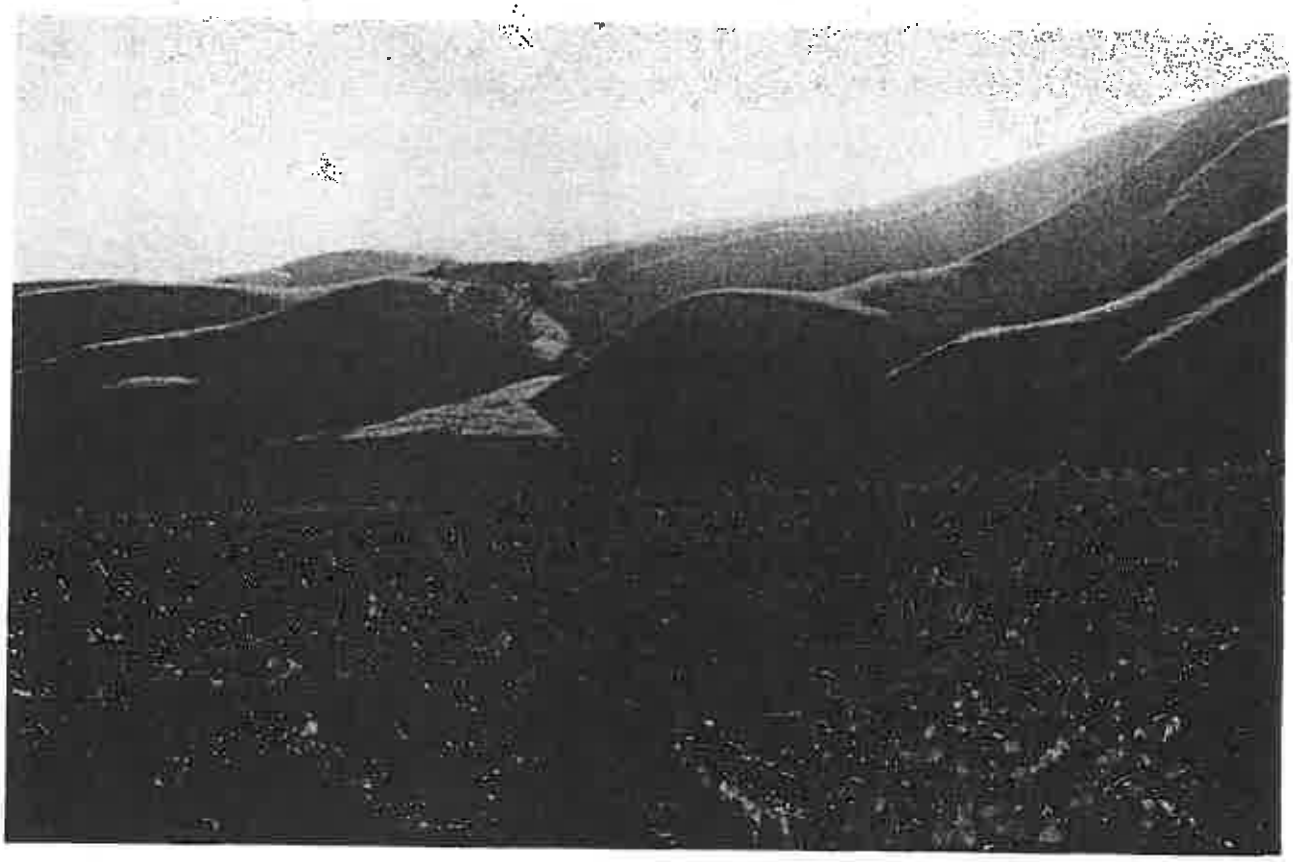
Final
Environmental Impact Report
Addendum - Response to Comments



SOUTH LIVERMORE VALLEY AREA PLAN

(SCH. #92033037)

November, 1992

Alameda County Planning Department
399 Elmhurst Street
Hayward, CA 94544

SOUTH LIVERMORE VALLEY AREA PLAN

FINAL ENVIRONMENTAL IMPACT REPORT

ADDENDUM - RESPONSE TO COMMENTS

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I. INTRODUCTION

This document is an addendum to the Draft Environmental Impact Report (DEIR) on the proposed South Livermore Valley Area Plan, which was published on June 23, 1992. The DEIR was reviewed for its adequacy by state, regional and local agencies, as well as by interested members of the public, during a 45 day public review period. During this period, the Alameda County Planning Commission held a public hearing on the DEIR on July 20, 1992 to solicit oral comments from the public. Twenty-nine comment letters were received during the review period, and seventeen persons made comments on the DEIR at the Planning Commission hearing. The comment period closed on August 11, 1992.

Components of the Final EIR

This document, together with the DEIR, serves as the Final EIR, as permitted under Section 15164 of the CEQA Guidelines. Following this Introduction, Section II contains all written comments on the DEIR and the minutes of the July 20, 1992 Planning Commission Hearing. Each comment is numbered in the margin of the letter or minutes, and a corresponding numbered written response follows each letter. Section III is a convenient summary of corrections, amendments and additions to the DEIR text culled from Section II.

Purpose of the EIR

The purpose of this EIR is to inform local decision makers, other reviewing agencies and the public of the potential environmental effects that may result from the adoption and implementation of the proposed South Livermore Valley Area Plan, and to recommend mitigation measures which alleviate or minimize potential adverse effects. The document neither recommends approval nor denial of the proposed project. This decision rests with the Alameda County Planning Commission and Board of Supervisors.

Approval Process

The County Planning Commission will hold public hearings in December, 1992 to consider the adequacy of the EIR. The EIR will then be forwarded to the Alameda County Board of Supervisors, along with the Planning Commission's recommendation on the adequacy of the EIR document.

- The Final EIR must be certified by the County as accurate and complete. Certification does not constitute an approval of the project,

but rather indicates that all required environmental information has been presented to decision makers and the public.

- Findings of Fact and Overriding Considerations must be approved by the County, explaining how it has dealt with each significant adverse environmental impact and project alternatives identified in the EIR. These findings must be approved prior to approval of the project.

- A Mitigation Monitoring and Reporting Plan must be adopted when the proposed project is approved. The monitoring plan must be adopted when the County makes its findings for the EIR so that the plan can be made a condition of project approval in order to mitigate significant effects on the environment.

Following certification of the EIR, the County may adopt the South Livermore Valley Area Plan as an amendment to the 1977 Livermore/Amador Valley Planning Unit General Plan, which currently governs unincorporated land use in the eastern portion of Alameda County. As noted in the DEIR, Alameda County is in the process of revising the General Plan. It is anticipated that the South Livermore Valley Area Plan will also be incorporated as a section of the new East County Area Plan.

It is also anticipated that this EIR can serve as the environmental review document for County actions necessary to implement the proposed Plan. These could include amending the Zoning Ordinance to create a Cultivated Agricultural Overlay District in the Vineyard Area; establishing a South Livermore Valley Agricultural Land Trust; amending current County Williamson Act policies to conform with proposed Plan policies; and establishing design and development guidelines for new rural development, consistent with Plan policies, within the Plan Area. Should the Cities of Livermore or Pleasanton adopt relevant Plan policies as part of their respective General Plans, this EIR could also serve as the necessary environmental review document.

Subsequent Actions

As discussed in the DEIR Introduction, this document is a "Program EIR" that analyzes the impacts that could result from the adoption and implementation of the proposed South Livermore Valley Area Plan. The proposed Plan does not change existing land use designations in the Plan Area. Instead, it establishes specific criteria that must be met in order for higher densities to be considered on a project-by-project basis. Because the exact amount and location of future development above baseline densities is dependent on Plan implementation, the EIR emphasizes environmental analysis of basic policy

considerations, regional influences, cumulative impacts, and growth-inducing impacts, using a "worst-case" projection of the effects of full development on the land. This analysis gives policy makers and the public a conservative estimate of future environmental conditions that could result from Plan policies. Actual environmental impacts will depend on the exact nature and extent of future development projects, and will have to be assessed on a project-by-project basis.

Following the adoption of the Plan, individual development project within the Plan Area will be subject to subsequent environmental review by the County or the city under whose jurisdiction the action will occur. Depending on the project under review, this document could serve as the basis for determining that a Negative Declaration is sufficient, or that a subsequent EIR will be required. Subsequent EIRs could be focused on specific project impacts and mitigation measures, relying on this document for consideration of regional influences, cumulative impacts, and growth-inducing impacts, as permitted under CEQA.

II. RESPONSE TO COMMENTS

LETTER 1

STATE OF CALIFORNIA

PETE WILSON, *Governor*

GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
1400 TENTH STREET
SACRAMENTO, CA 95814

Aug 10, 1992

STUART COOK
ALAMEDA COUNTY PLANNING DEPARTMENT
399 ELMHURST STREET
HAYWARD, CA 94544

Subject: SOUTH LIVERMORE VALLEY AREA PLAN/GENERAL PLAN AMENDMENT
SCH # 92033037

Dear STUART COOK:

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

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

Sincerely,

Christine Kinne

Christine Kinne
Acting Deputy Director, Permit Assistance

RESPONSE TO COMMENTS
LETTER 1

Governor's Office of Planning and Research
Christine Kinne
Acting Deputy Director

RESPONSE 1-1

Comment noted. No response is necessary.

LETTER 2

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

PETE WILSON, Governor

DEPARTMENT OF TRANSPORTATION
BOX 7310
SAN FRANCISCO, CA 94120
(415) 923-4444

August 10, 1992

ALA-GEN-GEN
SCH# 92033037
ALA000116

Mr. Stuart Cook
Alameda County Planning Department
399 Elmhurst Street, Room 136
Hayward, CA 94544

SUBJECT: SOUTH LIVERMORE VALLEY AREA PLAN/GENERAL PLAN AMENDMENT - Draft Environmental Impact Report (DEIR)

Dear Mr. Cook:

The California Department of Transportation (Caltrans) has reviewed the above-referenced Map. We forward the following comments:

Please be aware that urban and rural residential development resulting from implementation of the proposed South Livermore Valley Area Plan will contribute to traffic congestion at intersections in the vicinity of the proposed plan area. The EIR should include a complete traffic analysis and mitigation measures. 2-1

Special attention should be directed to the Vallecitos Road Interchange, Sunol Boulevard Interchange and Bernal Avenue Interchange on Interstate-680. Special attention should also be given to the Airway Boulevard, Portola Avenue, North Livermore Avenue, First Street, Vasco Road, and the Greenville Road Interchanges on I-580. 2-2

The Traffic Study provided should address the traffic impacts of this project in terms of the following: 2-3

a) Trip generation, distribution, and assignment. The assumptions and methodologies used in developing this information should be explained.

b) Average Daily Traffic (ADT), AM, and PM peak hour volumes on all significantly affected streets, highways, freeway ramps, and controlling intersections, for existing, future conditions, and future plus cumulative conditions including project traffic.

c) Traffic impact analysis for all intersections in the project's vicinity. Their capacities should be analyzed for the existing condition and cases of "build" and "no build" under the future and future plus cumulative conditions. 2-3

d) Coverage should include all traffic that would affect the facilities evaluated, and should not be limited to projects under the jurisdiction of the lead agency.

e) Mitigations that consider highway and non-highway improvements and services. All mitigation measures proposed should be fully discussed to include but not be limited to financing, scheduling, implementation responsibilities, and monitoring responsibilities.

If you have any questions regarding these comments, please feel free to contact Alice Jackson-Taylor of my staff at (415) 904-9643.

Sincerely,

PRESTON W. KELLEY
District Director

by Kit Curtis
For: GARY F. ADAMS
District CEQA Coordinator

cc: Michael Chiriatti, SCH
Sally Germain, ABAG
Susan Pultz, MTC

RESPONSE TO COMMENTS
LETTER 2

California Department of Transportation
Gary Adams
District CEQA Coordinator

RESPONSE 2-1

Please refer to Section F. of the DEIR, which includes a complete traffic analysis, including mitigation measures.

As noted in the DEIR, the proposed Plan does not specify the exact location of future rural and urban development that could occur in the Plan Area. Instead, criteria for the consideration of future development are specified so that any future development projects will contribute toward the goal of enhancing the South Livermore Valley as a wine producing region. Since the exact location, type, density and amount of development cannot be predicted, nor the distribution among traffic zones, a detailed traffic analysis that would accurately predict future traffic volumes or levels of service on Plan Area road and intersections is infeasible at this time. Instead, the DEIR presents data from the TJKM Tri-Valley Transportation Model and the Alameda County Congestion Management Agency regarding predicted year 2010 traffic conditions in the vicinity of the Plan Area, including intersection level of service and freeway conditions. Traffic generation from the proposed Plan, using a "worst-case" scenario of maximum possible development, is also presented, and likely traffic impacts to area intersections and freeways are discussed. However, the analysis stops short of attempting to predict the precise effect of the proposed Plan on area streets and intersections, because the number of assumptions that would need to be made, such as the precise location and density of future development within the Plan Area, would make such an analysis little more than speculation. Recognizing the lack of precise data, the DEIR specifies, as a mitigation measure, that project-specific traffic analysis be required of development projects within the Plan Area, and that mitigation measures be implemented if the traffic analysis indicates that level of service standards will be exceeded.

Since the release of the DEIR, additional traffic modeling for the Tri-Valley area has been completed by Barton-Aschman Associates, Inc. Using a model that has been sanctioned by the Tri-Valley Transportation Council, Barton-Aschman has prepared initial forecasts of Tri-Valley traffic conditions in the year 2010, using data generated for the new East County Area Plan currently under preparation by Alameda County, as well as projected growth from development outside of Alameda County. The East County Plan data includes projected development within the South Livermore Valley Area, as well as future growth in North

Livermore, East Dublin, and the existing cities, representing cumulative traffic conditions in the year 2010.

Like the CMA projections discussed in the DEIR (page F-15) the Barton-Aschman model predicts severe traffic conditions on I-580 and I-680. During the a.m. peak hour, the I-580 mainline is projected to be operating at Level of Service F in the westbound direction, throughout the Livermore-Amador Valley. The I-580/S.R. 84 westbound and southbound ramps are projected to be operating at LOS F and E respectively. The Fallon Road westbound ramp and the I-580/I-680 interchange (southbound) are also projected to be over-capacity. On I-680, south of I-580, the Sunol southbound ramp is projected to be operating at LOS F as well.

During the p.m. peak hour, the situation will be generally reversed. Eastbound I-580 will be operating at LOS F throughout the Valley. The Greenville Road, Vasco Road, First Street, Livermore Avenue, and S.R. 84 eastbound ramps to I-580 will all be over capacity. In addition, the eastbound and northbound interchange ramps at the I-580/I-680 interchange will be over capacity. On I-680, south of I-580, the Sunol Boulevard eastbound ramp will also be operating at LOS F.

In addition, the Barton-Aschman model predicts that several major road links within the vicinity of the Plan Area will be over capacity, due to cumulative development in the year 2010. These include Stanley Boulevard (eastbound), east of S.R. 84; Vallecitos Road (eastbound), east of I-680; and Greenville Road (northbound), south of Patterson Pass Road, during the p.m. peak hour.

The Barton-Aschman model was used to more accurately project the potential impacts of Plan Area development on major road links and freeways in the year 2010. Although the general nature of the proposed Plan will not permit accurate traffic forecasting at the traffic analysis zone level within the Plan Area, potential impacts to major roadways in the vicinity of the Plan Area can be projected by using the total external traffic generation from the entire Plan Area and assigning it to area roads. Using the trip generation rates and the maximum urban development scenario discussed in the DEIR on page F-17, trips were distributed on the area road network outside of the Plan Area according to likely work and non-work travel patterns. It was assumed that 45% of average daily traffic generated by potential South Livermore Valley development would remain in Livermore, using Arroyo Road, Holmes Street, S.R. 84, South Livermore Avenue, Vasco and Greenville Roads. Another 26% of average daily traffic would have Pleasanton and Dublin destinations, using Vineyard Avenue, Stanley Boulevard, Jack London Boulevard and I-580. Approximately 11% of average daily traffic would be southbound, using Vallecitos Road/S.R. 84. About 16% of average daily traffic would utilize I-580 west of Livermore to reach destinations to the west, while 3% would utilize I-580 east of Livermore.

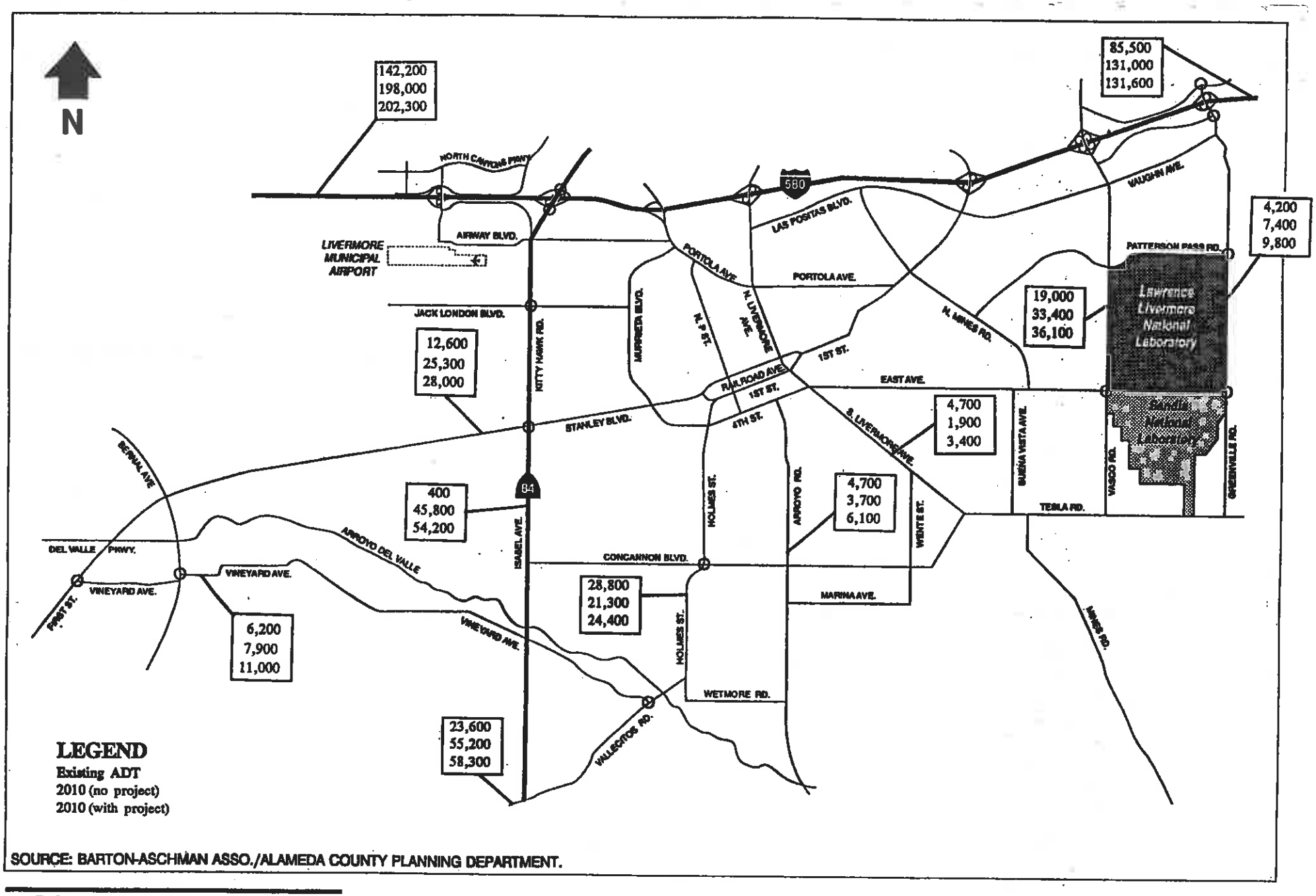
Figure FEIR-1 illustrates this trip distribution on major roads in the vicinity of the Plan Area. While Plan Area traffic will utilize major roadway links that are projected to be over capacity in the year 2010, the amount of traffic generated by Plan Area development on most links is likely to be a small portion of the total traffic volume using these roads. For instance, Plan Area traffic would contribute 4,300 trips to I-580 west of Livermore, which is about 2% of the projected 2010 traffic volume. Plan Area traffic would contribute about 5% of the projected 2010 traffic on S.R. 84 south of Vallecitos Road. Roads closer to the Plan Area would have a higher percentage of South Livermore traffic. About 13% of Holmes Street traffic south of Concannon Boulevard would be generated by South Livermore, 24% of Greenville Road traffic south of Patterson Pass Road, and almost 40% of Arroyo Road traffic north of Concannon Street.

RESPONSE 2-2

Expected year 2010 freeway conditions on I-580 and I-680 are discussed on page F-15 of the DEIR. Potential impacts resulting from Plan development on area freeways are discussed on page F-18. Please refer to Response to Comment 2-1 above regarding projected freeway conditions and potential impacts from South Livermore development. While Plan Area traffic will contribute to expected freeway congestion, the percentage of total traffic contributed by Plan Area development will be insignificant, due to the Plan Area's location and distance from I-580 and I-680. Measurable traffic volumes generated by Plan Area development is likely to be limited to the Vasco, Greenville and S.R. 84 interchanges on I-580, and the Vallecitos/I-680 interchange.

RESPONSE 2-3

Please refer to Section F. of the DEIR, which includes a discussion of trip generation and distribution, average daily traffic volumes, and intersection impacts under existing and future conditions, with and without Plan development, in the year 2010, based on regional traffic forecasts. Additional traffic information can be found in Response to Comment 2-1 above. Mitigation measures include requirements for project-specific traffic studies to identify detailed improvements, requirements for bicycle and pedestrian facilities, and expansion of bus routes.



SOURCE: BARTON-ASCHMAN ASSO./ALAMEDA COUNTY PLANNING DEPARTMENT.

SOUTH LIVERMORE VALLEY AREA PLAN
ENVIRONMENTAL IMPACT REPORT
■ ■ ■
ALAMEDA COUNTY, CALIFORNIA

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ALAMEDA COUNTY PLANNNING DEPARTMENT

FIGURE FEIR-1

FUTURE DAILY TRAFFIC VOLUMES

LETTER 3

United States Department of the Interior

TAKE PRIDE IN AMERICA

FISH AND WILDLIFE SERVICE

Aug 13 4 26 PM '92

Fish and Wildlife Enhancement
Sacramento Field Office
2800 Cottage Way, Room E-1803
Sacramento, California 95825-1846

ALAMEDA COUNTY
PLANNING DEPARTMENT
HAYWARD, CALIFORNIA

In Reply Refer To:
1-1-92-TA-1039

August 11, 1992

Adolph Martinelli
Alameda County Planning Department
399 Elmhurst Street
Hayward, California 94544

Subject: Draft Environmental Impact Report for South Livermore Valley Area Plan

Dear Mr. Martinelli:

In response to your request of June 23, 1992, we have reviewed the Draft (EIR) for the South Livermore Valley Area Plan. The plan is a "land use policy document for approximately 15,500 acres of currently unincorporated lands south and east of the City of Livermore." The plan could result in the agricultural conversion of up to 3,260 acres and urban development of up to 1,600 acres of primarily grassland habitat. Expansion of cultivated agriculture and related development could result in the loss of riparian, wetland, oak woodland, and Diablan sage scrub habitat. We are concerned that these losses be avoided to the greatest extent possible, and adequately mitigated where unavoidable.

Wildlife Impacts

The report does not adequately address the effects of the South Livermore Valley Area Plan on the endangered San Joaquin kit fox, (*Vulpes macrotis mutica*) and several species that are candidates for federal listing. Surveys for San Joaquin kit fox were not undertaken prior to the development of this plan. Therefore, the extent of occupation by the kit fox of the plan area is not known and impacts to this species cannot be adequately assessed. Similarly, the California red-legged frog (*Rana aurora draytonii*), a category 1 candidate species and four category 2 candidates, the California tiger salamander (*Ambystoma californiense*), foothill yellow-legged frog (*Rana boylii*), western pond turtle (*Clemmys marmorata*), and tricolored blackbird (*Agelaius tricolor*) may occur in the planning area. Several of these species were recently petitioned for listing as endangered. We recommend that results of surveys for these species incorporated in the Final EIR and mitigation be provided for any adverse effects to those species that are identified. My staff is available to review the survey reports and provide recommendations on mitigation plans. 3-1

The endangered San Joaquin kit fox likely inhabits grassland and some agricultural habitats that will be converted to urban and agricultural uses with this plan. These land use conversions would likely result in "take". Section 9 of the Endangered Species Act of 1973, and its implementing regulations, prohibit the "take" of federally listed wildlife species. Take is defined by the Act as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect" any such wildlife species. Take may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering (50 CFR § 17.3). 3-2

Take incidental to an otherwise lawful activity may be authorized by one of two procedures. If a Federal agency is involved with the permitting, funding, or carrying out of this project, then initiation of formal consultation between that agency and the Service pursuant to section 7 of the Act is required if it is determined that the proposed project may affect a federally listed species. Such consultation would result in a biological opinion that addresses anticipated effects of the project to listed and proposed species and may authorize a limited level of incidental take. If a Federal agency is not involved with the project, and federally listed species may be taken as part of the project, then an "incidental take" permit pursuant to Section 10(a) of the Act should be obtained. The Service may issue such a permit upon completion by the permit applicant of a satisfactory conservation plan for the listed species that would be affected by the project. 3-2

When local government undertakes long-scale planning effort such as this, we recommend a large scale section 10(a) permit to provide more efficient mitigation options for the community. If each development is required to obtain their own permit, processing time would likely be great and mitigation would likely be more burdensome and expensive to individual developers.

Plants

Please add to your plant list (Table E-1) of species of concern, the following species: 3-3

heartscale, *Atriplex cordulata* (2)

We encourage the city to pursue use of South Livermore Valley Land Trust Fund to conduct biological surveys and identify parcels that represent important habitat for species of concern. Removal of sensitive plants to other locations seldom results in successful mitigation. Identifying and protecting habitat of special concern, such as Valley Sink Scrub, and others that support sensitive plant species, is a more effective means of ensuring the long-term viability of these species. 3-4

Wetlands

The draft states that the expansion of cultivated agriculture and related development could result in the loss of riparian and wetland habitats. Under the provisions of the Fish and Wildlife Coordination Act, the Fish and Wildlife Service advises the U. S. Army Corps of Engineers on projects involving dredge and fill activities in "waters of the United States," of which wetlands and some riparian habitats are subcategories. Since new rural residential and vineyard development may ultimately require a Corps permit, we suggest, if you have not already done so, that you consult the Corps of Engineers regarding on-site wetlands and related habitats that may fall under their jurisdiction.

Over 90 percent of California's wetlands have been lost due to past agricultural conversion, urban development, and flood control activities. Because of the value of wetlands (including riparian, riverine, and vernal pool wetlands) to many fish and wildlife species and the scarcity of these habitats, the Service recommends that there be no net loss of in-kind habitat values or acres. The Service encourages all efforts to protect, improve and restore fish, wildlife and naturally functioning aquatic and wetland ecosystems. Because of our interest in the biological integrity of our Nation's waters, we generally recommend against a project when its construction would result in the destruction of wetland habitat values and is not water dependent. 3-5

The Council on Environmental Quality regulations for implementing the National Environmental Policy Act define mitigation to include: (1) avoiding the impact; (2) minimizing the impact; (3) rectifying the impact; (4) reducing or eliminating the impact over time; and (5) compensating for impacts. The

Service supports and adopts this definition of mitigation and considers the specific elements to represent the desirable sequence of steps in the mitigation planning process. Accordingly, we maintain that the best way to mitigate for adverse biological impacts is to avoid them whenever possible. 3-5

Specific Comments

Page A-8, paragraph 1 states that proposed projects must "preserve existing agriculture and/or promote development of new intensive cultivation". To the extent that your policies promote development of new intensive cultivation, you should ensure mitigation for the effects of this land use change on listed species. We recommend that this be done for candidate species as well because they may become listed prior to project completion. 3-6

Page E-15, paragraph 2 states that "the bald eagle is the only federally listed species that has been observed on site". However, we have received two reports of endangered San Joaquin Kit Fox being sighted near the intersection of Greenville Road and Patterson Pass Road. Significant portions of the plan area are grasslands and agricultural lands that are suitable for kit fox habitation. 3-7

Page E-19, paragraph 1 states that "the extent that wildlife species of concern could be displaced is unknown". Indeed, surveys for kit fox and other species of concern were not performed. Therefore, it is not possible to assess the effects of this plan. 3-8

Page E-19, paragraph 7 states that "no mitigation measures are available for general habitat loss from agricultural expansion. Therefore, this is considered an unavoidable adverse impact of the proposed Plan". We do not concur with this statement because habitat loss for many of the species of concern can be mitigated by preserving and enhancing on- or off-site habitats to compensate for those lost. There is an abundance of precedents for this type of mitigation in the San Joaquin Valley. For example, the Bureau of Reclamation has embarked on an endangered species program to monitor and mitigate habitat losses due to the delivery of agricultural water to the Friant Unit of the Central Valley Project. The Bureau plans to expand this program into the other units of the San Joaquin Valley. 3-9

This concludes our comments on the draft. Again, my staff is available to provide recommendations for the improvement of this document. Please contact Dr. Laurie Stuart Simons of my staff at (916) 978-4866.

Sincerely,

Wayne S. White

Wayne S. White
Field Supervisor

cc: Regional Director (AFWE), FWS, Portland, OR
Carl Wilcox, Department of Fish and Game, Yountville

RESPONSE TO COMMENTS
LETTER 3

United States Fish and Wildlife Service
Wayne S. White
Field Supervisor

RESPONSE 3-1

Page E-1 of the DEIR was inadvertently left out during the printing of the document. The page is reprinted in the Corrections and Additions section of this document. As stated on page E-1, most of the Plan Area is in private ownership, limiting access for detailed biological field surveys. Therefore, the biological survey conducted for the EIR was limited to a reconnaissance-level survey, utilizing aerial photos, literature surveys of previous work done in the area, and field checking using public roads. The known or suspected presence of plant and wildlife species of concern are noted in the DEIR, including those listed by the commentor. More detailed biological surveys were not conducted at this time for several reasons. First, the proposed Plan does not specify where exactly, or when, new cultivated agriculture or urban development will occur. Therefore, intensive surveys to pinpoint the potential present locations of species of concern would need to be carried out over virtually the entire Plan Area, even though only a small portion of the area may actually be impacted by land use changes resulting from the proposed Plan. Second, since most of the area is presently private, and property owners are not currently petitioning to change their land use, intensive biological surveys of the entire area would require the consent of all 200+ property owners, many of whom may have no desire to change their land use and may resent the intrusion necessary to complete a reliable survey. For instance, USF&WS protocol for San Joaquin kit fox surveys require extensive use of scent stations and nighttime spotlight surveys. Other sensitive species would require similarly intensive surveys, including lands that may never have any urban or intensive agricultural development on them.

Because of the impracticalities of conducting intensive biological field surveys that cover the entire 15,000 acre Plan Area, only a portion of which could be affected by the proposed Plan, the DEIR identifies specific mitigation requirements that can be implemented prior to land use changes created by the Plan. These include intensive site-specific surveys that could be used to accurately implement a variety of actions, including preservation of critical areas, on or off-site habitat enhancement, or rejection of the proposed project.

It should be noted that intensive biological field surveys have been conducted on the 1,300 acre Ruby Hill property, which represents approximately 8.5% of the Plan Area, and about half of the area likely to be affected by urban development

projects. These surveys located several species of concern, including tiger salamanders and western pond turtles on-site. However, kit fox were not found.

RESPONSE 3-2

Comments noted. The potential use of the Plan Area by the endangered kit fox (as well as 12 other species of concern) is noted on page E-12 of the DEIR. It should be also noted that its presence in the area has never been confirmed, although the necessary habitat for its existence appears to be present in the Plan Area. The proposed mitigation measures E-2, E-5 and E-6 would eliminate the potential for "take" of sensitive species.

We agree that the most efficient mitigation options for sensitive species are large-scale preservation of habitat for multiple species. As such, the most effective means of protecting plant and wildlife species is through a subregional planning effort. As noted on page E-19, any biological mitigation required in the Plan Area could be incorporated into a larger-scale section 10(a) permit, commonly referred to as a Habitat Conservation Plan, for all of Eastern Alameda County, as part of the on-going General Plan update.

RESPONSE 3-3

Addition noted. According to the California Natural Diversity Data Base, heartscale (Atriplex cordulata) is a Category 2 species that grows in valley grasslands on hard-trampled alkaline soils in the Sacramento and San Joaquin Valleys. No occurrances of heartscale in the Plan Area have been recorded.

RESPONSE 3-4

Comment noted. It should be noted that Valley Sink Scrub was not identified as a vegetation type within the Plan Area.

RESPONSE 3-5

Comments noted. Proposed mitigation measures for potential loss of wetland areas due to the expansion of agriculture in the Plan Area are identified on page E-18. The major mitigation used is avoidance of sensitive areas, including riparian and wetland areas.

RESPONSE 3-6

Mitigation for the effects of intensive cultivation on all wildlife species of concern resulting from proposed Plan policies are described on pages E-18 and E-19 of the DEIR.

RESPONSE 3-7

In an attempt to find out more about the reported kit fox sightings along Greenville Road, the County's biological consultant contacted Dr. Laurie Simons with USF&WS. The consultant was told that the Service had reported two telephone conversations with individuals this year. One phone call was an actual observation, however Dr. Simons could not recall the name of the caller. The second call was reporting a carcass found on Greenville Road. Dr. Simons recommended talking to Ron Schlorff at CDFG because the sighting was reported by CDFG.

Ron Schlorff, when contacted, stated that he had no idea that CDFG had reported a kit fox carcass on Greenville Road, nor was he aware of where Greenville Road is. He suggested calling the Regional CDFG office.

