April 2007

FINAL

Environmental Impact Report

for the

El Charro Specific Plan

State Clearinghouse #: 2006052112

Prepared for:

LIVERMORE CALIFORNIA

City of Livermore
City Hall
1052 S. Livermore Avenue
Livermore, CA 94550

Jones & Stokes

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Prepared for:

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April 2007

Jones & Stokes. 2007. *Final Environmental Impact Report for the El Charro Specific Plan*. April. (J&S 06137.06.) Sacramento, CA.

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Acronyms

ACCMA	Alameda County Congestion Management Agency
ACSPA	the Alameda County Community Development Agency Surplus Property Authority
airport	Livermore Municipal Airport
ALUC	Airport Land Use Commission
ALUPP	Airport Land Use Policy Plan
APA	Airport Protection Area
BART	Bay Area Rapid Transit
Caltrans	California Department of Transportation)
CEQA	California Environmental Quality Act
City	City of Livermore
CNEL	community noise equivalent level
CRLF	California red-legged frog
dB	decibel
dBA	A-weighted decibels
DEIR	draft environmental impact report
DFG	California Department of Fish and Game
DOC	Department of Conservation
ECSP	El Charro Specific Plan
EIR	environmental impact report
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulations
FEIR	final EIR
Handbook	California Airport Land Use Planning Handbook
HMP	Hydromodification Management Plan
I-580	Interstate 580
LOS	Level of Service
MSL	mean sea level
NAHC	Native American Heritage Commission
NOP	notice of preparation
NO_x	oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
PG&E	Pacific Gas & Electric

PM10	inhalable particulate matter 10 microns or greater in diameter
RWQCB	Regional Water Quality Control Board
SMMP	Steam Management Master Plan
USFWS	U.S. Fish and Wildlife Service

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Chapter 1
Introduction

Purpose of the Final Environmental Impact Report

This document, together with the draft environmental impact report[1] (DEIR) that was circulated in January, 2007, constitutes the final EIR (FEIR) for the City of Livermore El Charro Specific Plan (ECSP). The information presented in this document has been provided in accordance with the requirements of the State California Environmental Quality Act (CEQA) Guidelines and includes the following:

- Chapter 1, "Introduction," identifies the purpose of this document.
- Chapter 2, "Master Responses to Frequent Comments," provides in-depth information to supplement or clarify information in the DEIR in response to comments that were raised by multiple commenters during the public comment period.
- Chapter 3, "Comments and Responses to Comments," contains the written comments submitted to the City of Livermore (City) during the public comment period and transcripts of the public hearing. Responses are provided to significant environmental points raised during the public review process on the DEIR. Each comment letter is included in this chapter, followed by responses to comments contained in that letter.
- Chapter 4, "Revisions to the Draft EIR," contains a summary of revisions to the text of the DEIR to update sections of the original document. This chapter is structured as errata to the draft report and provides a complete record of the final text of the environmental impact report (EIR).
- Chapter 5, "List of Preparers," identifies the organizations and people who prepared the DEIR and FEIR.

This FEIR also includes Appendix F, Hydrology and Hydraulic Study, Appendix G, Additional Traffic Technical Data, and Appendix H, Downtown Business Characterization.

1 Jones & Stokes. 2007. Draft Environmental Impact Report for the El Charro Specific Plan. Volumes 1 and 2. January. Sacramento, CA.

CEQA Requirements

The content and format of this FEIR meet the requirements of CEQA and the State CEQA Guidelines (Section 15132), which require that an FEIR consist of:

- the DEIR or a revision of the DEIR (the DEIR is hereby incorporated by reference)
- comments and recommendations received on the DEIR, either verbatim or in summary (Chapter 3 contains the 26 comment letters received and a transcript of the oral comments made at the public hearing)
- a list of persons, organization, and public agencies who commented on the DEIR (see Chapter 3)
- the responses of the lead agency to significant environmental points raised in the review and consultation process (see Chapters 2 and 3)
- any other information added by the lead agency

Recirculation of an EIR prior to certification is guided by State CEQA Guidelines (Section 15088.5). For example, a lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the DEIR for public review but before the EIR is certified. Such information can include changes to the project or environmental setting, as well as substantive additional data. New information added to an EIR is not considered significant unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the project or a feasible way to mitigation or avoid such an effect, including a feasible project alternative that the project proponents have declined to implement.

In connection with the standards for adequacy for an EIR, State CEQA Guidelines (Section 15151) state as follows:

> An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

No new significant information was added to the EIR based on the comments and information received and the revisions to the EIR noted in Chapters 2, 3 and 4, below. Therefore it is not necessary to recirculate the EIR.

Public Review and Consultation Process

The City distributed a notice of preparation (NOP) of a DEIR for the proposed Project on May 16, 2006 (Appendix A). The NOP was distributed for a 30-day comment period that ended on June 22, 2006. The City held an agency and public scoping meeting on the proposed Project on June 8, 2006. The scoping meeting was an opportunity for agencies and the public to obtain information about the proposed Project and to provide input regarding the issues they wanted addressed in the DEIR. Comments about the NOP were considered in the preparation of the EIR.

The DEIR and ECSP were distributed to various public agencies, citizen groups and interested individuals for a 45-day public review period, from January 10, 2007, through February 26, 2007. The DEIR was circulated to state agencies for review through the State Clearinghouse of the Governor's Office of Planning and Research. The DEIR and ECSP were made available for review on the City's website (http://www.ci.livermore.ca.us/CDD/Planning/planning.html) as well as in the City's offices at City Hall.

During the review period, the public was invited to a special Planning Commission public hearing on February 13, 2007, at 7:30 p.m., at the City of Livermore City Council chambers. The public was asked to provide oral or written comments during the meeting or provide written comments before closure of the public review period. Oral comments were received from several interested parties.

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Chapter 2

Master Responses to Frequent Comments

The FEIR provides information on the following areas to respond to multiple comments received on the DEIR during the public comment period. To avoid redundant explanations in response to frequent comments, Chapter 3 refers the reader to relevant portions of this chapter in the responses to individual comments. When a comment resulted in a change to the DEIR, the response refers to the location in the text of the DEIR where the change is to be made. Revisions to the DEIR referenced in this chapter are included in Chapter 4, *Revisions to the Draft EIR*.

The following issues are addressed in this chapter:

- Multiple comments related to the Livermore Municipal Airport (airport).
- Multiple comments related to potential Cottonwood Creek realignment.
- Issues related to the 2-lane and 4-lane extension option of Jack London Boulevard.

Master Response to Comments Related to Livermore Municipal Airport

Multiple comments on the DEIR expressed concerns related to the Livermore Municipal Airport. These concerns included:

- Compatible land uses within airport safety zones and encroachments into safety zones
  - Development and compatible land uses within Airport Protection Area (APA) and other safety zones
  - Jack London/Airway Boulevard extension options
  - Height restrictions
  - Pilot visual and safety obstructions/distractions
- Airport noise impacts and proposed development
- Las Positas Golf Course redesign and airport safety

- Coordination with the Federal Aviation Administration (FAA), Alameda County Airport Land Use Commission (ALUC) and the Livermore Municipal Airport staff

Compatible Land Uses and Safety Zones

Safety Zones

Several comments included concerns with the compatibility of the land uses proposed by the project with the Livermore Municipal Airport and policies relating to the airport and airport safety zones. This issue was analyzed in two separate sections of the DEIR: Chapter 3, section 3.7, Hazards and Hazardous Materials, and Chapter 3, section 3.9, Land Use and Planning.

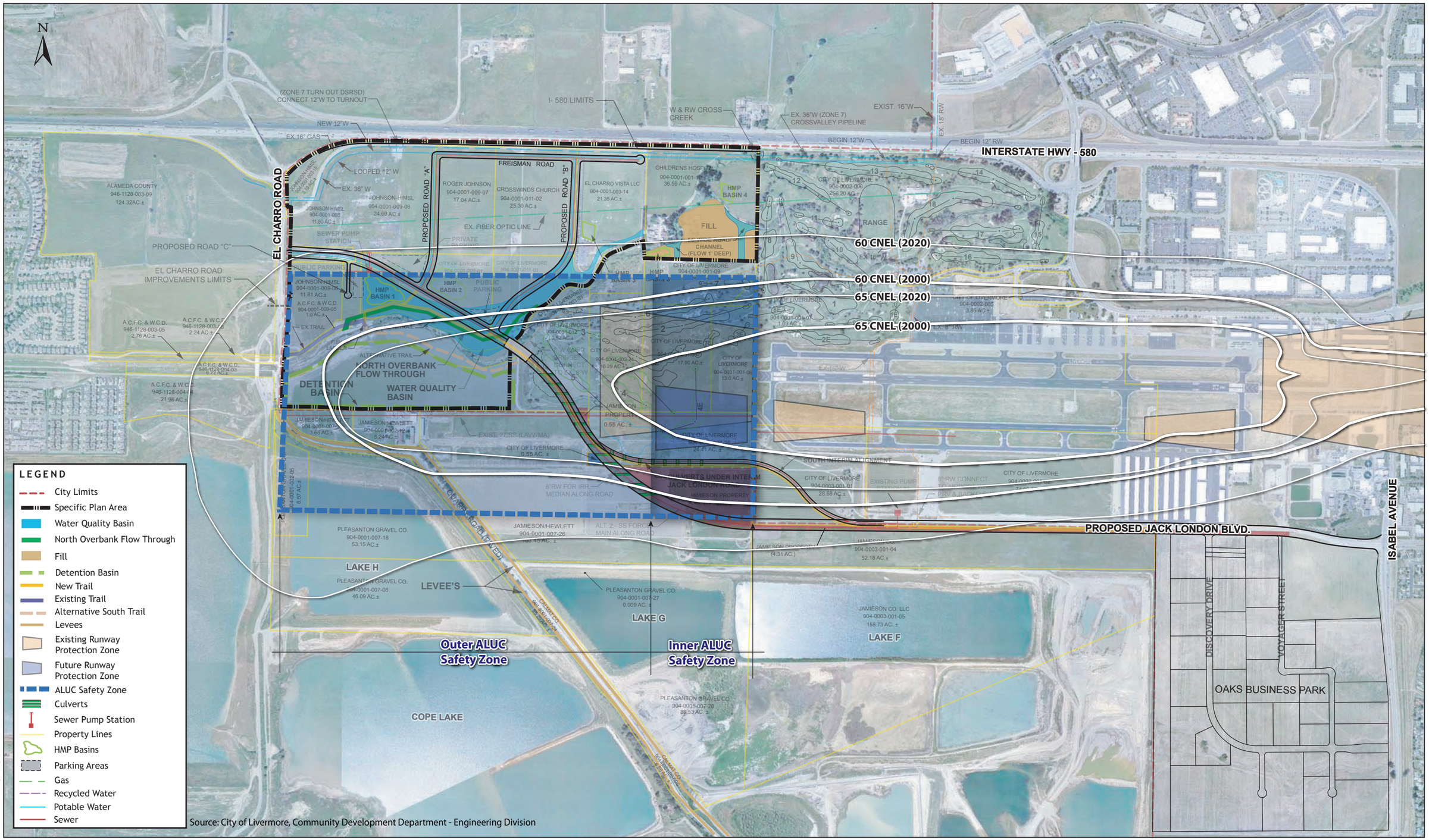
The Livermore Municipal Airport Master Plan and the Alameda County Airport Land Use Policy Plan (ALUPP) identify specific safety zones and policies for these zones at the airport. In addition, the Livermore General Plan identifies the APA, which fully encompasses the Specific Plan Area and Project Area. Several FAA regulations and advisories also apply to compatible land uses including Federal Aviation Regulations (FAR), part 77, Objects Affecting Navigable Airspace, and FAA Advisory Circular 150/5200-33A, Hazardous Wildlife Attractants On or Near Airports.

Airport Protection Area

The entire Project Area falls within the APA depicted in figure 3-5 of the Livermore General Plan[1]. The General Plan encourages light industrial and transportation uses within the immediate airport vicinity as long as noise and flight clearance requirements are maintained and environmental impacts adequately mitigated. The General Plan also prohibits new residential development or expansion of existing residential. The existing zoning for the Specific Plan Area is shown on Figure 2-4 of the DEIR. Consistent with uses in the APA, the area is zoned Planned Development with Business Commercial Park and Limited Agriculture designations. Development within the APA is subject to FAA, ALUC and City building height restrictions.

The proposed Project includes transportation and golf course uses in the immediate vicinity of the airport. These uses would not exceed the height limitations or expose sensitive receptors to noise levels that exceed the thresholds in the Noise Element of the General Plan or the airport noise contours shown in Figures 2-1a and 2-1b. The commercial development proposed north and west of the airport is consistent with land uses analyzed in the General Plan. The proposed Project does not include new residential development or expansion of existing residential development.

1 City of Livermore. 2004a. General Plan 2003–2025. Adopted February 9, 2004. Livermore, CA.



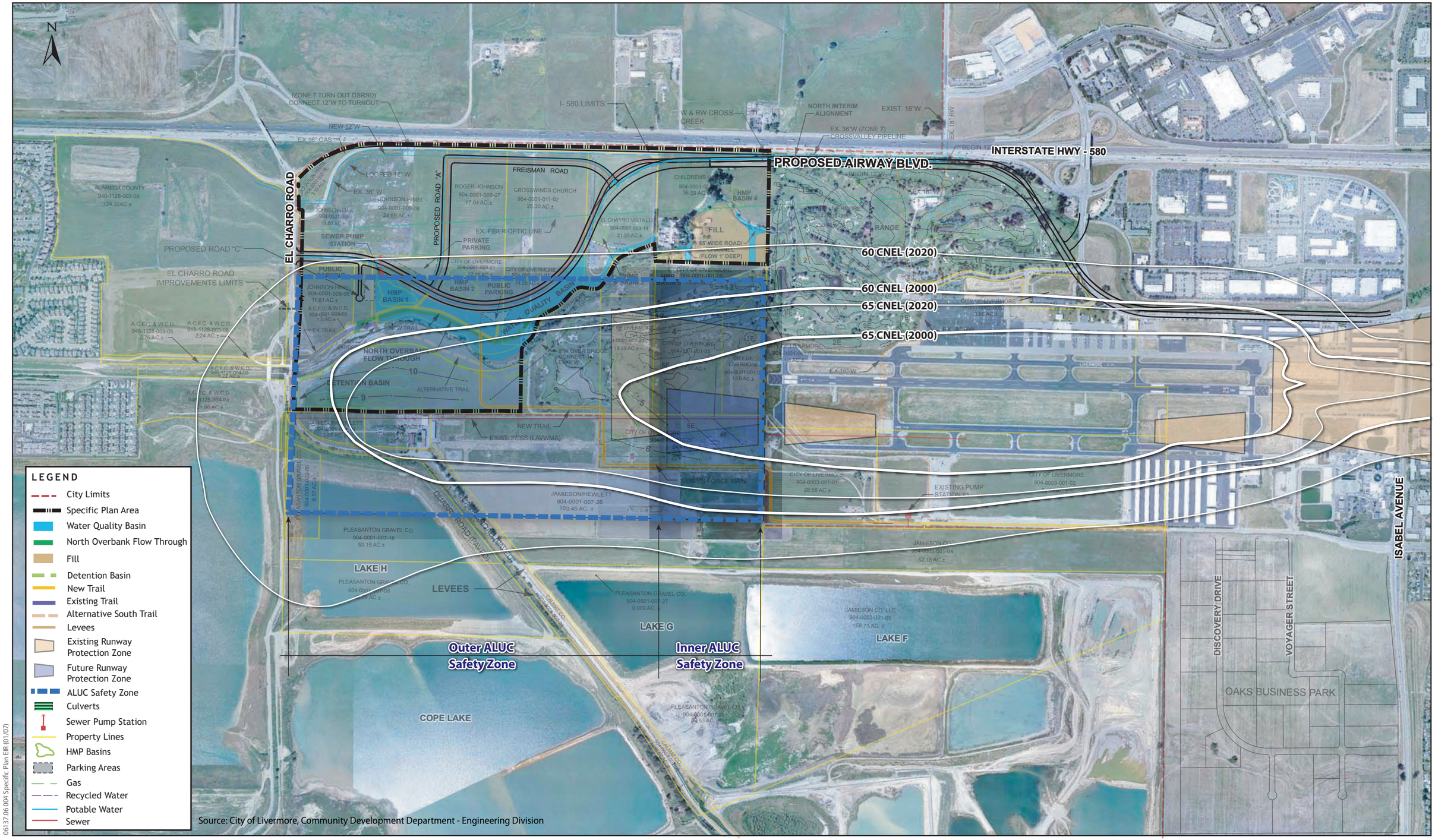
Source: City of Livermore, Community Development Department - Engineering Division

061337.06.007 FEIR (03/06)

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Figure 2-1a
Aiport Safety Zones and Noise Contours
Proposed Project - Jack London Boulevard Extension Option

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06137.06.004 Specific Plan EIR (01/07)

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Figure 2-1b
Airport Safety Zones and Noise Contours
Proposed Project - Airway Boulevard Extension Option

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No revisions to the DEIR are necessary.

Caltrans Airport Land Use Planning Handbook

The State Aeronautics Act, also known as the California ALUC Law (Public Utilities Code Section 21670 et seq.), requires every county with an airport to establish an airport land use commission. The Alameda County ALUC was established following the requirements of this code. The California Department of Transportation Division of Aeronautics publishes the California Airport Land Use Planning Handbook (Handbook) to provide "compatibility planning guidance to ALUCs, their staffs and consultants, the counties and cities having jurisdiction over airport area land uses, and airport proprietors."[2] The handbook includes guidance for ALUCs on establishing airport safety compatibility policies for airports.

The Handbook provides examples of safety zones for different types of general aviation runways. As many as six safety zones are identified depending on the size and activity level of the airport. The level of aviation risk within the zones ranges from a low likelihood of an accident in regular traffic patterns (Zone 6), to very high risk in the immediate runway protection area (Zone 1). At a particular airport, safety zones geometry and boundaries are adjusted to take into account the operational characteristics of the airport's runways.

If a lead agency prepares an EIR for a project within two nautical miles of an airport or within airport land use compatibility plan boundaries, Public Resources Code Section 21096 requires the use of the Handbook as a technical resource to assist in the preparation of the EIR.

An option for the proposed east-west roadway extension, the Jack London Boulevard option, is within the Inner Approach/Departure Zone (Zone 2); portions of several parcels proposed for development as Regional Commercial are within the Inner Turning Zone (Zone 3); a portion of the parcel proposed for development as Highway Regional Commercial is within the Outer Approach/Departure Zone (Zone 4), and the remainder of the Specific Plan Area is within the Traffic Pattern Zone (Zone 6). The Handbook notes that uses such as shopping centers should generally not be permitted in Zone 3 (Inner Turning Zone) unless no feasible alternative is available and should be of limited density in Zone 2 (Inner Approach/Departure Zone. Children's schools (through 12th grade), large commercial day care centers, hospitals and nursing homes are prohibited in Zones 2, 3 and 4.

When refining the allowed uses within the Specific Plan Area and the layout of the proposed development within the Specific Plan Area, the City took into consideration the compatibility of the proposed Project with the safety zones described in the ALUPP and FAR as well as those in the Handbook. Because of this, no retail/commercial uses are proposed within Zone 2. The City's proposal

2 Shutt Moen Associates. 2002. California Airport Land Use Planning Handbook. Prepared for State of California Department of Transportation Division of Aeronautics. January. Santa Rosa, CA. Document is available for review at the City of Livermore Planning Department.

to refine development of the Specific Plan Area as Regional Commercial and Highway Regional Commercial uses within the Planned Development Business/Commercial Park zoning and designation of the area (including parcels or portions of parcels in Handbook Zones 3, 4 and 6) is the only economically feasible approach if the entire area proposed for commercial uses is to be developed as a cohesive regional center. It is not feasible to isolate portions of commercial parcels while developing the surrounding commercial land and still maintain a cohesive land use pattern that can financially support the needed infrastructure. The City considered these issues when initially zoning the area as Planned Development.

As described on page 2-7 of the DEIR, development on the Johnson-Himsl parcel south of the proposed east-west roadway extension would be generally clustered in the northerly portions of the property in such a way to avoid large concentrations of development and be compatible with the ALUC safety zones, discussed below, and with the Outer Approach/Departure Zone (Zone 4) described in the Handbook.

The proposed alternate use of the Children's Hospital site as a church campus includes noncommercial daycare facilities for use by attending families. These aspects of the church development are family-ministry related uses and are ancillary uses and services within the church campus. Therefore, the land uses proposed within the PD-ECSP-RC and PD-ECSP-HRC zones listed in Tables 2-1 and 2-2 of the DEIR have been revised to clarify that commercial day care and public or private schools through grade 12 would be excluded from permitted or conditionally permitted uses within these land use zones. These revisions are included in Chapter 4 of this FEIR. This will prevent these uses from being developed within the Inner Turning Zone (Zone 3) described in the Handbook.

With the land use clarification mentioned above and the need to develop the Specific Plan Area as a cohesive, financially-feasible regional retail center within the parameters of the ALUC, FAA, and General Plan safety and other limitations, no change to the analysis of the proposed Project presented in the DEIR is required.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

ALUC Safety Zones

The ALUC has identified a Height Referral Area as the airspace within a sloping surface "above one foot in height for each 100 feet (100:1) horizontally from the nearest point of the nearest runway, up to 20,000 feet." The purpose of the ALUC Height Referral Area is to preserve unimpeded airspace required for safe air operations in the vicinity of the airport. The ALUC height restriction policies apply on new structures and vegetation within the height referral boundary. Compatible land use within this boundary is defined consistent with standards

and procedures set forth in FAR, Part 77.[3] Height restrictions are discussed further below.

Chapter 3, section 3.9, of the DEIR lists the ALUC safety zone policies applicable to the proposed Project. This text is repeated here.

Safety Zone Policies

2. Within the inner portion of the safety zone, extending up to ¼ mile (1320 feet) from the end of the runway, the following are defined as incompatible land uses:

    2.1 Permanent structures or objects projecting above the level of the primary surface of the runway.

    2.2 Any use which on a regular basis would result in a density which would exceed 25 persons per net acre at a time.

    2.3 Recommended uses include agriculture and open space. Non-permanent structures or objects, such as parking area for aircraft or automobiles, are permitted where object height is consistent with height restrictions contained in [Federal Aviation Regulation] Part 77.

3. Within the outer portion of the safety zone, extending beyond ¼ mile (1320 feet) from the end of the runway, new uses shall be non-residential, low density.

    3.1 Suggested uses are agriculture, open space, non-intensive recreation, warehousing, non-intensive industry, and equipment storage.

    3.2 Uses are defined as incompatible if they would yield a density of more than 25 person per net acre over an 8-hour period (long-term) or a density of more than 50 persons per net acre for more than 2 hours per day (short-term). In particular, new shopping centers, restaurants, schools, hospitals and arenas are not compatible.

    3.3 Within the overall density limits identified in Policy 3.2, clustering of uses within a parcel may be compatible where such clustering provides emergency landing areas; avoids concentration of development along the extended runway centerline, and does not pose a hazard to air navigation.

4. Flammable liquids, as defined in the Uniform Fire Code, shall be stored underground (with appropriate safeguard).

5. To be consistent with the ALUC plan, proposed new land uses must be compatible with Policies #2 – #4 above. To be consistent with the ALUC plan, an existing local general plan or zoning ordinance shall not permit the incompatible uses identified in Policies #2 – #4.

The standard safety zone dimensions go up to 5,300 feet long, measured from the end of the runway.[4]

3 Alameda County Airport Land Use Commission. 1986. Alameda County Airport Land Use Policy Plan. Adopted July 16, 1986.

4 Alameda County Airport Land Use Commission. 1986.

The inner and outer safety zones and how they relate to the various proposed project elements and options are shown on Figures 2-1a and 2-1b. Within the inner safety zone, the Project proposes an option for an east-west roadway extension: the Jack London Boulevard option. This roadway option is within both the inner and outer portions of the ALUC safety zone. The Project also proposes to redesign a portion of the Las Positas Golf Course. This is also discussed further below. Permanent structures or objects projecting above the level of the primary surface of the runway are not allowed within the inner safety zone.[5] The design of the Jack London Boulevard extension will not include street lights between the Arroyo Las Positas and the Oaks Business Park development. Redesign of the golf course and design of the extended roadway, including appropriate safety features, will be coordinated with the FAA and Airport staff.

The Johnson-Himsl property in the southwest area of the Specific Plan Area is located within the ALUC outer safety zone for the airport. The ECSP would allow shopping center and restaurant uses on the Johnson-Himsl property. Although the ALUPP Policy 3.2 nominally states that shopping centers and restaurants are not compatible with outer safety zone requirements, ALUPP Policy 3.3 specifies that clustering of development within the overall density limits will be compatible if such clustering provides an open area suitable for emergency landing, avoids concentration of development along the extended runway centerline and does not pose a hazard to air navigation. The ECSP includes provisions to support development of the Johnson-Himsl property consistent with ALUPP policies. The City will confer with the ALUC to ensure compliance with the ALUPP for the ECSP and for specific development proposals.

No revisions to the DEIR are necessary.

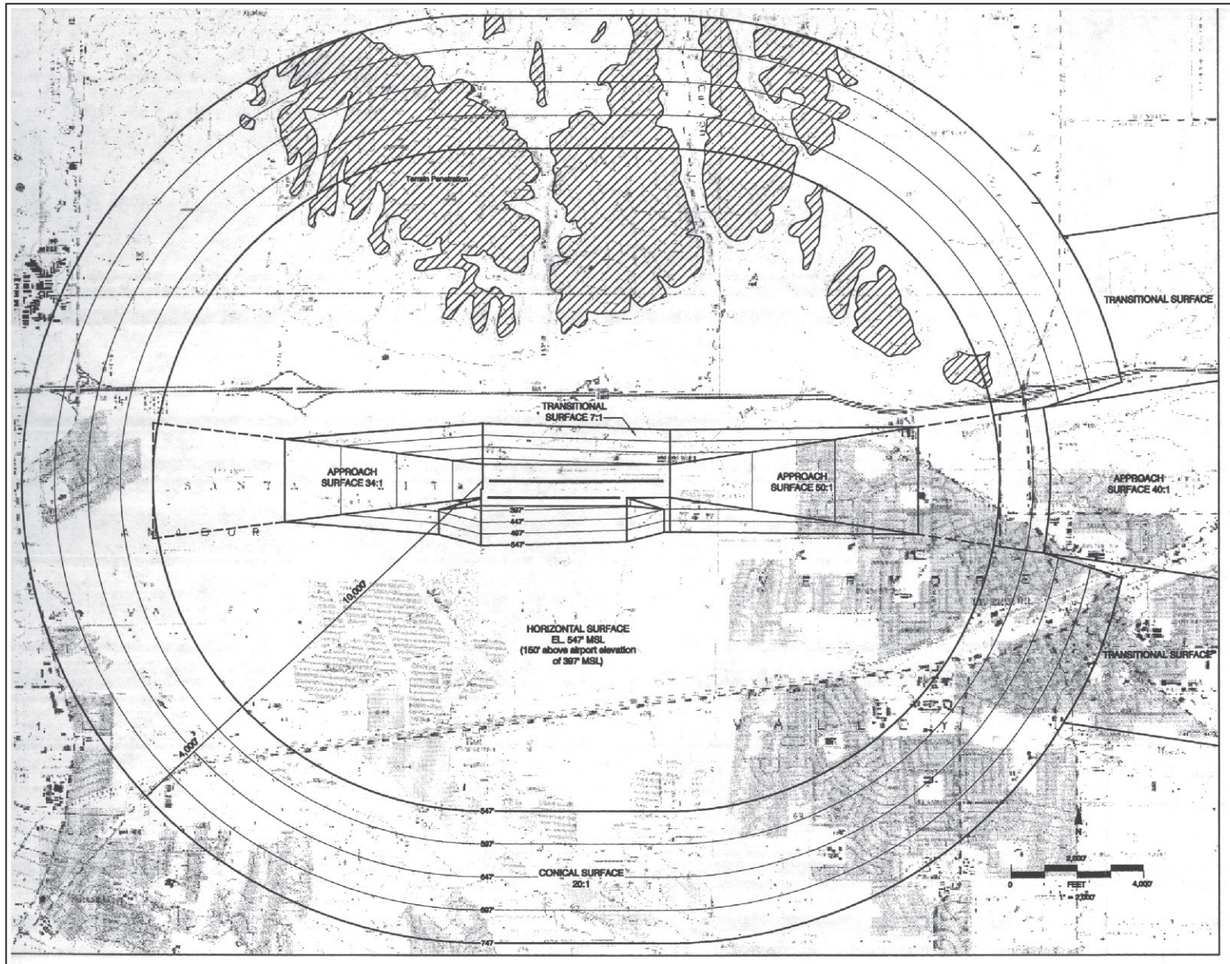
FAR, Part 77

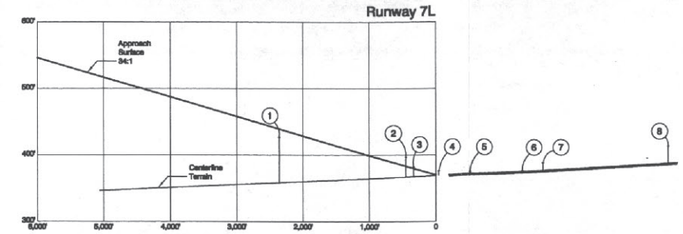
FAR, Part 77, defines airport runway approach surfaces based on the elevation of the primary surface (the airport runway) and the length of the runway. Figure 2-2 shows the approach surfaces, transitional surfaces, horizontal surface and conical surface for the Livermore Municipal Airport.

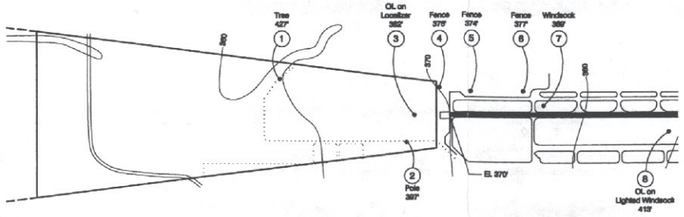
The most restrictive runway approach surface ratio is 34:1, identified for the airspace within 10,000 feet of Runway 7L (northern runway). At 1000 feet from the end of the 7L runway, FAA height limits are 29 feet. At 2000 feet from the runway, FAA height limits are 88 feet. See Figure 2-2. The airport horizontal surface is 150 feet above the primary surface elevation, or approximately 547 feet mean sea level (MSL).

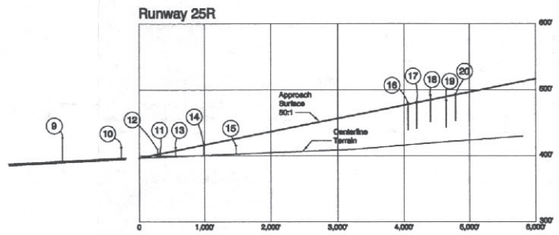
Development within the Specific Plan Area will not exceed 40 feet in height, with exceptions to these height limits occurring outside the approach areas. The

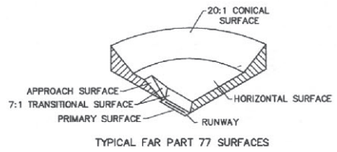
5 Alameda County Airport Land Use Commission 1986.



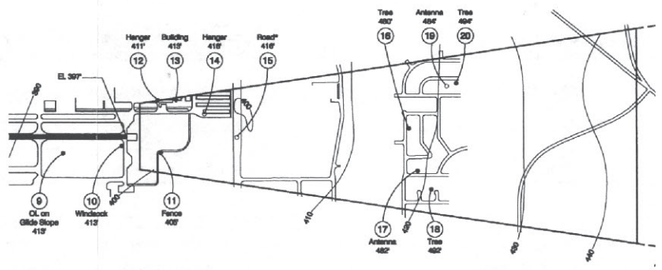




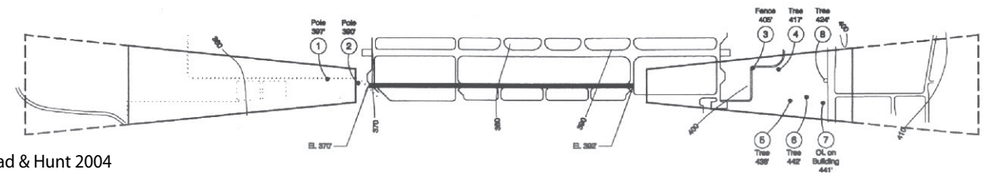




TYPICAL FAR PART 77 SURFACES







PLAN AND PROFILE LEGEND

- ● = Object penetrates threshold siting surface
- ○ = Object falls outside or below threshold siting surface.
- * = 15 feet vertical clearance added to road elevations.

NOTES:

All elevations in feet above mean sea level (MSL).

SOURCES:

USGS Topographic Map.
NOS Obstruction Chart no. 6075

Source: Mead & Hunt 2004

06137.06.007 FEIR (03-07)

Jones & Stokes

Figure 2-2
Livermore Municipal Airport
FAR, Part 77, Surfaces

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eastern limit of the Johnson-Himsl property west of the airport is approximately 4200 feet from the end of runway 7L.

No revisions to the DEIR are necessary.

Compatibility of Proposed Land Uses

As described on pages 2-6 through 2-9, the ECSP further refines the Planned Development zone of the Specific Plan Area and would permit retail, service commercial, entertainment, and highway serving commercial uses within the two commercial zones proposed. The proposed Project also includes consideration of a possible church campus as an alternate use on the Children's Hospital property. No hospital is proposed. The Children's Hospital owns the property as an investment.

With the exception of development on the Johnson-Himsl property south of the proposed Jack London/Airway Boulevard extension, development within either of the two defined commercial zones would be outside of the ALUC safety zone but any development within the Specific Plan Area would be within airport flight paths.

Some comments expressed concern with the development of a church campus within the APA and the flight path of the airport. Comments included concerns about new noise complaints and maintenance of the airport buffer. Other related comments expressed concerns with possible hotel uses and noise impacts.

Development within the Specific Plan Area was identified in the General Plan, is being further refined by the proposed Specific Plan, and would be constructed in accordance with safety guidelines in the Airport Master Plan. In addition, alternate uses on the Children's Hospital parcel must be consistent with the Airport Master Plan and Specific Plan policies and guidelines. While new noise complaints may not be prevented, compliance with General Plan policies and implementation of the mitigation measures identified in Chapter 3, section 3.11, Noise, in the DEIR, would reduce the significance of noise impacts. The General Plan Noise Element objectives and policies applicable to the proposed Project are listed in the DEIR on pages 3.11-8 through 3.11-11. See additional discussion on noise, below.

Development of the Specific Plan Area is subject to ALUC height restrictions which are consistent with FAR, Part 77, Objects Affecting Navigable Airspace. See additional discussion of height restrictions, below.

No revisions to the DEIR are necessary.

Jack London/Airway Boulevard Extension Options

The location of the proposed Jack London Boulevard extension option and the preference for the Airway Boulevard extension option was expressed in several comments. Concerns for encroachment by the Jack London Boulevard roadway onto airport runway areas, safety hazards the roadway may cause for pilots through streetlights and vehicle headlights, limitations the roadway may cause to future airport operations, and whether coordination had occurred with the airport manager were all raised.

As discussed in other sections of this chapter, height restrictions, land use compatibility, and safety have all been taken into consideration during development of the proposed Project. The design of the Jack London Boulevard extension option has not been finalized, but would include features to address concerns regarding aircraft safety. These features include glare screens, such as specialized fencing, to prevent headlights from shining on the runways and no street lights utilized between the Arroyo Las Positas and the west end of the Oaks Business Park development however alternate lighting determined to be compatible by the FAA may be considered. The project description in Chapter 2 of the DEIR has been revised to include these features.

The Jack London Boulevard two-lane interim roadway, shown in the DEIR and on Figure 2-1a, is outside of the runway protection zones of the airport runways but does pass through the ALUC safety zone. The roadway does not conflict with ALUPP policies and final design of the roadway will be consistent with the ALUPP inner and outer safety zone policies.

The design of infrastructure options for the proposed Project, including roadway improvements, has been developed through ongoing coordination with airport staff and other departments and agencies. The selection between the Jack London Boulevard extension option or the Airway Boulevard extension option will take into consideration all of the impacts identified in the DEIR, including effects on the airport. Each of these options has unique impacts and issues to consider. The City will weigh these impacts when making a decision on the Project.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Height Restrictions

Several comments included concerns about structures and objects proposed in the Project Area affecting aviation or causing aircraft hazards.

At the Livermore Municipal Airport, the ALUC Height Referral Area by a local agency for proposed general plan amendments and rezoning is defined as the airspace within a sloping surface “above one foot in height for each 100 feet (100:1) horizontally from the nearest point of the nearest runway, up to 20,000 feet.” The purpose of the ALUC Height Referral Area is to preserve unimpeded

airspace required for safe air operations in the vicinity of the airport. The ALUC height restriction policies apply on new structures and vegetation within the height referral boundary. Compatible land use within this boundary is defined consistent with standards and procedures set forth in FAR, Part 77.[6]

FAR, Part 77, defines airport runway approach surfaces based on the elevation of the primary surface (the airport runway) and the length of the runway. Figure 2-2 shows the approach surfaces, transitional surfaces, horizontal surface and conical surface for the Livermore Municipal Airport. The most restrictive runway approach surface ratio is 34:1, identified for the airspace within 10,000 feet of Runway 7L (northern runway). At 1000 feet from the end of the 7L runway, FAA height limits are 29 feet. At 2000 feet from the runway, FAA height limits are 88 feet. See Figure 2-2. The airport horizontal surface is 150 feet above the primary surface elevation, or approximately 547 feet MSL.

Starting at the end of the runway 7L, and continuing for a 10,000-foot horizontal arc is the runway's approach surface at a slope of 34:1. At 2000 feet from the end of the runway, this approach surface is 88 feet. At 5000 feet from the end of the runway, the approach surface is 147 feet.

The transitional surface, shown on Figure 2-2 as a slope of 7:1 up to the horizontal surface of 547 MSL, parallels the airport runways to the north and south and connects to the approach surfaces. At 200 feet north of the runway primary surface, the transitional surface is 28.56 feet. At 400 feet north of the primary surface, the transitional surface is 57 feet.

Development of the Specific Plan Area is subject to ALUC height restrictions, which are consistent with FAR, Part 77, Objects Affecting Navigable Airspace, as well as the City building/structure height restrictions. General Plan Objective LU-4.4 includes the following policy:

> P3. Development at the Airport shall be subject to Federal Aviation Administration, Airport Land Use Commission, and City building/structure height restrictions.

Building heights within the Specific Plan Area are limited to 40 feet, with an exception for the Prime Outlets Livermore Valley site. Limited architectural features, such as towers, are proposed for the Prime Outlet project and are subject to a 50 foot height limit. Based solely on FAR, Part 77, heights up to the horizontal surface of 150 feet are possible in the Specific Plan Area. The proposed height limits are consistent with ALUC height restrictions. Discussions of building height as it relates to the Scenic Corridor are included in the DEIR as well as responses to comments in Chapter 3 of this FEIR. Development within the Specific Plan Area will not exceed 40 feet in height, with exceptions to these height limits occurring outside the approach areas. The eastern limit of the Johnson-Himsl property west of the airport is approximately 4200 feet from the end of runway 7L. The southern limit of the Children's Hospital property is over 1000 feet from the airport runway primary surface.

6 Alameda County Airport Land Use Commission 1986.

No revisions to the DEIR are necessary.

Pilot Safety

Several comments included concerns for aircraft approaching for landing over the proposed extension of Jack London Boulevard and the location of the roadway option within the western approach/departure zones of the airport. Comments also included concern for headlights affecting the vision of or distracting pilots.

This roadway option is within both the inner and outer portions of the ALUC safety zone. Permanent structures or objects projecting above the level of the primary surface of the runway are not allowed within the inner safety zone.[7] The design of the Jack London Boulevard extension has not been finalized, but will include features to address concerns regarding aircraft safety. These features include glare screens, such as specialized fencing, to prevent headlights from shining on the runways and no street lights utilized between the Arroyo Las Positas and the west end of the Oaks Business Park development, however, alternate lighting determined to be compatible by the FAA may be considered. The project description in Chapter 2 of the DEIR has been revised to include these features. Design of the extended roadway, including appropriate safety features, will be coordinated with the FAA and Airport staff.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Airport Noise

As mentioned above, several comments raised concerns about the impacts of airport noise on the proposed land uses within the Specific Plan Area. The General Plan Noise Element objectives and policies applicable to the proposed Project are listed in the DEIR on pages 3.11-8 through 3.11-11. The Specific Plan Area must also comply with the Noise Impact Zone Policies in the ALUPP. Noise complaints may be unavoidable, but the analysis in the DEIR shows that development in the Specific Plan Area would comply with the General Plan Noise Element and the ALUPP policies.

The community noise equivalent level (CNEL) zones identified in the ALUPP are included in the Noise Element of the General Plan and are shown on Figures 2-1a and 2-1b. The portions of the Specific Plan Area proposed for urban development are outside of the existing (year 2000) 60 decibel (dB) CNEL contour line for the airport. For year 2020, the majority of the Specific Plan Area would be outside of the 60 dB CNEL contour line for the airport, with the southern portions outside of the 65 dB CNEL contour line.

7 Alameda County Airport Land Use Commission 1986.

The Noise Element of the General Plan includes Land Use Compatibility Guidelines for Exterior Noise. These standards are shown in Table 3.11-6 of the DEIR. For business commercial, office and retail uses, the normally acceptable exterior noise level is less than or equal to 70 A-weighted decibels (dBA) and the conditionally acceptable level is 70-75 dBA. For churches, the normally acceptable exterior noise level is less than or equal to 70 dBA and the conditionally acceptable level is 60-70 dBA[8] [9]. For hotels and motels, the normally acceptable exterior noise level is less than or equal to 65 dBA.

In the DEIR, Chapter 3, section 3.11, Noise, presents an analysis of the existing and anticipated noise levels within the Specific Plan Area and compares these noise levels to City and County standards. Impacts N-3 and N-5, in the DEIR, are relevant to the development of a church campus on the Children's Hospital property as well as the other proposed development. The analysis found that aircraft noise levels do not presently exceed 70 dB CNEL and are not projected to substantially increase. At the Children's Hospital property only the southern most portion is within the 60 dB CNEL for year 2020 and the property is outside of the year 2020 65 dB CNEL.

The analysis also found that implementation of the proposed Project would not result in significant traffic noise increases at existing noise-sensitive receptors. However, for future noise-sensitive receptors, mitigation measure N-5 was identified so that noise at noise-sensitive outdoor use areas does not exceed 70 dB L_{dn}. Further, General Plan policy states that land uses may be permitted in areas with conditionally acceptable noise levels following detailed analysis of the noise environment and the project characteristics in order to determine whether noise insulation or protection features are required. General Plan Objective N-1.2, Policy 2, states:

> P2. The City shall require applicants for new noise-sensitive development, such as private schools, residences, and private hospitals, in areas subject to noise levels greater than 65 dBA CNEL to obtain the services of a professional acoustical engineer to provide a technical analysis and to design mitigation measures to attenuate noise to acceptable levels.

Development of any noise sensitive receptor, such as a church, in the Specific Plan Area will require detailed noise analysis to determine what noise insulation features may be necessary to ensure acceptable interior noise levels.

No revisions to the DEIR are necessary.

[8] Where dBA levels overlap between categories, determination of noise level acceptability is made on a project-by-project basis. DBA is measured in CNEL or L_{dn}.

9 City of Livermore. 2004a. General Plan 2003–2025. Adopted February 9, 2004. Livermore, CA.

Las Positas Golf Course Redesign

Comments on the DEIR included concerns for aircraft safety caused by the redesign of the Las Positas Golf Course and the potential placement of land uses that could attract wildlife hazardous to aircraft or include other hazards such as sand traps and trees. FAA Advisory Circular 150/5200-33A, Hazardous Wildlife Attractants On or Near Airports, identifies land uses near airports that could potentially attract hazardous wildlife. These land uses include golf course ponds and water hazards.

The extension of either Jack London Boulevard or Airway Boulevard would require relocation of several golf holes within the Las Positas Golf Course. The design of new holes located within the ALUC safety zone must consider airport safety as it relates to the types of improvements, such as ponds and landscaping. The design of new golf course holes presented in the DEIR was conceptual. The final design of new golf holes would include replacement of existing ponds, but no additional ponds in direct alignment with the runways. Design and development of new golf holes will be coordinated with airport staff, golf course staff, and the FAA.

No revisions to the DEIR are necessary.

Airport Agency Coordination

Several comments were raised about the use of land with FAA grant agreements and overall coordination with FAA, ALUC, and Livermore Municipal Airport staff. Development of the proposed Project has included coordination with and input from the airport staff regarding compatible uses, the alignment of the Jack London Boulevard extension and Airway Boulevard extension options, infrastructure improvements, potential redesign of the golf course, and use of City lands covered by FAA grant assurances. Coordination with airport staff will continue to be an integral part of implementing the ECSP, including development of the necessary roadway and infrastructure improvements. The ALUC has found, as stated in their comment letter PA10, that the proposed Project is "conditionally consistent" with the ALUC ALUPP. Additional coordination with the airport staff and the ALUC will occur as the final Project designs are developed.

The City has entered into various Airport Improvement Program grant agreements with the FAA for land acquisition, planning, and airport improvement projects. The City has also agreed to comply with the Sponsor Assurances that are incorporated with each grant. For airport improvement project grants, these assurances are in effect for a 20-year period. For land or other real property acquisition grants, the assurances apply in perpetuity. The proposed Project involves certain parcels of land that were acquired with federal grants and the City will work closely with the FAA to comply with the terms of the assurances.

No revisions to the DEIR are necessary.

Master Response to Comments Related to Potential Cottonwood Creek Realignment

Comments from DFG, SFRWQCB, and USFWS on the DEIR expressed concerns related to potential Cottonwood Creek realignment. These concerns included:

- consideration of alternatives to creek realignment;
- the impact of realignment on biological resources including California red-legged frogs and California tiger salamanders and mitigation;
- the design and timing of potential realignment; and
- post-construction success criteria and monitoring of potential realignment.

Alternatives

The City has analyzed numerous alternatives for the Airway Boulevard Extension concerning the Children's Hospital property, the City's golf course, and potential crossing elevation. Given that substantial new infrastructure is needed to support development in the Specific Plan Area, it is necessary that the City allow for sufficient development by private parties in order to generate sufficient funding to pay for the new infrastructure. As such, alternative Airway Boulevard Extension alignments that bisect the Children's Hospital property are not considered feasible at this time. The City also considered several alignments through the middle of the golf course, but these alignments would require substantial redesign of the golf course that would involve further disturbance to Arroyo Las Positas and its riparian habitat, potential displacement of airport facilities, and/or need to reconstruct the existing golf course clubhouse and restaurant, which made such alignments problematic and of questionable feasibility. The City also considered potential elevation of the Airway Boulevard Extension crossing of Cottonwood Creek, but preliminary evaluation indicated that such an alternative is substantially more costly.

The City has modified Mitigation Measure BIO-8a, in Chapter 3, section 3.4, of the DEIR, to require consideration of all practicable alternatives to realignment prior to pursuing realignment including potential elevation of the roadway above Cottonwood Creek. Cottonwood Creek realignment will only be implemented if the RWQCB and the Corps of Engineers agree that it is the "least environmentally damaging practicable alternative" as required by the RWQCB and also as required by the Clean Water Act Section 404(b)(1) guidelines that are applicable to any Corps permit issued for the project. Permit approval will also be required from DFG and USFWS.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Biological Resource Impacts

The City recognizes the significant biological resource impacts associated with potential realignment of Cottonwood Creek for the Airway Boulevard Extension option. The DEIR acknowledges that realignment would have significant effects on CRLF habitat and could affect CTS migration.

It should be noted that a protocol-level survey of the Children's Hospital site did not identify any CRLF in Cottonwood Creek or Arroyo Las Positas on this property, although one unidentified ranid frog was noted during the survey. California tiger salamanders have not been found anywhere south of Interstate 580 (I-580) in the project area or the adjacent area. Mitigation Measure BIO-8a requires the channel to provide equivalent habitat value for CRLF as the existing channel. While CTS presence is undemonstrated in the project area, any channel designed to provide CRLF habitat values would also function as an equivalent migration path to CTS as the existing Cottonwood Creek.

The USFWS did not identify the reasons for its assertion that the mitigation for potential impacts to CRLF and CTS related to creek realignment are inadequate, and thus no response can be provided on this matter. As noted above, mitigation is required to ensure that any new channel provides equivalent habitat value for CRLF and potential migration potential for CTS as the existing channel and off-site compensatory mitigation is also possible to address any temporal habitat losses. Further, modifications to Mitigation Measure BIO-8a are noted in Chapter 4 that provide further assurance of habitat values for any realigned creek.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Design and Channel Realignment Timing

Regarding RWQCB's request for 5-years of site-specific data to support design, this would be a matter for permit negotiation between the RWQCB and the City if realignment were actually proposed. Design could be based on modeling approaches, hydrologic records, and/or empirical data, but this would be resolved at the point of actual design and permitting.

Regarding RWQCB's suggestion that the existing creek not be filled for 10 years to allow the new channel to mature, the City suggests instead that a performance standard could be developed requiring sufficient riparian vegetation/cover prior to filling of the existing channel. If the performance standard is met, then filling of the existing channel could be allowed, regardless of timing. Alternatively, the City could provide off-site mitigation to compensate for the temporal loss of habitat while the new channel matures that could offset an earlier date of filling of the existing channel.

Regarding RWQCB's suggestion that CRLF must be present in any new channel prior to filling of the existing channel, it should be noted that a protocol survey of the Children's Hospital site did not positively identify any CRLF in Cottonwood Creek or Arroyo Las Positas on this property, although one unidentified ranid frog was noted during the survey. If future CRLF surveys of Cottonwood Creek do not positively identify CRLF presence, it seems excessive to demonstrate presence in the new channel prior to realignment of the creek itself. CTS have not been found anywhere south of I-580 in the project area or the adjacent area. Mitigation Measure BIO-8a requires the channel to provide equivalent habitat value for CRLF as the existing channel. While CTS presence is undemonstrated, any channel designed to provide CRLF habitat values would also function as an equivalent migration path to CTS as the existing Cottonwood Creek.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Success Criteria and Monitoring

The City agrees with the comments that success criteria and an implementation and monitoring plan would be required in the event of realignment of the channel. This has been added to Mitigation Measure BIO-8a.

Regarding the need for post-construction monitoring, contingency measures, and funding guarantees, the City has added these to Mitigation Measure BIO-8a. The exact duration of post-construction monitoring can be determined during permitting with RWQCB, DFG, USFWS and the Corps. The City proposes a minimum of 5 years at this time with additional monitoring if the performance standards are not met during the first 5 years.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Master Response Concerning the 2-lane and 4-lane Jack London Boulevard Extension Option

Subsequent to public release of the DEIR, the City conducted additional traffic analysis to identify if traffic conditions would be substantially different with buildout of the El Charro Specific Plan, cumulative development and only a 2-lane extension of Jack London Boulevard instead of a 4-lane extension. The results of the analysis, discussed below, identified that conditions would not result in any additional failing intersections or deficient freeway segment operations compared to buildout/cumulative conditions with a 4-lane extension.

Thus, the City has determined that the 4-lane extension of Jack London Boulevard is not necessary to be advanced as part of the Specific Plan and is not necessary as mitigation for the traffic impacts (both direct and cumulative) of the Specific Plan. Thus no alignment for the 4-lane extension of Jack London Boulevard is being further considered at this time. The 4-lane extension of Jack

London Boulevard is not removed from the Livermore General Plan and may be advanced at some future date for the reasons discussed below. Such a 4-lane extension is determined to have separate utility from the Specific Plan. The 2-lane option is shown in new EIR Figure 2-5c.

The remainder of this response discusses the following:

- traffic analysis of the 2030 cumulative conditions with only a 2-lane Jack London Boulevard Extension;
- the independent utility of a 4-lane extension of Jack London Boulevard at some future date;
- changes to analysis of cumulative impacts with only a 2-lane Jack London Boulevard Extension and the 4-lane Jack London Boulevard as a separate cumulative development; and
- Other analysis related to the 2-lane extension of Jack London Boulevard Extension.

Traffic Analysis of 2030 Cumulative Conditions with a 2-lane Jack London Extension

Dowling Associates analyzed traffic conditions with Specific Plan buildout, cumulative development, and only a 2-lane Jack London Boulevard Extension. As described below, although levels of service are unacceptable at 4 intersections with the 2-lane Jack London Boulevard Extension, these impacts would also occur with the 4-lane facility and thus it is not identified as mitigation for the identified intersection impacts. As described below, there are no unacceptable freeway operations in the cumulative 2030 conditions with the 2-lane Jack London Boulevard Extension although levels of service are lower along one segment of freeway than with the 4-lane extension.

Intersection Impacts

As shown in Appendix G, under cumulative 2030 conditions, ECSP buildout with a 4-lane extension of Jack London Boulevard and the mitigation identified in the DEIR, the following intersections would still have failing levels of service:

- #18 – Isabel Avenue at W. Jack London Blvd. The LOS standard for this location is Mid-Level D. LOS would decline from 2008 LOS B and C (a.m. and p.m.) in 2008 to LOS D- (both a.m. and p.m.) with 2030 cumulative conditions.
- #19 – Isabel Avenue at Airway Blvd. The LOS standard for this location is E. This intersection does not yet exist. LOS would decline to F with 2030 cumulative conditions during the p.m. peak hour.

N

(ZONE 7 TURN OUT DSRSD)
CONNECT 12"W TO TURNOUT

NEW 12"W

EX.16" GAS

LOOPED 12" W

EX. 36" W

I- 580 LIMITS

W & RW CROSS CREEK

EX. 36"W (ZONE 7) CROSSVALLEY PIPELINE

EXIST. 16"W

EX. 18" RW

BEGIN 12"W

BEGIN 12" RW

INTERSTATE HWY- 580

ALAMEDA COUNTY
946-1128-003-09
124.32AC.±

EL CHARRO ROAD
IMPROVEMENTS LIMITS

EL CHARRO RD.

FREISMAN ROAD

PROPOSED ROAD "A"

PROPOSED ROAD "B"

ROGER JOHNSON
904-0001-009-07
17.04 AC.±

CROSSWINDS CHURCH
904-0001-011-02
25.30 AC.±

EL CHARRO VISTA LLC
904-0001-003-14
21.35 AC.±

CHILDRENS HOSPITAL
904-0001-001-10
36.59 AC.±

HMP BASIN 4

CITY OF LIVERMORE
904-0002-006
256.20 AC.±

RANGE

SEWER PUMP STATION

PRIVATE PARKING

EX. FIBER OPTIC LINE

FILL

55' WIDE ROAD/ CHANNEL (FLOW 1' DEEP)

EX. 16" W

PUBLIC PARKING

CITY OF LIVERMORE
904-0001-009-01
27.75 AC.±

CITY OF LIVERMORE
904-0001-011-01
14.28 AC.±

HMP BASIN 2

PUBLIC PARKING

HMP BASIN 3

HMP BASIN 5

CITY OF LIVERMORE
904-0001-001-09
13.64 AC.±

JOHNSON-HIMSL
904-0001-009-06
11.81 AC.±

HMP BASIN 1

A.C.F.C. & W.C.D.
904-0001-009-05
1.0 AC.±

CITY OF LIVERMORE
904-0001-003-01
21.22 AC.±

CITY OF LIVERMORE
904-0001-012
0.52 AC.±

CITY OF LIVERMORE
904-0001-001-07
1.03 AC.±

CITY OF LIVERMORE
904-0002-005
3.86 AC.±

EX. 8" W

EX. 8" RW

A.C.F.C. & W.C.D.
946-1128-003-05
2.76 AC.±

A.C.F.C. & W.C.D.
946-1128-003-08
2.24 AC.±

EX.TRAIL

NEW TRAIL

FISH LADDER

ALTERNATIVE TRAIL

NORTH OVERBANK FLOW THROUGH

WATER QUALITY BASIN

DETENTION BASIN

8"W OVER BRIDGE CONNECT TO EX. 8"W

CITY OF LIVERMORE
904-0001-003-2
16.29 AC.±

CITY OF LIVERMORE
904-0001-001-08
17.90 AC.±

CITY OF LIVERMORE
904-0001-001-06
13.0 AC.±

EX.16" W

A.C.F.C. & W.C.D.
946-1128-004-03
6.22 AC.±

A.C.F.C. & W.C.D.
946-1128-004-04
21.96 AC.±

JAMIESON PROPERTY
0.55 AC. ±

JAMIESON/HEWLETT
904-0001-007-21
3.65 AC.±

JAMIESON/HEWLETT
904-0001-002-12
5.24 AC.±

8"RW FOR IRR. MEDIAN ALONG ROAD

EXIST. 27"SS (LAVWMA)

CITY OF LIVERMORE
904-0001-007-25
24.41 AC. ±

CULVERT UNDER JACK LONDON ROAD

ALT. 2 - SS FORCE MAIN ALONG ROAD

CULVERTS UNDER INTERIM JACK LONDON ROAD

JAMIESON PROPERTY
(17.38 AC.)

SOUTH INTERIM ALIGNMENT

CITY OF LIVERMORE
904-0003-001-01
28.58 AC.±

EXISTING PUMP STATION #1

8" RW CONNECT TO AIRPORT W/ PRV & BACKFLOW

CITY OF LIVERMORE
904-0003-001-02
74.03 AC.±

ISABEL AVE.

PLEASANTON GRAVEL CO.
904-0001-002-05
8.57 AC.±

CUARRY ROAD (PAVED)

JAMIESON/HEWLETT
904-0001-007-26
103.45 AC. ±

PLEASANTON GRAVEL CO.
904-0001-007-18
53.15 AC.±

JAMIESON PROPERTY
(4.31 AC.)

JAMIESON CO.
904-0003-001-04
52.18 AC.±

PROPOSED JACK LONDON BLVD.

LAKE H

PLEASANTON GRAVEL CO.
904-0001-007-08
46.09 AC.±

LEVEE'S

PLEASANTON GRAVEL CO.
904-0001-007-27
0.009 AC. ±

LAKE G

JAMIESON CO. LLC
904-0003-001-05
158.73 AC. ±

LAKE F

DISCOVERY DRIVE

VOYAGER STREET

OAKS BUSINESS PARK

PLEASANTON GRAVEL CO.
904-0001-007-28
89.53 AC. ±

COPE LAKE

LEGEND

- City Limits
- Specific Plan Area
- Water Quality Basin
- North Overbank Flow Through
- Fill
- Detention Basin
- New Trail
- Existing Trail
- Alternative South Trail
- Levees
- Existing Runway Protection Zone
- Future Runway Protection Zone
- ALUC Safety Zone
- Culverts
- Sewer Pump Station
- Property Lines
- HMP Basins
- Parking Areas
- Gas
- Recycled Water
- Potable Water
- Sewer

Source: City of Livermore, Community Development Department - Engineering Division

06137.06 Final EIR (4-07)

Jones & Stokes

New EIR Figure 2-5c
Proposed Project – 2-Lane Jack London Boulevard Extension Option

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- #34 – Santa Rita Rd. at Stoneridge Drive. The LOS standard for this location is D. LOS would decline from 2008 LOS C (a.m. and p.m.) in 2008 to LOS F (both a.m. and p.m.) with 2030 cumulative conditions.
- #39 – Valley Avenue – Bernal Avenue at Stanley Blvd. The LOS standard for this location is D. LOS would decline from 2008 LOS C and D (a.m. and p.m.) in 2008 to an acceptable LOS D in the morning peak hour but an unacceptable LOS E in the evening peak hour with 2030 cumulative conditions.

As shown in Appendix G, under cumulative 2030 conditions, ECSP buildout with a 2-lane extension of Jack London Blvd. and the mitigation identified in the DEIR, the following intersections would still have failing levels of service:

- #18 – Isabel Avenue at W. Jack London Blvd. The LOS standard for this location is Mid-Level D. LOS would decline from 2008 LOS B and C (a.m. and p.m.) in 2008 to LOS C (a.m.) and LOS D- (p.m.) with 2030 cumulative conditions. Morning peak hour conditions would be acceptable. Evening peak hour conditions would not meet the standard but the avg. delay would be slightly less than with the 4-lane facility, indicating that the 4-lane would not be mitigation for this cumulative impact.
- #19 – Isabel Avenue at Airway Blvd. The LOS standard for this location is E. This intersection does not yet exist. LOS would decline to F with 2030 cumulative conditions during the p.m. peak hour. Evening peak hour conditions would not meet the standard but the avg. delay would be slightly less than with the 4-lane facility, indicating that the 4-lane would not be mitigation for this cumulative impact.
- #34 – Santa Rita Rd. at Stoneridge Drive. The LOS standard for this location is D. LOS would decline from 2008 LOS C (a.m. and p.m.) in 2008 to LOS F (both a.m. and p.m.) with 2030 cumulative conditions. Morning peak hour condition average delay would be slightly worse than with the 4-lane facility but somewhat better than the 4-lane facility during the evening peak hour. Since the 4-lane facility would not be noticeably better than the 2-lane facility and would not raise the level of service, the 4-lane would not be mitigation for this cumulative impact.
- #39 – Valley Avenue – Bernal Avenue at Stanley Blvd. The LOS standard for this location is D. LOS would decline from 2008 LOS C and D (a.m. and p.m.) in 2008 to an acceptable LOS D in the morning peak hour but an unacceptable LOS E in the evening peak hour with 2030 cumulative conditions. Evening peak hour condition average delay would be slightly worse than with the 4-lane facility. Since the 4-lane facility would not be substantively better than the 2-lane facility and would not raise the level of service, the 4-lane would not be mitigation for this cumulative impact.

Freeway Operations Impacts

As shown in Appendix G, under cumulative 2030 conditions, ECSP buildout with a 4-lane extension of Jack London Boulevard, there would be acceptable

freeway operations along I-580 as there would be no segments that operate at a LOS of less than E.

Also, as shown in Appendix G, under cumulative 2030 conditions, ECSP buildout with a 2-lane extension of Jack London Boulevard, there would be acceptable freeway operations along I-580 as there would be no segments that operate at a LOS of less than E. Segment operations during the evening peak hour between Airway Blvd. and El Charro Road would be LOS E with the 2-lane facility compared to LOS D with the 4-lane facility. However, since operations would still operate at the acceptable LOS of E, no significant impact is identified and the 4-lane Jack London Boulevard Extension is not identified as mitigation for this impact.

Independent Utility of a 4-Lane Extension of Jack London Boulevard

Although the 4-lane extension of Jack London Boulevard for mitigation of traffic impacts of the ECSP, such an extension would provide the following traffic benefits over the 2-lane Jack London Extension:

- Freeway Operations/Relief. A 4-lane Jack London Boulevard Extension would raise the LOS from E to D along I-580 between Airway Blvd. and El Charro Blvd. in the evening peak hour in both westbound and eastbound directions.
- #19 – Isabel Avenue at Airway Blvd. The LOS standard for this location is E. A 4-lane Jack London Extension would raise the LOS from E to D along in the morning peak hour.
- Intercity Circulation. A 4-lane facility would provide increased connections between Pleasanton and Livermore if Stoneridge Drive is extended.
- Emergency Access. A 4-lane facility would provide better emergency access in the event of major congestion delays on I-580.

Should the City decide at a later date to advance a 4-lane extension for these or other reasons, a separate CEQA project-level analysis would need to be conducted. The analysis in this EIR can be used as a starting point for that CEQA document.

Changes to Cumulative Impact Analysis

Since the 4-lane extension is no longer considered part of proposed Project analyzed in this EIR, the cumulative impact analysis would change from that in the DEIR.

The conclusion of the traffic analysis discussed above is that there would be no new significant impacts and no substantially more severe impacts to traffic than were disclosed in the DEIR.

For other subject areas, buildout with only a 2-lane extension would not result in any new significant impacts nor any substantially more severe impacts. Impacts related to physical direct impacts along the extension alignment would be less than with the 4-lane extension since the roadway area would be smaller in extent. Project contributions to cumulative aesthetics, agricultural resources, biological resources, cultural resources, geology/soils/seismicity, hazards and hazardous materials, hydrology and water quality, mineral resources, population and housing, and public services and utilities would be less than or similar to that disclosed in the DEIR because the area and extent of construction would be less than identified in the cumulative impact section of the DEIR. Project contributions to air quality impacts would be similar to that disclosed in the DEIR because the amount of generated traffic would be similar as with a 4-lane extension and because traffic conditions would not be substantially more severe. Project contributions to noise impacts would also be similar as generated traffic overall would not increase and traffic conditions would not be substantially more severe.

It is possible that the City may decide to advance the 4-lane extension of Jack London Boulevard at a later date. If the City does decide this, then the impacts would be similar to that disclosed in the cumulative section of the DEIR.

Regarding potential mineral resource impacts related to the 4-lane extension of Jack London Boulevard, there would be a potential for a significant impact to mineral resources if the 4-lane extension were advanced before mining were completed. Although the 4-lane extension is no longer part of this proposed Project, the City has added mitigation to the cumulative impact section of the EIR (DEIR Chapter 4) to only construct the 4-lane extension after mining is completed on the area of the 4-lane extension alignment (and the immediately adjacent area) to avoid this significant impact. This change is identified in Chapter 4 of this FEIR. Because the 4-lane extension is not part of the proposed Project, the contribution of the 2-lane extension to mineral resource impacts is less than significant (with mitigation), and because mitigation is adopted concerning the coordination of timing of any 4-lane extension of Jack London Boulevard to avoid significant impacts on mineral resources, no new significant cumulative impact or substantially more severe impact than disclosed in the DEIR is identified.

Thus, although changes to the Project were made which results in changes to the cumulative impact analysis, because no new significant impacts or substantially more severe impacts are identified pursuant to these changes, there is no need to recirculate a revised DEIR.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Other Analyses

The environmental impacts of the 2-lane extension of Jack London Boulevard were disclosed in the DEIR, with the exception of the revised cumulative 2030 traffic analysis (with only a 2-lane extension) described above, which has been added to the EIR.

Further analysis of the mineral resource impacts of the 2-lane extension has been added to the DEIR pursuant to Comment Letter IP5 submitted by a representative for the owners (Rhodes & Jamieson) of the land south of the El Charro Specific Plan crossed by the 2-lane Jack London Boulevard Extension option. This analysis, described in response to Letter IP5 in Chapter 3 of this FEIR, concludes that there are no significant impacts, with mitigation, to mineral resources due to the 2-lane extension of Jack London Boulevard.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Chapter 3

Comments and Responses to Comments

Introduction

This chapter documents the responses to each of the comments received on the DEIR. When a comment resulted in a change to the DEIR, the response refers to the location in the text of the DEIR where the change is to be made. In some responses in this chapter, added text is indicated with double underlining (additions) and deleted text is struck out (~~deletions~~) however the full summary of revisions to the DEIR is included in Chapter 4, *Revisions to the Draft EIR*. Agencies and individuals who submitted written comments on the DEIR are identified in Table 3-1; the comments in these letters have been responded to.

The DEIR also was discussed at the public hearing held at the City of Livermore City Council chambers (3575 Pacific Avenue) on February 13, 2007, at 7:30 p.m.. Commenters who attended the public hearing are listed in Table 3-2, and comments received at this meeting are addressed following the response to written comments. The master response referred to in some responses is provided in Chapter 2 of this FEIR. A complete transcript of the public hearing is provided in this chapter.

A total of 26 comment letters were received for the project. All comment letters received by the City were assigned a unique identification number indicating whether they were from a public agency or an interested party. The following key presents the code and numbering system used by the City to identify written comments received, and the responses to the comments.

Comment Code Key (Written Comments):
PA = public agency comment
IP = interested party comment
TR = transcribed comment

Examples:
PA1-1 = letter number 1 from those sent by public agencies, first comment in the letter
PA1-2 = letter number 1 from those sent by public agencies, second comment in the letter

Table 3-1. Written Comments Received during the Public Review Period

Commenter	Comment Letter Number
Federal Agencies	
U.S. Fish and Wildlife Service	PA15
State Agencies	
California Department of Transportation	PA5
California Department of Transportation, Division of Aeronautics	PA4
California Department of Conservation, Division of Land Resource Protection	PA1, PA2
California Department of Fish and Game	PA3
California Regional Water Quality Control Board, San Francisco Bay Region	PA6
Governor's Office of Planning and Research, State Clearinghouse and Planning Unit	PA16
Local Agencies and Special Districts	
Alameda County Flood Control and Water Conservation District	PA8
Alameda County Airport Land Use Commission	PA10
Alameda County Congestion Management Agency	PA13
County of Alameda Public Works Agency, Development Services Department	PA7
Alameda County Community Development Agency, Surplus Property Authority	PA12
San Francisco Bay Area Rapid Transit District	PA14
City of Pleasanton	PA9
City of Dublin	PA11
Special Interest Groups	
Airport Advisory Commission	IP10
California Native Plant Society, East Bay Chapter	IP8
Individuals and Businesses	
Johnson-Himsl Partnership	IP2
The San Jose Sharks, represented by Riegels, Campos & Kenyon	IP3
Rhodes & Jamieson, G.W. Jamieson Trust, Jamieson LLC, represented by Reed Smith	IP5
Sywest Development	IP6
Vulcan Materials Company, Western Division, represented by Wendel, Rosen, Black & Dean	IP7
Robert S. Allen	IP1
John Stein	IP4
Brett M. Wayne	IP9

Table 3-2. Individuals Who Provided Oral Comments During the Public Hearing

Commenter	Comment Letter Number
Special Interest Groups	
Jean Rozsnyai, Save Our Hills	TR-3, TR-4
Don Miller, Save Our Hills	TR-7
Brett M. Wayne, Coalition of Livermore Airport	TR-8
Individuals and Businesses	
Rhodes & Jamieson, represented by Reed Smith	TR-9
Kathy Chase	TR-2
Bob Baltzer	TR-5
John Hunt	TR-6

Comment Letter PA1— Department of Conservation, Division of Land Resource Protection

STATE OF CALIFORNIA, RESOURCES AGENCY ARNOLD SCHWARZENEGGER, GOVERNOR

DEPARTMENT OF CONSERVATION **PA1**

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • **FAX** 916 / 327-3430 • **TDD** 916 / 324-2555 • **WEBSITE** conservation.ca.gov

February 8, 2007

Ms. Susan Frost, Principal Planner
Livermore Community Development Department
1052 South Livermore Avenue
Livermore, CA 94550

RECEIVED
FEB 15 2007
PLANNING DIVISION

RE: City of Livermore El Charro Specific Plan
Draft Environmental Impact Report - SCH 2006052112

Dear Ms. Frost:

The Department of Conservation's Division of Land Resource Protection (Division) has reviewed the DEIR for the referenced project. The Department of Conservation is responsible for monitoring farmland conversion on a statewide basis and administering the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations on the project's impacts with respect to impacts on agricultural lands. **PA1-1**

Environmental Setting of the Project

The project proposes development of a Business/Commercial Park with infrastructure, circulation and recreation improvements on several agricultural parcels totaling 250 acres in the western portion of the City of Livermore. The project is located south of I-580, between the Las Positas Golf Course and El Charro Road.

The Division's Alameda County 2004 Important Farmland Map (IFM) designates a majority of the project site grazing land; the exceptions being the Sywest parcel, the Children's Hospital parcel and the northwestern portion of the Johnson-Himsl properties. The 2006 Alameda County Williamson Act Map shows the Children's Hospital parcel as nonprime agricultural land subject to a notice of contract nonrenewal. The Department suggests deletion of the sentence referring to the Department redesignating the Children's Hospital property from prime land to nonprime land on the 2006 Williamson Act Map (3.2-3), as it is incorrect. The FEIR should clarify that the term 'Prime', as it refers to rating for agricultural uses, has two meanings in California. The Division's Farmland Mapping and Monitoring Program, which produces the IFM, determines the location and extent of 'Prime Farmland' based on a determination of irrigated agricultural production, and physical and chemical criteria as determined by the USDA Natural Resources Conservation; while under the State's Williamson Act, land **PA1-2**

The Department of Conservation's mission is to protect Californians and their environment by: Protecting lives and property from earthquakes and landslides; Ensuring safe mining and oil and gas drilling; Conserving California's farmland; and Saving energy and resources through recycling.

may be enrolled under the 'Prime Land' designation if it meets certain economic or production criteria.

Additionally, we recommend inclusion in the FEIR of the following: PA1-2 Cont.

- The 2004 Alameda County Important Farmland Map and the 2006 Alameda County Williamson Act Land Map, with the project area outlined.
- A description of current and past agricultural use of the project area. Include data on the types of crops grown, crop yields and farm gate sales values.

Impacts and Mitigation Measures

Impact AG-1 Conversion of Agricultural Land
The DEIR incorrectly states that there is no land within the project area designated as prime farmland. The 2004 IFM designates a large portion of the 36-acre Children's Hospital parcel as prime farmland. The Department recommends the FEIR include mitigation for the Children's Hospital parcel at a ratio of 1:1, consistent with the City's General Plan Conservation Element policies. PA1-3

Impact AG-2 Conflicts with the Williamson Act
The DEIR identifies the Children's Hospital parcel as the only parcel in the project area subject to a Williamson Act contract. The DEIR states that the proposed project does not conflict with the Williamson Act because a notice of nonrenewal has been filed and the City will require an exchange or cancellation of the contract, resulting in an impact that is less than significant. In actuality, there is a conflict between the proposed developments on the Children's Hospital parcel and the contract's enforceable restrictions that limit the parcel to agricultural and related open space use; thus the purpose of the cancellation/exchange. PA1-4

The FEIR should clarify that nonrenewal is the 9-year period, during which contract's enforceable restrictions are still in full effect. If development of the Children's Hospital parcel is to occur prior to the end of the 9-year nonrenewal period, the landowner must petition the City for cancellation of the contract or cancellation/rescission under the Department's Easement Exchange Program.

If cancellation is proposed, notification must be submitted to the Department when the City accepts the application as complete (Government Code §51284.1). The Council must consider the Department's comments prior to approving a tentative cancellation. Required findings must be made by the Council in order to approve tentative cancellation. We recommend that the FEIR include a discussion of how the cancellation involved in this project meets the required findings. However, notification must be submitted separately from the CEQA process and CEQA documentation. (The notice should be mailed to Bridget Luther, Director, Department of Conservation, c/o

Division of Land Resource Protection, 801 K Street MS 18-01, Sacramento, CA 95814-3528.)

PA1-4 Cont.

Williamson Act Easement Exchange Program

The Williamson Act provides a voluntary contract rescission process for local entities and landowners to cancel a Williamson Act contract and to simultaneously dedicate a permanent agricultural conservation easement on other qualifying land. The FEIR should discuss the Williamson Act easement exchange process, specifically the qualifying requirements both for the contracted land and for the potential easement land. If potential easement land has not been identified, we recommend the FEIR be supplemented to include the qualifying information. The easement exchange process is discretionary subject to final approval by the Department. The Department of Conservation is a responsible agency under CEQA for exchange program projects, and should be so noted in the FEIR.

PA1-5

The decisions made by the Department in the process include a determination of whether the contract cancellation findings are supported by substantial evidence; whether the proposed easement meets eligibility and evaluation criteria; whether the proposal will be a beneficial contribution to agricultural land conservation; and the appropriateness of the easement valuation.

The FEIR should note that under the Easement Exchange Program agricultural conservation easements are used in lieu of paying the contract cancellation fee penalty to the State General Fund and do not qualify as a mitigation measure for the conversion of agricultural land to urban use.

Thank you for the opportunity to comment on the DEIR. The Department looks forward to receiving your response, including a copy of the FEIR. If you have questions on our comments, please contact Adele Lagomarsino, Program Analyst at (916) 445-9411.

PA-6

Sincerely,

for

Brian Leahy
Assistant Director

Response to Comment PA1-1

The comment does not raise an environmental issue. The responsibilities of the Department of Conservation are acknowledged.

No revisions to the DEIR are necessary.

Response to Comment PA1-2

This comment was amended by comments included in the Department's follow-up letter (PA2, below). The DEIR correctly states that there is no land within the project area designated as prime farmland. The meanings of prime farmland, as separately defined by the Farmland Mapping and Monitoring Program and the Williamson Act are acknowledged.

The recommendations for the addition of the 2004 Alameda County Important Farmland Map and expanded discussion of past agricultural uses would not add value to the DEIR as the project area does not contain prime farmland, farmland of statewide importance or unique farmland as defined by the State law and the Department of Conservation (DOC).

No revisions to the DEIR are necessary.

Response to Comment PA1-3

On page 3.2-3 of the DEIR the Alameda County Williamson Act Lands 2006 map is noted as showing the Children's Hospital parcel as non-prime agricultural land in non-renewal. Comment PA2-1, below, as a follow up to this comment, indicates that the Farmland Mapping and Monitoring Program updated the Important Farmland Map in 2006 to show, among other changes, the same parcel as non-prime agricultural land. As acknowledged in comment PA2-2, below, the DEIR correctly states that there is no land within the Specific Plan Area designated as prime farmland.

No revisions to the DEIR are necessary.

Response to Comment PA1-4

The City has met and will continue to meet with DOC staff with regard to the cancellation or transfer of the Williamson Act Contract on the Children's Hospital site. The City will consult with DOC staff regarding the necessary findings for this action prior to City Council consideration of the cancellation or transfer.

Page 3.2-3 of the DEIR describes the notification provided to the DOC regarding the filing of Notice of Non-Renewal of the contract. Impact AG-2 includes the requirement of an exchange, transfer, and/or cancellation of the contract prior to development on the Children's Hospital site. DEIR Table 2-4, Required Permits and Approvals, lists the DOC as a CEQA responsible agency and lists the Williamson Act contract cancellation and/or transfer as a required separate action for the proposed Project.

No revisions to the DEIR are necessary.

Response to Comment PA1-5

Please see the response to Comment PA1-4, above.

Response to Comment PA1-6

The comment does not raise an environmental issue. Request for copy of the FEIR is acknowledged. A copy will be forwarded when complete.

No revisions to the DEIR are necessary.

Comment Letter PA2— Department of Conservation, Division of Land Resource Protection

PA2

STATE OF CALIFORNIA, RESOURCES AGENCY ARNOLD SCHWARZENEGGER, GOVERNOR



DEPARTMENT OF CONSERVATION

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

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March 1, 2007

Ms. Susan Frost, Principal Planner
Livermore Community Development Department
1052 South Livermore Avenue
Livermore, CA 94550

Subject: City of Livermore El Charro Specific Plan
Draft Environmental Impact Report - SCH 2006052112

Dear Ms. Frost:

The Department of Conservation's Division of Land Resource Protection commented on the above-referenced DEIR by letter dated February 8, 2007. This letter addresses our comments concerning the Children's Hospital parcel's designation as prime agricultural land on the Division's 2004 Important Farmland Map (IFM) and the designation as nonprime agricultural land on Alameda County's 2006 Williamson Act Map.

PA2-1

The Farmland Mapping and Monitoring Program recently completed the 2006 Update to the County's IFM. Staff verified the Children's Hospital parcel's land use in recent years as dryland grazing; therefore, the 2006 Updated IFM will re-designate the parcel to non-prime agricultural land. To accurately reflect the re-designation of the parcel, we suggest the last paragraph on page 3.2-3 be updated to read,

"...Although the Children's Hospital property is mapped as Prime Farmland on the 2004 Alameda County Important Farmland Map, the DOC redesignated this property in the Alameda County 2006 Important Farmland Map. The 2006 map shows the Children's Hospital as non-prime agricultural land."

Further, the DEIR's statement in Impact AG-1 Conversion of Agricultural Land, correctly states that there is no land within the project area designated as prime farmland.

PA2-2

Thank you for the opportunity to revise and clarify our comments. Should you have any questions, please contact Adele Lagomarsino, Program Analyst, at (916) 445-9411

Sincerely,

Brian Leahy
Assistant Director

The Department of Conservation's mission is to protect Californians and their environment by: Protecting lives and property from earthquakes and landslides; Ensuring safe mining and oil and gas drilling; Conserving California's farmland; and Saving energy and resources through recycling.

This letter is a follow up to the Department's original comment letter, included above as PA1.

Response to Comment PA2-1

As discussed under Response to Comment PA1-3, above, this comment references the 2006 Important Farmland Map update just completed. The commenter suggests language clarification in the DEIR to properly reflect this update. Page 3.2-3 of the DEIR has been revised to reflect the corrected information.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA2-2

The comment acknowledges that Impact AG-1 correctly states there is no land within the project area designated as prime farmland.

No revisions to the DEIR are necessary.

Comment Letter PA3—California Department of Fish and Game

State of California – The Resources Agency ARNOLD SCHWARZENEGGER, Governor
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
POST OFFICE BOX 47
YOUNTVILLE, CALIFORNIA 94599
(707) 944-5500

PA3

March 8, 2007

RECEIVED
MAR 12 2007
PLANNING DIVISION

Susan Frost, Principal Planner
Livermore Community Development Department
1052 South Livermore Avenue
Livermore, CA 94550

Dear Ms. Frost:

Subject: El Charro Specific Plan Draft Environmental Impact Report, SCH 2006052112, City of Livermore, Alameda County

Department of Fish and Game (DFG) personnel have reviewed the above El Charro Specific Plan Draft Environmental Impact Report (DEIR).

PA3-1

The Specific Plan Area is 250 acres and is located on the western side of Livermore in eastern Alameda County. The Specific Plan's approximate boundaries are I-580 on the north, El Charro Road on the west, active mining quarries and undeveloped quarry land to the south and the Las Positas Golf Course to the east. The Arroyo Las Positas stream bisects portions of the Specific Plan Area. The DEIR assesses anticipated environmental impacts resulting from this Specific Plan. DFG has the following comments on portions of the DEIR that may affect sensitive species and habitats.

PA3-2

On page 3.4-25 it states that section 3515 of the Fish and Game Code prohibits take of fully protected fish. This is the wrong section; it should state Section 5515. Also Section 4700 of the Fish and Game Code relates to Fully Protected Mammals, not all mammals.

PA3-3

Mitigation measure BIO:3d on page 3.4-37 should also include bullfrog control in ponds with California red-legged frogs (CRLF) located in the golf course.

PA3-4

Mitigation measure BIO:7b on page 3.4-47 states that offsite mitigation ratio will be 1:1. Onsite restoration is the preferred mitigation. If onsite restoration is not possible, the offsite mitigation ratio should be increased to greater than 1:1 to mitigate for the loss of riparian vegetation. Permanent impacts to riparian vegetation should be mitigated at a 3:1 ratio.

PA3-5

In regard to the realignment of Cottonwood Creek included in the Airport Boulevard extension options, DFG believes this will be more than a temporary impact. Realignment of a creek is a substantial impact especially if there are sensitive species

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present or use the area for a migration corridor. Realignment of Cottonwood Creek could decrease the habitat value and value of the biological corridor. Longer term temporary impacts such as would occur with changing Cottonwood Creek, may have significant long-lasting impacts on the CRLF population. Page 3.4-49 in the DEIR states that the Creek will be designed in such a way that it will have equivalent functions and values to that existing at present. However the DEIR also states that the realignment would decrease the amount of extant riparian habitat and may also affect a potential migration corridor for CTS and aquatic habitat for CRLF. A project such as this needs an implementation and monitoring plan and it is not clear in the DEIR if this has been or will be completed. Realignment of the Creek could take many years to complete and then to monitor after completion to discern if the success criteria has been met.

PA3-5 Cont.

DFG appreciates the opportunity to comment on the DEIR. If you have any comments or questions regarding this letter, please contact Suzanne DeLeon, Environmental Scientist, at (831) 940-4433; or Scott Wilson, Acting Environmental Program Supervisor, at (707) 944-5584.

PA3-6

Sincerely,

Scott Wilson FOR
Chuck Armor
Acting Regional Manager
Bay Delta Region

cc: DeLeon, S. Wilson
SD/je

Response to Comment PA3-1

This comment is introductory material and requires no response.

No revisions to the DEIR are necessary.

Response to Comment PA3-2

This comment notes needed corrections regarding the Fish and Game Code citations. Revisions to page 3.4-25 have been made in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA3-3

This comment requests the addition of bullfrog control on the golf course ponds to Mitigation Measure BIO-3d. The text has been revised in response.

The comment incorrectly references that the California red-legged frog (CRLF) are found in ponds on the golf course. CRLF have not been found in the golf course ponds. The only documented occurrence of CRLF was in Arroyo Las Positas through the golf course reach in 1997.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA3-4

This comment states that offsite mitigation for loss of riparian habitat (if onsite mitigation is not feasible) should be provided at a 3:1 ratio. Mitigation Measure BIO-7b has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA3-5

This comment notes that the California Department of Fish and Game (DFG) believes that realignment of Cottonwood Creek will be a substantial long-term impact and could decrease the habitat value of the creek and value of the habitat corridor. The comment also suggests the need for an implementation and monitoring plan.

A master response has been prepared concerning Cottonwood Creek realignment. Please refer to Chapter 2 of this document.

Response to Comment PA3-6

This comment notes contact information.

The City looks forward to working with the DFG.

No revisions to the DEIR are necessary.

Comment Letter PA4—Department of Transportation, Division of Aeronautics

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DIVISION OF AERONAUTICS – M.S.#40
1120 N STREET
P. O. BOX 942873
SACRAMENTO, CA 94273-0001
PHONE (916) 654-4959
FAX (916) 653-9531
TTY (916) 651-6827

PA4

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PLANNING DIVISION

February 13, 2007

Mr. Eric Brown
City of Livermore
1052 W. Livermore Avenue
Livermore, CA 94550

Dear Mr. Brown:

City of Livermore's Draft Environmental Impact Report, El Charro Specific Plan; SCH# 2006052112

The California Department of Transportation (Caltrans), Division of Aeronautics (Division), reviewed the above-referenced document with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The Division has technical expertise in the areas of airport operations safety and airport land use compatibility. We are a funding agency for airport projects and we have permit authority for public and special use airports and heliports. The Division commented on the Notice of Preparation in the enclosed letter dated June 7, 2006. The following comments are offered for your consideration with respect to the Draft Environmental Impact Report (EIR). **PA4-1**

The proposal is for the El Charro Specific Plan (Plan) development proposals and associated infrastructure improvements. The Plan area is located adjacent to the western boundary of the Livermore Municipal Airport. Livermore is an active airport, with approximately 650 based aircraft and over 200,000 annual operations. Livermore is also considering various improvements for the airport including lengthening Runway 7R-25L to the west. Portions of the specific plan area are well within the 60 and 65 decibel (dB) Community Noise Equivalent Level (CNEL) contours that were established for the year 2000 as part of the Livermore Municipal Airport Master Plan Update; although the later was not adopted. **PA4-2**

"Proposed Development Projects" include:

- Reconfiguration of the Las Positas Golf Course with the Jack London Boulevard Extension Option or the Airway Boulevard Extension Option.
- The 42-acre Prime Outlets Livermore Valley site located at the northwest corner of the project site. According to the Draft EIR, "Architectural features will range from 35 to 50 feet in height." The proposed development includes eleven (11) retail buildings that will "house approximately 150 national and international brand tenants." Approximately 2,400 on-site parking spaces are also proposed.
- The 36-acre Children's Hospital parcel located approximately 1,000 feet northwest of the west end of the Livermore Municipal Airport's Runway 7L-25R. According to the Draft EIR, uses "could" include "lifestyle services, such as day or health spas, sports centers that provide activities such as tennis, swimming, restaurants, and hotels."

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According to the Draft EIR, page 2-26, "Development plans for the other privately owned parcels in the area are uncertain at this time. For analysis purposes, retail commercial uses consistent with design guidelines and standards contained in Chapter 3 of the Specific Plan are assumed for these parcels." **PA4-2 Cont.**

Page 3.7-8 of the Draft EIR states that the "City will consult with the Alameda County Airport Land Use Commission to ensure that the Project is consistent with airport safety zone requirements." The ALUC should also be consulted concerning airport-related noise impacts. The proposal should also be closely coordinated with Livermore Municipal Airport staff to ensure that the proposal will be compatible with future as well as existing airport operations. **PA4-3**

Protecting people and property on the ground from the potential consequences of near-airport aircraft accidents is a fundamental land use compatibility-planning objective. While the chance of an aircraft injuring someone on the ground is historically quite low, an aircraft accident is a high consequence event. To protect people and property on the ground from the risks of near-airport aircraft accidents, some form of restrictions on land use are essential. The two principal methods for reducing the risk of injury and property damage on the ground are to limit the number of persons in an area and to limit the area covered by occupied structures. The potential severity of an off-airport aircraft accident is highly dependent upon the nature of the land use at the accident site. **PA4-4**

CEQA, Public Resources Code Section 21096, requires the Caltrans Airport Land Use Planning Handbook (Handbook) be utilized as a resource in the preparation of environmental documents for projects within an airport land use compatibility plan boundaries or if such a plan has not been adopted, within two nautical miles of an airport. The Handbook identifies six airport safety zones based on risk levels. The project site appears to be within the Inner Approach/Departure Zone (Zone 2), Inner Turning Zone (Zone 3), Outer Approach/Departure Zone (Zone 4) and Traffic Pattern Zone (Zone 6). Table 9B of the Handbook identifies incompatible land uses within these safety zones and is available on-line at http://www.dot.ca.gov/hq/planning/aeronaut/htmlfile/landuse.php.

A portion of the Jack London Boulevard extension option is within the Livermore Municipal Airport Approach/Departure Zones. This is a concern. We advise contacting Airport Manager, Leander Hauri, at (925) 373-5281 to discuss possible modifications to the proposed alignment in order to mitigate potential safety impacts. **PA4-5**

The proposed golf course modification includes several new ponds directly beneath the extended centerline and between 1,000-2,000 feet west of Livermore Municipal Airport's Runway 7L-25R. Land use practices that attract or sustain hazardous wildlife populations on or near airports can significantly increase the potential for wildlife-aircraft collisions. The Federal Aviation Administration (FAA) recommends that wetlands and other uses that have the potential to attract wildlife be restricted in the vicinity of an airport. FAA Advisory Circular (AC) 150/5200-33A entitled "Hazardous Wildlife Attractants on or Near Airports" addresses these issues and is available on-line at the FAA website http://wildlife-mitigation.tc.faa.gov/public_html/index.html. **PA4-6**

Public Utilities Code, Section 21659, prohibits structural hazards near airports. To ensure compliance with Federal Aviation Regulation, Part 77, "Objects Affecting Navigable Airspace," submission of a **PA4-7**

Mr. Eric Brown
February 13, 2007
Page 3

Notice of Proposed Construction or Alteration (Form 7460-1) to the FAA may be required. For further technical information, please refer to FAA website https://oeaaa.faa.gov/oeaaaEXT/portal.jsp. **PA4-7 Cont.**

According to Section 11010 of the Business and Professions Code and Sections 1102.6, 1103.4, and 1353 of the Civil Code, available on-line at http://www.leginfo.ca.gov/calaw.html, any person who intends to offer land for sale or lease within an airport influence area is required to disclose that fact to the person buying the property. **PA4-8**

Aviation plays a significant role in California's transportation system. This role includes the movement of people and goods within and beyond our State's network of over 250 airports. Aviation contributes nearly 9% of both total State employment (1.7 million jobs) and total State output ($110.7 billion) annually. These benefits were identified in a recent study, "Aviation in California: Benefits to Our Economy and Way of Life," prepared for the Division of Aeronautics which is available on-line at http://www.dot.ca.gov/hq/planning/aeronaut/. Aviation improves mobility, generates tax revenue, saves lives through emergency response, medical and fire fighting services, annually transports air cargo valued at over $170 billion and generates over $14 billion in tourist dollars, which in turn improves our economy and quality of life. **PA4-9**

The protection of airports from incompatible land use encroachment is vital to California's economic future. Livermore Municipal Airport is an economic asset that should be protected through effective airport land use compatibility planning and awareness. Although the need for compatible and safe land uses near airports in California is both a local and a State issue, airport staff, airport land use commissions and airport land use compatibility plans are key to protecting an airport and the people residing and working in the vicinity of an airport.

These comments reflect the areas of concern to the Division with respect to airport-related noise and safety impacts and regional airport land use planning issues. We advise you to contact our Caltrans District 4 Office in Oakland at (510) 286-4444 concerning surface transportation issues. **PA4-10**

Thank you for the opportunity to review and comment on this proposal. We look forward to reviewing the Final EIR. If you have any questions, please call me at (916) 654-5314.

Sincerely,

Sandy Hesnard
SANDY HESNARD
Aviation Environmental Planner

c: State Clearinghouse, Alameda County ALUC, Livermore Municipal Airport

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STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DIVISION OF AERONAUTICS – M.S.#40
1120 N STREET
P. O. BOX 942873
SACRAMENTO, CA 94273-0001
PHONE (916) 654-4959
FAX (916) 653-9531
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June 7, 2006 Attachment

Ms. Susan Frost
City of Livermore
1052 W. Livermore Avenue
Livermore, CA 94550

Dear Ms. Frost:

Re: City of Livermore's Notice of Preparation of a Draft Environmental Impact Report for the El Charro Specific Plan; SCH# 2006052112

The California Department of Transportation (Caltrans), Division of Aeronautics (Division), reviewed the above-referenced document with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The Division has technical expertise in the areas of airport operations safety and airport land use compatibility. We are a funding agency for airport projects and we have permit authority for public and special use airports and heliports. The following comments are offered for your consideration.

The proposal is for the El Charro Specific Plan development proposals and associated infrastructure improvements. As shown in Figure 1 of the Notice of Preparation (NOP), the Project Study Area surrounds Livermore Municipal Airport to the north, west and south. Within the Study Project Area is the El Charro Specific Plan Area, located west/northwest of the airport. The El Charro "Specific Plan Area and Proposed Development Projects" shown in Figure 2 of the NOP, includes a proposed children's hospital approximately 1,000 feet northwest of the west end of the Livermore Municipal Airport's Runway 7L-25R. Also shown in Figure 2 is the proposed Crosswinds Church site that will be located approximately 3,000 feet northwest of the airport. The entire study area is within the Alameda County Airport Land Use Policy Plan's designated Airport Land Use Commission (ALUC) General Referral Area and will be subject to aircraft overflights and subsequent noise and safety impacts.

PA4-1a

Livermore is an active airport, with over 600 based aircraft and approximately 235,000 annual operations. Livermore is also considering expansion plans for the airport. Portions of the specific plan area are well within the 60 and 65 decibel (dB) Community Noise Equivalent Level (CNEL) contours projected for the year 2020 in the Livermore Municipal Airport Master Plan Update. Airport-related noise concerns should be thoroughly addressed in the Draft Environmental Impact Report (DEIR)

The proposal should be submitted to the Alameda County ALUC for a consistency determination. The proposal should also be coordinated with Livermore Municipal Airport staff to ensure that the proposal will be compatible with future as well as existing airport operations.

Protecting people and property on the ground from the potential consequences of near-airport aircraft accidents is a fundamental land use compatibility-planning objective. While the chance of an aircraft injuring someone on the ground is historically quite low, an aircraft accident is a high consequence event. To protect people and property on the ground from the risks of near-airport aircraft accidents, some form

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of restrictions on land use are essential. The two principal methods for reducing the risk of injury and property damage on the ground are to limit the number of persons in an area and to limit the area covered by occupied structures. The potential severity of an off-airport aircraft accident is highly dependent upon the nature of the land use at the accident site. Airport-related safety and land use concerns should be thoroughly addressed in the DEIR.

The Caltrans Airport Land Use Planning Handbook (Handbook) identifies six airport safety zones based on risk levels. The project site appears to be within the Inner Approach/Departure Zone (Zone 2), Inner Turning Zone (Zone 3), Outer Approach/Departure Zone (Zone 4) and Traffic Pattern Zone (Zone 6) as designated in the Handbook. The Handbook generally recommends against hospitals within all the safety zones. High intensity uses such as meeting halls are also recommended against within Zones 2, 3 and 4. Additional land use compatibility criteria are further discussed in the Handbook. Please note, CEQA, Public Resources Code 21096, requires the Caltrans Handbook be utilized as a resource in the preparation of environmental documents for projects within an airport land use compatibility plan boundaries or if such a plan has not been adopted, within two nautical miles of an airport. The Handbook is available on-line at http://www.dot.ca.gov/hq/planning/aeronaut/-htmlfile/landuse.php.

Federal and State regulations regarding aircraft noise do not establish mandatory criteria for evaluating the compatibility of proposed land use development around airports (with the exception of the 65 dB CNEL "worst case" threshold established in the State Noise Standards for the designated "noise problem" airports). For most airports in California, 65 dB CNEL is considered too high a noise level to be appropriate as a standard for land use compatibility planning. This is particularly the case for evaluating new development in the vicinity of the airport. The 60 dB CNEL, or even 55 dB CNEL, may be more suitable for new development around most airports. For a further discussion of how to establish an appropriate noise level for a particular community, please refer to Chapter 7 of the Caltrans Handbook.

PA4-1a Cont.

Public Utilities Code, Section 21659, "Hazards Near Airports Prohibited" prohibits structural hazards near airports. To ensure compliance with Federal Aviation Regulation, Part 77, "Objects Affecting Navigable Airspace," submission of a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) may be required. For further technical information, please refer to the FAA web site at http://www.faa.gov/aso/aso500/obst_eval.htm.

Section 11010 of the Business and Professions Code and Sections 1102.6, 1103.4, and 1353 of the Civil Code (http://www.leginfo.ca.gov/calaw.html) address buyer notification requirements for lands around airports. Any person who intends to offer land for sale or lease within an *airport influence area* is required to disclose that fact to the person buying the property.

Aviation plays a significant role in California's transportation system. This role includes the movement of people and goods within and beyond our State's network of over 250 airports. Aviation contributes nearly 9% of both total State employment (1.7 million jobs) and total State output ($110.7 billion) annually. These benefits were identified in a recent study, "Aviation in California: Benefits to Our Economy and Way of Life," prepared for the Division of Aeronautics which is available at http://www.dot.ca.gov/hq/planning/aeronaut/. Aviation improves mobility, generates tax revenue, saves

lives through emergency response, medical and fire fighting services, annually transports air cargo valued at over $170 billion and generates over $14 billion in tourist dollars, which in turn improves our economy and quality-of-life.

The protection of airports from incompatible land use encroachment is vital to California's economic future. Livermore Municipal Airport is an economic asset that should be protected through effective airport land use compatibility planning and awareness. Although the need for compatible and safe land uses near airports in California is both a local and a State issue, airport staff, airport land use commissions and airport land use compatibility plans are key to protecting an airport and the people residing and working in the vicinity of an airport.

PA4-1a Cont.

These comments reflect the areas of concern to the Division of Aeronautics with respect to airport-related noise and safety impacts and regional airport land use planning issues. We advise you to contact our District 4 Office in Oakland at (510) 286-4444 concerning surface transportation issues.

Thank you for the opportunity to review and comment on this proposal. We look forward to reviewing the DEIR. If you have any questions, please call me at (916) 654-5314.

Sincerely,

Original Signed by

SANDY HESNARD
Aviation Environmental Planner

c: State Clearinghouse
Alameda County ALUC
Livermore Municipal Airport
Joe Rodriguez-FAA

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Response to Comment PA4-1 and PA4-1a

The comment is introductory and does not raise an environmental issue. The technical expertise of the Division of Aeronautics is noted. Responses to the comments on the Notice of Preparation are also included in responses to comments PA4-1 through PA4-10, below, or were addressed in the DEIR. The responses to those comments cover the issues raised in the Notice of Preparation letter.

No revisions to the DEIR are necessary.

Response to Comment PA4-2

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment PA4-3

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment PA4-4

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment PA4-5

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment PA4-6

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment PA4-7

The comment does not raise an environmental issue. The need for the project to comply with Federal Aviation Regulation, Part 77 and for the City to seek

necessary authorizations from the Federal Aviation Administration is acknowledged.

No revisions to the DEIR are necessary.

Response to Comment PA4-8

The comment does not raise an environmental issue. The City understands the disclosure requirements necessary for sale or lease of lands within an airport influence area.

No revisions to the DEIR are necessary.

Response to Comment PA4-9

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment PA4-10

The comment concludes the letter and does not raise an environmental issue.

No revisions to the DEIR are necessary.

Comment Letter PA5—Department of Transportation

PA5

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

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FEB 28 2007
PLANNING DIVISION

February 23, 2007

ALA580825
SCH2006052112
ALA-580-16.70

Ms. Susan Frost
City of Livermore
1052 S. Livermore Avenue
Livermore, CA 94550

Dear Ms. Frost:

El Charro Specific Plan – Draft Environmental Impact Report (DEIR)

Thank you for continuing to include the California Department of Transportation (Department) in the environmental review for the proposed project. The comments presented below are based on the DEIR for the El Charro Specific Plan. **PA5-1**

A feasibility study for the Children's Hospital may be needed. Considering noise levels from Interstate 580 (I-580) and the Livermore Municipal Airport, building height limitations due to Scenic Corridor Policies and Federal Aviation Administration regulations, and impact on aquatic habitat for endangered species along Cottonwood Creek and Arroyo Las Positas, the site development for the Children's Hospital's lateral expansion seems to be very restrictive.

On page 3.15-22, the Full Specific Plan indicates a land use option which includes a church campus consisting of a 3,000-seat assembly and 140,000 square feet children's hospital. Most likely, the church could contribute 1,890 vehicles per hour (vph) (=0.63*3000) during the Sunday peak period. Please provide additional traffic impact analysis for Sunday peak period. The children's hospital also could generate AM and PM peak trips as 156 vph (=1.2*140) and 165 vph (=1.18*140) respectively. Please identify the land use as a new facility and not as retail/commercial land use. The new traffic generated would be in addition to the traffic generated from commercial land use. **PA5-2**

The Jack London Boulevard Extension and the Airway Boulevard Extension alternatives are part of the City of Livermore's General Plan. Why are they analyzed separately? On page 4-26, the Jack London Boulevard Extension and the Airway Boulevard Extension options were incorporated into the traffic model and are assumed to be fully funded and completed by year 2030. However, conclusion is missing by analyzing the two options separately as shown on **PA5-3**

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Tables 4-5a through 4-8b. Impacts from "Cumulative Year 2030 Conditions Plus Full Project" are not included. Please provide the analysis including both options. **PA5-3 Cont.**

Page 4-40, Santa Rita Road and Pimlico Drive I-580 eastbound ramp intersection: "No additional improvements have been identified or funded, and it is unknown whether any mitigation is even feasible…" However, Cumulative Mitigation Measure TRA-2a is listed on page 4-31 for this intersection. This mitigation measure should be completed prior to this project. **PA5-4**

Mitigation measures should also be implemented for the intersections of Tassajara Road/I-580 westbound ramp, Fallon Road/I-580 westbound ramp, and Isabel Avenue/Jack London Boulevard prior to this project.

Traffic control signal studies shall be conducted to justify all the proposed signalized intersections and traffic signal warrants shall be met before traffic signals can be installed at the intersections. **PA5-5**

Please provide figures for utilities. **PA5-6**

The second (ultimate) phase of the El Charro/I-580 interchange improvement project may be needed as each remaining parcel with the Specific Plan Area develops. Until the full improvements for Jack London Boulevard and/or Airway Boulevard extension to El Charro Road are completed, the El Charro/I-580 interchange will serve as the major access road to the Prime Outlets. Even after the completion of the Jack London Boulevard or Airway Boulevard extension option (Year 2008), the El Charro Road at I-580 eastbound ramps will still operate at LOS F (see Table 3.15-8). **PA5-7**

Cultural

There are no known prehistoric resources within State Right-of-Way (ROW). However, should ground-disturbing activities take place as part of this project within State ROW and there is an inadvertent archaeological or burial discovery, in compliance with CEQA, PRC 5024.5, and the Department's Standard Environmental Reference (SER) Chapter 2 (at http://ser.dot.ca.gov), all construction within 50 feet of the find shall cease. The Department's Cultural Resource Studies Office, District 4, shall be immediately contacted at (510) 286-5618. A staff archaeologist will evaluate the finds within one business day after contact. Archaeological resources may consist of, but are not limited to, dark, friable soils, charcoal, obsidian or chert flakes, grinding bowls, shell fragments, or deposits of bone, glass, metal, ceramics, or wood. **PA5-8**

We look forward to reviewing the additional information and analyses requested in this letter, in addition to revised plans and responses to our letters dated October 12 and 19, 2006 (enclosed). Please send the additional information to the address at the top of this letterhead, marked ATTN: Lisa Carboni, Mail Stop #10D. **PA5-9**

Again, please be advised that any work or traffic control within the State ROW will require an encroachment permit from the Department. To apply for an encroachment permit, submit a completed encroachment permit application, environmental documentation, and five (5) sets of **PA5-10**

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plans which clearly indicate State ROW to the address at the top of this letterhead, marked ATTN: Michael Condie, Mail Stop #5E.

PA5-10 Cont.

Should you have any questions regarding this letter, please call Lisa Carboni of my staff at (510) 622-5491.

Sincerely,

for TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

Enclosure: comment letters dated October 12 and 19, 2006

c: Scott Morgan (State Clearinghouse)

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:E OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

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October 12, 2006

ALA580825
SCH2006052112
ALA-580-16.70

Mr. Benjamin Murray
City of Livermore
1052 S. Livermore Avenue
Livermore, CA 94550

Dear Mr. Murray:

Prime Outlets Livermore (El Charro Specific Plan Development) – Project Referral, Permit Number SUB06-019

Thank you for continuing to include the California Department of Transportation (Department) in the environmental review for the proposed El Charro Specific Plan. The comments presented below are based on the Project Referral for the proposed Prime Outlets Livermore project. As lead agency, the City of Livermore is responsible for all project mitigation, including improvements to state highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. Any required roadway improvements should be completed prior to certificate of occupancy. While an encroachment permit is only required when the project involves work in the State Right of Way (ROW), the Department will not issue an encroachment permit until our concerns are adequately addressed. Therefore, we strongly recommend that the lead agency ensure resolution of the Department's concerns prior to submittal of an encroachment permit application. Further comments will be provided during the encroachment permit process; see the end of this letter for more information regarding encroachment permits.

PA5-9a

As outlined in our letter dated June 13, 2006 to Ms. Susan Frost, copy attached, our primary concern is with impacts to the State Highway system. The Traffic Impact Analysis (TIA) is needed. The first phase of the Interstate 580 (I-580)/Fallon Road Interchange (I/C) improvement project will be completed by 2008. The I/C improvement, a partial cloverleaf with widening of overpass and ramps, and the business and housing developments in the vicinity of the I/C should be considered in the future traffic forecasting. The second phase of the I-580/Fallon Road I/C improvement project may be needed.

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A couple of existing PG&E poles at the southeast corner of El Charro Road within State Right of Way (ROW) need to be relocated to outside State ROW or underground. Contact the City of Dublin for more information.

Provide a traffic management plan (TMP) and stage construction plans.

Details of curb and gutter (ST-9A), median curb (ST-9B), curb-ramps, and driveways are needed. Sidewalks, curb-ramps, crosswalks, and parking should meet Americans with Disabilities Act (ADA) standards. Refer to Pedestrian Accessibility Guidelines for Highway Projects in the ADA Accessibility Guidelines (ADAAG).

Cover Sheet: Information such as sheet index, vicinity map, project descriptions, legend, project data, and signature blocks for the City and Project Engineer should be shown on the first sheet of plans. Refer to Plans Preparation Manual, Section 2-2.1 – Title Sheets.

Sheet "CV1": Information such as stationing limits below each section, side slope, cross slope, ROW, edge of shoulder (ES), edge of traveled way (ETW), curb and gutter type, etc. are needed. Refer to Plans Preparation Manual, Section 2-2.2. – Typical Cross Sections. Cross section "H" should be "G".

Sheet "TM2": For Cross Section "D", 12' width of right turn lane is recommended. Refer to Highway Design Manual (HDM), Section 405.3(2)(a) – Right–turn Channelization.

Sheet "TM2": Bay tapers for median need to be verified. Refer to the HDM, Section 405.2(c) – Bay taper. What are the dark hatched areas at the corner of El Charro Road and the proposed Jack London Boulevard? Information such as layout lines, stationing, station equations, curve data, etc. are needed. Refer to Plans Preparation Manual, Section 2-2.4 – Layouts, Profiles, and Superelevation Diagrams.

Sheets "TM2"& "CV1": Realignment of the existing frontage road (Freisman Road) needs to be clarified. What is the 60' ROW crossing the proposed project site? R/W lines for the future widening of the east and the south sides of El Charro/I-580 eastbound on-ramp need to be shown in the cross sections "F" and "G".

Sheet "TM 2" & "Preliminary Massing Study": Layout details for the intersection of the proposed Jack London Boulevard and the proposed commercial driveway are needed. Refer to the HDM, Section 205.3 (4) – Commercial Driveways.

Hydraulics

The Department's existing drainage system at the northeast corner of El Charro and Freisman Roads would need to be relocated by the applicant. This system discharges into the City of Livermore drainage system and this historically established drainage pattern would have to be maintained.

PA5-9a Cont.

Landscape Architecture

The proposed project is located adjacent to I-580, which is designated as an "**Eligible State Scenic Highway**." As such, any negative visual impacts to motorists shall be kept to a minimum and/or be mitigated. The proposed shopping center would create visual clutter that could be perceived negatively. Existing views from the freeway, at the El Charro Road interchange, consist of open views of grassy fields and distant vegetation/hillsides. The proposed construction would block the distant views and replace them with views of parking lots, cars, and commercial buildings. A **visual impact assessment** should be completed (with simulations) to address potential visual effects of the project.

With multiple projects, Traffic Operating System (TOS), High Occupancy Vehicle (HOV) Lane, Oleander Median Planting Removal, and Sound Wall Placement proposed for this stretch of I-580, the cumulative effects with respect to visual quality could be significant without mitigation for plant loss. Each of these future projects will include replacement planting (as per the Department's policy) to reduce the visual impacts to less than significant levels. Sound walls will be aesthetically treated with pattern, color and texture that is consistent throughout the corridor with vine plantings to help reduce glare and deter graffiti.

PA5-9a Cont.

The Specific Plan should include provisions for perimeter screen plantings (mainly trees) to be placed between the freeway and proposed development to soften the visual impacts of the commercial complex on motorists. Planting on non-State ROW would be funded and maintained by others.

Signage

It appears as though all advertising on the display would be on-premise advertising; however, if any advertising is for products not located at the site, a permit from our Outdoor Advertising Branch would be required.

Please provide a complete set of revised plans for our review as well as the TIA, including Technical Appendices, and Draft Environmental Impact Report. Send two hard copies to:

Lisa Carboni
Office of Transit and Community Planning
Department of Transportation, District 4
P.O. Box 23660
Oakland, CA 94623-0660

Again, please be advised that any work or traffic control within the State ROW will require an encroachment permit from the Department. To apply for an encroachment permit, submit a completed encroachment permit application, environmental documentation, and five (5) sets of plans which clearly indicate State ROW to the following address:

Office of Permits
California Department of Transportation, District 04
P. O. Box 23660
Oakland, CA 94623-0660

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Should you have any questions regarding this letter, please call Lisa Carboni of my staff at (510) 622-5491.

PA5-9a

Sincerely,

signed for Tim Sable Christian Bushong

TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

Attachment: letter dated June 13, 2006

c: Scott Morgan (State Clearinghouse)

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TATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

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October 19, 2006

ALA580825
SCH2006052112
ALA-580-16.70

Mr. Benjamin Murray
City of Livermore
1052 S. Livermore Avenue
Livermore, CA 94550

Dear Mr. Murray:

Prime Outlets Livermore (El Charro Specific Plan Development) – Project Referral, Permit Number SUB06-019

Thank you for continuing to include the California Department of Transportation (Department) in the environmental review for the proposed El Charro Specific Plan. This letter supplements our letter to you dated October 12, 2006. We have the following additional comments based on our review of the Project Referral.

The proposed sidewalk along the eastern side of El Charro Road approaching the Interstate 580 (I-580) interchange (see the attached highlighted plan) should be coordinated with other pedestrian facilities in the vicinity. It should not be opened until it links to the pedestrian facility north of the I-580 interchange to maintain continuity. Is there any sidewalk/pedestrian facility proposed by the City of Dublin/County north of the I-580/El Charro Road interchange? **PA5-9b**

Please provide:

1. Complete drawings including structural plans.
2. Complete structural calculations.
3. Site plans showing all infrastructure being modified, widened or being newly built, including bridges and retaining walls.
4. Drainage and Hydraulics reports germane to pass-ways and waterways under the Department's and local agency bridges.

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Should you have any questions regarding this letter, please call Lisa Carboni of my staff at (510) 622-5491.

PA5-9b

Sincerely,

TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

Attachment: highlighted plans

c: Scott Morgan (State Clearinghouse)

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Response to Comment PA5-1

Comment expresses concern about a potential hospital development on the Children's Hospital property.

Although the property is owned by Children's Hospital, this is an investment property and there is no proposal for a hospital on the property. However, per the land use program in the ECSP, medical offices would be permitted and institutional uses would be conditionally permitted. Comment expresses concern that noise levels, building height limitations, and species' impact that make it infeasible to potentially build a hospital. Noise effects can be addressed through building design. Building height constraints exist, but ultimately do not eliminate the ability to develop, but rather the scale of potential development. Impact of development on rare, threatened, and endangered species, whether from a hospital or other use, is addressed in the EIR, including application of feasible development. The constraints, such as stream setbacks, riparian restoration, and offsite mitigation can address biological resource impacts of development.

No revisions to the DEIR are necessary.

Response to Comment PA5-2

Comment expresses concern about development on the Children's Hospital property and the analysis of potential traffic impacts.

There is no proposal for a hospital use. The site has been analyzed for either a 3,000-seat church assembly along with up to 140,000 square feet of institutional use associated with the church, or 225,000 square feet of BCP use. The EIR has adequately accounted for the potential traffic generation of either of these potential land uses. The base analyses used in the EIR for Specific Plan Buildout was 275,000 square foot of retail use (see Table 3.15-9 on p. 3.15-29 of the DEIR). During the weekday peak hours (see Table G-1 in Appendix G of this FEIR), the retail use would generate more trips than the church use and thus the analysis of Specific Plan Buildout is conservative if the church use occurs instead of commercial use on the Children's Hospital property. As to Sunday church traffic, the DEIR did analyze this under Impact TRA-3 on p. 3.15-38. The backing data has been added to the FEIR.

No revisions to the DEIR are necessary. Additional supportive data has been provided in Appendix G.

Response to Comment PA5-3

Comment asks why both the Jack London Extension and the Airway Extension are not analyzed together.

The proposed Jack London Boulevard Extension is part of the City of Livermore's General Plan. Although not currently part of the General Plan, the DEIR considered the Airway Boulevard Extension as a feasible alternative to the Jack London Boulevard Extension. If the Airway Boulevard Extension is selected as the preferred alignment, a General Plan Amendment is proposed that would add the Airway Boulevard Extension to the General Plan and delete the Jack London Boulevard from the General Plan. These two proposed extensions were analyzed separately, because it is intended that one or the other would be built, not both.

No revisions to the DEIR are necessary.

Response to Comment PA5-4

Comment states that feasible mitigation (Cumulative Mitigation Measure TRA-2a) is available for the Santa Rita Road and Pimlico Drive I-580 eastbound ramp intersection. The text has been changed in DEIR Chapter 4 to note that this mitigation is available for this impact. It should be noted that the City of Livermore finds the fair-share amount of mitigation for TRA-2a should be based on the impact to the existing adopted circulation network and not on that to an alternative circulation network without a Stoneridge Drive Extension.

Comment suggests that mitigation measures should be implemented for the intersection of Tassajara Road/I-580 westbound ramp and the Fallon Road/I-580 westbound ramp. The EIR identified no significant impacts at the intersections of Tassajara Road/I-580 westbound ramp and Fallon Road/I-580 westbound ramp. No mitigations are required.

Comment suggests that mitigation measures should be implemented for the Isabel Avenue/Jack London Boulevard project prior to this project. No feasible mitigations exist for the intersection of Isabel Avenue/Jack London Boulevard. This conclusion is consistent with conclusions in the Route 84 Project Study Report, dated 9/15/03; the Oaks Business Park EIR, dated 1/20/04; and the City of Livermore 2003 General Plan EIR, dated 2/9/04.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA5-5

Comment suggests that traffic control signal studies should be conducted to justify all proposed signalized intersections.

Traffic signals are currently included in the project plans for the I-580/ El Charro Road – Fallon Road interchange project. The following proposed signalized intersections and access points in the project site area have been analyzed and satisfy signal warrants:

- El Charro Road/Jack London Boulevard Extension
- Airway Boulevard/Airway Boulevard Extension
- Jack London Boulevard/Road A
- Jack London Boulevard/Road B
- Jack London Boulevard/Road C
- Road A/ First Access Road
- Road A/ Second Access Road
- Road A/ Freisman Road

Revisions to the DEIR

A summary of the results of the traffic warrant analyses can be found in Appendix G. The full analysis is available for review at the City of Livermore.

Response to Comment PA5-6

Comment asks for figures for utilities.

The locations of major utilities are shown on Figures 2-5a and 2-5b in Chapter 2.

No revisions to the DEIR are necessary.

Response to Comment PA5-7

Comment suggests that the second phase of the El Charro/I-580 interchange improvements may be needed as each parcel in the ECSP develops.

The 2008 Scenario with the Prime Outlets Project, which was assumed to be 550,000 square feet of retail uses in the traffic analysis, showed no significant impacts at the El Charro/I-580 interchange.

Mitigation measure TRA-2b was proposed for I-580 eastbound ramps at El Charro Road on page 3.15-36, to mitigate impacts of the 2008 Scenario with full buildout of the ECSP. This mitigation measure would construct a second right turn lane at the eastbound offramp to El Charro Road resulting in LOS C in both AM and PM peak hours. This improvement, identified as part of the second phase of El Charro/I-580 interchange improvements, will be completed prior to development of greater than 550,000 square feet of development in the El Charro Specific Plan area.

No revisions to the DEIR are necessary.

Response to Comment PA5-8

The comment provides specifics regarding inadvertent archaeological or burial discovery procedures in the State ROW. The text in Mitigation Measure CR-4 (page 3.5-12 of the DEIR) has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA5-9

The comment requests provision of information requested in this comment letter and as previously requested in correspondence of October 12 and 19, 2006. Responses to other information requests are discussed in prior responses. Responses to previous requests are noted below:

Response to Comment PA5-9a

This previously submitted comment on the project referral requests a traffic impact analysis and requests design level detail regarding utility poles, traffic management plans, construction staging, curb and gutter, crosswalks, parking, driveways, sidewalks, stationing, median detail right of way, and intersection detail. The previously submitted comment also notes the need to relocate the California Department of Transportation's) (Caltrans') drainage facilities at the corner of El Charro and Freisman Road. The previously submitted comment also requests a visual impact assessment with simulations and expresses concern about direct and cumulative visual impacts. The previously submitted comment also notes that signage within Caltrans' right of way would require a permit.

The EIR includes a traffic impact analysis, which includes the I-580/El Charro Road interchange. Improvements and widening of El Charro Road will include undergrounding of the existing electrical lines along the east side of El Charro Road between I-580 and the Arroyo Las Positas. Other comments noted. Construction plans for any work within Caltrans right of way will conform to applicable State standards and guidelines. Design details for construction will be submitted to Caltrans as part of the encroachment permit process.

There are three inlets within the Caltrans right-of-way near El Charro Road that currently drain into a ditch on the Staples Ranch property. The final design of El Charro Road will maintain the existing drainage facilities and/or incorporate them into the new drainage facilities designed for El Charro Road.

A visual impact assessment (including simulations) was conducted in the DEIR. Direct and cumulative impacts are both assessed. As noted in the DEIR, some of the visual impacts of the ECSP and cumulative impacts cannot be mitigated to a less than significant level due to the substantive change of visual character. The ECSP does include a vineyard visual buffer to soften the visual impacts of the commercial development, as suggested by Caltrans. The design of the Prime

Outlets Livermore Valley has been revised to reduce the amount of visual intrusion into the line of sight to the south Livermore hills. Plantings outside the Caltrans' right of way will be funded and maintained by the owners of new development in the Specific Plan Area.

Comments regarding the need for permitting for any signage within the Caltrans' right of way is noted.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA5-9b

The comment notes that the need for coordination about the sidewalk along the eastern side of El Charro Road and the need for design level roadway details and reports.

The proposed sidewalk along the eastern side of El Charro Road approaching I-580 will remain closed until completion of the adjoining pedestrian facilities north of I-580 in the City of Dublin. Comments regarding the need for design-level detail to support the encroachment permit process are noted, but are not necessary to complete CEQA impact analysis.

No revisions to the DEIR are necessary.

The details noted above are either already addressed in the DEIR or are details necessary for the subsequent Caltrans encroachment permit process and not necessary for the CEQA review.

Response to Comment PA5-10

Comment notes the need for and requirements for an encroachment permit.

Comment is noted but such detail is not necessary for completion of the CEQA process and will be provided to Caltrans when applications for the encroachment permits are submitted.

No revisions to the DEIR are necessary.

Comment Letter PA6—California Regional Water Quality Control Board

California Regional Water Quality Control Board
San Francisco Bay Region

1515 Clay Street, Suite 1400, Oakland, California 94612
(510) 622-2300 • Fax (510) 622-2460
http://www.waterboards.ca.gov/sanfranciscobay

Linda S. Adams
Secretary for
Environmental Protection

Arnold Schwarzenegger
Governor

PA6

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FEB 26 2007
PLANNING DIVISION

Date: FEB 23 2007
File No. 2198.09 (BKW)

Susan Frost, Principal Planner
Livermore Community Development Department
1052 South Livermore Avenue
Livermore, CA 94550

Re: Comments on the Draft Environmental Impact Report for the El Charro Specific Plan
SCH No.: 2006052112

Dear Ms. Frost:

Regional Water Quality Control Board (Water Board) staff appreciate the opportunity to review the January 2007 *Draft Environmental Impact Report for the El Charro Specific Plan* (DEIR). The DEIR assesses anticipated environmental impacts resulting from the development of a Specific Plan document for an approximately 250-acre area located on the western side of the City of Livermore. In general, the proposed Specific Plan is sensitive to providing appropriate riparian setbacks and to providing stormwater quality management facilities for the proposed development within the Specific Plan. Water Board staff have the following comments on aspects of the Specific Plan, as presented in the DEIR, which may impact waters of the State. **PA6-1**

Comment 1.
Potential Re-Alignment of Cottonwood Creek. (Pages ES-13, ES-14, 2-29, 3.4-39, 3.4-46, and 3.4-49).
Children's Hospital Site Alternative 1 and one of the Airport Boulevard extension options include the re-alignment of Cottonwood Creek to the eastern side of the Children's Hospital site. As the DEIR notes, "Cottonwood Creek provides aquatic habitat for the CRLF and a potential migration corridor for CTS and other riparian species, and its realignment would reduce the amount of extant riparian habitat." Water Board staff are concerned that realignment of Cottonwood Creek may face insurmountable regulatory barriers and, even if the various resource protection agencies were to issue permits for such a realignment, any realignment of the creek would be very costly and time-consuming. **PA6-2**

Several years ago, sediment was removed from the reach of Altamont Creek near the Springtown Golf Course. During preparation for the sediment removal project, in excess of 40 California red-legged frogs (CRLF) were relocated from the project reach. Since that time, CRLF do not appear to have become re-established in this reach of Altamont Creek, since monitoring associated with mitigation for the sediment removal project and the operation of an irrigation water pond at the golf course have failed to detect significant numbers of CRLF in this reach of Altamont Creek. Therefore, it appears that even temporary disturbances of creeks in this area may have significant, lasting impacts on CRLF populations. Therefore, any realignment of Cottonwood Creek would require that the new alignment be constructed and be documented to be providing functional habitat for CRFL and/or migration habitat for California tiger salamander (CTS) before the current alignment could be filled. It is very likely that the current

alignment could not be filled until 10 or more years after the new alignment was constructed. In addition, if CRLF and/or CTS were not documented in the new alignment, the agencies are not likely to allow the current alignment to be filled.

Before the Water Board could permit realignment of Cottonwood Creek, the *San Francisco Bay Basin Water Quality Control Plan* (Basin Plan) requires a demonstration that the channel realignment represents the least environmentally damaging practicable alternative to achieve the project goal. Since the project goals could be attained with higher buildings and/or a General Plan Amendment for the visual corridor policy, it is likely that making such a demonstration would not be possible.

PA6-2 Cont.

The design of a geomorphically stable creek channel is a complex process. Designs acceptable to the resource agencies would have to be based on the collection of five or more years of site specific data, including, but not limited to, sediment load, bankfull flow elevations, and cross-section and thalweg stability. Such data will be essential to developing a design that could be submitted to the resource agencies for review and approval. The new channel would also be required to have the same length, gradient, and sinuosity as the existing channel.

Any channel realignment would also require significant post realignment maintenance and monitoring in Cottonwood Creek. Twenty years of post-construction monitoring are likely to be necessary to properly evaluate the post-realignment stability of the creek channel. In addition, contingency measures must be developed so that corrective measures can be rapidly implemented in the event that the channel realignment proves to be unstable. The project would also need to ensure that adequate funding for contingency measures was available. Any permits issued for the realignment would probably require that the project proponents provide the resource agencies with a bond containing sufficient funding for the implementation and long-term monitoring and maintenance of contingency measures.

Comment 2.
Discussions of Regulatory Requirements for Wetlands and Waters of the U.S. Should be Expanded to Include Impacts to Waters of the State (Table ES-1 (Impact BIO-8) and pages 3.4-3, 3.4-25, 3.4-30, 3.4-47, 3.4-50, and 3.8-11).
Text in several sections of the DEIR discusses the regulation of wetlands and waters of the U.S. However, as is noted on page 3.4-9 of the DEIR, "isolated seasonal wetlands along the golf course and airport margins and near the intersection of El Charro and Freisman Roads are likely not jurisdictional wetlands for the USACE but are regulated by the SFBRWQCB [San Francisco Bay Regional Water Quality Control Board]." We recommend improving the DEIR by consistently noting that some waters and wetlands in the area of the Specific Plan that are not subject to federal jurisdiction under the Clean Water Act are jurisdictional features as waters of the State, under the authority of the State of California's Porter-Cologne Water Quality Control Act.

PA6-3

In addition, the term "jurisdictional" is used inconsistently in the DEIR. In some cases, the DEIR clarifies that some features are not "Corps jurisdictional", while in other places features are described as not being "jurisdictional waters". Since these "non jurisdictional" features appear to be jurisdictional waters of the State, the text should be revised to clarify that "non jurisdictional" waters are "non Corps jurisdictional", but are jurisdictional under State law and regulations.

The Water Board has regulatory authority over wetlands and waterways under both the federal Clean Water Act (CWA) and the State of California's Porter-Cologne Water Quality Control Act (California Water Code, Division 7). Under the CWA, the Water Board has regulatory authority over actions in waters of the United States, through the issuance of water quality certifications (certifications) under

Section 401 of the CWA, which are issued in combination with permits issued by the Army Corps of Engineers (ACOE), under Section 404 of the CWA. When the Water Board issues Section 401 certifications, it simultaneously issues general Waste Discharge Requirements (WDRs) for the project, under the Porter-Cologne Water Quality Control Act. Activities in areas that are outside of the jurisdiction of the ACOE (e.g., isolated wetlands, vernal pools, or stream banks above the ordinary high water mark) are regulated by the Water Board, under the authority of the Porter-Cologne Water Quality Control Act. Activities that lie outside of ACOE jurisdiction may require the issuance of either individual or general WDRs from the Water Board. A discussion of Porter-Cologne should be added to the discussion of State Regulations that starts on page 3.4-25.

PA6-3 Cont.

Comment 3.
Mitigation Measure BIO-7a: Design, Fund, and Implement the Arroyo Las Positas Habitat Enhancement Plan to Enhance, Re-Create, or Restore Riparian Forest and Grassland Habitat along Portions of the Arroyo Las Positas and Cottonwood Creek (pages 3.4-46 and 3.4-47).
In general the proposed mitigation measure appears to be appropriate for the project impacts. Water Board staff are pleased to note that impacts and mitigation in the DEIR are expressed in terms of linear feet, as well as acres, since the functions and values of riparian corridors are a function of their linear character. However the proposed minimum ratio of 1:1 appears to be too low. Mitigation measures should include factors to account for temporal losses of habitat, the uncertainty of success associated with any mitigation project, and potential distances between the areas of impact and the mitigation sites. Therefore, the proposed minimum ratio should be increased.

PA6-4

In addition, for a major riparian restoration project, the minimum period of monitoring should be 10 years, rather than the five years proposed on page 3.4-47.

Comment 4.
Discussion of Beneficial Uses (page 3.8-12).
Text in this section of the DEIR states, "Although portions of the Alameda Creek watershed contain existing beneficial uses, none have been designated in the Basin Plan for the Arroyo Mocho, Cottonwood Creek, and the Arroyo Las Positas." The DEIR should note that, using the tributary rule, all beneficial uses assigned to Alameda Creek apply to its tributaries[1]. In addition, the Basin Plan instructs the Water Board to protect the existing ***and potential*** beneficial uses of waters of the State. The DEIR should include a review of the existing and potential beneficial uses of Alameda Creek, and, except where such uses can be clearly eliminated, consider these existing and potential beneficial uses to be appropriate for the Arroyo Mocho, Cottonwood Creek, and the Arroyo Las Positas.

PA6-5

If you have any questions, please contact me at (510) 622-5680, or via e-mail at bwines@waterboards.ca.gov.

Sincerely,

Brian Wines
Water Resources Control Engineer
South and East Bay Watershed Section

[1] The beneficial uses of any specifically identified water body generally apply to all its tributaries (Section 2.2.1 of the Basin Plan).

Response to Comment PA6-1

The comment is introductory in nature and acknowledges that the appropriate riparian setbacks and stormwater quality management facilities for development within the Specific Plan Area are documented in the DEIR.

No revisions to the DEIR are necessary.

Response to Comment PA6-2

The comment notes concerns about the potential realignment of Cottonwood Creek including "insurmountable regulatory permits", cost, timing, effects on California-red-legged populations and California tiger salamander migration. Comment notes that any realignment must be demonstrated to be the "least environmentally damaging practicable alternative" to be approvable by the Regional Water Quality Control Board (RWQCB). Comments notes that the existing alignment might not be able to be filled until 10 years after the new channel was constructed and that CRLF and CTS would need to be documented in the new channel. Comment also notes that up to 5 years of site-specific data would be needed to support design of the new channel, in addition to up to 20 years of post-construction monitoring, contingency measures, and funding guarantees.

Please see the Master Response concerning Cottonwood Creek Realignment in Chapter 2.

Response to Comment PA6-3

Comment suggests that the DEIR should clarify between waters that are under the jurisdiction of the U.S. Army Corps of Engineers under the federal Clean Water Act and waters that are under the jurisdiction of the state and the RWQCB. The comment also suggest that the DEIR should add discussion of the Porter-Cologne Water Quality Control Act and its relation to authority over state waters that are not under the jurisdiction of the Corps.

The DEIR does discuss the Porter-Cologne Water Quality Act in Section 3.8, "Hydrology and Water Quality," on p. 3.8-11. Additional language has been added to Section 3.4 as requested to clarify state vs. federal waters. The DEIR adequately describes impacts to all waters (federal or state) and thus there is no need for additional impact analysis.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA6-4

The comment asserts that the 1:1 ratio for Mitigation Measure BIO-7a is too low because it should account for temporal losses, uncertainty, and potential distance between locations of impact and mitigation sites. The comment also suggests that the minimum period of monitoring should be 10 years.

Final mitigation ratios will be determined during the permit process with RWQCB, DFG, and USACE. The DEIR establishes a minimum ratio for the mitigation must be to replace the areas of removed habitat. It is the intent to fully replace any lost riparian habitat along Cottonwood Creek and along Arroyo Las Positas so there is no net loss of riparian habitat.

The area of affected habitat is limited (estimated as 1 to 2 acres in the DEIR) such that the stream reaches along Cottonwood Creek and Arroyo Las Positas will not be substantially altered in terms of their overall habitat value except at the locations of the outfalls and bridges where riparian habitats will be disturbed. Thus, it is not warranted that temporal losses need to be mitigated to avoid significant impacts. The comment references uncertainty, but does not substantiate the source of the alleged uncertainty. Mitigation Measure BIO-7a proposes removal of existing bridges and one culvert, and planting of riparian vegetation and adjacent upland areas with monitoring and remedial action if plantings do not meet success criteria. These actions are reasonably certain to achieve success over time, although the duration to ultimately meet the success criteria may vary and could take longer than the minimum monitoring period of 5 years. Thus, an increase of the mitigation ratios for "uncertainty" does not appear warranted.

As to the distance between impact and mitigation locations, this is not applicable to this impact and mitigation. The outfalls for the detention basin, overbank channel, and Prime Outlets storm drainage are just below the fish ladder and the area immediately upstream of the fish ladder is the primary mitigation site. The Jack London bridge crossing is at the upper end of the primary mitigation site. The bridges and culvert to be removed on the Children's Hospital site are adjacent to the location of the new bridges to be added. Further, there are opportunities on the Children's Hospital site to enhance the riparian corridor within the required setback areas that are nearby the new bridge locations.

As to the need for a minimum monitoring period of 10 years, the City suggests instead that the monitoring be tied to the success criteria. If the success criteria are met in 5 years, then no further monitoring need be conducted. If they are not met in 5 years, then additional monitoring and potentially remedial action will be needed.

No revisions to the DEIR are necessary.

Response to Comment PA6-5

Comment states that the beneficial uses assigned to Alameda Creek also apply to its tributaries. Further, the comment requests that the DEIR should include a review of the potential beneficial uses of Alameda Creek because the Basin Plan requires the Water Board to protect potential beneficial uses.

The text on p. 3.8-12 has been updated to note that the beneficial uses of Alameda Creek also apply to its tributaries. Designated beneficial uses of Alameda Creek are noted in the DEIR as agricultural supply, groundwater recharge, water contact recreation, non-contact water recreation, fish spawning, warm freshwater habitat, wildlife habitat, and cold freshwater habitat. Although it was not stated that these beneficial uses apply to the tributaries in the text, the tributary rule was understood, which is why the impact of the project on designated beneficial uses was evaluated in the DEIR. There are no known agricultural diversions for supply along Cottonwood Creek and Arroyo Las Positas; further the project would not result in flow diversion that would affect supply uses or normal flows in Arroyo Las Positas or downstream. Groundwater recharge impacts are assessed in Section 3.8 in the DEIR. There is no water contact recreation (such as wading, fishing, or swimming) in the waters that cross the site as there is no public access and the creeks are too narrow for such use. There is no non-contact water recreation within the project site as the creeks are too narrow and provide too little flow for canoeing and kayaking. The creeks provide wildlife habitat and warm freshwater habitat and this is assessed in the DEIR in Section 3.4. As discussed in Section 3.4, the creeks within the project area do not provide cold freshwater or salmonid spawning area use and do not provide a migratory corridor for salmonids. Salmonid migration is blocked at present by downstream barriers to passage. Further, even if the downstream barriers are removed, there is no suitable spawning or rearing habitat for salmonids on Arroyo Las Positas or Cottonwood Creek and thus these creeks would not provide migratory routes to spawning areas in the future.

The comment suggestion to analyze *potential* beneficial uses but does not articulate what other potential uses should be assessed. As such, it would be speculative to guess what other potential uses, not articulated in the Basin Plan or articulated by the RWQCB in their letter, might exist for the two creeks in the area. Further, under CEQA, it is only required to analyze the impacts of projects on the existing environment, which in this case is defined as the existing beneficial uses, not on potential beneficial uses that might exist at some future date. That said, as noted above the potential beneficial use for cold freshwater habitat and migratory corridor for salmonids, which does not exist today, was considered in the DEIR and found to not be an issue.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Comment Letter PA7—County of Alameda Public Works Agency

PA7

COUNTY OF ALAMEDA
PUBLIC WORKS AGENCY
DEVELOPMENT SERVICES DEPARTMENT
951 Turner Court, Room 100
Hayward, CA 94545-2698
(510) 670-6601
FAX (510) 670-5269

February 26, 2007

Susan Frost, Principal Planner
Livermore Community Development Department
1052 South Livermore Avenue
Livermore, CA 94550

Dear Ms. Frost:

Subject: Alameda County Public Works Agency Comments on the Draft City of Livermore El Charro Specific Plan and Draft Environmental Impact Report for the El Charro Specific Plan

We have received and reviewed the Draft City of Livermore El Charro Specific Plan and Draft Environmental Impact Report for the El Charro Specific Plan dated January 2007.

1. It is unclear when the Jack London Boulevard/Airway Boulevard extension will be completed. Because use of El Charro as sole access to the development area would create public service issues, including impacts on transportation, any phasing needs to be clearly identified and analyzed. The connection of Jack London Boulevard to existing city streets to the east should be related to the allowed development levels in the specific plan, and development limited to the levels shown until such time as the improvements are completed. **PA7-1**

   Prior to any review of this proposed project by the Alameda County Public Works Agency, the following aspects regarding El Charro Road need further definition:

   - Jurisdiction for the road design approval
   - Road maintenance and future road improvement responsibility
   - El Charro Road right-of-way ownership
   - Impacts on Quarry operations and existing easements and Surface Mining Permit conditions should be considered.

   If it is intended that Alameda County will own and maintain the proposed improvements to El Charro Road right-of-way, then these four issues must be addressed to the satisfaction of the County.

2. We recommend that El Charro Road remain in private ownership until the above issues are resolved, or that El Charro road be annexed and accepted by the adjoining Cities who could then plan appropriate improvements to the roadway to support developments proposed within the City limits. Alternatively, the City should enter into an agreement to accept maintenance and liability of El Charro for the new improvements and additional traffic. We understand there is a draft agreement being negotiated between the County, Livermore and Pleasanton that will address **PA7-2**

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the ownership and maintenance issues, but that the agreement has not yet been finalized. PA7-2 Cont.

3. The document references the realignment and widening of El Charro Road, portions of which are a County roadway, to improve traffic safety. However, the only plan that we could find is Figure 2-13 and it is small and difficult to read. PA7-3

4. The proposed improvements would significantly increase traffic on El Charro Road. El Charro Road is the only access to the quarries south of the project limits. Impact TRA-5 appears to address the potential conflict between the quarry trucks and public traffic. The new improvements discussed as mitigation appear to be acceptable but the plan was not legible. PA7-4

5. Alameda County should not own or maintain any portion of Jack London Boulevard. PA7-5

6. A portion of Jack London Boulevard extends beyond the Livermore city limits into unincorporated area between the El Charro Road and the airport. Alameda County will not own or maintain the right-of-way. The ownership of this portion of right-of-way needs to be resolved. PA7-6

7. The streams and channels within and downstream of the project site can ill afford the cumulative effect that a loss of riparian corridor would have on flooding, sedimentation, erosion and water quality. Existing open channels and their riparian vegetation should remain intact. PA7-7

8. Open space designations and protections should extend along the entire length of the streams within the project area, including the northwestern most reaches of stream. PA7-8

9. Where possible, concentrate required landscaping along stream or riparian boundaries to maximize riparian buffer effects. PA7-9

10. Landscape vegetation should be regionally native species. Any non-native species should not be identified as invasive to riparian environments to eliminate the possibility of their seeds to colonize the channel downstream. PA7-10

11. Storm water system connections were not fully apparent on the preliminary site plan. Storm water system connections to privately owned and maintained watercourses will require a watercourse permit from the Alameda County Public Works Agency. Storm water system connections to an Alameda County Flood Control and Water Conservation District Zone 7 facility will require review and approval by Zone 7. Review of storm water conveyance and storm water quality control aspects of this development can be referred to Alameda County Flood Control and Water Conservation District, Zone 7, 5997 Parkside Drive, Pleasanton CA, 94588, 925-484-2600. PA7-11

12. Site and roadway drainage should be owned and maintained by the property owner or the City of Livermore. El Charro Road currently has inadequate or non-existing drainage facilities. PA7-12

The portion of El Charro Road within County jurisdiction borders between the City of Livermore, City of Pleasanton, Caltrans and private lands. We understand that private and public portions of El Charro Road lies within the sphere of influence for the City of Pleasanton and will eventually be annexed by the City of Pleasanton. We understand both PA7-13

the City and County are reviewing Specific Plans for this area and it is not clear how the proposed development in the area relates to those Specific Plans and the documents status.

PA7-13 Cont.

If you have any questions or comments regarding our preliminary review of this project, please contact me at 510-670-5249 or Steven Hunte at 510-670-5257.

Very truly yours,

Karen Borrmann
Principal Civil Engineer
Development Services

Response to Comment PA7-1

The comment states that the connection of Jack London Boulevard/Airway Boulevard extension should be related to the allowed development levels in the ECSP. The comment also requests further definition concerning jurisdiction, maintenance and responsibility, right of way, and impact on quarry operations related to El Charro Road.

The DEIR traffic analysis considered a 2008 Scenario with 550,000 square feet of retail development and no through connection of Jack London/Airway Boulevard to Isabel Avenue. Impacts and mitigation measures for this scenario were identified that did not include the extension of Jack London/Airway Boulevard. The DEIR traffic analysis also considered a 2008 Scenario with full buildout of the ECSP with 2-lane Jack London/Airway Boulevard Extension alternatives. Thus, under this EIR up to 550,000 square feet or retail development could proceed prior to completion of the Jack London/Airway Boulevard extension and the entire buildout of the Specific Plan area could occur with the 2-lane extension.

Additional analysis was completed after the DEIR to examine cumulative traffic impacts with the ECSP with only a 2-lane Jack London Boulevard Extension. This analysis has been added to Appendix G. The results indicate that the project with the 2-lane Jack London Boulevard Extension would not result in any new significant impacts nor substantially more severe impacts than with the 4-lane extension. Thus, a 4-lane extension of Jack London Boulevard is no longer considered part of this Project and is not required as mitigation for the Project (with a 2-lane Jack London extension). The 4-lane extension of Jack London Boulevard remains in the Livermore General Plan and would be advanced by the City to improve freeway operations, to improve intercity circulation/connection, and/or to provide better emergency access in the event of I-580 congestion. A master response has been prepared to further address this issue. Please refer to Chapter 2 of this document.

The 2-lane Jack London Boulevard Extension option would be constructed before occupancy of any additional retail uses beyond the 550,000 square feet noted above.

The comments relating to design, maintenance, and ownership of improvements to El Charro Road are noted. The City of Livermore has been addressing these issues in on-going discussions with Alameda County Surplus Property Authority, City of Pleasanton, and Vulcan Materials.

Regarding potential impact on quarry operations, easements, and mining permit conditions, the impact on the quarries has been assessed in the DEIR.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA7-2

This comment concerns ownership of El Charro Road and timing of potential changes in ownership and maintenance.

Comment noted. This comment raises no issues concerning the EIR or environmental impacts.

No revisions to the DEIR are necessary.

Response to Comment PA7-3

This comment states that the El Charro road plan in the DEIR is small and difficult to read.

Comment noted. Full size concept plans showing El Charro Road Improvements have been provided to Alameda County Public Works Agency. If requested, full size final design plans will be provided to Alameda County Public Works Agency when they are complete.

No revisions to the DEIR are necessary.

Response to Comment PA7-4

The comment states that the El Charro Road improvement plan is not legible.

Comment noted. Full size concept plans showing El Charro Road Improvements have been provided to Alameda County Public Works Agency. If requested, full size final design plans will be provided to Alameda County Public Works Agency when they are complete.

No revisions to the DEIR are necessary.

Response to Comment PA7-5

The comment states that the County does not desire to own any part of Jack London Boulevard.

The City of Livermore intends to own and maintain all of Jack London Boulevard including the portion that is in unincorporated Alameda County.

No revisions to the DEIR are necessary.

Response to Comment PA7-6

The comment states that the County does not desire to own any part of Jack London Boulevard and that ownership of this road needs to be clarified.

The City of Livermore intends to own and maintain all of Jack London Boulevard including the portion that is in unincorporated Alameda County.

No revisions to the DEIR are necessary.

Response to Comment PA7-7

The comment states that existing open channels and their riparian vegetation should remain intact to prevent cumulative impacts on flooding, sedimentation, erosion, and water quality.

The ECSP will not result in loss of existing channels and their riparian vegetation. The ECSP includes setbacks from Arroyo Las Positas and Cottonwood Creek to protect riparian areas. Loss of a limited amount of riparian vegetation will be mitigated through restoration plantings and removal of obsolete bridges and a culvert. Project effects related to flooding, sedimentation, erosion, and water quality are discussed in Section 3.8, "Hydrology and Water Quality."

Regarding potential realignment of Cottonwood Creek if the Airway Extension has to be built, see the Master Response concerning Cottonwood Creek in Chapter 2.

No revisions to the DEIR are necessary.

Response to Comment PA7-8

Comment suggests that open space designations and protections should extend along the length of the streams within the project area.

The ECSP preserves a setback area of 100 feet from Arroyo Las Positas and Cottonwood Creek with exception of a 50-foot setback within an area of existing development on the Children's Hospital property. Where the 50-foot setback is proposed on the northern side of Arroyo Las Positas on the Children's Hospital property, the southern setback is increased to 150-feet to provide for a minimum total of 200 feet of setback.

No revisions to the DEIR are necessary.

Response to Comment PA7-9

Comment suggests focusing landscaping along riparian corridors to maximize riparian buffers.

The ECSP includes setback areas, which will be planted in riparian vegetation and non-native grassland to enhance retained riparian corridor values.

No revisions to the DEIR are necessary.

Response to Comment PA7-10

Comment suggests use of regionally native landscaping species to prevent colonization of stream channels by non-native species.

The ECSP calls for "Native and drought-tolerant plant materials, contextual to the City of Livermore, should be used throughout the Plan Area. Table 3-1 lists all acceptable plant materials. " See p. 3-41, Section 3.11.1, General Planting).

The ECSP also calls for "native, naturalized, or Red Fescue grasses, or with groundcover and accent shrubs (must conform to City Standard L-21)" in all swales on-site (see p. 3-51, Section 3.11.3, Storm Drainage).

Not all non-native species are invasive, nor is it necessary to preclude the absolute avoidance of all non-native species in landscaping to avoid significant impacts to riparian environments. No non-native invasive species will be used for riparian restoration, but this is a well-established practice for restoration projects that is presumed to be applied.

No revisions to the DEIR are necessary.

Response to Comment PA7-11

Comment described certain permitting requirements relative to storm water system connections.

Comment is noted. City is aware of the described permitting requirements. The DEIR was circulated to Alameda County Public Works and to Zone 7.

No revisions to the DEIR are necessary.

Response to Comment PA7-12

Comment states that site and road drainage should be owned by property owners or the City of Livermore and that El Charro Road has inadequate or non-existent drainage facilities.

Planned improvement to El Charro Road include curb, gutter and drainage systems. The City of Livermore agrees to maintain the roadway and drainage systems until they are annexed into the City of Pleasanton.

No revisions to the DEIR are necessary.

Response to Comment PA7-13

Comment questions the relation of El Charro Road to Pleasanton and Livermore Specific Plans.

The City of Livermore, City of Pleasanton, and Alameda County Surplus Property Authority have been coordinating the ECSP and the proposed Staples Ranch project for over a year. The EIR for the ECSP considered both the existing Staples Ranch Specific Plan and the proposed amendment.

No revisions to the DEIR are necessary.

Comment Letter PA8—Alameda County Flood Control and Water Conservation District (Zone 7)

PA8

ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

100 NORTH CANYONS PARKWAY, LIVERMORE, CA 94551-9486 PHONE (925) 454-5000

February 26, 2007

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PLANNING DIVISION

Ms. Susan Frost, Principal Planner
Livermore Community Development Department
1052 South Livermore Avenue
Livermore, CA 94550

Subject: **Comments on Draft Environmental Impact Report for the El Charro Specific Plan**

Dear Ms. Frost:

Thank you for the opportunity to review and comment on the DEIR for the El Charro Specific Plan (ECSP). This project is regionally important and we wanted to state our general support for it. Many of the comments we have are technical and do not reflect negatively on Zone 7's support for the project. These detailed technical comments are attached to this letter. **PA8-1**

The primary focus of these comments has to do with how this project, which covers a large portion of a major flood plain, will fit into the regional flood protection planning outlined and adopted by our Board last summer in the Zone's new Stream Management Master Plan (SMMP). We are happy with the cooperation and collaboration that has been occurring between Zone 7 and City staff. Many concerns have already been addressed and we feel that many of the remaining technical concerns will be resolved as discussions continue between Zone 7 and City staff. In fact, much of the information and data provided in the ECSP will be useful in establishing priorities and implementation planning for the SMMP as Zone 7 develops approaches to addressing pre-project flows in the immediate ECSP and golf course area that already exceed the capacity of existing channels and force water into the floodplains, in addition to planning for ultimate flows through the area.

We understand that the current City staff preference is for the southern, Jack London, alignment, primarily due to environmental habitat issues. It is important to note, however, that our consultant, Northern Hydraulics, as well as the Zone 7 staff feel that regional flood protection would be better served by the alternative that includes a northern alignment of Airway Blvd. as there is not as much potential for conflict with the SMMP and it does not create as many structural interferences. Both alignments could conceptually work and we understand the limitations imposed by environmental concerns but would suggest that if the City chooses to proceed with the southern alignment, it will require a more detailed analysis to confirm that the proposed flood mitigation is adequate. We believe that further development of data and analysis of the Project's impact upon the floodplain as well as an evaluation of the downstream impacts, is needed before implementation of the ECSP. **PA8-2**

As noted in various areas of the DEIR, some features of the ECSP may be incompatible with Zone 7's future SMMP regional flood control measures. As proposed, the ECSP may result in removal of existing floodplain without addressing downstream or adjacent property effects. **PA8-3**

Additional data and analysis of these issues will be key considerations in Zone 7's development of the implementation for the SMMP. PA8-3 Cont.

In summary, given the limited information and analysis contained in the DEIR concerning the impacts to the floodplain as well as downstream impacts, Zone 7 believes that it should have review and approval authority over design of facilities impacting regional storm water conveyance and management facilities to ensure that the Project will conform to Zone 7's current and future policies regarding regional flood control, including design and development impact fee structures, before any grading or building permits are issued for the Project. Encroachment permits will also be required prior to starting any work within Zone 7 easements and/or property. PA8-4

We appreciate the opportunity to comment on this document and look forward to working with City staff to resolve any outstanding issues. If you have any questions or comments, please feel free to contact me at 925-454-5016.

Sincerely,

G.F. Duerig
General Manager

cc: Cheri Sheets, City of Livermore
Amy Naamani, Karla Nemeth, Jim Horen, YK Chan, Joe Seto, John Koltz, Carol Mahoney, Jeff Tang, Mary Lim

Zone 7's Detailed Technical Comments on El Charro Specific Plan DEIR

Zone 7 has reviewed the referenced CEQA document in the context of Zone 7's mission to provide drinking water, non-potable water for agriculture/irrigated turf, flood protection, and groundwater and stream management within the Livermore-Amador Valley. We have the following comments.

1. The El Charro Specific Plan (ECSP) proposes installation of detention basins south of Arroyo Las Positas and north of the Arroyo Mocho, and a north overbank flow-through channel. Although, this proposal appears to be conceptually reasonable for the purposes of mitigating for loss of natural floodplain storage due to development, a detailed analysis of the area under the proposed condition is required to substantiate that the proposal is adequate.

   Zone 7 has reviewed the hydrology/hydraulic analyses of Schaaf & Wheeler Consulting Engineers (S&W). Zone 7 retained the services of Northwest Hydraulics Consultants Inc. (NHC) to provide peer review of S&W's analyses, as well as provide a more detailed analysis of the proposed ECSP area under existing conditions. The results of NHC's analysis, utilizing the unsteady flow modeling capabilities of HEC-RAS, indicate that the amount of floodflows to the north is somewhat greater although within the same order of magnitude (~960 cfs vs 630 cfs) than S&W's analysis, which utilizes the steady flow modeling of HEC-RAS. The unsteady flow model provides greater accuracy when simulating real flow events over a complex topography with various physical processes to consider.

   The ECSP area is a complicated region with many variables that needed to be considered and analyzed. We request that any future detailed hydrology/hydraulic analysis be modeled for unsteady flow conditions, to provide the level of accuracy necessary for this region of the Livermore Valley. Such analysis however, would require the City to decide on the roadway alignment. Zone 7 opines that the Northern alignment would provide less impact to the existing natural floodplain (no roadway within the floodplain and no necessary culverts, making it less hydraulically complex) than the Southern alignment. The Southern alignment would be an encroachment of the floodplain and possibly cause erosion issues due to the increased velocities through the culverts proposed in S&W's study, resulting in a substantial amount of maintenance at the culverts to ensure proper passage of floodplain waters. A northern alignment may also help facilitate a cooperative project between the City and Zone 7 for improvements within the golf course.

PA8-5

2. On page ES-6, in the last sentence in the paragraph at the top of the page only refers to the Southern alignment. The sentence should mention the characteristics of both the Southern and Northern alignments. If the Northern alignment option is selected, there will be 2 bridge crossings, one on the Arroyo Las Positas and the other at Cottonwood Creek. If the Southern alignment is selected, there will be a bridge crossing the Arroyo Las Positas and a system of culverts under the elevated roadway to allow the passage of floodplain waters.

PA8-6

3/9

3. On page ES-7, the proposed storm drainage system would need to demonstrate that any new stormflows will not have a floodplain or downstream impact. Since the drainage system was not accounted for in the 2004 Storm Drainage Master Plan, nor was development in the ECSP accounted for in Zone 7's Stream Management Master Plan, a hydrology study would be required to determine whether there will be any floodplain or downstream impacts. **PA8-7**

4. On page ES-7, in the 1st paragraph under Storm Drainage, Flood Control/Water Quality Improvements, relocate last sentence to next paragraph and explain that the development proposes to build in a natural floodplain and should be revised to read: "To mitigate for the removal of the natural floodplain, diversion and detention of floodwaters is proposed." **PA8-8**

5. On page ES-7, under Stormwater Treatment and Detention, what design storm are the treatments for? **PA8-9**

6. On page ES-8, under Water Quality Swales and Basins, any drainage system draining into the Arroyo Las Positas will need to demonstrate to Zone 7 that there are no adverse impacts to the floodplain or downstream. Zone 7 review and approval of a detailed hydrology/hydraulics study would be required. **PA8-10**

7. On page ES-9, under Open Space, 2nd paragraph, any new bridge proposed would have to be clear-span and provide necessary clearances. **PA8-11**

8. On page ES-10, under Development Projects, any project proposed within the ECSP are will be required to demonstrate in a detailed hydrology analysis that the drainage from the sites will not have an impact on the floodplain or downstream in Zone 7's flood protection facilities. **PA8-12**

9. On page ES-12, under Flood Control Desilting Alternative, the desilting of the Arroyo Las Positas between Kittyhawk Rd/Isabel Ave, Airway Blvd, and through the golf course, is a long-term goal of Zone 7's SMMP. Desilting of the channel at this time would allow the conveyance of floodwaters downstream without the proper implementation of floodwater routing to the Chain of Lakes. This alternative is not consistent with the SMMP. The existing channel capacity of the Positas is greatly undersized for the ultimate buildout design flow of 9,600 cfs. The SMMP proposes to widen the Arroyo Las Positas through the golf course to meet the ultimate design buildout design flow, not just restore original channel capacity. **PA8-13**

10. Point of Clarification…On page 2-2, under Existing Conditions, last sentence in the 1st paragraph should read "The remainder of the Specific Plan Area is owned by Zone 7 and the City and used either as part of a flood control program or as a buffer to the airport, respectively."

    In the 2nd paragraph, the 2nd sentence should indicate that only 1,200 feet of the western portion of the Arroyo Las Positas has been channelized to accommodate the 100-year ultimate design flow; the Arroyo Las Positas upstream of the channelized section remains in its natural state and is unable to support the 100-year ultimate design flow capacity. **PA8-14**

11. On page 2-15, under the Jack London Boulevard Extension Option…The plan suggests that the roadway would be raised and that culverts would be utilized to conceptually allow the passage for floodplain waters. A detailed analysis is needed. Per S&W's report, the estimated normal floodplain velocities of 3-5 cfs would be increased through the culverts to 11 cfs. This would likely cause erosion issues and no mitigation is proposed for the maintenance of such culverts. **PA8-15**

12. On page 2-16, under the Airway Boulevard Extension Option, this option provides the least amount of disturbance within the natural floodplain. There are no elevated roadways that require culverts to pass the floodplain flows. **PA8-16**

13. On page 2-17, under Regional Multiuse Trail, how the trail will be accommodated if it crosses the Arroyo Las Positas near the southeastern corner of the Specific Plan Area and continue along the north side of the Arroyo is unclear. The proposed road design does not indicate any sidewalks for pedestrian use. The proposed pedestrian bridge at the fish ladder would require further discussions and ultimate approval by Zone 7, to ensure that the design does not impact maintenance of Zone 7 flood protection facilities. **PA8-17**

14. Point of Clarification…On page 2-18, under Storm Drainage, Flood Control/Water Quality Improvements, 1st paragraph, 2nd sentence, the floodplain acts as a natural storage area, providing floodwater attenuation. In other words, it slows the peak downstream storm flows. Please revise text accordingly.

    As mentioned above, the proposed storm drainage system would need to demonstrate that any new stormflows will not have an impact downstream. Since the drainage system was not accounted for in the 2004 Storm Drainage Master Plan, nor was development accounted for in Zone 7's SMMP, a hydrology study would be required to determine whether there will be any floodplain or downstream impacts. **PA8-18**

    In the 3rd paragraph, the 2nd sentence should read as follows: "The SMMP identifies a bypass channel from the Arroyo Las Positas upstream of the existing fish passageway, to direct floodwaters into Cope Lake as the ultimate flood control improvement."

    The last paragraph should mention that S&W provided a hydrology/hydraulic analysis to determine that floodplain improvements would help remove developable properties from the floodplain in the Specific Plan area. The improvements proposed are mitigations for properties that would otherwise be developing within a natural floodplain and should be noted. They are not flood protection improvements required as part of Zone 7's SMMP.

