221 acres.
2. The historical integrity of the Olivina Winery can be protected and used as a resource.
3. A regional trail connector to Del Valle Regional Park becomes a possibility.
4. Critical viewshed from Wetmore Road and Arroyo Road can be preserved.
5. Increasingly rare riparian and oak woodland habitat can be protected.
6. Wildlife corridors can be maintained.

The District has been concerned about the placement of development on the edge of the bluff along the southern boundary of the park. That concern has been addressed by the set-back requirement from the edge of the bluff which ensures that no housing will be visible from Sycamore Grove. In addition, the park will be expanded and configured to include the face of the heavily wooded bluff on the current south edge of the park, including the row of olive trees along the top edge of the bluff.

The historic Olivina Winery will be incorporated into the park. The District's goal would be to eventually restore the facility as an historical interpretive site.

Under the current proposal from the Olivina Ranch owners, 221 acres of the ranch would be dedicated to the district. This includes the face of the bluff adjacent to the current southern edge of the park, approximately 80 acres of trail and wildlife corridor and all of the ranch south and east of the development sites.

The Citizens Advisory Committee discussed the mitigation value of property which might be dedicated as public open space. The current plan addresses this concern with an appraisal procedure which does not take into consideration the significant public benefit to be gained from dedicated public open space, but which needs to be considered.

Assigning a value to the public benefit turns out to be an interesting exercise.

One way to determine the benefit is to calculate the increased value of residential property adjacent to a regional park or trail which may be attributed to its location near the park or trail. Nationally, research shows those residential properties to be valued 7% to 25% higher than comparable properties located elsewhere. Additionally, they appreciate faster. Using the 7% figure, the park and trail system in Subarea 7 accounts for an increase in residential property values of about $7.5 million or nearly $34,000 per acre in increased value for adjacent residential property owners.

When the public recreational value of the park is added to the increase in property values, it is easy to argue that the value of the public benefit from the dedication of park and trail property far exceeds the value of cultivated agriculture acreage. The mitigation formula in the recommendation does not consider the public benefit

factor.

The District's last area of comment concerns annexation scenarios. The District would like to reiterate its consistent request that Sycamore Grove Park and Veterans Park be included in any annexation scenario. Consistent with that request, we would also ask that the entire Zumbach park dedication and all park property dedicated within Subarea 7 be annexed. The City's police and fire already currently respond to any park ranger calls for assistance at Sycamore Grove or Veterans Park. Annexation would allow park in-lieu fees collected for development in the South Livermore Area to be spent in these areas as they would be located within the City limits.

The District feels that the South Livermore Area is a special opportunity to make some very unique things happen, and appreciates the opportunity to participate in the process along with you.

Sincerely,

Douglas A. Bell

Douglas A. Bell
General Manager

cc: Board of Directors