Carl Wilcox, Environmental Services Supervisor at CDFG, as well as Terry Palmisano and Dan Gifford, the local CDFG biologists, were contacted. None of them knew anything about any kit fox sightings or carcasses on Greenville Road. Gary Beeman, an independent wildlife consultant familiar with the area was also contacted. He also knew nothing about a kit fox sighting on Greenville Road, although he said he has conducted numerous spotlight surveys along Greenville Road and found an abundance of red fox, but never a kit Fox.

When contacted again, Dr. Simons of USF&WS stated that the telephone records were from two Western Area Power Administration (WAPA) employees. One employee, John Myer, had reportedly seen a kit fox on the north side of Patterson Pass Road on May 22, 1990. On May 30, 1990, Jerry Foeyers of WAPA had reportedly seen a kit fox carcass at the intersection of Greenville and Old Vasco Roads. It was thought that the two sightings were the same fox.

John Myer of WAPA was contacted. While he recalled a kit fox survey being performed for a transmission line WAPA was involved with, he did not remember seeing a kit fox. He specifically stated that he has never seen a kit fox, although he did recall seeing a fox carcass (of some type) on the road.

Due to the apparent confusion over whether or not kit fox have actually been sighted along Greenville Road, the DEIR statement that "the bald eagle is the only federally listed species that has been observed on site" remains unchanged.

RESPONSE 3-8

Please refer to Response to Comment 3-1 above regarding biological surveys of the Plan Area.

RESPONSE 3-9

The entire statement in the DEIR is: "While the above mitigation measures would reduce potential impacts of plant and animal species of concern, no mitigation measures are available for general habitat loss from agricultural expansion". We agree that habitat loss for specific species of concern can be mitigated, but the proposed Plan will result in a reduction of general wildlife habitat, which cannot be mitigated.

LETTER 4

Community
Development
Department
County Administration Building
651 Pine Street
4th Floor, North Wing
Martinez, California 94553-0095

Phone:
(510) 646-2378

Contra
Costa
County

Harvey E. Bragdon
Director of Community Development

AUG 14 2 30 PM '92

ALAMEDA COUNTY
PLANNING DEPARTMENT
HAYWARD, CALIFORNIA

August 11, 1992

Mr. Adolph Martinelli
Planning Director
Alameda County Planning Department
399 Elmhurst Street
Hayward, CA 94544

Dear Mr. Martinelli:

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the South Livermore Valley Area Plan.

For your consideration Contra Costa County Community Development Transportation Planning Division is forwarding the following comments concerning the Traffic and Circulation Section of the DEIR:

- The DEIR primarily focused on the traffic analysis of the plan's urban development aspect, providing 2,510 dwelling units and 100,000 sq. ft. of commercial development, at the exclusion of planned rural development, providing an additional 290 dwelling units and 80,000 sq. ft. of commercial development. The FEIR Traffic and Circulation analysis should include the urban and rural aspects in concert to determine comprehensive impacts on the transportation network. 4-1

- The Draft gave cursory treatment to the Proposed California Mid-State Toll Road, stating that current political negative sentiments shroud the project and deciding not to include in the analysis. Although these sentiments are present, the Draft is remiss for discounting this facility in an alternative traffic analysis in relieving the I-680/580 interchange, by connecting I-680 and I-580. 4-2

  A suggestion is that the FEIR should include California Mid-State Toll Road in its analysis, since political winds as well as sentiments are known to change in any direction at any time.

- Although realizing that the area plan lacked explicit land use density levels, the Draft used the Urban Residential figure of 2,510 dwelling units and 100,000 sq. ft. of commercial use in the Traffic and Circulation analysis to determine trip generation of the area plan. The summary table of trip purposes of the proposed area plan, although interesting, was too general for evaluation purposes. With the addition of productions and attractions of the area plan trips for each traffic analysis zone would shed more light on inter/intra-zonal area plan impacts. 4-3

  A request is to provide this additional information in the FEIR.

  The DEIR stated on page F-11 using ITE Trip Generation Manual, 1987 for determining area plan trips. ITE currently has a 1991 version of the Trip Generation Manual. 4-4

- As part of every traffic analysis, using the four step planning process, is trip distribution. This analysis lacked a discussion, replete with map and table, that explicitly identifies the percentage of project trips traversing portions of the transportation network that the proposed plan may impact. This identification, moreover, is important in that this knowledge lends one to understand the travel patterns of auto uses, based on the proposed area plan. 4-5

  A request is to incorporate this aspect of the transportation planning process into the analysis.

- The DEIR lacked a traffic assignment section that discusses and depicts future volumes compared and contrasted with area plan volumes on a network plot. Having this information available would visually provide not only future volumes on mainlines (I-680 and I-580), regional access, and local access with network improvement assumptions, but also area plan volume impacts with and without mitigation measures. 4-6

  A request is to include in traffic assignment section as described above in the FEIR.

- As part of the traffic assignment section, there should be some discussion of area plan impacts and mitigations on I-680 and I-580, with regards to inter-changes at I-680/I-580 and I-680/SR-84, since these are CMP routes. 4-7

- The Traffic and Circulation Section should also include a TDM section that states a commitment to attempt to alleviate traffic congestion and reduce vehicle miles travelled through various development of programs, such as: 1) car/van pools, 2) transit shuttles from residential centers to transit nodes, 3) telecommuting satellite work centers, and 4) other innovative programs. 4-8

- The FEIR should acknowledge and coalesce the other area plans (Castro Valley Area Plan, Eden Area, North Livermore Area Plan and East County Area Plan) in Alameda County within the analysis and identify the accumulative impacts and mitigation measures. 4-9

Sincerely,

Daniel J. Pulon, AICP
Transportation Planner

L-trans/nil/slsp.drt

RESPONSE TO COMMENTS
LETTER 4

Contra Costa County Community Development Department
Daniel J. Pulton, AICP
Transportation Planner

RESPONSE 4-1

As noted on page F-15 of the DEIR, the maximum amount of rural development, both commercial and residential, would increase traffic volumes approximately 3.4% above those projected for South Livermore Traffic Analysis Zones (TAZs). The dispersion of these volumes over some 6,000 acres would not result in identifiable significant impacts on the area roadway system. Furthermore, because the DEIR maximizes all land use changes, these land use changes and their attentive traffic impacts would not be additive. Thus, the maximum projected rural development and the maximum projected urban development are not both possible at the same time.

RESPONSE 4-2

The traffic analysis assumes construction of State Route 84 as an expressway along the Isabel alignment from Sunol (I-680) to I-580 (page F -10), including a new interchange at I-580. Such a facility is likely to have similar impacts to relieving congestion of the I-580/I-680 interchange as the proposed California Mid-State Toll Road.

As noted on page F-10, the toll road is still speculative, as suggested by its sponsors. The California Toll Road Company released a "Preliminary Traffic and Revenue Study" on the Mid-State Tollway in August, 1992. According to the summary document, the purpose of this study is to investigate funding the design and construction of a toll road, as "part of a process to define what the project, if any, would be." The summary continues that "if there is sufficient potential to attract private capital and local community support, planning and engineering studies will be performed" in order to prepare an EIR/EIS. (page 1)

RESPONSE 4-3

The traffic analysis has been kept at a very general level to reflect the unspecific nature of the proposed Plan regarding the future location, type and density of development within the Plan Area. To be meaningful, production and attraction analysis by traffic zone would require assumptions as to the location, by traffic zone, of residential areas, retail establishments, and schools and other facilities. Because the proposed Plan does not specify the exact location of potential urban

and rural development within the Plan Area, an accurate breakdown of future productions and attractions in the Plan Area by Traffic Analysis Zone is not feasible at this time. To attempt to do so would give a false impression of the forecasting ability of the traffic analysis to project specific future impacts of the proposed Plan. Instead, the DEIR identifies project-specific traffic studies as being necessary to identify and mitigate project-specific traffic impacts (see Mitigation Measure F-3, page F-18).

RESPONSE 4-4

Comment noted. According to TJKM, the 1991 edition of Trip Generation includes additional data on trip generation rates for land uses. However, because a range of trip generation rates are identified in the manual, the new edition does not warrant a change in the trip generation rates used in the TJKM model.

RESPONSE 4-5

Please refer to Response to Comment 2-1 above regarding the distribution of South Livermore trips on the area road network.

RESPONSE 4-6

Please refer to Response to Comment 2-1 above regarding assignment of South Livermore traffic on the area road network.

RESPONSE 4-7

The potential impact of Area Plan development on designated CMP routes is discussed on page F-18 of the DEIR. As noted in that discussion, traffic from new Area Plan development would contribute a small percentage of total traffic volumes on these roads.

RESPONSE 4-8

Proposed mitigation measures for traffic impacts include incorporation of bicycle and pedestrian facilities in new residential projects, and consultation with LAVTA regarding the potential to expand bus routes to serve Plan Area urban development. Since the Area Plan does not contemplate the expansion of commercial/office development in the area, suggested provisions, such as "telecommuting satellite work centers" would be inappropriate.

To further alleviate traffic congestion and reduce vehicle miles travelled, the following mitigation measure is added to page F-19:

Mitigation Measure F-4c: Consult with BART and LAVTA, as part of the Wine Center approval process, regarding the feasibility of providing transit service between the Wine Center and the nearest BART station. If public transit service is infeasible, consider requiring a privately-funded shuttle service that could be expanded to include interested area wineries.

RESPONSE 4-9

The traffic analysis uses County projections of development within the Tri-Valley for baseline Year 2010 traffic conditions. These projections include all Year 2010 development within eastern Alameda County, as well as projected development within Contra Costa County and San Joaquin County that would impact area roads. Thus, these projections are inclusive of development under the East County Area Plan, which includes North Livermore. Castro Valley and Eden are not within the Tri-Valley. Please also refer to Response to Comment 2-1 regarding updated cumulative traffic modeling.

LETTER 5

COUNTY OF ALAMEDA

PUBLIC WORKS AGENCY

INTER-DEPARTMENT COMMUNICATION

Aug 14 2 25 PM '92

DATE : AUGUST 10, 1992

TO : ADOLPH MARTINELLI, PLANNING DIRECTOR

ALAMEDA COUNTY PLANNING DEPARTMENT HAYWARD, CALIFORNIA

ATTENTION: STUART COOK, DEVELOPMENT PLANNING

FROM : MIKE HOOD, DEPUTY DIRECTOR, DEVELOPMENT SERVICES

SUBJECT : DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE SOUTH LIVERMORE VALLEY AREA PLAN IN EASTERN ALAMEDA COUNTY

Reference is made to your transmittal dated June 23, 1992 in regard to the South Livermore Valley Area Plan. Please note the following:

1. It is suggested that mitigation to impact f-4 include provisions for park and ride facilities. 5-1

2. Vallecitos Road is a State route with all access subject to approval of the State, not the County. Mitigation Measure f-2 should be amended to state this. 5-2

3. Mitigation measures to control surface water quality may be required, including other measures to be determined on a case by case basis, as the Clean Water Program is implemented.

The Alameda County Flood Control and Water Conservation District and Zone 7 within the District along with the unincorporated area of the County have entered into an agreement with the fourteen cities within the County to form a consortium called the Alameda County Urban Runoff Clean Water Program (the Clean Water Program). The program was formed in order to comply with requirements of Section 402(p) of the Clean Water Act as amended by the Water Quality Act of 1987 (WQA). This amendment requires storm water dischargers to obtain a National Pollutant Discharge Elimination Permit. The Urban Runoff Clean Water Program obtained their NPDES Permit in October of 1991.

5-3

During the Fiscal Year 1991-92, the Clean Water Program began implementation of a plan to improve the quality of urban storm water discharge. The plan addresses such issues as public information and participation (i.e. disseminating information to school, community groups, etc.) municipal activities (i.e. street sweeping, storm drain cleaning), new development site controls, industrial inspections, illicit discharges, storm water monitoring, and storm water management.

At this writing the consortium of agencies are working individually to process new ordinances which will be the primary enforcement tool

for the Clean Water Program within the areas of jurisdiction of each of the agencies. In addition, the consortium is developing Best Management Practice Manuals for many of the activities listed above. Meanwhile, these municipal government agencies are requesting compliance with the program for current projects and advising that all future projects will be required to comply. 5-3

Information regarding the program including storm water runoff monitoring requirements are available from the Alameda County Public Works Agency's Water Resources Section at 399 Elmhurst, Hayward, CA 94544, (telephone 510-670-5543).

KB:pr
A62524

RESPONSE TO COMMENTS
LETTER 5

Alameda County Public Works Agency
Mike Hood, Deputy Director

RESPONSE 5-1

Comment noted. The following mitigation measure is added to page F-19:

> **Mitigation Measure F-4d:** Park and ride facilities should be considered during the review of individual urban development projects within the Plan Area.

RESPONSE 5-2

Correction noted. The last sentence of Mitigation Measure F-2 is changed to:

> New access points onto Vallecitos will require approval from Caltrans.

RESPONSE 5-3

Comment noted. As noted on page D-10, the City of Livermore recently raised sewer fees to fund storm water quality monitoring. The City of Pleasanton has also recently raised fees.

LETTER 6

ADMINISTRATION BUILDING
1052 South Livermore Avenue
Livermore, CA 94550
(510) 373-5200

August 11, 1992

Mr. Adolph Martinelli
Director of Planning
Alameda Co. Planning Department
399 Elmhurst Street
Hayward, CA 94544

Dear Adolph:

Subject: Response to Draft Environmental Impact Report (DEIR) for the South Livermore Valley Area Plan (SCH.#92033037)

The following comments on the Draft EIR for the proposed South Livermore Valley Area Plan are submitted following review by staff, the Planning Commission and City Council. The comments below are organized into 2 sections beginning with specific comments organized under subject areas, followed by a section on general points that require further clarification.

The City supports the general objectives of the proposed South Livermore Valley Area Plan ("SLVAP" or "Plan"). In particular, the objectives of preserving and expanding viticultural uses and limiting urban development to areas under City jurisdiction are consistent with long standing objectives of the City of Livermore.

The proposed Plan does not create new entitlements for additional urban development, but instead establishes a set of criteria for evaluating future development proposals in the Plan area within City jurisdictions. Specific urban development proposals within the City jurisdictions would therefore be subject to further environmental review by the appropriate City. Since the County will not sponsor new urban development, the City believes that in general, the DEIR discloses the potential impacts of the proposed Plan. 6-1

Specific Comments

1. Transportation and Circulation

The DEIR indicates that the County standard right-of-way width for minor roads is 128 feet. This standard seems contrary to the goal of maintaining the rural nature of the area. A reduced right-of-way width could still provide sufficient room for travel lanes, turn pockets, shoulders and trails. This should be considered as an additional mitigation to the Plan. (DEIR, page 8). 6-2

Mitigation Measure F-2 requires limiting access drives on Vallecitos Road. This measure should be expanded to include all major roadways in the planning area to reduce conflict points and maintain traffic safety. (DEIR, page 18). 6-3

Mitigation Measure F-4a requires development of bicycle and pedestrian facilities identified in the Alameda County Bicycle Master Plan and LARPD Master Trail Plan. The City supports the development of an adequate trail system. While trails address local circulation needs, they generally will not help reduce commute traffic. (DEIR, page F-18). 6-4

Development along Vallecitos Road should be subject to the creation of comprehensive design standards to preserve and enhance scenic views and qualities. 6-5

The DEIR should discuss the potential impacts to the area of roads to serve 20-acre parcels. Mitigation measures that should be considered include requirements for shared access and clustering of development areas, among other measures. 6-6

2. Visual Quality

A mitigation measure should be added for new rural residential and vineyard development which would require design standards for rural roads. Standards could include right-of-way width limitations, landscaping guidelines, screening, and sign standards, etc. (Deir, page J-5). 6-7

The visual appearance of the planning area needs expanded discussion in the DEIR. To implement a central Plan objective (e.g. the area prosper as a vineyard region), the rural nature and appearance of the area must be maintained (similar to the preservation of scenic qualities in Napa/Sonoma County). Additional mitigation measures should be included in the DEIR to address this issue. These could include requirements for landscaping, rural architectural design treatment, road design and location, clustering and screening of buildings or outdoor equipment/facilities. 6-8

3. Noise

The DEIR should describe the potential impacts of sound walls, including impacts to the rural character and appearance of the area. Mitigation measures should be considered which would eliminate or limit the location, number and use of these walls. 6-9

Other General Items for Clarification

A. How did the Plan arrive at a 25% slope as the limit for cultivation and development? 6-10

B. Mitigation measures should be included in the DEIR which specify restrictions on how Agricultural Land Trust funds may be spent. Certain types of expenditures could have adverse impacts, if not expressly prohibited (e.g. use of funds for programs other than purchase of easements and administrative costs). 6-11

C. The DEIR should discuss the feasibility of 20-acre parcels for agriculture and homesites. How many of these uses (parcels) can be supported, and how will larger capital costs such as those required for water storage be supported? 6-12

D. The DEIR should describe any potential impacts of "agricultural housing." Specifically, what are potential impacts of such housing to schools, traffic, visual resources, among others? 6-13

E. The DEIR should clarify what is meant by "urban development" and "cultivated agriculture." The Plan's objective of limiting urban development to City jurisdictions is key to mitigation of potential impacts of the Plan. This should be clear in the DEIR. 6-14

F. The project description states that the Plan "does not establish densities, nor a holding capacity...". The Plan creates a set of incentives which could allow additional development, but only if offset by the creation of permanent agricultural easements, etc. In fact, base densities are stated in the Plan. Thus, standards of building intensity and population density are adequately addressed in the Plan. This should be clarified in the Final EIR. 6-15

The Concept Plan has successfully identified concepts for land use programs that are also consistent with City objectives and understandings. However, it will be necessary to now move to implementation programs that address in greater detail some of the comments raised in the above section. We look forward to working with you on these programs.

Sincerely,

Robert Brown
Director of Planning

slvstudy\codeir.ltr

RESPONSE TO COMMENTS
LETTER 6

City of Livermore
Robert Brown, Director of Planning

RESPONSE 6-1

Comment noted. It should also be noted that the proposed Plan will almost certainly require some new urban development along the southern edge of Livermore in order to meet the objectives of 5,000 acres of cultivated agriculture, and that Livermore has a responsibility to actively encourage such development. In recognition of this fact, the last sentence of the proposed Plan states:

> "Ensure that appropriate development is considered by the City (of Livermore) in a timely manner through use of joint powers, pre-annexation, tax-sharing, and/or development agreements, or other appropriate means."

Because it is crucial that the City work within the context of the proposed Plan to ensure that it succeeds, it would be appropriate to place a time limit on adoption by the City of necessary amendments to the General Plan and other planning documents so that all parties will have confidence that the proposed Plan will succeed. Therefore, the following mitigation measure should be considered:

> **Mitigation Measure FEIR-1:** The City of Livermore should be encouraged to adopt relevant policies of the proposed Plan within one year of adoption by the County. The City should also be encouraged to adopt a General Plan Amendment or Specific Plan that would specify the amount, timing, and location of urban development in the Vineyard Area, consistent with Plan policies, within three years of an application for urban development within the Vineyard Area. Failure of the City to meet these time limits would be grounds for the County to reconsider the South Livermore Valley Area Plan.

RESPONSE 6-2

The discussion in the DEIR (page F-8) concerning future right-of-way widths is incorrect. The text is corrected to read as follows:

> According to the Alameda County Ordinance Code, amended September, 1988, the following roads in the Plan Area have identified future width lines: Arroyo Road (44 feet on either side of centerline, from Livermore city limits to Wetmore Road); South Vasco Road (12-30 feet from either or both sides of the existing right-of-way, from Livermore city limits to Tesla

Road); Tesla Road (50 feet from either side of centerline, from S. Livermore to S. Vasco, and 40 feet from either side of centerline from S. Vasco to Greenville Road); Vineyard Avenue (43 feet from either side of centerline); and Wente Street (44 feet from either side of centerline).

In addition, the Alameda County Ordinance Code identifies special building lines, or setbacks, for several roads in the Plan Area. These lines are not reserved for right-of-way, but instead restrict new buildings within a certain distance of the roadway. Special building lines include: Arroyo Road (64 feet either side of centerline, from Livermore city limits to Wetmore Road); Greenville Road (70 feet either side of centerline, from the Western Pacific railroad to Tesla Road); South Livermore Avenue (70 feet either side of centerline, to Tesla Road); South Vasco Road (63 feet from either side of centerline, from Livermore to Tesla Road); Tesla Road (70 feet from either side of centerline, from S. Livermore to S. Vasco, and 60 feet from either side of centerline, from S. Vasco to Greenville Road); and Wente Street (64 feet from either side of centerline).

All other roads within the Plan Area do not have identified future width lines or special building lines. In general, these roads have a right-of-way of 50 feet. No future width line or special building line is established for Vallecitos Road. According to the conditions of approval for the Ruby Hill development project, a 200 foot right-of way must be maintained between the intersection of Vineyard Avenue and Isabel and Vallecitos Road (State Route 84) for the future construction of the Isabel Expressway. Under the terms of the proposed settlement agreement between Alameda County, Livermore and Ruby Hill Development Partners, this right-of-way, as well as Vallecitos Road, would be annexed to the City of Livermore.

RESPONSE 6-3

The following mitigation measure is added to page F-16 of the DEIR:

> <u>Mitigation Measure F-2b:</u> As part of the site development review for rural residential projects, access roads and drives should be designed to minimize traffic safety problems on congested roads by use of shared driveways, clustering of residences, or other means.

RESPONSE 6-4

While it is recognized that bicycle and pedestrian facilities will not significantly reduce commute traffic, it is important that alternative means of transport be provided. Promotion of bicycling and walking is considered a TSM measure in the City of Livermore Circulation Element (see page 49). Please refer to Response to

Comments 4-8 and 5-1 above for additional mitigation measures to reduce automobile dependence.

RESPONSE 6-5

The proposed Plan includes a policy to establish appropriate design guidelines for the Cultivated Agricultural Overlay District, and a requirement for new residential and commercial structures to be subject to site development review. In addition, Mitigation Measure J-1 in the DEIR calls for comprehensive design guidelines for new rural structures "so that structures are subordinate to the landscape and do not block public views from adjacent roads." It should be noted that the City of Livermore has applied to LAFCO to annex most of the area adjacent to Vallecitos Road within the Plan Area. The remaining area adjacent to the road is part of the approved Ruby Hill development project, which Pleasanton has announced the intention to annex.

RESPONSE 6-6

Please refer to Response 6-3 above concerning shared access to rural residential parcels. As noted on page A-12 of the DEIR, the proposed Plan also requires that rural "homesites, ancillary uses and parcel lines (be) sited to maximize productive use of the land for intensive cultivated agriculture."

RESPONSE 6-7

The following sentence is added to Mitigation Measure J-1 (page J-5):

> Design guidelines should include standards for rural access roads, including road width limitations, landscaping guidelines, screening and sign standards.

RESPONSE 6-8

Please refer to Mitigation Measure J-1, which would require design guidelines for new rural structures in the Plan Area that would emphasize the existing visual character of the area. Please also refer to Responses 6-6 and 6-7 above concerning protection of visually sensitive areas.

RESPONSE 6-9

The DEIR mentions the use of soundwalls as one of several potential mitigation measures to protect new urban development from excessive traffic noise on adjacent roads. Other potential methods to reduce noise impacts that are listed include berms (such as is proposed for the Ruby Hill project along State Route 84), siting of homes so that outdoor use areas are sheltered from noise sources, and

interior insulation. We agree that use of soundwalls in the Plan Area would be detrimental to the rural character of the area, and should be avoided. Therefore, Mitigation Measure H-2 is amended to read:

> **Mitigation Measure H-2:** Require site specific noise studies for any development proposals that would place homes within the distances discussed in Mitigation Measure H-1 above. Projects should be required to comply with noise study mitigation measures, including use of setbacks, berms, siting of homes so that outdoor use areas are sheltered from noise sources, and interior insulation, if required. Soundwalls should not be used for noise mitigation, unless other noise mitigation measures are infeasible.

RESPONSE 6-10

A 25% slope was used as the limit for determining areas that can take advantage of the density bonus within the Cultivated Agricultural Overlay District, permitting 20 acre parcels with a homesite if cultivated agriculture is planted and the land permanently protected with easements. This slope was chosen because both Livermore and Pleasanton policies use it as the limit for residential development, unless strict conditions are met, and because mechanized agricultural activities on slopes above 25% would be difficult.

RESPONSE 6-11

The proposed Plan will require that a South Livermore Valley Agricultural Land Trust be established by the County as an autonomous non-profit corporation with Federal and State tax-exempt status. Federal law regarding non-profit land trusts prohibit any involvement whatsoever in political activity, or lobbying, and the resources of the trust must be entirely devoted to the pursuit of public-benefit objectives. No funds may be used for activities which advance private interests, or the economic interests of an industry group or a particular segment of the population.

The recently signed Ruby Hill settlement agreement between the County, Signature Properties, and Livermore, also contains limitations on the operations of the proposed Trust. These include prohibitions on use of funds other than for acquisition of real property or development rights on real property located within the boundaries of the Plan Area, or on real property in the vicinity of the Plan Area whose protection will directly assist in the protection of Plan Area lands. The settlement agreement further states that land acquired with Agricultural Land Trust funds shall be used solely for agricultural, open space, or habitat mitigation purposes, and may not be sold or otherwise transferred for any other purpose. The settlement also restricts administrative expenses to those directly related to administration of the Trust.

These restrictions will prevent Trust expenditures that could have adverse impacts. In any event, an Agricultural Land Trust will need to be established by Alameda County, with or without the adoption of the proposed Plan, to uphold the settlement agreement and to effectively use the mitigation funds that will be generated by the Ruby Hill development.

RESPONSE 6-12

The County commissioned an economic study of the proposed Plan, to be prepared by Economic and Planning Systems of Berkeley. The economic study, which was released in August, 1992, found that there was a potential market for 20 acre parcels, and that up to 160 such parcels could be absorbed within the Plan Area over a twenty year period. The study also found that while 20 acre parcels planted in vineyards could not be expected to provide enough income to pay a home mortgage, it would provide an annual net income of about $1,000 per acre. As discussed in the DEIR (Section K.1) the proposed Plan does not require new water storage facilities, nor is it anticipated that 20 acre parcels would be required to shoulder the costs of such facilities by themselves.

RESPONSE 6-13

As noted in the DEIR (page B-4), new vineyards, wineries and small commercial establishments will require relatively low-wage employees, and new rural residential development is unlikely to be affordable to these workers. Suggested mitigation measures include requiring new rural residential development to pay in-lieu affordable housing fees, and encourage the provision of on-site affordable housing by conditionally permitting agricultural employee housing, consistent with existing County Agricultural zoning.

Existing County Agricultural zoning conditionally permits additional dwellings for persons employed in the agricultural use of a property, and/or living quarters for farm laborers, when found by the Zoning Administrator to be necessary to the farming operation. Agricultural worker housing is only conditionally permitted on parcels 100 acres in size or greater. Therefore, under existing zoning, there would be no change in the potential number of agricultural housing units from the current situation. Conditional use permits applications are subject to a public hearing prior to approval, and are generally limited to a three year period before a review of need is required.

Discussions with several Livermore viticulturalists indicate that vineyards under about 50 acres in size probably do not require even one full-time agricultural worker (not including the owner or family members). Currently, labor-intensive agricultural activities, such as grape harvesting, is done by short-term contract laborers over a two to three week period every year.

RESPONSE 6-14

"Urban development" is residential and commercial development at densities that necessitate urban services, including water and sewage hookups.

"Cultivated agriculture", in the context of the proposed Plan, are higher value, perennial, irrigated crops. Examples are vineyards, orchards and cut flowers and nursery stock. Irrigated pasture land, alfalfa, and dryland row crops would not meet this definition.

Please refer to Response to Comment 6-1 above regarding city jurisdiction over urban development.

RESPONSE 6-15

The actual statement in the DEIR (page III.-4) is:

> "The proposed Area Plan creates no new entitlements, nor does it specify densities or holding capacities for urban development." (emphasis added)

Base densities would remain the same as under existing General Plan designations and zoning. Only if specific criteria were met could densities be increased. In the Vineyard Area, these densities can not exceed 20 acres per unit. In the Transitional areas and in areas that meet the criteria for urban development, actual densities would be determined by the jurisdiction in question. Based on adjacent development patterns and discussion with city planning staffs, it is assumed in the DEIR that residential development in these areas will average two units to the acre.

LETTER 7

CITY OF PLEASANTON

P.O. BOX 520 PLEASANTON, CALIFORNIA 94566-0802

AUG 5 2 02 PM '92

ALAMEDA COUNTY
PLANNING DEPARTMENT
HAYWARD, CALIFORNIA

CITY OFFICES
123 MAIN STREET

CITY COUNCIL
484-8001

CITY MANAGER
484-8008

CITY ATTORNEY
484-8003

CITY CLERK
484-8235

FINANCE
484-8033

PERSONNEL
484-8012

CITY OFFICES
200 OLD BERNAL AVE.

PLANNING
484-8023

ENGINEERING
484-8041

BUILDING INSPECTION
484-8015

COMMUNITY SERVICES
484-8160

WATER - BILLING
484-8038

FIELD SERVICES
333 BUSCH RD.

SUPPORT SERVICES
484-8067

PARKS
484-8056

SANITARY SEWER
484-8061

STREET
484-8066

WATER
484-8071

FIRE
444 RAILROAD AVE.
484-8114

POLICE
4833 BERNAL AVE.
P.O. BOX 909
484-8127

July 30, 1992

Alameda County Planning Department
Attn: Adolph Martinelli, Planning Director
399 Elmhurst Street
Hayward, CA 94544

Dear Mr. Martinelli,

RE: Environmental Impact Report (EIR) for South Livermore Valley Area Plan (SLVAP)

Thank you for your recent referral of the EIR for the South Livermore Valley Area Plan. Staff has reviewed the report and would like responses for the following comments.

1. The SLVAP objective 6, page III-2, of the EIR proposes the "creation of a permanent boundary and open space buffer between the cities of Pleasanton and Livermore," but it does not provide details on how this is to be accomplished. A more complete description is requested for this concept. 7-1

2. On Page K.1-10, the EIR should include the following paragraph.

   "The City of Pleasanton will provide water to the Ruby Hill development and Vineyard Avenue Corridor Area utilizing planned turnouts from the proposed Zone 7 Vineyard Pipeline. The Vineyard Pipeline is proposed to transport water from the Del Valle Treatment Plant to the existing City distribution system at Santa Rita Road." 7-2

3. Figure IV K.1-1 should be revised to reflect that all areas within the City of Pleasanton will be served by the City water system. 7-3

4. Figure IV K.2-1 should be revised to reflect the proposed sanitary sewer line along Vineyard Avenue connecting 7-4

to the City of Pleasanton system. 7-4

5. Figure IV K.6-1 should be revised to show Vineyard Avenue Corridor and Ruby Hill as being in the City of Pleasanton. 7-5

6. On Page K.5-2, the EIR should include the following paragraph.

   "The City of Pleasanton has requested Ruby Hill to provide basic funding for a new, equipped fire station within the Vineyard Avenue Corridor." 7-6

7. On Page F-2, under the Local Access heading in the EIR, the following paragraphs should be included.

   <u>Vineyard Avenue</u>
   "Vineyard Avenue improvements, including straightening the curves, will be partially funded by the Ruby Hill development. The ultimate plan for Vineyard Avenue is for a two-lane rural roadway with bike lanes." 7-7

   <u>Isabel Avenue</u>
   "Isabel Avenue will be extended directly to Vallecitos Road (State Route 84) as a two-lane expressway by the Ruby Hill development."

If you should have any questions, or if we can be of any further assistance, please call.

Thank you again for the opportunity to review and participate in this project.

Sincerely,

Wayne P. Rasmussen
Principal Planner

RESPONSE TO COMMENTS
LETTER 7

City of Pleasanton
Wayne Rasmussen, Principal Planner

RESPONSE 7-1

The proposed Plan's criteria for new urban and rural development are designed, in part, to create a permanent boundary and open space buffer between Pleasanton and Livermore. The location of urban development in the two cities, even with the anticipated annexation of much of Ruby Hill to Pleasanton, will be separated by areas devoted to cultivated agriculture.

The proposed annexations in the area by Pleasanton and Livermore will effectively create a permanent boundary and open space buffer between the two cities in the South Livermore area. The boundaries will be coterminous along the proposed State Route 84 alignment, with properties in the Livermore annexation devoted to 20 acre parcels under permanent agricultural easement.

RESPONSE 7-2

The following paragraph is added to page K.1-10 of the EIR:

> The City of Pleasanton will provide water to the Ruby Hill development and Vineyard Avenue Corridor Area utilizing planned turnouts from the proposed Zone 7 Vineyard Pipeline. The Vineyard Pipeline is proposed to transport water from the Del Valle Treatment Plant to the existing City distribution system at Santa Rita Road.

RESPONSE 7-3

Correction noted. A revised Figure IV K.1-1 is included.

RESPONSE 7-4

Correction noted. A revised Figure IV K.2-1 is included.

RESPONSE 7-5

At the time the DEIR was published, the proposed annexation of the Vineyard Avenue corridor and a major portion of Ruby Hill was not yet approved by LAFCO. As of this writing, LAFCO still has not approved Pleasanton's annexation of this area. Pleasanton's proposed annexation is noted on page A-10

of the DEIR.

RESPONSE 7-6

The following paragraph is added to page K.5-2 of the EIR:

> The City of Pleasanton has requested Ruby Hill to provide basic funding for a new, equipped fire station within the Vineyard Avenue Corridor.

RESPONSE 7-7

The following paragraphs are added to page K.5-2 of the EIR:

> Vineyard Avenue
> Vineyard Avenue improvements, including straightening the curves, will be partially funded by the Ruby Hill development. The ultimate plan for Vineyard Avenue is for a two-lane rural roadway with bike lanes.
>
> Isabel Avenue
> Isabel Avenue will be extended directly to Vallecitos Road (State Route 84) as a two-lane expressway by the Ruby Hill development.