15. On page 2-19, under South Flood Control Detention Basin, the 2nd sentence states that the basin could accommodate 60 acre-feet. Based on NHC's study, approximately 960 cfs of flow would be expected as opposed to S&W's calculated northern flow of 630 cfs. Without a detailed hydrology/hydraulic model, Zone 7 cannot determine whether the proposed basin could accommodate the additional flows, and still maintain a gravity feed outlet or whether there is enough land available for the improvement. Similarly, at present under North **PA8-19**

Overbank Grading and Channel, Zone 7 cannot determine whether the proposed improvement is feasible absent a detailed model. **PA8-19 Cont.**

16. On page 2-21, discussion of Recycled Water suggests that improvements are scheduled to be constructed by 2008. Zone 7 would like to review proposed expansion of recycled water system into the ECSP area and provide comments on the proposal. **PA8-20**

17. On page 3.8-1, Zone 7 would suggest adding the Master Water Recycling Permit, Order No. 93-159, issued to Zone 7, the City of Livermore and DSRSD in December 1993 as an additional reference. **PA8-21**

18. On page 3.8-2, Zone 7 would like to clarify that water is not yet directed to the chain of lakes. The fourth sentence in the second paragraph should be changed to read "During the summer months, the base flows in this channel are generally low and dependent upon releases from Zone 7's South Bay Aqueduct turnouts for the purpose of recharging the groundwater table with relatively low TDS water." **PA8-22**

19. Point of Clarification…On page 3.8-3, 1st paragraph, the end of the 5th sentence, revise to "…eventually flow into the Line G-3 flood control channel and into the Arroyo Mocho." In addition, revise the second to the last sentence to "…flows from Line G-3 enter the Arroyo Mocho and then flow to the Arroyo de la Laguna…" **PA8-23**

20. Point of Clarification…On page 3.8-4, 1st paragraph, 7th line down, include a sentence that mitigation must be performed if developable lands are to be built in the existing floodplain. In addition, revise the beginning of the 4th sentence to read "With the floodplain mitigations proposed with the Project…" **PA8-24**

21. Point of Clarification…On page 3.8-15, Zone 7's SMMP is listed as a local regulation. The SMMP is NOT a local regulation. Rather, the SMMP is a long-term flood protection plan aimed at protecting the regional valley communities from floods through planned buildout in 2034, while at the same time improving stream water quality, wildlife habitat and public recreational/educational opportunities. The SMMP should be separated out from the other local regulations.

    Please add the following text to the third paragraph: "The SMMP identifies several potential projects within the El Charro Specific Plan area. Potential projects include: 1) implementing two channel bypass systems from both Arroyo Las Positas and Arroyo Mocho, allowing Zone 7 to divert storm waters into the Chain of Lakes for detention until peak flows downstream have subsided, 2) widening of the Arroyo Las Positas through the Livermore Golf Course and down to the Arroyo Las Positas fish passageway, and 3) constructing sedimentation basins within the golf course and removal of sediment in the Arroyo Las Positas between Kittyhawk Rd and Airway Blvd." **PA8-25**

22. Point of Clarification…On page 3.8-18, delete Zone 7 from the first bullet under Thresholds of Significance. Zone 7 does not set or enforce water quality or waste discharge standards that projects are required to comply with. Please revise accordingly. **PA8-26**

23. Point of Clarification…On page 3.8-15, 4th paragraph, remove sentence after (Schaaf & Wheeler 2006), and mention that the SMMP proposes to implement regional storage of floodwaters within the Chain of Lakes, to limit flows downstream on the Arroyo de la Laguna. The conveyance system from Arroyo Las Positas to the Chain of Lakes is a major part of the SMMP that requires land use cooperation to ensure that future improvements will not be impacted. **PA8-27**

24. On page 3.8-21, under Mitigation Measure WQ-1b, drainage swales and HMP detention basins are proposed, but no maintenance plan is included as part of the mitigation. The mitigation needs to address how the swales and detention basins will be properly operated and maintained. **PA8-28**

25. On page 3.8-21, under Impact WQ-2, 4th sentence down, actual storm drainage analysis and detailed hydrology study would be required to determine whether there will be any floodplain or downstream impacts. It is also unclear as to what the maximum storage volume is for the southern detention basin. **PA8-29**

26. On page 3.8-23, under Mitigation Measure WQ-2, Zone 7 requests to review and comment on the details of the Landscape Maintenance District. It is unclear whether any proposed detention basins will be operated and maintained in a manner which will not impact the floodplain or downstream flood protection facilities. As previously mentioned, a detailed hydrology analysis would be required to determine whether there will be any floodplain or downstream impacts. **PA8-30**

27. On page 3.8-26, under Impact WQ-4, the mitigation measures proposed should address the concerns brought up by Zone 7 under Mitigation Measures WQ-1b and WQ-2. **PA8-31**

28. On page 3.8-27, Impact WQ-6, what are the impacts outside of the Wetted Area of the Arroyo Las Positas? **PA8-32**

29. On page 2.8-29, under Impact WQ-8, it is unclear why the proposed Project elements are not being identified as mitigation. The proposed development would encroach on the natural floodplain of the Arroyo Las Positas. The Project elements propose to redirect the flood flows to remove the development out of the natural floodplain. The purpose of implementing a northern overflow channel and a southern detention basin is for the purpose of mitigating for development in the existing floodplain. It is also unclear whether the future floodplain has been accurately depicted. No actual detailed analysis has been provided for either the northern or southern roadway extension alignments. As previously stated, detailed hydraulic analyses need to be performed under the proposed alternatives. **PA8-33**

30. On page 3.8-30, under Impact WQ-9, As previously stated, detailed hydraulic analyses need to be performed under the proposed alternatives to determine whether mitigation is possible. **PA8-34**

31. On page 3.8-30, under Impact WQ-9, the proposed flood control improvements should be listed as mitigation to remove the commercial property within the Specific Plan Area out of **PA8-35**

the 100-year FEMA floodplain. These are not regional flood control improvements identified as necessary by Zone 7's SMMP. PA8-35 Cont.

32. Point of Clarification…On page 3.8-31, under Impact WQ-10, change "channel G3-1" to Line G-3. G3-1 refers to a reach of Line G-3. PA8-36

33. On page 3.8-31, under Impact WQ-10, there is no mitigation proposed due to the alignment of the Roadway Extension options. The Roadway alignment will have an affect on the natural drainage pattern of the region. A detailed hydraulic analysis needs to be performed, to determine how the proposed alignments will affect the natural floodplain and whether the proposed 'mitigations' for floodplain removal due to commercial development, will work. PA8-37

34. Point of Clarification…On page 3.8-32, under Impact WQ-11, 1st paragraph…The SMMP identifies several potential projects within the El Charro Specific Plan area. Potential projects include: 1) implementing two channel bypass systems from both Arroyo Las Positas and Arroyo Mocho, allowing Zone 7 to divert storm waters into the Chain of Lakes for detention until peak flows downstream have subsided, 2) widening of the Arroyo Las Positas through the Livermore Golf Course and down to the Arroyo Las Positas fish passageway, and 3) constructing sedimentation basins within the golf course and removal of sediment in the Arroyo Las Positas between Kittyhawk Rd and Airway Blvd. PA8-38

35. On page 3.8-32, 2nd paragraph, it is unclear what sort of opportunity for the SMMP projects, as described above, is provided by implementing the proposed Project. With the implementation of the proposed Project, the need to relocate the floodplain may create infrastructures that could limit SMMP flexibility and opportunities. PA8-39

36. On page 3.8-32, 3rd paragraph, the potential for additional siltation due to lengthening of existing culverts requires mitigation. Mitigation Measure WQ-11a proposes that the City will be responsible for maintenance and removal of additional sediments. But there is no mention on the scheduling and how often this would be done. Zone 7's SMMP proposes the installation of sediment basins to assist in the removal of said sediment deposits. The proposed Project could incorporate the SMMP project as part of mitigation. PA8-40

37. On page 3.8-32, 4th paragraph, the Project proposes to provide 100' setback on both sides of the 30' wide existing Arroyo Las Positas channel through the Livermore Golf Course. A 230' wide area for channel expansion may be sufficient for engineered trapezoidal channels, but may be insufficient for real world (regulatory agencies) demands. The demand for a more natural, habitat friendly, meandering channel is preferred by the regulatory agencies, and would most likely require a greater setback than proposed. In the event that the regulatory agencies do not agree with widening the Arroyo Las Positas, a bypass channel adjacent to the existing channel through the golf course may be an option that needs to be explored. Any setback limits on the existing channel at this time, may be detrimental and impeding toward moving forward with an alternate design to provide flood capacity through the golf course. The selection of roadway alignment would also be detrimental to potential channel expansion alternatives, as it may not permit the amount area required to route an expanded or alternate bypass channel. PA8-41

38. On page 3.8-33, 1st paragraph, the exact location of the bypass channel proposed in Zone 7's SMMP is unknown; however, no mitigation has been presented to indicate how the Southern Roadway alignment may be an impediment if channel widening greater than the limits proposed by the Project is required. **PA8-42**

39. Point of Clarification…On page 3.8-5, the second and third sentences state the following: "Zone 7 currently operates 210 wells annually. Zone 7 prepares a Well Master Plan in 2004, which identifies the construction of additional water wells in the Chain of Lakes area." These sentences should be revised to read as follows: "Zone 7 currently operates 7 water production wells. Zone 7's Well Master Plan was adopted in 2004. The Well Master Plan proposes to increase its well production capacity by up to 42 mgd through the installation of 8 to 15 new production wells, a few of which may be located within the Chain of Lakes area, in order to meet water reliability goals." **PA8-43**

40. Sections 3.11.4 (Irrigation) and 5.4.2 (Water) of the El Charro Specific Plan (ECSP) describes the City's intent to extensively use recycled water to irrigate all landscape in the El Charro plan area with the exception of those grapes vines that will be harvested for human consumption. Some of the proposed project area lies over the Main Groundwater Basin and some lies over the adjacent Camp fringe subbasin. The DEIR does not analyze the potential impacts to groundwater quality from this increase use of recycled water over and adjacent to the Main Groundwater Basin. Section 5.4.2 of the ECSP references the City's 2004 Recycled Water Master Plan; however, the DEIR does not make any references to impacts and findings from this master plan. Because the Main Groundwater Basin is a potable water supply source, the City must analyze the potential impacts of the increased recycled water use will have on the groundwater quality. **PA8-44**

41. The last paragraph on page 2.22 states a vineyard buffer adjacent to I-580 will preserve Zone 7's access to its Cross Valley Pipeline and turnout. No structures, including Vineyard Stakes which pose a point load upon the Pipeline, shall be constructed within the existing Zone 7 easement. We request that the City of Livermore and the developer continue to work with Zone 7 engineering staff through submittal of development plans for our review. As necessary, obtain an encroachment permits when working within Zone 7 easements and or property. **PA8-45**

Master Response PA8-A re: Flood Study Adequacy

Numerous comments by Zone 7 assert that the flood study was insufficiently detailed and that further study is needed to identify floodplain and downstream effects related to the project and site drainage. These comments are responded herein to provide one consolidated response.

Hydraulic Modeling

Although many of the improvements in the ECSP area seem conceptual, the hydraulic and hydrologic analyses used to determine their impacts and benefits are quite detailed. For the southern storage basin, Schaaf & Wheeler determined the required excavation to mitigate the downstream impacts from routing the north spills through the proposed overbank channel. As long as the final grading in the south area matches modeled improvements there should be no increase 100-year flows at Bernal Avenue.

HEC-RAS is a one-dimensional (1D) hydraulic model that can simulate channel and overbank flows in steady or unsteady (dynamic) mode. HEC-RAS is not a 2D model. Running the model in unsteady mode is not necessarily more accurate than steady-state mode. Without gage data there is no way to prove which method is better. The Schaaf & Wheeler's modeling approach of coupling HEC-RAS and HEC-1 is adequate to study the hydrology and hydraulics of the region. These methods are consistent with FEMA guidelines. The Zone 7 models actually validate the Schaaf & Wheeler modeling efforts. The difference in the north overbank flows (960 cfs vs. 630 cfs) could be due to the fact that the Zone 7 model is based on 2-foot contour topographic data while the Schaaf & Wheeler model is based on 1-foot contours. Schaaf & Wheeler is not opposed to running their HEC-RAS model in dynamic mode; however, this effort will create little change in the results.

Regarding drainage from the future development areas, the hydraulic modeling did not take into account any detention that would result from on-site drainage systems or from the proposed HMP basins. Since these drainage facilities would provide at least some additional detention, the analysis in the DEIR is conservative.

Overall, the conclusion of the Schaaf & Wheeler analysis is that the ECSP along with the Jack London Boulevard Extension option (or the Airway Boulevard Extension option) and with the flood improvements proposed (detention basin, overbank channel/water quality swale, and HMP basins) would not result in downstream effects or increased flooding of adjacent properties. This is shown by the hydrographs that show no upstream increase in flood elevations, the downstream hydrographs below the Line G3 channel confluence and at Bernal Avenue that show no increase, and by Figure 3.8-4 in the DEIR that shows no lateral expansion of the 100-year floodplain. Flows would increase between the outfall of the north overbank channel and Line G3-1 in Arroyo Mocho because the former overbank flow of about 630 cfs would be returned to the creek. However, this section of the creek has ample capacity to handle the additional amount of flow, is a straightened channel that is robust enough to handle the

additional flow without bank failure or substantive erosion, and that provides very limited habitat value that might be altered by the amount of increased flow during storm events. Thus, the increase of flow in this section is not considered a significant impact. Below Line G-3, in the existing condition, the 630 cfs overbank flow returns to Arroyo Mocho and thus at this point the hydrograph conforms to the baseline condition.

Analysis of Road Alignment Impacts

Regarding the analysis of the impact of potential new east-west roadways, Schaaf & Wheeler adopted a performance standard for road culverts under Jack London Boulevard and Airway Boulevard to ensure no upstream flood stage or flood area effects. The potential loss of flood storage along the Jack London extension was also taken into account when sizing the southern detention basin.

The distinction made between the southern and northern road alignments regarding hydraulic complexity is not a measurement of ultimate impact because potential flooding impacts can be addressed for either alignment with standard engineering design. It should be noted that the northern alignment would still require bridge crossings of the Arroyo Las Positas and Cottonwood Creek, excavation of the southern storage area, and a north overbank channel. Further a northern alignment may require realignment of Cottonwood Creek, which has its own suite of hydraulic impacts. However, such impacts, like those for the southern alignment, can be handled through standard design features.

Potential erosion below culverts under a Jack London extensionwill be addressed during engineering design of the road and the culverts. If energy dissipating material is needed to avoid erosion of immediate downstream areas, this will be identified and implemented by the City.

Future Site Analysis

Detailed drainage studies for both storm water conveyance and water quality control, including hydrologic and hydraulic analysis, will be required for each site prior once detailed design is underway and prior to development. The water quality control analysis will include the evaluation of impacts to the downstream creek system as required by the RWQCB as a part of the City's National Pollutant Discharge Elimination System (NPDES) permit requirements.

As noted above, the overall project flood improvements were designed by assuming no on-site detention and thus, if anything, are overly conservative.

The Prime Outlets Livermore Valley project has developed a site drainage system that has nearly 50% on-site treatment. The City’s infrastructure would provide the other 50% of treatment. This is the only current project that has a drainage design. However, the design for this first project demonstrates the feasibility of the City’s approach to provide 50% treatment through each sites’ drainage facilities and 50% through the City’s infrastructure (HMP basins and water quality swale).

Revisions to the DEIR

Data from Schaaf & Wheeler's evaluation is presented in Appendix F.

Master Response PA8-B re: SMMP Consistency

Numerous comments by Zone 7 assert that the ECSP may be inconsistent with or may hinder the completion of the Stream Master Management Plan facilities proposed in the local area. These comments are responded to herein to provide one consolidated response.

The City is committed to continue to work with Zone 7 to assure that design the infrastructure proposed herein are consistent with the SMMP goal to provide the regional flood control and floodplain management benefiting the city and the larger community. The city will work with Zone 7 to design the infrastructure improvements so they work together with the SMMP and function to implement a portion of the SMMP in this area. The city will apply for encroachment permits from Zone 7 and allow Zone 7 to review the City's design and analysis prior to construction.

It should be noted that the City's General Plan, which included business/commercial uses for the El Charro Specific Plan area and which identified an extension of Jack London Boulevard through the project area, was adopted several years before Zone 7 adopted the SMMP. The SMMP and any regional flood control needs to take into account adopted General Plans and their circulation elements.

The SMMP identifies several potential projects within the El Charro Specific Plan area. Potential projects include: 1) implementing two channel bypass systems from both Arroyo Las Positas and Arroyo Mocho, allowing Zone 7 to divert storm waters into the Chain of Lakes for detention until peak flows downstream have subsided, 2) widening of the Arroyo Las Positas through the Livermore Golf Course and down to the Arroyo Las Positas fish passageway, and 3) constructing sedimentation basins within the golf course rand removal of sediment in the Arroyo Las Positas between Kittyhawk Road and Airway Boulevard

Arroyo Las Positas Widening and ECSP Setbacks

There is no specific channel widening design proposed by the SMMP at this time.

The Arroyo Las Positas channel actually varies from 50 to 80 feet in width from bank to bank (the DEIR only referenced 30 feet, but subsequent topographic surveys have identified the channel to often be wider). Thus, the provision of minimum 100-foot setbacks would provide between 250 and 280 feet for potential future channel widening and associated habitat restoration that might be necessary for regulatory permitting. Thus, there is still ample room for the

potential minimum future channel size adequate to convey future 100-year flow (120 to 160 feet) as well as additional area for habitat restoration along an improved channel (at least 90 to 130 feet).

The Las Positas golf course potentially allows an additional area in which there is presently a much wider area for potential channel widening that is mostly unencumbered by structures and buildings. Mitigation Measure WQ-11b specifically requires the City to coordinate with Zone 7 on golf course redesign to avoid placement of clubhouse or maintenance facilities in the potential widening area and thus more than 250 to 280 feet may be available along Arroyo Las Positas where it is through or adjacent to the golf course.

At this stage of conceptual planning, the proposed setbacks do not appear to be an insurmountable obstacle. Off-site mitigation for biological resource impacts is also feasible as an option for SMMP impacts like it is for ECSP impacts.

A further option would be to have a smaller Arroyo Las Positas channel and continue to allow overbank and surface flow south of Arroyo Las Positas (on the golf course) and then route the overbank flow (through channeling and levees) southward to the Chain of Lakes.

Roadway Alignments

As to the roadway alignment being detrimental to channel widening or bypass channel siting, the City's General Plan identified an extension of Jack London Boulevard through the project area, was adopted several years before Zone 7 adopted the SMMP.

The SMMP bypass channel has not been designed and thus it is premature to conclude that there would be substantive impediments due to roadways included with the ECSP. If the bypass channel were upstream of the Jack London Boulevard crossing of Arroyo Las Positas, then in concept the channel could be accommodated by culverting the channel beneath Jack London Boulevard. Jack London Boulevard will already be elevated above the floodplain and thus may not need to be raised further to accommodate such a channel, but structural support may be necessary.

As noted above, it may also be possible to retain overbank flooding of the golf course that is then conveyed under Jack London Boulevard and then routed (through channeling and levees) southward to the Chain of Lakes.

SMMP is Not Regulation

In this context, "local", includes the Tri-Valley Area, which is Zone 7's service area. Due to the structure of the EIR, and it's lack of a regional or bi-county section, the SMMP will have to remain in the local regulatory section (as opposed to state or federal).

Conclusion

Thus, at this time, the City has not identified that the ECSP setbacks, anticipated development, golf course redesign or the Jack London Boulevard Extension alignment and crossing of Arroyo Las Positas with the adopted mitigation measures make it infeasible to pursue necessary regional flood control improvements. The City intends to work with Zone 7 throughout the design process for the new roadway, the golf course redesign, and future development entitlement processes to continue to avoid and minimize potential incompatibilities.

As noted above, there are multiple options for conveying flood waters through the golf course reach of Arroyo Las Positas and to the future regional storage in the Chain of Lakes.

The City will continue to work with Zone 7 to develop an integrated interim roadway and flood improvement design that considers, allows for and incorporates the future SMMP improvements where possible.

Clarifications have been made to Chapter 3, section 3.8, of the DEIR to accurately describe the SMMP potential improvements in the area.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA8-1

The comment is introductory material for which no response is needed.

No revisions to the DEIR are necessary.

Response to Comment PA8-2

The comment asserts that Zone 7 and their consultant, Northwest Hydraulics, believe that the Airway Boulevard extension would work better for regional flood protection, although the comment also notes that both east-west alignment could conceptually work. The comment also asserts that further detailed analysis is required before implementation of the ECSP.

Commenter is referred to Master Responses to PA 8A above regarding flood modeling adequacy and Master Response PA-8B regarding the SMMP. Comment regarding Zone 7's opinion that a northern alignment may work better than a southern alignment is noted.

No revisions to the DEIR are necessary.

Response to Comment PA8-3

The comment asserts that some elements of the ECSP may be incompatible with Zone 7's proposed SMMP regional flood control measures and the ECSP may not have addressed downstream or adjacent property effects, and that additional data and analysis will be key to SMMP implementation in this area.

Commenter is referred to Master Responses to PA8-A above regarding flood modeling adequacy and Master Response PA8-B regarding the SMMP.

No revisions to the DEIR are necessary.

Response to Comment PA8-4

The comment states Zone 7's belief that it should have review and approval authority over design of facilities impacting regional stormwater conveyance and management facilities.

The hydrologic study for the EIR concludes that the proposed improvements mitigate downstream impacts. The City will work with Zone 7 to provide the necessary design details and analysis to demonstrate the ECSP improvements are compatible with the SMMP and work together with Zone 7 to implement a portion of the SMMP through the City's proposed infrastructure.

The City and Zone 7 have coordinated extensively in the development of the SMMP and the ECSP and the City is committed to working cooperatively with Zone 7 during the design of ECSP flood improvements and other facilities to ensure the implementability of future regional flood control facilities and the SMMP while allowing the ECSP to proceed. Where facilities would occur in or connect to the portion of Arroyo Las Positas owned by Zone 7, the City will obtain encroachment permits from Zone 7 as necessary.

No revisions to the DEIR are necessary.

Response to Comment PA8-5

The comment states that detailed analysis of floodplain impacts is needed, that NHC analysis using the unsteady flow modeling capability of HEC-RAS indicated higher overbank flows than in Schaaf & Wheeler's evaluation (that supported the EIR), that unsteady flow modeling is more appropriate for the project, and that the northern road alignment has less impacts than the southern road alignment due to less floodplain encroachment, less hydraulic complexity, and less culverts needed to pass flood flows.

Commenter is referred to Master Responses to PA-8A above regarding flood modeling adequacy.

No revisions to the DEIR are necessary.

Response to Comment PA8-6

The comment requests clarification to the text on page ES-6 regarding the two roadway alignments. Text has been added to this page to clarify that if the Northern alignment option is selected, there will be 2 bridge crossings, one on the Arroyo Las Positas and the other at Cottonwood Creek with a short system of culverts under the elevated roadway to allow for the passage of floodplain waters. If the Southern alignment is selected, there will be one bridge crossing the Arroyo Las Positas and a longer system of culverts under the elevated roadway to allow for the passage of floodplain waters.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA8-7

The comment states that it will need to be demonstrated that the ECSP would not have downstream or floodplain impacts.

Commenter is referred to Master Responses to PA 8A above regarding flood modeling adequacy, drainage, and water quality analysis.

No revisions to the DEIR are necessary.

Response to Comment PA8-8

The comment requests changes to the wording on page ES-7 to reflect the removal of natural floodplain. The text on page ES-7 has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA8-9

The comment requests what design storm the flood improvements are designed for.

The detention basin and north overbank channel are designed to handle the current 100-year storm event without increasing flow downstream on Arroyo de la Laguna.

The HMP basins and on-site drainage facilities were designed as stated on page ES-7 in the paragraph under Stormwater Treatment and Detention: “the

stormwater treatment measures incorporated within this project must, at a minimum, meet the hydraulic sizing criteria for volume and flow capacity and the basins must be designed to comply with the NPDES permit and City standards."

The current NPDES permit requires that stormwater quality control devices be designed to treat 10% of the 50-year peak or the flow of runoff produced by a rain event equal to or at least two times the 85th percentile hourly rainfall intensity for the applicable area, based upon historical records of hourly rainfall depths; or the flow of runoff resulting from a rain even equal to at least 0.2 inches per hour intensity. Hydromodification Management Plans (HMPs) are required for all developments over one acre. HMP basins and other detention devices must be sized using design storms ranging from 2% of the 10 year to the 10 year design storm and to release flows to match the pre-project flows also in accordance with the NPDES permit.

No revisions to the DEIR are necessary.

Response to Comment PA8-10

The comment states that any new drainage systems connecting to Arroyo Las Positas will need to demonstrate no adverse impacts to the floodplain or downstream areas and will need to be reviewed and approved by Zone 7.

All development in the Specific Plan Area will be required to adhere to the C3 provisions mandated by the RWQCB. There are 5 proposed HMP basins in the Area. These basins are designed to reduce post development flow to a level that matches predevelopment conditions for all events greater than 10% of the 2-year event up to the 10-year event. For the DEIR, Schaaf & Wheeler did not perform a separate hydrological analysis to determine the impact from the ECSP on 15 or 100-year conditions. The Zone 7 HEC-1 model for "build out" conditions assumes this region is developed and does not take into account the HMP basins.

The flooding analysis in the DEIR and the sizing of the detention basin and other improvements did not include any detention from the HMP basins and thus was conservative in its analysis of potential flooding extent and water surface elevations.

For the FEIR, Schaaf & Wheeler analyzed (HEC-HMS) one of the development areas (77 acres) in the El Charro area to determine the 100-year runoff changes. Schaff & Wheeler assumed the existing area is 100% pervious and the ultimate land use will be 85% impervious and used the design storm from the Zone 7 HEC-1 model. The HMP basin for the 77-acre area was found to provide adequate storage for the 100-year event.

Schaaf & Wheeler conducted additional analysis of the HMP basins in a 100-year event. This analysis is available for review at the City of Livermore office.

No revisions to the DEIR are necessary.

Response to Comment PA8-11

The comment states that bridges will require clear-spans and provide necessary clearances. To respond to this, the text on page ES-9 has been revised to indicate any new bridge proposed would have to be clear-span and provide necessary clearances for maintenance.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA8-12

This comment states that new projects within the ECSP will need to demonstrate in a detailed hydrology analysis that drainage will not affect the floodplain or downstream areas.

Please see Master Response PA8-A above.

No revisions to the DEIR are necessary.

Response to Comment PA8-13

The comment describes that the Desilting Alternative would result in an increase in downstream flow unless there was routing of flow to the Chain of Lakes and that the SMMP proposes to increase capacity ultimately to provide for the ultimate design flow.

The channel portion of the Arroyo Las Positas between Airway Boulevard and Kittyhawk Road was designed for 100-year capacity. Siltation has greatly reduced the capacity of this reach; desilting this stretch would restore its design capacity and increase flood protection to the Livermore Airport.

The design channel through the Las Positas Golf Course never had 100-year channel capacity. Desilting the channel would increase the conveyance and reduce the spills onto the golf course and airport. It is important to note that the downstream of the golf course the channel would still have limited capacity and spills would still occur to the south and thus downstream effects below the project area would not be expected.. The channel was not redesigned for the 100-year flow rates due to permitting and design restrictions.

No revisions to the DEIR are necessary.

Response to Comment PA8-14

The comment requests specific clarifications to DEIR text on page 2-2. Page 2-2 has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA8-15

The comment states that additional analysis of the Jack London Extension is needed and that the road will result in increased erosion due to increased flow velocities through the culverts.

The culvert crossings under Jack London Boulevard will be designed with scour protection. It is important to note that the vast majority of these culverts will only experience flows during storms greater or equal to the 15-year event, which has a 6.7% chance of occurring during any given year.

Regarding flood analysis, this issue has been responded to in other responses to this letter.

No revisions to the DEIR are necessary.

Response to Comment PA8-16

The comment states the northern road alignment has the least amount of disturbance in the floodplain and requires no elevated roadways or culverts.

Portions of the Airway Boulevard Extension option on the east side of the golf course would cross the 100-year floodplain and would be required to be elevated and to have culverts to pass flow. In addition, a 4-lane extension would require the expansion of the existing Airway Boulevard between Kitty Hawk and the golf course, which could further encroach on the flood capacity of Arroyo Las Positas. Clarifying text has been added to the description of the Airway Boulevard Extension option on page 2-16 of the DEIR.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA8-17

The comment expresses concern about the multi-use trail and its impact on maintenance of Zone 7 flood protection facilities.

Detailed trial bridge designs at the fish ladder will be submitted to Zone 7 for review and approval and encroachment permits will be obtained prior to

construction of bridge improvements. Revisions have been made to the description of the multi-use trail in Chapter 2 of the DEIR.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA8-18

This comment requests clarification in text, notes again that the storm drainage system will need to demonstrate that new stormflows will not have impacts downstream.

Revisions have been made to page 2-18 of the DEIR.

Commenter is referred to Master Response PA8-A above regarding flood modeling adequacy and drainage analysis and Master Response PA8-B regarding the SMMP.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA8-19

The comment describes that Zone 7 cannot determine the adequacy of the detention basin and north overbank channel in absence of hydrologic/hydraulic modeling.

Commenter is referred to Master Response PA8-A above regarding flood modeling adequacy and drainage analysis. As described there, the flood modeling is considered adequate to model flow conditions and to design the detention basin and north overbank channel sizing.

It should also be noted that there is not necessarily a linear relationship between the southern storage excavation required and the northern channel spill flow rate.

Commenter is also referred to the additional analysis presented in the Appendix F that supports the City's evaluation of flooding and sizing of flood improvements.

No revisions to the DEIR are necessary.

Response to Comment PA8-20

The comment request that Zone 7 have an opportunity comment on the extension of recycled water service to the ECSP area.

Zone 7 comments on the background, regulatory setting, and potential impacts of recycled water use are responded to under Comment PA8-44.

Revisions to the DEIR

See response to Comment PA8-44.

Response to Comment PA8-21

The comment requests that details regarding the Master Water Recycling Permit, Order No. 93-159 be added as a reference to Section 3.8.

Zone 7 comments on the background, regulatory setting, and potential impacts of recycled water use are responded to under Comment PA8-44.

Revisions to the DEIR

See response to Comment PA8-44.

Response to Comment PA8-22

The comment requests clarifications regarding the Chain of Lakes. Page 3.8-2 of the DEIR has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA8-23

The comment requests clarifications regarding certain drainage channels. Page 3.8-3 of the DEIR has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA8-24

The comment requests clarifications regarding the project flood improvements.

The comment asserts that the flood improvements in the project must be called mitigation. The City of Livermore is proposing these improvements as part of the project. Thus, they are not considered mitigation.

No revisions to the DEIR are necessary.

Response to Comment PA8-25

The comment requests clarifications that the SMMP is not a local regulation.

Please see Master Response PA8-B.

Response to Comment PA8-26

The comment requests clarifications regarding the significance criteria

Per the request of the comment, Zone 7 will be removed from the first bullet point in the significance criteria listed in Chapter 3, section 3.8 of the DEIR.

- **Revisions to the DEIR are identified in Chapter 4 of this FEIR.**

Response to Comment PA8-27

The comment requests clarifications regarding the SMMP conveyance system to the Chain of Lakes.

Please see Master Response PA8-B.

Response to Comment PA8-28

The comment requests that Mitigation Measure WQ-1b address maintenance of swales and detentions basins. Page 3.8-21 of the DEIR has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA8-29

The comment states that further hydrological study is necessary to evaluate floodplain and downstream effects and requests clarification on the maximum storage volume of the southern detention basin.

Regarding further hydrologic study, see Master Response PA8-A.

The maximum storage elevation in the south storage area is modeled as 359.37 feet (NGVD) during a 100-year event with a levee failure on the Arroyo Mocho. The flood volume at this elevation is approximately 351 acre-feet based on site topography. Revisions have been made to page 3.8-21 of the DEIR in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA8-30

The comment expresses concern about the impact of detention basin operation and maintenance and potential downstream effects.

See response to comment PA8-10 and PA8-28.

No further revisions to the DEIR are necessary

Response to Comment PA8-31

The comment states that Mitigation Measures under impact WQ-4 should address the concerns raised about MM WQ-1b and WQ-2 which were about maintenance, operations, need for further study and impacts on the floodplain and downstream areas.

Regarding further study, see Master Response PA-8A and the response to PA8-10. Regarding maintenance and Mitigation Measures WQ-1b see response to Comment PA8-28. Regarding Mitigation Measures WQ-2 see response to Comment PA8-29.

Response to Comment PA8-32

The comment asks about the impacts outside the wetted area of Arroyo Las Positas. Impacts outside of the wetted perimeter have been added to page 3.8-27 of the DEIR.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA8-33

The comment takes issue that the DEIR does not describe the proposed flood improvements as "mitigation" and asserts that the roadways were not modeled, the floodplain may not be accurately represented, and that detailed hydraulic study is needed.

The proposed flood improvements are included as part of the Project. This is why they are not described as mitigation. Mitigation would be measures identified to address the impacts of the proposed Project, including any residual hydrology and water quality impacts not addressed by the proposed improvements.

Regarding the road analysis, Schaaf & Wheeler adopted a performance standard for road culverts under the Jack London Boulevard extension option to ensure no upstream flood stage or flood area effects. The potential loss of flood storage

along the Jack London Boulevard extension was also taken into account when sizing the southern detention basin.

Regarding the future floodplain depiction, please refer to Figure 3.8-4 in the DEIR.

Regarding detailed hydraulic study, see Master Response PA8-A and see Appendix F, which provides the hydraulic modeling data.

No revisions to the DEIR are necessary, however Appendix F has been included in this FEIR.

Response to Comment PA8-34

The comment states that detailed hydraulic analysis is needed to support conclusions under Impact WQ-9.

Please see Master Response PA-8A.

No revisions to the DEIR are necessary.

Response to Comment PA8-35

The comment again takes issue with the City's inclusion of flood improvements as part of the project and would prefer that the flood improvements be called mitigation.

The flood improvements are part of the proposed project. It is defined in the DEIR that the commercial development will occur in portions of the 100-year floodplain and that the proposed flood improvements are necessary to remove the commercial development from the floodplain and to address potential flooding impacts.

No revisions to the DEIR are necessary.

Response to Comment PA8-36

The comment requests clarifications regarding flood channel references. Page 3.8-31 of the DEIR has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA8-37

The comment states that no analysis was done of the effect of the roadways on the floodplain.

Regarding the road analysis, Schaaf & Wheeler adopted a performance standard for road culverts under Jack London Boulevard to ensure no upstream flood stage or flood area effects. The potential loss of flood storage along the Jack London extension was also taken into account when sizing the southern detention basin.

No revisions to the DEIR are necessary.

Response to Comment PA8-38

The comment requests clarifications regarding the SMMP.

Please see Master Response PA8-B.

Response to Comment PA8-39

The comment expresses concern about the compatibility of the ESCP with the SMMP.

Please see Master Response PA8-B.

Response to Comment PA8-40

The comment describes potential increased sedimentation due to addition of culverts, states there are no details on maintenance, and asserts that the project could adopt sedimentation basins included in the SMMP as mitigation.

Potential sedimentation of the additional culverts can be addressed through maintenance and does not require adoption of the SMMP sedimentation basins as mitigation. The SMMP basins are to address regional sedimentation issues. Revisions have been made to page 3.8-33 of the DEIR in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA8-41

The comment expresses concern that the setbacks in the ECSP may be insufficient to accommodate a meandering larger channel that provides both flood conveyance and provides habitat. The comment also describes potential

adverse effects on the SMMP bypass channel from Arroyo Las Positas to the Chain of Lakes posed by the roadway alignments.

Please see Master Response PA8-B concerning the SMMP.

No revisions to the DEIR are necessary.

Response to Comment PA8-42

The comment expresses concern about how the southern roadway alignment may affect the SMMP bypass channel from Arroyo Las Positas to the Chain of Lakes.

Please see Master Response PA8-B concerning the SMMP.

No revisions to the DEIR are necessary.

Response to Comment PA8-43

The comment requests clarifications regarding Zone 7's Well Master Plan. The third paragraph on page 3.8-5 of the DEIR has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA8-44

The comment states that the DEIR needs to assess the impact of increased use of recycled water on the water quality in the Main Groundwater Basin.

The DEIR has been revised as noted in Chapter 4 of this FEIR to describe the background, regulatory setting, and impacts associated with the increased use of recycled water on water quality in the Main Groundwater Basin. The conclusion of the additional evaluation is that the additional salt loading associated with increased landscaping irrigation with recycled water is less than significant because the small increment in salt loading is not likely to result in the need for additional facilities to implement Zone 7's Salt Management Plan and to comply with the Master Water Recycling Permit. There is an existing system of cost recovery for SMP implementation through the water rates that Zone 7 charges retailers for treated water. Because the use of recycled water for irrigation is a cost-effective way to avoid the cost associated with new water supplies, this is an overall cost-effective approach to water supply and water quality management. Additions to the DEIR have been made in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR. **Response to Comment PA8-45**

The comment describes that incompatible structures or plantings will not be allowed over the Cross-Valley pipeline

The city will obtain an encroachment permit for any work within Zone 7's water line easement in the vineyard buffer area and take special care not to impact the existing water line by placing any structures or stakes over or near the existing water line. The need for this encroachment permit is already noted in the DEIR.

No revisions to the DEIR are necessary.

Comment Letter PA9—The City of Pleasanton

PA9

THE CITY OF PLEASANTON

February 26, 2007

RECEIVED
MAR - 1 2007
PLANNING DIVISION

Ms. Susan Frost, Principal Planner
City of Livermore
1052 South Livermore Avenue
Livermore, CA 94550

Re: DEIR for El Charro Specific Plan

Dear Susan:

Thank you for the opportunity to provide comment on the Draft Environmental Impact Report for the El Charro Specific Plan. Our comments are as follows:

Planning

- Page ES-9. The last sentence at the top of that page under the heading Utilities should read: "All new and existing utilities related to this project, including electrical lines, would be placed underground as development occurs. The location of any future high voltage PG&E lines within the El Charro Road right of way would be negotiated between the City of Pleasanton and PG&E." **PA9-1**

- Page 4-6. The last sentence of the description of Stoneridge Drive Specific Plan should be corrected to read. "To date, the school, neighborhood parks, Arroyo Mocho improvements, and the extension of Stoneridge Drive to the easterly end of the residential development have been constructed." **PA9-2**

- Page 4-6. The Stoneridge Drive Specific Plan Amendment/Staples Ranch description should be amended to show a "**37**-acre auto mall with **330,000** square feet of building…." **PA9-3**

Traffic Engineering:

- Page 3.15-12. In the paragraph under Truck Traffic Conditions, the last sentence should read: "By a court-approved agreement, all quarry traffic to/from quarries outside Pleasanton City limits are not to use City streets but instead must use the "Isabel Route" (Stanley Boulevard/Isabel/Kitty Hawk/Airway). Trucks carrying concrete whose origins or destinations are in Pleasanton are required to use the "El Charro Route" as their access to I-580." **PA9-4**

P. O. Box 520, Pleasanton, CA 94566-0802 200 Old Bernal Avenue

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- Page 3.15-34, Impact TRA-1: The 4th paragraph states that Table 3.15-6 summarizes the freeway operation analysis, but there is no discussion of the directional distribution of the trips. Table 3.15-6 identifies approximately 700 vehicles on the freeway system in the PM peak hour. Table 3.15-9 identifies 2,800 PM trips. Discussion is needed to clarify the differences in the two tables. The same discrepancy exists in Table 3.15-7a and 7b. **PA9-5**

- Page 3.15-34. The discussion does not take into consideration that the existing interchange cannot accommodate the traffic from the proposed project. There is an existing interchange project which has been designed but not yet approved, to mitigate the impacts from the proposed project on the existing interchange. The City of Livermore has agreed to enter into an agreement with the City of Pleasanton paying its share of the cost of the improvements for the new interchange ($1,000,000) and will install additional improvements at the interchange including a lengthened acceleration lane on I-580 heading westbound. This information should be added to the text for clarification. **PA9-6**

- Page 4-7. The second bullet on 4-7 should describe the possible project. The final sentence beginning with "In the cumulative traffic analysis…" should describe the additional analysis that was conducted to determine the "cumulative impacts" with this alternative network. **PA9-7**

- Page 4-29. Cumulative Conditions with Stoneridge Drive Extension – this section is intended to describe the cumulative conditions of not extending Stoneridge Drive along with the implementation of the project, but the third paragraph mis-identifies the impacts as simply the result of the removal of Stoneridge Drive and not the cumulative projects. **PA9-8**

- Page 4-38. Second Paragraph should read "The cumulative effects of The El Charro Specific Plan and removing the Stoneridge Drive extension would cause…" **PA9-9**

- Page 4-38. Last paragraph that states that additional impacts would be caused by a future policy decision by the City of Pleasanton is not accurate. Revisions to the language are necessary to clarify that it is the cumulative impact of this alternative that would create additional mitigations. **PA9-10**

- Page 4-39. Stoneridge Drive Extension. The purpose of the cumulative section of the EIR is to determine the impact of the El Charro Specific Plan on a different roadway network. Section 4-39 does not assess the impact of the El Charro Specific Plan on the roadway network, but instead attempts to identify the Stoneridge Drive Extension as the reason for the Project's impact to unacceptable levels of service. All references to "Impacts being caused solely by the City of Pleasanton, should it approve the removal of the Stoneridge Drive extension" need to be removed. **PA9-11**

- Various locations: El Charro Road future cross-section. Please correct all diagrams to show the cross-section of El Charro Road at Jack London which includes a 10 foot median, separated sidewalks and right of way for bicycle use. **PA9-12**
- Various locations: remove drive-way (right turn only) on El Charro Road at property south of Jack London Boulevard. **PA9-13**
- The DEIR text should clarify that the traffic safety analysis of the Stoneridge Drive/El Charro Road intersection assumes the two sections of Stoneridge Drive are connected with an EVA. **PA9-14**

If you have any questions or comments regarding the above, please contact Janice Stern, Principal Planner, regarding planning comments (925-931-5606, jstern@ci.pleasanton.ca.us) or Mike Tassano, City Traffic Engineer (925-931-5670, mtassano@ci.pleasanton.ca.us), regarding traffic analysis comments. We look forward to reviewing the Final EIR when it is available. **PA9-15**

As you are aware, the City of Pleasanton is currently reviewing a proposed amendment to the Stoneridge Drive Specific Plan and a development application which involves the Staples Ranch property adjacent to the subject site, on the west side of El Charro Road. We will continue to consult with the City of Livermore on that proposal and to work together to coordinate improvements in the El Charro Road area.

Sincerely,

Jerry Iserson
Director of Planning and Community Development

c. Steven Bocian, Assistant City Manager
Michael Roush, City Attorney
Julie Harryman, Assistant City Attorney
Rob Wilson, Public Works Director
Mike Tassano, City Traffic Engineer
Janice Stern, Principal Planner
Robin Giffin, Associate Planner

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The City of Pleasanton issued a new Notice of Preparation (NOP) of an EIR for the Stoneridge Drive Specific Plan Amendment/Staples Ranch Project on March 19, 2007. This new NOP was not available at the time of preparation of the EIR for the El Charro Specific Plan Project. However, the traffic assumptions used to analyze the ECSP matches the 2007 description of the Staples Ranch Project in the new NOP. The responses below focus on the traffic and transportation issues raised in the comment letter. For other environmental resource areas, the new NOP information does not change the results of the analysis in the DEIR.

Response to Comment PA9-1

Comment requests clarifications to text on page ES-9 regarding undergrounding of utilities.

El Charro Road is currently under Alameda County jurisdiction and the construction of El Charro Road improvements necessary for the ECSP including the joint trench are anticipated to be completed by the City of Livermore. The City of Livermore agrees to coordinate the location of any future high voltage Pacific Gas & Electric (PG&E) lines within the El Charro Road right of way with the City of Pleasanton, Alameda County, and PG&E. PG&E lines less than 60 kv within the public roadway will be underground. PG&E lines greater than 60 kv within the public roadway will be aboveground.

Page ES-9 of the DEIR has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA9-2

Comment requests clarifications to text on page 4-6. The first bullet text under "City of Pleasanton" on page 4-6 of the DEIR has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA9-3

Comment requests clarification of Staples Ranch description to note a 37-acre auto mall with 330,000 square feet of building space. The Project Description and pages 4-6 and 4-7 of the DEIR have been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA9-4

Comment requests clarifications on page 3.15-12 regarding quarry truck traffic. This page has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA9-5

Comment requests clarifications about the directional distribution of trips on I-580 and clarification of the PM peak hour trips in various tables.

In response to the request that differences between tables need to be clarified, the following should be noted. Table 3.15-9 of the DEIR is a trip generation table, which shows that 2,057 trips (1,070 going out, 987 coming in) will be generated by the Prime Outlets Livermore Valley in the PM peak hour. Similarly, it shows that 5,419 trips (2,818 going out, 2,601 coming in) will be generated by the full Project in the PM peak hour. DEIR Tables 3.15-6, 3.15-7a, and 3.15-7b display the volume of traffic on the I-580 freeway with and without the Project under 2008 Baseline conditions. However, not all of the project trips will use the I-580 freeway to access the Project site. 2008 Baseline conditions even without the Project assume that Dublin Boulevard and Central Parkway in Dublin are extended to Fallon Road. The Prime Outlets Livermore Valley (Table 3.15-6) under 2008 Baseline conditions assumes some vehicles will arrive or depart from the Project site using El Charro-Fallon Road rather than I-580. Additionally, a certain amount of pass-by traffic on I-580 would access the site. If the full Project is built under 2008 conditions, West Jack London Boulevard (DEIR Table 3.15-7a) or Airway Boulevard (DEIR Table 3.15-7b) will be connected to El Charro Road, providing a parallel route and other roadway alternatives to I-580. Additionally the freeway is already congested, so there is a certain amount of traffic redistribution that will occur as a result of adding a new shopping opportunity along I-580 and the site will also attract a significant amount of pass-by trips due to the proximity to I-580. The model results take all of these conditions into consideration.

No revisions to the DEIR are necessary.

Response to Comment PA9-6

The comment asserts that the limited capacity of the existing I-580/El Charro interchange should be taken into account and that it should be noted that the City of Livermore has agreed to paying its fair share of interchange improvements and will install additional improvements.

The construction of improvements to the I-580/El Charro Interchange is scheduled to begin in Summer 2007 and be completed in Summer 2008.

Development in the El Charro Specific Plan area is anticipated to be occupied no sooner than Fall 2008, after the interchange project is scheduled for completion.

The Cities have had a longstanding agreement that the interim and ultimate interchange cost shares would be 25% Livermore, 25% Pleasanton and 50% Dublin and the parties are working now to formalize that agreement. The current improvements were fully funded by Dublin for its approved developments except for the on loop, which Pleasanton asked to be included and agreed to pay for. Livermore has agreed to fund a second right lane for the eastbound off-ramp (this improvement is identified as Mitigation Measure TRA-2b in the DEIR.

It is expected that the cities of Livermore, Pleasanton and Dublin will finalize a cost sharing agreement for the funding of Phase 1 improvements to the I-580/El Charro Road-Fallon Road interchange shortly.

No revisions to the DEIR are necessary.

Response to Comment PA9-7

The comment asks that the proposed Project (the ECSP) should be mentioned on page 4-7. The comment also asks for clarification on the cumulative analysis for a scenario with cumulative development (including buildout of the ECSP) without the Stoneridge Drive Extension.

The intent of this section is to describe the cumulative projects and buildout taken into account in the cumulative analysis. It is implicit that the proposed Project is part of cumulative development.

The methodology of the analysis to consider cumulative impacts of the combination of the ECSP Project, other cumulative development and an alternative roadway network that does not include the Stoneridge Drive Extension is described on page 4-29 of the DEIR.

No revisions to the DEIR are necessary.

Response to Comment PA9-8

The comment asks for clarification that the cumulative impact analysis should address the impacts of cumulative development without extension of Stoneridge Drive.

This was the approach to cumulative analysis done for the DEIR, but the DEIR text was unclear in its description of what was actually analyzed. The third paragraph on page 4-29 has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA9-9

The comment asks for clarification that the cumulative impact analysis should address the impacts of cumulative development without extension of Stoneridge Drive.

This was the approach to cumulative analysis done for the DEIR, but the DEIR text was unclear in its description of what was actually analyzed. The second paragraph on page 4-38 has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA9-10

The comment asserts that it is cumulative impacts that result in the need for additional mitigation not just a potential decision by the City of Pleasanton to remove the Stoneridge Drive Extension from the Pleasanton General Plan.

As noted in response to comment PA9-9, it is recognized that the cumulative impacts are caused by the combination of the ECSP, the Staples Ranch development, and other cumulative development and removing Stoneridge Drive from the cumulative roadway network.

The last paragraph on page 4-38 and first paragraph on 4-39 discuss, however, that the fair share contribution by the ECSP to mitigate cumulative impacts should be no greater under the "without Stoneridge Drive" alternative than under the alternative with the existing Pleasanton General Plan roadway network, even if the cumulative impacts are greater under the "without Stoneridge Drive" alternative, because removing Stoneridge Drive from the cumulative roadway network would be a future policy decision solely within the purview of the City of Pleasanton.

The Stoneridge Drive Extension is currently within the Pleasanton General Plan and has been presumed as part of the transportation network for years. The existing General Plan, including the extension, was in force at the time of the NOP for the ECSP EIR, and is still in force today and thus constitutes the appropriate baseline traffic network for the cumulative analysis in the ECSP EIR and thus the appropriate baseline by which to identify those cumulative impacts to which the ECSP may considerably contribute and to identify the fair-share basis of mitigation for considerable contributions to significant impacts.

The EIR analyzed an alternative traffic network without the Stoneridge Drive Extension because Pleasanton is considering (but has not adopted) this change to its current General Plan. The City of Livermore conducted this analysis for the purposes of full disclosure of what cumulative impacts might be in the event that Pleasanton decides to make this change, but does not find that the alternative traffic network constitutes the appropriate basis by which to determine the fair-share for mitigation for cumulative contributions of the ECSP.

No revisions to the DEIR are necessary.

Response to Comment PA9-11

The comment requests clarification to the DEIR that cumulative impacts are due to the combined effect of existing and cumulative development, including the ECSP, Staples Ranch, and other development and the potential removal of the Stoneridge Drive Extension from the Pleasanton General Plan. In specific, the comment requests deletion of all reference to "impacts being caused solely by the City of Pleasanton.

The comment is correct that in this alternative cumulative scenario, the cumulative impact would result from the combination of cumulative development and an alternative traffic network without a Stoneridge Drive Extension. However, as noted in response to Comment PA9-10, the City of Livermore finds that fair-share mitigation for cumulative impacts should be determined based on the currently adopted General Plan circulation network, which includes the Stoneridge Drive Extension. If Pleasanton decided to change its General Plan, the DEIR for the ECSP still requires mitigation for cumulative contributions to significant traffic impacts where feasible mitigation is available, but the basis for the fair-share is the baseline circulation network, not the alternative circulation network that might be adopted at some future point by Pleasanton. The text on pages 4-39, 4-40, and 4-41 has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA9-12

The comment requests correction of all diagrams to show El Charro Road with a 10-foot median, separated sidewalks, and bicycle right of way.

Diagrams of El Charro Road cross sections have been amended to include a 10 foot median, separated sidewalks, and right of way for future bicycle use. Note that bicycle lanes will not be striped on El Charro Road due to heavy truck traffic volumes. A revised Figure 2-7 is included in Chapter 4 of this FEIR.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA9-13

The comment requests deletion of the right-out from the Robert Himsl property onto El Charro Road south of Jack London Boulevard.

The right-turn only driveway on El Charro Road south of Jack London Boulevard has been removed from the diagrams however an EVA access will be provided at

this location. In addition, the traffic analysis was amended to include a new traffic signal on Jack London Boulevard at Road C to provide full access to the property south of Jack London Boulevard while still providing only right-turns into and out of the Prime Outlets site at this location. The revised traffic analysis is shown in Appendix G.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA9-14

The comment requests clarification that the traffic safety analysis of the Stoneridge Drive/El Charro Road intersection assumes two sections of Stoneridge Drive are connected with an EVA.

The comment is incorrect, as the cumulative traffic safety analysis did not assume an EVA, but rather a full road extension. The traffic safety cumulative analysis (p. 4-41 and following) assumed the extension of Stoneridge Drive as called for in the current Pleasanton General Plan as well as the cumulative traffic of the ECSP, Staples Ranch, and other developments.

If Stoneridge Drive is ultimately not extended and only connected by an EVA, then the intersection of Stoneridge Drive/El Charro Road will have less volume than would occur with a Stoneridge Drive Extension as this will only be a local access to Staples Ranch. If the higher volume intersection can be designed without cumulative significant safety impacts, then it stands to reason that a lesser volume intersection could also be built without cumulative significant safety impacts. This text has been added to Impact TRA-6 in the DEIR.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA9-15

This comment describes the contact person and that the City of Pleasanton is reviewing a proposed amendment to the Stoneridge Drive Specific Plan and the Staples Ranch development application.

Comment noted.

No revisions to the DEIR are necessary.

Comment Letter PA10—Alameda County Airport Land Use Commission

PA10

Alameda County Airport Land Use Commission
224 W. Winton Avenue, Suite 111
Hayward, CA 94544
(510) 670-6511

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PLANNING DIVISION

February 26, 2007

Susan Frost, Principal Planner
City of Livermore
1052 S. Livermore Avenue
Livermore, CA 94550

SUBJ: Alameda County Airport Land Use Commission (ALUC) Administrative Review: El Charro Specific Plan DEIR

Dear Ms. Frost,

Thank you for the opportunity to review the DEIR for the El Charro Specific Plan. As you know, the Specific Plan area is located fully within the Airport Influence Area (AIA), the Height Referral Area, the Airport Protection Area (APA), and partially within the Safety Zones for the Livermore Municipal Airport. In addition, a portion of the Specific Plan area is within the projected 2020 60 CNEL Noise Contour for the Airport. **PA10-1**

Each of these zones and areas has particular land use restrictions associated with it. The DEIR does not adequately address how the proposed land uses would meet the criteria established for each of these zones. Below are the applicable policies which will need to be addressed as this Specific Plan, and subsequent development proposals are considered for approval.

ALUC Height Policy

Compatible land use is defined consistent with standards and procedures set forth in FAR Part 77, including Subpart D, which is located in Appendix C of the ALUC Policy Plan. The ALUC Height Referral Area for each airport is identical to the FAA notification requirement for new construction or alteration (FAA Advisory Circular No. 70/7460-2G, November 30, 1977).

The referral area encompasses the following airspace: **PA10-2**

- For an airport runway more than 3,200 feet in length, a sloping surface identifies the airspace above one foot in height for each 100 feet (100:1) horizontally from the nearest point of the nearest runway, within 20,000 feet of the runway.
- For an airport runway no more than 3,200 feet in length, a sloping surface identifies the airspace above one foot in height for each 50 feet (50:1) horizontally from the nearest point of the nearest runway, within 10,000 feet of the runway.

Any structures eventually built within the Specific Plan area must comply with the above Height specifications. If any of the proposed structures exceed these parameters, the applicant will be required to submit a completed FAA 7460 Study to the ALUC before a final ALUC Plan Consistency Determination can occur.

Airport Protection Area (APA)

Alameda County Airport Land Use Commission (ALUC)
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In January 1993, the Alameda County Airport Land Use Commission approved a Resolution to amend the Airport Land Use Policy Plan to support the creation of an Airport Protection Area (APA) for the Livermore Municipal Airport. The amendment to the Plan describes the APA as follows:

> *"Airport Protection Areas are established to prohibit new residential land use designations, or the intensification of existing residential land use designations, within the Airport Protection Area. The purpose is to forestall the complaints and adverse impacts on the health, safety and welfare of future citizens that will otherwise reside in the protection areas. Such complaints typically result from the extended daily exposure of residential land uses close to airports because they have a mix of passive, leisure, recreational and labor activities both in and out of doors. As outlined, the Airport Protection Area will eliminate complaints from persons that would otherwise reside in those areas and thus will minimize pressures to limit airport operations which are needed to serve citizens in the airport service area."*

PA10-3

This policy is intended to limit noise exposure for permanent residents by prohibiting new residential land uses within the APA. The Specific Plan allows for hospital and hotel uses which serve temporary residents. As these temporary residents are often noise sensitive, noise impacts and attenuation measures should be addressed when considering these two land uses.

ALUC Safety Zone Policies

According to the DEIR, the southerly portion of the Specific Plan area would be located within the Safety Zones for the Livermore Airport. The DEIR shows that the City of Livermore's General Plan Land Use Designation for this area is Limited Agriculture (LDAG). The Specific Plan, however, identifies this area as Open Space. Maintaining this area as Open Space would ensure a compatible land use under ALUC policies.

The Specific Plan permits a range of "Lifestyle Services" within its boundaries. These could include day or health spas, sports centers that could provide activities such as tennis or swimming, restaurants, and hotels. Please note that any future facilities or structures located within the Safety Zones must comply with the following policy of the *Alameda County Airport Land Use Policy Plan*:

PA10-4

2. Within the inner portion of the safety zone, extending up to ¼ mile (1,320 feet) from the end of the runway, the following are defined as incompatible land uses:

    2.1 Permanent structures or objects projecting above the level of the primary surface of the runway.

    2.2 Any use which on a regular basis would result in a density which would exceed 25 persons per net acre at a time.

    2.3 Recommended uses include agriculture, and open space. Non permanent structures or objects, such as parking areas for aircraft or automobiles, are permitted where object height is consistent with height restrictions contained in FAR Part 77.

3. Within the outer portion of the safety zone, extending beyond ¼ mile (1,320 feet) from the end of the runway, new uses shall be non-residential, low density.

    3.1 Suggested uses are agriculture, open space, non-intensive recreation, warehousing, non-intensive industry, and equipment storage.

    3.2 Uses are defined as incompatible if they would yield a density of more than 25 persons per net acre over an 8-hour period (long-term) or a density of more than 50 persons per net acre for more than 2 hours per day (short-term). In particular, new shopping centers, restaurants, schools, hospitals and arenas are not compatible.

2

Alameda County Airport Land Use Commission (ALUC)
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3.3 Within the overall density limits identified in Policy 3.2, clustering of uses within a parcel may be compatible where such clustering provides emergency landing areas, avoids concentration of development along the extended runway centerline, and does not pose a hazard to air navigation.

PA10-4 Cont.

ALUC Noise Policy

The northerly portion of the Specific Plan area is located within the projected 2020 60dB CNEL Noise Contour for the Livermore Airport. Based on the Specific Plan DEIR, it appears that the proposed Children's Hospital and Church facilities could be located within this noise contour. According to the ALUC Airport Land Use Plan noise policies, facilities such hospitals and churches located within these noise contours would be considered "Conditionally Acceptable". Further guidance states:

PA10-5

"New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice."

ALUC Policy Plan Consistency Determination Finding

Based on the above findings, staff finds the El Charro Specific Plan and DEIR to be "Conditionally Consistent" with the ALUC Airport Land Use Policy Plan. The areas of concern are:

- **Projected 2020 Noise Contours** – the proposed hospital and church site may be subject to adverse noise impacts.
- **Height Policies** – Due to the proximity of the entire Specific Plan site to the airport runways, any future buildings must comply with height restrictions noted above.

PA10-6

- **Safety Zones** – The land uses permitted within the Safety zones are fairly restrictive. The Specific Plan indicates possible uses that may be incompatible with these restrictions.

In an effort to reach a Determination of Plan Consistency, staff recommends further discussion between County and City of Livermore staff to address the issues raised in this review. Again, thank you for the opportunity to review and comment on this project. I can be reached at 510/670-6511 to schedule a meeting at your convenience.

Sincerely,

Cindy Horvath, Sr. Transportation Planner
ALUC Staff

cc: Members, Alameda County Airport Land Use Commission
Chris Bazar, Alameda County Planning Director, ALUC Administrative Officer
Sandy Hesnard, Caltrans Division of Aeronautics
James Sorensen, Director, Alameda County Community Development Agency
Richard Winnie, County Counsel
Brian Washington, Assistant County Counsel

3

Response to Comment PA10-1

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment PA10-2

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment PA10-3

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment PA10-4

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment PA10-5

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment PA10-6

The comment presents the Airport Land Use Commission's findings that the proposed Project is "Conditionally Consistent" with the Commission's ALUPP. A master response has been prepared to further address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document. The City will continue to coordinate with the Commission staff on the proposed Project.

No revisions to the DEIR are necessary.

Comment Letter PA11—City of Dublin

PA11

CITY OF DUBLIN

100 Civic Plaza, Dublin, California 94568 Website: http://www.ci.dublin.ca.us

VIA FAX

RECEIVED
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PLANNING DIVISION

February 26, 2007

Susan Frost
City of Livermore
1052 South Livermore Avenue
Livermore, CA 94550

Subject: El Charro Specific Plan – Draft Environmental Impact Report

Dear Ms. Frost:

Thank you for the opportunity to comment on the City of Livermore's Draft Environmental Impact Report (EIR) for the El Charro Specific Plan. The project area contains approximately 260 acres of land bounded by Interstate 580 to the north, El Charro Road to the west, mining quarries and undeveloped quarry land to the south, Arroyo Las Positas, and the Livermore Municipal Golf Course to the east. The proposed project would include amendments to the Livermore General Plan, creation of the El Charro Specific Plan, and development plans for retail commercial uses, including an alternative use as a church facility on land owned by Crosswinds Church, and a specific project for retail development on approximately 57 acres. **PA11-1**

The City of Dublin respectfully submits the following comments:

1. On page 3.15-11 of the DEIR, under Future Baseline (2008) Traffic Conditions, the second and last bullet items list the Central Parkway extension from Keegan Street to Croak Road as a four-lane extension. This information should be corrected to show this extension consisting of two lanes only. Also, the correct limits for the Fallon Road widening from two to four lanes (bullet item #8) are between I-580 and Bent Tree Drive. **PA11-2**

2. Antone Way is misspelled throughout the DEIR document as Antoine Way. **PA11-3**

3. Page 3.15-11: The Future Baseline (2008) Traffic Conditions assumed approved and funded roadway improvements including the I-580/Fallon Road-El Charro Road interchange (Phase I) – installation of partial loop ramps, signalization of ramp intersections, and widening of the overpass from two lanes to four lanes. Also assumed funded and completed under the Cumulative Impact Analysis (2030 baseline) is the ultimate improvements to the interchange including the widening of the freeway overpass from four to six lanes and improvements of the ramps (see page 4-27). The document recognizes the importance of these improvements to the project but is silent on the funding and implementation of the ultimate interchange improvement. A funding agreement between the cities of Dublin, Pleasanton and Livermore to implement the ultimate interchange project should be identified as a mitigation measure to assure implementation **PA11-4**

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of the ultimate project. The funding agreement should be based on equitable and fair contributions from the three agencies, including credits for the costs of the initial interchange project and associated mitigation measures addressing the interchange. **PA11-4 Cont.**

4. The ultimate project for the I-580/Fallon Road-El Charro Road Interchange will require additional right of way south of the freeway. The City of Livermore should require the property owner/developer adjacent to the freeway to dedicate to Livermore the right of way needed for the ultimate interchange project. The City of Livermore should also require the dedication of right of way for the ultimate expansion of Interstate 580 in the vicinity of the project and coordinate these efforts with Caltrans and the Alameda County CMA. **PA11-5**

5. On page 3.15-12 of the DEIR, Westbound I-580 from Airway Boulevard to El Charro Road is listed as operating at LOS F under future baseline (2008) conditions during the p.m. peak hour. The text should be corrected to show this condition occurring during the a.m. peak hour. **PA11-6**

6. In the footnotes for Tables 3.15-6, -7a, -7b, -11, -12, 4-5a, -5b, and -11, reference to the velocity-to-capacity ratio (v/c) should be corrected to say volume-to-capacity. **PA11-7**

7. Tables 3.15-8 and 4-6 contain a column section entitled "LOS Threshold." The information provided in this section is inconsistent and can be misleading. For example, the column lists the lowest acceptable LOS for intersections in Livermore, while it lists the threshold level for unacceptable LOS for intersections in Dublin and Pleasanton. As a matter of clarification, it is suggested that the heading of this column section be revised to read "Lowest Acceptable LOS" or "LOS Standard" and that the LOS designations for Dublin and Pleasanton be changed to "D" (consistent with Table 4-12), to avoid any confusion. **PA11-8**

8. Mitigation Measure TRA-2b should provide information on how a second eastbound right-turn lane at the intersection of El Charro Road and I-580 eastbound ramps will be implemented in relationship to the Phase 1 I-580/Fallon Road/El Charro Road interchange improvement project. Phase 1 of the interchange project is nearing construction and is not presently designed to include the improvement the mitigation measure requires to be implemented. Rather, the improvement required by the mitigation measure is currently planned to be included as part of the ultimate (Phase 2) interchange project. It is currently anticipated that Phase 2 would be completed by 2030. The DEIR suggests that the full buildout of the El Charro Specific Plan area would accelerate the need for the second eastbound right-turn lane and could coincide with the implementation schedule for the Phase 1 interchange project. As such, the Final EIR should explain how the second eastbound right-turn lane would be funded and implemented in coordination with the Phase 1 I-580/Fallon Road/El Charro Road interchange improvement project. **PA11-9**

9. Mitigation Measure TRA-2a indicates that impacts to the intersection at Fallon Road and Dublin Boulevard could be mitigated if the City of Dublin elects to implement traffic operation improvements to provide an overlap phase for the eastbound right-turn movement. The measure goes on to conclude that if the City of Dublin chooses not to implement the improvement then the impact would be significant and unavoidable. The measure goes further still and indicates that the City of Livermore is willing to "ensure that projects it approves contribute fair-share mitigation costs for improvements in other jurisdictions but only if the other jurisdictions are also willing to reciprocate for projects **PA11-10**

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within their jurisdictions that contribute considerably to traffic occurring within the City of Livermore." Recently, the City chose to include the right-turn overlap improvement described in Mitigation Measure TRA-2a in the design for the Fallon Road/Dublin Boulevard signal, and therefore this City is not concerned about the underlying substance of this particular mitigation measure. Nonetheless, the City of Dublin respectfully disagrees with the City of Livermore's interpretation of its obligations under CEQA. Livermore's obligation to mitigate the impacts of the projects it approves is not dependent upon whether the jurisdictions responsible for constructing the improvements would "reciprocate" in similar circumstances. Reciprocity is not a component of the analysis of whether a mitigation measure is feasible. The California Supreme Court recently confirmed this point in *City of Marina v. Board of Trustees of the California State University* (2006) 39 Cal.4th 341 that "CEQA does not . . . limit a public agency's obligation to mitigate or avoid significant impacts to effects occurring on the agency's own property" and that "to pay a third party to perform the necessary acts" to complete necessary improvements "may well represent a feasible alternative." Thus, were Dublin not already intending to complete the improvement, it would expect Livermore to condition the projects that it approves to pay those projects' fair share of the cost of the improvements necessitated by those projects, notwithstanding the fact that the cities had not entered into a binding agreement to ensure that Dublin would reciprocate under similar circumstances. **PA11-10 Cont.**

10. Page 4-28 of the DEIR specifies that the Fallon Road extension from Antone Way to Tassajara Road will be six lanes based on Dublin's General Plan. Please note that Fallon Road, north of Antone Way, has already been constructed to its ultimate width of four lanes (not six lanes as inaccurately reported in the DEIR), and its future extension to Tassajara Road will also be built to four lanes under ultimate conditions. **PA11-11**

11. The DEIR lists Cumulative Mitigation Measure TRA-2a to add a third eastbound left-turn lane at the intersection of Santa Rita Road/Pimlico Drive/I-580 Eastbound Ramps. The Final EIR should clarify that this mitigation must also include implementing striping changes along the northbound Tassajara Road freeway overcrossing in order to accept traffic from the third left-turn lane and maintain three lanes of northbound traffic across the Tassajara Road/I-580 Westbound Ramp intersection. Cumulative Mitigation Measure TRA-2a includes the "reciprocity" caveat that was addressed in comment number 7. It should also be noted somewhere in the DEIR that the City of Dublin has been conditioning projects to pay their fair share of the costs of the third eastbound left-turn lane and that the improvement will be included in the City of Dublin's Eastern Dublin Traffic Impact Fee when it is updated in the future. **PA11-12**

12. The DEIR provided an analysis of increased cumulative traffic impacts in the Project area as a result of removing the Stoneridge Drive extension to El Charro Road from the City of Pleasanton General Plan. The analysis specifies that traffic volumes would increase on Dublin Boulevard, Central Parkway and Fallon Road within the City of Dublin without the Stoneridge Drive extension. In addition, four intersections within or in the immediate vicinity of the City of Dublin would be significantly impacted without the Stoneridge Drive extension, resulting in unacceptable levels of service during the a.m. or p.m. peak hour. These intersections are: **PA11-13**

    Hacienda Drive/Dublin Boulevard
    Tassajara Road/I-580 Westbound Ramps

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Fallon Road/I-580 Westbound Ramps
Santa Rita Road/Pimlico Drive/I-580 Eastbound Ramps

As stated in the DEIR, mitigation measures may not even be feasible at these intersections in order to reduce the cumulative impacts of removing the Stoneridge Drive extension from the planned roadway network to less-than-significant levels. For example, additional improvements at the Hacienda Drive/Dublin Boulevard intersection are physically infeasible. The Tassajara Road/I-580 Westbound Ramp intersection would need to be widened to include four westbound left-turn lanes to accommodate this movement during the a.m. peak hour, which is physically infeasible and operationally unsafe. The Fallon Road/I-580 Westbound Ramp intersection would need additional improvements beyond those planned under the Phase 2 I-580/Fallon Road/El Charro Road interchange improvement project. Similarly, additional improvements to bring the Santa Rita Road/Pimlico Drive/I-580 Eastbound Ramp intersection to acceptable LOS without the Stoneridge Drive extension would be infeasible.

City Staff agrees with the assertion made in the DEIR that *"Stoneridge Drive has been included in Tri-Valley transportation planning for more than a decade. It has been expected to provide an alternative to I-580 for local trips traveling within the Tri-Valley and to provide better connectivity between Livermore and Pleasanton. Removing this arterial roadway may cause a significant shift in expected traffic patterns in the vicinity between El Charro Road and Santa Rita Road."*

PA11-13 Cont.

In addition to impacting the above intersections significantly, the removal of the Stoneridge Drive extension from Pleasanton's General Plan has the potential of impacting other intersections and roadways in Dublin. The City of Dublin is concerned that by removing the Stoneridge Drive extension, more cut-through traffic would shift to Dublin Boulevard in order to bypass freeway congestion. For example, if Dublin Boulevard is extended to North Canyons Parkway as planned, work-based trips originating in Pleasanton during the evening commute period and traveling eastward to destinations in Livermore or beyond are likely to divert to Dublin Boulevard and other streets in Dublin in the absence of the Stoneridge Drive extension. As a result, in December 2005, Dublin Staff requested the City of Pleasanton to conduct the following analysis as part of the traffic review for its proposed General Plan update:

"We are requesting that the information listed below be included in your traffic impact analysis for the Pleasanton General Plan Update. Please provide this comparative analysis under the preferred land use alternative and circulation elements, with and without the Stoneridge Extension, under Year 2025 conditions with ramp metering in effect.

- *"Difference" plots showing the effects on AM and PM peak hour traffic volumes on Dublin Boulevard (between San Ramon Road and North Canyons Parkway) and on Central Parkway (between Arnold Road and Dublin Boulevard) as a result of <u>not</u> extending Stoneridge Drive.*
- *"Critical Link" plots showing who would use Dublin Boulevard and Central Parkway (i.e., by trip O-D, and by trip type/purpose for Pleasanton based trips) during the AM and PM peak hours with and without the Stoneridge Extension.*

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- *Calculate Year 2025 Operations LOS at the following intersections during the AM and PM peak hours with and without the Stoneridge extension. (The intersection lane geometry will soon be provided separately.)*
  - *Dublin Blvd/ San Ramon Road*
  - *Dublin Blvd/ Dougherty Road*
  - *Dublin Blvd/ Hacienda Drive*
  - *Dublin Blvd/ Tassajara Road*
  - *Dublin Blvd/ Fallon Road*
  - *Central Parkway/ Hacienda Drive*
  - *Central Parkway/ Tassajara Road*
  - *Central Parkway/ Fallon Road*
  - *Hacienda Drive/ Martinelli Way/ Hacienda Crossings."*

PA11-13 Cont.

To date, no information has been provided by the City of Pleasanton to address Dublin's concerns. The proposed El Charro Specific Plan project will be located in proximity of the future intersection of El Charro Road/West Jack London Boulevard where the Stoneridge Drive extension would intersect with El Charro Road. This intersection will provide primary access to the project. The removal of the Stoneridge Drive extension would affect vehicular access patterns into the project and would deteriorate the year 2030 level of service at this intersection to an unacceptable LOS F during the p.m. peak hour based on the DEIR traffic analysis. As such, the Final EIR should discuss the need for further coordination with the City of Pleasanton regarding the Stoneridge Drive extension.

Thank you for the opportunity to comments on the Draft EIR. Please feel free to contact me at 925-833-6610 if you require additional information.

Sincerely,

Jeff Baker
Senior Planner

cc: City of Dublin City Council
Richard Ambrose, City Manager
Jeri Ram, Community Development Director
Mary Jo Wilson, Planning Manager
Melissa Morton, Public Works Director

Area Code (925) · City Manager 833-6650 · City Council 833-6650 · Personnel 833-6605 · Economic Development 833-6650
Finance 833-6640 · Public Works/Engineering 833-6630 · Parks & Community Services 833-6645 · Police 833-6670
Planning/Code Enforcement 833-6610 · Building Inspection 833-6620 · Fire Prevention Bureau 833-6606

Response to Comment PA11-1

The comment is introductory in nature. No response is needed.

No revisions to the DEIR are necessary.

Response to Comment PA11-2

Comment request change of the Central Parkway extension to a two lane facility and to the limits of the Fallon Road widening.

The traffic network for analysis was updated per this and other changes and is presented in Appendix G. As shown there, the updated network did not change any significant impacts of the project. The future baseline traffic conditions text on page 3.15-11 has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA11-3

Comments noted misspelling on Antone Way. The DEIR has been revised to correct the spelling.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA11-4

The comment states that the 2008 and 2030 conditions presume the completion of the Phase 1 and Phase 2 (respectively) improvements to the El Charro/Fallon/I-580 intersection and recommends mitigation to assure implementation of these improvements.

The Cities have had a longstanding agreement that the interim and ultimate interchange cost shares would be 25% Livermore, 25% Pleasanton and 50% Dublin and the parties are working now to formalize that agreement. The current improvements were fully funded by Dublin for its approved developments except for the on loop, which Pleasanton asked to be included and agreed to pay for. Livermore has agreed to fund a second right lane for the eastbound off-ramp (this improvement is included in the ECSP project analyzed in the EIR).

It is expected that the cities of Livermore, Pleasanton and Dublin will finalize a cost sharing agreement for the funding of Phase 1 improvements to the I-580/El Charro Road-Fallon Road interchange shortly.

The Phase 2 improvements to the I-580/El Charro Road/Fallon Road interchange as noted on p. 4-27 in the DEIR, are included in the MTC's financially constrained RTP. Like other I-580 improvements, they would be funded through a combination of local traffic impact fees, Measure B funds, and state and federal transportation funding.

No Revisions to the DEIR are necessary

Response to Comment PA11-5

Comment describes that the ultimate El Charro/I-580/Fallon Road interchange and I-580 will require additional right of way and that the City of Livermore should required dedication of such ROWs and this should be coordinated with Caltrans and the Alameda County Congestion Management Agency (ACCMA).

The City of Livermore will require a dedication of the right-of-way needed for the ultimate El Charro/I-580/Fallon Road interchange. The City is negotiating acquisition of a right-of-way needed to preserve a Bay Area Rapid Transit (BART)/rail corridor in the I-580 median in return for compensation at the fair market value. The ECSP has also provided setback for future I-580 mainline widening. The City of Livermore is coordinating with ACTIA and the Alameda County CMA on these efforts. The Project Description is revised to include all dedications and easements necessary for the proposed Project.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA11-6

The comment requests correction text under "Future Baseline (2008) Freeway Conditions" on page 3.15-12. The text has been corrected to reflect the a.m. peak hour.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA11-7

The comment requests textual corrections to certain tables. The notes at the bottom of Tables 3.15-6, 3.15-7a, 3.15-7, 3.15-11 3.15-12, 4-5a, 4-5b, and 4-11 have been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA11-8

The comment requests clarifications regarding the LOS thresholds in Table 3.15-8 and Table 4-6 to avoid reader confusion.

The requested clarifications are made. However, although the two tables contained the incorrect standard, the correct standard of LOS D for Pleasanton and Dublin intersections was actually used in the determination of significance.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA11-9

The comment requested clarifications on the timing of the second lane for the I-580 offramp at El Charro Road.

Mitigation Measure TRA-2b will be needed after development of the first 550,000 square feet of retail uses in the ECSP. The improvements will be funded by developer City of Livermore traffic impact fees and/or the proposed ECSP assessment or community facilities district. This project would be completed by the City through a Caltrans encroachment permit process. If the timing is right, the project could be completed through a change order to the Phase 1 I-580/El Charro Road-Fallon Road Interchange project. The City of Livermore will work with Caltrans and the cities of Dublin and Pleasanton to coordinate these improvements with the Phase 1 I-580/El Charro Road-Fallon Road Interchange project. Revisions have been made to page 3.15-36 in the DEIR in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA11-10

The comment asserts that Dublin believes that Livermore's mitigation obligation cannot be conditional upon reciprocity of cooperation in provision of fair-share mitigation by the neighboring jurisdictions.

Within this comment letter, Dublin describes that it has required projects to contribute fair-share mitigation for impacts to the Santa Rita Road/Pimlico Drive/I-580 Eastbound Ramp within Pleasanton, so Dublin has recognized the need for fair-share mitigation in neighboring jurisdictions. Livermore desires to work with Pleasanton, Dublin, and Alameda County to ensure a level playing field and that all projects contribute appropriate fair-share mitigation to the significant impacts they contribute to, regardless of jurisdictional location. The reciprocity language seeks to assure that an appropriate balancing of fair-share mitigation occurs to the benefit of all parties and to the detriment of none.

Reciprocity is necessary to avoid charging project proponents in Livermore fees that are more than roughly proportional (i.e., excessive), which is not allowed under CEQA and constitutional constraints. In other words, if projects in the County, Pleasanton, or Dublin contribute to traffic impacts within Livermore and there is no reciprocity, then Livermore project proponents could end up overpaying their fair-share for mitigation for impacts within Livermore. Even if Livermore project proponents are only paying their "fair share" for impacts within Dublin or Pleasanton, if the same Livermore project proponents are actually paying more than their fair share in Livermore (since no one from outside Livermore would be matching their contributions without any reciprocity), then in total the developers in Livermore would be paying too much, and project proponents in neighboring jurisdictions could be getting a “free ride” within Livermore. In determining what is roughly proportional mitigation, Livermore as lead agency would need to look at traffic impacts as a whole, and not look at each and every segment and intersection separately.

A further concern is feasibility. The potential need to subsidize a “free ride” for project proponents outside the City’s jurisdiction could be what makes Livermore projects infeasible due to excessive infrastructure cost. The “free ride” would also, arguably, constitute unfair market regulation in that project proponents would not be competing on a level playing field. This consideration could also be an element in assessing the feasibility of mitigation without reciprocity.

Thus, the City maintains that reciprocity is a fundamental prerequisite to the feasibility of traffic mitigation across the local jurisdictions both in terms of ensuring that mitigation for project proponents is roughly proportional to their impacts, does not represent an unfair market regulation, and does not undermine project feasibility due to disproportionate infrastructure costs.

No revisions to the DEIR are necessary.

Response to Comment PA11-11

The comment requests corrections regarding Fallon Road extension. All requested clarifications were addressed in the response to PA11-3.

No further revisions to the DEIR are necessary.

Response to Comment PA11-12

The comment requests modification of Cumulative Mitigation Measure TRA-2a to add striping changes. The comment also requests that the reciprocity concerns raised in Comment PA11-10 be clarified for this mitigation and that details be added to the DEIR regarding Dublin’s conditioning of projects and traffic impact fees related to this improvement be noted in the DEIR.

Regarding reciprocity, see response to PA11-10. The text of Cumulative Mitigation Measure TRA-2a had been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA11-13

The comment describes the City of Dublin's views on the analysis of the cumulative impacts under a scenario that does not have a Stoneridge Drive extension. The comment specifically notes that further mitigation at the Hacienda Drive/Dublin Boulevard, the Tassajara Road/I-580 westbound ramp, and the Santa Rita Road/Pimlico Drive/I-580 eastbound ramp intersections are infeasible and that additional improvements would be needed at the El Charro/Fallon Road/I-580 intersection. The comment also notes that there may be additional impacts if Dublin Boulevard is extended to North Canyons Parkway. The comment closes with a request for the FEIR to discuss the need for further coordination with the City of Pleasanton regarding the Stoneridge Drive extension.

The comment concurs with the analysis of cumulative impacts for the alternative cumulative scenario that includes existing development, cumulative development (including the ECSP, Staples Ranch, development in Dublin, and other development) and the potential removal of the Stoneridge Drive extension from the Pleasanton General Plan.

The City of Livermore continues to support the inclusion of the Stoneridge Drive Extension in the Pleasanton General Plan as this improvement has been included in Tri-Valley transportation planning for more than a decade. The analysis in the EIR shows that cumulative traffic impacts will be worse without the Stoneridge Drive Extension than with the Stoneridge Drive Extension, which further supports Livermore's position that the extension should ultimately be built. The City of Livermore will continue to coordinate with the City of Pleasanton regarding Staples Ranch, El Charro Road, and Stoneridge Drive as it has done in the past. However, decisions about the Pleasanton General Plan are within the authority of the City of Pleasanton and not the City of Livermore.

No revisions to the DEIR are necessary.

Comment Letter PA12—Alameda County Community Development Agency, Surplus Property Authority

ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY **PA12**

SURPLUS PROPERTY AUTHORITY

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FEB 28 2007

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February 26, 2007

Susan Frost, Principal Planner
City of Livermore
1052 S. Livermore Avenue
Livermore, CA 94550

SUBJECT: Comments on the El Charro Specific Plan DEIR

Dear Susan:

Thank you for the opportunity to review and comment on the Draft EIR for the City of Livermore's El Charro Specific Plan. As the owner and developer of the adjoining 124 acre Staples Ranch property to the west, the Alameda County Surplus Property Authority has been working in close cooperation with the City and others to try and resolve a number of issues that mutually impact both the El Charro Specific Plan area in Livermore and the Staples Ranch property, which is anticipated to be annexed to Pleasanton. We look forward to our continuing cooperation and the successful development of both areas and offer the following comments in that spirit. **PA12-1**

Project Description

The discussion on Project Phasing/Public Improvement Plans lists "widening and raising El Charro Road between I-580 and the Arroyo Las Positas" on page 2-28. While El Charro will require to be widened, we are unaware of any plans to raise it significantly, which could cause problematic changes of grade with adjoining properties. The description of El Charro improvements in the document should also be modified to reflect the current understanding between Livermore, Pleaanton, the County and Vulcan that the road will only be improved as a public street between I-580 and Jack London Boulevard, with the roadway south of the intersection remaining a private quarry haul road. **PA12-2**

Transportation and Traffic

It is unclear from the document when, exactly, an extension of Jack London Boulevard or Airway Boulevard west to the Specific Plan area will be required by the City. While such an extension is listed as an "initial improvement", there are contradicting statements that indicate the extension may not be completed prior to the opening of "some retail establishments" (see page 2-27). Given the significant environmental, ownership and **PA12-3**

financial issues that must be dealt with prior to constructing an extension, some of which may be outside of the control of the City, it is quite likely that an extension could be delayed for a significant period of time. Yet the traffic analysis for El Charro Road and I-580 does not appear to consider a scenario where some (or all) of the 1.5 million square feet of retail development permitted by the Specific Plan is relying solely on I-580 and El Charro Road for access. The Final EIR should clarify what the potential traffic impacts to El Charro Road and I-580 would be if a significant amount of development opens within the Specific Plan prior to completion of the Jack London/Airway Boulevard extension, or the City should consider, as mitigation, precluding or limiting Specific Plan development until the extension project is complete.

PA12-3 Cont.

Mitigation Measure TRA-2b (page 3.15-36) states (in part), "If the Staples Ranch development is approved, the City will negotiate the participation of the City of Pleasanton and/or Alameda County and/or Staples Ranch participants in funding this improvement (a second eastbound right-turn lane) because of their impact on this same freeway ramp and the benefits accruing to new development from this improvement". While Staples Ranch may benefit from this improvement, this statement does not recognize that the improvement mentioned is only part of a much larger interchange reconstruction being funded by Dublin, primarily, with Pleasanton contributing a portion of the funding. While there have been discussions between the jurisdictions regarding cost-sharing, to date, Livermore has not committed to paying for any of this interchange project, even though the EIR assumes that it is constructed prior to development of the Specific Plan area and the Project relies upon that construction. Any "participation" in funding of the second eastbound right-turn lane by Pleasanton, Alameda County or Staples Ranch participants should only be in the larger context of cost sharing for all anticipated interchange improvement costs between Livermore, Pleasanton and Dublin.

PA12-4

Cumulative Impacts

The discussion of the status of the Stoneridge Drive Specific Plan (page 4-6) correctly lists the residential, commercial, park, and school uses permitted under the Plan, but then states that "with the exception of the capacity of flood control capacity on Arroyo Mocho (completed in 2003), none of the other land uses have been developed to date. In fact, of the original 220 acre Specific Plan area, only 124 acres of the Staples Ranch property remain undeveloped. The remainder of the Specific Plan, including several neighborhoods, two neighborhood parks and an elementary school, have all been developed.

PA12-5

On page 4-13, within the discussion of cumulative impacts on the habitats of California Red-Legged Frogs, California Tiger Salamander, Western Pond Turtle, Riparian Habitats, Waters and Wetlands, the document states that the combined cumulative development of the proposed El Charro Specific Plan with Staples Ranch, quarries and Dublin residential projects would "result in a significant loss of habitat for these species and riparian habitat that is not amenable to project-by-project mitigation because the overall area of contiguous habitat in the area where Livermore, Pleasanton and Dublin meet will be substantially reduced and eliminated over time". PA12-6

From this statement it could be inferred that Staples Ranch has been deemed "habitat" for one or more of the listed species, or that the development of Staples Ranch will have cumulative impacts on Riparian Habitats in general. The DEIR does not back up this statement with any data and we are unaware of any biological report or opinion that has deemed the Staples Ranch property "habitat" – and in fact a number of biological reports over the last 10 years have come to the opposite conclusion. It should also be noted that the Arroyo Mocho/Arroyo Las Positas Realignment project within and around Staples Ranch which was completed in 2004, resulted in a large net increase in riparian habitat area and values and the planned development of the Staples Ranch project will not have any impact on riparian areas.

Alternatives

Finally, while we appreciate the reasoning behind including "Alternative 4- Flood Control Flow-Through Alternative", we do not believe this has been demonstrated to be a viable alternative. In order to be viable, this alternative would have to be able to "deliver" the flood flows to, and across, El Charro Road following development of the Specific Plan at the same rate as in the current undeveloped condition. To do so would require a large-scale re-planning of the proposed development and the Prime Outlets Livermore Valley Site Plan shown in Figure 2-13 would most likely not be developable in its present configuration, which could result in making the entire Specific Plan development economically unviable. Furthermore, in order to convey the flood waters across El Charro Road the road itself would have to be significantly raised and large culverts installed. This design would have significant impacts on grades in the area and would also require the approval of both Alameda County and the City of Pleasanton (because the road is not within the City of Livermore), which is highly unlikely. Therefore, it is reasonable to conclude that this is not a viable alternative. PA12-7

Thank you for the opportunity to review and comment on the DEIR for the El Charro Specific Plan. We look forward to reviewing the Final EIR when it is completed and to PA12-8

the continuing consultation and cooperation between the cities and the County on coordinating necessary infrastructure improvements to serve the development of the areas on both sides of El Charro Road.

PA12-8 Cont.

Sincerely,

Stuart Cook
Assistant Director

CC: James Sorensen, Manager
Patrick Cashman, Director
Steven Bocian, City of Pleasanton

Response to Comment PA12-1

The comment is introductory material and requires no response.

The City will continue to coordinate with the Alameda County Community Development Agency Surplus Property Authority (ACSPA) regarding the Staples Ranch development.

No revisions to the DEIR are necessary.

Response to Comment PA12-2

The comment notes that ACSPA was unaware of plans to raise El Charro Road and suggests that the description of El Charro Road improvements be modified to reflect the limits of public vs. private sections of the road.

El Charro Road is not planned to be raised significantly. The description of El Charro Road improvements have been modified to reflect the understanding that El Charro Road will be approved as a public street only north of Jack London Boulevard and that the roadway south of Jack London Boulevard would remain as a private haul road.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA12-3

The comment asks the timing of the Jack London Boulevard or Airway Boulevard Extension options and questions whether the traffic analysis considers a scenario in which development within the ECSP proceeds substantially without such an extension. The comment suggest the FEIR clarify what the traffic impacts would be in such a scenario and asks that development be limited before the extension project is complete.

See response to comment PA7-1.

No revisions to the DEIR are necessary.

Response to Comment PA12-4

The comment states that any County participation in funding of a second eastbound lane for the El Charro eastbound offramp must take into account the larger context of cost sharing for all anticipated improvement costs between Livermore, Pleasanton, and Dublin.

See response to Comment PA11-4.

No revisions to the DEIR are necessary.

Response to Comment PA12-5

The comment notes that the text in the cumulative setting description of the Stoneridge Drive Specific Plan needs to be updated to take account of the current state of development. The text on page 4-6 of the DEIR has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA12-6

The comment takes issue with the DEIR's description that the Staples Ranch development would contribute to cumulative impacts to California red-legged frogs, California tiger salamander, western pond turtle, riparian habitat, waters, or wetlands. The comment also asserts that the Arroyo Mocho/Arroyo Las Positas Realignment project resulted in a large net increase in riparian habitat. The comment also asserts that the Staples Ranch development will have no impact on riparian habitat.

The comment is correct that there is no riparian habitat that would be affected by the Staples Ranch development. Because the DEIR for the Staples Ranch development has not been released, impacts to other habitats and species are undetermined at this time. The text on page 4-13 of the DEIR has been updated to reflect only the known impacts of cumulative impacts.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA12-7

The comment asserts that Alternative 4: Flood Control Flow-Through Alternative is not feasible because it would require redesign of the Prime Outlets Livermore Valley project, may make the ECSP economically infeasible (due to reduction in developable land), the need to raise El Charro road, and the need to get unlikely approvals from Alameda County and the City of Pleasanton.

Alternative 4, Flood Control Flow Through Alternative, has been identified in the DEIR and the hydrologic studies to be a technically viable alternative. Preliminary engineering of flood control measure on both the Prime Outlets site and across the El Charro Road right of way have produced preliminary designs that deliver the flood flows to and across El Charro Road at the same rate as in the current undeveloped condition. Maintaining preexisting drainage patterns from one property to an adjacent property would be allowed under this alternative. El Charro Road could be raised and culverts added in a similar

fashion as that proposed for the Jack London Road extension. Thus, this is considered a technically viable alternative.

However, comment raises additional concerns about economic feasibility and logistical feasibility. This alternative would require adjustment to the configuration of the Prime Outlets development but would allow the same amount of retail use. Thus this alternative is economically viable. The decisions of Alameda County or the City of Pleasanton were this alternative to be advanced are unknown and are thus speculative at this time.

It should be noted that this alternative is not the City's preferred alternative and there is no intent to advance this alternative.

The preferred alternative was chosen because it provides a cost effective flood control mechanism not only for ECSP but also for future Staples Ranch development and reduced flooding potential for the adjacent area of I-580. The proposed flood control also eliminates the need for Staples Ranch project area to construct its own flood storage and flow rate control system and optimizes development in both areas.

Table 4-13 in the DEIR has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

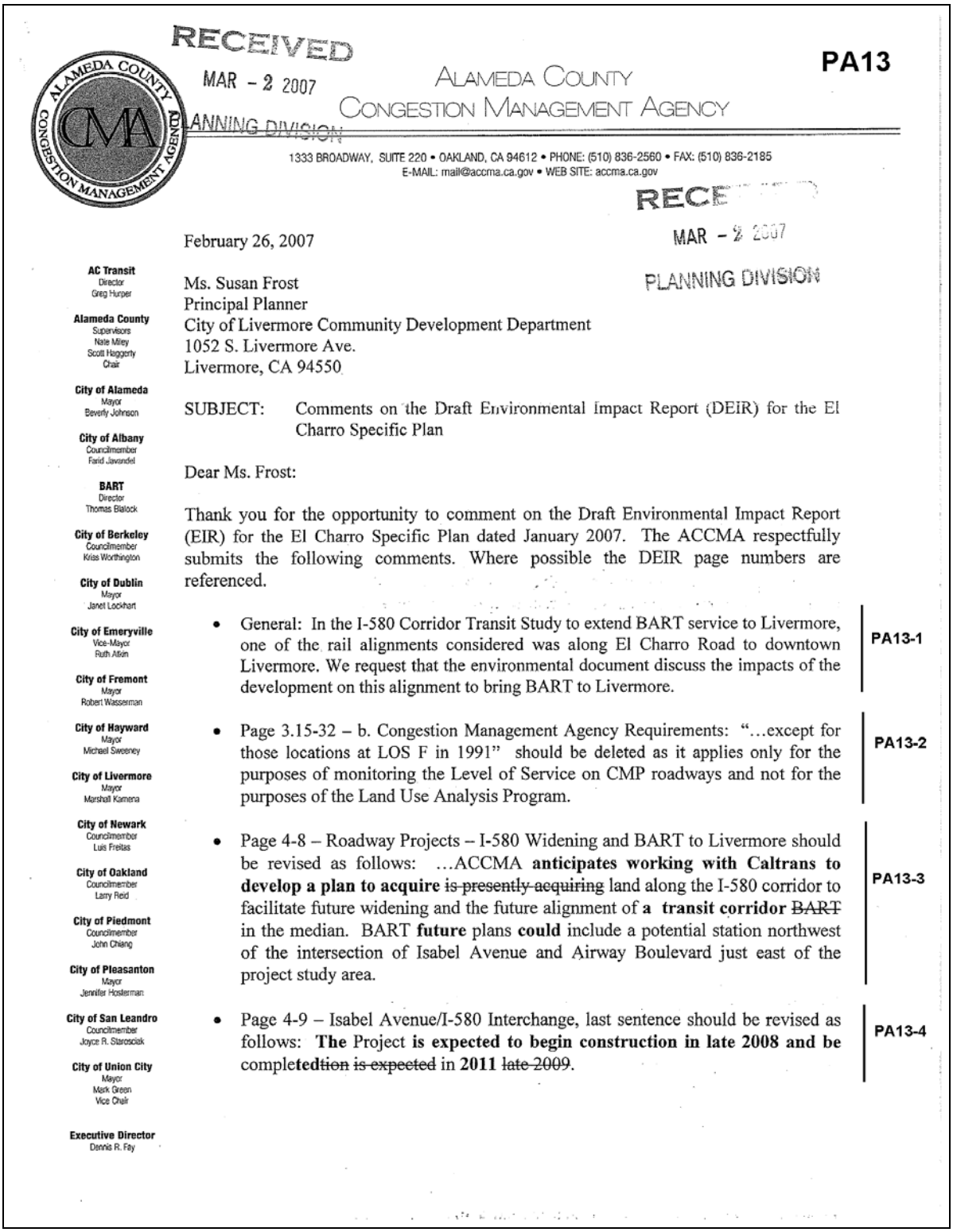
Response to Comment PA12-8

This comment describes ACSPA's interest in continuing coordination between the cities and the County concerning infrastructure and development along El Charro Road.

Comment is noted. The City looks forward to continued work with the ACSPA on the overlapping issues of concern.

No revisions to the DEIR are necessary.

Comment Letter PA13—Alameda County Congestion Management Agency



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PA13

ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2560 • FAX: (510) 836-2185
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RECE
MAR - 2 2007
PLANNING DIVISION

February 26, 2007

Ms. Susan Frost
Principal Planner
City of Livermore Community Development Department
1052 S. Livermore Ave.
Livermore, CA 94550

SUBJECT: Comments on the Draft Environmental Impact Report (DEIR) for the El Charro Specific Plan

Dear Ms. Frost:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (EIR) for the El Charro Specific Plan dated January 2007. The ACCMA respectfully submits the following comments. Where possible the DEIR page numbers are referenced.

- General: In the I-580 Corridor Transit Study to extend BART service to Livermore, one of the rail alignments considered was along El Charro Road to downtown Livermore. We request that the environmental document discuss the impacts of the development on this alignment to bring BART to Livermore. **PA13-1**

- Page 3.15-32 – b. Congestion Management Agency Requirements: "…except for those locations at LOS F in 1991" should be deleted as it applies only for the purposes of monitoring the Level of Service on CMP roadways and not for the purposes of the Land Use Analysis Program. **PA13-2**

- Page 4-8 – Roadway Projects – I-580 Widening and BART to Livermore should be revised as follows: …ACCMA **anticipates working with Caltrans to develop a plan to acquire** ~~is presently acquiring~~ land along the I-580 corridor to facilitate future widening and the future alignment of **a transit corridor** ~~BART~~ in the median. BART **future** plans **could** include a potential station northwest of the intersection of Isabel Avenue and Airway Boulevard just east of the project study area. **PA13-3**

- Page 4-9 – Isabel Avenue/I-580 Interchange, last sentence should be revised as follows: **The** Project **is expected to begin construction in late 2008 and be** comple**tedtion** ~~is expected~~ in **2011** ~~late 2009~~. **PA13-4**

AC Transit
Director
Greg Harper

Alameda County
Supervisors
Nate Miley
Scott Haggerty
Chair

City of Alameda
Mayor
Beverly Johnson

City of Albany
Councilmember
Farid Javandel

BART
Director
Thomas Blalock

City of Berkeley
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Kriss Worthington

City of Dublin
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Councilmember
Joyce R. Starosciak

City of Union City
Mayor
Mark Green
Vice Chair

Executive Director
Dennis R. Fay

Ms. Susan Frost
February 26, 2007
Page 2

Thank you for the opportunity to comment on DEIR. Please do not hesitate to contact me at 510/836-2560 ext. 26 if you require additional information.

Sincerely,

Beth Walukas
Senior Transportation Planner

cc: Saravana Suthanthira, Associate Transportation Planner
file: CMP - Environmental Review Opinions - Responses - 2007

Response to Comment PA13-1

The comment asks for analysis of the impacts of the ECSP on the potential BART alignment along El Charro Road.

A 10-foot wide median is planned for El Charro Road between I-580 and Jack London Boulevard. If BART is extended to Livermore along the El Charro Road alignment it could potentially be placed on an aerial structure in the median area. BART commented on the DEIR and noted that the median could accommodate an aerial structure.

No revisions to the DEIR are necessary.

Response to Comment PA13-2

The comment requests clarification of text concerning ACCMA requirements. Revisions were made to page 3.15-32 in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA13-3

The comment requests clarification of textual description of right of way acquisition and BART alignments. Page 4-8 has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA13-4

The comment requests changes in the description of the timing for the Isabel Avenue/I-580 interchange improvement. Pages 4-8 and 4-9 have been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Comment Letter PA14—San Francisco Bay Area Rapid Transit

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
300 Lakeside Drive, P.O. Box 12688
Oakland, CA 94604-2688
(510) 464-6000

PA14

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6TH DISTRICT

Lynette Sweet
7TH DISTRICT

James Fang
8TH DISTRICT

Tom Radulovich
9TH DISTRICT

Eric Brown
Planning Manager
1052 South Livermore Avenue
Livermore, CA 94550

Re: El Charro Specific Plan Draft EIR

Dear Mr. Brown,

Thank you for the opportunity to review and comment of the El Charro Specific Plan Draft EIR.

As part of the Regional Rail Plan, consultants are evaluating two alternative BART extensions to Livermore:

- Alternative 1—BART extension down I-580 to Greenville Avenue
- Alternative 2—BART extension down I-580 and El Charro Road to Stanley Boulevard / Isabel Avenue

PA14-1

Conceptually, the alignment could be incorporated into an elevated structure somewhere along the western edge of the El Charro Road Specific Plan project area. It is likely that the elevated structure would pass through the southwestern quadrant of the El Charro Road Interchange and transition to an alignment parallel to the western edge of El Charro Road. In the event a BART structure would require right-of-way within El Charro Road itself, BART's structure can be accommodated within the planned 10' median of a widened El Charro Road.[1]

It should be noted that the widening of El Charro Road and the related reconfiguration of the adjacent freeway interchange could preclude a potential BART extension option that is described in Alternative 2.

PA14-2

We look forward to continuing to work closely with the City of Livermore and the Tri-Valley Regional Rail PAC through the Bay Area Regional Rail Plan. Thank you for the opportunity to present our comments of the El Charro Road Specific Plan Draft EIR.

Sincerely,

Marianne A. Payne
Department Manager of Planning

Cc: Cheri Sheets, City of Livermore
Doug Kimsey, Metropolitan Transportation Commission

[1] Bob Vinn (City of Livermore) distributed striping plans of a widened El Charro Road and I-580/El Charro Road Interchange to Thomas Tumola (BART) on February 14th, 2007.

www.bart.gov

Response to Comment PA14-1

This comment states that BART is analyzing two alternatives for a BART extension to Livermore, one of which goes down I-580 and one of which goes down El Charro Road to Stanley Boulevard/Isabel Avenue. The comment notes that the alignment down El Charro Road would require right-of-way within El Charro Road that could be accommodated in the 10-foot median.

The comment describes potential BART alternatives and notes that the El Charro alignment could be accommodated within the already planned 10-foot median. There is no need for response on this issue. It should be noted that the ECSP has also taken into account the need for a setback for I-580 widening which may be completed in order to provide additional traffic lanes and also to accommodate a potential BART extension in the median of I-580.

No revisions to the DEIR are necessary.

Response to Comment PA14-2

The comment describes that the widening of El Charro Road and the reconfiguration of the El Charro/Fallon/I-580 interchange could preclude the BART potential extension along El Charro Road.

As presented in Comment PA14-1, BART's aerial structure can be accommodated within the planned 10-foot median on El Charro Road. There donot appear to be any design elements of the I-580/El Charro Road-Fallon Road interchange or the widening of El Charro Road that would preclude either an aerial structure or underground tunnel to transition potential future BART tracks from the I-580 median to the El Charro Road alignment.

No revisions to the DEIR are necessary.

Comment Letter PA15—U.S. Fish and Wildlife Service

PA15

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846

In reply refer to:
1-1-07-TA-0660

RECEIVED
MAR - 9 2007
MAR 6 2007
PLANNING DIVISION

Ms. Susan Frost, Principal Planner
Livermore Community Planning Department
1052 S. Livermore Avenue
Livermore, California 94550

Subject: Comments on the Draft Environmental Impact Report for the El Charro Specific Plan, Livermore, Alameda County, California

Dear Ms. Frost:

This letter represents the U.S. Fish and Wildlife Service's (Service) comments on the January 2007, Draft Environmental Impact Report (DEIR) for the El Charro Specific Plan in Livermore, Alameda County California. The Service received the DEIR on January 12, 2007. Our comments are provided under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act). PA15-1

The El Charro Specific Plan will follow the City of Livermore General Plan's Business and Commercial Park land use designation with further refinements. The El Charro Specific Plan includes commercial and retail development, golf course realignment, open space, and infrastructure improvements. The El Charro Plan Area (Plan Area) is comprised of 16 properties, with an aggregate area of approximately 250 acres. A majority of the Plan Area consists of non-urbanized land, some of which is being dry farmed. A few properties have additional uses, including a golf driving range and a small cluster of rural residential homes. The Plan Area is bordered by I-580 to the north, El Charro Road to the west, active mining quarries to the south, and a municipal golf course, open space, and a regional airport to the east.

Comments:

1. The Children's Hospital Site Alternative 1 and one of the Airport Boulevard extension options include the re-alignment of Cottonwood Creek to the eastern side of the Children's Hospital site. As the DEIR notes, "Cottonwood Creek provides aquatic habitat for the California red-legged frog and a potential migration corridor for California tiger salamander and other riparian species, and its realignment would reduce the amount PA15-2

TAKE PRIDE IN AMERICA

of extant riparian habitat." The Service is concerned that these alternatives could have permanent adverse effects to these species and that the current compensation proposals are inadequate. The Service recommends choosing a project design that does not realign Cottonwood Creek. **PA15-2 Cont.**

2. On page 2 of 6 for Table 3.4-3 the Federal status for the threatened California tiger salamander (*Ambystoma californiense*) should be changed from C to T. **PA15-3**

3. Please replace spearscale with heartscale on page 3.4-15 in the Heartscale section. **PA15-4**

4. The Service does not agree with the statement on page 3.4-29 and throughout the document that only fallow fields, disturbed annual grassland, and riparian woodlands within 100 feet of Arroyo los Positas and Cottonwood Creek are considered upland habitat for the threatened California red-legged frog (*Rana aurora draytonii*). Adults have been documented to move 1.8 miles from their breeding sites. Based on the information presented in the DEIR, the undeveloped areas, including the golf course and areas described as landscaped, likely provide upland dispersal habitat for the California red-legged frog. **PA15-5**

5. Areas described as landscaped could be used by listed species for dispersal. **PA15-6**

6. The Service recommends minimum setbacks of 300 feet from Arroyo los Positas and Cottonwod Creek. **PA15-7**

7. Mitigation Measure BIO-3a: the Service recommends using exclusion fencing during all grading and construction activities regardless of seasonal timing. **PA15-8**

8. All listed species surveys need to be reviewed and approved by the Service. **PA15-9**

9. The compensation ratio of 1:1 for California tiger salamander is not adequate for the Service. The rationalization for a low ratio is that the habitat is degraded but suitable for listed species. If species are present, then they will likely be subject to take and their habitat will be lost regardless of habitat classification. **PA15-10**

This concludes our comments on the DEIR for the El Charro Specific Plan. The Service is interested in working with the City in the resolution of these issues to listed species and other wildlife. If you have any questions regarding our comments, please contact Kim Squires or Ryan Olah of my staff at (916) 414-6625. **PA15-11**

Sincerely,

Chris Nagano
Deputy Assistant Field Supervisor

cc:
Janice Gan, California Department of Fish and Game, Tracy, California
Brian Wines, San Francisco Bay Regional Water Quality Control Board, Oakland, California

Response to Comment PA15-1

This comment is introductory material and requires no response.

No revisions to the DEIR are necessary.

Response to Comment PA15-2

This comment states that the realignment of Cottonwood Creek would have permanent effects on the California red-legged frog and California tiger salamander, the compensation proposed is inadequate, and recommends alternatives that do not require realignment of the creek.

Please see the Master Response concerning Cottonwood Creek realignment in Chapter 2.

Response to Comment PA15-3

This comment notes the need for a clarification on the status of the California tiger salamander in DEIR Table 3.4-3. The table has been revised in response to this comment.

Revisions to the DEIR are included in Chapter 4 of this FEIR.

Response to Comment PA15-4

This comment notes a needed correction on p. 3.4-15. Revisions to the text on this page have been made in response to this comment.

Revisions to the DEIR are included in Chapter 4 of this FEIR.

Response to Comment PA15-5

This comment expresses the USFWS opinion that CRLF habitat is not limited to the fallow fields, disturbed annual grassland, and riparian woodlands within 100-feet of the creeks on the project site and instead asserts that undeveloped areas including golf course and landscaped areas likely provide upland dispersal habitat for the CRLF.

The comment is correct that CRLF can move extensive distances from their breeding locations. The USFWS asserts this distance to be up to 1.8 miles, whereas the DEIR notes up to 1-mile on p. 3.4-16, but the difference is not material to the analysis in the DEIR.

However, the fact that CRLF can move extensive distances does not inherently make the areas through which they may move "upland habitat" for the species. For example, CRLF can move across roadways and through developed areas as they disperse, but this does not make such areas habitat.

As noted on p. 3.4-16 of the DEIR, CRLF breed in streams, wetlands, and ponds, and are also found in upland areas near breeding areas and along drainages connecting wetlands. Relevant to the project site, there is aquatic CRLF habitat along Arroyo Las Positas and Cottonwood Creek, in golf course ponds, and potentially in an emergent wetland south of the airport (along the 4-lane Jack London extension alignment but the 4-lane extension is no longer considered part of the project). As to upland habitat, the DEIR does not assume that any upland area within 1-mile (or 1.8 mile as the USFWS notes) to be upland habitat for the CRLF. While it may be possible for CRLF to move extensively, the area of likely utilization by CRLF are the less disturbed areas near Arroyo Las Positas and Cottonwood Creek. While CRLF could move across the golf course fairways, it is hard to see how the fairways themselves (or other landscaped areas) could actually be utilized by CRLF for refuge as cover is sparse and turf management precludes the ability of squirrels to create burrows that might be utilized by CRLF. The plowed agricultural fields were also not considered upland habitat as they also lack substantive cover, are routinely disturbed, and have limited squirrel burrows.

Relative to potential dispersal, the more likely corridor for CRLF movement is in and along Arroyo Las Positas and Cottonwood Creek, rather than through the disturbed agricultural fields and landscaped areas within the ECSP area. North of Arroyo Las Positas, there is no potential breeding locations between the creeks and I-580, whereas both the two creeks are connected to upstream and downstream habitat for CRLF. While it is possible that CRLF may cross the golf course to access golf course ponds, it is important to remember that the presence of mosquitofish and bullfrogs in these ponds creates unfavorable (though not exclusive) conditions for CRLF successful breeding.

Thus, while USFWS is technically correct that CRLF could disperse across larger areas than identified in the DEIR as upland habitat, the upland habitat identified in the DEIR accurately describes those upland areas likely to be utilized and of greatest value for CRLF in the project area and constitute an appropriate baseline by which to identify impacts and determine mitigation amounts.

No revisions to the DEIR are necessary.

Response to Comment PA15-6

This comment states that landscaped areas could be used by listed species for dispersal.

Regarding CRLF, see the response to Comment PA 15-5.

Regarding CTS, to date there is no confirmed presence of CTS in the project area, nor in any adjacent area south of I-580. The DEIR acknowledges that it is theoretically possible that CTS could migrate from known occurrences upstream along Cottonwood Creek north of I-580, but no suitable breeding habitat for CTS have been identified on the project site or in adjacent areas.

It should be noted that subsequent to the release of the DEIR, the seasonal wetland area identified in a ditch south of Arroyo Las Positas was examined during the wet season by site visits after each rain event in January, February, and March 2007 to identify whether ponding is sufficient to support CTS breeding. This ditch is drained by two culverts to Arroyo Las Positas that are set at an elevation below the bottom of the seasonal culvert and thus the seasonal wetland can only pond when the culverts are closed by high flow on the creek. Based on the monitoring in early 2007, the creek high flows do not persist on a high level, and thus the ponding identified was a matter of a number of days rather than the months needed to support CTS breeding. Thus, this seasonal wetland is not considered to be suitable breeding habitat for CTS.

The DEIR acknowledges that CTS can move up to 1-mile from breeding locations to upland aestivation sites. However, given that the ECSP does not contain any breeding locations, then any dispersal would have to be occurring from breeding locations north of I-580 along Cottonwood Creek or from stock ponds north of I-580 through the culverted crossing that conveys the creek under I-580. As noted in the DEIR, during winter flows, the high velocity flows through the culvert could serve as a potential barrier to migration. While theoretically possible to conduct such a migration, it is on the low order of probability.

The DEIR identified upland CTS habitat (Table 3.4-7a and 3.4-7b) as fallow fields, grassland, and disced agricultural fields. However, the DEIR also noted that if no suitable breeding habitat is identified in the project area, that then the upland habitat areas identified would not be considered as CTS upland habitat. This was done due to the low likelihood of cross-I-580 migration.

Recent trapping surveys on the Prime Outlets Livermore Valley site and in the adjacent Staples Ranch development have not identified CTS in the project area and CTS have not been encountered in prior project surveys and reconnaissance in the project area.

Thus, while possible that CTS could migrate to the ECSP and in theory disperse across upland areas in search of aestivation areas, the likelihood of such activity is very low, and it is for this reason that it is now considered that the project area does not provide upland habitat for the CTS.

No revisions to the DEIR are necessary.

Response to Comment PA15-7

This comment recommends minimum setbacks of 300 feet from Arroyo Las Positas and Cottonwood Creek.

The ECSP provides for 100-foot setbacks from these creeks except for a portion of Arroyo Las Positas with existing development where the setback is allowed to be 50 feet (with the opposite bank setback increased to 150 feet to provide an overall total setback area of 200 feet).

The USFWS does not identify why 300-feet setbacks are appropriate for this specific project site. It is important to note that the existing condition does not contain 300-feet of intact or natural habitat along any portion of Arroyo Las Positas or Cottonwood Creek throughout this project area. In many areas, plowed agricultural fields or golf course turf extend to nearly to the bank of the creek itself. The ECSP proposed setbacks contain all of the extant riparian vegetation and all areas of relatively undisturbed upland. The setback also include extensive areas of plowed agricultural field that would be restored to riparian vegetation along the banks and non-native grassland. This would represent an enhancement of upland habitat within the setback area equivalent to (and potentially better than) the existing condition.

The City recognizes that the USFWS will review the project as part of the Section 7 consultation and that there may be differences of opinion about what constitutes habitat for threatened and endangered species and thus what is appropriate mitigation. The City intends to work cooperatively with FWS to resolve the baseline for impact assessment and appropriate mitigation measures.

A further consideration is that provision of 300-foot setbacks would substantially reduce the amount of developable land, particularly on the Children's Hospital property, which could reduce the available funding for the necessary infrastructure in the ECSP area and could imperil the economic feasibility of the ECSP as a whole. Further, some of the proposed infrastructure, such as the detention basin and the north overbank channel cannot be placed beyond 300-feet from Arroyo Las Positas due to their need to make hydrologic connections for drainage.

At this time, the City finds that the proposed setbacks are appropriate given the existing conditions and that offsite mitigation is available for any impacts to threatened and endangered species that are not mitigated to a less than significant level by the proposed setbacks and the proposed on-site mitigation.

No revisions to the DEIR are necessary.

Response to Comment PA15-8

This comment suggests the use of exclusion fencing regardless of seasonal timing. This suggestion has been added to Mitigation Measure BIO-3A on page 3.4-36 of the DEIR.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment PA15-9

This comment notes that all listed species surveys need to be reviewed and approved by the USFWS.

The City has submitted the CTS and CRLF assessment for the project site to the USFWS. The City will submit copies of the reports for the CTS trapping survey and the vernal pool invertebrate survey when they are completed. The City will also submit copies of the prior CRLF survey on the Children's Hospital property.

No revisions to the DEIR are necessary.

Response to Comment PA15-10

This comment asserts that the 1:1 ratio for CTS is not adequate for USFWS because the USFWS believes that if the species is present they would be subject to take and their habitat would be lost regardless of habitat classification.

See response to Comment PA 15-6 in which it is noted that no suitable breeding habitat is present on the project site, migration from north of I-580 is a low probability, and no CTS have been found to date south of I-580 on the project site or in adjacent areas.

The effect of habitat loss on a species is not the same regardless of quality. Higher quality habitat for CTS, such as contiguous non-disturbed annual grassland adjacent to breeding locations, would be expected to be more productive than lower quality habitat such as a disturbed mosaic of landscaping, roads, plowed/disced agricultural fields, and small areas of fallowed fields and grassland separated from breeding locations by narrow culverted crossings with potential seasonal high flow.

Mitigation practice is to provide conservation of habitat that is determined to be suitable and often occupied by the target species (or at least immediately adjacent to occupied locations). Thus when mitigation includes undisturbed high quality habitat for mitigation of impacts to low quality habitat, it is appropriate that the mitigation ratio is different than when mitigating for impacts to high quality habitat.

Under CEQA, the existing physical condition is the baseline by which to identify the impacts of a project. The habitat quality at some point prior to development or agriculture or the potential future habitat quality of a site (if restored) are not appropriate baselines for CEQA impact analysis and identification of mitigation.

The City recognizes that the USFWS will review the project as part of the Section 7 consultation and that there may be differences of opinion about what constitutes habitat for threatened and endangered species and thus what is appropriate mitigation. The City intends to work cooperatively with FWS to resolve the baseline for impact assessment and appropriate mitigation measures.

At this time, the City finds that the proposed mitigation ratio of 1:1 for CTS is appropriate for the reasons noted above.

No revisions to the DEIR are necessary.

Response to Comment PA15-11

This comment notes contact information and the interest of USFWS in working with the City on resolution of the issues raised in the comment letter.

The City looks forward to working with the USFWS.

No revisions to the DEIR are necessary.

Comment Letter PA16—Governor's Office of Planning and Research

PA16

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Cynthia Bryant
Director

February 26, 2007

RECEIVED
MAR -7 2007
PLANNING DIVISION

Susan Frost
City of Livermore
1052 S. Livermore Avenue
Livermore, CA 94550

Subject: El Charro Specific Plan
SCH#: 2006052112

Dear Susan Frost:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on February 23, 2007, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that: **PA16-1**

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2006052112
Project Title El Charro Specific Plan
Lead Agency Livermore, City of

Type EIR Draft EIR

Description The project consists of development of a Specific Plan document for an approximately 250-acre area located on the western side of the City of Livermore in eastern Alameda County. The proposed Specific Plan would support the development of regional commercial uses on approximately 150 acres of the project area. The Specific Plan Area is roughly bounded by I-580 on the north, El Charro Road on the west, active mining quarries and undeveloped quarry land to the south and the Livermore Municipal Golf Course to the east. This project also includes a specific commercial retail development on approximately 42 acres of the Specific Plan Area directly adjacent to and east of El Charro Road.

PA16-1 Cont.

Lead Agency Contact

Name Susan Frost
Agency City of Livermore
Phone (925) 960-4462 **Fax**
email
Address 1052 S. Livermore Avenue
City Livermore **State** CA **Zip** 94550

Project Location

County Alameda
City Livermore
Region
Cross Streets El Charro Road/I-580
Parcel No. various
Township **Range** **Section** **Base**

Proximity to:

Highways I-580
Airports Livermore Municipal
Railways
Waterways Arroyo Las Positas
Schools
Land Use Business and Commercial Park; Limited Agriculture
Zoned as Planned Development

Project Issues Agricultural Land; Air Quality; Archaeologic-Historic; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Public Services; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 3; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 4; Regional Water Quality Control Board, Region 2; Department of Toxic Substances Control; Native American Heritage Commission

Date Received 01/10/2007 **Start of Review** 01/10/2007 **End of Review** 02/23/2007

Note: Blanks in data fields result from insufficient information provided by lead agency.

This forwarded letter was also received separately and is marked PA4

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DIVISION OF AERONAUTICS – M.S.#40
1120 N STREET
P. O. BOX 942873
SACRAMENTO, CA 94273-0001
PHONE (916) 654-4959
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TTY (916) 651-6827

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RECEIVED
FEB 16 2007
STATE CLEARING HOUSE

February 13, 2007

Mr. Eric Brown
City of Livermore
1052 W. Livermore Avenue
Livermore, CA 94550

Dear Mr. Brown:

City of Livermore's Draft Environmental Impact Report, El Charro Specific Plan; SCH# 2006052112

The California Department of Transportation (Caltrans), Division of Aeronautics (Division), reviewed the above-referenced document with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The Division has technical expertise in the areas of airport operations safety and airport land use compatibility. We are a funding agency for airport projects and we have permit authority for public and special use airports and heliports. The Division commented on the Notice of Preparation in the enclosed letter dated June 7, 2006. The following comments are offered for your consideration with respect to the Draft Environmental Impact Report (EIR).

The proposal is for the El Charro Specific Plan (Plan) development proposals and associated infrastructure improvements. The Plan area is located adjacent to the western boundary of the Livermore Municipal Airport. Livermore is an active airport, with approximately 650 based aircraft and over 200,000 annual operations. Livermore is also considering various improvements for the airport including lengthening Runway 7R-25L to the west. Portions of the specific plan area are well within the 60 and 65 decibel (dB) Community Noise Equivalent Level (CNEL) contours that were established for the year 2000 as part of the Livermore Municipal Airport Master Plan Update; although the later was not adopted.

"Proposed Development Projects" include:

- Reconfiguration of the Las Positas Golf Course with the Jack London Boulevard Extension Option or the Airway Boulevard Extension Option.
- The 42-acre Prime Outlets Livermore Valley site located at the northwest corner of the project site. According to the Draft EIR, "Architectural features will range from 35 to 50 feet in height." The proposed development includes eleven (11) retail buildings that will "house approximately 150 national and international brand tenants." Approximately 2,400 on-site parking spaces are also proposed.
- The 36-acre Children's Hospital parcel located approximately 1,000 feet northwest of the west end of the Livermore Municipal Airport's Runway 7L-25R. According to the Draft EIR, uses "could" include "lifestyle services, such as day or health spas, sports centers that provide activities such as tennis, swimming, restaurants, and hotels."

"Caltrans improves mobility across California"

According to the Draft EIR, page 2-26, "Development plans for the other privately owned parcels in the area are uncertain at this time. For analysis purposes, retail commercial uses consistent with design guidelines and standards contained in Chapter 3 of the Specific Plan are assumed for these parcels."

Page 3.7-8 of the Draft EIR states that the "City will consult with the Alameda County Airport Land Use Commission to ensure that the Project is consistent with airport safety zone requirements." The ALUC should also be consulted concerning airport-related noise impacts. The proposal should also be closely coordinated with Livermore Municipal Airport staff to ensure that the proposal will be compatible with future as well as existing airport operations.

Protecting people and property on the ground from the potential consequences of near-airport aircraft accidents is a fundamental land use compatibility-planning objective. While the chance of an aircraft injuring someone on the ground is historically quite low, an aircraft accident is a high consequence event. To protect people and property on the ground from the risks of near-airport aircraft accidents, some form of restrictions on land use are essential. The two principal methods for reducing the risk of injury and property damage on the ground are to limit the number of persons in an area and to limit the area covered by occupied structures. The potential severity of an off-airport aircraft accident is highly dependent upon the nature of the land use at the accident site.

CEQA, Public Resources Code Section 21096, requires the Caltrans Airport Land Use Planning Handbook (Handbook) be utilized as a resource in the preparation of environmental documents for projects within an airport land use compatibility plan boundaries or if such a plan has not been adopted, within two nautical miles of an airport. The Handbook identifies six airport safety zones based on risk levels. The project site appears to be within the Inner Approach/Departure Zone (Zone 2), Inner Turning Zone (Zone 3), Outer Approach/Departure Zone (Zone 4) and Traffic Pattern Zone (Zone 6). Table 9B of the Handbook identifies incompatible land uses within these safety zones and is available on-line at http://www.dot.ca.gov/hq/planning/aeronaut/htmlfile/landuse.php.

A portion of the Jack London Boulevard extension option is within the Livermore Municipal Airport Approach/Departure Zones. This is a concern. We advise contacting Airport Manager, Leander Hauri, at (925) 373-5281 to discuss possible modifications to the proposed alignment in order to mitigate potential safety impacts.

The proposed golf course modification includes several new ponds directly beneath the extended centerline and between 1,000-2,000 feet west of Livermore Municipal Airport's Runway 7L-25R. Land use practices that attract or sustain hazardous wildlife populations on or near airports can significantly increase the potential for wildlife-aircraft collisions. The Federal Aviation Administration (FAA) recommends that wetlands and other uses that have the potential to attract wildlife be restricted in the vicinity of an airport. FAA Advisory Circular (AC) 150/5200-33A entitled "Hazardous Wildlife Attractants on or Near Airports" addresses these issues and is available on-line at the FAA website http://wildlife-mitigation.tc.faa.gov/public_html/index.html.

Public Utilities Code, Section 21659, prohibits structural hazards near airports. To ensure compliance with Federal Aviation Regulation, Part 77, "Objects Affecting Navigable Airspace," submission of a

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Notice of Proposed Construction or Alteration (Form 7460-1) to the FAA may be required. For further technical information, please refer to FAA website https://oeaaa.faa.gov/oeaaaEXT/portal.jsp.

According to Section 11010 of the Business and Professions Code and Sections 1102.6, 1103.4, and 1353 of the Civil Code, available on-line at http://www.leginfo.ca.gov/calaw.html, any person who intends to offer land for sale or lease within an airport influence area is required to disclose that fact to the person buying the property.

Aviation plays a significant role in California's transportation system. This role includes the movement of people and goods within and beyond our State's network of over 250 airports. Aviation contributes nearly 9% of both total State employment (1.7 million jobs) and total State output ($110.7 billion) annually. These benefits were identified in a recent study, "Aviation in California: Benefits to Our Economy and Way of Life," prepared for the Division of Aeronautics which is available on-line at http://www.dot.ca.gov/hq/planning/aeronaut/. Aviation improves mobility, generates tax revenue, saves lives through emergency response, medical and fire fighting services, annually transports air cargo valued at over $170 billion and generates over $14 billion in tourist dollars, which in turn improves our economy and quality of life.

The protection of airports from incompatible land use encroachment is vital to California's economic future. Livermore Municipal Airport is an economic asset that should be protected through effective airport land use compatibility planning and awareness. Although the need for compatible and safe land uses near airports in California is both a local and a State issue, airport staff, airport land use commissions and airport land use compatibility plans are key to protecting an airport and the people residing and working in the vicinity of an airport.

These comments reflect the areas of concern to the Division with respect to airport-related noise and safety impacts and regional airport land use planning issues. We advise you to contact our Caltrans District 4 Office in Oakland at (510) 286-4444 concerning surface transportation issues.

Thank you for the opportunity to review and comment on this proposal. We look forward to reviewing the Final EIR. If you have any questions, please call me at (916) 654-5314.

Sincerely,

Original Signed by

SANDY HESNARD
Aviation Environmental Planner

c: State Clearinghouse, Alameda County ALUC, Livermore Municipal Airport

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Response to Comment PA16-1

The letter acknowledges that the City of Livermore submitted the DEIR to the State Clearinghouse in compliance with the State Clearinghouse review requirements for draft environmental documents, pursuant to CEQA. The letter also forwards a comment letter from the Department of Transportation, Division of Aeronautics. The Division of Aeronautics' letter was received by the City directly and is marked as PA4.

Comment Letter IP1—Robert S. Allen

IP1

223 Donner Avenue
Livermore, CA 94551-4240

18 January 2007

RECEIVED
JAN 19 2007
PLANNING DIVISION

Stephen Riley, Principal Planner
Design Review Secretary

→ Susan Frost, Principal Planner
Livermore Community Development Department
City of Livermore, California

Re: El Charro Draft EIR and Specific Plan

Protecting the ability to widen the freeway median to accommodate HOV lanes and a BART extension ranks above all else in any work along I-580. I am pleased that both the Draft EIR and the Specific Plan clearly recognize this goal. **IP1-1**

I would hope for both the Northern (Airway Blvd.) and Southern (Jack London) arterials. If only one is possible, I would prefer it to be the Northern, provided it does not hamper the freeway widening. I realize that it could impact the golf course, possibly requiring relocation of some of the holes, probably to within the project area. **IP1-2**

The Northern arterial would greatly enhance bus, foot, and bike travel between the BART station and the development, and the West Livermore Park/Rides, the Airport, Las Positas College, and the North Canyons business and hotels. The Southern arterial serves no such purpose. Such travel would have to go all the way around the airport.

I would still prefer to have both arterials, but if there can be only one, let it be the Northern.

Just a thought. The El Charro interchange is nearly at the center of the valley and near the confluence of all three Valley cities. What an opportunity for the three cities and Alameda County to form a joint powers agency – call it Dream City – and build a government center serving them all. Common functions could later serve a merged municipality, a merged school district, Zone 7, LAVTA, et al. When BART is extended – first to Isabel and later to East Livermore and ACE – a Dream City station at El Charro would have much potential. The cost for BART trackway, once the freeway is widened, should be about $12-15 million/mile – much less than erroneous costs often cited. **IP1-3**

Robert S. Allen

Robert S. Allen
BART Director (1974-1988)
(925) 449-1387

Response to Comment IP1-1

The comment does not raise an environmental issue but rather expresses the importance of protecting the ability to widen I-580 and acknowledges that the proposed Project recognizes this goal.

No revisions to the DEIR are necessary.

Response to Comment IP1-2

The commenter expresses his preference for the Airway Boulevard Extension option. Either the Airway Boulevard option or the Jack London Boulevard option would be built under the proposed Project. An option to include extension of both roadways is not currently proposed.

No revisions to the DEIR are necessary.

Response to Comment IP1-3

The comment does not raise an environmental issue. The suggestion of creation of a joint powers agency and construction of a multi-agency government center is acknowledged.

No revisions to the DEIR are necessary.

Comment Letter IP2—Johnson-Himsl Partnership

IP2

Johnson Himsl partnership
RCJ

February 16, 2007

RECEIVED
FEB 21 2007
PLANNING DIVISION

Ms. Susan Frost
Principal Planner
Livermore Community Development Department
CITY OF LIVERMORE
1052 South Livermore Avenue
Livermore, CA 94550

RE: COMMENTS TO DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE EL CHARRO SPECIFIC PLAN

Dear Susan:

We have reviewed the Draft Environmental Impact Report for the El Charro Specific Plan and have the following comments:

Chapter 2, Project Description, Land Use Program - Page 2-7, Regional Commercial (PD-ECSP-HRC): In the second paragraph under this section, Johnson-Himsl Partnership is in the process of negotiating with the City and the Airport a potential land use swap of the southern portion of the 12± acre, Johnson-Himsl parcel in exchange for an equal amount of City land on the east side of the 12± acres. It should be noted that no portion of the Johnson-Himsl parcel is directly in alignment with the runway center line (Runway 25R); however, such an exchange would widen that buffer to create a potential emergency landing area if a land exchange is completed. IP2-1

Chapter 3.5, Cultural Resources - Page 3.5-10, Mitigation Measure CR-1: The future disturbance of any cultural resources and human remains in the El Charro Specific Plan area is a highly sensitive matter. Due to this fact, we are concerned about the recommendation within Mitigation Measure CR-1: Develop and Implement a Treatment Plan for Arroyo Las Positas Archaeological Buffer Zone; which suggests a treatment plan for preconstruction attempts to identify undiscovered archaeological resources in areas where ground disturbance is planned. As stated; "These efforts may include the excavation of a series of mechanically excavated trenches, hand excavations, or remote sensing, as applicable." We propose that all "preconstruction excavations" are strictly limited to the areas only where construction is planned as not to cause any undue disturbance of cultural or human remains. We respectfully request that, as the Most Likely Descendant for any human skeletal remains of Native American origin in this area, Mr. Andrew Galvan be kept informed of any proposed excavations and consulted to determine if they are necessary. Also, we accept the recommendations of Mr. Galvan, the Most Likely Descendant, with respect to the discovery, treatment and disposition of Native American remains on the Johnson-Himsl Partnership properties, within the El Charro Specific Plan Area, as set forth in Mr. IP2-2

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Galvan's letter of May 28, 2003 (attached) and ask that these recommendations be strictly followed. **IP2-2 Cont.**

Chapter 3, Environmental Analysis, Subchapter 3.15, Transportation and Traffic – Page 3.15-23: In the fourth bullet point regarding the construction of "Road C", the last portion regarding the prohibition of the left turn access from "Road C" to Jack London/Airway Boulevard should be deleted from the EIR, as the Johnson-Himsl Partnership and staff have worked out an acceptable compromise to allow such a left turn lane without impeding traffic flow in the area. We have done backup traffic studies, which the Staff has seen and approved relative to eliminating this condition. **IP2-3**

We thank you for the opportunity of making these comments. Should you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

JOHNSON-HIMSL PARTNERSHIP

Robert P. Himsl
(925) 484-5222

Attachment

cc: John Steinbuch: Colliers International



SENT VIA FAX: 925 - 462 - 8379

28 May 2003

Mr. Thomas Fresquez
S and C Engineers
P.O. Box 956
Pleasanton, California 94566
Voice: 925-462-5546
Cellular: 510-774-5985

cc:
Ms. Debbie Pilas-Treadway, The Native American Heritage Commission (fax: 916 - 657 - 5390)
Dr. Allen G. Pastron, Ph.D., Archeo-Tec, Consulting Archaeologists (fax: 510 - 601 - 8203)

Re: Most Likely Descendant Recommendations: Human Skeletal Remains located at The Arroyo Las Positas Realignment/Arroyo Mocho Widening Project City of Pleasanton, Alameda County, California Prehistoric archaeological site, CA-ALA-42

Dear Mr. Fresquez,

"The Lord will open to them the gate of paradise,
and they will return to that homeland where there is no death,
but only lasting joy!"

IP2-2a

As you are aware, human remains have been discovered within the vicinity of prehistoric archaeological site Ca-Ala-42. The human remains discovered on Friday afternoon May 23, 2003 (Alameda County Coroner Case #_____) have been judged to be of Native American origin. It therefore follows that the Most Likely Descendant of this individual has the responsibility to provide for the sensitive treatment of these remains (as well as any additional remains discovered in this project) and all facets involved between the time of encounter and final disposition.

On Tuesday morning, May 27, 2003, Ms. Debbie Pilas-Treadway, Staff Analyst of the Native American Heritage Commission, State of California, Sacramento, informed me I was appointed as the Most Likely Descendant (MLD) of the above mentioned human remains. Yesterday, in your company and that of Dr. Allen G. Pastron, Ph.D., I inspected the site of the discovery of the Native American remains. Having completed my inspection, I am presenting you with my recommendations for the treatment of this individual, as well as any other individuals that may be disturbed during the course of this project.

The Ohlone Indian Tribe • P.O. Box 3152 • Mission San Jose, California 94539 • Phone: (510) 656-0787 • Fax: (510) 656-0780



Therefore, I recommend:

1. **Expose, analyze in the field, remove for reburial**
If protection against disturbance and/or vandalism cannot be reasonably assured, a complete systematic collection and/or excavation by a professional archaeologist of any exposed artifacts, ecofacts and Native American skeletal remains in danger of unauthorized collection, vandalism and destruction by elements should be immediately coordinated. The collection and/or excavation should be undertaken using standard contemporary techniques and with respect for the human remains. The project archaeologist or his/her staff will expose the burial and grave objects in my presence as the designated Most Likely Descendant, or my appointed representative (Monitor).

   A. Grave associated artifacts are to be reburied with the human remains.

   B. Non-grave associated artifacts should be curated at an approved repository for future study or interpretive needs.

2. **Store temporarily**
Each burial and its associated grave objects will be stored as a unit. Burials will be stored in a secure, locked facility in Mission San Jose, California. At this location the remains will be safely and respectfully stored until the time of reinterment. Burials will be removed from the field either by myself or my appointed representative (Monitor).

   A. Current mortuary custom allows for the family of the deceased to wash the remains before being handled by non-family members (the undertaker), a custom which my family claims. As time is of essence for reinterment, mortuary preparations for burial may be carried out concurrently with the field work schedule. Consultation with the project osteologist is anticipated in this regard.

   B. The integrity of my ancestors must be protected, and permission for photos of the skeletal remains will not be granted to anyone. Photos for the archaeological record and final report, excepted.

IP2-2a Cont.

3. **Laboratory analysis**
There will be no viewing, handling, or photographing of stored burials except for the specific analyses required to fulfill the California Environmental Quality Act. Generally, analyses conducted should include, but not be restricted to, non-destructive metric and non-metric osteological investigation, determination of age and sex, and examination for pathologies and injury. The project archaeologist or his/her staff will conduct the analysis of burials and grave objects in my presence as the designated Most Likely Descendant, or my appointed representative (Monitor). Burials will be transported from place of interim storage to the lab either by myself or my appointed representative (Monitor). Any and all laboratory analysis is conditional upon these particular recommendations. Upon completion of the research, artifacts associated with the burials will be reentered with the human remains.

4. **Reburial**
The human remains and any associated grave goods are to appropriately reburied at The Ohlones Indian Cemetery in the Mission San Jose District of the City of Fremont, California (there is no fee for the cemetery gravesite). As designated Most Likely Descendant, I will prepare the remains for reburial. I, or my delegate, will preside at a prayer-service to be conducted at that time. Reburial should take place within one year of discovery.

The Ohlone Indian Tribe • P.O. Box 3152 • Mission San Jose, California 94539 • Phone: (510) 656-0787 • Fax: (510) 656-0780



5. **Restrictions**
The use of Tobacco, Marijuana, Alcohol, or Drugs (medications exempted), is prohibited in the presence of these and any other Native American Indian remains discovered during this project.

6. **Prayer/Worship Services**
Prayer is as natural to any of us as is breathing. I would encourage all participants in this project to join me daily in praying for: those who have been disturbed; ourselves; our families; and for the gifts of knowledge and wisdom.

7. **Native American Indian Monitor**
Arroyo Las Positas Realignment/ Arroyo Mocho Widening Project will provide for a Native American Indian representative/monitor to be present:

IP2-2a Cont.

   A. during all field work when it is suspected that prehistoric human remains might be encountered.

   B. during all laboratory analysis of burials and grave objects.

8. **Sacred Site Documentation**
The local City's Director of Planning should be informed of this find so as to modify and condition any future development in the general vicinity based on these finds.

   Additionally, I will file the proper forms with the Native American Heritage Commission documenting this general location as a Sacred Site; as well as the site for the reburial of the human remains and associated grave goods.

Would you kindly provide me, in writing, with your decisions as how you will be implementing my recommendations. Likewise, would you please notify The Native American Heritage Commission of your response to me.

Thanking you for your attention to these matters, I remain,

Sincerely yours,

Andrew A. Galvan
An Ohlone Man

The Ohlone Indian Tribe • P.O. Box 3152 • Mission San Jose, California 94539 • Phone: (510) 656-0787 • Fax: (510) 656-0780



1

DATE: June 05, 2003

TO: Archaeological Crew and all related construction crews.

FROM: Andrew A. Galvan, Most Likely Descendant - appointed by the Native American Heritage Commission, State of California, May 27, 2003

SUBJECT : Guidelines for the respectful and dignified treatment of human remains disturbed due to construction of Arroyo Mocho/ Las Positas Widening Project at Pleasanton, California

---

I am writing to remind you of some conditions and restrictions as they relate to burial removal and scientific analysis of the human remains discovered or disturbed at the above referenced site.

Your continued cooperation is appreciated.

---

1. Expose, analyze in the field, remove for reburial

If protection against disturbance during construction or future development cannot be reasonably assured, remains will be removed for reburial. The archaeologist will expose the burial and grave objects in the presence of a Native American representative/monitor.

---

2. Restrictions

A. Either in the Lab or in the field: The use of Tobacco, Marijuana, Alcohol, or Drugs (medications exempted), is prohibited in the presence of these and any other Native American Indian remains discovered during this project. IP2-2b

B. The use of radios or "boom boxes" for musical entertainment is prohibited in the presence of any Native American remains disturbed or discovered during construction.

C. The consumption of food and drink is prohibited in the presence of any Native American remains disturbed or discovered during construction. Breaks and lunch periods are to be taken away from the protected (covered) remains.

D. The integrity of my ancestors must be protected, and permission for photos of the skeletal remains will not be granted to anyone. Photos for the archaeological record and final report, excepted.

---

3. Transportation of Human Remains and grave associations.

All Human Remains and grave associations, will be removed from the site either by myself or my appointed representative.

The Ohlone Indian Tribe • P.O. Box 3152 • Mission San Jose, California 94539 • Phone: (510) 656-0787 • Fax: (510) 656-0780



4. Visitors.

Only those individuals escorted onto the site by the Project Manager, the Archaeological Field Director, or the Most Likely Descendant or my representative, are to be permitted to view the human remains. There are no exceptions. Any and all unescorted visitors to the site are to be directed to one of the above three individuals. In most cases it will be necessary for the field technician to accompany the unescorted. In those instances where the unescorted will not comply, the field technician is directed to immediately halt work, cover the exposed remains, and summon the field director or Native American Indian representative/monitor.

In extreme cases the entire project may halt when necessary to insure the departure of the uninvited.

---

5. American Indian Right to the Freedom of Religion.

No persons are to be allowed to practice religious rites in the presence of my ancestors remains except myself or those individuals invited to do so by me or my appointed representative.

IP2-2b Cont.

---

6. Reburial.

The human remains and any associated grave goods are to be reentered on-site or at The Ohlones Indian Cemetery in Mission San Jose upon completion of analysis, and within one year from the date of discovery.

Common sense standards for appropriate behavior and dress in a mortuary chapel/church should be the model for all.

The Ohlone Indian Tribe • P.O. Box 3152 • Mission San Jose, California 94539 • Phone: (510) 656-0787 • Fax: (510) 656-0780

Response to Comment IP2-1

The comment notes that the Johnson-Himsl partnership is currently negotiating a potential land swap of 12 acres between the City and the partnership. The comment also states that the Johnson-Himsl parcel is not directly in alignment with the runway centerline.

The comment is correct that the City is exploring a potential land swap and is coordinating and consulting with the FAA on this issue. If the swap is ultimately advanced, it would require an amendment of the ECSP.

The comment is correct that the parcel in question is not directly in alignment with the runway centerline.

No revisions to the DEIR are necessary.

Response to Comment IP2-2, 2-2a, and 2-2b

The comment notes concern about the recommendation in Mitigation Measure CR-1 to include preconstruction efforts to identify undiscovered archaeological resources in areas where ground disturbance is planned. Comment advocates that such investigations only be done where construction is planned. Comment also requests that Mr. Andy Galvan, who was previously designated as the Most Likely Descendent for the Arroyo Las Positas/Arroyo Mocho Realignment project, be kept informed of any proposed investigations. The comment also describes that, as the property owner, they accept the prior recommendations of the Most Likely Descendant and asked that they be followed.

As the comment notes, Mitigation Measure CR-1 only includes investigation "in areas where ground disturbance is planned" and thus investigation will not be done in areas where no construction is proposed. The City has consulted with Mr. Galvan, under the requirements of SB-18 requiring consultation with Native American representatives during specific plan development. While Mr. Galvan was previously designated as the Most Likely Descendant for the prior project, the Native American Heritage Commission (NAHC) has not designated a Most Likely Descendant for the ECSP project. The one burial found within the boundaries of the ECSP during the prior project was removed; thus it is not known if burials will be encountered during the ECSP area (although this is considered probable). A Most Likely Descendant is designated by the NAHC when remains of Native American origin are encountered; this has not yet occurred in association with this project. If Mr. Galvan is designated the Most Likely Descendant for the ECSP project, the City will solicit his recommendations concerning the treating of any Native American burials. While consideration of Most Likely Descendant recommendations is required by relevant state law, acceptance of all Most Likely Descendant recommendations by a property owner is not mandatory.

Further, while the Johnson-Himsl Partnership can accept the recommendations of Mr. Galvan for their properties they own, the partnership has no jurisdiction to accept the recommendations for other private properties or for City-owned or Zone 7-owned land.

It is premature at this time to accept the attached recommendations from the prior project since no burials have been found in association with the ECSP project and no formal designation of a Most Likely Descendant has not occurred.

The City will work with Mr. Galvan (or any other Most Likely Descendant that may be designated) and solicit and consider their recommendations if burials are encountered on the project site. Property owners will be consulted to determine whether or not they decide to implement the Most Likely Descendant recommendations on their property and if not, what alternative measures they will implement for proper disposition of burials in accordance with state law. The City will continue to consult with Mr. Galvan in accordance with SB-18 concerning the Specific Plan.

No revisions to the DEIR are necessary.

Response to Comment IP2-3

The comment states that a revision to site access to the 12-acre parcel has been agreed to by the City and the Partnership to delete the right-out onto El Charro Road and to allow left turns from Road C onto Jack London Boulevard. Page 3.15-23 in the DEIR has been revised in response to this comment.

See response to Comment PA9-13.

Revisions to the DEIR are included in Chapter 4 of this FEIR.

Comment Letter IP3—The San Jose Sharks, represented by Riegels Campos & Kenyon, LLP

Dennis M. Campos
Cyrus A. Johnson
Charity Kenyon
Patrick J. Kernan
Jeffery Owensby
David A. Riegels

RIEGELS CAMPOS & KENYON LLP
ATTORNEYS AND COUNSELORS AT LAW

Patrick J. Kernan
DIRECT: 916.779.7109
EMAIL: pkernan@rcklaw.com

IP3

February 22, 2007

Via Federal Express & Facsimile

Ms. Susan Frost
Principal Planner
Livermore Community Development Department
1052 South Livermore Avenue
Livermore, CA 94550

RECEIVED
FEB 23 2007
PLANNING DIVISION

Re: Comment to Draft EIR for the El Charro Specific Plan

Dear Ms. Frost:

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the El Charro Specific Plan. **IP3-1**

Please be advised that this firm represents Silicon Valley Sports Entertainment LLC, a/k/a The San Jose Sharks, and its affiliate, San Jose Arena Management, LLC (collectively, the "Sharks").

The Sharks are currently in negotiations with the City of Pleasanton regarding the possible construction and operation of a 134,000 square ft. ice skating facility (containing up to four separate ice rinks, as well as a restaurant and pro shop) on an approximate 8-acre site. The Sharks currently propose to construct two rinks, the restaurant and pro shop in the initial phase, with the two rinks subsequently completed in phase two. The site is designated as part of a 17-acre community park under a Memorandum of Understanding between the Alameda County Surplus Property Authority and the City of Pleasanton regarding the Staples Ranch Project, just south of Highway 580 at El Charro Road in Pleasanton. **IP3-2**

First, we wanted to make it clear for purposes of your description of the Staples Ranch Project at pages 2-30 and 2-31, that the potential ice skating facility, would be contained within, and as a component of, the 17 acre park parcel for the City of Pleasanton.

Additionally, and of more concern, is the traffic trip count data set forth on Table 4-9, entitled "Staples Ranch Project Trip Generation" in which it projects a daily trip count of 4,012 trips generated by the "Ice Rink" and A.M. Peak Hour Traffic Trips of 90 trips "in" and 110 "out", as well as P.M. Peak Hour Traffic Trips of 181 trips "in" and "221 trips "out". These numbers were not supplied by anyone at the Sharks organization and the trip counts projected in the DEIR are significantly higher than would actually be generated by the project. **IP3-3**

2500 Venture Oaks Way, Suite 220 Sacramento, California 95833-4222 916.779.7100 FAX: 916.779.7120 INTERNET: www.rcklaw.com

February 22, 2007
Page 2

The Sharks traffic engineer, Jim Benshoof of Wenck Associates, has been working with the City of Livermore's traffic engineering consultant, Dowling & Associates, to correct the projected trip numbers anticipated to be generated by the Sharks' facility and its impact on the El Charro Specific Plan traffic projections. In addition, Wenck Associates is working with the City of Pleasanton's traffic consultant, also Dowling & Associates, and preliminary data shows a significant reduction in the number of trips as outlined in the Livermore DEIR. **IP3-3 Cont.**

We would request that once these new numbers become finalized that they be used in the Final EIR in lieu of those contained in the Draft EIR's traffic analysis and be reflected on all tables throughout the report that are impacted by or with the earlier significantly higher count figures. We will follow up with delivery of the finalized traffic count numbers immediately upon receipt.

Thank you again for the opportunity to review and comment on the DEIR for this exciting project in Livermore. If you have any questions or need any further information in this regard, do not hesitate to contact me at my office number (916) 779-7109 or on my cell number (925) 580-6345.

Very truly yours,

Patrick J. Kernan

Patrick J. Kernan

Cc: Don Gralnek, Esq.
Jim Goddard
Jim Benshoof
Jon Gustafson
Steve Bocian
Mike Tossano
Mike Fulford
Jim Wolfe
Wayne Rasmussen
Michael Roush, Esq.
Stuart Cook
Kirk Heppler
Toby Mellows
Sblend Sblendario, Esq.

Response to Comment IP3-1

This comment is introductory material and requires no response.

Response to Comment IP3-2

This comment describes the Sharks proposed ice skating facility and that it would be contained within the 17-acre park parcel within the Staples Ranch project. The text description of the Staples Ranch project, contained in Chapter 2 of the DEIR (page 2-30 and 2-31), has been revised in response to this comment.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment IP3-3

The comment states that the trip generation for the ice rink facility was not provided by the Sharks organization and are higher than would actually be generated by the project.

The trip generation analysis conducted for the Staples Ranch Project was obtained directly from the City of Pleasanton Study currently in progress and was based on the project definition. The City of Pleasanton has indicated that revised trip generation numbers for the proposed ice skating facility are currently under review, but no revised numbers have been approved or released as of the date this response was completed.

If the comment is correct that the numbers used in the DEIR traffic study are higher than would actually occur, then the DEIR traffic analysis is conservative and the traffic analysis may overstate, but would not understate cumulative traffic impacts.

No revisions to the DEIR are necessary.

Comment Letter IP4—John Stein

IP4

February 20, 2007

1334 Kathy Court
Livermore, California 94550

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FEB 26 2007
PLANNING DIVISION

Susan frost senior Planner
City of Livermore
1052 Livermore Avenue
Livermore, California 94550

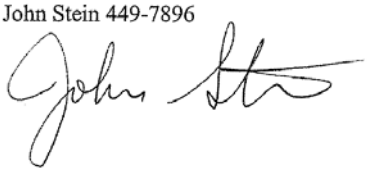
Dear Miss Frost,

The present Scenic Corridor requirements are the result of a City Council sub-committee holding a number of public meetings involving the public and land-owners. They represent a compromise between the residents desire to preserve the esthetic scenic view of hill sides and ridgelines and the need to retain reasonable economic use of the property within 3500 feet of the I-580 freeway. IP4-1

Aesthetics are subjective. At a recent public meeting there was near complete rejection of the aesthetics of the proposed factory outlet center. There was strong support to preserve the views of the distant hills. Displeasure was expressed about the parapets and features that seemed to represent a garish hodge-podge of elements from different areas and time periods. The developer, staff and consultants should not attempt to replace the public requirements with their opinions. These opinions cannot be used as justification for arbitrarily changing the General Plan.

The Draft EIR for the El Charo Specific Plan, to be valid, should include a complete economic and visual analysis of a range of reasonable alternatives to the existing Scenic Corridor requirements. This should include an option for limited penetration of the current visual plane (i.e. 5-10 percent for church steeples or a single visual accent), tall narrow buildings at various orientations to the I-580 Freeway and innovative ways to comply with the existing requirements (no roof mounted utilities, grading down pads and underground storage). These analyses should be limited to structure size and form since the EIR does not mandate design details. IP4-2

John Stein 449-7896



Response to Comment IP4-1

The comment includes a summary of comments expressed by others at the public hearing held on the proposed Project. The commenter reiterated the displeasure expressed regarding the aesthetics of the Prime Outlets Livermore Valley development.

Subsequent to the DEIR, the design of the Prime Outlets Livermore Valley project was modified to reduce the encroachment into the Scenic Corridor view angle along the north frontage from 45% to 21%.

The proposed exceptions to the I-580 Scenic Corridor view angle are designed to highlight the site as a gateway to the City and the Livermore Valley wine country. This purpose of the ECSP as a gateway is described further on pages ES-10, 2-11, and 3.1-18 of the DEIR. See also the response to Comment IP4-2, below.

No revisions to the DEIR are necessary.

Response to Comment IP4-2

The comment requests analysis of a reasonable range of alternatives to the existing Scenic Corridor requirements.

The DEIR included analysis of the visual impacts of the proposed Project, including proposed exceptions to the I-580 Scenic Corridor view angle up to 45% for the property where the Prime Outlets Livermore Valley project would be located and on the Children's Hospital property for a church land use. As noted below, since publication of the DEIR, the design of the Prime Outlets Livermore Valley project was modified to reduce the encroachment into the Visual Scenic Corridor view angle from 45% to 21%.

The DEIR also analyzed an alternative for the Children's Hospital site that would not encroach on the Scenic Corridor view angle (see Figures 3-10c and 3-10d in Section 3.1 of the DEIR).

In addition, DEIR Chapter 4 includes evaluation of Alternative 8 – Visual Corridor Specific Plan (starting on page 4-57 of the DEIR). This alternative would include no encroachment into the Scenic Corridor view angle. The analysis in the DEIR concludes that this alternative would provide a similar level of buildout as the Proposed Project. However, the lack of any accommodations on building heights would result in a continuous expanse of lower buildings across the Prime Outlets and Children’s Hospital sites, which may be aesthetically inferior to the proposed Project. Architectural enhancements above the height allowed by the visual corridor policy would not be allowed, which could reduce the aesthetic appeal of proposed development.

Thus, the EIR overall has included analysis of alternatives to the originally proposed Project on the two locations where encroachments into the Scenic Corridor view angle are contemplated as well as an overall alternative that would include no such encroachments. This is considered a reasonable range of alternatives for analysis.

Further, since publication of the DEIR, and in response to comments received on the DEIR and at Design Review Committee meetings, the proposed Project has been changed to reduce the impact on the Scenic Corridor by modifying the building heights and landscaping design for the Prime Outlets Livermore Valley development and revising the proposed General Plan Amendment. New photographic simulations were prepared to depict these changes. These new simulations are included as Figure 3.1-10a in Chapter 4 of this FEIR. The revised building heights for the Prime Outlets Livermore Valley include approximately 342 feet of discontinuous frontage encroachment into the view angle, representing approximately 21% of the total 1,629-foot site frontage for the specific development.

For the entire Specific Plan Area, the DEIR included a total frontage encroachment into the allowable view angle of 675 feet for Prime Outlets Livermore Valley and 220 feet on the Children's Hospital property for a total of 895 feet, which is 17% of the Specific Plan frontage. With the change for the Prime Outlets Livermore Valley property, the new total encroachment area would be approximately 562 feet, which represents 11% of the Specific Plan frontage.

Section (1)e. of the proposed Visual Scenic Corridor General Plan Amendment text has been revised as follows:

> e. Projections into the view plane shall have a total of no more than ~~45%~~ 21% of the entire site frontage.

Revisions to the DEIR, including new photographic simulations, are identified in Chapter 4 of this FEIR.

Comment Letter IP5—Rhodes & Jamieson, represented by Reed Smith

IP5

ReedSmith

Reed Smith LLP
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Oakland, CA 94612-3572
510.763.2000
Fax 510.273.8832

John Lynn Smith
Direct Phone: 510.466.6778
Email: jlsmith@reedsmith.com

February 23, 2007

VIA UPS NEXT DAY DELIVERY

RECEIVED
FEB 26 2007
PLANNING DIVISION

Susan Frost, Principal Planner
Livermore Community Development Department
1052 South Livermore Avenue
Livermore, CA 94550

Re: Comments re: Draft Environmental Impact Report/El Charro Specific Plan

Dear Ms. Frost:

I write on behalf of Rhodes & Jamieson, G.W. Jamieson Trust, Jamieson LLC., and their related entities ("Rhodes & Jamieson"), with respect to the Draft Environmental Impact Report ("DEIR") for the proposed El Charro Specific Plan. The comments provided herein amplify, or in some cases are in addition to, those oral comments I presented on behalf of my clients to the Livermore Planning Commission at its February 13, 2007 public hearing on this matter. Briefly, the DEIR fails to adequately investigate, discuss and mitigate the significant impacts to the area's recognized mineral resources as discussed in more detail below. **IP5-1**

As you know, my client owns land in unincorporated Alameda County designated on applicable general and specific plans, and recognized at the state and county level, as valuable mineral resources property. (See property boundaries at Figure 2-5a of the DEIR). These properties are referenced in the DEIR generally as SMP 38 and SMP 39. The DEIR proposes two alternative major east-west thoroughfares, the Airway Boulevard extension and expansion, and the Jack London Boulevard extension and expansion. The DEIR acknowledges that the Jack London Boulevard extension would have a significant impact on the Rhodes & Jamieson mineral resources, and would result in the substantial loss of these valued and available resources unless adequately mitigated. However, the proposed mitigations fail to address all impacts, including those from the proposed mitigation plans themselves, and rely on assumptions that lack factual support. Further, the DEIR fails to adequately review the totality of the impacts and seriously underestimates the loss of these resources. Indeed, given the width, location, related structures and use of the extended roadway, it is probable that all mining activities will be rendered uneconomical, and thus no longer viable. **IP5-2**

Specifically, the DEIR proposes an interim, two-lane Jack London Boulevard extension that would cut through a corner of the Rhodes & Jamieson SMP 38 property. The DEIR then concludes, without substantive discussion, that the two-lane extension would have no impact on the Rhodes & **IP5-3**

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Jamieson property because the City would exchange a portion of adjacent City-owned property for that gravel property necessary for the interim roadway. (DEIR 3.10-5) Based on that assumption, and without any further analysis, the DEIR concludes that the "loss of mineral resources would be less than significant," and no mitigation for this event is proposed or discussed. (Id.) However, without the landswap, the impact of the two-lane extension on SMP 38 is recognized as "significant." In light of the fact that Rhodes & Jamieson is not at this time willing to enter into a land exchange to facilitate the interim two-lane extension, and further considering that the subject property is within unincorporated Alameda County and not within the City of Livermore's borders, the DEIR must discuss alternatives to its proposed landswap mitigation that would include at a minimum different routes, different methods of acquisition of necessary property, and, in the event that the Rhodes & Jamieson property is still targeted by the City for location of the two-lane interim extension, the DEIR must discuss the impacts of that roadway on my clients' property and the resulting loss of recognized mineral resources. At a minimum the DEIR must discuss impacts associated with construction, loss of mineral resources, environmental impacts associated with locating and mining minerals in more distant locations, City acquisition costs and financing plans for those costs. Indeed, for a mitigation measure as suggested in the DEIR to be legally valid, it must "not be" of uncertain efficacy or feasibility. The DEIR's proposed two-lane Jack London extension does not meet this legal requirement for the reasons stated above.

IP5-3 Cont.