LETTER 8

Livermore Area
Recreation & Park District

2905 So. Vasco Rd.
Livermore, CA 94550
(510) 373-3700

General Manager
William J. Payne

August 11, 1992

Adolph Martinelli, Director
Alameda County
Planning Department
399 Elmhurst Street
Hayward, CA 94544

Dear Mr Martinelli:

RE: DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR SOUTH SOUTH LIVERMORE VALLEY PLAN IN EASTERN ALAMEDA COUNTY

The Livermore Area Recreation and Park District (LARPD) thanks the County for providing an opportunity to review and make comments on the above referenced Draft Environmental Impact Report (DEIR) for East Alameda County. It is our understanding that the purpose of the DEIR is to provide "policy documents to guide land use decisions" on 15,500 acres of unincorporated county lands in eastern Alameda County known as South Livermore Valley Area Plan (SLVAP).

The LARPD appreciates to see the DEIR carry a loud and clear message of our adopted District plans for parks and trails. We concur with the DEIR mitigation proposed that rural development "does not" conflict with or preclude proposed LARPD trails. 8-1

Under Land Use discussions of the report and proposed mitigation for the Land Use, any building set back from any urban development projects within viticulture producing areas should be in concert and sensitive to the wine industry needs. We agree with a caveat that full disclosure notices in the property deeds of all new urban development "adjacent to existing or future vineyard lands" of possible conflicts with "existing and future farm operation", and some possible nuisances from the wine industry. 8-2

The joint efforts by Alameda County, the cities of Livermore and Pleasanton to "preserve, promote, and enhance viticulture and other cultivated agriculture" in the South Livermore Valley Area is a positive approach in preserving this industry and permanently establish a boundary and open space buffer between Livermore and Pleasanton. The establishment of a land trust to procure and secure productive lands permanently will reinforce viticulture industry longevity. 8-3

In addition, the continuation and preservation of the wine industry will also increase and preserve additional open space to the citizens of the valley. 8-4

Alameda County Planning Commission's recent recommendation to the County to raise park dedication fees for new unincorporated residential development is a step in the right direction. However, the 1992 fixed amount of $2,800 per unit development will be quickly eroded with inflation and time. It is suggested that a system or a mechanism is set up where these unit price fees are either re-evaluated on a yearly basis or an inflation factor added to the 1992 fixed cost. This type of issue may also be applicable to the per unit fee of $10,000 on urban dwellings in subdividing vineyard areas. 8-5

LARPD sincerely hopes that our prepared comments can furnish added benefit to the final EIR. If there are any questions, do not hesitate to call.

Sincerely,

Felix Errico

Felix Errico
Assistant Planner

FE/pak
cc: Board of Directors
Jerry Ingledue
City of Livermore
EBRPD

RESPONSE TO COMMENTS
LETTER 8

Livermore Area Recreation and Park District
Felix Errico
Assistant Planner

RESPONSE 8-1

Comment noted. No response is necessary.

RESPONSE 8-2

Comment noted. No response is necessary.

RESPONSE 8-3

Comment noted. No response is necessary.

RESPONSE 8-4

Comment noted. No response is necessary.

RESPONSE 8-5

The proposed Plan contains no requirement to adjust required mitigation fees. Other County fees, including the Cumulative Traffic Impact Fee, is annually adjusted to reflect the effects of inflation. The agricultural fees required to be paid by the Ruby Hill development are also required to be adjusted annually, in relation to the Consumer Price Index.

With no adjustment provision, required mitigation fees would probably buy less each year. To mitigate this eventuality, the following measure should be considered for addition to the proposed Plan:

> **Mitigation Measure FEIR-2:** Mitigation fees in the proposed Plan, including those established for urban development in the Vineyard and Transitional areas, should be adjusted annually, in relation to the Consumer Price Index.

LETTER 9

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

EDUCATION CENTER
685 LAS POSITAS BOULEVARD • LIVERMORE, CALIFORNIA 94550 • TELEPHONE 447-9500

AUG 10 2 04 PM '92
ALAMEDA COUNTY
PLANNING DEPARTMENT
HAYWARD, CALIFORNIA

August 6, 1992

Stuart Cook, Planner
Alameda County Planning Department
399 Elmhurst Street
Hayward, CA 94544

Dear Stuart:

Thank you for providing an opportunity for Livermore Valley Joint Unified School District to comment on the Draft Environmental Impact Report (DEIR) for the South Livermore Valley Area Plan.

There are a few revisions to the information provided in the DEIR which I have included below:

Revisions to Table K.3.1

Current Enrollment and Capacities: LVJUSD

School	1991 Capacity	1991 Enrollment	Remaining Capacity
ELEMENTARY			
Arroyo Secco	570	551	19
Christensen	510	524	(14)
Croce	295	128	167
Jackson	660	665	(5)
Marylin	630	572	58
Michell	480	385	95
Portola	630	554	76
Rancho	540	518	22
Smith	540	483	57
Sunset	630	575	55
Vineyard Alt *			

9-1

MIDDLE			
Christensen	270	199	71
East Avenue	717	675	42
Junction	705	675	30
Mendenhall	826	743	83
HIGH			
Del Valle	171	168	3
Granada	1,887	1,293	594
Livermore	1,500	1,376	124
TOTAL	11,561	10,084	1,477

9-1

*Vineyard School houses a variety of school programs including; the elementary home study program, Vineyard Alternative High School, the ROP Program, Adult Education, and a variety of community programs and activities, and is not included in enrollment or capacity totals.

On page K.3-3 the student generation rates the District uses for new residential construction should be;

0.33 children per unit for Kindergarten through grade six;
0.16 children per unit for grades seven and eight;
0.21 children per unit for grades nine through twelve;

for a total of 0.70 students per new household.

9-2

On page K.3-3 in the second paragraph, the tenth line should read 800 students per middle school;

9-3

Finally, the last paragraph on page K.3-3 refers to Board of Education Policy 3224. The policy does not require developers to provide mitigation of $1.58 per square foot of residential development. $1.58 per square foot of residential construction is required under AB 2926, however this is not considered full mitigation.

Board Policy 3224 states:

"The Livermore Valley Joint Unified School District (LVJUSD) boundary embraces the City of Livermore and portions of Alameda and Contra Costa Counties. Residential growth projections for these areas indicate significant population increase through the year 2000 and beyond.

Financial resources are not available to the Livermore School District to provide the required school facilities to serve the expected growth. Accordingly, it is the policy of the LVJUSD that

9-4

development, both residential and commercial/industrial shall fully mitigate the impact of such growth on school facilities."

To summarize, the District has capacity for a total of 11,390 students and had a 1991 enrollment of 9,916 students. The school district is experiencing enrollment growth from two primary sources: residential development and increasing birth rates in housing units which are in excess of thirty years of age. With the inclusion of enrollment growth from the existing housing stock, the existing capacity will be exceeded by approximately 500 students by the year 2001. Moreover, after the allocated and unbuilt homes from the City of Livermore Housing Implementation Program (HIP) are developed, the District will be short of classroom space for over 2,800 K-12 students.

9-4

The District will meet the demand of additional students from the existing housing stock and previous HIP allocations through additions to Christensen School, new construction of Croce School, purchase of relocatable classrooms as required, and possible reopening of Arroyo Mocho and Almond Avenue Elementary Schools. Any further growth will require construction of new school facilities.

Livermore Valley Joint Unified School District will require additional mitigation, beyond the development fees currently paid under AB 2926 to meet the school facilities needs of the students resulting from any future development.

If you have any questions on the information provided please call me at 510)447-9500 ext. 273.

Sincerely,

Kim

Kim Rutherford
Facilities Planner

cc: Michael White-Director,Facilities Management

RESPONSE TO COMMENTS
LETTER 9

Livermore Valley Joint Unified School District
Kim Rutherford
Facilities Planner

RESPONSE 9-1

A corrected Table K.3-1 follows:

TABLE K.3-1. Current Enrollment and Capacities: LVJUSD

School	1991 Capacity	1991 Enrollment	Remaining Capacity
Elementary			
Arroyo Seco	570	551	19
Christensen	510	524	(14)
Croce	295	128	167
Jackson	660	665	(5)
Marylin	630	572	58
Joe Michell	480	385	95
Portola	630	554	76
Rancho	540	518	22
Smith	540	483	57
Sunset	630	575	55
Vineyard Alt*			
Middle			
Christensen	270	199	71
East Avenue	717	675	42
Junction	705	675	30
Mendenhall	826	743	83

High School			
Del Valle	171	168	3
Grenada	1,887	1,293	594
Livermore	1,500	1,376	124
TOTAL	11,561	10,084	1,477

*Vineyard School houses a variety of school programs including; the elementary home study program, Vineyard Alternative High School, the ROP Program, Adult Education, and a variety of community programs and activities, and is not included in enrollment or capacity totals.

Source: Livermore Valley Joint Unified School District, August 6, 1992.

RESPONSE 9-2

Correction noted. Page K.3-3 (student generation rates) is changed to:

0.33 children per unit for K-6
0.16 children per unit for 7-8
0.21 children per unit for 9-12

for a total of 0.70 students per new household.

RESPONSE 9-3

Correction noted. The tenth line of page K.3-3 is changed to 800 students per middle school.

RESPONSE 9-4

Correction noted. The last paragraph of page K.3-3 is changed to:

According to the LVJUSD, the District is financially unable to provide the necessary schools to house students from new development. The District will meet the demand of additional students from the existing housing stock and previous HIP allocations through additions to Christensen School, new construction of Croce School, purchase of re-locatable classrooms as required, and possible reopening of Arroyo Mocho and Almond Avenue Elementary Schools. Any further growth will require construction of new

school facilities. The District has adopted Board of Education Policy 3224, which calls for new development to fully mitigate the impact of growth on school facilities. The District believes that additional mitigation, beyond the development fees currently paid under AB 2926, will be required to meet the school facilities needs of the students resulting from any future development.

It should be noted that Mitigation Measure K.3-2 calls for new urban development projects within the Plan Area pay for needed school improvements and provide school sites as needed.

LETTER 10

Land Planning Consultants INC.
239 MAIN STREET, SUITE E ■ PLEASANTON, CA 94566, ■ (510) 846-7007 ■ FAX: (510) 846-5314

July 16, 1992

JUL 17 12 36 PM '92

ALAMEDA COUNTY
PLANNING DEPARTMENT
HAYWARD, CALIFORNIA

Adolph Martinelli
Planning Director
Alameda County Planning Department
399 Elmhurst Street
Hayward, CA 94544

Re: South Livermore Valley Area Plan

Dear Mr. Martinelli:

We are responding on behalf of the Pleasanton Unified School District (PUSD) as to the referenced draft Environmental Impact Report.

Pleasanton Unified School District will serve portions of the Livermore Planning Area. Those areas include 385 single family homes in the east Transitional Area and 850 single family homes in the Ruby Hill development. It is understood that the county has approved the Ruby Hill's project for up to 850 single family homes. Furthermore, the Transitional area is discussed in this plan to have 385 single family units if development were to occur. The district understands that developments discussed in the report that have not been approved by the county are worst case scenarios for development. Therefore, our projections of student impact to the Pleasanton Unified School District are based on the worst case scenario. The student projections also include the Ruby Hill development since development is a cumulative total of new development. 10-1

Concerning page K.3-4, titled Pleasanton Unified School District, please correct the following: The first paragraph, district's 1991 enrollment was 9,300 and not 9,200 students as written. This correction was noted in Table K.3-3. The 1991 enrollment subtotal and 1991 Capacity for high schools need to be recalculated. This would change the enrollment total to 9327 students. Lastly, the Student Generation Factor (SGF) would be the same as LVJUSD, however the grade levels are slightly different. The .30 SGF projects K-5, .15 SGF projects 6-8 and .20 SGF projects 9-12 grade students. 10-2

Continuing with page K.3-4 last sentence, referring to Table H.3-2 needs to be changed to K.3-2.

Concerning the second paragraph under the table, 79 percent of the total capacity should be changed to 88 percent of the total capacity.

Continuing with the same page, the District is planning an elementary school in the Ruby Hill and Vineyard Avenue area, however this new facility will not be funded by a floated General Obligation Bond. The District along with developers and the City of Pleasanton are working 10-3

to assemble a financing package that will require developers to contribute their fair share of costs toward new school facilities and/or expansion of existing facilities.

Paragraph 3 on the same page; the developer impact fees at the district is $1.58 per square foot of new residential construction. If the Interim Housing Agreement becomes final, the $1.58 would be superseded by the new amount and all new developers in the city would be conditioned to participate in the agreement.

10-3

The last sentence should read, "The developer, along with the Pleasanton Unified School District and the City Planning director or county, shall work to develop a program to offset this project's long-term effect upon school facilities needs in Pleasanton. This program shall be designed to fund expansion of school facilities in order to serve new development in Pleasanton. The method and manner for the provision of these funds and/or facilities shall be subject to approval of the City or County and the School District and shall be in place prior to approval of any Final Map or the issuance of building permits. In no event shall construction commence unless the above method and manner for the provision of these funds and/or facilities has been approved".

Page K.3-6 (#2), the district would like to change the wording, "... would create a potential significant environmental impact" to "... would create a significant environmental impact". This can be seen in the comparison below.

Page K.3-7 (Impact), The PUSD would experience an increase of 251 students from the East Transitional Vineyard Avenue area. However, true student impact is a cumulative total of new projects. Therefore, the school district has to consider the Ruby Hill project when considering the need of school facilities. Based on the Student Generation Factors (SGF), the district predicts 553 kindergarten through twelve grade students from the Ruby Hill project which combined with the Transitional Vineyard Avenue equates to 804 total students.

Below is a chart illustrating the student impact this development area will have to the existing schools. 10-4

School	Exist. Enrol	New Dev.	Cap	Diff.
Valley View. Elem.	625	371	651	345
Pleasanton Middle	1201	186	1300	87
Amador Valley	1644	247	1875	16

The chart is an example of the type of housing and student growth the district is experiencing and the importance of finalizing a financing agreement with developers to provide new facilities and/or renovate and expand existing facilities. 10-4

Lastly, the alternatives to the draft Environmental Impact Report were reviewed and analyzed. Some alternatives did not include the Vineyard Transitional Area and/or the Ruby Hill project, however our student analysis included those projected areas to determine the true impact. It was concluded that the three alternatives, not including the "no project" alternative, would produce no more than 865 kindergarten through twelfth grade students. Therefore, if an alternative is chosen to replace the current plan, this agency would need to prepare a response to the new plan. 10-5

If there are any questions, please feel free to contact our office.

Sincerely,

Kimberly Wood

Kimberly Wood
District Consultant

cc: Buster McCurtain - Pleasanton Unified School District

RESPONSE TO COMMENTS
LETTER 10

Pleasanton Unified School District
Land Planning Consultants
Kimberly Wood
District Consultant

RESPONSE 10-1

Comment noted. No response is necessary.

RESPONSE 10-2

Corrections noted. Page K.3-4, line four is changed to:

> ...enrollment in 1991 of approximately 9,300 students. Student generation rates for the PUSD are .30 children per unit (K-5), .15 children per unit (6-8), and .20 children per unit (9-12). Current enrollments and school capacities are shown in Table K.3-3. Forecast enrollments are shown in Table K.3-2.

Page K.3-4, paragraph two, line one, is changed to:

> Currently, total enrollment at the PUSD schools is 88 percent of capacity.

A corrected Table K.3-3 is shown below.

TABLE K.3-3 Current Enrollment and Capacities: PUSD

School	1991 Capacity	1991 Enrollment	Remaining Capacity
Elementary			
Alisal	650	499	151
Donlon	800	811	-11
Fairlands	700	630	70
Lydiksen	465	477	-12

Valley View*	651	625	26
Vintage Hills*	415	365	50
Walnut Grove	984	860	124
Subtotal	4,665	4,267	398
Middle			
Harvest Park	1,090	949	141
Pleasanton*	1,300	1,201	99
Subtotal	2,390	2,150	240
High Schools			
Amador*	1,875	1,644	231
Foothill	1,475	1,098	477
Village Continuation	140	141	-1
Independent Study	27	27	0
Subtotal	3,517	2,910	607
TOTAL	10,572	9,327	1,245

Source: Pleasanton Unified School District, Superintendent's Office, personal communication, October 1991.

* Serves the western portion of the Plan Area.

RESPONSE 10-3

The last paragraph of page K.3-4 is corrected to read:

> The District is planning a new elementary school in the Ruby Hill and Vineyard Avenue area. The District, along with developers and the City of Pleasanton, are working to assemble a financing package that will require developers to contribute their fair share of costs toward new school facilities and/or expansion of existing facilities. Funding will be supplemented by a PUSD impact fee of $1.58 per square foot of new residential construction, per AB 2926. The District, along with developers and the Pleasanton Planning Director, are working to develop a program to offset long-term effects of development on school facilities in Pleasanton. The

method and manner for the provision of these funds and/or facilities will be subject to approval of Pleasanton and the District. If the Interim Housing Agreement becomes final, the $1.58 would be superseded by the new amount and all new development in the city would be conditioned to participate in the agreement.

RESPONSE 10-4

Correction noted. The first sentence of page K.3-6 is changed to:

> Implementation of the proposed Plan would create a significant environmental impact if demand for school services increased beyond existing or planned service capacity.

RESPONSE 10-5

Comment noted. No response is necessary.

LETTER 11

CALIFORNIA WATER SERVICE COMPANY
195 SOUTH N STREET • LIVERMORE, CA 94550-4350 • (510) 447-4900

July 20, 1992

Adolph Martinelli, Planning Director
Alameda County Planning Department
399 Elmhurst Street
Hayward, CA 94544

Re: Draft Environmental Impact Report for the South Livermore Valley Area Plan in eastern Alameda County.

Gentlemen:

Thank you for allowing us the opportunity to report on the above mentioned DEIR.

In section K.1 Water Supply, page 10, California Water service Company is designated as the water retailer for the Ruby Hill development. This designation is also shown on Figure IV K.1-1.

Since this development will be annexed to the City of Pleasanton, it is California Water Services Company's understanding that water service to the Ruby Hill development will be provided by the City of Pleasanton water department. 11-1

Please include these changes in the Final Environmental Impact Report.

If you have any questions, please call.

Very truly yours,

CALIFORNIA WATER SERVICE COMPANY

Paul G. Ekstrom
District Manager

PGE/jb
P720921

RESPONSE TO COMMENTS
LETTER 11

California Water Service Company
Paul Ekstrom
District Manager

RESPONSE 11-1

Correction noted. The water section for the DEIR was prepared prior to the annexation request by the City of Pleasanton. Originally, as a County-approved project, water would have been supplied by the California Water Service Company. Please also refer to Response to Comments 7-2 and 7-3 above.

LETTER 12

Pacific Gas and Electric Company

1919 Webster Street
Oakland, CA 94612
510/835-8500

July 3, 1992

Mr. Stuart Cook
Alameda County Planning Department
399 Elmhurst Street
Hayward, CA. 94544

Re: Request for Comments
DEIR-South Livermore Valley Area Plan
PG&E File No. 92-7-158

Dear Mr. Cook:

We have received the above referenced report and have the following comments:

Although PG&E's long-range plans provide for availability of gas and electricity to accommodate increased demand, delivery of gas and electric service to any particular development will need to be reviewed by PG&E as each development is proposed. Any new development will have a cumulative impact on PG&E's system and may require expansion of PG&E's system outside an individual development's boundaries.

To ensure that site development activities such as lot layout, building placement, grading, and landscaping do not adversely affect the safe, reliable operation of PG&E's facilities, developers should submit to PG&E all development plans which may adjoin any PG&E easements as soon as these plans are available. As a condition of approval of any proposed development, the City should require the developer to obtain PG&E's written consent to any development plans which may impact PG&E's easements. 12-1

If you have any questions regarding this matter, please call Mr. Alan Spatcher of this office at (510)874-2414.

Sincerely,

J. M. DePaoli
Land Superintendent
Region General Services

RESPONSE TO COMMENTS
LETTER 12

Pacific Gas and Electric Company
J.M. DePaoli
Land Superintendent

RESPONSE 12-1

Comments noted. The following mitigation measure would ensure that development activities would not adversely affect the operation of PG&E facilities:

> **Mitigation Measure FEIR-3:** Refer all proposed development projects within the Plan Area to PG&E which may adjoin any PG&E easements. As a condition of approval of any proposed development, require developers to obtain PG&E's written consent to any development plans that may impact PG&E's easements.

LETTER 13

EAST BAY
MUNICIPAL UTILITY DISTRICT

ENGINEERING DEPARTMENT
DENNIS L. ALLEN
CHIEF ENGINEER

JUL 14 1 48 AM '92

DENNIS M. DIEMER
ASSISTANT CHIEF ENGINEER
JOHN B. LAMPE
MANAGER OF WATER PLANNING

ALAMEDA COUNTY
PLANNING DEPARTMENT
HAYWARD, CALIFORNIA

July 2, 1992

Mr. Adolph Martinelli
Planning Director
Alameda County Planning Department
399 Elmhurst Street
Hayward, CA 94544

Dear Mr. Martinelli:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the South Livermore Valley Area Plan.

This area is remote from the District's service area and facilities. Hence, it does not appear that the Plan will affect this District. Accordingly, this District has no comment on the subject DEIR. 13-1

In order that this District can promptly and adequately respond, please forward all planning and environmental documents to:

John B. Lampe
Manager of Water Planning
East Bay Municipal Utility District
P. O. Box 24055
Oakland, CA 94623-1055

Very truly yours,

W.R. Kf for

John B. Lampe
Manager of Water Planning

JBL:JH:pkj
92.14

375 ELEVENTH STREET . OAKLAND . CA 94607-4240 . (510) 835-3000
P.O. BOX 24055 . OAKLAND . CA 94623-1055

RESPONSE TO COMMENTS
LETTER 13

East Bay Municipal Utility District
John B. Lampe
Manager of Water Planning

RESPONSE 13-1

Comment noted. No response is necessary.

LETTER 14

Friends of the Vineyards

P.O. Box 1191, Livermore CA 94551
(510) 373-1007

Alameda County Planning Department
399 Elmhurst ST
Hayward CA 94544

August 7, 1992

re: Draft EIR, South Livermore Valley Area Plan

Friends of the Vineyards would like to commend the Alameda County Planning staff on their thorough coverage of the South Livermore Valley in the Draft EIR. We feel all issues were well addressed but have concerns about the following:

1. In order to create a "wine region", the rural character of the area must be preserved. Care must be taken to see that "urban development" does not proliferate in the region with utility lines, sound walls, curbs & gutters, *etc.*
   The vistas along Arroyo Road south of Marina Avenue and both north and south of Wetmore Road are of prime importance. 14-1
   The criteria for "urban development" should be more restrictive. No urban development should be allowed on good vineyard soils.
2. The Gateway and Transitional Areas should be carefully planned and visually enticing as the entrances to the "Wine Country". High density housing is not the answer. Vineyards and Wine Country amenities should be predominant. 14-2
3. Existing vineyards should not be divided for development. Some type of transfer of credits should be available to land owners in order to discourage the break-up of these existing vineyards. 14-3
4. No permits for building should be issued until the required agriculture has been planted. Also, a system should be implemented to assure continued maintenance of agriculture and to avoid: plant; build housing; neglect the plantings. 14-4
5. The composition of the land trust board should include not just elected officials but also representatives of various land preservation groups such as Friends of the Vineyards. 14-5
6. The possibility of a toll road through the vineyards was not addressed but should be, despite the tentative nature of the Mid-State Toll Road project. Friends is on record as being opposed to any toll route through vineyard lands. 14-6
7. An economic analysis is essential in planning for the South Livermore Valley. 14-7

Barbara Stear Judy Eckart

Barbara Stear
Land Use Committee

Judy Eckart
Secretary

RESPONSE TO COMMENTS
LETTER 14

Friends of the Vineyards
Barbara Stear and Judy Eckart

RESPONSE 14-1

Comments noted. These comments are not directed toward the adequacy of the DEIR itself, but are directed toward the proposed Plan. It should be noted that the proposed Plan attempts to strike a balance between preserving and enhancing the rural agricultural character of the Plan Area and providing economic incentives to accomplish this goal. To achieve the goal of a minimum of 5,000 acres of cultivated agriculture, the proposed Plan encourages new agriculture, and protects existing agriculture, by three separate means. One, twenty acre parcels could be created if the land is planted and easements dedicated. Two, urban development is permitted only if it meets specific criteria, including requirements for mitigation of agricultural soil loss through the planting and dedication of agricultural acreage, location adjacent to Livermore or within the Transitional areas, and payment of mitigation fees to a land trust. Three, urban development on existing vineyards is not permitted. In addition, the DEIR identifies several mitigation measures (MM J-2 and J-3) that would reduce impacts on rural character. Please also refer to Response to Comment 6-9 above regarding the use of soundwalls.

As noted in the DEIR discussion on soils, (page C-6) there is no precise way to measure "good" vineyard soils. The most comprehensive soil survey for the area by the SCS uses the Storie Index to differentiate which soil types are best for cultivated agriculture. Existing vineyards have been planted on soils ranging from "excellent" to "very poor" on the Storie Index. Therefore, the proposed Plan does not rely on soil types alone in determining appropriate land uses, but instead considers <u>all</u> soils less than 25% in slope that are not located in an arroyo to be potentially "good" vineyard soils. Any new development is required to mitigate loss of soils by paying mitigation fees and/or planting and dedicating new vineyards.

RESPONSE 14-2

Comment noted. This comment is directed towards the proposed Plan, not the adequacy of the DEIR. It should be noted that the proposed Plan calls for the

development of these areas to provide a graceful transition between existing development and the vineyard areas. Thus, use of appropriate densities, landscaping, and materials, especially along road frontages, should be encouraged. Development within the three Transitional areas will fall under the purview of Pleasanton or Livermore. While densities are not defined in the Transitional areas, existing adjacent development would indicate that it is unlikely that the cities will permit high density housing in these areas. The City of Livermore recently designated most of the Alden Lane Transitional Area for development at a density of two units to the acre.

RESPONSE 14-3

As originally conceived, the proposed Plan made no distinction between existing vineyards and uncultivated agricultural land in the ability to take advantage of bonus densities that would allow 20 acre parcels. The reasoning behind this is that existing vineyards should not be penalized for having already done what the proposed Plan is encouraging other land owners to do. Furthermore, from a pragmatic view, unless existing vineyards are treated essentially the same as uncultivated land there would be a large incentive for land owners to abandon, or even rip out, existing vineyards. It should be recognized that vineyards are usually replaced on a regular basis to maintain yields. If the proposed Plan creates strong economic incentives for uncultivated agricultural land in comparison to existing vineyards, existing vineyards will not be maintained.

Subdivision of existing vineyards could have two negative results. As noted in the DEIR (page A-13) the proposed Plan could result in the cumulative loss of up to 10% of existing vineyards through subdivision. While the proposed Plan contains language to site homes, ancillary uses and parcel lines to maximize productive use of the land, this may not eliminate potential loss of existing vineyards. The DEIR (page A-13, MM A-3) suggests the addition of a new policy that would permit and encourage the transfer of allowable rural homesites from cultivated parcels to uncultivated parcels within the Vineyard Area.

The second negative result could be capture of the market for new 20 acre parcels by subdivision of existing vineyards. The EPS economic analysis of the proposed Plan indicated that, as currently written, the proposed Plan gives existing vineyard owners a strong economic incentive to subdivide into 20 acre parcels, since most capital costs required by the Plan have already been made. Subdivision of existing vineyards could absorb most of the market for 20 acre parcels in the near future, reducing the likelihood that new vineyard acreage would be brought into cultivation

as a result of the 20 acre bonus density system in the proposed Plan. The EPS report suggests that subdivision of existing vineyards be discouraged, either by requiring off-site clustering, using high mitigation fees, or some combination of these methods.

An analysis of parcels with existing vineyards indicates that there are approximately 12 parcels over 40 acres in size that are 90%, or more, planted in vines. Other parcels with existing vineyards are either less than 40 acres or are only partially cultivated. Furthermore, of the 12 parcels entirely in vineyards, only one is owned by a landowner with no other uncultivated parcels in the Plan Area. This ownership pattern would make it possible to design a policy that would require clustering of bonus density units on-site so that existing vineyards are preserved. If it is technically impossible for bonus density units to be constructed without the loss of existing vineyards, vineyard acreage equal to the amount lost would be required to be planted and dedicated off-site, resulting in a no-net loss of vineyards.

An alternative that was considered and rejected as unworkable would be to transfer allowable bonus densities for existing vineyards off-site by permitting new off-site rural residential areas. The problem with this alternative is that, due to Zone 7 septic tank policies, a minimum five-acre parcel would need to be created. Since most available lands are under Williamson Act contract, off-site parcels on contracted lands would have to be a minimum of twenty acres in size. If off-site transfers were used, one home site per 20 acres of vineyards would be consistent with the density bonus uncultivated agriculture would receive. With 2,000 acres of existing vineyards, up to 100 off-site home sites could potentially be created. Five-acre home sites meeting septic requirements would take up at least 500 acres, which would be roughly three times the size of the Buena Vista rural residential area. Twenty-acre home sites would require 2,000 acres, removing a sizable portion of the available uncultivated land within the Plan Area.

Another possible alternative would be to require the transfer of new home sites on existing vineyards to urban development areas. This was considered and rejected because, while it might be workable in certain circumstances, unless existing vineyard owners had access to land that could be urbanized, it would be extremely burdensome and could result in frustrated vineyard owners removing vines so that they could qualify for on-site bonus densities as unplanted cultivated land.

The following mitigation measures would modify the proposed Plan to require on-site clustering of existing vineyard parcels and replacement of vineyards lost for

no net loss of vineyards, limit the subdivision of existing vineyards to a maximum of 100 acres per year, and require that subdivision of existing vineyards result in vineyards up to current standards:

> **Mitigation Measure FEIR-4:** Require new home sites on parcels with existing vineyards to be located so that the minimum amount of vineyards are destroyed or divided, while still meeting minimum parcel size requirements of Zone 7 and the Williamson Act. If new homes, roads and other structures cannot be sited without the loss of existing vineyards, require that an equivalent vineyard acreage to that lost be planted and placed under easement within the Vineyard Area.
>
> **Mitigation Measure FEIR-5:** Limit the subdivision of existing vineyards in the Plan Area to a maximum of 100 acres per year to maintain a market for new vineyards on presently uncultivated lands.
>
> **Mitigation Measure FEIR-6:** Require that any subdivision of existing vineyards include provisions for any needed improvements to bring existing vineyard stock up to current industry standards for production, quality and resource use, including water and soil. Require, prior to subdivision approval, that improvements to existing vineyards be made, based on the recommendations of an experienced viticulturalist following an inspection to ascertain vineyard health, vigor, productivity, and resource use.

RESPONSE 14-4

The proposed Plan requires that a minimum of 90% of a parcel be planted, prior to final subdivision approval, in order to receive bonus densities that would permit 20 acre parcels. No similar timing provision for mitigation land required for urban development is specified. No requirement for long-term maintenance of new vineyards is specified in the proposed Plan.

The approved Ruby Hill project provides an example of a time table for the planting of new vineyards required as mitigation for new urban development. As a condition of approval Ruby Hill must plant approximately half of the required vineyard land, or give bonded guarantees, prior to a Phase I Final Map approval. The remainder must be planted prior to approval of a Final Map for the second half of the permitted units. A long-term maintenance contract for the vineyards must also be approved prior to Final Map approval.

The following mitigation measure would require similar provisions of any urban development within the Vineyard Area:

> **Mitigation Measure FEIR-7:** Require mitigation acreage for urban development in the Vineyard Area be dedicated and planted, and that evidence of a long-term maintenance contract (eight years or more) be given, prior to approval of a final map. This requirement can be phased, as long as phasing is consistent with final map phasing.

New vineyards created from new 20 acre subdivisions could also be required to provide a long-term maintenance contract. The City of Livermore will require a minimum eight year maintenance contract for 20 acre parcels in the proposed annexation area east of Vallecitos Road. The Crane Ridge project requires that vineyards be maintained as part of the codes, covenents and restrictions (CC&Rs), to be enforced by a homeowner's association. It should be recognized, however, that there would be a large economic incentive for owners of new vineyards to continue to maintain them once the property has been planted. At approximately $10,000 per acre, viticulture represents a sizable investment to the property owner, an investment that could, on average, net $1,000 per year. To let such an investment die would be similar to a homeowner letting expensive landscaping die; it's possible, but would hardly be rational. The following mitigation measure would provide further assurance that new vineyards are maintained:

> **Mitigation Measure FEIR-8:** Require that new vineyards created as a result of 20 acre subdivisions include provisions for the long-term maintenance of cultivated agriculture as a condition of approval, through use of CC&Rs, evidence of a long-term maintenance contract, or other means.

RESPONSE 14-5

The proposed Plan does not specify the composition of the Land Trust Board of Directors. As a condition of approval for the Ruby Hill project, a report on possible methods of forming a land trust was submitted to the County by William Hutton, an attorney specializing in land trusts. The report suggested a nine member board, including representatives from the three jurisdictions, Friends of the Vineyards, the Livermore Winegrowers Association, the Alameda County Farm Bureau, and three representatives elected by the above six members.

The ultimate composition of the Land Trust Board will have to be determined by

the Alameda County Board of Supervisors. The Board of Supervisors may choose to include representatives of more regionally-oriented groups, such as the Sierra Club or Greenbelt Alliance, to ensure that a regional perspective is maintained and that the trust maintains its independence from any particular group. In any event, board members should be selected who can work with local landowners to successfully use Land Trust funds to purchase easements or fee title to strategic parcels within the Plan Area.

RESPONSE 14-6

Comment noted. The possibility of a toll road is discussed on page F-10 of the DEIR. Please refer to Response to Comment 4-2 above regarding traffic impacts of the possible toll road.

RESPONSE 14-7

An economic study by Economics and Planning Systems, Inc. was released in August, 1992 that validated the feasibility of the proposed Plan to achieve the basic Plan goal of 5,000 acres of cultivated agriculture in the South Livermore Valley. The study was the subject of an Alameda County Planning Commission hearing on October 5, 1992.