Further, many of the same defects associated with the two-lane interim extension are shared with the four-lane permanent Jack London Boulevard extension. To mitigate the significant impacts of the four-lane roadway, the DEIR suggests a delay of the roadway could be possible "until cumulative traffic demand warrants its implementation." (DEIR 3.10-6) However, the DEIR recognizes that many, if not most of the existing surface roadways are near or below an acceptable Level of Service (LOS) and there is no analysis of the progressive cumulative effects on the expanded network roadways as new projects come on line. In other words, the DEIR lacks sufficient analysis of traffic impacts over a progressive continuum which would assist in identifying when exactly the widened four-lane Jack London Boulevard roadway would be necessary so as to better assess the true impacts of the project on mining operations. Without this analysis, it is nearly impossible to properly determine the significance of known impacts and the proper and timely mitigation of said impacts. In addition, due to contractual or other considerations, mining operations may not necessarily commence within the next several years, or more, making the extended roadway impact on mineral resources a near certainty. The DEIR fails to properly take this very plausible situation into account. Moreover, the high probability of the Jack London Boulevard extension over the Rhodes & Jamieson property, given the circumstances discussed, creates a cloud over the use and viability of the property for mining activities resulting in an immediate and substantial impact to value.

IP5-4

Also, as mentioned above with respect to the two-lane interim Jack London Boulevard extension, the four-lane proposal lacks a true, comprehensive analysis of all environmental impacts to mineral resources. For example, there is no discussion as to how construction activities can co-exist on any level with on-going mining operations; no discussion as to construction traffic patterns, routing, etc.; there is also no discussion as to the actual physical occupation of the four-lane roadway and its appurtenant structures, such as the diversion swales, water collection areas, surface runoff requirements, etc., and certainly no discussion with respect to how the loss of mineral resources will be replaced and the environmental impacts associated therewith. For example, if mining operations of SMP 38 or SMP 39 are prevented, in part or in total, Bay Area construction projects will need to get materials from more

IP5-5

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distant sources, which requires additional and longer truck traffic trips, consumption of fossil fuels and greater energy needs, none of which are addressed in the DEIR. Indeed, the California Department of Conservation, as part of its California Geological Survey, issued a report this month documenting a dwindling supply of accessible aggregates and urging local government to "consider the issue of access to aggregate resources when planning for growth and development." The DEIR fails in this respect to properly address the actual physical environmental and financial impacts caused by the Jack London Boulevard extension not only on the known mineral resources, but as to the related traffic, air quality, and resource consumption impacts if builders are forced to travel much greater distances for available aggregates. IP5-5 Cont.

In addition, there is no substantive discussion as to how the City will accommodate mining on the northeastern portion of SMP 38 by providing a quarry truck underpass or other suitable means of access. Indeed, it is highly unlikely that such an accommodation is feasible given that the proposed extension, its necessary appurtenant structures, and required setbacks will completely destroy the viability of any mining operations on SMP 38. Also, there is no discussion as to the impact on mining operations caused by the anticipated additional traffic on Jack London Boulevard, including those impacts related to mining truck traffic (such as whether gravel trucks will have access to Jack London Boulevard), and generally the impact of traffic loads on mining operations and traffic impacts on the residual use of the property after mining is completed. To properly assess actual physical and environmental impacts and the feasibility of any proposed mitigation measures, the DEIR needs to discuss this potential in much greater detail and to provide discussion of reasonably available alternatives. IP5-6

There is also no discussion as to the financial feasibility of the four-lane Jack London alternative. Rather, the DEIR simple concludes that if the four-lane roadway is needed before mining operations are completed -- by all reasonable accounts a known reality -- the "City then will negotiate for compensation for the loss of that resource area." (DEIR 3.10-6) Does the City have any real understanding of the magnitude of such a loss, which even at current prices would likely range far beyond $90 million? Also, if the City cannot negotiate a price acceptable to the landowner, what is its contingency plan? If the property cannot be acquired, is any alternative really feasible? The DEIR needs to include a discussion as to these matters. IP5-7

Finally, as you no doubt know, the Zone 7 Master Stream Management Plan identifies some of these gravel properties for future water storage or a by-pass channel. The DEIR needs to discuss in more detail how the Jack London Boulevard Extension is compatible with these initiatives. IP5-8

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We thank you for the opportunity to comment on the DEIR and look forward to your responses. In the meantime, should you have any questions or need additional information, please contact me.

Very truly yours,

John Lynn Smith

JLS:rp

cc: Doug Jamieson
Don Kahler

DOCSOAK-9864486.1

Response to Comment IP5-1

The comment asserts that the DEIR fails to adequately investigate, discuss, and mitigate the significant impacts to mineral resources.

This comment is introductory material to which specific comments are made in the remainder of the comment. Responses are provided to those comments. As documented there, the City has added analysis, background, and revisions to the DEIR that adequately address significant impacts to mineral resources.

No revisions to the DEIR are necessary.

Response to Comment IP5-2

The comment asserts that the DEIR fails to address all mineral resource impacts, including those from implementation of the proposed mitigation, and relies on assumptions that lack factual support. The comment also asserts that the DEIR fails to adequately review the totality of the impacts and underestimates the loss of these resources. The comment also asserts that with the extended roadway, it is probable that mining will be rendered uneconomic and unviable.

Additional analysis was completed after the DEIR to examine cumulative traffic conditions with the ECSP with only a 2-lane Jack London Extension. This analysis has been added to Appendix G. The results indicate that the project with a 2-lane Jack London extension would not result in any new significant impacts nor substantially more severe impacts than with a 4-lane Jack London Boulevard extension. Thus, a 4-lane extension of Jack London Boulevard is no longer considered part of this Project and is not required as mitigation for the Project (with a 2-lane Jack London extension). The 4-lane extension of Jack London Boulevard remains in the Livermore General Plan and may be advanced by the City at a later date to improve freeway operations, to improve intercity circulation/connection, and/or to provide better emergency access in the event of I-580 congestion. At the time it may be advanced, project-level CEQA analysis would be completed.

Upon review of the issues raised by this letter, the City altered the mitigation so that a 4-lane extension of Jack London Boulevard on property owned by Rhodes & Jamieson will NOT proceed before mining of the areas under or adjacent to a 4-lane extension alignment. With this change, the 4-lane extension, if advanced by the City separate from this project, will not hinder the ability to extract mineral resources from SMP-38 and SMP-39. This comment is amplified in detail in the following comments and responses concerning the issues raised in this comment are provided as part of the following responses. Related revisions are made in the following responses.

No revisions to the DEIR are necessary.

Response to Comment IP5-3

The comment disputes the DEIR conclusion that a 2-lane Jack London Boulevard Extension would have no impact on the Rhodes & Jamieson property due to inclusion of a land swap as part of the project without further analysis. The comment notes that Rhodes & Jamieson is not willing at this time to enter into a land swap and thus the DEIR needs to consider alternatives to its proposed land swap such as different routes or different methods of property acquisition. The comment requests analysis of the impacts of the 2-lane roadway extension including construction, loss of mineral resources, the potential transport of minerals from alternative locations, acquisition costs, and financing plans for acquisition. The comment concludes that the DEIR proposed 2-lane extension mitigation (presumably the land swap) is of uncertain efficacy or feasibility.

Based on current roadway designs, the area of land needed for the 2-lane extension is approximately 0.75 acres. The linear distance of the 2-lane Jack London Boulevard Extension crossing the Rhodes & Jamieson measured on the western edge is approximately 360 feet. The City has proposed a potential land swap of 0.55 acres to (partially) offset the loss of mining potential in the acquisition area. The actual area of land swap would need to be determined based on engineering designs and refined road right of way legal descriptions.

While the comment states that Rhodes & Jamieson is "not at this time willing to enter into a land exchange", the City remains open to negotiating with the owner a potential land swap. Alternatives to a land exchange include purchase of the property, acquisition of the property through eminent domain, annexation, and fair market value compensation; or use of an alternative roadway alignment. Purchase on a "willing seller" basis or acquisition via eminent domain and construction of the two-lane would limit the ability to mine the 0.75-acre property and the potential impact of the loss of mineral resources is discussed further below.

As to alternative alignments, the DEIR analyzes in detail an Airway Boulevard Extension, Northern Alignment that is routed across the northern part of the golf course and the northern part of the Children's Hospital property in detail. The DEIR also analyzes an Airway Boulevard Extension, Middle Alignment Alternative (see DEIR p. 4-53 and following) that is considered potentially feasible although the economics of building a new golf course clubhouse and a more substantial golf course redesign have not been examined and could make this alternative economically infeasible. The DEIR also considered, but dismissed as infeasible, a Jack London Boulevard Extension, Northern 4-Lane Alignment Alternative (see DEIR p. 4-60), which would either require encroachment into the airport runway protection zone (which is not allowed) or would require underground tunneling in an area of shallow groundwater (which is logistically and economically suspect and raises traffic safety issues).

The alternatives considered in the DEIR that avoid land with designated mineral resources and that avoid the need for the road to be placed on the property owned by Rhodes & Jamieson are considered a reasonable range for the purposes of CEQA.

While not specifically mentioned in the DEIR, a Jack London Boulevard Extension, Northern 2-Lane Alignment Alternative was considered that would avoid the Rhodes & Jamieson property. However, this 2-lane alignment would have similar feasibility issues as the 4-lane variant noted above, in that it would require encroachment into the airport runway protection zone (which is not allowed) or would require tunneling in an area of shallow groundwater (which is logistically and economically suspect and raises traffic safety issues). Thus, such an alternative is considered infeasible.

No mining could be conducted on the approximately 0.75-acre parcel that would need to be acquired by the City for the Jack London Boulevard Extension as well as adjacent mining setbacks. While the property owner had previously applied for a permit to mine SMP-38, of which the 0.75-acre parcel is a part, this permit application has been withdrawn. Alameda County prepared a Draft EIR in 2004 for mining of SMP-38, SMP-39, and SMP-40, but has not certified the EIR, nor issued any permits that would allow mining to proceed. Further due to contractual restrictions, the site cannot be mined prior to the end of the current mining agreement without the consent of Vulcan Materials Company and this may delay or hinder near-term potential to mine the property.[1]

Given that the City plans to build the 2-lane Jack London Boulevard Extension by the end of 2008 (if the Jack London Boulevard alignment is selected by the City), it is likely that this road would be built before mining commences.

It is reasonable to presume that mining will be pursued at some point in the future. The 2004 Draft EIR describes Surface Mining Permit applications and Mining and Reclamation Plans that address surface mining of approximately 212 acres and the anticipated extraction of approximately 53, 354,100 tons of sand and gravel with completion by 2030. This 2004 Draft EIR is incorporated by reference into this FEIR. The SMP-38 Mining Plan shows a 50-foot setback from the northern boundary with the City's golf course and a 25-foot setback along the eastern boundary with City land south of the golf course. The SMP parcel is 112.45 acres and the 2004 EIR estimated that 31,241,700 tons of aggregate would be removed from proposed mining, or an average of 277,704 tons/acre. Mining is proposed using 1:1 (horizontal: vertical) slopes starting at the setback lines to a 150-foot depth. Reclamation slopes could be 1:1 or 2:1 based on geotechnical considerations, potential final end-use requirements of Zone 7, and/or other end-use considerations, which would include a Jack London Boulevard extension.

The volume of mineral resource that may not be mined due to land acquisition and the 2-lane extension was estimated by calculating with and without mined volumes taking into account setbacks, acquisition, mining slopes, and assumed waste and overburden. This calculation does not take into account any potential

1 Douglas Herring & Associates 2004. Draft Environmental Impact Report, Application for Rhodes and Jamieson Aggregate Mines, Surface Mining Permits SMP-38, SMP-39, and SMP-40. SCH #2003082034. Prepared for Alameda County Community Development Agency. November.

offset due to a land swap that could allow increased mining volumes in another location.

- **Loss Based on With and Without Volumetric Calculations** - Potential mining volumes with and without the 0.75-acre acquisition and 2-lane Jack London extension were estimated as follows: assumed setbacks of 50' from the northern boundary, 50' from the western edge of the road, and 25' from the eastern boundary; assumed mining slopes of 1:1; assumed overburden and waste total 20% of volume; assumed mining to 150' depth; and assumed 1.86 tons/cubic yard. The resultant estimate is that the acquisition and the 2-lane road extension could result in loss of approximately 310,000 tons of sand and gravel resources compared to the 2004 EIR mining plan.
- **Loss compared to SMP-38, SMP-39, SMP-40 volume.** A loss of up to 310,000 tons of sand and gravel resource would represent approximately 0.5% of the potential mining total of SMP-38, SMP-39, and SMP-40, which is 53,354,100 tons of sand and gravel.
- **Loss compared to Livermore-Amador Valley Sand and Gravel Resource.** According to the California Division of Mines and Geology, as of 1996, the Livermore-Amador Valley had approximately 99 millions tons of sand and gravel resources.[3] This total did not apparently include the SMP-38, SMP-39, and SMP-40, which were outside of the resource area estimated. A loss of up to 310,000 tons of sand and gravel resources would represent approximately 0.3 % of the potential sand and gravel resources estimated for the area in 1996.
- **Loss compared to South San Francisco Bay Market.** In the south San Francisco Bay Area, as of 2006 there were approximately 458 million tons of aggregate resources permitted.[4] The proposed mining areas of SMP-38, SMP-39, and SMP-40 are not permitted and are not included in these totals. The 50-year demand of the south San Francisco Bay area is estimated as 1,244 million tons of aggregate resources (approximately 25 million tons/year on average or 68,000 tons/day) indicating that the presently permitted resource in the region could supply 18 years of expected demand (California Geological Survey 2006). The potential loss of up to 310,000 tons of mineral resources would represent approximately 1.2% of the annual aggregate demand in the south San Francisco Bay. In other terms, this amount represents perhaps 5 days of annual aggregate demand in the region (if calculated on a 365-day basis). If no new permitted resources are brought on line, then the loss of the opportunity to mine this amount of resource would mean that the south San Francisco Bay would exhaust its local resources in 17 years and 360 days instead of 18 years. Using the numbers noted above, permitting of SMP-38, SMP-39, and SMP-40 could extend the lifetime of south San Francisco aggregate supply by over 2 years, even taking into account the potential loss of up to 310,000 tons from the project.

2 California Division of Mines & Geology. 1983. Mineral Land Classification: Aggregate Materials in the San Francisco - Monterey Bay Area, Part II: Classification of Aggregate Resource Areas South San Francisco Bay Production-Consumption Region. Special Report 146.

3 California Division of Mines & Geology. 1996. Update of Mineral Land Classification: Aggregate Material in the South San Francisco Bay Production-Consumption Region. DMG Open File Report 96-03.

4 California Geological Survey. 2006. MAP SHEET 52: AGGREGATE AVAILABILITY IN CALIFORNIA. Prepared by Susan Kohler.

There are alternative aggregate resource locales in Sunol and in Tracy that are in proximity to the Tri-Valley area and connected by freeways to the market. It is possible that there might be additional construction impacts associated with additional mining of sand and gravel if conducted in those locales instead of the areas not mined due to acquisition and road extension. While these impacts would be displaced from one location to another, the character of mining impacts within the quarried areas would be similar to those in Livermore/Pleasanton.

What could be different would be the traffic and air quality impacts due to the need for trucking of material from more distant aggregate sources to local construction sites. In the 2004 EIR for the mining permits for SMP-38, 39, and 40, the traffic analysis concluded that "*The number of truck trips on I-580 can be assumed to remain essentially the same with or without approval of the proposed project, regardless of the remaining raw materials. This is because there will continue to be demand for aggregate materials in the Bay Area for construction and roadway projects.*"[5] Thus, for I-580 in Livermore and Pleasanton, no additional traffic impacts are identified.

It is possible that there could be other traffic impacts in roadways closer to the Sunol or Tracy quarries. It is important to remember the scale of traffic involved. The Rhodes & Jamieson proposed mining plan is based on a 5 to 6 year time frame to mine 31,241,700 tons from SMP-38. Using a 5-year time frame to determine the average daily truck totals associated with potentially displacing truck trips to Sunol or Tracy due to loss of up to 310,000 tons of resource due to land acquisition and 2-lane road extension, one gets an average of 160 tons per day (for 5 years with 365 days/year). Assuming hauling is done with a mix of 15-ton and 25-ton trucks (as assumed in the 2004 mining EIR) averaging 22.5 tons/truck, this would correspond to 8 trucks/day on average. Peak activity for aggregate occurs during summer and early fall construction months, so even factoring a 100 to 150% increase from the average for busy seasons/days, the total additional peak traffic would correspond to 16 to 20 trucks/day. This minor amount of daily traffic is not considered to result in substantially more severe traffic impacts than those disclosed with the DEIR, which included existing quarry traffic in the 2008 analysis and future quarry traffic in the 2030 analysis.

However, the number of vehicle miles traveled and the associated air emissions could increase due to the greater distance from Tracy or Sunol to Tri-Valley construction sites. Emissions of oxides of nitrogen (NO_x) from the cumulative development including the proposed project were disclosed as significant and unavoidable in the DEIR (see p. 4-12). The addition of up to 16 to 20 trucks daily during peak periods traveling from Sunol or Tracy to Tri-Valley construction sites would increase this impact, but would not result in substantially more severe emissions than disclosed in the DEIR. Operational emissions of carbon monoxide, reactive organic gases, and inhalable particulate matter 10 microns or greater in diameter (PM10) were found to be less than significant for the proposed project, and the minor increase in trucking is not expected to change the level of significance of these air quality impacts.

5 Douglas Herring & Associates 2004. Draft Environmental Impact Report, Application for Rhodes and Jamieson Aggregate Mines, Surface Mining Permits SMP-38, SMP-39, and SMP-40. SCH #2003082034. Prepared for Alameda County Community Development Agency. November.

The proposed City land for the land swap is immediately adjacent to SMP-38 and in all likelihood contains sand and gravel resources equivalent to the Rhodes & Jamieson parcel the City would be seeking to acquire, but is outside of the mineral resource designated land. Thus, if the property owner accepted the land swap, there would be a smaller loss of mineral resources and a smaller loss of potential mining income. If the property owner refused the land swap, then the loss of mineral resources, as described above, would occur. The value of the loss would depend on the actual fractions of sand and gravel and the costs to mine including labor, equipment, materials, permitting, marketing and other normal business costs necessary to actually market the material. Thus the actual loss to the owner of the property would not be based on gross value of resources *in situ*, but rather the loss of net profit that could otherwise be realized if mining were to proceed.

Given that the amount of potential mineral loss is limited, is a small fraction of the mineral resource potential of the Rhodes & Jamieson properties, a smaller fraction of the Livermore-Amador area resources, and an even smaller fraction of the south San Francisco potential mineral resources, and there are nearby aggregate resources to the Tri-Valley market, if the property owner decides to refuse a land swap, the loss of these resources, the mining of resources in alternative locations and the potential traffic and air emissions due to potential trucking from alternative sources are considered less than significant environmental impacts, primarily due to the limited amount of resources affected. If the property owner accepts the land swap, which is a feasible mitigation, then the loss of resources would be smaller than without a land swap and thus the secondary impacts to the environment would be further reduced.

Mitigation Measure MIN-2c, on page 3.10-6 of the DEIR, has been revised to clarify the City's offer to swap land or compensate for lost mineral resources.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment IP5-4

The comment requests clarification of the timing of the 4-lane Jack London Extension and requests analysis of traffic impacts over a "progressive continuum" in order to clarify the impacts of the 4-lane extension on mineral resources and identify proper mitigation and mitigation timing. The comment also notes that mining operations may not commence in the next several years or more, thus increasing the likelihood of mineral resource impacts. Finally, the comment states that the probability of the extension being built results in an immediate and substantial impact to property value.

Additional analysis was completed after the DEIR to examine cumulative traffic impacts with the ECSP with only a 2-lane Jack London Extension. This analysis has been added to Appendix G. The results indicate that the project with the 2-lane Jack London extension would not result in any new significant impacts nor substantially more severe impacts than with the 4-lane Jack London extension. Thus, a 4-lane extension of Jack London Boulevard is no longer considered part

of this Project and is not required as mitigation for the Project (with a 2-lane Jack London extension). The 4-lane extension of Jack London Boulevard remains in the Livermore General Plan and would be advanced by the City to improve freeway operations, to improve intercity circulation/connection, and/or to provide better emergency access in the event of I-580 congestion.

Since the City will not be adopting a plan to move ahead with a 4-lane alignment or make any commitment at this time to build a 4-lane alignment across the Rhodes & Jamieson property as part of the ECSP approvals, analysis of the potential impacts of such a 4-lane alignment as part of the proposed project is not necessary under CEQA in order to approve the ECSP or the 2-lane Jack London extension. As described in the Master Response on the 4-lane facility in Chapter 2, the cumulative analysis has been modified to consider the 4-lane as a potential separate cumulative development. If and when advanced, the City would prepare a separate project-level CEQA document for any 4-lane extension of Jack London Boulevard.

Regarding the timing of the 4-lane extension, this is not known at this time. As described in the Master Response concerning the 4-lane Jack London extension (see Chapter 2), the City, if it were to advance the 4-lane facility, would only construct the 4-lane extension after mining on the area under and adjacent to the 4-lane alignment. Thus, the specific timing is not relevant to determining whether a 4-lane extension, if advanced separate from the ECSP, will prevent mining of SMP-38 or SMP-39.

Regarding potential construction impacts of building the 4-lane Jack London Extension after mining has been completed or as part of reclamation, project-level analysis of potential environmental impacts cannot be completed at this time. There is no approved mining permit, no approved reclamation plan, and there are unknowns concerning Zone 7's specific plans for reuse of SMP-38 and SMP-39. Reclamation activity to rebuild a road bed for the 4-lane extension near existing surface grade or with below grade sections would require similar construction activity to that identified in the 2004 EIR for mining activity and would require heavy construction and earth-moving equipment. Such activity would result in traffic that could temporarily affect traffic conditions and air emissions that could affect local and regional air quality. While noise would be generated, there are no adjacent sensitive receptors along the 4-lane extension location. Significant biological impacts would not be expected as mining would be expected to remove any surficial habitat and result in disturbed environments below grade. No significant cultural resource impacts would be expected as prior mining would have removed any potential for intact resources to be present in the reclamation area. Erosion and water quality impacts could occur during reclamation to support a future road use. Aesthetic impacts would be primarily below grade, but traffic, dust, and noise could affect the multi-use regional trail, which will be nearby. All of these potential effects can only be accurately analyzed with project level designs of a 4-lane roadway that takes into account the mining plan, the reclamation plan, the Zone 7 end uses, as well and feasible roadway design features. If the City ultimately advances a 4-lane Jack London Boulevard Extension across the mining area, a separate project CEQA document will be prepared.

Regarding potential impacts to property values, as noted in the revised cumulative impact analysis, the Citywill not build the 4-lane extension across the Rhodes & Jamieson property prior to mining of the affected area is completed.

The commenter also states, "…, the DEIR recognizes that many, if not most of the existing surface roadways are near or below an acceptable Level of Service (LOS)," which is inaccurate.

Intersection LOS analysis resulted in the following: In 2008, of the 41 intersections studied, there is 1 intersection operating below acceptable LOS without project, and 3 intersections operating below acceptable LOS with project. In 2030 assuming the Stoneridge Drive extension, there are 8 intersections that would be operating below acceptable LOS with and without project. In 2030 assuming no Stoneridge Drive extension, there are 9 intersections operating below acceptable LOS without the project and 12 intersections operating below acceptable LOS without the project. Mitigations were proposed for most intersections and were in a number of cases able to bring the LOS back up to acceptable standards.

Freeway CMP LOS analysis resulted in the following: In 2008, there are 2 segments operating below acceptable LOS without project (between El Charro and Airway on I-580), and the same 2 segments operating below acceptable LOS with project, but the project doesn't impact these segments. In 2030 for both with and without Stoneridge Drive extension, there are no segments operating below acceptable LOS, either with and without project. Thus, it is incorrect to say that the many or most of the freeway segments are operating below acceptable LOS.es any immediate or substantial impact to property values.

Revisions to Mitigation Measures MIN-2a, MIN-2b, and MIN-2c as well as changes in the project description regarding the 4-lane Jack London Boulevard Extension option have been made in response to this comment. Additional Traffic Analysis of cumulative 2030 conditions with a 2-lane Jack London extension has been added to Appendix G.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment IP5-5

The comment states that the DEIR fails to analyze all impacts to mineral resources including construction, the loss of mineral resources, and the impacts associated with use of alternative sources of mineral resources from the 4-lane Jack London Extension.

Please refer to the responses to Comment IP5-4

Regarding construction impacts, the 4-lane extension of Jack London will only be done after mining is completed in the area of the road alignment and adjacent and thus road construction will not hinder mining operations or potential.

Regarding loss of mineral resources, with the changes noted above, there would be no loss of mineral resources due to the 4-lane extension. Loss of mineral resources associated with the 2-lane extension is discussed under the response to IP5-3.

Regarding all other impacts associated the 4-lane road alternative sources of aggregate supply and financial impacts, see the response to IP5-4.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment IP5-6

The comment states that the DEIR inadequately analyzes impacts to mining caused by traffic on Jack London Boulevard, the feasibility of actually providing mining access to the northeastern part of SMP-38, and the impact of traffic on mining operations and traffic impacts on the residual use of the property after mining is completed.

As noted above, the City will not construct the 4-lane Jack London Extension prior completion of mining along the alignment and adjacent areas. Thus, the concerns raised about mining access and exploitation of SMP-38 for the 4-lane facility will not arise. Regarding the impact of the 2-lane extension, see response to IP5-3.

Regarding the impact of traffic on Jack London Boulevard on mining operations, the 2-lane extension will be separated from the mining operation and thus traffic along this road should not affect mining operations. There will be no access for mining vehicles or gravel trucks on Jack London Blvd, which will prevent potential mining/passenger conflicts that might otherwise occur. Vehicle and trucks will need to use El Charro Road as at present. El Charro Road has been designed to safely integrate quarry traffic, ECSP traffic, as well as cumulative traffic along the road. The analysis of traffic level of service and safety is contained in Section 3.15 and 4 (cumulative) in the DEIR.

Regarding the impact of traffic on residual use of the property after mining, the 2-lane extension will not compromise any residual use that might be planned as it will only utilize 0.75 acre of the property and the City has offered a land swap to compensate for this area and/or compensations. As to the 4-lane extension, as noted above, the City is not adopting any 4-lane alignment at this time and the 4-lane extension would be the subject of a separate project-level CEQA analysis that would look at mining reclamation and potential future uses by Zone 7 or other parties during the design of any 4-lane road through this area.

No revisions to the DEIR are necessary.

Response to Comment IP5-7

The comment questions the feasibility of the City compensating for the loss of mineral resources associated with the 4-lane roadway and fails to identify contingency plans if an acceptable price cannot be reached. The comment questions the feasibility of property acquisition.

As noted above under response to IP5-4, the City will only build the 4-lane roadway on mineral resource land until after mining is completed in the affected alignment area and adjacent. Thus, compensation for loss of mineral resources will not be needed and this has been deleted as mitigation. No contingency plan is required.

As to the feasibility of building a 4-lane road after mining, it is presumed that land acquisition is feasible once the mineral resource issue is no longer relevant. However, feasibility would need to be determined in light of feasible reclamation, road design, and planned end used for the property.

No revisions to the DEIR are necessary.

Response to Comment IP5-8

The comment asks for analysis of the Jack London Extension compatibility with the SMMP designation of some properties for future water storage or a by-pass channel.

The SMMP identified the following potential project on SMP-38 and SMP-39:

- The Arroyo Las Positas Bypass Channel crosses the western portion of SMP-38;
- Arroyo Mocho Widening and Drainback Channel would be located on the west side of SMP-38.
- The Arroyo Mocho Bypass Channel is shown as crossing along north side of Lakes F and G, and then into Cope Lake and Lake G and may cross the southern part of SMP-38 and SMP-39.

The SMMP does not identify SMP-38 or SMP-39 for water storage. The alignment of the 4-lane Jack London Roadway does not cross any of the SMMP project alignments where it would be located on SMP-38 or SMP-39. While SMMP facilities are proposed in other locations within the ECSP project area, there does not appear to be any incompatibility between a future 4-lane Jack London extension (constructed after mining) and SMMP facilities on SMP-38 or SMP-39 as they are understood today. The EIR does analyze consistency of the ECSP with the SMMP in Section 3.8, “Hydrology and Water Quality.”

No revisions to the DEIR are necessary.

Comment Letter IP6—SyWest Development

SyWest Development

IP6

February 26, 2007

Via Fax, e-mail and U.S. Mail

RECEIVED
MAR - 1 2007
PLANNING DIVISION

Susan Frost, Principal Planner
Livermore Community Development Department
1052 South Livermore Avenue
Livermore, CA 94550

RE: Draft EIR & Draft El Charro Specific Plan

Dear Ms. Frost:

On behalf of SyWest Development, I would like to thank the staff at the City of Livermore for undertaking the El Charro Specific Plan and compliment those working on it for the determination and professionalism they have demonstrated thus far. While we are generally supportive of the city's efforts towards this endeavor, the following letter outlines our concerns with to the Draft EIR and Draft Specific Plan for the El Charro Specific Plan Area. IP6-1

Funding of Public Infrastructure

One of the primary objectives outlined in the EIR is to *"identify and implement a funding plan to ensure the provision of public infrastructure necessary to serve El Charro development"* (ES-3). To this end, much has been discussed in various meetings with city staff and owners in the El Charro Plan Area. However, at this time, we feel many specific details of the funding plan are either unresolved or are not equitable to all property owners because of differences in the benefits received by the infrastructure improvements or differences in developable areas on individual parcels. Some of our specific concerns are as follows: IP6-2

1. The value of the property in the Plan Area will vary greatly based on factors such as proximity to the freeway interchange at El Charro Road, visibility of the property from major interior roadways and traffic counts generated by adjacent uses.

2. The developable area on each parcel has been calculated based on 25% of net land area. Given the nature of the various restrictions and setbacks limiting development we feel this number is overly optimistic as it pertains to our parcel. The developable area will be impacted by restrictions such as the stream setback required for the Arroyo Las Positas, the easement for a fiber-optic line, and the view corridor setback. Because

150 Pelican Way, San Rafael, CA 94901

of this we suggest a system of tiered assessments based on probable land uses and appraised land values –neither of which has been determined at this time.

3. The cost of all interior circulation roads should be born by all who benefit from the network of roads being constructed. Because it is city policy that the first lane of new roadway is to be paid for by the property owner fronting the road, in our instance we are faced with paying for the first lane on two sides of our property. The Children's Hospital site to our east benefits from this roadway yet bears none of this cost. **IP6-2 Cont.**

4. While we are grateful for the time and effort expended by City staff to define the costs of funding public infrastructure within the Specific Plan area, little information has been made available regarding the long term maintenance costs for these public facilities and infrastructure- some significant portion of which may be paid for by property owners in the Assessment District (or CFD).

Northern Alignment

As presented in the documents, the proposed Project Alternative that contemplates a "Northern Alignment" of Jack London / Airway Boulevard Extension would create an unfair burden and hardship on our parcel. As depicted on figure 2-5b, the roadway bisects our parcel in a sweeping diagonal arc from the southwest to the northeast that would render approximately 30-40% of the property unusable. The remaining fraction would be difficult to access or exit from by way of the proposed arcing road due to lack of adequate sight lines. Further, the AT&T fiber optic easement and creek setback would proportionately be a greater burden to the remaining parcel. Having said that, we feel that different configuration of the "Northern Alignment" –a configuration that eliminates or significantly reduces the above impacts on our parcel- could be a viable alternative **IP6-3**

Airport Restrictions

Objective 2.4.1.f on page 2-15 of the Specific Plan requires that noise and avigation easements be recorded against each of the properties. While these easements are common when in proximity to an airport, the language of the easements has not been disclosed which precludes our ability to evaluate potential impacts on development. We understand that our property may be subject to FAA or other airport-related land use restrictions but we do not have enough information at this time to interpret how these restrictions might affect development on our parcel. **IP6-4**

Thank you for the opportunity to provide comments on the El Charro Draft Specific Plan and Draft EIR. Please feel free to call if you have any questions or need further information regarding these comments.

Sincerely,

Chris Finn
Development Manager
SyWest Development

Cc: Bill Vierra, SyWest Development
Cheri Sheets, City of Livermore

Response to Comment IP6-1

The comment is introductory and does not raise an environmental issue.

No revisions to the DEIR are necessary.

Response to Comment IP6-2

The comment does not raise an environmental issue. The Executive Summary and Project Description chapters of the DEIR reference several of the purposes of the ECSP. The ECSP includes a section on Finance, which identifies the infrastructure needs and costs and the likely sources of revenues including a land secured financing mechanism. Although the City and property owners have been working on the concept for many months, final refinements to the proposed financing mechanisms will continue to be refined to reflect more detailed cost estimates and land development scenarios.

No revisions to the DEIR are necessary.

Response to Comment IP6-3

The commenter suggests that a different alignment of the Airway Boulevard Extension option that reduces impacts on the ability to access and develop the Sywest parcel would be a more viable alternative, but does not identify an alignment that would achieve these objectives.

The alignment of the Airway Boulevard Extension option was designed with considerations of future land uses and overall environmental impacts on all parcels in the Specific Plan Area. The alignment analyzed in the DEIR represents the most viable northern option for an east-west roadway extension. It should be noted that the City's preferred alternative is the Jack London extension, which would avoid the development concerns raised in this comment. Because the EIR considers multiple options for an east-west roadway at a n equal level of detail, and also considered other roadway alternatives (see Table 4-13 following p. 4-48), a reasonable range of alternatives was evaluated.

No revisions to the DEIR are necessary.

Response to Comment IP6-4

The comment does not raise an environmental issue. The language for the required noise and avigation easements will be developed following the requirements and policies of the FAA, the ALUPP, and the Livermore Municipal Airport Master Plan and the City of Livermore General Plan.

No revisions to the DEIR are necessary.

Comment Letter IP7—Vulcan Materials Company, represented by Wendel Rosen Black & Dean

IP7

WENDEL ROSEN BLACK & DEAN LLP
ATTORNEYS AT LAW

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Fax: (510) 834-1928
dpreiss@wendel.com

February 26, 2007

VIA EMAIL AND MESSENGER

Ms. Susan Frost
Principal Planner
Livermore Community Development Department
1052 So. Livermore Avenue
Livermore, CA 94550

Re: Draft Environmental Impact Report for El Charro Specific Plan ("Draft EIR"); State Clearinghouse #2006052112

Dear Ms. Frost:

This office represents Vulcan Materials Company, Western Division, owner and operator of quarry lands and facilities located south of the area subject to the proposed El Charro Specific Plan ("Specific Plan"). The purpose of this letter is to provide Vulcan's comments on the Draft EIR. By letter dated June 1, 2006 (included in Appendix A to the Draft EIR), we previously provided written comments regarding the Notice of Preparation issued May 16, 2006 ("NOP") for this DEIR. As noted in our prior letter, given that Specific Plan will incorporate significant traffic increases and associated improvements to El Charro Road, and in light of the fact that El Charro Road provides the only access to Vulcan's quarry operations, we appreciate the fact that the NOP explicitly notes, and the Draft EIR also recognizes, that Livermore intends to coordinate with Vulcan and the other quarry operators to develop feasible mitigation measures for the impacts of the roadway improvements and increased traffic on El Charro Road that would result from the Specific Plan. IP7-1

Over the past few months, Vulcan has been working with the City, as well as with other interested parties including the City of Pleasanton, Alameda County, and the Alameda County Surplus Property Authority, to resolve issues regarding the Draft EIR as well as the Specific Plan and the Prime Outlets Livermore Valley project (together, the "Current Livermore Projects"). Vulcan hopes and expects that these issues will be fully resolved prior to, or concurrently with, certification of the Final EIR by the City Council. However, in light of the fact that Vulcan has not yet reached a final agreement with the City and the other interested parties, Vulcan finds it necessary to submit this comment letter to preserve the record with respect to the Draft EIR. IP7-2

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Not long after the issuance of the NOP, Vulcan and the other parties began working on a Pre-Development And Cooperation Agreement ("Agreement") intended to document the parties' respective obligations with respect to the required roadway improvements and other matters related to the Current Livermore Projects. The parties have already reviewed a number of drafts of the Agreement, and we believe that the parties are close to finalizing the Agreement. In its current form, the Agreement includes the following key elements, along with other related provisions:

- Assistance towards effectuating the portion of the Current Livermore Projects, as set forth in the Draft EIR, which requires Livermore's consultation and cooperation with the City of Pleasanton and the County of Alameda on the development of necessary traffic improvements and related infrastructure

- Documentation of specific roadway and related improvements to address Vulcan's circulation and safety concerns related to the Current Livermore Projects.

- Documentation of construction timing and obligations

- Evidence the fact that Vulcan has satisfied certain conditions in its mining and reclamation permit related to the proposed roadway improvements.

IP7-3

Despite the fact that the parties began working on this Agreement prior to the publication of the Draft EIR, the Draft EIR does not list the Agreement as one of the required approvals for the Current Livermore Projects. The City must ensure that the Agreement is properly referenced in the Final EIR as part of the project elements.

The proposed roadway improvements included in and analyzed as part of the Draft EIR are not adequate. Vulcan particularly objects to the inclusion of the right-out driveway from the Johnson-Himsl property south of Jack London Boulevard. Notwithstanding the analysis in the Draft EIR, Vulcan considers this driveway to be unsafe, taking into account the road curvature and limited sight distance for heavy gravel trucks northbound on Vulcan's private El Charro Road. Additionally, placement of a driveway on this section of El Charro Road will tie the hands of Pleasanton and Alameda County with respect to reconfiguring the intersection between Vulcan's El Charro Road and the Hanson haul road when El Charro Road is ultimately extended to Stanley Boulevard along the Hanson haul road.

IP7-4

As part of the negotiation of the Agreement, the parties have nearly reached consensus on a revised configuration for the proposed roadway improvements. Attached as Exhibit A is the most recent version of the improvements diagram. The most significant changes reflected in the current design are the removal of the right-out driveway from the Johnson-Himsl property and the reconfiguration of the proposed Road C cul-de-sac to provide a left turn for traffic heading on westbound Jack London Boulevard towards El Charro Road. These revisions, if effectuated, would address the safety issue discussed above. It is also our understanding that this design is preferred by Johnson-Himsl, the owner of the property in question. The diagram included as Exhibit A is not yet final. Among the additional changes requested by Vulcan to this drawing is

the removal of the existing access to the Staples Ranch property south of the proposed Stoneridge Drive. The Final EIR must incorporate the new roadway design ultimately accepted by the parties as part of the Agreement. **IP7-4 Cont.**

An EIR must contain a description of the environmental setting in the vicinity of the project to establish the baseline for determining whether project impacts are significant. As noted on page 3.15-8 of the Draft EIR, CEQA generally requires that the baseline consist of the physical environmental conditions at the time the NOP is published. CEQA Guidelines §15125(a). Notwithstanding this requirement, the Draft EIR uses the expected roadway facilities and assumed traffic without the project in 2008 as the baseline for the environmental analysis. An agency may use its discretion to consider a different baseline in appropriate situations, but this use of discretion must be supported by substantial evidence. *Fat v. County of Sacramento* (2002) 97 Cal.App.4th 1270, 1277. The Draft EIR does not appear to contain such substantial evidence, and does not fully explain the City's decision to use expected 2008 conditions as the environmental baseline, especially given the fact that there is no assurance that any of the roadway improvements assumed in the 2008 baseline will actually be constructed by this time, given financial and other constraints. The Final EIR should more fully document the evidence underlying the decision to use a future period as the baseline for the Transportation and Traffic analysis. **IP7-5**

Vulcan also requests that the Final EIR provide clarification regarding other assumptions underlying the Draft EIR's Transportation and Traffic analysis. One set of assumptions relates to the extent of new development in Pleasanton which would significantly increase traffic levels on El Charro Road. As part of the process of updating its General Plan, Pleasanton is now considering the appropriate land uses for the former Kaiser / Hanson and Kiewit Construction quarry properties in Pleasanton, located to the southeast of the El Charro Specific Plan Area, given that mining of these properties has ceased. It is our understanding that the owners of these properties have requested land use designations that would permit up to 1,170 residential units along with commercial, industrial and park uses. Development of these properties would significantly affect the new El Charro / Stoneridge / Jack London intersection to be constructed as part of the Current Livermore Projects, since the properties are located along the route of the proposed El Charro extension to Stanley Boulevard. Additionally, the City of Pleasanton is now considering a proposed Home Depot at the Bernal / Stanley intersection which would cause increased traffic on El Charro Road. However, it is unclear whether future projects were incorporated into the cumulative buildout numbers used in the Transportation and Traffic analysis. The Final EIR must further explain the land use assumptions underlying the Transportation and Traffic analysis. **IP7-6**

The Transportation and Traffic analysis is also unclear with respect to the source of the assumed level of future traffic volumes on Vulcan's private El Charro Road. The DEIR notes on page 3.15-27 that future quarry truck trips are "based on an extrapolation of the existing quarry traffic using planned growth in quarry activity." However, we are unable to find any discussion in the Draft EIR or Appendix E which documents the assumptions actually used in the traffic model regarding planned growth, future quarry traffic, or passenger car equivalence. Also, **IP7-7**

demand for aggregate might increase in the future, which could cause an increase in Vulcan's mining activity, subject to the production limit of 9,100,000 tons/year imposed by Vulcan's mining permit from Alameda County. However, Vulcan has no particular plan for such growth in activity or traffic, since any such growth would driven by independent market factors such as the demand for aggregate materials. The data used in the model for future quarry truck trips should be documented in the Final EIR, and the discussion regarding the derivation of these assumptions revised appropriately.[1]

IP7-7 Cont,

Thank you for your consideration of these comments. Vulcan is still reviewing this matter, and Vulcan reserves the right to submit additional comments and testimony on the Revised DEIR and the Project as this matter proceeds.

IP7-8

Please ensure that this letter is made part of the administrative record for this matter.

Very truly yours,

WENDEL, ROSEN, BLACK & DEAN LLP

David L. Preiss

DLP:nap
Attachment
cc: Cheri Sheets
Judith Propp, Esq.
Rob Wilson, City of Pleasanton
Stuart Cook, Surplus Property Authority of Alameda County
Sblend Sblendorio, Esq.
Robert Himsl
John Lynn Smith, Esq.
Douglas J. Reynolds

[1] Note also that Appendix E-2 contains an incorrect reference to traffic increases resulting from an "expansion" of Vulcan's aggregate processing plant. This reference is based on an statement contained in a report prepared by TJKM in 2000, which erroneously stated that Vulcan's then-pending plant modernization project would result in an expansion of the plant. This TJKM report was withdrawn by Vulcan and was not part of the County's approval for the modernization, which resulted in no net change in the plant's capacity. Appendix E-2 should be revised in the Final EIR to delete the reference to plant expansion.

IP7-7 Cont.

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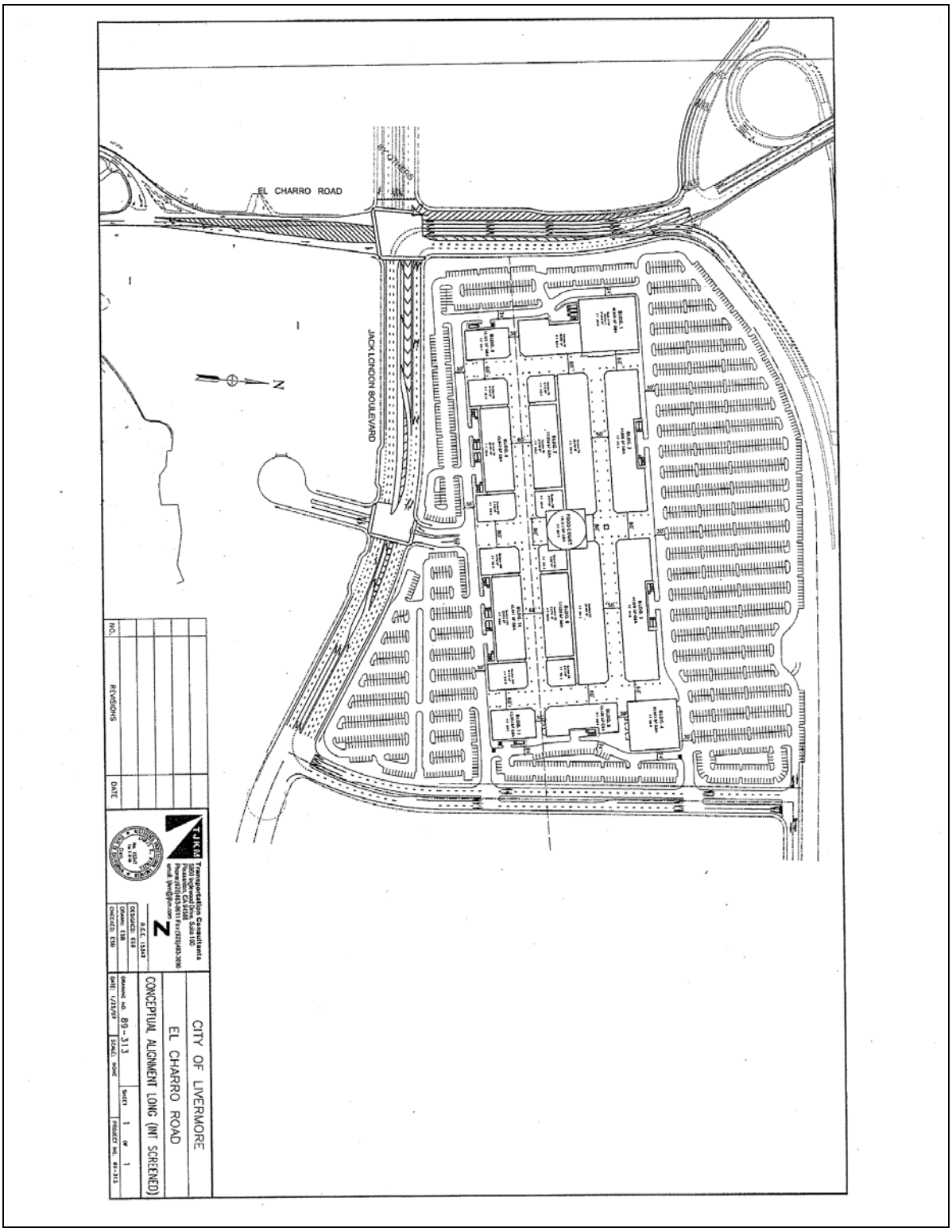
Ms. Susan Frost
February 26, 2007

WENDEL, ROSEN, BLACK & DEAN LLP

EXHIBIT A
TO
LETTER FROM WENDEL, ROSEN, BLACK & DEAN LLP
DATED FEBRUARY 26, 2007

IMPROVEMENTS DIAGRAM DATED JANUARY 25, 2007

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EL CHARRO ROAD
JACK LONDON BOULEVARD
N
REVISIONS
NO.
DATE
TJKM Transportation Consultants
CITY OF LIVERMORE
EL CHARRO ROAD
CONCEPTUAL ALIGNMENT LONG (INT SCREENED)
DESIGNED: ESB
DRAWN: ESB
CHECKED: ESB
DATE: 1/23/07
SCALE: NONE
DRAWING NO. 89-313
SHEET 1 OF 1
PROJECT NO. 89-313

Response to Comment IP7-1

The comment is introductory material and requires no response.

No revisions to the DEIR are necessary.

Response to Comment IP7-2

The comment describes negotiations that are ongoing between Vulcan, Pleasanton, Alameda County, ACSPA, and Livermore but makes no comments on the DEIR.

No revisions to the DEIR are necessary.

Response to Comment IP7-3

The comment requests that the FEIR reference the "pre-Development and Cooperation Agreement" (the "Agreement") as one of the required approvals for the project.

CEQA requires that the required public agency approvals associated with a project be disclosed. The purpose in such disclosure is to identify all of the responsible agencies, as defined by CEQA.

Vulcan is a private property and not a public agency. Thus, the "Agreement", which is not a regulatory agency approval, does not need to be mentioned in the same vein as the approvals of public agencies.

The City of Livermore, Vulcan Materials Company, the City of Pleasanton, Alameda County, and Alameda County Surplus Property Authority are negotiating a Pre-Development and Cooperation Agreement intended to document the parties' respective obligation with respect to the required roadway improvements and other matters related to the El Charro Specific Plan and the Prime Outlets Livermore Valley project.

No revisions to the DEIR are necessary.

Response to Comment IP7-4

The comment asserts that the right-out driveway from the Johnson-Himsl property shown in the DEIR is unsafe due to road curvature and limited sight distance. The comment notes that the revisions have been negotiated to remove this right-out driveway. The comment also requests removal of the existing access to the Staples Ranch property south of the proposed Stoneridge Drive.

The comment concludes that the FEIR must incorporate a roadway design accepted by parties to the "Agreement".

The traffic safety analysis does not agree with this comment and does not find that right-out driveway configuration is unsafe.

See responses to Comment PA9-13 and Comment IP2-3. The right-turn-in/ right-turn-out access driveway for the Johnson-Himsl property off of El Charro Road (Intersection #46 from DEIR) has been changed to an EVA only access. Additionally, intersection #43 from the DEIR has been removed. Johnson-Himsl property will only have one access driveway on West Jack London/ Airway Extension, which will be signalized and form a four-legged intersection with intersection #44 from DEIR. The north-south access roadway at intersection #44 will now be called "Road C." Figure 2-7 has been revised, accordingly.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment IP7-5

The comment requests substantiation why 2008 is used as the traffic baseline for analysis and assurance that the roadway improvements assumed in the 2008 baseline will actually be constructed by the time the project generates new traffic.

The reason 2008 was selected as the traffic baseline is that traffic will not begin to be generated in the ECSP until late 2008, when the Prime Outlets Livermore Valley project is expected to open. Thus, traffic impacts will only begin to occur at that time.

As stated on page 3.15-11 of the DEIR, certain specific roadway improvements are scheduled to be completed before 2009, have been approved and funded and therefore were assumed to be implemented under the future baseline (2008) project scenario. They are listed on page 3.15-11 (see revisions to this page in Chapter 4 of this FEIR). The comment provides no substantiation that the specific roadway improvements have not been approved or funded or otherwise will not occur before 2009, but instead makes reference to "financial or other constraints."

Below is the list of assumed improvements and current status.

- Dublin Boulevard extension (six lanes) from Keegan Street to Fallon Road - this improvement has been approved by the City of Dublin and will be implemented concurrent with the Phase 1El Charro Road/Fallon Road/I-580 interchange improvements;
- Central Parkway extension (four lanes) from Keegan Street to Fallon Road - this improvement has been approved by the City of Dublin and has been completed, but has not yet been opened;

- I-580 auxiliary lanes from Santa Rita Road to Airway Boulevard—both directions -the eastbound lane from Santa Rita to El Charro are complete, the eastbound lane from El Charro To Airway are expected to start construction in 2007, and the westbound lanes will be design and constructed subsequently;
- I-580 ramp metering in both directions at all onramps between Greenville and Hopyard Roads - this improvement is in construction, and scheduled to be complete in 2007;
- Fallon Road–El Charro Road at the I-580 interchange—installation of partial loop ramps, signalization of ramp intersections, and widening of the overpass (from two lanes to four lanes) - these improvements are fully funded by developers in Dublin and are scheduled for completion in 2008;
- East Vallecitos Road at Isabel Avenue intersection - this improvement has been completed;
- Murrieta Boulevard at East Jack London Boulevard–Pine Street signal phasing modification - this improvement was adopted as mitigation for the Oaks Business Park development; and
- Fallon Road widening (from two to four lanes) from I-580 to Bent Tree Drive - this improvement has been completed and is expected to be operational in 2008.

No revisions to the DEIR are necessary.

Response to Comment IP7-6

The comment states that the EIR traffic analysis needs to consider potential land use changes under consideration with the Pleasanton General Plan Update including several specific requests for land use changes for the former Kaiser/Hansen and Kiewit Construction quarry properties and a potential Home Depot.

Land use numbers for cumulative were obtained from the latest Citywide General Plan buildouts that include all planned future projects within the cities of Livermore, Pleasanton and Dublin. This was identified in the DEIR in Chapter 4, Page 4-26. The current designation in Pleasanton's General Plan for the Hansen property is sand and gravel. The DEIR did not analyze land use change requests suggested in the ongoing Pleasanton General Plan update process as they have not been adopted in the General Plan land use designations and are speculative at this time.

No revisions to the DEIR are necessary.

Response to Comment IP7-7

The comment asks for clarification of the source of the quarry truck traffic numbers and any assumptions used.

Future quarry traffic volumes used in the modeling and traffic analysis for the DEIR were estimated based historical and current truck traffic counts and expected growth in annual quarry production allowed under Vulcan's mining permits. The traffic volumes were factored to reflect peak quarry activity during the month of October and were further factored to reflect passenger car equivalents for use in the intersection level of service analysis.

2008 Baseline:

AM inbound: 478 vph AM outbound 551 vph
PM inbound: 185 vph AM outbound 405 vph

2030 Cumulative:

AM inbound: 705 vph AM outbound 813 vph
PM inbound: 273 vph AM outbound 595 vph

Drafts of these truck traffic volumes estimates were shared with Vulcan Materials representatives, their traffic consultants and attorneys during the preparation of the DEIR. Vulcan Materials voiced no objections to the estimates at that time.

No revisions to the DEIR are necessary.

Response to Comment IP7-8

The comment states that it reserves the right to submit additional comments and testimony.

Comment is noted but requires no response.

No revisions to the DEIR are necessary.

Comment Letter IP8—California Native Plant Society, East Bay Chapter

IP8

California Native Plant Society
East Bay Chapter
Conservation Committee

February 26, 2007

City of Livermore Community Development Department
Planning Division
1052 S. Livermore Avenue
Livermore, CA 94550
Attn: Susan Frost, Principal Planner

RE: El Charro DEIR Comments

Dear Mrs. Frost:

The California Native Plant Society is a non-profit organization of more than 10,000 laypersons, professional botanists, and academics organized into 32 chapters throughout California. The Society's mission is to increase the understanding and appreciation of California's native plants and to preserve them in their natural habitat through scientific activities, education, and conservation. IP8-1

The East Bay Chapter of the California Native Plant Society (EBCNPS) has been active in conservation efforts in the Livermore Valley. The biological heritage associated with this area is overwhelming and habitat close to Livermore has been listed as one of our 15 priority protection areas[1]. Although the El Charo project area specifically is not identified as a priority protection area, the biological values of the area zoned "open space" are worth protecting. Historically, and presently, the vernal pools and riparian areas in this locale provide important habitat for special status plants and animals.

Although no special status plants were found on site, this is not uncommon for a single year survey. EBCNPS finds that a proper multi-year survey was not undertaken, therefore, our concern is that species may have easily been overlooked. There is potential for additional special status species to be found on the project site. For this reason, CNPS requests that the DEIR allow for complete surveys for federally and state listed species as well as special-status plants, bryophytes and wildlife that are protected under CEQA. We request that a thorough biological site assessment be conducted at the project site by qualified botanists and wildlife biologists to determine if suitable habitat exists for special-status plant, bryophyte, and wildlife species. If suitable habitat exists, in order for a project to comply with CEQA, focused protocol-level special-status species surveys should be conducted at the site prior to issuing a permit. CNPS requests that protocol-level plant surveys be conducted during the appropriate active growing stage of the life cycle of the target species. The surveys require adequate advance planning. Furthermore, we recommend that in addition to addressing federal and state listed species and IP8-2

[1] Rare Plants Committee – EBCNPS. **2007**. Priority Protection Areas in Alameda and Contra Costa counties. Berkeley, CA.

East Bay Chapter – California Native Plant Society – P.O. Box 5597, Elmwood Station, Berkeley, California 94705

CNPS List 1A, 1B and 2 species, the following species should also be addressed prior to issuing permits: plants and bryophytes that are CNPS List 1A, 1B, 2, 3 or 4 species, lichens on CDFG's Special Vascular Plants, Bryophytes, and Lichens List[2], plants listed in the *Rare, Unusual and Significant Plants of Alameda and Contra Costa Counties*, and plants that are federal species of concern or federally-listed as species of local concern. This request is in accordance with CDFG Habitat Conservation Planning Branch recommendations for "…protection of plants which are regionally significant, such as locally rare species, disjunct populations of more common plants, or plants on the CNPS Lists 3 and 4."[3] CNPS would also like to request that sensitive plant communities that are tracked by CDFG, (like the Alkali Meadows and Vernal Pools) be addressed during the EIR process. **IP8-2 Cont.**

With only 1% remaining of original riparian woodlands left in California, it is important to protect riparian woodlands of all types[4]. This is especially important for drier areas with lower annual precipitation, since stream quality can often be an indicator for landscape integrity. EBCNPS finds the development of these habitats nor any of the creek corridor acceptable under the current Livermore General Plan's goals and policies. **IP8-3**

EBCNPS finds the conversion of the open space (zoned LDAG) to be a chilling reminder of how impermanent and trivial city open space designations are. We would like to challenge the applicant to respect Livermore's General Plan and its first goal of land use [LU-1][5]:

Protect the unique qualities of Livermore, which include a historic Downtown, a variety of residential neighborhoods, vineyards, ranches, natural habitats and open space. **IP8-4**

Nowhere in this first goal does it state that parking lots should replace open space. Additionally, we find that even if the proposed project were to "protect the unique qualities of Livermore", conversion of this open space would still be in conflict with promulgated policy. Additionally, the *known point of controversy*: "Changes to the visual aesthetics of the Project Area due to the proposed development along a Scenic Corridor and due to the change of the project site from a semirural to a developed character[6]," are unreasonable and in direct violation of LU-1. We do not believe that parking lots and multinational corporate stores "protect the unique qualities of Livermore".

Additionally, since the City has promulgated interest in preserving Doolan Canyon for its ability to provide a distinct border between Livermore and Dublin, why does this project area, **IP8-5**

[2] CDFG. **2004.** California Department of Fish and Game Natural Diversity Database; Special Vascular Plants, Bryophytes, and Lichens List. July 2004 (periodically updated).
[3] Department of Fish and Game Habitat Conservation Branch. **2004.** http://www.dfg.ca.gov.hcpb/species/t_e_spp/nat_plnt_consv.shtml. Accessed on December 9, 2004
[4] Schoenherr, A.A. **1992.** A natural history of California. Berkeley: University of California Press, CA.
[5] City of Livermore. **2004.** 2003 General Plan. Adopted 2/9/04. Livermore, CA.
[6] Jones and Stokes. **2007.** DEIR for the El Charo Specific Plan. State Clearinghouse #: 2006052112, CA, pg. ES-17

zoned as open space, not hold the same value? Another *area of known controversy* promulgated in the DEIR is "Project effects on biological resources, especially in light of the cumulative impacts of projects in the presently undeveloped area between Livermore, Pleasanton, and Dublin[7]." If the city does not see this conflict of interest, we ask that mitigation funding not only go into habitat restoration and improvement but also increase in the protection of open space buffers, including Doolan Canyon. IP8-5 Cont.

EBCNPS would like to highlight just a small portion of the significant impacts resulting from this project including:

Impact BIO-7: Potential Disturbance or Loss of Riparian Habitat

Impact BIO-8: Potential Disturbance or Loss of Waters of the United States (Including Wetlands) and Non-jurisdictional Waters

Impact BIO-9: Potential Loss or Disturbance of Tree, Shrub, and Ground Nesting Migratory Birds and Raptors IP8-6

Impact BIO-10: Potential Disturbance or Loss of Wildlife Movement Corridors

Impact BIO-11: Potential Disturbance or Loss of Protected Trees

Significant Cumulative Impact after Mitigation BIO-4: Cumulative Impacts on Wildlife Movement

We believe that the significance of the impacts on the local and regional ecology of the area greatly outweigh the mitigation, including setting the precedent of developing land zoned as open space. The DEIR states "The City will be responsible for ensuring that the restoration and monitoring plan is implemented." What assurances, budget, and timeline will the City offer in order to insure the restoration is correctly implemented and monitored. Who is the enforcement agency for non-compliance? According to CEQA requirements, EBCNPS requests that these details be fully explained, funded, and made available for public review before the FEIR is approved.

Finally, the document does not provide researched and surveyed information on why the following development is so critical to Livermore that it requires general plan amendments and disregard for city mandated policy. We believe this information should be disclosed in the project description a IP8-7

Please feel free to contact us with questions at 510 734 0335.

[7] [7] Jones and Stokes. **2007.** DEIR for the El Charo Specific Plan. State Clearinghouse #: 2006052112, CA, pg. ES-18

EBCNPS Conservation Committee

Sincerely,

Lech Naumovich
Conservation Analyst
East Bay Chapter California Native Plant Society
PO Box 5597
Berkeley, CA 94705
510 734 0335

Response to Comment IP8-1

The entire Specific Plan Area is zoned Planned Development. Figure 2-4 of the DEIR identifies the parcels within the Specific Plan Area currently designated for Business Commercial Park and Limited Agriculture in the City's General Plan. The Open Space designation applies to the Las Positas Golf Course parcels. Areas of land designated Open Space/Sand and Gravel are also adjacent to the Specific Plan Area. The DEIR discusses the biological values of the land within the Specific Plan Area and Project Area and the proposed Project's impacts on the area. The proposed Project includes development of land designated as Business Commercial Park.

No revisions to the DEIR are necessary.

Response to Comment IP8-2

The commenter requests that a thorough biological site assessment be conducted to determine if suitable habitat exists within the Project Area for special-status plant, bryophyte, and wildlife species. Chapter 3, section 3.4, Biological Resources, describes the detailed field surveys conducted by qualified botanists and biologists to identify habitat for special-status species. Surveys were conducted according to DFG and California Native Plant Society Botanical Survey Guidelines (page 3.4-4 of the DEIR). Table 3.4-2 presents the results of the surveys.

No revisions to the DEIR are necessary.

Response to Comment IP8-3

The comment is not specifically regarding the DEIR. However, on page 2-23 of the DEIR the proposed Project's riparian and arroyo corridor buffer is described:

> A minimum 100-foot buffer from the bank of the Arroyo Las Positas would be created to protect associated natural habitats around the Arroyo, except on the Children's Hospital parcel, where the proposed buffer would be 50 feet from the north bank and 150 feet from the south bank of the Arroyo Las Positas and 100 feet from the banks of Cottonwood Creek.

At most locations within the Specific Plan Area, this buffer would represent a greater protection of riparian woodlands than exist with the current land uses.

No revisions to the DEIR are necessary.

Response to Comment IP8-4

As stated under the response to comment IP8-1, above, the only land in the Specific Plan Area that falls within an "open space" category is designated Limited Agriculture. The referenced "parking lots" are proposed within the existing Business Commercials Park areas with the exception of one small patch of land, currently designated Limited Agricultural, that would be isolated from adjacent undeveloped areas and thus would not provide beneficial habitat values. The proposed Project includes a riparian and arroyo corridor buffer and "open space" uses in the southern portion of the Specific Plan Area. Chapter 2 of the DEIR describes the proposed zoning districts for the Specific Plan Area.

The entire Specific Plan Area is zoned Planned Development in the City's General Plan. As such, development along the Scenic Corridor is not precluded. Impacts caused by the change from the existing land uses are expected and are fully described in the DEIR.

No revisions to the DEIR are necessary.

Response to Comment IP8-5

While currently an open area, the land within the Specific Plan Area is not zoned as Open Space and is not similar in biological values to the land within Doolan Canyon. The Specific Plan Area is zoned Planned Development in the City's General Plan with Business Commercial Park and Limited Agriculture designations. Chapter 3, section 4, Biological Resources, describes the mitigation proposed for the impacts caused by developing the Specific Plan Area.

No revisions to the DEIR are necessary.

Response to Comment IP8-6

The comment summarizes several of the biological impacts disclosed in the DEIR and requests details on the implementation and monitoring of mitigation measures be provided. As required by CEQA, a mitigation monitoring plan must be adopted by the lead agency at the same time a decision is made on the project. However, a mitigation monitoring plan is not a required element of an EIR. The contents of EIRs are described in Article 9 of the State CEQA Guidelines.

The mitigation monitoring plan will include the parties responsible for implementation and monitoring of each mitigation measure identified in the DEIR. During a public City Council meeting, the City Council will consider the mitigation monitoring plan at the same time it considers the proposed Project.

No revisions to the DEIR are necessary.

Response to Comment IP8-7

The comment appears incomplete. As described in the DEIR Executive Summary and Chapter 2, Project Description, the Specific Plan Area is the gateway to the City of Livermore and Livermore Valley. For land already zoned for development, the Specific Plan provides a greater level of detail than the General Plan to guide the development, as well as guide roadway improvements and "open space" and recreational uses.

No revisions to the DEIR are necessary.

Comment Letter IP9—Brett M. Wayne

IP9

February 24, 2007

Brett M. Wayne

PO Box 2032 Livermore, CA 94551-2032
1562 Justine Court Livermore, CA 94550-0814
(925) 373-6957 (h), (925) 768-8952 (cell)
bmw00@earthlink.net

Susan Frost, Principal Planner
Livermore Community Development Department
1052 South Livermore Avenue
Livermore, CA 94550

Subject: Comments on Draft EIR / El Charro Specific Plan

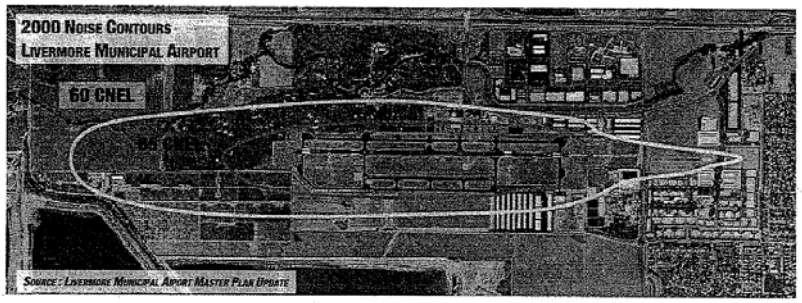
Dear Ms. Frost,

I would like to express several concerns regarding the recently proposed El Charro Specific Plan and the Draft Environmental Impact Report. **IP9-1**

I believe the Draft EIR is inadequately addressing both the negative impact that the development will have on the Livermore Municipal Airport as well as the negative impact that airport will have on the proposed developments.

As I am sure you are aware, the Livermore airport has been besieged with noise complaints from residents since the Livermore Municipal Airport Master Plan Update was proposed in early 2004. Virtually all of the residents currently complaining about noise from the airport in both Pleasanton and Livermore reside in homes that are located outside of both of the projected 60 and 65-decibel federal CNEL noise contours. Considering the entire El Charro development falls directly beneath the primary runway 25R VFR and IFR departures, it is imperative that all the facilities identified in the plan will need substantial sound-proofing to mitigate the impact of aircraft noise on the occupants. It is essential that the city place additional sound-proofing requirements for facilities such as the proposed church and children's hospital. **IP9-2**

February 24, 2007



Source – Livermore Municipal Airport Master Plan Update, March 2004

IP9-2 Cont.

Several road alignments have been proposed for providing vehicle access to the development – a northern alignment that parallels the freeway, and two sweeping alignments that extend Jack London Boulevard south and west of the Livermore Airport. Both the proposed southern alignments use city-owned property that was purchased using Federal Aviation Administration airport trust funds. Both of the proposed southern alignments are problematic for a number of reasons.

IP9-3

I doubt that City staff were aware that much of the City-owned land that was purchased for the Livermore Airport was acquired using Federal Airport Improvement Program (AIP) grant funding[1]. As such, the FAA has considerable influence over how those lands are used. Attached to the deed for that property are a substantial number of grant assurances[2] the City agreed to when the city purchased that land.

Ultimately, the FAA will apply the fundamental question, how does this development benefit the airport? The answer is obvious – it does not. As such, there is little chance the FAA will approve the utilization of the AIP-acquired land for the purposes identified in the El Charro Plan. Should the City ignore that disapproval, the City will jeopardize existing and future AIP grant funding for the airport and also be required to compensate the FAA for the taking of land acquired using federal funding.

IP9-4

I believe the City has expressed a preference for the southern road alignments to minimize the potential legal conflicts with the Jamieson mining enterprise immediately south and west of the Livermore Airport and due south of the El Charro development. I don't believe the City appreciates that the FAA and several pilots organizations including the Aircraft Owners and Pilots Association (AOPA) and the California Pilots Association (CPA) may also provide legal challenges for the City should it proceed with either proposed southern road alignments.

IP9-5

Both the proposed alignments that extend Jack London boulevard west present safety hazards to pilots. Traffic separation barriers, roadway medians, visual

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February 24, 2007

obstructions, lighting, landscaping – virtually every aspect of the roadway design need to include safety considerations for potential aircraft accidents. Light standards will need to be lowered and include breakaway design that will not exacerbate injuries to occupants of aircraft involved in arrival and departure accidents. Care must also be taken to insure that vehicle headlights and roadway illumination will not impact the night vision for pilots operating aircraft at night. An illumination plan for the roadway must also be include design considerations that prevent confusion with visual approach lighting for LVK runways 07L and 07R.

IP9-5 Cont.

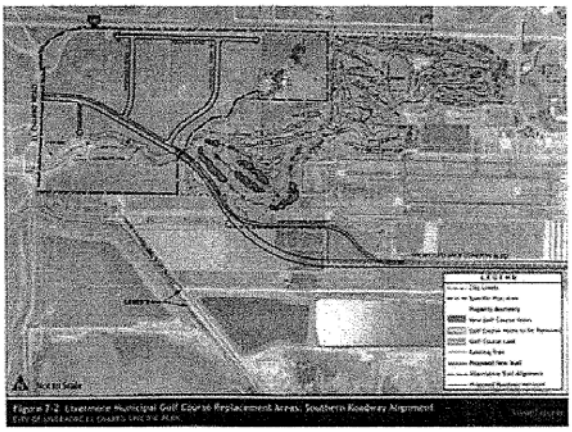


Figure 7-2 Livermore Municipal Golf Course Replacement Area, Southern Roadway Alignment

Elements of the golf course redesign also present safety challenges for pilots. Inclusion of elements such as sand-traps, water hazards, landscaping and trees intended to improve game-play are fundamentally incompatible with grant assurances attached to that land that require it to be used as safety and encroachment buffer for the airport.

IP9-6

Understand that I am not fundamentally opposed to the development. I am opposed to the development as proposed because I believe the draft EIR fundamentally ignores the inter-related impact between the airport and the development. In summary, here are some key recommendations for the City to consider,

IP9-7

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February 24, 2007

1) All facilities that fall within the development should include soundproofing measures that meet or exceed Federal 65 decibel community noise equivalent levels (CNEL).

2) The City must consider the financial impact of remunerating the FAA and airport enterprise fund for taking land specifically purchased using FAA AIP grant funding.

3) The FAA must be involved and approve ALL aspects of the land use and roadway designs that impact the airport.

4) The northern circulation plan should be reconsidered.

5) Both proposed Jack London roadway alignments need to include provisions in design that render them compatible with the safety needs of the airport. **IP9-7 Cont**

6) Both proposed Jack London roadway alignments should be extended by no less than 500-feet west to eliminate the safety conflicts with the airport safety buffers.

7) All aspects of the roadway design south and west of the airport need to include safety considerations for the airport.

8) Elements of the golf course redesign must eliminate hazards to pilots.

Thank you for your consideration.

Brett M. Wayne

Livermore, CA

[1] FAA Airport Improvement Program.
http://www.faa.gov/airports_airtraffic/airports/aip
[2] FAA AIP Sponsor Grant Assurances. 2005.
http://www.faa.gov/airports_airtraffic/airports/aip/grant_assurances/media/airport_sponsor_assurances.pdf

4

Response to Comment IP9-1

The comment is introductory, expresses that the project will have negative impacts on the airport and the airport will affect the project. The comment does not raise a specific environmental issue, however.

No revisions to the DEIR are necessary.

Response to Comment IP9-2

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment IP9-3

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment IP9-4

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment IP9-5

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment IP9-6

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment IP9-7

The comment summarizes points raised in previous comments. Please see the responses to comments IP9-1 through IP9-6, above.

Comment Letter IP10—Airport Advisory Commission

RECEIVED
FEB 21 2007
PLANNING DIVISION

IP10

DATE: February 8, 2007

TO: Susan Frost, Principal Planner

FROM: Airport Advisory Commission

SUBJECT: Comments on El Charro Specific Plan Draft Report

At the regular meeting on February 12, 2007, the Commission concurred by a vote of 4-0 (Commissioner Wheeler absent) that Commissioner Wheeler's written comments be forwarded, with minor edits, as a recommendation of the Commission, as follows:

There are several design and use factors that represent potential negative impacts on the operation of the Livermore Municipal Airport. These are encroachment near safety zones, incompatible uses within the plan area, and additional potential safety issues related to vehicle light patterns and the "retail" space lighting. Furthermore, the El Charro plan area is entirely within the (APA) Airport Protection Area, more specifically under and near the high intensity aircraft operating flight paths. **IP10-1**

The first major issue are the proposed options for Jack London south of the airport. The northern alternative (the interim route) for Jack London can limit future airport options and does encroach (even though it is just beyond the FAA calculated zone) on the runway for 25L. In addition, the extension of Jack London, including the proposed bridge can potentially create visual illusions during low visibility. This factor needs a thorough evaluation. The southern option for Jack London is still an encroachment but less severe. The preferred route is referred to as the "Airway" option, north of the airport. **IP10-2**

The second concern is incompatible uses, including a church (with Day school?) directly under the airport's most heavily used traffic pattern, just north of the airport. Maintenance of the airport buffer is of paramount importance to all. **IP10-3**

Both of these facilities also create the potential for additional "noise" complaints-adding cost and conflicts within the community. As Livermore has learned, an Avigation Easement does not reduce or limit noise complaints. If approved, it is strongly recommended that these facilities be required not only to execute the Avigation Easement but incorporate added sound insulation to meet a 65 CNEL noise level. **IP10-4**

Not addressed in the draft are the economics associated with the utilization of City of Livermore Airport property for non-aviation uses. If airport property is to be used via a lease agreement to enhance the commercial attractiveness of the El Charro Plan, a fair value needs to be negotiated. It appears the supplemental parking is planned on Airport property in addition to the land for the southern roadway options. **Full market value** needs to be established for any non-aviation use with the funds being income to the Airport Enterprise Fund. Cost/square foot of the private property purchased should be used as a guide for setting an appropriate lease value. **IP10-5**

In addition, all improvements required for the south side egress and ingress should be funded either by the Oaks Development or the El Charro Plan. **IP10-6**

Response to Comment IP10-1

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment IP10-2

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment IP10-3

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment IP10-4

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment IP10-5

The comment does not raise an environmental issue. However, per FAA requirements, the lease of any City-owned lands that are subject to FAA grant assurances must be at a fair market rental value. This is based on the proposed use of the parcel. The City will coordinate with FAA and Airport staff regarding the leasing of City lands. See also page 2-22 of the DEIR.

No revisions to the DEIR are necessary.

Response to Comment IP10-6

Design of the Jack London Boulevard Extension option will maintain airport access at the south side of the airport. The project description in the DEIR has been revised to clarify that airport access would be maintained if the Jack London Boulevard Extension option is selected and constructed.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Transcript of February 13th Public Hearing (TR)

TR

MINUTES
CITY OF LIVERMORE
PLANNING COMMISSION
TUESDAY, FEBRUARY 13, 2007
City Council Chambers
3575 Pacific Avenue

REGULAR MEETING – 7:30 p.m.

CALL TO ORDER – ROLL CALL:

Present were Chairperson Darryl West and Commissioners Doug Horner, Michal Lea, and Tristan Pico. Also present were Planning Manager Eric Brown, Assistant Planning Manager Fred Osborn, Principal Planner Susan Frost, Assistant City Attorney Judith Propp, Senior Planner Ben Murray, City Engineer Cheri Sheets, Assistant City Engineer Bob Vinn, Senior Clerk Fanny Ludwig, and Typist Clerk Tara Sreedharan.

Excused absent: Todd Storti

PLEDGE OF ALLEGIANCE

MINUTES APPROVAL: None

OPEN FORUM: None

TR-1

1. COMMUNICATIONS: None

2. REPORT FROM COMMUNITY DEVELOPMENT DEPARTMENT STAFF:

2.1 PM Brown advised that this is a special meeting and the next regular Planning Commission meeting is on February 20, 2007.

3. CONSENT CALENDAR: None

4. PUBLIC HEARING ITEMS:

4.1 Hearing to receive comments on the Draft Environmental Impact Report (EIR) for the El Charro Specific Plan. The Draft EIR evaluates the potential environmental impacts of the proposed El Charro Specific Plan which includes the following:

a. The El Charro Specific Plan document for an approximately 250-acre area located on the western side of the City of Livermore in eastern Alameda County. The proposed Specific Plan would support the development of regional commercial uses on approximately 150 acres of the project area. The proposed Specific Plan includes the following: a land use program for the development of regional commercial with ancillary and support services;

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design guidelines and standards; circulation, and infrastructure goals and policies; circulation improvements; utilities and infrastructure improvements; and open space, community facilities, and services. The proposed project also includes Las Positas Golf Course redesign; development projects within the Specific Plan Area, including possible church campus use; General Plan Amendments; zoning changes, and Development Agreements, financing mechanisms, phasing of public improvements, and Williamson Act contract cancellation and/or transfer.

b. The proposed commercial retail development, known as Prime Outlets Livermore Valley, on 42 acres in the Specific Plan Area, This project includes 11 retail buildings, with a floor area of approximately 452,000 square feet, a food court, and ancillary service areas. The buildings are functionally single-story with wall heights ranging from 20 to 24 feet. Architectural features, such as decorative roofs and towers, range from 35 to 50 feet in height. The project would provide approximately 2,400 on-site parking spaces and approximately 245 off-site parking spaces located on approximately 2.77 acres of land immediately south of the Prime Outlets project site.

TR-1 Cont.

Principal Planner (PP) Frost stated the purpose of this hearing is to receive comments on the draft Environmental Impact Report (EIR) for the El Charro Specific Plan and the Prime Outlets project. PP Frost summarized the Staff Report. She introduced Rich Walter with Jones and Stokes, the City's consultant who prepared the EIR.

Mr. Walter gave a PowerPoint presentation summarizing the project description that the EIR is based on and a brief summary of the EIR and the Specific Plan, including the following: primary purpose and objectives, proposed development in the Specific Plan Area, zoning designations, proposed specific commercial retail development, proposed project-Jack London Boulevard extension option, proposed project-Airway Boulevard extension option, proposed park and open space plan, key project effects, and steps in the CEQA process. He noted that written comments can be submitted to PP Frost and there are comment cards available at the meeting, which can be submitted tonight, or mailed/sent to the City's address. Comments can also be presented tonight and they will be responded to in writing in the final EIR.

Chairperson West opened the public hearing.

Kathy Chase, 879 McGlinchey Street, stated she was very disappointed with the presentation: the airport should have been thoroughly addressed. She doesn't care for the alignment of the roadway alongside the arroyo because it would take out part of the golf course. It would put that roadway fairly close to the end of the takeoff portion on the runway; it seems to have been almost ignored in this report. The airport is an integral part of the City's function and the function of that entire area. She liked the idea that there is open space at the end of the runway, but she doesn't like the idea that there is a roadway that has the potential to be widened to four lanes in the future. A much better alternative would have been, and should have been, that El Charro just continue down where Stoneridge Drive is going to go. If an access to the arroyo's open space area is

TR-2

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needed, that should have been a separate road – with that open space as a destination, not continuing down to Stoneridge. It would have been a much safer alternative in the long run. The City rarely ever has airport accidents, but they sure make the news when you hear them. She thinks this is a bad alignment; she doesn't think it should be considered. The roadway alignment that should be considered is the one that has to go through the General Plan with the roadway on the north side of the airport. It's much too close to the active runways. Everybody thinks that the airport is a great big block of land. When looking at the airport from the air, it is not a big block of land. The City is having the same thing happen here that had happened around Reid Hillview airport. She has lived in Livermore for more than 40 years and she doesn't want it to happen here. The Planning Commission has the power to say, let's take a look at this. Every time she has seen something like this come down the pipeline, by the time it gets to the EIR, it is practically a done deal for the benefit of the developers who want to use that land. Public comments do not seem to have any impact on what the City's final decision is going to be. She hopes that the Commission reconsiders what they have on paper that is being planned for that area. The airport needs to be protected and not encroached upon by a roadway or by overdevelopment. She asked the Commission to keep that in mind as they make their decision, as any decision that encroaches any further on the airport is a bad one. The first time she ever appeared for the City Council years ago was an airport issue. At that point, the City had directed a protection area around the airport. Little by little, it is being destroyed by encroachment and development. The entire area east of the airport was designated at one time as open area. Now we're lucky to have it encroached to the end of the runway. Don't do the same thing to the west side of the airport that the City has allowed to happen at the east and south sides of the airport. The airport is too valuable and too vital. It's a link in the City's transportation system and in the economy of the City to take its value and push it by the side as if it's unimportant. She addressed Mr. Walter and stated she rarely heard him mention the airport in the presentation. He has no idea how disappointing that was.

TR-2 Cont.

Jean Rozsnyai, 1104 Avenida delas Palmas, stated she is speaking as a spokesperson of Save Our Hills (SOH). As a member of the Citizens' Advisory Commission for Open Space back in the early 1970s, she worked with like-minded Livermore citizens. They identified the natural and scenic resources within the City and its Sphere of Influence, which are worthy of preservation and protection. Their findings became part of the open space provisions of the General Plan, which was inaugurated in 1976. A couple of years later when development began to threaten the I-580 Scenic Corridor Protections, a grassroots committee of concerned citizens formed SOH and she was appointed as the spokesperson. The citizens of Livermore have spoken loud and clear in a referendum and many surveys. The Scenic Corridor has been a firm stand in many of the City's elected officials' platform. In this respect, the City is unlike its neighbor to the west. Driving I-580 through Livermore, one can see development, but it is also possible to see the ridgelines and the upper portions of the hillsides. This area of the City's Scenic Corridor under consideration in the El Charro Specific Plan is in Subarea 6 where the view angle is 2.2 degrees due to the hillsides being distant. This area is also a gateway to Livermore. At present, it gives us a rural character. The El Charro Specific Plan calls for a massive outlet development with several buildings that pierce the view angle by as

TR-3

much as double the allowable building height. Horizontally, 45 percent of this project would be penetrated. This, in their opinion, is totally too obstructive and would set a precedent which would destroy all that they had achieved this far. They hope that the City and all parties involved can work out an agreeable plan for this development; one that would not entail a General Plan Amendment. To this end, she asked for more time to study the EIR and the Specific Plan. Also, this whole development has been very poorly advertised; it is not in the newspapers. They, at SOH, have never been given a notice as to the meetings or anything of that nature. She really thinks they need more time to study the issues and have citizens' input. It's very important. **TR-3 Cont.**

Ms. Rozsnyai stated she is now going to speak for herself. She is wondering if any of these buildings (in view of the fact that the City is energy conscious) are going to be green buildings. Livermore is very hot and dry in the summer and she hates to think about all the energy that will be spent on air conditioning these fine outlet stores. **TR-4**

Bob Baltzer, 944 El Caminito, stated he has several comments. Nothing has been said about the impact of this project on the downtown. He does not have a strong opinion on it but the possibility is strong and should be addressed. Traffic – it looks like it is going to be unacceptable but that's probably lost in the noise of what's going to be; it's probably not a big issue. Scenic Corridor – that is presently being opposed; it's plain unacceptable. Wildlife – it looks like there is an immitigable portion to that and it seems like there should be more that could be done about that. Mr. Baltzer reverted back to the Scenic Corridor. The Children's Hospital property is proposed for a 15-foot penetration into the view angle plane. This according to the EIR is on speculation that it may be swapped with the Crosswinds Church property. To begin with, the church is happy with the property they have. They were able to get under the view angle and were satisfied with the conditions the project would have had. The only reason they haven't gone forward previously is because of the access to the site (fire regulations). There is no reason to give a blank check to the Children's Hospital for this really huge intrusion into the view plane. He doesn't see how the City can possibly justify a General Plan Amendment based on speculation or even if it was a definite probability that they would swap. That's essentially rewarding the land speculation as that land did not originally belong to Children's Hospital. The other exception to the General Plan view angle, as pointed out and opposed, is the original proposal as it obscures approximately 45 percent of its own length of the ridgelines. In combination with the landscaping as shown in the EIR, they are going to lose complete view of the hills behind that project. He made a few trips along I-580 recently to check it out. If Pleasanton builds what they intend to build, Livermore will lose everything west of El Charro. Livermore will not see the south side of the hills. If this goes through, at least to the end of the project (or if anything else goes in), Livermore will lose the rest of it. He is aware that modifications of the architecture and the landscaping are being discussed with the intent to preserve substantial viewsheds. They are not trying to completely eliminate the penetrations and he can see the reasons for that. If they are successful (substantial preservations of these viewsheds), he will not oppose a General Plan Amendment that guarantees that preservation. He would not by any means vote for the General Plan Amendment as presently worded. **TR-5**

John Hunt,1938 Neptune Road, stated he has two things to address. First, he thanked the Las Positas Maintenance and Pro Shop for making playing golf there such a pleasant experience. He has lived and has been playing golf in Livermore for over 30 years. The course is now in the best shape he has ever seen. The Pro Shop staff always treats him in a friendly and professional manner and the shop is well-stocked with high quality golf equipments. Second, he is requesting that an option be found that the proposed access roads minimize the redesign and adverse effects that would have on the golf course. Jeff DeBenedetti, Head Golf Professional of Las Positas Golf Course, Jeff Shafer, the Golf Course Division Manager, and the staff are doing excellent jobs and he urged them to keep up on their outstanding work. **TR-6**

Don Miller, 2862 Waverly Way, stated he was disappointed with staff's work. What was available to the public did not include adequate maps; there were no setback distances or sight lines about what happens with view angles that you can identify with places on the property. That's discouraging and that would help for the final hearing to have those kinds of materials available. Speaking as a member of Save Our Hills (SOH), SOH and most of the community welcome an outlet mall. They hope that the developers will join them in keeping the community character one which is so different from other cities. Part of Livermore's character comes from the Scenic Corridor. The Livermore community has been mentioned before and has shown its support for the Scenic Corridor over and over again by referendum, by surveys, and by elected officials' platforms. The area north and south of I-580, starting at El Charro, is the gateway to our City. It distinguishes Livermore from the visual blight of Pleasanton and Dublin and its success so far is due to the Scenic Corridor provisions of the General Plan. The El Charro Specific Plan and EIR involve serious visual resources issues. This Specific Plan is not consistent with the existing General Plan and does not protect the City's visual resources. Consequently, staff compromised the gateway and the Scenic Corridor provisions that sustained it. He urged the Commission to reject the undermining of the Scenic Corridor. Don't spoil the gateway; don't create an irreversible precedent; and don't turn Livermore into just another indistinguishable set of freeway exits like most California cities. In 1976, when the Scenic Corridor provisions were instituted, that Committee looked 30 years ahead. The Planning Division and the Planning Commission are supposed to think 20 to 50 years ahead. If the City creates a precedent that destroys the gateway, the City essentially has no conceivable way to recover it. Prime Outlets has ways to solve their Scenic Corridor problems and still stay within the current Scenic Corridor 2.2 degree view angle provision of the General Plan (with zero penetrations). He suggested the following: 1) the buildings are functioning only one-story high at 20 to 24 feet high. The rest of the additional heights are arbitrary features and "they could be eliminated in the north buildings of the project whose backs face the freeway." If other architectural features were placed on the faces of those back walls on 24-foot high buildings, that architecture could be enhanced. The real entries to the project are to the sides and to the back to the south. Where the cars get closer to the buildings, the architecture is more visible and the buildings themselves are further back; therefore, they could be higher and provide the visual variety that people would like to see when they get closer. The developers of Prime Outlets are legitimately **TR-7**

concerned about people knowing where the mall is. Even low buildings on their approximately 1,300 feet of frontage will attract visible attention so that people will know there is something there. Artificially high buildings that block the Scenic Corridor fairly far from I-580 and are not very distinguishable are less effective in gaining freeway visibility than 1,300 or more feet of building frontage and potentially extensive use of signs close to eye level near the freeway; that's what will call attention that one needs to get off at El Charro because people will know approximately where they are. Again, they hope that the Prime Outlets developer will work with them to maintain Livermore's community character and design their mall and architecture to stay within the City's Scenic Corridor provisions.

TR-7 Cont.

Brett Wayne, Livermore resident and President of Coalition of Livermore Airport (CLA), stated CLA has about 130 members of aircraft owners. He wanted to elaborate on the comments of Ms. Chase. There are a number of concerns regarding the airport that this development does present. The EIR is not only inadequately addressing the impact on the airport, it also is not addressing the impact the airport will have on these properties specifically to the noise. The siting of the church and the Children's Hospital will be directly off the two five right (25R) Crosswinds departure and Livermore one departure for jet traffic. This means these locations will be exposed to a substantial amount of noise. Looking at the Airport Master Plan documents, they still fall outside the 2020 projection of 65 CNEL db curves. The reality is, there are residences in Livermore that are sometimes well over a mile away from the airport and well outside of the 60 CNEL curves and they are already complaining about noise. Siting a large congregation whether in the form of a church or in the form of the Children's Hospital is troubling. One of the mitigations he suggests is that every development that falls within this particular plan needs to be reinforced to sound mitigation measures at the 65 CNEL Federal Standard. This will at least help mitigate the exposure to the congregation, the children in the hospital, and the people doing their professional activities either in the hospital or within the outlet center. The other concern is the alignment of Jack London Boulevard. There are three alignments: a northern alignment and two southern alignments of which the consensus right now is to use the southern alignment. One of the selections of the southern alignment is the one that bends up right next to the safety zones on the airport to avoid confrontation or litigation with the Jamieson property owners. By capturing airport-specific land, the City also exposes itself to litigation by the various airport supporting associations, such as the California Pilots Association or CPA. They have seen these occur in a number of communities in the past couple of years as airports get encroached upon. Various organizations, including the aircraft owners and pilot associations, file lawsuits to prevent that encroachment. One of the important things to understand is while a good chunk of that property is designated as City property, a number of the parcels that are sitting there are properties that are acquired using Federal Airport Improvement Program Enterprise Funds and they are federally obligated lands. It seems the City owns the deeds to those properties but the FAA has final authority through approximately 20 grant assurances that were deeded to the City when they acquired that property. The reason the City and the Airport Enterprise Fund acquired that property was the safety and encroachment boundary. By placing a roadway right through the safety boundary, the FAA is going to turn around and ask

TR-8

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how this benefits the airport. If there is no benefit for the airport, the FAA has an enormous amount of veto authority over how that land is used. He suggested revisiting the northern alignment as none of the northern alignment changes impact the airport in any measurable way, in particular, the safety zones. Of the two southern alignments, the one that goes further south that doesn't have that jog right up the safety boundaries is probably the preferred route. Still, there are a couple of things to consider with both the southern alignments. One of the things that will happen is the FAA is going to demand that the City does not put up light standards in the project because the light standards are going to represent a safety hazard to departing aircrafts out there. If there are no light standards, there now will be either two or four lanes of high speed traffic with no lights. That bothers him in terms of safety. The other safety issue is, looking at the draft EIR, there are two safety zones identified. Those safety zones represent minimum. Highways 4 and 680 are outside the Federal minimums, yet, how many accidents have we seen in the last two or three years? There was one recent accident where a Malibu missed its approach and piled up on Highway 4, hit the rails, and all the occupants of the aircrafts were killed, as well as parties on the ground injured. It's because that roadway was placed too close to the airport. There's the same exposure here with placing automotive traffic so close to the airport. We need to move that alignment south, or at least choose the southern most of those two alignments. The second factor is, it needs to be moved a little bit further west (500 or 600 feet west) so that traffic is directed perpendicular to the runway alignment. That's important because the last thing we need to do is to have automobiles at night with their high beams on because there are no lights out there illuminating the roadway and shining their lights right into the eyes of the pilots that are departing on the airport. He didn't see in the development proposal, as well as in the EIR, the compensation to the Enterprise Fund for certain parcels that belong to the airport and were purchased by the Airport Enterprise Fund along with Federal Grant money. As a pilot, an aircraft owner, and a tenant, he had to fork over a lot of money in terms of taxes, fuel support, and rental fees into those facilities and have the City just simply grab that land that was purchased with his money, taxpayer money, and rental fees and put some incompatible use there. Some components of the plan have to identify how the airport is going to benefit from the City taking away property that was purchased specifically as a safety buffer and encroachment boundary to benefit the airport.

TR-8 Cont.

John Lynn Smith, Reed Smith, a law firm representing his client Rhodes and Jamieson, stated they will provide more detailed written questions by the submittal deadline and he has a few issues/questions tonight. Their issues also relate to the southern route or the Jack London extension, which does impact mineral resources and their property in that area. There are two variations of that proposal: 1) interim and 2) the larger, four-lane permanent extension of Jack London all the way up to the roadway that intersects on the western side. In the mitigation report of the EIR, it indicates that with respect to the two-lane interim road, it was contemplated there would be an agreement for land swap with the property owner. Rhodes and Jamieson does not at this stage contemplate such an agreement and at this stage doesn't welcome such an agreement. On the four-lane road (more expansive road), the impacts it recognizes (which they agree) indicate three ways to mitigate them may

TR-9

need more elaborations on the final EIR. First, mitigate simply and hope a delay in implementing the four-lane roadway will be sufficient to allow the mineral resources to be mined adequately in that area. There's not much of a detailed discussion about the timing or sequencing of either the mining operations or of the roadway development. Given the level of service that has been identified on some of the traffic analysis that had been done, the indications are that the roadway will be necessary far in advance when mining operations realistically will be completed. If that's the case, some additional investigation on environmental analyses as to the true impacts of putting a roadway in a vital, recognized mineral resource need to be analyzed. It should include not only the impacts specific to that property but also the impacts that tangentially relate to that property, i.e., where will you find other gravel resources, how you import those other gravel resources into the area, what impacts that may create in terms of truck traffic trips, etc., Second, mitigation talks about an overpass if it determines that traffic level of service studies indicate that the widening of Jack London Boulevard from two to four lanes is needed prior to the mining operations occurring or being completed. Then the City will accommodate mining on the northeastern portion of Surface Mining Permit 38 by providing for a quarry truck underpass or other suitable means of access to the side. They are not sure what that means, how that would be implemented, or how the impacts would be addressed from that physical structure itself and, lastly, have a mitigation measure for the four-lane roadway talks about reaching a negotiated compensation with the landowner. What is not examined is what happens if that negotiated resolution is not reached? What is the alternative to the City? His understanding is this is a County property so if an agreement is not reached with Rhodes and Jamieson, what's next? They will address this in more detailed written comments to the City staff.

TR-9 Cont.

No one else spoke and the public hearing was closed.

There was no comment from the Commission or staff.

5. UNFINISHED BUSINESS: None

6. NEW BUSINESS: None

7. MATTERS INITIATED BY PLANNING COMMISSION AND STAFF: None

8. ADJOURNMENT: 8:38 p.m.

TR-10

NEXT PLANNING COMMISSION REGULAR MEETING DATE: February 20, 2007

Response to Comment TR-1

This comment does not raise an environmental issue. This comment summarizes the initial public hearing items and presentation of the proposed Project.

No revisions to the DEIR are necessary.

Response to Comment TR-2 (Kathy Chase)

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment TR-3 (Jean Rozsnyai, spokesperson for Save Our Hills)

The extensive planning and public participation involved in the development and implementation of the Scenic Corridor and General Plan policies is acknowledged. The proposed Project is within Subarea 6 and the current view angle is 2.2 degrees. The restrictions in Subarea 6 were originally designed to preserve the 2.2-degree visual angle, not to maintain open views of the hillsides. A 2.2-degree view angle results in partial blockage of hillside views. As the commenter notes, this area is also the gateway to the City of Livermore. The Specific Plan Area is zoned Planned Development; development of the site has been anticipated in the General Plan. The Specific Plan identifies development of this area as a gateway to the city and includes policies for landscape buffers along the I-580 frontage, high quality architecture fronting I-580 as well as gateway features at the intersection of El Charro Road and the proposed east-west roadway extension. To accomplish this and distinguish this development from development planned by the City of Pleasanton and the City of Dublin at other intersections of the El Charro Road/Fallon Road interchange, the City has proposed modifications to the Scenic Corridor policies, as described on pages 2-9 and 2-10 of the DEIR.

The comment states that 45% of the 2.2-degree view angle along the linear frontage would be penetrated and provides the opinion that this is too obstructive and precedent setting. The proposed amendment to the General Plan Visual Scenic Corridor Policies included in the DEIR limits the percent of frontage with projections into the view plane to no more than 45% of the entire frontage. As proposed in the DEIR, approximately 675 discontinuous linear feet of the Prime Outlets Livermore Valley development frontage would encroach the view angle. This represents approximately 42% of the total 1629-foot linear frontage for this specific development. Approximately 896 discontinuous linear feet of the entire Specific Plan Area Scenic Corridor frontage would encroach into the view angle (based on the development of the Children's Hospital property with institutional uses), representing approximately 17% of the total frontage.

As noted in response to Comment IP4-2, above, the proposed Project has been changed to reduce the impact on the Scenic Corridor by modifying the building heights and landscaping design for the Prime Outlets Livermore Valley development and revising the General Plan Amendment text. Please see the response to Comment IP4-2 for details.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

The commenter requests additional time to review the DEIR and states that Save Our Hills was not provided notices regarding the project. A Notice of Preparation of the EIR was distributed on May 16, 2006, following the requirements in the CEQA Guidelines. An agency and public scoping meeting on the proposed Project was held on June 8, 2006. Notice of availability of the DEIR for public review was published in The Valley Times on January 10, 2007, and was also mailed to organizations and individuals who had previously requested written notice. On January 10th, the DEIR was made available for review on the City's website as well as in the City office. Following CEQA Guidelines, a 45-day public review period for the DEIR started on January 10th and closed on February 26, 2007. After the public hearing on February 13th, thirteen more days for public review were available.

No revisions to the DEIR are necessary.

Response to Comment TR-4 (Jean Rozsnyai)

The comment questions if any of the buildings are going to be "green buildings" and expresses concern about energy consumption for air conditioning.

The City's General Plan Land Use Objective LU-4.2, and Policy P3, listed on pages 3.9-6 and 3.9-7 of the DEIR encourage new development to follow green building practices for design, construction, and operation and to incorporate as many Leadership in Energy and Environmental Design (LEED™)prerequisites and credits as feasible.

All buildings in the Specific Plan will be required to meet Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings.

Further, the City of Livermore adopted the Commercial and Residential Green Building Ordinance in late 2006 which requires certain green building practices to be incorporated into new commercial and residential buildings. The Ordinance effective date is January 1, 2008.

Thus, all commercial buildings in the specific plan will meet state Title 24 energy efficiency standards, projects with building permits issued prior to 2008 are encouraged to follow green building practices by Livermore General Plan policies, and all projects with building permits issued 2008 or after will be required to adopt the green building requirements in the City's Commercial and

Residential Green Building Ordinance. With these measures in place, building energy demand within the Specific Plan Area would not result in wasteful, inefficient, and unnecessary consumption of energy.

No revisions to the DEIR are necessary.

Response to Comment TR-5 (Bob Baltzer)

The commenter mentions that nothing has been said about the impact of this project to the downtown. The commenter stated he does not have a strong opinion on it but the possibility is strong and should be addressed.

An analysis of the possible effects of the Prime Outlets Livermore Valley on the downtown area of the City of Livermore was conducted. This Downtown Business Characterization is included in Appendix H. CEQA is concerned with physical effects on the environment rather than economic impacts on businesses. Therefore, the conclusions of the analysis focus on whether these new retail businesses in the Specific Plan Area would result in urban decay in downtown area of Livermore.

Retail businesses in the Downtown Livermore area would be the most likely to be affected by competition from the development in the Specific Plan Area such as the proposed Prime Outlets Livermore Valley. Retail establishments make up only 28 percent of the total businesses in the overall Downtown, and only about one-third of those businesses share product line categories with development within the Prime Outlets Livermore Valley. Therefore only 7 to 10 percent of the businesses in Downtown would directly overlap with businesses in the outlet center with regard to business type and product line. Specialty and niche businesses within the Downtown would have less direct overlap based on their unique product lines. The highest areas of potential overlap occur in the automotive, home furnishing, and building materials categories. Over time some portion of businesses within these categories would likely be affected by the proposed development within the outlet center. However, based on the small percentage of businesses that potentially directly overlap, and the categories within which most of the overlap occurs, the number of businesses in the Downtown that would no longer be competitive would be very small. With the anticipated growth in the region, and the fact that vacancy rates in downtown are currently very low, no significant physical impacts on Downtown are anticipated.

No revisions to the DEIR are necessary.

The commenter mentions that traffic seems unacceptable but states that it is probably lost in the noise of what is going to be and is not a big issue.

No revisions to the DEIR are necessary.

The commenter mentions that more should be done to mitigate for wildlife impacts. The discussion of biological resources presented in Chapter 3, section

4, and Chapter 4 of the DEIR thoroughly addresses the proposed Project's impacts and mitigation that would reduce the impacts. The project does include cumulative impacts that are unavoidable. Mitigation to reduce, but not avoid all of, these impacts is discussed in Chapter 4.

No revisions to the DEIR are necessary.

The commenter also mentioned that the effects on the Scenic Corridor are based on development speculation. The development proposed along I-580 and the proposed building heights have been established through discussions with the property owners, including the owners of the Children's Hospital and Crosswinds Church properties.

No revisions to the DEIR are necessary.

The commenter voices opposition to the proposed amendment to the Visual Scenic Corridor Policies and to a 45% total site frontage projecting into the view angle. The commenter notes, however, that he can see reasons to not completely eliminate penetrations of the view angle and is aware of modifications to the project that would reduce the visual impact. The comment does not suggest specific changes to the proposed Project or DEIR. See also response to Comment TR-3 for more discussion of visual resources.

Response to Comment TR-6 (John Hunt)

The commenter appreciates the efforts of the staff at the Las Positas Golf Course and requests that effects on the course caused by the proposed Project be minimized. The redesign of the golf course presented in the DEIR is conceptual at this time. The final course re-design will be developed with full consideration of the usability of the course both during and after construction of the redesigned portions.

No revisions to the DEIR are necessary.

Response to Comment TR-7 (Don Miller, member of Save Our Hills)

Comment states disappointment with staff's work and states that adequate maps were not included to identify setback distances or sight lines relating to view angles.

Figure 3-2 of the Specific Plan shows the Scenic Corridor building heights allowed within a 2.2 view angle and notes the proposed exceptions. Pages 2-25 and 3.1-17 through 3.1-21 describe the specific building heights and visual impacts of the proposed Project. Visual simulations shown in Figures 3.1-10a through 3.1-10f of the DEIR depict the existing and proposed views of the Specific Plan Area.

Subsequent to the DEIR, the design for the Prime Outlets Livermore Valley project was modified to reduce the amount of encroachment into the Scenic Corridor view angle from 45% to 21%. This change is described in Chapter 4 of this document. See also the response to comment IP4-2.

The commenter expresses opinions about the different character in the Livermore area, the role the Scenic Corridor plays in this character, and the wish to not spoil the gateway to Livermore. The commenter also notes that the proposed Project is not consistent with the existing Visual Scenic Corridor Policies in the General Plan and does not protect the City's visual resources.

The commenter suggests ways in which the project could reduce visual impacts. The commenter suggests lowering the northern building heights along the freeway and enhancing lower architecture. The commenter also suggests enhancing the architecture to the west and south. Since publication of the DEIR, and in response to comments received on the DEIR and at Design Review Committee meetings, the proposed Project has been changed to reduce the impact on the Scenic Corridor by modifying the building heights and landscaping design for the Prime Outlets Livermore Valley development. New photographic simulations were prepared to depict these changes. These new simulations are included in Chapter 4 of this FEIR. Please also see the responses to Comments IP4-2 and TR-3, above, for more discussion of visual resources.

Revisions to the DEIR are identified in Chapter 4 of this FEIR.

Response to Comment TR-8 (Brett Wayne, President of Coalition of Livermore Airport)

A master response has been prepared to address the airport-related issues raised in this comment. Please refer to Chapter 2 of this document.

Response to Comment TR-9 (Rhodes & Jamieson, represented by John Lynn Smith, Reed Smith)

The comments raised by Mr. Smith are all raised in the written comment IP-6. Responses to all issues raised at the public meeting are responded to in the responses to comment IP-6.

Response to Comment TR-10

This comment notes that no one else spoke at the public hearing and the hearing was closed with no unfinished business.

No revisions to the DEIR are necessary.

Chapter 4
Revisions to the Draft EIR

This chapter contains a summary of revision to the text of the DEIR to update sections of the original document. This chapter is structured as errata pages to the DEIR and provides a complete record of the final text of the EIR. Added text is indicated with double underlining (additions) and deleted text is struck out (~~deletions~~).

Errata pages are not included for editorial comments that do not substantively clarify or amplify information or reflect an important change in the information provided in the DEIR.

Executive Summary

Page ES-5 is revised as follows:

El Charro Road Improvements

Anticipated improvements to El Charro Road involve widening the road to five lanes between the interchange and the proposed Jack London/Airway Boulevard Extension (described below) and connecting I-580 with Jack London/Airway Boulevard. Additional turn lanes and a traffic signal would be installed at this intersection as well.

South of Jack London/Airway Boulevard, El Charro Road would ~~be widened to provide three northbound lanes across the frontage of Specific Plan parcels. A right turn exit only from one parcel is proposed in this area. South of the Specific Plan Area, El Charro Road would~~ continue to provide primary access to the quarry lands and would remain a private haul road. The conceptual design for El Charro Road has accounted for ingress and egress of quarry traffic and has minimized merging and lane changes for quarry trucks. Safety lighting would be installed at each El Charro Road intersection within the Project Area.

Pages ES-5 and ES-6 are revised as follows:

Road C

Road C would provide access to the proposed multiuse trail, pump station, and development in the southwest area of the Specific Plan. Road C would be a cul-

de-sac generally running south from Jack London/Airway Boulevard along the edge of the City property. Road C would align with the access point to the Prime Outlets Livermore Valley site on Jack London/Airway Boulevard and a traffic signal would be installed. Full access to and from Road C from Jack London/Airway Boulevard would be allowed.

Jack London/Airway Boulevard Extension

A major street extension is proposed to connect El Charro Road to either Jack London Boulevard or Airway Boulevard east of the Specific Plan Area. The roadway extension would ~~ultimately~~ consist of up to a ~~131-foot~~ 170-foot right-of-way including a trail right-of-way. Within the Specific Plan Area, the roadway would have three lanes eastbound, three to four lanes westbound, swales on either side, and a planted median between El Charro Road and Road A. The remaining extension, east of Road B, would ~~ultimately~~ be a ~~four~~two-lane roadway within a~~n 88-foot~~ 130-foot right-of-way which includes a trail right-of-way. The roadway extension would include a new free-span bridge crossing at the Arroyo Las Positas and culverts under the roadway and would have the same western connection with El Charro Road.

Two corridor options, extending west to the Specific Plan Area and El Charro Road, are being considered:

- improvement and 2-lane extension of Jack London Boulevard with a southern alignment from the existing section of Jack London Boulevard south of the airport near Isabel Avenue across the southwest edge of Las Positas Golf Course;
- widening and extending Airway Boulevard from Kitty Hawk Road with a northern alignment (up to 4-lanes) through the northern limits of Las Positas Golf Course, curving to the north to cross the Arroyo Las Positas, and continuing west to cross Cottonwood Creek before connecting with El Charro Road.

For the Jack London Boulevard ~~either~~ option, the road would ~~initially~~ be two lanes east of Road ~~A~~B~~ with future widening to four lanes~~. And, for the Airway Boulevard option, the road could be up to four lanes east of Road B. Portions of the road may ~~have an interim alignment with future relocation to an ultimate alignment. This interim extension would~~ be constructed during the initial stage of development to provide connectivity to El Charro Road and improvements to emergency access.

If the Airway Boulevard Extension option is selected, there will be 2 bridge crossings, one on the Arroyo Las Positas and the other at Cottonwood Creek with a short system of culverts under the elevated roadway to allow for the passage of floodplain waters and potential realignment of Cottonwood Creek. If the Jack London Boulevard Extension option is selected, there will be one bridge crossing the Arroyo Las Positas and a longer system of culverts under the elevated roadway to allow for the passage of floodplain waters.

Page ES-7 is revised as follows:

A portion of the development proposed within the Specific Plan Area lies within the existing floodplain. The proposed flood control improvements, a flood control detention basin, north overbank channel, and fill placed on one low lying parcel to the south of the Arroyo Las Positas will mitigate for the removal of the natural floodplain by ~~are primarily intended to remove~~ removing the commercial property within the Specific Plan Area from the floodplain and ~~replace~~replacing the storage this inundated land provided within the 100-year floodplain. A Conditional Letter of Map Revision (CLOMR) will be filed with the Federal Emergency Management Agency (FEMA) prior to construction of the Arroyo and basin improvements, and a Letter of Map Revision (LOMR) will be filed after construction and prior to the acceptance by the City of the constructed improvements.

Pages ES-8 and ES-9 are revised as follows:

Utilities

Supply lines for gas and electrical service would be constructed to connect the Specific Plan Area to the existing gas and electrical supply lines. An existing gas supply line is located to the north of the site and to the west of the Specific Plan Area. Pacific Gas & Electric (PG&E) is developing a master plan in this area to serve the development. PG&E expects to connect the existing electrical service lines on the north side of I-580 in Dublin across the freeway with the El Charro Road/I-580 interchange improvements and connect to the west and south from Pleasanton, and from the existing line serving the driving range on the Sywest property. Telecommunication lines and facilities would also be constructed. New and existing utilities, including electrical lines less than 60 kilovolts, would be placed underground as development occurs consistent with LPZC 3-5-310, Public Utility Undergrounding. PG&E lines greater than 60 kv will be aboveground. The City of Livermore will coordinate the location of any future Pacific Gas & Electric (PG&E) main lines within the El Charro Road right of way with the City of Pleasanton, Alameda County, and PG&E.

Page ES-9, second paragraph under "Open Space" is revised as follows:

In the vicinity of the Arroyo Las Positas, a landscape buffer and stormwater treatment bioswale ~~stormwater treatment facility~~ would run parallel to the Jack London/Airway Boulevard Extension on the north side of the roadway, and a bioswale stormwater treatment facility would run along Jack London/Airway Boulevard on the south side of that roadway. ~~North of the Jack London/Airway Boulevard Extension, Road A, and Road B, a~~Approximately 15 scattered picnic tables and benches would be situated for public use of the property as a City park. South of the Jack London/Airway Boulevard Extension, the City-owned land would serve as a more passive recreational open space area. The City owns one 35-acre parcel south of the Arroyo Las Positas. This parcel would remain primarily as natural open space and would be used as a temporary detention basin to mitigate flooding impacts. The multiuse trail would run parallel to the Arroyo

Las Positas and then cross on a new bridge and continue to the east connecting to the existing trail at the Oaks Business Park. Any new bridge proposed would have to be clear-span over the existing creek and provide necessary clearances for maintenance.

A minimum 100-foot buffer from the bank of the Arroyo Las Positas would be created, except on the Children's Hospital parcel, where the proposed buffer would be 50 feet from the north bank and 150 feet from the south bank of the Arroyo Las Positas downstream of Cottonwood Creek and 100 feet from the banks of Cottonwood Creek. Internal open space would consist of outdoor seating, pedestrian boulevards, soft and hardscaped plazas, dining, entertainment, and green spaces within the commercial developments.

Page ES-11 is revised as follows:

Development of this parcel could include a campus to accommodate religious services, traditional church functions such as weddings and funeral services, conferences, professional counseling, ~~preschool and~~ daycare, religious education, banquets, concerts, and other related church uses. A primary auditorium, meeting rooms and classrooms, exterior children's playground areas, playfields, and parking, including overflow parking and RV storage, may be included in an entitlement application. New roadway crossings of the waterways, in addition to the northern alignment of the major east-west roadway extension, would be necessary to replace the existing creek crossing on this parcel. It is anticipated that five existing crossings would be removed, and four new ones constructed, on this parcel.

The text of Table ES-1, page 5 of 26, is revised as follows. See also attached table.

Impact BIO-8: Potential Disturbance or Loss of Waters of the United States (Including Wetlands) and ~~Nonjurisdictional~~ Waters of the State—Less than Significant with Mitigation

Mitigation Measure BIO-8a: Avoid and Minimize the Disturbance of Waters of the United States and Waters of the State

Mitigation Measure BIO-8c: Compensate for the Loss of Waters of the United States and Waters of the State

Chapter 2, Project Description

Page 2-2 is revised as follows:

The 250-acre Specific Plan Area is generally flat and historically has been in agricultural production. One parcel is actively leased to a driving range. A

Table ES-1. Summary of Environmental Impacts—Proposed Project

Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Aesthetics and Visual Resources			
Impact VIS-1: Effect on a Scenic Vista and Scenic Resources	LS	n/a	n/a
Impact VIS-2: Substantial Degradation of the Existing Visual Character of the Site and Its Surroundings	S	n/a	SU
Impact VIS-3: Creation of Substantial Light or Glare Adversely Affecting Day or Nighttime Views	S	Mitigation Measure VIS-3a: Plant Vegetation to Screen Views from Las Positas Golf Course Mitigation Measure VIS-3b: Limit Construction to Daylight Hours or Minimize Fugitive Light from Portable Sources	SU
Agricultural Resources			
Impact AG-1: Conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a Nonagricultural Use	S	Mitigation Measure AG-1: Protect Prime Farmland	LS
Impact AG-2: Conflicts with Existing Zoning for Agricultural Uses or a Williamson Act Contract	LS	n/a	n/a
Impact AG-3: Other Changes in the Existing Environment, which, Due to Their Location or Nature, Could Result in Conversion of Farmland to a Nonagricultural Use	LS	n/a	n/a
Air Quality			
Impact AQ-1: Generation of Significant Levels of Emissions from Project Construction	S	Mitigation Measure AQ-1a: Implement Required Bay Area Air Quality Management District Control Measures for Construction Emissions of Fugitive Dust	LS

NOTES:
a. Significance is defined as follows:
LS = less than significant
PS = potentially significant
S = significant
NCC= not cumulatively considerable
SU = significant and unavoidable
NI = no impact
n/a = not applicable
LCC = less than cumulatively considerable
B = beneficial
CC = cumulatively considerable
CCU = cumulatively considerable and unavoidable

Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Impact AQ-2: Exposure of Sensitive Receptors to Substantial Concentrations of Carbon Monoxide	LS	n/a	n/a
Impact AQ-3: Generation of Significant Levels of NO_x Emissions from Project Operations	S	Mitigation Measure AQ-3: Reduce Vehicle Trips through Transportation Demand Management Program	SU
Impact AQ-4: Generation of Odors during Construction or Operation that Would Affect a Substantial Number of People	LS	n/a	n/a
Biological Resources			
Impact BIO-1: Loss or Disturbance of Special-Status Plants	LS	n/a	n/a
Impact BIO–2: Potential Direct Loss of, and Indirect Impacts on, Potential Habitat for Vernal Pool Fairy Shrimp and Vernal Pool Tadpole Shrimp	S	Mitigation Measure BIO-2a: Complete Protocol Surveys for Vernal Pool Fairy Shrimp and Vernal Pool Tadpole Shrimp Mitigation Measure BIO-2b: Compensate for the Impacts on Vernal Pool Fairy Shrimp and Vernal Pool Tadpole Shrimp	LS

NOTES:

a. Significance is defined as follows:

LS = less than significant
PS = potentially significant
S = significant
NCC= not cumulatively considerable
SU = significant and unavoidable
NI = no impact
n/a = not applicable
LCC = less than cumulatively considerable
B = beneficial
CC = cumulatively considerable
CCU = cumulatively considerable and unavoidable

Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Impact BIO-3: Loss of California Red-Legged Frogs and Degradation of Aquatic and Upland Habitat	S	Mitigation Measure BIO-3a: Restrict All Site Grading within California Red-Legged Frog Upland Habitat to the Dry Season (May 1 to October 15) or Use Exclusion Fencing for Construction that Continues outside the Dry Season Mitigation Measure BIO-3b: Minimize Ground-Disturbing Activities in California Red-Legged Frog Upland Habitat Mitigation Measure BIO-3c: Conduct a Preconstruction Survey for California Red-Legged Frog Mitigation Measure BIO-3d: Enhance California Red-Legged Frog Aquatic and Upland Habitat On-Site Mitigation Measure BIO-3e: Compensate for the Loss and Disturbance of California Red-Legged Frog Aquatic and Upland Habitat Mitigation Measure BIO-7a: Design, Fund, and Implement the Arroyo Las Positas Habitat Enhancement Plan to Enhance, Re-create, or Restore Riparian Forest and Grassland Habitat along Portions of the Arroyo Las Positas and Cottonwood Creek	LS

NOTES:

a. Significance is defined as follows:

LS = less than significant
PS = potentially significant
S = significant
NCC= not cumulatively considerable
SU = significant and unavoidable
NI = no impact
n/a = not applicable
LCC = less than cumulatively considerable
B = beneficial
CC = cumulatively considerable
CCU = cumulatively considerable and unavoidable

Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Impact BIO–4: Loss or Disturbance of California Tiger Salamander Aquatic and Upland Habitat and Potential Loss of California Tiger Salamander Adults, Larvae, or Eggs	S	Mitigation Measure BIO-4a: Complete Protocol Surveys for California Tiger Salamander Mitigation Measure BIO-4b: Compensate for the Loss and Disturbance of California Tiger Salamander Habitat Mitigation Measure BIO-4c: Monitor Construction Activities within California Tiger Salamander Habitat and, if Found, Cease Construction Activities until the Salamander Has Been Removed	LS
Impact BIO-5: Potential Loss or Disturbance of Western Pond Turtles	S	Mitigation Measure BIO-5: Conduct a Preconstruction Survey for Western Pond Turtles Mitigation Measure BIO-7a: Design, Fund, and Implement the Arroyo Las Positas Habitat Enhancement Plan to Enhance, Re-create, or Restore Riparian Forest and Grassland Habitat along Portions of the Arroyo Las Positas and Cottonwood Creek	LS
Impact BIO-6: Potential Loss or Disturbance of Breeding or Wintering Burrowing Owl	S	Mitigation Measure BIO-6: Conduct Preconstruction Surveys for Active Burrowing Owl Burrows and Implement the California Department of Fish and Game Guidelines for Burrowing Owl Mitigation, if Burrows Are Detected in the Survey Area	LS

NOTES:

a. Significance is defined as follows:

LS = less than significant
PS = potentially significant
S = significant
NCC= not cumulatively considerable
SU = significant and unavoidable
NI = no impact
n/a = not applicable
LCC = less than cumulatively considerable
B = beneficial
CC = cumulatively considerable
CCU = cumulatively considerable and unavoidable

Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Impact BIO-7: Potential Disturbance or Loss of Riparian Habitat	S	Mitigation Measure BIO-7a: Design, Fund, and Implement the Arroyo Las Positas Habitat Enhancement Plan to Enhance, Re-create, or Restore Riparian Forest and Grassland Habitat along Portions of the Arroyo Las Positas and Cottonwood Creek	LS
		Mitigation Measure BIO-7b: Maintain Riparian Habitat along the Arroyo Las Positas within Las Positas Golf Course during Course Redesign	
Impact BIO-8: Potential Disturbance or Loss of Waters of the United States (Including Wetlands) and ~~Nonjurisdictional~~ Waters of the State—Less than Significant with Mitigation	S	Mitigation Measure BIO-7a: Design, Fund, and Implement the Arroyo Las Positas Habitat Enhancement Plan to Enhance, Re-create, or Restore Riparian Forest and Grassland Habitat along Portions of the Arroyo Las Positas and Cottonwood Creek	LS
		Mitigation Measure BIO-7b: Maintain Riparian Habitat along the Arroyo Las Positas within Las Positas Golf Course during Course Redesign	
		Mitigation Measure BIO-8a: Avoid and Minimize the Disturbance of Waters of the United States and Waters of the State	
		Mitigation Measure BIO-8b: Implement Resource Protection/Impact Minimization Measures Identified in Federal, State, and Local Permits	
		Mitigation Measure BIO-8c: Compensate for the Loss of Waters of the United States and Waters of the State	

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Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Impact BIO-9: Potential Loss or Disturbance of Tree, Shrub, and Ground Nesting Migratory Birds and Raptors	S	Mitigation Measure BIO-9: Avoid Disturbance of Tree-, Shrub-, and Ground-Nesting Migratory Birds and Raptors	LS
		Mitigation Measure BIO-7a: Design, Fund, and Implement the Arroyo Las Positas Habitat Enhancement Plan to Enhance, Re-create, or Restore Riparian Forest and Grassland Habitat along Portions of the Arroyo Las Positas and Cottonwood Creek	
		Mitigation Measure BIO-7b: Maintain Riparian Habitat along the Arroyo Las Positas within Las Positas Golf Course during Course Redesign	
Impact BIO-10: Potential Disturbance or Loss of Wildlife Movement Corridors	S	Mitigation Measure BIO-7a: Design, Fund, and Implement the Arroyo Las Positas Habitat Enhancement Plan to Enhance, Re-create, or Restore Riparian Forest and Grassland Habitat along Portions of the Arroyo Las Positas and Cottonwood Creek	LS
		Mitigation Measure BIO-7b: Maintain Riparian Habitat along the Arroyo Las Positas within Las Positas Golf Course during Course Redesign	

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Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Impact BIO-11: Potential Disturbance or Loss of Protected Trees	S	Mitigation Measure BIO-7a: Design, Fund, and Implement the Arroyo Las Positas Habitat Enhancement Plan to Enhance, Re-create, or Restore Riparian Forest and Grassland Habitat along Portions of the Arroyo Las Positas and Cottonwood Creek Mitigation Measure BIO-7b: Maintain Riparian Habitat along the Arroyo Las Positas within Las Positas Golf Course during Course Redesign Mitigation Measure BIO-11: Redesign Project or Compensate for Removal of Protected Trees	LS
Impact BIO-12: Conflicts with Applicable Habitat Conservation Plan or Natural Community Conservation Plan	NI	n/a	n/a
Impact BIO-13: Potential Golf Course Redesign Impacts on Biological Resources	S	Mitigation Measure BIO-3a, 3b, 3c, 3d, 3e—California red-legged frog mitigation as described above. Mitigation Measure BIO-4a, 4b, 4c—California tiger salamander mitigation as described above. Mitigation Measure BIO-5—Western pond turtle mitigation as described above. Mitigation Measure BIO-6—Burrowing owl mitigation as described above. Mitigation Measure BIO-7a, 7b—Riparian habitat mitigation as described above. Mitigation Measure BIO-8a, 8b, 8c—Wetland/waters mitigation as described above.	LS

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Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Cultural Resources			
Impact CR-1: Disturbance or Destruction of Known and Undiscovered Archaeological Resources within the Arroyo Las Positas Archaeological Buffer Zone	S	Mitigation Measure CR-1: Develop and Implement a Treatment Plan for the Arroyo Las Positas Archaeological Buffer Zone	LS
Impact CR-2: Inadvertent Disturbance to or Destruction of Site P-01-010526 as a Result of Ground-Disturbing Activities Associated with Construction of the Jack London Boulevard Extension	S	Mitigation Measure CR-2: Delineate Site Boundary of P-01-010526 and Fence if Necessary	LS
Impact CR-3: Disturbance or Destruction of Undiscovered Buried Resources during Ground-Disturbing Activities	S	Mitigation Measure CR-3: Implement Archaeological and Native American Monitoring Plan	LS
Impact CR-4: Potential Impacts on Buried or Unknown Archaeological Resources	S	Mitigation Measure CR-4: ~~Stop~~ Suspend Work if Buried Cultural Deposits are Encountered during Construction Activities	LS
Geology, Soils, and Paleontology			
Impact GEO-1: Potential Structural Damage and Injury Caused by Fault Rupture	LS	n/a	n/a
Impact GEO-2: Potential Structural Damage and Injury from Ground Shaking	LS	n/a	n/a
Impact GEO-3: Potential Structural Damage and Injury from Development on Materials Subject to Liquefaction	LS	n/a	n/a
Impact GEO-4: Potential Structural Damage as a Result of Development on Expansive Soils	LS	n/a	n/a
Impact GEO-5: Potential Accelerated Runoff, Erosion, and Sedimentation from Grading Activities	LS	n/a	n/a

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Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Impact GEO-6: Inconsistency of Project with County and City Policies for Development in Geologically Hazardous Areas	LS	n/a	n/a
Impact PAL-1: Destruction of Vertebrate or Otherwise Scientifically Significant Paleontological Resources	S	Mitigation Measure PAL-1a: Conduct Site-Specific Evaluation of Paleontological Sensitivity Mitigation Measure PAL-1b: Stop Work if Substantial Fossil Remains Are Encountered During Construction	LS
Hazards and Hazardous Materials			
Impact HAZ-1: Creation of a Hazard to the Public or the Environment through the Routine Transport, Use, or Disposal of Hazardous Materials	S	Mitigation Measure HAZ-1: Prepare and Implement a Hazardous Materials Spill Prevention Control and Countermeasure Plan during Construction	LS
Impact HAZ-2: Hazardous Emissions or Handling of Hazardous Materials, Substances, or Waste within 0.25 Mile of an Existing or Proposed School	LS	~~Mitigation Measure HAZ-1: Prepare and Implement a Hazardous Materials Spill Prevention Control and Countermeasure Plan during Construction~~	n/a ~~LS~~
Impact HAZ-3: Location on a Site that Is Listed as Hazardous by the California Environmental Protection Agency or Other Government Agencies and, as a Result, Would Create a Significant Hazard to the Public or the Environment	S	Mitigation Measure HAZ-3a: Perform a Phase I Investigation for the Project Alignment Mitigation Measure HAZ-3b: Prepare a Health and Safety Plan for Construction Activities on Known Hazardous Materials Sites	LS
Impact HAZ-4: Creation of a Hazard through the Accidental Exposure or Mobilization of Hazardous Materials during Construction	S	Mitigation Measure HAZ-4: Stop Work and Implement Hazardous Materials Investigations/Remediation	LS
Impact HAZ-5: Safety Hazards near a Public or Public-Use Airport	LS	n/a	n/a
Impact HAZ-6: Impairing the Implementation of or Physically Interfering with an Adopted Emergency Response Plan or Emergency Evacuation Plan during Construction	S	Mitigation Measure HAZ-6: Prepare and Implement a Traffic Control Plan	LS

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Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Impact HAZ-7: Impairing the Implementation of or Physically Interfering with an Adopted Emergency Response Plan or Emergency Evacuation Plan as a Result of Project Phasing	LS	n/a	n/a
Hydrology and Water Quality			
Impact WQ-1: Potential for Increased Erosion and Sedimentation and Decreased Surface Water Quality during Construction	S	Mitigation Measure WQ-1a: Comply with National Pollutant Discharge Elimination System General Construction Permit Mitigation Measure WQ-1b: Construct the Proposed Water Quality Swales and Hydrograph Modification Management Plan Detention Basins Prior to Use of Developed Sites	LS
Impact WQ-2: Increase in Surface Runoff and Associated Water Quality Impacts on Local Waterways	S	Mitigation Measure WQ-2: Incorporate Site-Specific Water Quality Treatment Devices into Site Drainage Plans to Meet Water Quality Standards and Maintain Beneficial Uses	LS
Impact WQ-3: Potential for Degradation of Water Quality through the Accidental Release of Hazardous Materials	S	Mitigation Measure WQ-3a: Develop Hazardous Material Spill Prevention Control and Countermeasure Plan for Construction Mitigation Measure WQ-3b: Implement Measures to Maintain Groundwater or Surface Water Quality	LS

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Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Impact WQ-4: Loading of Contaminants for which the Arroyo Las Positas and Downstream Water Bodies Have Been Listed as Impaired	S	Mitigation Measure WQ-1b: Construct the Proposed Water Quality Swales and Hydrograph Modification Management Plan Detention Basins Prior to Use of Developed Sites Mitigation Measure WQ-2: Incorporate Site-Specific Water Quality Treatment Devices into the Site Plan to Meet Water Quality Standards and Maintain Beneficial Uses	LS
Impact WQ-5: Increased Sediment and Contaminants in Groundwater and Surface Water as a Result of Infrastructure Failure	LS	n/a	n/a
Impact WQ-6: Degradation of Surface and Groundwater Quality from Trenching or Excavation below the Water Table and within the Wetted Area of the Arroyo Las Positas	S	Mitigation Measure WQ-6: Comply with National Pollutant Discharge Elimination System General Dewatering Permit	LS
Impact WQ-7: Substantial Depletion of Groundwater Supplies or Interference with Groundwater Recharge	LS	n/a	n/a
Impact WQ-8: Flood Hazard Impacts that Would Impede or Redirect Floodflows	S	Mitigation Measure WQ-8: Design Airway Boulevard Four-Lane Widening to Avoid Increase in Flooding and Geomorphic Changes	LS
Impact WQ-9: Flood Hazard Impacts to Structures and Risk of Loss Including Levee Failure	LS	n/a	n/a
Impact WQ-10: Potential Modification to Flows in the Arroyo Las Positas and Cottonwood Creek Could Result in Geomorphological Alterations to Channel Form and Habitat	S	Mitigation Measure WQ-8: Design Airway Boulevard Four-Lane Widening to Avoid Increase in Flooding and Geomorphic Changes	LS

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Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Impact WQ-11: Potential Incompatibility with Regional Flood Control Improvement through the Zone 7 Stream Management Master Plan	S	Mitigation Measure WQ-11a: Maintain Culvert and Manage Increased Siltation Potential in and Immediately above the Airway Boulevard Crossing of the Arroyo Las Positas Mitigation Measure WQ-11b: Accommodate Future Bypass Channel Construction and Creek Widening in Any Redesign of the Arroyo Las Positas Golf Course	LS
Impact WQ-12: Increased Use of Recycled Water May Increase Salt Loadings to the Main Groundwater Basin, Reduce Water Quality, and/or Require Additional Salt Management Facilities - Less than Significant	LS	n/a	n/a
Land Use and Planning			
Impact LUP-1: Physical Division of an Established Community	LS	n/a	n/a
Impact LUP-2: Construction-Related Effects on Existing Land Uses	LS	n/a	n/a
Impact LUP-3: Incompatibility with Existing or Future Land Uses	LS	n/a	n/a
Impact LUP-4: General Plan and Specific Plan Coordination	LS	n/a	n/a
Mineral Resources			
Impact MIN-1: Loss of Availability of a Valuable Mineral Resource within the Specific Plan Area and Airway Boulevard Extension	NI	n/a	n/a

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Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Impact MIN-2: Loss of Availability of a Valuable Mineral Resource within the Alignment of the Jack London Boulevard Extension Option	S	~~Mitigation Measure MIN-2a: Delay the Construction of a Four-Lane Extension of Jack London Boulevard~~ ~~Mitigation Measure MIN-2b: Accommodate Quarry Operations at the Northeast Portion of the SMP-38 Area~~ Mitigation Measure MIN-2c: Compensate Property Owner for Loss of Mineral Resource ~~Under Roadway Footprint~~	LS
Impact MIN-3: Incompatible Development Within 0.5 Mile of Active Quarry Sites	LS	n/a	n/a
Noise			
Impact N-1: Exposure of Noise-Sensitive Land Uses to Vibration and Noise During Construction Activities	S	Mitigation Measure N-1a: Limit Hours of Construction Mitigation Measure N-1b: Employ Noise-Reducing Construction Practices Mitigation Measure N-1c. Prepare a Noise Control Plan Mitigation Measure N-1d. Disseminate Essential Information to Residences and Implement a Complaint/Response-Tracking Program	LS
Impact N-2: Exposure of Existing Noise-Sensitive Land Uses to Noise Originating from the Specific Plan Area	LS	n/a	n/a
Impact N-3: Exposure of Planned Noise-Sensitive Land Uses within the Specific Plan Area to Aircraft Noise from Livermore Municipal Airport	LS	n/a	n/a
Impact N-4: Exposure of Existing Noise-Sensitive Land Uses to Increased Traffic Noise Resulting from Implementation of the El Charro Specific Plan	LS	n/a	n/a

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Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Impact N-5: Exposure of Planned Future Noise-Sensitive Land Uses within the Specific Plan Area to Traffic Noise	S	Mitigation Measure N-5: Design Land Uses to Comply with Land Use Compatibility Standards for Exterior Noise	LS
Population and Housing			
Impact POP-1: Displacement of a Substantial Number of Existing Housing Units or People	LS	n/a	n/a
Impact POP-2: Direct Inducement of Substantial, Unanticipated Population Growth	NI	n/a	n/a
Impact POP-3: Indirect Inducement of Substantial Population Growth	LS	n/a	n/a
Public Services and Utilities			
Impact PSU-1: Increased Demand for Fire Protection Services	LS	n/a	n/a
Impact PSU-2: Exposure of People or Structures to Increased Risk of Loss, Injury, or Death Involving Urban or Wildland Fires	S	Mitigation Measure PSU-2: Implement Procedures to Reduce Fire Risk During Construction	LS
Impact PSU-3: Potential Increased Need for or Adverse Effects on Police Services (Response Times or Facilities)	LS	n/a	n/a
Impact PSU-4: Disruption of or Adverse Effects on Public Schools or Other Public Services	LS	n/a	n/a
Impact PSU-5: Construction-Related Water Service Interruptions	S	Mitigation Measure PSU-5: Conduct an Investigation of Utility Line Locations and Maintain Utility Services	LS
Impact PSU-6: Adverse Effects on the Capacity of Water Services	LS	n/a	n/a
Impact PSU-7: Adverse Effects on the Capacity of Wastewater Services	LS	n/a	n/a

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Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Impact PSU-8: Result in Demand for Additional Stormwater Drainage Infrastructure	LS	n/a	n/a
Impact PSU-9: Adverse Effects on Other Utilities	LS	n/a	n/a
Impact PSU-10: Adverse Effects on the Capacity of Solid Waste Landfills	LS	n/a	n/a
Recreation			
Impact REC-1: Change in Demand for Neighborhood Parks, Regional Parks, or Recreational Facilities	B	n/a	n/a
Impact REC-2: Construction or Operational Impacts on a Neighborhood Park, Regional Park, Recreational Facility, or Publicly Owned Open Space	S	Mitigation Measure REC-2: Maintain Partial Public Golf Course Availability during Reconfiguration	LS
Traffic			
Impact TRA-1: The Addition of Project-Generated Traffic Would Contribute to Unacceptable Freeway and Ramp Operations during Peak Hours	LS	n/a	n/a

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Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Impact TRA-2: The Addition of Project-Generated Traffic Would Contribute to Unacceptable Level of Service at Intersections during Peak Hours	PS	Mitigation Measure TRA-2a: Implement Traffic Operations Improvements at the Intersection of Murrieta Boulevard at East Jack London Boulevard and Pine Street	SU (for certain intersections)
		Mitigation Measure TRA-2b: Implement Traffic Operations Improvements at the Intersection of El Charro Road and I-580 Eastbound Ramps	
		Mitigation Measure TRA-2c: Implement Traffic Operations Improvements at the Intersection of Fallon Road at Dublin Boulevard	
Impact TRA-3: The Addition of Project-Generated Traffic from the Church Campus Use Option	S	Mitigation Measure TRA-3: Monitor Church Sunday Queuing and, if Necessary, Adjust Signal Timing to Accommodate Church Traffic	LS
Impact TRA-4: The Addition of Project-Generated Traffic Would Contribute to Unacceptable Segment Operations under the 2010 Congestion Management Program Scenario	S	Mitigation Measure TRA-4a: Contribute the Appropriate Tri-Valley Development Transportation Fee for All Developments that Generate New Trips	SU
		Mitigation Measure TRA-4b: Contribute the Appropriate City of Livermore Traffic Impact Fee for All Developments that Generate New Trips	
		Mitigation Measure TRA-4c: Reduce Vehicle Trips through Transportation Demand Management Program	
Impact TRA-5: Potential Traffic Safety Issues Due to New Roadway Geometrics and Potential Quarry/Vehicle Conflicts	LS	n/a	n/a
Impact TRA-6: Project-Caused Changes in Emergency Access	LS	n/a	n/a
Impact TRA-7: The Project Would Improve Pedestrian and Bicycle Facilities in the Project Area	B	n/a	n/a

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Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Impact TRA-8: Changes in Transit Demand	LS	n/a	n/a
Impact TRA-9: Project Construction Would Affect Traffic Flow and Circulation and Parking	S (for I-580)	Mitigation Measure TRA-9: Prepare and Implement a Construction Traffic Management Plan	SU (for I-580)
	S (for other roadways and intersections)	Mitigation Measure TRA-9: Prepare and Implement a Construction Traffic Management Plan	LS
Cumulative			
Cumulative Impact VIS-1: Cumulative Adverse Effects on a Scenic Vista and/or Cumulative Degradation of the Existing Visual Character of the Site and Its Surroundings	CC	No feasible mitigation.	CCU
Cumulative Impact VIS-2: Cumulative Effects on Views Due to Light or Glare	CC	No feasible mitigation.	CCU
Cumulative Impact AG-1: Cumulative Conversion of Farmlands to a Nonagricultural Use	CC	Mitigation Measure AG-1: Protect Prime Farmland	LCC
Cumulative Impact AG-2: Cumulative Conflicts with Existing Zoning for Agricultural Uses or a Williamson Act Contract	NCC	n/a	n/a
Cumulative Impact AQ-1: Cumulative Concentrations of CO	NCC	n/a	n/a
Cumulative Impact AQ-2: Cumulative Generation of Significant Levels of NO_x Emissions	CC	No feasible mitigation.	CCU
Cumulative Impact BIO-1: Cumulative Impacts on Special-Status Plants	NCC	n/a	n/a

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Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Cumulative Impact BIO-2: Cumulative Impacts on Special-Status Wildlife Species, Riparian Habitats, Waters, and Wetlands			
Vernal Pool Fairy Shrimp and Vernal Pool Tadpole Shrimp	CC	Mitigation Measures BIO-2a, -2b—Vernal pool fairy shrimp/vernal pool tadpole shrimp mitigation as described above.	LCC
California Red-Legged Frog, California Tiger Salamander, Western Pond Turtle, Riparian Habitats, Waters, and Wetlands	CC	Mitigation Measure BIO-3a, -3b, -3c, -3d, -3e—California red-legged frog mitigation as described above. Mitigation Measure BIO-4a, -4b, -4c—California tiger salamander mitigation as described above. Mitigation Measure BIO-5—Western pond turtle mitigation as described above. Mitigation Measure BIO-7a, -7b—Riparian habitat mitigation as described above. Mitigation Measure BIO-8a, -8b, -8c—Wetland/waters mitigation as described above.	CCU
Cumulative Impact BIO-3: Cumulative Impacts on Burrowing Owls and Nesting Birds	CC	Mitigation Measure BIO-6: Conduct Preconstruction Surveys for Active Burrowing Owl Burrows and Implement the California Department of Fish and Game Guidelines for Burrowing Owl Mitigation, if Burrows Are Detected in the Survey Area	CCU

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Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Cumulative Impact BIO-4: Cumulative Impacts on Wildlife Movement	CC	Mitigation Measure BIO-3a, -3b, -3c, -3d, -3e—California red-legged frog mitigation as described above.	CCU
		Mitigation Measure BIO-4a, -4b, -4c—California tiger salamander mitigation as described above.	
		Mitigation Measure BIO-5—Western pond turtle mitigation as described above.	
		Mitigation Measure BIO-7a, -7b—Riparian habitat mitigation as described above.	
		Mitigation Measure BIO-8a, -8b, -8c—Wetland/waters mitigation as described above.	
Cumulative Impact BIO-5: Cumulative Impact on Trees	CC	Mitigation Measure BIO-7a: Design, Fund, and Implement the Arroyo Las Positas Habitat Enhancement Plan to Enhance, Re-create, or Restore Riparian Forest and Grassland Habitat along Portions of the Arroyo Las Positas and Cottonwood Creek	LCC
		Mitigation Measure BIO-7b: Maintain Riparian Habitat along the Arroyo Las Positas within Las Positas Golf Course during Course Redesign	
		Mitigation Measure BIO-11: Redesign Project or Compensate for Removal of Protected Trees	
Cumulative Impact BIO-6: Cumulative Impact on Habitat Conservation Plans	NI	n/a	n/a
Cumulative Impact CR-1: Cumulative Impacts on Known and Undiscovered Cultural Resources	LCC	n/a	n/a

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Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Cumulative Impact GEO-1: Cumulative Impacts of Development in Geologically Hazardous Areas	LCC	n/a	n/a
Cumulative Impact GEO-2: Cumulative Accelerated Runoff, Erosion, and Sedimentation	LCC	n/a	n/a
Cumulative Impact PAL-1: Cumulative Destruction of Vertebrate or Otherwise Scientifically Significant Paleontological Resources	LCC	n/a	n/a
Cumulative Impact HAZ-1: Cumulative Significant Hazards to the Public or the Environment	LCC	n/a	n/a
Cumulative Impact WQ-1: Cumulative Construction Effects on Water Quality	LCC	n/a	n/a
Cumulative Impact WQ-2: Cumulative Effects of Increased Surface Runoff and Associated Water Quality Impacts on Local Waterways	CC	Mitigation Measure WQ-2: Incorporate Site-Specific Water Quality Treatment Devices into Site Drainage Plans to Meet Water Quality Standards and Maintain Beneficial Uses	LCC
Cumulative Impact WQ-3: Cumulative Degradation of Water Quality through the Accidental Release of Hazardous Materials	CC	Mitigation Measure WQ-3a: Develop Hazardous Material Spill Prevention Control and Countermeasure Plan for Construction Mitigation Measure WQ-3b: Implement Measures to Maintain Groundwater or Surface Water Quality	LCC

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Cumulative Impact WQ-4: Cumulative Effects on Impaired Water Bodies	CC	Mitigation Measure WQ-1b: Construct the Proposed Water Quality Swales and Hydrograph Modification Management Plan Detention Basins Prior to Use of Developed Sites Mitigation Measure WQ-2: Incorporate Site-Specific Water Quality Treatment Devices into Site Drainage Plans to Meet Water Quality Standards and Maintain Beneficial Uses	LCC
Cumulative Impact WQ-5: Cumulative Effects of Increased Sediment and Contaminants in Groundwater and Surface Water as a Result of Infrastructure Failure	LCC	n/a	n/a
Cumulative Impact WQ-6: Cumulative Effects on Surface and Groundwater Quality from Trenching or Excavation below the Water Table	CC	Mitigation Measure WQ-6: Comply with National Pollutant Discharge Elimination System General Dewatering Permit	LCC
Cumulative Impact WQ-7: Cumulative Effects on Groundwater Supplies or Interference with Groundwater Recharge	LCC	n/a	n/a
Cumulative Impact WQ-8: Cumulative Flood Hazard Impacts	CC	Mitigation Measure WQ-8: Design Airway Boulevard Four-Lane Widening to Avoid Increase in Flooding and Geomorphic Changes	LCC

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Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Cumulative Impact WQ-9: Cumulative Effects on Regional Flood Control Improvement through the Zone 7 Stream Management Master Plan	CC	Mitigation Measure WQ-11a: Maintain Culvert and Manage Increased Siltation Potential in and Immediately above the Airway Boulevard Crossing of the Arroyo Las Positas Mitigation Measure WQ-11b: Accommodate Future Bypass Channel Construction and Creek Widening in Any Redesign of the Arroyo Las Positas Golf Course	LCC
Cumulative Impact LUP-1: Cumulative Effects of Development on the Physical Division of an Established Community	LCC	n/a	n/a
Cumulative Impact LUP-2: Cumulative Effects on Existing or Future Land Uses and Policies	NCC	n/a	n/a
Cumulative Impact MIN-1: Cumulative Effects on Mineral Resources	CC	~~Mitigation Measure MIN-2a: Delay the Construction of a Four-Lane Extension of Jack London Boulevard~~ ~~Mitigation Measure MIN-2b: Accommodate Quarry Operations at the Northeast Portion of the SMP-38 Area~~ Mitigation Measure MIN-2~~c~~: Compensate Property Owner for Loss of Mineral Resource ~~Under Roadway Footprint~~ <u>Cumulative Mitigation Measure MIN-1: Construct the Four-Lane Extension of Jack London Boulevard Only After Mining is Complete Along the Alignment and Adjacent Areas</u>	LCC

NOTES:

a. Significance is defined as follows:

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PS = potentially significant
S = significant
NCC= not cumulatively considerable
SU = significant and unavoidable
NI = no impact
n/a = not applicable
LCC = less than cumulatively considerable
B = beneficial
CC = cumulatively considerable
CCU = cumulatively considerable and unavoidable

Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Cumulative Impact N-1: Cumulative Exposure of Planned Noise-Sensitive Land Uses within the Specific Plan Area to Aircraft Noise from Livermore Municipal Airport	LCC	n/a	n/a
Cumulative Impact N-2: Cumulative Exposure of Existing and Future Noise-Sensitive Land Uses to Increased Traffic Noise Resulting from Cumulative Development	LCC	n/a	n/a
Cumulative Impact N-3: Cumulative Exposure of Planned Future Noise-Sensitive Land Uses Within the Specific Plan Area to Cumulative Traffic Noise	CC	Cumulative Mitigation Measure N-3: Design Land Uses to Comply with Land Use Compatibility Standards for Exterior Noise	LCC
Cumulative Impact POP-1: Cumulative Displacement of a Substantial Number of Existing Housing Units or People	LCC	n/a	n/a
Cumulative Impact POP-2: Cumulative Direct Inducement of Substantial, Unanticipated Population Growth	NI	n/a	n/a
Cumulative Impact POP-3: Cumulative Indirect Inducement of Substantial Population Growth	LCC	n/a	n/a
Cumulative Impact PSU-1: Cumulative Impacts on Public Services	LCC	n/a	n/a
Cumulative Impact PSU-2: Cumulative Impacts on Wildland Fire Hazards	LCC	n/a	n/a
Cumulative Impact PSU-3: Cumulative Increase in Demand for Utility Infrastructure and Capacities	LCC	n/a	n/a
Cumulative Impact REC-1: Cumulative Effects on Neighborhood Parks, Regional Parks, or Recreational Facilities	NCC	n/a	n/a

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Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Cumulative Impact TRA-1: Cumulative Contribution to Unacceptable Freeway and Ramp Operations During Peak Hours	CC	Mitigation Measure TRA-4a: Contribute the Appropriate Tri-Valley Development Transportation Fee for All Developments that Generate New Trips	LCC
		Mitigation Measure TRA-4b: Contribute the Appropriate City of Livermore Traffic Impact Fee for All Developments that Generate New Trips	
		Mitigation Measure TRA-4c: Reduce Vehicle Trips through Transportation Demand Management Program	
Cumulative Impact TRA-2: Cumulative Contribution to Unacceptable Level of Service at Intersections During Peak Hours	CC	Cumulative Mitigation Measure TRA-2a: Improve Intersection of Santa Rita Road at Pimlico Road and I-580 Eastbound Ramps	CCU (for certain intersections)
		Cumulative Mitigation Measure TRA-2b: Improve Intersection of Murrieta Boulevard at East Stanley Boulevard	
		Cumulative Mitigation Measure TRA-2-c: Improve Intersection of Rheem Drive at Stoneridge Drive	
Cumulative Impact TRA-3: Cumulative Contribution to Unacceptable Segment Operations under the 2025 Congestion Management Program Scenario	CC	Cumulative Mitigation Measure TRA-3: Fair-Share Contribution to Future Widening of Stanley Boulevard, if Advanced by Others	CCU

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Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Cumulative Impact TRA-4: Cumulative Contributions to Unacceptable Freeway and Ramp Operations or Unacceptable Level of Service at Intersection during Peak Hours with Staples Ranch	CC	Mitigation Measure TRA-4a: Contribute the Appropriate Tri-Valley Development Transportation Fee for All Developments that Generate New Trips	CCU (for certain intersections)
		Mitigation Measure TRA-4b: Contribute the Appropriate City of Livermore Traffic Impact Fee for All Developments that Generate New Trips	
		Mitigation Measure TRA-4c: Reduce Vehicle Trips through Transportation Demand Management Program	
		Cumulative Mitigation Measure TRA-2a: Improve intersection of Santa Rita Road at Pimlico Road and I-580 Eastbound Ramps	
		Cumulative Mitigation Measure TRA-2b: Improve Intersection of Murrieta Boulevard at East Stanley Boulevard	
		Cumulative Mitigation Measure TRA-2c: Improve Intersection of Rheem Drive at Stoneridge Drive	
Cumulative Impact TRA-5: Cumulative Contributions to Unacceptable Freeway and Ramp Operations or Unacceptable Level of Service at Intersection during Peak Hours without the Stoneridge Drive Extension	CC	Mitigation Measure TRA-2a: Implement Traffic Operations Improvements at the Intersection of Murrieta Boulevard at East Jack London Boulevard and Pine Street	CCU (for certain intersections)
		Cumulative Mitigation Measure TRA-2b: Improve Intersection of Murrieta Boulevard at East Stanley Boulevard	
		No feasible mitigation for certain intersections.	
Cumulative Impact TRA-6: Cumulative Contribution to Potential Traffic Safety Issues along El Charro Road	LCC	n/a	n/a

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CCU = cumulatively considerable and unavoidable

Impact	Significance Before Mitigation[a]	Mitigation	Significance with Mitigation Incorporated
Cumulative Impact TRA-7: Cumulative Impacts on Emergency Access	LCC	n/a	n/a
Cumulative Impact TRA-8: Cumulative Impacts on Pedestrian and Bicycle Facilities	B	n/a	n/a
Cumulative Impact TRA-9: Cumulative Changes in Transit Demand	LCC	n/a	n/a
Cumulative Impact TRA-10: Cumulative Construction-Related Traffic Flow and Circulation Impacts	CC	Mitigation Measure TRA-9: Prepare and Implement a Construction Traffic Management Plan	CCU (for I-580) LCC (others)

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portion of the northeastern parcel (also referred to as the Freisman property because Freisman was the last name of the former owner) is a small farm complex of six housing units and associated agricultural buildings that are accessible via a private drive. The remainder of the Specific Plan Area is owned by ~~the City and~~ Zone 7 and the City and used either as part of a flood control program or as a buffer to the airport, respectively.

The Arroyo Las Positas traverses the Project Area from northeast to southwest ~~and is lined with large trees and bushes~~. Twelve thousand feet of t~~T~~he far western portion of the Arroyo Las Positas has been channelized to accommodate the 100-year storm; however, the remainder of the creek within the Las Positas Golf Course and Specific Plan Area remains in its natural state and is unable to convey the 100-year flow~~, with a capacity currently capable of conveying less than would be generated by a 15-year storm~~. Within the Specific Plan Area, Cottonwood Creek, located mostly north of I-580, is the only tributary to Arroyo Las Positas. It flows south under I-580 and meets Arroyo Las Positas on the northeastern parcel of the Specific Plan Area.

Page 2-5 is revised as follows:

- a land use program;
- design guidelines and standards;
- circulation and infrastructure goals and policies;
- circulation improvements;
- utilities and infrastructure improvements; and
- open space, community facilities, and services.

- Williamson Act contract cancellation and/or transfer.
- Las Positas Golf Course redesign.
- Development projects within the Specific Plan Area.
- Development agreements.
- Financing mechanisms.
- Phasing of public improvements.
- All dedications and easements necessary for the proposed Project.

Each of these elements is described further below. The physical elements of the proposed Project are shown in Figure 2-5a and Figure 2-5b.

Page 2-10, Visual Scenic Corridor Policy language part (1)e. is revised as follows:

e. Projections into the view plane shall have a total of no more than ~~45%~~21% of the entire site frontage.

Page 2-13 is revised as follows:

South of Jack London/Airway Boulevard, El Charro Road would ~~be widened to provide three northbound lanes across the frontage of specific plan parcels. A right-turn exit only from one parcel is proposed in this area. South of the Specific Plan Area, El Charro Road~~ would continue to provide primary access to the quarry lands and would remain a private haul road. The conceptual design for El Charro Road has accounted for ingress and egress of quarry traffic and has minimized merging and lane changes for quarry trucks. To further minimize potential safety conflicts, safety lighting meeting Caltrans standard requirements would be installed at each El Charro Road intersection within the Project Area.

A cross-section diagram of the proposed El Charro Road lane structure at Jack London/Airway Boulevard is shown in Figure 4-6 in the Specific Plan. Figure 2-7 shows a plan view of the proposed improvements on this roadway.

Page 2-14 is revised as follows:

Road C

Road C would provide access to the proposed multiuse trail, pump station, and development in the southwest area of the Specific Plan. Road C would be a cul-de-sac generally running south from Jack London/Airway Boulevard along the edge of the City property. Road C would align with the access point to the Prime Outlets Livermore Valley site on Jack London/Airway Boulevard and a traffic signal would be installed. Full access to and from Road C from Jack London/Airway Boulevard would be allowed.

Page 2-15 is revised as follows:

Jack London/Airway Boulevard Extension

A major street extension is proposed to connect El Charro Road to either Jack London Boulevard or Airway Boulevard east of the Specific Plan Area. The roadway extension would consist of up to a ~~131-foot~~ 170-foot right-of-way between El Charro Road and Road ~~A~~B. Within the Specific Plan Area, the roadway would have three lanes eastbound, three to four lanes westbound, swales on either side, and a planted median between El Charro Road and Road ~~A~~B. The remaining extension, east of Road ~~A~~B, ~~ultimately~~ would be a ~~four~~ two-lane roadway within a~~n 88-foot~~ 130-foot right-of-way which includes a trail right-of-way. The roadway extension would include a new free-span bridge crossing at the Arroyo Las Positas, culverts under the roadway, and would have the same western connection with El Charro Road. This roadway would not be a designated truck route.

Two corridor options (see figures 2-5a and 2-5b), extending west to the Specific Plan Area and El Charro Road, are being considered:

- the improvement and 2-lane extension of Jack London Boulevard with a southern alignment from the existing section of Jack London Boulevard south of the airport near Isabel Avenue across the southwest edge of Las Positas Golf Course; and
- the widening and extension of Airway Boulevard from Kitty Hawk Road with a northern alignment (up to 4 lanes) through the northern limits of Las Positas Golf Course, curving to the north to cross the Arroyo Las Positas, and continuing west to cross Cottonwood Creek before connecting with El Charro Road.

For the Jack London Boulevard ~~either~~ option, the road would ~~initially~~ be two lanes east of Road ~~A~~B ~~with future widening to four lanes~~. And, for the Airway Boulevard option, the road could be up to four lanes east of Road B. Portions of the road may ~~have an interim alignment with future relocation to an ultimate alignment. This interim extension would~~ be constructed during the initial stage of development to provide connectivity to El Charro Road and improvements to emergency access.

If the Airway Boulevard Extension option is selected, there will be 2 bridge crossings, one on the Arroyo Las Positas and the other at Cottonwood Creek with a short system of culverts under the elevated roadway to allow for the passage of floodplain waters and potential realignment of Cottonwood Creek. If the Jack London Boulevard Extension option is selected, there will be one bridge crossing the Arroyo Las Positas and a longer system of culverts under the elevated roadway to allow for the passage of floodplain waters.

Starting at the third paragraph, page 2-16 is revised as follows:

The ultimate Jack London Boulevard alignment would have two travel lanes ~~in each direction~~ east of the Specific Plan Area, swales on both sides of the roadway, and turn lanes at intersections. The design of the Jack London Boulevard extension option has not been finalized, but would include features to address concerns regarding aircraft safety. These features include glare screens, such as fencing, to prevent headlights from shining on the runways and no street lights between the Arroyo Las Positas and the west end of the Oaks Business Park development, however alternate lighting determined compatible by the FAA may be considered. The roadway design would also maintain access to the south side of the Livermore Municipal Airport. Bicycle lanes would be accommodated where space permits, but sidewalks would not be constructed, except adjacent to developed parcels, which would be generally west of Road A. An off-street trail would be provided, which is more consistent with the rural character of the area. This alignment is consistent with the City's General Plan Circulation Element.

Airway Boulevard Extension Option

The alignment for the extension of Airway Boulevard, shown in Figure 2-5a, would begin at the intersection of Kitty Hawk Road and Airway Boulevard. Airway Boulevard would be widened to the Las Positas Golf Course and then would be raised and extended across the northern portion of the golf course to allow for water to pass through culverts under the roadway and ~~a~~cross Arroyo

Las Positas east of the Specific Plan Area. The roadway then would cross Cottonwood Creek and the northern part of the Children's Hospital property and then curve southwest across the Sywest and Crosswinds Church parcels before joining the connection to El Charro Road. A connection to Road B would be included near the Sywest and Crosswinds Church parcel boundary. This alignment option also would require redesigning a portion of the Las Positas Golf Course layout.

Page 2-17 is revised as follows:

Regional Multiuse Trail

An extension of the Class I (off-street pathway) regional multiuse trail, which would include separate pedestrian/bicycle and equestrian facilities, is planned beginning in the east at Jack London Boulevard and the western boundary of the proposed Oaks Business Park development. This trail would run in a westerly direction along the south side of the proposed Jack London Boulevard Extension option. The trail would then head westward at the Jack London Boulevard crossing of Arroyo Las Positas ~~either cross the Arroyo Las Positas near the southeastern corner of the Specific Plan Area and continue along the north side of the Arroyo or follow along the southern side of the Arroyo~~ along the northern edge of the south detention basin and cross over to the northern side on a new pedestrian bridge near the fish ladder. This bridge would need to be designed with Zone 7's guidance and ultimate approval. Any new bridge proposed would have to be clear-span and provide necessary clearances for maintenance. The trail would continue westerly and cross under El Charro Road on an existing trail along the channel that connects with a regional trail immediately west of El Charro Road.

Page 2-18 is revised as follows:

Storm Drainage, Flood Control/Water Quality Improvements

Portions of the Specific Plan Area are within the floodplain of the Arroyo Las Positas. During flood events, the floodplain acts as a natural storage area, providing floodwater attenuation. It attenuates the peak downstream storm flows ~~detention basin~~ and limits peak downstream storm flows in the City of Pleasanton. Development within the floodplain could have an impact on regional hydrology during a flood event. In addition, the Specific Plan Area contains portions of the area conceptually planned by Zone 7 for a future flood control bypass facility.

Zone 7, the lead agency responsible for regional flood protection, is currently developing its Chain of Lakes Master Plan that would work together with its Stream Management Master Plan (SMMP). The SMMP identifies a bypass channel from the Arroyo Las Positas upstream of the fish passageway, to direct floodwaters into Cope Lake as the ultimate flood control improvement in the El Charro area. Zone 7 is now embarking on an SMMP Implementation Plan.