LETTER 15

Greenbelt Alliance

PEOPLE FOR OPEN SPACE

August 8, 1992

Adolph Martinelli
Planning Director
Alameda County Planning Department
399 Elmhurst Street
Hayward, CA 94544

Re: South Livermore Valley Area Plan

Dear Mr. Martinelli:

Greenbelt Alliance agrees with the intent of the South Livermore Plan to encourage agriculture and to require new urban development to pay agriculture mitigation fees to acquire easements to protect open space. However the proposed policies, mitigation measures, and limited geographic area of the plan, make the intent of the plan impossible to implement – and will actually result in urban sprawl surrounded by 20 acre ranchetts. 15-1

Secondly, the EIR has not adequately evaluated the impact of the Mid State Toll Road and the impact of the toll road on the intent of the plan to promote agriculture. The toll road shares the same alignment as the Isabel Expressway; the terms of the Franchise Agreement for the Mid State Toll Road direct Caltrans to stop competing facilities, meaning that if Isabel Expressway is built, it will be the Mid State Toll Road; and the Isabel Expressway connects to the East County Corridor, a segment of the Mid State Toll Road, for which an NOP has been issue by the State Route 4 Bypass Authority, of which Alameda County is an Ex officio member. 15-2

Third, the EIR identifys a need for expanded wastewater treatment that is significantly larger than the capacity proposed by the Tri Valley Wastewater Authority in 1987. 15-3

Finally, mitigation E-2 is inadequate. Significant wildlife and plant habitat need to be identified before the plan is adopted and polices need to be put in place to protect that land through zoning. That land can later be purchased through an agriculture mitigation fee. But to fully identify the impact of this plan on wildlife habitat, the habitat of the species must first be identified. 15-4

[more]

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Agricultural Land is Not Protected

The plan and proposed mitigation for allocating water to agriculture – a water supply yet to be identified – is inadequate.

If it is the intent of the County to promote viticulture and other forms of irrigated agriculture, the plan must identify a mechanism to allocate new water supplies and existing water supplies to agriculture first. A mechanism must also be identified to stop cities from annexing land in the Zone 7 service area that would take available and future water supplies away from agriculture.

Under Zone 7's own projections, even if State Water Project improvements come on line, there will not be water available for both agriculture and build-out of composit proposed city general plans. Zone 7 now allocates water on a first come first serve basis. 15-5

The plan must identify agriculture as the land use priority for the area and identify how to structure future water contracts with Zone 7 to ensure agriculture is served first. The EIR must also evaluate what would happen if 20 acre parcels are created and the water supply for agriculture is removed.

If the plan adopts a policy that supports urban development first, then a 640 acre minimum parcel size or larger is needed for commercial dryland agriculture. Irrigated agriculture will no longer be feasible and the criteria for creating a 20 acre parcel could never be met. Land owners could argue that the County has placed an unrealistic burdon on their property and the County could find itself approving 20 acre ranchettes without demonstrating a water supply for irrigated agriculture.

Mitigating the impact of city expansion onto agricultural lands and mitigating the increased demand for water, requires adoption of a policy meachanism to stop city annexations into the South Livermore Valley Area Plan and other areas of the East County Planning Area where Zone 7 will be expected to provide services.

General plan polices must be identified that give county staff the authority to respond to city requests before LAFCO to expand spheres of influence or to annex lands that impact agriculture and other open space lands. 15-6

Potential policy/mitigation measures in the general plan to restrict intrusions onto agricutural land and to protect the water supply include: 1) directing county staff to present evidence to LAFCO that a proposed annexation is inconsitent with the adopted general plan and to state the impact of the proposed annexation in the record; 2) adoption of a county policy to retain 100 percent of tax revenues on land that is annexed, if the parcel is beyond the urban limit line; 3) levying a 50 percent to 100 percent capital appreciation county tax on land annexed to cities that is beyond the urban limit line; 4) prohibit county development beyond the urban limit line unless approved by a vote of the people; 5) adopt a policy statement in the County General Plan stating that the above four polices can only be changed by a vote of the people.

The EIR has not demonstrated that creation of 20 acre minimum parcel sizes is economically feasible for bringing vineyards into cultivation. The minimum parcel size for prime farmland in Napa County is 40 acres. Both Napa and Sonoma counties restrict commercial development in grape growing areas.

Although 20 acre parcels may exist in Napa and Sonoma County, no data is contained in the EIR demonstrating that viticulture production of an area can double if 20 acre minimum parcel sizes are created. 15-7

A 20 acre minimum parcel size, in conjunction with the commercial development allowed in the area, will make commercial grape growing economically infeasible. Land costs will be too high for a commercial grower to pay $50,000 an acre for land plus $15,000 - $20,000 an acre to plant grapes. Land costs can retain a realistic agricutural value if the minimum parcel size remains at 100 acres and opportunities for commercial development are reduced.

The EIR has not identified the impact of building a Bed and Breakfast on each 20 acre parcel, or how to prevent building a Bed and Breakfast on each parcel. Traditionally, Bed and Breakfasts are simply a home providing a bed and breakfast. The EIR needs to evaluate the impact of a Bed and Breakfast on each 20 acre parcel plus the commercial overnight facilites allowed under the plan. 15-8

Mid State Toll Road

The traffic analysis must include a cumulative evaluation of a six lane Isabel Expressway between I-580 and I-680; the East County Corridor, which extends from I-580 at Isabel Expressway and exytends north to Antioch; and the northern segment of the Mid State Toll Road between Antioch and Vacaville.

How will the construction of such a road impact the ability of the county to attract agricultural investment to the Livermore Valley? How could deed restrictions be placed along the Isabel Expressway to prevent expansion to six lanes? Identify mechanisms the County could use to stop the toll road. Identify how the County could prevent the California Toll Road Company and Caltrans from implementing the terms of the Franchise Agreement that stop facilities that the toll road company believes will interfere with their project. In other wordss, if Isabel Expressway is built as a six lane road, identify what specific actions the County can take to prevent Caltrans and the California Toll Road Company from incorporating the road into the toll road. 15-9

Wastewater

Table K.2-2 identifies sewage capacity expansion of 16.64 MGD to accommodate existing general plans, and 26.08 fro prospective general plans. This figure is significantly higher than that identified by the Tri Valley Wastewater Authority in its May 1987 EIR. That EIR found that 9.0 MGD were needed for planned growith in the year 2010, and 19 MGD for growth through 2040 (p.2-3); in population this equates to 9 MGD additional capacity to serve a total population of 221,500 people, or 19 MGD addtional capacity to serve a total population of 328,600 people (p.3-6). 15-10

To what factors does the County attribute the significant change in need for expanded wastewater facilities? Is the new capacity for a much larger growth scenerio than that identified in the TWA 1987 EIR? What is the impact of that growth scenario on agriculatural land? Is the larger watewater facility needed to accommodate the growth that would be generated by the Mid State Toll Road? Could Alameda County find a mechansim to stop the toll road and thereby reduce the need for expanded wastewater treatment facilities? 15-10

Sincerely,

Mark Evanoff

Mark Evanoff
Field Representative

Enclosures:

Mid State Toll Road Franchise Agreement
Mid State Toll Road Alignment
East County Corridor NOP

RESPONSE TO COMMENTS
LETTER 15

Greenbelt Alliance
Mark Evanoff, Field Representative

RESPONSE 15-1

We disagree with the rather pessimistic view of the commentator. The proposed Plan will result in a permanent southern boundary for the City of Livermore, defined by a cultivated greenbelt that will be permanently protected by agricultural easements. New development in the Transitional areas will be required to pay mitigation fees, as will the Ruby Hill development. New urban development in the Vineyard Area will be required to plant and dedicate substantial areas of cultivated agriculture.

RESPONSE 15-2

A major roadway improvement, west of Livermore, between I-580 and I-680 along State Route 84, is contemplated in several regional transportation improvement plans. For instance, the most recent Caltrans Route Concept Report, which is a preliminary list of long-range improvement concepts, identifies the reconstruction of State Route 84 to 6 lanes from I-680 to I-580. The Alameda County Congestion Management Authority Countywide Transportation Plan also calls for the construction of a new six-lane freeway between I-580 west of Livermore to I-680 at Sunol. The Circulation Element of the Livermore General Plan calls for a four to six lane limited access expressway from I-580 south to Vineyard Avenue, with a two lane extension to Vallecitos Road, within a six-lane right-of-way. The 1991 MTC Regional Transportation Plan calls for the extension of S.R. 84 as a two-lane expressway along Isabel Avenue from I-580 to Vallecitos Road.

The Mid-State Toll Road proposal is mentioned on page F-10 of the DEIR. As noted in Response to Comment 4-2 above, the toll road proposal has not been formalized as a "project", and details of exactly how or where it is proposed to be built are not available. For instance, it is not known precisely where toll road proponents are proposing to locate access points to the road in the Livermore area. If a toll road is built, the location of these access points is likely to have a large impact on the effects on traffic in the surrounding area.

As noted in the DEIR, approval of a toll road will require an environmental impact

report. The California Toll Road Company, the toll road proponent, recently released a draft scoping document for public comment. According to this document, if it is decided to proceed, an environmental impact report on the project will be released about 15 months after a Notice to Proceed is issued by Caltrans.

It should be noted that without a major roadway through this area, State Route 84 traffic will continue to use both Livermore city streets and Holmes and Vallecitos Road within the Plan Area. As traffic increases, it will have a detrimental impact on the Plan Area.

The proposed Plan does not advocate, rely upon, or prohibit the Mid-State Toll Road. As noted in Response to Comment 4-2 above, the DEIR traffic analysis assumes the completion of the Isabel Expressway between I-580 and I-680 by the year 2010. Construction of a toll road through the Plan Area, along the proposed Isabel Expressway alignment, is likely to have similar physical and traffic impacts as the proposed expressway, although the more limited local access to a toll road could result in less localized impacts to area intersections.

The designation of a major road facility along this alignment as a toll road, rather than as a "free" expressway, is not likely to make any difference to adjacent land uses within the Plan Area, nor will it affect the ability of the County to attract agricultural investment to the area. First, the physical impacts of a road are likely to be the same, regardless of whether or not users are required to pay to drive on it. The pavement required, noise and air emissions produced, and visual impacts will probably be the same. Second, land uses along the proposed expressway alignment within the Plan Area are largely set by the approved Ruby Hill project to the west and the recent Livermore general plan amendment and annexation initation for all of the properties to the east.

As a condition of approval, the Ruby Hill project was required by Alameda County to reserve a 200 foot right-of-way between Vallecitos Road and the Isabel/Vineyard Avenue intersection within the Plan Area. Under Livermore's proposed annexation of the eastern portion of Ruby Hill, the City would control this 200 foot easement, as well as the section of Isabel Avenue between Vineyard Avenue and Alden Lane.

Land uses adjacent to either side of the 200 foot right-of-way through the Plan Area will be under the jurisdiction of Pleasanton (on the west) and Livermore (on the east), under the proposed annexations by the two cities now under consideration by LAFCO. Land uses in both cities for lands adjacent to the right-of-way are

largely fixed. The Pleasanton annexation of the urbanized portion of the Ruby Hill project will fix land uses on the west side of the road. Livermore's recent general plan and zoning designations largely determine land uses along the eastern side of the road. Agricultural easements along much of the property limit development to that proposed under the proposed Plan.

RESPONSE 15-3

As noted on page K.2-4, sewage export requirements under various development scenarios shown in Table K.2-2 were derived from the Supplementary Environmental Impact Report released by TWA in January, 1992, which is the most current estimate of export capacity and demand.

RESPONSE 15-4

Please refer to Response to Comment 3-1 above regarding biological surveys of the Plan Area. Wildlife habitat has been identified, and potential impacts are discussed in the DEIR. Project-specific biological surveys will permit identification, avoidance, and mitigation of impacts to wildlife.

RESPONSE 15-5

Zone 7 policy has been to supply water on a first-come, first-served basis, with no differentiation between municipal, industrial and agricultural users. The Zone 7 Board approved an agricultural water policy in February, 1990, that states that the Zone views the beneficial uses of water for agriculture to be comparable to the beneficial uses of water for commercial and industrial purposes, that agricultural water use is a long-term use, and that the Zone will make its best effort to accommodate peaking demands and distribute any required cutbacks proportionately among all users.

Zone 7 is in the process of re-negotiating the long-term 30 year water contracts for treated water with the four water retailers in the Valley. Existing contracts, which were approved prior to the Board's agricultural water policy was adopted, give priority to treated water users. According to Zone 7 staff, the new contracts will include the 1990 agricultural water policy. The new contracts are anticipated to be adopted within the next year, following public hearings.

Under these policies, existing agriculture is protected from having the water supply "removed". To the extent that additional agriculture is brought into production

using existing water supplies, it too would be protected from water "removal" due to increased urban development, and would have first right to available water in relation to later development projects.

The proposed Plan contains a policy that prior to approval of new 20 acre parcels, proponents must show, to the satisfaction of Zone 7 and the County, that adequate water supplies are available for both domestic and irrigation needs. If water supplies were not available, new 20 acre parcels would not be allowed to be created. Under Zone 7 policy, once irrigation water is being used, it will not be "removed". These policies make the scenario of unirrigated 20 acre parcels implausible.

As noted in the DEIR, future water supplies for both new agricultural and urban development in the Livermore Valley are uncertain, and Zone 7 is considering several options for increasing water supplies. The largest amount of possible future water identified by Zone 7 in its latest Water Supply Update is reclaimed water. Up to 25,000 acre-feet of reclaimed water could be available, which would be used for irrigation and/or groundwater basin recharge.

A water recycling study was authorized in 1991 as a joint project of Zone 7, DSRSD, and the City of Livermore to investigate a feasible program for water recycling while providing adequate protections and enhancement of the groundwater basin quality. The study, completed in 1992, analyzed a number of potential projects for reuse of reclaimed water, and determined that water recycling is a viable method of supplementing limited water supplies in the Valley and meeting wastewater disposal needs as well. The study recommends the development of a Long-Term Recycling Program in the Tri-Valley area that would focus on three projects with a potential reuse volume of 10,600 acre-feet per year (AFY) (current) to 25,500 AFY (future), at a cost of $880 to $1,180 per acre-foot. One of the projects (and the cheapest) would involve use of demineralized recycled water from the Livermore wastewater treatment plant to recharge the groundwater basin via turnouts adjacent to the Plan Area on Arroyo Del Valle and Arroyo Mocho.
The study also states that this project could be expanded to include irrigation of vineyards to the southeast of Livermore. According to Zone 7 staff, a recycled water project could be on-line in the next ten years.

New urban development within the Plan Area could provide the financial means to construct a recycled water system that could offset agricultural water use in the Plan Area. Use of recycled water could either be used directly for irrigation, or could be used for groundwater recharge, with an equivalent amount made available

for irrigation through groundwater pumping. This could be implemented through the following mitigation measure:

> **Mitigation Measure FEIR-9:** Require new urban development within the Vineyard Area to contribute funds for a recycled water treatment system, if considered feasible by the City of Livermore. Contributions should equal or exceed the cost of providing recycled water equal in volume to 120% of anticipated water use of the development.

RESPONSE 15-6

The proposed South Livermore Valley Area Plan policies would apply only to the approximately 15,500 acres within the Plan Area, and not to other areas of the County. Alameda County is in the process of updating the General Plan for the Livermore-Amador Valley (the East County Area Plan), which will include policies for the entire East County area, including the South Livermore area.

The proposed South Livermore Valley Area Plan includes policies to use County influence, via tax-sharing and other means, on city annexations within the Plan Area. The proposed Plan calls for the County to actively oppose city annexations that do not meet Plan policies. While no urban limit line is identified in the Plan Area, use of agricultural easements, land trust acquisitions, and specific criteria for urban development should be sufficient to restrict further intrusion of unmitigated urban development into agricultural land.

RESPONSE 15-7

The proposed Plan would only permit 20 parcels, as an incentive, if vineyards or other cultivated agriculture are planted, which must be done prior to final subdivision approval. If this parcel size will not bring vineyards or other crops into cultivation, then the parcels will not be permitted to be created. It should be noted that there are a number of vineyards in the Plan Area that are 20 acres (or less) in size. It should also be noted that while Napa requires 40 acres, Sonoma requires 20 acres, and neither require dedication of agricultural easements, as in the proposed Plan.

According to the economic feasibility study conducted by EPS on the proposed Plan, agricultural land values are not, nor will be, anywhere near $50,000 per acre. A more likely value is $7,000 per acre. A smaller parcel size may reduce barriers to entry for some potential farmers by reducing the amount of money

needed to buy a parcel. The proposed Plan would only permit very limited commercial development, such as wineries and bed-and-breakfast establishments.

RESPONSE 15-8

The proposed Plan would permit bed-and-breakfast establishments as a conditional use in the Vineyard Area as a way to promote tourism and the area as a recognized wine region. While no set number of B&B's would be permitted under the Plan, it is extremely unlikely that the market would permit every 20 acre parcel, or even a majority of 20 acre parcels, to develop a successful B&B. The DEIR estimates that the area could sustain a maximum of 25 B&B's. While it is doubtful that even this number would ever be established at one time, the following mitigation measure would limit B+B's to this level.

> **Mitigation Measure FEIR-10:** Modify the proposed Plan to include a provision requiring the conditional use permit process for bed-and-breakfast establishments to limit the total number to no more than 25 in the Vineyard Area.

As noted by the commentator, B&Bs are traditionally a home providing a bed and breakfast. Often, B&Bs are remodelled older residences. It is unlikely that the potential revenues that could be expected from a B&B establishment in South Livermore would justify the expense of construction of a separate facility. It is much more likely that any B&B would be either a remodeling of an existing home to permit guests, or the construction of a new home to permit both permanent residents and guests. The possibility of separate B&B facilities, though remote, could be eliminated through the following mitigation measure:

> **Mitigation Measure FEIR-11:** Modify the proposed Plan to limit bed-and-breakfast establishments to existing homes or homes permitted under the Plan. No separate additional structures would be permitted to be constructed.

RESPONSE 15-9

Please refer to Response 15-2 above regarding the Mid-State Toll Road.

RESPONSE 15-10

Please refer to Response 15-3 above regarding wastewater capacity.

LETTER 16

Fertile Crescent Coalition
P.O. Box 446
Livermore, CA. 94551

August 8, 1992

Alameda County Planning Commission
c/o Adolph Martinelli
399 Elmhurst St.
Hayward, CA. 94544

Dear Members of the Planning Commission:

As cochairs of the Fertile Crescent Coalition we made a verbal presentation at the public hearing July 20, but also wanted to submit our questions and comments in writing so that your staff might better be able to respond to our concerns when preparing the final EIR.

A major concern the Fertile Crescent Coalition has with the South Livermore Valley Area Plan is the cumulative impact of the maximum permanent population plus the tourist influx projected by the plan on the rural, agricultural characteristics of the area that exists at present. Although the EIR addresses many individual impacts, the total cumulative impact of the population on the rural-agricultural characteristics have not been adequately addressed. The maximum population allowed is approximately equal to half the population of Dublin. Is this population in the vineyard area plus the necessary schools, playgrounds, fire stations, commercial developments, and the transient tourist influx consistent with the plan's objective of preserving and enhancing agriculture and the rural ambience of the area? 16-1

Several mitigating measures and standards proposed may mitigate a specific impact, but create additional impacts which tend to destroy the rural character of the area. For example, sound walls which have been proposed to mitigate traffic noise destroys the scenic and rural character of the vineyard area. Would not an enlarged landscape buffer and berm such as proposed near the quarry mitigate the noise without destroying the scenic and rural ambience of the area which is the objective the plan is dedicated to preserve? 16-2

The EIR proposes a right of way of 128 feet for minor roads within the vineyard area. Is this amount of right of way necessary to serve a development of one residence per 20 acres? Would not less right of way be adequate in purely residential areas such as the Crane Ridge development? 16-3

The visual impact of housing is important in preserving the rural character of the area. Why should development on ridge lines be permitted that would destroy the rural ambience of the area? Why has this not been proposed as a mitigating measure? 16-4

Rural residential development in areas such as Buena Vista have polluted the ground water. Is the Zone 7 standard of one septic tank per 5 acres adequate to prevent nitrate buildup in the ground water beneath a development? Is this a standard which is supported by research? Will clustering allow too many septic systems in a compact area? 16-5

Urban development has been proposed in the inundation area of the Del Valle Reservoir. What is the potential loss of life and property if failure occurs? Is not urban development east of Vallecitos Road a serious problem because of the short time notice and because the wall of water expected will be deeper in the upstream area? Is this not a 16-6

serious problem for development in the Wetmore Road area which extends to the area subject to the 100 year flood blocking road exit from Wetmore Road to Vallecitos Road? 16-6

On the subject of onsite housing for agricultural workers, shouldn't their units be counted as part of the total allowable in the plan area? 16-7

We question whether the Land Trust Fund should be used to pay for a biological survey of lands instead of being a requirement for the developers. How is the Trust going to split its allocated funds for actual land purchases versus administrative costs, loans, tourism promotion, etc.? How is the makeup of the Trust board going to be determined and will there be provisions for private citizens as well as elected officials on it? What will be the term limits for membership and how can a member be removed--for cause, for non-attendance or when moving out of the area? 16-8

How did the plan set the upper limits for numbers of housing units in the South Livermore Valley Plan Area? 16-9

Why shouldn't Pleasanton be asked to pass a "right-to-farm" ordinance as well as Livermore, since Pleasanton will be annexing the Ruby Hill vineyards and development? 16-10

There seems to be no definition of a Bed & Breakfast and if there are any conditions allowing it to be converted to a private residence after any period of time. What requirements do you plan to institute to assure that a Bed & Breakfast isn't just converted to a private home after being built and are they counted as part of the residential allocation for the plan area? 16-11

Why does not the policy "require" clustering of houses instead of just "permitting" such clustering? 16-12

How will the plan ensure that the 20-acre parcels remain in agriculture in perpetuity? Shouldn't there be an annual inspection of the properties to see that agricultural uses are being maintained and not just left to die? 16-13

Shouldn't the transfer of density rights (TDR) be spelled out more specifically? 16-14

How does the plan guarantee that all three involved agencies agree not to exceed the number of housing units called for in the county plan? 16-15

Are there any provisions for landowners withdrawing from the Plan Area after it is established by the County? 16-16

Why is the $10,000 mitigation fee not indexed (a set fee based only on 1992 values seems unreasonable)? 16-17

Thank you for your attention to these concerns. The Fertile Crescent Coalition looks forward to working closely with the County and cities to see this Plan become a reality.

Sincerely,

Archer Futch

Archer Futch
Cochair

Barry Schrader

Barry Schrader
Cochair

RESPONSE TO COMMENTS
LETTER 16

Fertile Crescent Coalition
Barry Schrader, Archer Futch
Cochairs

RESPONSE 16-1

While the proposed Plan would permit additional urban development, it would be limited to areas adjacent to existing urban development, and to areas not under cultivation. Extensive mitigation requirements would place large acreages of land under agricultural easement if urban development occurs. The net effect would be a limited amount of rural land would be developed, while a large majority of the Plan Area would be protected from urban encroachment. The "rural ambience" of the area would thus be largely preserved. It should be recognized that the area has managed to maintain its rural ambience although the City of Livermore, with a population over 50,000 people, is located directly adjacent to it.

RESPONSE 16-2

Please refer to Response to Comment 6-9 above regarding soundwalls.

RESPONSE 16-3

Please refer to Response to Comment 6-2 above regarding future right-of-ways.

RESPONSE 16-4

Mitigation Measure J-1 requires the development of comprehensive design guidelines for new rural structures in the Plan Area, including siting structures so that they are subordinate to the landscape. This would preclude development on ridgelines.

RESPONSE 16-5

As noted in the DEIR (page K.2-6), Zone 7 policy is to limit rural residential use of septic systems to lots of five acres or greater. If more than five rural residences are proposed, a site-specific "geohydrologic study" would be required to ascertain whether there would be an impact on groundwater. These criteria would need to

be met for septic systems to receive necessary permits from Zone 7.

As discussed on page D-4 of the DEIR, Zone 7 studied nitrate sources in the Livermore Valley in 1980. The policies limiting new septic systems to parcels of five or more acres was adopted in 1982. According to Zone 7's Wastewater Management Plan, which was approved by the Regional Water Quality Control Board, these policies are adequate to protect the groundwater supply.

RESPONSE 16-6

The proposed Plan does not specify that urban development would occur within the Del Valle inundation area, although portions of this area could meet the proposed Plan's criteria for urban development. The potential loss of life and property would depend on the level of urban development approved in the area. It should be noted that inundation maps are prepared by the State Department of Water Resources, and include the caveat that the zones, which are approximate, do not imply that failure of the dam or resulting flooding is a probable occurrence. The zones include all potential flooded areas under a severe hypothetical dam failure mode. According to the map for the Del Valle dam, flooding from total dam failure with a completely full reservoir would reach Holmes Street in approximately 5 minutes. Areas to the northwest, including the developed areas along Alden Lane and near Mendenhall School, would also be flooded. A large part of Pleasanton would be affected by such a flood as well, with the water arriving in approximately 20 minutes after a total dam failure.

Project-specific environmental review would need to consider potential evacuation procedures if additional urban development were proposed within the inundation area. It should be noted that the Wetmore area would have other potential emergency routes that would not be within the inundation zone, including Arroyo Road. The following additional mitigation measure would further reduce potential impacts of development in this area:

> **Mitigation Measure FEIR-12:** Require that all urban development within the Del Valle inundation zone have access to at least one road outside of the inundation area that could be used as an emergency route.

RESPONSE 16-7

Please refer to Response to Comment 6-13 above regarding housing for agricultural workers.

RESPONSE 16-8

Because the DEIR identifies expansion of cultivated agriculture as impacting wildlife habitat, Mitigation Measure E-2b proposes that the land trust use the protection of critical habitat areas as one of the criteria for targeting land or easements for acquisition. In order for the Trust to select habitat areas for acquisition, additional biological surveys will be necessary for areas that could be potentially cultivated. Separate project-specific biological surveys would be required for urban development proposals. These surveys would be paid for by development proponents.

Please refer to Response to Comments 6-11 and 14-5 above regarding Trust administration.

RESPONSE 16-9

As noted in the Project Description (page III.-5 and -6), the DEIR specifies the maximum potential development levels that could result from Plan implementation. Appendix B of the DEIR explains in detail how these development levels were derived.

RESPONSE 16-10

The conditions of approval for the Ruby Hill project, which Pleasanton has agreed to abide by through the recently signed development agreement between the City, and County, and Ruby Hill Development Partners, requires notification of future property owners within the development of possible agricultural nuisances from adjacent vineyards, assumption of risk of living adjacent to agricultural activities, and the right of adjacent agriculturalists to farm.

RESPONSE 16-11

Please refer to Response to Comment 15-8 above regarding bed-and-breakfast establishments.

RESPONSE 16-12

Please refer to Response to Comment 14-3 above regarding on-site clustering.

RESPONSE 16-13

Under the proposed Plan, 20 acre parcels could only be created if 90% of each parcel is cultivated and under agricultural easement. Please refer to Response to Comment 14-4 above regarding use of long-term maintenance contracts.

RESPONSE 16-14

The proposed Plan does not include a TDR system. Please refer to Response 14-3 above regarding possible modifications to the proposed Plan to transfer development potential off of existing viticulture.

RESPONSE 16-15

The proposed Plan does not "call for" a specific number of housing units. As discussed in the DEIR (see the Project Description and Appendix B) a maximum potential number of units was derived, based on existing development patterns, plan policies, and mitigation requirements. Both Pleasanton and Livermore would be encouraged to adopt relevant policies of the proposed Plan into their respective general plans.

RESPONSE 16-16

The proposed Plan does not contain any provisions for landowners withdrawing from the Plan Area after it is established by the County.

RESPONSE 16-17

Please refer to Response to Comment 8-5 above regarding indexing of mitigation fees.

LETTER 17

BEAR REPUBLIC ORCHARDS
P.O. BOX 2267
LIVERMORE, CALIFORNIA 94551

VOICE: ~~415~~ 373-7800
FAX: ~~415~~ (510) 449-9342

Jul 6 5 14 AM '92

ALAMEDA COUNTY
PLANNING DEPARTMENT
HAYWARD, CALIFORNIA

2 July, 1992

Adolph Martinelli
Planning Director
ALAMEDA COUNTY PLANNING DEPARTMENT
399 Elmhurst Street
Hayward, California 94544

Reference: Southern Livermore Valley Area Plan.

Dear Mr. Martinelli:

This is brief note of thanks for the DEIR. It is clear that a great deal of effort has been made in the development of the report. I can only imagine the diversity of pressures that are exerted on your staff and yourself during a planning process like this one. Thank you for your individual and collective efforts - they are greatly appreciated. I look forward to working with you on the future of the southern Livermore area. 17-1

Sincerely,

Rik Hansen

RESPONSE TO COMMENTS
LETTER 17

Bear Republic Orchards
Rik Hansen

RESPONSE 17-1

Comment noted. No response is necessary.

LETTER 18

DIVIDEND DEVELOPMENT CORPORATION
PROFIT-SHARING & MONEY PURCHASE PENSION PLAN LIQUIDATION TRUSTS
3600 Pruneridge Avenue, Suite 340
Santa Clara, California 95051

July 22, 1992

Mr. Adolph Martinelli
Planning Director
Alameda County Planning Department
399 Elmhurst Street
Hayward, California 94544

RE: South Livermore Valley Area Plan
Responses to Draft EIR

Dear Mr. Martinelli:

I am the Trustee of the two Trusts which own approximately 185 acres on the east side of Greenville Road between Patterson Pass Road and East Avenue. I have read the Draft EIR and offer the following responses:

1. General: No one has been in contact with us as property owners, to solicit our input or ideas as to future use, past use, or present condition of our property. We have been working with the County for over five years to direct the planning of our property for future residential uses. It is inconceivable to us that our past input has been ignored and our present input has not been received. **18-1**

2. In Appendix B, someone concluded that because our property is "downwind" from the lab our property is not suitable for residential. There is no factual support for this conclusion, nor is there justification for this one comment controlling long term planning of our property for industrial use. We have heard rumors of one incident over 20 years ago at the lab, but there is no basis in fact, that supports designating our property as industrial. In past studies, the intent has been to create a pleasing entrance corridor along Greenville Road, in the vicinity of our land; and we believe much planning can be done without setting industrial type constraints at this time. **18-2**

3. The area east of Greenville Road, would easily support the lower residential density designations, especially up to the Aqueduct, with possibly larger type estates east of the Aqueduct. The Area Plan should consider this as a viable alternative. There might be sizable visitor oriented commercial uses that would make good planning sense in the Transition Area. **18-3**

4. II-6 (Impact C-10): It is suggested that the transitional zones pay up to $10,000 per **18-4**

acre for loss of agricultural soils. This assumes the Patterson Pass Transitional zone contains agricultural soils (which we have contended and given evidence to the County in the past, that the soil will not support any meaningful agricultural use on our property). This $10,000 per acre is probably more than the land can currently be sold for, but might be supportable, if development were, in fact, permitted for an economically viable use. 18-4

5. II-8 (Mitigation Measure D-3b): The keeping of horses is to be restricted. This would be an unreasonable restriction in the Patterson Pass Transition Area, since the eastern hills are available for horse trails and riding, and there are no viable agricultural uses in the immediate area. 18-5

6. III-2 (Goal #2): To have a goal of prohibiting any development that does not enhance or expand cultivated agriculture does not make sense for the Transition Areas. Remember, the prior studies indicated there may be development uses, especially those related to visitor orientation. This would enhance the economic viability of the area, especially in the entrance corridors, where Greenville Road would be. 18-6

7. III-2 (Goal #3): Why are we letting any urban development be restricted to areas that will be annexed into the City of Livermore? The City has consistently, over the past 15 years had their own agenda with little regard for our property rights. This is an appropriate goal if the City is reasonable and cooperates. 18-7

8. III-3 to -4 (Transition Areas): Although this section indicates that no densities or uses are designated for the Transition Areas, given the language in Appendix B, there certainly is ambiguity. We request this section be amended to permit residential development in the Patterson Pass Road Transition Area. Concept studies of this area showing such residential uses, along with other uses, have previously been presented to the County, and the language of this EIR Section should be amended so that residential uses will not require a General Plan or Area Plan amendment prior to being considered by the County or City. 18-8

9. III-7 (Table III-1). At the bottom of this table it notes the Patterson Pass area is designated as 415 acres of industrial land and development is not anticipated until after the year 2010. This Table is inconsistent with the wording of III-3 to -4, (referred to above) and is in total disregard to what we, as property owners, have been requesting and planning for over five years. There is no reason to designate our land as industrial, because there is no need for additional industrial, and such designation in the Area Plan essentially renders our property valueless for at least the next 10-20 years. 18-9

10. A-8 (last bullet goal): "Provide a fair and equitable return to land owners." If this is the goal, then what the plan proposes for our property in the Patterson Pass Transition Area, is directly in conflict, since there is no fair and equitable return held out or possible for our land in the foreseeable future. 18-10

11. Figure IV C-5 (following page C-6): This Figure, shows a Storie Index Rating of the 18-11

soil on our property as being "excellent". This table is inaccurate. We have previously supplied to the County and its consultants other analysis of the soil on our property as being "poor" and unable to support any significant cultivatable agricultural uses and definitely no viticultural uses. 18-11

12. C-7 (2nd paragraph): I concur with the statement made therein. In addition we have been advised there is probably little other viable cultivatable agricultural uses to which our land could be put to use. 18-12

13. C-8 (Table C-l): This table needs to be revised, since there is not as much "excellent" soil as indicated in the Storie Index Rating Figure. 18-13

14. C-14 (3rd paragraph from the bottom): This statement is incorrect and is not supportable. There are not 80 acres of "excellent" nor 160 acres of "good" soil in the Patterson Pass Transition Area along Greenville Road. 18-14

15. I-6 (Table I-1): This table indicates that the old farmhouse at 8433 Greenville Road (which is on our property) is an historical resource and that it has "fair integrity." The house is ready to fall down, has little architectural or historical merit and is not worthy of either salvage, restoration or saving. 18-15

16. Appendix A, Page 7 (Paragraph 1, under Transition Areas). Omit the reference to anticipation of eventual annexation, or change to "the possibility, but not requirement, of eventual annexation". There is no reason to include language in the Area Plan that could later be deemed a requirement for annexation. 18-16

17. Appendix B, Page 1 (last paragraph): The second sentence, "The presence of LLNL upwind and across Greenville Road could preclude adjacent residential development" should be changed to read: "The location of LLNL across Greenville Road should be taken into account for any development of the this Transition Area. Please refer to my paragraphs 1-3, above. The possibility of residential uses should be inserted as another viable scenario. 18-17

Please note: There is no justification shown, or existing to my knowledge, which supports the conclusions or suggestions made by the Livermore Staff. To include this language, lends credence to the conclusions and will make it difficult, if not impossible, to ever obtain other uses in the future, unless the residential uses are included as a possible scenario. Given the vast amount (in excess of 1700 acres not counting North Livermore) of undeveloped industrial lands within the jurisdiction of Livermore. To limit our property in the Patterson Pass Transition Area for industrial use, is and will deprive us of any reasonable or foreseeable use of our land.