However, active quarrying precludes the construction of the ultimate planned improvement in the near term. The City is coordinating with Zone 7 on developing interim, phased improvements that are consistent with the SMMP. The storm and flood control improvements proposed in the Specific Plan have been developed in coordination with Zone 7.

The proposed flood control improvements described below ~~are primarily intended to~~ remove the commercial property within the Specific Plan Area from the floodplain and replace the storage lost due to removing the commercial land from the 100-year floodplain and are consistent with the SMMP. The City of Livermore will coordinate with Zone 7 to determine the most flexible designs and opportunities for SMMP implementation with these improvements.

Page 2-19 is revised as follows:

South Flood Control Detention Basin

The proposed Project would increase the volume of the natural storage basin area south of the Arroyo Las Positas by 10% to 20%. This would require grading on the 32-acre parcel south of the Arroyo Las Positas to provide an additional 80 ~~60~~ acre-feet (af) of flood storage. The grading limits would be set back 50 feet from both El Charro Road to the west and 100 feet from the Arroyo Las Positas to the north. This remaining 26 acres of land would be contoured to form three fairways, if the Airway Boulevard Extension option is selected, to replace the golf course fairways impacted by the road alignments. The fairways would be raised to keep them out of the floodplain while the remaining land would be lowered to vary from elevation ~~352 feet~~ 346 to 360 feet. The total volume ~~amount~~ of excavation would amount to approximately ~~158,000~~ 190,000 cubic yards with 60,000 cubic yards of fill to provide for a net excavation of ~~98,000~~ 130,000 cubic yards of soil. Excess soil would be used within the Project Area for fill associated with other project components. No additional off-site hauling of fill would be needed. The underdrain system on the south side of the creek that would be installed to ensure that the remaining standing water in the basin would drain within 48 hours. This is a design requirement for all basins to prevent mosquitoes from breeding and waterfowl from gathering under the airport flight path. Additionally, a north overbank grading and channel would be required to capture flood flows and redirect them into the creek (see Figures 2-5a and 2-5b).

North Overbank Grading and Channel

A north flood bypass channel is proposed, along with the water quality treatment and mitigation features, on the 40 acres of land to the north of the Arroyo Las Positas. This bypass channel would be set back 100 feet from the Arroyo bank. This channel would be graded to approximately 20 feet wide, 5 feet deep, and 2,800 feet long with four 5-foot-by-5-foot culverts and weir structure draining the flows into the improved section of the Arroyo Las Positas. Approximately ~~11,500~~ 70,000 cubic yards of excavation would be required to create this flood bypass channel. Standing water flows through new culverts would be conveyed through a new underdrain system ensuring standing water would be drained within 48 hours.

Page 2-22 is revised as follows:

Utilities

Supply lines for gas and electrical service would be constructed to connect the Specific Plan Area to the existing gas and electrical supply lines (see Figures 2-8 and 2-9). An existing gas supply line is located to the north of the site and to the west of the site. Pacific Gas and Electric is developing a master plan in this area to serve the development. The company expects to connect the existing electrical service lines on the north side of the freeway in Dublin across the freeway with the El Charro interchange improvements and connect from the east at Freisman Drive and ultimately to the west and south from Pleasanton and from the existing line serving the driving range on the Sywest property. Telecommunication lines and facilities also would be constructed. New and existing utilities, including electrical lines less than 60 kV, would be placed underground as development occurs consistent with LPZC 3-5-310, Public Utility Undergrounding. PG&E lines greater than 60 kv will be aboveground. The City of Livermore will coordinate the location of any future high voltage Pacific Gas & Electric (PG&E) lines within the El Charro Road right of way with the City of Pleasanton, Alameda County, and PG&E.

Page 2-23 is revised as follows:

Riparian and Arroyo Corridor

Following the Specific Plan guideline, a minimum 100-foot buffer from the bank of the Arroyo Las Positas would be created to protect associated natural habitats around the Arroyo, except on the Children's Hospital parcel, where the proposed buffer would be 50 feet from the north bank and 150 feet from the south bank of the Arroyo Las Positas downstream from Cottonwood Creek and 100 feet from the banks of Cottonwood Creek.

Page 2-26 is revised as follows:

Development of this parcel could include a campus to accommodate religious services, traditional church functions such as weddings and funeral services, conferences, professional counseling, ~~preschool and~~ daycare, religious education, banquets, concerts, and other related church uses. A primary auditorium, meeting rooms and classrooms, exterior children's playground areas, playfields, and parking (including overflow parking and RV storage) may be included in an entitlement application. Up to four new roadway crossings of the waterways, in addition to the northern alignment of the major east-west roadway extension, would be necessary to replace the existing creek crossing on this parcel. The alternative use would include a potential General Plan Amendment regarding height limitations relative to the Scenic Corridor policy.

Page 2-30 is revised as follows:

Staples Ranch Project

The 124-acre Staples Ranch project is located immediately west of the Specific Plan Area, on the west side of El Charro Road between I-580 and the Arroyo Las Positas. The Staples Ranch project is within the 1989 Stoneridge Drive Specific Plan area. Currently, the Staples Ranch project site is vacant and is owned by the Alameda County Surplus Property Authority (SPA). An EIR is being prepared to analyze a proposed amendment to the Stoneridge Drive Specific Plan, subdivision of the Staples Ranch property, and prezoning and annexation to the City of Pleasanton. The preliminary land use concept for the Staples Ranch project and proposed changes to the Stoneridge Drive Specific Plan, as listed in the Notice of Preparation of an EIR for the project (City of Pleasanton ~~2006~~2007), includes the following:

An approximately 37-acre auto mall with up to 331,000 square feet of buildings and up to 3,270 parking stalls;

An approximate 45-acre senior continuing care community with about 1,400,000 square feet of buildings housing approximately 800 assisted living units, nursing beds and common facilities;

Future commercial development of up to 175,000 square feet of retail or oup to 280,000 square feet of noon-retail office and services uses on approximately 16 acres;

Future development of an approximately 17-acre community park by the City [of Pleasanton], which may include lighted sports fields, lighted tennis courts, a dog park, trails, a trail staging area, a pedestrian bridge connecting the north and south sides of the arroyo, a four-rink ice-skating facility on up to 8 acres, and similar park-related activities;

Preservation of the Stoneridge Drive extension right-of-way through the project site and connecting to an improved El Charro Road, as envisioned in the Specific Plan;

A new two-lane bridge that would extend Stoneridge Drive over the Arroyo Moocho and provide access to the proposed senior continuing care community and community park; and

Access to the auto mall and future commercial development would be from a new road off El Charro Road, with no through connection to Stoneridge Drive except for emergency vehicles and (potentially) buses.

~~An approximately 36-acre auto mall with about 250,000 square feet of buildings and up to 2,800 parking stalls;~~

~~Potential future expansion of the auto mall property by about 5 acres which may bring the auto mall development to 41 acres with a total of approximately 285,000 square feet of buildings;~~

~~A senior continuing care community with about 1,400,000 square feet of buildings;~~

~~An ice skating arena complex;~~

~~Preservation of the Stoneridge Drive extension right-of-way through the project site and connecting to I-580, as envisioned in the [Stoneridge Drive] Specific Plan;~~

~~A new two-lane bridge that would extend Stoneridge Drive over the Arroyo Mocho and provide access to the proposed project;~~

~~Access to the senior continuing care community through the extension of Stoneridge Drive; access to the auto mall from El Charro Road; and a through-road connecting the two access routes for use only by emergency vehicles;~~

~~Potential future commercial development of up to 130,000 square feet of retail or 210,000 square feet of non-retail uses on about 12 acres of the project site;~~

~~Potential future expansion of the retail or commercial uses by about 5 acres, in the event that the auto mall does not expand; and~~

~~In addition, the [Stoneridge Drive] Specific Plan would continue to show development of an approximately 17-acre park by the City.~~

Table 2-1 is revised to clarify that commercial daycare and public or private schools through grade 12 would be excluded from permitted or conditionally permitted uses within these land use zones. See attached table.

Figure 2-7 is revised to reflect the current proposed design of El Charro Road and Road C. See attached figure.

Figures 2-5c is added to the EIR to reflect the current proposed two-lane east-west Jack London Boulevard Extension option east of the Specific Plan Area. The four-lane Jack London Boulevard extension option is not being proposed at part of the proposed Project. See the new EIR Figure 2-5c in Chapter 2 of this FEIR.

Chapter 3, Section 3.1, Aesthetics and Visual Resources

Page 3.1-17 is revised as follows:

- Institutional uses, which would be allowed ~~an 8-foot~~ a 15-foot vertical projection into the view plane if located on the Children's Hospital site. The design of an institutional/assembly building, if proposed, would require more volume and mass, and taller ceiling heights than commercial land uses.

Page 3.1-19 is revised as follows:

The proposed Prime Outlets Livermore Valley development is functionally one story but includes architectural features up to 50 feet in height with a setback ranging from 490 to 590 feet from I-580. At a distance of approximately 600

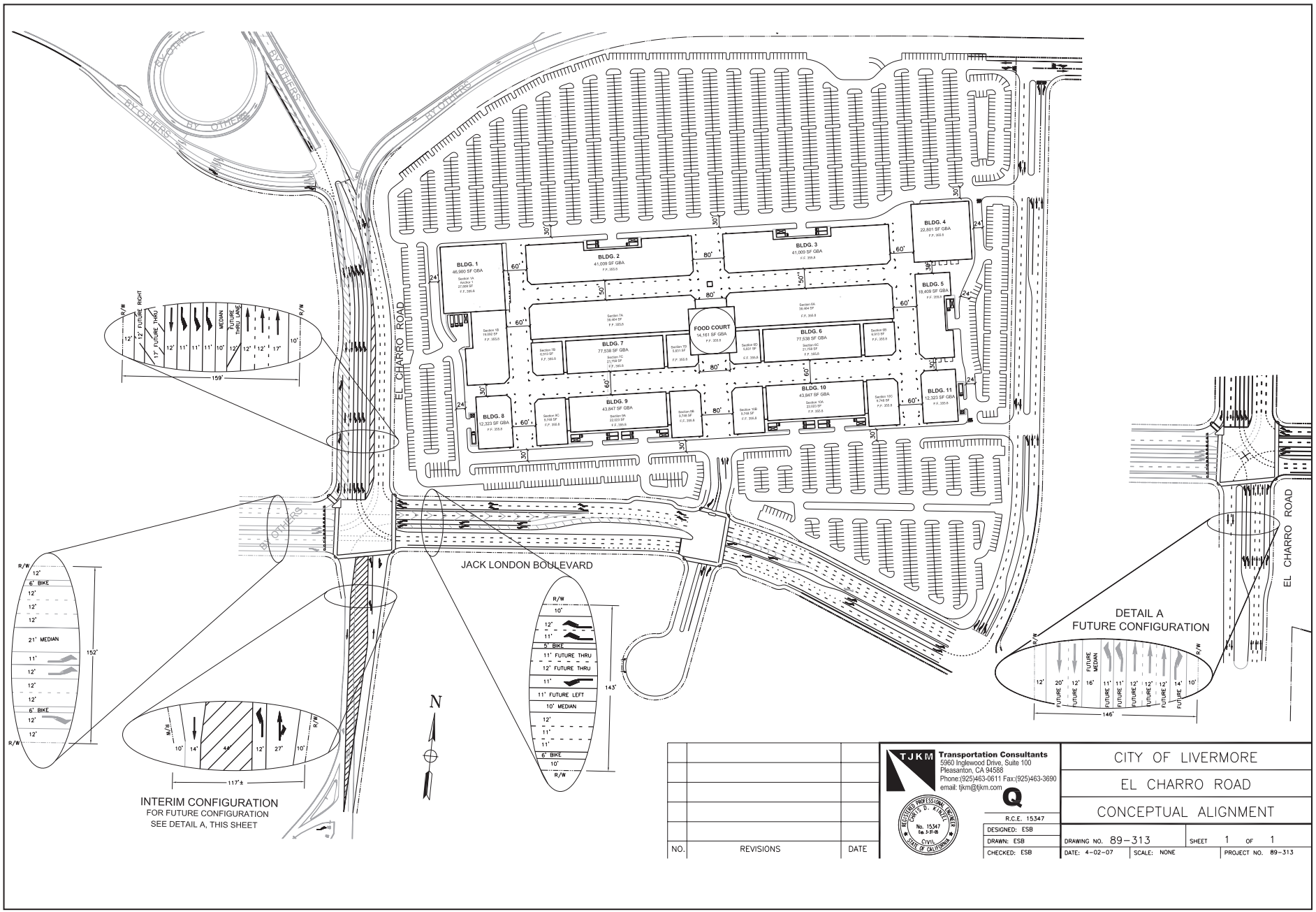
Table 2-1. Planned Development–El Charro Specific Plan–Regional Commercial (PD-ECSP-RC) Permitted Uses

Use	Use Classification
Primary Uses	
Automotive Sales and Service	
New automotive dealers, including accessory used auto sales, and excluding auto wrecking and salvage and gasoline sales	Permitted
Boat and RV sales	Conditionally permitted
Auto centers in conjunction with a department store or as part of a shopping center/mall development	Conditionally permitted
Service repair and installation businesses, only when directly appurtenant to uses listed under permitted uses in this district	Conditionally permitted
RV storage on Children's Hospital property	Conditionally permitted
Commercial Amusement and Entertainment	
Amusement centers	Conditionally permitted
Bowling alleys	Conditionally permitted
Skating rinks (ice and roller)	Conditionally permitted
Miniature golf courses	Conditionally permitted
Tennis courts	Conditionally permitted
Consumer Services	
Cocktail lounges	Permitted
Day spas	Permitted
Fitness centers/exercise facilities	Permitted
Parking facilities	Conditionally permitted
Restaurants, except for nightclubs	Permitted
Drive-in facilities	Conditionally permitted
Fast food businesses	Conditionally permitted
Personal Service Shops	
Pharmacies	Permitted
Salons and cosmetic sales	Permitted
Schools of music and dance	Permitted
Studios, photographers, and artists	Permitted
Institutional Uses	
Public and quasi-public or institutional uses [1]	Conditionally permitted
Travel Accommodations	
Hotel	Permitted
Motel	Permitted

Use	Use Classification
Retail Uses	
Apparel and accessories	Permitted
Bakeries	Permitted
Bicycle sales and service	Permitted
Furniture	Permitted
Home furnishings and appliances	Permitted
Garment stores	Permitted
General merchandise stores (department stores)	Permitted
Miscellaneous retail, including only candy or ice cream stores, drug stores, hobby or craft shops, liquor stores, newsstands, specialty shops, variety stores, pet stores, and computer stores	Permitted
Nursery sales and garden supplies	Conditionally permitted
Regional shopping centers	Permitted
Similar uses and other retail businesses or service uses determined by the zoning administrator to be of the same general character as the uses listed in this section	Permitted
Similar uses and other retail businesses or service establishment determined by the decision-making body approving the conditional use permit to be of the same general character as the conditional uses listed in this section	Conditionally permitted
Accessory Uses	
Offices	
Administrative	Permitted
Business	Permitted
Dental	Permitted
Medical	Permitted
Optical	Permitted
Professional	Permitted
Signs	Permitted
Noncommercial daycare where ancillary to a permitted or conditional use	Conditionally permitted

Source: EDAW|AECOM 2006.

[1] Excluding public and private schools (K-12) and commercial day care or preschools.



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Jones & Stokes

Figure 2-7
El Charro Road Conceptual Alignment

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feet, the designated view angle would limit buildings to a height of 26 feet, 11 inches. The proposed roofline, with architectural features, nearly doubles the view angle limit. The encroachment of the view angle would be approximately ~~675~~ 342 linear feet in total, out of approximately 1,600 feet of site frontage for the Prime Outlet center, although the encroachment would be discontinuous as the obscuring building features are isolated rooflines. This represents approximately 21% of the total frontage of this site.

The alternative church development on the northwest parcel of the Children's Hospital site could also break the plane intended to preserve views of distant ridgelines. The City is considering a General Plan Amendment for this property, for institutional (not commercial) uses. This would mandate a 400-foot setback from I-580 but allow a 40-foot building height over approximately 220 feet of property frontage. The rest of the church buildings would comply, as would the remainder of the Children's Hospital frontage. In total, 220 feet of frontage would be above the 2.2-degree view plane, or approximately 17% of the entire length of Children's Hospital parcel frontage.

Collectively, the encroachments of both developments total about ~~896~~ 562 feet, or about ~~17%~~ 11% of the total Specific Plan frontage along I-580.

The Prime Outlets Livermore Valley gross building area is approximately 450,000 square feet. About ~~22,209~~ 10,489 square feet~~, including trellis features,~~ would project above the view plane. This represents about ~~4.8%~~ 2.3% of the total Aerial Roof Area of the project and about ~~1.2%~~ 0.6% of the project site. The Church auditorium is an area less than 40,000 square feet, which would project above the view plane or about 2.6% of the project site. In terms of area above the roof plane, both projects would total approximately ~~62,200~~ 50,489 square feet of roofline above the view angle, or about ~~1%~~ 0.76% of the Specific Plan Area (152 acres) designated for private development. Given these considerations, these impacts are considered less than significant, and no mitigation is required.

Figure 3.1-10a is revised to show the modified building height proposed. See attached figure.

Chapter 3, Section 3.2, Agricultural Resources

Page 3.2-3, third paragraph under Specific Plan Area is revised as follows:

The 2004 DOC records that are part of the FMMP identify as Grazing Land most portions of the Specific Plan Area except the Sywest parcel, portions of the northwestern Johnson-Himsl properties and the Children's Hospital property (California Department of Conservation 2004). Although the Children's Hospital property is mapped as Prime Farmland on the 2004 Alameda County Important Farmland Map ~~DOC records~~, the DOC redesignated this property in the Alameda

County ~~Williamson Act Lands~~ 2006 Important Farmland Map ~~map~~. The 2006 map shows the Children's Hospital property as Non-prime Agricultural Land ~~in Non-Renewal~~. The Alameda County Williamson Act Lands 2006 map shows the Children's Hospital property as Non-prime Agricultural Land in Non-Renewal. Therefore, the Williamson Act Contract will be terminated and/or transferred to another property. Most of the northwestern properties proposed for Prime Outlets Livermore Valley are mapped as Other Land, and the Sywest parcel is mapped as Developed (California Department of Conservation 2004). According to property owners, the parcels within the Specific Plan Area do not have water supplies developed for irrigated agricultural production. None of the parcels have been used for irrigated crops over the past nine years. Based on this information, the Williamson Act Lands map, and the DOC's definition of Prime Farmland, no Prime Farmland is located within the Specific Plan Area.

Chapter 3, Section 3.4, Biological Resources

Page 3.4-3 is revised as follows:

The purpose of the biological field surveys was to:

- characterize biological communities and their associated wildlife habitat uses;
- document common and special-status wildlife species;
- identify and characterize habitat for special-status avian wildlife species;
- document special-status plants;
- identify jurisdictional waters of the United States, including wetlands, that are subject to federal regulations and waters of the state that are subject to state regulations; and
- provide biological resource information for use in the project design phase.



VS-1a Existing view from I-580E at El Charro looking southeast (wide-angle)



VS-1a Visual simulation of Prime Outlets Livermore Valley

Source: Environmental Vision

0613706 007 FEIR (03-07)

Jones & Stokes

Figure 3.1-10a
Visual Simulations

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Page 3.4-3, Table 3.4-1, is revised as follows:

Table 3.4-1. Biological Resource Surveys

Survey Date	Survey Purpose
October 2005–March 2006 October 2006 – March 2007	Zander Associates (2006) California tiger salamander trapping study on approximately 50 acres containing the Prime Outlets Livermore Valley project.
May 3, July 13, August 16, and September 13, 2006	Zander Associates (2006) California red-legged frog and California tiger salamander site assessment for entirety of El Charro Specific Plan, roadway and utility aligments, and golf course realignment area.
September 2005–July 2006:	WRA Environmental Consultants (2006) California red-legged frog site assessment and surveys in approximately 0.25 miles of the Arroyo Las Positas and Cottonwood Creek on the ~~Freisman~~ Children's Hospital Property
April 18 and 27, 2006 May 10 and 15, 2006 July 13, 2006	Jones & Stokes floristic surveys and wetland delineation on the Sywest and Children's Hospital properties, a portion of the Crosswinds property and City-owned land including the golf course and the potential roadway/utility alignments south of Arroyo Las Positas.
May 8 and 9, 2006 July 3, 2006	Jones & Stokes habitat assessment and biological surveys to document biological resources and to determine the occurrence or potential for special-status wildlife species to occur in the entire study area
October 12, 2006 November 10, 2006	Jones & Stokes habitat assessment for California red-legged frogs and California tiger salamanders in the entire study area
April 6, 2006 July 13, 2006 August 24, 2006 October 4, 2006	Zander Associates (2006) floristic surveys and wetland delineation on approximately including Johnson-Himsl property, the Robert Johnson property, and a portion of the Crosswinds property as well as City-owned land north of Arroyo Las Positas.
2006 and 2007	Helm & Associates conducted dry and wet surveys for listed vernal pool invertebrates within seasonal wetlands area on the northwest portion of the El Charro Specific Plan area.

Page 3.4-4, at the bottom of the page, is revised as follows:

Special-Status Plant Surveys

~~The~~ Jones & Stokes and Zander and Associates botanists conducted botanical surveys in ~~April, May, and July~~ spring and summer of 2006 to locate special-status plants identified as having the potential to occur in the study area (Table 3.4-2). Botanical surveys were conducted according to DFG and CNPS

Botanical Survey Guidelines (California Native Plant Society 2001). During the field surveys, all plants were identified to the level necessary to determine whether they qualified as special-status plants or were plant species with unusual or significant range extensions. In general, survey intensity varied depending on species richness, habitat type and quality, and the probability of special-status plants occurring in a particular habitat type. The botanist walked meandering transects through all portions of the study area with natural vegetation. More focused surveys were conducted in areas with the greatest potential for special-status plants to grow (e.g., open annual grassland, riparian, and wetland communities). Windshield surveys were conducted in the portion of the study area that was entirely developed or landscaped. Surveys coincided with the identification periods of all of the 18 special-status plants identified in Table 3.4-2 as having suitable habitat within the study area.

Page 3.4-6 is revised as follows:

Identification of Potentially Jurisdictional Waters of the United States (Including Wetlands) and Waters of the State

A wetlands ecologist conducted a formal delineation of wetlands. A verification has not yet been done for this site. A definition of waters of the United States is provided in the "Regulatory Setting" part of this section, below. A definition of waters of state is also provided in the "Regulatory Setting" section.

The fifth paragraph on page 3.4-15, under "Heartscale," is revised as follows:

One occurrence of heartscale ~~San Joaquin spearscale~~ has been documented 3 miles northeast of the study area (California Natural Diversity Database 2006).

The last paragraph on page 3.4-15, at the bottom of the page, is revised as follows:

Of the 24 special-status wildlife species listed in Table 3.4-3, six species (conservancy fairy shrimp (*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), western spadefoot (*Spea hammondii*), Alameda whipsnake (*Masticophis lateralis euryxanthus*), American badger (*Taxidea taxus*), and San Joaquin kit fox (*Vulpes macrotis mutica*)) were eliminated from further consideration either because suitable habitat for these species is not present or because the species range does not extend into the study area. Of the 24 species, there are nine bird species that could forage in the study area but do not breed there (due to lack of suitable breeding habitat) and would not be affected by project construction and are thus not discussed further.

Page 3.4-24 is revised as follows:

Permits for Fill Placement in Waters and Wetlands (Section 404)

CWA 404 regulates the discharge of dredged and fill materials into waters of the United States.

Applicants must obtain a permit from the USACE for all discharges of dredged or fill material into waters of the United States, including wetlands, before proceeding with a proposed activity. The USACE may issue either an individual permit evaluated on a case-by-case basis or a general permit evaluated at a program level for a series of related activities. General permits are preauthorized and are issued to cover multiple instances of similar activities expected to cause only minimal adverse environmental effects. Nationwide permits (NWPs) are a type of general permit issued to cover particular fill activities. Each NWP specifies particular conditions that must be met for the NWP to apply to a particular project. Waters of the United States in the Project Area are under the jurisdiction of the ~~Sacramento~~San Francisco District of the USACE.

Page 3.4-25 is revised as follows:

State Regulations

Porter-Cologne Water Quality Control Act of 1969

The Porter-Cologne Water Quality Control Act established the SWRCB and divided the state into nine regional basins, each with an RWQCB. The SWRCB is the primary state agency responsible for protecting the quality of the state's surface and groundwater supplies, while the regional boards are responsible for developing and enforcing water quality objectives and implementation plans. The Project Area is within the jurisdiction of San Francisco Bay RWQCB.

The act authorizes the SWRCB to enact state policies regarding water quality in accordance with CWA 303. In addition, the act authorizes the SWRCB to issue WDRs for projects that would discharge to state waters. The Porter-Cologne Water Quality Control Act requires that the SWRCB or the RWQCB adopt water quality control plans (basin plans) for the protection of water quality. A basin plan must:

- identify beneficial uses of water to be protected,
- establish water quality objectives for the reasonable protection of the beneficial uses, and
- establish a program of implementation for achieving the water quality objectives.

Basin plans also provide the technical basis for determining waste discharge requirements, taking enforcement actions, and evaluating clean water grant proposals. Basin plans are updated and reviewed every 3 years in accordance with Article 3 of Porter-Cologne Water Quality Control Act and CWA 303(c) (SFBRWQCB 2004).

Under the Porter-Cologne Water Quality Control Act, the RWQCB regulates the "discharge of waste" to "waters of the state." All parties proposing to discharge waste that could affect waters of the state must file a report of waste discharge with the local RWQCB, which will then respond by issuing waste discharge requirements (WDRs) in a public hearing, or by waiving them (with or without conditions). The terms "discharge of waste" and "waters of the state" are broadly defined in the Porter-Cologne Act, such that discharges of waste include fill, any material resulting from human activity, or any other "discharge" that may directly or indirectly impact "waters of the state."

The RWQCBs designate beneficial uses and establish Water Quality Objectives (WQOs) for the state's waters through development of Basin Plans. WQOs include both quantitative and narrative targets that may differ depending on the specific beneficial uses being protected. Any activity that results or may result in a discharge that directly or indirectly impacts waters of the state or the beneficial uses of those waters are subject to WDRs. Alameda Creek's existing beneficial uses, as designated in the Basin Plan (SFBRWQCB 2004), include agricultural supply, cold freshwater habitat, groundwater recharge, fish migration, water contact recreation, noncontact water recreation, fish spawning, warm freshwater habitat, and wildlife habitat.

On January 9, 2001 the United States Supreme Court issued a decision in Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers (2001) 121 S.Ct. 675 (SWANCC) that held that the language of the Clean Water Act (CWA) cannot be interpreted as conferring authority for the federal government to regulate "isolated, intrastate, and nonnavigable waters" merely because migratory birds may frequent them. The Court emphasized the states' responsibility for regulating such waters.

Under the California Porter-Cologne Water Quality Control Act discharges to wetlands and other "waters of the state" have been and remain subject to state regulation. On January 25, 2001, the Office of Chief Counsel of SWRCB released a legal memorandum confirming the State's jurisdiction over such waters. Under State law anybody discharging "waste" (including clean fill, riprap or other revetment, excavation sidecasting, dredge spoils, soil displaced while clearing vegetation, etc.) where it could affect waters of the State must first file a report with the appropriate Regional Water Quality Control Board (RWQCB), which will regulate the discharge as necessary to protect the beneficial uses of the waters. In general, the RWQCBs regulate discharges to isolated waters in much the same way as they do for federal-jurisdictional waters, using Porter-Cologne rather than CWA authority.

This EIR refers to wetlands and waters under the CWA and U.S. Army Corps of Engineers jurisdiction as "federal jurisdictional waters." These waters are also waters of the state. Waters that are only under the jurisdiction of the state are referred to as "waters of the state."

California Fish and Game Code

Fully Protected Species

The California Fish and Game Code provides protection from take for a variety of species, referred to as *fully protected species*. Section 5050 lists protected amphibians and reptiles. Section ~~3515~~ 5515 prohibits take of fully protected fish species. Eggs and nests of all birds are protected under Section 3503; nesting birds (including raptors and passerines), under Sections 3503.5 and 3513; birds of prey, under Section 3503.5; and fully protected birds, under Section 3511. Migratory non-game birds are protected under Section 3800. Fully protected ~~M~~mammals are protected under Section 4700. The California Fish and Game Code defines *take* as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." Except for take related to scientific research, all take of fully protected species is prohibited. White-tailed kite is the only fully protected species that is known to occur in the Project Area.

Page 3.4-30, under Thresholds of Significance, is revised as follows:

- have a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the CWA, or waters of the state, through direct removal, filling, hydrological interruption, or other means;

Page 3.4-36 is revised as follows:

Mitigation Measure BIO-3a: Restrict All Site Grading within California Red-Legged Frog Upland Habitat to the Dry Season (May 1 to October 15) or Use Exclusion Fencing for Construction that Continues outside the Dry Season

To minimize disturbance of dispersing CRLFs, all grading activity within CRLF upland habitat (within 100 feet of aquatic habitat) shall be conducted during the dry season, between May 1 and October 15, or before the onset of the rainy season, whichever occurs first unless exclusion fencing is utilized. Construction that commences in the dry season may continue into the rainy season is exclusion fencing is placed between the construction sites and the Arroyo Las Positas and Cottonwood Creek to keep CRLF from entering the construction area. Grading within upland habitat shall not commence during the rainy season unless exclusion fencing is placed before the rainy season. Exclusion fencing shall be placed between the creeks and grading areas for construction in the dry season as well as the wet season.

Page 3.4-37 is revised as follows:

Mitigation Measure BIO-3d: Enhance California-Red Legged Frog Aquatic and Upland Habitat On-Site

To compensate for the loss and disturbance of CRLF aquatic habitat, the project proponents shall prepare and implement a habitat enhancement program that includes the following:

- the removal of five existing bridges on the Children's Hospital property and restoration of the creek and riparian vegetation at these

locations as called for in Mitigation Measure BIO-7a (the Arroyo Las Positas Habitat Enhancement Plan) below;

- the restoration of riparian and adjacent grassland habitat along the Arroyo Las Positas and Cottonwood Creek as called for in Mitigation Measure BIO-7a (the Arroyo Las Positas Habitat Enhancement Plan) below; and

- bullfrog control in the Arroyo Las Positas and Cottonwood Creek and the golf course ponds.

Page 3.4-42 is revised as follows:

Mitigation Measure BIO-4a: Complete Protocol Surveys for California Tiger Salamander

A qualified biologist with authorization from the USFWS will complete protocol-level surveys to determine whether CTS is present in the identified suitable seasonal wetland habitat or in potential upland habitat outside the areas already surveyed. If CTS is found, Mitigation Measure BIO-4b ~~BIO-4a~~ will be required.

Alternately, project proponents may choose to assume that the relevant water bodies and upland habitat are occupied by CTS. In this case, protocol-level surveys would not be required, but consultation with the USFWS and Mitigation Measure BIO-4b would be required to ensure that the Project would not significantly affect this species.

Page 3.4-47 is revised as follows:

Mitigation Measure BIO-7b: Maintain Riparian Habitat along the Arroyo Las Positas within Las Positas Golf Course during Course Redesign

During the redesign of the golf course, the City will maintain the overall existing amount of riparian cover along the Arroyo Las Positas by replacing any disturbed riparian vegetation on a 1:1 basis along the golf course reach onsite if possible and on a 3:1 basis offsite if onsite restoration is not possible. As feasible with the need for golf course access, a 100-foot buffer between the banks of the Arroyo Las Positas and the nearest redesigned fairway, tee, green or access road shall be maintained for all new holes and construction.

Page 3.4-47 is revised as follows:

Impact BIO-8: Potential Disturbance or Loss of Waters of the United States (Including Wetlands) and ~~Nonjurisdictional~~ Waters of the State—Less than Significant with Mitigation

Construction activities associated with the proposed Project could result in the disturbance or loss of jurisdictional waters of the United States and ~~nonjurisdictional~~ waters of the state regulated by the SFBRWQCB. Impacts on waters are summarized in Table 3.4-8.

Page 3.4-48 is revised as follows:

Mitigation Measure BIO-8a: Avoid and Minimize the Disturbance of Waters of the United States and Waters of the State

To the extent possible, the City and project proponents will minimize impacts on waters of the United States by implementing all of the following measures:

- Construction activities in saturated or ponded waters during the wet season (spring and winter) will be avoided to the maximum extent possible.
- During construction, trees, shrubs, debris, or soils that are inadvertently deposited will be removed in a manner that minimizes disturbance to the creek and wetlands.
- All construction-related activities will be completed promptly to minimize their duration and resulting impacts.
- Construction inspectors will routinely inspect protected areas to ensure that protective measures are in place and effective.
- All protective measures will remain in place until all construction activities near the resource have been completed and will be removed immediately following construction activities.
- All new bridges will be free span (with the exception of the Airway Boulevard Extension as discussed below) and will avoid placement of permanent fill within the banks of the Arroyo Las Positas and Cottonwood Creek.

Cottonwood Creek will not be realigned to facilitate development, but may be allowed for the Airway Boulevard Extension, if this road option is selected. The City will consider all practicable alternatives to realignment prior to pursuing realignment including potential elevation of the roadway above Cottonwood Creek. Cottonwood Creek realignment will only be implemented if the RWQCB and the Corps of Engineers agree that it is the "least environmentally damaging practicable alternative" as required by the RWQCB and also as required by the Clean Water Act Section 404(b)(1) guidelines that are applicable

to any Corps permit issued for the project. If the creek is realigned to support road construction, then the realigned creek shall be designed in such as way that the realigned section has equivalent functions and values (including CRLF aquatic habitat) to that existing at present. The City shall also provide off-site compensation for all temporarily affected waters/wetlands and CRLF habitat at a 1:1 ratio (1 acre preserved to one acre temporary affected).

The following shall also apply to any realignment of Cottonwood Creek:

- Baseline data (including but not limited to bankfull flow elevation, channel cross-sections, sediment load, and thalweg stability) shall be collected along the existing creek for at least two years and used to design the new channel.
- An implementation and monitoring plan shall be developed and approved by the USACE, CDFG, RWQCB, and USFWS.
- The new channel shall meet the following performance standards prior to filling of the existing channel:
  - percentage of riparian vegetation cover shall be equivalent to or greater than the percentage of riparian vegetation cover along the existing channel;
  - in order to allow for channel formation processes to commence, no filling of the existing channel shall occur until after at least two wet seasons have occurred.
  - The existing channel shall only be filled during the dry season after the creek has gone dry.
- Post-construction monitoring of the new channel shall be conducted for at least 5 years and shall continue after 5 years until the performance standards are met.
- If the performance standards are not met within 20 years, then the City shall create or restore an equivalent (on a linear foot basis) of creek within the Cottonwood Creek watershed (if possible) and/or within the Arroyo Las Positas watershed (if Cottonwood Creek is not possible).
- The City shall provide financial guarantees to construct the new channel and to implement the contingency measure in the form of a performance bond or other financial mechanism prior to issuance of permits from the Corps, CDFG, USFWS, and RWQCB for any realignment of Cottonwood Creek.

Page 3.4-50 is revised as follows:

Mitigation Measure BIO-8c: Compensate for the Loss of Waters of the United States and Waters of the State

The City and/or project proponents will compensate for permanent impacts on waters of the United States and waters of the state, as determined by the USACE and SFBRWQCB (respectively), to ensure no net loss of habitat functions and values. The compensation will be provided at a minimum ratio of 1:1 (1 acre restored or created for every 1 acre filled), but final compensation ratios will be based on site-specific information and determined through coordination with federal and state agencies as part of the permitting process for the Project. Compensation may be a combination of on-site restoration and creation, off-site restoration, or mitigation credits. Compensation may be combined with mitigation for CRLF and CTS as noted above. Mitigation Measure BIO-7a may be used to fulfill this requirement partially or completely for wetlands and waters associated with the Arroyo Las Positas and Cottonwood Creek, as allowed by the USACE.

Page 3.4-51 is revised as follows:

Mitigation Measure BIO-9: Avoid Disturbance of Tree-, Shrub-, and Ground-Nesting Migratory Birds and Raptors

Causing the abandonment or removing active nests (with eggs or young) of loggerhead shrike, tricolored blackbird, and state fully protected white-tailed kite, and non-special-status migratory birds and raptors violates the California Fish and Game Code and the federal MBTA. To avoid this impact, one or more of the following options will be implemented as part of the proposed Project.

- If construction activities are scheduled to occur during the breeding season for these species (generally between March 1 and August 15), a qualified wildlife biologist will be retained to conduct the following focused nesting surveys within the appropriate habitat.
  - Tree and shrub nesting surveys will be conducted ~~in riparian and woodland habitats~~ within or adjacent to the construction work area to look for white-tailed kite, loggerhead shrike, tricolored blackbird and other non-listed migratory birds and raptors.
  - Ground-nesting surveys will be conducted in annual grasslands and alkali grasslands within and adjacent to the construction work area to look for non-listed migratory birds.

  The surveys should be conducted within 1 week prior to initiation of construction activities and at any time between March 1 and August 15. If no active nests are detected during surveys, then no additional mitigation is required.

- If construction activities are scheduled to occur during the breeding season (generally between March 1 and August 15) and if surveys indicate that migratory bird or raptor nests are found in any areas that would be directly affected by construction activities, a no-disturbance buffer will be established around the site to avoid disturbance or destruction of the nest site until after the breeding season or after a wildlife biologist determines that the young have fledged (usually late-June to mid-July). The extent of these buffers will be determined by a wildlife biologist and will depend on the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors should be analyzed in order to make an appropriate decision on buffer distances.
- If construction activities begin prior to the breeding season (i.e., if construction activity begins between August 16 and February 28), then construction can proceed until it is determined that an active migratory bird or raptor nest is subject to abandonment as a result of construction activities. Construction activities should be in full force, including, at a minimum, grading of the site and development of infrastructure. A minor activity that initiates construction but does not involve the full force of construction activities will not qualify as "pre-existing construction." Optimally, all necessary vegetation removal should be conducted prior to the breeding season (generally between March 1 and August 15) so that there is no potential for nesting birds or raptors to occur in the construction area. If any birds or raptors nest in the vicinity of the Project under this pre-existing construction condition, then it is assumed that they are habituating or will habituate to the construction activities. Under this scenario, the preconstruction survey still should be conducted on or after March 1 to identify any active nests in the vicinity, and active sites should be monitored by a wildlife biologist periodically until after the breeding season or after the young have fledged (usually late-June to mid-July). If active nests are identified in or immediately adjacent to the Project Area, then all nonessential construction activities (e.g., equipment storage, meetings, etc.) should be avoided in the immediate vicinity of the nest site; however, construction activities can proceed.

Table 3.4-2 is revised to indicate that none of the special-status plant species with moderate potential to occur within the project area were found during floristic surveys. See attached table.

Table 3.4-3 is revised to indicate the federal status of the California tiger salamander as "T" and to clarify potential for certain bird special-status species to have breeding habitat on the project area. See attached table.

The title of Table 3.4-8 is revised as follows:

Table 3.4-8. El Charro Specific Plan Impacts on Federal Jurisdictional and Non Jurisdictional Waters and Wetlands, Waters of the State, and Other Waters

The first table header within Table 3.4-8, after 3.4-48 is revised as follows:

~~Nonjurisdictional~~ Waters of the State and Other Waters (acres)

The note of Table 3.4-8 is revised as follows:

Note:
"Jurisdictional" refers to whether the USACE likely would have jurisdiction under Section 404 of the CWA. "Waters of the State" ~~Nonjurisdictional wetlands~~ are under the separate state jurisdiction of the SFBRWQCB. Open water areas consist of golf course ponds, which are unlikely to be under regulatory jurisdiction, though this has yet to be confirmed.

Chapter 3, Section 3.5, Cultural Resources

Page 3.5-12 has been revised as follows:

Mitigation Measure CR-4: ~~Stop~~Suspend Work if Buried Cultural Deposits are Encountered during Construction Activities

If buried cultural resources, such as chipped or ground stone, historic debris, building foundations, or human bone, are inadvertently discovered during ground disturbing activities, work will ~~stop~~be suspended in that area and within 100 feet of the find until a qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures in consultation with the City and other appropriate agencies.

When ground-disturbing activity takes place within the State ROW and there is an inadvertent archaeological or burial discovery, in compliance with CEQA, PRC 5024.5, and Caltrans' Standard Environmental

Reference (SER) Chapter 2 (at http:/ser.dot.ca.gov), all construction within 50 feet of the find shall cease. Caltrans' Cultural Resource Studies office, District 4, shall be immediately contacted at (510) 286-5618. A staff archaeologist will evaluate the finds within one business day after contact.

If human remains of Native American origin are discovered during project construction, it will be necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (PRC 5097). If any human remains are discovered or recognized in any location other than a dedicated cemetery, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

- the County coroner has been informed and has determined that no investigation of the cause of death is required; and
- if the remains are of Native American origin:
  - the descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC 5097.98, or
  - the NAHC was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the NAHC.

According to the California Health and Safety Code (CHSC), six or more human burials at one location constitute a cemetery (CHSC 8100), and disturbance of Native American cemeteries is a felony (CHSC 7052). CHSC 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California NAHC.

Table 3.4-2. Special-Status Plants Known to Occur or that May Occur in the Project Area

Species	Status[a] Federal/State/CNPS	California Distribution	Habitats	Blooming Period	Likelihood to Occur in Project Area[c]
Amsinckia grandiflora Large-flowered fiddleneck	E/E/1B	Foothills of Mount Diablo below 1,200 feet in Alameda, Contra Costa, and San Joaquin Counties; currently known from only three natural occurrences	Open grassy slopes in annual grasslands and cismontane woodlands	April–May	None—no known occurrences within 5 miles of the site; no suitable habitat within study area
Amsinckia lunaris Bent-flowered fiddleneck	–/–/1B	Alameda, Contra Costa, Lake, Marin, Santa Cruz, Shasta, and Siskiyou Counties	Cismontane woodland, valley and foothill grassland, between 160-1,650 feet	March–June	None—no known occurrences within 5 miles of the site; no suitable habitat within study area
Astragalus tener var. *tener* Alkali milk-vetch	–/–/1B	Historically found in western San Joaquin Valley, San Francisco Bay Area, and Monterey County; likely extirpated from all historical occurrences except those in Merced, Solano, and Yolo Counties	Playas and grasslands with adobe clay soils and alkaline vernal pools	March–June	None—no known occurrences within 5 miles of the site; no suitable habitat within study area
Atriplex cordulata Heartscale	–/–/1B	Western Central Valley and valleys of adjacent foothills below 660 feet	Alkali grasslands, alkali meadows, alkali scrublands	May–October	Moderate—closest occurrence within 3 miles east of the site; suitable habitat highly disturbed within study area None found in floristic surveys.
Atriplex depressa Brittlescale	–/–/1B	Western Central Valley and valleys in foothills on west side of Central Valley below 660 feet	Alkali grasslands, alkali meadows, alkali scrublands, chenopod scrublands, playas, valley and foothill grasslands; on alkaline or clay soils	May–October	Moderate—closest occurrence within 2 miles northeast of the site; suitable habitat highly disturbed within study area None found in floristic surveys.

Species	Status[a] Federal/State/CNPS	California Distribution	Habitats	Blooming Period	Likelihood to Occur in Project Area[c]
Atriplex joaquiniana San Joaquin spearscale (saltbush)	–/–/1B	West margin of Central Valley from Glenn to Tulare Counties below 1,000 feet	Alkali grasslands, alkali scrublands, alkali meadows, saltbush scrublands	April–September	Moderate—closest occurrence within 0.5 mile west of the site; suitable habitat highly disturbed within study area. None found in floristic surveys.
Balsamorhiza macrolepis var. *macrolepis* Big-scale balsamroot	–/–/1B	San Francisco Bay Area, Sierra Nevada foothills, Coast Ranges, eastern Cascade Range, and Sacramento Valley, below 4,600 feet	Rocky annual grasslands and fields, foothill woodland hillsides; locally on serpentine soils	March–June	None—no known occurrences within 5 miles of the site; no suitable habitat within study area.
Blepharizonia plumosa ssp. *plumosa* Big tarplant	–/–/1B	Interior Coast Range foothills in Alameda, Contra Costa, San Joaquin, Stanislaus[b], and Solano[b] Counties at 50–1,500 feet	Dry hills and plains in annual grasslands	July–October	None—no known occurrences within 5 miles of the site; no suitable habitat within study area
Calochortus pulchellus Mt. Diablo fairy lantern	–/–/1B	Endemic to Contra Costa and Alameda Counties at 650–2,600 feet	Wooded, brushy slopes of chaparral, cismontane woodlands, riparian woodlands, and valley and foothill grasslands	April–June	None—no known occurrences within 5 miles of the site; no suitable habitat within study area
Centromadia parryi ssp. *congdonii* Congdon's tarplant	–/–/1B	Eastern San Francisco Bay Area, Salinas Valley, and Los Osos Valley below 700 feet	Lower slopes, flats, and swales in annual grasslands; locally on alkaline or saline soils	June–November	Moderate—closest occurrence just north across I-580 from the site; suitable habitat highly disturbed within study area. None found in floristic surveys.

Species	Status[a] Federal/State/CNPS	California Distribution	Habitats	Blooming Period	Likelihood to Occur in Project Area[c]
Cordylanthus mollis ssp. *hispidus* Hispid bird's-beak	–/–/1B	Central Valley (Kern, Merced, Placer, and Solano Counties) and Alameda County, at elevations below 500 feet	Meadows, grasslands, and playas; on alkaline soils	June–September	None—closest occurrence within 5 miles northeast of site; no suitable habitat within study area
Cordylanthus palmatus Palmate-bracted bird's-beak	E/E/1B	Known from seven populations in Livermore Valley and Central Valley from Colusa County to Fresno County	Alkali grasslands, alkali meadows, and chenopod scrublands	May–October	None—closest occurrence 3 miles northeast of the site; no suitable habitat within study area
Delphinium recurvatum Recurved larkspur	–/–/1B	San Joaquin Valley and interior valleys of the south Coast Ranges, Contra Costa County to Kern County	Subalkaline soils in annual grassland, saltbush scrub, cismontane woodland, vernal pools at 100–2,000 feet	March–May	None—no known occurrences within 5 miles of the site; no suitable habitat within study area
Eschscholzia rhombipetala Diamond-petaled poppy	–/–/1B	Interior foothills of south Coast Ranges from Contra Costa County to Stanislaus County, Carrizo Plain in San Luis Obispo County	Grassland, chenopod scrub, on clay soils, where grass cover is sparse enough to allow growth of low annuals	March–April	None—no known occurrences within 5 miles of the site; no suitable habitat within study area
Plagiobothrys glaber Hairless popcorn-flower	–/–/1A	Coastal valleys from Marin County to San Benito County	Alkaline meadows, coastal salt marsh	April–May	None—closest occurrence 3 miles east of the site; no suitable habitat within study area
Streptanthus albidus ssp. *peramoenus* Most beautiful jewel-flower	–/–/1B	Eastern San Francisco Bay Area; central outer south Coast Ranges; Alameda, Contra Costa, and Santa Clara Counties	Chaparral, annual grassland, on ridges and slopes on serpentinite outcrops, 450–3,200 feet	April–June	None—closest occurrence 3 miles northeast of the site; no suitable habitat within study area

Species	Status[a] Federal/State/CNPS	California Distribution	Habitats	Blooming Period	Likelihood to Occur in Project Area[c]
Trifolium depauperatum var. *hydrophilum* Saline clover	–/–/1B	Alameda, Colusa, Monterey, Napa, San Benito, Santa Clara, San Luis Obispo, San Mateo, Solano, and Sonoma Counties	Marshes and swamps, valley and foothill grassland (mesic, alkaline), and vernal pools; 300–900 feet	April–June	Moderate—closest occurrence within 0.5 mile northwest of site; suitable habitat highly disturbed within study area. None found in floristic surveys.
Tropidocarpum capparideum Caper-fruited tropidocarpum	–/–/1A	Historically known from the northwest San Joaquin Valley and adjacent Coast Range foothills	Grasslands in alkaline hills below 1,500 feet	March–April	None—closest occurrence 3 miles east of the site; no suitable habitat within study area

Note: CNPS = California Native Plant Society.

[a] Status explanations:

Federal

E = listed as endangered under the ESA

– = no listing

State

E = listed as endangered under the CESA

– = no listing

California Native Plant Society

1A = List 1A species: presumed extinct in California

1B = List 1B species: rare, threatened, or endangered in California and elsewhere

2 = List 2 species: rare, threatened, or endangered in California but more common elsewhere

[b] Populations uncertain or extirpated in the county

[c] Definitions of levels of Occurrence likelihood:

High: Known occurrence of plant in region from CNDDB, or other documents in the vicinity of the project; or suitable habitat conditions and suitable microhabitat conditions are present

Moderate: Known occurrence of plant in region from CNDDB, or other documents in the vicinity of the project; or suitable habitat conditions are present, but suitable microhabitat conditions are not present

Low: Plant not known to occur in the region from the CNDDB, or other documents in the vicinity of the project; or habitat conditions are of poor quality

None: Plant not known to occur in the region from the CNDDB, or other documents in the vicinity of the project; or suitable habitat is not present in any condition

Table 3.4-3 Special-Status Wildlife Species with Potential to Occur in the Project Region

Scientific and Common Names	Status Federal/State	Geographic Distribution	Habitat Requirements	Potential Occurrence in Study Area
Invertebrates				
Branchinecta conservatio Conservancy fairy shrimp	E/–	Disjunct occurrences in Solano, Merced, Tehama, Ventura, Butte, and Glenn Counties	Large, deep vernal pools in annual grasslands	None—outside of species distribution
Branchinecta longiantenna Longhorn fairy shrimp	E/–	Eastern margin of central Coast Ranges from Contra Costa County to San Luis Obispo County; disjunct population in Madera County	Small, clear pools in sandstone rock outcrops of clear to moderately turbid clay- or grass-bottomed pools	None—suitable habitat (seasonal wetlands in rock outcrops) not present; no CNDDB records for this species within 10 miles
Branchinecta lynchi Vernal pool fairy shrimp	T/–	Central Valley, central and south Coast Ranges from Tehama County to Santa Barbara County; isolated populations also in Riverside County	Common in vernal pools; also found in sandstone rock outcrop pools	Low—potential habitat in seasonal wetlands near El Charro Road, and CNDDB records for this species are within 10 miles
Lepidurus packardi Vernal pool tadpole shrimp	T/–	Shasta County south to Merced County	Vernal pools and ephemeral stock ponds	Low—potential habitat in seasonal wetlands near El Charro Road; no CNDDB records for this species are within 10 miles
Amphibians				
Rana aurora draytoni California red-legged frog	T/SSC	Found along the coast and coastal mountain ranges of California from Marin County to San Diego County and in the Sierra Nevada from Tehema County to Fresno County	Permanent and semipermanent aquatic habitats, such as creeks and cold-water ponds, with emergent and submergent vegetation; may estivate in rodent burrows or cracks during dry periods	High—species observed in the Arroyo Las Positas and at numerous locations north of I-580 (CNDDB 2006); suitable aquatic habitat in the Arroyo Las Positas and Cottonwood Creek; suitable upland habitat adjacent to creeks in annual grasslands and fallow fields

Scientific and Common Names	Status Federal/State	Geographic Distribution	Habitat Requirements	Potential Occurrence in Study Area
Ambystoma californiense (=A. tigrinum c.) California tiger salamander	~~C~~T/SSC	Central Valley, including Sierra Nevada foothills, up to approximately 1,000 feet, and coastal region from Butte County south to northeastern San Luis Obispo County	Small ponds, lakes, or vernal pools in grasslands and oak woodlands for larvae; rodent burrows, rock crevices, or fallen logs for cover for adults and for summer dormancy	Low~~—one seasonal wetland south of the Arroyo Las Positas may provide~~ No suitable breeding habitat found on the project site; a CNDDB record for this species is located in Cottonwood Creek northeast of the study area and north of I-580.
Scaphiopus hammondii Western spadefoot	–/SSC	Sierra Nevada foothills, Central Valley, Coast Ranges, coastal counties in southern California	Shallow streams with riffles; seasonal wetlands, such as vernal pools in annual grasslands and oak woodlands	None—no suitable habitat and no CNDDB records within 10 miles
Reptiles				
Masticophis lateralis euryxanthus Alameda whipsnake	T/T	Restricted to Alameda and Contra Costa Counties; fragmented into five disjunct populations throughout its range	Valleys, foothills, and low mountains associated with northern coastal scrub or chaparral habitat; requires rock outcrops for cover and foraging	None—no suitable habitat present
Emys marmorata Western pond turtle	–/SSC	Occurs from the Oregon border of Del Norte and Siskiyou Counties south along the coast to San Francisco Bay, inland through the Sacramento Valley, and on the western slope of the Sierra Nevada	Occupies ponds, marshes, rivers, streams, and irrigation canals with muddy or rocky bottoms and with watercress, cattails, water lilies, or other aquatic vegetation in woodlands, grasslands, and open forests	High—individual observed during 2006 survey in study area in the Arroyo Las Positas
Mammals				
Taxidea taxus American badger	–/SSC	In California, badgers occur throughout the state except in humid coastal forests of northwestern California in Del Norte and Humboldt Counties	Badgers occur in a wide variety of open, arid habitats but are most commonly associated with grasslands, savannas, mountain meadows, and open areas of desert scrub; the principal habitat requirements for the species appear to be sufficient food (burrowing rodents), friable soils, and relatively open, uncultivated ground	None—poor suitable habitat occurs in the study area

Scientific and Common Names	Status Federal/State	Geographic Distribution	Habitat Requirements	Potential Occurrence in Study Area
Vulpes macrotis mutica San Joaquin kit fox	E/T	Principally occurs in the San Joaquin Valley and adjacent open foothills to the west; recent records from 17 counties extending from Kern County north to Contra Costa County	Saltbush scrub, grassland, oak, savanna, and freshwater scrub	None—outside of species' geographic range
Birds				
Haliaeetus leucocephalus Bald eagle	T/E	Nests in Siskiyou, Modoc, Trinity, Shasta, Lassen, Plumas, Butte, Tehama, Lake, and Mendocino Counties and in the Lake Tahoe Basin; reintroduced into central coast; winter range includes the rest of California, except the southeastern deserts, very high altitudes in the Sierra Nevada, and east of the Sierra Nevada south of Mono County	In western North America, nests and roosts in coniferous forests within 1 mile of a lake, reservoir, or stream, or the ocean	Low—potential winter migrant; no suitable nesting habitat is present
Accipiter cooperii Cooper's hawk	–/SSC	Throughout California except at high elevations in the Sierra Nevada; winters in the Central Valley, in the southeastern desert regions, and on the plains east of the Cascade Range; permanent residents occupy the rest of the state	Nests primarily in riparian forests dominated by deciduous species; also nests in densely canopied forests from digger pine-oak woodland to ponderosa pine forest; forages in open woodlands	Low—potential winter migrant; dense riparian and coniferous forest (preferred nesting habitat) is not present in the study area
Buteo regalis Ferruginous hawk	–/SSC	Does not nest in California; winter visitor along the coast from Sonoma County to San Diego County, eastward to the Sierra Nevada foothills and southeastern deserts, the Inyo-White Mountains, the plains east of the Cascade Range, and Siskiyou County	Open terrain in plains and foothills where ground squirrels and other prey are available	Low—potential winter migrant; does not nest in California
Accipiter striatus Sharp-shinned hawk	–/SSC	Permanent resident in the Sierra Nevada, Cascade, Klamath, and north Coast Ranges at mid elevations and along the coast in Marin, San Francisco, San Mateo, Santa Cruz, and Monterey Counties; winters over the rest of the state except at very high elevations	Dense canopy ponderosa pine or mixed-conifer forest and riparian habitats	Low—potential winter migrant; dense canopy ponderosa pine, mixed-conifer or riparian forest (nesting habitat) is not present in the study area

Scientific and Common Names	Status Federal/State	Geographic Distribution	Habitat Requirements	Potential Occurrence in Study Area
Aquila chrysaetos Golden eagle	–/SSC, FP	Foothills and mountains throughout California; uncommon nonbreeding visitor to lowlands such as the Central Valley	Nests in cliffs and escarpments or tall trees; forages in annual grasslands, chaparral, or oak woodlands that provide abundant medium and large-sized mammals for prey	Low—golden eagle reported in study area; marginal foraging habitat is present within the study area; winter migrant only; low potential to nest on project area; CNDDB records located within 10 miles
Circus cyaneus Northern harrier	–/SSC	Throughout lowland California; has been recorded in fall at high elevations	Grasslands, meadows, marshes, and seasonal and agricultural wetlands providing tall cover	Low—could forage in agricultural and disturbed annual grassland in the study area, but low potential to nest in project area; CNDDB records area located within 10 miles
Elanus leucurus White-tailed kite	–/FP	Lowland areas west of Sierra Nevada from the head of the Sacramento Valley south, including coastal valleys and foothills to western San Diego County at the Mexico border	Low foothills or valley areas with valley or live oaks, riparian areas, and marshes near open grasslands for foraging	High—white-tailed kite observed during survey in 2006; riparian habitat in and adjacent to the study area provides suitable nesting habitat; CNDDB record is within 10 miles
Falco peregrinus anatum American peregrine falcon	–/E	Permanent resident of the north and south Coast Ranges; may summer on the Cascade and Klamath Ranges south through the Sierra Nevada to Madera County; winters in the Central Valley south through the Transverse and Peninsular Ranges and the plains east of the Cascade Range	Nests and roosts on protected ledges of high cliffs, usually adjacent to lakes, rivers, or marshes that support large populations of other bird species	Low—potential winter migrant; no suitable nesting habitat is present

Scientific and Common Names	Status Federal/State	Geographic Distribution	Habitat Requirements	Potential Occurrence in Study Area
Falco mexicanus Prairie falcon	–/SSC	Found as permanent resident on the south Coast, Transverse, Peninsular, and northern Cascade Ranges, the southeastern deserts, Inyo-White Mountains, Modoc, Lassen, and Plumas Counties, and the foothills surrounding the Central Valley; winters in the Central Valley, along the coast from Santa Barbara County to San Diego County, and in Marin, Sonoma, Humboldt, Del Norte, and Inyo Counties	Cliffs or escarpments for nesting; adjacent dry, open terrain or uplands, marshes, and seasonal marshes for foraging	Low—potential winter migrant; no suitable nesting habitat is present
Athene cunicularia hypugea Western burrowing owl	–/SSC	Lowlands throughout California, including the Central Valley, northeastern plateau, southeastern deserts, and coastal areas; rare along south coast	Level, open, dry, heavily grazed or low stature grassland or desert vegetation with available burrows	High—nesting burrowing owls observed in study area; CNDDB recorded within 0.25 mile of study area
Eremophila alpestris actia California horned lark	–/SSC	Found throughout much of the state, less common in mountainous areas of the north coast and in coniferous or chaparral habitats	Common to abundant resident in a variety of open habitats, usually where large trees and shrubs are absent; grasslands and deserts to dwarf shrub habitats above tree line	Moderate—potential foraging habitat is present, and CNDDB records are located within 10 miles
Lanius ludovicianus Loggerhead shrike	–/SSC	Resident and winter visitor in lowlands and foothills throughout California; rare on coastal slope north of Mendocino County, occurring only in winter	Prefers open habitats with scattered shrubs, trees, posts, fences, utility lines, or other perches	High—suitable nesting habitat is present
Agelaius tricolor Tricolored blackbird	–/SSC	Permanent resident in the Central Valley from Butte County to Kern County; breeds at scattered coastal locations from Marin County south to San Diego County and at scattered locations in Lake, Sonoma, and Solano Counties; rare nester in Siskiyou, Modoc, and Lassen Counties	Nests in dense colonies in emergent marsh vegetation, such as tules and cattails, or upland sites with blackberries, nettles, thistles, and grain fields; habitat must be large enough to support 50 pairs; probably requires water at or near the nesting colony	High—observed perched in golf course pond during fall 2006 field survey; limited foraging and nesting habitat is present in the study area; CNDDB nesting records within 0.25 mile

Notes:

Status explanations:

Federal

E = listed as endangered under the ESA

T = listed as threatened under the ESA

PT = proposed for federal listing as threatened under the ESA

C = species for which USFWS has on file sufficient information on biological vulnerability and threat(s) to support issuance of a proposed rule to list, but issuance of the proposed rule is precluded

SC = species of concern; species for which existing information indicates it may warrant listing but for which substantial biological information to support a proposed rule is lacking

– = no listing

State

E = listed as endangered under CESA

T = listed as threatened under CESA

FP = fully protected under the California Fish and Game Code

SSC = species of special concern in California

– = no listing

Potential Occurrence in the Study Area

High: Known occurrences of the species within the study area, or CNDDB, or other documents, records the occurrence of the species within a 10-mile radius of the study area; suitable habitat is present within the study area

Moderate: CNDDB, or other documents, records the known occurrence of the species within a 10-mile radius of the study area; poor quality suitable habitat is present within the study area

Low: CNDDB, or other documents, does not record the occurrence of the species within a 10-mile radius of the study area; suitable habitat is present within the study area

Chapter 3, Section 3.7, Hazards and Hazardous Materials

Pages 3.7-13 and 3.7-14 are revised as follows:

Impact HAZ-2: Hazardous Emissions or Handling of Hazardous Materials, Substances, or Waste within 0.25 Mile of an Existing or Proposed School—Less than Significant ~~with Mitigation~~

There are no existing or proposed schools located within 0.25 mile of the proposed Project. ~~However, t~~The alternate land use option for the Children's Hospital site could include construction and operation of a ~~preschool and~~ daycare, meeting rooms and classrooms, exterior children's playground areas, and playfields associated with the church campus. The location of the proposed ~~school~~ daycare is more than 0.25 mile from the proposed gasoline station site, and gasoline deliveries would occur via El Charro Road, away from the proposed church campus. Therefore, impacts on the ~~preschool and~~ daycare caused by construction and operation of the gasoline station would be less-than-significant.

The church campus land use option may be constructed prior to the completion of all construction in the Project Area. In that instance, there would be the potential for hazardous emissions or handling of hazardous materials within a 0.25-mile radius of the ~~school~~ daycare site during the construction of nearby parcels. However, the risk posed by construction activity would be considered less-than-significant because of the relatively small amounts of construction-related hazardous materials that would be used, the application of federal and state laws regulating response to hazardous spills (49 CFR 171.15; 49 USC 5101), ~~Mitigation Measure HAZ-1,~~ and the requirement that the construction contractor would handle all hazardous materials in accordance with applicable regulations to minimize the potential for exposure. No mitigation is required. ~~With the implementation of Mitigation Measure HAZ-1, this impact is considered less than significant.~~

~~Mitigation Measure HAZ-1: Prepare and Implement a Hazardous Materials Spill Prevention Control and Countermeasure Plan during Construction~~

~~The full text of this measure is included above.~~

Impact HAZ-3: Location on a Site that Is Listed as Hazardous by the California Environmental Protection Agency or Other Government Agencies and, as a Result, Would Create a Significant Hazard to the Public or the Environment—Less than Significant with Mitigation

Construction of the Project on sites listed as hazardous by government agencies could expose employees and the public to hazardous materials. As noted in the setting of this section, there are several sites in and around the project alignment that are listed as hazardous in government databases. Various organic substances, metals, petroleum products, and other chemicals may be present in

the soil at these sites. Therefore, soil disturbance from excavation, grading, and trenching activities in these areas could expose construction workers and the public to contaminated dust or soil gases. This impact is considered significant but can be reduced to a less-than-significant level by implementing Mitigation Measures HAZ-3a and HAZ-3b.

The alternate land use option for the Children's Hospital parcel could include the construction and operation of a ~~preschool and~~ daycare, meeting rooms and classrooms, exterior children's playground areas, and playfields associated with the church campus. California Education Code 17213 regulates the siting of schools and requires that hazardous substance release sites be remediated prior to construction. Complying with this regulation results in impacts on this land use option being less than significant.

Chapter 3, Section 3.8, Hydrology and Water Quality

Pages 3.8-2 and 3.8-3 are revised as follows:

The Arroyo Mocho, which runs south of the Project Area, is part of the Alameda Creek upper watershed and is a major drainage feature through the Livermore Valley. Starting in Santa Clara County and flowing generally in a northwesterly direction, it drains approximately 36,000 acres. Considering the Mediterranean climatic regime with long periods of summer drought and winter storms, the Arroyo Mocho's flow is variable. During the summer months, the base flows in this channel are generally low, and dependent upon releases from Zone 7's South Bay Aqueduct turnouts for the purpose of ~~directing water to the chain of lakes for the purpose of~~ recharging the groundwater table with relatively low TDS water. At times during the summer, it runs dry. As it moves through the Livermore Valley, it becomes increasingly channelized, leveed, and surfaced with rock riprap and concrete. Through the city of Livermore, it has been artificially aligned with Stanley Boulevard and El Charro Road. In closer proximity to the Project Area, the leveed channel bifurcates the Chain of Lakes system, with the majority of the lakes, or quarry pits, to the south.

The Arroyo Las Positas, which runs through the Project Area, is a major drainage feature through the Livermore Valley. It drains approximately 51,000 acres and receives summer flow inputs from irrigation, urban flows, and agricultural uses in the watershed. As a result of this input, the Arroyo Las Positas has perennial flow. The creek originates in the Altamont Hills and continues in a westerly direction through the Springtown Alkali sink, the Spingtown Golf Course, residential development, farmland, and at times is enclosed in flood control channels. Crossing south of I-580 east of North Livermore Avenue, the creek becomes channelized in an engineered earth channel with accumulated sediment constricting peak flows. As the creek crosses Airway Road and enters Las Positas Golf Course, peak flows are constrained due to sedimentation and vegetation as it enters the Project Area. Moving through the Project Area, the

stream supports a well-developed and mature willow riparian habitat as it runs through the golf course, over a fish ladder, and to its confluence with the Arroyo Mocho. Throughout this constrained reach of the creek flood flows greater than a 10-year frequency flow over the banks to the adjacent land. The 100-year flows overtopping to the north flow across El Charro Road, north across I-580 and eventually flow into the Line G-3 ~~G3-1~~ flood control channel and into Arroyo Mocho ~~back into Arroyo Las Positas~~. The flows overtopping to the south pond to the low-lying land east of El Charro Road, north of the quarries and south of Arroyo Las Positas eventually flow back into the Arroyo Las Positas. Immediately upstream of the confluence with Arroyo Mocho, a small portion (approximately 1,200 feet) of the Arroyo Las Positas at the western end of the Project Area was realigned in an effort to improve flood conveyance through the project site and the site just west of El Charro Road Below this point, flows from the Zone 7 Line G-3 ~~G3-1~~ Flood Control Channel enter Arroyo Mocho ~~this creek~~ and then flow to the Arroyo De La Laguna which in turn flows into Alameda Creek. Alameda Creek eventually enters the San Francisco Bay.

Page 3.8-5 is revised as follows:

Zone 7 has actively used the Livermore Valley groundwater basin as a supply of drinking water since 1974. Zone 7 currently operates ~~210 wells annually~~7 production wells. Zone 7's ~~prepares a~~Well Master Plan was adopted in 2004~~, which identifies the construction of additional water wells in the Chain of Lakes area~~. The Well Master Plan proposes to increase its well production capacity by up to 42 mgd through the installation of 8 to 15 new production wells, a few of which may be located within the Chain of Lakes area, in order to meet water reliability goals. While most of the new wells are proposed south of the project area, there may be a need to place some within the project area. The California Water Service Company also operates wells within the city of Livermore; however, all of them are outside the Project Area. According to Zone 7 monitoring reports, the groundwater budget is essentially in balance with a slight net deficit (790 af). Approximately 10,000 af are extracted for domestic water supply; 190 af, for agricultural uses; and 12,600 af, for gravel mining operations. Natural and artificial recharge from rainfall, releases from the South Bay Aqueduct or Lake Del Valle (which is approximately 8 miles southeast of the project area), and gravel mining recharge to the Arroyo Mocho and the Arroyo Del Valle (which drains from Lake Del Valle, travels in a northwesterly fashion, passes south of the project area, eventually joining with the Arroyo Mocho upstream of Bernal) account for approximately 22,000 af per year. The Amador subbasin well production ranges from 42 to 2,820 gallons per minute (gpm) and specific capacities of 1.1 to 217 gpm per foot of drawdown (ESA 2006).

Page 3.8-12 is revised as follows:

Beneficial Uses

The SFBRWQCB's Basin Plan identifies the beneficial uses of the San Francisco Bay basin. Alameda Creek's existing beneficial uses, as designated in the

SFBRWQCB's Basin Plan (SFBRWQCB 2004), include agricultural supply, cold freshwater habitat, groundwater recharge, fish migration, water contact recreation, noncontact water recreation, fish spawning, warm freshwater habitat, and wildlife habitat. ~~Although portions of the Alameda Creek watershed contain existing beneficial uses, none have been designated in the Basin Plan for the~~ These beneficial uses also apply to the Alameda Creek tributaries including Arroyo Mocho, Cottonwood Creek, and the Arroyo Las Positas. Beneficial uses of the lower San Francisco Bay that may be protected against water quality degradation include ocean, commercial, and sport fishing; estuarine habitat; fish migration; preservation of rare and endangered species; water contact recreation; noncontact water recreation; shellfish harvesting; and wildlife habitat. The most sensitive beneficial uses from the standpoint of water quality management are cold freshwater habitat; estuarine habitat; water contact recreation; and uses associated with maintaining resident and anadromous fisheries. A detailed discussion of beneficial uses and water quality objectives can be found in the Basin Plan.

The title at the top of page 3.8-15 is revised as follows:

Local Regulations and Plans

The fourth paragraph of page 3.8-15 is revised as follows:

One of the main goals of the flood control plan is to maintain or reduce flows into the Arroyo De La Laguna so that flood flows will not exceed the creek capacity at Bernal Avenue in Pleasanton, which is downstream of the project area over 4 miles to the southwest. Downstream of Bernal Avenue, the channel is natural and does not have a 100-year capacity, thereby making it sensitive to increased erosion and flooding (Schaaf & Wheeler 2006). ~~Proposed study alternatives of the SMMP involve three plans and modifications relevant to the Arroyo Las Positas and the Project Area: (1) land acquisition and recreational trail networks north of I-580 in the Cottonwood, Collier, and Cayetano watersheds; (2) the increase of reach capacity and trapping sediment loads in the Arroyo Las Positas from Isabel Avenue to the west through the Las Positas Golf Course; and (3) the diversion of flows from the Arroyo Las Positas to the Chain of Lakes for detention storage.~~ Within the project area and adjacent areas, the SMMP includes potential widening of Arroyo Las Positas, sediment removal, and conveyance of floodwaters from Arroyo Las Positas to the Chain of Lakes to limit flows downstream on the Arroyo de la Laguna. The plan identifies the Chain of Lakes for flood water storage since they can contain the 5,000 cfs of flood flows needed to relieve the downstream creek reaches and provide additional capacity in the event of back-to-back storms.

The following text is inserted prior to "Impact Analysis" on page 3.8-18:

Master Water Recycling Permit Order No. 93-159

Zone 7, DSRSD and the City of Livermore's interests in water recycling have increased over the years due to droughts, continuing scarcity of new water

supplies, institutional barriers to increasing wastewater export capacity from the Valley, and increasing public acceptance of water recycling throughout California.

The Valley water and wastewater agencies jointly sponsored the "Livermore-Amador Valley Water Recycling Study" (May 1992) that includes a comprehensive investigation of water recycling options. The study documented the Valley's hydrogeology. It also identified and analyzed potential projects throughout the Valley, including irrigation with non-demineralized effluent, groundwater recharge with demineralized effluent, and export of brine. The report included a discussion of how water recycling could be implemented in conformance with Water Board requirements and Zone 7 policies and still manage salt loading on a Valley-wide scale.

In 1992, Zone 7, the City of Livermore, and DSRSD jointly applied for a Master Water Reuse Permit (Master Permit) to cover proposed water recycling activities throughout the Valley. The Water Board issued the Master Permit in 1993 (Order No. 93-159). The permit specifies the various technical reports that were required to be submitted for review and approval by the Executive Officer before projects could commence operation. In this manner, the Master Permit fully addresses the regulatory requirements that projects must comply with, while facilitating the approval process.

The permit required the development of a Valley-wide Salt Management Plan (SMP). The effort to collect in-house data for the study began in 1994, and continued through 1999. It was developed in partnership by Zone 7 staff and consultants, a technical advisory group of local water retailers, and a Zone 7 citizens committee called the Groundwater Management Advisory Committee. The purpose of the SMP is to identify and document the long-term strategy for managing salt and mineral water quality in the Valley's groundwater basin. The primary strategy is to increase conjunctive use combined with groundwater demineralization in the western portion of the service area to fully offset current and future sources of salt loading to the Valley's Main Basin. This strategy was designed to also maintain and improve delivered water quality and to facilitate increased use of recycled water using Zone 7 facilities to offset the associated increase in salt loading. Other strategies were identified and may be implemented through Zone 7's monthly Water Operations Plans using an adaptive management process.

Most recently, the Salt Management Plan was published in May 2004 (EOA, Inc; May 2004; Salt Management Plan Report; prepared for Alameda County Flood Control and Water Conservation District, Zone 7 Water Agency).

Page 3.8-18 is further revised as follows:

Thresholds of Significance

Based on Appendix G of the State CEQA Guidelines and professional judgment, the proposed Project would result in a significant impact on hydrology or water quality if it would:

- violate any water quality standards or waste discharge standards set by the RWQCB, ~~Zone 7~~ or City standards, or otherwise substantially degrade surface or groundwater quality;

Page 3.8-21 is revised as follows:

Mitigation Measure WQ-1b: Construct the Proposed Water Quality Swales and Hydrograph Modification Management Plan Detention Basins Prior to Use of Developed Sites

In consideration of the buildout scenario, the addition of the water quality swales and basins north of Arroyo Las Positas south of the densest area of development will help to decrease the likelihood of poor quality surface runoff from reaching the Arroyo Las Positas. The swales and basins will be constructed, and the vegetation established, before the occupancy of upland development so that the water quality swales can effectively trap sediments and uptake nutrients and the HMP basins can detain runoff in such as way that they can match the pre-project runoff conditions. In compliance with the C.3. provisions in the NPDES permit all water quality control devices including detention basins and HMP basins must be maintained and inspected with the inspection reports provided to the RWCQB. To ensure maintenance is enforced owners must enter into a maintenance agreement with the enforcing agency. All treatment devices within private ownership will enter into a maintenance agreement with the City and all treatment devices within public ownership will be maintained by the City through a landscape maintenance district or other mechanism to ensure maintenance. Operation and maintenance plans will be required for all treatment or detention devices that require mechanical maintenance and operation. These plans will be reviewed by the City and all impacted agencies prior to construction.

Impact WQ-2: Increase in Surface Runoff and Associated Water Quality Impacts on Local Waterways—Less than Significant with Mitigation

The existing condition of the Project Area is predominantly agricultural and open space. The proposed Project, when fully built, would result in new impervious surfaces, which would result in an incremental reduction in the amount of natural soil surface available for infiltration of rainfall and runoff, potentially generating additional runoff during storm events. Additional runoff could contribute to the flood potential of natural stream channels, accelerate soil erosion and stream

channel scour, and provide an efficient means of transport for pollutants to enter waterways. Project features that detain water, such as the proposed swales and HMP basins north of the north overbank flood bypass channel and the detention basin south of the Arroyo Las Positas would assist with reducing rates of runoff and detail flood flows. Through the net removal of ~~98,000~~ 130,000 cubic yards of soil, the detention basin south of Arroyo Las Positas would be graded to increase water storage volume. The maximum storage elevation in the south storage area is modeled as 359.37 feet (NGVD) during a 100-year event with a levee failure on the Arroyo Mocho. The volume at this elevation is approximately 351 acre-feet based on site topography. An additional ~~11,500~~ 70,000 cubic yards of soil would be excavated just north of Arroyo Las Positas to form the north flood bypass channel. This channel would be designed to capture the flood flow that leaves the north bank of the Arroyo Las Positas that would otherwise flow through the major areas of future buildout. Schaaf & Wheeler (2006) found that the Project with the proposed flood control improvements would not increase the peak flow at Bernal Avenue in Pleasanton for either the worst case of a 100-year flooding event with levee failure on the Arroyo Mocho or the more typical 15-year flooding event. Thus, operation of the proposed Project would not generate an increase in runoff flows such that it would result in significant flooding or soil erosion impacts. Any potential increase in surface runoff as a result of the Project that could potentially result in an increased transport of pollutants to waterways would be treated on-site (within development areas) and in the swales and basins (within the Specific Plan area outside of development areas) and detained according to the requirements of the stormwater NPDES permit, section C.3.

Page 3.8-27 is revised as follows:

Impact WQ-6: Degradation of Surface and Groundwater Quality from Trenching or Excavation below the Water Table and within the Wetted Area of the Arroyo Las Positas—Less than Significant with Mitigation

The bridge foundations, commercial buildings, and utilities would require soil excavation ~~at least~~ up to 8 to 10 feet deep for the construction of foundations and pilings, building basements, sewer pump station forebay and deep utility installation and relocation which could come in contact with the groundwater where ~~while~~ the groundwater table can be found within 10 feet below the surface ~~in some areas~~. Furthermore, water is likely to be encountered by the implementation of the specific components of the proposed Project, such as the north overbank flow-through, the selection and construction of an east-west roadway alignment option, and the detention basin. Construction of the proposed Project most likely will encounter groundwater and require dewatering in areas where the groundwater table intercepts the areas of excavation. If excavation were to reach a depth that exposed the water table, an immediate and direct path to the groundwater basin would become available for contaminants to enter the system. Primary construction-related contaminants that could reach groundwater would include sediment; oil and grease; and construction-related hazardous materials from excavation, shoring, and construction staging areas. Because a

surface water discharge could occur if it was infeasible to contain the dewatering effluent on site or discharge it to the sanitary sewer system, the potential impact would be significant. The implementation of the following mitigation measure, however, reduces this impact to a less-than-significant level as on-site containment or coverage under the appropriate NPDES permit would ensure that dewatering activities would not violate any water quality standards or waste discharge requirements, cause accelerated erosion or siltation, or otherwise substantially degrade water quality.

Page 3.8-29 is revised as follows:

Impact WQ-8: Flood Hazard Impacts that Would Impede or Redirect Floodflows—Less than Significant with Mitigation Portions of the Specific Plan Area are in the 100-year floodplain of the Arroyo Las Positas and the Arroyo Mocho

The proposed Project's development in the floodplain could have an impact on local and regional hydrology during a flood event unless it is designed to pass flood flows. The proposed Project includes a number of elements that would allow flood flows to pass unimpeded and detail flows until they can be safely released downstream. These features would ensure that public infrastructure would not create an increase in peak flows at Bernal Avenue in Pleasanton, and in some cases they would minimally reduce it (Schaaf & Wheeler 2006). These elements include the construction of mass fill and associated minor drainage channels on the northern side of the floodplain at the confluence with Cottonwood Creek (on the Children's Hospital property), the north overbank flow-through channel, and the graded detention storage area in the southwest of the project area and its associated net ~~98,000~~ 130,000 cubic yards of excavation. The detention basin would increase the natural storage basin area south of the Arroyo Las Positas by 10% to 20%. Many of these features would include new grading and excavation that would change the flow dynamics on and around the site. All new roadways, including the options for the new east-west roadway extension, would include free-span bridges across the Arroyo Las Positas or Cottonwood Creek and would be designed to be above the 100-year flood level. The Project would include the design of roadways with culverts under them that would not increase upstream flooding by more than 0.05 feet.

Page 3.8-31 is revised as follows:

Impact WQ-10: Potential Modification to Flows in the Arroyo Las Positas and Cottonwood Creek Could Result in Geomorphological Alterations to Channel Form and Habitat—Less than Significant with Mitigation

Construction of development, diversion of flows, and creation of impervious surfaces could result in increase in peak flows within Arroyo Las Positas and Cottonwood Creek that could result in changes in channel geomorphology that

could result in increased erosion, scour, loss of riparian vegetation, and alteration of species habitat.

Channel capacity will not be reduced due to the use of setbacks and free span bridges (with the exception of Airway 4-lane widening described above). Overbank flows north of Arroyo Las Positas would be routed in the north diversion channel and then ultimately discharged to the engineered channel below the fish ladder. Overbank flows south of Arroyo Las Positas would flow westward and be detained in the floodplain and the new detention basin and then discharge at the same location as the north channel. While flow velocities would increase slightly between El Charro Road and the confluence with Line G-3 ~~channel G3-1~~, this reach has capacity to handle the flow and due to its form is resistant to channel change, while lacking any substantial riparian vegetation except in the low flow channel. Below Line G-3 ~~G3-1~~, flows and velocities would not increase above existing conditions.

Page 3.8-32 is revised as follows:

Impact WQ-11: Potential Incompatibility with Regional Flood Control Improvement through the Zone 7 Stream Management Master Plan—Less than Significant with Mitigation

The SMMP identifies several potential projects within the El Charro Specific Plan area. Potential projects include: 1)implementing two channel bypass systems from both Arroyo Las Positas and Arroyo Mocho, allowing Zone 7 to divert storm waters into the Chain of Lakes for detention until peak flows downstream have subsided, 2) widening of the Arroyo Las Positas through the Livermore Golf Course and down to the Arroyo Las Positas fish passageway, and 3) constructing sedimentation basins within the golf course and removal of sediment in the Arroyo Las Positas between Kittyhawk Road and Airway Boulevard.~~To increase flood control capacity, Zone 7 is also considering the desilting of the Arroyo Las Positas upstream of the golf course and the widening of the Arroyo within the golf course reach. The Specific Plan Area also contains portions of the area conceptually planned by Zone 7 for a future flood control bypass facility that would convey stormwater runoff from the Arroyo Las Positas to Cope Lake for detention during storm events. Cope Lake is located on an active quarry operation, which precludes its use until the quarrying lease has ended and a bypass system is in place to allow water to flow to the lake.~~

Implementation of the proposed Project overall provides a reasonable opportunity for the desilting, widening, and bypass facilities in order for regional flood control to be feasible but several specific project features could create impediments to future SMMP implementation. The north overbank channel and south detention basin together provide for the ultimate SMMP conveyance needed downstream of the proposed SMMP diversion structure. ~~the~~ Conveyance upstream of this point will remain under 100-year ultimate capacity until floodwaters can be diverted to Cope Lake. The setbacks proposed provide a reasonable opportunity to widen or construct a bypass channel in the future with flexibility on the south side of the creek to potentially widen further, if required,

on city owned land as long as improvements can be designed to be compatible with the existing City golf course and Airport.

The Project would include no substantial impediments to the desilting of the Arroyo Las Positas upstream of the golf course due to Airway Boulevard widening because the creek will still be accessible for desilting activity. However, the expansion of the Airway Boulevard crossing of Arroyo Las Positas would introduce additional siltation potential due to lengthening the existing culverts along the creek, and this is a potentially significant impact on regional flood control.

Page 3.8-33 is revised as follows:

Mitigation Measure WQ-11a: Maintain Culvert and Manage Increased Siltation Potential in and Immediately above the Airway Boulevard Crossing of the Arroyo Las Positas

The City will be responsible for the maintenance of the culverts under Airway Boulevard near I-580 and the removal of any increased siltation resultant from expansion of the culverts if the Airway Boulevard Extension option is implemented. Prior to construction of this option a maintenance plan would be developed and permits obtained to ensure regular maintenance. Relevant mitigation proposed in this EIR for water quality, biological resources, and other subject areas will also apply to any proposed removal of sediment in the creek.

Page 3.8-34 is revised as follows:

Impact WQ-12: Increased Use of Recycled Water May Increase Salt Loadings to the Main Groundwater Basin, Reduce Water Quality, and/or Require Additional Salt Management Facilities - Less than Significant

The City's Recycled Water Master Plan was adopted in 2004 and the Recycled Water System Service Boundary included the El Charro Specific Plan Area.

Of the total acreage of the developable sites in the El Charro Specific Plan (130 acres) approximately 14 percent will ultimately be landscaped and irrigated with recycled water. This constitutes approximately 18.2 acres of irrigated landscaping. Based upon a 151-acre Commercial Development in 2006 (2006 Annual Recycled Water Producers and Users Report) having a 49 MG/yr consumption. This proposed commercial development should have a proportional rate of consumption.

Within the Salt Management Plan Report, Chapter 11.7 outlines the method to calculate the additional salt loading from a new project. This method was used to estimate the net change in salt loading from the El Charro Specific Plan to the Main Groundwater Basin. Several recycled water use scenarios were used:

- complete buildout of the Specific Plan, resulting in 18.2 acres of irrigated landscaping (including elimination of the driving range irrigation);
- buildout of all of the Specific Plan, except the Sywest property, where the existing driving range would continue to irrigate with well water, in which case the irrigated landscaping in the rest of the Specific Plan would be approximately 15 acres.
- buildout of all of the Specific Plan, except the Sywest property, where the existing driving range would continue convert from use of well water to use of recycled water with extension of recycled water lines to the Specific Plan area.

As shown in Table 3.8-2, the highest amount of loading would be if the Sywest driving range converted to recycled water irrigation along with buildout of the rest of the Specific Plan, with lesser loadings associated with driving range continued use of well water and with conversion of the driving range to commercial uses with more limited recycled water irrigation.

Table 3.8-2: Estimates of Salt Loading Due to Increased Recycled Water Use

Project Area	Net Change in Salt Concentration[1] (mg/L)	Impact Zone Factor[2] (%)	Area of irrigation[3] (acres)	Application rate[4] (ac.ft./ac./yr.)	Net Salt Loading (tons/yr)
Existing Conditions					
a) Landscaping of Specific Plan	750	50.00%	0.0	2.9	0.0
b) Driving Range	450	33.00%	16.6	2.9	8.8
Total Salt Loading:	-		-		20.4
Scenario 1: Full Buildout of Specific Plan					
a) Landscaping of Specific Plan	750	50.00%	18.2	2.9	24.4
b) Driving Range	450	33.00%	0.0	2.9	0.0
Total Salt Loading:	-		-		24.4
Net change:	-		-		15.6
Scenario 2: Buildout of Specific Plan, Retention of Sywest Driving Range with Well Water Use					
a) Landscaping of Specific Plan	750	50.00%	15.3	2.9	20.5
b) Driving Range (No Change over baseline)	450	33.00%	16.6	2.9	8.8
Total Salt Loading:	-				29.3
Net change:	-		-		20.5
Scenario 3: Buildout of Specific Plan, Retention of Sywest Driving Range with Recycled Water Use					
a) Landscaping of Specific Plan	750	50.00%	15.3	2.9	20.5
b) Driving Range (Change from Well Water to Recycled Water)	750	33.00%	16.6	2.9	14.7
Total Salt Loading:	-		-		35.2
Net change:	-		-		26.4

Sources:

1 = Table 11.5 of Zone 7's Salt Management Plan Report, 2004.

2 = Estimated from Figure 11.2 of Zone 7's Salt Management Plan Report, 2004.

3 = a) City of Livermore and b) GIS calculation

4 = Section 1 of the 2006 Annual Recycled Water Producers and Users Report

As a result of the land use conditions of 1998, the salt loading in the Main Basin was estimated as 2,200 tons per year. As a result of the land use conditions of 2003, the salt loading was estimated as 5,000 tons per year due to the reduction of water and salt exports by quarry operators in 2003. By 2010 or sooner, Zone 7 has projected that the net salt loading rate in the Main Basin will increase to 5,400 tons per year. This projection does not include potential loadings from new agricultural irrigation projects or recycled water irrigation projects. As

described above, the policy goal for the Basin maintain a no net increase in salt loading.

The potential increase with increased recycled water irrigation use associated with the El Charro Specific Plan of up to 30 tons/year represents approximately 0.6 % of the 2003 and expected 2010 loadings.

To account for these increases, Zone 7's SMP strategies will need to handle the new salt loading. Near-term SMP strategies include implementation of policy goals, increased conjunctive use, wellhead demineralization and potential demonstration scale reverse osmosis recycled water stream recharge. Other available SMP strategies could also include seasonal groundwater export, and reverse osmosis recycled water irrigation.

Table 12.1 of the Salt Management Plan outlines the costs associated with individual salt management strategies. The net salt removal cost for 30 tons per year would range from approximately $3,240 (associated with seasonal groundwater export to creeks) to $53,280 (associated with deep wellhead demineralization).

Since Zone 7 includes the cost of salt management into the fee charged for treated water, the additional costs to treat additional salt loadings can be recovered through their normal cost recovery means. Zone 7 estimates that the incremental operational cost for treated water for salt management in 2010 (compared to 1998 base) would be about $45/AF/year, total about $2.15 million, which would represent an 8% incremental cost over the Zone 7 1998 base treated water rate ($528/AF). If the incremental salt removal costs with the El Charro Specific Plan were on the high end (e.g. $53,280), then, the incremental operational cost could rise to about $2.2 million, which would result in a 0.2 % incremental cost over the Zone 7 base treated water rate beyond that which would occur without the project.

As required by the SMP, the City will submit reporting to Zone 7 containing the monthly amount of water applied in each of the salt loading impact zone areas, the monthly average TDS of applied recycled water, the monthly complete mineral analysis and an annual map showing irrigated areas. As stated in the SMP, groundwater monitoring is not warranted for new recycled water irrigation due to the existence of current monitoring wells (including those at the adjacent airport and golf course), adopted plans for other basin monitoring wells, and groundwater modeling results.

Given this limited amount of increase, the SMP strategies will not be fundamentally altered by the addition of salt loadings from the project, physical improvements associated with SMP strategies are not likely to increase and thus this is considered a less-than-significant impact.

Chapter 3, Section 3.9, Land Use and Planning

Page 3.9-17 is revised as follows:

Church-Related Uses on the Children's Hospital Property

The Children's Hospital property is identified for PD-ECSP-RC zoning in the Specific Plan (see Figures 2-3 and 2-6 in Chapter 2, "Project Description"), which could include retail commercial uses and lifestyle services such as day or health spas, sports centers, restaurants and hotels (EDAW|AECOM 2006). However, a potential alternate use of the Children's Hospital parcel is the construction and development of a church campus. The first phase of development of this parcel could include a campus to accommodate religious services, traditional church functions such as weddings and funeral services, conferences, professional counseling, ~~preschool and~~ daycare, religious education, banquets, concerts and other related church uses. A primary auditorium; meeting rooms and classrooms; exterior children's playground areas; playfields; and parking, including overflow parking and RV storage, may be constructed as part of the full Specific Plan Area buildout. Roadway crossings of the waterways, in addition to the Airway Boulevard Extension option if it were selected, would be necessary on this parcel.

Chapter 3, Section 3.10, Mineral Resources

Page 3.10-5 and 3.10-6 are revised as follows:

Impact MIN-2: Loss of Availability of a Valuable Mineral Resource within the Alignment of the Jack London Boulevard Extension Option—Less than Significant with Mitigation

A portion of the alignment~~s~~ for the two-lane ~~interim and the four-lane ultimate design of the~~ Jack London Boulevard Extension option pass<u>es</u> through an area mapped as MRZ-2—the R&J-owned parcel~~s~~ south of the Specific Plan Area <u>designated SMP-38 in the owner's mining plan</u>. As noted previously, an application for an SMP to mine ~~these~~this and other parcels for sand and gravel was submitted to the County by R&J. Approval of this application <u>has been withdrawn</u> ~~is still pending~~. If SMP-38 is ~~and 39 are~~ mined prior to the buildout of ~~the interim or ultimate alignments of~~ the 2-lane Jack London Boulevard Extension option, then the impact regarding loss of mineral resources would be less than significant.

The ~~interim~~ <u>2-lane</u> Jack London Boulevard Extension option is proposed for an area identified for sand and gravel mining at the northeastern corner of the SMP-38 parcel, immediately west of the City-owned parcel 904-0001-007-25. As described in Chapter 2 of this EIR, if the <u>2-lane</u> Jack London Boulevard Extension option is selected, prior to the initiation of construction, the City would

propose to exchange portions of the City-owned parcel remnant south of the Jack London Boulevard Extension with the remnant of privately owned land north of the alignment to replace the loss of mineral-resource property. ~~Therefore, under the interim Jack London Boulevard Extension option, loss of mineral resources would be less than significant.~~

~~However, construction of the ultimate Jack London Boulevard Extension option could preclude mining within some portions of the SMP-38 and SMP-39 properties, causing a permanent loss of the sand and gravel resource. This impact can be avoided by constructing the Airway Boulevard Extension option. However, if the Jack London Boulevard Extension option were selected, this impact would be significant.~~

Based on current roadway designs, the area of land needed for the 2-lane extension is approximately 0.75 acres. The linear distance of the 2-lane Jack London Boulevard Extension crossing the Rhodes & Jamieson measured on the western edge is approximately 360 feet. The City has proposed a potential land swap of 0.55 acres to (partially) offset the loss of mining potential in the acquisition area. The actual area of land swap would need to be determined based on engineering designs and refined road right of way legal descriptions.

While the owner of the property (Rhodes & Jamieson) have stated in comment on the DEIR that they are "not at this time willing to enter into a land exchange," the City remains open to negotiating with the owner a potential land swap. Alternatives to a land exchange include purchase of the property, acquisition of the property through eminent domain, annexation, and fair market value compensation; or use of an alternative roadway alignment. Purchase on a "willing seller" basis or acquisition via eminent domain and construction of the two-lane would limit the ability to mine the 0.75-acre property and the potential impact of the loss of mineral resources is discussed further below.

No mining could be conducted on the approximately 0.75-acre parcel that would need to be acquired by the City for the Jack London Boulevard Extension as well as adjacent mining setbacks. While the property owner had previously applied for a permit to mine SMP-38, of which the 0.75-acre parcel is a part, this permit application has been withdrawn. Alameda County prepared a Draft EIR in 2004 for mining of SMP-38, SMP-39, and SMP-40, but has not certified the EIR, nor issued any permits that would allow mining to proceed. Further due to contractual restrictions, the site cannot be mined prior to the end of the current mining agreement without the consent of Vulcan Materials Company and this may delay or hinder near-term potential to mine the property.[1]

Given that the City plans to build the 2-lane Jack London Boulevard Extension by the end of 2008 (if the Jack London alignment is selected by the City), it is likely that this road would be built before mining commences.

1 Douglas Herring & Associates 2004. Draft Environmental Impact Report, Application for Rhodes and Jamieson Aggregate Mines, Surface Mining Permits SMP-38, SMP-39, and SMP-40. SCH #2003082034. Prepared for Alameda County Community Development Agency. November.

It is reasonable to presume that mining will be pursued at some point in the future. The 2004 Draft EIR describes Surface Mining Permit applications and Mining and Reclamation Plans that address surface mining of approximately 212 acres and the anticipated extraction of approximately 53, 354,100 tons of sand and gravel with completion by 2030. This 2004 Draft EIR is incorporated by reference into this FEIR. The SMP-38 Mining Plan shows a 50-foot setback from the northern boundary with the City's golf course and a 25-foot setback along the eastern boundary with City land south of the golf course. The SMP parcel is 112.45 acres and the 2004 EIR estimated that 31,241,700 tons of aggregate would be removed from proposed mining, or an average of 277,704 tons/acre. Mining is proposed using 1:1 (horizontal: vertical) slopes starting at the setback lines to a 150-foot depth. Reclamation slopes could be 1:1 or 2:1 based on geotechnical considerations, potential final end-use requirements of Zone 7, and/or other end-use considerations, which would include a Jack London Boulevard extension.

The volume of mineral resource that may not be mined due to land acquisition and the 2-lane extension was estimated by calculating with and without mined volumes taking into account setbacks, acquisition, mining slopes, and assumed waste and overburden. This calculation does not take into account any potential offset due to a land swap that could allow increased mining volumes in another location.

- **Loss Based on With and Without Volumetric Calculations** - Potential mining volumes with and without the 0.75-acre acquisition and 2-lane Jack London extension were estimated as follows: assumed setbacks of 50' from the northern boundary, 50' from the western edge of the road, and 25' from the eastern boundary; assumed mining slopes of 1:1; assumed overburden and waste total 20% of volume; assumed mining to 150' depth; and assumed 1.86 tons/cubic yard. The resultant estimate is that the acquisition and the 2-lane road extension could result in loss of approximately 310,000 tons of sand and gravel resources compared to the 2004 EIR mining plan.
- **Loss compared to SMP-38, SMP-39, SMP-40 volume.** A loss of up to 310,000 tons of sand and gravel resource would represent approximately 0.5% of the potential mining total of SMP-38, SMP-39, and SMP-40, which is 53,354,100 tons of sand and gravel.
- **Loss compared to Livermore-Amador Valley Sand and Gravel Resource.** According to the California Division of Mines and Geology, as of 1996, the Livermore-Amador Valley had approximately 99 millions tons of sand and gravel resources.[2] This total did not apparently include the SMP-38, SMP-39, and SMP-40, which were outside of the resource area estimated. A loss of up to 310,000 tons of sand and gravel resources would represent approximately 0.3 % of the potential sand and gravel resources estimated for the area in 1996.
- **Loss compared to South San Francisco Bay Market.** In the south San Francisco Bay Area, as of 2006 there were approximately 458 million tons of

2 California Division of Mines & Geology. 1996. Update of Mineral Land Classification: Aggregate Material in the South San Francisco Bay Production-Consumption Region. DMG Open File Report 96-03.

aggregate resources permitted.[3] The proposed mining areas of SMP-38, SMP-39, and SMP-40 are not permitted and are not included in these totals. The 50-year demand of the south San Francisco Bay area is estimated as 1,244 million tons of aggregate resources (approximately 25 million tons/year on average or 68,000 tons/day) indicating that the presently permitted resource in the region could supply 18 years of expected demand (California Geological Survey 2006). The potential loss of up to 310,000 tons of mineral resources would represent approximately 1.2% of the annual aggregate demand in the south San Francisco Bay. In other terms, this amount represents perhaps 5 days of annual aggregate demand in the region (if calculated on a 365-day basis). If no new permitted resources are brought on line, then the loss of the opportunity to mine this amount of resource would mean that the south San Francisco Bay would exhaust its local resources in 17 years and 360 days instead of 18 years. Using the numbers noted above, permitting of SMP-38, SMP-39, and SMP-40 could extend the lifetime of south San Francisco aggregate supply by over 2 years, even taking into account the potential loss of up to 310,000 tons from the project.

There are alternative aggregate resource locales in Sunol and in Tracy that are in proximity to the Tri-Valley area and connected by freeways to the market. It is possible that there might be additional construction impacts associated with additional mining of sand and gravel if conducted in those locales instead of the areas not mined due to acquisition and road extension. While these impacts would be displaced from one location to another, the character of mining impacts within the quarried areas would be similar to those in Livermore/Pleasanton.

What could be different would be the traffic and air quality impacts due to the need for trucking of material from more distant aggregate sources to local construction sites. In the 2004 EIR for the mining permits for SMP-38, 39, and 40, the traffic analysis concluded that "*The number of truck trips on I-580 can be assumed to remain essentially the same with or without approval of the proposed project, regardless of the remaining raw materials. This is because there will continue to be demand for aggregate materials in the Bay Area for construction and roadway projects.*"[4] Thus, for I-580 in Livermore and Pleasanton, no additional traffic impacts are identified.

It is possible that there could be other traffic impacts in roadways closer to the Sunol or Tracy quarries. It is important to remember the scale of traffic involved. The Rhodes & Jamieson proposed mining plan is based on a 5 to 6 year time frame to mine 31,241,700 tons from SMP-38. Using a 5-year time frame to determine the average daily truck totals associated with potentially displacing truck trips to Sunol or Tracy due to loss of up to 310,000 tons of resource due to land acquisition and 2-lane road extension, one gets an average of 160 tons per day (for 5 years with 365 days/year). Assuming hauling is done with a mix of 15-ton and 25-ton trucks (as assumed in the 2004 mining EIR) averaging 22.5 tons/truck, this would correspond to 8 trucks/day on average. Peak activity for aggregate occurs during summer and early fall construction months, so even

3 California Geological Survey. 2006. MAP SHEET 52: AGGREGATE AVAILABILITY IN CALIFORNIA. Prepared by Susan Kohler.

4 Douglas Herring & Associates 2004.

factoring a 100 to 150% increase from the average for busy seasons/days, the total additional peak traffic would correspond to 16 to 20 trucks/day. This minor amount of daily traffic is not considered to result in substantially more severe traffic impacts than those disclosed with the DEIR, which included existing quarry traffic in the 2008 analysis and future quarry traffic in the 2030 analysis.

However, the number of vehicle miles traveled and the associated air emissions could increase due to the greater distance from Tracy or Sunol to Tri-Valley construction sites. Emissions of oxides of nitrogen (NO_x) from the cumulative development including the proposed project significant and unavoidable. The addition of up to 16 to 20 trucks daily during peak periods traveling from Sunol or Tracy to Tri-Valley construction sites would increase this impact, but would not result in substantially more severe emissions than disclosed in the DEIR. Operational emissions of carbon monoxide, reactive organic gases, and inhalable particulate matter 10 microns or greater in diameter (PM10) were found to be less than significant for the proposed project, and the minor increase in trucking is not expected to change the level of significance of these air quality impacts.

The proposed City land for the land swap is immediately adjacent to SMP-38 and in all likelihood contains sand and gravel resources equivalent to the Rhodes & Jamieson parcel the City would be seeking to acquire, but is outside of the mineral resource designated land. Thus, if the property owner accepted the land swap, there would be a smaller loss of mineral resources and a smaller loss of potential mining income. If the property owner refused the land swap, then the loss of mineral resources, as described above, would occur. The value of the loss would depend on the actual fractions of sand and gravel and the costs to mine including labor, equipment, materials, permitting, marketing and other normal business costs necessary to actually market the material. Thus the actual loss to the owner of the property would not be based on gross value of resources *in situ*, but rather the loss of net profit that could otherwise be realized if mining were to proceed.

Given that the amount of potential mineral loss is limited, is a small fraction of the mineral resource potential of the Rhodes & Jamieson properties, a smaller fraction of the Livermore-Amador area resources, and an even smaller fraction of the south San Francisco potential mineral resources, and there are nearby aggregate resources to the Tri-Valley market, if the property owner decides to refuse a land swap, the loss of these resources, the mining of resources in alternative locations and the potential traffic and air emissions due to potential trucking from alternative sources are considered less than significant environmental impacts, primarily due to the limited amount of resources affected. If the property owner accepts the land swap, which is a feasible mitigation, then the loss of resources would be smaller than without a land swap and thus the secondary impacts to the environment would be further reduced.

The impact of this option can be reduced to a less-than-significant level with the implementation of the following measure~~s~~.

~~**Mitigation Measure MIN-2a: Delay the Construction of a Four-Lane Extension of Jack London Boulevard**~~

~~The City will delay the construction of the four-lane widening and relocation of the Jack London Boulevard Extension until cumulative traffic demand warrants its implementation. After construction of the two-lane roadway extension, the City will monitor the traffic LOS to identify the need for the widening to four lanes. This delay will allow for mining operations to occur within the mineral resource areas located within the proposed alignment area in the interim period.~~

~~**Mitigation Measure MIN-2b: Accommodate Quarry Operations at the Northeast Portion of the SMP-38 Area**~~

~~If the City determines, through traffic LOS studies, that the widening of Jack London Boulevard from two to four lanes is needed prior to mining operation occurring or being completed within the four-lane alignment corridor, the City will accommodate mining on the northeastern portion of the SMP-38 mining area by providing for a quarry truck underpass or other suitable means of access to the site without disrupting traffic on Jack London Boulevard.~~

Mitigation Measure MIN-2~~c~~: Compensate Property Owner for Loss of Mineral Resources ~~under Roadway Footprint~~

If mining within the alignment of the ~~four-lane widened roadway~~ two-lane Jack London Boulevard Extension has not occurred prior to ~~the need to widen the roadway, the City then will negotiate for compensation of the loss of that resource area~~ construction, the City shall offer to swap City-owned land to reduce the loss of mineral resources due to acquisition of property owned by Rhodes & Jamieson to support the road extension. If the land swap does not occur, the City then will compensate for the loss of mineral resources associated with property acquisition and roadway construction at fair market value.

Chapter 3, Section 3.13, Public Services and Utilities

Page 3.13-18 is revised as follows:

Impact PSU-1: Increased Demand for Fire Protection Services—Less than Significant

Project implementation would increase demand on the City of Livermore for fire protection services to serve the proposed Project.

The Livermore-Pleasanton Fire Department requires the first fire engine to arrive within 7 minutes of a call. Station 3 ~~10, one of the newest stations in Livermore,~~ is currently the closest station to the Specific Plan Area. It is unlikely that the proposed Project will prevent fire services from providing current levels of

service to Livermore and Pleasanton residents. In addition, all roads within the Specific Plan Area will provide adequate travel space for fire protection and other emergency vehicles. Typically, the narrowest permitted fire lane is 20 feet wide (16 feet paved with 2-foot shoulders on each side) (EDAW|AECOM 2006).

Chapter 3, Section 3.15, Transportation/Traffic

Page 3.15-3 is revised as follows:

Fallon Road

Fallon Road is a two-lane, north-south roadway in Dublin from I-580 north. As part of an approved project, at the interchange of I-580 the freeway ramps will be signalized and reconfigured to include partial loops. The roadway will be widened across the interchange to Anto~~i~~ne Way to a four-lane divided arterial by 2008, and it will be widened to six lanes by 2030. A four lane extension to ~~and extended to~~ Tassajara Road will also be completed by 2030.

Page 3.15-11 is revised as follows:

Future Baseline (2008) Traffic Conditions

This section describes traffic volumes and intersection LOS for freeways and local roadways within the study area under the baseline (2008) conditions project scenario. As described above, the 2008 term was selected as the baseline for impacts because either Prime Outlets Livermore Valley or the entire proposed Project would be complete by 2008, and other road system improvements that will be in place by 2008, described below, would not be taken into account using existing (2006) conditions as the baseline. The following approved and funded roadway improvements are scheduled to be completed before 2009 and therefore were assumed to be implemented under the future baseline (2008) project scenario:

- Dublin Boulevard extension (six lanes) from Keegan Street to Fallon Road: this improvement has been approved by the City of Dublin and will be implemented concurrent with the Phase 1 El Charro Road/Fallon Road/I-580 interchange improvements;
- Central Parkway extension (~~four~~ two lanes) from Keegan Street to Fallon Road: this improvement has been approved by the City of Dublin and has been completed, but has not yet been opened;
- I-580 auxiliary lanes from Santa Rita Road to Airway Boulevard—both directions: the eastbound lane from Santa Rita to El Charro are complete, the eastbound lane from El Charro To Airway are expected to start construction in 2007, and the westbound lanes will be design and constructed subsequently;

- I-580 ramp metering in both directions at all onramps between Greenville and Hopyard Roads: this improvement is in construction, and scheduled to be complete in 2007;
- Fallon Road–El Charro Road at the I-580 interchange—installation of partial loop ramps, signalization of ramp intersections, and widening of the overpass (from two lanes to four lanes): these improvements are fully funded by developers in Dublin and are scheduled for completion in 2008;
- East Vallecitos Road at Isabel Avenue intersection: this improvement has been completed;
- Murrieta Boulevard at East Jack London Boulevard–Pine Street signal phasing modification: this improvement was adopted as mitigation for the Oaks Business Park development; and
- Fallon Road widening (from two to four lanes) from I-580 to ~~Antoine Way~~ Bent Tree Drive: this improvement has been completed and is expected to be operational in 2008.
- ~~Dublin Boulevard extension (two lanes) from Fallon Road east to Dublin city limits; and~~
- ~~Central Parkway extension (two lanes) from Fallon Road to Croak Road.~~

The first bullet on page 3.15-12 is revised as follows:

- Westbound I-580 – Airway Boulevard to El Charro Road in the ~~p.m~~ a.m. peak hour.

Page 3.15-12 is also revised as follows:

Existing (2006) Truck Traffic Conditions

Some cities establish truck routes that are designated for through traffic. Trucks are directed to travel on certain roadways unless the roadway is a direct connection from the truck route to the truck's origin or destination. Livermore's adopted truck routes are Stanley Boulevard west of Isabel Avenue and all of SR 84. ~~The City of Pleasanton requires all gravel trucks to use the El Charro Road route as the sole access to I-580, as stated under Chapter III, Policy 4, Program 4.3 in the City of Pleasanton's 1996 general plan (City of Pleasanton 1996).~~ By a court-approved agreement, all quarry traffic to/from quarries outside Pleasanton City limits are not to use Pleasanton City streets but must use the "Isabel Route" (Stanley Boulevard/Isabel/Kitty Hawk/Airway). Trucks carrying concrete whose origins or destinations are in Pleasanton are required to use the "El Charro Route" as their access to I-580.

Page 3.15-22 is revised as follows:

Full Specific Plan Area buildout consists of approximately 1.5 million square feet of commercial usage, including the Prime Outlets Livermore Valley retail project. The additional development would consist of an expanded retail development and freeway commercial uses as anticipated by the Specific Plan. As a land use option, a church campus consisting of a 3,000-seat assembly, with a ~~preschool and~~ day care, in approximately 140,000 square feet in several building structures is considered for the Children's Hospital property instead of BCP use. Development would expand to include properties fronting on the eastern portion of Freisman Road and to the property at the southeastern corner of the future intersection of El Charro Road and Jack London/Airway Boulevard.

Page 3.15-23, third and fourth bullets are revised as follows:

- The construction of Road C, a new north-south cul-de-sac south of Jack London/Airway Boulevard near the westerly edge of the airport property west of Road A. ~~Left-turn access from Jack London/Airway Boulevard to Road C would be allowed, but left-turn access from Road C to Jack London/Airway Boulevard would be prevented by a raised median~~. Road C would align with the access point to the Prime Outlets site on Jack London Boulevard. A traffic signal would be installed. Full access to and from Road C would be allowed, but only right turns into and out of the access point to Prime Outlets at this location would be allowed.
- The construction of Road C, a new north-south cul-de-sac south of Jack London/Airway Boulevard near the westerly edge of the airport property west of Road A. ~~Left-turn access from Jack London/Airway Boulevard to Road C would be allowed, but left-turn access from Road C to Jack London/Airway Boulevard would be prevented by a raised median.~~ Road C would align with the access point to the Prime Outlets site on Jack London Boulevard. A traffic signal would be installed. Full access to and from Road C would be allowed, but only right turns into and out of the access point to Prime Outlets would be allowed at this location.

Page 3.15-24 is revised as follows:

Site Circulation Assumptions

Access to Prime Outlets Livermore Valley would be provided from three main entrances on Road A between Freisman Road and the extension of Jack London/Airway Boulevard. A fourth right-in/out access is proposed off Jack London/Airway Boulevard.

The full project buildout would include access to the 12-acre Johnson-Himsl property from Road C ~~and a right-out-only access point on El Charro Road south of the Jack London/Airway Boulevard Extension~~. Access to the other privately owned properties would be from Road A, Road B, or Freisman Road. Airway

Boulevard, if selected, would provide direct access to the properties at the east end of the Specific Plan Area.

Page 3.15-32 is revised as follows:

b. Congestion Management Agency Requirements

According to the Alameda County CMP, the LOS standard for MTS roadways, which include the CMP roadway network, is LOS E~~, except for those locations at LOF F in 1991~~. Significant traffic impacts on MTS roadways in the study area are identified if the El Charro Specific Plan causes:

- the operations on MTS roadways to deteriorate from LOS E or better to LOS F, or
- an increased v/c ratio on an MTS roadway already operating at LOS F by more than 3%.

Page 3.15-35 is revised as follows:

Mitigation Measure TRA-2a: Implement Traffic Operations Improvements at the Intersection of Murrieta Boulevard at East Jack London Boulevard and Pine Street

To minimize traffic impacts, the City will add a second eastbound right-turn lane to provide dual right-turn lanes at the intersection of Murrieta Boulevard at East Jack London Boulevard and Pine Street. This could be accomplished by re-striping the bike lanes and removing the existing median. This measure would improve operations to LOS D with average delays of 50 seconds during the a.m. peak hour and 42 seconds during the p.m. peak hour.

Specific Plan Area participants who receive benefits from the Specific Plan will ~~participate in a land-secured financing mechanism, such as an assessment district, in order to~~ pay their share of costs of this improvement <u>to the City</u> in proportion to the benefits received.

Page 3.15-36 is revised as follows:

Mitigation Measure TRA-2b: Implement Traffic Operations Improvements at the Intersection of El Charro Road and I-580 Eastbound Ramps

To minimize traffic impacts, a second eastbound right-turn lane will be added at the intersection of El Charro Road and I-580 eastbound ramps. This improvement would reduce the delays at the ramp intersection, resulting in LOS C with 26-second and 32-second delays during the a.m. and p.m. peak hours, respectively.

This project is included as part of the I-580/El Charro Road interchange improvements included in the City's TIF program. Developments within the El Charro Specific Plan Area shall contribute their fair share cost of these improvements by paying Livermore TIFs.

If the Staples Ranch development is approved, the City will negotiate the participation of the City of Pleasanton and/or Alameda County and/or Staples Ranch participants in funding this improvement, because of their impact on this same freeway ramp and the benefits accruing to new development from this improvement.

Mitigation Measure TRA-2b will be needed after development of the first 550,000 square feet of retail uses in the El Charro Specific Plan. The improvements will be funded by City of Livermore traffic impact fees or developer contributions. This project would be completed by the City of Livermore through a Caltrans encroachment permit process. If the timing is right, the project could be completed through a change order to the Phase 1 I-580/El Charro Road-Fallon Road Interchange project. The City of Livermore will work with Caltrans and the cities of Dublin and Pleasanton to coordinate these improvements with the Phase 1 I-580/El Charro Road-Fallon Road Interchange project.

Page 3.15-38 is revised as follows:

Impact TRA-3: The Addition of Project-Generated Traffic from the Church Campus Use Option—Less than Significant with Mitigation
A traffic impact analysis of the church campus land use option showed no additional impacts than those identified above for retail uses within the El Charro Specific Plan.

The El Charro Specific Plan allows public, quasi-public and institutional uses with a conditional use permit. One property owner has expressed an interest in developing a church campus, which would consist of up to 160,000 square feet of gross floor area in several buildings with the following components: a 3,000-seat assembly room; a secondary chapel; a gymnasium; a children's day care; ~~a preschool;~~ a counseling center; a maintenance building; a caretaker's residence; and various outdoor uses such as play areas, sports fields, parking, RV storage; and an outdoor amphitheater.

A church project typically would have two Sunday morning services and a Wednesday evening service. The Wednesday evening service would draw about half the patronage of each Sunday service. Counseling and ministry-related events and meetings may occur every day. Administration and maintenance functions typically would be done during normal weekday working hours. In addition, day care ~~and preschool~~ services may be offered for up to 48 students each during the weekdays.

Pages 3.15-42 and 3.15-43 under Impact TRA-5 are revised as follows:

The proposed alignment for El Charro Road results in the reasonable transition of lanes between the previous segment (two lanes in each direction) to the lane geometry at the northerly approach of the El Charro Road and Jack London Boulevard intersection. There will be two southbound through lanes ~~in each direction, a northbound dedicated right-turn lane,~~ a reservation for a southbound dedicated right-turn lane, and three southbound dedicated left-turn lanes.

The proposed intersection at El Charro Road and Jack London Boulevard is a T intersection that will have a new traffic signal. Sight distance is adequate for all approaches to this intersection. All through lanes are 12 feet, and the turn lanes are 12 feet wide. For northbound El Charro Road, the interim configuration includes one through lane and one dedicated left-turn lane.~~, there~~The future configuration includes ~~are~~ three proposed lanes of approach:~~, which include two~~ three dedicated through lanes, ~~and~~ one dedicated right-turn lane onto eastbound Jack London Boulevard, and two dedicated left-turn lanes. On the north side of the intersection, there are three lanes.

For southbound El Charro Road, there will be ultimately be two receiving lanes south of Jack London Boulevard. The curb radius for all curbs at each intersection is approximately 60 feet, which meets the design standards for large wheelbased trucks.

The merger of the two quarry access roads is accomplished reasonably by restricting the northbound access to a stop condition at the confluence with the easternmost access. The peak hour volume of 100 vehicles sharing this intersection will not create problems for the operators of the vehicles. Sight distance is adequate at this intersection.

~~The U-turn design is proper for merging vehicles. The demand from the quarry trucks and the exiting vehicles from the Johnson-Himsl project will be less than 600 vehicles in the peak hour. Therefore, the periodic U-turn vehicle will be accommodated easily.~~

Tables 3.15-5, 3.15-8 and 3.15-10 are revised to reflect the current intersection configurations within the Specific Plan Area. See attached tables.

The notes section at the bottom of Tables 3.15-6, 3.15-7a, and 3.15-7b is revised as follows:

Notes:

Significance criteria = Decline to F; if already F, ~~velocity~~ volume -to-capacity ratio increase by 3%; significant impacts in bold (none in this table)

Volume = vehicles per hour (vph)

Density = passenger car per mile per lane (pc/m/ln)

LOS = level of service

Source: Dowling Associates, Inc., 2006.

The notes section at the bottom of Tables 3.15-11 and 3.15-12 is revised as follows:

Note:

Significance Criteria = Worsen to F or if F already, cumulative increase in ~~velocity~~ volume -to-capacity (v/c) ratio by > 3% and project makes positive contribution; considerable contributions in bold; if no or negative contribution, not considerable.

Source: Dowling Associates, Inc., 2006.

Table 3.15-8 is revised to correct City of Pleasanton and City of Dublin LOS standards. See attached table.

Chapter 4, Other CEQA Considerations

Pages 4-6 and 4-7 are revised as follows:

City of Pleasanton

- **Stoneridge Drive Specific Plan.** The Stoneridge Drive Specific Plan was adopted in October 1989 by the City of Pleasanton for the 293-acre site located west of El Charro Road, south of I-580, north of the Kaiser Sand and Gravel site, and east of the Pleasanton Meadows residential neighborhood. The Stoneridge Drive Specific Plan area includes a mix of low-, medium-, and high-density residential, commercial, park, and school uses. Public improvements for the Specific Plan area include the extension of Stoneridge Drive, the improvement of El Charro Road, the improvement of the I-580/El Charro Road interchange, the expansion of flood control capacity within the Arroyo Mocho, the addition of a community park and several neighborhood parks, and the provision of an elementary school site. ~~With the exception of expansion of the capacity of flood control capacity on Arroyo Mocho (completed in 2003), none of the other land uses have been developed to date.~~ Of the original 220-acre Specific Plan area, only 124 acres of the Staples Ranch property remain undeveloped. The remainder of the Specific Plan, including several neighborhoods, two neighborhood parks and an elementary school, have all been developed. To date, Arroyo Mocho improvements, and the extension of Stoneridge Drive to the easterly end of the residential development have also been constructed.

Table 3.15-5. Intersection Level of Service Using Highway Capacity Manual (HCM) Existing Conditions (2006)

Signalized Intersections[1]	LOS Threshold	Count Date	A.M. Peak Hour LOS	A.M. Peak Hour Average Delay[2]	A.M. Peak Hour V/C	P.M. Peak Hour LOS	P.M. Peak Hour Average Delay[2]	P.M. Peak Hour V/C
Livermore								
3 Airway Blvd at North Canyons Pkwy	E	2005	B	19.4	0.478	B	10.4	0.457
4 Airway Blvd (SR 84) at I-580 westbound ramps	E	2005	B	18.3	0.647	B	20.0	0.431
5 Airway Blvd (SR 84) at I-580 eastbound ramps	E	2005	D	36.6	0.855	C	31.7	0.574
6 Isabel Ave–Kitty Hawk Rd (SR 84) at Airway Blvd	E	2005	C	26.0	0.841	C	20.7	0.630
7 Collier Canyon Rd at North Canyons Pkwy	Midlevel D	2005	A	9.3	0.339	B	10.2	0.402
8 Isabel Ave (SR 84) at Jack London Blvd	Midlevel D	2005	B	11.5	0.464	B	11.5	0.642
9 Isabel Ave (SR 84) at East Stanley Blvd offramp (north)	Midlevel D	2005	B	19.7	0.697	B	18.3	0.886
10 Isabel Ave (SR 84) at Stanley Blvd onramp (south)	Midlevel D	2005	C	22.5	0.571	C	25.5	0.539
11 Isabel Ave (SR 84) at Concannon Blvd	Midlevel D	2005	C	22.0	0.529	C	25.9	0.740
12 East Vallecitos Rd (SR 84) at Isabel Ave	Midlevel D	2005	**E**	**58.2**	**1.011**	D	43.1	1.012
13 Murrieta Blvd at East Jack London Blvd–Pine St	Midlevel D	2005	**E**	**71.5**	**1.012**	C	31.8	0.491
14 Murrieta Blvd at East Stanley Blvd	Midlevel D	2005	D	43.6	0.900	C	32.0	0.707
15 Isabel Ave–Campus Dr at Portola Ave	E	*Future Intersection*						
16 Isabel Ave (SR 84) at I-580 westbound ramps	E	*Future Intersection*						
17 Isabel Ave (SR 84) at I-580 eastbound ramps	E	*Future Intersection*						
~~18 El Charro Rd at West Jack London Blvd~~	~~Midlevel D~~	~~*Future Intersection*~~						
19 Isabel Ave (SR 84) at Airway Blvd	E	*Future Intersection*						
20 Airway Blvd at Airway Extension	Midlevel D	*Future Project Intersection*						
Dublin								
21 Hacienda Dr at Dublin Blvd	E	Feb-04	C	25.0	0.300	C	25.0	0.424
22 Hacienda Dr at I-580 westbound ramps	E	Jun-04	B	16.3	0.469	B	12.1	0.519
23 Tassajara Rd at Central Pkwy	E	Jun-04	A	3.1	0.275	A	4.0	0.329
24 Tassajara Rd at Dublin Blvd	E	Jun-04	B	16.9	0.267	C	21.1	0.391
25 Tassajara Rd at I-580 westbound ramps	E	Jun-04	B	~~15.0~~ 14.4	0.423	B	~~15.3~~ 13.3	0.454
26 Fallon Rd at Central Pkwy	E	*Future Intersection*						
27 Fallon Rd at Dublin Blvd	E	*Future Intersection*						

Table 3.15-5. Continued

Signalized Intersections[1]	LOS Threshold	Count Date	A.M. Peak Hour LOS	A.M. Peak Hour Average Delay[2]	A.M. Peak Hour V/C	P.M. Peak Hour LOS	P.M. Peak Hour Average Delay[2]	P.M. Peak Hour V/C
Pleasanton								
18 El Charro Rd at West Jack London Blvd	D	*Future Intersection*						
29 Hacienda Dr at I-580 eastbound ramps	E	2003	B	18.5	0.569	B	18.1	0.581
30 Hacienda Dr at Owens Dr	E	2003	C	20.2	0.362	C	31.8	0.591
31 West Las Positas Blvd at Stoneridge Dr	E	2003	C	24.5	0.325	C	28.3	0.488
32 Santa Rita Rd at Pimlico Dr–I-580 eastbound ramps	E	2003	D	41.4	0.568	C	20.4	0.613
33 Santa Rita Rd at West Las Positas Blvd	E	2003	C	26.1	0.472	C	31.1	0.574
34 Santa Rita Rd at Stoneridge Dr	E	2003	C	27.9	0.739	C	31.2	0.665
35 Santa Rita Rd at Valley Ave	E	2003	D	36.6	0.758	C	34.5	0.773
36 Rheem Dr–Milani Ave at Stoneridge Dr	E	2003	B	13.3	0.166	B	12.1	0.202
37 Kamp Dr–Garden Cir at Stoneridge Dr	E	2003	B	13.3	0.161	A	3.7	0.082
38 Busch Rd at Valley Ave	E	2003	D	35.2	0.931	C	20.9	0.667
39 Valley Ave–Bernal Rd at Stanley Blvd	E	2003	C	26.2	0.760	C	31.7	0.826
40 El Charro Rd at Busch Rd	E	*Future Intersection*						
41 El Charro Rd at Stanley Blvd	E	*Future Intersection*						

Unsignalized Intersections[3]			A.M. Peak-Hour LOS	A.M. Peak-Hour Worst Delay[4]	A.M. Peak-Hour Average Delay[2]	P.M. Peak-Hour LOS	P.M. Peak-Hour Worst Delay[4]	P.M. Peak-Hour Average Delay[2]
1 El Charro Rd at I-580 eastbound ramps[5]	~~Mid-level~~ D	Oct-06	A	9.7	4.9	*F*	*Overflow*	*Overflow*
2 El Charro Rd at Freisman Rd	None	Oct-06	A	0.0	0.0	A	8.7	2.1
28 El Charro Rd–Fallon Rd at I-580 westbound ramps[5]	E	Oct-06	A	4.2	9.7	B	13.8	0.9

Notes:

LOS = level of service; V/C = volume-to-capacity ratio

[1] Calculations for LOS at signalized intersections are based on weighted average delay.

[2] Weighted average control delay per vehicle in seconds.

[3] Calculations for LOS at side-street stop-controlled intersections are based on the intersection leg with the worst delay, but the weighted average delay was also calculated for reference.

[4] Weighted average control delay per vehicle on the intersection leg with the worst LOS.

[5] Offramp stop-controlled with free right turns, which will be signalized in the future.

Source: TRAFFIX, Dowling Associates, Inc., October 2006.

Table 3.15-8. Peak Hour Intersection Level of Service (2008)

Intersections	LOS Standard ~~Threshold~~	Time Period	LOS from 2008 Scenarios: No Project	Prime Outlets Livermore Valley Only	Full Project –Jack London Boulevard Extension option	Full Project – Airway Boulevard Extension option
Livermore						
~~1 El Charro Rd at I-580 eastbound ramps~~	~~Midlevel D~~	~~a.m.~~	~~B~~	~~C~~	~~F~~	~~E~~
		~~p.m.~~	~~A~~	~~C~~	~~F~~	~~F~~
2 El Charro Rd at Freisman Rd	None	a.m.	A	N/A	N/A	N/A
		p.m.	A	N/A	N/A	N/A
3 Airway Blvd at North Canyons Pkwy	E	a.m.	C	C	C	C
		p.m.	B	B	B	B
4 Airway Blvd (SR 84) at I-580 westbound ramps	E	a.m.	B	B	B	B
		p.m.	B	B	B	C
5 Airway Blvd (SR 84) at I-580 eastbound ramps	E	a.m.	D	D	D	E
		p.m.	C	C	C	D
6 Isabel Ave–Kitty Hawk Rd (SR 84) at Airway Blvd	E	a.m.	E	E	D	D
		p.m.	C	C	C	C
7 Collier Canyon Rd at North Canyons Pkwy	Midlevel D	a.m.	B	B	B	B
		p.m.	B	B	B	B
8 Isabel Ave (SR 84) at Jack London Blvd	Midlevel D	a.m.	B	B	B	C
		p.m.	C	C	C	C
9 Isabel Ave (SR 84) at East Stanley Blvd off-ramp (north)	Midlevel D	a.m.	B	B	B	C
		p.m.	C	C	C	C
10 Isabel Ave (SR 84) at Stanley Blvd on-ramp (south)	Midlevel D	a.m.	C	C	C	C
		p.m.	C	C	C	C
11 Isabel Ave (SR 84) at Concannon Blvd	Midlevel D	a.m.	C	C	C	C
		p.m.	C	C	C	C
12 East Vallecitos Rd (SR 84) at Isabel Ave	Midlevel D	a.m.	C	C	C	C
		p.m.	B	B	B	B
13 Murrieta Blvd at East Jack London Blvd–Pine St	Midlevel D	a.m.	E	***E***	***E***	***E***
		p.m.	D	**E**	**F**	**F**
14 Murrieta Blvd at East Stanley Blvd	Midlevel D	a.m.	C	C	D	D
		p.m.	C	C	C	C
15 Isabel Ave–Campus Dr at Portola Ave	E	a.m.	N/A	N/A	N/A	N/A
		p.m.	N/A	N/A	N/A	N/A

Intersections	LOS Standard ~~Threshold~~	Time Period	LOS from 2008 Scenarios: No Project	Prime Outlets Livermore Valley Only	Full Project –Jack London Boulevard Extension option	Full Project – Airway Boulevard Extension option
16 Isabel Ave (SR 84) at I-580 westbound ramps	E	a.m.	N/A	N/A	N/A	N/A
		p.m.	N/A	N/A	N/A	N/A
17 Isabel Ave (SR 84) at I-580 eastbound ramps	E	a.m.	N/A	N/A	N/A	N/A
		p.m.	N/A	N/A	N/A	N/A
~~18 El Charro Rd at West Jack London Blvd~~	~~Midlevel D~~	~~a.m.~~	~~A~~	~~B~~	~~C~~	~~C~~
		~~p.m.~~	~~B~~	~~C~~	~~C~~	~~C~~
19 Isabel Ave (SR 84) at Airway Blvd	E	a.m.	N/A	N/A	N/A	N/A
		p.m.	N/A	N/A	N/A	N/A
20 Airway Blvd at Airway Extension	Midlevel D	a.m.	N/A	N/A	N/A	C
		p.m.	N/A	N/A	N/A	C
Dublin						
21 Hacienda Dr at Dublin Blvd	D ~~E~~	a.m.	D	C	D	D
		p.m.	C	C	C	C
22 Hacienda Dr at I-580 westbound ramps	D ~~E~~	a.m.	B	B	B	B
		p.m.	B	B	B	B
23 Tassajara Rd at Central Pkwy	D ~~E~~	a.m.	C	B	B	B
		p.m.	B	B	B	B
24 Tassajara Rd at Dublin Blvd	D ~~E~~	a.m.	C	C	C	C
		p.m.	C	D	D	D
25 Tassajara Rd at I-580 westbound ramps	D ~~E~~	a.m.	B	B	B	B
		p.m.	B ~~C~~	B	B	B ~~C~~
26 Fallon Rd at Central Pkwy	D ~~E~~	a.m.	B	B	C	C
		p.m.	B	C	C	C
27 Fallon Rd at Dublin Blvd	D ~~E~~	a.m.	C	C	C	C
		p.m.	B	C	**E**	**E**
28 El Charro Rd–Fallon Rd at I-580 westbound ramps	D ~~E~~	a.m.	B	B	B	B
		p.m.	B	B	B	B
Pleasanton						
1 El Charro Rd at I-580 eastbound ramps	D	a.m.	B	C	**F**	**E**
		p.m.	A	C	**F**	**F**
18 El Charro Rd at West Jack London Blvd	D	a.m.	A	B	C	C
		p.m.	B	C	D	D
29 Hacienda Dr at I-580 eastbound ramps	D ~~E~~	a.m.	B	C	B	B
		p.m.	B	B	B	B

Intersections		LOS Standard ~~Threshold~~	Time Period	LOS from 2008 Scenarios: No Project	Prime Outlets Livermore Valley Only	Full Project –Jack London Boulevard Extension option	Full Project – Airway Boulevard Extension option
30	Hacienda Dr at Owens Dr	D ~~E~~	a.m.	B	B	B	B
			p.m.	C	C	C	C
31	West Las Positas Blvd at Stoneridge Dr	D ~~E~~	a.m.	C	C	C	C
			p.m.	C	C	C	C
32	Santa Rita Rd at Pimlico Dr–I-580 eastbound ramps	D ~~E~~	a.m.	D	D	D	D
			p.m.	D	D	D	D
33	Santa Rita Rd at West Las Positas Blvd	D ~~E~~	a.m.	C	C	C	C
			p.m.	C	C	D	D
34	Santa Rita Rd at Stoneridge Dr	D ~~E~~	a.m.	C	C	C	C
			p.m.	C	C	C	D
35	Santa Rita Rd at Valley Ave	D ~~E~~	a.m.	D	D	D	D
			p.m.	D	D	D	D
36	Rheem Dr–Milani Ave at Stoneridge Dr	D ~~E~~	a.m.	B	B	B	B
			p.m.	B	B	B	B
37	Kamp Dr–Garden Cir at Stoneridge Dr	D ~~E~~	a.m.	B	B	B	B
			p.m.	A	A	A	A
38	Busch Rd at Valley Ave	D ~~E~~	a.m.	D	D	D	D
			p.m.	C	C	C	C
39	Valley Ave–Bernal Rd at Stanley Blvd	D ~~E~~	a.m.	C	C	C	C
			p.m.	D	D	D	D
40	El Charro Rd at Busch Rd	D ~~E~~	a.m.	N/A	N/A	N/A	N/A
			p.m.	N/A	N/A	N/A	N/A
41	El Charro Rd at Stanley Blvd	D ~~E~~	a.m.	N/A	N/A	N/A	N/A
			p.m.	N/A	N/A	N/A	N/A
Site Access Intersections (All within Livermore)							
42	Road A at W Jack London Blvd	Mid-Level D	a.m.	N/A	A	B	B
			p.m.	N/A	B	C	C
44	Prime access at W Jack London Blvd	N/A	a.m.	N/A	A	A	A
			p.m.	N/A	B	C	C
45	Road B at W Jack London Blvd 2	Midlevel D	a.m.	N/A	N/A	A	A
			p.m.	N/A	N/A	B	B
47	Road A at 1st access intersection	N/A	a.m.	N/A	N/A	N/A	N/A
			p.m.	N/A	N/A	N/A	N/A
48	Road A at 2nd access intersection	N/A	a.m.	N/A	N/A	N/A	N/A

Intersections	LOS Standard ~~Threshold~~	Time Period	LOS from 2008 Scenarios: No Project	Prime Outlets Livermore Valley Only	Full Project –Jack London Boulevard Extension option	Full Project – Airway Boulevard Extension option
		p.m.	N/A	N/A	N/A	N/A
49 Road A at Freisman Road	N/A	a.m.	N/A	N/A	N/A	N/A
		p.m.	N/A	N/A	N/A	N/A

Notes:

Significant impact due to not meeting level of service (LOS) standard

Less than significant due to < 5 second delay

Significant impact due to > 5 second delay

Source: Dowling Associates, Inc., 2006, 2007.

Table 3.15-10. Intersection Level of Service Thresholds

	Intersections	LOS Standard ~~Threshold~~	Jurisdiction	Notes
1	El Charro Rd at I-580 eastbound ramps	~~Midlevel~~ D	~~Alameda County~~Pleasanton/Caltrans	
2	El Charro Rd at Freisman Rd	None	Livermore	Eliminated if Project is implemented
3	Airway Blvd at North Canyons Pkwy	E	Livermore	
4	Airway Blvd (SR 84) at I-580 westbound ramps	E	Livermore/Caltrans	
5	Airway Blvd (SR 84) at I-580 eastbound ramps	E	Livermore/Caltrans	
6	Isabel Ave–Kitty Hawk Rd (SR 84) at Airway Blvd	E	Livermore/Caltrans	See [1] below; eliminated by 2030
7	Collier Canyon Rd at North Canyons Pkwy	Midlevel D	Livermore	
8	Isabel Ave (SR 84) at Jack London Blvd	Midlevel D	Livermore/Caltrans	See [1] below
9	Isabel Ave (SR 84) at East Stanley Blvd off-ramp (north)	Midlevel D	Livermore/Caltrans	
10	Isabel Ave (SR 84) at Stanley Blvd on-ramp (south)	Midlevel D	Livermore/Caltrans	
11	Isabel Ave (SR 84) at Concannon Blvd	Midlevel D	Livermore/Caltrans	
12	East Vallecitos Rd (SR 84) at Isabel Ave	Midlevel D	Livermore/Caltrans	
13	Murrieta Blvd at East Jack London Blvd–Pine St	Midlevel D	Livermore	
14	Murrieta Blvd at East Stanley Blvd	Midlevel D	Livermore	
15	Isabel Ave–Campus Dr at Portola Ave	E	Livermore	Future Intersection
16	Isabel Ave (SR 84) at I-580 westbound ramps	E	Livermore/Caltrans	Future Intersection
17	Isabel Ave (SR 84) at I-580 eastbound ramps	E	Livermore/Caltrans	Future Intersection
18	El Charro Rd at West Jack London Blvd	~~Midlevel~~ D	Pleasanton ~~Livermore~~	Future Intersection
19	Isabel Ave (SR 84) at Airway Blvd	E	Livermore/Caltrans	See [1] below; Future Intersection
20	Airway Blvd at Airway Extension	Midlevel D	Livermore	Future Project Intersection
21	Hacienda Dr at Dublin Blvd	D ~~E~~	Dublin	
22	Hacienda Dr at I-580 westbound ramps	D ~~E~~	Dublin/Caltrans	
23	Tassajara Rd at Central Pkwy	D ~~E~~	Dublin	
24	Tassajara Rd at Dublin Blvd	D ~~E~~	Dublin	
25	Tassajara Rd at I-580 westbound ramps	D ~~E~~	Dublin/Caltrans	
26	Fallon Rd at Central Pkwy	D ~~E~~	Dublin	Future Intersection
27	Fallon Rd at Dublin Blvd	D ~~E~~	Dublin	Future Intersection
28	El Charro Rd–Fallon Rd at I-580 westbound ramps	D ~~E~~	Dublin/Caltrans	

Table 3.15-10. Continued

Intersections		LOS Standard ~~Threshold~~	Jurisdiction	Notes
29	Hacienda Dr at I-580 eastbound ramps	D ~~E~~	Pleasanton/Caltrans	
30	Hacienda Dr at Owens Dr	D ~~E~~	Pleasanton	
31	West Las Positas Blvd at Stoneridge Dr	D ~~E~~	Pleasanton	
32	Santa Rita Rd at Pimlico Dr–I-580 eastbound ramps	D ~~E~~	Pleasanton/Caltrans	
33	Santa Rita Rd at West Las Positas Blvd	D ~~E~~	Pleasanton	
34	Santa Rita Rd at Stoneridge Dr	D ~~E~~	Pleasanton	
35	Santa Rita Rd at Valley Ave	D ~~E~~	Pleasanton	
36	Rheem Dr–Milani Ave at Stoneridge Dr	D ~~E~~	Pleasanton	
37	Kamp Dr–Garden Cir at Stoneridge Dr	D ~~E~~	Pleasanton	
38	Busch Rd at Valley Ave	D ~~E~~	Pleasanton	
39	Valley Ave–Bernal Rd at Stanley Blvd	D ~~E~~	Pleasanton	
40	El Charro Rd at Busch Rd	D ~~E~~	Pleasanton	
41	El Charro Rd at Stanley Blvd	D ~~E~~	Pleasanton	
42	Road A at W Jack London Blvd	Midlevel D	Livermore	Future Project Intersection
~~43~~	~~Johnson-Himsl access at W Jack London Blvd~~	~~None~~	~~Livermore~~	~~Future Project Intersection~~
44	~~BBPL access at~~ Road C at W Jack London Blvd	~~None~~ Midlevel D	Livermore	Future Project Intersection
45	Road B at W Jack London Blvd	Midlevel D	Livermore	Future Project Intersection
46	El Charro Rd at Johnson-Himsl EVA access	None	Livermore	Future Project Intersection

Notes:

LOS = level of service

[1] Intersection may exceed established LOS standard due to right-of-way constraints and regional roadway network needs.

Source: Dowling Associates, Inc., 2006.

- **Stoneridge Drive Specific Plan Amendment/Staples Ranch.** The Staples Ranch project is located immediately west of the Specific Plan Area across El Charro Road. The Staples Ranch project includes a 37-acre ~~36-acre~~ auto mall with 331,000 ~~250,000~~ square feet of buildings; ~~potential future expansion by about 5 acres, bringing the building areas total to 285,000 square feet~~; a senior care community with 1.4 million square feet of buildings and 800 living units; potential future commercial development of up to 175,000 square feet of retail or up to 280,000 ~~210,000~~ square feet of non-retail uses on about 16 ~~12~~ acres of the project site; ~~potential future expansion of the retail or commercial uses by about 5 acres; a recreational skating rink~~ future development of ~~and~~ an approximately 17-acre park which may include lighted sports fields, lighted tennis courts, a dog park, a trail staging area, a pedestrian bridge over Arroyo Mocho, a recreational ice skating facility on 8 acres, and similar park-related activities. A Revised Notice of Preparation for this project was released in ~~July 2006~~ March 2007. The NOP did not list a timeframe for construction and completion for the project.

Pages 4-8 and 4-9 are revised as follows:

Roadway Projects

- **I-580 Widening and BART to Livermore.** ACCMA I-580 widening and BART future plans would affect areas along I-580. ACCMA anticipates working with Caltrans to develop a plan to acquire ~~is presently acquiring~~ land along the I-580 corridor to facilitate future widening and the future alignment of a transit corridor ~~BART~~ in the median of I-580. BART future plans could include a potential station northwest of the intersection of Isabel Avenue and Airway Boulevard just east of the project study area.
- **Isabel Avenue/I-580 interchange.** The Caltrans project for the widening of Isabel Avenue and the Isabel Avenue/I-580 interchange includes the construction of a new interchange on I-580 between Airway Boulevard and Portola Avenue. The Isabel Avenue/I-580 interchange would improve access to Las Positas College, Costco, and other developing business and commercial centers north of I-580. As part of this project, the partial-access Portola Avenue interchange will be removed and replaced with a flyover extension of Portola Avenue that will connect to Isabel Avenue and North Canyons Parkway north of the freeway. This interchange will provide the permanent connection between I-580 and Isabel Avenue/SR 84 and is expected to relieve congestion at the existing Airway Boulevard/I-580 interchange and enhance traffic circulation within the business/commercial area north of I-580. Project construction is expected to begin in late 2008 and be completed in 2011.~~completion is expected in late 2009.~~
- **Widening of Isabel Avenue.** As the new SR 84, Isabel Avenue is ultimately planned to be six lanes from I-580 to Stanley Boulevard and four lanes from Stanley Boulevard to Vallecitos Road. The City of Livermore and ACTIA are currently performing preliminary engineering and environmental analysis for the Isabel Avenue widening project with the goal of identifying a phased

series of feasible, fundable improvements on Isabel Avenue/SR 84. The draft environmental document for these improvements will be circulated for public comment sometime in mid- to late 2006.

- **I-580/El Charro Road/Fallon Road interchange.** The interchange improvements would reconfigure the existing interchange to increase capacity to accommodate future traffic volumes. The City of Dublin has completed a mitigated negative declaration for the project in 2000, and the project is awaiting final approval from Caltrans. Construction is anticipated to occur in phases starting in 2007, with completion expected in 2008.
- **Jack London Blvd., 4-Lane Extension.** The Livermore General Plan includes a 4-lane extension of Jack London Blvd. between Isabel Avenue and El Charro Road. This 4-lane extension has been determined to not be necessary as mitigation for ECSP contributions to cumulative traffic impacts. However, a 4-lane Jack London Extension provide relief for I-580 segment operations, would provide increased connections between Pleasanton and Livermore if Stoneridge Drive is extended and would provide better emergency access in the event of major congestion delays on I-580. This roadway project may be advanced separately of the ECSP at some future date.

Page 4-11 is revised as follows:

Cumulative Impact AG-1: Cumulative Conversion of Farmlands to a Nonagricultural Use—Less than Cumulatively Considerable with Mitigation

Agriculture has been a crucial component of the economy and livelihood of area residents since the initial European inhabitation of the Livermore Valley and the surrounding region. The region—especially its valley areas—is underlain by soils that are particularly suitable for agricultural production. Suitable soil and available irrigation led the DOC to map many areas of the region as Prime Farmland, Unique Farmland, and Farmland of Statewide Importance, which are all considered by the state to be important agricultural resources. Past and present development patterns within the region have converted much of the suitable agricultural land to nonagricultural uses. Between 2000 and 2002 alone, 1,274 acres of farmland in Alameda County were converted to other uses (California Department of Conservation 2006a). This trend is likely to continue, resulting in the cumulative recession of agricultural land and the loss of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. Although this loss is identified and planned for in both City and County general plans, continuing development nonetheless represents a significant cumulative impact on farmlands in Alameda County.

The Project's individual contribution to the loss of Prime Farmland and conversion of agricultural land to nonagricultural uses would be less than significant on a project basis due to the small amount of project conversion of Prime Farmland and the requirement of Mitigation Measure AG-1, which will require the offset of Prime Farmland lost by preservation at a 1:1 ratio.

Cumulative development that would directly contribute to the conversion of farmlands adjacent to the Project Area include the R&J Aggregate Mines, a potential 4-lane extension of Jack London Boulevard, and Staples Ranch. For these reasons, this would be a significant adverse cumulative impact. However, the implementation of Mitigation Measure AG-1 would reduce the project's contribution to a less-than-considerable level.

Page 4-13 is revised as follows:

California Red-Legged Frog, California Tiger Salamander, Western Pond Turtle, Riparian Habitats, Waters, and Wetlands—Cumulatively Considerable and Unavoidable with Mitigation

Implementation of the Specific Plan would directly impact riparian habitat and these special-status species by resulting in the loss of habitat or individuals. Mitigation measures that would reduce impacts on these species and riparian habitat to a less-than-significant level are BIO-3a, -3b, -3c, -3d, and -3e; BIO-4a, -4b, and -4c; BIO-5; BIO-7a and -7b; and BIO-8a, -8b, and -8c, outlined in section 3.4 of this EIR. However, the combined cumulative development of the proposed Project, ~~the Staples Ranch project,~~ new quarrying, roadway projects, residential projects in Dublin, and the SMMP flood control improvements would result in a significant loss of habitat for these species and riparian habitat that is not amenable to project-by-project mitigation because the overall area of contiguous habitat in the area where Livermore, Pleasanton, and Dublin meet will be substantially reduced and eliminated over time. The combined development of the proposed Project and the Zone 7 SMMP would result in a significant loss of riparian habitat along the Arroyo Los Positas and Cottonwood Creek. While the Project's effects on riparian habitat can be mitigated to a less-than-significant level through project-level mitigation identified in section 3.4, future desilting and the ultimate widening of the Arroyo Las Positas could result in a permanent loss of riparian habitat. It may be feasible to maintain and restore portions of the creeks and their immediate margins themselves (as proposed by mitigation in section 3.4), but the areas beyond the creek margins will be converted to quarry, commercial, residential, and roadway uses, and the carrying capacity for these species and others will be substantially reduced.

Page 4-21 and 4-22 are revised as follows:

Mineral Resources

Cumulative Impact MIN-1: Cumulative Effects on Mineral Resources—Less than Cumulatively Considerable with Mitigation

Portions of the region are actively mined for sand and gravel that are used as aggregate in the production of cement. Mining of these materials leads to their gradual depletion—a cumulative impact—while incremental development of areas with remaining suitable mineral resources also occurs, resulting in a

cumulative impact. Although much of the southern portion of the Livermore Valley floor south of I-580 is mapped in the City of Livermore General Plan, the Specific Plan Area is not mapped as such and is not underlain by extraction-quality mineral resources. The proposed Rhodes & Jamieson Aggregate Mines site would be located directly south of the proposed project site and would take advantage of the mineral resources that have been identified in that area.

While the 2-lane Jack London Boulevard Extension option of the proposed Project would pose a direct impact on mineral resources, by encroaching on a proposed mineral extraction site (Aggregate Mines), as discussed in Section 3.10, due to the limited amount of potential lost resource and the implementation of Mitigation Measure~~s~~ MIN-2~~a, MIN-2b, and MIN-2c~~ would reduce impacts to less-than-significant levels.

A 4-lane extension of Jack London Boulevard would result in significant impacts to mineral resources if it were to be constructed prior to completion of mining of the 4-lane alignment and the adjacent areas. Adoption of Cumulative Mitigation Measure MIN-1 would avoid this impact.

Regarding potential construction impacts of building the 4-lane Jack London Boulevard Extension after mining has been completed or as part of reclamation, project-level analysis of potential environmental impacts cannot be completed at this time. There is no approved mining permit, no approved reclamation plan, and there are unknowns concerning Zone 7's specific plans for reuse of SMP-38 and SMP-39. Reclamation activity to rebuild a road bed for the 4-lane extension near existing surface grade or with below grade sections would require similar construction activity to that identified in the 2004 EIR for mining activity and would require heavy construction and earth-moving equipment. Such activity would result in traffic that could temporarily affect traffic conditions and air emissions that could affect local and regional air quality. While noise would be generated, there are no adjacent sensitive receptors along the 4-lane extension location. Significant biological impacts would not be expected as mining would be expected to remove any surficial habitat and result in disturbed environments below grade. No significant cultural resource impacts would be expected as prior mining would have removed any potential for intact resources to be present in the reclamation area. Erosion and water quality impacts could occur during reclamation to support a future road use. Aesthetic impacts would be primarily below grade, but traffic, dust, and noise could affect the multi-use regional trail, which will be nearby. All of these potential effects can only be accurately analyzed with project level designs of a 4-lane roadway that takes into account the mining plan, the reclamation plan, the Zone 7 end uses, as well and feasible roadway design features. If the City ultimately advances a 4-lane Jack London Boulevard Extension across the mining area, a separate project CEQA document will be prepared.

Cumulative projects—in particular, Staples Ranch—would introduce additional cumulative traffic on El Charro Road that could conflict with quarry traffic. However, as explained in section 3.15, "Transportation and Traffic," with mitigation, safety concerns about the mixing of commercial, commuter, and

quarry traffic can be handled through proper design measures such that a cumulatively significant impact would not occur.

Therefore, the proposed Project, with mitigation, would not considerably contribute to cumulative impacts on mineral resources.

Cumulative Mitigation Measure MIN-1: Construct the Four-Lane Extension of Jack London Boulevard Only After Mining is Complete Along the Alignment and Adjacent Areas
If a 4-lane extension of Jack London Blvd. is advanced, the City will only construct the four-lane when mining has been completed along the 4-lane alignment and in the immediately adjacent areas, such that construction of the 4-lane extension would not hinder the extraction of mineral resources from the private land within SMP-38 and SMP-39. This measure does not require completion of mining in all portions of SMP-38 and SMP-39 but rather only those areas that could not otherwise be mined were the 4-lane extension to be built before mining.

Page 4-26 is revised as follows:

Traffic

The cumulative impact analysis covered here includes vehicular traffic, traffic safety, emergency access, transit services, and bicycle and pedestrian facilities. Supporting tables are presented at the end of this section. Additional details, tables, and figures can be found in DEIR Appendix T and FEIR Appendix G.

Cumulative Impact Methodology

Cumulative Conditions

Cumulative (2030) baseline conditions assume no-project conditions in the study area but include existing and future developments that have been approved in each Tri-Valley city's general plan. As described below, additional analysis was conducted to evaluate the Staples Ranch proposal (compared with the development anticipated in the existing Stoneridge Specific Plan) and to evaluate the potential removal of the Stoneridge Drive Extension from Pleasanton's general plan, which is under consideration by the City of Pleasanton (compared with the Stoneridge Drive Extension in the current general plan).

The traffic analysis for Jack London Boulevard Extension scenarios is based on a 4-lane Jack London Boulevard Extension, since a 4-lane roadway is included in the City of Livermore General Plan. The 4-lane Jack London Boulevard Extension is NOT part of the proposed Project, but a 2-lane Jack London Extension option is part of the proposed Project. Separate analysis of cumulative 2030 conditions with a 2-lane Jack London Boulevard Extension was conducted concerning freeway operations and intersections. This analysis was summarized in Chapter 2 of the FEIR and the data is presented in Appendix G to the FEIR.

While not referenced in the revised DEIR text, this analysis is part of the overall EIR for the El Charro Specific Plan. Because that analysis concludes that the cumulative contributions of the proposed project with a 2-lane Jack London Boulevard Extension are not substantially different than those with a 4-lane extension, the mitigation described below to address cumulative contribution with a 4-lane extension would apply equally to the 2-lane extension.

Year 2030 conditions also include growth in developed land uses outside of the Tri-Valley as forecast by ABAG *Projections 2003* and allocated to the traffic analysis zone level by the Contra Costa Transportation Authority (CCTA) Decennial Model. For the cumulative impact analysis, the following potential future project scenarios were analyzed:

Cumulative year 2030 conditions plus full project buildout with Jack London Boulevard Extension option—Future traffic volumes based on cumulative conditions and full buildout project-generated traffic using a four-lane extension of Jack London Boulevard from its existing terminus west to El Charro Road.

Cumulative year 2030 conditions plus full project buildout with Airway Boulevard Extension option—Future volumes based on cumulative conditions and full buildout project-generated traffic using a four-lane extension of Airway Boulevard from Terminal Circle to El Charro Road and widening Airway Boulevard to four lanes from Terminal Circle to Isabel Avenue.

Year 2030 was selected for cumulative analysis because it includes buildout within the Tri-Valley and is consistent with regional traffic models that were used for the analysis.

Page 4-28 is revised as follows:

In addition, the following roadway improvements are shown in the City of Dublin's general plan and/or the Fallon Village Specific Plan. They have been included in the traffic model for cumulative conditions because it is reasonably foreseeable that they will be completed by the buildout of Dublin's general plan:

- Fallon Road widening (from four lanes to six lanes) from I-580 to Anto~~i~~ne Way.
- Fallon Road extension (six lanes) from Anto~~i~~ne Way to Tassajara Road.
- Hacienda Drive at I-580 interchange improvements.

The third paragraph on page 4-29 is revised as follows:

To identify the cumulative impacts of the combination of the El Charro Specific Plan, the Staples Ranch Specific Plan, existing and future developments that have been approved in each Tri-Valley city's general plan for 2030, and the proposed removal of the Stoneridge Drive Extension from Pleasanton's general plan, the

traffic model used for the El Charro Specific Plan traffic analysis was modified to break Stoneridge Drive into two discontinuous segments on the Staples Ranch property. The model was run to generate traffic volume forecasts and assign the traffic to the roadway network. Turning movement volumes were created and imported into TRAFFIX for LOS analysis; v/c ratios and LOS for segments of I-580 were calculated.

Page 4-31 is revised as follows:

Cumulative Mitigation Measure TRA-2a: Improve Intersection of Santa Rita Road at Pimlico Road and I-580 Eastbound Ramps

At the intersection of Santa Rita Road at Pimlico Road and I-580 eastbound ramps, the City of Pleasanton will add a third eastbound left-turn lane. This improvement will also need to include restriping along the northbound Tassajara Road freeway overcrossing in order to accept traffic from the third left-turn lane and maintain three lanes of northbound traffic across the Tassajara Road/I-580 Westbound Ramp intersection. This improvement would reduce the delays, resulting in LOS D with 40.5 seconds delay during the a.m. peak hour and LOS D with 36.3 seconds delay during the p.m. peak hour.

Page 4-38 is revised as follows:

Cumulative Impact TRA-5: Cumulative Contributions to Unacceptable Freeway and Ramp Operations or Unacceptable Level of Service at Intersection during Peak Hours without the Stoneridge Drive Extension—Potentially Cumulatively Considerable and Unavoidable

The cumulative effects of the combination of the El Charro Specific Plan, Staples Ranch Specific Plan, existing and future developments that have been approved in each Tri-Valley city's general plan for 2030 and r~~R~~emoving Stoneridge Drive from the cumulative roadway network would cause an increase in traffic volumes on segments of I-580, Dublin Boulevard, Central Parkway, Bush Road, El Charro Road, Stanley Boulevard west of El Charro Road, and Fallon Road, while reducing traffic on Jack London Boulevard and Stoneridge Drive. Traffic volumes on Stanley Boulevard east of El Charro Road would remain at approximately the same level as with conditions that would occur with the Stoneridge Drive extension.

Pages 4-39, 4-40, and 4-41 are revised as follows:

Intersection Impacts in Livermore

- **El Charro Road and Jack London/Airway Boulevard.** The intersection of El Charro Road and Jack London/Airway Boulevard would operate at LOS F in the p.m. peak. Implementation of a northbound right-turn overlap would

reduce the impacts at this intersection to less than considerable. ~~This impact would be caused solely by the City of Pleasanton, should it approve the removal of the Stoneridge Drive extension from its general plan.~~ The City of Livermore will confer with the City of Pleasanton to identify appropriate funding mechanisms necessary to implement this mitigation. If mitigation is not ultimately adopted, the cumulative impact would be significant and unavoidable.

- **Isabel Avenue and Jack London Boulevard.** The intersection of Isabel Avenue and Jack London Boulevard would operate at LOS F during the p.m. peak. As described above for Cumulative Impact TRA-2, there is no feasible mitigation. If mitigation is not ultimately adopted, the cumulative impact would be significant and unavoidable.
- **Murrieta Boulevard and Jack London Boulevard–Pine Street.** The intersection of Murrieta Boulevard and Jack London Boulevard–Pine Street would operate at LOS E during the a.m. peak. Implementation of Mitigation Measure TRA-2a previously discussed in section 3.15 would reduce the project's contribution at this intersection to less than considerable.
- **Stanley Boulevard and Murrieta Boulevard.** The intersection of Stanley Boulevard and Murrieta Boulevard would operate at LOS E during the a.m. peak. Implementation of Cumulative Mitigation Measure TRA-2b discussed above would reduce the project's contribution at this intersection to less than considerable.
- **Isabel Avenue and Airway Boulevard.** The intersection of Isabel Avenue and Airway Boulevard would operate at LOS F during the p.m. peak. As described previously under Cumulative Impact TRA-2, there is no feasible mitigation. If mitigation is not ultimately adopted, the cumulative impact would be significant and unavoidable.

Intersection Impacts in Dublin

- **Hacienda Drive and Dublin Boulevard.** The intersection of Hacienda Drive and Dublin Boulevard would operate at LOS E during the p.m. peak. No additional improvements have been identified or funded, and it is unknown whether any mitigation is even feasible or whether the respective lead agencies would choose to implement any mitigation projects. Therefore, the impact ~~of removing Stoneridge Drive~~ would be cumulatively significant and potentially unavoidable.
- **Tassajara Road and I-580 westbound ramp intersection.** The intersection of Tassajara Road and I-580 westbound ramps would operate at LOS F during the p.m. peak. No additional improvements have been identified or funded, and it is unknown whether any mitigation is even feasible or whether the respective lead agencies would choose to implement any mitigation projects. Therefore, the impact ~~of removing Stoneridge Drive~~ would be cumulatively significant and potentially unavoidable.
- **Fallon Road and I-580 westbound ramp intersection.** The intersection of El Charro Road–Fallon Road and the I-580 westbound ramps would operate at LOS E during the p.m. peak. Adding a third westbound right-turn lane

could mitigate this impact. It is unknown whether the City of Dublin and Caltrans would choose to implement this mitigation. Therefore, the impact ~~of removing Stoneridge Drive~~ would be cumulatively significant and potentially unavoidable.

Intersection Impacts in Pleasanton

- **Santa Rita Road and Pimlico Drive I-580 eastbound ramp intersection.** The intersection of Santa Rita Road and Pimlico Drive–I-580 eastbound ramps would operate at LOS E in the a.m. and LOS F during the p.m. peak. Mitigation Measure TRA-2a (see p. 4-31) would reduce impacts at this intersection. ~~No additional improvements have been identified or funded, and it is unknown whether any mitigation is even feasible or whether the respective lead agencies would choose to implement any mitigation projects. Therefore~~However, even with this mitigation the impact ~~of removing Stoneridge Drive~~ would still be cumulatively significant and potentially unavoidable.
- **Santa Rita Road and West Las Positas Boulevard.** The intersection of Santa Rita Road and West Las Positas Boulevard would operate at LOS E during the p.m. peak. No additional improvements have been identified or funded, and it is unknown whether any mitigation is even feasible or whether the respective lead agencies would choose to implement any mitigation projects. Therefore, the impact ~~of removing Stoneridge Drive~~ would be cumulatively significant and potentially unavoidable.
- **Santa Rita Road and Stoneridge Drive.** The intersection of Santa Rita Road and Stoneridge Drive would operate at LOS F during the a.m. and LOS F during the p.m. peak. No additional improvements have been identified or funded, and it is unknown whether any mitigation is even feasible or whether the respective lead agencies would choose to implement any mitigation projects. Therefore, the impact ~~of removing Stoneridge Drive~~ would be cumulatively significant and potentially unavoidable.
- **Bush Road and Valley Drive.** The intersection of Bush Road and Valley Drive would operate at LOS E during the a.m. and LOS F during the p.m. peak. No additional improvements have been identified or funded, and it is unknown whether any mitigation is even feasible or whether the respective lead agencies would choose to implement any mitigation projects. Therefore, the impact ~~of removing Stoneridge Drive~~ would be cumulatively significant and potentially unavoidable.
- **Stanley Boulevard and Valley Drive.** The intersection of Stanley Boulevard and Valley Drive would operate at LOS E during the p.m. peak. No additional improvements have been identified or funded, and it is unknown whether any mitigation is even feasible or whether the respective lead agencies would choose to implement any mitigation projects. Therefore, the impact ~~of removing Stoneridge Drive~~ would be cumulatively significant and potentially unavoidable.

The top of page 4-42 is revised as follows:

…cumulative road volumes, the new facility would not be expected to result in above-average traffic accidents for this type of facility. Thus, a cumulatively considerable traffic safety impact is not identified for El Charro Road adjacent to the Project, and the Project would not make a cumulatively considerable contribution.

If Stoneridge Drive is ultimately not extended and only connected by an EVA, then the intersection of Stoneridge Drive/El Charro Road will have less volume than would occur with a Stoneridge Drive Extension as this will only be a local access to Staples Ranch. If the higher volume intersection can be designed without cumulative significant safety impacts, then it stands to reason that a lesser volume intersection could also be built without cumulative significant safety impacts.

The notes section of Tables 4-5a, 4-5b, and 4-11 is revised as follows:

Notes:

Significance Criteria = Significant Cumulative Impact = Decline to F; if already F, ~~velocity~~ volume -to-capacity ratio increase > 3 % and > 1% project contribution

Significant impacts in bold (none in this table)

1. Volume = vehicles per hour (vph)
2. Density = passenger car per mile per lane (pc/m/ln)
3. LOS = level of service

Source: Dowling Associates, Inc., 2006.

Table 4-6 is revised to correct City of Pleasanton and City of Dublin LOS standards. See attached table.

Table 4-12 is revised to reflect the current intersection configurations within the Specific Plan Area. See attached table.

Table 4-13 is revised to clarify the text under "4. Flood Control Flow-Through Alternative." See attached table.

Chapter 5, References Cited

Page 5-5 has been revised as follows:

~~[City of Pleasanton]. 2006. *Stoneridge Drive Specific Plan Amendment/Staples Ranch Draft EIR – Notice of Preparation*. Available: <http://www.ci.pleasanton.ca.us/business/planning/staplesranch/public/staples-nop-draft-eir.pdf>. Accessed: September 20, 2006.~~

[City of Pleasanton]. 2007. Stoneridge Drive Specific Plan Amendment/Staples Ranch Project. Notice of Preparation of a Draft Environmental Impact Report. March. Available: <http://www.ci.pleasanton.ca.us/business/planning/staplesranch/public/staplesranch-nop-307.pdf>. Accessed: April 2007.

The following references are added:

California Division of Mines & Geology. 1996. Update of Mineral Land Classification: Aggregate Material in the South San Francisco Bay Production-Consumption Region. DMG Open File Report 96-03.

California Geological Survey. 2006. MAP SHEET 52: AGGREGATE AVAILABILITY IN CALIFORNIA. Prepared by Susan Kohler.

Douglas Herring & Associates 2004. Draft Environmental Impact Report, Application for Rhodes and Jamieson Aggregate Mines, Surface Mining Permits SMP-38, SMP-39, and SMP-40. SCH #2003082034. Prepared for Alameda County Community Development Agency. November.

Dowling Associates, Inc. 2007. Traffic Study—El Charro Specific Plan. California.

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Table 4-6. El Charro Specific Plan Traffic Impact Peak Hour Intersection Level of Service, Cumulative 2030 Conditions

	Intersections	LOS Standard	Time Period	2008	LOS from 2030 Scenarios		
				No Project	Cumulative w/o Project	Cumulative with Project—Jack London Boulevard Extension option	Cumulative with Project—Airway Boulevard Extension option
	Livermore						
~~1~~	~~El Charro Rd at I-580 eastbound ramps~~	~~Midlevel D~~	~~a.m.~~	~~B~~	~~B~~	~~B~~	~~B~~
			~~p.m.~~	~~A~~	~~B~~	~~B~~	~~B~~
2	El Charro Rd at Freisman Rd	None	a.m.	A	F	N/A	N/A
			p.m.	A	F	N/A	N/A
3	Airway Blvd at North Canyons Pkwy	E	a.m.	C	C	C	C
			p.m.	B	C	C	C
4	Airway Blvd (SR 84) at I-580 westbound ramps	E	a.m.	B	C	C	C
			p.m.	B	C	C	C
5	Airway Blvd (SR 84) at I-580 eastbound ramps	E	a.m.	D	C	C	C
			p.m.	C	C	C	C
6	Isabel Ave–Kitty Hawk Rd (SR 84) at Airway Blvd	E	a.m.	E	N/A	N/A	N/A
			p.m.	C	N/A	N/A	N/A
7	Collier Canyon Rd at North Canyons Pkwy	Midlevel D	a.m.	B	C	C	C
			p.m.	B	B	C	C
8	Isabel Ave (SR 84) at Jack London Blvd	Midlevel D	a.m.	B	E	**E**	C
			p.m.	C	F	***F***	D
9	Isabel Ave (SR 84) at East Stanley Blvd offramp (north)	Midlevel D	a.m.	B	C	D	C
			p.m.	C	D	D	D
10	Isabel Ave (SR 84) at Stanley Blvd onramp (south)	Midlevel D	a.m.	C	B	B	B
			p.m.	C	C	C	C
11	Isabel Ave (SR 84) at Concannon Blvd	Midlevel D	a.m.	C	C	D	D
			p.m.	C	B	B	B
12	East Vallecitos Rd (SR 84) at Isabel Ave	Midlevel D	a.m.	C	B	B	B
			p.m.	B	A	A	A

Table 4-6. Continued

Intersections	LOS Standard	Time Period	2008	LOS from 2030 Scenarios		
			No Project	Cumulative w/o Project	Cumulative with Project—Jack London Boulevard Extension option	Cumulative with Project—Airway Boulevard Extension option
13 Murrieta Blvd at East Jack London Blvd–Pine St	Midlevel D	a.m.	E	F	***E***	D
		p.m.	D	D	D	D
14 Murrieta Blvd at East Stanley Blvd	Midlevel D	a.m.	C	D	**D**	**E**
		p.m.	C	D	D	D
15 Isabel Ave–Campus Dr at Portola Ave	E	a.m.	N/A	C	C	C
		p.m.	N/A	C	C	C
16 Isabel Ave (SR 84) at I-580 westbound ramps	E	a.m.	N/A	D	D	D
		p.m.	N/A	C	C	C
17 Isabel Ave (SR 84) at I-580 eastbound ramps	E	a.m.	N/A	B	C	C
		p.m.	N/A	C	D	C
~~18 El Charro Rd at West Jack London Blvd~~	~~Midlevel D~~	~~a.m.~~	~~A~~	~~C~~	~~C~~	~~C~~
		~~p.m.~~	~~B~~	~~D~~	~~D~~	~~D~~
19 Isabel Ave (SR 84) at Airway Blvd	E	a.m.	N/A	E	D	**F**
		p.m.	N/A	F	***F***	**F**
20 Airway Blvd at Airway Extension	Midlevel D	a.m.	N/A	N/A	N/A	C
		p.m.	N/A	N/A	N/A	D
Dublin						
21 Hacienda Dr at Dublin Blvd	D ~~E~~	a.m.	D	D	D	D
		p.m.	C	D	D	D
22 Hacienda Dr at I-580 westbound ramps	D ~~E~~	a.m.	B	C	C	C
		p.m.	B	C	C	C
23 Tassajara Rd at Central Pkwy	D ~~E~~	a.m.	C	C	C	C
		p.m.	B	D	D	D
24 Tassajara Rd at Dublin Blvd	D ~~E~~	a.m.	C	C	C	C
		p.m.	C	D	D	D

Table 4-6. Continued

	Intersections	LOS Standard	Time Period	2008	LOS from 2030 Scenarios		
				No Project	Cumulative w/o Project	Cumulative with Project—Jack London Boulevard Extension option	Cumulative with Project—Airway Boulevard Extension option
25	Tassajara Rd at I-580 westbound ramps	D ~~E~~	a.m.	B	D	D	D
			p.m.	C	B	B	B
26	Fallon Rd at Central Pkwy	D ~~E~~	a.m.	B	C	C	C
			p.m.	B	D	D	D
27	Fallon Rd at Dublin Blvd	D ~~E~~	a.m.	C	C	C	C
			p.m.	B	C	C	C
28	El Charro Rd–Fallon Rd at I-580 westbound ramps	D ~~E~~	a.m.	B	B	C	C
			p.m.	B	C	D	D
	Pleasanton						
1	El Charro Rd at I-580 eastbound ramps	D	a.m.	B	B	B	B
			p.m.	A	B	B	B
18	El Charro Rd at West Jack London Blvd	~~Midlevel~~ D	a.m.	A	C	C	C
			p.m.	B	D	D	D
29	Hacienda Dr at I-580 eastbound ramps	D ~~E~~	a.m.	B	C	C	C
			p.m.	B	C	C	C
30	Hacienda Dr at Owens Dr	D ~~E~~	a.m.	B	C	C	C
			p.m.	C	C	C	C
31	West Las Positas Blvd at Stoneridge Dr	D ~~E~~	a.m.	C	C	C	C
			p.m.	C	C	C	C
32	Santa Rita Rd at Pimlico Dr–I-580 eastbound ramps	D ~~E~~	a.m.	D	F	***F***	***E***
			p.m.	D	D	**E**	**E**
33	Santa Rita Rd at West Las Positas Blvd	D ~~E~~	a.m.	C	C	C	C
			p.m.	C	D	D	D
34	Santa Rita Rd at Stoneridge Dr	D ~~E~~	a.m.	C	E	**F**	**F**
			p.m.	C	F	***F***	**F**
35	Santa Rita Rd at Valley Ave	D ~~E~~	a.m.	D	C	C	C

Table 4-6. Continued

	Intersections	LOS Standard	Time Period	2008	LOS from 2030 Scenarios		
				No Project	Cumulative w/o Project	Cumulative with Project—Jack London Boulevard Extension option	Cumulative with Project—Airway Boulevard Extension option
			p.m.	D	C	C	C
36	Rheem Dr–Milani Ave at Stoneridge Dr	D ~~E~~	a.m.	B	C	C	C
			p.m.	B	E	**E**	**F**
37	Kamp Dr–Garden Cir at Stoneridge Dr	D ~~E~~	a.m.	B	A	A	A
			p.m.	A	A	A	A
38	Busch Rd at Valley Ave	D ~~E~~	a.m.	D	D	C	D
			p.m.	C	C	C	C
39	Valley Ave–Bernal Rd at Stanley Blvd	D ~~E~~	a.m.	C	D	D	D
			p.m.	D	E	***E***	***E***
40	El Charro Rd at Busch Rd	D ~~E~~	a.m.	N/A	B	B	B
			p.m.	N/A	B	B	B
41	El Charro Rd at Stanley Blvd	D ~~E~~	a.m.	N/A	B	B	D
			p.m.	N/A	B	C	C
Site Access Intersections (All within Livermore)							
42	Road A at W Jack London Blvd	Mid-Level D	a.m.	N/A	N/A	B	B
			p.m.	N/A	N/A	D	D
44	Prime access at W Jack London Blvd	N/A	a.m.	N/A	N/A	A	A
			p.m.	N/A	N/A	C	C
45	Road B at W Jack London Blvd 2	Mid-Level D	a.m.	N/A	N/A	A	A
			p.m.	N/A	N/A	C	C
47	Road A at 1st access intersection	N/A	a.m.	N/A	N/A	A	A
			p.m.	N/A	N/A	D	D
48	Road A at 2nd access intersection	N/A	a.m.	N/A	N/A	A	A
			p.m.	N/A	N/A	C	C

Table 4-6. Continued

	Intersections	LOS Standard	Time Period	2008	LOS from 2030 Scenarios		
				No Project	Cumulative w/o Project	Cumulative with Project—Jack London Boulevard Extension option	Cumulative with Project—Airway Boulevard Extension option
49	Road A at Freisman Road	N/A	a.m.	N/A	N/A	A	A
			p.m.	N/A	N/A	D	D

Significant impact due to contribution to not meeting level of service (LOS) standard

Less than significant due to reduction in delay with project compared to w/o project.

Significant impact due to > 5 second delay

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Table 4-12. Peak Hour Intersection Level of Service Cumulative 2030 Conditions without the Stoneridge Drive Extension

Intersections	LOS Threshold ~~Standard~~	Time Period	2008	LOS from 2030 Scenarios	
			No Project	Cumulative w/o Project	Cumulative with Project—Jack London Boulevard Extension—without Stoneridge Ext
Livermore					
~~1 El Charro Rd at I-580 eastbound ramps~~	~~Midlevel D~~	~~a.m.~~	~~B~~	~~B~~	~~C~~
		~~p.m.~~	~~A~~	~~B~~	~~C~~
2 El Charro Rd at Freisman Rd	None	a.m.	A	F	n/a
		p.m.	A	F	n/a
3 Airway Blvd at North Canyons Pkwy	E	a.m.	C	C	C
		p.m.	B	C	C
4 Airway Blvd (SR 84) at I-580 westbound ramps	E	a.m.	B	C	C
		p.m.	B	C	C
5 Airway Blvd (SR 84) at I-580 eastbound ramps	E	a.m.	D	C	C
		p.m.	C	C	C
6 Isabel Ave-Kitty Hawk Rd (SR 84) at Airway Blvd	E	a.m.	E	n/a	n/a
		p.m.	C	n/a	n/a
7 Collier Canyon Rd at North Canyons Pkwy	Midlevel D	a.m.	B	C	C
		p.m.	B	B	C
8 Isabel Ave (SR 84) at Jack London Blvd	Midlevel D	a.m.	B	E	D
		p.m.	C	F	***F***
9 Isabel Ave (SR 84) at East Stanley Blvd offramp (north)	Midlevel D	a.m.	B	C	C
		p.m.	C	D	D
10 Isabel Ave (SR 84) at Stanley Blvd onramp (south)	Midlevel D	a.m.	C	B	B
		p.m.	C	C	C
11 Isabel Ave (SR 84) at Concannon Blvd	Midlevel D	a.m.	C	C	D
		p.m.	C	B	B
12 East Vallecitos Rd (SR 84) at Isabel Ave	Midlevel D	a.m.	C	B	B
		p.m.	B	A	A

Intersections	LOS Threshold ~~Standard~~	Time Period	2008 No Project	LOS from 2030 Scenarios Cumulative w/o Project	LOS from 2030 Scenarios Cumulative with Project—Jack London Boulevard Extension—without Stoneridge Ext
13 Murrieta Blvd at East Jack London Blvd–Pine St	Midlevel D	a.m.	E	F	***E***
		p.m.	D	D	D
14 Murrieta Blvd at East Stanley Blvd	Midlevel D	a.m.	C	D	**E**
		p.m.	C	D	D
15 Isabel Ave-Campus Dr at Portola Ave	E	a.m.	n/a	C	C
		p.m.	n/a	C	D
16 Isabel Ave (SR 84) at I-580 westbound ramps	E	a.m.	n/a	D	C
		p.m.	n/a	C	C
17 Isabel Ave (SR 84) at I-580 eastbound ramps	E	a.m.	n/a	B	C
		p.m.	n/a	C	D
~~18 El Charro Rd at West Jack London Blvd~~	~~Midlevel D~~	~~a.m.~~	~~A~~	~~C~~	~~C~~
		~~p.m.~~	~~B~~	~~D~~	~~***F***~~
19 Isabel Ave (SR 84) at Airway Blvd	E	a.m.	n/a	E	D
		p.m.	n/a	F	**F**
20 Airway Blvd at Airway Extension	Midlevel D	a.m.	n/a	n/a	n/a
		p.m.	n/a	n/a	n/a
Dublin					
21 Hacienda Dr at Dublin Blvd	D	a.m.	D	D	D
		p.m.	C	D	***E***
22 Hacienda Dr at I-580 westbound ramps	D	a.m.	B	C	C
		p.m.	B	C	C
23 Tassajara Rd at Central Pkwy	D	a.m.	C	C	C
		p.m.	B	D	D
24 Tassajara Rd at Dublin Blvd	D	a.m.	C	C	D
		p.m.	C	D	D

Intersections	LOS Threshold ~~Standard~~	Time Period	2008 No Project	LOS from 2030 Scenarios: Cumulative w/o Project	LOS from 2030 Scenarios: Cumulative with Project—Jack London Boulevard Extension—without Stoneridge Ext
25 Tassajara Rd at I-580 westbound ramps	D	a.m.	B	D	***F***
		p.m.	C	B	C
26 Fallon Rd at Central Pkwy	D	a.m.	B	C	C
		p.m.	B	D	D
27 Fallon Rd at Dublin Blvd	D	a.m.	C	C	C
		p.m.	B	C	C
28 El Charro Rd-Fallon Rd at I-580 westbound ramps	D	a.m.	B	B	B
		p.m.	B	C	***E***
Pleasanton					
1 El Charro Rd at I-580 eastbound ramps	D	a.m.	B	B	C
		~~p.m.~~	~~A~~	~~B~~	~~C~~
18 El Charro Rd at West Jack London Blvd	D	a.m.	A	C	C
		p.m.	B	D	***F***
29 Hacienda Dr at I-580 eastbound ramps	D	a.m.	B	C	C
		p.m.	B	C	C
30 Hacienda Dr at Owens Dr	D	a.m.	B	C	C
		p.m.	C	C	C
31 West Las Positas Blvd at Stoneridge Dr	D	a.m.	C	C	C
		p.m.	C	C	C
32 Santa Rita Rd at Pimlico Dr-I-580 eastbound ramps	D	a.m.	D	F	***E***
		p.m.	D	D	***F***
33 Santa Rita Rd at West Las Positas Blvd	D	a.m.	C	C	C
		p.m.	C	D	***E***
34 Santa Rita Rd at Stoneridge Dr	D	a.m.	C	E	***F***
		p.m.	C	F	***F***
35 Santa Rita Rd at Valley Ave	D	a.m.	D	C	C

Intersections	LOS Threshold ~~Standard~~	Time Period	2008 No Project	LOS from 2030 Scenarios: Cumulative w/o Project	LOS from 2030 Scenarios: Cumulative with Project—Jack London Boulevard Extension—without Stoneridge Ext
		p.m.	D	C	C
36 Rheem Dr–Milani Ave at Stoneridge Dr	D	a.m.	B	C	C
		p.m.	B	E	C
37 Kamp Dr–Garden Cir at Stoneridge Dr	D	a.m.	B	A	B
		p.m.	A	A	A
38 Busch Rd at Valley Ave	D	a.m.	D	D	***E***
		p.m.	C	C	***F***
39 Valley Ave-Bernal Rd at Stanley Blvd	D	a.m.	C	D	D
		p.m.	D	E	***E***
40 El Charro Rd at Busch Rd	D	a.m.	n/a	B	B
		p.m.	n/a	B	D
41 El Charro Rd at Stanley Blvd	D	a.m.	n/a	B	C
		p.m.	n/a	B	C

Significant impact due to contribution to not meeting level of service (LOS) standard

Less than significant due to reduction in delay with Project compared to w/o Project.

Significant impact due to > 5 second delay

Significant due to potential Pleasanton General Plan Amendment removing the Stoneridge Extension

Table 4-13. El Charro Specific Plan, Alternatives Considered

Alternative	Primary Features	Summary of Alternatives Analysis
1. Proposed Project	El Charro Specific Plan, including the following elements: —Land use program —Design guidelines and standards —Circulation and infrastructure goals and policies —Circulation/road improvements —Utilities and infrastructure improvements —Open space, public services and community facilities Development projects within the Specific Plan Area Development agreements Financing mechanisms Phasing of public improvements	Proposed Project. Presented in Chapter 2.0. **Analyzed in Chapters 3.1–3.15 and 4.**
2. No Project	No Specific Plan No development in Specific Plan Area No infrastructure	**Analyzed in draft EIR as required by California Environmental Quality Act.** Would result in no new development but would not meet Project objectives.
3. Flood Control Desilting Alternative	Desilting of the Arroyo Las Positas from Isabel Avenue through the golf course reach No detention basin	**Considered feasible and analyzed in draft EIR.** This alternative would avoid the need for a detention basin, which would reduce the impact on potential upland habitat for the California tiger salamander and that may be utilized by burrowing owls. However, this alternative would substantially increase impacts on the Arroyo Las Positas riparian areas, which are suitable aquatic habitat for the California red-legged frog and other riparian species.

Alternative	Primary Features	Summary of Alternatives Analysis
4. Flood Control Flow-Through Alternative	Facilities to pass north overbank flow through Specific Plan Area No detention basin	**Considered feasible and analyzed in draft EIR.** This alternative would avoid the need for a detention basin, which would reduce the impact on potential upland habitat for the California tiger salamander and that may be utilized by burrowing owls. ~~However, t~~This alternative would require adjustment to the configuration of the Prime Outlets development ~~reduce the developable footprint of several of the properties in the Specific Plan Area~~ due to the need for facility space to pass the flow through the area, but would allow for the same amount of retail use as the proposed Project. This alternative would not increase the amount of overbank flow passed to the Staples Ranch area and across I-580 but would not reduce flow to these areas like the proposed Project would.
5. Airway Boulevard Extension, Middle Alignment Alternative	Routing of Airway Boulevard Extension through the middle of the golf course	**Considered feasible and analyzed in draft EIR.** This alternative would avoid the potential need to realign part of Cottonwood Creek to facilitate the proposed Airway Boulevard Extension and would avoid a Cottonwood Creek crossing, thus reducing and avoiding impacts on biological resources. However, this alternative would require the relocation of the golf course clubhouse and would require more substantial redesign of the golf course.
6. Children's Hospital Site Alternative 1	Realignment of Cottonwood Creek to increase developable area on property	**Considered feasible and analyzed in draft EIR.** This alternative has been suggested by different potential project proponents. Realignment of the creek would unify the northwest and east parcels. This may allow for a reduction in the need for higher buildings for potential business/commercial park uses or church development by increasing the contiguous upland expanse and might avoid the need for a General Plan Amendment concerning the visual corridor policy. However, Cottonwood Creek provides aquatic habitat for the California red-legged frog and a potential migration corridor for the California tiger salamander and other riparian species, and its realignment would reduce the amount of extant riparian habitat.

Alternative	Primary Features	Summary of Alternatives Analysis
7. Children's Hospital Site Alternative 2	No development of southern parcel on the Children's Hospital site	**Considered feasible and analyzed in draft EIR.** This alternative would include no business/commercial park uses or church development on the southern parcel, which would avoid any direct conversion of the land, avoid the need for mass fill to remove any development from the floodplain, and avoid the need for two additional bridges to facilitate transit across the site parcels. It is possible that the southern parcel could be used for future flood control facilities, habitat, or perhaps golf course redesign area. This alternative, because it reduces development potential, would reduce impacts related to multiple subject areas such as traffic, air quality, and biological resources. This alternative would reduce potential buildout of the Specific Plan, which would reduce funding for project infrastructure However, given the limit on land, this may result in larger massing on the northwest and east parcels and may increase the potential need for a General Plan Amendment concerning the visual corridor policy.
8. Visual Corridor Compliant Specific Plan	No General Plan Amendments to allow inconsistency with visual corridor policy for Prime Outlets Livermore Valley or potential church use on Children's Hospital property	**Considered potentially feasible and analyzed in draft EIR.** This alternative would better preserve a continuous view of the hills south of Pleasanton and Livermore than the proposed Project. This alternative would provide for sufficient space to provide a similar level of buildout as the proposed Project. However, the lack of any accommodation on building heights would result in a more spread out and continuous expanse of lower buildings across the Prime Outlets and Children's Hospital sites, which may be aesthetically inferior to the proposed Project. Architectural flourishes above the height allowed by the visual corridor policy would not be allowed, which could reduce the aesthetic appeal of proposed development.
Alternatives Considered but Dismissed from Further Analysis in this EIR		
A. Flood Control Diversion to Lake H Alternative	Use of pipes and pumping to route floodplain flows into Lake H No detention basin	Analyzed for feasibility. *Dismissed from further analysis in draft EIR as this alternative would require extensive take of private land through a significant mineral resource area, and Lake H is not available today. Thus, this alternative is not considered feasible.*

Alternative	Primary Features	Summary of Alternatives Analysis
B. Jack London Boulevard Extension, Northern Four-Lane Alignment Alternative	Routing of four-lane Jack London Boulevard Extension along interim two-lane alignment mostly on City-owned land.	Analyzed for feasibility. *Dismissed from further analysis in draft EIR as infeasible because this alternative would either require extensive above-ground construction in the Federal Aviation Administration (FAA) designated runway protection zone (which FAA will not permit) or require an extensive underground tunnel in an area of shallow groundwater, which is considered logistically and economically suspect and would create unnecessary traffic safety concerns.*
C. Limited Commercial Development Alternative	Lowered commercial buildout of the Specific Plan 750,000 square foot cap on commercial space potential	Analyzed for feasibility. *Dismissed from further analysis in draft EIR as infeasible because this alternative would not generate sufficient funding for the infrastructure necessary to serve the Specific Plan Area as a whole. The infrastructure needs for the Specific Plan are not linear in that the level of infrastructure development would be similar for a 750,000 square foot development as that needed for a 1.5 million square foot development due to the need to extend roads, water lines, sewer lines, and other infrastructure to the undeveloped site.*
D. Children's Hospital Site Alternative 3	Develop commercial uses on City-owned land zoned for open space in the Specific Plan Area instead of the development of east and south parcels on the Children's Hospital property	Analyzed for feasibility. *Dismissed from further analysis in draft EIR as this alternative would require the use of land purchased by the City using FAA-derived funding that constrains commercial use of such land. The FAA requirements specify that the land use may be used for commercial uses that are related to airport use. This is not considered probable, as the land is separated from the airport by sufficient distance that lowers the potential feasibility of any such use. In addition, such commercial uses are not likely to be as intensive as business/commercial park uses on other nonconstrained land in the Specific Plan Area (such as the Children's Hospital site), which also would result in economic infeasibility issues due to the cost of infrastructure.*

Alternative	Primary Features	Summary of Alternatives Analysis
E. Dedicated El Charro Truck Lanes Alternative	Dedicated truck lanes along El Charro Road. Flyover or underpass at Jack London Boulevard/Airway Boulevard	Analyzed for feasibility and potential to reduce significant impacts of the Project. *Dismissed from further analysis in draft EIR as this alternative, while it would segregate commercial and quarry traffic along El Charro Road, it also would introduce unsafe weaving and merging areas that would increase the potential for accidents. By comparison to the proposed Project, such an alternative is not considered an improvement in traffic safety along El Charro Road and thus would not reduce a significant impact of the proposed Project and was dismissed from further analysis in the EIR.*
F. Alternative Commercial Development Locations	Retention of the Specific Plan in current uses. 1.5 million square feet at alternative locations Location 1—SMP-38, SMP-39, SMP-40 Location 2—Doolan Canyon Location 3—North Livermore	Analyzed for feasibility, ability to meet most of the project objectives, and ability to avoid/reduce project significant impacts *Dismissed from further analysis in draft EIR, as the various versions of this alternative ultimately would not meet the fundamental objective to develop the Specific Plan Area in accordance with the general plan. The placement of business/commercial park use in other parts of the city would require a General Plan Amendment or an increase of intensity at other business/commercial park lands beyond that planned for in the general plan. Placement of business/commercial park uses at SMP-38, 39, and 40 would result in significant unavoidable impacts on mineral resources. Placement of business/commercial park uses at Doolan Canyon would require City annexation and would result in significant unavoidable biological resource impacts, as the area is undeveloped and contains extant populations of rare species. Similar impacts would come from the placement of business/commercial park uses in other North Livermore areas, such as north of I-580 at North Livermore Road. Thus, this alternative does not meet most of the project objectives and is not demonstrated to avoid or reduce significant impacts of the Project.*

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Chapter 5
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Jody Job, Senior Publications Specialist.
Contribution: Publication/Production

Josh Hunter, Publications Specialist.
Contribution: Publication/Production

EDAW|AECOM

El Charro Specific Plan

Environmental Vision

Simulation photos

PMC

El Charro Scenic Corridor Analysis Update

Dowling Associates

Traffic Study

DKS Associates

Assessment of Traffic Safety Impacts

Schaaf & Wheeler

Technical Report—Hydrology and Hydraulics El Charro Specific Plan Area

Zander Associates

Wetland Assessment for Lands within the El Charro Specific Plan

California Red-Legged Frog and California Tiger Salamander Site Assessment

California Red-Legged Frog Survey Report

Appendix F

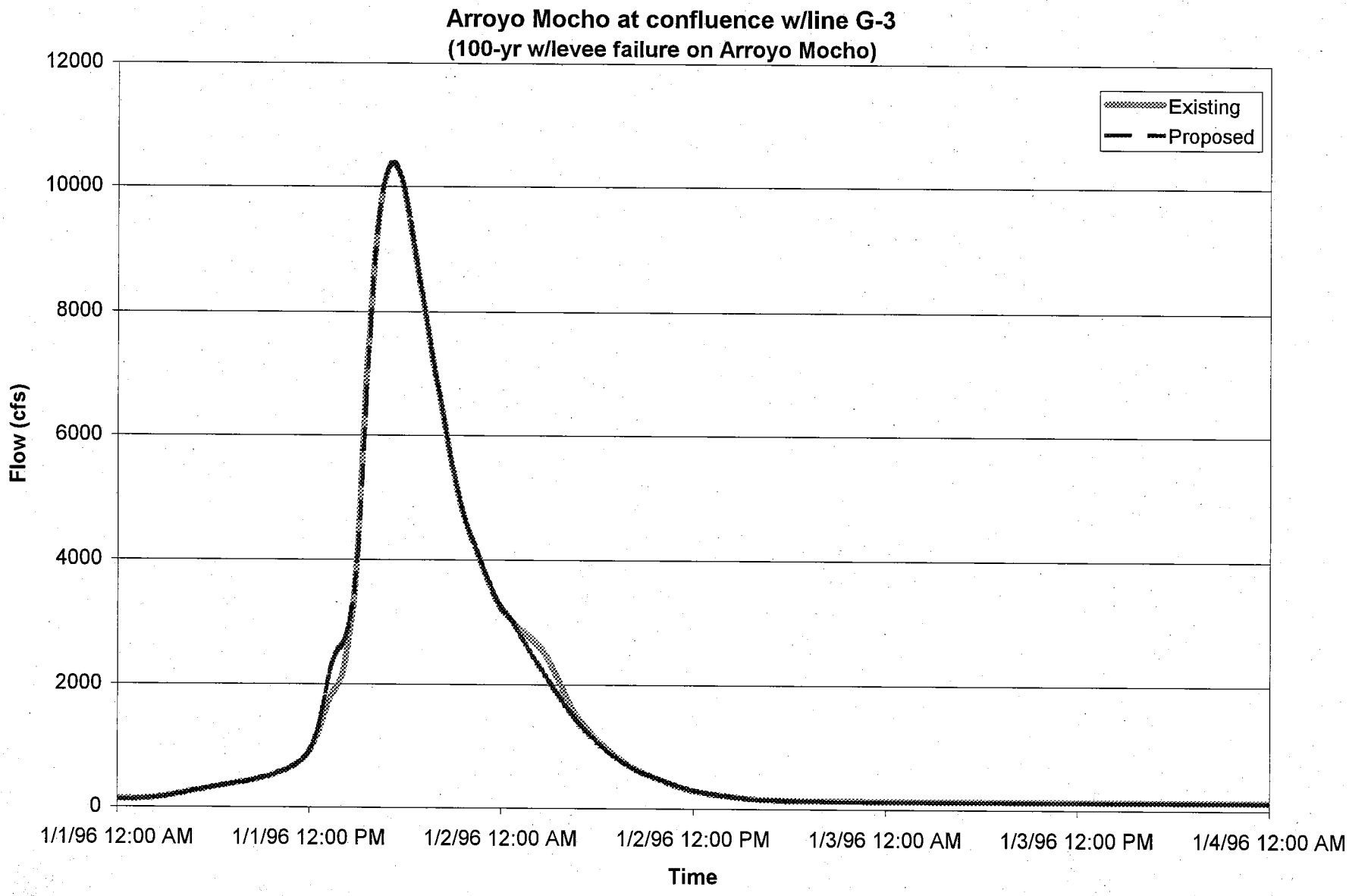
Hydrology and Hydraulic Study

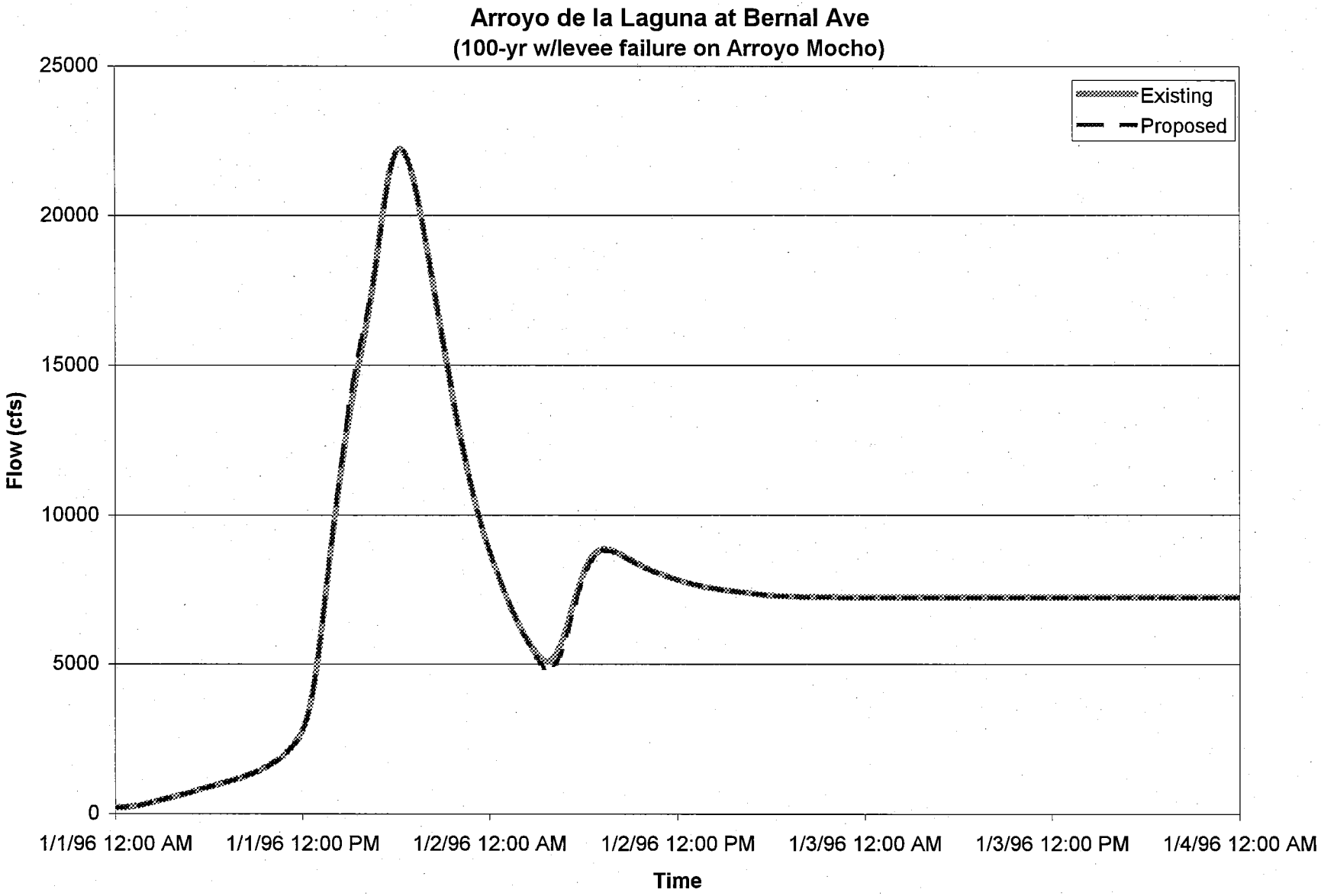
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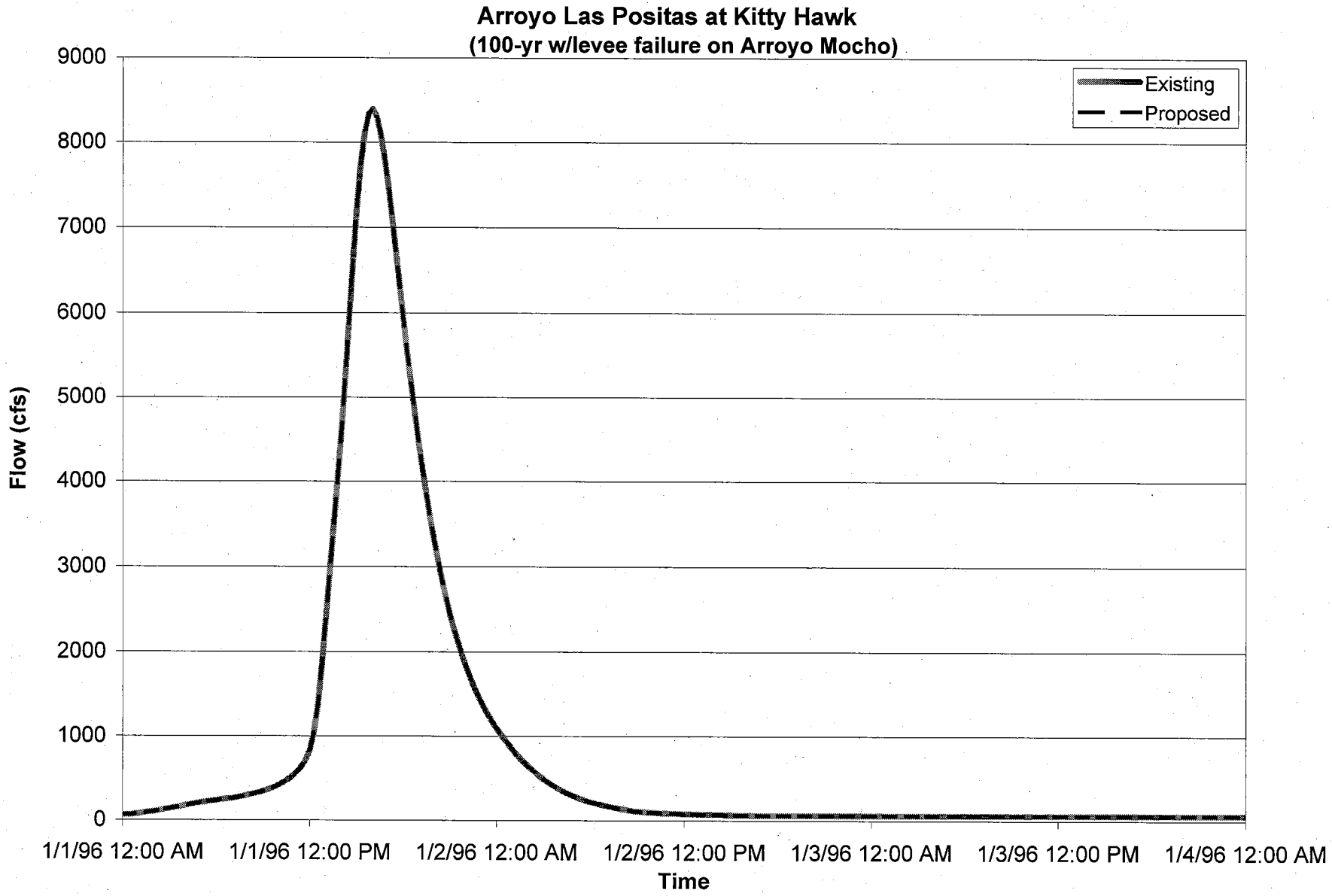
Appendix F-1

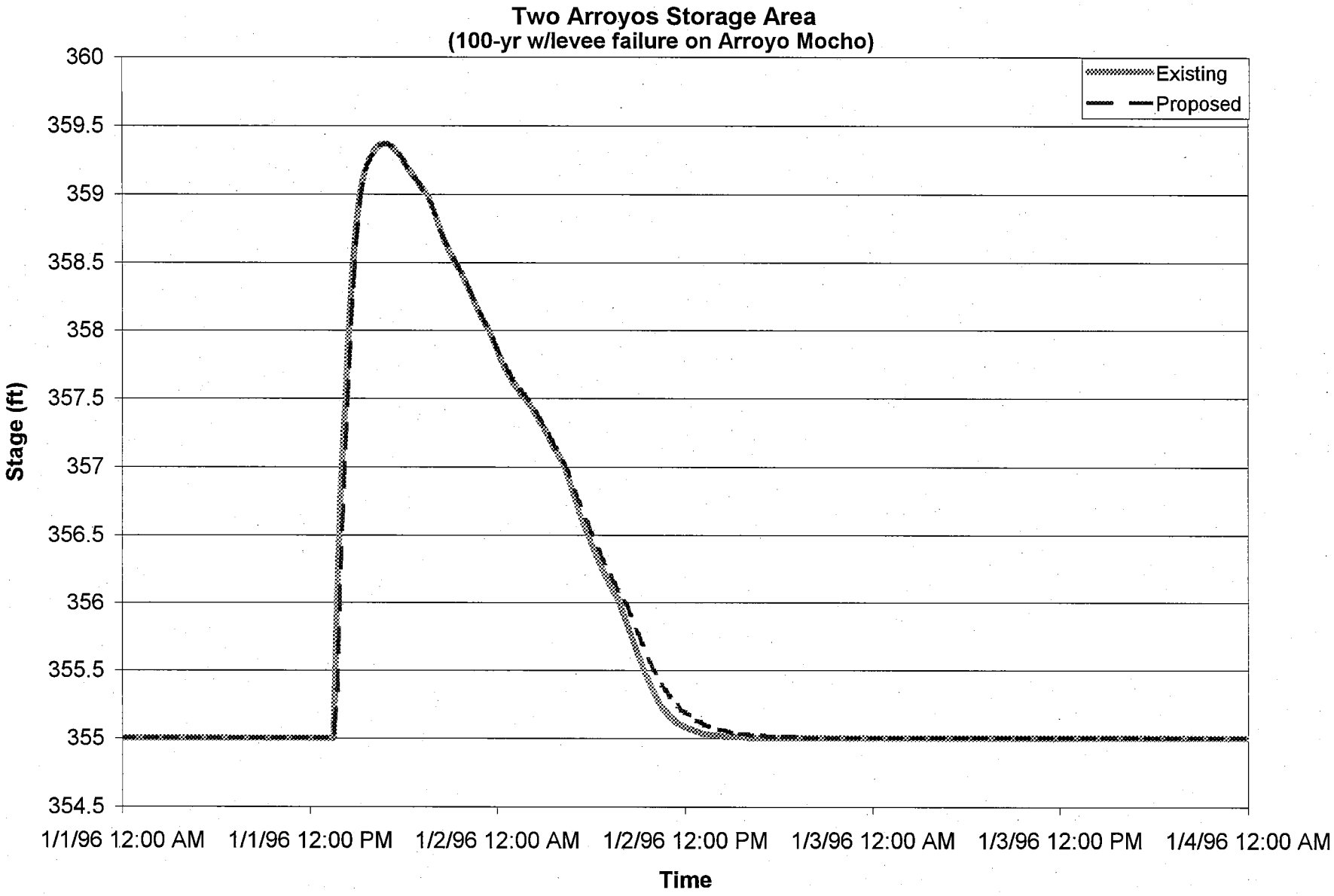
Hydrographs and Data

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Arroyo Mocho at confluence w/line G-3
(100-yr w/levee failure on Arroyo Mocho)
Existing
Proposed
Flow (cfs)
12000
10000
8000
6000
4000
2000
0
1/1/96 12:00 AM
1/1/96 12:00 PM
1/2/96 12:00 AM
1/2/96 12:00 PM
1/3/96 12:00 AM
1/3/96 12:00 PM
1/4/96 12:00 AM
Time


Arroyo de la Laguna at Bernal Ave
(100-yr w/levee failure on Arroyo Mocho)
Existing
Proposed
25000
20000
15000
10000
5000
0
Flow (cfs)
1/1/96 12:00 AM
1/1/96 12:00 PM
1/2/96 12:00 AM
1/2/96 12:00 PM
1/3/96 12:00 AM
1/3/96 12:00 PM
1/4/96 12:00 AM
Time


Arroyo Las Positas at Kitty Hawk
(100-yr w/levee failure on Arroyo Mocho)
Existing
Proposed
Flow (cfs)
9000
8000
7000
6000
5000
4000
3000
2000
1000
0
1/1/96 12:00 AM
1/1/96 12:00 PM
1/2/96 12:00 AM
1/2/96 12:00 PM
1/3/96 12:00 AM
1/3/96 12:00 PM
1/4/96 12:00 AM
Time


Two Arroyos Storage Area
(100-yr w/levee failure on Arroyo Mocho)
Existing
Proposed
Stage (ft)
360
359.5
359
358.5
358
357.5
357
356.5
356
355.5
355
354.5
1/1/96 12:00 AM
1/1/96 12:00 PM
1/2/96 12:00 AM
1/2/96 12:00 PM
1/3/96 12:00 AM
1/3/96 12:00 PM
1/4/96 12:00 AM
Time

Existing Units Type		CFS INST-VAL
1	35065	62.4
2	01/01/1996 0:15	63.1
3	01/01/1996 0:30	65.6
4	01/01/1996 0:45	70.3
5	01/01/1996 1:00	76.7
6	01/01/1996 1:15	83.3
7	01/01/1996 1:30	89.7
8	01/01/1996 1:45	96.2
9	01/01/1996 2:00	103.2
10	01/01/1996 2:15	110.8
11	01/01/1996 2:30	119.1
12	01/01/1996 2:45	127.8
13	01/01/1996 3:00	136.8
14	01/01/1996 3:15	145.7
15	01/01/1996 3:30	154.6
16	01/01/1996 3:45	163.7
17	01/01/1996 4:00	173
18	01/01/1996 4:15	182.3
19	01/01/1996 4:30	191.1
20	01/01/1996 4:45	199.3
21	01/01/1996 5:00	206.9
22	01/01/1996 5:15	214.2
23	01/01/1996 5:30	221.2
24	01/01/1996 5:45	227.9
25	01/01/1996 6:00	234.4
26	01/01/1996 6:15	240.6
27	01/01/1996 6:30	246.5
28	01/01/1996 6:45	252.4
29	01/01/1996 7:00	259
30	01/01/1996 7:15	266.8
31	01/01/1996 7:30	275.7
32	01/01/1996 7:45	285.4
33	01/01/1996 8:00	295.6
34	01/01/1996 8:15	306.3
35	01/01/1996 8:30	317.7
36	01/01/1996 8:45	330.3
37	01/01/1996 9:00	344.2
38	01/01/1996 9:15	359.5
39	01/01/1996 9:30	376.4
40	01/01/1996 9:45	395.6
41	01/01/1996 10:00	417.5
42	01/01/1996 10:15	442.8
43	01/01/1996 10:30	471.7
44	01/01/1996 10:45	505.1
45	01/01/1996 11:00	544.7
46	01/01/1996 11:15	592.2
47	01/01/1996 11:30	649.4
48	01/01/1996 11:45	722.9
49	01/01/1996 12:00	837

Proposed Units Type		CFS INST-VAL
1	35065	62.4
2	01/01/1996 0:15	63.1
3	01/01/1996 0:30	65.6
4	01/01/1996 0:45	70.3
5	01/01/1996 1:00	76.7
6	01/01/1996 1:15	83.3
7	01/01/1996 1:30	89.7
8	01/01/1996 1:45	96.2
9	01/01/1996 2:00	103.2
10	01/01/1996 2:15	110.8
11	01/01/1996 2:30	119.1
12	01/01/1996 2:45	127.8
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49	01/01/1996 12:00	837

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51	01/01/1996 12:30	1,370.00
52	01/01/1996 12:45	1,833.90
53	01/01/1996 13:00	2,374.90
54	01/01/1996 13:15	2,921.10
55	01/01/1996 13:30	3,447.10
56	01/01/1996 13:45	3,981.90
57	01/01/1996 14:00	4,570.80
58	01/01/1996 14:15	5,227.60
59	01/01/1996 14:30	5,923.70
60	01/01/1996 14:45	6,610.70
61	01/01/1996 15:00	7,236.50
62	01/01/1996 15:15	7,753.20
63	01/01/1996 15:30	8,126.00
64	01/01/1996 15:45	8,339.40
65	01/01/1996 16:00	8,397.30
66	01/01/1996 16:15	8,318.60
67	01/01/1996 16:30	8,128.70
68	01/01/1996 16:45	7,853.80
69	01/01/1996 17:00	7,517.30
70	01/01/1996 17:15	7,139.30
71	01/01/1996 17:30	6,737.40
72	01/01/1996 17:45	6,326.50
73	01/01/1996 18:00	5,918.20
74	01/01/1996 18:15	5,520.70
75	01/01/1996 18:30	5,139.40
76	01/01/1996 18:45	4,777.20
77	01/01/1996 19:00	4,435.90
78	01/01/1996 19:15	4,115.80
79	01/01/1996 19:30	3,816.80
80	01/01/1996 19:45	3,538.70
81	01/01/1996 20:00	3,281.10
82	01/01/1996 20:15	3,043.60
83	01/01/1996 20:30	2,825.80
84	01/01/1996 20:45	2,625.60
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87	01/01/1996 21:30	2,116.60
88	01/01/1996 21:45	1,973.40
89	01/01/1996 22:00	1,841.10
90	01/01/1996 22:15	1,718.70
91	01/01/1996 22:30	1,605.40
92	01/01/1996 22:45	1,500.90
93	01/01/1996 23:00	1,404.80
94	01/01/1996 23:15	1,316.30
95	01/01/1996 23:30	1,234.70
96	01/01/1996 23:45	1,159.30
97	35066	1,089.50
98	01/02/1996 0:15	1,024.10
99	01/02/1996 0:30	961.7
100	01/02/1996 0:45	901.4
101	01/02/1996 1:00	843.7

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188	01/02/1996 22:45	62.4
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204	01/03/1996 2:45	62.4
205	01/03/1996 3:00	62.4

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Proposed

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79	01/01/1996 19:30	359
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160	01/02/1996 15:45	355.03
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Existing

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2	01/01/1996 0:15	131
3	01/01/1996 0:30	125
4	01/01/1996 0:45	131
5	01/01/1996 1:00	126
6	01/01/1996 1:15	133
7	01/01/1996 1:30	130
8	01/01/1996 1:45	138
9	01/01/1996 2:00	139
10	01/01/1996 2:15	150
11	01/01/1996 2:30	155
12	01/01/1996 2:45	168
13	01/01/1996 3:00	175
14	01/01/1996 3:15	188
15	01/01/1996 3:30	197
16	01/01/1996 3:45	212
17	01/01/1996 4:00	222
18	01/01/1996 4:15	237
19	01/01/1996 4:30	248
20	01/01/1996 4:45	263
21	01/01/1996 5:00	275
22	01/01/1996 5:15	290
23	01/01/1996 5:30	301
24	01/01/1996 5:45	316
25	01/01/1996 6:00	327
26	01/01/1996 6:15	340
27	01/01/1996 6:30	351
28	01/01/1996 6:45	363
29	01/01/1996 7:00	374
30	01/01/1996 7:15	386
31	01/01/1996 7:30	396
32	01/01/1996 7:45	408
33	01/01/1996 8:00	419
34	01/01/1996 8:15	432
35	01/01/1996 8:30	445
36	01/01/1996 8:45	461
37	01/01/1996 9:00	477
38	01/01/1996 9:15	494
39	01/01/1996 9:30	513
40	01/01/1996 9:45	533
41	01/01/1996 10:00	555
42	01/01/1996 10:15	579
43	01/01/1996 10:30	606
44	01/01/1996 10:45	637
45	01/01/1996 11:00	672
46	01/01/1996 11:15	714
47	01/01/1996 11:30	764
48	01/01/1996 11:45	828

Proposed

Units		CFS
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5	01/01/1996 1:00	129
6	01/01/1996 1:15	130
7	01/01/1996 1:30	133
8	01/01/1996 1:45	136
9	01/01/1996 2:00	141
10	01/01/1996 2:15	148
11	01/01/1996 2:30	157
12	01/01/1996 2:45	166
13	01/01/1996 3:00	176
14	01/01/1996 3:15	187
15	01/01/1996 3:30	198
16	01/01/1996 3:45	210
17	01/01/1996 4:00	223
18	01/01/1996 4:15	236
19	01/01/1996 4:30	249
20	01/01/1996 4:45	263
21	01/01/1996 5:00	276
22	01/01/1996 5:15	289
23	01/01/1996 5:30	302
24	01/01/1996 5:45	315
25	01/01/1996 6:00	328
26	01/01/1996 6:15	340
27	01/01/1996 6:30	351
28	01/01/1996 6:45	363
29	01/01/1996 7:00	374
30	01/01/1996 7:15	385
31	01/01/1996 7:30	396
32	01/01/1996 7:45	407
33	01/01/1996 8:00	419
34	01/01/1996 8:15	432
35	01/01/1996 8:30	445
36	01/01/1996 8:45	460
37	01/01/1996 9:00	477
38	01/01/1996 9:15	494
39	01/01/1996 9:30	513
40	01/01/1996 9:45	533
41	01/01/1996 10:00	555
42	01/01/1996 10:15	579
43	01/01/1996 10:30	606
44	01/01/1996 10:45	637
45	01/01/1996 11:00	672
46	01/01/1996 11:15	714
47	01/01/1996 11:30	765
48	01/01/1996 11:45	828

49	01/01/1996 12:00	914
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51	01/01/1996 12:30	1,186
52	01/01/1996 12:45	1,371
53	01/01/1996 13:00	1,568
54	01/01/1996 13:15	1,748
55	01/01/1996 13:30	1,884
56	01/01/1996 13:45	1,985
57	01/01/1996 14:00	2,131
58	01/01/1996 14:15	2,411
59	01/01/1996 14:30	2,831
60	01/01/1996 14:45	3,395
61	01/01/1996 15:00	4,257
62	01/01/1996 15:15	5,456
63	01/01/1996 15:30	6,724
64	01/01/1996 15:45	7,850
65	01/01/1996 16:00	8,779
66	01/01/1996 16:15	9,433
67	01/01/1996 16:30	9,892
68	01/01/1996 16:45	10,198
69	01/01/1996 17:00	10,356
70	01/01/1996 17:15	10,379
71	01/01/1996 17:30	10,277
72	01/01/1996 17:45	10,072
73	01/01/1996 18:00	9,783
74	01/01/1996 18:15	9,434
75	01/01/1996 18:30	9,050
76	01/01/1996 18:45	8,660
77	01/01/1996 19:00	8,276
78	01/01/1996 19:15	7,901
79	01/01/1996 19:30	7,522
80	01/01/1996 19:45	7,144
81	01/01/1996 20:00	6,788
82	01/01/1996 20:15	6,450
83	01/01/1996 20:30	6,089
84	01/01/1996 20:45	5,729
85	01/01/1996 21:00	5,392
86	01/01/1996 21:15	5,092
87	01/01/1996 21:30	4,833
88	01/01/1996 21:45	4,618
89	01/01/1996 22:00	4,439
90	01/01/1996 22:15	4,274
91	01/01/1996 22:30	4,107
92	01/01/1996 22:45	3,938
93	01/01/1996 23:00	3,773
94	01/01/1996 23:15	3,615
95	01/01/1996 23:30	3,466
96	01/01/1996 23:45	3,332
97	35066	3,226
98	01/02/1996 0:15	3,147
99	01/02/1996 0:30	3,072
100	01/02/1996 0:45	3,001

49	01/01/1996 12:00	917
50	01/01/1996 12:15	1,053
51	01/01/1996 12:30	1,257
52	01/01/1996 12:45	1,534
53	01/01/1996 13:00	1,862
54	01/01/1996 13:15	2,185
55	01/01/1996 13:30	2,426
56	01/01/1996 13:45	2,553
57	01/01/1996 14:00	2,627
58	01/01/1996 14:15	2,763
59	01/01/1996 14:30	3,034
60	01/01/1996 14:45	3,470
61	01/01/1996 15:00	4,167
62	01/01/1996 15:15	5,210
63	01/01/1996 15:30	6,467
64	01/01/1996 15:45	7,716
65	01/01/1996 16:00	8,759
66	01/01/1996 16:15	9,451
67	01/01/1996 16:30	9,913
68	01/01/1996 16:45	10,211
69	01/01/1996 17:00	10,364
70	01/01/1996 17:15	10,384
71	01/01/1996 17:30	10,283
72	01/01/1996 17:45	10,078
73	01/01/1996 18:00	9,790
74	01/01/1996 18:15	9,441
75	01/01/1996 18:30	9,058
76	01/01/1996 18:45	8,667
77	01/01/1996 19:00	8,284
78	01/01/1996 19:15	7,908
79	01/01/1996 19:30	7,530
80	01/01/1996 19:45	7,150
81	01/01/1996 20:00	6,796
82	01/01/1996 20:15	6,460
83	01/01/1996 20:30	6,102
84	01/01/1996 20:45	5,743
85	01/01/1996 21:00	5,406
86	01/01/1996 21:15	5,105
87	01/01/1996 21:30	4,845
88	01/01/1996 21:45	4,628
89	01/01/1996 22:00	4,449
90	01/01/1996 22:15	4,287
91	01/01/1996 22:30	4,121
92	01/01/1996 22:45	3,954
93	01/01/1996 23:00	3,790
94	01/01/1996 23:15	3,632
95	01/01/1996 23:30	3,482
96	01/01/1996 23:45	3,346
97	35066	3,239
98	01/02/1996 0:15	3,159
99	01/02/1996 0:30	3,082
100	01/02/1996 0:45	2,993

101	01/02/1996 1:00	2,937
102	01/02/1996 1:15	2,880
103	01/02/1996 1:30	2,827
104	01/02/1996 1:45	2,776
105	01/02/1996 2:00	2,719
106	01/02/1996 2:15	2,653
107	01/02/1996 2:30	2,575
108	01/02/1996 2:45	2,486
109	01/02/1996 3:00	2,381
110	01/02/1996 3:15	2,248
111	01/02/1996 3:30	2,114
112	01/02/1996 3:45	1,973
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114	01/02/1996 4:15	1,704
115	01/02/1996 4:30	1,566
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117	01/02/1996 5:00	1,392
118	01/02/1996 5:15	1,315
119	01/02/1996 5:30	1,242
120	01/02/1996 5:45	1,171
121	01/02/1996 6:00	1,107
122	01/02/1996 6:15	1,042
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124	01/02/1996 6:45	928
125	01/02/1996 7:00	878
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128	01/02/1996 7:45	738
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131	01/02/1996 8:30	628
132	01/02/1996 8:45	596
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134	01/02/1996 9:15	537
135	01/02/1996 9:30	510
136	01/02/1996 9:45	483
137	01/02/1996 10:00	460
138	01/02/1996 10:15	435
139	01/02/1996 10:30	410
140	01/02/1996 10:45	384
141	01/02/1996 11:00	362
142	01/02/1996 11:15	341
143	01/02/1996 11:30	323
144	01/02/1996 11:45	306
145	01/02/1996 12:00	292
146	01/02/1996 12:15	278
147	01/02/1996 12:30	267
148	01/02/1996 12:45	255
149	01/02/1996 13:00	246
150	01/02/1996 13:15	236
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152	01/02/1996 13:45	219

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103	01/02/1996 1:30	2,655
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106	01/02/1996 2:15	2,347
107	01/02/1996 2:30	2,248
108	01/02/1996 2:45	2,149
109	01/02/1996 3:00	2,049
110	01/02/1996 3:15	1,950
111	01/02/1996 3:30	1,853
112	01/02/1996 3:45	1,757
113	01/02/1996 4:00	1,663
114	01/02/1996 4:15	1,572
115	01/02/1996 4:30	1,485
116	01/02/1996 4:45	1,403
117	01/02/1996 5:00	1,328
118	01/02/1996 5:15	1,260
119	01/02/1996 5:30	1,195
120	01/02/1996 5:45	1,133
121	01/02/1996 6:00	1,073
122	01/02/1996 6:15	1,016
123	01/02/1996 6:30	962
124	01/02/1996 6:45	911
125	01/02/1996 7:00	862
126	01/02/1996 7:15	816
127	01/02/1996 7:30	772
128	01/02/1996 7:45	731
129	01/02/1996 8:00	692
130	01/02/1996 8:15	656
131	01/02/1996 8:30	622
132	01/02/1996 8:45	591
133	01/02/1996 9:00	564
134	01/02/1996 9:15	539
135	01/02/1996 9:30	514
136	01/02/1996 9:45	490
137	01/02/1996 10:00	468
138	01/02/1996 10:15	445
139	01/02/1996 10:30	422
140	01/02/1996 10:45	397
141	01/02/1996 11:00	374
142	01/02/1996 11:15	353
143	01/02/1996 11:30	334
144	01/02/1996 11:45	317
145	01/02/1996 12:00	301
146	01/02/1996 12:15	287
147	01/02/1996 12:30	274
148	01/02/1996 12:45	262
149	01/02/1996 13:00	251
150	01/02/1996 13:15	241
151	01/02/1996 13:30	231
152	01/02/1996 13:45	222

153	01/02/1996 14:00	211
154	01/02/1996 14:15	203
155	01/02/1996 14:30	195
156	01/02/1996 14:45	187
157	01/02/1996 15:00	180
158	01/02/1996 15:15	173
159	01/02/1996 15:30	167
160	01/02/1996 15:45	161
161	01/02/1996 16:00	156
162	01/02/1996 16:15	152
163	01/02/1996 16:30	148
164	01/02/1996 16:45	145
165	01/02/1996 17:00	143
166	01/02/1996 17:15	140
167	01/02/1996 17:30	139
168	01/02/1996 17:45	137
169	01/02/1996 18:00	136
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173	01/02/1996 19:00	133
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176	01/02/1996 19:45	132
177	01/02/1996 20:00	132
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189	01/02/1996 23:00	129
190	01/02/1996 23:15	129
191	01/02/1996 23:30	129
192	01/02/1996 23:45	129
193	35067	129
194	01/03/1996 0:15	129
195	01/03/1996 0:30	129
196	01/03/1996 0:45	129
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198	01/03/1996 1:15	128
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200	01/03/1996 1:45	128
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203	01/03/1996 2:30	128
204	01/03/1996 2:45	128

153	01/02/1996 14:00	213
154	01/02/1996 14:15	204
155	01/02/1996 14:30	196
156	01/02/1996 14:45	188
157	01/02/1996 15:00	180
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159	01/02/1996 15:30	166
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163	01/02/1996 16:30	146
164	01/02/1996 16:45	143
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166	01/02/1996 17:15	138
167	01/02/1996 17:30	137
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287	01/03/1996 23:30	127
288	01/03/1996 23:45	127
289	35068	127
290	01/04/1996 0:15	127
291	01/04/1996 0:30	127
292	01/04/1996 0:45	127
293	01/04/1996 1:00	127
294	01/04/1996 1:15	127
295	01/04/1996 1:30	127
296	01/04/1996 1:45	127
297	01/04/1996 2:00	127
298	01/04/1996 2:15	127
299	01/04/1996 2:30	127
300	01/04/1996 2:45	127

existing

Units		CFS
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2	01/01/1996 0:15	217
3	01/01/1996 0:30	220
4	01/01/1996 0:45	227
5	01/01/1996 1:00	240
6	01/01/1996 1:15	259
7	01/01/1996 1:30	283
8	01/01/1996 1:45	312
9	01/01/1996 2:00	342
10	01/01/1996 2:15	375
11	01/01/1996 2:30	408
12	01/01/1996 2:45	442
13	01/01/1996 3:00	475
14	01/01/1996 3:15	508
15	01/01/1996 3:30	540
16	01/01/1996 3:45	572
17	01/01/1996 4:00	605
18	01/01/1996 4:15	639
19	01/01/1996 4:30	675
20	01/01/1996 4:45	712
21	01/01/1996 5:00	750
22	01/01/1996 5:15	789
23	01/01/1996 5:30	828
24	01/01/1996 5:45	866
25	01/01/1996 6:00	904
26	01/01/1996 6:15	941
27	01/01/1996 6:30	977
28	01/01/1996 6:45	1,012
29	01/01/1996 7:00	1,047
30	01/01/1996 7:15	1,082
31	01/01/1996 7:30	1,118
32	01/01/1996 7:45	1,157
33	01/01/1996 8:00	1,198
34	01/01/1996 8:15	1,243
35	01/01/1996 8:30	1,290
36	01/01/1996 8:45	1,342
37	01/01/1996 9:00	1,397
38	01/01/1996 9:15	1,456
39	01/01/1996 9:30	1,519
40	01/01/1996 9:45	1,587
41	01/01/1996 10:00	1,662
42	01/01/1996 10:15	1,744
43	01/01/1996 10:30	1,836
44	01/01/1996 10:45	1,939
45	01/01/1996 11:00	2,057
46	01/01/1996 11:15	2,192
47	01/01/1996 11:30	2,350
48	01/01/1996 11:45	2,542

Proposed

Units		CFS
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3	01/01/1996 0:30	224
4	01/01/1996 0:45	231
5	01/01/1996 1:00	244
6	01/01/1996 1:15	263
7	01/01/1996 1:30	286
8	01/01/1996 1:45	313
9	01/01/1996 2:00	343
10	01/01/1996 2:15	375
11	01/01/1996 2:30	409
12	01/01/1996 2:45	442
13	01/01/1996 3:00	476
14	01/01/1996 3:15	508
15	01/01/1996 3:30	540
16	01/01/1996 3:45	572
17	01/01/1996 4:00	605
18	01/01/1996 4:15	639
19	01/01/1996 4:30	675
20	01/01/1996 4:45	712
21	01/01/1996 5:00	750
22	01/01/1996 5:15	789
23	01/01/1996 5:30	828
24	01/01/1996 5:45	866
25	01/01/1996 6:00	904
26	01/01/1996 6:15	941
27	01/01/1996 6:30	977
28	01/01/1996 6:45	1,012
29	01/01/1996 7:00	1,047
30	01/01/1996 7:15	1,082
31	01/01/1996 7:30	1,118
32	01/01/1996 7:45	1,157
33	01/01/1996 8:00	1,198
34	01/01/1996 8:15	1,243
35	01/01/1996 8:30	1,290
36	01/01/1996 8:45	1,342
37	01/01/1996 9:00	1,397
38	01/01/1996 9:15	1,456
39	01/01/1996 9:30	1,519
40	01/01/1996 9:45	1,587
41	##########	1,662
42	##########	1,744
43	##########	1,836
44	##########	1,939
45	##########	2,057
46	##########	2,192
47	##########	2,350
48	##########	2,542

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50	01/01/1996 12:15	3,150
51	01/01/1996 12:30	3,662
52	01/01/1996 12:45	4,370
53	01/01/1996 13:00	5,274
54	01/01/1996 13:15	6,326
55	01/01/1996 13:30	7,451
56	01/01/1996 13:45	8,577
57	01/01/1996 14:00	9,657
58	01/01/1996 14:15	10,674
59	01/01/1996 14:30	11,625
60	01/01/1996 14:45	12,510
61	01/01/1996 15:00	13,324
62	01/01/1996 15:15	14,067
63	01/01/1996 15:30	14,753
64	01/01/1996 15:45	15,410
65	01/01/1996 16:00	16,080
66	01/01/1996 16:15	16,806
67	01/01/1996 16:30	17,621
68	01/01/1996 16:45	18,527
69	01/01/1996 17:00	19,477
70	01/01/1996 17:15	20,390
71	01/01/1996 17:30	21,173
72	01/01/1996 17:45	21,758
73	01/01/1996 18:00	22,111
74	01/01/1996 18:15	22,236
75	01/01/1996 18:30	22,152
76	01/01/1996 18:45	21,888
77	01/01/1996 19:00	21,474
78	01/01/1996 19:15	20,937
79	01/01/1996 19:30	20,305
80	01/01/1996 19:45	19,603
81	01/01/1996 20:00	18,856
82	01/01/1996 20:15	18,087
83	01/01/1996 20:30	17,313
84	01/01/1996 20:45	16,547
85	01/01/1996 21:00	15,797
86	01/01/1996 21:15	15,067
87	01/01/1996 21:30	14,359
88	01/01/1996 21:45	13,673
89	01/01/1996 22:00	13,007
90	01/01/1996 22:15	12,362
91	01/01/1996 22:30	11,742
92	01/01/1996 22:45	11,155
93	01/01/1996 23:00	10,606
94	01/01/1996 23:15	10,100
95	01/01/1996 23:30	9,634
96	01/01/1996 23:45	9,203
97	35066	8,800
98	01/02/1996 0:15	8,418
99	01/02/1996 0:30	8,052
100	01/02/1996 0:45	7,700

49	##########	2,794
50	##########	3,150
51	##########	3,662
52	##########	4,371
53	##########	5,275
54	##########	6,330
55	##########	7,463
56	##########	8,608
57	##########	9,724
58	##########	10,799
59	##########	11,830
60	##########	12,804
61	##########	13,699
62	##########	14,494
63	##########	15,187
64	##########	15,802
65	##########	16,388
66	##########	17,004
67	##########	17,701
68	##########	18,503
69	##########	19,386
70	##########	20,277
71	##########	21,077
72	##########	21,695
73	##########	22,080
74	##########	22,226
75	##########	22,153
76	##########	21,894
77	##########	21,480
78	##########	20,944
79	##########	20,311
80	##########	19,609
81	##########	18,863
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84	##########	16,555
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86	##########	15,075
87	##########	14,367
88	##########	13,682
89	##########	13,018
90	##########	12,374
91	##########	11,755
92	##########	11,167
93	##########	10,618
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96	##########	9,215
97	35066	8,813
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99	01/02/1996 0:30	8,067
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102	01/02/1996 1:15	7,039	102	01/02/1996 1:15	7,054
103	01/02/1996 1:30	6,736	103	01/02/1996 1:30	6,750
104	01/02/1996 1:45	6,455	104	01/02/1996 1:45	6,465
105	01/02/1996 2:00	6,193	105	01/02/1996 2:00	6,196
106	01/02/1996 2:15	5,949	106	01/02/1996 2:15	5,938
107	01/02/1996 2:30	5,723	107	01/02/1996 2:30	5,686
108	01/02/1996 2:45	5,516	108	01/02/1996 2:45	5,443
109	01/02/1996 3:00	5,334	109	01/02/1996 3:00	5,218
110	01/02/1996 3:15	5,189	110	01/02/1996 3:15	5,026
111	01/02/1996 3:30	5,096	111	01/02/1996 3:30	4,887
112	01/02/1996 3:45	5,074	112	01/02/1996 3:45	4,824
113	01/02/1996 4:00	5,141	113	01/02/1996 4:00	4,860
114	01/02/1996 4:15	5,309	114	01/02/1996 4:15	5,008
115	01/02/1996 4:30	5,578	115	01/02/1996 4:30	5,272
116	01/02/1996 4:45	5,937	116	01/02/1996 4:45	5,637
117	01/02/1996 5:00	6,359	117	01/02/1996 5:00	6,079
118	01/02/1996 5:15	6,812	118	01/02/1996 5:15	6,562
119	01/02/1996 5:30	7,263	119	01/02/1996 5:30	7,048
120	01/02/1996 5:45	7,679	120	01/02/1996 5:45	7,502
121	01/02/1996 6:00	8,041	121	01/02/1996 6:00	7,898
122	01/02/1996 6:15	8,336	122	01/02/1996 6:15	8,222
123	01/02/1996 6:30	8,560	123	01/02/1996 6:30	8,469
124	01/02/1996 6:45	8,715	124	01/02/1996 6:45	8,642
125	01/02/1996 7:00	8,810	125	01/02/1996 7:00	8,749
126	01/02/1996 7:15	8,852	126	01/02/1996 7:15	8,802
127	01/02/1996 7:30	8,854	127	01/02/1996 7:30	8,812
128	01/02/1996 7:45	8,825	128	01/02/1996 7:45	8,790
129	01/02/1996 8:00	8,775	129	01/02/1996 8:00	8,746
130	01/02/1996 8:15	8,711	130	01/02/1996 8:15	8,687
131	01/02/1996 8:30	8,640	131	01/02/1996 8:30	8,620
132	01/02/1996 8:45	8,565	132	01/02/1996 8:45	8,549
133	01/02/1996 9:00	8,490	133	01/02/1996 9:00	8,477
134	01/02/1996 9:15	8,417	134	01/02/1996 9:15	8,406
135	01/02/1996 9:30	8,347	135	01/02/1996 9:30	8,338
136	01/02/1996 9:45	8,280	136	01/02/1996 9:45	8,273
137	01/02/1996 10:00	8,218	137	###########	8,211
138	01/02/1996 10:15	8,159	138	###########	8,154
139	01/02/1996 10:30	8,103	139	###########	8,100
140	01/02/1996 10:45	8,051	140	###########	8,049
141	01/02/1996 11:00	8,001	141	###########	8,002
142	01/02/1996 11:15	7,953	142	###########	7,957
143	01/02/1996 11:30	7,908	143	###########	7,914
144	01/02/1996 11:45	7,865	144	###########	7,873
145	01/02/1996 12:00	7,823	145	###########	7,833
146	01/02/1996 12:15	7,783	146	###########	7,794
147	01/02/1996 12:30	7,745	147	###########	7,756
148	01/02/1996 12:45	7,708	148	###########	7,720
149	01/02/1996 13:00	7,674	149	###########	7,686
150	01/02/1996 13:15	7,643	150	###########	7,654
151	01/02/1996 13:30	7,614	151	###########	7,624
152	01/02/1996 13:45	7,587	152	###########	7,597

153	01/02/1996 14:00	7,563
154	01/02/1996 14:15	7,540
155	01/02/1996 14:30	7,518
156	01/02/1996 14:45	7,499
157	01/02/1996 15:00	7,480
158	01/02/1996 15:15	7,462
159	01/02/1996 15:30	7,445
160	01/02/1996 15:45	7,428
161	01/02/1996 16:00	7,411
162	01/02/1996 16:15	7,395
163	01/02/1996 16:30	7,378
164	01/02/1996 16:45	7,362
165	01/02/1996 17:00	7,346
166	01/02/1996 17:15	7,331
167	01/02/1996 17:30	7,317
168	01/02/1996 17:45	7,304
169	01/02/1996 18:00	7,293
170	01/02/1996 18:15	7,284
171	01/02/1996 18:30	7,275
172	01/02/1996 18:45	7,268
173	01/02/1996 19:00	7,261
174	01/02/1996 19:15	7,256
175	01/02/1996 19:30	7,251
176	01/02/1996 19:45	7,247
177	01/02/1996 20:00	7,244
178	01/02/1996 20:15	7,241
179	01/02/1996 20:30	7,239
180	01/02/1996 20:45	7,237
181	01/02/1996 21:00	7,235
182	01/02/1996 21:15	7,233
183	01/02/1996 21:30	7,232
184	01/02/1996 21:45	7,231
185	01/02/1996 22:00	7,230
186	01/02/1996 22:15	7,229
187	01/02/1996 22:30	7,228
188	01/02/1996 22:45	7,228
189	01/02/1996 23:00	7,227
190	01/02/1996 23:15	7,226
191	01/02/1996 23:30	7,226
192	01/02/1996 23:45	7,225
193	35067	7,225
194	01/03/1996 0:15	7,225
195	01/03/1996 0:30	7,224
196	01/03/1996 0:45	7,224
197	01/03/1996 1:00	7,223
198	01/03/1996 1:15	7,223
199	01/03/1996 1:30	7,223
200	01/03/1996 1:45	7,223
201	01/03/1996 2:00	7,222
202	01/03/1996 2:15	7,222
203	01/03/1996 2:30	7,222
204	01/03/1996 2:45	7,222

153	##########	7,571
154	##########	7,547
155	##########	7,525
156	##########	7,504
157	##########	7,484
158	##########	7,466
159	##########	7,448
160	##########	7,430
161	##########	7,413
162	##########	7,396
163	##########	7,379
164	##########	7,362
165	##########	7,346
166	##########	7,330
167	##########	7,316
168	##########	7,303
169	##########	7,292
170	##########	7,282
171	##########	7,273
172	##########	7,266
173	##########	7,259
174	##########	7,254
175	##########	7,249
176	##########	7,245
177	##########	7,241
178	##########	7,239
179	##########	7,236
180	##########	7,234
181	##########	7,233
182	##########	7,231
183	##########	7,230
184	##########	7,229
185	##########	7,228
186	##########	7,227
187	##########	7,227
188	##########	7,226
189	##########	7,225
190	##########	7,225
191	##########	7,224
192	##########	7,224
193	35067	7,223
194	01/03/1996 0:15	7,223
195	01/03/1996 0:30	7,223
196	01/03/1996 0:45	7,223
197	01/03/1996 1:00	7,222
198	01/03/1996 1:15	7,222
199	01/03/1996 1:30	7,222
200	01/03/1996 1:45	7,222
201	01/03/1996 2:00	7,221
202	01/03/1996 2:15	7,221
203	01/03/1996 2:30	7,221
204	01/03/1996 2:45	7,221

205	01/03/1996 3:00	7,222
206	01/03/1996 3:15	7,221
207	01/03/1996 3:30	7,221
208	01/03/1996 3:45	7,221
209	01/03/1996 4:00	7,221
210	01/03/1996 4:15	7,221
211	01/03/1996 4:30	7,221
212	01/03/1996 4:45	7,221
213	01/03/1996 5:00	7,221
214	01/03/1996 5:15	7,220
215	01/03/1996 5:30	7,220
216	01/03/1996 5:45	7,220
217	01/03/1996 6:00	7,220
218	01/03/1996 6:15	7,220
219	01/03/1996 6:30	7,220
220	01/03/1996 6:45	7,220
221	01/03/1996 7:00	7,220
222	01/03/1996 7:15	7,220
223	01/03/1996 7:30	7,220
224	01/03/1996 7:45	7,220
225	01/03/1996 8:00	7,220
226	01/03/1996 8:15	7,220
227	01/03/1996 8:30	7,220
228	01/03/1996 8:45	7,220
229	01/03/1996 9:00	7,220
230	01/03/1996 9:15	7,220
231	01/03/1996 9:30	7,220
232	01/03/1996 9:45	7,220
233	01/03/1996 10:00	7,220
234	01/03/1996 10:15	7,220
235	01/03/1996 10:30	7,220
236	01/03/1996 10:45	7,220
237	01/03/1996 11:00	7,220
238	01/03/1996 11:15	7,220
239	01/03/1996 11:30	7,220
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241	01/03/1996 12:00	7,220
242	01/03/1996 12:15	7,220
243	01/03/1996 12:30	7,220
244	01/03/1996 12:45	7,220
245	01/03/1996 13:00	7,220
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247	01/03/1996 13:30	7,220
248	01/03/1996 13:45	7,220
249	01/03/1996 14:00	7,220
250	01/03/1996 14:15	7,220
251	01/03/1996 14:30	7,220
252	01/03/1996 14:45	7,220
253	01/03/1996 15:00	7,220
254	01/03/1996 15:15	7,220
255	01/03/1996 15:30	7,220
256	01/03/1996 15:45	7,220

205	01/03/1996 3:00	7,221
206	01/03/1996 3:15	7,221
207	01/03/1996 3:30	7,221
208	01/03/1996 3:45	7,220
209	01/03/1996 4:00	7,220
210	01/03/1996 4:15	7,220
211	01/03/1996 4:30	7,220
212	01/03/1996 4:45	7,220
213	01/03/1996 5:00	7,220
214	01/03/1996 5:15	7,220
215	01/03/1996 5:30	7,220
216	01/03/1996 5:45	7,220
217	01/03/1996 6:00	7,220
218	01/03/1996 6:15	7,220
219	01/03/1996 6:30	7,220
220	01/03/1996 6:45	7,220
221	01/03/1996 7:00	7,220
222	01/03/1996 7:15	7,220
223	01/03/1996 7:30	7,220
224	01/03/1996 7:45	7,220
225	01/03/1996 8:00	7,220
226	01/03/1996 8:15	7,220
227	01/03/1996 8:30	7,220
228	01/03/1996 8:45	7,220
229	01/03/1996 9:00	7,220
230	01/03/1996 9:15	7,220
231	01/03/1996 9:30	7,220
232	01/03/1996 9:45	7,220
233	##########	7,220
234	##########	7,220
235	##########	7,220
236	##########	7,220
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238	##########	7,220
239	##########	7,220
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251	##########	7,220
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253	##########	7,220
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255	##########	7,220
256	##########	7,220

257	01/03/1996 16:00	7,220
258	01/03/1996 16:15	7,220
259	01/03/1996 16:30	7,220
260	01/03/1996 16:45	7,220
261	01/03/1996 17:00	7,220
262	01/03/1996 17:15	7,220
263	01/03/1996 17:30	7,220
264	01/03/1996 17:45	7,220
265	01/03/1996 18:00	7,220
266	01/03/1996 18:15	7,220
267	01/03/1996 18:30	7,220
268	01/03/1996 18:45	7,220
269	01/03/1996 19:00	7,220
270	01/03/1996 19:15	7,220
271	01/03/1996 19:30	7,220
272	01/03/1996 19:45	7,220
273	01/03/1996 20:00	7,220
274	01/03/1996 20:15	7,220
275	01/03/1996 20:30	7,220
276	01/03/1996 20:45	7,220
277	01/03/1996 21:00	7,220
278	01/03/1996 21:15	7,220
279	01/03/1996 21:30	7,220
280	01/03/1996 21:45	7,220
281	01/03/1996 22:00	7,220
282	01/03/1996 22:15	7,220
283	01/03/1996 22:30	7,220
284	01/03/1996 22:45	7,220
285	01/03/1996 23:00	7,220
286	01/03/1996 23:15	7,220
287	01/03/1996 23:30	7,220
288	01/03/1996 23:45	7,220
289	35068	7,220
290	01/04/1996 0:15	7,220
291	01/04/1996 0:30	7,220
292	01/04/1996 0:45	7,220
293	01/04/1996 1:00	7,220
294	01/04/1996 1:15	7,220
295	01/04/1996 1:30	7,220
296	01/04/1996 1:45	7,220
297	01/04/1996 2:00	7,220
298	01/04/1996 2:15	7,220
299	01/04/1996 2:30	7,220
300	01/04/1996 2:45	7,220

257	##########	7,220
258	##########	7,220
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260	##########	7,220
261	##########	7,220
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280	##########	7,220
281	##########	7,220
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283	##########	7,220
284	##########	7,220
285	##########	7,220
286	##########	7,220
287	##########	7,220
288	##########	7,220
289	35068	7,220
290	01/04/1996 0:15	7,220
291	01/04/1996 0:30	7,220
292	01/04/1996 0:45	7,220
293	01/04/1996 1:00	7,220
294	01/04/1996 1:15	7,220
295	01/04/1996 1:30	7,220
296	01/04/1996 1:45	7,220
297	01/04/1996 2:00	7,220
298	01/04/1996 2:15	7,220
299	01/04/1996 2:30	7,220
300	01/04/1996 2:45	7,220

```
ID      ROUTING ENDS AT SUBREACH B-50..................... FILE = NEW_EXI2.DAT
ID      24-HOUR RAINFALL PATTERN.............................RRF = 0.91
ID      SCHAAF & WHEELER ....................................100-YEAR EVENT
ID      All changes, diversions, and storage on Positas and Mocho included
*
*DIAGRAM
IT    15 01JAN96    0000     300
IN    15
IO     5        0
*
KK   R-2
KM SUB_REACH R-2
BA  8.03
BF    -1
PB  3.32
*
*     24-HOUR PRECIP PATTERN FROM ACPWA SEPTEMBER 1994 SUMMARY REPORT
*
PI .0045   .0046   .0045   .0046   .0045   .0045   .0046   .0045   .0045   .0046
PI .0045   .0046   .0045   .0061   .0060   .0061   .0060   .0061   .0060   .0061
PI .0060   .0061   .0060   .0061   .0060   .0061   .0075   .0076   .0076   .0075
PI .0076   .0076   .0075   .0091   .0091   .0091   .0090   .0106   .0106   .0106
PI .0113   .0121   .0137   .0151   .0166   .0197   .0272   .0469   .0666   .0711
PI .0605   .0333   .0227   .0166   .0152   .0136   .0121   .0113   .0106   .0106
PI .0106   .0106   .0090   .0091   .0091   .0091   .0076   .0075   .0076   .0076
PI .0075   .0076   .0075   .0061   .0060   .0061   .0061   .0060   .0061   .0060
PI .0061   .0060   .0061   .0060   .0061   .0060   .0046   .0045   .0045   .0046
PI .0045   .0045   .0046   .0045   .0046   .0045
*
LU   0.5     .11      .9
US  3.14     .50
*
KK  R1-1
KM SUB_REACH R1-1
BA  5.92
BF    -1
PB  3.36
LU   0.5    .110       0
US  1.42     .50
*
*          CONTROL POINT 1 (CP1) IS LOCATED AT SUB-REACH R-2
KK   CP1
KM COMBINE SUB-REACH R1-1 WITH R-2
HC     2
*
KK R_CP1
KM ROUTE CP1 TO CP2
RM     2    .462      .0
*
*
KK   R-1
KM SUB_REACH R-1
BA 0.932
BF  -.89
PB  3.40
LU   0.5     .21      11
US  1.05     .50
*
* ***************** CP2 IS LOCATED AT SUB REACH R-1 **********************
KK   CP2
KM COMBINE CP1 WITH SUB-REACH R-1
HC     2
*
```

```
*
KK   H-7
KM SUB_REACH H-7
BA  2.43
BF  -.70
PB  3.36
LU   0.5     .204       30
US  1.47    0.50
*
* ***************** CP3 IS LOCATED AT SUB-REACH H-7 **********************
KK   CP3
KM COMBINE CP2 WITH SUB-REACH H-7
HC     2
*
KK R_CP3
KM ROUTE CP3 TO CP4
RM     1    .156       .0
*
*
KK   H-6
KM SUB_REACH H-6
BA  2.74
BF    -1
PB  3.45
LU   0.5      .11      .07
US  1.66      .50
*
* ***************** CP4 IS LOCATED AT SUB-REACH H-6 **********************
KK   CP4
KM COMBINE CP3 WITH SUB-REACH H-6
HC     2
*
*
KK   S-1
KM SUB_REACH S-1
BA  3.45
BF    -1
PB  3.45
LU   0.5      .17       0
US  1.36      .50
*
* ***************** CP5 IS LOCATED AT SUB-REACH S-1 **********************
KK   CP5
KM COMBINE CP4 WITH SUB REACH S-1
HC     2
*
KK R_CP5
KM ROUTE CP5 TO CP6
RM     1    .286       .0
*
*
KK   H-5
KM SUB_REACH H-5
BA   .44
BF    -1
PB  3.45
LU   0.5      .11       0
US   .82      .50
*
* ***************** CP6 IS LOCATED AT SUB-REACH H-5 **********************
KK   CP6
KM COMBINE CP6 WITH SUB-REACH H-5
HC     2
```

```
*
*
KK   P-2
KM SUB_REACH P-2
BA 16.11
BF -.958
PB  3.36
LU   0.5      .19      4.2
US  3.02      .60
*
*
KK  P1-1
KM SUB_REACH P1-1
BA 11.57
BF -.914
PB  3.17
LU   0.5     .204      8.6
US  2.00      .50
*
* ***************** CP7 IS LOCATED AT SUBREACH P1-1 **********************
KK   CP7
KM COMBINE CP6 WITH SUB-REACH P1-1
HC      2
*
KK R_CP7
KM ROUTE CP7 TO CP8
RM      1    .297       .0
*
*
KK   P-1
KM SUB_REACH P-1
BA  1.56
BF  -.50
PB  3.45
LU   0.5     .249       50
US  1.10      .50
*
* ***************** CP8 IS LOCATED AT SUB-REACH P-1 **********************
KK   CP8
KM COMBINE CP7 WITH SUB-REACH P-1
HC      2
*
* ***************** CP9 IS LOCATED AT SUB-REACH P-1 **********************
KK   CP9
KM COMBINE CP8 WITH CP6
HC      2
*
KK R_CP9
KM ROUTE CP9 TO CP10
RM      4      .71       .0
*
*
KK   H-4
KM SUB_REACH H-4
BA  1.41
BF -.967
PB  3.45
LU   0.5     .132      3.3
US  1.29     0.50
*
* ***************** CP10 IS LOCATED AT SUB-REACH H-4 **********************
KK  CP10
KM COMBINE CP9 WITH SUB-REACH H-4
```

```
HC      2
*
*
KK    N-1
KM SUB_REACH N-1, CAYETANO CK
BA   9.54
BF   -.35
PB   3.57
LU    0.5     .102      .65
US   2.51      .50
*
* ***************** CP11 IS LOCATED AT SUB-REACH H-4 *********************
* *****************CP11 IS ADDING IN SUB-REACH N-1 ***********************
KK    C11
KM COMBINE CP10 WITH SUB-REACH N-1
HC      2
*
KKR_CP11
KM ROUTE CP11 TO CP12
RM      3      .59       .0
*
*
KK    H-3
KM SUB_REACH H-3
BA   4.97
BF   -.77
PB   3.55
LU    0.5    .3183       23
US    .97      .50
*
* ***************** CP12 IS LOCATED AT SUB-REACH H-3 *********************
KK   CP12
KM COMBINE CP11 WITH SUB-REACH H-3
HC      2
*
*
KK    M-1
KM SUB_REACH M-1, COLLIER CK
BA   4.02
BF-0.991
PB   3.61
LU    0.5     .082      .84
US   1.85      .50
*
* ***************** CP13 IS LOCATED AT SUB-REACH H-3 *********************
* *****************CP13 IS ADDING IN SUB-REACH M-1 ***********************
KK   CP13
ZW A=EAST END OF AIRPORT C=FLOW F=HYDROGRAPH
KM COMBINE CP12 WITH SUB-REACH M-1
HC      2
*
KKR_13_1
KM ROUTE CP13 THIRD TOWARDS CP14
RM      2      .26       .2
*
KK   DIV1
KM Leave 3000 cfs in channel
DT   OBP1
DI      0      500     1500     3000     4000     6000     8000    12000
DQ      0        0        0        0     1000     3000     5000     9000
*
KKR_13_2
KM ROUTE CP13 SECOND THIRD TOWARDS CP14
```

```
RM      2      .15       .2
*
KK  DIV2
KM Leave 1300 cfs in channel
DT  OBP2
DI      0      500     1300     1500     2000     2500     3000     3500
DQ      0        0        0      200      700     1200     1700     2200
*
KKR_13_3
KM ROUTE CP13 THIRD THIRD TO CP14
RM      2      .27       .2
*
*
KK   H-2
KM SUB_REACH H-2
BA  1.33
BF-0.935
PB  3.74
LU   0.5      .26      6.5
US  1.27      .50
*
* ****************** CP14 IS LOCATED AT SUB-REACH H-2 **********************
KK  CP14
KM COMBINE CP13 WITH SUB REACH H-2
HC      2
*
*
KK   L-1
KM SUB_REACH L-1, COTTONWOOD CK
BA  4.02
BF -.995
PB  3.64
LU   0.5    .0926       .5
US  1.77      .50
*
* ****************** CP15 IS LOCATED AT SUB-REACH H-2 **********************
* ***************CP15 IS ADDING IN SUB-REACH L-1 ************************
KK  CP15
ZW A=TOP OF GOLF COURSE C=FLOW F=HYDROGRAPH
KM COMBINE CP14 WITH SUB-REACH L-1
HC      2
*
KK  DIV3
KM Leave 1300 cfs in channel
DT  OBP3
DI      0      500     1300     1500     2000     2500     3000     3500
DQ      0        0        0      200      700     1200     1700     2200
*
KKR_15_1
KM ROUTE CP15 to North bank overflow split
RM      1      .26       .2
*
KK  DIV4
KM Leave 670 cfs in channel from levee failure backwater
DT  NORT
DI      0      500      670     1000     1500     2000     2500
DQ      0        0        0      330      830     1330     1830
*
KKR_15_2
KM ROUTE CP15 from North bank overflow split to Mocho connection
RM      1      .06       .2
*
KK   H-1
```

```
KM SUB_REACH H-1
BA  0.94
BF -.892
PB  3.84
LU   0.5    .1403     10.8
US  1.10      .50
*
* ***************** CP16 IS LOCATED AT SUB-REACH H-1 **********************
*
KK  CP16
ZW A=CP16 C=FLOW F=HYDROGRAPH
KM COMBINE CP15 WITH SUB-REACH H-1
HC      2
*
*
*
KK  G-70
KM HYDROGRAPH FOR SUBREACH G-70
BA 38.74
BF    -1
PB  3.74
LU   0.5      .18        2
US  3.71     0.60
*
KKR_G-70
KM  ROUTE SUB-REACH G-70 TO SUB-REACH G-701
RM      4     .972       .2
*
*    SUBREACH G-701 UPSTREAM POINT IS LOCATED AT G-70 AND THE DOWNSTREAM POINT
*    IS LOCATED AT THE CONFLUENCE OF LINE G AND LINE G4.
*
KK G-701
KM HYDROGRAPH FOR SUBREACH G-701
BA  2.04
BF-0.981
PB  3.45
LU   0.5     .321      1.9
US  1.18      .50
*
*
KKC_G-70
KM    COMBINE SUB REACH G-70 WITH G-701
HC      2
*
*
KK  G4-1
KM SUB_REACH G4-1
BA  5.11
BF -0.99
PB  3.45
LU   0.5     .176       .5
US  1.31     0.50
*
* ***************** CP17 IS LOCATED AT SUB-REACH G4-1 **********************
*
KK  CP17
KM COMBINE G4-1 WITH G-701
HC      2
*
KKR_CP17
KM ROUTE CP17 TO CP18
KO      5
RM      8   2.153       .0
```

```
*
*
KK  G-60
KM HYDROGRAPH FOR SUB-REACH G-60
BA 10.58
BF -.827
PB  3.45
LU   0.5      .45    17.3
US  2.31      .50
*
* ***************** CP18 IS LOCATED AT SUB-REACH G-60 **********************
*
KK  CP18
ZW A=UPSTREAM OF STANLEY OVERFLOW C=FLOW F=HYDROGRAPH
KM COMBINE CP17 WITH SUB-REACH G-60
HC     2
*
KK  STAN
KM Divert off Stanley overflow leaving 1354 cfs in channel
DT  OBST
DI     0     500    1000    1354    2000    2500    3000    3500    4000    5000
DQ     0       0       0       0     646    1146    1646    2146    2646    3646
*
KKR_CP18
ZW A=ROUTED G50 FLOW C=FLOW F=HYDROGRAPH
KM ROUTE CP18 TO CP19
RM     4    1.07      .2
*
*
KK  G-50
KM  SUB-REACH G-50
BA    .1
BF -.955
PB  3.74
LU   0.5      .61     4.5
US    .95     .50
*
KK  CP19
ZW A=CP19 C=FLOW F=HYDROGRAPH
KM COMBINE CP18 WITH SUB-REACH G-50
HC     2
*
KK  LVBR
KM  Divert levee break into storage leaving 200 cfs in Mocho
DT  LVBR
DI     0     200     500    1000    1500    2000
DQ     0       0     300     800    1300    1800
*
KK  OVER
KM  Retrieve diverted overbank flow from Stanley
DR  OBST
*
KK  LTOB
KM  Divert right overbank flow from total at Stanley
DT  RTOB
DI     0    1000    2000    2803    3000    3500    4000    4500    5000    6000
DQ     0       0       0       0     197     697    1197    1697    2197    3197
*
KK  LTOB
KM  Get rid of LT bank
DT  NOLT
DI     0    1000    2000    3000    4000    5000
DQ     0    1000    2000    3000    4000    5000
```

```
*
KK  LVBR
KM  Retrieve right diverted overbank flow from Stanley
DR  LVBR
*
KK  RTOB
KM  Retrieve levee break flow
DR  RTOB
*
KKR_RTOB
KM Route  right overbank flow Musk to Las Positas Storage
RM     2     .44       0
*
KK  OBP1
KM  Retrieve diverted overbank flow from ADLP
DR  OBP1
*
KK  OBP2
KM  Retrieve diverted overbank flow from ADLP
DR  OBP2
*
KK  COMB
ZW A=First 2 LP OB Comb C=FLOW F=HYDROGRAPH
KM COMBINE LAS POSITAS OVERBANK FLOWS
HC     2
*
KKR_OBLP
ZW A=First Routed Overbank C=FLOW F=HYDROGRAPH
KM Route overbank flow Musk-Cunge
RC  .055    .055    .055    4000    .003
RX  1551    1966    2280    2441    2529    2598    2644
RY 373.4   367.4   371.4   369.4     371   367.4   371.4
*
KK  OBP3
KM  Retrieve diverted overbank flow from ADLP
DR  OBP3
*
KKR_OBP3
ZW A=Second Routed Overbank C=FLOW F=HYDROGRAPH
KM Route overbank flow Musk-Cunge
RC  .055    .055    .055     900    .003
RX   388     389     390     483    1778    1814    1815    1816
RY 361.3   361.3   361.3   359.4   359.4   363.4   363.4   363.4
*
KK  OBPM
ZW A=3comb C=FLOW F=HYDROGRAPH
KM COMBINE ROUTED OVERBANK FLOWS FOR BOTH LAS POSITAS AND MOCHO FOR STORAGE
HC     4
*
KK  OBAM
KM Overbank weirs over banks into Mocho
RS     1    STOR       0       0
SV    31      57     104     192     246     304     368     437     731
SE   355     356     357     358   358.5     359   359.5     360     362
SQ     0     225     716    1718    3014    5299    9843   15858   53618
*
*
KK  CP20
KO     2
ZW A=MOCHO AND LAS POSITAS COMBINED C=FLOW F=HYDROGRAPH
KM COMBINE CP19 WITH CP16
HC     4
*
```

```
KKR_CP20
KM ROUTE CP20 TO CP21
RM      2     .416       .2
*
*
KK  G-40
KM SUB_REACH G-40
BA  0.57
BF -.938
PB  3.93
LU   0.5     .314      6.2
US   .70      .50
*
*
KK  CP21
KM COMBINE CP20 WITH SUB-REACH G-40
HC      2
*
*
KK  G3-1
KM SUB_REACH G3-1
BA  3.84
BF -.982
PB  3.78
LU   0.5    .1713      1.8
US  1.56      .50
*
KK  NORT
KM  Retrieve diverted north overbank flow from ADLP
DR  NORT
*
KKR_NOR1
KM ROUTE north overbank to El Charro
RM      3      .60        0
*
KK  CHAR
KM North overbank weirs over El Charro
RS      1     STOR        0         0
SV      0     36.6     41.9      46     50.1     53.5     56.9     60.2
SE    355   355.25   355.44   355.58   355.71   355.81   355.91      356
SQ      0      100      200      300      400      500      600      700
*
KKR_NOR2
KM ROUTE north overbank from El Charro through Staples Ranch
RM      3      .67        0
*
KK  NOR3
KM North overbank weirs into G-3
RS      1     STOR        0         0
SV      0       .5        5        16
SQ      0      156      441       810
*
KK  G3NR
KM COMBINE north overbank and G-3
HC      2
*
KK  G3TH
KM Throttle G3 to 1200 cfs
RS      1     STOR        0         0
SV      0       .5      100      1000
SQ      0     1200     1200      1200
*
*
```

```
KK  CP22
KM COMBINE CP21 WITH SUB-REACH G3-1
HC      2
*
KKR_CP22
KM ROUTE CP22 TO CP23
RM      2      .42       .2
*
*
KK  G-30
KM SUB_REACH G-30
BA  1.62
BF   -.6
PB  4.41
LU   0.5      .47       40
US   .79      .50
*
KK  CP23
KM COMBINE CP22 WITH SUB-REACH G-30
HC      2
*
*
KK   K-1
KM SUB_REACH K-1
BA 27.11
BF -0.98
PB  4.12
LU   0.5      .10      2.0
US  4.07      .55
*
KK  CP24
KM COMBINE CP23 WITH SUB-REACH K-1
HC      2
*
KKR_CP24
KM ROUTE CP24 TO CP25
RM      1     .312       .2
*
*
KK  G-20
KM SUB_REACH G-20
BA  0.83
BF  -.71
PB  4.70
LU   0.5     .151     29.3
US   .96      .50
*
KK  CP25
KM COMBINE CP24 WITH SUB-REACH G-20
HC      2
*
*
*
*
KK  G5-1
KM SUB_REACH G5-1
BA  2.32
BF -0.92
PB  4.03
LU   0.5    .0738        8
US  1.02     0.50
*
*
```

```
KK  G1-3
KM SUB_REACH G1-3
BA  1.98
BF -0.85
PB  4.03
LU   0.5   .0625      15
US 1.128     .50
*
KK  CP26
KM COMBINE G1-3 WITH G5-1
HC     2
*
KKR_CP26
KM ROUTE CP26 to CP25
RM     3    .503      .0
*
*
KK  G1-2
KM SUB_REACH G1-2
BA  0.75
BF -0.75
PB  4.41
LU   0.5   .1536      25
US   .95     .50
*
KK  CP27
KM COMBINE CP26 SUB-REACH G1-2
KO     5
HC     2
*
KK  CP28
KM COMBINE CP25 WITH CP27 (CP25,CP27,& CP28 ARE AT THE SAME LOCATION)
HC     2
*
KKR_CP28
KM ROUTE CP28 TO CP29
RM     1    .208      .2
*
*
KK  G-10
KM SUB_REACH G-10
BA  0.24
BF  -0.5
PB  4.70
LU   0.5    .075      50
US   .46     .50
*
KK  CP29
KM COMBINE CP28 WITH SUB-REACH G-10
HC     2
*
*
KK  F-60
KM SUB_REACH F-60
BA 17.23
BF  -.97
PB  4.12
LU   0.5     .09       3
US  3.81    0.55
*
*
KK   J-1
KM SUB_REACH J-1
```

```
BA 11.25
BF -.786
PB  4.22
LU   0.5      .12     21.4
US  2.68     0.55
*
KK  CP30
KM COMBINE F-60 WITH J-1
HC      2
*
KKR_CP30
KM ROUTE CP30 TO CP31
RM      1      .14       .1
*
*
KK  F-50
KM SUB_REACH F-50
BA  0.23
BF -.326
PB  4.50
LU   0.5    .1698     67.4
US    .36     .50
*
KK  CP31
KM COMBINE CP30 WITH SUB-REACH F-50
HC      2
*
*
KK  F4-1
KM SUB_REACH F4-1
BA  0.93
BF   -.5
PB  4.41
LU   0.5    .2128       50
US    .84     .50
*
KK  CP32
KM COMBINE CP31 WITH SUB-REACH F4-1
HC      2
*
KKR_CP32
KM ROUTE CP32 TO CP33
RM      1      .14       .1
*
*
KK  F-40
KM SUB_REACH F-40
BA  0.20
BF -0.11
PB  4.50
LU   0.5      .13       89
US    .33     .50
*
KK  CP33
KM COMBINE CP32 WITH SUB-REACH F-40
HC      2
*
*
*
*
KK J1-50
KM SUB_REACH J1-50
BA  1.21
```

```
BF  -.98
PB  5.07
LU   0.5    .1081      1.8
US  1.19     0.50
*
*
KK  J5-1
KM SUB_REACH J5-1
BA  0.56
BF-0.732
PB  4.88
LU   0.5    .1336     26.8
US   .60     0.50
*
KK  CP34
KM COMBINE J5-1 WITH J1-50
HC     2
*
KKR_CP34
KM ROUTE CP34 TO CP35
RM     1     .204       .0
*
*
KK J1-40
KM SUB_REACH J1-40
BA  .165
BF -0.48
PB  4.88
LU   0.5    .2375       52
US  .223      .50
*
KK  CP35
KM COMBINE CP34 WITH SUB-REACH J1-40
HC     2
*
*
*
*
KK  J4-1
KM SUB_REACH J4-1
BA  0.63
BF -.637
PB  4.88
LU   0.5    .1676     36.3
US   .42      .50
*
KKR_J4-1
KM ROUTE J4-1 TO CP35
RM     1      .14       .0
*
*
KK  J3-1
KM SUB_REACH J3-1
BA  1.61
BF -.943
PB  5.07
LU   0.5      .17      5.7
US  1.24      .50
*
KK  CP36
KM COMBINE J4-1 WITH J3-1
HC     2
*
```

```
KK  CP37
KM COMBINE CP36 WITH CP35
HC      2
*
*
KKR_CP37
KM ROUTE CP37 TO CP 38
RM      1     .102       .0
*
*
KK J1-30
KM SUB_REACH J1-30
BA  .043
BF   -.1
PB  4.53
LU   0.5    .1625       90
US   .43      .50
*
KK  CP38
KM COMBINE CP30 WITH SUB-REACH J1-30
HC      2
*
*
KK  J2-1
KM SUB_REACH J2-1
BA   .30
BF  -.36
PB  4.70
LU   0.5    .2609       64
US   .41      .50
*
*
KK CP-39
KM COMBINE CP38 WITH SUB-REACH J2-1 (CP38 & CP39 ARE AT SAME LOCATION)
HC      2
*
KKR_CP39
KM ROUTE CP39 TO CP40
RM      1     .104       .0
*
*
KK J1-20
KM SUB_REACH J1-20
BA 0.036
BF -.895
PB  4.53
LU   0.5    .0875     10.5
US   .19      .50
*
KKC_CP40
KM COMBINE CP39 WITH SUB-REACH J1-20
HC      2
*
*
KK   T-1
KM SUB_REACH T-1
BA  4.04
BF -.875
PB  5.16
LU   0.5     .171     12.5
US  1.57     0.50
*
KK  CP41
```

```
KM COMBINE CP40 WITH SUB-REACH T-1 (CP40 & CP41 ARE AT SAME LOCATION)
HC      2
*
*
KKR_CP41
KM ROUTE CP41 TO CP33
RM      1    .0591       .1
*
*
KK J1-10
KM SUB_REACH J1-10
BA .0144
BF  -.93
PB  4.53
LU   0.5    .0875      .64
US  .185      .50
*
*
KK  CP42
KM COMBINE CP41 WITH SUB-REACH J1-10 (CP42 AND CP33 ARE AT THE SAME LOCATION)
HC      2
*
*
KK  CP43
KM COMBINE CP41 AND CP42
HC      2
*
*
KKR_CP43
KM ROUTE CP43 TO CP44
RM      4     1.01       .2
*
*
KK  F-30
KM SUB_REACH F-30
BA  2.25
BF -.662
PB  4.88
LU   0.5     .186     33.8
US   .86      .50
*
KK  CP44
KM COMBINE CP43 WITH SUB-REACH F-30
HC      2
*
*
KK G11-1
KM SUB_REACH G11-1
BA   .76
BF  -.72
PB  4.41
LU   0.5    .1214       28
US   .85      .50
*
*
KK  CP45
KM COMBINE CP44 WITH SUB-REACH G11-1
HC      2
*
KKR_CP45
KM ROUTE CP45 TO CP46
RM      1     .122       .1
*
```

```
*
KK  F-20
KM SUB_REACH F-20
BA 0.079
BF  -0.5
PB  4.70
LU   0.5    .0875       50
US   .44     .50
*
KK  CP46
KM COMBINE CP45 WITH SUB-REACH F-20
HC     2
*
*
KK  F1-1
KM SUB_REACH F1-1
BA  1.54
BF -.921
PB  4.88
LU   0.5     .184      7.9
US   .91     .50
*
KK  CP47
KM COMBINE CP46 WITH SUB-REACH F1-1
HC     2
*
KKR_CP47
KM ROUTE CP47 TO CP48
RM     1    .064       .1
*
*
KK  F-10
KM SUB_REACH F-10
BA 0.029
BF -0.71
PB  4.70
LU   0.5    .0875       29
US   .37     .50
*
KK  CP48
KM COMBINE CP47 WITH SUB-REACH F-10 (CP48 & CP29 ARE AT THE SAME LOCATION)
HC     2
*
KK  CP49
KM COMBINE CP48 WITH CP29
HC     2
*
KKR_CP49
KM ROUTE CP49 TO CP50
RM     1    .139       .1
*
*
KK  B-70
KM SUB_REACH B-70
BA 0.064
BF -0.72
PB  4.74
LU   0.5     .105     27.9
US   .45     .50
*
KK  CP50
KM COMBINE CP49 WITH SUB-REACH B-70
HC     2
```

```
*
*
KK  B5-1
KM SUB_REACH B5-1
BA  0.61
BF -.525
PB  4.41
LU   0.5    .2195     47.5
US    .97     .50
*
KK  CP51
KM   COMBINE CP50 WITH SUB-REACH B5-1
HC     2
*
*
KK   B65
KM SUB-REACH B65 (AT CONFLUENCE WITH B5-1)
BA 0.789
BF   -.8
PB  4.74
LU   0.5    .2888       20
US    .46     .50
*
KK  CP52
KM   COMBINE CP50 WITH SUB-REACH B-65
HC     2
*
KKR_CP52
KM ROUTE CP52 TO CP53
RM     3    .694       .2
*
*
KK   B60
KM SUB-REACH B60
BA 0.251
BF  -.89
PB  4.74
LU   0.5    .114       11
US    .72     .50
*
*
KK  CP52
ZW A=UPSTREAM OF ARROYO VALLE C=FLOW F=HYDROGRAPH
KM COMBINE CP51 WITH SUB-REACH B-60
HC     2
*
*
*
*
*
KK CPRES
ZW A=ZONE7 C=FLOW F=RESERVOIR INFLOW
KM HYDROGRAPH FROM RESERVOIR
BA 147.5
QI     0       0       0       0       0       0       0       0       0       0
QI     0       0       0       0       0       0       0       0       0       0
QI     0       0       0       0       0       0       0       0       0       0
QI     0       0       0       0       0       0       0       0       0       0
QI     0       0       0       0       0       0       0       0       0       0
QI     0       0       0       0       0       0       0       0       0       0
QI     0       0       0       0       0       0       0       0       0       0
QI     0       0       0       0       0       0       0       0       0       0
QI     0       0       0       0       0       0       0       0       0       0
```

```
                                                100levee1
QI     0       0       0       0       0       0       0       0       0       0
QI  7000    7000    7000    7000    7000    7000    7000    7000    7000    7000
QI  7000    7000    7000    7000    7000    7000    7000    7000    7000    7000
QI  7000    7000    7000    7000    7000    7000    7000    7000    7000    7000
QI  7000    7000    7000    7000    7000    7000    7000    7000    7000    7000
QI  7000    7000    7000    7000    7000    7000    7000    7000    7000    7000
QI  7000    7000    7000    7000    7000    7000    7000    7000    7000    7000
QI  7000    7000    7000    7000    7000    7000    7000    7000    7000    7000
QI  7000    7000    7000    7000    7000    7000    7000    7000    7000    7000
QI  7000    7000    7000    7000    7000    7000    7000    7000    7000    7000
QI  7000    7000    7000    7000    7000    7000    7000    7000    7000    7000
QI  7000    7000    7000    7000    7000    7000    7000    7000    7000    7000
QI  7000    7000    7000    7000    7000    7000    7000    7000    7000    7000
QI  7000    7000    7000    7000    7000    7000    7000    7000    7000    7000
QI  7000    7000    7000    7000    7000    7000    7000    7000    7000    7000
QI  7000    7000    7000    7000
*
*
KKRCPRES
KM ROUTE RESERVOIR TO CP54
RM    11   2.781      .0
*
*
KK   E-2
KM SUB_REACH E-2
BA 20.85
BF -.865
PB  3.93
LU   0.5     .26    13.5
US  3.75     .50
*
*
KK  CP54
KM COMBINE RESERVOIR HYDROGRAPH AND SUBREACH E-2
HC     2
*
*
KKR_CP54
KM ROUTE CP54 TO E-1
RM     7   1.755      .0
*
*
KK   E-1
KM SUB_REACH E-1
BA  5.51
BF-0.622
PB  4.41
LU   0.5     .25    37.8
US  1.28     .50
*
KK  CP55
KM COMBINE CP54 WITH E-1
HC     2
*
*
*
*
*
KKBERNAL
ZW A=DOWNSTREAM OF ARROYO VALLE C=FLOW F=HYDROGRAPH
KM COMBINE CP52 AND CP55
HC     2
```

*
*
ZZ

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Appendix F-2

Hydrology and Hydraulics: El Charro Specific Plan Area

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Hydrology and Hydraulics

El Charro Specific Plan Area









Prepared for

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January 2007

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1. INTRODUCTION

The El Charro Specific Plan Area, located in the northwestern corner of the City of Livermore, is subject to flooding from two major water courses – the Arroyo Las Positas and the Arroyo Mocho. Schaaf & Wheeler has analyzed the existing conditions hydrology as well as analyzed the three proposed roadway alignments and several design alternatives. Potential floodplains have been created for this region under both existing and proposed conditions. This report summarizes the study findings and establishes hydrology and hydraulic baseline (existing) conditions for the region and describes how the proposed conditions would alter that baseline. Figure 1 shows the study area. Figure 2 shows the stream network for the region.

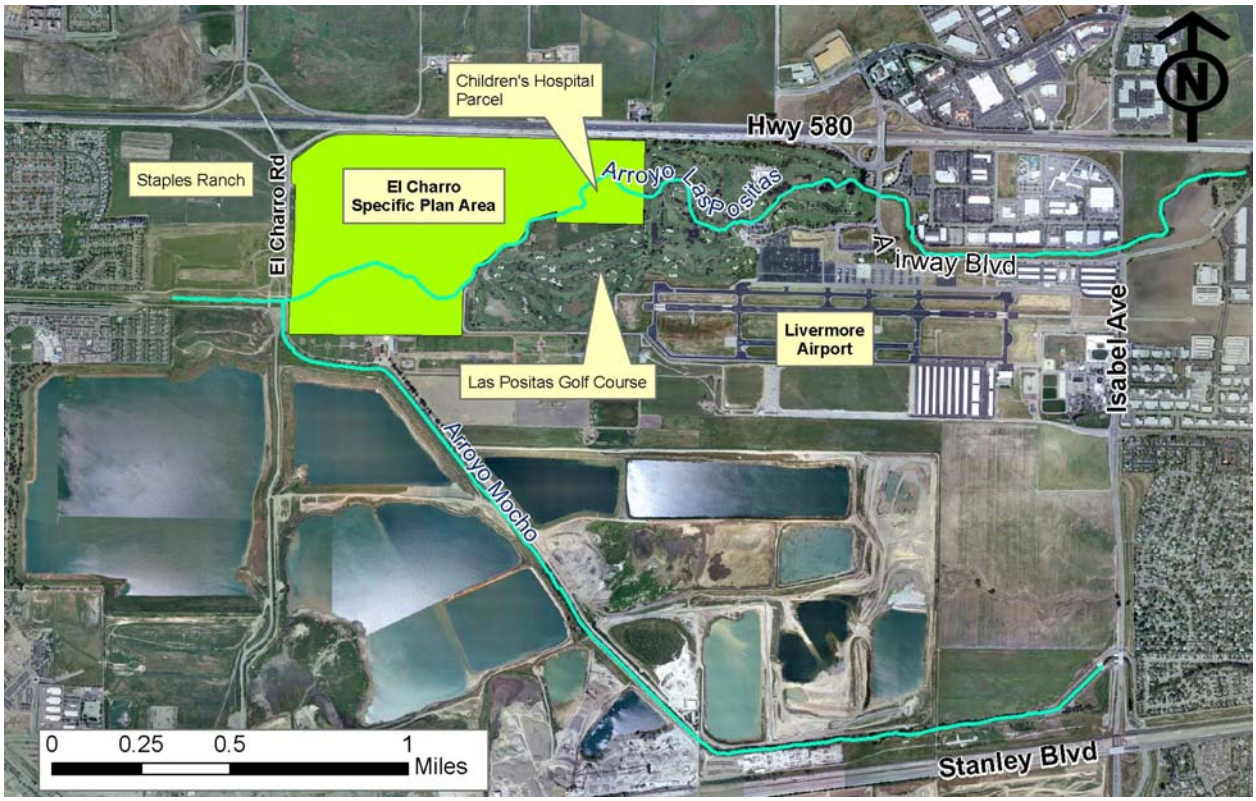


Figure 1: El Charro Specific Plan Area of Study

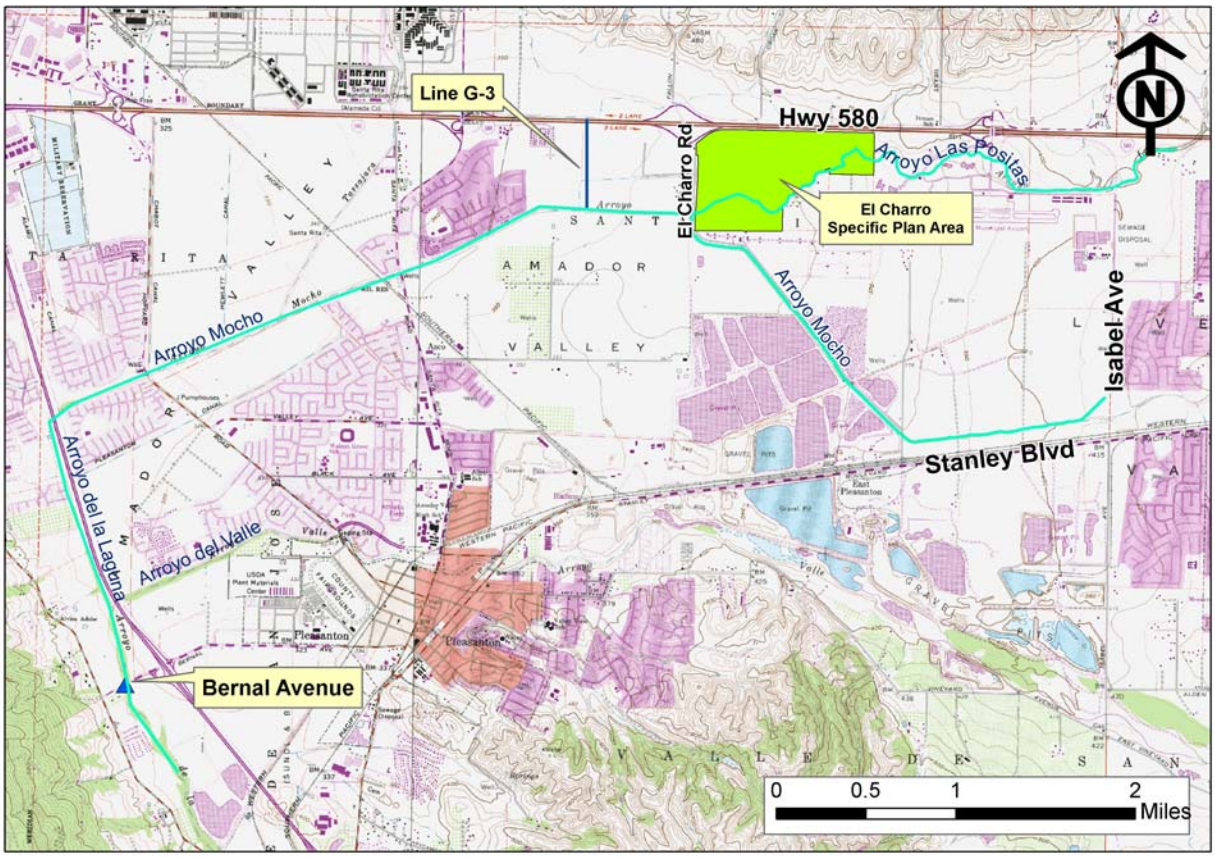


Figure 2: Regional Stream Network

Under existing conditions, portions of the El Charro Specific Plan Area provide floodplain storage during large storm events. One of the City's concerns is that reduction in this storage through development could result in increased peak discharges downstream on the Arroyo de la Laguna. Establishing a baseline, or existing condition, will help determine possible downstream effects from development in the El Charro Area.

Schaaf & Wheeler analyzed stormwater runoff and flooding using new detailed models for the area bounded by El Charro Road , I-580 freeway, Isabel Avenue/Kittyhawk Road, and Stanley Boulevard. These models were also used to analyze various alternatives for development within the plan area. Of the 150 acres of land identified in the General Plan for commercial development 88 acres lie within the 100-year floodplain of the effective Federal Insurance Rate Map (FIRM) for the City of Livermore dated September 17, 1997. This represents about 59% of the developable land in the Specific Plan area.

The floodplain delineated on the effective FIRM maps was based on topographic information less detailed than what is now available. Additionally, physical creek improvements were made to the Arroyo Las Positas in 2002 that relocated a portion of the creek to make the confluence with the Arroyo Mocho more efficient. The updated existing floodplain – based on current topography and reflecting the recent creek improvements – puts only 51 acres of the Plan Area into the 100-year floodplain. This represents approximately 34% of the developable land in the

Specific Plan Area, as outlined in this report.

Increased discharges are of specific concern downstream of Bernal Avenue on the Arroyo de la Laguna. The channel upstream of Bernal has been improved and has 100-year flow capacity. Downstream of Bernal the channel has a capacity of approximately 17,000 cubic feet per second (cfs). The existing conditions 100-year flow rate in this reach is approximately 22,000 cfs. Therefore, any increased flow may result in increased flooding and erosion downstream of Bernal Avenue. The Zone 7 Stream Management Master Plan (SMMP) has slated improvements for the El Charro region; however, currently no timeline or funding is available for these improvements.

Schaaf & Wheeler is basing their analyses on the effective Zone 7, FEMA-accepted HEC-1 hydrology model. This model has been modified to provide greater detail in the El Charro Region. Channel discharges and floodplains were modeled using the US Army Corps of Engineers' HEC-RAS model. The existing conditions hydrology and hydraulics models were modified to gage the effects of the various roadways and design improvements. These models will be used to submit a Conditional Letter of Map Revision (CLOMR) to FEMA for the final road alignment and project design.

To alleviate the effects of development in the El Charro region, several flood control alternatives have been explored. The existing conditions will first be discussed, followed by the proposed conditions.

2. EXISTING CONDITIONS

2.1 HYDROLOGY

Existing effective hydrology models were obtained, analyzed, and modified to best match existing conditions. The drainage area of the Arroyo Mocho at the confluence of the Arroyo Las Positas is approximately 57 square miles. The drainage area of the Arroyo Las Positas at the same point is approximately 80 square miles. A total of 394 square miles drain to Bernal Avenue located just downstream of the Arroyo Valle confluence. For reference, the drainage area of the Arroyo Valle at the City limits is approximately 160 square miles.

2.1.1 Effective Hydrology Models

The FEMA-accepted Borcalli HEC-1 hydrology model approved in 1997 shows a 100-year peak discharge of 12,400 cfs on the Arroyo Mocho just downstream of the confluence with Line G-3 under existing conditions. In the FEMA Flood Insurance Study (FIS) for the unincorporated portion of Alameda County, several peak discharges were published for this reach. The discharge of 12,300 cfs at Garden Creek Circle is at the closest geographic location to the catch-point on the Arroyo Mocho, just upstream of Line G-3. Running the current Zone 7 HEC-1 model for this study area – under current land-use conditions and without reflecting any overbank flood losses or storage – results in a peak discharge of 12,000 cfs at this same location on the Arroyo Mocho. This Zone 7 model discharge is within 3 percent of the current FEMA published and accepted discharge for this specific catch-point and verifies the validity of the Zone 7 model.

When compared to the previously used FEMA model, the Zone 7 model yields similar results along the Arroyo Mocho. Upstream of the Arroyo Las Positas confluence, the Zone 7 model shows a peak discharge value of 4,500 cfs for the 100-year flood, whereas the FEMA model shows 5,200 cfs. However, there are some differences for Arroyo Las Positas. Upstream of the Arroyo Mocho confluence, the Zone 7 model shows 9,000 cfs whereas the FEMA model shows only 1,800 cfs. (The published FEMA value takes into account flood losses from the channel whereas the Zone 7 model results do not). At the USGS Gage No. 11176145, the Zone 7 model shows a 100-year peak discharge of 6,500 cfs whereas the FEMA model shows 5,000 cfs.

Both models were created based on similar criteria. As requested by the Alameda County Public Works Agency (ACPWA), the FEMA model based the temporal distribution and duration of the design storms on the analysis of hourly data from three National Oceanic & Atmospheric Administration (NOAA) gages (Berkeley, Hayward, and Oakland) with 40 years of records. The initial loss rates were calibrated based upon discharge-frequency data of long-term catchments in Alameda County and vicinity. The uniform loss rates were developed from the analysis of approximately 55 storm events in various gaged catchments. The Snyder Unit Hydrograph was used for the rainfall/runoff modeling and its parameters were based upon the calibration analysis of 14 catchments. The Zone 7 model was created under similar criteria.

The Zone 7 Model used many of the same parameters as those of ACPWA. However, loss rates were altered to better reflect the unique runoff characteristics of Zone 7 rather than base them on the average parameters of the entire County of Alameda. The Zone 7 HEC-1 hydrology model was used throughout this study because it is more detailed and produces similar results to the FEMA model.

2.1.2 Model Changes Made for this Study

A new existing conditions hydrology model was created for this present study to reflect overbank losses, overbank routing, and newly constructed improvements near El Charro Road. This was done using HEC-1 with hydraulic data from an HEC-RAS model created for this study. Due to the elevated (perched) nature of the Arroyo Mocho and Arroyo Las Positas, most of the losses to the overbanks were calculated assuming that an overbank weiring-action occurs. As the flood waters leave the confines of the channel, the flow spreads out in the overbanks and creates a wide and shallow floodplain. It was also assumed in the HEC-RAS model that all bridges would allow flow to split and weir over the top where necessary. The HEC-RAS model was created from a combination of topographic data and as-built drawings for both the Arroyo Las Positas and the Arroyo Mocho. Channel cross section geometries were verified during three site visits performed during analysis.

2.1.3 100-Year Existing Conditions with No Levee Failure

Three locations exist throughout the study reach where the Arroyo Las Positas flood flows will spill to the south under 100-year flood conditions. Their overbank spills have discharges of 5,380 cfs, 1,700 cfs, and 1,060 cfs as shown in Figure 3. These flows are routed overland, southwest, until trapped and stored behind the natural and built levees at the confluence of the two Arroyos. Overflows from the north bank of the Arroyo Mocho (275 cfs) also enter this storage area after being routed down the gravel operations road. Most of the Arroyo Mocho

overflow (2,800 cfs) occurs along the south bank near Stanley Boulevard. The overflow will cross the railroad tracks, flow west down Stanley Boulevard, and enter an old gravel pit currently used as a park by Alameda County. However, as the water surface elevation of the storage area between the two Arroyos rises, water can reenter the channels over their banks. The water level in the storage area is determined by routing flows through the storage area in the HEC-1 hydrology model. The water surface peaks at 359.24 feet (NGVD) under these conditions.

Water will leave the north bank of Arroyo Las Positas upstream of the new fish ladder, east of El Charro Road where the channel becomes constricted, forcing 430 cfs north toward El Charro Road. The slightly elevated El Charro Road will cause the spill to pond and weir over El Charro and over Interstate 580, ponding on the north side of the Interstate. From there this spill enters Zone 7's Line G-3 and returns to the Arroyo Mocho system.

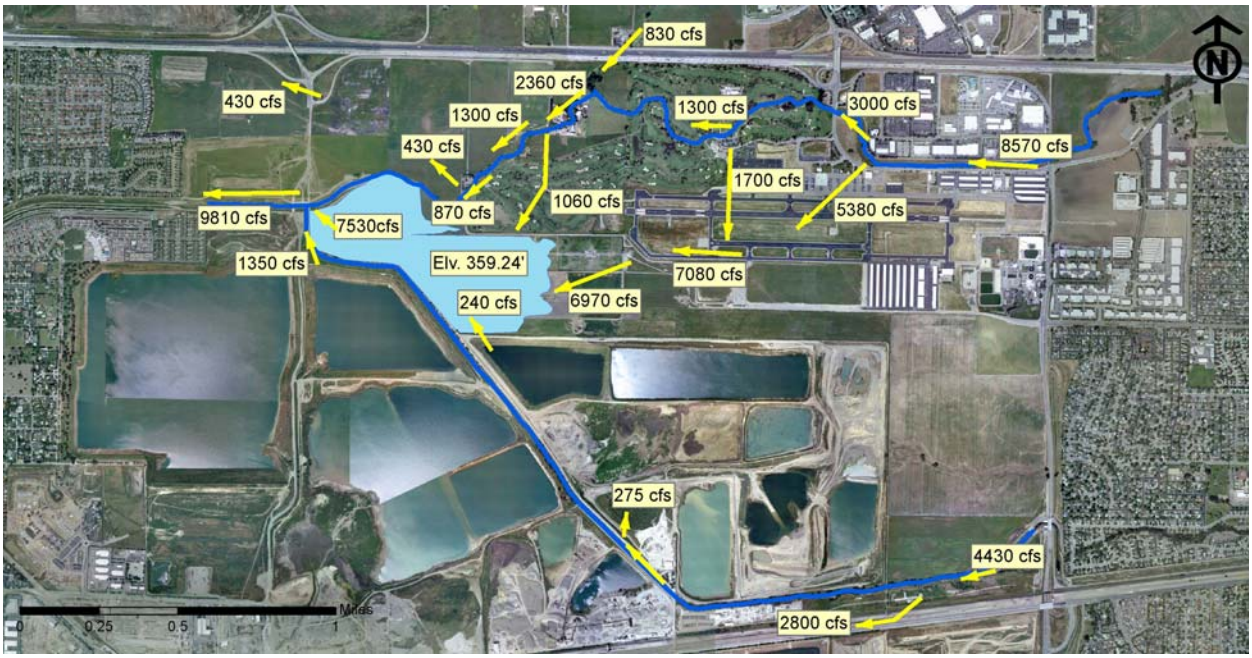


Figure 3: Existing Conditions 100-Year Peak Discharges Without Levee Failure

2.1.4 100-Year Existing Conditions with Levee Failure

Schaaf & Wheeler also analyzed the effects of a levee failure along the east banks of the Arroyo Mocho near the gravel operations. This was analyzed because, although the channel banks are elevated, they have not been certified as levees capable of safely conveying the 100-year flood by FEMA. FEMA requires that analysis of channels with uncertified levees consider both the failed and non-failed conditions so that the resulting mapped floodplains exhibit "worst case" conditions. A failed levee is analyzed by removing the section of bank that is elevated. By failing the Arroyo Mocho levee, an additional 1,150 cfs spills into the ponded area creating the "worst case" floodplain for this area. This spill rate is based on the capacity of the Arroyo Mocho without the levee (200 cfs). This spill increases the pond elevation to 359.37' (NGVD) and increases the spill back into the Las Positas to 8,680 cfs. Figure 4 shows peak 100-year discharges under the levee failure scenario.



Figure 4: Levee Failure Conditions 100-Year Peak Discharges With Levee Failure

The 15-year existing conditions hydrology was also modeled. Figure 5 summarizes the resulting flow rates. Many of the spills are the same as the 100-year model due to channel capacity limitations upstream. The 15-year with levee failure scenario was not modeled because its flows and floodplain are not relevant to this analysis.

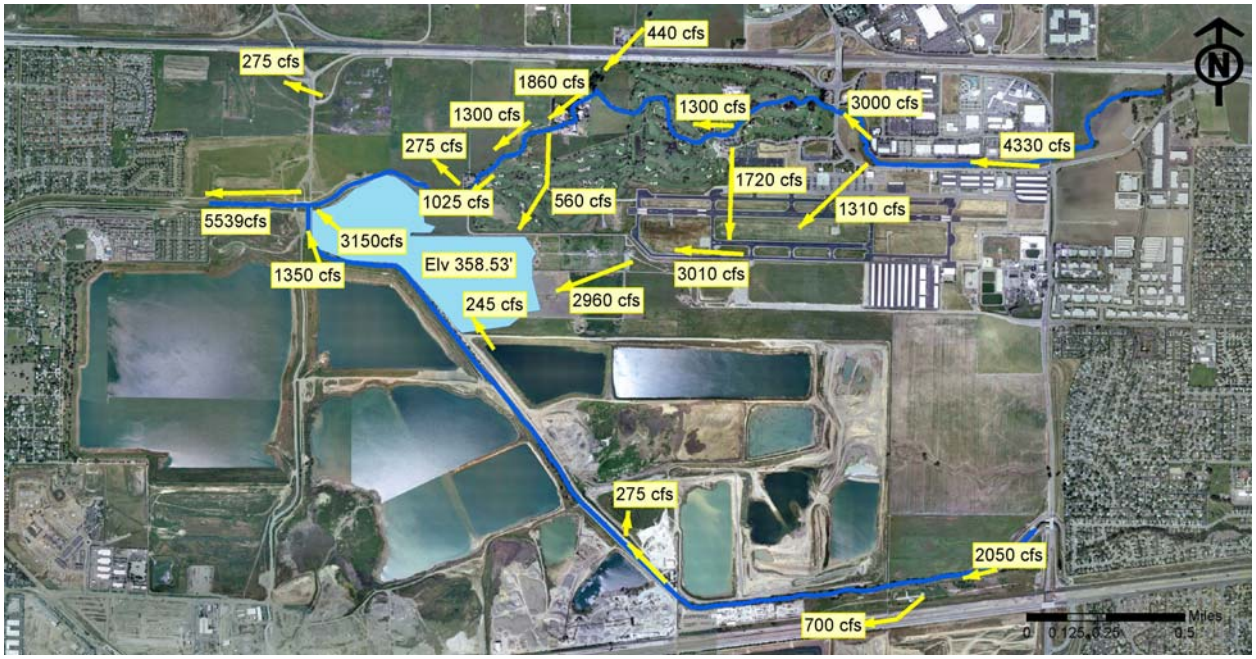


Figure 5: Existing Conditions 15-Year Peak Discharges Without Levee Failure

2.2 CHANNEL HYDRAULICS AND FLOODPLAIN MAPPING

Two major channels run through the El Charro Specific Plan Area – the Arroyo Las Positas and the Arroyo Mocho. Neither channel has sufficient capacity for the 100-year peak discharges. FEMA has studied these channels and has mapped the 100-year floodplain, which is shown in Figure 6.

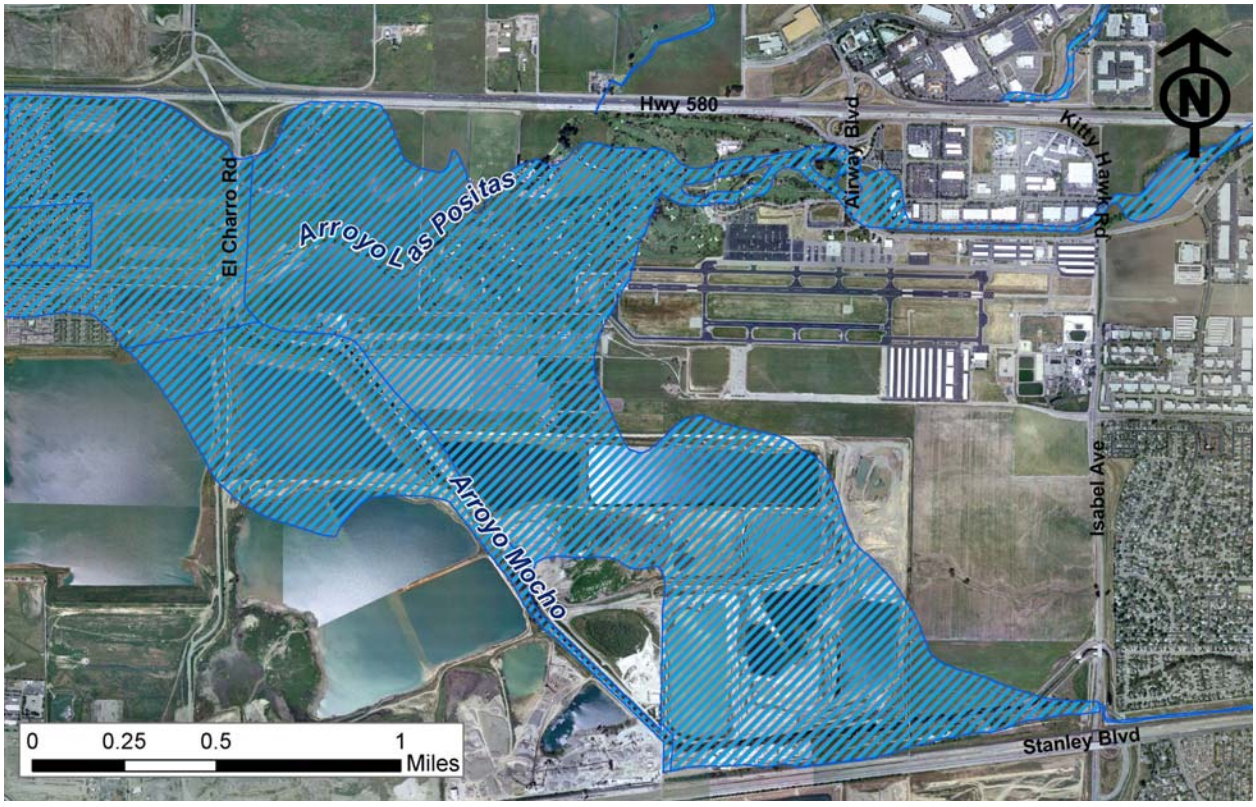


Figure 6: 100-Year Floodplain Per FEMA Flood Insurance Study Effective September 17, 1997

Due to recent creek improvements and the lack of detail in the current FEMA study, Schaaf & Wheeler has restudied the Arroyo Mocho and Arroyo Las Positas using the topography from Zone 7 (2001, 2-foot contours), Kier & Wright (2005, 1-foot contours), Staples Ranch (2005, 1-foot contours), and as-built plans for the realignment of the Arroyo Las Positas near El Charro Road (RJA, 2003). Updated HEC-RAS models were created to determine channel hydraulics, split flow locations, and overbank flooding.

The Arroyo Mocho has 100-year capacity upstream of Isabel Avenue. Downstream of Isabel Avenue the channel reduces in size and the 100-year protection level is not met. 2,800 cfs of the total flow (4,430 cfs) spills out of the channel and flows south along Stanley Boulevard to Shadow Cliffs Lake (an abandoned quarry used as a park). Routing of these flows is shown on Figure 3. An additional 275 cfs spills out of the channel to the north traveling down the gravel operations road to the pond area south of the Arroyo Las Positas Realignment. The existing Arroyo Mocho channel has a capacity of only 1,350 cfs. A typical cross section of the Arroyo Mocho along Stanley Boulevard, downstream of Isabel Avenue, is shown in Figure 7. This section is looking downstream. The hatched areas are the ineffective overbank areas. Flows

above 1,350 cfs will spill out into these areas. In the event of a levee failure the channel has a 200 cfs capacity.

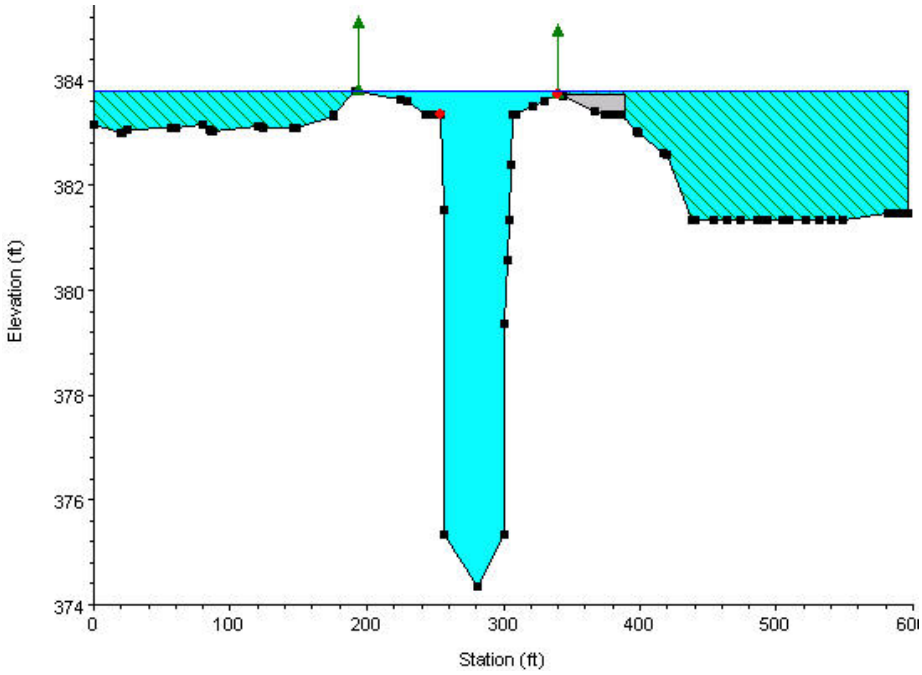


Figure 7: Typical Cross Section of the Arroyo Mocho (with 100-Year WSEL at 1,350 cfs) Looking Downstream

The Arroyo Las Positas has been realigned and improved from Pleasanton to 1,200 feet upstream of El Charro Road. The improved section of the creek has 100-year capacity. The creek does not have 100-year capacity (8,570 cfs) upstream of these improvements to Kitty Hawk Road. Many spills occur throughout this reach due to the undersized channel and road culverts. The majority of spills flow to the south, traveling westerly across the golf course, airport, and open land, eventually ponding in the low lying area bounded by the Arroyo Mocho, the Arroyo Las Positas, and the gravel operations road (flows shown in Figure 3). A typical cross section of the Arroyo Las Positas through the golf course is shown in Figure 8.

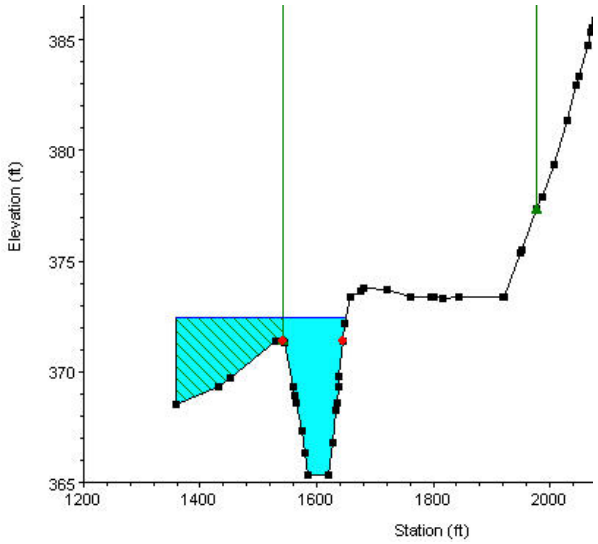


Figure 8: Typical Cross Section of Arroyo Las Positas through Golf Course (100-Year WSEL at 1,300 cfs) Looking Downstream

Figure 9 shows the resulting existing conditions 100-year floodplains. There is little or no aerial difference in the floodplain with and without levee failure. Figure 10 shows the 15-year floodplain without levee failure.

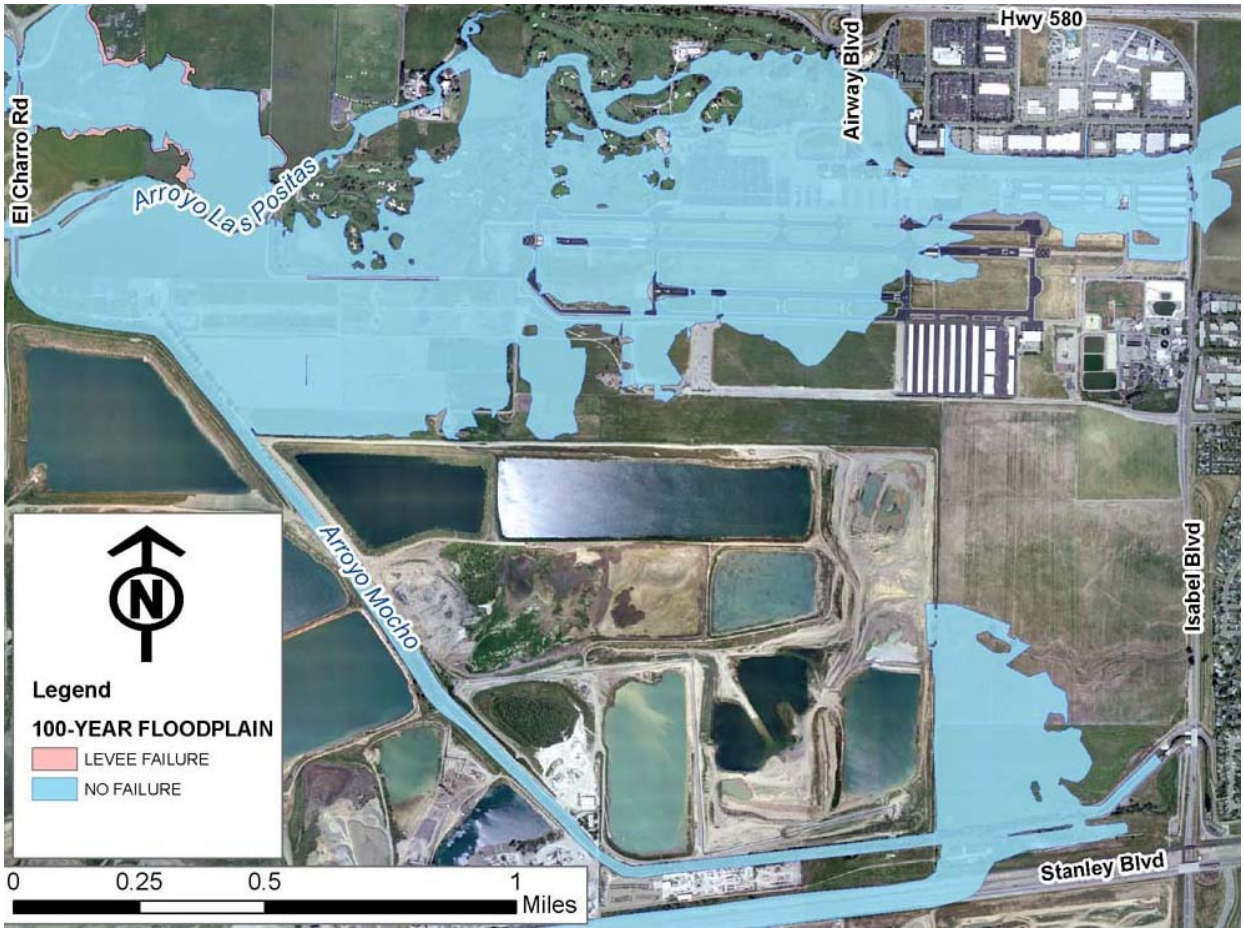


Figure 9: 100-Year Floodplain Per Analysis Reflecting 2006 Existing Conditions With and Without Levee Failure

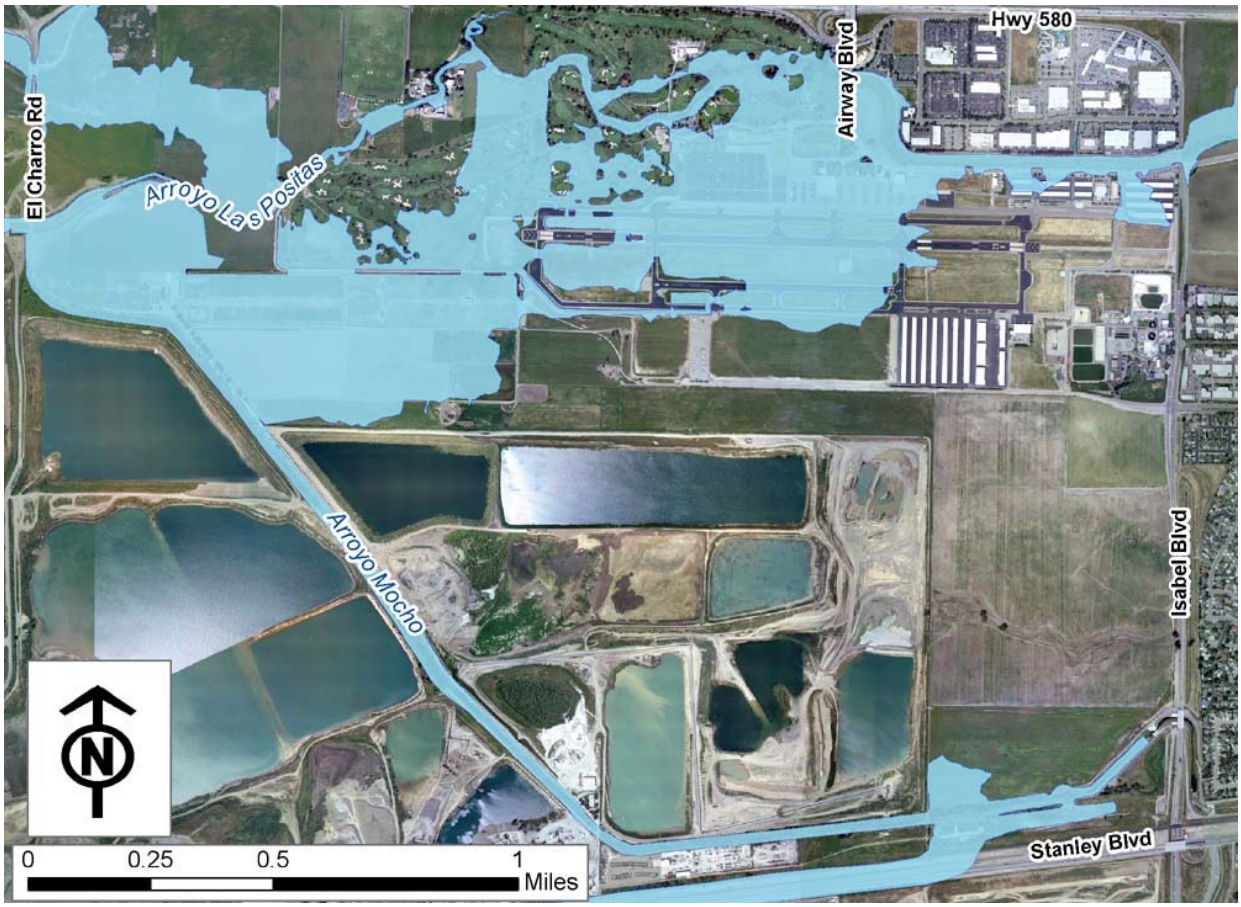


Figure 10: Existing Conditions 15-Year Floodplain Without Levee Failure

Some flows (430 cfs) spill to the north, downstream of the Las Positas Golf Course, during the 100-year event without levee failure. The spill will increase to roughly 630 cfs for levee failure conditions and decrease to 275 cfs for the 15-year event. These spills were calculated through the use of lateral wiers in the HEC-RAS model. The increased spill of 200 cfs for the 100-year event due to levee failure is caused by the increased flows into the storage area at the convergence of the two Arroyos. This increases the water surface elevation of both the storage area and the Arroyo Las Positas causing more spill to the north. Figure 11 shows the spill hydrographs. These spills will travel northwest and weir over El Charro Road at a low point just south of the Interstate 580 ramps. The flows will then travel along low lying areas and ditches throughout the Staples Ranch site. Due to limited topography in the surrounding areas it is not possible to map these spills in detail; however, they will spill over Interstate 580 and pond on the north side. From there they will enter the "Line G-3" drainage system, which flows back into the Arroyo Mocho downstream of El Charro Road. Figure 12 shows the proposed existing conditions floodplains across the northwestern portion of the El Charro Specific Plan Area.

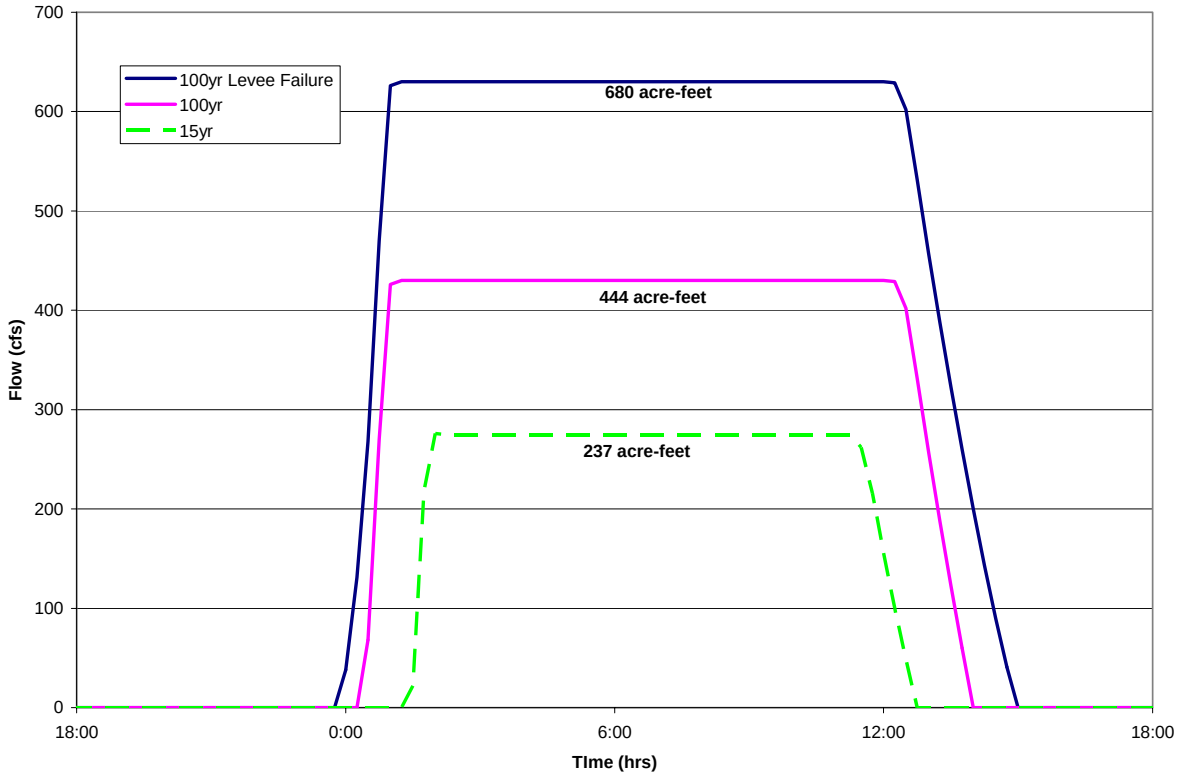


Figure 11: North Spill Hydrographs

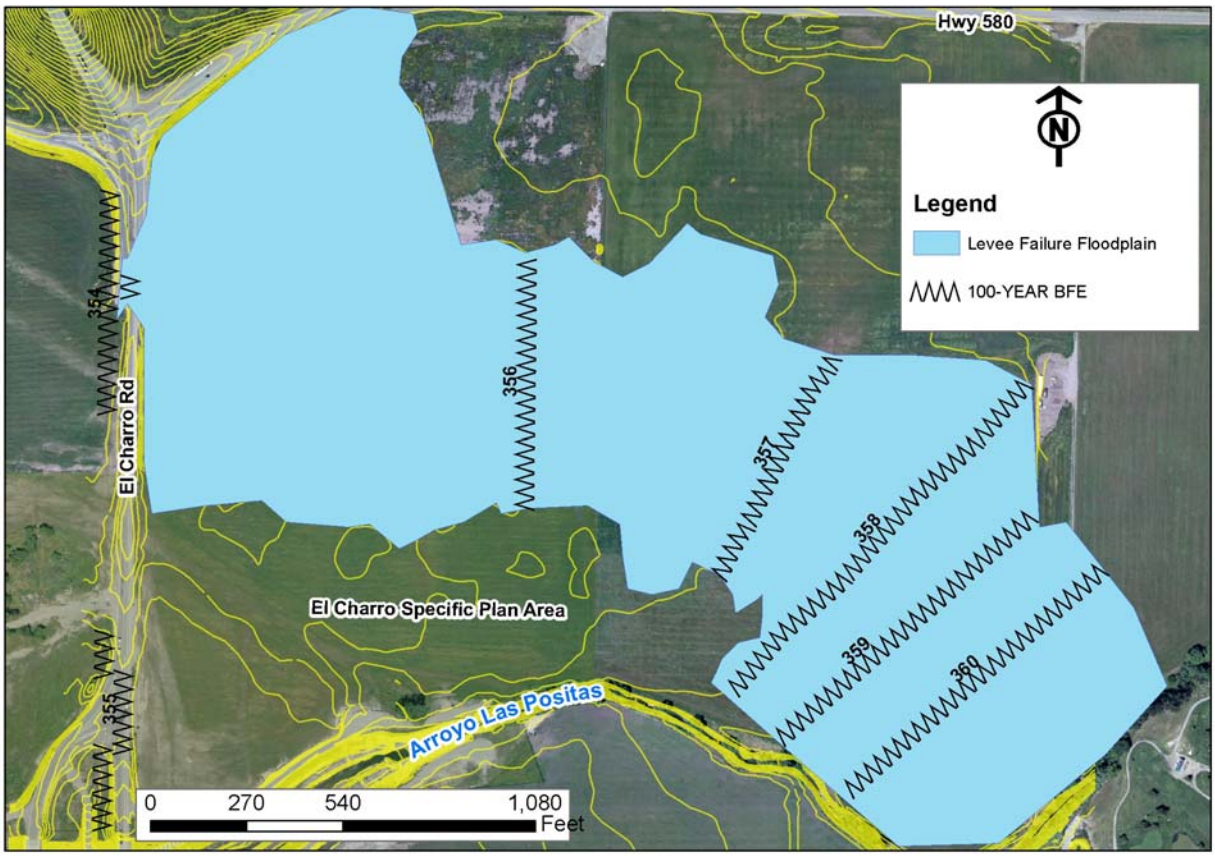


Figure 12: Existing Conditions Floodplains – NW Area

3. EXISTING CONDITIONS SUMMARY

The El Charro Specific Plan Area does provide floodplain storage for the Arroyo De La Laguna watershed. Under existing conditions during a 100-year event, this storage reduces the peak flow at Bernal by roughly 300 cfs which is only 1-percent of the total flow predicted by the Zone 7 Hydrologic Model. The 630 cfs that flows through the Staples Ranch area across Highway I-580 ponding and returning to the Arroyo Mocho through Line G-3 was of such long duration (13 hours) that this flow is only slightly reduced by any ponding or overbank routing. Schaaf & Wheeler concludes that the spill from Arroyo Las Positas could be directed back into the Arroyo Mocho either upstream or downstream of El Charro Road with only a slight change (+78cfs, +0.35%) on peak discharges downstream of Bernal. Therefore, any change to the topography (buildings, re-routing the flows, etc.) through the existing conditions floodplain (shown in Figure 12) will have a slight effect on the peak flow rate downstream at Bernal. Figure 13 shows the hydrographs at Bernal for various conditions.