18. There is some hint at the need to provide some affordable housing in the Plan Area. This is a worthy goal, but can only happen if economically feasible. I suggest the EIR provide a policy statement to encourage some affordable housing by granting a density 18-18

bonus, equal to the number of workers needed for a given size of property. Thus, if a 20 acre vineyard requires two farm workers, than the land owner of that 20 acre vineyard should be able to construct two bonus units (within established size, cost, and control guidelines) on the 20 acres. 18-18

Very truly yours,

DIVIDEND LIQUIDATION TRUSTS

Richard B. Oliver,
Trustee

RBO/rr/37

RESPONSE TO COMMENTS
LETTER 18

Dividend Development Corporation
Richard B. Oliver
Trustee
July 22, 1992

RESPONSE 18-1

Comment noted. It should be noted that the South Livermore Plan has had extensive public participation over the last five years. No formal application to the County has been made for residential development in the Patterson Pass Road area.

RESPONSE 18-2

The proposed Plan does not "designate" property for industrial uses in the Patterson Pass Transitional Area. It simply states that this area, together with the Alden Lane and Vineyard Avenue Transitional Areas, are acknowledged as appropriate for eventual annexation and development, but should be required to mitigate for the loss of any potentially cultivable agricultural soils. Currently, this area is designated for agricultural use in the County General Plan, and is undesignated in the Livermore General Plan.

Appendix B of the DEIR represents city and county planning staff estimates of the maximum potential development levels likely to occur in the Plan Area, based on adjacent development patterns, landowner expectations, and growth patterns. It is noted that the "presence of LLNL upwind and across Greenville Road could preclude adjacent residential development" in the Patterson Pass Transitional Area. This statement was made because, like any large industrial facility, the development of residential areas directly adjacent to the Lab could result in complaints, legitimate or otherwise, regarding industrial-related noise, odor, glare, or other factors. Residential complaints could interfere with programs or the successful function of the Lab. In addition, a residential development in this area would be cut off from other residential areas and necessary services in Livermore by the presence of the Lab, together with the large industrial area to the north. For these reasons, it was considered most likely that this area would be developed as a industrial area.

Information on wind patterns is based on the DEIR for Continued Operation of

Lawrence Livermore National Laboratory and Sandia National Laboratories, dated February, 1992. This document includes wind roses for 1986-1990 which indicate that on an annual basis the predominant wind direction over LLNL is from the west and southwest (page 4-64).

RESPONSE 18-3

Please refer to Response to Comment 18-2 above regarding residential use of this area. Under the proposed Plan, property owners would need to apply to the City of Livermore for consideration of residential development in this area.

RESPONSE 18-4

Comment noted. The proposed Plan calls for mitigation fees to be assessed on a per acre basis in the Transitional Areas for all potentially cultivable soils less than 25% that are developed. It is noted on page C-7 of the DEIR that property owners in the Patterson Pass area have indicated that use of local groundwater with a high boron content has raised the boron level in the soils in the area, which could negatively affect its use for viticulture.

RESPONSE 18-5

This mitigation measure applies to 20 acre parcels, which would be restricted to the Vineyard Area. This mitigation measure would not apply to the Patterson Pass Transitional Area.

RESPONSE 18-6

Comment noted. Under the proposed Plan, the Transitional Areas would further the Plan purpose of expanding and enhancing cultivated agriculture by contributing mitigation funds that could be used by the Land Trust to purchase easements within the Vineyard Area.

RESPONSE 18-7

Comment noted. No response is necessary.

RESPONSE 18-8

Under the proposed Plan, the Patterson Pass Transitional Area would be eventually

annexed and developed within the City of Livermore. Because the City has no General Plan designation for this area, the Livermore General Plan will have to be amended to permit any development in this area, whether it is residential or industrial, or any other use. No amendment would be necessary of the County Area Plan, because land use types are not designated in this area.

RESPONSE 18-9

Table III-1 does not "designate" the Patterson Pass area as industrial. It assumes that this area would most likely develop with industrial uses, given its location. See Response to Comment 18-2 above regarding this assumption.

RESPONSE 18-10

The commentator is apparently reading the quoted goal out of context. Page A-8 refers to the existing Alameda County General Plan policies regarding new development in the unincorporated area of eastern Alameda County. Those policies permit development that "is directly linked to and actively preserves existing or prime vineyards", if all listed criteria are met. As noted on page A-8, the General Plan for the eastern portion of Alameda County is in the process of being revised.

RESPONSE 18-11

As noted on page C-5, the map of Storie Index soils was derived from the USDA Soil Conservation Service Alameda Area Soil Survey (1966), the most up-to-date comprehensive soil survey for the area. As noted on page C-7, management practices since the completion of the soil survey may have reduced the agricultural potential in some areas.

RESPONSE 18-12

Comment noted.

RESPONSE 18-13

See Response to Comment 18-11 regarding sources of Storie Index information.

RESPONSE 18-14

See Response to Comment 18-11 regarding sources of Storie Index information.

RESPONSE 18-15

The house in question was identified as one of 21 structures in the Plan Area that "appear to be good candidates for local historical listing. Additional historical research would be required to determine their potential eligibility for National Register of Historic Places listing and whether they qualify as "important historical resources" as defined by CEQA", based on a preliminary historical field survey of the Plan Area. Mitigation requirements identified in the DEIR include a more detailed historical review of any of these structures by a qualified historian, prior to removal or modification. If the results of the structure-specific report indicate that it does not have historical value, no further mitigation will be required. If the structure-specific report indicates that the structure does have historical value, mitigation measures may include more thorough documentation of the structure prior to demolition, or recommendation for restoration or movement off-site, if practical.

RESPONSE 18-16

We disagree with this suggested modification of the proposed Plan. Transitional areas and other areas appropriate for urban development would be developed in Livermore or Pleasanton under the proposed Plan. A feasible way to provide services to the identified Transitional Areas for urban development if these areas are not annexed has not been demonstrated.

RESPONSE 18-17

Please refer to Response to Comment 18-2 above regarding the proposed Plan's assumptions regarding the Patterson Pass area. Should the property owners wish to pursue development of this area under the proposed Plan, the City of Livermore will need to annex the area and designate appropriate land uses.

RESPONSE 18-18

Given the estimated land values and cost of construction, it is extremely unlikely that farm workers could afford to buy "bonus units" on 20 acre parcels. Furthermore, existing vineyards, especially smaller ones, contract much of their

labor, since smaller vineyards do not have enough work required to employ even one agricultural worker (other than the owners) full-time. To allow "bonus units" for agricultural workers on 20 acre parcels would be contrary to the purpose of the Plan. As noted in the DEIR, the County already has a provision for necessary agricultural worker housing as a conditional use on parcels of 100 acres or larger.

LETTER 19

DIVIDEND DEVELOPMENT CORPORATION
PROFIT-SHARING & MONEY PURCHASE PENSION PLAN LIQUIDATION TRUSTS
3600 Pruneridge Avenue, Suite 340
Santa Clara, California 95051

August 8, 1992

Mr. Adolph Martinelli
Planning Director
Alameda County Planning Department
399 Elmhurst Street
Hayward, California 94544

RE: South Livermore Valley Area Plan
Response to EIR

Dear Mr. Martinelli:

This letter is a continued response by the Trusts, to the E.I.R. of the South Livermore Valley Area Plan.

I represent the Dividend Development Corporation Liquidation Trusts which own 123 acres at East Avenue and Greenville Road (APN 99A-1650-5-4,5-5,5-6, and 7-2) and 60 acres at Patterson Pass Road and Greenville Road (APN 99A-1650-1-2). Both properties are on the east side of Greenville Road.

We do not believe our property has any significant agricultural value, and therefore we believe it should not be included within the study or the South Livermore Valley Area Plan. I believe the purpose of creating the South Livermore Valley Area Plan is to enhance and preserve agricultural lands. Since our land has little or no agricultural value, its inclusion within the South Livermore Valley Area Plan is inappropriate. 19-1

We have previously submitted our input regarding the soil quality and water quality which would support our position in this matter.

Very truly yours,

DIVIDEND LIQUIDATION TRUSTS

Richard B. Oliver
Trustee

RBO/rr/37

RESPONSE TO COMMENTS
LETTER 19

Dividend Development Corporation
Richard B. Oliver
Trustee
August 8, 1992

RESPONSE 19-1

Comment noted. Unlike the rest of the Plan Area, the removal of these properties, as well as the rest of the Patterson Pass Transitional area and the Livermore Gateway, from the South Livermore Valley Area Plan would have little impact on the implementation of the proposed Plan. First, the area is visually and geographically separated from the rest of the Plan Area by a ridge and the Lawrence Livermore and Sandia National Labs. Second, the proposed Plan acknowledges that this area is suitable for urban development, but it is uncertain when this might occur, due to location and market forces. Thus, in the analysis of potential mitigation revenue for the proposed Land Trust, no funds are assumed to be generated by the Patterson Pass Transitional Area during the life of the Plan. Third, the lack of cultivable soils, due to the presence of boron in the groundwater and soil, make the area inappropriate for vineyard expansion.

Therefore, the proposed Plan could be modified by the removal of the Patterson Pass Transitional Area and the Livermore Gateway from the Plan Area, with no effect on implementation of the Plan. While removal of these areas is not an environmental impact issue, it should be considered by the Alameda County Planning Commission and Board of Supervisors when considering the adoption of the proposed Plan. These areas will be considered for future urban development as part of the East County Area Plan update now in progress.

LETTER 20

August 11, 1992

Mr. Adolph Martinelli
Planning Director
Alameda County Planning Department
399 Elmhurst Street
Hayward, CA 94544

RE: South Livermore Valley Area Plan

Dear Mr. Martinelli:

I own an interest in Max-Bett Partnership, which owns 142 acres fronting on the south side of Patterson Pass Road to the north side of Lupin Way and to the west line of the canal. In response to the EIR we offer the following comments:

1. Appendix B states our property is "downwind" from the Lawrence Livermore Lab and is not suitable for residential. We see no factual support for this position, as this assumes residential areas west of the Lab will never have a south wind blowing across the Lab toward the existing residential area. This also assumes that the Lab does have dangerous radioactive spills. 20-1

2. This transitional zone has been proven by soil tests to be unproductive for agriculture. Why should we have to pay $10,000 an acre towards residential, when we are not a viable agriculture area? Is this to make our area pay for the total plan to make it work? 20-2

3. 11-8 - To restrict horses and horse ranches is stating they are not agriculture, which is an unreasonable statement. 20-3

4. 111-7 - It states that this area should not be developed until the year 2010 and should not be considered in "traffic, air studies, etc. It doesn't make sense to do a plan and not consider part of it for the "traffic and air studies, etc. 20-4

5. C-14 - Part of this statement is incorrect. There definitely is not 80 acres of "excellent", nor 160 of good soil in this area due to the extremely high boron content of the soil. 20-5

We feel that this area should be considered separate from the South Livermore "Vineyard" study as we do not have any viable agricultural land, and it is definitely not suitable for grapes or any other type of irrigated farming. 20-6

Yours truly,

Henry M. Bettencourt

Henry M. Bettencourt
MAX-BETT PARTNERSHIP

RESPONSE TO COMMENTS
LETTER 20

Henry M. Bettencourt
Max-Bett Partnership

RESPONSE 20-1

No mention of "dangerous radioactive spills" was made in Appendix B. Please refer to Response to Comment 18-2 above regarding assumptions for future land use in the Patterson Pass area.

RESPONSE 20-2

The proposed Plan requires that each Transitional Area pay a $10,000 per acre mitigation fee for each acre of cultivable land developed. As noted in Response to Comment 19-1 above, the analysis of the proposed Plan does not assume the payment of any mitigation fees by the Patterson Pass area, due to the expected timing of development in this area.

RESPONSE 20-3

Please refer to Response to Comment 18-5 above regarding proposed restrictions on horses.

RESPONSE 20-4

Please refer to Response to Comment 18-2 above regarding timing of development of the Patterson Pass area.

RESPONSE 20-5

Please refer to Response to Comment 18-11 above regarding soil surveys of the Planning Area.

RESPONSE 20-6

Comment noted. Please refer to Response to Comment 19-1 above regarding the removal of the Patterson Pass area from the Plan.

LETTER 21

THE DIMOND GROUP, LTD.

2517 Valmonte Glen
Escondido, CA 92029
(619) 738-7530
FAX (619) 738-9255

AUG 13 4 26 PM '92

ALAMEDA COUNTY
PLANNING DEPARTMENT
HAYWARD, CALIFORNIA

August 10, 1992

Mr. Adolph Martinelli,
Planning Director
Alameda County Planning Department
399 Elmhurst Street
Hayward, CA 94544

Reference: South Livermore Valley Area Plan;
Response to Draft EIR dated June 1992

Dear Mr. Martinelli,

This response to the subject EIR is made on behalf of my client: Monarch Industrial Park, Ltd., ("Monarch.") Monarch is the owner of 293 acres located mainly at the north-east corner of Greenville and Patterson Pass Roads with a small parcel south of the new alignment of Patterson Pass Rd.

If the purpose of the project for which the subject EIR has been drafted is to promote agriculture in the southern portion of the Livermore Valley, then the immediate question must be: "Why are the agriculturally non-valuable lands contained within the designated Gateway and Transition areas included within the project?" These lands are incapable of agricultural production, as shown in extensive studies accomplished by both public and private sources. The U.S. Department of Agriculture ("Soil Survey, Alameda Area; March 1966) has shown the land to be unsuitable for either viticultural, row-crop or orchard uses. Previous owners have attempted to maintain orchard use but have abandoned those efforts due to the high boron content in the soil. The area is populated soley by introduced species of grasses and is not viable for grazing, there being little nutrient value to the present materials.

21-1

There seems to be little connection between these lands and the intent of enhancing and enlarging agricultural production in the South Valley area. While the arterial accesses leading to the Viticultural area can enforce the agricultural aspects of the Valley, that is more a design criterion than a land-use issue. It is hard to understand, for instance, how designating lands south of Patterson Pass Rd. for future industrial usage can create a transition from current industrial zoning on the north side of Patterson Pass Rd. and viticultural usage on the south side of the aquaduct. If these Gateway and Transitional lands are to become repositories of density transfers from the viticultural areas it is not so indicated in the plan. Indeed, it is stated that it is not the plan's intent to promote current development.

Also of interest is the fact that the Monarch property contains some 45 acres covered by Alameda County Surface Mining Permit No. 15. It is Monarch's intent to maintain that permit in an active status. 21-2

The rather gratuitous reference to the Transitional Area as being down-wind from the LLNL (and thereby being precluded from residential development) is made without description of potential dangers or by 21-3

reference to any factual evidence supporting potential dangers. Such verbal references have also been made to the lands immediately north of Patterson Pass Rd. in the Gateway Area. Absolutely no concrete reasons have been publically given for such concerns and it is irresponsible to perpetuate such comments without them. If there is now or in the future could be a danger to public health which could emanate from the LLNL there should be a public disclosure and adequate provisions for safety must be made. If any danger to public health does exist, it is difficult to understand how this EIR could not be required to study the possible effect of shifting winds on all areas under study. In the meantime, such unfounded references should not be permitted to establish current or future land use designations. 21-3

For the above reasons we believe that it is is appropriate for both the Gateway and Transitional Areas to be removed from the Plan and from review under the EIR and respectfully request that such action be taken. 21-4

Yours Very Truly,

Jack H. Dimond

Jack H. Dimond, for
Monarch Industrial Park, Ltd.,
a California Limited Partnership
Teachers Management Investment Corporation, General Partner

CC: TMI

JHD:al

RESPONSE TO COMMENTS
LETTER 21

Jack Dimond
The Dimond Group, Ltd.

RESPONSE 21-1

Please refer to Response to Comment 19-1 above regarding removal of the Patterson Pass area. According to the proposed Plan, land uses within the Livermore Gateway would not be changed. There is no proposal for the transfer of density from the viticultural areas to the Patterson Pass or Livermore Gateway areas.

RESPONSE 21-2

Comment noted. The following text is added to page A-5 of the DEIR, first sentence:

> Approximately 45 acres in the Livermore Gateway are covered by Alameda County Surface Mining Permit No. 15.

RESPONSE 21-3

Please refer to Response to Comment 18-2 regarding the LLNL.

RESPONSE 21-4

Comment noted. Please refer to Response to Comment 19-1 above regarding the removal of these areas from the Plan.

LETTER 22

VINEYARD TRAILS

August 10, 1992

Mr. Adolph Martinelli
Planning Director
Alameda County Planning Department
399 Elmhurst Street
Hayward, CA 94544

Re: South Livermore Valley Area Plan
Comments on Draft EIR

Dear Mr. Martinelli:

The purpose of this letter is to provide written comments on behalf of Vineyard Trails related to the Draft Environmental Impact Report (DEIR) for the South Livermore Valley Area Plan in Eastern Alameda County.

The Vineyard Trails (VT) is a cooperative effort of Concannon Vineyard, RMC Lonestar and the Corbett, Hansen, Nelson and Wente families to firmly establish the Livermore Valley as a premier wine making area. This goal can be achieved through these proposed planning policies that encourage vineyard expansion and additional housing which is compatible with both the scenic and viticultural character of the area. As VT progresses, a separate and focused Environmental Impact Report will be required. These written comments are submitted with the understanding that the South Livermore Valley Area Plan creates no new entitlements for VT or any other projects, but includes policies which would allow consideration of such future projects.

As a matter of general comment, VT supports the preferred alternative for the South Livermore Valley Area Plan. VT commends the effort to establish a blueprint for the permanent expansion of viticulture and reasoned growth, consistent with a premier wine making area.

VT's specific comments related to the DEIR are summarized by major subject area as follows:

A. LAND USE

1. VTP supports the proposed land uses as set forth in the DEIR. 22-1

2. Some limited flexibility for development of Williamson Act contract land is necessary to promote the overall objectives of the plan. The current non discretionary prohibition may force a hopscotch or scattered pattern of development which is inconsistent with preserving large open blocks of viticulture and scenic views. 22-2

As an alternative, it is recommended that the plan retain a general policy of prohibiting development on Williamson Act contract land, but allow limited exceptions based on Government Code Sec. 5182(b) (5), which provides for limited cancellation upon a finding "that development of the contracted land would provide more contiguous pattern of urban development than development of proximate noncontract land." This limited flexibility will ensure that the plan's policies related to compact development as stated on page 4 of the notice of preparation dated June 29, 1992, are achieved: 22-2

> *Planned policies will promote compact development within urban growth boundaries in order to support the use of mass transit, encourage housing affordability, minimize infrastructure costs and protect open space.*

B. POPULATION, HOUSING AND EMPLOYMENT

1. VT supports the population, housing and employment elements as set forth in the DEIR.

2. VT suggests that the mitigation fee, collected for the proposed land trust, be used exclusively in the plan project area to enhance the viticultural character of the plan area. 22-3

C. GEOLOGY, SEISMICITY AND SOILS

1. VTP supports the general concept of mitigation for loss of soils as proposed in the DEIR.

2. The agricultural easements as proposed are a much more effective and a preferred alternative to the Williamson Act for the protection and retention of agricultural of agricultural lands. First, the agricultural easements would be in perpetuity, while Williamson Act land can be nonrenewed. Second, agricultural easements are required along with a further requirement that the land be brought back into active agricultural use. Williamson Act has no such active agricultural requirement, and as a result, a substantial amount of land under the Williamson Act is not in active agricultural use. VTP supports the plan concept of providing permanent and active viticulture land in exchange for reasonable housing and population growth. 22-4

D. HYDROLOGY AND WATER QUALITY

1. VT concurs in the impacts identified in the mitigation measures proposed.

2. Environmental sensitivity is a prerequisite for rural and urban development policies. 22-5

E. VEGETATION AND WILDLIFE

1. VT concurs in the impacts identified in the mitigation measures proposed.

2. Environmental sensitivity is a prerequisite for rural and urban development policies. 22-6

F. TRAFFIC AND CIRCULATION

1. VT suggests that the plan area is a regional resource that should be enjoyed without the necessity of the negative impact caused the excessive auto traffic. For this reason, VT suggests that the urban and rural development as contemplated under the plan, be required to provide a series of trails for bicycles, pedestrians and horses so that there is easy movement through the project area without the necessity of an automobile. 22-7

2. VT also suggests that trail systems, required as part of the development, connect the City of Livermore and other residential areas to the regional park system.

3. As a regional resource, the plan area has the potential of increasing tourism. The BART extension to Livermore will be complete in the near future, providing access to the area from the entirety of the Bay Area via public transit. This is a distinct advantage over the Napa and Sonoma Valleys where no regional public transportation exists. VT suggests that the Metropolitan Transportation Commission, BART, the Alameda County Transportation Commission and the transportation agencies within the Valley, initiate steps to provide adequate transportation connections between the BART extension, downtown Livermore and the various points of interest that exist or will be created as a result of the plan. There is a very real opportunity to increase tourism without the commensurate increase in auto traffic by divising a local public transportation system that integrates with regional public transit. This same transportation resource can be used effectively transport area residents and reduce automobile dependence. 22-8

G. AIR QUALITY

1. See comments under section F (Traffic and Circulation).

2. VT supports the "right to farm" contracts. This approach will ensure that area residents recognize the viticultural character of the area. VT suggests that a uniform right to farm ordinance be adopted by Alameda County, and the cities of Livermore and Pleasanton. This approach will insure a consistent application of the policy acknowledging compatible urban development and intensive agricultural use. 22-9

H. NOISE

1. Use of sound walls should be avoided where practical. Use of berms and set backs should be encouraged as alternatives to retain the natural character of the landscape.

2. Specific design standards should be required for the limited use of soundwalls with an emphasis on maintaining and preserving rural viewscapes in the area. 22-10

I. CULTURAL AND HISTORICAL RESOURCES

1. VT suggests that rural and urban development within the guidelines of the plan, provides an opportunity, not only to preserve historic resources, but to expand the historical and cultural resources of the area. Opportunities should be pursued to expand and showcase the area's rich history. A cultural center, wine museum, and a general museum should all be established and financed in concert with development considered under the plan. 22-11

J. VISUAL QUALITY

1. VT supports all efforts to minimize the visual impact of proposed development.

2. Design standards should be established that ensure that all structures are compatible with the surrounding land and viewscapes. 22-12

3. VT suggests that the County and the cities of Livermore and Pleasanton work cooperatively to preserve the rural features of the area's public facilities such as streets and roads. Private and public improvements should emphasize hillside and vineyard views.

K.1, K.2 WATER SUPPLY AND WASTE WATER

1. VT supports the proposed plan mitigation that requires development to demonstrate adequate water resources.

2. VT suggests an expansion of the conservation elements of the mitigation plan by emphasizing not only the use of recycled water, but also the use of drought sensitive landscape materials, water conserving and state of the art irrigation and delivery systems, and water conserving plumbing fixtures. Equal emphasis should be given to conservation measures in determining the availability of adequate resources for any proposed development. 22-13

K.3, K.4, K.5 SCHOOLS, POLICE SERVICES AND FIRE SERVICES

1. VT supports the concept that any development within the area be required to demonstrate the ability to pay for and provide schools, police and fire services as required. 22-14

K.6 PARKS AND RECREATION

1. VT suggests that any development within the planned area, not only avoid conflict with existing recreational and park services, but that the development project provide a comprehensive park and recreational plan that emphasizes that quality of life and rural character of the plan area. At a minimum, the plan should address the following key areas of concern in the area:

   a. A wine country visitor center to promote tourism and the general enjoyment of the area;

   b. A comprehensive class 1 trail system joining the regional parks and other areas of interest with public transportation and city and residential areas. These hiking, horse, bicycle and pedestrian trails will promote circulation in the area without auto traffic; 22-15

   c. A review of other potential amenities for the area, including a museum of area history, a wine museum, golf course, music center, etc.

Vineyard Trails appreciates your consideration of these comments and we look forward to your response and the ultimate adoption of the plan as a means to ensuring the future of the South Livermore Valley as a premium wine growing area.

Yours truly,

Howard Sword

Howard Sword

RESPONSE TO COMMENTS
LETTER 22

Howard Sword
Vineyard Trails Cooperative

RESPONSE 22-1

Comment noted. No response is necessary.

RESPONSE 22-2

Comment noted. The intent of the proposed Plan is to minimize intrusion of new urban development into the Vineyard Area to preserve agricultural soils for cultivation. It is possible that a prohibition of Williamson Act cancellation could have the opposite effect if development were proposed that had to extend farther out into the Plan Area because other, closer-in lands are under contract. To alleviate this possibility, while still retaining the proposed Plan's intent, the following mitigation measure is proposed:

> Mitigation Measure FEIR-13: Prohibit new urban development that would require cancellation of Williamson Act contracts unless the development proponent can show, to the satisfaction of the City of Livermore, that cancellation will result in a more compact development pattern than development of proximate non-contracted lands. Require that an area within the Vineyard Areas equal or greater in area to the parcel(s) on which cancellation would occur be placed under permanent agricultural easement and planted with vineyards with a long-term maintenance contract, prior to final approval of any cancellation.

RESPONSE 22-3

Comment noted. Please refer to Response to Comment 6-11 above regarding use of land trust funds.

RESPONSE 22-4

Comment noted. Please refer to Response to Comment 22-2 above regarding Williamson Act policies.

RESPONSE 22-5

Comments noted. No response is necessary.

RESPONSE 22-6

Comments noted. No response is necessary.

RESPONSE 22-7

Proposed trail systems in the Plan Area are discussed on page K.6-2 of the DEIR. Identified mitigation measures for both urban and rural development would require that new development not conflict with or preclude proposed trails. Comprehensive trail systems in new urban development would also be encouraged (see Mitigation Measure F-4a, page F-18).

RESPONSE 22-8

Comment noted. Please refer to Response to Comment 4-8 above regarding shuttle service between the Wine Center and BART.

RESPONSE 22-9

Comment noted. Please refer to Response to Comment 16-10 above regarding right-to-farm ordinances.

RESPONSE 22-10

Please refer to Response to Comment 6-9 above regarding use of soundwalls in the Plan Area.

RESPONSE 22-11

Comment noted. The proposed Plan requires that any urban development within the Vineyard Area provide a major attraction, such as a cultural center or museum, for the wine region.

RESPONSE 22-12

Comments noted. No response is necessary.

RESPONSE 22-13

Comment noted. Please refer to Response to Comment 15-5 above regarding the use and distribution of reclaimed water by new urban development.

Mitigation Measure K.1-6 encourages water retailers to require proponents of urban development projects to implement an off-set program utilizing one or more of the identified water conserving best management programs (page K.1-19 of the DEIR).

The following mitigation measure is added to page K.1-16 of the DEIR to further reduce potential agricultural water use:

> Mitigation Measure K.1-1a: Require that new cultivated agriculture resulting from Plan policies use water conserving best management programs, including the use of drip irrigation wherever feasible.

RESPONSE 22-14

Comment noted. No response is necessary.

RESPONSE 22-15

Comment noted. As discussed in the DEIR (page K.6-1 -6-3), the LARPD has already adopted a comprehensive park and recreational plan for the Plan Area. As noted above, the proposed Plan requires that any urban development projects in the Vineyard Area include a major attraction to promote the area as a wine region. Trail systems within any urban development would also be encouraged.

LETTER 23

GEOFFREY C. ETNIRE

REAL ESTATE LAW

4800 HOPYARD ROAD, SUITE 260
PLEASANTON, CALIFORNIA 94588
TELEPHONE: 510-734-9550
FAX: 510-734-0170

August 11, 1992

Via Fax

Mr. Stuart Cook
ALAMEDA CO. PLANNING DEPARTMENT
399 Elmhurst Street
Hayward, CA 94544

Re: Draft Environmental Impact Report on SLVAP

Dear Stuart:

On behalf of the Olivina Ranch Group, I would like to submit the following comments on the SLVAP Draft Environmental Impact Report.

1. The success or failure of the South Livermore Valley Area Plan depends on its economic feasibility. That plan makes a series of assumptions with regard to economic matters and these assumptions were not examined in the DEIR. Given that the SLVAP depends very heavily on the creation of new vineyards as mitigation for residential development, CEQA guidelines require that the DEIR assess the likelihood that these vineyards will be created and this assessment, necessarily, involves the economic feasibility analysis. 23-1

2. The comment deadline of today, August 11, 1992, is inappropriate in light of the comments made in paragraph 1. The deadline for comments should be extended for at least 30 days. 23-2

3. The DEIR does not adequately address the loss of the better quality soils to residential development. The environmental impact of the SLVAP would be lessened if a preference were established for residential development on poorer soils within the perceived urban limit line. 23-3

4. The definition of urban area or contiguous development in the SLVAP is vague. The Environmental Impact Report can and should analyze the environmental impact of allowing development in different areas within the perceived limit line. 23-4

Thank you very much for your time and consideration.

Sincerely,

GEOFFREY C. ETNIRE

GCE:sam:8165-9.065
cc: Olivina Ranch Group

RESPONSE TO COMMENTS
LETTER 23

Geoffrey C. Etnire
Representing the Olivina Ranch Group

RESPONSE 23-1

While we would agree that the success or failure of the proposed Plan depends on its economic feasibility, this is a separate issue from whether or not the economic feasibility of the proposed Plan must be examined under CEQA. As written, the proposed Plan requires that specific mitigation measures be carried out in order for additional development to be considered. If development proponents decide that it is economically infeasible to carry out these mitigation measures, then the proposed Plan would not permit the development to occur. Under CEQA, an action that results in no change in the environment (which would be the result of "uneconomic" mitigation measures) constitutes no impact. A memo to County planning staff from County Council further elaborating on this point can be found in the Appendix of this document.

The economic feasibility of the proposed Plan, which is critical for the Plan to succeed, was examined in a separate report prepared by EPS of Berkeley. The report, which was released in August, was the subject of a Planning Commission hearing in October, 1992. The report, while suggesting several changes to the proposed Plan, found that the Plan, as written, was economically feasible.

RESPONSE 23-2

The comment period for the DEIR was 45 days, as determined by CEQA. A separate comment period of 40 days was set for the economic study, between the study's release and the Planning Commission hearing.

RESPONSE 23-3

Potential loss of soils rated "excellent" or "good" under the Storie Index, using the SCS Alameda Area Soil Survey, is discussed on page C-14 of the DEIR. As noted in the DEIR, there is no firm criteria for determining which soils are capable of supporting cultivated agriculture, especially vineyards. Existing successful vineyards have been planted on soils ranging from "excellent" to "very poor" on the Storie Index. Furthermore, as noted in the DEIR, the level of accuracy of the

SCS Soil Survey does not permit precise definition of areas of "better soils", especially on a parcel-by-parcel basis. The proposed Plan also requires direct mitigation for every acre of cultivable soil lost - on an acre for acre basis.

The DEIR examination of project alternatives includes the "Preliminary Draft" alternative, which is similar to the proposed Plan in many aspects, but generally defines where urban development would go by soil type. As noted in the DEIR (page V.-8), the generalized nature of the soil information could make it difficult for individual land owners or the County to accurately guage the exact location of the transition between "good" and "bad" soils. Since there is likely to be an enormous difference in value between the two classifications, the lack of a clearly demonstrable line could result in numerous disputes.

RESPONSE 23-4

The proposed Plan specifies that urban development proposals within the Vineyard Area must be "contigous to existing development within the City of Livermore". It should be noted that the proposed Plan contains no reference to an "urban limit line", perceived or otherwise. The DEIR Alternatives analysis (section V) includes an analysis of several plan alternatives that would allow development in different portions of the Plan Area.

LETTER 24

The DeSilva Group, Inc.

August 6, 1992

Mr. Stuart Cook
Alameda County Planning Department
399 Elmhurst Street
Hayward, California, 94544

Subject: Response to Draft Environmental Impact Report on South Livermore Valley Area Plan (SCH #92033037)

Dear Stuart,

On July 20, 1992 I presented some verbal comments regarding the DEIR on the South Livermore Valley Area Plan at the public hearing held by the Planning Commission in Livermore. This letter will serve as a written summary of those comments along with several other items of concern.

1. The purpose of the SLVAP is to establish policies which will allow the enhancement and expansion of viticulture in the study area. The success or failure of the Plan depends on its' economic feasibility. As currently proposed the Plan suggests that limited residential growth, both urban and rural, be used as both an incentive and a source of mitigation funding in order to increase the acreage of producing viticulture. Certain assumptions were made, but not tested in an economic model, prior to the preparation of the preferred alternative to be studied in the DEIR. The planting of additional vineyards is also used as mitigation for the additional limited urban and rural residential development. I believe that since the planting of new vineyards is considered mitigation, CEQA guidelines require that the economic feasibility of the plan must be a part of the EIR process. It appears that only a cursory glance was given to the economic issues prior to the adoption of the preferred alternative. 24-1

Subsequent to the adoption of the preferred alternative , the County has retained an economic consultant to study the financial feasibility of this plan. To circulate and to certify this EIR prior to completion and circulation of this study seems premature. Therefore I am requesting that the Commission extend the comment period to a date when this economic study will be completed and the plan assumptions have been tested. Then and only then will the public know if the SLVAP will work.

2. Some of the mitigation measures suggested in the DEIR must be implemented by agencies other that the County. For example mitigation A9-A12 require legislative actions by the Cities and LAFCO, actions which the County cannot guarantee. This needs to be addressed in the EIR. 24-2

3. The plan authors have made certain assumptions with regard to the absorption rates of the 20 acre rural residential/vineyard parcels. I believe that the absorption rate will depend on two main items.

A. Economic feasibility of the additional viticulture

B. The ability to finance this expansion. 24-3

My preliminary investigation seems to indicate that lending institutions may not be willing to fund such expansion if it is not undertaken by experienced wine growers who are amply collateralized. Again this is an example of the need for the economic study in order to validate the assumptions of the plan.

4. The Plan should set a time table for implementation and review. This time table should be considered a mitigation measure. What will happen if in five years, nothing has happened ? What will be the mechanism to adjust the plan and what will be the environmental impacts associated with those adjustments ? 24-4

5. The cumulative impact analysis seems very short. This section should also deal with the effects of the Plan in conjunction with all other existing, planned or reasonably foreseeable projects. 24-5

I look forward to the responses to these items in the Final EIR and may have other comments at that time.

Very truly yours,

Robert J. Silva
Vice President

RESPONSE TO COMMENTS
LETTER 24

The DeSilva Group, Inc.
Robert J. Silva
Vice President

RESPONSE 24-1

Please refer to Response to Comment 23-1 and -2 above regarding the economic study and its relationship to CEQA.

RESPONSE 24-2

As stated in the DEIR Introduction (page I-3) the proposed Plan creates no new entitlements. It does present a set of criteria for any further development in the Plan Area, and proposes that the County actively discourage annexations by cities that do not meet those criteria. Recognizing that the proposed Plan could result in future actions that would have environmental impacts (such as annexation and urbanization of a portion of the Plan Area) the DEIR identifies likely future impacts and identifies mitigation measures that could reduce those impacts, as required of a "program EIR". Thus, the EIR identifies mitigation measures that could be implemented by the agency which causes the specific future impact. While the County cannot guarantee that these mitigations are adopted for future actions by other agencies, their existence indicates that these likely future actions can be mitigated. If other agencies choose not to adopt these mitigation measures when they approve a project, they will have to make statements of overriding consideration explaining their reasons.

Several of the mitigation measures that are questioned will, due to State law, have to be implemented for an agency to take an action. For instance, Mitigation Measure A-10 requires that the City of Livermore amend its sphere-of-influence prior to annexation of areas currently outside of its sphere-of-influence. Under State law, cities can only annex areas within their respective spheres.

RESPONSE 24-3

Comment noted. Please refer to Response to Comment 23-1 above regarding the economic feasibility of the proposed Plan.

RESPONSE 24-4

Please refer to Response to Comment 6-1 above regarding requiring the City of Livermore to adopt a Specific Plan for the area within three years of the County's adoption of the Area Plan. It should be noted that, under CEQA, no land use change is equivalent to no environmental impact. Thus, if the proposed Plan does not generate new development and associated cultivated agriculture, then there will be no environmental impacts, as defined by CEQA.

Due to the various factors involved that could affect reaching Plan goals, a monitoring program to assess Plan effectiveness and results could be established to track the expansion of acreage under cultivation, acreage under easement, the success of the land trust, amount of urban and rural development permitted, amount of mitigation fees collected, occurrence of agricultural/residential conflicts, and other germane issues. The monitoring program would be in the form of a biennial report to the Board of Supervisors, and would include staff recommendations for modification of the Plan, if necessary. The Board could then use the report to compare with projections as a basis for updating or modifying policies. Should the County decide to amend the Plan in future, following review of its effectiveness, additional environmental review will be necessary.

> **Mitigation Measure FEIR-14:** Establish a monitoring program to biennially assess the on-going effectiveness of Plan policies by tracking cultivated acreage, easements, land trust actions, development, mitigation fees collected, and other pertinent information.

RESPONSE 24-5

The Cumulative Impacts section meets the requirements of the CEQA Guidelines. Cumulative impacts as a result of the proposed Plan, and all known approved, proposed, or foreseeable development projects, are addressed in Section VI of the DEIR. Known projects are shown in Figure VI-1 and listed on Table V1-1. It should be noted that the entire DEIR is oriented towards the cumulative effect of the proposed Plan, regardless of under which jurisidiction impacts may occur.

Alameda County Planning Department
399 Elmhurst ST
Hayward CA 94544
August 7, 1992

LETTER 25

re: Draft EIR, South Livermore Valley Area Plan

In the Traffic and Circulation section of the draft EIR for the South Livermore Valley Area, the speed limit on Arroyo Road south of Concannon is given as 35 mph (page F-2). That's true but misleadingly incomplete: the speed limit is indeed 35 mph south of Concannon and north of Superior Drive; but then it increases to 50 mph.

We'd like to see the limit reduced to the 35 mph specified in the draft EIR because the 50 mph limit is detrimental to the objective of creating a "Wine Country" feeling in the Fertile Crescent area.—Instead of encouraging enjoyment of the rural vistas along Arroyo Road, the higher speed limit encourages use of the road as a high-speed commuter route between Santa Clara County and the Central Valley. (And during the past couple of years there's been an astounding increase in usage of Arroyo Road by commuters.) 25-2

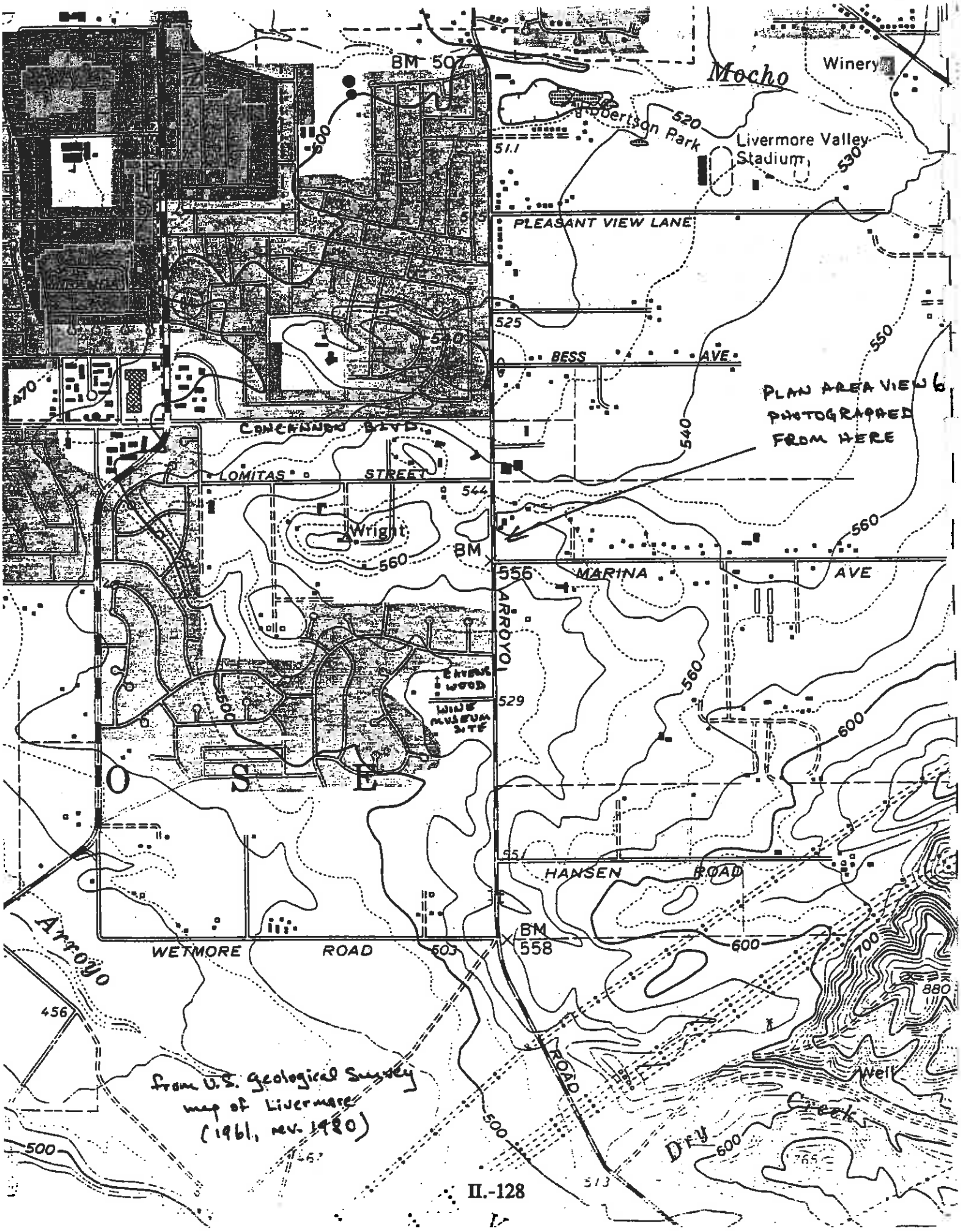
Also about Arroyo Road: Section J of the draft EIR concerns Visual Quality and rightly states that large-scale changes in the existing visual character of the area would be significant. We're concerned about potential housing development in the area east of Arroyo Road and south of Marina Avenue. Now the area has a lovely rural feel and appearance, from the olive trees at the corner of Marina and Arroyo south down the Arroyo Road hill toward Ravenswood Historic Site and the site of the future Livermore Valley Wine Museum, and on up the hill to Wetmore Road and beyond. The high hills of the Diablo Range to the far south are a backdrop to the vista along Arroyo Road, but the nearer countryside is important also. Of particular importance are the lands across Arroyo Road from the Wine Museum site and from Ravenswood because both settings would suffer significant deterioration in visual quality if houses replaced the open land there now. The area is important as part of the Wine Country, even though no grapes are visible from the Arroyo Road hill.

[The enclosed contour map shows 10-foot changes in height. Note that the Marina-Arroyo intersection is at 556 feet above sea level; Ravenswood is at 529 feet. East of Arroyo Road and also south farther along Arroyo the land gently rises; at the Arroyo & Wetmore intersection the altitude is back up to approximately 560 feet.] 25-3

Figure 6 in the Area Plan Views included in section J shows the view south from Arroyo Road from just north of Marina Avenue. The view opens up more where Arroyo Road widens, (still north of Marina), though the rural "Wine Country" feel is already evident at the photo site (in person although not in the photo). The area is referred to in the paragraph on page J-3 which alludes to the City of Livermore's 1977 Scenic Route Element but it is glaringly missing from the list of visually sensitive areas earlier on the page where "areas west of Arroyo Road, south of the intersection with Wetmore Road" is mentioned.—The section north of Wetmore is visually sensitive, too!

Mark Eckart Judy Eckart

Mark & Judy Eckart
2569 Walker Place


BM 507
Mocho
Winery
Robertson Park
Livermore Valley Stadium
PLEASANT VIEW LANE
BESS AVE
PLAN AREA VIEW 6 PHOTOGRAPHED FROM HERE
CONCANNON BLVD.
LOMITAS STREET
Wright
BM 556
MARINA AVE
ARROYO
WINE MUSEUM SITE
HANSEN ROAD
BM 558
WETMORE ROAD
Arroyo
ROAD
Dry Creek
Well
from U.S. Geological Survey map of Livermore (1961, rev. 1980)

RESPONSE TO COMMENTS
LETTER 25

Mark and Judy Eckart
Livermore

RESPONSE 25-1

Comment noted. Speed limits on County roads are determined using guidelines established by the Board of Supervisors. Outside of residential and commercial areas, speed limits less than 55 mph are determined by measuring current non-peak hour traffic speeds, and calculating the rate at which traffic in the 85th percentile is traveling. According to the Alameda County Public Works Agency, setting traffic speed limits below this rate will not be effective or enforceable.

RESPONSE 25-2

The Visual Quality section of the DEIR gives a generalized assessment of the visual character of the South Livermore area, and identifies those areas that would have the most impact on the overall character of the area, if developed. This does not imply that other areas are completely lacking in visual quality, or that development of other areas would not have visual impacts. It simply identifies the areas that would have the largest visual impact if developed.

The DEIR also notes that close, foreground views from public roads, such as Arroyo Road, are visually sensitive areas. Ravenswood is a good example of the relative importance of these close foreground views. Ravenswood is directly adjacent on two sides to a subdivision in the City of Livermore. Just north of Ravenswood, this subdivision abuts Arroyo Road, giving this portion of the road a distinctly suburban feeling. Where the Ravenswood vineyard abuts Arroyo Road, the visual character of the area is more rural, although the vineyard is only about 400 feet wide in places, and is all that separates Arroyo Road from another portion of the same subdivision. Thus, the landscape treatment directly adjacent to public roads within the Plan Area, especially in flatter areas, is critical for protecting visual quality.

However, the DEIR correctly notes that there is a notable difference in visual sensitivity along Arroyo Road, once one is south of Wetmore Road. Here, the road is significantly elevated above the land to the west, and the curve of the road directs the viewers sight-lines in that direction. While the area to the north of

Wetmore Road is presently undeveloped, the subdivisions within the City of Livermore are visible from Wetmore Road. These subdivisions detract from the overall "rural character" of the area.

LETTER 26

Aug. 8,1992

Aug 10 2 04 PM '92

Alameda County Planning Dept.
399 Elmhurst St
Hayward, Ca 94544

ALAMEDA COUNTY
PLANNING DEPARTMENT
HAYWARD, CALIFORNIA

Congratulations go to the planning staff for this very complete Draft EIR on the South Livermore Valley. Planning for 15,000 acres is a tremendous undertaking.

My comments are as follows:

1. The area should above all retain its rural character. This cannot be done if Urban Developemnt is allowed without more restrictive guidelines. No Urban Development should be allowed on good vineyard soils. Urban Development could seriously damage the rural atmosphere of the area with the need for urban necessities such as schools, shopping,etc. Any development on prime vineyard lands should be restricted to botique wineries. 26-1

2. Since there are no mitigating measures for the possibility of the rupture of Del Valle Dam, there should be no or very limited development allowed in the flood plain area between the dam and Marina Ave. 26-2

3. Retaining the character of Sycamore Grove Park is essential. No housing south of Wetmore Rd around the park. LARPD should be encouraged to annex the area belonging to Lone Star Industries bordering the park at Wetmore Rd and Arroyo Rd. 26-3

4. No Urban Development should be allowed on good vineyard soils. The area south of the Livermore City limits to Wetmore Rd between Arroyo Rd and Holmes has historically been vineyards. The Joseph Black Vineyards was in this area and was one of the valleys first vineyards.These areas should be given incentives to replant vineyards. The 77 acres of County property lie in this area. (Wetmore Rd.) 26-4

5. Breaking up of existing vineyards should be discouraged. Incentives should be giventto retain larger vineyard parcels. 26-5

6. Housing for workers should be deleted. This could become an unmanageable situation of rental units. 26-6

7. No development should be started until the active agriculture is planted. 26

8. An economic analysis is essential before any real planning can be done. How much capital is necessary to create a Wine Region? How many houses are really necessary? Should mitigation fees be higher? 26-8

Barbara Stear

Barbara Stear
1224 Wetmore Rd
Livermore, Ca 94550

RESPONSE TO COMMENTS
LETTER 26

Barbara Stear
Livermore

RESPONSE 26-1

Comments noted. The potential loss of agricultural soils due to urban development under the proposed Plan is noted on page C-14 of the DEIR. It should be recognized that while the proposed Plan would allow additional urban development, such development would be limited to relatively small areas directly adjacent to existing urban development in Livermore, if mitigation criteria are met. While such development would have adverse impacts, which are extensively discussed in the DEIR, the proposed Plan requirement for new development to locate next to existing urban development will reduce the potential for redundant service provision.

The problems of defining exactly what good soils are is discussed in Response to Comment 14-1 above.

RESPONSE 26-2

Please refer to Response to Comment 16-6 above regarding the potential dam inundation area.

RESPONSE 26-3

Comments noted. The LARPD Master Plan, which indicates areas to the north and south of the existing park for possible acquisition, including a portion of the RMC Lonestar property, is discussed on page K.6-3 of the DEIR.

RESPONSE 26-4

Please refer to Response to Comment 14-1 above regarding preservation of agricultural soils in the Plan Area.

RESPONSE 26-5

Comment noted. Please refer to Response to Comment 14-3 above regarding

possible methods of clustering or transfering development potential from existing vineyards.

RESPONSE 26-6

Comment noted. Please refer to Response to Comment 6-13 above regarding agricultural worker housing.

RESPONSE 26-7

Comment noted. Please refer to Response to Comment 14-4 above regarding the timing of mitigation planting.

RESPONSE 26-8

As noted above, a separate economic study was released in August, 1992 that verified the economic feasibility of the proposed Plan.

LETTER 27

August 10, 1992

Alameda County Planning Department
399 Elmhurst Street
Hayward, Ca. 94544

To Whom It May Concern,

The following are my questions and comments regarding the South Livermore Valley Area Plan (SLVAP-SCH#92033037) Draft Environmental Impact Report. Please respond and include them in the Final EIR.

Page II-2 (Impact A-2) Proposed plan mitigation does not respond to the impact. What will happen if the parcels are splintered too small to be agriculturally viable? 27-1

Page II-3 (Impact A-4) Allowing development contrary to Williamson Act Policies will set a dangerous precedent for the lands meant to remain in agriculture. What permanent dedications and/or easements will be set in place to assure that additional exceptions and increased development will not take place? 27-2

Page II-5 (Impact B-1b) Will the "on-site" affordable housing be included in the total number of proposed dwelling units or is it in addition to the total proposed in the Plan? This could obviously increase the population requiring services beyond that outlined in the Plan. 27-3

Page II-5,6 (Impact C-5) What is the depth of potential nitrate infiltration into the lands above the Central Basin from this number of septic systems? From what depth do the agriculture and/or domestic wells draw from in this area? What mitigations are proposed to prevent the high nitrate levels which are now found in the Bess/Marina and VA Hospital areas? 27-4

Page II-6 (Impact C-10) Will these fees be sufficient to purchase the required conservation easements? 27-5

Pages II-7,8, D-7(Impact D-2, D-3c) How would intercropping with legumes be accomplished with the proposed vineyard expansion? 27-6

Page II-7 (Impact D-3) Clustered housing and livestock can still impact ground water quality as shown in the Bess/Marina and VA Hospital areas. What are the depths to ground water and depth of potential septic leaching/percolation in the plan area?
What monitoring is proposed to assure that the ground water is not degraded? How will it be financed? 27-7

Page II-8 (Impact D-6) How will the emergency service evacuation plan update for this area be funded? 27-8

Page II-9 (Mitigation D-7b) Wente Road was washed out this year, in part, because the culverts were clogged with debris.
What agency will be responsible for inspecting and cleaning the culverts as proposed in the Plan? From where will the long-term funding come for those inspections and clean-up? 27-9

Page II-16 (Impact K1-1) Since the Plan "encourages the development of additional sources..." will it provide any funding for the 27-10

Page II-17 (Impact K1-6) What happens if the Plan's development outpaces the development and addition of new sources of water? 27-11

Page II-17 (Impact K2-1) See questions regarding Impact D-3. 27-12

Page II-18 (Impact K3-2) It was demonstrated in the Ruby Hill EIR that there would be a net loss to the school districts in both capital and operating expenses, such that the project would not pay its own way. How will this Plan avoid such an occurrence? 27-13

Page II-18 (Impact K4-2, K5-1) Will the proposed Plan and its development generate sufficient funding to extend police and fire services to this area by the Cities of Livermore and Pleasanton? 27-14

Page III-5 "... $10.5 - $24.5 million in funds for a Land Trust." Since it could significantly effect how much land could be purchased, how will the value of the conservation easements and Trust lands within the Plan area be determined? Will the value be determined as potentially developable land, Williamson Act agricultural land, etc? 27-15

Page D-4 It should be noted that the TDS standard is a secondary standard relating to aesthetics and not a primary standard relating to health. 27-16

Page D-4 Name of the local viticulturalist? 27-17

Figure IV K1-1 and page K1-10 The map and text both indicate that California Water Service will be serving the Ruby Hill Project. CWS has gone on public record that they will not be supplying the project. Who will be the supplier? Will all the residents in the Plan area be using well water for domestic use? 27-18

Table K1-2 The table does not acknowledge that for the last five years, SBA contractor requests have exceeded the firm yield of the State Water Project. The firm yield is 2.4 million acre feet. (DWR Bulletin #132) Last year, Zone 7 only received 30% of its requests or less than 25% of its maximum entitlement. 27-19

Page K1-4 Third paragraph, "7000 acre-feet", delete exponent. 27-20

Page K1-7 Paragraph 2 of "Additions" assumes that the drought ends and we return to normal rainfall. 27-21

Page K2-6, seventh "bullet", page K2-7 (Impact K2-1) Plan speaks to "an onsite wastewater management zone would be formed to provide septic tank maintenance and monitor groundwater." What would be the controlling agency and what would be the source of the long-term funding for the monitoring and maintenance? Who would develop the monitoring program, its scope and frequency? 27-22

Thank you for the opportunity to address these issues in the DEIR. I look forward to your responses in the Final EIR.

Yours truly,

John Marchand

RESPONSE TO COMMENTS
LETTER 27

John Marchand
Livermore

RESPONSE 27-1

As noted in the DEIR (page A-12), there is no generally accepted size limitation for "agriculturally viable" parcels. Several newer vineyards in the Plan Area have tended to be smaller, such as the Retzlaff vineyards and winery located on approximately 14 acres, and the recently opened Cedar Mountain Winery, located on about 25 acres. As discussed in the EPS economic study, a 20 acre parcel will not support a home mortgage by itself. Using the calculated average net value of $1,000 per acre, it is also unlikely that a 40 acre parcel would totally support a home mortgage either. Given that many of the existing small vineyards are owned by part-time farmers with another outside income, it is likely that new small vineyards created as a result of proposed Plan policies will be owned by persons who are not full-time viticulturalists. The proposed Plan policy requiring agricultural easements to be dedicated prior to subdivision to 20 acres will eliminate the potential for future owners to ask for further subdivision because they can't make a go of farming.

RESPONSE 27-2

Existing County Williamson Act policies are described on page A-3. As written, these policies would prohibit small commercial establishments, such as bed-and-breakfasts, on land under contract, and would limit use of the "Planned Development" (PD) zoning designation to those areas that have not been used for commercial agricultural use for the past 10 years. These policies would be contrary to proposed Plan policies. The proposed Plan requires that permanent agricultural easements be placed on lands, and that cultivated agriculture be planted, prior to approval of subdivision to a minimum gross density of 1 unit per 20 acres. In addition, the proposed Plan requires that mitigation acreage for any urban development be placed under permanent agricultural easements.

RESPONSE 27-3

Please refer to Response to Comment 6-13 above regarding on-site affordable housing.

RESPONSE 27-4

The hydrogeology of the Plan Area is not uniform. The depth of existing wells for domestic or irrigation use vary considerably from one location to the next. In the Ruby Hill area, wells range up to 600 feet deep in order to get enough yield, although groundwater may be encountered after only 20-40 feet. Along the Arroyo Del Valle, groundwater in sufficient quantities for irrigation can be pumped from shallower wells, ranging from 60-200 feet in depth. However, water quality is poor. In the Buena Vista Avenue area, shallow wells of 60 feet are often adequate for irrigation purposes, but have high nitrate levels. In the Marina Avenue area, existing wells of 250-300 feet have low nitrate levels. In the Tesla-Greenville Road area, wells range from 175-300 feet and are sufficient for domestic use. Higher areas may require wells as deep as 700 feet, or may not have sufficient groundwater for domestic or irrigation purposes.

The potential for nitrate infiltration from septic systems will also vary, depending on soil permeability. As noted in the DEIR, portions of the Plan Area are classified by the SCS as having "severe" septic tank limitations, due to either extremely high or low permeability.

The Wastewater Management Plan adopted by Zone 7 in 1982 to protect groundwater resources, specifies that in the Central Basin and in the fringe subbasins, where septic tanks are allowed, the minimum lot size for use of septic tanks should be five acres. If more intense development proposing septic tanks is to be authorized in any area, and/or when land use zoning is changed to rural residential use with septic tanks, the minimum generally acceptable lot size should be five acres. Furthermore, a site specific "geohydrologic" study may be required to determine if the wastewater would degrade the ground or surface water. Generally, a detailed study will be required only if a cluster (five or more) of units is proposed. This study will be used by Zone 7 to determine if the project is in conformance with the WMP. If it is, an On-site Wastewater Management Zone (OSWMZ) probably will be required under Chapter 3 of the Health and Safety Code. The OSWMZ would be formed under Zone 7 and an approved septic tank maintenance program and groundwater monitoring program would be required. Larger lot sizes may be required in special cases.

According to the WMP (page 24) Zone 7 is responsible for establishing OSWMZ areas for septic tank areas and assessment districts as needed, and monitoring of surface water and ground water underlying land disposal systems. Furthermore,

the WMP (page 25) specifies that when a cluster of on-site wastewater treatment systems is proposed, the developer(s) should prepare the required "geohydrological" and soils report in consultation with Zone 7 regarding the scope of the study.

RESPONSE 27-5

The economic feasibility study of the proposed Plan suggests that the average cost of an agricultural easement in the Plan Area would be around $7,000 per acre, below the $10,000 per acre mitigation fee. The proposed Plan also allows the option of Transitional Area developers purchasing the required easements on their own, if they believe they can negotiate a lower price.

RESPONSE 27-6

The cited mitigation measure encourages agricultural practices that minimize excess nitrogen loading, by encouraging use of experienced vineyard operators through maintenance contracts. Intercropping with legumes in vineyards (or orchards) could be accomplished by seeding inter-row areas with a nitrogen-fixing plant, such as clover.

RESPONSE 27-7

Current Zone 7 policy permits septic systems for residential use for lots five acres or greater in size. No restrictions are made on the keeping of livestock by Zone 7, even though studies by the agency have indicated that livestock is a potentially high source of nitrates in the area. The Bess/Marina area is characterized by smaller (generally five acre) parcels, on many of which horses and other livestock are raised. The high nitrates associated with the VA Hospital appear to be related to the older discrete "package" treatment plant that the hospital relies on for wastewater treatment. There are no small residential parcels in this area.

As discussed in the DEIR (page K.2-5-6), Zone 7 has adopted policies that regulate the treatment and disposal of wastewater in the watershed, including individual septic systems. The policies include a minimum lot size of five acres, and when clustered development of five or more units are proposed, a detailed hydrologic study is required to determine conformance with the wastewater management plan. If approved, a wastewater management zone would be formed to provide septic tank maintenance and groundwater monitoring. These required studies and monitoring would have to be paid for by the development proponent and the future

homeowners, respectively.

RESPONSE 27-8

Updating of the emergency service evacuation plan would be funded by any urban development proponent within the identified inundation zone.

RESPONSE 27-9

The cited mitigation measure applies to increased soil erosion and sedimentation due to construction activities. Post-construction inspection could be funded by the developer. Since the proposed Plan limits urban development to areas under the jurisdiction of either Pleasanton or Livermore, long-term maintenance would be the cities responsibility.

RESPONSE 27-10

The proposed Plan would give policy direction in the consideration of future development projects within the Plan Area, including ensuring that adequate water supplies are available. Please refer to Response to Comment 15-5 regarding requiring new urban development to contribute funds for recycled water.

RESPONSE 27-11

As stated on page K.1-19, proposed Plan policies require that development proponents show, to the satisfaction of the County and Zone 7, that adequate water supplies are available, prior to development approval.

RESPONSE 27-12

Please refer to Response to Comment 27-7 above.

RESPONSE 27-13

Please refer to Response to Comment 9-4 above regarding financing the construction of new schools.

RESPONSE 27-14

Policy VI.2(a) of the proposed Plan requires that all necessary public utilities and

services be available for any urban development proposal. As part of the project-level environmental review for an urban development proposal, it would have to be demonstrated that municipal police and fire services could be provided.

RESPONSE 27-15

The proposed land trust would operate within the market system. The trust would purchase fee title or easements from willing sellers within the Vineyard Area, making the actual value of easements or land a product of the market. Like any real estate transaction, the land trust, in negotiating with landowners, would have to consider the location of the land in question, its potential for development, Williamson Act status, etc. The land trust would have the advantage, as a non-profit corporation, of being able to offer important tax incentives to potential sellers, possibly lowering the cash amount of any transaction. The EPS economic study estimated that agricultural easements may average about $7,000 per acre, although this value could vary widely, depending on location and other factors.

RESPONSE 27-16

Comment noted.

RESPONSE 27-17

Phil Wente, Wente Bros. Estate Winery, personal communication, April 24, 1992.

RESPONSE 27-18

Please refer to Response to Comment 7-2 above regarding water service to the Ruby Hill development. Only rural residential development (new 20 acre parcels) would be using well water for domestic use. New urban development would need to receive water from one of the water retailers serving the area.

RESPONSE 27-19

Comment noted. As noted on page K.1-4, average yields from the State Water Project are based on the historic climatic conditions from 1922 to 1978. Statistically, Zone 7 would receive less than 31,700 acre-feet from the SWP 44 percent of the time and more than 31,700 acre-feet 56 percent of the time. For water deficit years, Zone 7 and its major purveyors "borrow" from the ground

basin; during water surplus years, the groundwater table is recharged.

RESPONSE 27-20

The "exponent" is a footnote reference.

RESPONSE 27-21

Comment noted. Average yield is calculated on the historic climatic conditions.

RESPONSE 27-22

The "bullets" are wastewater management policies from Zone 7's 1982 Wastewater Management Plan. Please refer to Response to Comment 27-4 regarding responsibilities for establishment of an OSWMZ.

LETTER 28

Aug 12 12 49 PM '92

ALAMEDA COUNTY
PLANNING DEPARTMENT
HAYWARD, CALIFORNIA

Alex Mihalka
2075 Buena Vista Ave.
Livermore, CA 94550
August 10, 1992
Tel: 510/373-0290

Alameda County Planning Department
399 Elmhurst St.
Hayward, CA 94544

As a concerned and involved citizen, I have several questions, comments, and recommendations concerning the recent Draft EIR for the South Livermore Valley region. I have divided these into the three groupings listed below, and would appreciate a response for each entry.

QUESTIONS:

1. Will Signature Properties be required to contribute $8.5 M to the Land Trust and $5.0 M for a reverse osmosis sewage treatment plant, for a total of $13.5 M? 28-1

2. On-site affordable housing - how many detached houses/buildings, how large is each house/structure, and how many houses/structures per 20 acre parcel are allowed? 28-2

3. Will the amount and location of viticultural acres be approved at the same time urban development is approved? 28-3

4. How will uncultivated buffer zones (near arroyos, near urbanization, as wildlife conservation easements) be tallied - as agriculture, urban, or neither? 28-4

5. Will urban development require the purchase of a new street sweeper? 28-5

6. How many arce-feet of water will be required for the Jack Nicklaus-grade 18 hole golf course? Will water reclaimed from the 850 residences serviced by the reverse osmosis plant be sufficient for this purpose? Will RO water present less contaminants than present reclaimed water used for the Livermore Golf Course? What effects will RO water for the golf course have on the quality local ground water? 28-6

7. Will park land and recreational services within urban development be considered urban land? 28-7

QUESTIONS...(cont.)

8. What is the "Bonus Density" program referred to in Impact A-7? 28-8

9. Under what conditions would intensive livestock use be permitted under impact D-3? 28-9

10. What is a trip reduction ordinance and how would it be enforced? 28-10

COMMENTS:

1. It would be helpful to include in the EIR a Glossary of Acronyms with a brief description. 28-11

2. It would be helpful to include in the EIR a flowchart of procedures necessary to obtain EIR approval. 28-12

3. In virtually all instances, replace "should" with "shall" to put some teeth into the document. "Should" is open-ended and not binding (and likely to be ignored), while "shall" can be enforced. 28-13

4. Set conditions of time and circumstance (rain, etc.) on Mitigation Measure D-7b. 28-14

5. More strongly encourage the limited use of fences around 20 acre parcels, especially where property lines are surrounded by vineyards. 28-15

6. Specify in housing contracts that work in adjacent commercial businesses (i.e., mining, harvesting) may occur at night. 28-16

7. Remove all references to intercropping with legumes. Intercropping is not an option with vines, which is an enormous initial investment and takes several years to yield a sellable product. Also, beans are not planted in the Livermore Valley for obvious reasons. 28-17

8. Change the Gateway from Greenville Road to Vasco Road. Greenville Road from I-580 to Patterson Pass Road is very un-scenic, likely to be heavily developed, more of a threat to unfamiliar drivers, and overshoots the wineries for most visitors, who are likely to come from the west on I-580. Vasco is improved, controlled, nicely landscaped most of the way, straight, closer to the center of wine country, and more likely to be used as the return road. 28-18

RECOMMENDATIONS:

1. Use funds from the approved project to complete an entire area study of water, septic, well, erosion, seismic, species, flooding, etc., to as large an extent as possible without specific planned sites. The intent is to give a comprehensive and consistent EIR of the South Livermore Valley region, with all of the above-mentioned aspects known for all areas. A single study should result in a more optimally planned region than that which would result by undertaking several studies of various sizes, and which may also conflict. Furthermore, a single study is intended to decrease the costs of development by reducing the costs of duplication of effort. Future development shall reimburse the costs of this study by paying for a percentage of the total cost of the study. This percentage shall be directly proportional to the percentage of area developed to the total area, and shall also be multiplied by a factor which would take into account the value of money at the time of development to the value of money at the time of the study. **28-19**

2. Define the Land Trust, including its composition, how authority would be delegated among its members, and the powers it would be entrusted with. Define means for 20 acre parcel owners to have their land managed for them to meet the agricultural usage requirements. Delineate a means to review land usage and authority to enforce (through use of fines) agricultural usage requirements. Set a time limit on fallow land. **28-20**

3. Do not allow sound walls in the area, except under approval by several agencies, including the Land Trust. **28-21**

4. Do not allow existing vineyards to be split into 20 acre parcels. Instead, consider granting development credits, if workable and appropriate. **28-22**

5. Preserve the view through the Olivina gate to the southwest. Specify this area to be either park land or 20 acre parcels in agriculture. Explicitly do not allow urbanization in this area. Encourage agriculture on Arroyo Rd. from Marina to Wente Bros. Sparkling Cellars, except possibly for a Wine Center and winery region amenities. **28-23**

6. Be specific about classifications of all land usage, including arroyos, creeks, and their buffers, wildlife easements, buffers between agriculture and development, roads, etc. How will these classifications be formulated to meet the land use criteria? **28-24**

It is unfortunate that a project is already approved, complete with EIR, within the boundaries of the South Livermore Valley study area. This document is significantly weakened by the fact that any reference to an "approved plan" is made. Instead of being a top-down, stand-alone document having authority by which all developments in the area are evaluated, it becomes in part a compromise to the Ruby Hill development project. Sprinkled throughout this document are references to the approved plan, the proposed plan, the plan. This document also calls itself the plan, further adding to the confusion. This document is not a plan, but, as is stated in so many words in the opening sections, EIR guidelines for planned development. The South Livermore Valley area will be developed by many plans that will be scrutinized by the development guidelines of this EIR, and one that will not. Perhaps it is better from a hierarchical and tactical standpoint to remove references to the Ruby Hill and Crane Ridge projects and, only when necessary, treat them as existing developments that happen to be in the plan area. When other planned developments are approved, will they also become part of this document, with modifications made accordingly, or will this document remain unchanged? 28-25

This document seems to have an identity complex, and yet seems close to becoming the authoritative work it needs to be. With minimal effort it can become a powerful instrument in shaping one of the county's most valuable assets. I feel confident that the Alameda County Planning Department is up to the task.