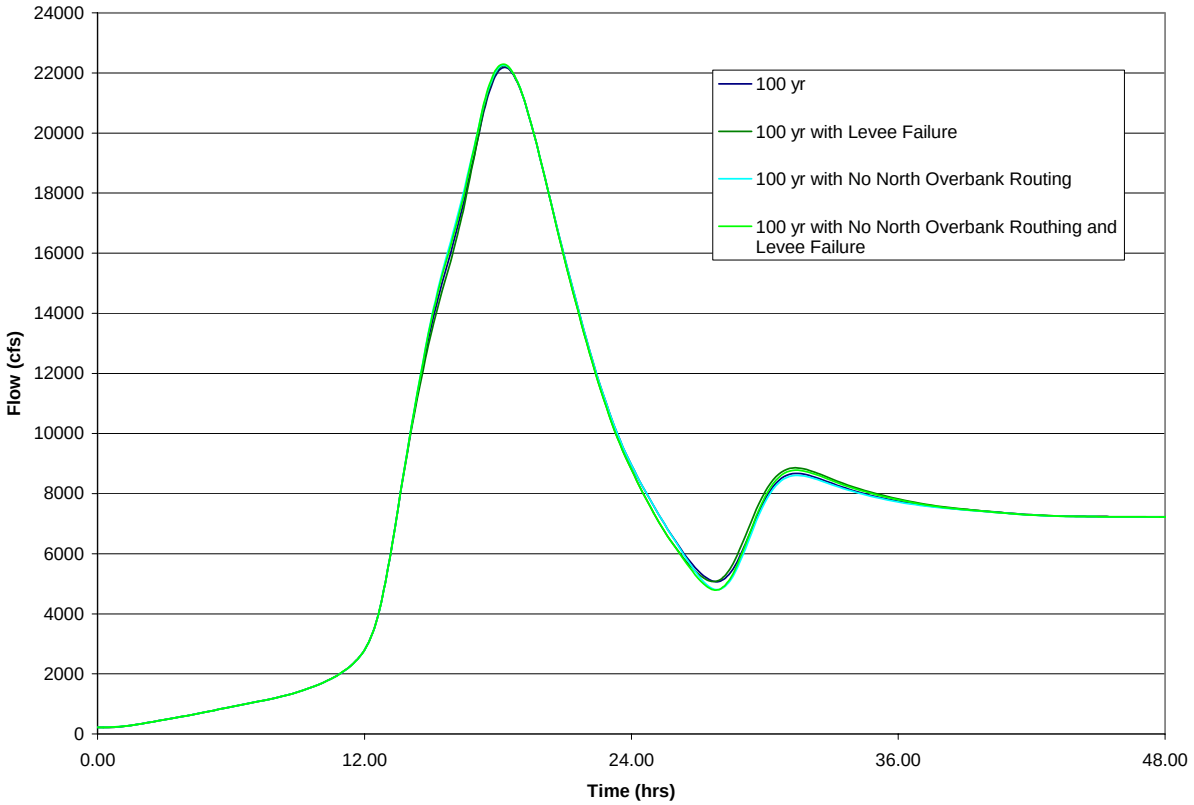


Figure 13: Bernal Hydrographs

The floodplain delineated as part of this study is generally larger than that shown by FEMA as it reflects the spill from the Arroyo Las Positas upstream of Airport Boulevard. However, the floodplain is somewhat smaller downstream of El Charro due to three factors: the new extension of the Arroyo Mocho up to El Charro Road; the short upstream extension of Arroyo Las Positas; and a revised capacity analysis of the Arroyo Las Positas.

4. PROPOSED CONDITIONS

4.1 ROADWAY ALTERNATIVES

Three roadway alignments are proposed for the El Charro Specific Plan Area. The South Alignment is an extension of Jack London Road, the Central Alignment is an extension of Club House Drive through the Las Positas Golf Course, and the North Alignment is an extension of Club House Drive that parallels Highway 580. Figure 14 shows the proposed roadway alignments.

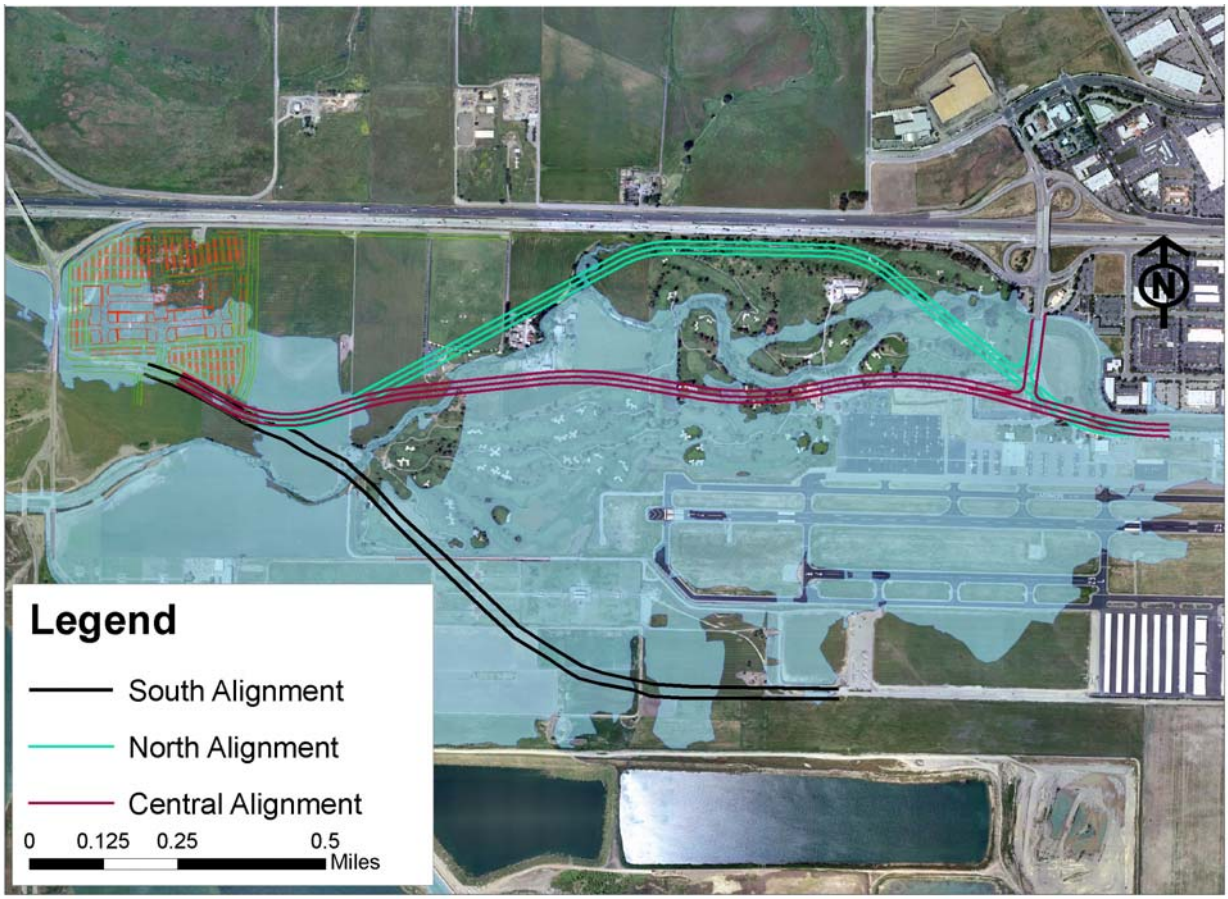


Figure 14: Roadway Alignments

The proposed land use changes in the El Charro Area would have an effect on hydrology and flooding. Development may constrict flows, remove floodplain storage, or attenuate flood flows. Schaaf & Wheeler compared these land use changes to existing conditions.

The hydrology and floodplains were analyzed for two flooding conditions: the 100-year flow with a levee failure on the Arroyo Mocho and the 15-year flow without levee failure. The 100-year event represents a floodplain that meets FEMA levee failure requirements while the 15-year storm represents a more frequent event that produces flooding in the El Charro Specific Plan Area. These two events give a range to the hydraulic conditions in the study region. The 15-year event with levee failure and the 100-year event without levee failure produce flows and floodplains between the two studied scenarios and do not add any critical information. Therefore, these two conditions were not studied for proposed conditions.

Schaaf & Wheeler made several roadway design assumptions in analyzing the effects of the proposed conditions. These assumptions are based on City standards and requirements.

- All new roadways will be above the 100-year flood level to allow for emergency access.
- Roadways designed across floodplains will not block flows in a manner that will increase upstream flooding by more that 0.05 feet.

- Changes along El Charro Road will not increase flooding on either side of the road.
- Flow-through design improvements will deliver the same volume and peak flow rate as existing conditions to the Staples Ranch site.

Future roadways crossing the floodplain are not yet designed; however, Schaaf & Wheeler analyzed their hydrologic effects. Roadway widths were assumed to be 104 feet based on current Livermore City Standards. Roadway widths could vary during future design phases, but these changes should not significantly affect the region's hydrology or hydraulics. All piers and culverts are assumed to be placed parallel to the flow direction. Culvert sizing is based on constructability, economics, and hydraulics. Bridge widths are consistent with Zone 7 setback requirements and do not negatively affect the existing floodway or floodplain.

For both the Central and North Alignments there is the option of raising the roadway along Airway Boulevard between Kitty Hawk and Club House Drives. This would reduce the 100-year flooding at the Livermore Airport. Each roadway alignment is described in detail in the following sections along with the necessary improvements required.

4.1.1 South Alignment

The South Roadway Alignment, as shown in Figure 15, must cross the southern spills from the Arroyo Las Positas without adversely affecting the floodplain. One option is to build the roadway on piers, effectively creating a causeway. Another option is to build the roadway on fill with culverts running underneath that allow floodwaters to pass without significantly affecting the floodplain or flow rates. This alignment displaces roughly five acres of existing golf course on airport land purchased with Federal Aviation Administration (FAA) grants. A land swap with quarry owners would be required for this alternative.

Schaaf & Wheeler calculated the need for twenty-five 15-foot by 5-foot culverts in order to pass overland flows. These culvert sizes and quantities may be altered to match changes in roadway design. The sizes used in this analysis have the widest economical section and are tall enough to allow for maintenance activities. The peak 100-year velocities through these culverts would be nearly 11 feet per second (fps) compared to the 3 to 5 fps in the existing floodplain. Grading the City-owned land downstream of the Airport could allow more conveyance by concentrating flood flows and narrowing the floodplain. Schaaf & Wheeler did not study this scenario in detail; however, it may reduce the number of culverts required for this roadway alignment.

A clear span bridge across the Arroyo Las Positas roughly 3200-feet upstream of El Charro Road would also be required. The clear span of this bridge is estimated to be 80 feet. This alignment covers the 100-year ponded area for approximately 820 feet and may slightly reduce the floodplain storage.

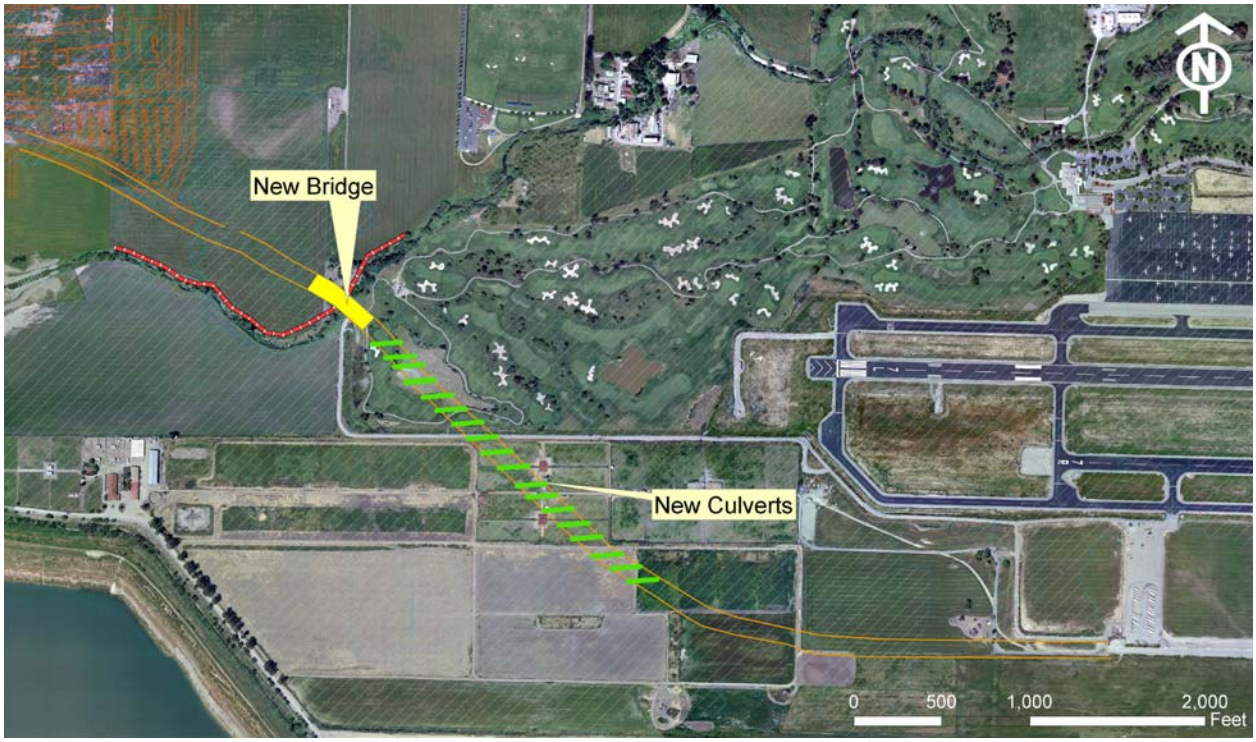


Figure 15: South Alignment

4.1.2 Central Alignment

The Central Roadway Alignment, as shown in Figure 16, potentially has the largest effect on the existing floodplain and hydrology. The proposed roadway would act as a barrier, preventing Arroyo Las Positas flows from spilling onto the Livermore Airport. This alignment would hold flows to the north of the new road until the channel is downstream of the golf course. To avoid additional flooding of the Children's Hospital site, the golf course must be contoured to convey more flow. Downstream of the golf course, peak flows would spill into the southern storage area through twenty-five 15-foot by 4-foot culverts. A clear span bridge across the Arroyo Las Positas 4,400 feet upstream of the El Charro Road would also be required. The clear span of this bridge is estimated to be 100 feet.

The central alignment has the greatest effect on the floodplain within the existing golf course, does not affect the floodplain storage area bounded by the two Arroyos, and reduces the 100-year floodplain near the Livermore Airport significantly.

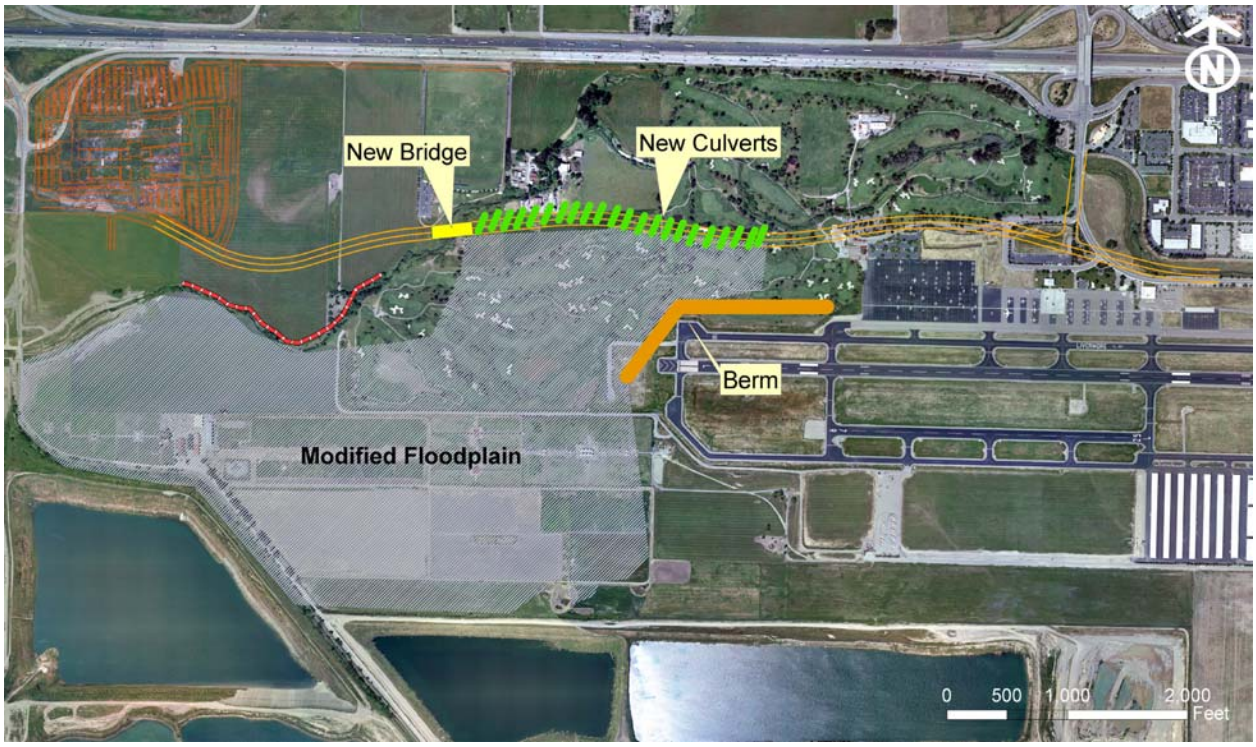


Figure 16: Central Alignment

4.1.2 North Alignment

The North Roadway Alignment, as shown in Figure 17, has the smallest potential effect on the existing floodplain and hydrology. This proposed roadway alignment avoids most of the Arroyo Las Positas floodplain. A clear span bridge across the Arroyo Las Positas downstream of the Airway Boulevard would be required. The clear span of this bridge is estimated to be 100 feet. This alignment would require a land swap with private property owners and the golf course. Approximately 10 acres of golf course and airport lands would be displaced.

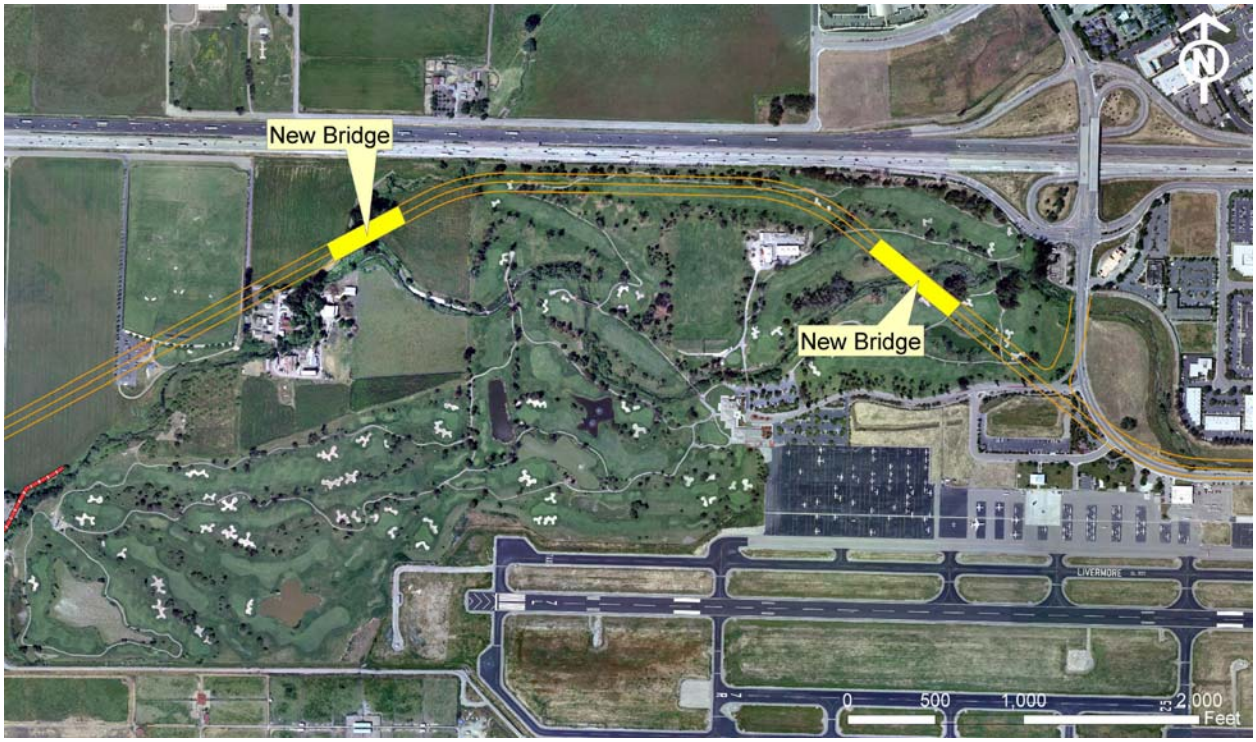


Figure 17: North Alignment

4.2 DESIGN ALTERNATIVES

Schaaf & Wheeler studied seven project alternatives that would minimize flooding effects from the proposed development in the El Charro Region. Eliminating the north overbank spill upstream of the existing fish-ladder on the Arroyo Las Positas allows for greater development in the northwest section of the study area. Diverting this spill immediately back to the Arroyo Las Positas causes a slight increase in the peak flows at Bernal Avenue. The flow at Bernal Avenue was determined by Zone 7 to be a key location where peak flows should not be significantly increased. Downstream of Bernal Avenue the flood control system does not have 100-year capacity and is highly erosive.

The following is a summary of each alternative and its effect on the region's hydrology and floodplain. The goal of each alternative is to eliminate the northern spill from the Arroyo Las Positas while keeping peak flow rates at or below existing conditions at Bernal Avenue and to prevent additional flooding to the El Charro Region and neighboring areas.

The alternatives are as follows:

- Diversion to Lake H with North Overbank Channel
- Grading Storage Area with North Overbank Channel
- Channel Desilting with North Overbank Channel
- Flow Through Design
- North Area Pond Diversion
- South Storage Area Percolation with North Overbank Channel
- South Storage Area Basin with Outfall with North Overbank Channel

Each of these alternatives may be used with any of the three road alignments.

4.2.1 Alternative 1: Diversion to Lake H

Alternative 1 diverts part of the southern spills from the Arroyo Las Positas to Lake H as shown in Figure 18. This alternative is consistent with plans from the Zone 7 Stream Management Master Plan (SMMP). The initial design for this alternative is to install three 5-foot by 3-foot box culverts from the low point in the south storage area to Lake H. The diverted water would be pumped to Cope Lake and back into the Arroyo Mocho after the storm flows subside. Two pumping schemes were studied – pumping the flows out either in 24 hours or in 7 days. During a 100-year event, roughly 168 acre-feet of storm water would be diverted.
Table 1 summarizes the effects of this alternative combined with eliminating the northern spill from the Arroyo Las Positas.

To eliminate the flooding in the northern area, a new channel in the north overbank would be required to divert spills back into the Arroyo Las Positas channel. The preliminary design for the channel is a vegetated benched channel with 4:1 side-slopes. This channel would be integrated with City's park and trail plans along with the region's Hydromodification Plan (HMP) and water quality goals. The channel would vary in width and depth; however, the maximum depth would be 7 feet and the maximum width 80 feet. The channel would outlet into the Arroyo Las Positas through four 5-foot by 5-foot culverts. The Schaaf & Wheeler hydrologic model assumes no significant attenuation from this diversion and therefore the north overbank spills are not routed in the HEC-1 model. This holds true for Alternatives 2, 3, 6, and 6b as well.

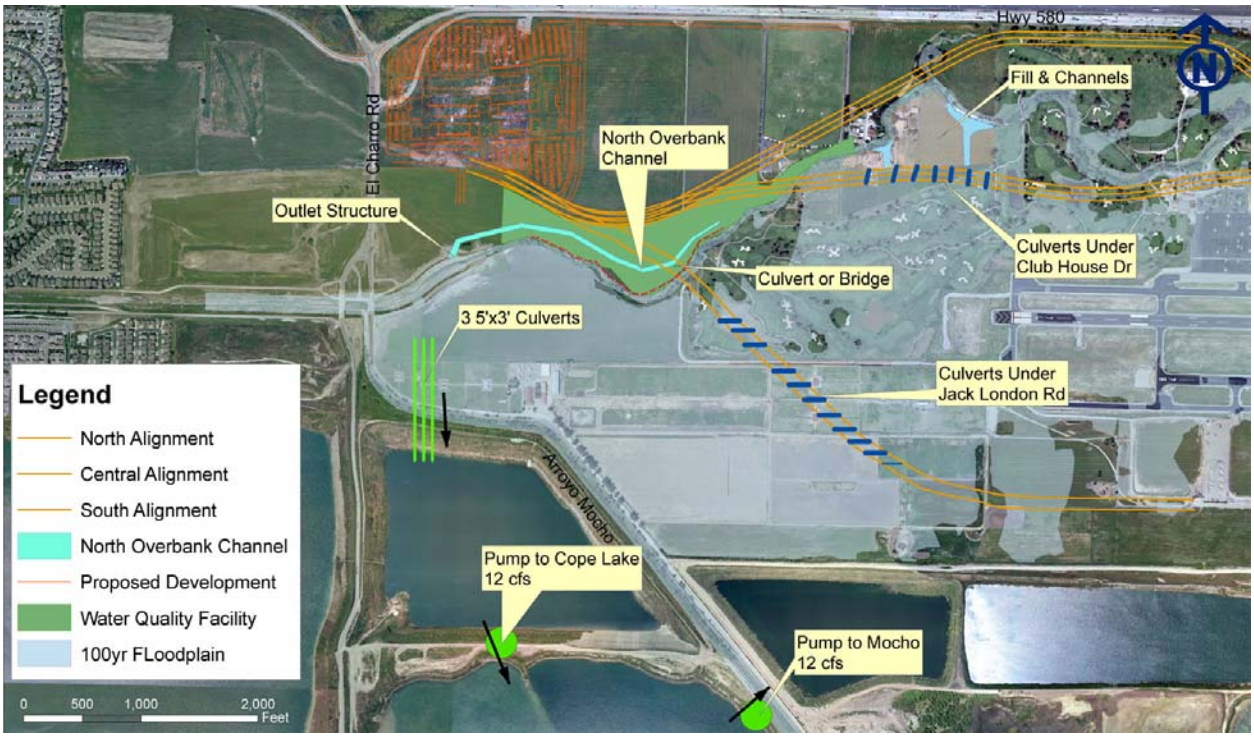


Figure 18: Alternative 1: Diversion to Lake H

Table 1: Alternative 1: Diversion to Lake H Effects

Condition	Existing Conditions		Diverted Conditions		Effect	
	Bernal Peak Flow (cfs)	Storage Pond Level (ft)	Bernal Peak Flow (cfs)	Storage Pond Level (ft)	Bernal Peak Flow	Storage Pond Level (ft)
100-Year with Levee Failure	22,236	359.37	22,072	359.35	-0.7%	-0.02
15-Year	11,530	358.53	11,535	358.49	+0.0%	-0.04

Alternative 1 reduces the 100-year peak flow rate at Bernal Avenue and reduces the ponding area slightly. Cost estimates are explored later in this document.

4.2.2 Alternative 2: Grading Storage Area

Alternative 2 increases the volume of the natural storage area bounded by the two Arroyos. The land owned by the City of Livermore would be graded to increase the volume below elevation 362 feet (NGVD) by roughly 10 percent. This would require about 94,000 cubic yards of excavation. Table 2 summarizes the effects of this alternative combined with eliminating the northern spill from the Arroyo Las Positas. The peak ponding stage in the southern storage area does not increase under either condition; therefore, this design would not increase flooding on any land in the region. A new overbank channel, as described in Alternative 1, would be required to divert spills back into the channel.

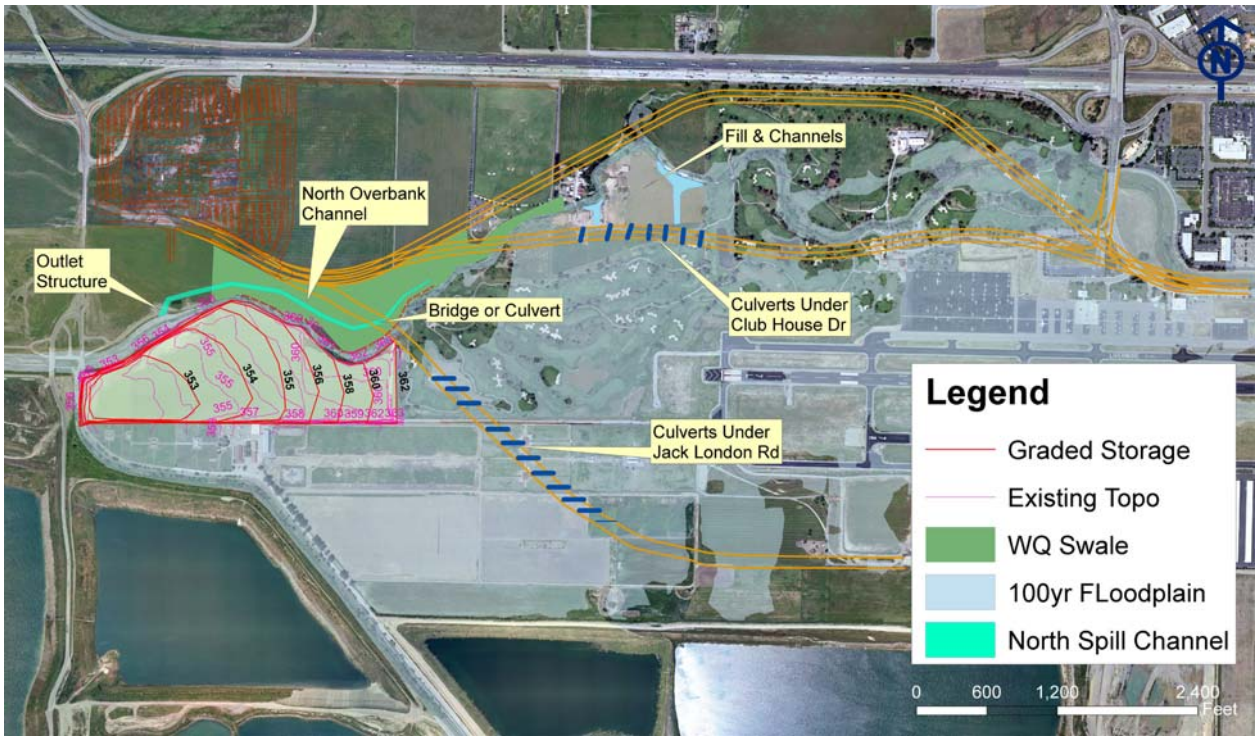


Figure 19: Alternative 2: Grading Storage Area

Table 2: Alternative 2: Grading Storage Area Effects

Condition	Existing Conditions		Diverted Conditions		Effect	
	Bernal Peak Flow (cfs)	Storage Pond Level (ft)	Bernal Peak Flow (cfs)	Storage Pond Level (ft)	Bernal Peak Flow	Storage Pond Level (ft)
100-Year with Levee Failure	22,236	359.37	22,226	359.37	-0.0%	0.00
15-Year	11,530	358.53	11,496	358.52	-0.3%	-0.01

This alternative makes it possible to eliminate the north area flooding without increasing peak flows at Bernal Avenue. The construction of this alternative is relatively simple and could be designed to coincide with the possible golf course expansion/relocation to this area.

4.2.3 Alternative 3: Channel Desilting

Alternative 3 desilts the Arroyo Las Positas channel from Kitty Hawk Road to Airway Boulevard, through Las Positas Golf Course. It is estimated that nearly 112,000 cubic yards of sediment would need to be removed from the channel to provide greater conveyance through the golf course. However, once downstream of the golf course, the flows would spill south due to limited channel capacity. These spills then enter the storage area behind the two Arroyos. HEC-1 hydrology models show a decrease in peak flows at Bernal due to desilting the channel. Table 3 shows the 15- and 100-year flow rates at Bernal and stages in the storage area. This alternative also decreases the amount of flood waters that would spill onto the Livermore Airport. A new overbank channel, as described in Alternative 1, would be required to divert spills back into the channel.

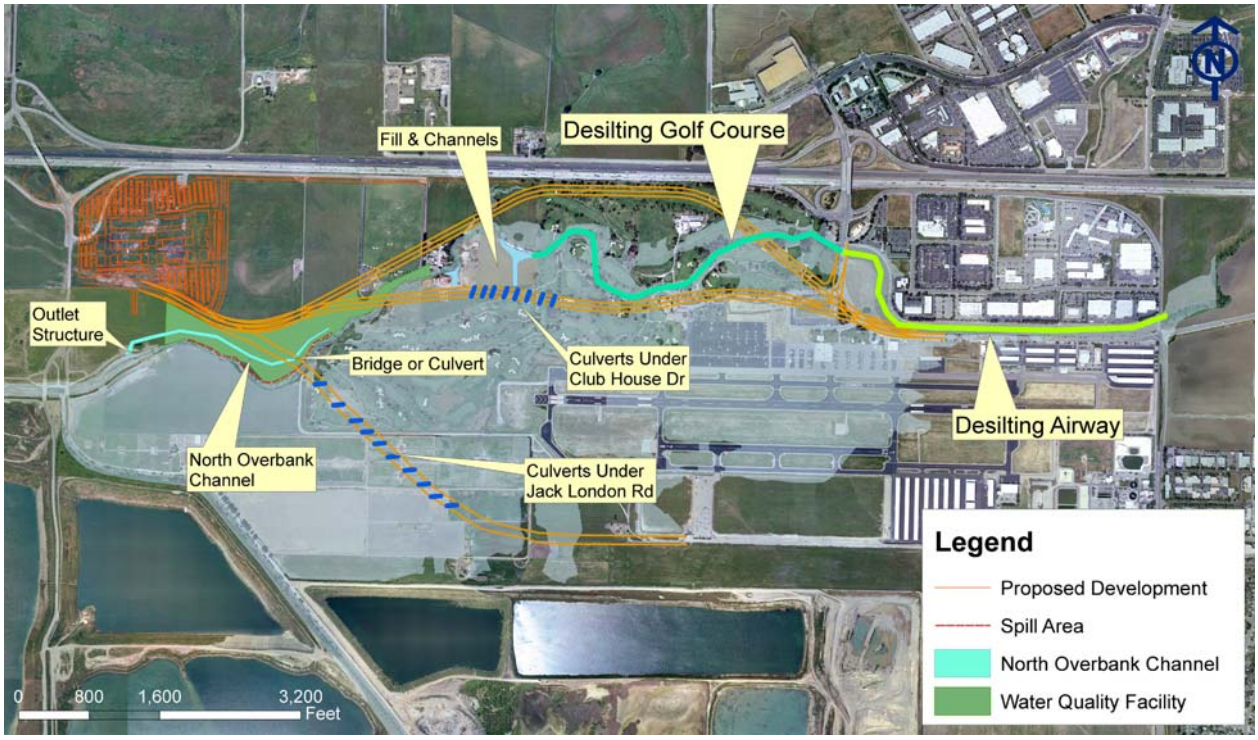


Figure 20: Alternative 3: Channel Desilting

Table 3: Alternative 3: Channel Desilting Effects

Condition	Existing Conditions		Desilted Conditions		Effect	
	Bernal Peak Flow (cfs)	Storage Pond Level (ft)	Bernal Peak Flow (cfs)	Storage Pond Level (ft)	Bernal Peak Flow	Storage Pond Level (ft)
100-Year with Levee Failure	22,236	359.37	22,148	359.37	-0.4%	0.00
15-Year	11,530	358.53	11,529	358.53	-0.0%	0.00

Desilting the channel in the locations shown provides both flood control and environmental benefit to the El Charro Region as well as the entire watershed. This alternative also reduces nuisance flooding along the golf course. Desilting the channel is consistent with the Zone 7 SMMP.

4.2.4 Alternative 4: Flow Through Design

For all three roadway alignments the spill to the north (630cfs for the 100-year event) needs to be addressed. Alternative 4 allows the spills to the north to pass through the proposed development and under El Charro Road. Figure 21 shows the proposed development and various hydraulic structures that would allow the flow to pass effectively. Under Jack London Road, a system of roughly seven 12-foot by 4-foot culverts would be needed. Table 4 summarizes the HEC-1 model results for this alternative.

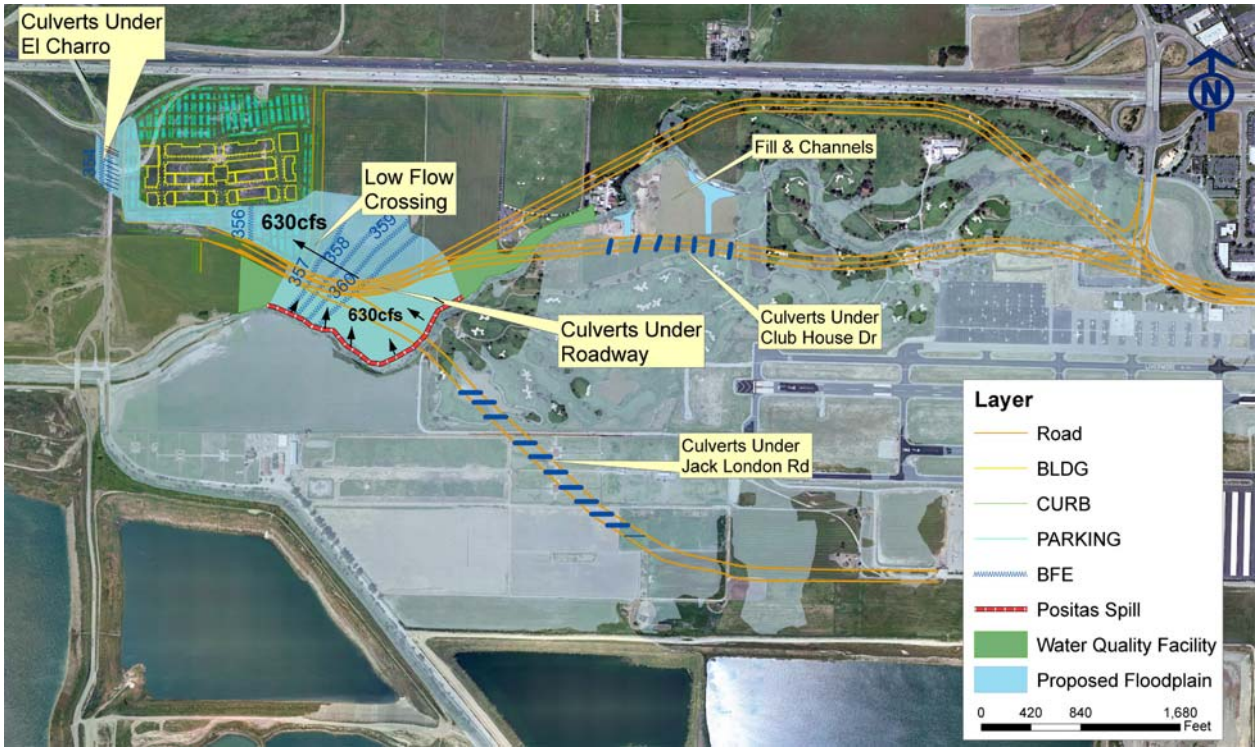


Figure 21: Alternative 4: Flow Through Design

Table 4: Alternative 4: Flow Through Design Effects

Condition	Existing Conditions		Desilted Conditions		Effect	
	Bernal Peak Flow (cfs)	Storage Pond Level (ft)	Bernal Peak Flow (cfs)	Storage Pond Level (ft)	Bernal Peak Flow	Storage Pond Level (ft)
100-Year with Levee Failure	22,236	359.37	22,236	359.37	0.0%	0.00
15-Year	11,530	358.53	11,530	358.53	0.0%	0.00

The crossing at El Charro Road is complex. Currently, flood waters pond to the east of the roadway and weir over the top into Staples Ranch. Simply adding culverts under the roadway could force more water onto the downstream properties. An elevated culvert would need to be designed in El Charro Road. Preliminary analyses show a series of fourteen 15-foot by 2-foot culverts with inverts at elevation 354.75 feet (NGVD). Figure 22 shows a possible culvert layout.

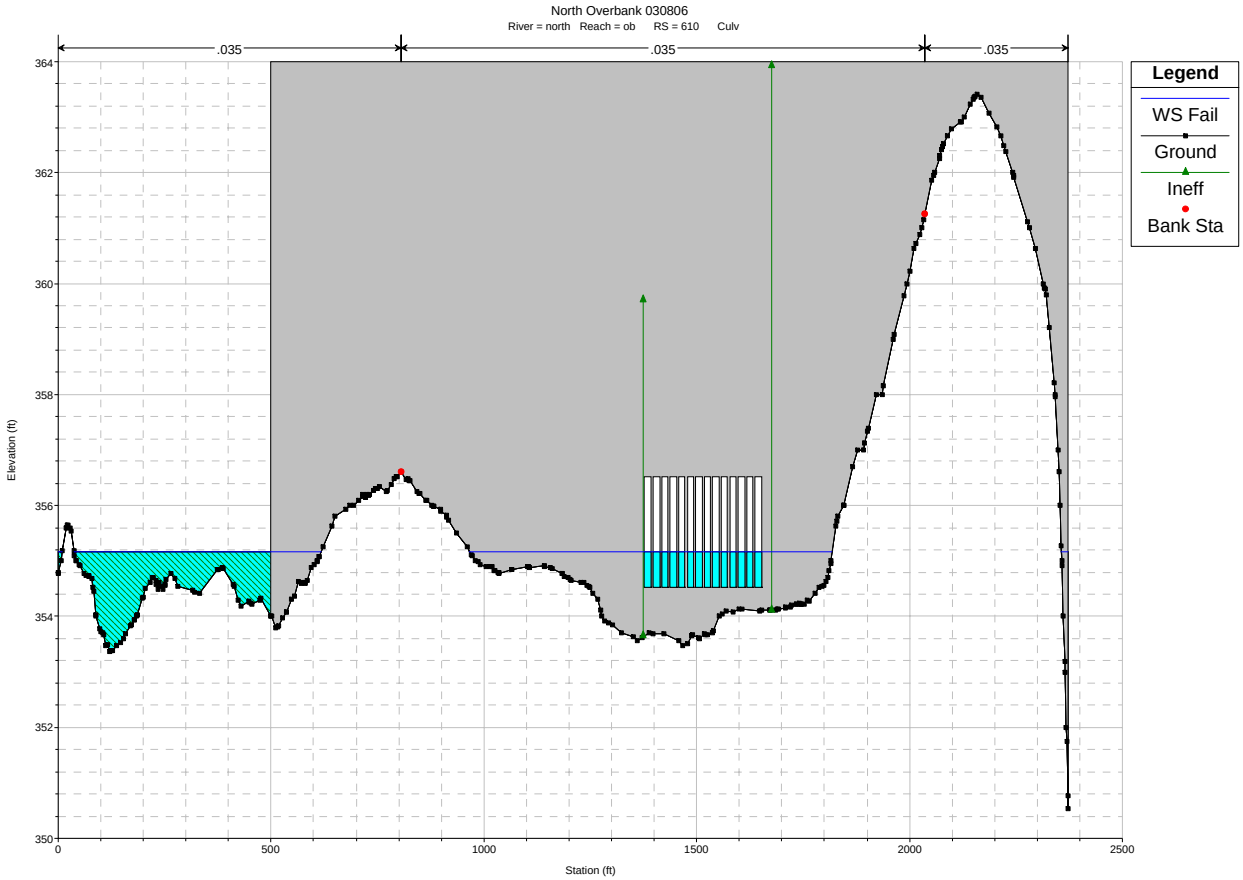


Figure 22: El Charro Road Culverts for Alternative 4

This alternative makes it possible to build within the effective floodplain without adversely

affecting neighbors. It is dependent only on design elements within the development area.

4.2.5 Alternative 5: North Area Pond Diversion

Alternative 5 diverts the northern spill through a large, 17-acre pond. This pond, shown in Figure 23, would attenuate the overbank spill enough to avoid increasing the peak flow at Bernal. Another advantage of this alternative is that it has potential for use as a water quality component for NPDES requirements.

This pond would be designed to accept existing spills from the Arroyo Las Positas and route them through a long, shallow pond. The spills would then be released back into the Arroyo Las Positas downstream of the existing fish ladder through a series of three 5-foot by 3-foot and two 5-foot by 4-foot culverts. This pond would be designed to reach less than 5-feet deep during a 100-year event. Table 5 summarizes the HEC-1 model results for this alternative.



Figure 23: Alternative 5: North Area Pond Diversion

Table 5: Alternative 5: North Area Pond Diversion Effects

	Existing Conditions		Desilted Conditions		Effect	
Condition	Bernal Peak Flow (cfs)	Storage Pond Level (ft)	Bernal Peak Flow (cfs)	Storage Pond Level (ft)	Bernal Peak Flow	Storage Pond Level (ft)
100-Year with Levee Failure	22,236	359.37	22,234	359.37	-0.0%	0.00
15-Year	11,530	358.53	10,539	358.53	-8.6%	0.00

This alternative makes it possible to reduce the floodplain in the north overbank without increasing the peak flows at Bernal Avenue. The City of Livermore could incorporate this design with proposed park and water quality facilities, giving the project multiple benefits.

4.2.6 Alternative 6: South Storage Area Percolation

Alternative 6 potentially percolates some of the overbank flows into the south storage area. Nearby land is used for gravel mining and groundwater recharge. No percolation tests are currently available for the study area; however, Zone 7 did provide some soil boring information for the El Charro region. The Schaaf & Wheeler analysis assumes a percolation rate for gravel of 8-feet per hour. This is within the range of typical gravely areas. Percolation tests would be required before implementation of this alternative. A percolation basin with a bottom size of 0.6 acres was assumed. Because it is not known exactly how deep the gravel layer starts, it is difficult to determine the exact design of this alternative. Schaaf & Wheeler assumed 40 feet of excavation would be required to reach gravel. The required excavation for a basin with 2:1 side slopes would increase the storage area volume by 60 acre-feet. The required excavation would be roughly 97,000 cubic-yards. A new overbank channel, as described in Alternative 1, would be required to divert spills back into the channel. Figure 24 shows the area for potential percolation. Table 6 summarizes the hydrologic results of this alternative.

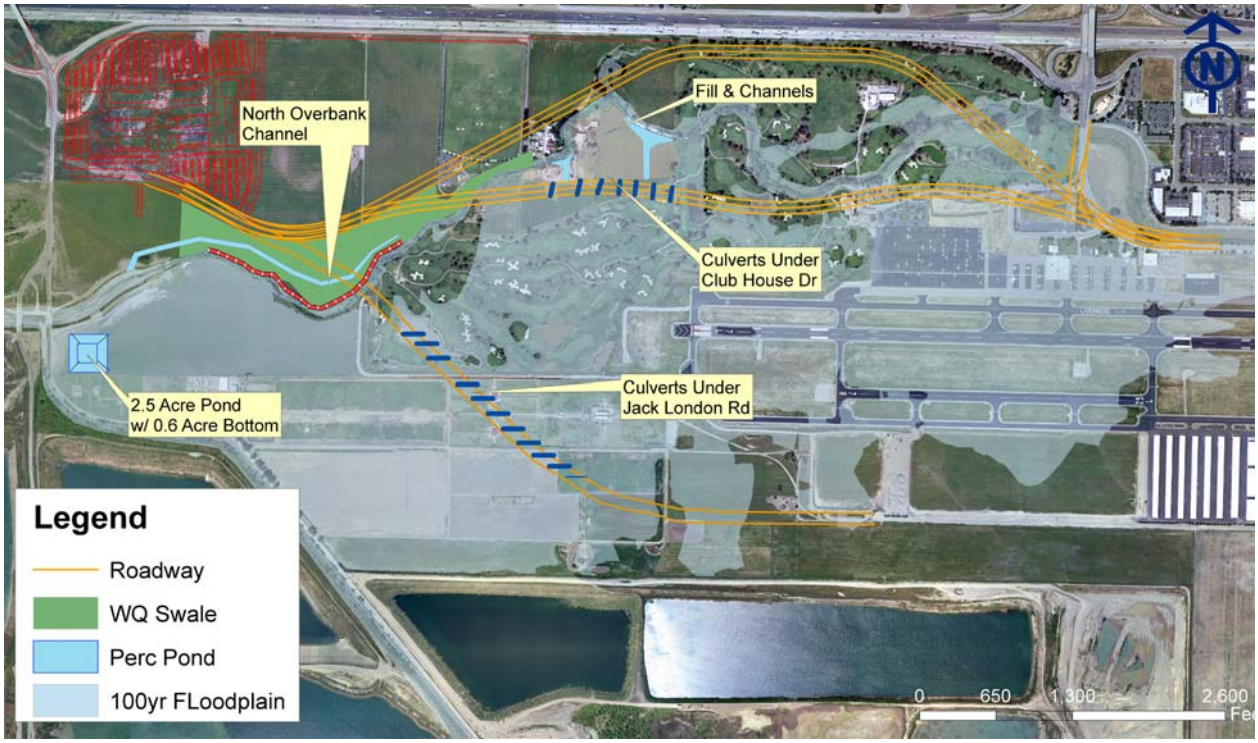


Figure 24: Alternative 6: South Storage Area Percolation

Table 6: Alternative 6: South Storage Area Percolation Effects

	Existing Conditions		Desilted Conditions		Effect	
Condition	Bernal Peak Flow (cfs)	Storage Pond Level (ft)	Bernal Peak Flow (cfs)	Storage Pond Level (ft)	Bernal Peak Flow	Storage Pond Level (ft)
100-Year with Levee Failure	22,236	359.37	22,181	359.37	-0.2%	0.00
15-Year	11,530	358.53	11,449	358.50	-0.7%	-0.03

The gravel area would percolate at a rate of roughly 58 cfs. Along with the increased storage volume, this rate is sufficient to prevent increasing the peak discharge at Bernal. It is important to note that this percolation area would be exposed gravel; therefore, it is not suitable for any other land use and would require routine maintenance. During a 100-year event with a levee failure on the Arroyo Mocho, roughly 38 acre-feet of storm water would percolate in 8 hours. During a 15-year event, roughly 19 acre-feet would percolate in 4 hours. Further investigation into possible limitations or restrictions of adding storm water to groundwater would be needed.

This analysis contains many unknowns. However, a percolation basin with enough volume and seepage would allow the north overbank flooding to be eliminated. Numerous issues need to be addressed for this alternative. Percolating water is subject to water quality and water rights issues. Maintenance and access are also important issues to be addressed.

4.2.7 Alternative 6b: South Storage Area Basin with Outfall

Alternative 6b is similar to Alternative 6 but adds a 24-inch culvert with a control valve to divert flows to the Arroyo Las Positas. The basin would be excavated to an elevation of 340 feet (NGVD) to avoid percolation and allow gravity flow into the Arroyo Las Positas. Figure 25 shows the layout for this alternative. Because the water surface elevation in this storage basin would be constantly higher than the water level in the Arroyo Las Positas, a flap gate would not work. Adding a control valve to the discharge line would assure that the storage area does not increase peak flows to the downstream system. A new overbank channel, as described in Alternative 1, would be required to divert spills back into the channel. Table 7 summarizes model results for this alternative.

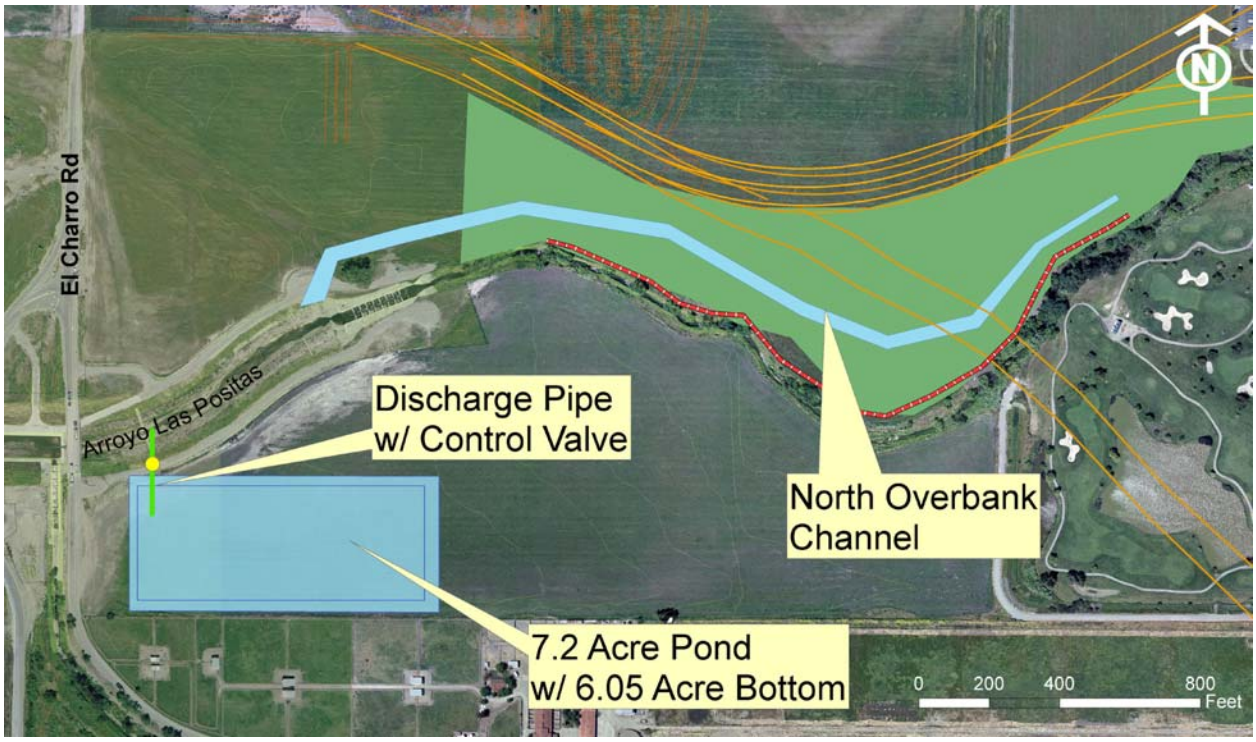


Figure 25: Alternative 6b: South Storage Area Basin w/ Outfall

Table 7: Alternative 6b: South Storage Area Basin w/ Outfall Effects

	Existing Conditions		Desilted Conditions		Effect	
Condition	Bernal Peak Flow (cfs)	Storage Pond Level (ft)	Bernal Peak Flow (cfs)	Storage Pond Level (ft)	Bernal Peak Flow	Storage Pond Level (ft)
100-Year with Levee Failure	22,236	359.37	22,230	359.37	-0.3%	0.00
15-Year	11,530	358.53	11,400	358.50	-1.1%	-0.03

This alternative is quite similar to Alternative 2, with the addition of an outlet system. Permitting would be required for the new outlet; however, this design takes less space than Alternative 2.

4.3 HMP BASINS

The Regional Water Quality Control Board (RWQCB) requires developments discharging to unstable channels to alleviate increased runoff through a Hydromodification Management Plan (HMP). RWQCB also requires runoff from new development to be treated for contaminants. Schaaf & Wheeler has calculated preliminary basin and swale sizing and alignments to accomplish these goals. It is assumed that 50% of the water quality goals would be accomplished with onsite measures. Because the Bay Area Hydrology Model (BAHM) is not fully developed, our HMP basin sizing is derived from HEC-HMS continuous simulation modeling. This approach is consistent with other projects in the region and follows procedures

developed by GeoSyntec.

Figure 26 shows the five proposed HMP basins and swale. Because the proposed development in the El Charro region is confined, three of the proposed HMP basins are located on City-owned property adjacent to the Arroyo Las Positas. The regional basins and swales would be integrated with the 100-year overbank channel and a park. Preliminary basin sizes are shown in Table 8.

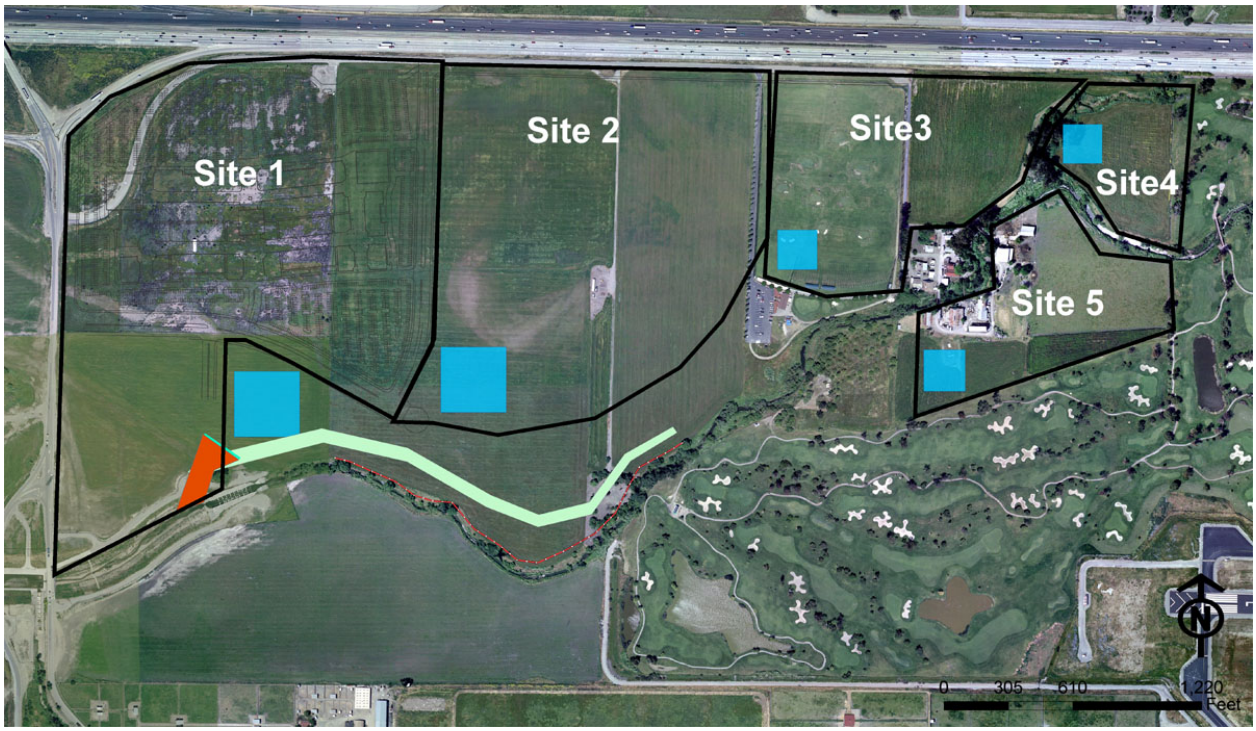


Figure 26: HMP Basins

Table 8: HMP Basin Characteristics

Site/Pond	Pond Area (acres)	Depth (ft)
Site 1	2.7	6
Site 2	2.6	5
Site 3	1.1	6
Site 4	0.9	3
Site 5	0.9	5.5

4.4 COST ESTIMATE

The following tables summarize preliminary costs for each roadway alignment. Costs are based on similar projects in the region. Channel desilting was estimated assuming a cost of $25 per cubic yard for excavation and $150,000 per acre for re-vegetation. Excavation and grading for storage areas are based on $10 per cubic yard. Culvert costs are based on 1-foot thick culverts and $800 per cubic yard of concrete. For bridges, costs of $300 per square foot (plan view) were assumed. Pump costs are based on 7-day pumping requirements. $20,000 per cfs was used for

the Cope Lake to Mocho Pump and $50,000 per cfs was used for the Lake H to Cope Lake pump. Bridge costs are assumed to be covered under transportation cost estimates. Temporary bridges across the Arroyo Las Positas may be required for grading and excavation in the southern storage area.

Table 9: Cost Estimate Tables

ALIGNMENT SOUTH							
Flood Control Item	Alt 1	Alt 2	Alt 3	Alt 4	Alt 5	Alt 6	Alt 6b
Culverts in South Overbank	$ 5,800,000	$ 5,800,000	$ 4,600,000	$ 5,800,000	$ 5,800,000	$ 5,800,000	$ 5,800,000
Culverts in North Overbank				$ 1,000,000	$ 200,000		
Culverts under El Charro				$ 1,300,000			
Grade Storage Area		$ 900,000			$ 700,000	$ 1,000,000	$ 1,300,000
Temp Bridge	$ 100,000	$ 100,000				$ 100,000	$ 100,000
Diversion to Lake H	$ 700,000						
Pumps	$ 900,000						
Desilting Channel			$ 4,400,000				
HMP	$ 700,000	$ 700,000	$ 700,000	$ 700,000	$ 700,000	$ 700,000	$ 700,000
North Channel and Outlet	$ 400,000	$ 400,000	$ 400,000			$ 400,000	$ 400,000
Pond Outlet					$ 200,000		$ 100,000
Total	$ 8,600,000	$ 7,900,000	$ 10,100,000	$ 8,800,000	$ 7,600,000	$ 8,000,000	$ 8,400,000

ALIGNMENT CENTRAL							
Flood Control Item	Alt 1	Alt 2	Alt 3	Alt 4	Alt 5	Alt 6	Alt 6b
Spill to South Culverts	$ 4,600,000	$ 4,600,000	$ 4,600,000	$ 4,600,000	$ 4,600,000	$ 4,600,000	$ 4,600,000
Culverts in North Overbank				$ 1,000,000	$ 200,000		
Culverts under El Charro				$ 1,300,000			
Grade Storage Area		$ 900,000			$ 700,000	$ 1,000,000	$ 1,300,000
Temp Bridge	$ 100,000	$ 100,000				$ 100,000	$ 100,000
Diversion to Lake H	$ 700,000						
Pumps	$ 900,000						
Desilting Channel			$ 4,400,000				
HMP	$ 700,000	$ 700,000	$ 700,000	$ 700,000	$ 700,000	$ 700,000	$ 700,000
North Channel and Outlet	$ 400,000	$ 400,000	$ 400,000			$ 400,000	$ 400,000
Pond Outlet					$ 200,000		$ 100,000
Total	$ 7,400,000	$ 6,700,000	$ 10,100,000	$ 7,600,000	$ 6,400,000	$ 6,800,000	$ 7,200,000

ALIGNMENT NORTH							
Flood Control Item	Alt 1	Alt 2	Alt 3	Alt 4	Alt 5	Alt 6	Alt 6b
Culverts in North Overbank				$ 1,000,000	$ 200,000		
Culverts under El Charro				$ 1,300,000			
Diversion to Lake H	$ 700,000						
Pumps	$ 900,000						
Grade Storage Area		$ 900,000			$ 700,000	$ 1,000,000	$ 1,300,000
Temp Bridge	$ 100,000	$ 100,000				$ 100,000	$ 100,000
Desilting Channel			$ 4,400,000				
HMP	$ 700,000	$ 700,000	$ 700,000	$ 700,000	$ 700,000	$ 700,000	$ 700,000
North Channel and Outlet	$ 400,000	$ 400,000	$ 400,000			$ 400,000	$ 400,000
Pond Outlet					$ 200,000		$ 100,000
Total	$ 2,800,000	$ 2,100,000	$ 5,500,000	$ 3,000,000	$ 1,800,000	$ 2,200,000	$ 2,600,000

5. PROPOSED CONDITIONS SUMMARY

The results of this study show several alternatives that would allow for the development of the El Charro Specific Plan Area without adversely affecting the region's hydrology or floodplain. Roadways that cross over existing floodplains would need to be on piers or contain culverts that allow the passage of flows without creating additional backwater.

Schaaf & Wheeler has found that desilting the channel has positive effects on the hydrology and hydraulics of the region. This alternative provides greater conveyance in the channel and reduces the volume and frequency of flood flows. It also allows the north overbank spill to be rerouted back into the channel upstream of El Charro Road without increasing the existing 100-year peak discharge at Bernal. However, Alternative 2 is deemed to be the preferred option, as it is cost effective and works well with the proposed land uses.

Once the preferred alignment and design alternative are selected, more detailed hydrologic and hydraulic analyses can be performed. These subsequent detailed analyses would be used to submit a CLOMR application to FEMA.

6. CONCLUSION

The proposed development in the El Charro Specific Plan region will have little effect on the existing flooding to the region and to the flooding downstream. The minimal effect that it does create can be alleviated through the implementation of any of the design alternatives set forth in this report. Alternative 2 appears to be the easiest to implement and is cost effective; however, any one of the alternatives could be used to alleviate developmental effects.

The implementation of any one of these design alternatives will prevent increases in flows, volumes, or flooding downstream and will prevent increased flooding in the El Charro Specific Plan Area. Each of the alternatives allows flood waters to pass under the new roadways and redirects overbank flows in such a way that the Specific Plan developments will be removed form the floodplain, the floodwater elevation will rise less than 0.05 feet, and the floodplain storage within the Specific Plan Area will be maintained so that increased flows will not affect property at the Bernal Bridge. The proposed north overbank channel will provide increased

flood protection to proposed development north of the Arroyo Las Positas as well as neighboring communities. The methods used for these analyses are consistent with local, state, and federal agency requirements.

Appendix G

Additional Traffic Analysis Data

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Appendix G-1

Additional Traffic Analysis Data—Tables and Figures

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Table G-1. Comparison of trip generation between Church option and BCP option for Children's Hospital Site

						weekday		Sunday	Wednesday
				daily		Peak hour		Peak hour	Peak hour
	Land Use Component	**unit**	*quantity*	*weekday*	*Sunday*	*am*	*pm*	*am*	*evening*
Church Option	residential	du	1	10	9	1	1	1	-
	daycare	students	48	215	18	38	39	5	-
	preschool	students	48	215	18	38	39	5	-
	Church	seats	3000		4590			1890	945
	Church	ksf	123	1,121		89	81		
			Total trips	1,560	4,634	166	161	1,901	945
BCP Option	**retail**	**ksf**	275.52	11,831	6,954	284	1,033	860	1,033
			difference	10,271	2,320	118	872	(1,042)	88

Table G-2. 2030 AM Southern Alignment-Sunday trips with Church Campus Option

	Northbound			*Southbound*			*Eastbound*			*Westbound*		
Intersection	*L*	*T*	*R*	*L*	*T*	*R*	*L*	*T*	*R*	*L*	*T*	*R*
ElCharro/JLBl	51	223	173	774	96	235	30	361	43	185	301	724
ElCharro/EB Ramps	-	835	156	-	752	164	110	-	351	-	-	-
ElCharro/WB Ramps	-	539	408	-	564	148	-	-	-	351	-	546

Table G-3. 2030 Sunday AM Peak Hour Southern Alignment with Church Campus Option

Intersection	LOS
ElCharro/JLBl	C
ElCharro/EB Ramps	B
ElCharro/WB Ramps	C

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El Charro Specific Plan
Traffic Impact Table G-4
Freeway Operations – 2030 Full Project (Jack London Alignment)

Location		Baseline (2008)			2030 No Project			2030 Full Project 4 Lane Jack London Extension			2030 Full Project 2 Lane Jack London Extension		
	Type	Volume[1]	Density[2]	LOS[3]	Volume[1]	Density[2]	LOS[3]	Volume[1]	Density[2]	LOS[3]	Volume[1]	Density[2]	LOS[3]
I-580 Eastbound - AM Peak													
Hacienda Dr to Santa Rita Rd	Weave	6,044	21.1	C	9,250	35.5	E	9,325	35.8	E	9,339	35.7	E
Santa Rita Rd to El Charro Rd	Mainline	6,476	22.0	C	8,534	29.9	D	8,770	31.1	D	8,807	31.3	D
El Charro Rd to Airway Blvd	Mainline	6,880	30.2	D	8,898	31.7	D	9,182	33.3	D	9,305	34.1	D
Airway Blvd to Isabel Ave	Mainline	5,573	23.7	C	7,553	25.8	C	7,692	26.3	D	7,803	26.8	D
I-580 Westbound - AM Peak													
Isabel Ave to Airway Blvd	Mainline	8,258	41.8	E	8,513	29.8	D	8,536	29.9	D	8,692	30.7	D
Airway Blvd to El Charro Rd	Mainline	8,651	>45	F	8,790	31.2	D	8,761	31.0	D	8,978	32.2	D
El Charro Rd to Santa Rita Rd	Mainline	7,701	36.1	E	8,487	29.7	D	8,478	29.7	D	8,628	30.4	D
Santa Rita Rd to Hacienda Dr	Weave	8,276	29.7	D	8,607	32.4	D	8,572	32.2	D	8,570	32.3	D
I-580 Eastbound - PM Peak													
Hacienda Dr to Santa Rita Rd	Weave	9,088	35.3	E	9,606	37.4	E	9,640	37.4	E	9,690	37.4	E
Santa Rita Rd to El Charro Rd	Mainline	8,351	29.1	D	8,876	31.6	D	9,012	32.2	D	9,044	32.5	D
El Charro Rd to Airway Blvd	Mainline	9,011	>45	F	9,105	32.9	D	9,334	34.2	D	9,485	35.2	E
Airway Blvd to Isabel Ave	Mainline	8,237	41.6	E	8,341	29.0	D	8,450	29.5	D	8,619	30.3	D
I-580 Westbound - PM Peak													
Isabel Ave to Airway Blvd	Mainline	5,811	24.8	C	8,051	27.8	D	8,258	28.7	D	8,352	29.1	D
Airway Blvd to El Charro Rd	Mainline	6,588	28.6	D	8,970	32.1	D	9,448	35.0	D	9,633	36.2	E
El Charro Rd to Santa Rita Rd	Mainline	6,248	26.8	D	8,256	28.7	D	8,402	29.3	D	8,448	29.5	D
Santa Rita Rd to Hacienda Dr	Weave	6,579	23.2	C	8,627	32.1	D	8,686	32.5	D	8,682	32.5	D

Significance Criteria = Significant Cumulative Impact = Decline to F; if already F, V/C increase > 3 % and > 1% project contribution

Signicant impacts in BOLD. None on this table

Source: Dowling Associates, Inc., 2006.

[1] Volume = vehicles per hour (vph)

[2] Density = passenger car per mile per lane (pc/m/ln)

[3] LOS = Level of Service

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El Charro Specific Plan EIR (P06-005)
2030 + Full Project - South Align (High Capacity 2-Lane Jack London) - FEIR
AM Peak Hour

Summary Scenario Comparison Report (With Average Critical Delay)
Base Volume Alternative

Intersection		2030 AM FP South MIT				2030 AM FP South-HC-2laneJL-MIT				2030 PM FP South MIT						2030 PM FP South-HC-2laneJL-MIT			
		LOS	Avg Del (sec)	Crit V/C	Avg Crit Del (sec)	LOS	Avg Del (sec)	Crit V/C	Avg Crit Del (sec)	LOS	Avg Del (sec)	Crit V/C	Crit V/C Change	Avg Crit Del (sec)	Avg Crit Del Change	LOS	Avg Del (sec)	Crit V/C	Avg Crit Del (sec)
#1	El Charro Rd at I-580 EB ramps	B-	18.6	0.726	20.8	B	17.4	0.732	19.8	B	16.7	0.708	- 0.024	18.0	- 1.9	B	16.7	0.697	17.7
#3	Airway Blvd at North Canyons Pkwy	C	30.5	0.940	40.9	C-	32.2	0.956	43.6	C	24.9	0.881	- 0.075	35.0	- 8.6	C	25.0	0.884	35.1
#4	Airway Blvd at I-580 WB ramps	C+	21.4	0.720	23.3	C+	22.3	0.741	24.2	C	20.3	0.466	- 0.275	19.8	- 4.4	C	20.2	0.463	19.8
#5	Airway Blvd at I-580 EB ramps-Kitty Hawk Rd	C	29.7	0.770	33.7	C	29.7	0.777	34.0	C	28.3	0.654	- 0.123	33.5	- 0.5	C	28.6	0.680	34.3
#7	Collier Canyon Rd at North Canyons Pkwy	C+	22.4	0.602	22.5	C+	22.9	0.627	23.0	C	22.2	0.691	+ 0.064	22.0	- 1.0	C	20.9	0.695	20.6
#8	Isabel Ave at W Jack London Blvd	D	49.2	1.012	67.5	C-	34.9	0.894	44.3	D	51.1	1.012	+ 0.118	60.3	+ 16.1	D	50.9	1.005	65.2
#9	Isabel connector ramp at E Stanley Blvd	D+	35.9	0.997	62.9	D+	37.1	1.010	67.0	D	39.0	1.005	- 0.005	52.2	- 14.8	D	39.8	1.007	53.2
#10	Isabel Ave at Stanley connector ramp	B+	10.7	0.627	15.1	B+	11.6	0.780	15.9	C	28.3	0.999	+ 0.219	30.8	+ 14.9	C	27.4	0.996	29.9
#11	Isabel Ave at Concannon Blvd	D+	35.1	0.952	46.5	D+	38.9	0.958	47.3	B	17.1	0.800	- 0.159	28.7	- 18.6	B	17.0	0.800	28.8
#12	Isabel Ave at Vallecitos Rd	B	13.1	0.723	16.9	B	13.7	0.755	18.2	A	9.7	0.756	+ 0.000	13.4	- 4.8	B	10.2	0.727	14.3
#13	Murrieta Blvd at E Jack London Blvd-Pine St	D	42.4	0.932	50.7	D	41.4	0.924	49.3	C	30.4	0.737	- 0.187	34.1	- 15.2	C	29.6	0.731	33.3
#14	Murrieta Blvd at E Stanley Blvd	D+	37.7	0.950	47.5	D+	37.6	0.950	47.3	C	30.3	0.881	- 0.069	37.2	- 10.1	C	28.9	0.852	33.9
#15	Isabel Ave at Portola Ave	C	30.4	0.822	27.3	C-	32.1	0.852	35.9	D	41.6	1.001	+ 0.149	62.2	+ 26.3	D	42.8	1.012	64.9
#16	Isabel Ave at I-580 WB ramps	D+	38.5	0.977	43.5	D	41.3	0.992	47.0	C	23.0	0.801	- 0.191	25.2	- 21.8	C	23.2	0.799	25.3
#17	Isabel Ave at I-580 EB ramps	C	24.8	0.942	30.4	C	25.0	0.948	31.0	D	38.0	1.024	+ 0.076	49.5	+ 18.6	D	40.5	1.034	52.8
#18	El Charro Rd at W Jack London Blvd	C	28.3	0.752	33.1	C	28.5	0.749	33.7	D	36.7	0.929	+ 0.180	47.6	+ 13.8	D	37.6	0.935	48.5
#19	Isabel Ave at Airway Blvd	D	42.3	0.971	47.8	E+	58.8	1.044	72.6	F	81.2	1.144	+ 0.100	106.6	+ 34.0	F	80.3	1.149	101.3
#21	Hacienda Dr at Dublin Blvd	D	43.7	0.973	57.3	D	42.9	0.966	55.4	D	38.3	0.918	- 0.048	49.6	- 5.8	D	42.9	0.961	56.8
#22	Hacienda Dr at I-580 WB ramps	C	24.3	0.894	28.6	B-	18.6	0.758	21.8	C	29.4	0.943	+ 0.185	33.2	+ 11.4	C	22.0	0.860	25.4
#23	Tassajara Rd at Central Pkwy	C	26.0	0.910	30.6	C	24.5	0.904	29.1	D	48.6	1.056	+ 0.151	70.2	+ 41.1	D	41.4	1.026	58.9
#24	Tassajara Rd at Dublin Blvd	C	30.6	0.757	39.2	C-	32.1	0.823	42.2	D	37.5	0.876	+ 0.053	46.1	+ 3.8	D	37.0	0.858	44.5
#25	Tassajara Rd at I-580 WB ramps	D+	36.3	1.040	49.9	C+	21.7	0.955	26.3	B	17.9	0.922	- 0.033	22.2	- 4.1	B	13.3	0.846	14.5
#26	Fallon Rd at Central Pkwy	C	26.9	0.714	29.5	C	27.2	0.736	30.5	D	41.4	0.895	+ 0.159	56.3	+ 25.8	D	41.8	0.901	57.1
#27	Fallon Rd at Dublin Blvd	C	26.2	0.610	33.2	C	25.8	0.603	26.4	C	27.4	0.827	+ 0.224	30.7	+ 4.2	C	27.3	0.811	37.5
#28	El Charro Rd at I-580 WB ramps	C	23.1	0.666	28.7	C	24.8	0.707	29.5	D	50.4	1.012	+ 0.306	58.5	+ 29.0	D	47.2	0.993	53.6
#29	Hacienda Dr at I-580 EB ramps	C	23.6	0.819	24.9	C	23.5	0.814	24.8	C	20.8	0.803	- 0.011	23.6	- 1.2	B	19.2	0.765	22.0

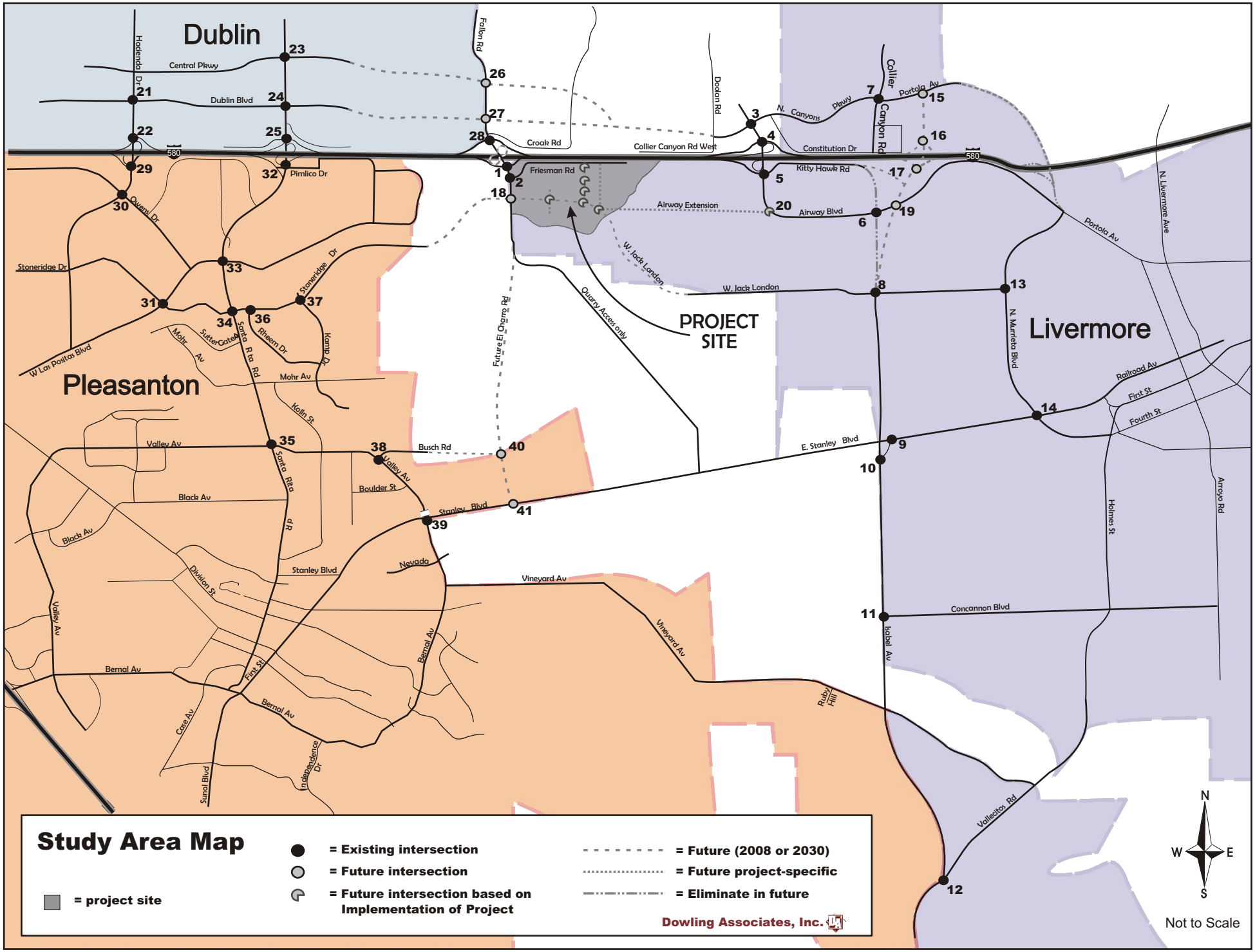
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El Charro Specific Plan EIR (P06-005)
2030 + Full Project - South Align (High Capacity 2-Lane Jack London) - FEIR
AM Peak Hour

Summary Scenario Comparison Report (With Average Critical Delay)
Base Volume Alternative

Intersection		2030 AM FP South MIT				2030 AM FP South-HC-2laneJL-MIT				2030 PM FP South MIT						2030 PM FP South-HC-2laneJL-MIT			
		LOS	Avg Del (sec)	Crit V/C	Avg Crit Del (sec)	LOS	Avg Del (sec)	Crit V/C	Avg Crit Del (sec)	LOS	Avg Del (sec)	Crit V/C	Crit V/C Change	Avg Crit Del (sec)	Avg Crit Del Change	LOS	Avg Del (sec)	Crit V/C	Avg Crit Del (sec)
#30	Hacienda Dr at Owens Dr	C+	21.6	0.652	17.5	C+	20.9	0.636	17.1	C	33.3	0.745	+ 0.109	36.1	+ 19.0	C	33.3	0.740	35.9
#31	W Las Positas Blvd at Stoneridge Dr	C	25.7	0.357	30.0	C	25.8	0.349	30.1	C	32.1	0.681	+ 0.331	37.3	+ 7.2	C	32.2	0.699	37.4
#32	Santa Rita Rd at I-580 EB ramps-Pimlico Dr	D	42.5	0.989	46.8	D	42.7	0.995	47.2	D	43.7	1.013	+ 0.018	59.1	+ 11.9	D	46.4	1.028	63.6
#33	Santa Rita Rd at W Las Positas Blvd	C	26.2	0.749	29.9	C	26.0	0.750	28.8	D	48.4	0.992	+ 0.243	57.0	+ 28.2	D	48.6	0.998	58.8
#34	Santa Rita Rd at Stoneridge Dr	F	87.6	1.166	123.6	F	90.2	1.159	120.6	F	240.1	1.848	+ 0.689	423.0	+ 302.4	F	224.1	1.791	397.3
#35	Santa Rita Rd at Valley Ave	C-	33.9	0.752	35.2	C-	33.9	0.752	35.2	C	31.4	0.582	- 0.170	29.8	- 5.4	C	31.5	0.584	29.9
#36	Rheem Dr-Milani Ave at Stoneridge Dr	B	17.3	0.600	22.9	B	17.1	0.614	22.8	C	30.3	0.866	+ 0.251	32.4	+ 9.6	C	23.0	0.871	29.6
#37	Kamp Dr-Garden Creek Cir at Stoneridge Dr	A	6.8	0.420	6.7	A	6.6	0.420	6.6	A	2.2	0.489	+ 0.069	2.5	- 4.1	A	2.2	0.459	2.5
#38	Busch Rd at Valley Ave	C-	34.3	0.935	44.7	C	29.5	0.893	38.1	C	29.4	0.809	- 0.084	38.7	+ 0.7	C	29.7	0.813	39.1
#39	Valley Ave-Bernal Ave at Stanley Blvd	D+	37.0	0.857	37.0	D+	37.4	0.866	37.5	E	73.0	1.103	+ 0.237	104.0	+ 66.6	E	78.2	1.124	111.8
#40	El Charro Rd at Busch Rd	B	13.1	0.436	20.1	B+	10.8	0.393	17.0	B	16.1	0.546	+ 0.154	22.0	+ 5.0	B	16.0	0.554	21.9
#41	El Charro Rd at Stanley Blvd	B	15.9	0.843	23.2	B-	18.6	0.892	27.9	C	26.8	0.959	+ 0.067	41.0	+ 13.1	C	25.8	0.944	38.5
#42	Road A at W Jack London Blvd	B	13.5	0.710	19.6	B	13.6	0.674	19.7	D	41.2	1.024	+ 0.350	53.2	+ 33.5	D	40.5	1.022	52.9
#44	BBPL access at W Jack London Blvd	A	5.9	0.492	7.4	A	5.9	0.498	7.4	C	22.1	0.822	+ 0.324	27.6	+ 20.2	C	22.3	0.838	28.1
#45	Road B at W Jack London Blvd	A	9.0	0.725	13.1	A	8.8	0.667	13.0	C	22.7	0.905	+ 0.237	36.0	+ 23.0	C	22.3	0.903	35.6
#47	Road A at 1st Access Intersection	A	1.4	0.000	1.4	A	1.4	0.000	1.4	D	3.3	0.000	+ 0.000	3.3	+ 1.9	D	3.3	0.000	3.3
#48	Road A at 2nd Access Intersection	A	2.1	0.000	2.1	A	2.1	0.000	2.1	C	3.7	0.000	+ 0.000	3.7	+ 1.5	C	3.7	0.000	3.7
#49	Road A at Friesman Road	A	8.3	0.147	8.3	A	8.3	0.148	8.3	D	25.8	0.842	+ 0.695	25.8	+ 17.5	D	25.7	0.842	25.7

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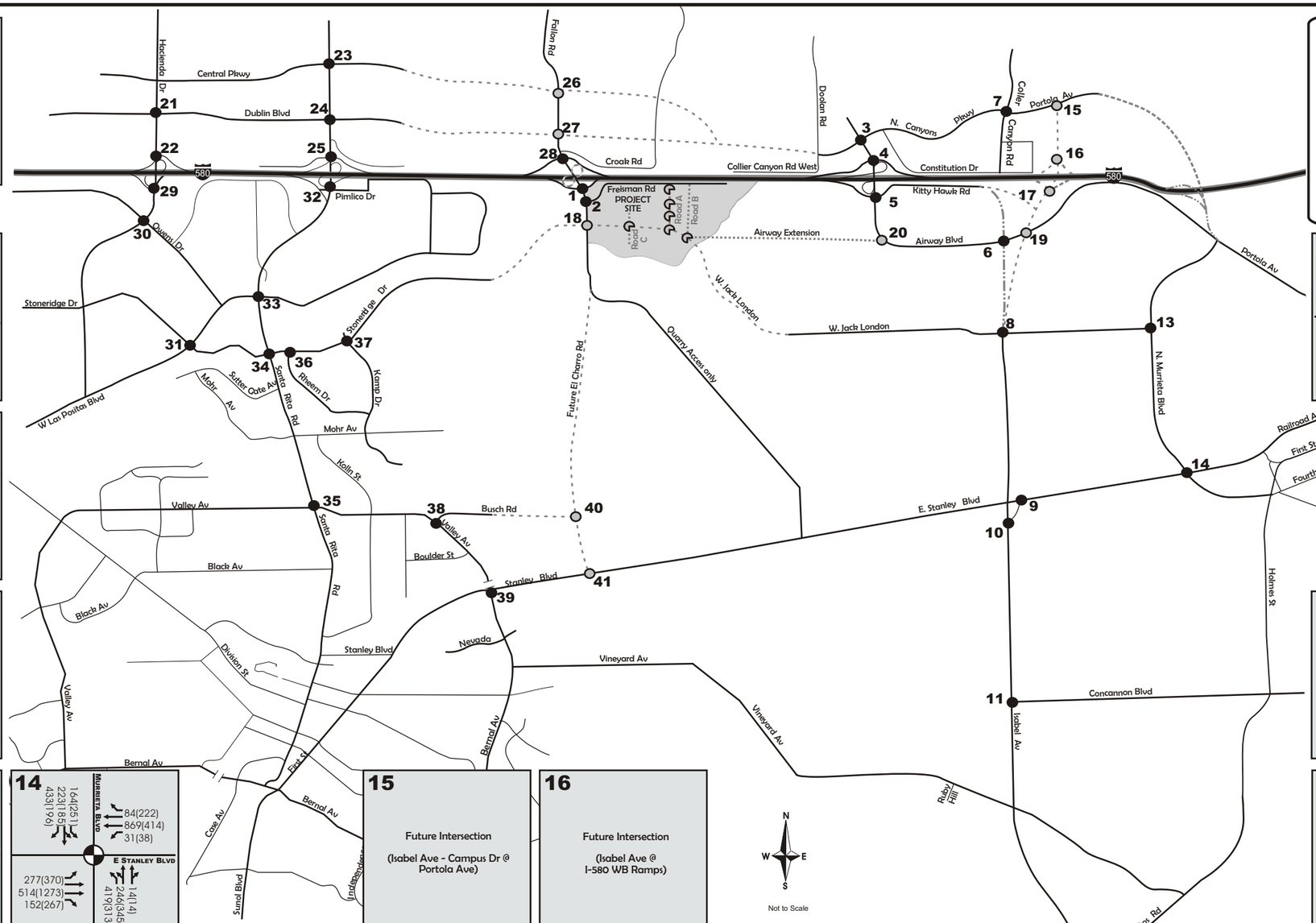

Dublin
Pleasanton
Livermore
PROJECT SITE
Hacienda Dr
Central Pkwy
Dublin Blvd
Fallon Rd
Croak Rd
Doolan Rd
Collier Canyon Rd West
N. Canyons Pkwy
Collier Canyon Rd
Portola Av
Constitution Dr
Kitty Hawk Rd
Airway Extension
Airway Blvd
Friesman Rd
W. Jack London
Quarry Access only
Future El Charro Rd
Pimlico Dr
Owens Dr
Stoneridge Dr
W Las Positas Blvd
Mohr Av
Sutter Gate
Santa Rita Rd
Rheem Dr
Kamp Dr
Busch Rd
Valley Av
Boulder St
Stanley Blvd
Nevada
Vineyard Av
Division St
First St
Bernal Av
Case Av
Sunol Blvd
Independence Dr
Ruby Hill
E. Stanley Blvd
Concannon Blvd
Isabel Av
Vallecitos Rd
N. Livermore Ave
N. Murrieta Blvd
Railroad Av
First St
Fourth St
Holmes St
Arroyo Rd
580
Study Area Map
= project site
= Existing intersection
= Future intersection
= Future intersection based on Implementation of Project
= Future (2008 or 2030)
= Future project-specific
= Eliminate in future
Dowling Associates, Inc.
N
W
E
S
Not to Scale

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AM(PM) Existing Volumes and Geometries

xx(xx) = AM(PM) traffic volume
= All-way stop
= stop sign
= signalized intersection
= Existing intersection
= Future intersection
= Future intersection based on Implementation of Project
= Future (2008 or 2030)
= Future project-specific
= Eliminate in future

Dowling Associates, Inc.



1
El Charro Rd / I-580 EB Ramps
35(855) 13(27) | 41(8) 8(50) 79(44) | 14(49) 88(25)

2
El Charro Rd / Freisman Rd
5(63) 82(26) | 2(32) 1(0) | 1(0) 99(85)

3
North Canyons Pkwy / Airway Blvd
9(4) 441(1186) | 10(8) 33(69) | 1068(616) 552(136)

4
Airway Blvd / I-580 WB Ramps
340(728) 491(632) | 578(717) 37(0) 213(245) | 1058(602) 1390(522)

5
Airway Blvd / I-580 EB Ramps / Kitty Hawk Rd
46(103) 149(532) 170(343) | 767(330) 33(205) 9(7) | 681(276) 213(64) 545(453) | 2(5) 1032(690) 78(224)

6
Kitty Hawk Rd / Airway Blvd-E / Kitty Hawk Rd
24(107) 16(127) 9(5) | 525(71) 245(120) 74(23) | 11(6) 193(96) 459(782) | 40(59) 639(251) 842(587)

7
Collier Canyon Rd / North Canyons Pkwy
0(0) 13(4) 198(248) | 2(4) 10(24) 3(3) | 270(239) 51(8) 52(2) | 2(0) 2(6) 2(23)

8
Isabel Ave / Jack London Blvd
216(301) 505(552) 8(4) | 160(205) 14(27) 86(154) | 22(15) 27(14) 24(11) | 279(374) 528(639) 20(4)

9
E Stanley Blvd Off-Ramp / I-580 EB Ramps-Isabel Ave
1697(517) 253(137) | 513(2384) 170(582) | 188(173) 576(266)

10
Isabel Ave / E. Stanley Blvd On-Ramp
340(210) 436(764) | 268(461) 146(271) | 414(189) 649(524)

11
Isabel Ave / Concannon Blvd
230(596) 373(476) | 811(377) 497(79) | 46(598) 28(380)

12
Isabel Ave / Vallecitos Rd
1(3) 955(505) | 4(14) 562(337) | 244(411) 432(1354)

13
Murrieta Blvd / E Jack London Blvd
376(177) 110(71) | 292(84) 58(47) | 102(99) 259(256) | 398(563) 521(164)

14
Murrieta Blvd / E Stanley Blvd
164(251) 223(185) 433(196) | 84(222) 869(414) 31(38) | 277(370) 514(1273) 152(267) | 14(14) 246(345) 419(313)

15
Future Intersection
(Isabel Ave - Campus Dr @ Portola Ave)

16
Future Intersection
(Isabel Ave @ I-580 WB Ramps)

17
Future Intersection
(Isabel Ave @ I-580 EB Ramps)

18
Future Intersection
(El Charro Rd @ W Jack London Blvd)

19
Future Intersection
(Isabel Ave @ Airway Blvd)

20
Future Intersection*
(Airway Blvd @ Airway Extension)

21
Hacienda Dr / Dublin Blvd
28(86) 431(703) 103(24) | 39(16) 354(387) 261(191) | 111(157) 243(840) 129(487) | 102(356) 540(467) 504(376)

22
Hacienda Dr / I-580 WB Ramps
380(650) 385(616) | 271(406) 598(286) | 307(771) 724(1357)

23
Tassajara Rd / Central Pkwy
10(4) 976(622) 6(0) | 8(14) 0(0) 11(10) | 3(2) 0(1) 3(5) | 14(6) 421(1144) 5(58)

24
Tassajara Rd / Dublin Blvd
4(10) 988(451) 132(85) | 7(6) 33(21) 97(104) | 69(543) 19(41) 187(689) | 105(32) 406(608) 343(435)

25
Tassajara Rd / I-580 WB Ramps
677(999) 597(354) | 483(385) 441(483) | 693(583) 818(861)

26
Future Intersection
(Fallon Rd @ Central Pkwy)

27
Future Intersection
(Fallon Rd @ Dublin Blvd)

28
El Charro Rd / Fallon Rd / I-580 WB Ramps
44(789) 103(38) | 51(43) 18(3) 38(30) | 23(8) 67(33)

29
Hacienda Dr / I-580 EB Ramps
856(677) 97(293) | 553(572) 1052(501) | 121(542) 438(1505)

30
Hacienda Dr / Owens Dr
749(542) 878(242) 284(95) | 245(780) 278(334) 80(164) | 63(413) 138(1093) 5(28) | 75(217) 252(827) 14(16)

31
W Las Positas Blvd / Stoneridge Dr
47(223) 410(300) 173(77) | 24(28) 739(277) 240(82) | 47(313) 168(858) 12(21) | 86(278) 251(403) 32(16)

32
Santa Rita Rd / I-580 EB Ramps-Pimlico Dr
144(278) 770(970) 282(392) | 469(376) 152(160) | 414(84) 139(80) 637(159) | 50(110) 1438(1934)

33
Santa Rita Rd / W Las Positas Blvd
100(172) 840(730) 204(107) | 55(175) 261(178) 279(193) | 82(328) 185(354) 32(294) | 140(106) 1088(1134) 430(332)

34
Santa Rita Rd / Stoneridge Dr
154(172) 1169(1005) 311(200) | 267(301) 241(332) 203(221) | 17(160) 115(331) 210(584) | 91(123) 1330(1211) 635(205)

35
Santa Rita Rd / Valley Ave
598(907) 1114(908) 252(228) | 588(616) 411(388) 253(170) | 332(322) 507(455) 256(118) | 83(145) 617(558) 205(165)

36
Miami Ave / Stoneridge Dr / Rheem Dr
5(1) 30(0) 34(13) | 0(4) 450(248) 2(3) | 9(60) 207(405) 89(97) | 7(4) 0(0) 97(111)

37
Garden Creek Circle / Stoneridge Dr / Kamp Dr
4(1) 5(0) 34(13) | 3(3) 311(183) 12(9) | 14(40) 137(250) 31(98) | 30(2) 4(11) 90(9)

38
Busch Rd / Valley Ave
207(310) 384(1584) | 352(233) 170(304) | 210(233) 1595(485)

39
Valley Ave / Stanley Blvd / Bernal Ave
209(1075) 233(704) 76(109) | 1154(289) 1008(292) 137(97) | 188(140) 255(1134) 26(26) | 59(283) 440(282) 78(36)

40
Future Intersection
(El Charro Rd @ Busch Rd)

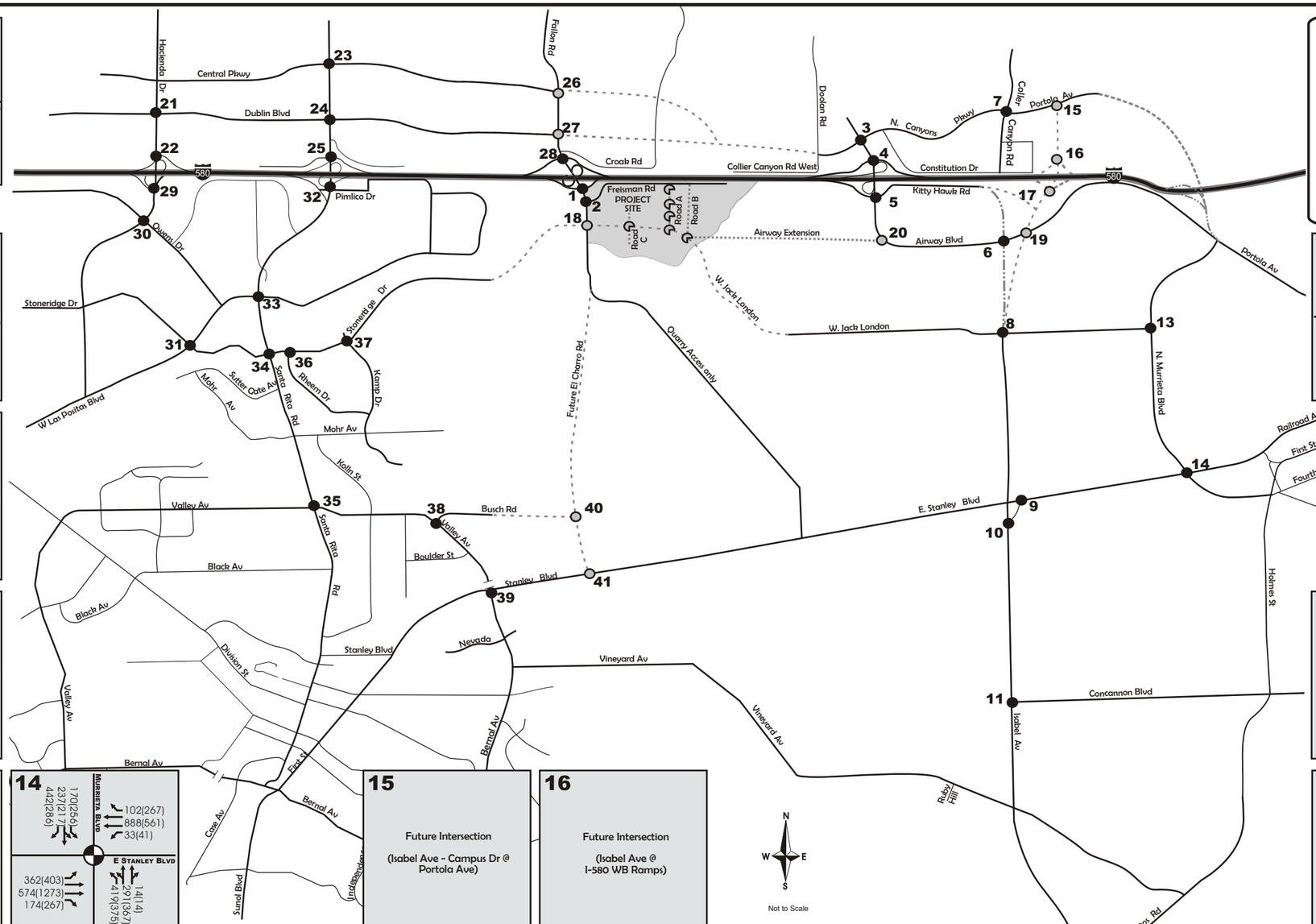
41
Future Intersection
(El Charro Rd @ Stanley Blvd)

2008 Baseline (No Project)

xx(xx) = AM(PM) traffic volume
= All-way stop
= stop sign
= signalized intersection
= Existing intersection
= Future intersection

= Future intersection based on Implementation of Project
= Future (2008 or 2030)
= Future project-specific
= Eliminate in future

Dowling Associates, Inc.



1
El Charro Rd / I-580 EB Ramps
0(0)
291(183)
578(605)
77(10)
357(141)
260(203)
381(429)
0(0)

2
El Charro Rd / Freisman Rd
5(63)
82(26)
2(32)
1(0)
1(0)
99(85)

3
Airway Blvd / North Canyons Pkwy
0(0)
1(2)
0(0)
2(2)
19(9)
757(1224)
0(0)
22(43)
68(218)
12
9(3)
703(219)
1214(758)

4
Airway Blvd / I-580 WB Ramps
433(805)
366(656)
614(761)
37(0)
213(245)
626(602)
1649(697)

5
Airway Blvd / I-580 EB Ramps / Kitty Hawk Rd
59(147)
160(574)
227(442)
841(345)
44(66)
9(7)
760(339)
283(74)
608(453)
2(5)
1032(628)
83(88)

6
Kitty Hawk Rd / Airway Blvd-E / Kitty Hawk Rd
63(222)
89(165)
16(5)
587(91)
245(153)
84(55)
12(6)
193(136)
543(782)
40(62)
714(251)
842(587)

7
Collier Canyon Rd / North Canyons Pkwy
7(3)
13(4)
204(248)
7(4)
249(144)
3(3)
275(244)
108(252)
53(3)
2(7)
2(6)
2(23)

8
Isabel Ave / Jack London Blvd
263(382)
597(552)
43(4)
251(205)
112(27)
152(198)
22(19)
27(139)
24(56)
279(374)
528(639)
64(4)

9
Isabel Ave / E Stanley Blvd Off-Ramp / Doolan Rd
1793(729)
253(158)
641(2386)
188(650)
188(192)
604(419)

10
Isabel Ave / E. Stanley Blvd On-Ramp
344(371)
437(803)
279(462)
146(367)
414(200)
835(524)

11
Isabel Ave / Concannon Blvd
230(609)
373(598)
903(377)
570(81)
60(68)
398(390)

12
Isabel Ave / Vallecitos Rd
6(21)
570(372)
6(20)
955(505)
432(1157)
255(667)

13
Murrieta Blvd / E Jack London Blvd
139(171)
130(51)
455(200)
32(39)
102(234)
318(548)
480(639)
835(244)

14
Murrieta Blvd / E Stanley Blvd
170(256)
237(217)
442(286)
102(267)
888(561)
33(41)
362(403)
574(1273)
174(267)
14(14)
291(367)
419(375)

15
Future Intersection
(Isabel Ave - Campus Dr @ Portola Ave)

16
Future Intersection
(Isabel Ave @ I-580 WB Ramps)

17
Future Intersection
(Isabel Ave @ I-580 EB Ramps)

18
El Charro Rd / W Jack London Blvd
475(486)
165(128)
0(0)
0(0)
0(0)
0(0)
0(0)
0(0)
52(213)
0(0)
0(0)
0(0)
563(410)

19
Future Intersection
(Isabel Ave @ Airway Blvd)

20
Future Intersection*
(Airway Blvd @ Airway Extension)

21
Hacienda Dr / Dublin Blvd
28(92)
999(853)
603(236)
39(16)
779(511)
261(191)
102(356)
540(467)
872(1006)
323(608)
251(1068)
516(697)

22
Hacienda Dr / I-580 WB Ramps
978(923)
581(603)
438(607)
598(286)
307(611)
923(1777)

23
Tassajara Rd / Central Pkwy
1370(987)
328(310)
18(49)
84(10)
55(124)
8(94)
15(37)
293(54)
11(94)
14(245)
755(2010)
33(58)

24
Tassajara Rd / Dublin Blvd
1302(1054)
222(85)
4(6)
66(7)
269(21)
618(165)
133(585)
19(142)
243(912)
105(279)
642(1648)
470(564)

25
Tassajara Rd / I-580 WB Ramps
1395(1743)
668(572)
505(405)
441(483)
600(538)
1601(2439)

26
Fallon Rd / Central Pkwy
23(11)
236(222)
0(0)
5(25)
312(195)
84(34)
0(0)
92(367)
0(1)
23(82)
171(176)
2(1)

27
Fallon Rd / Dublin Blvd
0(0)
321(67)
0(0)
0(0)
29(70)
14(108)
0(0)
77(80)
356(617)
93(15)
43(258)
1083(500)

28
El Charro Rd / I-580 WB Ramps
0(0)
679(677)
12(106)
906(573)
0(0)
190(112)
135(238)
303(201)
0(0)

29
Hacienda Dr / I-580 EB Ramps
1120(889)
330(315)
578(588)
1107(535)
240(588)
438(1505)

30
Hacienda Dr / Owens Dr
754(630)
1074(852)
377(101)
245(780)
278(340)
80(164)
63(413)
151(1183)
6(37)
107(262)
254(919)
26(30)

31
W Las Positas Blvd / Stoneridge Dr
59(223)
189(94)
485(305)
24(37)
740(417)
247(100)
48(314)
322(858)
21(21)
86(284)
251(464)
32(21)

32
Santa Rita Rd / I-580 EB Ramps-Pimlico Dr
159(329)
1381(1391)
282(429)
544(505)
168(160)
774(1100)
153(80)
164(357)
50(110)
1405(1906)

33
Santa Rita Rd / W Las Positas Blvd
114(173)
1275(888)
235(109)
78(193)
261(178)
279(193)
93(599)
185(354)
32(376)
140(106)
1377(1809)
430(332)

34
Santa Rita Rd / Stoneridge Dr
154(217)
1584(1098)
312(283)
267(306)
241(332)
208(221)
25(165)
122(331)
360(584)
91(161)
153(1839)
640(302)

35
Santa Rita Rd / Valley Ave
810(909)
1202(945)
672(231)
604(907)
465(494)
253(232)
375(461)
578(573)
256(157)
95(170)
704(745)
257(191)

36
Mr. Ani Ave / Stoneridge Dr / Rheem Dr
0(4)
454(250)
3(3)
5(1)
3(3)
34(13)
7(4)
1(3)
97(111)
14(60)
209(412)
89(162)

37
Garden Creek Circle / Stoneridge Dr / Kamp Dr
4(1)
5(1)
34(13)
3(3)
311(183)
12(9)
30(2)
4(11)
90(10)
14(40)
137(250)
31(104)

38
Busch Rd / Valley Ave
362(293)
207(349)
257(310)
581(1705)
255(291)
164(615)

39
Valley Ave / Stanley Blvd / Bernal Ave
283(1134)
404(803)
74(112)
1154(520)
1008(375)
317(149)
188(146)
317(1134)
41(26)
136(360)
557(452)
83(41)

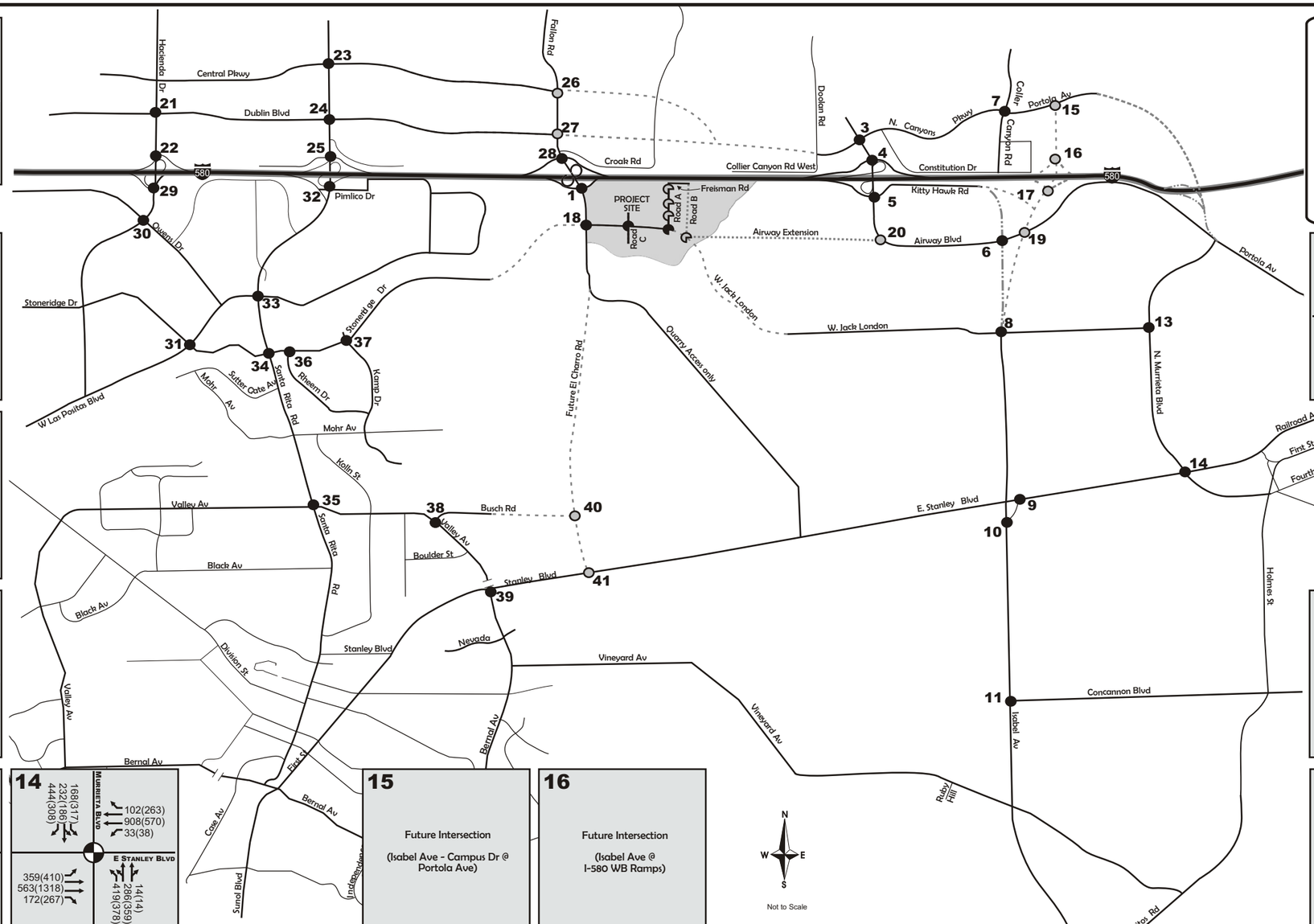
40
Future Intersection
(El Charro Rd @ Busch Rd)

41
Future Intersection
(El Charro Rd @ Stanley Blvd)

2008 Baseline + Phase I

xx(xx) = AM(PM) traffic volume
= All-way stop
= stop sign
= signalized intersection
= Existing intersection
= Future intersection
= Future intersection based on Implementation of Project
= Future (2008 or 2030)
= Future project-specific
= Eliminate in future

Dowling Associates, Inc.



1
El Charro Rd / I-580 EB ramps
0(0)
455(747)
578(598)
73(11)
532(536)
336(485)
505(1188)
0(0)

2
Eliminated Intersection
(El Charro Rd @ Friesman Rd)

3
Airway Blvd / North Canyons Pkwy
0(0)
1(2)
0(0)
2(2)
19(8)
760(1244)
0(0)
22(40)
69(222)
9(3)
709(218)
1216(779)

4
Airway Blvd / I-580 WB ramps
456(828)
491(658)
628(740)
37(0)
213(245)
614(602)
1643(738)

5
Airway Blvd / I-580 EB ramps / Kitty Hawk Rd
66(201)
174(553)
228(442)
719(362)
298(64)
613(453)
835(347)
44(72)
10(7)
2(5)
1033(670)
83(88)

6
Kitty Hawk Rd / Airway Blvd E / Kitty Hawk Rd
67(226)
93(198)
14(5)
12(6)
193(110)
555(782)
561(109)
245(181)
81(47)
40(62)
718(251)
842(587)

7
Collier Canyon Rd / North Canyons Pkwy
7(3)
13(4)
204(250)
275(244)
106(254)
53(3)
7(4)
249(144)
3(3)
2(6)
2(6)
2(23)

8
Isabel Ave / W Jack London Blvd
259(395)
599(552)
62(4)
22(19)
27(154)
24(74)
252(205)
132(27)
123(192)
279(514)
528(639)
26(4)

9
E Stanley Blvd / Isabel Ave / Portola Connector
1814(729)
253(196)
636(2404)
185(705)
188(250)
598(453)

10
Isabel Ave / E. Stanley Blvd on-ramp
340(424)
436(764)
271(471)
146(427)
414(239)
813(524)

11
Isabel Ave / Concannon Blvd
230(612)
373(601)
900(377)
516(81)
53(664)
375(424)

12
Isabel Ave / Vallecitos Rd
5(21)
562(373)
19(20)
961(510)
433(1161)
246(663)

13
Murrieta Blvd / E Jack London Blvd
139(194)
148(47)
105(192)
307(603)
438(243)
31(31)
484(650)
837(237)

14
Murrieta Blvd / E Stanley Blvd
168(317)
232(186)
444(308)
359(410)
563(1318)
172(267)
102(263)
908(570)
33(38)
14(14)
286(359)
419(378)

15
Future Intersection
(Isabel Ave - Campus Dr @ Portola Ave)

16
Future Intersection
(Isabel Ave @ I-580 WB Ramps)

17
Future Intersection
(Isabel Ave @ I-580 EB Ramps)

18
El Charro Rd / W Jack London Blvd
352(981)
475(188)
161(115)
48(202)
3(16)
0(0)
230(1062)
3(13)
0(0)
0(0)
563(411)

19
Future Intersection
(Isabel Ave @ Airway Blvd)

20
Future Intersection*
(Airway Blvd @ Airway Extension)

21
Hacienda Dr / Dublin Blvd
28(103)
1001(853)
544(196)
320(546)
252(1147)
540(670)
39(16)
659(579)
261(191)
102(356)
540(476)
865(1022)

22
Hacienda Dr / I-580 WB ramps
1071(913)
683(603)
434(690)
598(286)
307(616)
918(1722)

23
Tassajara Rd / Central Pkwy
1373(960)
328(294)
83(12)
52(117)
8(91)
17(47)
15(36)
272(52)
11(77)
14(203)
747(2012)
33(58)

24
Tassajara Rd / Dublin Blvd
1338(954)
181(115)
120(741)
21(178)
258(829)
476(1)
59(27)
222(54)
645(419)
107(240)
654(1430)
441(580)

25
Tassajara Rd / I-580 WB ramps
1440(1762)
597(570)
511(403)
441(483)
693(566)
1602(2185)

26
Fallon Rd / Central Pkwy
22(10)
234(42)
0(0)
0(0)
88(347)
2(0)
4(24)
299(174)
94(66)
28(110)
20(216)
12(17)

27
Fallon Rd / Dublin Blvd
0(0)
330(108)
0(0)
0(0)
77(74)
429(822)
0(0)
30(69)
13(113)
81(24)
90(343)
1078(897)

28
El Charro Rd / I-580 WB ramps
0(0)
762(932)
9(10)
794(587)
0(0)
271(403)
152(523)
425(677)
0(0)

29
Hacienda Dr / I-580 EB ramps
1180(919)
373(297)
577(598)
1101(549)
245(654)
438(1505)

30
Hacienda Dr / Owens Dr
749(622)
1152(402)
364(102)
63(413)
150(1178)
7(43)
245(780)
278(340)
81(164)
106(274)
257(927)
25(33)

31
W Las Positas Blvd / Stoneridge Dr
60(223)
509(319)
73(95)
48(315)
315(858)
21(21)
24(37)
739(411)
241(104)
86(284)
251(477)
32(21)

32
Santa Rita Rd / I-580 EB ramps-Pimlico Dr
156(335)
1417(1514)
282(392)
771(1112)
153(80)
164(295)
544(484)
177(160)
50(110)
1415(2031)

33
Santa Rita Rd / W Las Positas Blvd
118(173)
1321(950)
243(109)
91(605)
185(354)
32(358)
74(193)
261(178)
279(193)
140(106)
1418(1927)
430(332)

34
Santa Rita Rd / Stoneridge Dr
154(254)
1608(1103)
314(292)
27(164)
123(331)
353(584)
268(307)
241(332)
208(221)
91(175)
1579(1943)
635(288)

35
Santa Rita Rd / Valley Ave
784(916)
1277(986)
344(234)
361(472)
596(559)
263(157)
619(956)
488(490)
253(240)
106(172)
730(789)
273(189)

36
Milani Ave / Stoneridge Dr / Rheem Dr
5(1)
34(13)
0(4)
455(250)
2(3)
12(60)
208(412)
90(212)
7(4)
1(3)
97(111)

37
Garden Creek Circle / Stoneridge Dr / Kamp Dr
4(1)
34(13)
3(3)
311(183)
12(9)
14(40)
137(250)
31(104)
30(2)
4(1)
96(10)

38
Busch Rd / Valley Ave
362(297)
207(345)
251(310)
579(1702)
254(289)
1702(861)

39
Valley Ave / Stanley Blvd / Bernal Ave
306(1181)
373(752)
76(110)
188(145)
309(1134)
34(26)
1218(546)
1008(385)
240(148)
108(401)
531(480)
81(42)

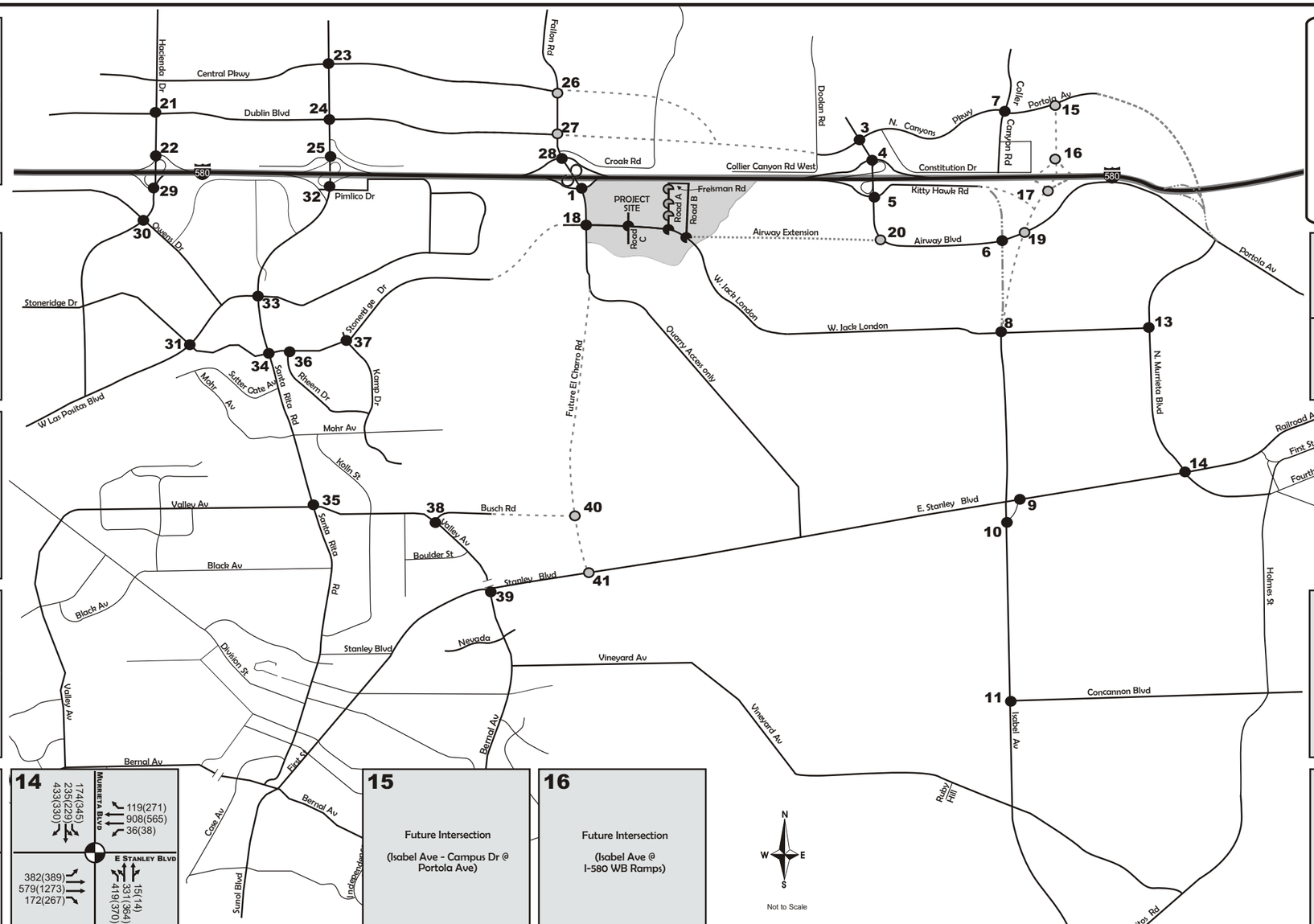
40
Future Intersection
(El Charro Rd @ Busch Rd)

41
Future Intersection
(El Charro Rd @ Stanley Blvd)

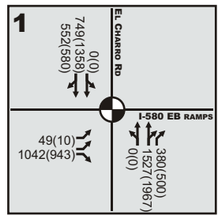
2008 Baseline + Full Project + Southern Alignment

xx(xx) = AM(PM) traffic volume
= All-way stop
= stop sign
= signalized intersection
= Existing intersection
= Future intersection
= Future intersection based on Implementation of Project
= Future (2008 or 2030)
= Future project-specific
= Eliminate in future

Dowling Associates, Inc.



1

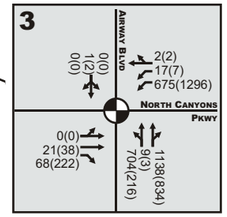


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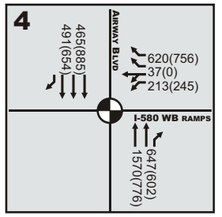
Eliminated Intersection

(El Charro Rd @ Friesman Rd)

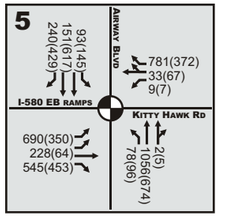
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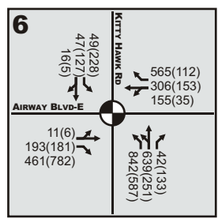
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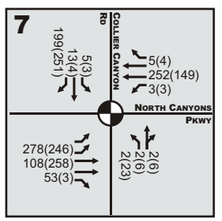
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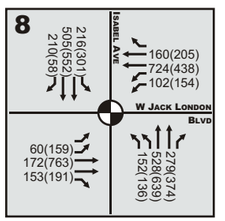
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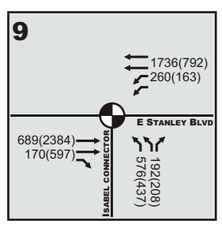
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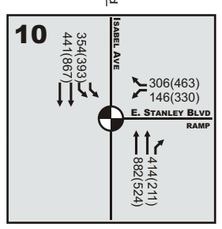
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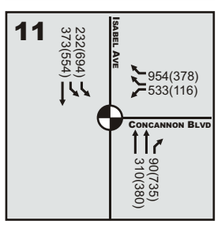
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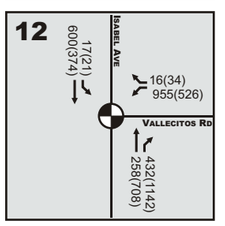
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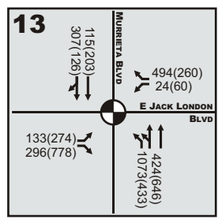
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12



13



14

15

Future Intersection

(Isabel Ave - Campus Dr @ Portola Ave)

16

Future Intersection

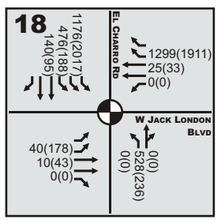
(Isabel Ave @ I-580 WB Ramps)

17

Future Intersection

(Isabel Ave @ I-580 EB Ramps)

18



19

Future Intersection

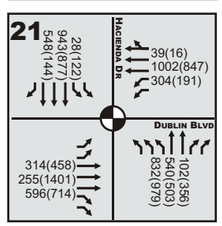
(Isabel Ave @ Airway Blvd)

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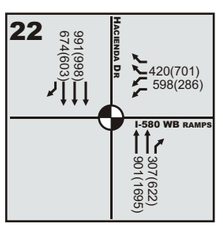
Future Intersection*

(Airway Blvd @ Airway Extension)

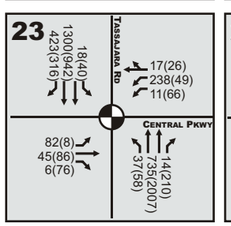
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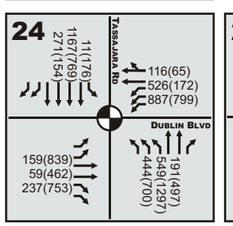
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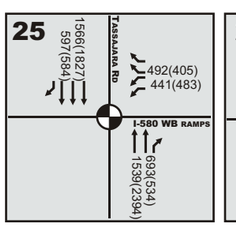
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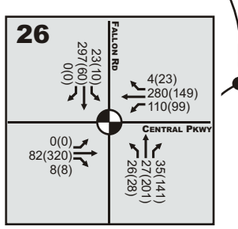
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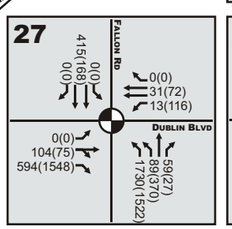
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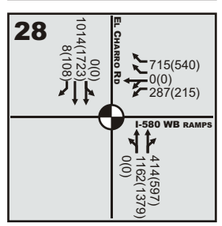
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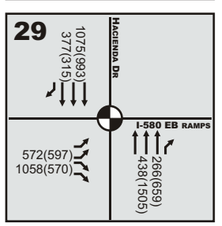
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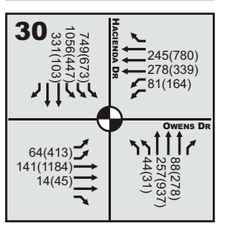
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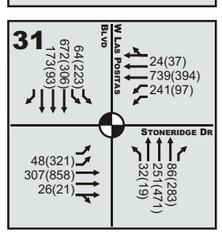
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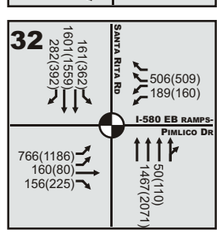
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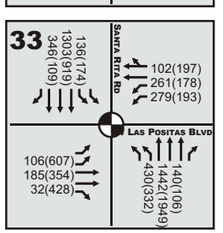
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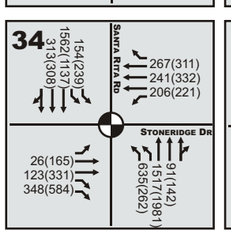
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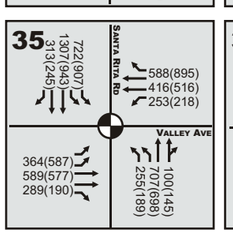
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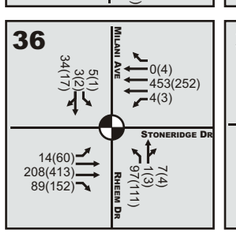
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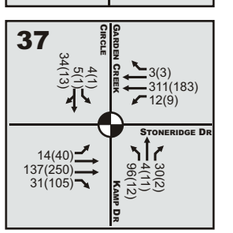
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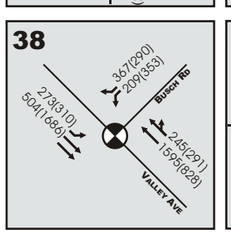
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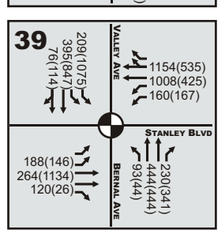
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38



39



40

Future Intersection

(El Charro Rd @ Busch Rd)

41

Future Intersection

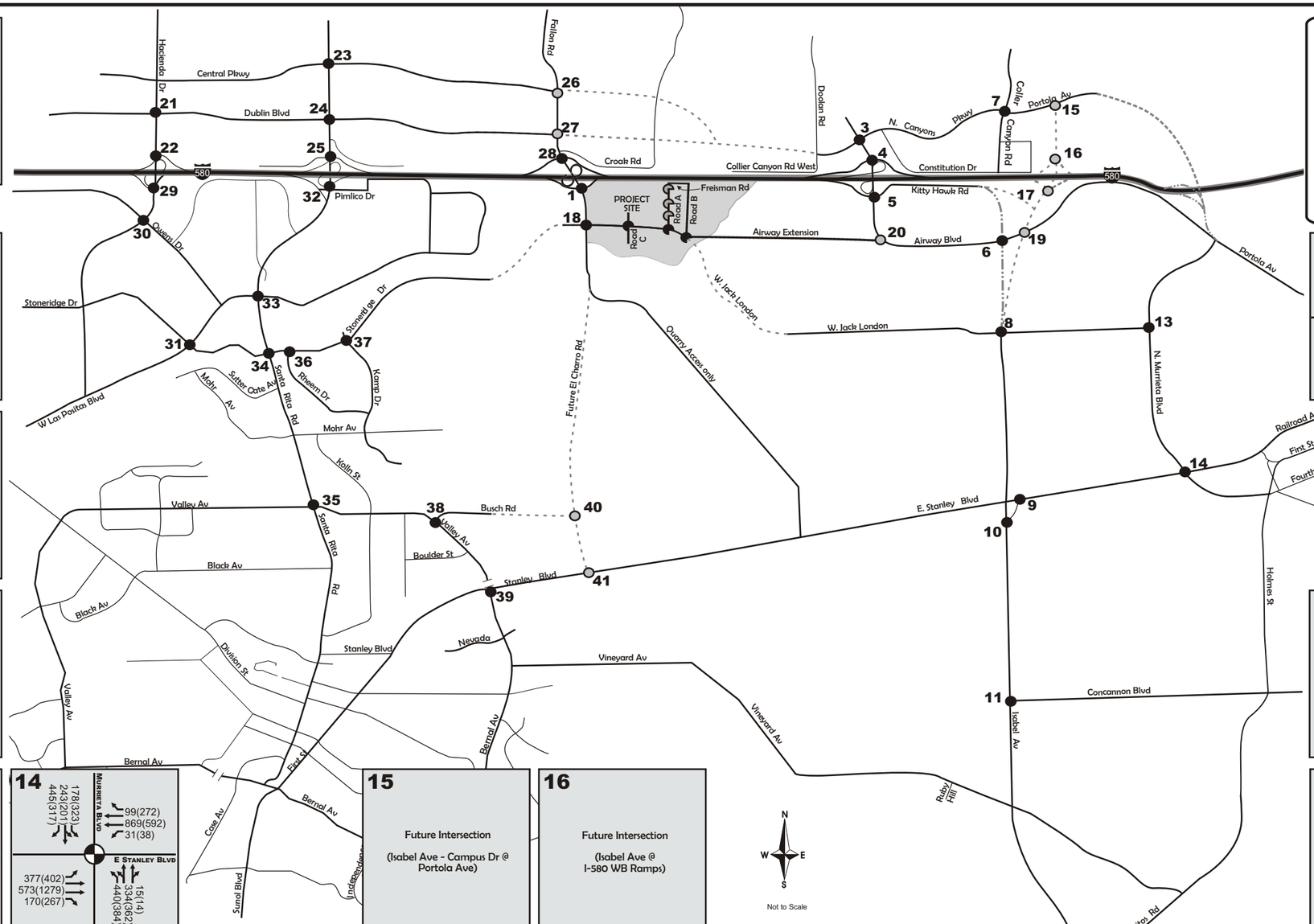
(El Charro Rd @ Stanley Blvd)

2008 Baseline + Full Project + Northern Alignment

xx(xx) = AM(PM) traffic volume
= All-way stop
= stop sign
= signalized intersection
= Existing intersection
= Future intersection

= Future intersection based on Implementation of Project
= Future (2008 or 2030)
= Future project-specific
= Eliminate in future

Dowling Associates, Inc.



1

El Charro Rd / I-580 EB ramps

0(0) 712(1281) 512(586)
71(10) 932(921)
299(549) 1387(1967) 0(0)

2

Eliminated Intersection

(El Charro Rd @ Friesman Rd)

3

Airway Blvd / North Canyons Pkwy

0(0) 1(2) 0(0)
2(2) 17(7) 642(1281)
0(0) 21(38) 68(217)
9(3) 704(216) 1107(820)

4

Airway Blvd / I-580 WB ramps

518(932) 491(664)
675(787) 37(0) 213(319)
468(602) 1483(731)

5

Airway Blvd / I-580 EB ramps / Kitty Hawk Rd

189(405) 181(532) 170(406)
801(516) 156(58) 159(16)
681(276) 213(79) 545(453)
8(95) 1032(590) 78(139)

6

Kitty Hawk Rd / Airway Blvd-E

101(340) 98(400) 22(10)
607(215) 245(171) 101(49)
12(9) 193(103) 631(833)
46(68) 913(404) 861(587)

7

Collier Canyon Rd / North Canyons Pkwy

5(3) 13(4) 199(251)
5(4) 252(149) 3(3)
280(247) 109(258) 53(3)
2(6) 2(6) 2(23)

8

Isabel Ave / W Jack London Blvd

324(637) 609(568) 74(4)
479(325) 148(27) 117(197)
22(70) 27(109) 24(41)
279(471) 522(639) 58(4)

9

E Stanley Blvd / Isabel Ave ramp

1708(810) 287(146)
636(2461) 243(612)
208(189) 654(427)

10

Isabel Ave / Stanley Blvd connector ramp

352(307) 436(875)
378(463) 147(325)
501(269) 744(524)

11

Isabel Ave / Concannon Blvd

230(600) 373(631)
949(418) 582(79)
54(598) 330(398)

12

Isabel Ave / Vallecitos Rd

21(18) 635(346)
4(6) 955(525)
432(1195) 249(629)

13

Murrieta Blvd / E Jack London Blvd

125(181) 225(79)
460(294) 29(81)
116(221) 323(674)
450(631) 970(284)

14

Murrieta Blvd / E Stanley Blvd

178(323) 243(201) 445(317)
99(272) 869(592) 31(38)
377(402) 573(1279) 170(267)
15(14) 334(362) 440(384)

15

Future Intersection

(Isabel Ave - Campus Dr @ Portola Ave)

16

Future Intersection

(Isabel Ave @ I-580 WB Ramps)

17

Future Intersection

(Isabel Ave @ I-580 EB Ramps)

18

El Charro Rd / W Jack London Blvd

1034(1918) 476(188) 135(95)
1081(1956) 30(33) 0(0)
40(187) 10(33) 0(0)
0(0) 528(236) 0(0)

19

Future Intersection

(Isabel Ave @ Airway Blvd)

20

Airway Blvd / Airway Extension

616(466) 318(378)
326(342) 708(435)
294(597) 218(564)

21

Hacienda Dr / Dublin Blvd

28(116) 949(907) 477(159)
39(16) 915(813) 320(191)
314(480) 255(1280) 634(708)
102(356) 540(479) 851(947)

22

Hacienda Dr / I-580 WB ramps

1060(1015) 675(605)
429(678) 598(286)
307(592) 910(1661)

23

Tassajara Rd / Central Pkwy

17(38) 1368(912) 334(333)
16(24) 238(56) 11(64)
79(7) 46(80) 7(72)
14(218) 740(2004) 34(58)

24

Tassajara Rd / Dublin Blvd

111(166) 1229(761) 279(136)
106(63) 459(157) 793(820)
163(766) 55(425) 239(725)
178(531) 557(1376) 431(699)

25

Tassajara Rd / I-580 WB ramps

1540(1795) 597(587)
489(407) 441(483)
693(530) 1523(2503)

26

Fallon Rd / Central Pkwy

22(10) 299(60) 0(0)
4(24) 279(152) 111(97)
0(0) 82(320) 3(11)
35(141) 26(218) 17(13)

27

Fallon Rd / Dublin Blvd

0(0) 413(168) 0(0)
0(0) 459(157) 793(820)
0(0) 81(76) 590(1533)
81(27) 779(372) 1552(1513)

28

El Charro Rd / I-580 WB ramps

0(0) 1007(1716) 12(105)
702(534) 0(0) 217(152)
448(599) 1010(1378) 0(0)

29

Hacienda Dr / I-580 EB ramps

113(987) 408(341)
264(633) 438(1505)
573(590) 1061(563)

30

Hacienda Dr / Owens Dr

749(664) 1082(446) 344(102)
245(780) 278(338) 81(165)
98(269) 258(924) 34(30)
63(413) 146(1128) 10(42)

31

W Las Positas Blvd / Stoneridge Dr

62(223) 631(312) 173(94)
24(38) 739(404) 244(101)
48(325) 313(858) 26(21)
86(281) 251(478) 32(20)

32

Santa Rita Rd / I-580 EB ramps-Pimlico Dr

160(355) 1585(1581) 282(392)
514(524) 195(160)
752(1101) 159(80) 162(245)
50(110) 1530(2159)

33

Santa Rita Rd / W Las Positas Blvd

132(173) 1352(968) 313(109)
96(195) 261(178) 279(193)
102(635) 185(354) 32(410)
140(106) 1516(2012) 430(332)

34

Santa Rita Rd / Stoneridge Dr

154(268) 1616(1127) 314(323)
270(311) 241(332) 206(221)
28(165) 122(331) 353(584)
91(150) 1600(2053) 635(260)

35

Santa Rita Rd / Valley Ave

771(907) 1280(964) 342(237)
607(930) 459(527) 253(238)
378(604) 593(625) 267(205)
100(145) 723(713) 260(190)

36

Milani Ave / Stoneridge Dr / Rheem Dr

5(1) 34(17) 3(2)
0(4) 455(251) 2(3)
13(60) 208(413) 90(189)
7(4) 1(3) 97(111)

37

Garden Creek Cir / Stoneridge Dr / Kamp Dr

4(1) 5(1) 34(13)
3(3) 311(183) 12(9)
14(40) 137(250) 31(105)
30(2) 4(11) 96(11)

38

Busch Rd / Valley Ave

362(296) 207(346)
256(310) 570(1720)
258(290) 166(672)

39

Valley Ave / Stanley Blvd / Bernal Ave

274(1182) 397(763) 76(118)
1154(590) 1008(402) 272(143)
188(146) 325(1134) 43(26)
125(312) 565(424) 83(36)

40

Future Intersection

(El Charro Rd @ Busch Rd)

41

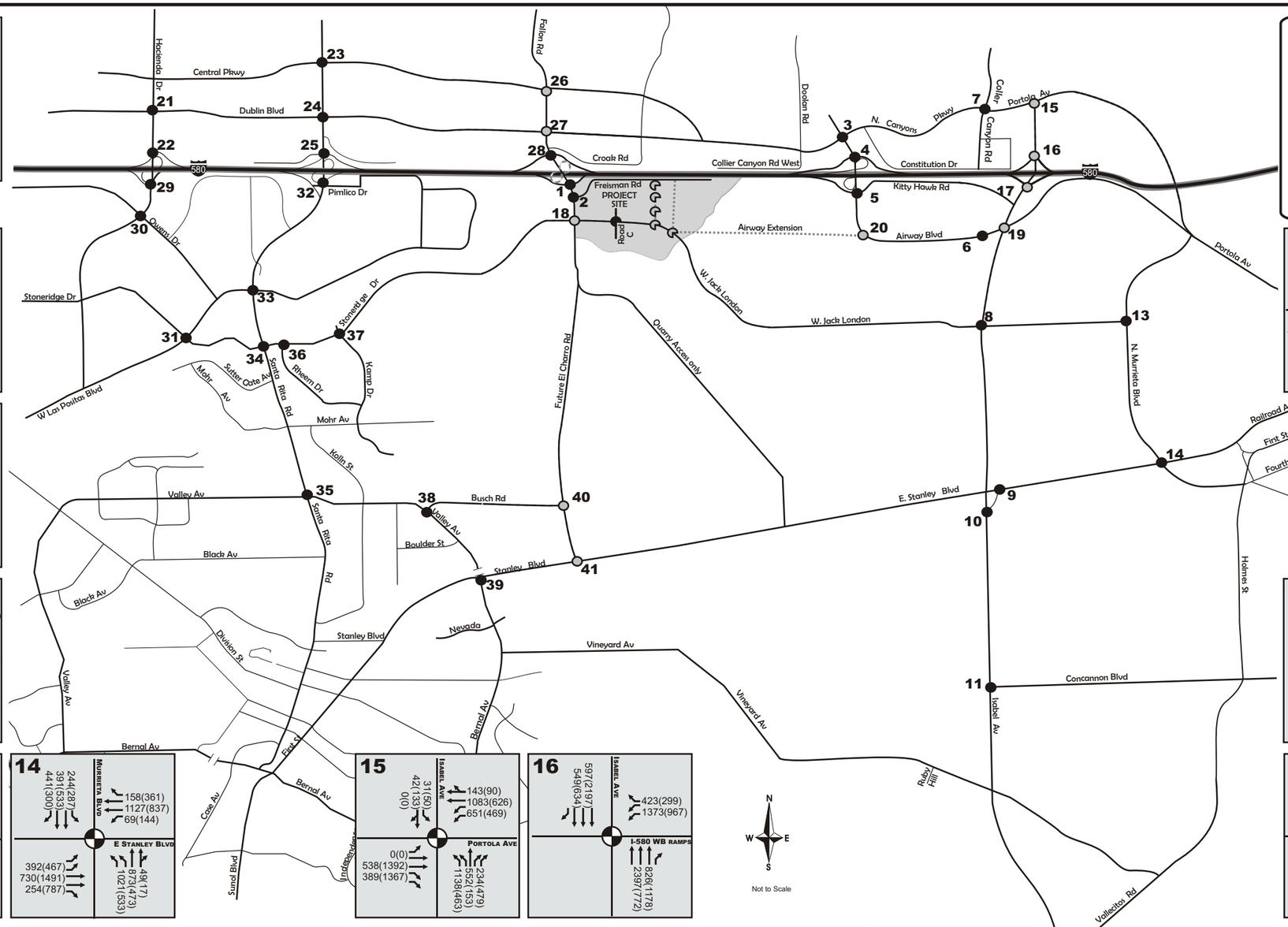
Future Intersection

(El Charro Rd @ Stanley Blvd)

2030 Cumulative (No Project)

xx(xx) = AM(PM) traffic volume
= All-way stop
= stop sign
= signalized intersection
= Existing intersection
= Future intersection
= Future intersection based on Implementation of Project
= Future (2008 or 2030)
= Future project-specific
= Eliminate in future

Dowling Associates, Inc.



1 — EL CHARRO RD / I-580 EB RAMPS
2189(2128) 605(576) | 608(619) 1754(2211) | 101(229) 716(670)

2 — EL CHARRO RD / FREISMAN RD
2898(2790) 7(8) | 5(7) 4(4) | 4(4) 2358(2823)

6 — Eliminated Intersection
(Kitty Hawk Rd @ Airway Blvd)

9 — E STANLEY BLVD / SOUTHBOUND TRAFFIC ARTERY
1760(1364) 1308(264) | 191(1281) 5761(517) | 1129(2388) 499(582)

3 — AIRWAY BLVD / NORTH CANYONS PKWY
0(0) 1(2) 0(0) | 2(2) 859(1312) 530(1186) | 1030(1100) 870(456) | 1068(616) 9(3) 1108(698)

4 — AIRWAY BLVD / I-580 WB RAMPS
769(729) 595(632) | 860(733) 37(0) 213(245) | 561(602) 1653(639)

5 — AIRWAY BLVD / I-580 EB RAMPS-KITTY HAWK RD
154(120) 211(542) 411(405) | 114(485) 35(112) 9(8) | 893(332) 440(69) 545(453) | 2(5) 1032(670) 82(78)

7 — COLLIER CANYON RD / NORTH CANYONS PKWY
273(101) 13(4) 198(248) | 19(51) 1742(913) 141(110) | 270(239) 749(2084) 52(2) | 51(91) 2(6) 2(23)

8 — ISABEL AVE / W JACK LONDON BLVD
458(450) 1746(2812) 416(336) | 421(235) 700(1009) 176(348) | 683(622) 399(337) 579(900) | 577(657) 1995(1937) 616(395)

10 — ISABEL AVE / STANLEY CONNECTOR RAMP
341(1673) 1316(2996) | 1297(601) 203(271) | 414(189) 2364(1534)

11 — ISABEL AVE / CONCANNON BLVD
432(1253) 785(1818) | 900(851) 497(79) | 46(598) 1666(854)

12 — ISABEL AVE / VALLECITOS RD
146(33) 956(1144) | 5(81) 955(505) | 556(993) 966(1142)

13 — MURRIETA BLVD / E JACK LONDON BLVD
111(440) 77(249) | 540(433) 25(37) | 202(120) 854(804) | 720(721) 1156(928)

14 — MURRIETA BLVD / E STANLEY BLVD
244(287) 391(533) 441(300) | 158(361) 1127(837) 69(144) | 392(467) 730(1491) 254(787) | 49(17) 873(473) 1021(533)

15 — ISABEL AVE / PORTOLA AVE
31(80) 42(133) 0(0) | 143(90) 1083(626) 651(469) | 0(0) 538(1392) 389(1367) | 234(479) 552(153) 1138(463)

16 — ISABEL AVE / I-580 WB RAMPS
597(2197) 549(634) | 423(299) 1373(967) | 826(1178) 2397(772)

17 — ISABEL AVE / I-580 EB RAMPS
1768(2576) 202(589) | 786(1093) 2522(1658) | 702(291) 742(1011)

18 — EL CHARRO RD / W JACK LONDON BLVD
1195(1200) 990(915) 716(680) | 1065(1060) 630(727) 128(47) | 417(915) 348(534) 121(115) | 206(99) 880(852) 206(138)

19 — ISABEL AVE / AIRWAY BLVD
577(607) 1914(3341) 7(22) | 736(606) 70(163) 77(202) | 5(32) 156(274) 406(648) | 215(61) 2567(2113) 894(591)

20 — Future Intersection*
(Airway Blvd @ Airway Extension)

21 — HACIENDA DR / DUBLIN BLVD
33(86) 748(704) 129(24) | 39(23) 1163(1000) 1184(758) | 114(157) 998(1414) 1075(1307) | 265(625) 540(479) 875(1215)

22 — HACIENDA DR / I-580 WB RAMPS
2444(2596) 617(689) | 980(1182) 0(0) 598(286) | 307(600) 1048(2605)

23 — TASSAJARA RD / CENTRAL PKWY
33(200) 2741(2043) 6(307) | 30(158) 1031(52) 86(221) | 6(48) 63(603) 13(235) | 127(384) 1590(2325) 77(58)

24 — TASSAJARA RD / DUBLIN BLVD
76(308) 1936(1350) 958(857) | 143(98) 567(443) 449(652) | 680(1127) 412(545) 417(890) | 542(285) 952(1373) 675(870)

25 — TASSAJARA RD / I-580 WB RAMPS
1933(2364) 674(605) | 530(404) 653(483) | 696(600) 2938(2723)

26 — FALLON RD / CENTRAL PKWY
543(241) 807(150) 18(0) | 143(181) 560(367) 349(149) | 0(33) 221(654) 0(0) | 38(307) 78(898) 0(0)

27 — FALLON RD / DUBLIN BLVD
0(0) 856(298) 0(0) | 0(0) 574(720) 196(781) | 0(0) 751(895) 1125(1416) | 416(314) 116(1254) 1173(1591)

28 — EL CHARRO RD / I-580 WB RAMPS
1865(1920) 313(676) | 405(1281) 929(785) | 555(561) 1301(1879)

29 — HACIENDA DR / I-580 EB RAMPS
2132(1903) 679(567) | 658(923) 0(0) 1052(501) | 401(591) 438(2114)

30 — HACIENDA DR / OWENS DR
755(642) 1653(1077) 754(395) | 245(780) 278(339) 80(164) | 97(678) 338(1146) 22(98) | 124(227) 252(1327) 57(89)

31 — W LAS POSITAS BLVD / STONERIDGE DR
68(223) 452(394) 173(123) | 24(35) 739(749) 311(181) | 48(313) 408(858) 22(25) | 143(344) 251(526) 32(44)

32 — SANTA RITA RD / I-580 EB RAMPS-PIMLICO DR
329(317) 1920(1905) 402(410) | 608(505) 152(160) | 1573(1069) 234(119) 184(178) | 50(110) 1589(2405)

33 — SANTA RITA RD / W LAS POSITAS BLVD
101(174) 1882(1095) 206(185) | 60(191) 261(178) 279(193) | 147(668) 185(354) 52(361) | 140(106) 1501(2204) 430(448)

34 — SANTA RITA RD / STONERIDGE DR
887(604) 1504(1005) 311(200) | 644(1299) 269(909) 983(243) | 17(160) 434(367) 210(584) | 146(1143) 1330(1330) 635(205)

35 — SANTA RITA RD / VALLEY AVE
598(907) 1144(908) 252(228) | 588(616) 411(388) 253(170) | 332(322) 507(455) 256(118) | 83(145) 617(558) 205(165)

36 — MILIANI AVE / STONERIDGE DR
0(4) 1251(1217) 26(173) | 5(1) 34(13) 3(8) 34(13) | 9(60) 813(1128) 590(892) | 107(95) 2(16) 525(740)

37 — GARDEN CREEK CIR / STONERIDGE DR
9(3) 5(0) 69(38) | 9(17) 1101(1276) 12(9) | 67(105) 801(1004) 31(98) | 34(2) 4(11) 90(9)

38 — BUSCH RD / VALLEY AVE
464(343) 276(311) | 245(318) 684(1584) | 210(266) 1595(755)

39 — VALLEY AVE / STANLEY BLVD
417(1075) 472(711) 76(109) | 1154(372) 1091(1034) 518(761) | 188(141) 1075(1134) 111(100) | 435(497) 446(552) 167(193)

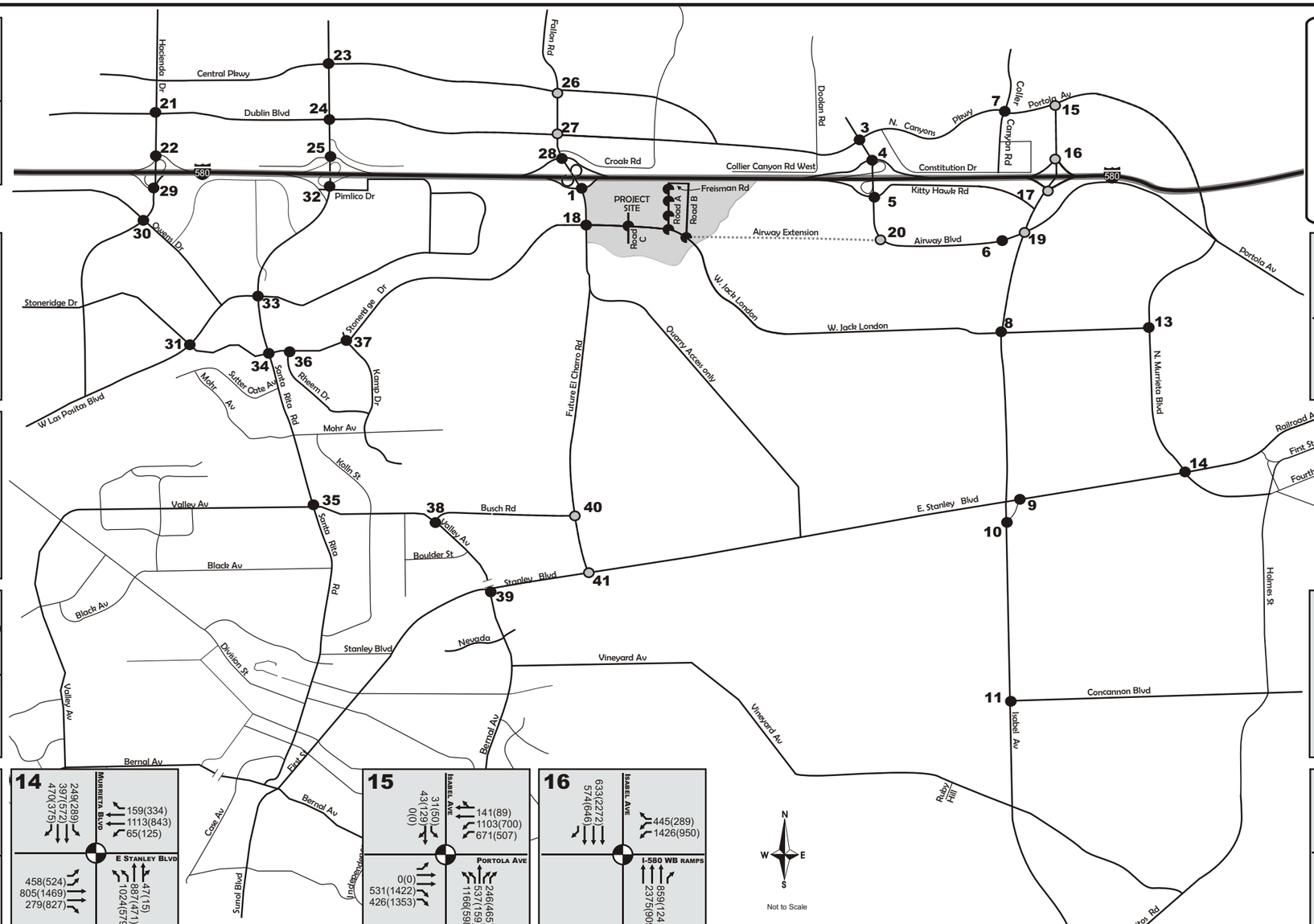
40 — EL CHARRO RD / BUSCH RD
633(654) 93(78) | 603(605) 331(185) | 46(120) 55(159)

41 — EL CHARRO RD / STANLEY BLVD
116(287) 571(726) | 379(277) 1884(1658) | 554(414) 1631(1931)

2030 Cumulative + Full Project + Southern Alignment

xx(xx) = AM(PM) traffic volume
= All-way stop
= stop sign
= signalized intersection
= Existing intersection
= Future intersection
= Future intersection based on Implementation of Project
= Future (2008 or 2030)
= Future project-specific
= Eliminate in future

Dowling Associates, Inc.