Sincerely yours,

Alex Mihalka

RESPONSE TO COMMENTS
LETTER 28

Alex Mihalka
Livermore

RESPONSE 28-1

Under the conditions of approval for the Ruby Hill project, the developer must contribute $2.50 per square foot for each residence and commercial facility, with a minimum of $10,000 per home. The fee is to be adjusted annually to reflect the Consumer Price Index. The project includes 850 homes, so the $8.5 million is a minimum amount that Ruby Hill will contribute. Homes larger than 4,000 square feet will pay more, and commercial facilities, such as a golf clubhouse will also contribute.

The settlement agreement between Livermore, Alameda County and Ruby Hill requires that Livermore provide sewer service to the project. Ruby Hill will contribute $1.7 million towards a reverse osmosis system, to be constructed at the City's existing wastewater treatment plant. In addition, Ruby Hill must pay normal Livermore sewer connection fees. The agreement does not specify whether reclaimed water will be supplied to the Ruby Hill site from the reverse osmosis plant.

RESPONSE 28-2

Please refer to Response to Comment 6-13 above regarding on-site agricultural worker housing.

RESPONSE 28-3

Under the proposed Plan, an urban development proposal in the Vineyard Area would have to show that it can meet the specified mitigation requirements. Prior to final approvals, an urban development would have to document the required number of acres are planted and under permanent agricultural easements, or provide monetary guarantees that required planting will be accomplished in a specified time period, similar to the conditions imposed on the Ruby Hill project.

RESPONSE 28-4

How required buffer areas are tallied depends on what they are for and what type of development they are located in. Buffer zones between urban development and agricultural areas would be tallied as "urban", since they are a mitigation for the urban development. Arroyos and other sensitive or unique environmental areas that are located on rural parcels would be required to have permanent easements placed on them, but would count towards the cultivated acreage requirement necessary to receive bonus densities. This would reduce incentives of cultivating areas that are environmentally sensitive. For instance, a twenty-acre parcel with 1.5 acres within an arroyo would need to place 18 acres (including the arroyo) under easement, but only plant 16.5 acres.

RESPONSE 28-5

A program of regular vacuum sweeping of streets and parking areas is a mitigation measure that is suggested for new urban development to reduce urban runoff pollutants. Should Livermore and/or Pleasanton incorporate this mitigation measure into the project-specific approval process for new urban development, the developers will need to guarantee that sweeping is done. If the cities cannot supply a sweeper, the development could be required to contract to have sweeping done on a regular basis, using an assessment district or homeowner association fees.

RESPONSE 28-6

As noted in Response to Comment 28-1, there is no requirement that the Ruby Hill golf course be irrigated by reclaimed water from the proposed Livermore reverse osmosis plant. Annexation of Ruby Hill by Pleasanton will require that Pleasanton be the supplier of water to the project.

RESPONSE 28-7

The proposed Plan requires that proposed urban development within the Vineyard Area mitigate loss of agricultural land by providing one newly planted acre, under agricultural easement, for every acre developed. "Development" would include required urban parkland, since this land would be effectively lost to agriculture.

RESPONSE 28-8

Under the proposed Plan, a "Cultivated Agricultural Overlay District" would be

established as a zoning category in the Vineyard Area. This zoning would retain the existing 100 acre agricultural zoning, but would permit a "bonus density" of up to four additional units per 100 acres (for a gross density of one unit per 20 acres) if 90% of the land is planted and placed under a permanent easement.

RESPONSE 28-9

As noted in the DEIR (page D-4) Zone 7 estimates that livestock may be the single largest source of total net nitrogen load over the Central groundwater basin. Impact D-3 indicates that intensive livestock use on new 20 acre parcels could substantially raise the nitrate production in the area. An identified mitigation measure would be to restrict horse farms or cattle feed lots through agricultural easements on new 20 acre parcels (Mitigation Measure D-3b).

RESPONSE 28-10

Alameda County recently adopted a trip reduction ordinance that requires that all employers with more than 50 employees in Alameda County to designate an employee as a Commute Alternatives Coordinator, provide on-site commute alternatives information, participate in a baseline survey, and annually verify plan implementation. The ordinance also establishes fines for non-compliance.

RESPONSE 28-11

A glossary of acronyms can be found in the appendix of this document.

RESPONSE 28-12

A CEQA approval flowchart can be found in the appendix of this document.

RESPONSE 28-13

As discussed in the Project Description of the DEIR, this document is a "program EIR", designed to provide information on likely environmental impacts if the proposed Plan is adopted and implemented. Because many of the impacts would result from urban development, which under the proposed Plan would be under the purview of either Pleasanton or Livermore, potential mitigation measures are identified that could be adopted by these jurisdictions to reduce potential impacts to a less than significant level. If the suggested mitigation measures are not

adopted, or similar mitigation measures that would achieve the same purpose, the "lead agency" would need to adopt findings indicating why these mitigation measures were not adopted.

RESPONSE 28-14

Please refer to Response to Comment 27-9 above regarding Mitigation Measure D-7b.

RESPONSE 28-15

It is unclear from this comment whether it is felt that fences should be encouraged or discouraged. Mitigation Measure J-1 (page J-5) would require comprehensive design guidelines for rural structures, including guidelines for fencing. As stated, the mitigation measure applies only to fencing in existing vineyard areas. Therefore, the last sentence is changed to:

> The design guidelines should also include guidelines for fences to limit or prohibit use of <u>solid</u> property line fences in <u>new or</u> existing vineyard areas.

RESPONSE 28-16

Comment noted. The last sentence of Mitigation Measure A-9c (page A-16) is changed to:

> Disclosure statements would inform prospective buyers of existing or future farm operations, the right-to-farm ordinance, and possible nuisances, including nighttime farming activity, that these operations may have on nearby residences.

RESPONSE 28-17

Please refer to Response to Comment 27-6 above regarding intercropping with legumes.

RESPONSE 28-18

Recommendation noted. Greenville Road was designated as a "gateway" area because it passes by largely undeveloped land to the east and is the first major freeway exit west of Altamont Pass. It should be noted that the Livermore

Winegrowers Association, in their "Vintage Visions" document, recommend that Greenville Road be designated as a gateway, as well as the proposed State Route 84 alignment (Isabel Avenue).

RESPONSE 28-19

Recommendation noted. One of the purposes of this EIR is to provide as detailed and holistic a study as possible of the possible impacts of the proposed Plan. It should be noted that as an approved project, there are no funds available from the Ruby Hill project to pay for additional studies.

RESPONSE 28-20

Recommendation noted. Ways to establish the land trust are discussed in Response to Comment 6-11 above. The DEIR identifies the use of long-term maintenance contracts with established growers as one method of having new 20 acre parcels have their lands managed for them, similar to the contracts to be used in the approved Crane Ridge project. As discussed in Response to Comment 16-13 above, the proposed Plan would not require that lands planted in cultivated agriculture as a requirement for new development be permanently maintained in agriculture, although the permanent nature of the agricultural easements and the investment in cultivated agriculture will provide strong financial incentives to remain in cultivation.

RESPONSE 28-21

Please refer to Response to Comment 6-9 above regarding use of sound walls.

RESPONSE 28-22

Please refer to Response to Comment 14-3 above regarding methods of preserving existing vineyards.

RESPONSE 28-23

Recommendation noted. Please refer to Response to Comment 25-2 above regarding the area along Arroyo Road.

RESPONSE 28-24

Please refer to Response to Comment 28-4 above regarding classification of arroyos and buffers.

RESPONSE 28-25

As a "program EIR", this document is intended to inform the public and decision-makers about the potential impacts that could result from adoption and implementation of the proposed Plan. Potential impacts are identified, to the extent possible, even if those impacts would be the result of future activities. Future development will require separate, more detailed environmental review of project-specific impacts and mitigation measures. To the extent that cumulative impacts of the project are identified in this document, this document can be referred to in subsequent environmental review to address those cumulative impacts. As such, this document will remain unchanged.

While it may be "unfortunate" that a project has been approved within the Plan Area, it is approved, and the South Livermore Valley Area Plan EIR correctly treats it as such.

LETTER 29

VALERIE RAYMOND

Livermore, Ca

July 20, 1992

Response to EIR for South Livermore Valley Area Plan

Let me begin by saying that, in general, I am in support of this plan and what it is attempting to do. I believe that it is definitely preferable to have such a plan to encourage viticulture than it is to continue with the current piecemeal approach. I also believe that the proposed plan is preferable to the plan alternatives that were considered and is markedly improved over the original preliminary draft plan developed by the citizens' steering committees.

I particularly support the goal of expanding the amount of acreage under viticulture, the concept of requiring conservation easements as a prerequisite for any development approvals and the fairly stringent rules that have been laid out as requirements for any urban development proposal to be approved.

There are some aspects that I believe the EIR has either not adequately addressed or that would be improved by some language changes. Specifically, referring to Impact A-1, the proposed mitigation states that a policy to site rural homesites to maximize productive use of the land could "permit" clustering and other techniques. I would suggest that this is too advisory in nature and could be made more effective by changing the language to state that clustering or other 29-1

techniques would be "required unless the applicant could provide convincing reasons why this should or could not be done." 29-

Impact A-2 states that the proposed Plan could result in inefficient parcels that may not be agriculturally viable. The proposed mitigation seems somewhat inadequate. It suggests that planting of vineyards and the use of agricultural easements will solve this problem but this is not entirely convincing. The EIR doesn't speak to the impact of several dozen potential 20-acre vineyards and whether they could all be financially viable nor how this viability can be maintained. It seems plausible that the investment required to plant a vineyard would not be undertaken unless some financial feasibility was assured, but it seems that the county should develop some effective ongoing means of monitoring the financial health of several vineyards and take this into account when considering later lot-split applications. Some sort of annual inspection process to ensure that vineyards are being maintained may also be desirable. In short, what leverage does the county have once all permits have been granted to ensure that this policy of allowing smaller units is achieving its desired goal? 29-

With regard to Impact A-3, the mitigation measure appears to suggest a Transfer of Development Rights approach. Although this is an idea which many of us have felt has considerable promise, it has repeatedly been suggested that it is a very difficult process to implement. Therefore, how feasible is this as an effective mitigation measure and should not this policy include a requirement that a detailed TDR implementation plan be developed? 29-3

Moving on to Impact D-3, mitigation mesure D-3b suggests that the use of experienced vineyard operators should be encouraged. Encouraged doesn't seem a strong enough word here, perhaps the word required should be substituted. Furthermore, this measure doesn't specify a mechanism to ensure ongoing adherence to this requirement once permits have been granted. Is it possible that the Conditional Use Permit process could be used in some manner as a way of giving ongoing monitoring capability for the county? 29-

Impact K.6-5 speaks to the possibility of urban development conflicting with planned expansion for Sycamore Grove Park. The proposed mitigation seems very inadequate. It relies on other agencies to implement park policies at a time of serious fiscal constraints. Why could not this proposed mitigation include a policy that the county (or city) would require any development proposal for this area to be structured in such a way that this area was protected. 29-5

Finally, I have one overall concern. It may be that I am expecting an EIR to do something it is not really designed to do, but it does seem that there is something of a "can't see the forest for the trees" aspect to it. Each individual impact is discussed but there is no overall sense of what the impact of a maximum case development would be and whether it would be consistent with the goals of creating a tourist-friendly viticultural area. I continue to be bothered by the potentially high ~~numbers~~ level of possible urbanization that could occur and whether at the end of it we would have what the plan hopes for, or rather just an expansion of suburbanization, a lot more traffic and would-be vintners claiming that they can't make it. I would suggest 29-6

that some sort of ongoing monitoring of the Plan should be set in place at the ~~beginning~~ outset of the process ~~and~~ at specific intervals such as every three (3) years, so that, as development and 20-acre vineyards are approved, its effectiveness can be periodically assessed and re-assessed to ensure that this is indeed a workable concept. 29-6

RESPONSE TO COMMENTS
LETTER 29

Valerie Raymond
Livermore

RESPONSE 29-1

Please refer to Response to Comment 14-3 regarding clustering of new rural residences.

RESPONSE 29-2

Please refer to Response to Comment 24-4 regarding establishing a monitoring program for the Plan Area.

RESPONSE 29-3

Please refer to Response to Comment 14-3 regarding options for density transfer or clustering for existing vineyards.

RESPONSE 29-4

Please refer to Response to Comment 14-4 regarding long-term maintenance contracts, as well as Response to Comment 16-13 regarding economic disincentives for removing vineyards. A conditional use permit system was not considered because it would be difficult to enforce. If vineyard maintenance is required as a condition of having a homesite on a parcel, the County could be forced to attempt to remove a residence from a parcel if the vineyard is not maintained.

RESPONSE 29-5

As noted on Page K.6-7 of the DEIR, the LARPD Master Plan identifies lands on the north side of Sycamore Grove Park for future acquisition as a "buffer zone", although no funding source or time table is identified. It should be noted that under the recently approved EBRPD/LARPD merger, the LARPD Master Plan will be integrated into the EBRPD Master Plan, when the latter document is updated. The EBRPD update is scheduled for completion by 1994. To make Mitigation Measure K.6-5 clearer, the following sentence is added:

Require that approvals for urban development be consistent with the LARPD Master Plan.

RESPONSE 29-6

Please refer to Response to Comment 24-4 regarding the establishment of a monitoring program for the Plan Area.

MINUTES OF MEETING
ALAMEDA COUNTY PLANNING COMMISSION

SPECIAL MEETING
JULY 20, 1992

The meeting was held at the hour of 7:30 p.m. in the City Council Chambers of the City of Livermore, 3575 Pacific Avenue, Livermore, California.

MEMBERS PRESENT:

Muriel Shilling, Chairman
Stephanie Cartwright
Earl Hamlin
John Pappas
Ellen Paisal
Frank Peixoto

MEMBERS EXCUSED:

Don Burdusis

OTHERS PRESENT:

Adolph Martinelli, Planning Director
Stuart Cook, Planning Consultant

The meeting was called to order by Chairman Shilling. The minutes for May 18, June 22, and July 6 were approved unanimously.

PUBLIC HEARING:

SOUTH LIVERMORE VALLEY AREA PLAN DRAFT ENVIRONMENTAL IMPACT REPORT - County-initiated proposed Area Plan establishing land use policies to promote viticulture and other cultivated agriculture within approximately 15,500 acres of currently unincorporated lands south and east of the City of Livermore.

Mr. Martinelli read the staff report, stressing that the next hearing is scheduled for September 21, 1992 in Hayward, and will be on the Final EIR, which will contain written responses to all comments made tonight or submitted in writing by August 11, 1992.

Chairman Shilling asked if the Commissioners had questions of staff.

Commissioner Cartwright, referring to the map of the proposed plan, asked

what the difference was between "cultivable soils" and "potentially cultivable soils."

Mr. Martinelli responded that the categories actually were holdovers from earlier drafts of the plan, and that both categories were treated as "cultivable soils" under the proposed plan.

Commissioner Cartwright referred to page III-5 of the DEIR, and asked why it stated that 20 acre parcels are most efficient for preserving viticulture.

Mr. Martinelli responded that the statement referred to efficiency in the context of protecting the largest acreage of vineyards with the least amount of new development, not that 20 acre parcels are efficient viticultural units. He went on to state that an economic study was in preparation that was assessing the likely impact of the proposed plan, including the economic efficiency of 20 acre parcels, and that this study would be available to the Planning Commission prior to their decision on the proposed plan.

Commissioner Paisal asked if the proposed plan required any mitigation acreage for bed-and-breakfast establishments.

Mr. Martinelli responded that it did not. Under the proposed plan, bed-and-breakfast establishments would be a conditional use.

Chairman Shilling opened the hearing to public comment.

Barry Schrader of Livermore, representing the Fertile Crescent Coalition, stated that there were three or four items that needed looking into. He thought that if on-site affordable housing for agricultural workers was required, it should count as part of the overall allowable housing in the plan. The Land Trust needed more definition as well, such as who ran it, how the governing board was selected. He stated that the Land Trust should not be paying for mitigation requirements, such as biological surveys. He wondered how the upper limits of potential development were calculated - was it based on what the land would support, or what the proposed plan could potentially generate? He thought that all jurisdictions, not just Livermore, needed a strong right-to-farm ordinance. He also questioned how the plan would guarantee that bed-and-breakfasts were used as such, and were not used as additional expensive housing. 30

Marshall Kamena of Livermore, a member of the Fertile Crescent Coalition, stated that he thought the DEIR was workable, but also had several questions. He wondered how the Land Trust would use money, would there be a limit to the amount used for administrative fees, and an amount guaranteed for use for acquisition? How would the trust board be selected? What would be their terms? The economics study needs to look at the land trust as well. Would landowners be permitted to get out of the Area Plan? He thought that the proposed $10,000 mitigation fee should be escalated to reflect increases in area land costs. 31

Bob Silva, of Pleasanton, stated that the DEIR was incomplete without an economic analysis. The proposed plan proposes to set policies for viticulture, the success or failure of which will depend on the economics of development. The economic model used in developing the proposed plan was not tested. Because the proposed plan uses mitigation measures that depend on the economic feasibility, an economic study must be part of the EIR, and that it would be necessary to certify the EIR. He stated that the economics study should be circulated as part of the EIR, and that the comment period should be extended. He also stated that it was unclear how the County would guarantee that some proposed mitigation measures that would have to be implemented by other agencies would be implemented. Furthermore, the plan authors had made certain assumptions regarding the marketability of 20 acre parcels. Banks may not lend to "start-up" vintners, which would limit the number of people who could buy these parcels, making the absorption rate much lower. He felt that the plan should include a time-table for implementation and review, perhaps every 5 years. What would be the environmental impacts of this? 32

John Stein, of Livermore asked why the staff report stated that the environmentally superior alternative is the Viticultural Zoning Alternative, while the DEIR states that the No Project Alternative is the environmentally superior alternative. He also asked what the statement that Livermore had annexed 1800 acres of cultivable lands was based on.

Mr. Martinelli replied that the staff report was in error. The annexation figure was from a study by Robert Lamb Hart for the County, which he could make available to Mr. Stein.

Mr. Stein asked whether the bonus densities referred to in the proposed plan were included in the worst-case analysis figures in the DEIR. He wondered if 33

this really was the worst-case that could result from the plan. How was the 1,625 urban units calculated? How was the 25% slope cutoff for viticultural lands derived? He thought this was too steep for mechanized agricultural practices. Homes on 25% would require grading that would have impacts. He thought that protection of visual resources should be a key goal of the plan. It was unclear how houses will be prevented from being built on ridgelines. How would utilities and roads be screened from view? Would the County require undergrounding of utilities?

Mr. Stein continued that "cultivated agriculture" was not clearly defined in the plan. Would growing and plowing under barley count as cultivated agriculture? He thought there were lots of demands being placed on the land trust. Would there be guarantees on what amount of money would be reserved for purchasing land or easements? He had a major concern with the 18 acre parcels. Are they efficient? Will they survive? What about water? Is there a way to cluster development, or have a gradation of parcel sizes? He thought there needed to be a clearer definition of prime soils for viticulture. The plan didn't have a clear mandate to protect them. 33

Mr. Stein wondered what was meant by "adequate water supply." Right now there isn't enough water for peak demand during the summer months. There also needed to be a maximum floor/area coverage ratio for rural lots. He noted that sound walls are discussed in the noise section. Sound walls would have visual impacts and would be inappropriate. He wondered how proposed on-site agricultural worker housing would be monitored to make sure it wasn't being abused. All these questions needed to be answered for a complete EIR.

Margaret Tracy, speaking as an individual, stated she had questions and comments regarding the water supply section. She said that the groundwater was overdrafted and that the only water available for recharge was State Water Bank, which was very expensive. Reverse osmosis was not yet a practicality, and would also be very expensive. She passed out a paper with graphs depicting groundwater levels at key wells in the valley. She said one well was already 43 feet below where recharge should have started. Each foot equalled about 1000 ac.ft. of recharge water needed. As groundwater levels go down, poorer quality water from fringe basins will start to flow into the central basin. 34

Ms. Tracy noted that Figure IV K.1-1 incorrectly showed that Ruby Hill would get water from Cal. Water. She referred to page K.1-2, first line, "safe ground water yield" - and stated that it was unwise to pull groundwater levels down

further. Safe groundwater yield assumes a full basin, which requires deposits.

Ms. Tracy referring to the first footnote on page K.1-4, asked what was going to happen the 44% of the time Zone 7 didn't receive enough water. She said there was not enough water available for build-out of the existing general plans. She referred to the water expert B.J. Miller's comments that tree rings show that California has been experiencing abnormally wet weather for the last 60 years, and that we are now entering a more normal "drought" condition, which could last 10-20 years. She thought that existing customers need to be supplied with water before additional development is allowed.

34

Referring to page K.1-5, Ms. Tracy stated that pumping groundwater doesn't consider likely environmental degradation. Referring to Table K.1-3, she said there was no consideration of the cost of providing new water. She wondered who would pay. She stated that increased acreage of agricultural lands in South Livermore would increase demand. Referring to the chain-of-lakes concept, she said that water storage would not be available until after the year 2020. She thought that approval of any additional housing is premature, and that the agricultural users will have problems getting water. She pointed out that EBMUD had responded to a recent EIR in San Ramon with the comment that the document was deficient because no source of water was identified.

Valerie Raymond, of Livermore, stated that the proposed plan was a marked improvement over previous versions, but she had questions and comments on particular issues. She read a written statement (attached). 35

Dick Oliver, representing property owners of over 200 acres of land in the Patterson Pass Transitional Area, stated that they had been trying to develop for years. He noted that Appendix B of the DEIR contained an undocumented statement that that particular area was only good for industrial development because it was downwind from the labs, and it was unlikely to develop in the near future because of 1,700 acres of undeveloped industrial land in Livermore. Furthermore, he stated that the document showed that soils in the area are "excellent", while he and others had submitted evidence to the County showing that the soils were not excellent. He questioned how affordable housing would be provided, and thought that a density bonus should be included in the plan. If a 20 acre parcel required 2 agricultural workers, the parcel should provide two 1,200 sq.ft. homes for them. He wondered why Livermore was rushing through the permit process for the Alden Lane transitional area, giving permission to build in six months via a negative declaration, and asked that the 36

Patterson Pass area be treated the same way. He thought that this transitional area should have a broader range of development options besides industrial, perhaps residential and/or visitor-oriented recreation. 36

Kim Rutherford, of the Livermore Unified School District, stated that there were some errors in the DEIR regarding school capacities and school impact fees and that she would be submitting written comments. 37

Jim Day, of Livermore, thought the document was a good start, but had lots of mistakes. He noted that air quality impacts would be unmitigated, and that the water supply section must address new sources of water. He referred to the comments of the school district. He hoped that Livermore's visual policies would apply to the plan area, and that new visual designations may be necessary. He disagreed with much of the DEIR, and would be submitting written comments. He thought the whole EIR process was staggering to the layman and would appreciate a slower process. 38

Jean Rozenyai, of Livermore, representing Save Our Hills of Livermore, thought the visual quality section did not adequately indicate which ridges would be preserved. She thought that this area needed special visual policies. 39

Barbara Stear, of Livermore, representing the Friends of the Vineyards, said she generally liked the DEIR, but had some problems. She thought it was difficult to proceed without an economic analysis to find out whether the proposed plan would actually work. She thought there should be more emphasis on how gateway areas (transitional areas) should be developed, with specific guidelines. She noted that there were no mitigation measures available if Del Valle Dam broke. She was concerned about the proposed criteria for urban development, and thought that the "wine center" criteria needed to be more clearly thought out. She didn't agree that existing vineyards should be allowed to subdivide into 20 acre parcels. She thought that the land trust board needed people at large, not just officials or property owners. She thought it very important that the wine region preserve its rural character. 40

Archer Futch, of Livermore, co-chair of the Fertile Crescent Coalition, stated that the cumulative impact of maximum development, combined with tourism, on the rural agricultural character of the area was not addressed. The plan could equal half the current population of Dublin. He stated that soundwalls would destroy rural quality, and berms should be required instead. He didn't think 120 foot-wide roads would be needed to serve a purely rural residential 41

area such as Crane Ridge. He thought development should be prohibited on ridgelines, and that should be included as a mitigation measure. He questioned whether Zone 7's five acre policy for septic systems was adequate, and whether it was backed up by studies. He wondered what the potential loss of life and property would be if the Del Valle Dam broke. Would development near the dam have time to evacuate? 41

Bob Brown, Planning Director for the City of Livermore, announced that the City would be submitting official comments on the DEIR after public hearing in the coming weeks. 42

Susan Yalom, of Livermore, said she cared a lot about the agricultural character of the area and thought that protection of visual resources should be a main objective of the plan. She urged the County to listen to the cities. 43

Jesse Campbell, of Fremont, gave a history of the planning process for the South Livermore Valley, and thanked all the people who had given their time to get to where the County was today. She referred to the Livingston/Mundie study including density transfer and indicated that it would be a valid concept except for concerns over good faith and participation by the City of Livermore. She indicated that consideration of individual projects must be linked to the well-being of the South Livermore area, and to the County as a whole. She made reference to the art of negotiation but cautioned that expectations in deals may not be realized. She underscored the importance of the South Livermore area to Supervisor Campbell. 44

Chairman Shilling asked if there were any other public comments, and asked if the other commissioners had comments.

Commissioner Cartwright thanked the public for good positive comments.

Commissioner Paisel asked why the transportation section hadn't mentioned BART. 45

Commissioner Hamlin also asked why BART wasn't discussed. He said BART should be encouraged to integrate their operations with the proposed plan, perhaps with shuttle buses. 46

Commissioner Peixoto said that the economics study should be a part of the EIR, and that the commissioners should have plenty of time to review and 47

comment on it. 47

Chairman Shilling stated that seemed to be the general consensus of the Commission. She then opened the floor to Open Forum, but there were no speakers.

There being no further business, Chairman Shilling adjourned the meeting at 9:10 p.m.

Adolph Martinelli - Planning Director
County Planning Commission of Alameda County

RESPONSE TO ORAL COMMENTS MADE AT THE JULY 20, 1992 PLANNING COMMISSION HEARING

30. Barry Schrader, Fertile Crescent Coalition

Please refer to Response to Comment 6-13 above regarding agricultural worker housing; Response to Comment 6-11 and 14-5 regarding administration of the Land Trust; Response to Comment 16-9 regarding calculation of potential Plan Area development; Response to Comment 16-10 regarding right-to-farm ordinances; and Response to Comment 15-8 regarding bed-and-breakfast conversion.

31. Marshall Kamena, Fertile Crescent Coalition

Please refer to Response to Comment 6-11 above regarding use of Land Trust funds; Response to Comment 16-16 regarding future Plan Area boundaries; and Response to Comment 8-5 regarding escalation of proposed mitigation fees.

32. Bob Silva, Pleasanton

Please refer to Response to Comment 23-1 and 23-2 regarding the relationship of the economic analysis to the EIR; Response to Comment 24-3 regarding implementation of mitigation measures by other agencies; and Response to Comment 24-4 regarding an implementation time-table.

33. John Stein, Livermore

Please refer to Response to Comment 28-8 regarding bonus densities; Response to Comment 16-9 regarding calculation of development potential in the Plan Area; Response to Comment 6-10 regarding the 25% slope cut-off; and Response to Comment 6-8 regarding protection of visual resources.

Please refer to Response to Comment 6-14 regarding the definition of cultivated agriculture; Response to Comment 6-11 regarding use of Trust funds; Response to Comment 15-7 regarding the viability of 20 acre parcels; Response to Comment 14-3 regarding clustering on vineyard parcels; and Response to Comment 14-1 regarding protection of prime vineyard soils.

Please refer to Response to Comment 15-5 regarding water supplies. The City of Livermore is proposing a 30,000 square-foot maximum floor area coverage on new 20 acre parcels within the area being considered for annexation. Please refer to Response to Comment 6-9 regarding sound walls; and Response to Comment 6-13 regarding agricultural worker housing.

34. Margaret Tracy, Livermore

Please refer to Response to Comment 7-2 regarding Ruby Hill water; Response to Comment 27-19 regarding use of Zone 7 historical conditions; and Response to Comment 15-5 regarding Zone 7's first-come, first-served policy.

Please also refer to Response to Comment 15-5 regarding requiring urban development to contribute funds for recycled water. While the Chain of Lakes is not scheduled to completed until the year 2020, some of the lakes could be available in the next ten years. Proposed Plan policies require that water be shown to be available for both urban development and agriculture before it is approved.

35. Valerie Raymond, Livermore

Please refer to Response to Letter 29 above.

36. Dick Oliver, Patterson Pass Area Landowner Representative

Please refer to Response to Comment 18-2 above regarding development potential adjacent to the Lawrence Livermore National Labs; Response to Comment 18-4 and 18-11 regarding soil conditions in the Patterson Pass Area; Response to Comment 18-16 regarding affordable worker housing bonuses; and Response to Comment 18-2 regarding potential development in the Patterson Pass Area. As noted in the DEIR, the Alden Lane area was the subject of an earlier Livermore EIR regarding residential development in that area.

37. Kim Rutherford, Livermore Unified School District

Please refer to Response to Letter 9.

38. Jim Day, Livermore

The DEIR correctly indicates that further development of this area will result in unavoidable air quality impacts. Please refer to Response to Comment 15-5 above regarding new sources of water; Letters 9-10 regarding corrections to the DEIR concerning school impacts; and Response to Comment 6-8 regarding visual protection guidelines. No written comments have been received from this commentor.

39. Jean Rozenyai, Livermore

As indicated in Figure J-1 (Visual Elements) of the DEIR, major ridges extend in to the Plan Area in three locations; east of Sandia Lab, east of Mines Road, and between Mines and Arroyo Roads. This latter ridge is perhaps the most

prominent in the Plan Area, and visually divides the Plan Area in two. None of the ridges would meet the proposed Plan criteria for urban development. limiting potential development in these areas to new rural residences. Proposed Plan criteria limits subdivision to 20 acres to areas less than 25% slope, which will protect visual intrusion into steeper areas. The DEIR also proposes the establishment of design guidelines for all new rural development in the area, to keep new structures subordinate to the landscape, which would preclude ridge development.

40. Barbara Stear, Friends of the Vineyards

Please refer to Response to Comment 14-7 regarding the economic analysis; Response to Comment 14-2 regarding transitional area development; Response to Comment 16-6 regarding potential Del Valle inundation areas; Response to Comment 14-3 regarding options for the treatment of existing vineyards; Response to Comment 6-11 and 14-5 regarding Land Trust administration; and Response to Comment 16-1 regarding preservation of rural character.

41. Archer Futch

Please refer to Response to Comment 16-1 regarding preservation of rural character; Response to Comment 6-9 regarding use of soundwalls; Response to Comment 6-2 regarding right-of-way widths; Response to Comment 16-4 regarding ridgeline preservation; Response to Comment 16-5 regarding Zone 7's five acre policy; and Response to Comment 16-6 regarding potential areas of Del Valle dam inundation.

42. Bob Brown, Planning Director, Livermore

Please refer to Response to Letter 6.

43. Susan Yalom, Livermore

Comment noted. No response is necessary.

44. Jesse Campbell, Fremont

Comments noted. No response is necessary.

45. Commissioner Paisel

The DEIR traffic analysis focused primarily on the traffic impacts of potential development in the Plan Area resulting from Plan adoption. For the foreseeable future the nearest BART station will be located in East Dublin, having little impact

on traffic patterns resulting from Plan development. The potential use of BART by tourists attracted to the Livermore Valley was not discussed because tourist traffic will generally not conflict with peak hour traffic, and therefore is likely to create insignificant peak hour impacts. It is acknowledged that the Livermore Valley's proximity to BART is a unique asset of the area as a wine region, and should be taken advantage of. As discussed in Response to Comment 4-8, a LAVTA or private shuttle connection between BART and the proposed Wine Center should be established.

46. Commissioner Hamlin

Please refer to Response to Comment 45 above.

47. Commissioner Peixoto

Please refer to Response to Comment 23-1 and 23-2 above regarding the relationship of the economic study to the EIR.

III. SUMMARY OF ADDITIONS, AMENDMENTS AND CORRECTIONS TO THE DRAFT EIR

The following additions, amendments and corrections to the Draft EIR have been culled from the Response to Comments section above for ease of reference, and are listed in the order they occur in the Draft EIR. Page numbers refer to the original DEIR text. Following text revisions, fourteen new mitigation measures added in response to comments on the Draft EIR are listed.