1
EL CHARRO RD & I-580 EB RAMPS
2105(2270) 618(602)
74(294) 724(587)
615(623) 1718(2253)

2
Eliminated Intersection
(El Charro Rd @ Friesman Rd)

3
AIRWAY BLVD & NORTH CANYONS PKWY
0(0) 1(2) 0(0)
2(2) 786(1421) 659(1186)
1104(1175) 809(569)
1068(616) 9(3) 1249(641)

4
AIRWAY BLVD & I-580 WB RAMPS
830(728) 604(600)
905(745) 37(0) 213(255)
518(602) 1748(841)

5
AIRWAY BLVD & I-580 EB RAMPS-KITTY HAWK RD
161(107) 253(532) 418(356)
115(479) 33(142) 9(9)
997(314) 456(99) 567(496)
2(7) 1032(675) 79(71)

6
Eliminated Intersection
(Kitty Hawk Rd @ Airway Blvd)

7
COLLIER CANYON RD & NORTH CANYONS PKWY
265(96) 13(4) 198(248)
15(10) 1812(1194) 164(154)
270(310) 821(2110) 52(53)
49(144) 2(6) 2(23)

8
ISABEL AVE & W JACK LONDON BLVD
498(571) 2094(2395) 446(258)
418(363) 900(771) 175(364)
556(650) 296(287) 473(635)
538(615) 2040(2222) 630(224)

9
E STANLEY BLVD & ISABEL CONNECTOR RAMP-ISABEL AVE
1732(1504) 1357(204)
1255(2434) 573(582)
191(1265) 576(643)

10
ISABEL AVE & STANLEY BLVD CONNECTOR RAMP
341(1175) 1304(3002)
1420(531) 205(271)
414(215) 2319(1541)

11
ISABEL AVE & CONCANNON BLVD
448(1238) 764(2001)
900(939) 497(79)
46(598) 1656(853)

12
ISABEL AVE & VALLECITOS RD
118(22) 981(1307)
5(108) 955(524)
580(981) 940(1181)

13
MURRIETA BLVD & E JACK LONDON BLVD
128(514) 99(215)
508(383) 31(50)
182(139) 762(747)
772(746) 1060(775)

14
MURRIETA BLVD & E STANLEY BLVD
249(289) 397(572) 470(375)
159(334) 1113(843) 65(125)
458(524) 805(1469) 279(827)
47(15) 887(471) 1024(579)

15
ISABEL AVE & PORTOLA AVE
31(50) 43(129) 0(0)
141(89) 1103(700) 671(507)
0(0) 531(1422) 426(1353)
246(465) 537(159) 1166(598)

16
ISABEL AVE & I-580 WB RAMPS
633(2272) 574(646)
445(289) 1426(950)
859(1241) 2375(909)

17
ISABEL AVE & I-580 EB RAMPS
1848(2638) 210(584)
747(1162) 2606(1866)
628(284) 965(1157)

18
EL CHARRO RD & W JACK LONDON BLVD
1215(1337) 883(759) 730(761)
1084(1345) 658(874) 187(255)
393(680) 475(810) 153(133)
256(278) 817(701) 194(159)

19
ISABEL AVE & AIRWAY BLVD
580(726) 2218(3429) 5(12)
530(620) 276(181) 81(166)
5(27) 157(186) 487(772)
215(61) 2818(2381) 647(626)

20
Future Intersection*
(Airway Blvd @ Airway Extension)

21
HACIENDA DR & DUBLIN BLVD
732(704) 130(24)
39(23) 1124(1024) 1111(645)
114(157) 881(1289) 1130(1377)
256(745) 540(490) 956(1257)

22
HACIENDA DR & I-580 WB RAMPS
2437(2651) 587(600)
974(1193) 0(0) 598(334)
461(600) 1125(2565)

23
TASSAJARA RD & CENTRAL PKWY
2704(1979) 6(366)
43(197) 29(139) 988(81) 62(178)
7(57) 62(672) 10(257)
125(352) 1566(2870) 8(58)

24
TASSAJARA RD & DUBLIN BLVD
1953(1327) 88(802)
72(300) 147(109) 563(486) 490(751)
657(1108) 399(520) 427(857)
537(296) 941(1396) 645(967)

25
TASSAJARA RD & I-580 WB RAMPS
2052(2481) 600(600)
513(394) 639(483)
600(600) 2918(2707)

26
FALLON RD & CENTRAL PKWY
574(298) 829(155) 15(0)
158(208) 528(357) 346(193)
0(26) 211(594) 0(0)
53(412) 83(1028) 0(0)

27
FALLON RD & DUBLIN BLVD
875(348) 0(0) 0(0)
0(0) 619(786) 208(736)
0(0) 791(966) 1050(1528)
332(312) 1136(1539) 1148(1676)

28
EL CHARRO RD & I-580 WB RAMPS
1778(2029) 355(583)
388(1558) 944(843)
563(578) 1228(1970)

29
HACIENDA DR & I-580 EB RAMPS
2165(2020) 595(600)
738(735) 0(0) 1086(501)
461(600) 438(2272)

30
HACIENDA DR & OWENS DR
823(651) 1699(1774) 743(411)
245(780) 279(340) 80(164)
154(738) 372(1130) 23(98)
100(224) 285(1423) 41(83)

31
W LAS POSITAS BLVD & STONERIDGE DR
63(289) 446(411) 173(135)
24(61) 739(861) 299(198)
48(338) 501(965) 29(24)
155(388) 251(541) 34(30)

32
SANTA RITA RD & I-580 EB RAMPS-PIMLICO DR
332(528) 1984(1890) 439(424)
594(495) 152(160)
1554(1026) 233(80) 156(221)
50(110) 1651(2866)

33
SANTA RITA RD & W LAS POSITAS BLVD
100(174) 1935(1124) 204(207)
55(269) 261(228) 286(197)
179(740) 185(354) 131(439)
141(106) 1540(2334) 432(569)

34
SANTA RITA RD & STONERIDGE DR
920(723) 1618(1005) 311(200)
714(1279) 244(1064) 1000(301)
17(160) 524(618) 221(584)
248(882) 1330(1586) 635(205)

35
SANTA RITA RD & VALLEY AVE
598(907) 1114(908) 252(235)
688(616) 411(397) 253(170)
332(323) 507(456) 256(118)
83(145) 617(558) 205(169)

36
MILANI AVE & STONERIDGE DR-RHEEM DR
5(1) 3(10) 34(13)
0(4) 1313(1408) 27(272)
9(60) 976(1179) 652(947)
113(128) 3(16) 522(745)

37
GARDEN CREEK CIR & STONERIDGE DR-KAMP DR
7(4) 5(0) 69(41)
6(20) 1161(1565) 12(9)
63(100) 967(1095) 31(98)
30(2) 4(11) 94(9)

38
BUSCH RD & VALLEY AVE
442(438) 258(311)
243(311) 783(1594)
210(351) 1594(2201)

39
VALLEY AVE & STANLEY BLVD-BERNAL AVE
511(1075) 456(712) 76(109)
1154(524) 1020(1037) 453(674)
188(149) 1055(1134) 86(81)
433(488) 443(591) 1371(147)

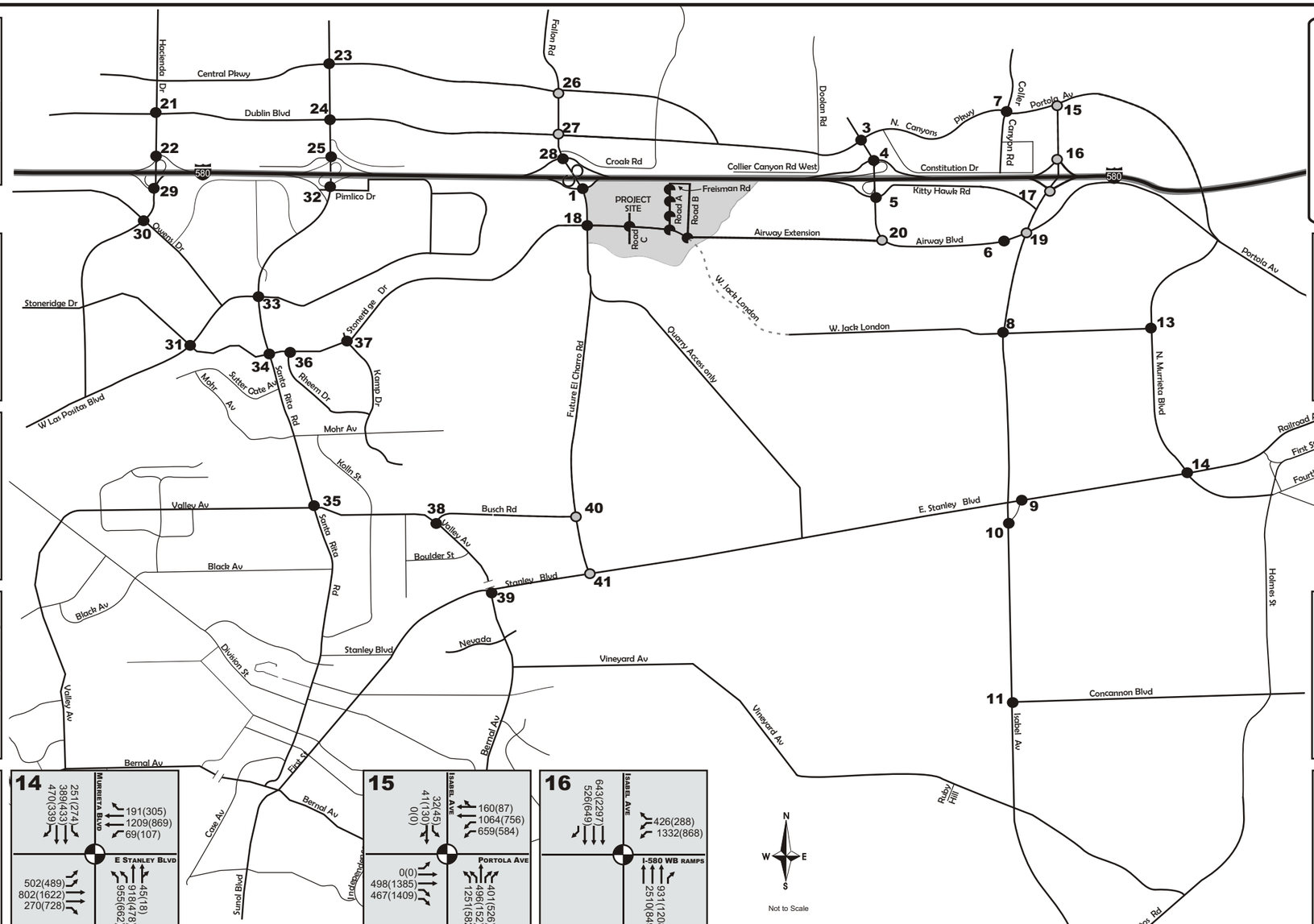
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EL CHARRO RD & BUSCH RD
671(921) 90(83)
43(115) 60(294)
668(735) 2775(247)

41
EL CHARRO RD & STANLEY BLVD
223(509) 507(706)
407(493) 1868(1746)
536(489) 1721(1880)

2030 Cumulative + Full Project + Northern Alignment

xx(xx) = AM(PM) traffic volume
= All-way stop
= stop sign
= signalized intersection
= Existing intersection
= Future intersection
= Future intersection based on Implementation of Project
= Future (2008 or 2030)
= Future project-specific
= Eliminate in future

Dowling Associates, Inc.



1

EL CHARRO RD / I-580 EB RAMPS

2307(2232) 613(603) | 614(685) 1690(2179) | 116(253) 564(601)

2

Eliminated Intersection

(El Charro Rd @ Friesman Rd)

3

AIRWAY BLVD / NORTH CANYONS PKWY

0(0) 1(2) 0(0) | 2(2) 831(1487) 693(1186) | 1162(1332) 738(556) | 1068(616) 9(3) 1131(571)

4

AIRWAY BLVD / I-580 WB RAMPS

932(845) 599(600) | 926(717) 37(0) 213(276) | 321(610) 1609(923)

5

AIRWAY BLVD / I-580 EB RAMPS-KITTY HAWK RD

185(103) 476(740) 289(359) | 96(330) 33(115) 13(225) | 681(276) 379(64) 770(658) | 17(26) 1158(1076) 281(121)

6

Eliminated Intersection

(Kitty Hawk Rd @ Airway Blvd)

7

COLLIER CANYON RD / NORTH CANYONS PKWY

266(87) 13(4) 198(248) | 9(10) 1907(1294) 184(132) | 270(325) 859(2211) 52(48) | 47(121) 2(6) 2(42)

8

ISABEL AVE / W JACK LONDON BLVD

757(956) 2414(3079) 78(4) | 899(921) 34(27) 103(462) | 22(98) 27(34) 24(48) | 279(541) 2656(2430) 48(4)

9

E STANLEY BLVD / ISABEL AVE RAMP-CONNECTOR

1909(1492) 1090(282) | 1337(2574) 471(582) | 191(1263) 576(687)

10

ISABEL AVE / STANLEY BLVD

341(1474) 1264(2963) | 1004(607) 241(271) | 414(336) 2359(1423)

11

ISABEL AVE / CONCANNON BLVD

446(1225) 811(1996) | 900(897) 497(79) | 46(598) 1719(900)

12

ISABEL AVE / VALLECITOS RD

151(23) 942(1305) | 5(113) 955(505) | 565(964) 1011(1205)

13

MURRIETA BLVD / E JACK LONDON BLVD

148(446) 80(224) | 493(304) 23(67) | 118(189) 487(799) | 761(770) 1116(702)

14

MURRIETA BLVD / E STANLEY BLVD

251(274) 389(433) 470(339) | 191(305) 1209(869) 69(107) | 502(489) 802(1622) 270(728) | 45(18) 918(478) 955(662)

15

ISABEL AVE / PORTOLA AVE

32(45) 41(130) 0(0) | 160(87) 1064(756) 659(584) | 0(0) 498(1385) 467(1409) | 401(526) 496(152) 125(1582)

16

ISABEL AVE / I-580 WB RAMPS

643(2297) 526(649) | 426(288) 1332(868) | 931(1208) 2510(849)

17

ISABEL AVE / I-580 EB RAMPS

1739(2568) 235(697) | 766(343) 956(1078) | 780(1150) 2675(1715)

18

EL CHARRO RD / W JACK LONDON BLVD

1004(1123) 984(983) 883(727) | 867(1157) 667(986) 228(349) | 435(777) 477(641) 113(145) | 486(315) 966(793) 192(179)

19

ISABEL AVE / AIRWAY BLVD

482(506) 2171(3235) 22(228) | 628(530) 320(346) 13(91) | 317(129) 376(692) 906(1118) | 92(16) 2510(2206) 1590(1209)

20

AIRWAY BLVD / AIRWAY EXTENSION

908(1020) 352(582) | 594(877) 1277(917) | 719(497) 698(874)

21

HACIENDA DR / DUBLIN BLVD

32(86) 723(704) 124(24) | 39(23) 1080(984) 1109(563) | 114(157) 929(1297) 1108(1282) | 279(781) 540(480) 948(1192)

22

HACIENDA DR / I-580 WB RAMPS

2431(2577) 621(600) | 1015(1164) 0(0) 598(341) | 477(600) 1099(2606)

23

TASSAJARA RD / CENTRAL PKWY

45(179) 2703(1996) 6(374) | 28(124) 1001(74) 57(158) | 7(57) 62(597) 10(255) | 126(319) 1564(2926) 7(38)

24

TASSAJARA RD / DUBLIN BLVD

77(331) 1936(1282) 385(301) | 140(111) 532(493) 458(743) | 682(1165) 438(595) 436(863) | 555(320) 820(1353) 628(937)

25

TASSAJARA RD / I-580 WB RAMPS

1993(2440) 600(600) | 517(403) 648(483) | 600(600) 2882(2715)

26

FALLON RD / CENTRAL PKWY

511(297) 826(148) 210(0) | 164(203) 506(354) 388(195) | 0(34) 211(619) 0(0) | 54(351) 63(1019) 0(29)

27

FALLON RD / DUBLIN BLVD

0(0) 913(343) 0(0) | 0(0) 517(683) 239(799) | 0(0) 779(1020) 1189(1429) | 419(280) 1171(1499) 1236(1742)

28

EL CHARRO RD / I-580 WB RAMPS

1977(1990) 364(582) | 466(1643) 943(845) | 500(554) 1306(1878)

29

HACIENDA DR / I-580 EB RAMPS

2150(1932) 612(600) | 747(789) 0(0) 1052(501) | 406(600) 438(2276)

30

HACIENDA DR / OWENS DR

755(556) 1170(1118) 712(371) | 245(780) 279(340) 80(164) | 136(726) 350(1126) 24(94) | 106(224) 277(1420) 45(77)

31

W LAS POSITAS BLVD / STONERIDGE DR

68(223) 469(438) 173(126) | 24(55) 739(819) 289(216) | 48(313) 461(858) 25(24) | 113(352) 251(566) 32(33)

32

SANTA RITA RD / I-580 EB RAMPS-PIMLICO DR

338(487) 1927(1894) 442(392) | 612(507) 152(160) | 1547(981) 231(86) 167(94) | 50(110) 1491(2590)

33

SANTA RITA RD / W LAS POSITAS BLVD

101(174) 1853(1052) 206(165) | 59(243) 261(199) 279(201) | 183(695) 185(354) 37(467) | 267(1098) 1330(1402) 1370(2330) 430(550) | 140(106)

34

SANTA RITA RD / STONERIDGE DR

914(678) 1438(1005) 311(200) | 537(1429) 244(1034) 1220(308) | 17(160) 458(401) 210(584) | 1330(1402) 635(205)

35

SANTA RITA RD / VALLEY AVE

598(907) 1114(908) 252(232) | 588(616) 411(394) 253(170) | 332(322) 507(455) 256(118) | 83(145) 617(558) 205(168)

36

MILANI AVE / STONERIDGE DR

5(1) 3(11) 34(13) | 0(4) 1402(1455) 46(315) | 9(60) 892(1103) 683(979) | 144(143) 2(17) 478(823)

37

GARDEN CREEK CIR / STONERIDGE DR

13(4) 3(0) 70(39) | 14(25) 1270(1652) 12(9) | 69(102) 919(1032) 31(98) | 34(2) 1(11) 90(9)

38

306(370) 605(1504) | 326(506) 235(311) | BUSCH RD | 212(339) 1595(1870) | VALLEY AVE

39

VALLEY AVE / STANLEY BLVD

558(1075) 440(710) 76(109) | 1154(472) 1164(1041) 370(706) | 188(140) 1071(1134) 77(75) | 387(546) 443(602) 155(168)

40

EL CHARRO RD / BUSCH RD

759(1255) 122(92) | 52(122) 128(258) | 1054(888) 182(304)

41

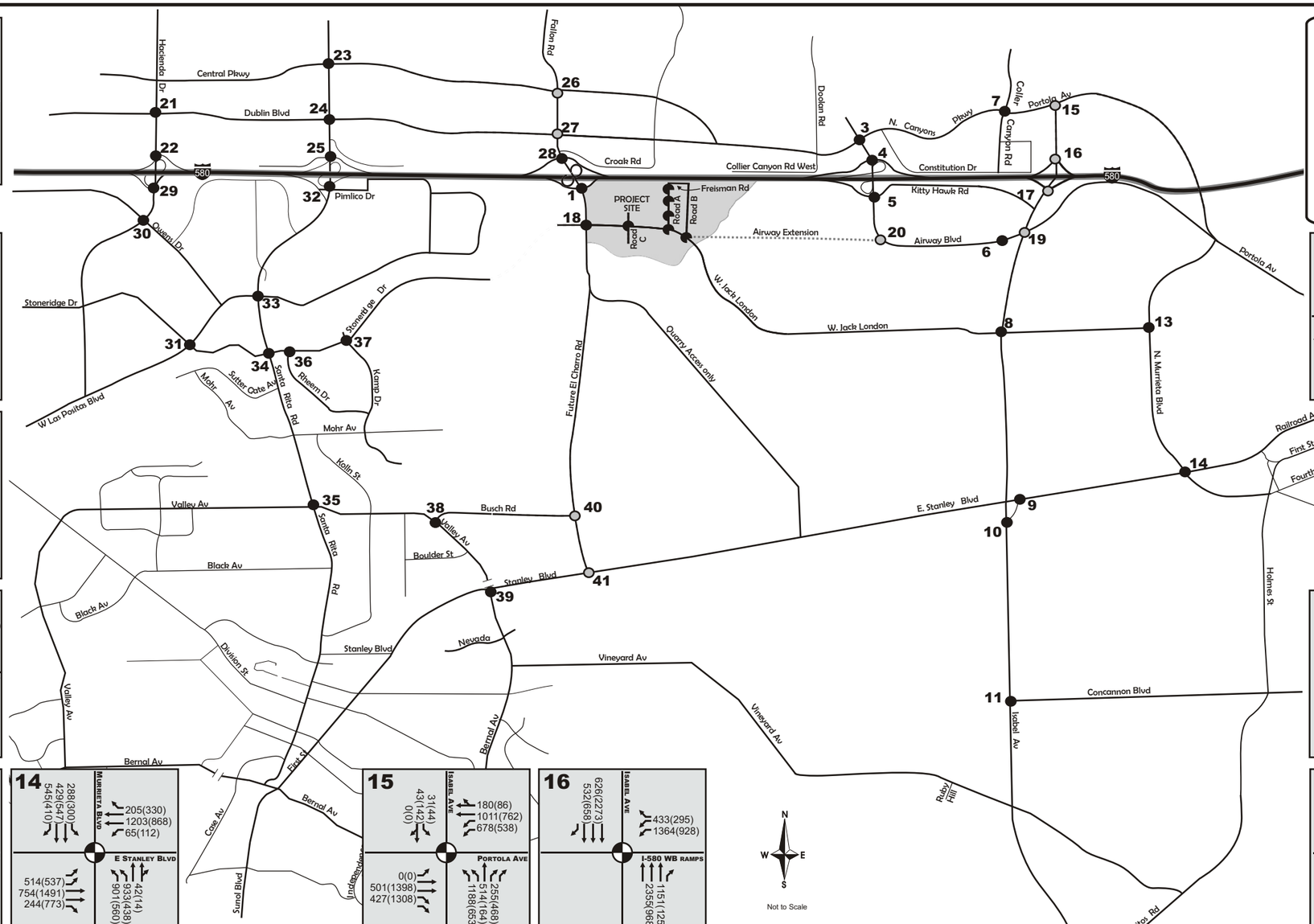
EL CHARRO RD / STANLEY BLVD

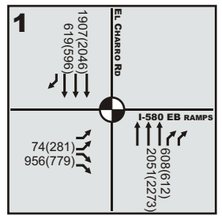
396(620) 491(693) | 496(659) 1939(1543) | 741(533) 1534(1912)

2030 Cumulative + Full Project + Southern Alignment – No Stoneridge Extension

xx(xx) = AM(PM) traffic volume
= All-way stop
= stop sign
= signalized intersection
= Existing intersection
= Future intersection
= Future intersection based on Implementation of Project
= Future (2008 or 2030)
= Future project-specific
= Eliminate in future

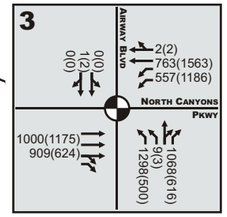
Dowling Associates, Inc.

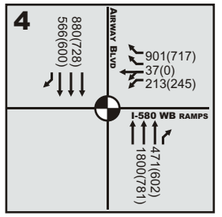


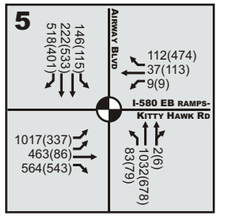
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2
Eliminated Intersection

(El Charro Rd @ Friesman Rd)

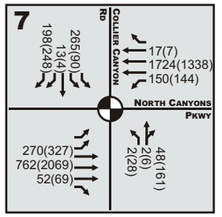
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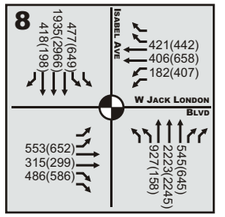
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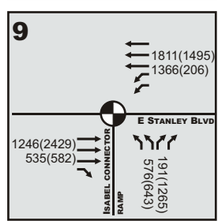
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6
Eliminated Intersection

(Kitty Hawk Rd @ Airway Blvd)

7


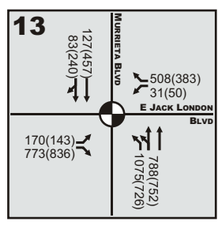
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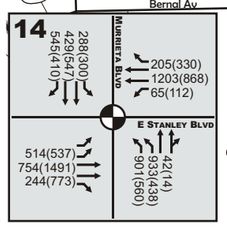
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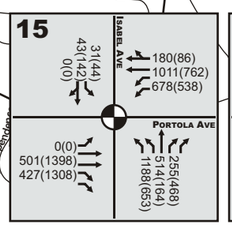
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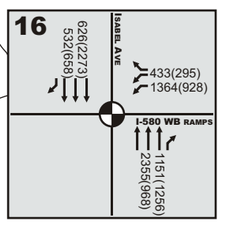
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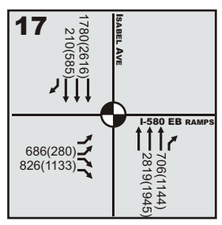
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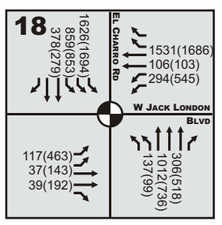
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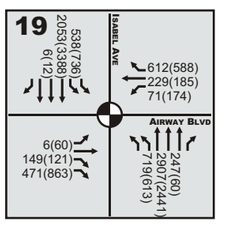
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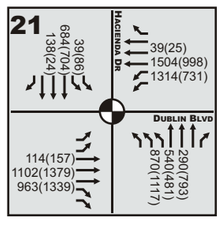
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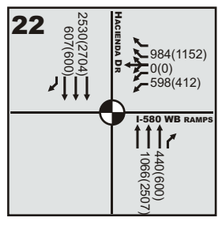
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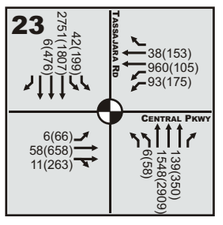
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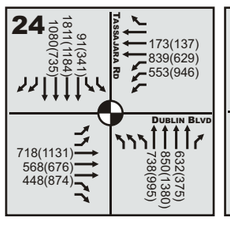
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Future Intersection*

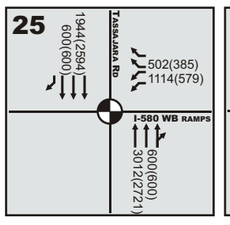
(Airway Blvd @ Airway Extension)

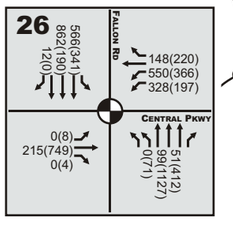
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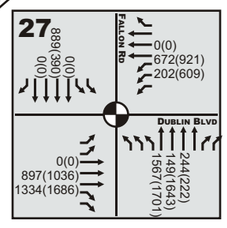
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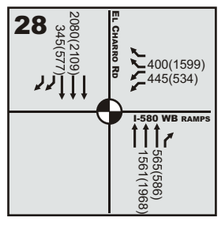
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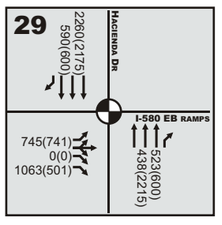
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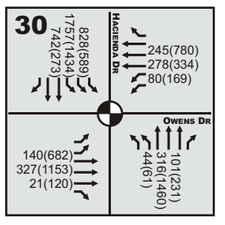
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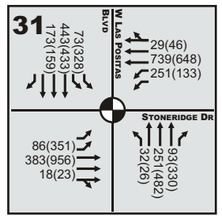
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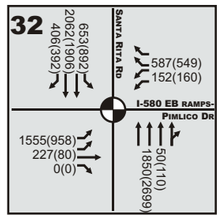
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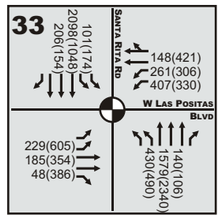
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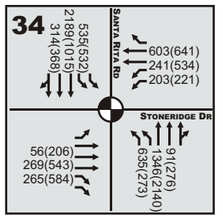
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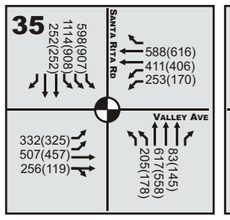
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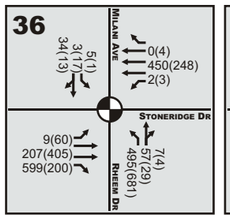
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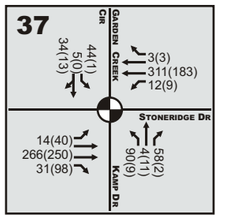
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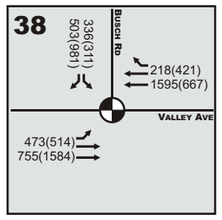
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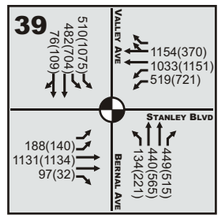
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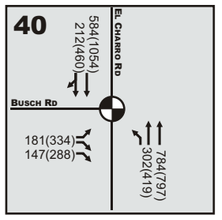
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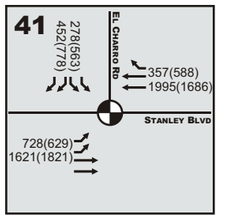
36


37


38


39


40


41


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2030 + Full Project + Southern Alignment with 2-Lane Jack London Blvd

xx(xx) = AM(PM) traffic volume

= All-way stop

= stop sign

= signalized intersection

= Existing intersection

= Future intersection

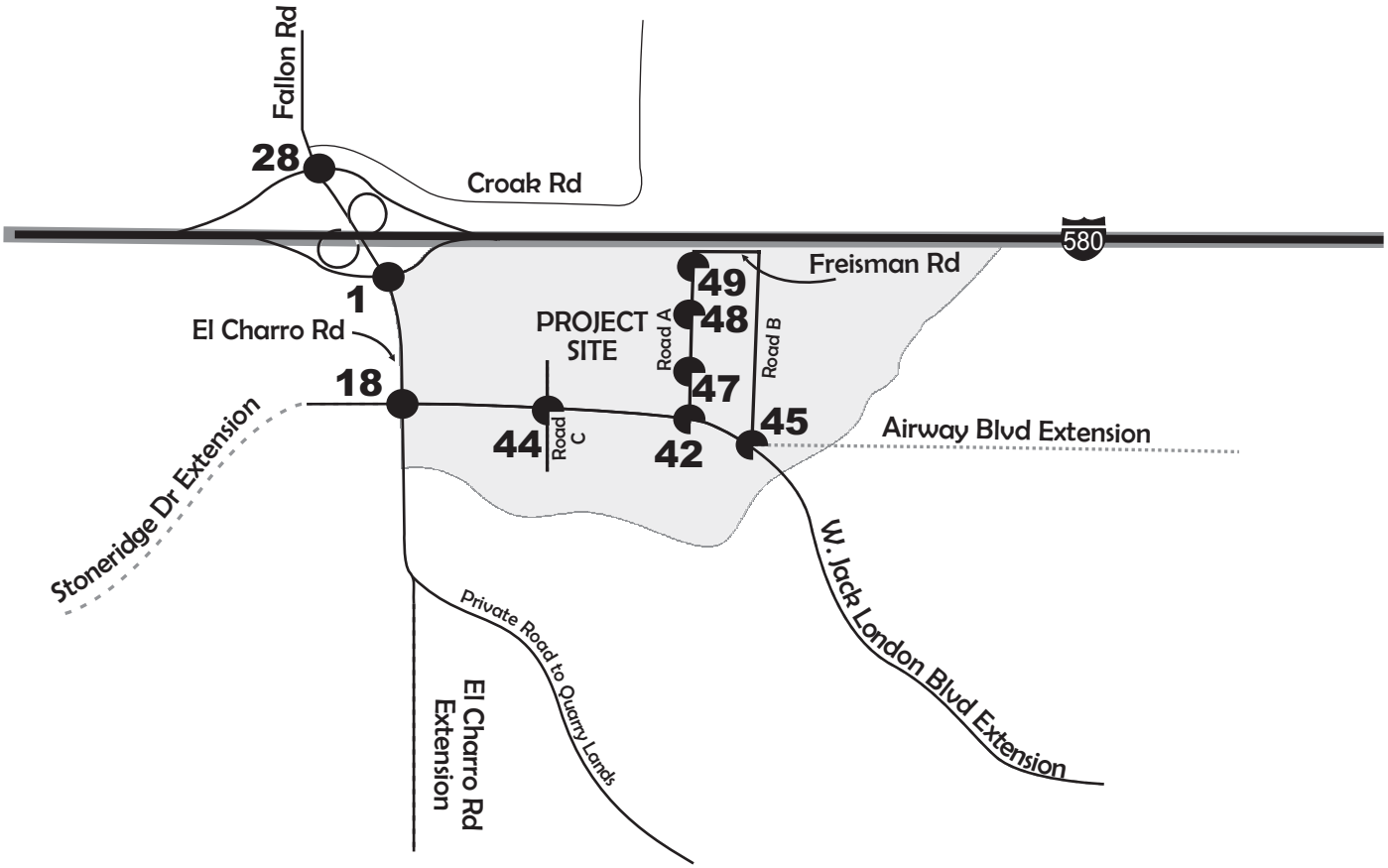
= Future intersection based on Implementation of Project

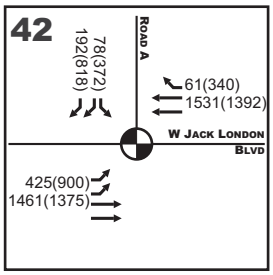
= Future (2008 or 2030)

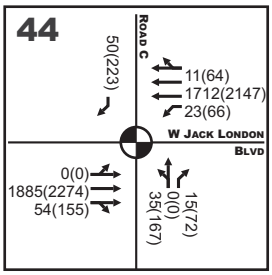
= Future project-specific

= Eliminate in future

Dowling Associates, Inc.

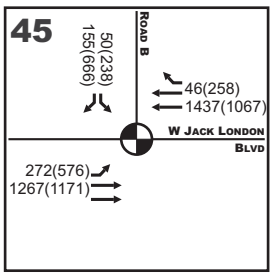


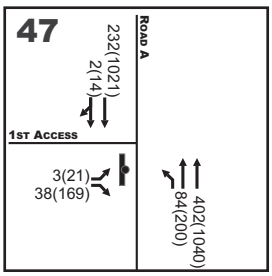


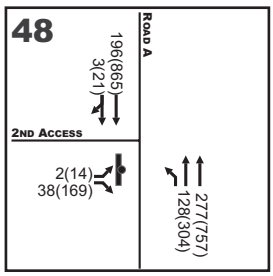


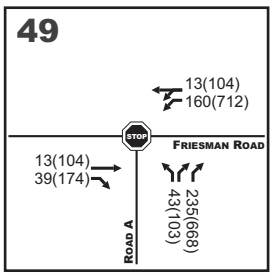


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2030 + Full Project + Southern Alignment with 2-Lane Jack London Blvd

xx(xx) = AM(PM) traffic volume
= All-way stop
= stop sign
= signalized intersection
= Existing intersection
= Future intersection
= Future intersection based on Implementation of Project
= Future (2008 or 2030)
= Future project-specific
= Eliminate in future

Dowling Associates, Inc.

1 — El Charro Rd & I-580 EB Ramps
El Charro Rd: 0(0) / 2234(2236) / 601(584)
I-580 EB Ramps: 73(362) / 670(577) / 618(740) / 1725(2238) / 0(0)

2
Eliminated Intersection
(El Charro Rd @ Friesman Rd)

3 — Airway Blvd & North Canyons Pkwy
Airway Blvd: 0(0) / 1(2) / 0(0) / 2(2) / 828(1418) / 669(1186)
North Canyons Pkwy: 0(0) / 1081(1226) / 821(567) / 1068(616) / 9(3) / 1293(628)

4 — Airway Blvd & I-580 WB Ramps
Airway Blvd: 834(728) / 633(600) / 0(0) / 972(729) / 37(0) / 213(257)
I-580 WB Ramps: 558(602) / 1725(657) / 0(0)

5 — Airway Blvd & I-580 EB Ramps-Kitty Hawk Rd
Airway Blvd: 160(107) / 235(532) / 445(390) / 112(510) / 34(148) / 9(9)
I-580 EB Ramps-Kitty Hawk Rd: 1018(320) / 452(152) / 545(461) / 2(11) / 1032(678) / 81(69)

6
Eliminated Intersection
(Kitty Hawk Rd @ Airway Blvd)

7 — Collier Canyon Rd & North Canyons Pkwy
Collier Canyon Rd: 252(94) / 13(4) / 198(248) / 13(35) / 1884(1200) / 166(161)
North Canyons Pkwy: 270(297) / 807(2210) / 52(15) / 68(114) / 2(6) / 2(23)

8 — Isabel Ave & W Jack London Blvd
Isabel Ave: 512(615) / 206(2353) / 400(251) / 441(382) / 349(801) / 175(389)
W Jack London Blvd: 548(611) / 288(296) / 441(608) / 545(655) / 2410(2158) / 824(215)

9 — E Stanley Blvd & Isabel Ave/I-580 Connector
E Stanley Blvd: 1770(1430) / 1318(297) / 1253(2445) / 611(582) / 191(1265) / 576(643)
Isabel Ave/I-580 Connector: 0(0) / 2234(2236) / 601(584) / 618(740) / 1725(2238) / 0(0)

10 — Isabel Ave & Stanley Connector Ramp
Isabel Ave: 342(1742) / 1302(2992) / 1707(623) / 211(271)
Stanley Connector Ramp: 414(311) / 3033(1405)

11 — Isabel Ave & Concannon Blvd
Isabel Ave: 437(1240) / 811(2015) / 1128(900) / 497(79)
Concannon Blvd: 46(698) / 1687(853)

12 — Isabel Ave & Vallecitos Rd
Isabel Ave: 144(24) / 958(1335) / 6(116) / 955(505)
Vallecitos Rd: 561(800) / 983(1354)

13 — Murrieta Blvd & E Jack London Blvd
Murrieta Blvd: 128(421) / 96(245) / 508(383) / 31(50)
E Jack London Blvd: 171(127) / 801(780) / 775(717) / 1056(820)

14 — Murrieta Blvd & E Stanley Blvd
Murrieta Blvd: 242(280) / 396(530) / 451(371) / 160(324) / 1148(876) / 69(121)
E Stanley Blvd: 441(512) / 806(1509) / 286(810) / 49(15) / 883(1443) / 104(283)

15 — Isabel Ave & Portola Ave
Isabel Ave: 31(67) / 42(131) / 0(0) / 145(89) / 1073(721) / 700(505)
Portola Ave: 0(0) / 522(1454) / 432(1370) / 187(442) / 535(158) / 1252(608)

16 — Isabel Ave & I-580 WB Ramps
Isabel Ave: 0(0) / 631(2245) / 584(646) / 406(291) / 1430(963)
I-580 WB Ramps: 865(1218) / 2440(845) / 0(0)

17 — Isabel Ave & I-580 EB Ramps
Isabel Ave: 0(0) / 1855(2636) / 206(572)
I-580 EB Ramps: 634(250) / 946(1184) / 790(1138) / 267(1814) / 0(0)

18 — El Charro Rd & W Jack London Blvd
El Charro Rd: 1190(1350) / 918(764) / 796(714) / 1079(1354) / 570(848) / 179(255)
W Jack London Blvd: 405(744) / 501(732) / 153(144) / 294(278) / 859(714) / 210(157)

19 — Isabel Ave & Airway Blvd
Isabel Ave: 568(689) / 2217(3514) / 4(18) / 652(601) / 213(200) / 59(155)
Airway Blvd: 6(29) / 159(173) / 448(718) / 217(61) / 2804(2321) / 723(608)

20
Future Intersection*
(Airway Blvd @ Airway Extension)

21 — Hacienda Dr & Dublin Blvd
Hacienda Dr: 29(86) / 655(704) / 124(24) / 39(22) / 1271(1034) / 1181(781)
Dublin Blvd: 114(157) / 935(1290) / 1098(1338) / 260(800) / 540(477) / 971(1249)

22 — Hacienda Dr & I-580 WB Ramps
Hacienda Dr: 0(0) / 2390(2617) / 601(600) / 992(1243) / 0(0) / 598(334)
I-580 WB Ramps: 469(600) / 1127(2450) / 0(0)

23 — Tassajara Rd & Central Pkwy
Tassajara Rd: 30(175) / 2775(2054) / 6(330) / 27(131) / 923(73) / 83(176)
Central Pkwy: 6(53) / 53(560) / 15(250) / 1558(2943) / 6(58) / 122(323)

24 — Tassajara Rd & Dublin Blvd
Tassajara Rd: 72(359) / 196(1339) / 966(795) / 153(108) / 648(452) / 516(711)
Dublin Blvd: 677(1107) / 411(592) / 445(821) / 906(1443) / 685(933) / 517(348)

25 — Tassajara Rd & I-580 WB Ramps
Tassajara Rd: 0(0) / 2101(2492) / 600(600) / 498(388) / 705(483)
I-580 WB Ramps: 600(600) / 2924(2717) / 0(0)

26 — Fallon Rd & Central Pkwy
Fallon Rd: 580(293) / 806(157) / 20(0) / 169(210) / 558(363) / 306(185)
Central Pkwy: 0(32) / 209(609) / 0(1) / 53(416) / 84(1017) / 0(1)

27 — Fallon Rd & Dublin Blvd
Fallon Rd: 0(0) / 812(342) / 0(0) / 0(0) / 677(737) / 227(740)
Dublin Blvd: 0(0) / 760(1003) / 1052(1479) / 339(295) / 1371(1504) / 1116(1734)

28 — El Charro Rd & I-580 WB Ramps
El Charro Rd: 0(0) / 1767(1973) / 325(588) / 362(1515) / 1067(846)
I-580 WB Ramps: 567(583) / 1231(2017) / 0(0)

29 — Hacienda Dr & I-580 EB Ramps
Hacienda Dr: 0(0) / 2116(1984) / 592(600)
I-580 EB Ramps: 750(658) / 0(0) / 1087(501) / 451(600) / 438(2242) / 0(0)

30 — Hacienda Dr & Owens Dr
Hacienda Dr: 845(542) / 1648(1163) / 715(396) / 245(780) / 279(339) / 80(164)
Owens Dr: 131(733) / 351(1136) / 21(119) / 105(224) / 284(1416) / 43(98)

31 — W Las Positas Blvd & Stoneridge Dr
W Las Positas Blvd: 68(268) / 466(397) / 173(135) / 24(61) / 739(931) / 292(207)
Stoneridge Dr: 48(331) / 478(957) / 26(25) / 154(405) / 251(558) / 34(34)

32 — Santa Rita Rd & I-580 EB Ramps-Pimlico Dr
Santa Rita Rd: 338(553) / 202(1942) / 512(392) / 590(496) / 152(160)
I-580 EB Ramps-Pimlico Dr: 1552(1033) / 232(81) / 0(0) / 50(110) / 161(2550) / 0(0)

33 — Santa Rita Rd & W Las Positas Blvd
Santa Rita Rd: 100(174) / 2013(1141) / 204(181) / 55(292) / 261(216) / 287(215)
W Las Positas Blvd: 184(702) / 185(354) / 107(421) / 141(106) / 1500(2341) / 432(498)

34 — Santa Rita Rd & Stoneridge Dr
Santa Rita Rd: 1015(738) / 1586(1005) / 311(200) / 672(1168) / 243(1108) / 1073(289)
Stoneridge Dr: 17(160) / 519(606) / 210(584) / 215(905) / 1330(1629) / 635(237)

35 — Santa Rita Rd & Valley Ave
Santa Rita Rd: 598(907) / 1114(908) / 252(242) / 588(616) / 411(402) / 253(170)
Valley Ave: 332(324) / 507(456) / 256(118) / 83(145) / 617(558) / 205(173)

36 — Milani Ave & Stoneridge Dr
Milani Ave: 5(1) / 3(10) / 34(13) / 0(4) / 1321(1341) / 22(243)
Stoneridge Dr: 9(60) / 1038(1176) / 647(981) / 103(113) / 3(20) / 536(732)
Rheem Dr

37 — Garden Creek Cir & Stoneridge Dr
Garden Creek Cir: 4(4) / 5(0) / 67(40) / 3(22) / 1166(1467) / 12(9)
Stoneridge Dr: 66(102) / 1016(1076) / 31(98) / 30(2) / 4(11) / 94(9)
Kamp Dr

38 — Busch Rd & Valley Ave
Busch Rd: 227(311) / 389(446) / 210(350) / 1598(911)
Valley Ave: 233(382) / 790(1584)

39 — Valley Ave & Stanley Blvd
Valley Ave: 510(1075) / 467(705) / 76(109) / 1154(502) / 1068(989) / 448(715)
Stanley Blvd: 188(140) / 1066(1134) / 89(57) / 414(479) / 444(614) / 145(152)
Bernal Ave

40 — El Charro Rd & Busch Rd
El Charro Rd: 704(935) / 87(88) / 768(754) / 191(254)
Busch Rd: 42(111) / 60(298)

41 — El Charro Rd & Stanley Blvd
El Charro Rd: 260(512) / 504(722) / 433(529) / 1898(1703)
Stanley Blvd: 526(479) / 1722(1887)

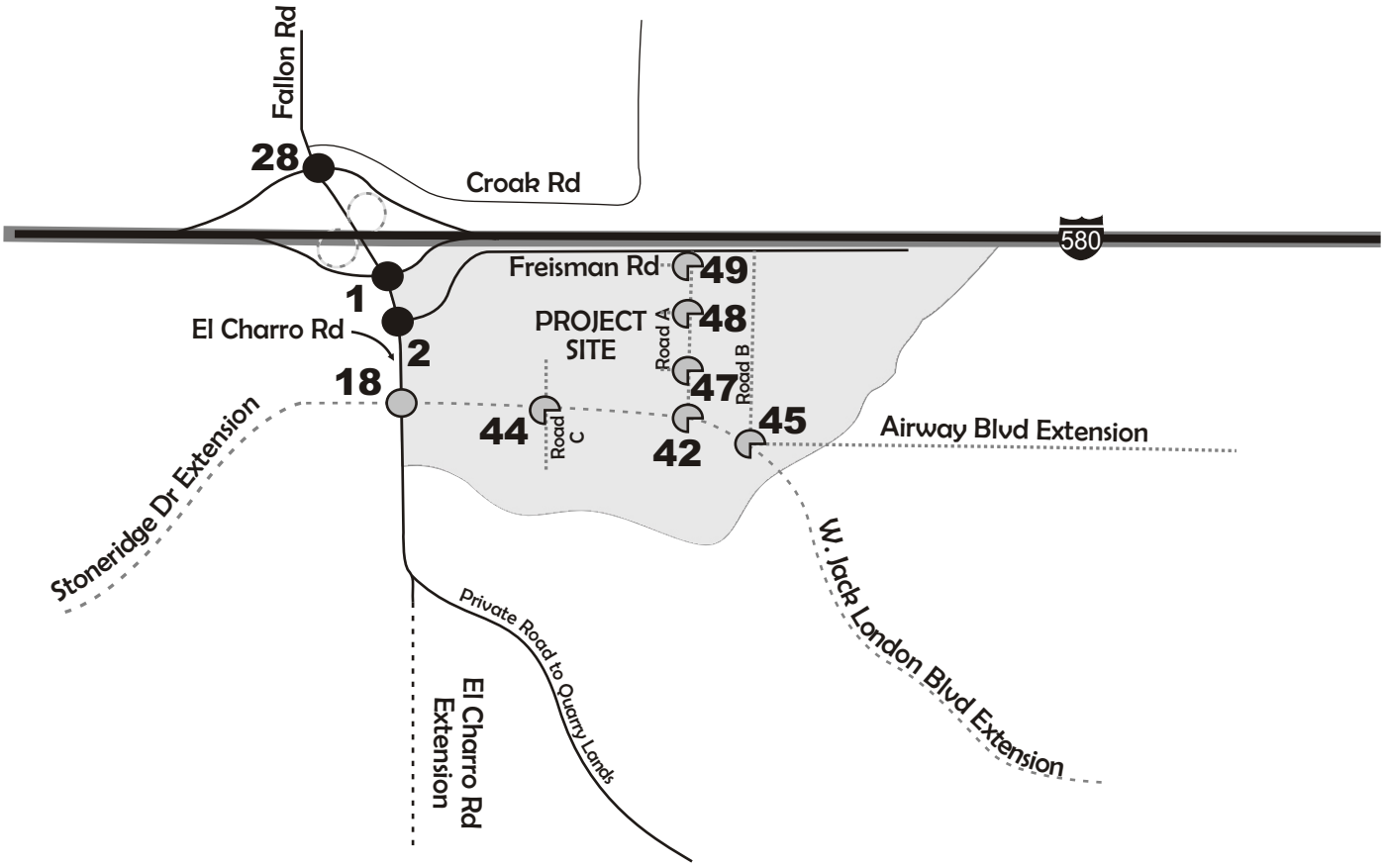
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Study Area Access Points (42-49)

- = Existing intersection
- = Future intersection
- = Future intersection based on Implementation of Project
- = Future (2008 or 2030)
- = Future project-specific
- = Eliminate in future

Dowling Associates, Inc.





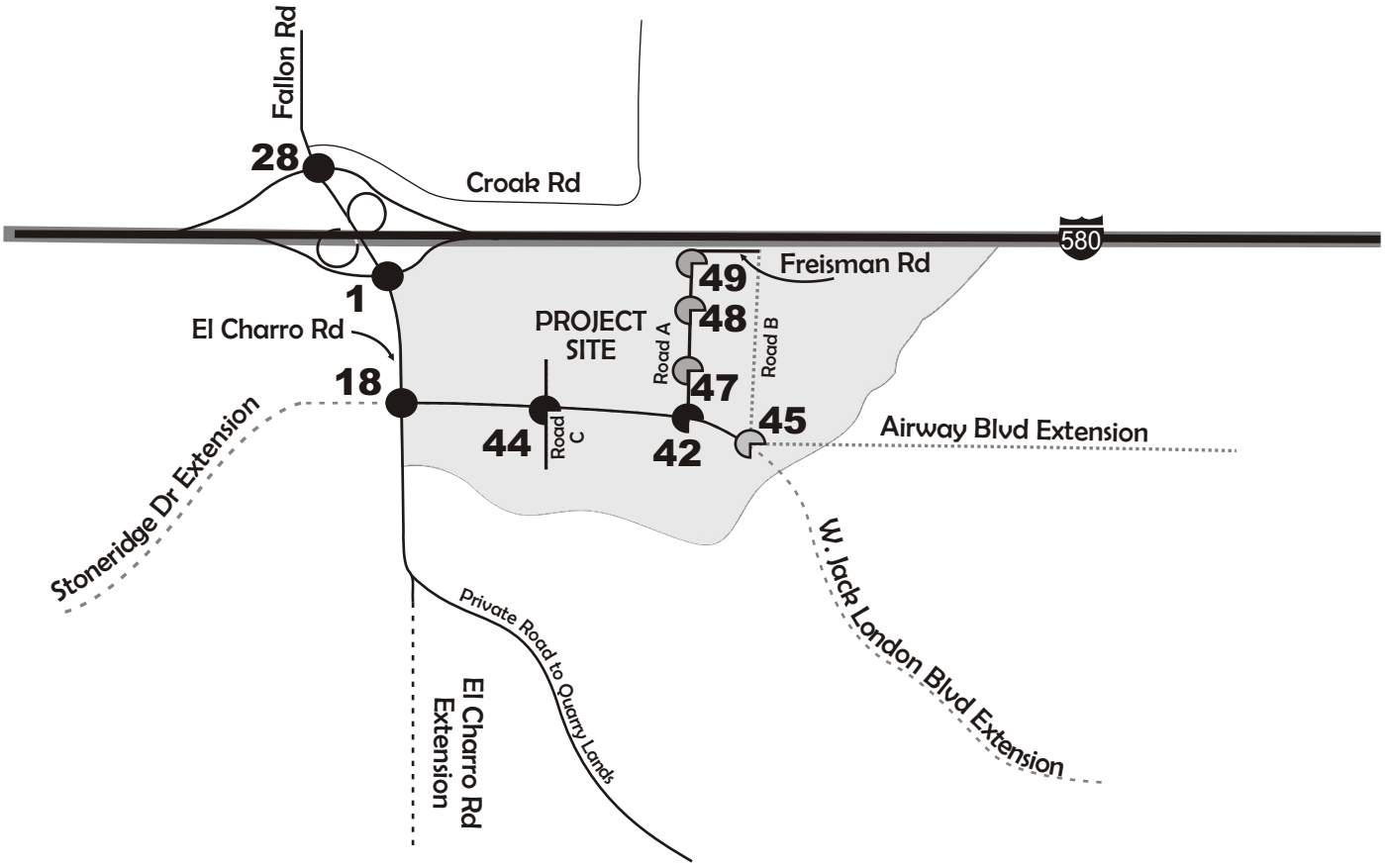
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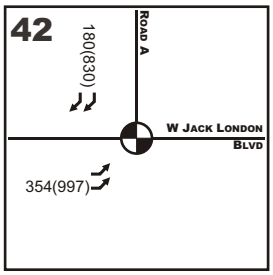
2008 Baseline + Project Phase I

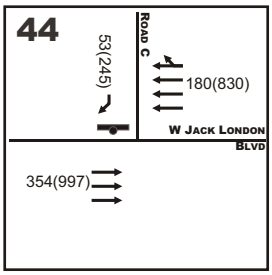
xx(xx) = AM(PM) traffic volume
= All-way stop
= stop sign
= signalized intersection
= Existing intersection
= Future intersection
= Future intersection based on Implementation of Project

= Future (2008 or 2030)
= Future project-specific
= Eliminate in future

Dowling Associates, Inc.









Not to Scale

45
Future Project Access Intersection

47
Future Project Access Intersection

48
Future Project Access Intersection

49
Future Project Access Intersection

2008 Baseline + Full Project Buildout – Southern Alignment

xx(xx) = AM(PM) traffic volume

= All-way stop

= stop sign

= signalized intersection

= Existing intersection

= Future intersection

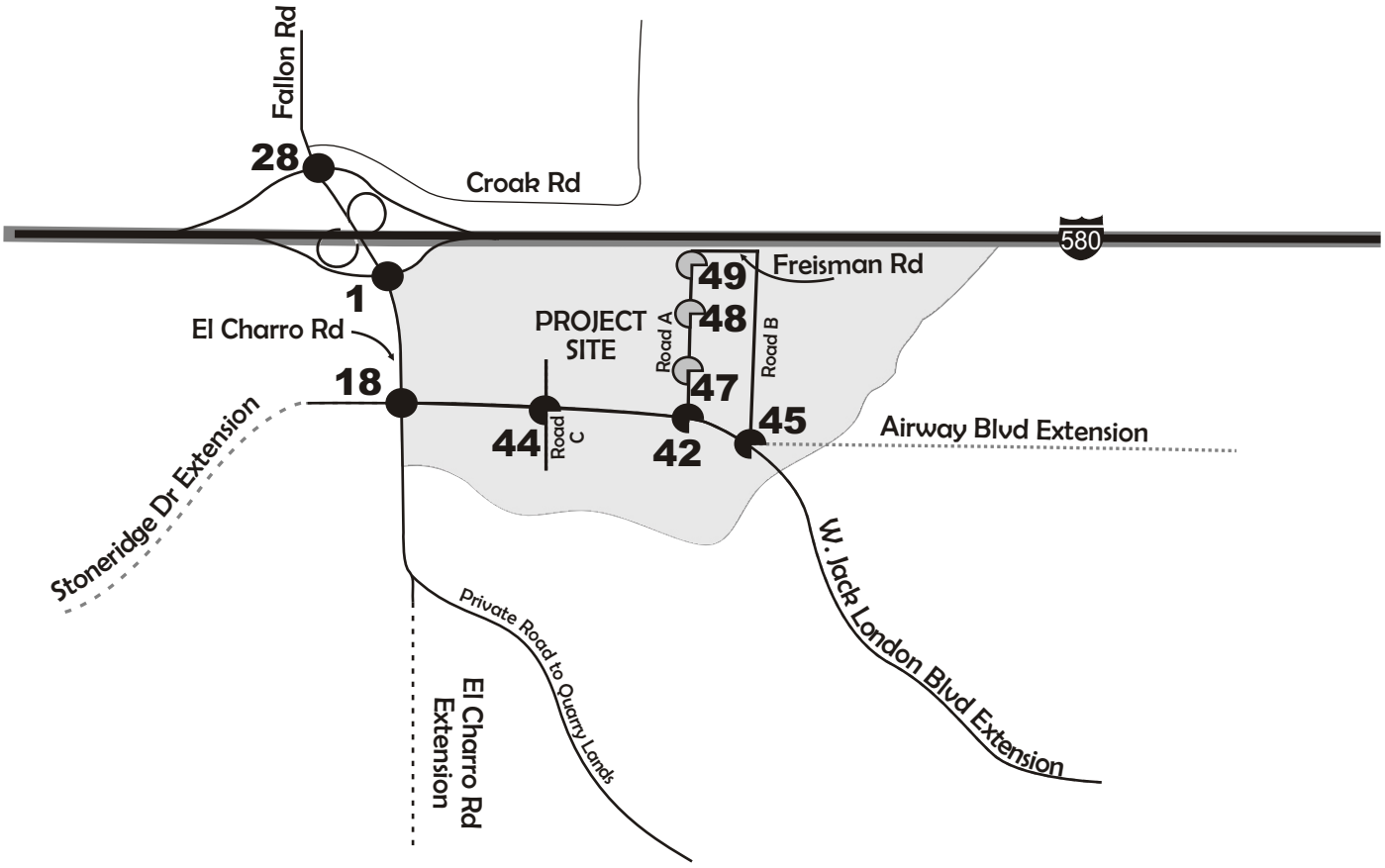
= Future intersection based on Implementation of Project

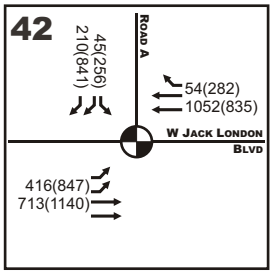
= Future (2008 or 2030)

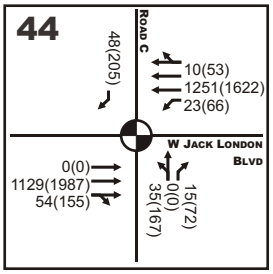
= Future project-specific

= Eliminate in future

Dowling Associates, Inc.

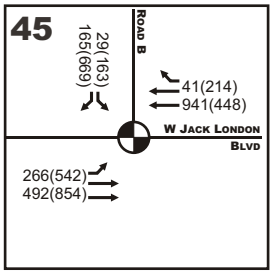








Not to Scale



47

Future Project Access Intersection

48

Future Project Access Intersection

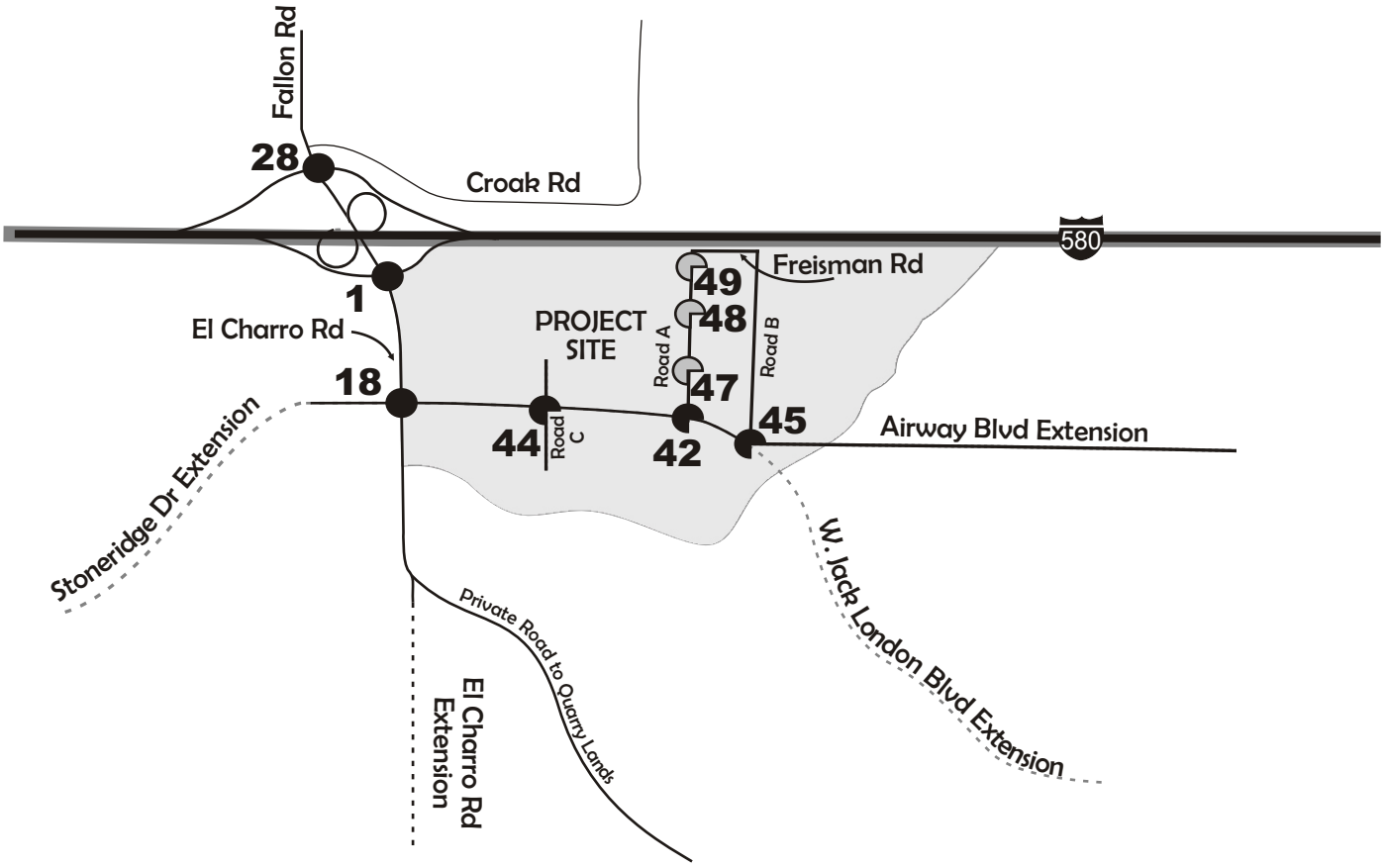
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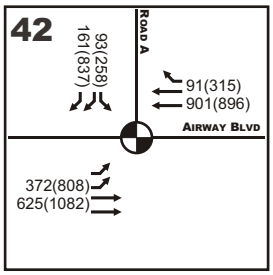
Future Project Access Intersection

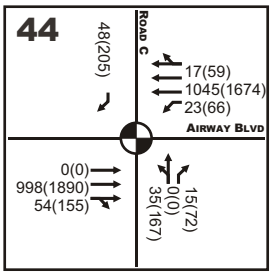
Figure 13: 2008 Baseline + Full Project Buildout – Northern Alignment

xx(xx) = AM(PM) traffic volume
= All-way stop
= stop sign
= signalized intersection
= Existing intersection
= Future intersection
= Future intersection based on Implementation of Project
= Future (2008 or 2030)
= Future project-specific
= Eliminate in future

Dowling Associates, Inc.









Not to Scale

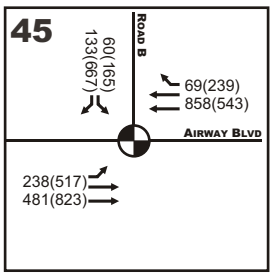




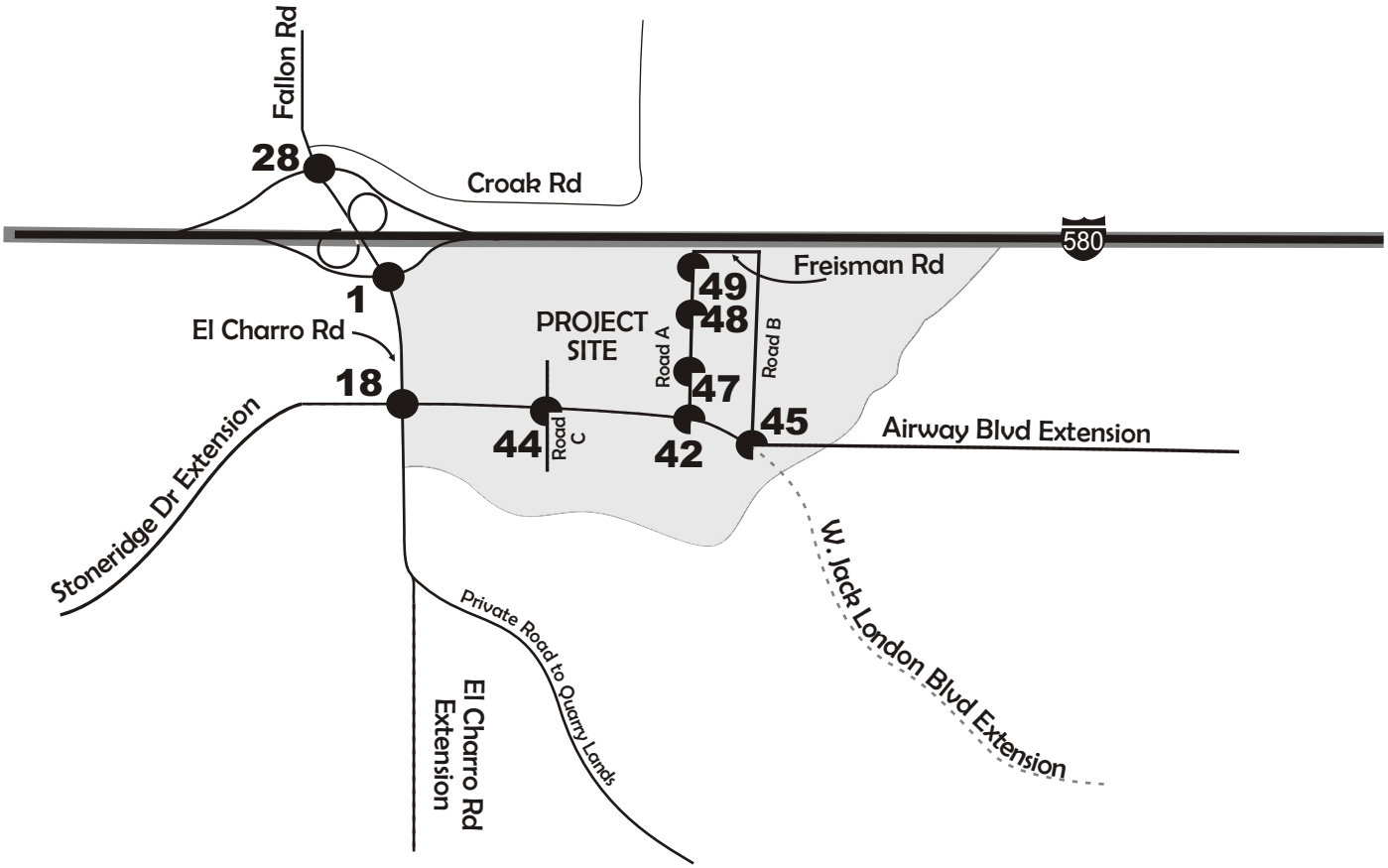


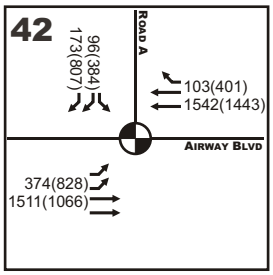


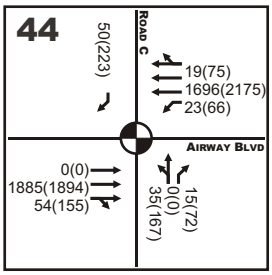
Figure 18: 2030 Cumulative + Full Project Buildout + Northern Alignment

xx(xx) = AM(PM) traffic volume
= All-way stop
= stop sign
= signalized intersection
= Existing intersection
= Future intersection
= Future intersection based on Implementation of Project
= Future (2008 or 2030)
= Future project-specific
= Eliminate in future

Dowling Associates, Inc.

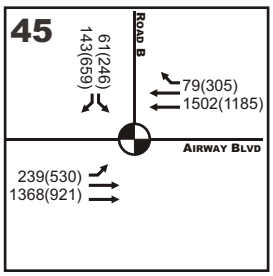


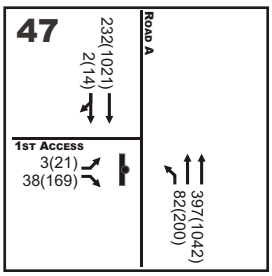


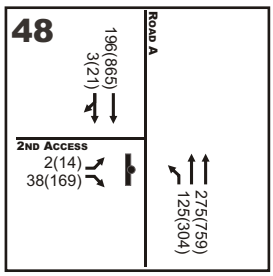




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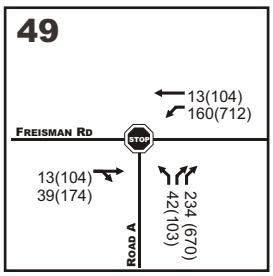
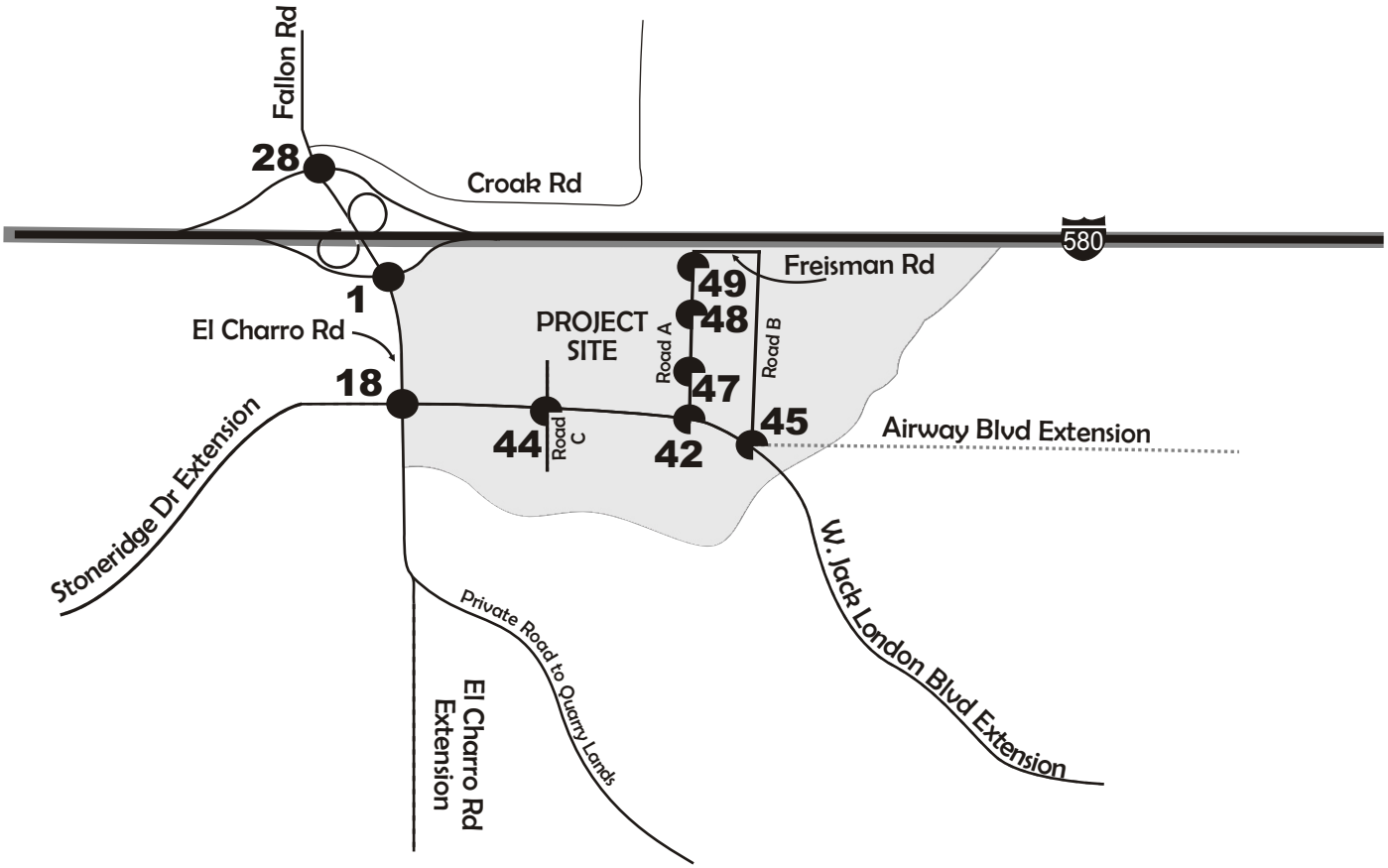
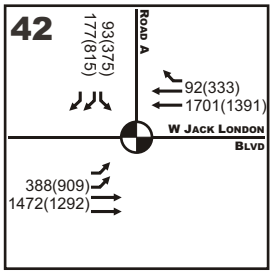


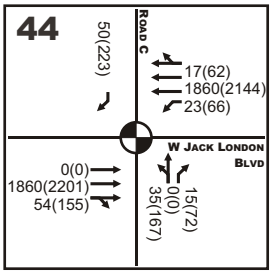
Figure 16: 2030 Cumulative + Full Project Buildout + Southern Alignment

xx(xx) = AM(PM) traffic volume
= All-way stop
= stop sign
= signalized intersection
= Existing intersection
= Future intersection
= Future intersection based on Implementation of Project
= Future (2008 or 2030)
= Future project-specific
= Eliminate in future

Dowling Associates, Inc.

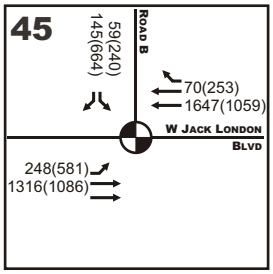


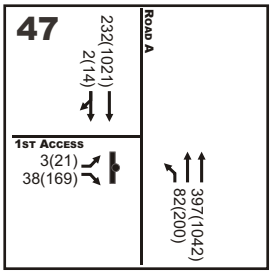


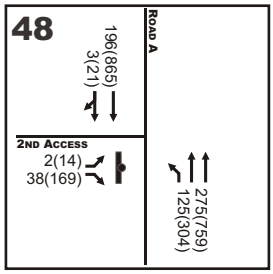




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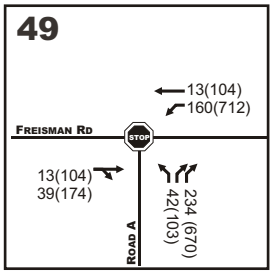
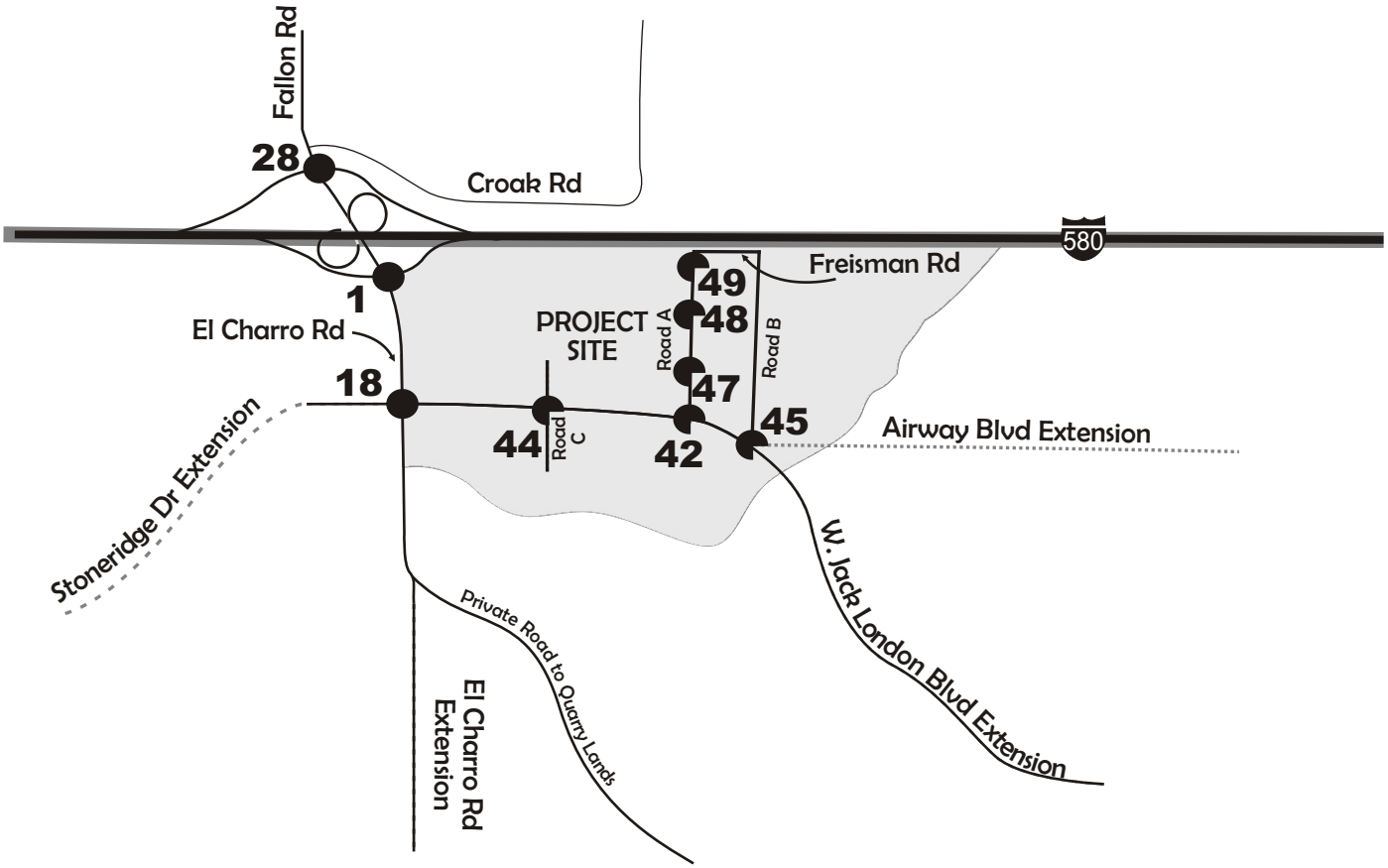
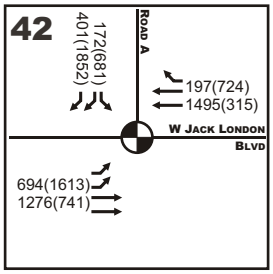


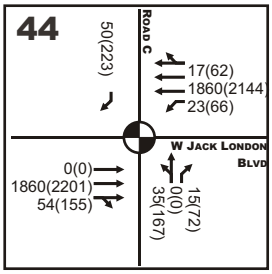
Figure 20: 2030 Cumulative + Full Project Buildout + Southern Alignment - No Stoneridge Extension

xx(xx) = AM(PM) traffic volume
= All-way stop
= stop sign
= signalized intersection
= Existing intersection
= Future intersection
= Future intersection based on Implementation of Project
= Future (2008 or 2030)
= Future project-specific
= Eliminate in future

Dowling Associates, Inc.

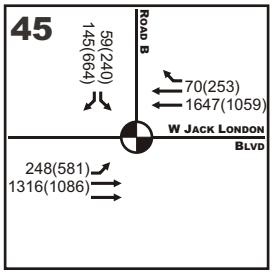


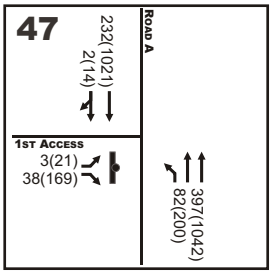


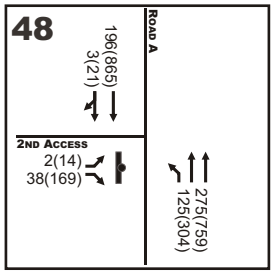


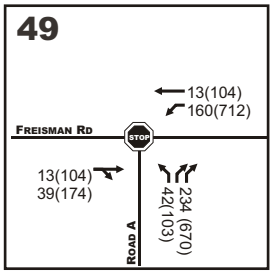


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Appendix G-2

Additional Traffic Analysis Data—Signal Warrants Summary

The complete Signal Warrants for Project Intersections study prepared by Dowling & Associates is available for review at the City of Livermore offices at City Hall, 1052 S. Livermore Avenue, Livermore, California.

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Signal Warrant Met at El Charro Specific Plan Study Intersections

		Intersection Number							
Scenario	**Time**	**18**	**20**	**42**	**44**	**45**	**47**	**48**	**49**
2008 Phase I	AM	Yes	N/A	No	No	N/A	N/A	N/A	N/A
	PM	Yes	N/A	Yes	No	N/A	N/A	N/A	N/A
2008 Full Project South	AM	Yes	N/A	Yes	No	Yes	N/A	N/A	N/A
	PM	Yes	N/A	Yes	Yes	Yes	N/A	N/A	N/A
2008 Full Project North	AM	Yes	Yes	Yes	No	Yes	N/A	N/A	N/A
	PM	Yes	Yes	Yes	Yes	Yes	N/A	N/A	N/A
2030 Full Project South	AM	Yes	N/A	Yes	No	Yes	No	No	No
	PM	Yes	N/A	Yes	Yes	Yes	Yes	Yes	Yes
2030 Full Project North	AM	Yes	Yes	Yes	No	Yes	No	No	No
	PM	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
2030 Full Project - No Stoneridge	AM	Yes	N/A	Yes	No	Yes	No	No	No
	PM	Yes	N/A	Yes	Yes	Yes	Yes	Yes	Yes

Note: Signal Warrant based on Caltrans Peak Hour Warrant Analysis using TRAFFIX Software
Signal Warrant test is conducted for peak hour volume and delay. Warrant is met if one of the criteria is met.

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Appendix H

Downtown Business Characterization

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El Charro Specific Plan
Downtown Business Characterization

Introduction

In 2004, the City of Livermore (City) adopted a comprehensive General Plan Update. In it, the City designated several parcels east of El Charro Road and south of I-580 as land suitable for Business/Commercial Park uses. The City has also adopted certain road, trail, and other infrastructure plans for this area, known as the El Charro area. To provide for unified and consistent planning for the project area, the City has decided to prepare the El Charro Specific Plan (Specific Plan). The El Charro Specific Plan area (Specific Plan Area) is bounded by Interstate 580 (I-580) on the north, El Charro Road on the west, active mining quarries and undeveloped quarry land to the south, and Arroyo Las Positas, and the Livermore Municipal Golf Course to the east.

The General Plan designates the majority of the Specific Plan Area as Business and Commercial Park (BCP), which allows a Floor Area Ratio (FAR) of .3 to .5. BCP areas are required to be a minimum of 20 acres, located in the general vicinity of the freeway, and typically along major streets. Acceptable commercial uses in this type of area are listed in the Livermore Planning and Zoning code and include:

"Community / regional commercial uses, that due to their size and land requirements, have specialized locational criteria, including:

- Large, destination-oriented retail commercial use (e.g., factory outlet center, warehouse, wholesale/retail store)
- Large, commercial service use (e.g., home improvement center, furnishing and appliance store, automobile or recreational vehicle sales)
- Support and ancillary services (e.g. restaurants, service stations)" (City of Livermore 2004).

Assumptions

Our assumptions for possible retail use in the Specific Plan Area include the following appropriate retail uses, as defined by the City's General Plan:

- Wholesale/Retail
- Name Brand Retail
  - Clothing, Shoes, Luggage, Jewelry, Sporting Gear, Consumer Electronics, Books, Automotive Parts & Accessory, Music – Instruments/Recordings, Toys, Pet Products, Home Improvement (general), Home Furnishing and Appliance
- Limited Service Restaurants
- New Auto, RV Sales

Methods

Information regarding the businesses of the downtown area of Livermore is based on site visits, City-operated websites, and internet-based directories. Bill Kasson and Sandy Devoto of Jones & Stokes conducted three field reconnaissance visits to the study area in April and May 2006 where they documented operational businesses and their nature. The City of Livermore operates the *Livermore Downtown Inc.* website, which provides information about the location and names of its downtown businesses. When appropriate, further information regarding businesses was gathered from internet searches and directories. The inventory of businesses gathered for this project does not contain every business in the study area, but reflects a general snapshot of the business character at the time of the survey.

Using the standard North American Industry Classification System (NAICS), each operational business was coded according to its primary activity. The four major economic activities identified in this study are food service, retail trade, services, and "other." The food service category includes any business retailing food for immediate consumption. Retail businesses are those that sell any category of products or goods directly to consumers. Service companies provide professional, technical, or scientific assistance to clients. This category also includes financial, insurance, real estate, medical and administrative services that were further separated in the NAICS code. All other companies were categorized under the "other" category and include wholesale, construction, and educational or entertainment businesses.

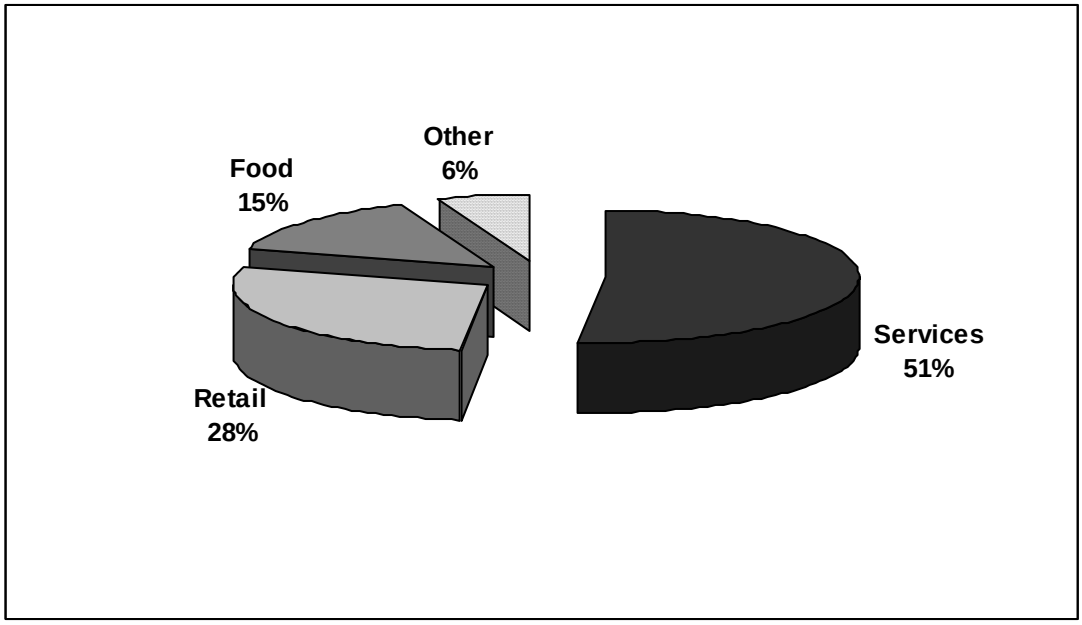
Within the City of Livermore downtown businesses are separated into three categories: overlap (O), partial overlap (PO), and no overlap (NO). Those falling within the O category have the greatest degree of overlap with the type of retail assumed within the proposed development with regard to business type or product line. Partially overlapping (PO) businesses have characteristics that are similar to those that may appear in the proposed development but retain distinctive qualities that remove them from direct overlap in a particular retail sector. NO listed businesses are unlikely to experience overlap with the proposed development due to a unique niche they possess in the retail sector or because they are of an entirely unrelated business type.

Downtown Livermore

As described in the Livermore Downtown Specific Plan, the downtown area consists of approximately 272 acres located near the geographic center of the City of Livermore. Downtown Livermore is bounded on the north by the Union Pacific Railroad's right-of-way from Murrieta Boulevard to P Street, Chestnut Street from P Street to North Livermore Avenue, and the railroad right-of-way from North Livermore Avenue to First Street. The northward curve of First Street forms the eastern boundary of the downtown area. The south boundary is more irregular, shifting as it moves from east to west from Fourth Street to mid-block between Second and Thirds Streets, to mid-block between Fourth and Fifth Streets, back to mid-block between Second and Third Streets, then north to Railroad Avenue at S Street to Murrieta Boulevard. The commercial core of downtown Livermore is smaller, however, and is bounded by Railroad Avenue to the north, Maple Street to the east, Third Street to the south, and S Street to the west.

The Livermore downtown commercial area is characterized in Figure 1. Approximately half of all downtown businesses are categorized as service providers. Retail businesses make up the next largest sector of businesses and include approximately 84 stores (28%). Food-serving businesses account for 15% of Livermore's total. The smallest category of businesses in the downtown area of Livermore ("other") includes educational services, organizations, entertainment venues, and other non-retail, non-service establishments. The entire list of business establishments in Downtown Livermore is included as Appendix A.

Figure 1. Downtown Livermore



Because of the heavy service base of the area, 79% of all businesses in downtown Livermore would have no overlap (NO) with potential businesses assumed for the proposed development. Those with overlap (O) equaled approximately 15%, and businesses with potential overlap (PO) accounted for 7% of the total. Table 1 depicts the degree of overlap within each business sector.

Table 1. Livermore Business Overlap

	Food		Retail		Services		Other	
Category	Number	Percent	Number	Percent	Number	Percent	Number	Percent
O	17	38	26	31	2	1	0	0
PO	1	2	19	31	0	1	0	0
NO	27	60	39	46	156	99	18	100
Total	**45**		**84**		**158**		**18**	

The data gathered regarding the downtown character of the City of Livermore reflects a business area that is largely specialized and service oriented. Over half of the retail establishments and a third of restaurants in the area have some degree of overlapping character with those in the assumptions used for the development (above). Overlap among food establishments is correlated to the types of limited service restaurants assumed for the retail development which would generally offer fixed, low price menus and conventional food types. The food establishments of downtown Livermore, and those that may be found in the proposed development, are not necessarily incompatible with each other however, this may not be the case with retail establishments.

Retail in Livermore has a high degree of overlap (O and PO) with retail possible under the General Plan designation. In particular, home furnishing/decor and building materials represent a large proportion of Livermore's retail sector. Under certain circumstances, these retail establishments may be selling similar products to the same customer base as the proposed development.

Conclusions

Based on recent information that Prime Outlets Livermore Valley will be the major commercial center in the Specific Plan area, it is apparent that the assumptions made in this study with regard to the potential types of retail businesses in the specific plan are accurate. Because CEQA is concerned with physical effects on the environment rather than economic impacts on businesses, the focus of these conclusions is whether the new retail businesses in the Specific Plan area would result in urban decay or blight in downtown area of Livermore .

Blight is a condition of property or the uses of property in parts of a city, town, or neighborhood that are detrimental to the physical, social, and/or economic well-being of a community. It can include abandoned buildings or those severely neglected by their owners, vacant lots full of rubble and garbage, or dangerous or illegal uses. There is no single cause of blight. It is usually triggered by a

combination of various inter-related factors in the urban environment. One of the potential contributors to blight is the closing of a large number of retail outlets in an urban area resulting from an inability to compete economically with nearby large-scale retail outlets.

The analysis in this study does not include a quantitative assessment of the potential economic impacts of a new retail outlet in the Specific Plan area. Rather it compares existing businesses in the commercial core of Livermore with the types of businesses in the Specific Plan area. The analysis shows that while there is some overlap in business types, the majority of businesses in the downtown commercial core do not appear to be in direct competition with the types of retail stores found in Prime Outlets retail centers.

Services make up the majority of businesses in the Livermore commercial core and as such, would not be subject to competition with the Prime Outlets retail stores. Restaurants in the commercial core generally provide a unique menu and atmosphere compared to those in Specific Plan area. Restaurant patrons in the Specific Plan area would be primarily shoppers while the restaurants in the commercial core serve other businesses and visitors to the downtown areas and in the evenings serve a clientele that would not likely be attracted to the restaurants in the Prime Outlets center.

Retail outlets would be the most likely to be affected by competition from Prime Outlets. It is reasonable to assume that certain businesses in the commercial core would be adversely affected by the competition presented by a retail center such as Prime Outlets Livermore Valley. In some cases these businesses may fail as a result of the competition. Because retail outlets make up only approximately 30 percent of businesses in the commercial cores, and less than one-third of these businesses are in direct overlap with the Prime Outlets Livermore Valley stores, the number of business failures would likely be small. It is also reasonable to assume that with the anticipated growth in the region, replacement businesses that would not be in competition with Prime Outlets would relocate into the vacated stores. As a result, conditions that lead to blight, such as depopulation and abandoned buildings, are not expected to occur in the commercial core of Livermore as a result of competition with the Prime Outlets Livermore Valley center in the Specific Plan area.

References

City of Livermore. 2004. *City of Livermore General Plan 2003-2025*. Adopted February 9, 2004.

Jones and Stokes. 2001. *Environmental Impact Report for the Pleasanton Downtown Specific Plan Project.* Draft. Prepared for the City of Pleasanton. August 2001.

North American Industry Classification System (NAICS). 2002 NAICS codes. U.S. Census Bureau Website. http://www.census.gov/epcd/www/naics.html. Last accessed May 30, 2006.

Appendix A

Downtown Livermore Business List

Name	Category	Type	NAIC	Sector
Strizzi's	PO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Anita's Taqueria	O	Accommodation& Food Service: Full Service Restaurant	722110	Food
Los Corprales	O	Accommodation& Food Service: Full Service Restaurant	722110	Food
Domino's Pizza	O	Accommodation& Food Service: Limited Service Restaurant	722211	Food
KFC	O	Accommodation& Food Service: Limited Service Restaurant	722211	Food
Ancestros Mexican	O	Accommodation& Food Service: Limited Service Restaurant	722211	Food
El Charro Taqueria	O	Accommodation& Food Service: Limited Service Restaurant	722211	Food
Extreme Pizza	O	Accommodation& Food Service: Limited Service Restaurant	722211	Food
Magoo's Pizza	O	Accommodation& Food Service: Limited Service Restaurant	722211	Food
Pizza Hut	O	Accommodation& Food Service: Limited Service Restaurant	722211	Food
Garlex Pizza	O	Accommodation& Food Service: Limited Service Restaurant	722211	Food
Jack In The Box	O	Accommodation& Food Service: Limited Service Restaurant	722211	Food
Tequila's Taqueria	O	Accommodation& Food Service: Limited Service Restaurant	722211	Food
Weinerschnitzel	O	Accommodation& Food Service: Limited Service Restaurant	722211	Food
Loard's Ice Cream & Candy	O	Accommodation& Food Service: Snack, Beverage Bars	722213	Food
Panama Bay Coffee	O	Accommodation& Food Service: Snack, Beverage Bars	722213	Food
Pete's Coffee & Tea	O	Accommodation& Food Service: Snack, Beverage Bars	722213	Food
Chuan Yang	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
L&M Restaurant	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Lemongrass Café	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Lo's China Bistro	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Sansar Restaurant	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Riata Diner & Tavern	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Bruno's Italian Cuisine	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Billy G's Grill	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Cielito Lindo	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Casa Orozco	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
New Mally's Sushi & Sandwiches	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Railroad Café	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
JB's Café	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Kawa Sushi	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Zephyr Grill & Bar	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Donut Wheel	NO	Accommodation& Food Service: Snack, Beverage Bars	722213	Food
Bob Vivant Catering	NO	Accommodation& Food Service: Caterers	722320	Food

Name	Category	Type	NAIC	Sector
1st Street Alehouse	NO	Accommodation& Food Service: Alcoholic Drinking Places	722410	Food
Livermore Saloon	NO	Accommodation& Food Service: Alcoholic Drinking Places	722410	Food
VE Club	NO	Accommodation& Food Service: Alcoholic Drinking Places	722410	Food
Babe's Place	NO	Accommodation& Food Service: Alcoholic Drinking Places	722410	Food
Polomoni's	NO	Accommodation& Food Service: Alcoholic Drinking Places	722410	Food
Downtown Ollie's Saloon	NO	Accommodation& Food Service: Alcoholic Drinking Places	722410	Food
Henry Beam's Blue Bar	NO	Accommodation& Food Service: Alcoholic Drinking Places	722410	Food
Yin Yin	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Granada Bowl	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Old First Teriyaki	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Groth Brothers	PO	Retail: Auto - Sales	441110	Retail
Bamboo Wall	PO	Retail: Home Furnishing - Décor	442299	Retail
Proctor's	PO	Retail: Home Furnishing - Custom Framing	442299	Retail
Main Street Designs	PO	Retail: Home Furnishing - Décor	442299	Retail
Livermore Glass	PO	Retail: Building Material - Glass	444190	Retail
Jim's Glass	PO	Retail: Building Material - Glass	444190	Retail
Orghipchick	PO	Retail: Clothing& Accessories - Women's	448120	Retail
Diva In U	PO	Retail: Clothing& Accessories - Women's	448120	Retail
Cal Bicycles	PO	Retail: Sporting Goods - Bicycles	451110	Retail
Unity Skateboard & Music Shop	PO	Retail: Sporting Goods - Athletic Equipment & Supply	451110	Retail
Livermore Cyclery	PO	Retail: Sporting Goods - Bicycles	451110	Retail
American Outdoor Sports Supply	PO	Retail: Sporting Goods - Outdoor Equipment	451110	Retail
Bear Attack	PO	Retail: Toy - Plush	451120	Retail
The Valley Music Source	PO	Retail: Musical Instrument -General	451140	Retail
Fretted Friends	PO	Retail: Musical Instrument - Guitar	451140	Retail
Country Morning	PO	Retail: Crafts, Gifts& Novelties - General	453220	Retail
Ryia's Arts Crafts & Unique Décor	PO	Retail: Crafts, Gifts& Novelties - General	453220	Retail
Country Charm	PO	Retail: Crafts, Gifts& Novelties - General	453220	Retail
Valley Pool Center	PO	Retail: Pool Supply	453998	Retail
Mel's Furniture	O	Retail: Home Furnishing - Furniture, New	442110	Retail
Valley Furniture	O	Retail: Home Furnishing - Furniture, New	442110	Retail
B-Z Trading Co	O	Retail: Home Furnishing - Furniture, New	442110	Retail
Firestone Tires	O	Retail: Auto - Tires	441320	Retail
Piersons Auto Stereo	O	Retail: Auto -New Parts & Acc	441320	Retail

Name	Category	Type	NAIC	Sector
A & M Tires & Rims	O	Retail: Auto -New Parts & Acc	441320	Retail
Monument Car Parts	O	Retail: Auto -New Parts & Acc	441320	Retail
Carpet 1	O	Retail: Home Furnishing - Flooring	442210	Retail
Carpets N Colors	O	Retail: Home Furnishing - Flooring	442210	Retail
Abbey Carpet	O	Retail: Home Furnishing - Flooring	442210	Retail
A&R Floor To Ceiling	O	Retail: Home Furnishing - General Furnishing	442299	Retail
Atom Appliance & TV	O	Retail: Household Appliance New & Used	443111	Retail
Premier Home Theatre	O	Retail: Electronics - New	443112	Retail
Metro PCS	O	Retail: Other Electronic Retailer: Cellular Phones	443112	Retail
A & R Paint Annex	O	Retail: Building Materials - Paint/Wall Covering	444120	Retail
Frazee Paint and Wallcovering	O	Retail: Building Materials - Paint/Wall Covering	444120	Retail
Armkea Cabinet and Countertop	O	Retail: Building Materials: Cabinet	444190	Retail
Tri-Valley Door Systems	O	Retail: Building Materials: Door	444190	Retail
Livermore Saw & Mower	O	Retail: Lawn & Garden - Equipment	444210	Retail
Discount Vinyl and Garden	O	Retail: Lawn & Garden - General Supply	444220	Retail
Caratti Jewelers	O	Retail: Jewelry - Precious	448310	Retail
Dom's Outdoor Outfitters	O	Retail: Sporting Goods - Outdoor Equipment	451110	Retail
Sunrise Mountain Sports	O	Retail: Sporting Goods - Athletic Equipment & Supply	451110	Retail
Fantasy Books and Games	O	Retail: Hobby, Toy & Game - New	451120	Retail
Aqua Pet	O	Retail: Pet & Pet Supply	453910	Retail
Way Up Art and Frame	O	Retail: Art Supplies, Frame	453998	Retail
Livermore Auto Exchange	NO	Retail: Auto - Sales	441120	Retail
Contreras Market	NO	Retail: Food& Beverage - Grocery	445110	Retail
7-Eleven	NO	Retail: Food& Beverage - Convenience	445120	Retail
Kelly Meat Market	NO	Retail: Food& Beverage - Specialty Meat	445210	Retail
Carniceria la Auroro	NO	Retail: Food& Beverage - Specialty Meat	445210	Retail
Harvest Farms	NO	Retail: Food& Beverage -Fruit/Vegetable	445230	Retail
Candy Bouquet	NO	Retail: Food& Beverage - Confectionary & Nut	445292	Retail
Van's Health Foods	NO	Retail: Food& Beverage - Specialty	445299	Retail
Isling's Culligan Water	NO	Retail: Food& Beverage - Bottled Water	445299	Retail
Sinfully Sweet-Diabetic Heaven	NO	Retail: Food& Beverage - Specialty	445299	Retail
P&D Liquor	NO	Retail: Beer, Wine& Liquor - Liquor	445310	Retail
First Street Wine Company	NO	Retail: Beer, Wine& Liquor - Wine	445310	Retail
Wine Country Wall	NO	Retail: Beer, Wine& Liquor - Wine	445310	Retail

Name	Category	Type	NAIC	Sector
Vino Cellars	NO	Retail: Beer, Wine& Liquor - Wine	445310	Retail
Bottle, Book and Smoke Shop	NO	Retail: Beer, Wine& Liquor - Liquor	445310	Retail
Valley Gas	NO	Retail: Gasoline Station with Convenience Store	447110	Retail
Arco AM/PM	NO	Retail: Gasoline Station with Convenience Store	447110	Retail
Baughman's Western Wear	NO	Retail: Clothing& Accessories- Western Wear	448140	Retail
Mark Wire Wigs	NO	Retail: Clothing& Accessories - Hair Pieces	448150	Retail
Charlotte's Web	NO	Retail: Clothing& Accessories: Accessory	448150	Retail
Tri-Valley Screen Printing	NO	Retail: Clothing& Accessories - T-shirt custom print	448190	Retail
Not too Naughty	NO	Retail: Clothing& Accessories - Lingerie	448190	Retail
LocStar Clothing Co	NO	Retail: Clothing& Accessories - Men's	448190	Retail
Scrapbooks	NO	Retail: Hobby - Craft Supply	451120	Retail
Prospector's Claim	NO	Retail: Hobby - Equipment & Supply	451120	Retail
Dutch Treat Needlecrafts	NO	Retail: Hobby - Craft Supply	451130	Retail
In Between Stitches	NO	Retail: Hobby - Craft Supply	451130	Retail
Livermore Valley Florist	NO	Retail: Florist	453110	Retail
Helen's Blossom Shop	NO	Retail: Florist	453110	Retail
St. Vincent de Paul	NO	Retail: Thrift Store	453310	Retail
The Book Oasis	NO	Retail: Books - Used, Rare	453310	Retail
Finder's Keepers	NO	Retail: Clothing& Accessories - Consignment	453310	Retail
Valley Care	NO	Retail: Thrift Store	453310	Retail
Cleo's Memory Lane	NO	Retail: Home Furnishing - Décor, Antique	453310	Retail
JJ's Antiques	NO	Retail: Home Furnishing - Décor, Antique	453310	Retail
Thompson Gallery	NO	Retail: Art Dealers - Gallery	453920	Retail
Art D'Cor	NO	Retail: Art Dealers - Gallery	453920	Retail
Discount Cigarettes & Wireless	NO	Retail: Tobacco Store - Cigarettes	453991	Retail
Trophies and T's	NO	Retail: Trophy	453998	Retail
World Wide Signs	NO	Sign Creation	323110	Service
Wingspan Press	NO	Commercial Printing	323110	Service
Livermore Dental Lab	NO	Health Care & Social Assistance: Dental Lab	339116	Service
Bank of the West	NO	Financial: Commercial Bank	522110	Service
Bank of Walnut Creek	NO	Financial: Commercial Bank	522110	Service
Washington Mutual	NO	Financial: Commercial Bank	522110	Service
Valley Community Bank	NO	Financial: Commercial Bank	522110	Service
Bank of America	NO	Financial: Commercial Bank	522110	Service

Name	Category	Type	NAIC	Sector
Bankers Trust	NO	Financial: Commercial Bank	522110	Service
Caldwell Banker	NO	Financial: Commercial Bank	522110	Service
MT Diablo National Bank	NO	Financial: Commercial Bank	522110	Service
Tri-Valley Bank	NO	Financial: Commercial Bank	522110	Service
US Bank	NO	Financial: Commercial Bank	522110	Service
Wells Fargo Bank	NO	Financial: Commercial Bank	522110	Service
Sandia Laboratory Credit Union	NO	Financial: Credit Union	522130	Service
Washington Mutual Home Loans	NO	Financial: Consumer Lending	522291	Service
1st Horizon Home Loans	NO	Financial: Consumer Lending	522291	Service
All California Mortgage, Inc	NO	Financial: Consumer Lending	522291	Service
All Pro Mortgage	NO	Financial: Consumer Lending	522291	Service
Prime Lending	NO	Financial: Consumer Lending	522291	Service
Seattle Mortgage	NO	Financial: Consumer Lending	522291	Service
Vintage Mortgage	NO	Financial: Consumer Lending	522291	Service
Anchor Financial & Real Estate	NO	Financial: Consumer Lending	522291	Service
Wells Fargo Home Mortgage	NO	Financial: Consumer Lending	522291	Service
Allied Brokers	NO	Financial: Mortgage Broker	522310	Service
Beckman Investment Securities	NO	Financial: Securities Brokerage	523120	Service
Quest Securities	NO	Financial: Securities Brokerage	523120	Service
Farmer's Insurance	NO	Financial: Insurance Agencies & Brokers	524210	Service
Livermore Insurance Agency	NO	Financial: Insurance Agencies & Brokers	524210	Service
Allstate	NO	Financial: Insurance Agencies & Brokers	524210	Service
Gene Morgan Insurance	NO	Financial: Insurance Agencies & Brokers	524210	Service
Mc Peake Insurance Agency	NO	Financial: Insurance Agencies & Brokers	524210	Service
MSI Insurance	NO	Financial: Insurance Agencies & Brokers	524210	Service
State Farm- Ron Andre	NO	Financial: Insurance Agencies & Brokers	524210	Service
State Farm - Kathy F.	NO	Financial: Insurance Agencies & Brokers	524210	Service
Harris Insurance	NO	Financial: Insurance Agencies & Brokers	524210	Service
Alain Pinel	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Real Estate Depot & Access Mortgage	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Hometown Real Estate	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Stocking Realty & Investment	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Century 21 Heritage Real Estate	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Bettencourt Real Estate	NO	Real Estate: Offices of Agents & Brokers	531210	Service

Name	Category	Type	NAIC	Sector
Buckley Realty	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Christopher Ross & Associates	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Eagle Ridge Properties	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Francisco Realty	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Help-U-Sell	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Intero Real Estate Services	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Livermore Property Company	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Valley Properties	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Golden Phoenix Property Management	NO	Real Estate: Residential Property Management	531311	Service
Associated Appraisers	NO	Real Estate: Appraisers	531320	Service
Hollywood Video	NO	Rental & Leasing: Video Tape & Disc	532230	Service
All Rents	NO	Rental & Leasing: Rent all Center	532310	Service
Law Office of Timothy B Rien	NO	Professional, Scientific, Tech: Law office	541110	Service
Abramson & Thaete	NO	Professional, Scientific, Tech: Law office	541110	Service
Varni, Fraser, Hartwell, Trutner	NO	Professional, Scientific, Tech: Law office	541110	Service
Ultraspective Photography	NO	Professional, Scientific, Tech: Title Abst.& Settlement	541191	Service
New Country Title	NO	Professional, Scientific, Tech: Title Abst.& Settlement	541191	Service
TiCor Title Company	NO	Professional, Scientific, Tech: Title Abst.& Settlement	541191	Service
Chicago Title Co	NO	Professional, Scientific, Tech: Title Abst.& Settlement	541191	Service
Land American Common Wealth	NO	Professional, Scientific, Tech: Title Abst.& Settlement	541191	Service
Alliance Title	NO	Professional, Scientific, Tech: Title Abst.& Settlement	541191	Service
Fidelity National Title	NO	Professional, Scientific, Tech: Title Abst.& Settlement	541191	Service
Financial Title Company	NO	Professional, Scientific, Tech: Title Abst.& Settlement	541191	Service
Old Republic Title Company	NO	Professional, Scientific, Tech: Title Abst.& Settlement	541191	Service
Del Valle Professional Services	NO	Professional, Scientific, Tech: bookkeeping	541219	Service
A & E Design Services	NO	Professional, Scientific, Tech: Engineering Service	541330	Service
De Haro Construction	NO	Professional, Scientific, Tech: Engineering Service	541330	Service
Castle Comforts	NO	Professional, Scientific, Tech: Interior Design	541410	Service
EAT T.V.	NO	Professional, Scientific, Tech: software design	541511	Service
Jorgensen Associates	NO	Mgmt., Scientific, Tech. Consulting: Financial Planning	541611	Service
ORG Metrics	NO	Mgmt., Scientific, Tech Consulting: Labor relations	541612	Service
Livermore Printers, Design & Sign	NO	Professional, Scientific, Tech: Display Advertising	541850	Service
Creative Camera Photography	NO	Professional, Scientific, Tech: Photography Commercial	541922	Service
Livermore Veterinary Hospital	NO	Professional, Scientific, Tech: Veterinary Services	541940	Service

Name	Category	Type	NAIC	Sector
Animal Hospital of Livermore	NO	Professional, Scientific, Tech: Veterinary Services	541940	Service
BETA Printing	NO	Admin, Support& Remediation: Copy Center	561439	Service
Hawaii World Travel	NO	Admin, Support& Remediation: Travel Agency	561510	Service
Travel Universal	NO	Admin, Support& Remediation: Travel Agency	561510	Service
Travel Bug	NO	Admin, Support& Remediation: Travel Agency	561510	Service
Mexico-World Travel	NO	Admin, Support& Remediation: Travel Agency	561510	Service
Security Eye Patrol	NO	Admin, Support& Remediation: Security Guards	561612	Service
Security Locksmiths	NO	Admin, Support & Remediation: Locksmiths	561622	Service
East Valley Termite Company	NO	Admin, Support & Remediation: Pest Control	561710	Service
Nature's Choice Tree Service	NO	Admin, Support& Remediation: Landscape Service	561730	Service
Del Valle Clinic	NO	Health Care & Social Assistance: Physicians	621111	Service
First Dental Care	NO	Health Care & Social Assistance: Dental	621210	Service
Family Dentistry	NO	Health Care & Social Assistance: Dental	621210	Service
Foothill Dental Care	NO	Health Care & Social Assistance: Dental	621210	Service
Gerard P. deBruin, DDS	NO	Health Care & Social Assistance: Dental	621210	Service
Nolan Cheny, DMD	NO	Health Care & Social Assistance: Dental	621210	Service
Sam Takemoto, DDS	NO	Health Care & Social Assistance: Dental	621210	Service
Smiles by Design	NO	Health Care & Social Assistance: Dental	621210	Service
Thomas Lorance, DDS	NO	Health Care & Social Assistance: Dental	621210	Service
Thomas Marcel, DDS	NO	Health Care & Social Assistance: Dental	621210	Service
Livermore Chiropractic & Wellness	NO	Health Care & Social Assistance: Chiropractic	621310	Service
Coflin Chiropractic	NO	Health Care & Social Assistance: Chiropractic	621310	Service
Fourth Street Chiropractic	NO	Health Care & Social Assistance: Chiropractic	621310	Service
Tri-Valley Optometry Group	NO	Health Care & Social Assistance: Optometry	621320	Service
William Stahl, DPM	NO	Health Care & Social Assistance: Podiatrist	621391	Service
AnthroPCs Counseling Center	NO	Health Care & Social Assistance: Counseling	624190	Service
Kare Recovery, Inc	NO	Health Care & Social Assistance: Substance Abuse	624190	Service
Livermore Center for Enlightenment	NO	Health Care & Social Assistance: Meditation	624190	Service
Groth Brothers	NO	Other Services: General Auto Servicing	811111	Service
Livermore Auto& Winfield Tire	NO	Other Services: General Auto Servicing	811111	Service
Ron's Valley Auto	NO	Other Services: General Auto Servicing	811111	Service
Dick & Ryan's Auto Repair	NO	Other Services: General Auto Servicing	811111	Service
Diversified Vehicle Services	NO	Other Services: General Auto Servicing	811111	Service
Don's Auto Repair	NO	Other Services: General Auto Servicing	811111	Service

Name	Category	Type	NAIC	Sector
TCCH Inc	NO	Other Services: General Auto Servicing	811111	Service
Tire Mart & Auto Express	NO	Other Services: General Auto Servicing	811111	Service
Tri-Valley Car	NO	Other Services: General Auto Servicing	811111	Service
Aamco Transmissions	NO	Other Services: Auto Transmission Servicing	811113	Service
The Body Mechanic	NO	Other Services: Auto Body Servicing	811121	Service
K Express	NO	Other Services: Auto Oil/Lube Servicing	811191	Service
Valley Lube Center	NO	Other Services: Auto Oil/Lube Servicing	811191	Service
Circuit Test	NO	Other Services: Computer service/repair	811212	Service
Tri-Valley Cobbler	NO	Other Services: Footwear Services	811430	Service
Instrument Repair Technologies	NO	Other Services: Instrument Repair	811490	Service
Richard's Barber Shop	NO	Other Services: Barber Shop	812111	Service
Vaughn's Barber Shop	NO	Other Services: Barber Shop	812111	Service
Mel's Barber Shop	NO	Other Services: Barber Shop	812111	Service
Carnegie Park Salon	NO	Other Services: Beauty Salon	812112	Service
Eliambrose's Cut	NO	Other Services: Beauty Salon	812112	Service
Piazza Hair Salon	NO	Other Services: Beauty Salon	812112	Service
Lee Total Body Care	NO	Other Services: Beauty Salon	812112	Service
Visual Image Too	NO	Other Services: Beauty Salon	812112	Service
Beautiful from Head to Toe	NO	Other Services: Beauty Salon	812112	Service
Anita's Salon & Scalp Clinic	NO	Other Services: Beauty Salon	812112	Service
Beauty A La Mode	NO	Other Services: Beauty Salon	812112	Service
Chantilly Lace	NO	Other Services: Beauty Salon	812112	Service
City Limits Custom Hair Cuts	NO	Other Services: Beauty Salon	812112	Service
Claudine's	NO	Other Services: Beauty Salon	812112	Service
Jacline's Salon	NO	Other Services: Beauty Salon	812112	Service
Jass Hair Design	NO	Other Services: Beauty Salon	812112	Service
Michelle Orosco Hair Enhancement	NO	Other Services: Beauty Salon	812112	Service
Talk of the Town Beauty Salon	NO	Other Services: Beauty Salon	812112	Service
3rd Street Salon	NO	Other Services: Beauty Salon	812112	Service
Three Palms Day Spa and Salon	NO	Other Services: Beauty Salon	812112	Service
Touch of Magic	NO	Other Services: Beauty Salon	812112	Service
Lynda's European Skin Care	NO	Other Services: Skin Care	812112	Service
Victorian Edge Salon & Boutique	NO	Other Services: Beauty Salon	812112	Service
Diamond Nails	NO	Other Services: Nails	812113	Service

Name	Category	Type	NAIC	Sector
Tips n' Toes	NO	Other Services: Nails	812113	Service
1st Nail Spa	NO	Other Services: Nails	812113	Service
Tropical Nails	NO	Other Services: Nails	812113	Service
Sanctuary Spa	NO	Other Services: Spa	812119	Service
Radiance Day Spa	NO	Other Services: Spa	812119	Service
Beauty A La Mode le Spa	NO	Other Services: Spa	812119	Service
Wellness Within	NO	Other Services: Therapeutic Massage	812199	Service
Livermore Launderette	NO	Other Services: Coin-Op Laundry	812310	Service
Suds for Duds	NO	Other Services: Coin-Op Laundry	812310	Service
Wash & Dry Coin Op	NO	Other Services: Coin-Op Laundry	812310	Service
J's Cleaners	NO	Other Services: Dry Clean Laundry	812320	Service
Livermore Post Office	NO	Transportation: Postal Service	491110	Service
Sudsy Dog	O	Other Services: Pet Groomer	812910	Service
The Delinquent Dog	O	Other Services: Pet Groomer	812910	Service
Heritage Roofing, Inc	NO	Construction: Roofing Contractor	238160	Other
S & M Company welding	NO	Construction: Welding Contractor	238190	Other
It's All about Dancing	NO	Educational Services: Dance Instruction	611610	Other
Galina's Music Studio	NO	Educational Services: Music Instruction	611610	Other
Open Strings Music Studio	NO	Educational Services: Music Instruction	611610	Other
School of the Valley Dance Theater	NO	Educational Services: Dance Instruction	611610	Other
Warren's Livermore KenPC Karate	NO	Educational Services: Karate	611620	Other
Freemont Swim School	NO	Educational Services: Swim Instruction	611620	Other
Livermore Performing Arts Studio	NO	Arts, Entertainment & Rec: Theatre Company	711110	Other
Valley Dance Theatre	NO	Arts, Entertainment & Rec: Dance Company	711120	Other
Carol Jean's Dance Studio	NO	Arts, Entertainment & Rec: Dance Company	711120	Other
Curin Lee Dancers	NO	Arts, Entertainment & Rec: Dance Company	711120	Other
Carnegie Building	NO	Arts, Entertainment & Rec: Art Gallery, museum	712110	Other
Vine Cinema	NO	Arts, Entertainment & Rec: Other	713990	Other
Masonic Lodge	NO	Other Services: Social & Civic Organizations	813410	Other
Livermore Islamic Center	NO	Other Services: Religious Organizations	813110	Other
Christian Science Reading Rooms	NO	Other Services: Religious Organizations	813110	Other
Forester's Hall	NO	Other Services: Social & Civic Organizations	813410	Other

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June 2007

Supplemental Responses to Comments on the

Environmental Impact Report

for the

El Charro Specific Plan

State Clearinghouse #: 2006052112

Prepared for:

LIVERMORE CALIFORNIA

City of Livermore
City Hall
1052 S. Livermore Avenue
Livermore, CA 94550

Jones & Stokes

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Supplemental Responses to Comments on the Environmental Impact Report for the El Charro Specific Plan

State Clearinghouse #2006052112

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June 2007

Jones & Stokes. 2007. *Supplemental Responses to Comments on the Environmental Impact Report for the El Charro Specific Plan*. June. (J&S 06137.06.) Sacramento, CA.

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Appendix I Downtown Business Characterization City of Pleasanton

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Chapter 1
Introduction

Purpose of the Supplemental Responses

This supplemental document contains comment letters and a transcript of oral comments received on the final environmental impact report[1] (FEIR) prepared in April for the El Charro Specific Plan (ECSP) and responses to the comments in those letters.

This document, together with the FEIR and the draft environmental impact report[2] (DEIR) that was circulated in January 2007 constitutes the FEIR for the City of Livermore ECSP. This document is organized into two chapters.

- Chapter 1, "Introduction," identifies the purpose of this document.
- Chapter 2, "Comments and Responses to Comments," contains the additional written and transcribed oral comments submitted to the City of Livermore (City) on the EIR. Responses are provided to significant environmental points raised in these comments. Each comment letter and transcribed comment is included in this chapter, followed by responses to comments.

This document also includes Appendix I: Downtown Business Characterization, City of Pleasanton.

CEQA Requirements

An FEIR was prepared in April 2007 to respond to comments received on the DEIR during the 45-day public comment period. As described in the FEIR, it met the requirements of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (Section 15132), which require that an FEIR consist of:

- the DEIR or a revision of the DEIR (the DEIR is hereby incorporated by reference);

1 Jones & Stokes. 2007. Final Environmental Impact Report for the El Charro Specific Plan. April. Sacramento, CA.

2 Jones & Stokes. 2007. Draft Environmental Impact Report for the El Charro Specific Plan. Volumes 1 and 2. January. Sacramento, CA.

- comments and recommendations received on the DEIR, either verbatim or in summary;
- a list of persons, organizations, and public agencies who commented on the DEIR;
- the responses of the lead agency to significant environmental points raised in the review and consultation process; and
- any other information added by the lead agency.

Though it is not required by CEQA, the City has decided to respond to comment letters received on the FEIR and include these letters and responses as a component of the EIR prepared for the proposed Project.

Recirculation of an EIR prior to certification is guided by state CEQA Guidelines (Section 15088.5). For example, a lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the DEIR for public review but before the EIR is certified. Such information can include changes to the project or environmental setting, as well as substantive additional data. New information added to an EIR is not considered significant unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect, including a feasible project alternative that the project proponents have declined to implement.

In connection with the standards for adequacy for an EIR, State CEQA Guidelines (Section 15151) state as follows:

> An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

No new significant information was added to the EIR based on the comments and information received and the revisions to the EIR noted in Chapters 2, 3, and 4 of the FEIR (April 2007). In addition, no new significant information not previously addressed was added to the EIR based on the comments received on the FEIR (included herein). Therefore it is not necessary to recirculate the EIR.

Public Review and Consultation Process

The City distributed a notice of preparation (NOP) of a DEIR for the proposed Project on May 16, 2006. The NOP was distributed for a 30-day comment period

that ended on June 22, 2006. The City held an agency and public scoping meeting on the proposed Project on June 8, 2006. The scoping meeting was an opportunity for agencies and the public to obtain information about the proposed Project and to provide input regarding the issues they wanted addressed in the DEIR. Comments about the NOP were considered in the preparation of the EIR.

The DEIR and ECSP were distributed to various public agencies, citizen groups and interested individuals for a 45-day public review period, from January 10, 2007, through February 26, 2007. The DEIR was circulated to state agencies for review through the State Clearinghouse of the Governor's Office of Planning and Research. The DEIR and ECSP were made available for review on the City's website (http://www.ci.livermore.ca.us/CDD/Planning/planning.html) as well as in the City's offices at City Hall.

During the review period, the public was invited to a special Planning Commission public hearing on February 13, 2007, at 7:30 p.m., at the City of Livermore City Council chambers. The public was asked to provide oral or written comments during the meeting or provide written comments before closure of the public review period. Oral comments were received from several interested parties. A total of 26 letters were also received during the comment period. These letters and responses to the comments they contain are included in the FEIR prepared in April 2007.

At a public hearing on April 24, 2007, the Planning Commission considered the proposed Project and the EIR and made recommendations for the City Council to adopt the proposed ECSP; approve or deny the specific actions related to the ECSP, including proposed general plan amendments; certify the FEIR; and approve the Prime Outlets Livermore Valley retail project. In response to these recommendations and to the FEIR, four letters were received from public agencies and interested parties. Thought not a required step in the CEQA process, the City has decided to respond to the comments received at the hearing. This document includes the four comment letters received, the transcribed oral comments, and responses to the individual comments.

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Chapter 2

Comments and Responses to Comments

Introduction

This chapter documents the responses to each of the comments received on the EIR on April 24, 2007. Agencies and individuals who submitted written comments on the EIR on April 24 are identified in Table 2-1. Individuals who attended the April 24 public hearing and provided oral comments are listed in Table 2-2.

A total of 26 comment letters were received for the project during the public comment period for the Draft EIR. These letters are included in the FEIR[1] prepared in April 2007. The FEIR was discussed at the public hearing held before the Planning Commission at the City of Livermore City Council chambers (3575 Pacific Avenue) on April 24, 2007, at 7:30 p.m. Four additional letters were received on the FEIR the day of the hearing, and oral comments were provided by nine individuals. The following supplemental responses to these additional comments are not required to be prepared under CEQA, but nonetheless will be incorporated into the FEIR. All comment letters received by the City were assigned a unique identification number indicating whether they were from a public agency or an interested party. The oral comments were transcribed and given a unique identification number. The following key presents the code and numbering system used by the City to identify written comments received, and the responses to the comments.

Comment Code Key (Written Comments):
PA = public agency comment
IP = interested party comment
TR = transcribed comment

Examples:
PA1-1 = letter number 1 from those sent by public agencies, first comment in the letter
PA1-2 = letter number 1 from those sent by public agencies, second comment in the letter

1 Jones & Stokes. 2007. Final Environmental Impact Report for the El Charro Specific Plan. April. Sacramento, CA.

Table 2-1. Written Comments Received on the EIR on April 24, 2007

Commenter	Comment Letter Number
State Agencies	
California Department of Transportation	PA17
Local Agencies and Special Districts	
City of Dublin	PA18
Individuals and Businesses	
El Charro Vista, LLC, Tri-Valley Golf Center, Syufy Enterprises and SyWest Development, represented by Sheppard Mullin Richter & Hampton LLP	IP11
Vulcan Materials Company, Western Division, represented by Wendel, Rosen, Black & Dean LLP	IP12

Table 2-2. Oral Comments Received on the EIR on April 24, 2007

Commenter	Comment Number
Special Interest Groups	
Jean Rozsnyai, Save Our Hills	TR2-3
Individuals and Businesses	
Michael Hasaka	TR2-2
John Stein	TR2-5
Randy Smith	TR2-6
Don Kahler	TR2-7
Don Miller	TR2-8
Gregor Markel	TR2-9
El Charro Vista, LLC, Tri-Valley Golf Center, Syufy Enterprises and SyWest Development, represented by Sheppard Mullin Richter & Hampton LLP	TR2-4
Rhodes & Jamieson, represented by Reed Smith	TR2-10

Comment Letter PA17—California Department of Transportation

Sent By: CALTRANS TRANSPORTATIO PLANNING; 510 286 5560; Apr-24-07 2:52PM; Page 1/1

PA17

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5505
FAX (510) 286-5559
TTY (800) 735-2929

Flex your power!
Be energy efficient!

April 24, 2007

ALA580825
SCH2006052112
ALA-580-16.70

Ms. Susan Frost
City of Livermore
1052 S. Livermore Avenue
Livermore, CA 94550

Dear Ms. Frost:

El Charro Specific Plan – Final Environmental Impact Report (EIR)

Thank you for continuing to include the California Department of Transportation (Department) in the environmental review for the proposed project. The comments presented below are based on the Final EIR for the El Charro Specific Plan.

PA17-1

Response to Comment PA5-4
The response states that the EIR identified no significant impacts at the intersections of Tassajara Road/I-580 westbound ramp and Fallon Road/I-580 westbound ramp. However, it is stated on page 4-40 of the Draft EIR and page 4-60 of the Revisions to the Draft EIR that the intersection of Tassajara Road/I-580 westbound ramp would operate at Level of Service (LOS) F during the P.M. peak. The Fallon Road/I-580 westbound ramp would operate at LOS E during the P.M. peak. It also states that adding a third westbound right-turn lane could mitigate this impact. Please provide clarification.

Should you have any questions regarding this letter, please call Lisa Carboni of my staff at (510) 622-5491.

Sincerely,

Timothy C. Sable

TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

c: Scott Morgan (State Clearinghouse)

"Caltrans improves mobility across California"

Response to Comment PA17

Response to Comment PA17-1

The comment asks for clarification about the level of significance for traffic impacts to Tassajara Road/I-580 westbound ramp and Fallon Road/I-580 westbound ramp.

Several different scenarios were evaluated in the DEIR and FEIR. As these interchanges are in Dublin, the level of service (LOS) standard is D. Anything worse than D is considered significant.

The direct impact analysis examined 2008 conditions with the project (see Table 3.15-8 in the DEIR). With these conditions, the peak LOS at Tassajara Road/I-580 westbound ramp would be B/B (AM/PM) and at Fallon Road/I-580 westbound ramp would be B/B. Impacts in this scenario are less than significant.

The "base" cumulative analysis examined cumulative 2030 conditions with the project with a Stoneridge Drive Extension (as called for in the current Pleasanton General Plan). With these conditions (see Table 4-6 in the DEIR), the peak hour LOS at Tassajara Road/I-580 westbound ramp would be D/B and at Fallon Road/I-580 westbound ramp would be C/D. Impacts in this scenario are less than significant.

A second cumulative scenario examined cumulative 2030 conditions with the project without a Stoneridge Drive Extension (as was under consideration at that time by the City of Pleasanton during its General Plan Update). With these conditions (see Table 4-11), the peak hour LOS at Tassajara Road/I-580 westbound ramp would be F/C and at Fallon Road/I-580 westbound would be B/D. Impacts in this scenario would be significant as noted in Chapter 4 of the DEIR. As described in the DEIR, no additional improvements have been identified or funded relative to the Tassajara Road/I-580 westbound ramp intersection, and it is unknown whether any mitigation is even feasible or whether the respective lead agencies would choose to implement any mitigation projects, and thus in this scenario the DEIR identified a significant and unavoidable impact. As described in the DEIR, adding a third westbound right-turn lane could mitigate this impact, but it is unknown whether the City of Dublin and Caltrans would choose to implement this mitigation, and thus in this scenario, the DEIR identified a significant and unavoidable impact.

Between the publications of the DEIR and the FEIR, the City determined that the Jack London Boulevard Extension only needed to be two lanes for this project. A third cumulative scenario examined cumulative 2030 conditions with the project (with a two-lane Jack London Boulevard Extension) with a Stoneridge Drive Extension. With these conditions (see Table G-1 in Appendix G in the FEIR), the peak hour LOS at Tassajara Road/I-580 westbound ramp would be C/B and at Fallon Road/I-580 westbound would be C/D. Impacts in this scenario are less than significant.

Thus, the statement provided in the response to Caltrans Comment PA5-4 in the FEIR was referring to the cumulative analyses that included the Stoneridge Ridge Drive Extension when it was stated that significant impacts were not identified at these two freeway ramps. Recently, the City of Pleasanton has identified a preferred circulation plan for evaluation in the General Plan Update and associated EIR that includes a Stoneridge Drive Extension. At this time, since the existing Pleasanton General Plan includes the extension, this is the reasonably foreseeable condition, and thus the conclusions for the "base" cumulative analysis hold, and no further mitigation is necessary.

Significant impacts would occur in the cumulative scenario without the Stoneridge Drive Extension. As noted in the DEIR on page 4-38, although the Specific Plan's traffic contribution to the cumulative impacts may be greater or occur at different locations under conditions that occur without the Stoneridge Drive Extension than under conditions that would occur with the extension, the increased or changed impacts would be caused by a future policy action by an outside agency, the likelihood and status of which is currently uncertain, and therefore mitigation would be required by that agency. Thus, the City does not propose to adopt mitigation for this scenario, which is not reasonably foreseeable at this time.

No revisions to the EIR are necessary.

Comment Letter PA18—City of Dublin

04/24/2007 15:48 FAX 925 833 6628 CITY OF DUBLIN 002/002

PA18

CITY OF DUBLIN

100 Civic Plaza, Dublin, California 94568 Website: http://www.ci.dublin.ca.us

Delivered via fax to 925-960-4459

April 24, 2007

Susan Frost
City of Livermore
1052 South Livermore Avenue
Livermore, CA 94550

Subject: El Charro Specific Plan – Response to Comments - Final Environmental Impact Report for the El Charro Specific Plan

Dear Ms. Frost:

Thank you for sending the Final EIR for the El Charro Specific Plan to the City of Dublin. The City of Dublin has carefully reviewed the responses and offers the following comments.

1. **Response to Comment PA 11-4.** The response correctly notes that Livermore, Pleasanton and Dublin are currently finalizing a cost sharing agreement for funding Phase 1 interchange improvements. The response should be clarified to note that the agreement is also expected to address Phase 2 improvements as well. It is Dublin's understanding that the Phase 2 improvements are not included in the RTP, and thus, the last paragraph of the response should be deleted. As noted in Comment PA 11-4, the funding agreement to implement the ultimate interchange project should be identified as a mitigation measure to assure implementation of the ultimate project. PA18-1

2. **Response to Comment PA 11-10.** The City of Dublin appreciates the concerns expressed in the response, but continues to disagree generally with reciprocity qualifications for cumulative traffic mitigations. The fair share elements of cumulative impact mitigations would be established through related impact fee programs or other similar mechanisms to implement the mitigation and identified improvements. The program or other formal mechanism would ensure that the participants' fair share would also be roughly proportional to their impact. PA18-2

3. **Response to Comment PA 11-11.** The reference to PA 11-3 should be corrected to PA 11-2. PA18-3

The City of Dublin appreciates the time and effort spent responding to the comments submitted on the Draft EIR and looks forward to continuing to work with the City of Livermore staff on issues related to the El Charro project, especially with respect to traffic. PA18-4

Sincerely,

Jeff Baker
Senior Planner

cc: City of Dublin City Council
Richard Ambrose, City Manager
Jeri Ram, Community Development Director
Mary Jo Wilson, Planning Manager
Melissa Morton, Public Works Director

Area Code (925) · City Manager 833-6650 · City Council 833-6650 · Personnel 833-6605 · Economic Development 833-6650
Finance 833-6640 · Public Works/Engineering 833-6630 · Parks & Community Services 833-6645 · Police 833-6670
Planning/Code Enforcement 833-6610 · Building Inspection 833-6620 · Fire Prevention Bureau 833-6606

Response to Letter PA18

Response to Comment PA18-1

The comment asks for clarification about the agreement between the Cities of Livermore, Pleasanton, and Dublin for cost-sharing for Phase 1 and Phase 2 improvements to the El Charro/Fallon/I-580 interchange; states that the Phase 2 improvements are not in the RTP; and states that Phase 2 funding should be identified as a mitigation measure.

The comment is correct that the Phase 2 improvements are not in the current RTP, and the language in the prior Response to Comment PA11-4 is hereby changed to remove such reference.

However, the Phase 2 interchange is included in the City of Dublin's General Plan. An excerpt from the Dublin Circulation Element reads, "Upgrade the Fallon Road interchange to the same standards as the Dougherty Road and Hacienda Drive interchanges (i.e., 3 through lanes in each direction across the overpass and a partial cloverleaf ramp system)." The City of Dublin assumed the Phase 2 interchange was completed by 2025 in its Fallon Village EIR, which is a similar assumption used for the ECSP EIR. When the City of Livermore asked City of Dublin staff what geometries to use on this EIR, the response provided was to be consistent with the Fallon Village EIR.

The Cities of Dublin, Pleasanton and Livermore agree in principle on a cost sharing arrangement to cover the fair share costs for the interchange improvements with the understanding that Livermore and Pleasanton would each contribute 25% and Dublin would contribute 50%. Livermore's 25% share is programmed in Livermore's Traffic Impact Fee Program. Dublin staff indicated their 50% share is funded partially through direct developer contributions and the Dublin Traffic Impact Fee. Pleasanton's 25% share is funded by a combination of assessment district funds and other local Pleasanton City funds. The cost sharing arrangement has been incorporated into an agreement to be approved by each City in coordination with Livermore's approval of the El Charro Specific Plan. Per this agreement, construction of the Phase 2 improvements would commence when one or both of the traffic signals serving the interchange have deteriorated to a level of service E during the AM and PM peak hours. The current Phase 1 improvements are fully funded by Dublin for its approved developments except for the on-loop, which Pleasanton asked to be included and has agreed to pay for. The City of Livermore has agreed to fund a second right lane for the eastbound off-ramp (this improvement is included in the project analyzed in the EIR as Mitigation Measure TRA-2b).

Due to the inclusion of Phase 2 in the City of Dublin's General Plan, the understanding about cost-sharing for the ultimate improvements between the three cities, and financial planning by all three parties, this improvement is considered reasonably foreseeable for the cumulative traffic analysis of the ECSP EIR, similar to the prior Fallon Village EIR.

As noted above, the reference to Phase 2 of the El Charro/Fallon/I-580 interchange being included in the RTP in response to comment PA11-4 in the FEIR is hereby deleted.

No further revisions to the EIR are necessary.

Response to Comment PA18-2

The City of Dublin's general disagreement with the reciprocity qualification imposed by the City for cumulative traffic mitigation is noted. The City of Dublin does not provide further legal or factual support for the basis for its disagreement. The City stands by its reasoning for requiring reciprocity between its neighboring jurisdictions for mitigating cumulative traffic conditions. (See Response to Comment PA11-10 in the FEIR[2].)

No revisions to the EIR are necessary.

Response to Comment PA18-3

The correction of the reference to responses to comments in letter PA11 is acknowledged. Response to comment PA11-11 in the FEIR should have included a reference to PA11-2.

No revisions to the EIR are necessary.

Response to Comment PA18-4

This comment acknowledges the time and effort spent on responding to comments on the DEIR and the interest of the City of Dublin in working with the City on issues related to the proposed Project.

The City looks forward to working with the City of Dublin.

No revisions to the EIR are necessary.

2 Jones & Stokes. 2007. Final Environmental Impact Report for the El Charro Specific Plan. April. Sacramento, CA.

Comment Letter IP11—El Charro Vista, LLC, Tri-Valley Golf Center, Syufy Enterprises and SyWest Development, represented by Sheppard Mullin Richter & Hampton LLP

IP11

SHEPPARD MULLIN
SHEPPARD MULLIN RICHTER & HAMPTON LLP
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jdavidoff@sheppardmullin.com

April 24, 2007

Our File Number: 0100-092293

VIA HAND DELIVERY AND FEDERAL EXPRESS

Planning Commission
City of Livermore
3575 Pacific Ave
Livermore, CA 94550

Re: **Comments by El Charro Vista, LLC., Tri-Valley Golf Center, Syufy Enterprises and SyWest Development on Item 4.1, a hearing to review the proposed El Charro Specific Plan (SP05-003) and to consider a request to develop a retail outlet mall on 42 +/- acres within the proposed Specific Plan.**

Dear Planning Commissioners:

We are writing on behalf of our clients, El Charro Vista, LLC., Tri-Valley Golf Center, Syufy Enterprises and SyWest Development (collectively, "El Charro"), to raise issues and concerns about the proposed El Charro Specific Plan and the Prime Outlet development proposal (Planning Commission Agenda Item 4.1, collectively referred to as "El Charro Specific Plan").

Tri-Valley Golf Center has been in business for almost 15 years. The City of Livermore ("City") approached us requesting that we consider redeveloping our property. Despite the fact that the Tri-Valley Golf Center has been and remains a successful business, enjoyed by many members of the community, we worked in good faith with the City and adjacent property owners to consider the City's redevelopment proposals. Unfortunately, despite these efforts, significant outstanding issues remain. Accordingly, we intend to continue operating the Tri-Valley Golf Center. El Charro is not prepared to proceed with the proposed Development Agreement. Because our concerns with the City's current proposal are numerous and substantial, as outlined below, we respectfully request that the Planning Commission continue the hearing on the El Charro Specific plan to allow further discussion. By way of summary, El Charro's objections to the El Charro Specific Plan as currently proposed include the following:

IP11-1

1. The Specific Plan is inconsistent with the goals and policies of the General Plan and fails to mitigate those inconsistencies.

2. The Specific Plan erroneously relies on a funding mechanism that cannot support the estimated public infrastructure costs and is fundamentally flawed.

3. The proposed rezoning is inconsistent with the General Plan.

4. The proposed Development Agreements are incomplete.

5. The Environmental Impact Report ("EIR") fails to comply with the California Environmental Quality Act ("CEQA") because it:

   a. has an improper description of the project setting and environmental baseline;

   b. fails to adequately assess cumulative impacts;

   c. proposes inadequate future mitigation measures;

   d. includes an inadequate analysis of physical deterioration/urban decay impacts;

   e. fails to analyze energy impacts.

6. The taking of any El Charro property for public infrastructure use requires just compensation under the Fifth Amendment of the Constitution.

IP11-1 Cont.

El Charro recognizes that there will be other opportunities to comment and raise concerns regarding the proposed El Charro Specific Plan and Prime Outlet development proposal. This letter is intended to serve as a preliminary basis for El Charro's objections.

Specific Plan Issues

1. Inconsistency

No specific plan may be adopted or amended unless it is consistent with the general plan. Cal. Gov't Code section 65454. A Specific Plan must do more than merely recite the goals and policies that are consistent with a General Plan to be valid. It must identify and mitigate any inconsistent goals, and even if those inconsistencies do not create an outright conflict.

IP11-2

The City's General Plan designates a majority of the El Charro Specific Plan area as Business and Commercial Park ("BCP"). Under this designation, a mix of limited service and highway commercial, community/regional commercial retail, office and light industrial activities

is anticipated. Livermore General Plan, Land Use Element, page 3-24. The Specific Plan, however, only authorizes accessory office uses and no light industrial activities.

The Land Use Element of the General Plan specifically identifies and discusses the jobs/housing imbalance in the City. It recognizes that "Livermore had relatively expensive housing units compared to relatively lower paying jobs; it lacked affordable housing for lower paid workers and higher paying jobs for residents of more expensive housing" and "seeks to attain a jobs/housing balance and match." Livermore General Plan, Land Use Element, page 3-8. Even the Economic Development and Fiscal Element of the General Plan focuses on the jobs housing balance and includes a specific objective to "[i]nitiate strategies to attract additional higher wage jobs, leading to decreased out-commuting and a better jobs/housing match." Livermore General Plan, Economic Development and Fiscal Element, Objective ED2.1, page 11-10. The El Charro Specific Plan is inconsistent with the General Plan because it only authorizes retail or commercial development, not office or light industrial, thereby promoting a use that creates lower paying retail service jobs and contributes to the City's jobs/housing imbalance.

IP11-2 Cont.

The El Charro Specific Plan also conflicts with other areas of the General Plan, including the following objectives:

- Objective LU-1.1 - Locate new development so as to create a consolidated pattern of urbanization, maximizing the use of existing public services and facilities; and
- Objective LU-1.4 - Encourage commercial development that will support and enhance a vibrant Downtown and serve existing neighborhoods.

The development anticipated under the Specific Plan requires extensive public service and facility improvements, including a major roadway extension. The Specific Plan also specifically authorizes new retail uses in an area surrounded by the municipal golf course, mining operations and the airport. Encouraging retail and commercial development in an un-urbanized area outside of the Downtown Area is inconsistent with the intent of the General Plan and may threaten the viability of Downtown retailers.

Finally, the General Plan anticipates that "property within the immediate vicinity of the Airport [will be used for] for light industrial and transportation uses." Livermore General Plan, Land Use Element, page 3-45. The land uses authorized under the proposed El Charro Specific Plan are retail and commercial – light industrial is not permitted.

Given the broad scope of a General Plan, it is not uncommon for inconsistencies to exist between a General and Specific Plan. Where those inconsistencies exist, however, the City is required to analyze the inconsistencies and mitigate them.

2. Funding Mechanism

A Specific Plan is required to include an analysis of the funding mechanism for any necessary public infrastructure or other improvements. The El Charro Specific Plan assumes that a Community Facilities District (CFD) under the Mello-Roos Community Facilities Act of 1982 will be established to fund the over sixty-five (65) million dollars of required public improvements. CFDs work by assessing all parcels a certain annual tax increase (traditionally not more than a two percent increase over their existing tax bill) to cover the cost of City issued bonds for the required public improvement. Typically, CFDs apply to large single owned parcel(s) or high multiples of parcels and property owners and provide jurisdictions with flexibility on assessing various rates to accommodate differences between various parcels. IP11-3

While the CFD is not currently before the Planning Commission for consideration, it is the primary funding mechanism for the Specific Plan's required public infrastructure and therefore is relevant. As proposed, the CFD is unprecedented. The CFD (1) estimates an approximate $375,000 annual tax assessment (or a more than a 6,150% increase in the annual tax) on the El Charro parcel, (2) applies to five small property owners, instead of one owner or many owners, and (3) assumes an assessment rate that is arbitrary and based on floor area ratio (FAR) requested by one parcel, the Prime Outlet development, and does not differentiate between parcel location, size constraints or other factors that will significantly impact site development. These discrepancies from a typical CFD may impact the City's ability to issue and obtain favorable financing rates for any bonds.

The CFD also assumes an ability to assess all property owners within the El Charro Specific Plan area. El Charro does not intend to participate in the CFD. Without El Charro's involvement and contribution, it is unclear if the CFD can proceed. Given the uncertainty of the CFD, the Specific Plan must consider other potential funding mechanisms for the public infrastructure improvements.

Zoning Change

Zoning ordinances must be consistent with the General Plan. *See* Cal. Gov't Code, section 65860(a). As part of the El Charro Specific Plan, the Planning Commission is considering an application to rezone parcels within the plan area. The proposed rezoning is to Planned Development – El Charro Specific Plan – Regional Commercial or – Highway Regional Commercial.[1] Permitted and conditionally-permitted uses under this zoning are limited to retail IP11-4

[1] The El Charro Specific Plan also zones certain parcel Planned Development-El Charro Specific Plan-Open Space. This rezoning is consistent with the General Plan designation for these parcels and only applies to property presently owned by the City of Livermore and will not be discussed.

and entertainment type uses. This is inconsistent with the General Plan Business and Commercial Park (BCP) designation.

The BCP designation authorizes office and light industrial uses and "encourages the development of employment-generating activities adjacent to destination-oriented and limited retail commercial uses." Livermore General Plan, Land Use Element, page 3-24. If the General Plan had anticipated only retail or commercial uses for these parcels it would have designated them Community Serving General Commercial ("CSGC"). This designation encourages "commercial uses generally consisting of a size, bulk, and coverage found in a regional retail shopping center environment." Livermore General Plan, Land Use Element, page 3-21. To rezone all the parcels a zoning designation that prevents a more intense, employment generating use, is inconsistent with the General Plan.

IP11-4 Cont.

El Charro is particularly concerned that the proposed rezoning will make its existing use of the property as a golf driving range a non-conforming use. The golf driving range has been in business for over almost fifteen (15) years, but under the new zoning it would not be a permitted or conditionally permitted use. Given the proximity of El Charro's parcel to the municipal golf course, its use as a golf driving range is suitable and should be encouraged – especially since no other viable development alternative presently exists. Moreover, if a goal of the General Plan is to "[i]mplement policies and actions that will encourage existing businesses to remain and grow in Livermore," declaring the golf driving range a non-conforming use conflicts with this goal. Livermore General Plan, Economic Development and Fiscal Element, page 11-7.

Development Agreements

Under the El Charro Specific Plan each property may enter into a Development Agreement with the City to vest their development rights and take advantage of certain tax and fee incentives. El Charro is not prepared to proceed with the Development Agreement as proposed. Like all the other Development Agreements being considered, it lacked detailed information about the vested development rights and corresponding obligations of the developer. Absent these, and other terms and conditions, the City and property owner(s) cannot mutually consent to the obligation being imposed. Moreover, to afford the public an opportunity to comment on the "project" the terms of the Development Agreement must be finalized before being considered by City or discussed in a public forum.

IP11-5

CEQA

The City of Livermore's Environmental Impact Report for the El Charro Specific Plan violates CEQA in that the City has failed to proceed in the manner required by law, and many of the City's findings are not supported by substantial evidence. Public Resources Code section 21168.5. An EIR must include sufficient detail to enable those who did not participate in its preparation to understand and to meaningfully consider the issues raised by the proposed project.

IP11-6

1. Project Setting and Environmental Baseline

Before the impacts of a project can be assessed and mitigation measures considered, an EIR must describe the existing environment. It is only against this baseline that any significant environmental effects can be determined. An EIR must contain a description of the environmental setting of the project, and this description must describe the actual physical conditions of the project site when the notice of preparation of the EIR is published. Guideline section 15125(a). IP11-7

Here, the EIR uses the expected roadway facilities and assumed traffic conditions without the project in 2008 as the current baseline for the environmental analysis. The EIR's comparison of the plan's potential impacts measured against hypothetical conditions contemplated by the existing plan violates CEQA. The EIR here is legally inadequate as an informational document because it fails to analyze consistently and coherently the impacts of the project relative to leaving the land in its existing physical condition.

2. Cumulative Impacts

Proper cumulative impact analysis is vital because the full environmental impact of a proposed project cannot be gauged in a vacuum. One of the most important environmental lessons that has been learned is that environmental damage often occurs incrementally from a variety of small sources. These sources appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact.

Here, the EIR has failed to consider the cumulative environmental impacts resulting from proposed updates to Pleasanton's General Plan. Pleasanton is now considering the appropriate land uses for the former Kaiser/Hanson and Kiewit Construction quarry properties. The owners of these properties have requested land use designations that would permit up to 1,170 residential unites along with industrial, commercial and park uses. Development of these properties would significantly affect the new El Charro/Stoneridge/Jack London intersection to be constructed. Additionally, the City of Pleasanton is now considering a proposed Home Depot at the Bernal/Stanley intersection which would cause increased traffic on El Charro Road. The City concedes, however, that these projects were not incorporated into the cumulative build out numbers in the Transportation and Traffic analysis because they have not been "adopted," and thus are "speculative. (*See* Response to Comment IP7-6). The City, however, has failed to proceed in the manner required by law. IP11-8

An adequate cumulative impact analysis requires a list of projects producing related or cumulative impacts. Guidelines, section 15023.5(c)(1). The contents of this list must include "closely related past, present, and reasonably foreseeable probable future projects." Guidelines section 15023.5(b). The City has a duty to interpret these guidelines so as to afford the fullest possible protection to the environmental within the reasonable scope of the language. Moreover,

the City had a duty to use reasonable efforts to discover, disclose and discuss related projects which are under the administrative jurisdictions of other city, state and federal agencies. Contrary to the City's conclusion in the EIR, projects which are under review are reasonably foreseeable probable future projects. The City's failure to consider the cumulative impacts of reasonably foreseeable future probable future projects in Pleasanton and other jurisdictions constituted a prejudicial abuse of discretion.

IP11-8 Cont.

3. Mitigation Measures

The EIR's 2008 baseline for traffic conditions assumes approved and funded roadway improvements, including the I-580/Fallon Road El Charro Road Interchange (Phase 1) – installation of partial loop ramps, signalization of ramp intersections, and widening of the overpass from two lanes to four lanes. The EIR's cumulative impact baseline analysis similarly assumes improvements to the interchange including the widening of the freeway overpass from four to six lanes and improvements of the ramps. While the EIR recognizes the importance of these improvements as means of mitigating the project's future impacts, it is silent on the funding and implementation of these improvements.

In the responses to comments, the EIR states: "[i]t is expected that the cities of Livermore, Pleasanton and Dublin will finalize a cost sharing agreement for the funding of Phase 1 improvements to the I-580/El Charro Road-Fallon Road interchange shortly." (*See* Response to Comment PA 11-4). Here, the City has run afoul of the of CEQA's mandates. CEQA requires that feasible mitigation measures actually be implemented as a condition of development, and not merely be adopted and then neglected or disregarded. Courts have explained that when future traffic congestion will result from the cumulative impact of several projects, cumulative traffic mitigation measures for a single project may be deemed sufficient if those measures are based on a reasonable plan of actual mitigation that the relevant agency commits itself to implementing.

IP11-9

Here, because the EIR assumes that cumulative traffic conditions will be less than significant *based on assumptions regarding future improvements that are merely speculative*, the EIR is legally deficient and the City has failed to proceed in the manner required by law.

4. Physical Deterioration/Urban Decay Impacts

Physical deterioration of a commercial area resulting from the economic competitive effects of a new development has long been recognized as an environmental effect subject to CEQA's requirements. Here, the EIR states that "an analysis of the possible effects of the Prime Outlets Livermore Valley on the downtown areas of the City of Livermore was conducted." (*See* Response to Comment TR-5). A review of that "analysis," however, at attachment H to the EIR, reveals that the City's findings are not supported by substantial evidence. Instead, the "analysis" is rife with blatant speculation. It states in relevant part: "*It is reasonable to assume* that certain businesses in the commercial core would be adversely affected by the competition presented by a

IP11-10

retail center such as Prime Outlets Livermore Valley. *In some cases these businesses may fail as a result of the competition.* Because retail outlets make up only approximately 30 percent of businesses in the commercial cores, and less than one-third of these businesses are in direct overlap with the Prime Outlets Livermore Valley stores, *the number of businesses failures would likely be small. It is also reasonable to assume* that with the anticipated growth in the region, replacement businesses would that would not be in competition with the Prime Outlets would relocate into the vacated stores." (*See* attachment H at p. 5)

IP11-10 Cont.

The EIR's "analysis" of urban decay is further legally deficient because of its failure to analyze the project's potential impacts beyond downtown Livermore. An EIR is required to discuss significant impacts that the proposed project will cause in the area that is affected by the project. Guidelines section 15126.2(a). Furthermore, Guidelines section 15130(b)(1)(B) directs agencies to define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used.

Here, the EIR provide no explanation for its failure to analyze the project's potential to cause urban decay outside Livermore's city limits. The Supreme Court recently confirmed that an agency must identify and attempt to mitigate the extraterritorial environmental effects of any project it intends to carry out or approve.

CEQA requires a public agency to mitigate or avoid its project's significant effects not just on the agency's own property but *on the environment*. Here, the EIR acknowledges that the Prime Outlets project will have regional impacts, but yet it provides no analysis whatsoever regarding the project's potential to cause physical deterioration outside the City of Livermore. Recent court holdings make it clear that the EIR is legally deficient, and the City therefore has failed to proceed in the manner required by law.

5. Energy Impacts

The EIR provides no analysis of the project's energy impacts. Appendix F of the CEQA Guidelines states in part: "[i]n order to assure that energy implications are considered in project decisions, the California Environmental Quality Act requires that EIR's include a discussion of the potential energy impacts of the proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy." The EIR's omission of this mandatory analysis renders it legally inadequate as an informational document.

IP11-11

6. Impacts On El Charro's Existing Business

The EIR fails to analyze the environmental, healthy and public safety issues inherent in the Project's plan to proceed with construction while El Charro conducts business. This omission renders the EIR inadequate as an informational document.

IP11-12

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Taking/Inverse Condemnation

The Fifth Amendment of the United States Constitution states in part "nor shall private property be taken for public use, without just compensation." As presented, the proposed Project substantially and detrimentally encroaches upon El Charro's property by, among other things, the alignment of Road B, the proposed vineyard buffer, the relocation of Freisman Road, and the proposed BART extension. In addition to materially interfering with the ongoing business, the City's proposed actions will interfere with existing, long-term cellular telephone company leases. Consequently, the City's actions would subject it to inverse condemnation damages, or, at a minimum, substantial severance damages. Code of Civil Procedure section 1263.410(a). IP11-12 Cont.

* * * * * * * * * *

El Charro appreciates the hard work of City staff and adjacent property owners on the proposed El Charro Specific Plan and, again, is disappointed that issues continue to exist with the El Charro parcel. We reiterate our request for a continuance of this matter to allow additional time for what we hope and expect would be meaningful discussions. Thank you for your attention and we look forward to your response. IP11-13

Sincerely,

Judy V. Davidoff

for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

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cc: Linda Barton, City Manager
John Pomidor, City Attorney
Judith Propp, Assistant City Attorney
Mark Roberts, Community Development Director
Susan Frost, Principal Planner
Chris Finn, SyWest Development
Victor Castillo, Syufy Enterprises
Bill Vierra, SyWest Development

Response to Comment Letter IP11

Response to Comment IP11-1

This comment is introductory and presents the background for the interest of the property owners to not proceed with the proposed Development Agreement, but rather continue to operate the Tri-Valley Golf Center.

The comment provides an outline summary of the content of subsequent portions of the letter and notes that other opportunities to raise concerns about the proposed Project and development within the Specific Plan Area will exist.

No revisions to the EIR are necessary.

Response to Comment IP11-2

This comment addresses General Plan consistency relating to the proposed land uses, jobs/housing match, pattern of urbanization, effects on downtown Livermore, and airport vicinity.

The Specific Plan Area is designated Business and Commercial Park (BCP) and Limited Agriculture. The BCP designation allows for a mix of employment-generating and destination-oriented commercial uses, including community/regional commercial uses, professional and administrative offices, highway-oriented commercial uses, support and ancillary services, and low-intensity industrial uses. The appropriate mix of the uses within an area designated for BCP would be determined by a number of factors including parcel sizes, location, market conditions, and surrounding land uses. It has been determined, through the preparation of the Specific Plan, that El Charro Road is most appropriate for primarily regional commercial retail uses. This location takes advantage of planned and existing regional circulation (I-580 and the Jack London Boulevard Extension), surrounding land uses, and location within the region. Other BCP areas in the City are more appropriately focused on office and light industrial uses given their proximity not only to regional circulation, but also to supporting land uses such as residential and commercial. While the BCP land use designation does allow for a mix of regional/community commercial, office, highway commercial, and industrial uses, it does not mandate or require that all the uses be included in a BCP-designated area.

The jobs/housing balance within the City was carefully considered during the recent General Plan Update. General Plan policies acknowledge not only the goal of balancing planned housing with anticipated employment growth, but also the need to match housing affordability with household incomes. The General Plan does promote the creation of higher-paying jobs to, in part, balance jobs with relatively higher housing costs. The General Plan also supports the development of more housing affordable to lower-income households. It would be unreasonable to expect or require that all new jobs in Livermore would be

"higher" wage jobs. Focusing the ECSP on regional commercial uses would be consistent with General Plan policy to support development of a range of land uses and employment opportunities.

General Plan policy does support the location of "new development so as to create a consolidated pattern of urban development, maximizing the use of existing public services and facilities." The Specific Plan Area is located within the City's Urban Growth Boundary (UGB) and City limits and has been determined through the General Plan Update process and the North Livermore Urban Growth Boundary Initiative to be an area appropriate for urban development. The golf course and airport are considered to be urban development within the City of Livermore.

General Plan policy encourages "commercial development that will support and enhance a vibrant Downtown and service existing neighborhoods." Please refer to Response to Comment TR-5 (page 3-196 in the FEIR[3]) regarding possible effects of the ECSP on downtown Livermore.

General Plan policy encourages "development of property within the immediate vicinity of the Airport for light industrial and transportation uses." Development adjacent to the airport includes light industrial to the north and east. Industrial development is proposed to the south. Although the Specific Plan Area is in proximity to the airport, it is not located immediately adjacent to the airport facilities or runways.

Based on the above, analyses in the DEIR for the ECSP, and analyses in the General Plan Update EIR, the ECSP is consistent with the 2003 Livermore General Plan in terms of planned land uses, location of development, and economic benefits and effects.

No revisions to the EIR are necessary.

Response to Comment IP11-3

This comment relates to a proposed community facilities district. The response to this comment has been separated into five points, as presented below.

1. The comment estimates an approximately $375,000 annual assessment, which it estimates will be a 6,150% increase in the annual tax on the El Charro Vista parcel. The comment claims that, traditionally, special taxes result in not more than a 2% increase over existing tax bills.

   The comment misstates the manner in which the Mello-Roos Community Facilities District Act of 1982 (the "Mello-Roos Act") is implemented in California.

3 Jones & Stokes. 2007. Final Environmental Impact Report for the El Charro Specific Plan. April. Sacramento, CA.

The Mello-Roos Act provides an alternative method of financing public capital facilities and services, especially in developing areas. The Mello-Roos Act authorizes the levy of special taxes authorized by the qualified electors within a Community Facilities District (CFD). A Mello-Roos special tax is distinct from the 1% *ad valorem* property tax levied by the County, and the Mello-Roos Act does not purport to establish any relationship between the amount of the special tax and the amount of the 1% *ad valorem* property tax. Furthermore, the Mello-Roos Act does not place any limit on the amount of the special tax, except that the voters must be informed about the maximum amount of the annual levy during the formation process, and it does not establish a limit on the amount of annual increase in the maximum special tax on nonresidential properties like those in the proposed CFD.[4]

In practice, the amount of special taxes to be paid by a property in a CFD is not based on the amount of County *ad valorem* property taxes levied on that property (which, under Article XIIIA of the California Constitution, will vary depending upon a variety of factors). Instead, the amount of the special tax is based on the cost of public facilities or services to be financed with the special taxes.