(Page A-5) The following text is added to the first sentence:

> Approximately 45 acres in the Livermore Gateway are covered by Alameda County Surface Mining Permit No. 15.

(Page A-16) The last sentence of Mitigation Measure A-9c is changed to:

> Disclosure statements would inform prospective buyers of existing or future farm operations, the right-to-farm ordinance, and possible nuisances, including nighttime farming activity, that these operations may have on nearby residences.

(Page E-1) This page of the DEIR was inadvertently left out during the printing of the document and is included in its entirety below.

E. VEGETATION AND WILDLIFE

1. EXISTING SETTING

Potential vegetation and wildlife resources in the Plan Area were identified through a literature and database review, aerial photograph interpretation and reconnaissance-level field surveys.

The literature review involved consulting sources knowledgeable of vegetation and wildlife resources of the area, and reviewing reports documenting the biological resources in the Plan Area (EIP 1987; EIP 1989; LSA 1991). The California Natural Diversity Database (CNDDB) was also accessed to identify any records of sensitive species occurring within or immediately adjacent to the Plan Area, as were plant lists maintained by the California Native Plant Society (CNPS).

Much of the Plan Area is in private ownership, limiting access for field surveys. The Ruby Hill site has received the most extensive field surveys. The remainder of the Plan Area was surveyed from public roads. Vegetation field surveys were limited to plants observed during the summer season when most annual plant species are senescent and not seen. In addition, the prolonged drought in California has probably reduced the quantity and diversity of annual plant species compared to wetter years.

Vegetation

Five major vegetation communities are found in the Plan Area: grasslands, oak woodlands, riparian corridors, non-riparian wetlands, Diablan sage scrub and cultivated and urban landscape (**Figure D-1**). Grasslands occupy approximately 9,300 acres, or 60 percent of the Plan Area. Oak woodland and savanna occupy about 1,500 acres, riparian corridors about 735 acres, non-riparian wetlands some 125 acres, Diablan sage scrub about 40 acres, and urban or cultivated lands about 3,800 acres. Each of these vegetation communities are discussed below.

(page F-8) The Future Right-of-Way text is corrected to read as follows:

> According to the Alameda County Ordinance Code, amended September, 1988, the following roads in the Plan Area have identified future width lines: Arroyo Road (44 feet on either side of centerline, from Livermore city limits to Wetmore Road); South Vasco Road (12-30 feet from either or both sides of the existing right-of-way, from Livermore city limits to Tesla Road); Tesla Road (50 feet from either side of centerline, from S. Livermore to S. Vasco, and 40 feet from either side of centerline from S. Vasco to Greenville Road); Vineyard Avenue (43 feet from either side of centerline); and Wente Street (44 feet from either side of centerline).
>
> In addition, the Alameda County Ordinance Code identifies special building lines, or setbacks, for several roads in the Plan Area. These lines are not reserved for right-of-way, but instead restrict new buildings within a certain distance of the roadway. Special building lines include: Arroyo Road (64 feet either side of centerline, from Livermore city limits to Wetmore Road); Greenville Road (70 feet either side of centerline, from the Western Pacific railroad to Tesla Road); South Livermore Avenue (70 feet either side of centerline, to Tesla Road); South Vasco Road (63 feet from either side of centerline, from Livermore to Tesla Road); Tesla Road (70 feet from either side of centerline, from S. Livermore to S. Vasco, and 60 feet from either side of centerline, from S. Vasco to Greenville Road); and Wente Street (64 feet from either side of centerline).
>
> All other roads within the Plan Area do not have identified future width lines or special building lines. In general, these roads have a right-of-way of 50 feet. No future width line or special building line is established for Vallecitos Road. According to the conditions of approval for the Ruby Hill development project, a 200

foot right-of way must be maintained between the intersection of Vineyard Avenue and Isabel and Vallecitos Road (State Route 84) for the future construction of the Isabel Expressway. Under the terms of the proposed settlement agreement between Alameda County, Livermore and Ruby Hill Development Partners, this right-of-way, as well as Vallecitos Road, would be annexed to the City of Livermore.

(Page F-19) The following mitigation measure is added:

Mitigation Measure F-4c: Consult with BART and LAVTA, as part of the Wine Center approval process, regarding the feasibility of providing transit service between the Wine Center and the nearest BART station. If public transit service is infeasible, consider requiring a privately-funded shuttle service that could be expanded to include interested area wineries.

(Page F-19) The following mitigation measure is added:

Mitigation Measure F-4d: Park and ride facilities should be considered during the review of individual urban development projects within the Plan Area.

(Page F-16) The last sentence of Mitigation Measure F-2 is changed to:

New access points onto Vallecitos will require approval from Caltrans.

(Page F-16) The following mitigation measure is added:

Mitigation Measure F-2b: As part of the site development review for rural residential projects, access roads and drives should be designed to minimize traffic safety problems on congested roads by use of shared driveways, clustering of residences, or other means.

(Page H-3) Mitigation Measure H-2 is amended to read:

Mitigation Measure H-2: Require site specific noise studies for any development proposals that would place homes within the distances discussed in Mitigation Measure H-1 above. Projects should be required to comply with noise study mitigation measures, including use of setbacks, berms, siting of homes so that outdoor use areas are sheltered from noise sources, and interior insulation, if required. Soundwalls should not be used for noise mitigation, unless other noise mitigation measures are infeasible.

(Page J-5) The last sentence in Mitigation Measure J-1 is changed to:

The design guidelines should also include guidelines for fences to limit or prohibit use of solid property line fences in new or existing vineyard areas.

(Page J-5) The following sentence is added to Mitigation Measure J-1:

Design guidelines should include standards for rural access roads, including road width limitations, landscaping guidelines, screening and sign standards.

(K.1-10) The following paragraph is added:

The City of Pleasanton will provide water to the Ruby Hill development and Vineyard Avenue Corridor Area utilizing planned turnouts from the proposed Zone 7 Vineyard Pipeline. The Vineyard Pipeline is proposed to transport water from the Del Valle Treatment Plant to the existing City distribution system at Santa Rita Road.

(Page K.1-16) The following mitigation measure is added:

Mitigation Measure K.1-1a: Require that new cultivated agriculture resulting from Plan policies use water conserving best management programs, including the use of drip irrigation wherever feasible.

(Page K.3-2) A corrected Table K.3-1 follows:

TABLE K.3-1. Current Enrollment and Capacities: LVJUSD

School	1991 Capacity	1991 Enrollment	Remaining Capacity
Elementary			
Arroyo Seco	570	551	19
Christensen	510	524	(14)
Croce	295	128	167
Jackson	660	665	(5)
Marylin	630	572	58
Joe Michell	480	385	95
Portola	630	554	76
Rancho	540	518	22
Smith	540	483	57
Sunset	630	575	55

Vineyard Alt*			
Middle			
Christensen	270	199	71
East Avenue	717	675	42
Junction	705	675	30
Mendenhall	826	743	83
High School			
Del Valle	171	168	3
Grenada	1,887	1,293	594
Livermore	1,500	1,376	124
TOTAL	11,561	10,084	1,477

*Vineyard School houses a variety of school programs including; the elementary home study program, Vineyard Alternative High School, the ROP Program, Adult Education, and a variety of community programs and activities, and is not included in enrollment or capacity totals.

Source: Livermore Valley Joint Unified School District, August 6, 1992.

(Page K.3-3) Student generation rates are changed to:

0.33 children per unit for K-6
0.16 children per unit for 7-8
0.21 children per unit for 9-12

for a total of 0.70 students per new household.

(Page K.3-3) The tenth line is changed to 800 students per middle school.

(Page K.3-3) The last paragraph is changed to:

According to the LVJUSD, the District is financially unable to provide the necessary schools to house students from new development. The District will meet the demand of additional students from the existing housing stock and previous HIP allocations through additions to Christensen School, new construction of Croce School, purchase

of re-locatable classrooms as required, and possible reopening of Arroyo Mocho and Almond Avenue Elementary Schools. Any further growth will require construction of new school facilities. The District has adopted Board of Education Policy 3224, which calls for new development to fully mitigate the impact of growth on school facilities. The District believes that additional mitigation, beyond the development fees currently paid under AB 2926, will be required to meet the school facilities needs of the students resulting from any future development.

(Page K.3-4) Line four is changed to:

...enrollment in 1991 of approximately 9,300 students. Student generation rates for the PUSD are .30 children per unit (K-5), .15 children per unit (6-8), and .20 children per unit (9-12). Current enrollments and school capacities are shown in Table K.3-3. Forecast enrollments are shown in Table K.3-2.

(Page K.3-4) Paragraph two, line one, is changed to:

Currently, total enrollment at the PUSD schools is 88 percent of capacity.

(Page K.3-4) The last paragraph is corrected to read:

The District is planning a new elementary school in the Ruby Hill and Vineyard Avenue area. The District, along with developers and the City of Pleasanton, are working to assemble a financing package that will require developers to contribute their fair share of costs toward new school facilities and/or expansion of existing facilities. Funding will be supplemented by a PUSD impact fee of $1.58 per square foot of new residential construction, per AB 2926. The District, along with developers and the Pleasanton Planning Director, are working to develop a program to offset long-term effects of development on school facilities in Pleasanton. The method and manner for the provision of these funds and/or facilities will be subject to approval of Pleasanton and the District. If the Interim Housing Agreement becomes final, the $1.58 would be superseded by the new amount and all new development in the city would be conditioned to participate in the agreement.

(Page K.3-5) A corrected Table K.3-3 is shown below.

TABLE K.3-3 Current Enrollment and Capacities: PUSD

School	1991 Capacity	1991 Enrollment	Remaining Capacity
Elementary			
Alisal	650	499	151
Donlon	800	811	-11
Fairlands	700	630	70
Lydiksen	465	477	-12
Valley View*	651	625	26
Vintage Hills*	415	365	50
Walnut Grove	984	860	124
Subtotal	4,665	4,267	398
Middle			
Harvest Park	1,090	949	141
Pleasanton*	1,300	1,201	99
Subtotal	2,390	2,150	240
High Schools			
Amador*	1,875	1,644	231
Foothill	1,475	1,098	477
Village Continuation	140	141	-1
Independent Study	27	27	0
Subtotal	3,517	2,910	607
TOTAL	10,572	9,327	1,245

Source: Pleasanton Unified School District, Superintendent's Office, personal communication, October 1991.

* Serves the western portion of the Plan Area.

(Page K.3-6) The first sentence is changed to:

> Implementation of the proposed Plan would create a significant environmental impact if demand for school services increased beyond existing or planned service capacity.

(Page K.5-2) The following paragraph is added:

> The City of Pleasanton has requested Ruby Hill to provide basic funding for a new, equipped fire station within the Vineyard Avenue Corridor.

(Page K.5-2) The following paragraphs are added:

> Vineyard Avenue
> Vineyard Avenue improvements, including straightening the curves, will be partially funded by the Ruby Hill development. The ultimate plan for Vineyard Avenue is for a two-lane rural roadway with bike lanes.
>
> Isabel Avenue
> Isabel Avenue will be extended directly to Vallecitos Road (State Route 84) as a two-lane expressway by the Ruby Hill development.

(Page K.6-7) The following sentence is added to Mitigation Measure K.6-5:

> Require that approvals for urban development be consistent with the LARPD Master Plan.

New Mitigation Measures Identified in the FEIR

> **Mitigation Measure FEIR-1:** The City of Livermore should be encouraged to adopt relevant policies of the proposed Plan within one year of adoption by the County. The City should also be encouraged to adopt a General Plan Amendment or Specific Plan that would specify the amount, timing, and location of urban development in the Vineyard Area, consistent with Plan policies, within three years of an application for urban development within the Vineyard Area. Failure of the City to meet these time limits would be grounds for the County to reconsider the South Livermore Valley Area Plan.

Mitigation Measure FEIR-2: Mitigation fees in the proposed Plan, including those established for urban development in the Vineyard and Transitional areas, should be adjusted annually, in relation to the Consumer Price Index.

Mitigation Measure FEIR-3: Refer all proposed development projects within the Plan Area to PG&E which may adjoin any PG&E easements. As a condition of approval of any proposed development, require developers to obtain PG&E's written consent to any development plans that may impact PG&E's easements.

Mitigation Measure FEIR-4: Require new home sites on parcels with existing vineyards to be located so that the minimum amount of vineyards are destroyed or divided, while still meeting minimum parcel size requirements of Zone 7 and the Williamson Act. If new homes, roads and other structures cannot be sited without the loss of existing vineyards, require that an equivalent vineyard acreage to that lost be planted and placed under easement within the Vineyard Area.

Mitigation Measure FEIR-5: Limit the subdivision of existing vineyards in the Plan Area to a maximum of 100 acres per year to maintain a market for new vineyards on presently uncultivated lands.

Mitigation Measure FEIR-6: Require that any subdivision of existing vineyards include provisions for any needed improvements to bring existing vineyard stock up to current industry standards for production, quality and resource use, including water and soil. Require, prior to subdivision approval, that improvements to existing vineyards be made, based on the recommendations of an experienced viticulturalist following an inspection to ascertain vineyard health, vigor, productivity, and resource use.

Mitigation Measure FEIR-7: Require mitigation acreage for urban development in the Vineyard Area be dedicated and planted, and that evidence of a long-term maintenance contract (eight years or more) be given, prior to approval of a final map. This requirement can be phased, as long as phasing is consistent with final map phasing.

Mitigation Measure FEIR-8: Require that new vineyards created as a result of 20 acre subdivisions include provisions for the long-term maintenance of cultivated agriculture as a condition of approval, through use of CC&Rs, evidence of a long-term maintenance contract, or other means.

Mitigation Measure FEIR-9: Require new urban development within the Vineyard Area to contribute funds for a recycled water treatment system, if considered feasible by the City of Livermore. Contributions should equal or exceed the cost of providing recycled water equal in volume to 120% of anticipated water use of the development.

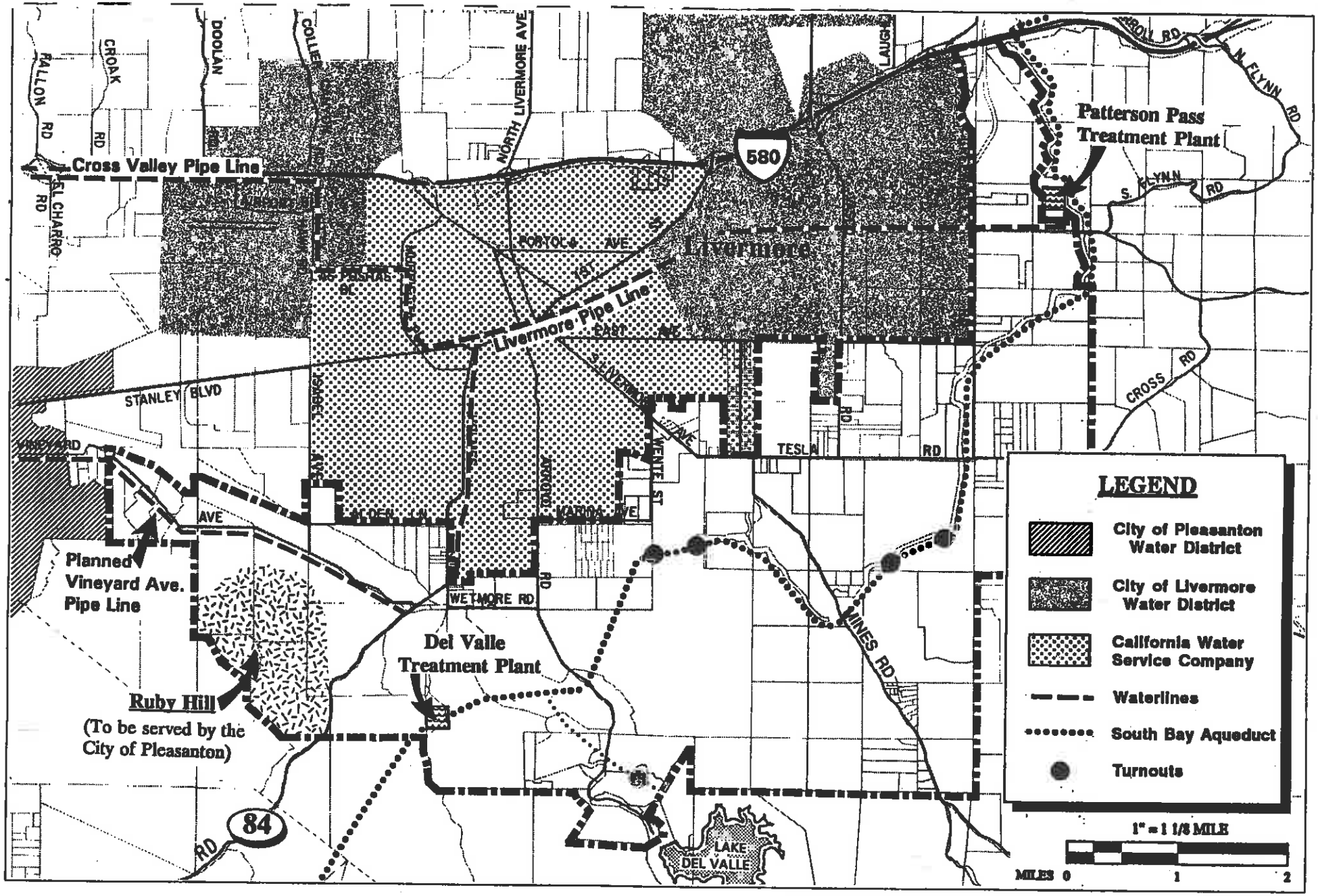
Mitigation Measure FEIR-10: Modify the proposed Plan to include a provision requiring the conditional use permit process for bed-and-breakfast establishments to limit the total number to no more than 25 in the Vineyard Area.

Mitigation Measure FEIR-11: Modify the proposed Plan to limit bed-and-breakfast establishments to existing homes or homes permitted under the Plan. No separate additional structures would be permitted to be constructed.

Mitigation Measure FEIR-12: Require that all urban development within the Del Valle inundation zone have access to at least one road outside of the inundation area that could be used as an emergency route.

Mitigation Measure FEIR-13: Prohibit new urban development that would require cancellation of Williamson Act contracts unless the development proponent can show, to the satisfaction of the City of Livermore, that cancellation will result in a more compact development pattern than development of proximate non-contracted lands. Require that an area within the Vineyard Areas equal or greater in area to the parcel(s) on which cancellation would occur be placed under permanent agricultural easement and planted with vineyards with a long-term maintenance contract, prior to final approval of any cancellation.

Mitigation Measure FEIR-14: Establish a monitoring program to biennially assess the on-going effectiveness of Plan policies by tracking cultivated acreage, easements, land trust actions, development, mitigation fees collected, and other pertinent information.



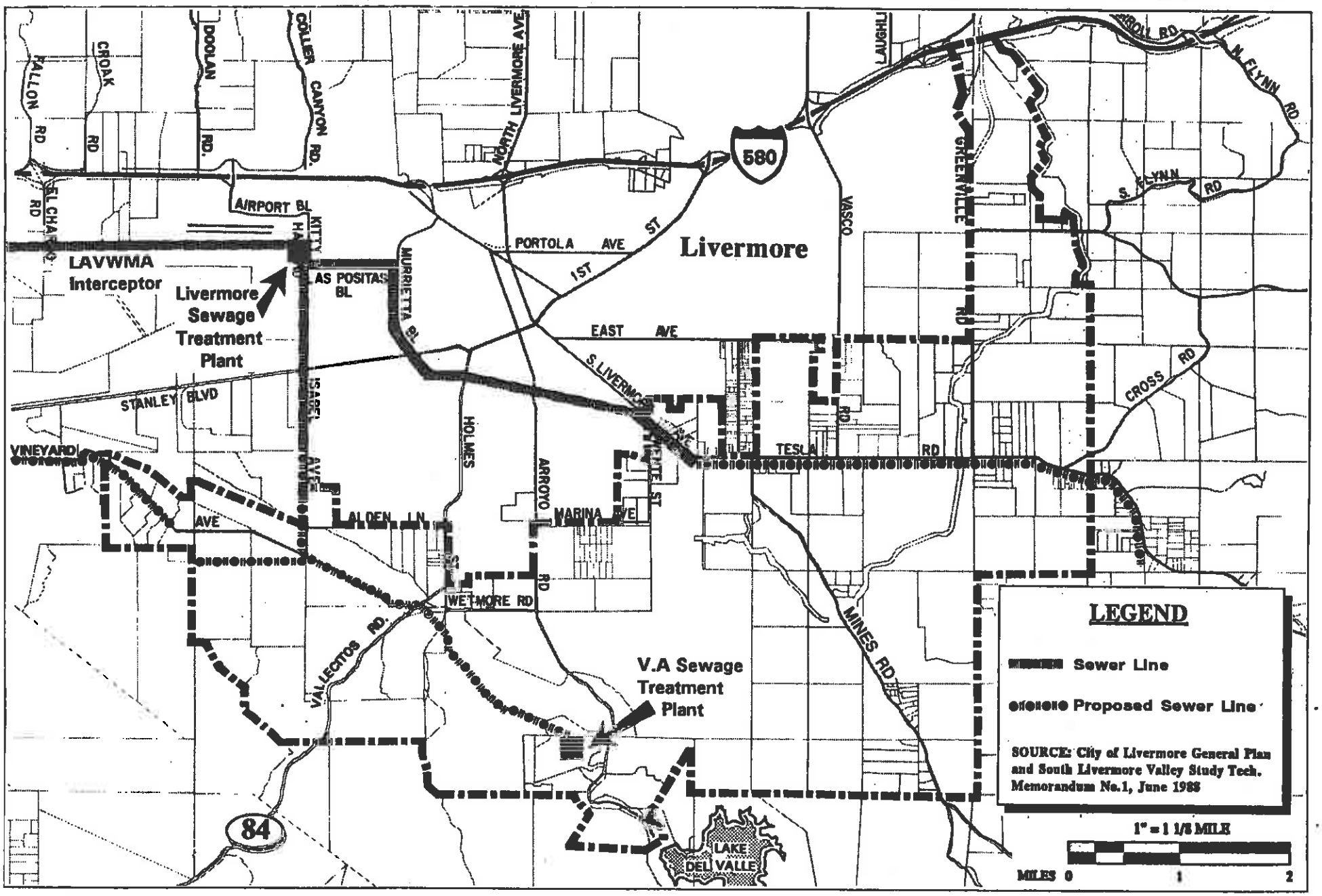
SOUTH LIVERMORE VALLEY AREA PLAN
ENVIRONMENTAL IMPACT REPORT

ALAMEDA COUNTY, CALIFORNIA

ALAMEDA COUNTY PLANNNING DEPARTMENT

FIGURE IV K.1-1

WATER DISTRICTS AND WATER SUPPLY SYSTEMS



SOUTH LIVERMORE VALLEY AREA PLAN
ENVIRONMENTAL IMPACT REPORT

ALAMEDA COUNTY, CALIFORNIA

ALAMEDA COUNTY PLANNNING DEPARTMENT

FIGURE IV K.2-1

WASTEWATER SYSTEMS

APPENDIX A

COUNTY COUNSEL

Date: August 12, 1992

To: Stuart Cook, Alameda County Planning Department, QIC 50506

From: Lorenzo E. Chambliss, Senior Deputy County Counsel, QIC 20104

Subject: South Livermore Valley Area Plan; DEIR; Economic Feasibility

This is in response to your August 5, 1992 memorandum wherein you asked:

(1) Whether CEQA required that the feasibility of the policies of the South Livermore Valley Area Plan be justified with an economic study;

(2) Whether the mitigation measures in the DEIR must be supported with an economic study; and

(3) If an economic study is mandated, whether the study must be included in the DEIR and the DEIR recirculated for public comment.

In our view the answer to the first two questions is no, but if an economic study were needed it would not have to be recirculated as part of the DEIR.

CEQA does not require a finding of economic feasibility as a condition to approving a project. Before CEQA was enacted in 1970 economic considerations were often the only considerations in deciding whether to do a project. (See Friends of Mammoth v. Board of Supervisors (1972) 8 Cal.3d 247, 254–255.) "A purely economic effect is not an environmental effect within the scope of CEQA." (1 Longtin's California Land Use, 2d Ed. 1987, § 4.64(1).) Needless to say, a project proponent might desire an economic study quite apart from CEQA.

CEQA provides that a project be denied that would cause a substantial, or potentially substantial adverse change in the environment, unless a feasible alternative or feasible mitigation measures are adopted. (Public Resources Code §§ 21002, 21002.1, 21068.) However, if "specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, [the project may still be approved]." (§ 21002.) In that case specific findings must be made describing the economic or other conditions causing such infeasibility (§ 21081), and a statement of overriding considerations must be adopted explaining the benefits of the project vis-a-vis the environmental risks. (14 Calif. Code of Regulations § 15093.) For instance, in Citizens of Goleta Valley v. Board of Supervisors (1988) 197 Cal.App.3d 1167, 1180–1183, the court

determined that these requirements were not complied with by Santa Barbara County when it rejected a project alternative as economically infeasible, a scaled-down project, when the administrative record failed to contain substantial evidence to support the finding of infeasibility.

It is clear that a distinction exists between the criteria for rejecting mitigation measures and the criteria for requiring such measures. In the former case CEQA states that the mitigation measures be shown to be infeasible for economic or other reasons before they can be waived, but in the latter case no finding of economic feasibility need be made as a condition to requiring such mitigation measures. If the mandated mitigation measure is economically infeasible the project will not go ahead and the significant environmental effects of the project the measure was designed to mitigate will not take place.

Finally, in cases where economic studies are needed to discover the indirect environmental effects of a project, or whether a project alternative or modification will mitigate the secondary environmental effects of the project, the CEQA guidelines provide: "Economic or social information may be included in an EIR or may be presented in whatever form the agency desires. * * * [¶] If information on these factors [economic etc.] is not contained in the EIR, the information must be added to the record in some other manner to allow the agency to consider the factors in reaching a decision on the project." (§ 15131.) Thus, it appears the agency has discretion to exclude economic information from the DEIR so long as it is included in the administrative record and is available to the agency before it acts on the project.

LEC/pb
\LEC\Cook

APPENDIX B

LIST OF ACRONYMS AND ABBREVIATIONS

ABAG	Association of Bay Area Governments
ACFP	Alameda County Fire Patrol
ACFCWCD	Alameda County Flood Control and Water Conservation District
ACTA	Alameda County Transportation Authority
ACWMA	Alameda County Waste Management Authority
ACWD	Alameda County Water District
ADNL	Annual Day-Night Noise Level
ADT	Averge Daily Traffic
ADTs	Average Daily Trips
af/yr	acre-feet of water per year
a-f	acre-feet
AWRP	Advanced Water Reclamation Plant
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
BMP	Best Management Practices
CAC	South Livermore Study Citizens Advisory Committee
Caltrans	Caltrans California Department of Transportation
CAP	Clean Air Plan
CCAA	California Clean Air Act
CCCSD	Central Contra Costa Sanitary District
CDF	California Division of Forestry
CDFG	California Department of Fish and Game
CDMG	California Department of Mines and Geology
CEQA	California Environmental Quality Act
cfs	cubic feet per second
CHP	California Highway Patrol
CIP	Capital Improvement Program
CFD	Community Facilities District
CMAs	Congestion Management Agencies
CMP	Congestion Management Program
CNDDB	California Native Diversity Data Base
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	Carbon Monoxide
Corps	U.S. Army Corps of Engineers
County	Alameda County
dB	decibel
dBA	A-weighted dB scale
DHS	Department of Health Services
DSRSD	Dublin-San Ramon Services District
DWR	California Department of Water Resources
EDAB	Alameda County Economic Development Advisory Board
EBMUD	East Bay Municipal Utility District

EBRPD	Eastbay Regional Park District
EIR	Environmental Impact Report
EPS	Economic and Planning Systems
FEMA	Federal Emergency Management Agency
GPA	General Plan Amendment
GPD	Gallons Per Day
HIP	Housing Implementation Program
LAFCO	Local Agency Formation Commission
LARPD	Livermore Area Recreation and Park District
LAVPU	Livermore-Amador Valley Planning Unit
LAVTA	Livermore-Amador Valley Transit Authority
LAVWMA	Livermore-Amador Valley Water Management Agency
LCGP	Livermore Community General Plan
Ldn	Day-night equivalent sound level
LLNL	Lawrence Livermore National Laboratory
LOS	Level of Service
LPD	Livermore Police Department
LVJUSD	Livermore Valley Joint Unified School District
MGD-ADWF	Million gallons per day-average dry weather flow
MGD-AWWF	Million gallons per day-average daily wet weather flow
mg/l	Milligram per liter
MTC	Metropolitan Transportation Council
NPDES	National Pollution Discharge Elimination System
PD	Planned Development
PGE	Pacific Gas & Electric
PM-10	Particulate Matter, 10 micron
PPM	Parts Per Million
PPD	Pleasanton Police Department
PSTIP	Proposed State Transportation Improvement Program
PUSD	Pleasanton Unified School District
RO	Reverse Osmosis
RTIP	Regional Transportation Improvement Plan
RWQCB	Regional Water Quality Control Board
SBA	South Bay Aqueduct
SCS	Soil Conservation Service
SHAMA	Seismic Hazards Mapping Act
SLVAP	South Livermore Valley Area Plan
SMARA	Surface Mining and Reclamation Act
SNLL	Sandia National Laboratories, Livermore
SMP	Surface Mining Permit
SOI	Sphere of Influence
STIP	State Transportation Improvement Plan
SWP	State Water Project
TAC	Toxic Air Contaminants
TAZs	Traffic Analysis Zones
TCM	Transportation Control Measures

TDR	Transfer of Development Rights
TDS	Total Dissolved Solid
TIP	Transportation Improvement Plan
TOD	Transit Oriented Development
TSM	Transportation Systems Management
TWA	Tri-Valley Wastewater Authority
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
vpd	vehicles per day
V/C	Volume to Capacity
WMP	Wastewater Management Plan
ZONE 7	Zone 7 of the A/C Flood Control and Water Conservation District

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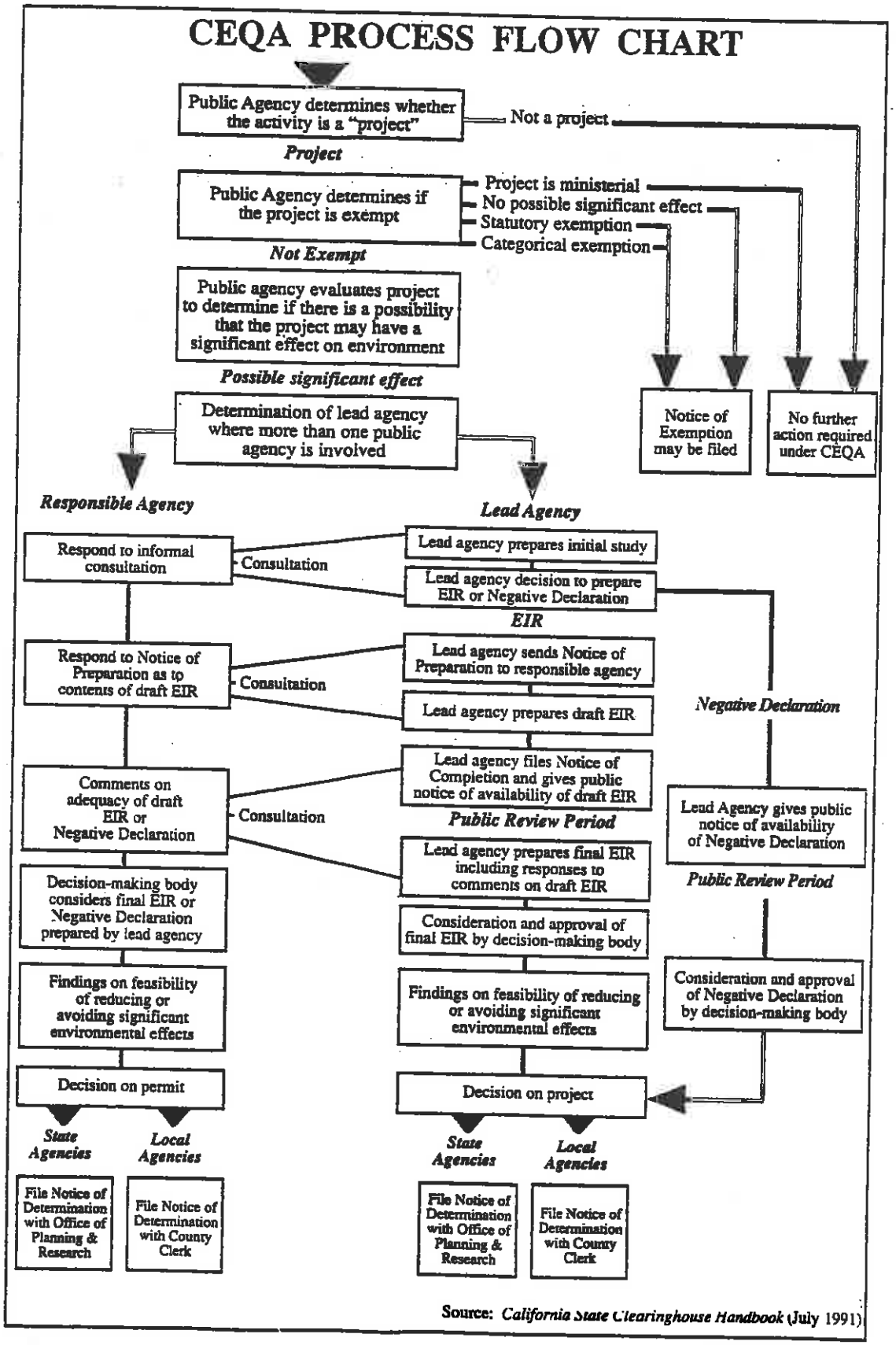
APPENDIX C

CEQA PROCESS FLOW CHART



Source: *California State Clearinghouse Handbook* (July 1991)