2. The comment states that the proposed CFD is "unprecedented" because it involves five small-property owners instead of one owner or many owners.

   The comment further observes that CFDs typically are formed to cover property owned by a single owner or "high multiples of parcels and property owners." That suggestion has no basis in fact. CFDs may be formed with any number of property owners and any number of parcels as long as the special tax is approved by the qualified electors in the manner established by the Mello-Roos Act.

3. The comment alleges that the proposed CFD assumes an assessment rate that is arbitrary and based on floor area ratio requested by one parcel, the Prime Outlets parcel, and does not differentiate between parcel location, size constraints, or other factors that affect the site.

   As set forth in Section 53325.3 of the Mello-Roos Act, a tax imposed under the Mello-Roos Act is a special tax and there is no requirement that the special tax be apportioned on the basis of benefit to any property. Instead, a special tax levied under the Mello-Roos Act must be apportioned on a reasonable basis determined by the legislative body and approved by a two-thirds vote of the qualified electors in the CFD. For example, the special tax may be on or based on a benefit received by parcels of real property, or it may be based on the cost of making facilities or authorized services available to each parcel.

   In this case, the property owners in the proposed CFD, including El Charro Vista LLC, have been meeting with City representatives for well over six

[4] The Mello-Roos Act (Section 53321(d)) sets a 2% ceiling on the amount a maximum special tax levied on private residential property may increase on an annual basis.

months to define the public improvements to be financed by the proposed CFD and to allocate the cost of those improvements among their properties. To date, each of the owners of property in the proposed CFD except El Charro Vista LLC has communicated support for the proposed special tax, which is based on parcel size, floor area ratio, site constraints and proposed property uses.

4. The comment asserts that the proposed CFD assumes an ability to assess all property owners within the ECSP, but El Charro Vista does not intend to participate, which could affect the ability of the CFD to proceed. As a result, the Specific Plan must consider other potential funding mechanisms for the public infrastructure requirements.

   A special tax can be levied in the proposed CFD with the approval of two-thirds of the votes cast by the qualified electors in the CFD. When, as the City expects will be the case here, there have been fewer than 12 persons registered to vote within the territory of the proposed CFD for each of the 90 days preceding the close of the public hearing related to formation of the CFD, the qualified electors are the owners of land in the CFD at the close of the public hearing, and each property owner has one vote for each acre or portion of an acre of land that the landowner owns within the proposed CFD.

   Based on representations from the property owners other than El Charro Vista, the City believes that more than two-thirds of the qualified landowner electors will vote for the proposed CFD and the proposed apportionment of the special tax. Following a two-thirds approving vote, property owned by dissenting property owners will be subject to the special tax. The special tax will constitute a lien on property in the CFD, and failure to pay the special tax will subject the property to foreclosure.

5. The comment states that because of the uncertainty of the CFD, ECSP must consider other funding sources. Discrepancies from typical CFDs may affect the City's ability to issue and obtain favorable financing rates from bonds issued for the CFD.

   As explained above, the City believes El Charro Vista has mischaracterized the Mello-Roos Act and its application in California, and the City does not consider the proposed CFD to be either uncertain or outside the norm for CFDs formed for nonresidential properties.

   Based on the anticipated support for the CFD expressed by the owners of more than two-thirds of the property in the proposed CFD, the City expects proceeds of bonds secured by special taxes levied in the proposed CFD will be available to finance the required public infrastructure.

   In addition to the proposed CFD, the ECSP contemplates financing mechanisms from multiple sources as part of the implementation of the ECSP, including contributions by property owners (developers); the City; and other public agencies, such as the Zone 7 Water Agency, the City of Pleasanton, and Alameda County.

No revisions to the EIR are necessary.

Response to Comment IP11-4

This comment relates to land uses in the proposed PD-ESCP-RC zoning district and General Plan consistency. The proposed PD-ECSP-RC zoning district is consistent with the goals and policies of the ECSP and BCP General Plan land use designation. See response IP11-2.

With adoption of the Specific Plan, the driving range would become a nonconforming use. As a nonconforming use, the driving range can remain and continue to operate. However, no significant expansion or modification of the current use would be allowed as a nonconforming use.

No revisions to the EIR are necessary.

Response to Comment IP11-5

The comment does not raise an environmental issue. The proposed Development Agreement for El Charro Vista, LLC, was voluntarily withdrawn at the time of the Planning Commission hearing on April 24, 2007, by the property owner (El Charro Vista, LLC). However, the Development Agreements for the other property owners in the ECSP, which were part of the public hearing on April 24, 2007, include provisions that vest rights for future development consistent with the ECSP; vest fees (City imposed), if building permits are pulled by 2009; and set forth obligations for developer contributions for public improvements.

No revisions to the EIR are necessary.

Response to Comment IP11-6

The comment is introductory in nature, alleging generally that the City has violated CEQA by failing to proceed in the manner required by law and that the City's findings are not supported by substantial evidence, and noting the general principle that an EIR must include sufficient detail to allow meaningful public participation in the CEQA process. The City does not dispute this general statement of a fundamental CEQA principle. The commenter provides more specific comments later in its letter, which are addressed below.

No revisions to the EIR are necessary.

Response to Comment IP11-7

As required by State CEQA Guidelines 15125(a), the DEIR describes the "physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published … from both a local and regional perspective." The DEIR describes the existing conditions (2006: the year the NOP was released) as well as future conditions (2008: the year either Prime Outlets Livermore Valley or the entire proposed Project would be complete, as well as other road system improvements) for the traffic/transportation, noise, and air quality analyses. The State CEQA Guidelines 15125(a) provides that, normally, the baseline consists of the existing environment at the time the NOP is released for review. In this EIR, the selected baseline for traffic/transportation, noise, and air quality is projected traffic levels in the year 2008 because it represents the time at which either Prime Outlets Livermore Valley or the entire proposed Project would be complete and operational and other road system improvements, as described in section 3.15, Traffic and Transportation, of the DEIR, would be in place.

To compare 2006 traffic, noise, and air quality conditions to 2006 conditions plus the Project would be an inaccurate and under-representation of the impacts of the proposed Project and would not take into account Project conditions and road system improvements that will be in place when the Project becomes operational. The proposed Project would not be built and operational in 2006. Increases in local and regional traffic levels are predicted between 2006 and the year the proposed Project will be complete, operational, and generating vehicle trips (2008). Therefore, the more appropriate and adequate analysis is to compare the traffic, noise, and air quality conditions expected in 2008, based on existing planning documents and planned development, without the Project (future baseline), to those conditions plus the Project (future baseline plus Project).

As stated on page 3.15-11 of the DEIR, certain specific roadway improvements are scheduled to be completed before 2009, have been approved and funded and therefore were assumed to be implemented under the future baseline (2008) project scenario. They are listed on page 3.15-11 (see revisions to this page in Chapter 4 of this FEIR). The comment provides no substantiation that the specific "expected" roadway improvements have not been approved or funded or otherwise will not occur before 2009, but instead asserts that these improvements "are merely speculative". These improvements are not merely speculative, because they are fully-funded and scheduled by the constructing jurisdictions to be completed prior to 2009.

Below is the list of assumed improvements and current status:

- Dublin Boulevard extension (six lanes) from Keegan Street to Fallon Road - According to City of Dublin staff, this improvement is fully funded and is scheduled to be implemented concurrent with the Phase 1 El Charro Road/Fallon Road/I-580 interchange improvements in 2008.
- Central Parkway extension (four lanes) from Keegan Street to Fallon Road - According to City of Dublin Staff, this improvement has already been

completed, but has not been opened to traffic. It is scheduled to open concurrent with the Phase 1 El Charro Road/Fallon Road/I-580 interchange improvements in late 2008.

- I-580 auxiliary lanes from Santa Rita Road to Airway Boulevard – both directions – The eastbound auxiliary lane from Santa Rita Road to El Charro Road has already been completed and operational for several years. This is the only auxiliary lane between Santa Rita Road and Airway Boulevard that was included in the traffic model in each of the 2008 and 2030 scenarios. The other auxiliary lane segments, eastbound between El Charro Road and Airway Boulevard, westbound between Airway Boulevard and Fallon Road, and westbound between El Charro Road and Santa Rita Road were not included in any of the 2008 scenarios, as stated in the DEIR and FEIR, but were included in all of the 2030 scenarios. According to the Measure B 2006/2007 Strategic Plan[5], the eastbound auxiliary lane from El Charro Road to Airway Boulevard (ACTIA Project 14C) will be completed in mid-2009, and the westbound auxiliary lane between Airway Boulevard and El Charro Road (ACTIA Project 14B) will be completed in early 2010. The Strategic Plan show the westbound auxiliary lane from El Charro Road to Santa Rita Road (ACTIA Project 14A) as being completed by 2008, however, according to staff of the Alameda County Congestion Management Agency, this auxiliary lane segment will be constructed as part of the I-580 Interim Eastbound HOV Lane Project, which is scheduled to be completed in 2010.
- I-580 ramp metering in both directions at all onramps between Greenville and Hopyard Roads – According to the Alameda County Congestion Management Agency, this improvement is currently under construction, and is scheduled to be complete in late 2007.
- Fallon Road–El Charro Road at the I-580 interchange—installation of partial loop ramps, signalization of ramp intersections, and widening of the overpass (from two lanes to four lanes) – According to the City of Dublin staff, these improvements are fully funded by developers in Dublin with a contribution by the City of Pleasanton. The project is scheduled to be completed in late 2008.
- East Vallecitos Road at Isabel Avenue intersection - This improvement was completed in March 2007.
- Murrieta Boulevard at East Jack London Boulevard–Pine Street signal phasing modification - This improvement was adopted as a mitigation measure for the Oaks Business Park development. The Subdivision Improvement Agreement for the Oaks Business Park requires the developer to provide a cash deposit to the City of Livermore to implement this mitigation measure prior to the City accepting the Oak's public improvements. The Oak's public improvements are nearly complete, so it is expected that the cash deposit will be provided before the end of 2007. Livermore will implement this project prior to occupancy of any development in the El Charro Specific Plan area.

5 Alameda County Transportation Improvement Authority. 2006. Measure B 2006/2007 Strategic Plan. Adopted June 22, 2006. Amended July 22, 2006. Available at: http://www.acta2002.com/financials/06-07_Strategic_Plan.pdf.

- Fallon Road widening (from two to four lanes) from I-580 to Bent Tree Drive – According to City of Dublin staff, this improvement has already been completed but has not been opened to traffic. It is scheduled to open concurrent with the Phase 1 El Charro Road/Fallon Road/I-580 interchange improvements in late 2008.

This approach provides a more accurate representation of Project impacts and allows for the development of more effective mitigation measures to reduce or avoid the actual level of impact of the proposed Project.

As noted above, the DEIR and FEIR incorrectly stated that the traffic model for future baseline conditions (2008) included the I-580 auxiliary lanes from Santa Rita Road to Airway Boulevard in both directions. Only the eastbound lane was included in the 2008 scenario model. The references in the DEIR and FEIR to the inclusion of both directions of auxiliary lanes is hereby deleted.

No further revisions to the EIR are necessary.

Response to Comment IP11-8

The comment asserts that the cumulative impact analysis in the EIR is inadequate because it does not take into account proposed updates to the Pleasanton General Plan concerning the Kaiser/Hanson and Kiewit Construction quarry properties and a proposed Home Depot at the Bernal/Stanley intersection.

An adequate cumulative impacts analysis in an EIR must include "closely related past, present, and reasonably foreseeable probable future projects." (CEQA Guidelines, § 15023.5, subd. (b); Los Angeles Unified School District v. City of Los Angeles (1997) 58 Cal.App.4th 1019, 1024–1025.)

In the discussion following State CEQA Guidelines Section 15130, the Guidelines provide:

> [w]hen analyzing the cumulative impacts of a project under [Section] 15130(b)(1)(A), the Lead Agency is required to discuss not only approved projects under construction and approved related projects not yet under construction, but also unapproved projects currently under environmental review with related impacts or which result in significant cumulative impacts. This analysis should include a discussion of projects under review by the Lead Agency and projects under review by other relevant public agencies, using reasonable efforts to discover, disclose, and discuss the other related projects… . The court in [San Franciscans for Reasonable Growth v. City and County of San Francisco (1984) 151 Cal.App.3d 61] took note of the problem of where to draw the line on projects undergoing environmental review since application[sic] of new projects are constantly being submitted. A reasonable point might be after the preparation of the draft EIR.

As the discussion above demonstrates, the State CEQA Guidelines suggest the appropriate cutoff for including new proposed projects in the cumulative impacts analysis is at the time the DEIR is published. Previous authority suggested that the appropriate cutoff was the date the NOP was published.

The Court of Appeal in Environmental Council of Sacramento v. City of Sacramento (2006) 142 Cal.App.4th 1018, 1032 (ECOS) stated that

> 'probable future projects' may be limited to those projects requiring an agency approval for an application which has been received at the time the notice of preparation is released, unless abandoned by the applicant; projects included in an adopted capital improvements program, general plan, regional transportation plan, or other similar plan; projects included in a summary of projections of projects (or development areas designated) in a general plan or a similar plan; projects anticipated as a later phase of a previously approved project (e.g. a subdivision); or those public agency projects for which money has been budgeted.

"It is unnecessary to engage in 'sheer speculation as to future environmental consequences,' and it is unreasonable to expect an EIR to 'produce detailed information about the environmental impacts of a future regional facility whose scope is uncertain and which will in any case be subject to its own environmental review.'" (ECOS, supra, 142 Cal.App.4th at p. 1032 [citing Towards Responsibility in Planning v. City Council (1988) 200 Cal.App.3d 671, 681].) "Until specific measures or projects are adopted and the details fleshed out, the environmental impacts remain 'abstract and speculative.'" (ECOS, supra, 142 Cal.App.4th at p. 1018 [citing Sacramento Old City Assn. v. City Council (1991) 229 Cal.App.3d 1011, 1025].)

The commenter suggests that the EIR's cumulative impacts analysis should have included development on the former Kaiser/Hanson and Kiewit Construction quarry properties. The commenter states that substantial new development on these properties is reasonably foreseeable because there are developers contemplating developing the land who have requested land use amendments as part of the City of Pleasanton General Plan update. As of the date the DEIR was published, January 10, 2007, there was no draft General Plan update, no preferred land use plan, and no DEIR for the General Plan update. Moreover, none of these documents even existed as of the date the FEIR for the ECSP was published. Therefore, CEQA does not require the ECSP EIR to be revised to include these projects, which were little more than a "gleam in the eye" of developers at the time the DEIR was published, in its cumulative impact analysis.

Commenter also suggests that the development of the proposed Home Depot at the Bernal/Stanley intersection should be included in the EIR's traffic cumulative impact analysis. A Negative Declaration for the Pleasanton Gateway Project was adopted in November 2006. The Pleasanton General Plan designation for the subject property is Retail/Highway/Service Commercial, Business and Professional Offices. This land use designation allows a maximum floor area ratio of 60% and a midpoint floor area ratio of 35% for the subject property. At a proposed floor area ratio of 27.9% for the enclosed building area, not including the garden center, the proposed Project conforms to these standards of the

Pleasanton General Plan. Since the traffic study's reliance on the forecasts using the existing general plan would already capture this development potential, the ECSP EIR properly accounts for this development in its cumulative impact analysis.

On April 24, 2007, the City of Pleasanton Planning Commission considered three potential land use plan options for potential consideration on the Draft EIR for the General Plan Update: the Preferred Plan, the Dispersed Growth Plan, and the Concentrated Residential/Transit Oriented Development (TOD) Mixed Use Plan). Each of the three land use plan options included various commercial and/or residential development potential on the Kaiser/Hanson and Kiewit properties, which are referred to as the "East Side Properties' or "East Pleasanton Commercial" in the General Plan Update reports (*City of Pleasanton, April 24 2007, Planning and Public Works, General Plan Workshop Discussion on the Results of General Plan Traffic Modeling without and with the Stoneridge Drive Extension*).

On May 1, 2007, the City of Pleasanton City Council selected the Preferred Plan and a circulation network that included extension of Stoneridge Drive to be used as the basis for completing the Draft General Plan and the Draft Environmental Impact *(Janice Stern, City of Pleasanton, pers. comm. June 15, 2007).* The Preferred Plan includes residential and commercial assumptions for East Pleasanton which are identified as "placeholders for the purposes of defining a range of development options for the Environmental Impact Report." The staff report also defines that "A future Specific Plan for that area will define actual development potential." (*City of Pleasanton April 24, 2007 staff report.*)

The Preferred Plan includes a 350 unit apartment complex at the new West Dublin Pleasanton BART station, 333 units in Hacienda Business Park, and the remaining units distributed among Staples Ranch, East Pleasanton (250 residential units), Kottinger Place, Pleasanton Gardens, and Downtown infill. East Pleasanton development potential is identified as also including 2.4 million square feet of research and development space, 1.6 million square feet of industrial space and 150,000 square feet of retail commercial (*City of Pleasanton April 24, 2007 staff report*). Overall, the Preferred Plan includes about 1,600 units above the existing General Plan *(Stern, pers. comm., June 15, 2007).*

The City of Pleasanton is presently preparing a Draft EIR for the Preferred Plan and will also be analyzing several alternatives. At this time, the City of Pleasanton has not formally adopted a General Plan Update and has not completed its Draft EIR and thus it is premature to speculate what the exact level of potential buildout will be with the General Plan Update or with the East Side Properties. Identification of the Preferred Plan was completed after the completion of the FEIR for the El Charro Specific Plan. There are numerous cases of General Plan Update processes taking multiple years to ultimately complete and to complete the associated CEQA processes. Further, the staff report acknowledges that the buildout assumptions for the East Side Properties are just placeholders and that a future Specific Plan will define actual development potential.

For these reasons, the City of Livermore determines that the recent identification of a preferred land use plan for study in the CEQA process has occurred too late for reasonable consideration for the El Charro Specific Plan EIR and does not represent a reasonably foreseeable cumulative action as it has not completed an environmental analysis that may change development potential.

No revisions to the EIR are necessary.

Response to Comment IP11-9

The comment asserts that the EIR analysis is inadequate because it has assumed that Phase 1 and Phase 2 improvements to the El Charro/Fallon/I-580 interchange will occur in its baseline and cumulate baseline for traffic analysis and asserts that this assumption is speculative without adoption of these improvements as mitigation.

The Cities of Dublin, Pleasanton and Livermore agree in principal on a cost-sharing arrangement to cover the fair-share costs for the interchange improvements with the understanding that the Cities of Livermore and Pleasanton would each contribute 25% and Dublin would contribute 50%. Livermore's 25% share is programmed in Livermore's Traffic Impact Fee Program. City of Dublin staff indicated their 50% share is funded partially through direct developer contributions and the Dublin Traffic Impact Fee. The City of Pleasanton's 25% share is funded by a combination of assessment district funds and other local Pleasanton City funds. The cost sharing arrangement has been incorporated into an agreement to be approved by each City in coordination with the City of Livermore's approval of the ECSP.

The current Phase 1 improvements are fully funded by Dublin for its approved developments except for the on-loop, which Pleasanton asked to be included and has agreed to pay for. Livermore has agreed to fund a second right lane for the eastbound off-ramp (this improvement is included in the project analyzed in the EIR as Mitigation Measure TRA-2b). The actions of the three cities indicate this improvement is assured and is reasonably foreseeable, and thus its inclusion in the traffic baseline is appropriate.

The Phase 2 interchange is included in Dublin's General Plan. An excerpt from the Dublin Circulation Element reads, "Upgrade the Fallon Road interchange to the same standards as the Dougherty Road and Hacienda Drive interchanges (i.e., 3 through lanes in each direction across the overpass and a partial cloverleaf ramp system)." Due to the inclusion of Phase 2 in Dublin's General Plan, the understanding about cost-sharing for the Phase 2 improvements between the three cities, and financial planning by all three parties, this improvement is considered reasonably foreseeable for the cumulative traffic analysis of the ECSP EIR.

No revisions to the EIR are necessary.

Response to Comment IP11-10

The comment reiterates the discussion of the proposed Project's possible effects on downtown Livermore presented in response to comment TR-5 and Appendix H of the FEIR and states that the findings of the study included in Appendix H are rife with blatant speculation. The comment also states that the EIR is deficient because it does not analyze the Project's potential impacts beyond downtown Livermore.

In response to comment TR-5, the City's analysis of the possible effects of the Prime Outlets Livermore Valley project on downtown Livermore was provided as an appendix to the FEIR. The City also analyzed the Project's potential to affect businesses in the downtown area of the City of Pleasanton, but did not include this information in the original FEIR because there was no previous evidence nor any earlier assertions by any commenters that impacts to downtown Pleasanton were of any concern. However, in response to this comment, the downtown Pleasanton analysis is now included in this document as Appendix I.

Both studies found that the number of downtown businesses that would be in direct competition with the Prime Outlets Livermore Valley development is small and the new retail businesses proposed in the outlet center would not cause significant physical impacts on the downtown areas. This finding is based on the profile and character of businesses in downtown Livermore and downtown Pleasanton and the existing competition from large retail establishments that these business already face. Retail pressure from large entities such as Stoneridge Mall in Pleasanton, Wal-Mart and Costco in Livermore, Target in Livermore and Dublin, and Hacienda Crossings in Dublin has not eliminated downtown businesses or caused decay of these urban areas. The downtown business studies also found that many of the businesses in the downtown areas offer specific services that cater to downtown customers. These businesses would not be in direct competition with businesses in the Specific Plan Area.

Further, a recent study by Terranomics, the *Retail Shopping Centers Report* (as cited in the East Bay Business Times[6]) found that the retail conditions in both Alameda County and Contra Costa County are in a healthy state with 5.2 percent vacancy rates as of December 2006. The study excludes regional and super-regional malls such as Stoneridge Mall so as to not skew the results because of the higher rents for space at such malls, but includes all other East Bay stores and retail centers with at least 50,000 square feet of gross leasable space. Based on the results of the studies conducted for the proposed Project and the Terranomics report finding on the health of the retail market in the region, no significant physical impacts on downtown areas are expected as a result of the proposed Project.

No revisions to the EIR are necessary.

6 Goll, David. 2007. East Bay retail is stable, growing. *East Bay Business Times* (Pleasanton, CA). Volume 9, Number 34. April 27, 2007.

Response to Comment IP11-11

The comment states that the EIR did not provide an analysis of the proposed Project's energy impacts. The commenter is referred to the primary discussion of energy in DEIR Chapter 3, section 3.13, "Public Services and Utilities." This section describes the setting, relevant regulations and policies, impact significance criteria, and impact statements with significance conclusions that relate to the proposed Project's effect on energy consumption and conservation.

Further, response to comment TR-4, presented in the FEIR, reiterates the relevant General Plan objectives and policy; the City's Commercial and Residential Green Building Ordinance; and Title 24 requirements that, when implemented in the Specific Plan Area, would prevent the wasteful, inefficient, and unnecessary consumption of energy.

The comment references Appendix F of the State CEQA Guidelines, *Energy Conservation*, while State CEQA Guidelines Section 15126.4 is the enacted regulation relevant to the discussion of measures in an EIR that could minimize significant impacts related to inefficient and unnecessary use of energy. Appendix F provides advisory language to assist with the preparation of an EIR and is not, itself, regulation.

In any case, the EIR does include a relevant discussion of the proposed Project's effects on energy and is not deficient or inadequate in this regard.

No revisions to the EIR are necessary.

Response to Comment IP11-12

Regarding takings, CEQA is not concerned with impacts on individual businesses, persons or homes. (See Hecton v. People of the State of California [1976] 58 Cal.App.3d 653, 656 [CEQA was "not designed to protect against the ... decline in commercial value of property adjacent to a public project"].) Thus, a takings/inverse condemnation claim is not a CEQA issue.

Moreover, the April 24, 2007, comment letter from counsel for El Charro Vista, LLC et al was the first formal communication the City had received from El Charro Vista indicating that it no longer intended to participate in, or to develop its property with the uses proposed in, the El Charro Specific Plan, but instead intended to continue operating its driving range. Coming as they did well after the publication and circulation of the Draft and Final EIRs, El Charro Vista's current plans were not considered in the analysis for those documents. The recently stated intent to continue indefinitely the current driving range use was not, therefore, a reasonably foreseeable activity for the site at the time the NOP and DEIR were prepared and circulated.

That said, the phased development of commercial uses and infrastructure in the El Charro Specific Plan can be completed without compromising environmental

health, or public safety issues related to the continued operation of the El Charro Vista Driving Range. The following is a review of potential environmental impacts related to Specific Plan development adjacent to the continued driving range use at the subject property:

- **Specific Plan Improvements Relative to El Charro Vista property**. Road B and associated utilities, as shown on Figure 2-5c, were planned to be constructed half on the Crosswinds property and half on the El Charro Vista property. If the El Charro Vista property is now not proposed to be developed with business/commercial uses, then it is possible to realign this road and utilities entirely on the Crosswinds property if necessary to avoid driving range disruption. The currently preferred east-west road option is the extension of Jack London Blvd., not Airway Blvd., and thus, at this time, access to the Children's Hospital site would occur along a two-lane road along the I-580 frontage. The access will likely be about 50 feet southward of the existing Freisman Road due to the need to accommodate future I-580 widening. This may require some land from the El Charro Vista property, but given the limited distance involved, this alignment is not expected to eliminate the ability to continue the driving range. The proposed HMP Basin and water quality swale shown on Figure 2-5c in the FEIR would not be built on the El Charro Vista property as they would not be needed to address new development on the property. The inlet and channel for the north overbank channel also would not be on the El Charro Vista property, as they would be located on City land to the west.
- **Aesthetics and Visual Resources** – The EIR discloses the significant change in overall visual character of the property with Specific Plan buildout. The predominant views for users of the driving range are northward toward I-580 and the hills north of I-580. The Specific Plan would not substantially change the character of this view as potential other buildout is to the east and west of this site and does not affect this view. The frontage road would be of similar character to that at present. Construction of adjacent properties would have temporary aesthetic impacts, but given the local context for the driving range (next to I-580 and an active airport), the driving range is not in an aesthetically pristine location. Adjacent construction outside the dominant line of sight for driving range users is considered a less than significant impact.
- **Agricultural Resources** – The El Charro Vista property is not in agricultural use and does not have a Williamson Act contract, thus there are no new impacts related to this subject and the driving range.
- **Air Quality** – The DEIR disclosed that potentially significant construction emissions related to particulates could occur with Specific Plan development. Mitigation is proposed (MM AQ-1) to reduce this impact to a less than significant level, including any potential impact to users of the driving range. The mitigation proposed would also reduce potential aesthetic issues related to construction dust. For operations, continued driving range use is expected to lower overall traffic levels (relative to potential commercial use of the El Charro Vista property) and thus operational emissions would likely be slightly less overall in this scenario.

- **Biological Resources** – Continued driving range use would not increase any biological impacts relative to that disclosed in the DEIR and would not hinder the ability to mitigate biological resource impacts overall.
- **Cultural Resources** – Continued driving range use would not increase any cultural resources impacts relative to that disclosed in the DEIR and would not hinder the ability to mitigate cultural resource impacts overall.
- **Geology, Soils, and Paleontology** – Development of properties adjacent to the driving range would not have any effect on the geological integrity, soils, or potential paleontological resources on the El Charro Vista site that might affect continued driving range use.
- **Hazards and Hazardous Materials** – The DEIR discloses potential hazards and hazardous materials impacts during construction and operations and identifies mitigation measures to reduce these impacts to a less than significant level. The implementation of these measures would avoid residual significant impacts to users of the driving range and any significant impacts to operations.
- **Hydrology and Water Quality** – Construction of flood control and water quality improvements for the Specific Plan would not require improvements on the El Charro Vista property unless commercial development is proposed on this property, in which case, a HMP basin and water quality swale would be needed as shown on FEIR Figure 2–5c. With continued driving range use, and implementation of the improvements and construction mitigation identified in the EIR, development of adjacent properties would not result in any flooding or water quality impacts that would hinder driving range use.
- **Land Use and Planning** – As noted above, with adoption of the Specific Plan, the driving range would become a non-conforming use, but could continue operations as is. Expansion or modification would not be allowed, but this would not affect the ability to continue operations as the remainder of the area builds out. Construction of adjacent commercial or institutional (in case of the potential church use of the Children's Hospital site) uses would not create an unmanageable conflict with continued driving range use. However, the driving range may need to upgrade its facilities to better prevent stray golf balls, which at present sometimes land in the adjacent agricultural fields. As the current owner has the obligation to prevent harm to adjacent properties and persons at present, it will be responsible for installing adequate fencing/netting to prevent such potential safety issues. However, this is standard practice for driving ranges with adjacent uses and would not be expected to result in an undue economic burden to the driving range owner/operator. As noted below, the range operates at present within a relatively noisy context with the adjacent freeway and airport, and thus the additional of commercial traffic and noise is not expected to substantially increase noise for driving range uses. Thus, though the existing use would become a non-conforming use with adoption of the Specific Plan, the establishment of adjacent new land uses would not hinder the ability to continue the current use as a driving range.
- **Mineral Resources** – Continued driving range use would not affect mineral resources.

- **Noise** – As described in the EIR, the project would result in significant construction noise impacts, but mitigation is identified to reduce these impacts to a less than significant level. Since the driving range exists in a relatively noisy context already with the adjacent freeway and active airport, the addition of commercial or institutional noise during operations (primarily due to traffic) is not considered a significant impact relative to noise on the driving range.
- **Population and Housing** – Continued use of the driving range has no effect on population and housing. Continued driving range use would result in less commercial buildout and less population growth as compared to full buildout.
- **Public Services and Utilities** – Construction adjacent to the driving range could disrupt utilities or services that support the driving range. However, mitigation is proposed in the EIR to address these potential impacts.
- **Recreation** – As described above, adoption of the Specific Plan and buildout of adjacent areas would not eliminate the ability to continue driving range use during construction or operations.
- **Transportation and Traffic** – If driving range use continues, overall traffic levels will be less than that disclosed in the EIR for full Specific Plan buildout, as driving range use is less intensive than commercial buildout of the El Charro Vista property. Thus, traffic impacts would be slightly less than disclosed in the EIR under this scenario. The EIR discloses temporary construction traffic impacts and mitigation measure TRA-9 requires preparation of traffic control plans to provide continued access and maintain traffic flows during construction. Traffic controls would be implemented during construction to ensure continued use of the driving range during construction of other Specific Plan developments.

Based on the review above, continued driving range use (compared to the previously anticipated commercial use for this property) does not trigger a requirement to revise and recirculate the EIR, because there are no new significant or substantially more severe significant direct or indirect impacts relating to this change. Furthermore, the comment letter provides no explanation or substantial evidence regarding what specific environmental, health and safety issues El Charro Vista believes might occur as a result of this change. Thus, the City is not required by CEQA to respond further to this comment.

No revisions to the EIR are necessary.

Response to Comment IP11-13

The comment concludes the letter and expresses appreciation for the City's and property owners' efforts on the proposed Project but also expresses disappointment that outstanding issues still exist. The comment also reiterates a request for continuance of the matter.

No revisions to the EIR are necessary.

Comment Letter IP12—Vulcan Materials Company, represented by Wendel, Rosen, Black, & Dean LLP

IP12

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April 24, 2007

VIA MESSENGER

Planning Commission
City of Livermore
1052 South Livermore Avenue
Livermore, CA 94550

Re: Proposed El Charro Specific Plan (SP05-003) and Related Approvals; Final Environmental Impact Report for El Charro Specific Plan ("Final EIR"), State Clearinghouse #2006052112; Agenda Item 4.1, Planning Commission Meeting of April 24, 2007

Dear Members of the Planning Commission:

This office represents Vulcan Materials Company, Western Division, owner and operator of quarry lands and facilities located south of the area subject to the proposed El Charro Specific Plan ("Specific Plan") and the Prime Outlets Livermore Valley project (together, the "Current Livermore Projects"). The purpose of this letter is to provide Vulcan's comments on the Final EIR and the requested project approvals. Based on these comments, we hereby request on behalf of Vulcan that the Commission postpone its consideration of the Current Livermore Projects and the Final EIR until such time as the Final EIR is revised to comply with the California Environmental Quality Act ("CEQA"). IP12-1

As a preliminary matter, we must note that while finalizing this letter, we received in the mail today an "Interoffice Memorandum" from Eric Brown containing a draft Mitigation Monitoring and Reporting Plan and Draft El Charro Specific Plan Addendum. We find no reference to either of these documents in the Planning Commission Agenda Report for this matter. Given the lateness of the delivery of these items, it is doubtful that public agencies and members of the public at large have had an adequate opportunity to review these documents, which is contrary to CEQA's intent. IP12-2

By letters dated June 1, 2006 ("NOP Comment Letter") (included in Appendix A to the Draft EIR) and February 26, 2007 ("DEIR Comment Letter") (Comment Letter IP7 in the Final EIR), we previously provided written comments regarding the Notice of Preparation issued May 16, 2006 ("NOP") and the Draft EIR. The Final EIR acknowledges that the Current Livermore Projects could lead to traffic safety impacts due to new roadway geometrics and potential IP12-3

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conflict between quarry traffic and the significantly increased traffic from the Current Livermore Projects. Similarly, the City of Pleasanton's April 11, 2007, Notice of Preparation/Initial Study for the Staples Ranch Project immediately across El Charro Road from the Specific Plan Area notes on page 38 that "substantial" traffic from new development will be added on El Charro Road and that the conflict between this new traffic and existing quarry truck traffic on El Charro Road "could result in substantial hazards." Such traffic and safety impacts from the Current Livermore Projects and the Staples Ranch Project must be fully mitigated. IP12-3 Cont.

As noted in the DEIR Comment Letter, over the last year Vulcan has been working with Livermore, Pleasanton, Alameda County, and the Alameda County Surplus Property Authority to create appropriate mitigations of these traffic and safety impacts, and to resolve related issues regarding the Final EIR as well as the Current Livermore Projects and the Staples Ranch Project. In this regard, Vulcan and the other parties have attended numerous meetings and invested substantial effort towards negotiating a written Pre-Development and Cooperation Agreement ("Agreement") intended to ensure implementation of these mitigations, and to document the parties' respective obligations regarding required roadway improvements and other matters related to the Current Livermore Projects and Pleasanton's Staples Ranch Project. IP12-4

In response to a request in the Draft EIR Comment Letter that the Agreement be included in the list of project elements for the Current Livermore Projects, the Final EIR states that the Agreement does not need to be "mentioned in the same vein" as approvals of public agencies. The Final EIR further states that CEQA only requires that required approvals be described in an EIR in order to ensure that all responsible agencies are identified. This is an oversimplification of CEQA, which actually requires that all permits and other approvals required to implement a project be included in an EIR, including instances of multiple decisions by a single agency. CEQA Guidelines §§15124(d)(1) and §§15124(d)(2). Reference to the Agreement as part of the project elements is required by CEQA since Livermore's City Council must approve the Agreement, and since the Agreement will affect the construction of the improvements for the El Charro Specific Plan. We accordingly reiterate Vulcan's request that Agreement be properly referenced in the Final EIR as part of the project elements for the Current Livermore Projects.

The City of Pleasanton recently decided to suspend its negotiations regarding the Agreement due to an unrelated interjurisdictional dispute regarding the Tri-Valley Triangle Study. Pleasanton's participation in the Agreement is critical, given that many of the improvements required for the Current Livermore Projects, including the improvements to El Charro Road and the new El Charro/Jack London/Stoneridge intersection, must be installed and constructed within Pleasanton's sphere of influence and will ultimately be annexed, controlled and maintained by Pleasanton. At this time, and without the Agreement, there is no assurance that any feasible and enforceable means (including agreed-upon roadway improvements) exist to mitigate the traffic and safety impacts of the Current Livermore Projects and Pleasanton's Staples Ranch project. In the absence of the Agreement, and given that Pleasanton is no longer participating in negotiations, Vulcan must submit this comment letter to preserve the record with respect to the Final EIR.

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Page 1-2 of the Draft EIR notes that the Final EIR is not intended to serve as a project EIR for any specific development project within the El Charro Specific Plan Area, other than the Prime Outlets Livermore Valley project. This is consistent with the fact that there are not yet specific development proposals from any other property owners, and the Specific Plan does not provide enough detail to fully evaluate all project-specific impacts from other potential projects, including but not necessarily limited to traffic and flood control. Nevertheless, it appears from the agenda that the Planning Commission will tonight be considering recommending approval of development agreements with five property owners (Johnson-Himsl, Roger Johnson, Crosswinds Church, El Charro Vista, LLC (Sywest), and Children's Hospital and Research Center Foundation) within the El Charro Specific Plan Area (collectively, the "Other DAs"), in addition to the proposed development agreement for the Prime Outlets Livermore Valley project. The Other DAs expressly grant each respective property owner the "vested right" to build a project that allows the maximum density for each property allowed under the El Charro Specific Plan, with no other specifics regarding the project design or configuration. This is an abuse of the development agreement process, both under state law (Government Code §65865.2) and Livermore's own Planning and Zoning Code (§4-25-030), which each contemplate that a development agreement will be based on a realistic and accurate description of the project. See, e.g., proposed Development Agreement 05-005 for the Prime Outlets Livermore Valley Project (which incorporates the proposed PD Ordinance detailing the project). IP12-5

Execution of the Other DAs without the proper environmental analysis is premature at this time and is a clear violation of CEQA. A development agreement is irrefutably a project under CEQA. *Citizens for Responsible Gov't v. City of Albany* (1997) 56 Cal.App.4th 1199, 1215. Livermore must conduct detailed environmental review of the specific development permitted under each of the Other DAs prior to approval thereof. The City Council only authorized negotiations for four of the Other DAs on March 12, 2007, apparently after agreement was reached on allocation of infrastructure costs among all of the properties in the El Charro Specific Plan Area. This authorization was provided well after issuance of the NOP and Draft EIR, and only one month before release of the Final EIR. Consideration of the Other DAs at this point would effectively mean that any CEQA review of the projects authorized by the Other DAs would be done after the fact of project pre-approval, such that impacts may be ignored or not understood until it is too late to adequately address them. Such "post hoc rationalizations" are impermissible under CEQA. *See Laurel Heights Improvement Ass'n v. Regents of University of California* (1988) 47 Cal.3d 376, 394.

The need for detailed environmental analysis cannot be skirted by the self-serving statement in each of the Other DAs that "Developer has not applied for development on the property" and therefore no detailed project information is available. An application for approval of a development agreement is an application for approval of development because, among other things, it acts to change the density or intensity of use of land. Government Code §65865.2; *also see* Government Code §§65927, 65928. A California appellate court recently confirmed that CEQA analysis is required before a jurisdiction enters into any agreement that commits that jurisdiction to carrying out a particular project. *Save Tara v. City of West Hollywood et al.*, No. B185656 (2nd D. February 21, 2007) slip op. at 17. Although the Other DAs purportedly

provide that the development of each project site is subject to the need to obtain further approvals, the development agreement statute provides that such further approvals "shall not prevent development of the land for the uses and to the density or intensity of development set forth in the agreement." Government Code §65865.2. Since the Other DAs vest each property owner with the right to build a project based on the maximum density allowed by the Specific Plan, this represents a commitment by Livermore to permit each project. Accordingly, Livermore must conduct detailed project-level environmental analysis prior to approving any of the Other DAs, and the Planning Commission must defer action on the Other DAs until such environmental analysis is complete. Alternatively, the Commission may postpone its consideration of the Final EIR and the Current Livermore Projects until the Final EIR is revised to include project-level environmental analysis of the Other DAs.

IP12-5 Cont.

The DEIR Comment Letter noted that the Draft EIR's Transportation and Traffic analysis was not clear regarding the extent of new development on Pleasanton's east side which would significantly increase traffic levels on El Charro Road. The major focus of our comment was the former Kaiser/Hanson and Kiewit Construction quarry properties in Pleasanton, located to the southeast of the El Charro Specific Plan Area, upon which Hanson completed mining operations years ago. In response to this comment, the Final EIR notes that the land use numbers for the Kaiser/Hanson properties are based on the current Pleasanton General Plan designations for these properties – which means that traffic data from these properties are based on its designation as "sand and gravel." The Final EIR states that analyzing any other land uses for these properties would be "speculative at this time."

As noted in the DEIR Comment Letter, Pleasanton has for some time, as part of the General Plan update, been working to finalize land use designations for these properties, which is now very time sensitive because Hanson is under contract to sell its former Pleasanton quarry properties to Legacy Partners Commercial, Inc., a well-known developer of commercial and industrial properties. As also noted in the DEIR Comment Letter, development of these properties would significantly affect operations of the new El Charro/Jack London/Stoneridge intersection to be constructed as part of the Current Livermore Projects, and would undoubtedly require additional traffic and safety improvements, since the properties are located along the route of the proposed El Charro extension to Stanley Boulevard. As part of a General Plan workshop in January 2006, months before issuance of the NOP, Pleasanton considered options for development of these properties that would permit up to 1,170 residential units along with commercial, industrial and park uses. Included as **Exhibit A** hereto is a map showing the property owners' proposal for mixed use development on the property. The property owners' proposal for transit-oriented development is shown on **Exhibit B** hereto. Finally, **Exhibit C** summarizes the property owners' proposals and the Pleasanton staff recommendation for development of these properties. Additionally, Hanson had earlier submitted an application to convert the Kaiser/Hanson property to various land uses, primarily industrial and commercial office uses.

IP12-6

Given that mining from the Kaiser/Hanson and Kiewit properties ceased years ago, and in light of the fact that the City of Pleasanton and the property owners are pursuing more intense

development of the properties, it is inappropriate to base the cumulative traffic data for the properties on continued sand and gravel uses. It is not "speculation," as stated in the Final EIR, to recognize the fact that sand and gravel uses have been discontinued on these properties, and to include more realistic assumptions regarding development thereof. The Final EIR, especially the Transportation and Traffic analysis, must be revised to properly reflect one or more sets of realistic assumptions regarding the development of the former Kaiser/Hanson and Kiewit Construction quarry properties in Pleasanton. IP12-6 Cont.

Thank you for your consideration of these comments. We remain hopeful that Pleasanton resumes its participation in the negotiations regarding the Agreement and the parties are able to reach final consensus soon. Vulcan is still reviewing this matter, and Vulcan reserves the right to submit additional comments and testimony on the Final EIR, the Current Livermore Projects and the Other DAs as this matter may proceed. IP12-7

Please ensure that this letter is made part of the administrative record for this matter.

Very truly yours,

WENDEL, ROSEN, BLACK & DEAN LLP

David L. Preiss

DLP:nap
Attachments
cc: Benjamin Murray, Senior Planner
Cheri Sheets, City Engineer
Judith Propp, Esq., Senior Assistant City Attorney
Rob Wilson, City of Pleasanton
Stuart Cook, Surplus Property Authority of Alameda County
Sblend Sblendorio, Esq.
Robert Himsl
Douglas J. Reynolds

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Livermore Planning Commission
April 24, 2007

WENDEL, ROSEN, BLACK & DEAN LLP

EXHIBIT A
TO
LETTER FROM WENDEL, ROSEN, BLACK & DEAN LLP
DATED APRIL 24, 2007

Kaiser/Hanson and Kiewit Proposed Option 1 – Mixed Use Retail/Commercial/Industrial
(January 24, 2006, Pleasanton Planning Commission Workshop, Attachment 3, p. 1 of 2)

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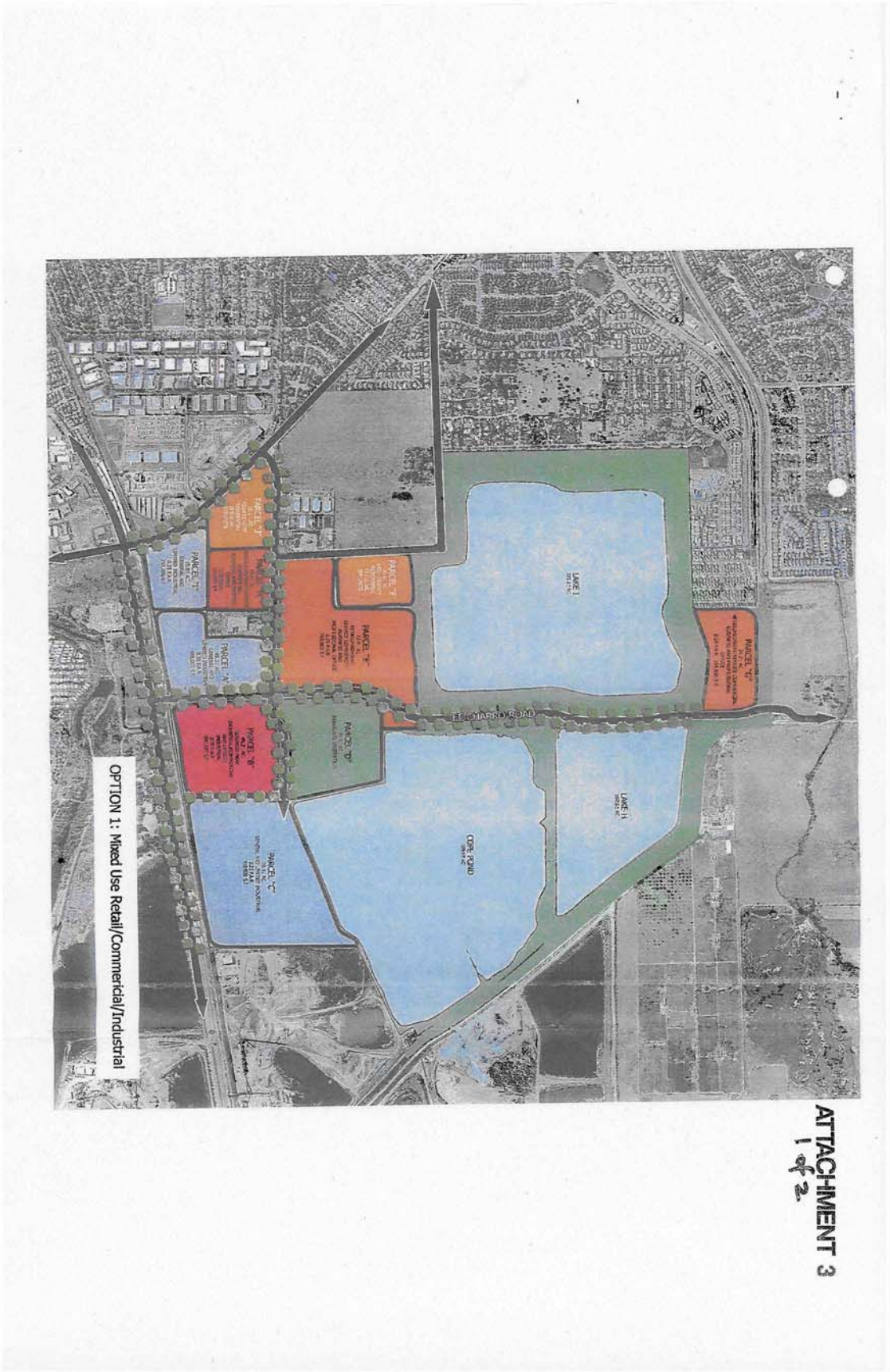

OPTION 1: Mixed Use Retail/Commercial/Industrial
EL CHARRO ROAD
LAKE I
LAKE H
CORE POND
PARCEL "A"
PARCEL "B"
PARCEL "C"
PARCEL "D"
PARCEL "E"
PARCEL "F"
PARCEL "G"
PARCEL "J"
PARCEL "K"
PARCEL "N"
ATTACHMENT 3
1 of 2

EXHIBIT B
TO
LETTER FROM WENDEL, ROSEN, BLACK & DEAN LLP
DATED APRIL 24, 2007

Kaiser/Hanson and Kiewit Proposed Option 2 – Transit Oriented Development
(January 24, 2006, Pleasanton Planning Commission Workshop, Attachment 3, p. 2 of 2)

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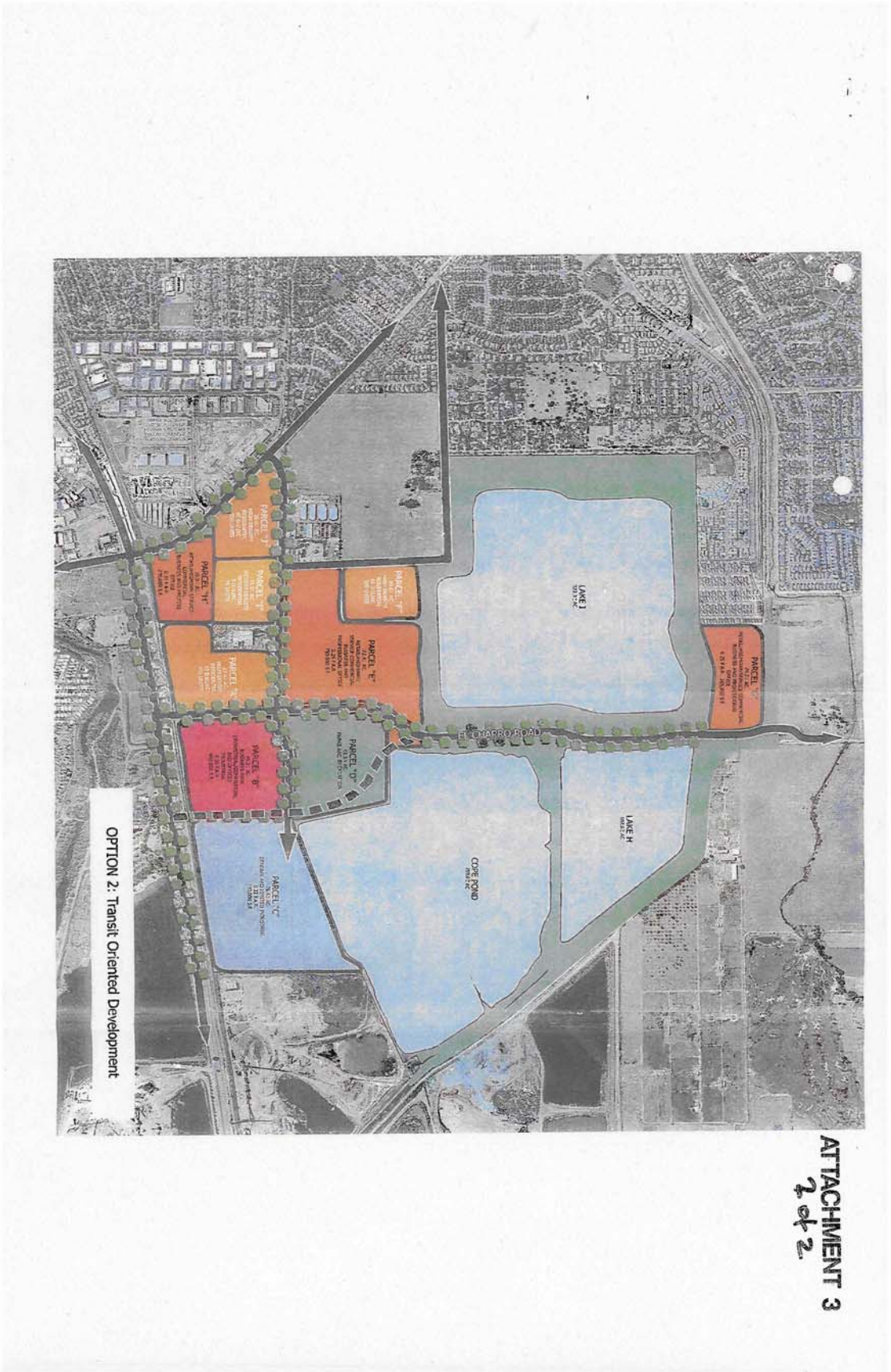

OPTION 2: Transit Oriented Development
EL CHARRO ROAD
LAKE J
LAKE H
COPE POND
PARCEL "A"
PARCEL "B"
PARCEL "C"
PARCEL "D"
PARCEL "E"
PARCEL "F"
PARCEL "G"
PARCEL "H"
PARCEL "I"
PARCEL "J"
ATTACHMENT 3
2 of 2

EXHIBIT C
TO
LETTER FROM WENDEL, ROSEN, BLACK & DEAN LLP
DATED APRIL 24, 2007

Staff Summary of Development Proposals
(January 24, 2006, Pleasanton Planning Commission Workshop, Attachment 5)

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ATTACHMENT 5

TABLE 1: EAST SIDE PARCELS: PROPERTY OWNERS' REQUEST AND STAFF OPTIONS

Parcel/ Acres	Existing GP Land Use Designation	Property owner's requested Land Use Designation		Staff Option A	Staff Option B	City Council/Planning Commission Comment and Recommendation
		Option 1 – Mixed Use	Option 2- Transit Oriented Development	PGS relocated on Hanson property	PGS remains on current site; Business Park on B and C	
A/ 32.4 acres	General & Limited Industrial	General & Limited Industrial	High Density Residential	General & Limited Industrial	General & Limited Industrial	
B/ 45.2 acres	Sand and Gravel Harvesting	Business Park	Business Park	General & Limited Industrial	Business Park	
C/76.4 acres	Sand and Gravel Harvesting	General & Limited Industrial	General & Limited Industrial	General & Limited Industrial	Business Park	
D/41.5a cres	General and Limited Industrial/Sand and Gravel Harvesting	Parks & Recreation	Parks & Recreation	Parks & Recreation	Parks & Recreation	
E/72.4 acres	Parks and Recreation/General and Limited Industrial	Retail/Highway/-Service Com./ Business & Prof. Offices	Retail/Highway/ Service Com./ Business & Prof. Offices	Retail/Highway/-Service Com./Business & Prof. Offices	Retail/Highway/-Service Com./Business & Prof. Offices	
F/20.6 acres	General and Limited Industrial	High Density Residential	High Density Residential	Retail/Highway/Service Com./Business & Prof. Offices	Retail/Highway/Service Com./Business & Prof. Offices	
G/24.2 acres	Sand and Gravel Harvesting	Retail/Highway/-Service Com./ Business & Prof. Offices	Retail/Highway/-Service Com./ Business & Prof. Offices	Retail/Highway/-Service Com./ Business & Prof. Offices	Retail/Highway/-Service Com./ Business & Prof. Offices	
H/ 15 acres	General & Limited Industrial	Retail/Highway/-Service Com./ Business & Prof. Offices	Retail/Highway/-Service Com./ Business & Prof. Offices	Retail/Highway/-Service Com./ Business & Prof. Offices	Retail/Highway/-Service Com./ Business & Prof. Offices	
I/ 15 acres	General & Limited Industrial	General & Limited Industrial	Medium Density Residential	Retail/Highway/-Service Com./ Business & Prof. Offices	Retail/Highway/-Service Com./ Business & Prof. Offices	
J/ 20 acres	General & Limited Industrial	High Density Residential	High Density Residential	Retail/Highway/-Service Com./ Business & Prof. Offices	Retail/Highway/-Service Com./ Business & Prof. Offices	
Lakes	Sand and Gravel Harvesting - Lakes			Water Management & Recreation	Water Management & Recreation	

Response to Comment Letter IP12

Response to Comment IP12-1

The comment is introductory and requests that, based on the comments in the letter, consideration of the EIR for the proposed Project by the Planning Commission be delayed until the FEIR is revised to comply with CEQA. The Commission considered the project and EIR on April 24, 2007. Based on the subsequent review done by the City of this letter, the resulting minor revisions to the FEIR, and the fact that the FEIR, including these supplemental responses, meets the requirements of CEQA, recirculation is not required and the City Council may consider certifying the FEIR and approving the project.

No revisions to the EIR are necessary.

Response to Comment IP12-2

There is no requirement under CEQA to distribute to the public the Mitigation Monitoring Program or the addendum to the Specific Plan for any particular length of review and comment. These documents were sent as a courtesy as part of ongoing communications with the parties interested and involved with the proposed Project. The changes to the Specific Plan are minor in nature and do not change the environmental impacts identified in the EIR.

No revisions to the EIR are necessary.

Response to Comment IP12-3

The comment states that the FEIR acknowledges that the Project could lead to traffic safety impacts due to new roadway geometrics and mixing of new traffic and quarry traffic. The comment states that the NOP for the Staples Ranch Project also notes that "substantial" traffic and conflicts would result from that project. The comment states that traffic and safety impacts from this project and the Staples Ranch Project must be fully mitigated.

The EIR for the ECSP analyzed the potential traffic and traffic safety impacts under baseline plus project conditions and cumulative (with Staples Ranch) conditions.

The traffic safety analysis under baseline plus project conditions is under Impact TRA-5, starting on page 3.15-38 in the DEIR, and is substantiated by the traffic safety analysis in Appendix E of the DEIR. The conclusion of this analysis is that the traffic safety impacts of the Project would be less than significant as designed.

The cumulative traffic safety analysis under cumulative plus project conditions included Staples Ranch and is discussed under Cumulative Impact TRA-6, starting on page 4-32 in the DEIR, and is substantiated by the traffic safety analysis in Appendix E of the DEIR. The conclusion of this analysis is that the El Charro Road design has been developed with the input of quarry operators, the City of Livermore, and the City of Pleasanton, and design safety features have been included in the road design such that with cumulative road volumes, the new facility would not be expected to result in above-average traffic accidents for this type of facility. Thus, a cumulatively considerable traffic safety impact is not identified for El Charro Road adjacent to the Project, and the Project would not make a cumulatively considerable contribution to any such impact.

No revisions to the EIR are necessary.

Response to Comment IP12-4

Response to Comment IP7-3 of the FEIR[7] released in April 2007 addressed the issue of the Pre-Development and Cooperation Agreement and determined that no revisions to the EIR are required.

The proposed Pre-Development and Cooperation Agreement between the City of Livermore, the City of Pleasanton, Alameda County, Alameda County Surplus Property Authority, and Vulcan Materials Company continues to be discussed and negotiated between the parties. It is anticipated that this Agreement will be approved by the City concurrently with the approval of the ESCP. This Agreement merely effectuates mitigation that is already proposed and may be adopted by the City Council as part of its certification of the EIR and adoption of the Mitigation Monitoring Plan and therefore is not a substantial change in the EIR.

No revisions to the EIR are necessary.

Response to Comment IP12-5

The development agreements submitted for approval meet the requirements of Government Code Section 65865.2 and Livermore Planning & Zoning Code (LPZ) 4-25-030 since they all include the following provisions: specified duration of the agreement, the permitted uses of the property, density and intensity of use, maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purpose. The development agreements require any future projects to be consistent with the requirements of the ECSP. The EIR[8] for the ECSP fully analyzed the permitted uses of each property and addressed the issues of density and intensity of uses and the maximum height and size of buildings. Each development agreement includes

7 Jones & Stokes. 2007. Final Environmental Impact Report for the El Charro Specific Plan. April. Sacramento, CA.

8 Jones & Stokes. 2007. Draft Environmental Impact Report for the El Charro Specific Plan. Volumes 1 and 2. January. Sacramento, CA.

provisions for vesting rights and fees for future development consistent with the ECSP and dedication of land for public purposes.

No revisions to the EIR are necessary.

Response to Comment IP12-6

The comment asserts that the cumulative impact analysis in the EIR is inadequate because it does not take into account proposed updates to the Pleasanton General Plan concerning the Kaiser/Hanson and Kiewit Construction quarry properties.

This comment was also made in the comments submitted by El Charro Vista LLC et al. Please see the response above to Comment IP11-8.

No revisions to the EIR are necessary.

Response to Comment IP12-7

The comment concludes the letter and reiterates interest for the City of Pleasanton participation in the Pre-Development and Cooperation Agreement and reaching final consensus. City of Pleasanton staff is currently participating in the negotiations of this Agreement. The comment notes that additional comments and testimony may be submitted regarding the proposed Project.

No revisions to the EIR are necessary.

Transcript of April 24 Public Hearing (TR2)

TR2

MINUTES
CITY OF LIVERMORE
PLANNING COMMISSION
TUESDAY, APRIL 24, 2007
City Council Chambers
3575 Pacific Avenue

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SPECIAL MEETING – 7:30 p.m.

CALL TO ORDER – ROLL CALL:

The meeting was called to order at 7:32 p.m. Present were Chairperson Darryl West and Commissioners Doug Horner, Michal Lea, and Todd Storti. Commissioner Tristan Pico was absent. Also present were Community Development Director Marc Roberts, Planning Manager Eric Brown, City Engineer Cheri Sheets, Assistant City Engineer Bob Vinn, Assistant Planning Manager Fred Osborn, Principal Planner Susan Frost, Senior Assistant City Attorney Judith Propp, Senior Planner Ben Murray, and Senior Clerks Julie Kavanagh and Fanny Ludwig.

PLEDGE OF ALLEGIANCE

MINUTES APPROVAL: None

OPEN FORUM: None

TR2-1

1. COMMUNICATIONS: None

2. REPORT FROM COMMUNITY DEVELOPMENT DEPARTMENT STAFF: None

3. CONSENT CALENDAR: None

4. PUBLIC HEARING ITEMS:

4.1 Hearing to review the proposed El Charro Specific Plan (SP05-003) and to consider a request to develop a retail outlet mall on 42± acres within the proposed Specific Plan. The project consists of development of a Specific Plan document for a 250±-acre area located on the western side of the City of Livermore in Eastern Alameda County. The proposed Specific Plan would support the development of regional commercial uses on approximately 150 acres of the project area. This project also includes a specific commercial retail development on 42± acres of the Specific Plan Area directly adjacent to and east of El Charro Road.

P.C. Minutes 1 April 24, 2007

1. The proposed Specific Plan includes the following: a land use program for the development of regional commercial with ancillary and support services; design guidelines and standards; circulation and infrastructure goals and policies; circulation improvements; utilities and infrastructure improvements; and open space, community facilities, and services. The proposed project also includes a potential redesign of five to ten holes at the Las Positas Golf Course; development projects within the Specific Plan Area including possible church campus use; General Plan Amendments; zoning changes, development agreements, financing mechanisms, phasing of public improvements, and Williamson Act Contract cancellation and/or transfer. The Specific Plan requires approval of the following implementing actions:

   a. Development Agreements. The City will enter into Development Agreements (DA) with each property owner in the Specific Plan area to vest certain developer rights and secure off-site infrastructure improvements, financing mechanisms, and phasing of improvements in the El Charro Specific Plan Area. In addition to a DA with the Prime Outlets owner (see below), the following DAs are under consideration:
      i) DA 06-001, Johnson-Himsl
      ii) DA 07-001, Roger Johnson
      iii) DA 07-002, Crosswinds Church
      iv) DA 07-003, El Charro Vista, LLC (Sywest)
      v) DA 07-004, Children's Hospital and Research Center Foundation

   b. General Zoning Code Text Amendments. The following General Zoning Code Text Amendments will create the Regional Commercial (RC), Highway Regional Commercial (HRC), and Open Space (OS) Planned Development Districts within the Specific Plan area:
      i) GZCT 07-372 (creates PD-ECSP-RC)
      ii) GZCT 07-373 (creates PD-ECSP-HRC)
      iii) GZCT 07-374 (creates PD-ECSP-OS)

   c. General Zoning Code Map Amendment 07-588 adds the proposed PD-ECSP-RC, PD-ECSP-HRC, and PD-ECSP-OS Districts to the City of Livermore Zoning Map.

   d. The following General Plan Amendments are under consideration concurrently with the proposed El Charro Specific Plan:
      i) GPA06-001 clarifies the point of measurement for Scenic Corridor view angle calculations to specify that measurements are taken from the edge of the outermost travel lane nearest the project.
      ii) GPA06-005 would allow architectural features on the Prime Outlets property to exceed the Scenic Corridor view angle subject to specific limitations.

TR2-1 Cont.

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iii) GPA06-007 would allow architectural features on certain institutional uses on the Children's Hospital property to exceed the Scenic Corridor view angle subject to specific limitations.
iv) GPA06-008 amends the General Plan Circulation Element to include, as an alternative to the Jack London Boulevard extension, the "northern alignment" of Airway Boulevard as a major roadway connection between Isabel Avenue/Kitty Hawk Road and the El Charro Specific Plan Area. This alternative would replace the Jack London Boulevard Extension, if selected.

2. Components of the proposed commercial retail development, known as Prime Outlets Livermore Valley, include 11 retail buildings and a food court, with a floor area of approximately 452,000 square feet. The buildings are functionally single-story with wall heights ranging from 20 to 24 feet. Architectural features, such as decorative roofs and towers, range from 32 to 50 feet in height. The project would provide approximately 2,400 on-site parking spaces and approximately 245 off-site parking spaces located on approximately 2.77 acres of land immediately south of the Prime Outlets project site. In addition to the policy actions necessary to adopt and implement the Specific Plan, the Prime Outlets development requires approval of the following applications:

   a. Tentative Parcel Map 9393 (SUB 06-019). SUB06-019 establishes the parcel boundaries and illustrates the proposed on-site utilities, grading, and drainage and off-site public improvements.

   b. Planned Development (PD-C 06-007). PD-C06-007 adds project-specific development standards to PD-ECSP-RC, which implements the El Charro Specific Plan and includes zoning and development standards unique to the Prime Outlets development.

   c. Conditional Use Permit (CUP) 06-021. CUP06-021 will authorize Prime Retail's use of the 2.77±-acre City-owned parcel south of the Prime Outlets site for overflow parking.

   d. Site Plan Approval/Design Review (SPA) 06-011. SPA06-011 authorizes the proposed architecture, site design, landscape, and related design elements.

   e. Development Agreement (DA) 05-005. DA05-005 will vest certain rights for the property owner and secure off-site infrastructure improvements, financing mechanisms, and phasing of improvements.

- Location: The El Charro Specific Plan and Prime Outlets projects are located in the southeast quadrant of I-580 and El Charro Road.
- Applicant: Prime Outlets Livermore Valley, LLC

TR2-1 Cont.

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- On-site and off-site public improvements: The project includes roadway and pedestrian improvements, including widening El Charro Road, extending Jack London Boulevard, relocating Friesman Road and constructing a multi-use trail; the extension of utilities, including sewer, water, and storm drains; and installation of on- and off-site flood control facilities, and related improvements.
- Site Area: El Charro Specific Plan - 250± acres; Prime Outlets - 42 ± acres
- Zoning: Planned Development (PD)
- General Plan: Business and Commercial (BCP) and Limited Agriculture (LDAG)
- CEQA: The Final Environmental Impact Report consisting of the Draft EIR, January 2007, and the Response to Comments/Final EIR, April 2007, for the El Charro Specific Plan (SCH# 2006052112), which also analyzes the Prime Outlets Livermore Valley development, will be under consideration for a recommendation for certification.
- Application Numbers: Specific Plan 05-003; Development Agreement 05-005, 06-001, 07-001, 07-002, 07-003, and 07-004; General Zoning Code Text Amendments 07-372, 07-373, and 07-374; General Zoning Code Map Amendments 07-588; General Plan Amendment 06-001, 06-005, 06-007, and 06-008; Tentative Parcel Map 9393 (Subdivision 06-019); Planned Development-Commercial 06-007; Conditional Use Permit 06-021; and Site Plan Approval/Design Review 06-011
- Project Planner: Ben Murray

TR2-1 Cont.

Chairperson West gave a brief outline and time estimations allotted to each item since the project had multiple applications and each one would require a certain amount of discussion and time and comments.

Planning Manager (PM) Brown addressed the Commission and introduced staff.

Community Development Director (CDD) Marc Roberts gave a brief introduction of the project and introduced Cheri Sheets, who would be discussing the regional partners and infrastructure involved.

City Engineer (CE) Sheets stated that the City Engineer has been involved in this project probably more than any other Specific Plan. The reason for that is that there is over $65 million worth of infrastructure improvements. She noted many of the improvements that the City would be involved in plus the environmental mitigations. The implication of those pieces of infrastructure is complicated by the fact of the adjacent land uses and the fact that there is a plethora of agencies involved in the project. Discussions have included the quarry owners and operators, Zone 7, the City golf course, the airport and their regulatory agencies, the Cities of Pleasanton and Dublin, CalTrans, and the environmental agencies.

Principal Planner (PP) Susan Frost gave an overview of the project to the Commission. She explained that one of the Development Agreements with El Charro Vista has been

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withdrawn from consideration at this time. Everything that she was discussing and identifying would be discussed in more detail by other speakers throughout the evening. She named the project components for the Commission and the audience.

Rich Walters, Jones and Stokes, gave an overview of the Final Environmental Impact Report (FEIR) noting the impacts and mitigation measures. He noted there would be potential significant effects on the aesthetics and visual resources, agricultural resources, air quality, biological resources, and cultural resources. Potential cumulative effects were identified for aesthetics and visual resources, agricultural resources, air quality, biological resources, water quality, noise, mineral resources, and transportation/traffic. He described the mitigation monitoring program. The traffic situation on El Charro was discussed. It was determined El Charro Road would be a safe facility and provide for safe access to all the land uses in this area. The various proposed and existing intersections and Highway 84 were also discussed. The area of the Specific Plan itself is not designated as a significant resource for minerals. However, the areas immediately south of the private land and south of the airport are so designated. The Jack London extension will touch or be on SMP 38, 39, and 40, which are proposed to be for mining even if there is not an active permit at this time (although it was proposed previously). Rhodes and Jamieson expressed concern there would be an obstacle to mining if the road was built first. The project only requires a two-lane extension of Jack London Boulevard and not the four-lane originally proposed and analyzed. It was determined that it would be such a small percentage of land that could not be mined that it would not be changing the overall mineral resource base in a significant way. He described what mitigation measures will be used to remove the Prime Outlets site and other developable land from the floodplain.

TR2-1 Cont.

PP Frost introduced the General Plan Amendments and explained what each one was for: three of them were for adjustment of view angles on various parcels and one was for the replacing the Jack London Boulevard extension with the Airway Boulevard extension. Staff is recommending denial of the latter.

Nick Haskell, EDAW, described what a Specific Plan is and the El Charro Plan in detail. He discussed the area constraints, the proposed land uses, the existing General Plan, the proposed zoning, the Design Guidelines and Standards, the planned area character, the building design, building design-outdoor spaces, the gateway and entry corridor, the parking standards, and the landscape design.

Bob Vinn, Assistant City Engineer, discussed the infrastructure and gave a brief background on the regional transportation projects underway. He discussed the traffic circulation and gave the reasoning for the access choices to the Prime site. He also discussed the flood control improvement and the proposed utilities.

CE Sheets discussed each of the development agreement proposals and what they entail. She also discussed the Specific Plan benefits and the amenities.

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Senior Planner (SP) Murray introduced the Prime Outlets project. This project is a result of three constraints. He discussed the design constraints: the Scenic Corridor, a fiber optic easement, and Jack London Boulevard. He discussed the site plan and the recommendations that came out of the previous design review meetings and workshops. He also noted how the percentage of projection into the view plane has been reduced from what was originally proposed. He listed the entitlements for the Prime Outlets: 1) Tentative Parcel Map 9393, which establishes parcel boundaries and illustrates the on-site utilities, grading, drainage, and on-site public improvements; 2) Conditional Use Permit 06-021, which authorizes Prime Retail's use of the City-owned parcel proposed for overflow parking; 3) Site Plan Approval/Design Review 06-011, which will authorize the proposed architecture, site design, landscape, and related design elements; and 4) Development Agreement 05-005, which vests certain rights for property owners and secures off-site infrastructure improvements, financing mechanisms, and phasing of improvements.

Tom Bauley, director of design for Prime Retail, addressed the Commission. He gave an overview of their projects throughout the United States. He introduced David Gates, the landscape architect for the project.

David Gates, landscape architect, explained the site plan itself and how it functions. He explained the outer wrap of the project will be planted in grape vines, a tilted plane of grapes exceeding 50 feet in many areas and terminated at the top of the berm with a stone wall. This will give it some of the natural material character. The next layer of landscaping will be a new line of large olive trees, which will be spaced far enough that you see through them, and then a series of pickets. The goal here is to keep the ridgeline character in place and still see the architecture. Within that there will be a combination of shade trees and smaller trees. This will provide blocks of shade areas on hot days. There are also tall columnar cypress trees, which will collect pedestrians through walkway systems and lead them into the inner parts of the project. He explained the hardscape and the interior design of the project.

TR2-1 Cont.

Mr. Bauley discussed the arts and crafts architecture of the project. They have worked on eliminating the flatness of the project as previously designed and have added a lot of projections to the buildings. This was in response to comments from the joint workshop.

PP Frost wrapped up the presentation and noted the revisions to the resolutions.

The Commission took a five-minute break at 8:55 p.m.

Chairperson West asked the Commission if they had any questions for the applicant or staff.

CM Lea stated on page 4-9 in the FEIR or 2-19 in the Draft Environmental Impact Report (DEIR) it has to do with flood control. It indicates in the draft that 20 acre-feet of flood storage is being added and increasing the net excavation. She didn't notice in her

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reading any additional mitigation for this additional excavation. Is there any? Should there be any?

Mr. Walters replied there isn't really any change in the area overall. The whole footprint of the project was included in the DEIR but the new volume calculations are coming out of the current designs that have been on-going as the project matures. Based on the new designs, they updated the amount of the volume. This site, overall, is a balanced site, which is what they have been striving for. This way they will not have to haul the soil to external locations. They have various areas (e.g., the Jack London Boulevard extension) that are elevated a little bit so they can get some culverts underneath to pass flow that comes over the overbank. It will all be reused on the site itself.

CM Lea noted at the public hearing meeting held by the Planning Commission, it came to her attention that one of the land owners is being represented by the law firm of Reed Smith. She wanted to disclose at this time her son-in-law is an equity partner with that law firm, but he is based in Pittsburgh, Pennsylvania, has no knowledge or work on this project and, although he receives financial remuneration from any representation the law firm does, her son-in-law and she are economically and financially independent so she has no conflict of interest. She wanted this noted.

CM Lea asked staff on page 4-13 of the DEIR or 4-55 of the FEIR, which has to do with the conversion of farm land, it talks about cumulative impact. In the FEIR, Staples Ranch was removed from the list of projects that will add to the cumulative impact and in other similar lists in the Environmental Impact Report (EIR), Staples Ranch was included. Why?

TR2-1 Cont.

Mr. Walters stated that page 4-55 in the FEIR still mentions Staples Ranch under the cumulative impact for conversion of farm lands. It was stricken from specific text in the document on page 4-55 referring to certain endangered species habitat. That was based on a comment from the Alameda County Surplus Land Authority in which their project has some habitat issues but it is little bit different because the creek is not running directly through the area that they are thinking of developing right now. It is on the south side. The riparian corridor that is running west of El Charro is not vegetated, whereas on the golf course and through some of the El Charro site it is actually vegetated. There are some differences in the habitat and they feel that warranted a change in how it was referred to in the document.

CM Lea referred to page 7 of the Mitigation Monitoring Program and asked if the City or Prime was responsible for preserving habitat. What is the mechanism that triggers who will be responsible? When is this determination going to be made?

PP Frost stated that relates to the vernal pool and who will be responsible.

Mr. Walters replied it may end up that they do not have the species on the property; they have not found it to date. The habitat is on the northwest part of the Prime property and part of it was within the Prime development and part of it was within the El Charro

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Road improvement area. That is why both parties are involved. If they do have to mitigate it is going to have to happen before either of those constructions take place. Both entities are actively seeking options for securing that mitigation.

CM Lea noted in the DEIR (and it was not listed as a change in the FEIR) there was a reference that the City of Livermore is seeking a State Scenic Highway designation for the Scenic Corridor. Her question is two fold: 1) what is the status of that, and 2) should the general amendments regarding the Scenic Corridor be passed, what impact would that have on the City getting that designation?

PM Brown responded it would be of a small magnitude. This is a CalTrans program; it is not a City program.

CM Lea referred to the Specific Plan, page 13 regarding the church and asked what the frontage measurement is.

CDD Roberts replied it is 900 feet more or less.

CM Lea stated one of the statements is that the presence of the church in that location would fragment the commercial and the retail to the degree that it reduces the potential for retail viability and lessened property value. She asked staff to provide a couple of general examples where mixed-use, like retail (similar to a church) and retail/ commercial has reduced values and retail viability.

TR2-1 Cont.

CDD Roberts replied the City hired Bay Area Economics to do an analysis of the retail/Church adjacency issues. They went through a literature review and discussions with brokers in going through their analysis. The concept is that the further you are from a major transportation hub, generally the less valuable the retail properties are. There are some additional requirements that the less direct your path is to those retailers, the less valuable they are. The harder they are to see, the less valuable they are and generally the more fragmented they are, the less valuable they are. The City asked Bay Area Economics to give them an exact percentage. While they agreed with the concept that the retail on the far side of an institutional user that would take 25 acres or so in a 150-acre area would be impacted, they did not quantify that. Their conclusion was that a more consolidated pattern of retail users would be more valuable overall and that retail users on the far side of the church would perform less well.

CM Lea referred to page 24 discussing the size of parking stalls. The request is to go to 9-foot by 18-foot stalls as the current industry standard as opposed to the City standard of 9½ feet by 19 feet. Does staff and the City view this industry standard adequate and, if they do, why do we still have the larger as the City standard?

CDD Roberts replied our City standard is larger than most cities. A very typical size of parking space is 8½ feet by 18 feet in the area. Those tend to get rather snug if you have a large vehicle. The key here is the land use pattern.

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CM Lea referred to pages 58 and 59 regarding signs. She stated that Prime is asking for larger signs due to Scenic Corridor restrictions and, on the other hand, the City is asking to change the Scenic Corridor to allow for architectural heights. We are using the restrictions of the Scenic Corridor in our favor and, on the other hand, we are using the Scenic Corridor restrictions against us. There seems to be an inconsistency in the approach to the Scenic Corridor in this development.

SP Murray replied the proposal looks at the sign area as proportional to the building façade rather than a straight square footage based on the length of the building as the Zoning Code does. It does result in a little bit more sign area than the Zoning Code, but staff does not see it as a conflict with the Scenic Corridor.

CDD Roberts referred to the justification on page 59 that spoke of the location of the building. If Prime had their druthers, they would pull the building significantly closer to the freeway. The reason the building is placed so far from the freeway to the largest extent feasible is to comply with the Scenic Corridor. If the buildings were another 400 feet closer to the freeway, signs of this scale will not be needed. The signs could be smaller and still be legible. Traditionally, with a user of this scale, a very large freeway sign would be planted right out on the freeway. That is not part of this package as it wouldn't work in Livermore. Those two things together and the concept of trying to keep the signage proportional to the architecture led to this and this is a good balance. This is not being inconsistent. Without the Scenic Corridor, the buildings would be much closer to the freeway and the signs would be small.

TR2-1 Cont.

CM Storti had no questions.

CM Horner asked if there will be any impact on the widening of I-580 on this specific project or in the definition of the sightline of the Scenic Corridor. When the freeway gets wider and the traffic lane moves out, does that impact what we are looking at tonight? CDD Roberts stated if the buildings are several hundred feet away from the freeway, the freeway is going to move a couple of dozen feet. It would be an extremely subtle change vertically out at that distance. There would be no significant impact. Obviously, there is a very positive impact of the project on the ability to get that freeway widening done because the City is securing right-of-way.

CM Horner stated majority of the properties along the freeway are designated Business Commercial Park (BCP) and how does a Crosswinds Church fit in to that designation? What is the City doing with the zoning language to make sure that fits in properly? PP Frost replied traditionally, public and quasi public uses are allowed at any Zoning District in the General Plan designation within the City. Churches are considered a quasi public use. Staff has identified them as a conditional use and both the Regional Commercial and the Highway Regional Commercial Zoning Districts are proposed to be implemented and will be used to implement this Specific Plan.

CM Horner stated it was mentioned earlier that El Charro Vista had withdrawn their Development Agreement. Are there any details available? CDD Robert replied the

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applicant is allowed to speak on that if they are inclined to do so. El Charro Vista was not comfortable entering into a Development Agreement with the City at this point. The City hopes as further discussions go on that there is the possibility that things could change.

CM Horner asked ACE Vinn which specific portion of Highway 84 will be late in being widened and will have a slight impact. ACE Vinn replied the portion between Jack London Boulevard and Ruby Hills (towards from the new alignment to the freeway).

CM Horner asked why the City would propose a General Plan Amendment to have a north alignment and then recommend denial of that? CDD Roberts replied the City takes CEQA seriously. The two alignments of the major roadways were done in such a fashion so that the City is free to choose between those two very different alignments. They both have advantages and disadvantages to those alignments without actually defining a project (having something in front of you as a possibility, you couldn't have chosen that northern alignment should you or us have concluded after doing a lot of studies that we actually wanted to go that direction). The definition of the project started months ago, then staff did all the studies, the analysis, and the environmental, and comes up with the answer. If the City has just done the analysis in the CEQA document and concluded that the northern alignment was actually the one the City wanted, then the City would have to have stopped and go back and do a General Plan Amendment to consider that. This was done simply to make sure that the major east-west arterial connection was done in the best possible way. It's not that alignment is infeasible, it's just the southern alignment is better.

TR2-1 Cont.

Vice-Chairperson Horner stated CM Lea asked about the parking space. He asked if staff can talk about the number of parking spots based on the square footage of buildings and how that compares with other retail shopping facilities in the City. SP Murray replied the comparable Zoning District is the Central Business (CB) District. The Specific Plan establishes a range of parking standards. The low end of the range is one space per 250 square feet. The CB standards require one per 200 square feet. At the very end of the range, the Specific Plan requires fewer parking spaces but the Specific Plan also sets a maximum ratio. The maximum on-site ratio is about 1:182 (5.5 per thousand). If a project such as Prime goes with overflowing parking, then the cap is at 6 per thousand which is about 1:167. This project is comparable to the City's standards. In the case of Prime, it exceeds the minimum requirement that the City would have elsewhere in the City.

CM Horner stated in the Design Review Committee minutes, there was discussion on the parking lot lights. He asked staff to discuss the proposed height of the lights, the cut-off shade, the foot-candle levels, and the hours of operation. SP Murray stated the design (in front of the Commission) has lights at 25 feet and that is inconsistent with the Specific Plan standard and the applicant has agreed to the condition to drop the lights to comply with that of the Specific Plan at 23 feet. That is taller than the Citywide standard which is 18 feet. With regards to cut-off, there's a requirement that the lights are a flat lense type that direct all the lights downward. The applicant has agreed to the condition

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that night time lighting be limited through turning off some lights or going to dimmer lighting. The foot-candle has not been specified yet.

Chairperson West had no questions and he opened the public hearing.

Michael Hasaka, 932 Lucerne Street, stated he speaks for the golfers in the Tri-Valley. They are pleased with the staff recommendation of using the southern alignment (east Jack London extension) for easy access to the proposed retail outlet mall. He provided a petition to the Commission consisting of approximately 200 signatures of golfers from around the Tri-Valley around who support the recommendation. TR2-2

Jean Rozsnyai, 1104 Avenida de las Palmas, stated she is spokesperson for the Save Our Hills group, a citizens' grassroots group, for the last 35 years. At present, the El Charro Road is Livermore's gateway as one travels along the Scenic Corridor. Its rural character gives our City a uniqueness, which our citizens cherish and also the thousands who travel I-580 each day. This massive development would change all of that. The visual character of this area and beyond would be substantially degraded and the City's long-term goal of upholding the integrity of the hillside ordinance will be considerably weakened. More importantly, the precedent set by these General Plan Amendments will weigh heavily on the legal aspect of future developments and redevelopments. These amendments would allow up to 21 percent penetration of the 2.2 degree view plane for Area 6. General Plan Amendment 06-007, institutional development, will allow a 40-foot building over 220 feet of property frontage and above the 2.2 degree view angle. This is a very massive development. The scenic view of the hillside to the south will be lost amongst the clatter of development with its traffic, light pollution, and signage. She doesn't think this is what citizens of Livermore desire. The developer, staff, and consultants should not replace their opinions with our citizens' requirements. The news media of the whole area of the valley has never published a story on the impact of this huge development on our City so that citizens could react in time before the final decisions are made. The newspaper should take their responsibility more seriously in reporting on such a large development. This is a huge development and the devil is in the detail. It is difficult to digest. Perhaps this Planning Commission meeting could be continued for more citizens' education and input. TR2-3

Alexis Pelosi, representative from Sheppard Mullin Richter and Hampton, stated she is here on behalf of El Charro Vista LLC and the Tri-Valley Golf Center. She is submitting a letter from them on their behalf. This letter outlines their objections and concerns to the proposed project They do not want to give any oral presentation at this time. They would rather have the letter be included into the record. TR2-4

John Stein, 1334 Kathy Court, stated this is a huge report and he appreciates the staff and the Design Review Committee's input. He came to talk about the Scenic Corridor but he would like to raise two concerns. First, based on the report, it is impossible to figure out what the cash flow is for the City for the next three to seven years. With the City already running a small deficit, a positive cash flow from this project is vital. With the third-party agreements, the forgiveness of fees, it's unclear whether there is a TR2-5

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positive cash flow on the short-term and it's important for the City. In the past, there was a factory outlet project over by Greenville Road. It was built and was vacant for three years and was eventually converted to back office use and at the same time, there was a failed factory outlet store in Lathrop. The Prime Outlets in Tracy has just been sold to a local group and it would be interesting to see if they survive. His other concern is what happens if this project doesn't succeed? If there is enough residual value in the land to support the bonds for all the infrastructure? There should be some failure analysis of what happens. On the Scenic Corridor, he was the Chairperson of the committee that put in place the current Scenic Corridor requirements. It was formed by two members of the City Council, two members of the Planning Commission, and two members of the general public. Based on what he has seen from this EIR and the Specific Plan, the analysis is both simplistic and superficial. The 2.2 degrees was set by doing television views, driving back and forth, standing at various locations looking at the Scenic Corridor. The 2.2 degree's final value was based upon the need to maintain economic use of the parcel together with preserving (at least) the bare ridgeline. While the heights at the background undulate, it was based not upon 90 degree view, but a continuous dynamic view as you drove down the freeway. The current analysis basically shows single pictures at 90 degrees and has very little determinant from that. He urged to go into small detail on the Scenic Corridor and perhaps like other projects, if we go back to the old style before we set/violate the single angle and go to poles and actual pictures and at least three or four different positions. The freeway is going uphill as you go from west to east. The hills are changing in the background so you see many views of the same buildings. This is somewhat a simplistic and superficial analysis; there are ways of doing a good analysis. The difference between a 2.2 degree angle and the current angle is quite dramatic. He doesn't understand the need for distinguishing between 13 feet, 20 feet, and 50 feet above the penetration. In most cases, there's only a sliver left of the ridgeline and chances are, almost any extension of the height of the building wipes out that view. He understands the area and the frontage, but he doesn't understand the height (10 percent and 90 percent). His concerns on the EIR, which continues through the Specific Plan were addressed. His concern is the community has set standards. There was a General Plan written that had a 2.2 degree Scenic Corridor angle, and yet the entire analysis of this thing is based upon the staff and the consultants amendments to the Scenic Corridor. The baseline should be the existing General Plan and not some proposed amendment. You can analyze proposed amendments but there should be at least a baseline on what would be in place if you have the existing Scenic Corridor requirements. That issue was not addressed in the response to his comments for this meeting.

TR2-5 Cont.

Randy Smith, 953 Lucerne Street, stated he is also representing the golfers who are concerned on the impact on the golf course. He was with Mr. Hasaka when they were collecting the petitions and there was general consensus from most people. First, as pointed out by Mr. Hasaka, they do want the southern route to stay as the southern extension. It has the least impact for the golf course. The golf course in the EIR is completely put out in the 100-year floodplain. Most of the people who play at this course will say that the course actually gets flooded out in parts of the course on a daily basis. The staff does an incredible job with what they have to work with, and the course has

TR2-6

improved significantly over the last couple of years. When we look at the drainage concerns on what is going on to the property, we should have also been considering what changes are going to be made to the course and consider that along with the drainage issues of the golf course. As we redesign the golf course, we are creating new drainage issues that have to be taken in conjunction with the rest of the plan. Another thing to consider, as it has been pointed out, is both plans call for partial losing of holes of the golf course and therefore cause a redesign. We have to look the golf course like a balloon. If we are going to take a piece away we are going to compress it, it's going to stick out in another places. We have to consider that we may need additional land to be able keep the same quality of golf course that we have today. The Greens Committee is working on specific recommendations. We may need to add land back where we are taking land away in order to keep the same quality. In order to keep the championship court the same standards, you have to reduce the area that is dedicated to the nine-hole executive course. The nine-hole executive course has a large revenue component associated with it; it gives children the opportunity to play golf much more easily without having to get on to the big course. These are all important issues. He wants to make sure the City sticks with the southern route, but the City also has to start to consider very soon what those changes might be and the impact it's going to have on everything else. Now is probably the time to address the drainage issues associated with the course. He stated that at the Wente course, there recently was a nationwide tour event and there were a lot of investments and advertisements related to Livermore that went nationwide on the golf channel. That focuses positioning Livermore for wine and golf. This would seem to be the time to stand up to what Livermore is trying to portray itself as and stand behind that marketing message to make sure that we don't lose what is really one of the finest public golf courses in the area, especially one that is effectively a community course. Most of the other issues will probably be brought up from the Greens Committee. Some of the Committee were confused about the statement about open space being available for other projects, such as widening I-580 and possible BART extensions. They didn't know how that may yet impact the golf course. Where this will become important again is in preserving the adjacent land, where possible, in case the golf course has to be realigned again later based on other projects.

TR2-6 Cont.

Don Kahler, representing the Jamieson family that owns property at the south end of Jack London Boulevard, stated that SMP38 is permitted. That was permitted in 1957 and doesn't expire. It's wrong by saying it is not permitted. He also asked if all the holes in the golf course using recycled water? The landscaping could affect their well and the rest of the property.

TR2-7

Don Miller, 2862 Waverley Way, stated he will summarize his comments. He welcomes the Prime Outlets mall and understands the City's interest in the sales tax revenue. However, a significant part of our community character comes from views maintained by our Scenic Corridor provisions. This provision has long-term community support via a referendum, surveys, and the platform of elected officials. For this Specific Plan, he urged he Planning Commission to take a positive step and maintain the City's gateway and require compliance with the current Scenic Corridor provision for the exception of not more than 5 percent intrusion instead of 20 percent. The first issue tonight on the

TR2-8

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Scenic Corridor is whether short-term architecture like flat roofline and a false emphasis on visibility should trump a long-term views of hills and hillside that distinguish Livermore from our neighboring cities' unattractive development along the freeway. It is our Scenic Corridor views that immediately tell any passersby that they have entered the City that cares for its own community character. The second issue is the setting of a precedent that destroys the view plane over the whole Specific Plan area. Any Planning Commissioner or City Council person (he has been both) should know that in land use, your decision is permanent and you cannot go backwards. Once set, the precedent even allows others to challenge their current regulation. There's a natural and a legitimate desire of developers to have visibility. It can be satisfied both by attractive landscaping near their functionally one-story building facing the freeway and by exceptions to the Sign Ordinance to allow eye-level signs visible along their 1,300 to 1,500 foot long freeway frontage. That frontage alone is sufficient to gain attention and any one woman can tell you that within three to six months everyone in a 50-mile radius will know exactly where this mall is. When the original proposal was for a 45 percent intrusion, 20 percent may sound like a reasonable compromise. However, the next compromise, the one after that, and the one after that …and so on… makes it worse and worse, bit-by-bit, until there's nothing left of our Scenic Corridor. Planning should be to uphold the community's long-term vision and not bend to a shorter term interest of others. It is reasonable to expect those coming to our community be consistent with our values. Again, for this Specific Plan, they urge the Planning Commission to take the positive step in maintaining the City's gateway and require compliance with the current Scenic Corridor provisions, with a possible exception of not more than a 5 percent intrusion instead of the 20 percent. He referred to the Development Agreement. The Planning Commission has no purview over the Development Agreement as it belongs to the City Council, but it is before the Commission. If the City is fronting the money for the infrastructure, it's repaid out of sales tax money and that frontage money is a sales tax give back. If the developers fail to pay enough sales tax, it becomes a public subsidy. Only if the developers repaid the whole amount of frontage money that this is a good deal for the City. These are the kinds of questions that need to be asked even though the Commission doesn't make the final decision.

TR2-8 Cont.

Gregor Markel, 1091 Carrara Way, stated he is in agreement with the gentlemen who spoke about the golf course. One of the things that hasn't been mentioned in the southern alignment is the impact of the golf course in the potential financial impacts that the City is going to see. This is something that the City has to take into consideration. What the City is doing is giving the developer a lot of concessions and the City will end up spending a lot of money to repair/replace and potentially lose revenue from an existing financial resource the City has from the golf course. By shortening the course, changing the executive course to all par three, this will potentially decrease the round of play and decrease the revenues to the City. This has not been taken into consideration yet. The initial plans for the realignment of holes on the southern side to make way for the road have been very simplistic in nature. Reducing the challenges that are out there currently by removing the lake and some of the other features of the course are going to simplify the course, take the interest and some of the character out of the course. As there are a lot of competition regionally for golf and golfers, if you start to simplify this

TR2-9

course to the extent that it becomes a par three course, people are going to go elsewhere. This is going to impact the City's revenue. All the local golfers that spoke are all passionate about the golf course and what they believe is a fantastic municipal course here. They strongly encourage the Commission to take a good long look at this and make sure that as they allow this project to proceed forward that a lot of care and consideration is given to a resource that the City already has and is in place. Make sure you are doing the best for the City in protecting and preserving that resource so that this isn't a further drain on the cash flow to the City.

TR2-9 Cont.

John Lynn Smith, Reed Smith, representing Rhodes and Jamieson, stated they had written to the Planning Commission in February 2007 with respect to certain comments and concerns they have about the DEIR in particular, the southern extension to the west-east corridor, which would envision a two-lane interim expansion at Jack London Boulevard, and ultimately as a mitigation measure for the project a four-lane expansion of Jack London Boulevard. In response to the comments, the City did some revision to its DEIR and the four-lane expansion of Jack London Boulevard essentially evaporated as a mitigation measure but not quite, which raises some concerns and perhaps some questions Rhodes and Jamieson has about what that impact may be to their property. If it remains in the City's General Plan as a potential mitigation measure but as a potential project independent of this project, it has according to the FEIR independent utility (of the impacts by this particular project) and the identified utility with respect to this independent impacts would be relieved for certain freeway operations and congestions (congestions at Isabel Avenue and Airway Boulevard), improvement of inner-city circulation, and the improvement of emergency access, all of which would be improved theoretically by the four-lane expansion of Jack London Boulevard. It's hard to imagine that the projects the Commission is approving tonight are not in some respects drivers to those impacts, which would resolve in a necessity of mitigations further and greater than the two-lane expansion of Jack London Boulevard. Rhodes and Jamieson's concern by not doing that analysis at this point is that the City is choosing between alternatives: the northern and the southern route without fully understanding what the impacts would be of a four-lane expansion if in fact this is needed mitigation sometime for the impacts associated with the projects the Commission is approving. The Commission does not have a full and complete appreciation of the two alternatives that are before it.

TR2-10

Rhodes and Jamieson indicated in its letter to the City in February the impacts in particular to the Rhodes and Jamieson properties would be fairly severe both in terms of the depletion of mineral resources that are identified in the County's Specific Plan, as well as just configuring how that road is going to work on that property. They understand in this case, as least in the FEIR, that if it is not recognized as a mitigation measure and is recognized in the General Plan, there is a possibility and maybe a probability considering mining activities can go out 30 to 40 years. This will in fact be built; it says in the FEIR that it won't be conceivably built until mining activities are completed underneath that roadway (or where that roadway may be). There is no analysis as to whether those mining activities will occur exactly in that place first or exactly in that place last. Jamieson's point is, it seems somewhat inconceivable that the Jack London

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Boulevard extension, the full expansion to four-lanes, is no longer considered a mitigation measure but is rather considered a separate project with independent utility conceivably at some point which allows the City to defer the analysis of these particular impacts from this particular project until a later date, which in itself can be fatal and defective in the CEQA analysis. As importantly, it denies the City the opportunity to fully examine the full potential impacts of both alternatives of the Airway Boulevard alternative, as well as the Jack London Boulevard alternative. Rhodes and Jamieson asks the Planning Commission to go back and do further analysis on that potential mitigation measure much like they did on the two-lane extension that could transfer to the four-lane extension so that the City could have a full appreciation of those impacts. As a property owner, they would have a full appreciation of the impacts at this time as well. TR2-10 Cont.

No one else spoke and the public hearing was closed.

There was a five-minute break.

Chairperson West asked staff to reply to the public comments.

CE Sheets replied to the several issues raised:

- With respect to the Development Agreement, in this situation, the City is not fronting any of the funds for the infrastructure. It's the land secured financing and the developer contribution that fronts the money.

- Several issues on the golf course: TR2-11

    1. The existing condition where the golf course floods at less than 100-year storm. The City is working with Zone 7 on the Stream Master Management Plan to identify an appropriate remedy for that area, which will include increasing in capacity. It's not project mitigation; it's a larger regional issue and the City is moving forward on that.

    2. The City is currently studying two alternatives for the golf course. One, utilizing lands that already exists. The Plans recognized that there is some economic impact to the golf course in terms of portion of the course not being able to operate during an interim period. Therefore, the mitigation will include not only an equal facility but an equal and enhanced facility to offset any of the operational losses during that period. The City is looking at one proposal on-site and one is additional land that is going before the Greens Committee on April 26, 2007. Staff will continue to work through the process with them on that issue.

    3. Recycled water is currently used on the golf course and will continue to be utilized on the golf course.

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- SMP 38 is permitted and she clarified for the record that the permit for reclamation plan is what they had submitted and withdrew. With respect to SMP 38, the City has been working with the quarries in the past. The City welcomes them back at the table to coordinate on the future four-lane facility.

- At the request of the quarries, in reviewing their letter, the City went back and re-analyzed the Specific Plan area to determine whether or not a four-lane facility was necessary and the end result was it is not. It's not needed for the Specific Plan or for cumulative conditions. As a result, the City has lots of room to be flexible in terms of when the City installs that facility and whether and how to go forward with it. It is not necessary for this project. The City is happy to work with the quarries on making sure that installation of the four-lane facility is compatible with the mining activities out there and the City has noted that in its FEIR.

CDD Roberts referred to the different comments on the Scenic Corridor. First, whether the City had done any dynamic reviews of the Scenic Corridor impacts. The answer is yes. Some of which are included in the environmental analysis. Additional views were done from a variety of angles and, in fact, that explains the multiple-part tests that are proposed for General Plan Amendment. The 90-degree analysis is what is required by the General Plan as the City analyzes the view planes. Those particular views spoken in the amendments (the tape switched sides and continued at) that are before you and the documents that is up against the wall. However, the 6/10 of 1 percent limitation is directed at the dynamic view. The total area of penetration speaks directly to the impact on the oblique angles. The topography of oblique angles provides a much taller hillside backdrop to the development, with the Altamont hills being the oblique receiver in the east bound direction and Pleasanton Ridge being the oblique receiver in the west bound direction. Those two hills are relatively close and are relatively taller so the scenic impacts to those hills are much lower; however, the area limitations was placed into the General Plan Amendments to limit the impact on those oblique angles. While the speakers were correct that the 90-degree angle is only one particular instance in one particular direction, this is what is required by the City's General Plan analysis. Multiple analyses were done to try to minimize the impact to the ridgeline, while allowing the fore and middle grounds to be developed in a way that ultimately made visual sense and enhanced the Scenic Corridor. Other speakers spoke of the conversion of rural land to urban uses. That is an impact that was identified in the General Plan. The speaker is correct. Once the area is urbanized, it will look very different than it does today. In fact, in consideration of that impact, the Council and the General Plan Update Steering Committee looked at alternatives which would not urbanize this area (i.e., changing the entire area to open space) to preserve its scenic qualities. The Council considered and discarded that alternative and installed the urban designation which this Specific Plan implements. The question whether this area is urbanized or not was directly asked in the General Plan Update and was directly analyzed. The documents tonight do urbanize it and that does mean there will be a dramatic change in the visual texture of the corridor. That analysis is included in the EIR. However, within that conversion, the City believes that the Development Standards, Guidelines, and overall packet for this evening provide a very high quality visual environment.

TR2-11 Cont.

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CDD Roberts stated the last item was about precedent i.e., if the City makes some modifications to the Scenic Corridor in this location that will force future changes to the policies in other locations. He stated that staff disagreed with that in this particular case. The Scenic Corridor is made up of six major subareas most of them having subparts within the subareas, each and every one of the subparts of the subareas have different view angles. The City has, over time, adjusted view angles or established view angles. The establishment of the most recent view angles was relatively recently. The concept of the Scenic Corridor has existed over 30 years. Some of the view corridors have been in place for just six or seven years. The community has over time changed the implementing regulations to achieve the overall goal as laid out in the Specific Plan and the General Plan. In this case, staff recommends and believes that these adjustments are consistent with the overall intent of the General Plan and will not set a precedent that would require changing the regulations in other areas. The City's legal staff would have an opinion whether the City will be legally forced to make changes in other areas at a future time.

ACA Propp stated the staff has looked at this issue since it has been raised at other public hearings. As far as the legal precedent that has been voiced by the citizens of the community on this project, based on the unique characteristics of this project, the site constraints, the proposed projections in the Scenic Corridor, staff does not believe that the proposed projections in any way create any requirements by the City to go back and look at other General Plan Amendments for Scenic Corridor nor would it require the Planning Commission or the City Council to grant further amendments for projections since the characteristics are so dissimilar.

TR2-11 Cont.

The Commission had no questions on the public comments.

MOTION BY HORNER, SECOND BY WEST, RECOMMENDING THE CITY COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE EL CHARRO SPECIFIC PLAN.

CM Horner stated the FEIR is very thorough and should proceed.

CM Storti concurred.

CM Lea stated she has issues: one is protecting trees and another protecting the Scenic Corridor. She will be making an amending motion that there is a need to protect our "protected" trees. On Alternative 8, she supports no penetration to the Scenic Corridor. She is also concerned with the Children's Hospital site and will support Alternative 7.

Chairperson West stated the FEIR's prime focus is on the arroyo and is very thorough. There are issues with the Scenic Corridor.

AMENDING MOTION BY LEA THAT ALL IDENTIFIED TREES BE PROTECTED AT ALL COSTS.

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The motion failed for lack of a second.

AMENDING MOTION BY LEA TO ADOPT ALTERNATIVE 7, OPTION 2, FOR THE CHILDREN'S HOSPITAL SITE.

After discussion with staff and the Commission, CM Lea withdrew the motion as it is adequately addressed in the EIR.

VOTE:

AYES: HORNER, LEA, STORTI, AND WEST
NOES: NONE
ABSENT: PICO
ABSTAIN: NONE

MOTION BY WEST, SECOND BY HORNER, RECOMMENDING THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT 06-001 CLARIFYING THE METHODOLOGY FOR MEASURING THE VIEW ANGLE THAT THE NEW ANGLES ON THE SOUTH SIDE OF THE FREEWAY BE MEASURED FROM THE EASTBOUND LANE.

VOTE:

TR2-11 Cont.

AYES: HORNER, LEA, STORTI, AND WEST
NOES: NONE
ABSENT: PICO
ABSTAIN: NONE

Motion passes.

MOTION BY WEST, SECOND BY HORNER, RECOMMENDING THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT 06-005 ALLOWING SCENIC CORRIDOR MODIFICATIONS FOR THE PRIME OUTLETS.

CM Storti stated he approves of the modification.

CM Lea stated she does not support the modification. She feels the protrusions on the building elevations are not functional; they are merely decorative.

CM Horner stated he believes the staff's analysis so he sees no purpose in not allowing the modification.

Chairperson West stated his feeling is similar to CM Horner's.

VOTE:

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AYES: HORNER, STORTI, AND WEST
NOES: LEA
ABSENT: PICO
ABSTAIN: NONE

Motion passes.

MOTION BY HORNER, SECOND BY STORTI, RECOMMENDING THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT 06-007 ALLOWING SCENIC CORRIDOR MODIFICATIONS FOR AN INSTITUTIONAL USE ON THE CHILDREN'S HOSPITAL SITE.

CM Horner stated his comments are the same as for the last motion.

CM Lea stated her thoughts are the same as for the last motion, but she will support this one.

CM Storti stated the church has worked with staff and he feels he can support this.

CM West stated he would support the motion, but encouraged the church to move elsewhere on the site. TR2-11 Cont.

VOTE:

AYES: HORNER, LEA, STORTI, AND WEST
NOES: NONE
ABSENT: PICO
ABSTAIN: NONE

Motion passes.

MOTION BY WEST, SECOND BY STORTI, RECOMMENDING THE CITY COUNCIL DENY GENERAL PLAN AMENDMENT 06-008 THEREBY ELIMINATING THE AIRWAY BOULEVARD EXTENSION OPTION AND RETAINING THE JACK LONDON BOULEVARD EXTENSION.

VOTE:

AYES: HORNER, LEA, STORTI, AND WEST
NOES: NONE
ABSENT: PICO
ABSTAIN: NONE

Motion passes.

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MOTION BY WEST, SECOND BY HORNER, RECOMMENDING THE CITY COUNCIL APPROVE THE EL CHARRO SPECIFIC PLAN

CM Lea stated she thanked staff for listening to her concerns on this issue and providing data on Appendix H – Downtown Business Characterization. She referred to page 4 that states, "Fifteen percent of downtown business will have overlap with El Charro, 7 percent will have possible overlap." She also referred to Table 1 on that page. The other significant statistics that she pulled from the data is that 51 percent of the downtown is service oriented. The goal of the tremendous amount of investments that has gone into the downtown (both public and private) was to turn it into a vibrant 24/7 destination. With a 51 percent service core, the City is obviously not there yet. Her concern is as the City moves forward with the development of the El Charro Specific Plan as a pedestrian-oriented regional and local serving, shopping, and entertainment lifestyle venue, it will put a damper on the up to now fast paced changes in the downtown. This will slow down the movement from making it less of a service-oriented downtown to the 24/7 vibrant community citizens said they wanted. The recent action in the City has demonstrated a strong concern with the protection of the existing business as the community moves forward. Appendix H does conclude that there will probably be some overlapping of possible businesses that will probably fail. She agreed that the numbers discussed are not large but they need to be taken into the account especially as businesses in downtown are asked pay for on-going maintenance and the loss of business as they were going through it. The City needs to be careful as the City creates competitions/obstacles for them. The potential negative impact is not so great that she will not support this Specific Plan, but a condition needs to be placed on it that developments that come up in the future for the Specific Plan need to have an independent economic analysis as to downtown impact as a part of any proposed development package. Her second concern is that she supports Alternative 7, Children's Hospital Option 2. She will make amending motions for these two issues.

TR2-11 Cont.

Chairperson West disagreed about the project being competition to the downtown; it will be a magnet.

FIRST AMENDING MOTION BY LEA, SECOND BY HORNER, THAT ALL FUTURE PROJECTS IN THE SPECIFIC PLAN, PARCEL BY PARCEL, HAVE AN ECONOMIC IMPACT ON DOWNTOWN REPORT INCLUDED.

SECOND AMENDING MOTION BY LEA RECOMMENDING ALTERNATIVE 7, OPTION 2 ON THE CHILDREN'S HOSPITAL SITE.

Second amending motion fails for lack of a second.

VOTE ON THE FIRST AMENDING MOTION:

AYES: HORNER, LEA, STORTI, AND WEST
NOES: NONE
ABSENT: PICO

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ABSTAIN: NONE

VOTE ON THE MAIN MOTION:

AYES: HORNER, LEA, STORTI, AND WEST
NOES: NONE
ABSENT: PICO
ABSTAIN: NONE

Motion passes.

MOTION BY LEA, SECOND BY WEST, RECOMMENDING THE CITY COUNCIL APPROVE GENERAL ZONING CODE TEXT AMENDMENT 07-372, GENERAL ZONING CODE TEXT AMENDMENT 07-373, GENERAL ZONING CODE TEXT AMENDMENT 07-374, AND GENERAL ZONING CODE MAP AMENDMENT 07-588,

VOTE:

AYES: HORNER, LEA, STORTI, AND WEST
NOES: NONE
ABSENT: PICO
ABSTAIN: NONE

TR2-11 Cont.

Motion passes.

MOTION BY HORNER, SECOND BY STORTI, RECOMMENDING THE CITY COUNCIL APPROVE SUBDIVISION 06-019 (TENTATIVE PARCEL MAP 9393).

VOTE:

AYES: HORNER, LEA, STORTI, AND WEST
NOES: NONE
ABSENT: PICO
ABSTAIN: NONE

Motion passes.

MOTION BY WEST, SECOND BY HORNER, RECOMMENDING THE CITY COUNCIL APPROVE CONDITIONAL USE PERMIT 06-021 FOR OVERFLOW PARKING ON CITY LAND.

VOTE:

AYES: HORNER, LEA, STORTI, AND WEST
NOES: NONE
ABSENT: PICO

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ABSTAIN: NONE

Motion passes.

MOTION BY HORNER, SECOND BY WEST, RECOMMENDING THE CITY COUNCIL APPROVE SITE PLAN APPROVAL/DESIGN REVIEW 06-011.

CM Lea stated there are a lot of things she likes about this project. The applicant went to great lengths to try to produce this project that is going to be an asset despite the fact of the various concerns she had raised. This doesn't mean she doesn't value the project. She discussed what she likes about the project; however, she a concern that with the large expanse of parking, it was mentioned that the City's overflow parking will use permeable pavers. She had asked staff if this is something appropriate to ask the applicant to do. Staff advised her that many of these are not conducive to shoppers with baby carts, etc. which she agrees. Bear in mind that huge amount of land is going to be covered. The fact that it is in a floodplain and there are drainage concerns, she is wondering if the applicant has considered looking into some kinds of materials that are permeable and still meet the requirements that they need for their client base. She can support the deviations the applicant is requesting.

CM Storti asked what is Prime's commitment to any Green Building such as in construction, designs, or materials, etc. What is Prime's commitment to providing recycling services in the areas at the site to work towards self sustainability? He wants to make sure these are incorporated. TR2-11 Cont.

Mr. Bauley stated he has committed into looking into LEEDS with SP Murray and Dave Rashe.

CM Horner stated he had no comments.

Chairperson West stated he had concerns on the two tallest towers. Also, the screen walls on the north elevations are not as classy as the others. He asked staff about the Master Sign Program; he thought graphics on awnings were not allowed. He asked about maintenance on the awnings.

It was noted that graphics were allowed.

Chairperson West commented that the applicant, the Design Review Committee, and the staff have done a very good job coming in with a product that reflects the community without being too western.

VOTE:

AYES: HORNER, LEA, STORTI, AND WEST
NOES: NONE
ABSENT: PICO

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ABSTAIN: NONE

Motion passes.

MOTION BY LEA, SECOND BY STORTI, RECOMMENDING THE CITY COUNCIL APPROVE DEVELOPMENT AGREEMENT 05-005

VOTE:

AYES: HORNER, LEA, STORTI, AND WEST
NOES: NONE
ABSENT: PICO
ABSTAIN: NONE

Motion passes.

MOTION BY WEST, SECOND BY STORTI, RECOMMENDING THE CITY COUNCIL APPROVE DEVELOPMENT AGREEMENT 06-001 FOR JOHNSON HIMSL, DEVELOPMENT AGREEMENT 07-001 FOR HYBERNIA GROUP (ROGER JOHNSON PROPERTY OWNER), DEVELOPMENT AGREEMENT 07-002 FOR CROSSWINDS CHURCH, DEVELOPMENT AGREEMENT 07-004 FOR THE TERRILL COMPANY (CHILDREN'S HOSPITAL PROPERTY OWNER) AND THE REMOVAL OF DEVELOPMENT AGREEMENT 07-003 FOR EL CHARRO VISTA, LLC.

TR2-11 Cont.

VOTE:

AYES: HORNER, LEA, STORTI, AND WEST
NOES: NONE
ABSENT: PICO
ABSTAIN: NONE

Motion passes.

5. UNFINISHED BUSINESS: None

6. NEW BUSINESS: None

7. MATTERS INITIATED BY PLANNING COMMISSION AND STAFF: None

8. ADJOURNMENT: 11:07 p.m.

NEXT PLANNING COMMISSION REGULAR MEETING DATE: May 1, 2007

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The various sections of the transcript for this hearing have been numbered to focus on the oral comments presented by the public. The presentation given by staff and discussion and questions from the Planning Commission members have been grouped together in order to highlight the public comments.

Response to April 24 Public Hearing (TR2)

Response to Comment TR2-1

The text marked as Comment TR2-1 summarizes the presentation made at the public hearing on the proposed Project. It includes the description of the public hearing item and the transcript of the presentation and discussion between staff and commission members prior to the hearing being opened for public comment.

No revisions to the EIR are necessary.

Response to Comment TR2-2 (Michael Hasaka)

The commenter stated his pleasure, and support from 200 golfers in the area, about the southern east-west roadway extension option (Jack London Boulevard Extension) being recommended by the Planning Commission.

No revisions to the EIR are necessary.

Response to Comment TR2-3 (Jean Rozsnyai, spokesperson for Save Our Hills)

The comment expresses concern with the visual change the development and general plan amendments would cause. The comment also states that the news media have not covered the project and asks that more time for citizens' education be provided. These issues were also raised in comments on the DEIR. See response to Comment TR-3 and response to Comment IP4-2 in the FEIR.

No revisions to the EIR are necessary.

Response to Comment TR2-4 (El Charro Vista, LLC, and Tri-Valley Golf Center, represented by Alexis Pelosi of Sheppard, Mullin, Richter & Hampton)

The commenter stated that a letter is being submitted that outlines the objections and concerns of those she represents. The referenced letter is included in this

document as Comment Letter IP11. No issues were raised during the public hearing.

No revisions to the EIR are necessary.

Response to Comment TR2-5 (John Stein)

The commenter states concerns regarding the City's cash flow and infrastructure funding should the project fail and the methods used for the scenic corridor analysis.

Land-secured financing and developer contributions will fund the needed infrastructure.

The General Plan Community Character Element includes direction on the implementation of the goals and policies for scenic corridors (General Plan section IV.C.5). The General Plan identifies a 90-degree view angle from I-580 with other directions of view as determined necessary.

See also the transcript of oral responses contained in Comment TR2-11, above.

No revisions to the EIR are necessary.

Response to Comment TR2-6 (Randy Smith)

The comment reiterates golfers' preference for the southern east-west roadway extension alignment and poses questions about drainage on the redesigned course as well as the available land to keep the course the same size. The comment also raised the marketing image of Livermore that includes golf.

The existing flooding and drainage issues at the golf course are part of a larger, regional, stormwater drainage issue, and solutions for this are not part of the proposed Project. The City is currently working on alternatives for the new golf course design; one utilizes the existing golf course land, and one requires additional land. The redesigned golf course will be an enhanced facility to offset any operational losses during construction of the redesigned course. See also the transcript of oral responses contained in Comment TR2-11, above.

No revisions to the EIR are necessary.

Response to Comment TR2-7 (Don Kahler, on behalf of the Jamieson Family)

The comment does not raise an environmental issue. The commenter states that the Jamieson property south of the proposed Jack London Boulevard Extension is

permitted for aggregate extraction. The City acknowledges the correction that SMP38 is permitted and that it is the reclamation plan permit that has been withdrawn.

The commenter asks whether all of the golf course holes would use recycled water and if landscaping would affect their well and property. Recycled water is currently used on the golf course and will continue to be used after the course is redesigned.

See also the transcript of oral responses contained in Comment TR2-11, above.

No revisions to the EIR are necessary.

Response to Comment TR2-8 (Don Miller)

The commenter expresses concern with the proposed amendment to the Scenic Corridor policies and the precedent this amendment might set. These issues were also raised in comments on the DEIR. See response to comment TR-3 and response to Comment IP4-2 in the FEIR. See also the transcript of oral responses contained in Comment TR2-11, above.

The comment also states concern with the Development Agreement, the monies being fronted to pay for infrastructure, and the possibility of the City not getting all of its money repaid through sales taxes.

Land-secured financing and developer contributions will fund the needed infrastructure. See also the transcript of oral responses contained in comment TR2-11, above.

No revisions to the EIR are necessary.

Response to Comment TR2-9 (Gregor Markel)

The comment does not raise an environmental issue. The commenter expresses concern with the golf course redesign, the possible shortened executive course, and the impacts to City revenue if use of the course is reduced after redesign.

The City is currently working on alternatives for the new golf course design and recognizes that there will be a short-term economic impact while the course is being modified.

See also the transcript of oral responses contained in Comment TR2-11, above.

No revisions to the EIR are necessary.

Response to Comment TR2-10 (Rhodes & Jamieson, represented by John Lynn Smith of Reed Smith)

The comment raises concerns about the elimination of the four-lane Jack London Boulevard Extension option from the proposed Project, as described in FEIR *Master Response Concerning the 2-lane and 4-lane Jack London Boulevard Extension Option* and in FEIR Chapter 4, "Revisions to the Draft EIR," and what impact the proposed Project and recommended mitigation measures now may have on property owned by Rhodes & Jamieson.

As described in the FEIR master response and supported by Appendix G, "Additional Traffic Analysis Data," an additional traffic analysis was conducted to confirm whether the four-lane Jack London Boulevard Extension option was necessary as mitigation for the Project's traffic impacts. The analysis concluded that there would be no significant impacts or substantially more severe impacts on traffic with implementation of the two-lane roadway extension instead of the four-lane extension, and therefore the four-lane extension of Jack London Boulevard is no longer required as mitigation for the proposed Project. The additional analysis also concluded that the four-lane extension would provide improvements independent of those needed with operation of the proposed Project and therefore can be pursued as a separate project with independent utility. At such time that the City advances the four-lane widening, a separate analysis to comply with CEQA will be conducted. The information in this EIR can be used as a starting point for that analysis.

The impacts of a two-lane extension of Jack London Boulevard, including the impacts on Rhodes & Jamieson property and future mining of that property, are described in detail in the DEIR and in revisions to the DEIR (described in Chapter 4 of the FEIR).

No revisions to the EIR are necessary.

Response to Comment TR2-11

The text marked as Comment TR2-11 summarizes the discussion between staff and commission members after the public hearing was closed.

No revisions to the EIR are necessary.

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Appendix I

Downtown Business Characterization
City of Pleasanton

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El Charro Specific Plan
Downtown Business Characterization
City of Pleasanton

Introduction

In 2004, the City of Livermore (City) adopted a comprehensive General Plan Update. In it, the City designated several parcels east of El Charro Road and south of I-580 as land suitable for Business/Commercial Park uses. The City has also adopted certain road, trail, and other infrastructure plans for this area, known as the El Charro area. To provide for unified and consistent planning for the project area, the City has decided to prepare the El Charro Specific Plan (Specific Plan). The El Charro Specific Plan area (Specific Plan Area) is bounded by Interstate 580 (I-580) on the north, El Charro Road on the west, active mining quarries and undeveloped quarry land to the south, and Arroyo Las Positas, and the Livermore Municipal Golf Course to the east.

The General Plan designates the majority of the Specific Plan Area as Business and Commercial Park (BCP), which allows a Floor Area Ratio (FAR) of .3 to .5. BCP areas are required to be a minimum of 20 acres, located in the general vicinity of the freeway, and typically along major streets. Acceptable commercial uses in this type of area are listed in the Livermore Planning and Zoning code and include:

"Community / regional commercial uses, that due to their size and land requirements, have specialized locational criteria, including:

- Large, destination-oriented retail commercial use (e.g., factory outlet center, warehouse, wholesale/retail store)
- Large, commercial service use (e.g., home improvement center, furnishing and appliance store, automobile or recreational vehicle sales)
- Support and ancillary services (e.g. restaurants, service stations)" (City of Livermore 2004).

Assumptions

Our assumptions for possible retail use in the Specific Plan Area include the following appropriate retail uses, as defined by the City's General Plan:

- Wholesale/Retail
- Name Brand Retail
  - Clothing, Shoes, Luggage, Jewelry, Sporting Gear, Consumer Electronics, Books, Automotive Parts & Accessory, Music – Instruments/Recordings, Toys, Pet Products, Home Improvement (general), Home Furnishing and Appliance
- Limited Service Restaurants
- New Auto, RV Sales

Methods

Information regarding the businesses of downtown Pleasanton discussed below is based on site visits, City-operated websites, and internet-based directories. Bill Kasson and Sandy Devoto of Jones & Stokes conducted three field reconnaissance visits to the study areas in April and May 2006 where they documented operational businesses and their nature. The City of Pleasanton operates the *Pleasanton Downtown Association* website, which provides information about the location and names of its downtown businesses. When appropriate, further information regarding businesses was gathered from internet searches and directories. The inventory of businesses gathered for this project does not contain every business in the study areas, but reflects a general snapshot of the business character at the time of the survey.

Using the standard North American Industry Classification System (NAICS), each operational business was coded according to its primary activity. The four major economic activities identified in this study are food service, retail trade, services, and "other." The food service category includes any business retailing food for immediate consumption. Retail businesses are those that sell any category of products or goods directly to consumers. Service companies provide professional, technical, or scientific assistance to clients. This category also includes financial, insurance, real estate, medical and administrative services that were further separated in the NAICS code. All other companies were categorized under the "other" category and include wholesale, construction, and educational or entertainment businesses.

Within the City of Pleasanton, downtown businesses are separated into three categories: overlap (O), partial overlap (PO), and no overlap (NO). Those falling within the O category have the greatest degree of overlap with the type of retail assumed within the proposed development with regard to business type or product line. Partially overlapping (PO) businesses have characteristics that are

similar to those that may appear in the proposed development but retain distinctive qualities that remove them from direct overlap in a particular retail sector. NO listed businesses are unlikely to experience overlap with the proposed development due to a unique niche they possess in the retail sector or because they are of an entirely unrelated business type.

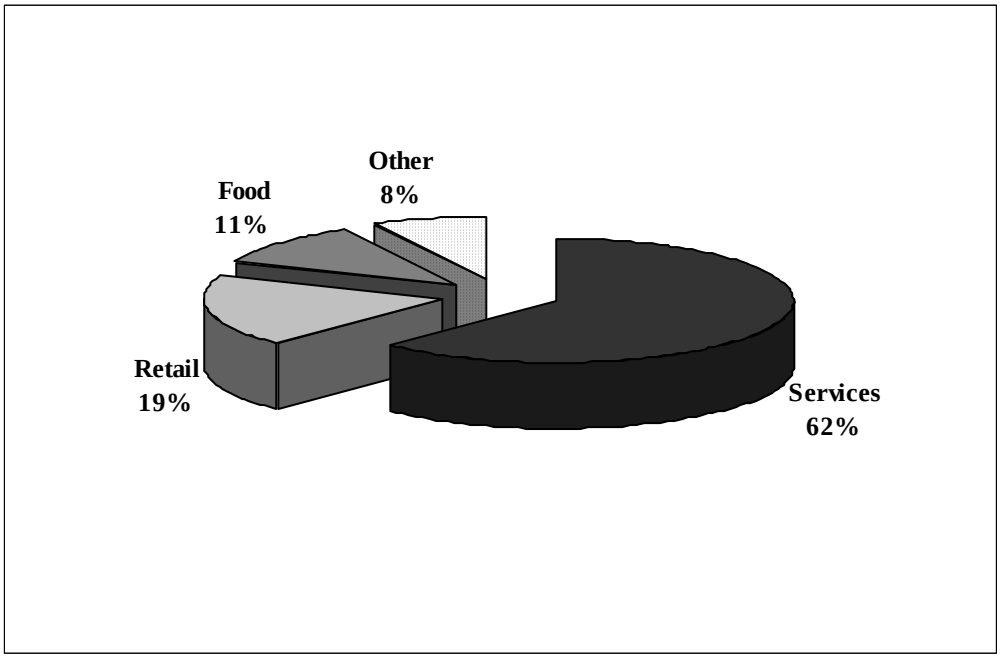
Downtown Pleasanton

As described in the City of Pleasanton's Downtown Specific Plan, the downtown area currently covers 308 acres of land and 843,000 square feet of commercial floor area. In the next 10 years, this commercial area is expected to grow by as much as 125,000-square feet (Pleasanton 2001). Downtown Pleasanton is generally situated in the central portion of the city and is bounded by the Alameda County Fairgrounds to the west, the Arroyo del Valle and the Union Pacific Railroad to the North, Second Street to the east and Bernal Avenue to the South. According to the Pleasanton Downtown Specific Plan Amendment, the downtown commercial area of Pleasanton is bounded to the east by 1st Street, to the north by Stanley Boulevard, half a block to the west of Main Street, and to the south by Bernal Avenue (Jones & Stokes 2001).

Figure 1 illustrates the composition of business activity in the commercial area of Downtown Pleasanton.

Pleasanton shows a strong service-oriented business sector in its downtown area, where 62% of all businesses are service oriented. Retail and food establishments follow, comprising 19% and 11%, respectively, of Pleasanton's downtown character (Figure 1). Businesses dealing in "other" services accounted for the smallest number of Pleasanton's downtown establishments. Refer to Appendix A for a complete list of Downtown Pleasanton establishments.

Figure 1. Downtown Pleasanton



The downtown character of Pleasanton shows a strong degree of distinct and non-retail businesses. Roughly 88% of all businesses in downtown Pleasanton would have no overlap (NO) with potential businesses compatible with zoning for the proposed development. Those with potential overlap (PO) and overlap (O) character each comprise 6% of the total. Table 1 describes the degree of overlap within each business sector.

Table 1. Pleasanton Business Overlap

	Food		Retail		Services		Other	
Category	Number	Percent	Number	Percent	Number	Percent	Number	Percent
O	8	21	12	18	0	0	0	0
PO	2	5	19	28	0	0	0	0
NO	29	74	36	54	222	100	28	100
Total	**39**		**67**		**222**		**28**	

This data illustrates that the business character of downtown Pleasanton possesses a large percentage of unique food and service type establishments. Just under half of the retail shops and a quarter of restaurants in the area showed some degree of overlapping character with those in the assumption. The vast majority of restaurants in Pleasanton tend to be full service and upscale. Only a small number possess qualities associated with those assumed under the proposed development, namely limited service, inexpensive, or franchise restaurants.

The retail sector of Pleasanton shows a similar trend. Over half of the retail establishments in the area feature specialized lines of products or services.

Overlapping retail businesses were predominantly characterized by the PO category. These stores typically retail name brand clothing and home décor/craft goods. Only a small number of establishments were found to fit the O category; the majority of which carry jewelry and houseware/home décor merchandise. Dependent upon the retail uses ultimately located within the proposed development, the Specific Plan Area may target identical customer groups with comparable products as these Pleasanton businesses.

Conclusions

Based on recent information that Prime Outlets Livermore Valley will be the major commercial center in the Specific Plan area, it is apparent that the assumptions made in this study with regard to the potential types of retail businesses in the specific plan are accurate. Because CEQA is concerned with physical effects on the environment rather than economic impacts on businesses, the focus of these conclusions is whether the new retail businesses in the Specific Plan area would result in urban decay or blight in downtown Pleasanton.

Blight is a condition of property or the uses of property in parts of a city, town, or neighborhood that are detrimental to the physical, social, and/or economic well-being of a community. It can include abandoned buildings or those severely neglected by their owners, vacant lots full of rubble and garbage, or dangerous or illegal uses. There is no single cause of blight. It is usually triggered by a combination of various inter-related factors in the urban environment. One of the potential contributors to blight is the closing of a large number of retail outlets in an urban area resulting from an inability to compete economically with nearby large-scale retail outlets.

The analysis in this study does not include a quantitative assessment of the potential economic impacts of a new retail outlet in the Specific Plan area. Rather it compares existing businesses in the commercial core of Pleasanton with the types of businesses in the Specific Plan area. The analysis shows that while there is some overlap in business types, the majority of businesses in the downtown commercial core do not appear to be in direct competition with the types of retail stores found in Prime Outlets retail centers.

Services make up the majority of businesses in the Pleasanton commercial core and would not be subject to competition with the Prime Outlets retail stores. Restaurants in the commercial core generally provide a unique menu and atmosphere compared to those in Specific Plan area. Restaurant patrons in the Specific Plan area would be primarily shoppers while the restaurants in the commercial cores serve other businesses and visitors to the downtown areas and in the evenings serve a clientele that would not likely be attracted to the restaurants in the Prime Outlets center.

Retail outlets would be the most likely to be affected by competition from Prime Outlets. It is reasonable to assume that certain businesses in the commercial core would be adversely affected by the competition presented by a retail center such

as Prime Outlets Livermore Valley. In some cases these businesses may fail as a result of the competition. Because retail outlets make up only 19 percent of businesses in the commercial core, and less than half of these businesses are in competition with the Prime Outlets Livermore Valley stores, the number of business failures would likely be small. It is also reasonable to assume that with the anticipated growth in the region, replacement businesses that would not be in competition with Prime Outlets would relocate into the vacated stores. As a result, conditions that lead to blight, such as depopulation and abandoned buildings, are not expected to occur in the commercial core of Pleasanton as a result of competition with the Prime Outlets Livermore Valley center in the Specific Plan area.

References

City of Livermore. 2004. *City of Livermore General Plan 2003-2025*. Adopted February 9, 2004.

City of Pleasanton. 2001. *Downtown Specific Plan*. Department of Planning and Community Development. Draft. March 30, 2001.

Jones and Stokes. 2001. *Environmental Impact Report for the Pleasanton Downtown Specific Plan Project.* Draft. Prepared for the City of Pleasanton. August 2001.

North American Industry Classification System (NAICS). 2002 NAICS codes. U.S. Census Bureau Website. http://www.census.gov/epcd/www/naics.html. Last accessed May 30, 2006.

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Appendix A

Downtown Pleasanton Business List

Name	Category	Type	NAIC	Sector
1st Hunan Chef	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Alberto's Cantina	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Baci Café	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Casa Madrid	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Claude and Dominique	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Coffee Beans & Bistro	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Dean's Café	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Emilos El Portal	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Fontina Ristorante	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
First Street Café	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Gay Nineties	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Gold India	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Hap's Original	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Mahalo Grill	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Me & Mai Friends	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Momiji	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Oasis Fusion Grill	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Panda Restaurant	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Pasta Trattoria	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Pho Hoa	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Pleasanton Main St. Brewery	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Rising Loafer	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Senro	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Silver Palate	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Stacy’s Café	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Tomo	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Vic's All Star Kitchen	NO	Accommodation& Food Service: Full Service Restaurant	722110	Food
English Tea Room and Gifts	NO	Accommodation& Food Service: Snack, Beverage Bars	722213	Food
Union Jack	NO	Accommodation& Food Service: Alcoholic Drinking Places	722410	Food
Tully's Coffee	O	Accommodation& Food Service: Snack, Beverage Bars	722213	Food
Fresh Squeeze	O	Accommodation& Food Service: Snack, Beverage Bars	722213	Food
Sweet Retreat and NY Pizza	O	Accommodation& Food Service: Full Service Restaurant	722110	Food
High Tech Burrito	O	Accommodation& Food Service: Limited Service Restaurant	722211	Food
Quizno's	O	Accommodation& Food Service: Limited Service Restaurant	722211	Food

Name	Category	Type	NAIC	Sector
Round Table	O	Accommodation& Food Service: Limited Service Restaurant	722211	Food
Bob's Giant Burgers	O	Accommodation& Food Service: Limited Service Restaurant	722211	Food
Cold Stone Creamery	O	Accommodation& Food Service: Snack, Beverage Bars	722213	Food
Blue Agave	PO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Strizzis	PO	Accommodation& Food Service: Full Service Restaurant	722110	Food
Specialty Sales	NO	Retail: Auto Sales - Used, Rare	441120	Retail
British Grocers	NO	Retail: Food& Beverage - Specialty Market	445110	Retail
Don Memo Pandaeria	NO	Retail: Food& Beverage - Specialty Market	445110	Retail
Cole's Market	NO	Retail: Food& Beverage - Grocery	445110	Retail
Main St. Spirits and Deli	NO	Retail: Food& Beverage - Convenience	445120	Retail
Nolan’s Cake Shop	NO	Retail: Food& Beverage - Baked Goods	445291	Retail
Primrose Bakery	NO	Retail: Food& Beverage - Baked Goods	445291	Retail
Tortabella	NO	Retail: Food& Beverage - Baked Goods	445291	Retail
Gourmet Works	NO	Retail: Food& Beverage - Gourmet Foods	445292	Retail
Meadowlark Drive in Dairy	NO	Retail: Food& Beverage - Dairy	445299	Retail
Nature's Sunshine	NO	Retail: Food& Beverage - Herbal Market	445299	Retail
Medicine Shoppe	NO	Retail: Food& Beverage - Medicine Market	445299	Retail
Pleasanton Liquor	NO	Retail: Beer, Wine& Liquor - Liquor	445310	Retail
Wine Stewards	NO	Retail: Beer, Wine& Liquor - Wine	445310	Retail
Express Liquors	NO	Retail: Beer, Wine& Liquor - Liquor	445310	Retail
California Medical Devices	NO	Retail: Medical Device	446199	Retail
Coast	NO	Retail: Gasoline Station with Convenience Store	447110	Retail
Shell	NO	Retail: Gasoline Station with Convenience Store	447110	Retail
76	NO	Retail: Gasoline Station with Convenience Store	447110	Retail
Pure Girls	NO	Retail: Clothing& Accessories - Girl's	448130	Retail
Christensen's Western Wear	NO	Retail: Clothing& Accessories- Western Wear	448140	Retail
Aloha Island Trading Co	NO	Retail: Clothing& Accessories - Family	448140	Retail
Michele Malone Design Jewelry	NO	Retail: Clothing& Accessories - Jewelry	448150	Retail
J'ame Bridal and Weddings	NO	Retail: Clothing& Accessories - Bridal Wear	448190	Retail
Main Street Knits	NO	Retail: Hobby - Knitting, Crochet Supply	451120	Retail
Graham Piano Studio and Sales	NO	Retail: Musical instruments - Piano	451140	Retail
Mesa Trading Co	NO	Retail: Crafts, Gifts& Novelties - Specialty	453220	Retail
Cattelan's Antique Furniture Mkt	NO	Retail: Home Furnishing - Furniture, Antique	453310	Retail
Hope Hospice Shop	NO	Retail: Thrift Store	453310	Retail

Name	Category	Type	NAIC	Sector
Pleasanton Antiques and Collectibles	NO	Retail: Home Furnishing - Décor, Antique	453310	Retail
West Gallery	NO	Retail: Art Dealers - Gallery	453920	Retail
Day Art Studio	NO	Retail: Art Dealers - Gallery	453920	Retail
Alexander's Main Street Gallery	NO	Retail: Art Dealers - Gallery	453920	Retail
Gregory	NO	Retail: Art Dealers - Gallery	453920	Retail
SF Cigar and Gifts	NO	Retail: Cigars and gifts	453991	Retail
Studio 7 Fine Arts	NO	Retail: Art Supply, Studio	453998	Retail
American Lease Exchange	NO	Auto: Leasing	532112	Retail
Passionate Athlete	O	Retail: Clothing& Accessories - Women's	448120	Retail
Towne Center Books	O	Retail: Bookstore - New	451211	Retail
Jewelry & Gifts	O	Retail: Crafts, Gifts& Novelties - General	453220	Retail
Carpets Plus	O	Retail: Home Furnishing - Flooring	442210	Retail
Elegant Flooring Outlet	O	Retail: Home Furnishing - Flooring	442210	Retail
Domus	O	Retail: Home Furnishing - Housewares	442299	Retail
Derek Jewelers	O	Retail: Jewelry - Precious	448310	Retail
Pleasanton Jewelers	O	Retail: Jewelry - Precious	448310	Retail
Jewelers Gallery	O	Retail: Jewelry - Precious	448310	Retail
Master Craft	O	Retail: Jewelry - Precious	448310	Retail
Fleet Feet	O	Retail: Sporting Goods - Shoes	451110	Retail
Pro Clean Supply	O	Retail: Janitorial Equipment & Supply	453998	Retail
Berry Patch	PO	Retail: Crafts, Gifts& Novelties - General	453220	Retail
Craft Gallery	PO	Retail: Crafts, Gifts& Novelties - General	453220	Retail
American Harvest	PO	Retail: Crafts, Gifts& Novelties - General	453220	Retail
Accurate Auto Sales	PO	Retail: Auto Sales	441110	Retail
Treehouse	PO	Retail: Home Furnishing - Décor	442299	Retail
Clover Creek	PO	Retail: Home Furnishing - Décor	442299	Retail
Miffleur	PO	Retail: Home Furnishing - Décor	442299	Retail
Pleasanton Glass Co	PO	Retail: Building Material - Glass	444190	Retail
Acc'sentials	PO	Retail: Clothing& Accessories - Women's	448120	Retail
Me & Emmi	PO	Retail: Clothing& Accessories - Women's	448120	Retail
Chic & Younique	PO	Retail: Clothing& Accessories - Women's	448120	Retail
All About Me	PO	Retail: Clothing& Accessories - Women's	448120	Retail
Destiny's Path	PO	Retail: Clothing& Accessories - Women's	448120	Retail
Apparel & Co	PO	Retail: Clothing& Accessories - Women's	448120	Retail

Name	Category	Type	NAIC	Sector
Lilly Ann	PO	Retail: Clothing& Accessories - Lingerie	448190	Retail
Blondie's	PO	Retail: Shoe Store - New, Women's	448210	Retail
Bicycles! Pleasanton	PO	Retail: Sporting Goods - Bicycles	451110	Retail
Sincerely Yours	PO	Retail: Crafts, Gifts& Novelties - Cards	453220	Retail
G.R. Doodlebug	PO	Retail: Crafts, Gifts& Novelties - General	453220	Retail
Careful Movers	NO	Transportation: Movers	484210	Service
All Cities Cab, Inc	NO	Transportation: Taxi Service	485310	Service
Golden Cab Company of the TriValley	NO	Transportation: Taxi Service	485310	Service
GRAPE Video Recording Company	NO	Information: Motion Picture Processing	512199	Service
Buzzage, Inc	NO	Information: Sound Recording, Production	512290	Service
Pacific Bell Information Services	NO	Information: Wired Telecommunications	517110	Service
Assist TelCom	NO	Information: Telephone Provider	517110	Service
Tri-Valley Internet, Inc+A150	NO	Information: Internet service provider	518111	Service
Diablo Valley	NO	Financial: Bank	522110	Service
Bank of America	NO	Financial: Bank	522110	Service
Bank of W.C	NO	Financial: Bank	522110	Service
Valley Community	NO	Financial: Bank	522110	Service
Washington Mutual	NO	Financial: Bank	522110	Service
US Bank	NO	Financial: Bank	522110	Service
Mount Diablo National Bank	NO	Financial: Bank	522110	Service
Bay Mortgage Co.	NO	Financial: Consumer Lending	522291	Service
Residential Pacific Mortgage	NO	Financial: Consumer Lending	522291	Service
Golden Valley Mortgage	NO	Financial: Consumer Lending	522291	Service
Preferred Home Loans	NO	Financial: Consumer Lending	522291	Service
Northstar Funding	NO	Financial: Consumer Lending	522291	Service
Pleasanton Mortgage	NO	Financial: Consumer Lending	522291	Service
Infinity Capital Lending	NO	Financial: Consumer Lending	522291	Service
Saunders Funding Corporation	NO	Financial: Consumer Lending	522291	Service
TriValley Capital	NO	Financial: Investment Services	523110	Service
Mavridis Investments	NO	Financial: Investment Services	523110	Service
Expense Reduction Analysts	NO	Financial: Financial Advice	523930	Service
Martin Wardin Eissner Financial Group	NO	Financial: Financial Advice	523930	Service
Robert Olsen, CFP	NO	Financial: Financial Advice	523930	Service
Lagorio & Lenninger	NO	Financial: Financial Advice	523930	Service

Name	Category	Type	NAIC	Sector
Allstate	NO	Financial: Insurance Agencies & Brokers	524210	Service
Farmer's Insurance -Bill Evans	NO	Financial: Insurance Agencies & Brokers	524210	Service
Farmer's Insurance -Gary Visher	NO	Financial: Insurance Agencies & Brokers	524210	Service
Farmer's Insurance- Chub J. Phillip	NO	Financial: Insurance Agencies & Brokers	524210	Service
Farmer's Insurance- Marleen A.	NO	Financial: Insurance Agencies & Brokers	524210	Service
Farmer's Insurance- Charles H.	NO	Financial: Insurance Agencies & Brokers	524210	Service
State Farm- Lawrence Mui	NO	Financial: Insurance Agencies & Brokers	524210	Service
State Farm- Patricia A.	NO	Financial: Insurance Agencies & Brokers	524210	Service
Douglas Balban Insurance Agency	NO	Financial: Insurance Agencies & Brokers	524210	Service
Integrated Concepts	NO	Financial: Insurance Agencies & Brokers	524210	Service
Katz 13	NO	Financial: Insurance Agencies & Brokers	524210	Service
Independent Auto Insurance Services	NO	Financial: Insurance Agencies & Brokers	524210	Service
Amador Insurance Agency	NO	Financial: Insurance Agencies & Brokers	524210	Service
Darpan Aulkh Insurance	NO	Financial: Insurance Agencies & Brokers	524210	Service
C & D Associates	NO	Real Estate: Real Estate Rental	531110	Service
Excel Realty	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Century 21of Amador County	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Hometown GMAC	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Haynes Realty	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Castlewood Properties	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Home Real Estate	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Keller Williams	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Better Homes Realty	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Northstar Realty Services, Inc	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Castalia Development, Inc	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Henderson Properties	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Wayside Park Realty	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Millenium Realty	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Dunder 1st Street Partnership	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Vintage Realty	NO	Real Estate: Offices of Agents & Brokers	531210	Service
McColm Commercial Real Estate	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Harris Real Estate Services	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Terex	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Alain Pinel Realtors	NO	Real Estate: Offices of Agents & Brokers	531210	Service

Name	Category	Type	NAIC	Sector
Pat Huffman	NO	Real Estate: Offices of Agents & Brokers	531210	Service
Park Place Appraisal Services	NO	Real Estate: Appraisers	531320	Service
Eagle Capital Corporation	NO	Leasing: Computer & Equipment	532420	Service
Dean Shotwell	NO	Professional, Scientific, Tech: Law office	541110	Service
Kevin A. Harris	NO	Professional, Scientific, Tech: Law office	541110	Service
R.E	NO	Professional, Scientific, Tech: Law office	541110	Service
Hodge Realty & Law Office	NO	Professional, Scientific, Tech: Law office	541110	Service
Schauman & Hubbins	NO	Professional, Scientific, Tech: Law office	541110	Service
William Hirst	NO	Professional, Scientific, Tech: Law office	541110	Service
John A Guthrie	NO	Professional, Scientific, Tech: Law office	541110	Service
YA Title Insurance	NO	Professional, Scientific, Tech: Title Abst.& Settlement	541191	Service
First American Title	NO	Professional, Scientific, Tech: Title Abst.& Settlement	541191	Service
Old Chicago Title Company	NO	Professional, Scientific, Tech: Title Abst.& Settlement	541191	Service
North American Title Co.	NO	Professional, Scientific, Tech: Title Abst.& Settlement	541191	Service
Fidelity Title	NO	Professional, Scientific, Tech: Title Abst.& Settlement	541191	Service
Old Republic	NO	Professional, Scientific, Tech: Title Abst.& Settlement	541191	Service
Bruce Jones	NO	Professional, Scientific, Tech: CPA	541211	Service
Franklin Management Services	NO	Professional, Scientific, Tech: CPA	541211	Service
Conley's Tax Service	NO	Professional, Scientific, Tech: CPA	541211	Service
Pico, Thomas & Karen CPA	NO	Professional, Scientific, Tech: CPA	541211	Service
Janet Yarbrough, CPA	NO	Professional, Scientific, Tech: CPA	541211	Service
Paul Dejarnatt CPA	NO	Professional, Scientific, Tech: CPA	541211	Service
Troy Van Sloten, CPA	NO	Professional, Scientific, Tech: CPA	541211	Service
Harrell, Urizar & Associates	NO	Professional, Scientific, Tech: Tax Prep Services	541213	Service
Harriet Fox & Associates Enrolled Agent	NO	Professional, Scientific, Tech: Accounting Services	541219	Service
F. Adm Architect	NO	Professional, Scientific, Tech: Architect	541310	Service
Terry Townsend	NO	Professional, Scientific, Tech: Architect	541310	Service
Jim Roberts	NO	Professional, Scientific, Tech: Landscape Construction	541320	Service
WR Brown Associates	NO	Professional, Scientific, Tech: Engineering Service	541330	Service
Jason T Alley	NO	Professional, Scientific, Tech: Engineering Service	541330	Service
Homan Engineering Corporation	NO	Professional, Scientific, Tech: Engineering Service	541330	Service
Tanis Information Systems	NO	Professional, Scientific, Tech: Engineering Service	541330	Service
Total Project Services	NO	Professional, Scientific, Tech: Engineering Service	541330	Service
Alexander & Associates	NO	Professional, Scientific, Tech: Engineering Service	541330	Service

Name	Category	Type	NAIC	Sector
Interior Design Co-Op	NO	Professional, Scientific, Tech: Interior Design	541410	Service
MHA Design-Designer Walls	NO	Professional, Scientific, Tech: Interior Design	541410	Service
Hanzal Morris Design Group	NO	Professional, Scientific, Tech: Graphics Design	541430	Service
Kassner Creative Graphics	NO	Professional, Scientific, Tech: Graphics Design	541430	Service
Visual Communications Services	NO	Professional, Scientific, Tech: Graphics Design	541430	Service
Odgen Costa Creative Group	NO	Professional, Scientific, Tech: Graphics Design	541430	Service
Brad Terres Design	NO	Professional, Scientific, Tech: Graphics Design	541430	Service
Pegasus Design	NO	Professional, Scientific, Tech: Graphics Design	541430	Service
Prosoft Engineering	NO	Professional, Scientific, Tech: software design	541511	Service
Arts PDF, Inc	NO	Professional, Scientific, Tech: software design	541511	Service
Magellan Website Design Studio	NO	Professional, Scientific, Tech: Web design	541511	Service
Inforient, Inc	NO	Professional, Scientific, Tech: software design	541511	Service
DC Software Design	NO	Professional, Scientific, Tech: software design	541511	Service
Positronics	NO	Professional, Scientific, Tech: Computer System Design	541512	Service
Nish Inc	NO	Professional, Scientific, Tech: Computer Assist	541513	Service
Madeira Ventures Lic	NO	Professional, Scientific, Tech: Business Consult	541611	Service
The Spirit Group	NO	Professional, Scientific, Tech: Business Consult	541611	Service
Business Development Group	NO	Professional, Scientific, Tech: Business Consult	541611	Service
Peter McDonald	NO	Professional, Scientific, Tech: Business Consult	541611	Service
Dear Jane	NO	Professional, Scientific, Tech: Business Consult	541612	Service
Clark Seif Clark, Inc	NO	Professional, Scientific, Tech: Environmental Services	541620	Service
Pivotal Ventures LLC	NO	Professional, Scientific, Tech: Quality Control Consulting	541710	Service
Product Quality Partners	NO	Professional, Scientific, Tech: Quality Control Consulting	541710	Service
The Stone Group	NO	Professional, Scientific, Tech: Advertising	541810	Service
World Class Promotions	NO	Professional, Scientific, Tech: Advertising	541810	Service
Cazinha Portrait Design	NO	Professional, Scientific, Tech: Photography Studio	541921	Service
Meritage House of Photography	NO	Professional, Scientific, Tech: Photography Studio	541921	Service
Amador Pet Hospital	NO	Professional, Scientific, Tech: Veterinary Services	541940	Service
Whole Foods	NO	Mgmt of Companies: Corporate office	551114	Service
Farmer's Insurance Recruiting office	NO	Mgmt of Companies: District office	551114	Service
Alpha Business Services	NO	Admin, Support& Remediation: Admin Services	561110	Service
California Legal Document Assistance	NO	Admin, Support& Remediation: Document Preparation	561410	Service
Pleasanton Printers	NO	Admin, Support& Remediation: Copy Center	561439	Service
Gift Source	NO	Business Gift Supplier	561439	Service

Name	Category	Type	NAIC	Sector
Souza & Lerschen	NO	Admin, Support& Remediation: Court Reporting	561492	Service
Pleasanton Travel	NO	Admin, Support& Remediation: Travel Agency	561510	Service
Cruise and Travel	NO	Admin, Support& Remediation: Travel Agency	561510	Service
TriValley Convention Visitors Bureau	NO	Admin, Support& Remediation: Visitors Bureau	561591	Service
Guardsmark, Inc	NO	Admin, Support& Remediation: Security Guards	561612	Service
Camp & Company Security Services	NO	Admin, Support& Remediation: Security Services	561612	Service
CJ's Model Home Maintenance	NO	Admin, Support& Remediation: Cleaning Service	561720	Service
R&S Lawn Service	NO	Admin, Support& Remediation: Landscape Service	561730	Service
C&L Massage Therapy	NO	Health Care & Social Assistance: Massage Therapy	612399	Service
Massage Therapy	NO	Health Care & Social Assistance: Massage Therapy	612399	Service
Mary La Grave Suter	NO	Health Care & Social Assistance: Massage Therapy	612399	Service
Theratouch	NO	Health Care & Social Assistance: Massage Therapy	612399	Service
Peg Hahn, CMT	NO	Health Care & Social Assistance: Massage Therapy	612399	Service
Yogi's Healing Journey	NO	Health Care & Social Assistance: Hypnotherapy	612399	Service
W. Schinder CMT	NO	Health Care & Social Assistance: Massage Therapy	612399	Service
Dr. Mannic Joel	NO	Health Care & Social Assistance: Anesthesiologist	621111	Service
Bay Valley Medical Group	NO	Health Care & Social Assistance: Physicians	621111	Service
Will Joel Friedman PhD, Psyc	NO	Health Care & Social Assistance: Psychologist	621112	Service
Dentistry	NO	Health Care & Social Assistance: Dental	621210	Service
Bay Family Dental Care	NO	Health Care & Social Assistance: Dental	621210	Service
Dr. Aldrin A Adamos, DDS	NO	Health Care & Social Assistance: Dental	621210	Service
LH Quan, DDS	NO	Health Care & Social Assistance: Dental	621210	Service
Dr. Todd Yerondopoulos, DDS	NO	Health Care & Social Assistance: Dental	621210	Service
Norman Wong, DDS	NO	Health Care & Social Assistance: Dental	621210	Service
Sullivan	NO	Health Care & Social Assistance: Chiropractic	621310	Service
Amador Valley Chiropractic Group	NO	Health Care & Social Assistance: Chiropractic	621310	Service
Total Life Chiropractic+A326	NO	Health Care & Social Assistance: Chiropractic	621310	Service
Michael Rose LCSW	NO	Health Care & Social Assistance: Social Worker	621330	Service
Valerie Dowla, PSY	NO	Health Care & Social Assistance: Psychologist	621330	Service
Jean Scurria, PhD, LCSW	NO	Health Care & Social Assistance: Social Worker	621330	Service
East Bay Therapy	NO	Health Care & Social Assistance: Speech Therapy	621340	Service
3D Baby Vu	NO	Health Care & Social Assistance: Ultrasound Imaging	621512	Service
Bridget E. Rodgers, MA CCC SLP	NO	Health Care & Social Assistance: Mental Health	624190	Service
Community Christian Counseling	NO	Health Care & Social Assistance: Counseling	624190	Service

Name	Category	Type	NAIC	Sector
Axis Community Health Center	NO	Health Care & Social Assistance: Multiservice	624190	Service
ACA Family & Co-dependency Counseling	NO	Health Care & Social Assistance: Counseling	624190	Service
Karen Morliengo & Sandeen	NO	Health Care & Social Assistance: Counseling	624190	Service
Mary Herza, MFT	NO	Health Care & Social Assistance: Counseling	624190	Service
Team EdServe, Inc	NO	Health Care & Social Assistance: Counseling	624190	Service
JL Donchass& Loebs, MFCC	NO	Health Care & Social Assistance: Counseling	624190	Service
Arroyo Counseling Service	NO	Health Care & Social Assistance: Counseling	624190	Service
Nancy Jackson, MFT	NO	Health Care & Social Assistance: Counseling	624190	Service
Blaine Carman, MA, MFT	NO	Health Care & Social Assistance: Counseling	624190	Service
Melson Counseling	NO	Health Care & Social Assistance: Counseling	624190	Service
Patty Sage, MA MFT	NO	Health Care & Social Assistance: Mental Health	624190	Service
Mary Stein MFT	NO	Health Care & Social Assistance: Counseling	624190	Service
Plaza Speed Wash	NO	Other Services: Car wash	811192	Service
Monika's California Apparel	NO	Other Services: Alterations	811490	Service
Norm's Barber Shop	NO	Other Services: Barber Shop	812111	Service
Cosmo's Barber Shop	NO	Other Services: Barber Shop	812111	Service
Bill's Barbershop	NO	Other Services: Barber Shop	812111	Service
Gary Patrick Salon	NO	Other Services: Beauty Salon	812112	Service
Garrett & Co.	NO	Other Services: Beauty Salon	812112	Service
Calypso's Salon	NO	Other Services: Beauty Salon	812112	Service
Fusion 3	NO	Other Services: Beauty Salon	812112	Service
La Di Da	NO	Other Services: Beauty Salon	812112	Service
A Touch of Elegance	NO	Other Services: Beauty Salon	812112	Service
Victoria's Salon	NO	Other Services: Beauty Salon	812112	Service
Heidi's Beauty Salon	NO	Other Services: Beauty Salon	812112	Service
Pruning Head	NO	Other Services: Beauty Salon	812112	Service
Robin Clair Hair	NO	Other Services: Beauty Salon	812112	Service
Salon Siena	NO	Other Services: Beauty Salon	812112	Service
Susan's Salon	NO	Other Services: Beauty Salon	812112	Service
Mane Street Hair & Body Design	NO	Other Services: Beauty Salon	812112	Service
Beauty Nook	NO	Other Services: Beauty Salon	812112	Service
Beautiful Reflections	NO	Other Services: Skin Care	812112	Service
Dolce Vita Skin Care Center	NO	Other Services: Skin Care	812112	Service
Remedy Skin Care	NO	Other Services: Skin Care	812112	Service

Name	Category	Type	NAIC	Sector
Divine Skin & Body Care	NO	Other Services: Skin Care	812112	Service
About Face Skin Care	NO	Other Services: Skin Care	812112	Service
Julia Lucia Papale	NO	Other Services: Esthetician	812112	Service
Athena Skin Care	NO	Other Services: Skin Care	812112	Service
Leslie Marie Body & Skin Care	NO	Other Services: Skin Care	812112	Service
Advance Skin Care	NO	Other Services: Skin Care	812112	Service
Jenny's Skin Care	NO	Other Services: Skin Care	812112	Service
Allure Skin Care	NO	Other Services: Skin Care	812112	Service
Diamonds n Nails	NO	Other Services: Nails	812113	Service
Pro Nails	NO	Other Services: Nails	812113	Service
Fancy Nails	NO	Other Services: Nails	812113	Service
Nail Gallery	NO	Other Services: Nails	812113	Service
Nail Mill	NO	Other Services: Nails	812113	Service
Essence Med Spa	NO	Other Services: Spa	812119	Service
MD Spa	NO	Other Services: Spa	812119	Service
Heavenly Remedies	NO	Other Services: Spa	812119	Service
Spray Soleil	NO	Other Services: Tanning Salon	812199	Service
Tranquility Health Center	NO	Other Services: Therapeutic Massage	812199	Service
Advanced Therapeutic Massage	NO	Other Services: Therapeutic Massage	812199	Service
Pleasanton Tanning Salon	NO	Other Services: Tanning Salon	812199	Service
Graham Hitch Mortuary	NO	Other Services: Funeral Home	812210	Service
Family Cleaners	NO	Other Services: Dry Clean Laundry	812320	Service
Purity Cleaners	NO	Other Services: Dry Clean Laundry	812320	Service
MTC Development and Construction	NO	Construction: Commercial Industrial Building	236220	Other
Pacific Coast Steel Detailing	NO	Construction: Steel Work	238190	Other
Valley Plumbing Center	NO	Construction: Plumber	238220	Other
T&T Auto wholesale	NO	Auto: Wholesaler	423110	Other
Sunol Forest Products	NO	Wholesale: Lumber	423310	Other
Fujimi Corporation	NO	Wholesale: abrasives	423390	Other
Isberg & Associates	NO	Wholesale: Trade Agent	425120	Other
NM Sales	NO	Wholesale: Trade Agent	425120	Other
At Your Service	NO	Wholesale: Auto Broker	425120	Other
Elite Auto Brokers	NO	Wholesale: Auto Broker	425120	Other
Equity Auto Brokerage, Inc	NO	Wholesale: Auto Broker	425120	Other

Name	Category	Type	NAIC	Sector
Valley Times	NO	Information: Newspaper	511110	Other
Networkanatomy	NO	Information: Wireless communication design	517212	Other
Brett Gregory Guitar Studio	NO	Educational Services: Music Instruction	611610	Other
Kicks USA Martial Arts Center	NO	Educational Services: Karate	611620	Other
STEPS Community Prep School	NO	Educational Services: Tutoring	611691	Other
Museum	NO	Arts, Entertainment & Rec: Museum	712110	Other
Body Balance	NO	Arts, Entertainment & Rec: Fitness Center	713940	Other
Downtown Yoga	NO	Arts, Entertainment & Rec: Fitness Center	713940	Other
Tahara Center	NO	Arts, Entertainment & Rec: Fitness Center	713940	Other
Pastime Pool Bar	NO	Arts, Entertainment & Rec: Pool Hall	713990	Other
The Rose Hotel	NO	Accommodation& Food Service: Hotel	721110	Other
Pleasanton Hotel	NO	Accommodation& Food Service: Hotel	721110	Other
Valley Humane Society	NO	Other Services: Humane Society	813312	Other
Veteran's Memorial Building	NO	Other Services: Veteran Organization	813410	Other
Pleasanton Partnerships in Education Foundation	NO	Other Services: Social & Civic Organizations	813410	Other
Tri-Valley YMCA	NO	Other Services: Social & Civic Organizations	813410	Other
B 2 B Gathering	NO	Other Services: Business Organizations	813910	Other

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