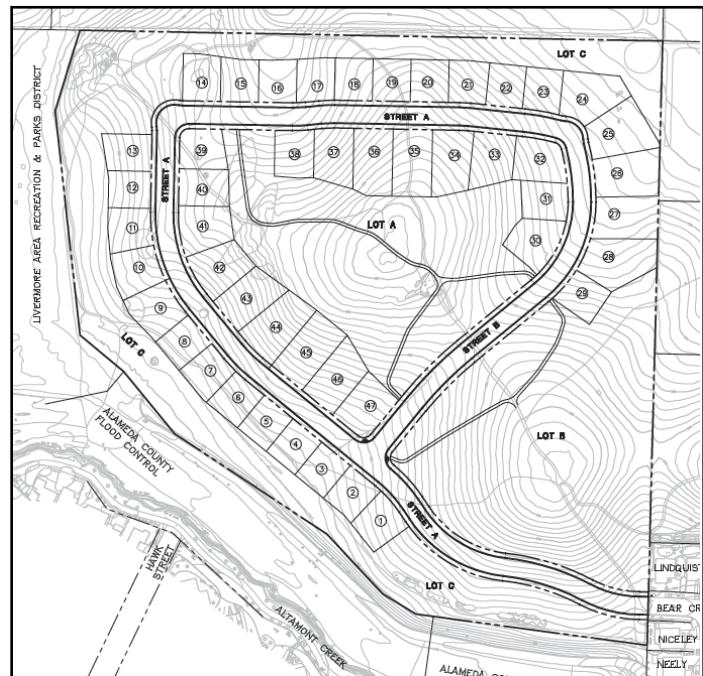


GARAVENTA HILLS PROJECT

Final Environmental Impact Report

SCH No. 2011112045



City of Livermore
Planning Division
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June 2014



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CONTENTS

Chapters 1 through 20 can be found in the Draft EIR	<i>page</i>
Chapter 21: Introduction to the Final EIR and Revised Project	21-1
Purpose of the Final EIR	21-1
Revised Project Assessment.....	21-1
EIR Review Process.....	21-2
Report Organization	21-2
Chapter 22: Revised Project Assessment	22-1
Introduction	22-1
Revised Project Description	22-1
Comparison and Summary Conclusions	22-2
Chapter 23: Revisions to the Draft EIR	23-1
Revisions to the Draft EIR	23-1
Changes to Multiple Chapters	23-1
Changes to Chapter 2: Executive Summary	23-1
Changes to Chapter 3: Project Description.....	23-1
Changes to Chapter 4: Aesthetics	23-2
Changes to Chapter 5: Biological Resources.....	23-2
Changes to Chapter 12: Hydrology	23-5
Changes to Chapter 15: Population, Public Services and Recreation.....	23-6
Changes to Chapter 16: Transportation and Circulation	23-6
Chapter 24: Response to Comments.....	24-1
Introduction	24-1
Response to Specific Comments	24-2
Figures and Tables	
Figure 22.1: Revised Project Site and Grading Plan	22-5
Table 22.1: Original and Revised Project Impacts and Mitigation Measures	22-7

Appendices

Appendices A through J can be found in the Draft EIR

The following appendices are included on CD attached to the back cover of this document

Appendix I: Revised Transportation Analysis

Appendix J: Revised Evaluation of Potential Off-Site Hydrologic Impacts

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INTRODUCTION TO THE FINAL EIR AND REVISED PROJECT

PURPOSE OF THE FINAL EIR

The California Environmental Quality Act and the Guidelines promulgated thereunder (together “CEQA”) require an Environmental Impact Report (EIR) to be prepared for any project which may have a significant impact on the environment. An EIR is an informational document, the purposes of which, according to CEQA are “to provide public agencies and the public in general with detailed information about the effect which a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project.” The information contained in this EIR is intended to be objective and impartial, and to enable the reader to arrive at an independent judgment regarding the significance of the impacts resulting from the proposed project.

This document, together with the Draft Environmental Impact Report (Draft EIR) published in November 2012, shall constitute the Final Environmental Impact Report (Final EIR) prepared pursuant to the California Environmental Quality Act (CEQA) as amended (commencing with Section 21000 of the California Public Resources Code) and the CEQA Guidelines for the proposed Garaventa Hills Project (“Project”) in the City of Livermore, California. The applicant is Livermore LT Ventures I Group, LLC. The Lead Agency is the City of Livermore.

REVISED PROJECT ASSESSMENT

The applicant has chosen to proceed with a Revised Project generally consistent with Alternative B: Reduced Density, Current General Plan Allowance. In Chapter 19: Alternatives of the Draft EIR, this Alternative was assessed and considered environmentally superior to the original Project. The Revised Project is described in Chapter 22 of this document.

This document also serves to identify the changes in the Project since publication of the Draft EIR. The document provides substantial evidence that these changes would not constitute “substantial new information” and so would not require recirculation under section 15088.5 of the CEQA Guidelines. To that end, the following conclusions can be made from information in this document:

- (1) The revised project would not result in new significant impacts nor are new mitigation measures proposed.
- (2) The revised project would not result in a substantial increase in the severity of an environmental impact
- (3) There are no new feasible alternatives or mitigation measures required to lessen significant environmental impacts of the revised project that the applicant declines to adopt

- (4) Project revisions do not result in fundamental inadequacies in the Draft EIR such that meaningful public review and comment were precluded.

EIR REVIEW PROCESS

Draft EIR

A Draft EIR was made available for public review in November 2012. During the public review period for the Draft EIR (ending December 26, 2012), the City received verbal and written comments.

Final EIR

This Final EIR contains all comments received by the City on the Draft EIR and also includes responses to these comments, together with necessary changes or revisions to the text of the Draft EIR document. Changes to the text of the Draft EIR are included in Chapter 22 of this Final EIR. None of the revisions or responses to comments contained in this Final EIR would be considered “significant new information” under section 15088.5 of the CEQA Guidelines and therefore no recirculation of the Draft EIR is required.

This Final EIR will be presented to the Planning Commission and City Council along with the Draft EIR at public hearings to consider recommendation for and certification of this document as a technically adequate, full disclosure document consistent with the requirements of CEQA. Assuming certification of this EIR as complete and adequate under CEQA, this document together with the Draft EIR will constitute the EIR for this Project. The Planning Commission may recommend and the City Council may require additional changes or modifications to this EIR prior to certification.

An EIR does not control the agency’s ultimate discretion on the Project. In accordance with California law, the EIR must be certified before any action on the Project can be taken. However, EIR certification does not constitute Project approval.

REPORT ORGANIZATION

This Final EIR consists of the following chapters, commencing after Chapter 20 of the Draft EIR:

Chapter 21: Introduction to the Final EIR. This chapter outlines the purpose, organization and scope of the Final EIR document and important information regarding the public review and approval process.

Chapter 22: Revised Project Assessment. This chapter includes a detailed discussion of whether the Revised Project falls within the scope of the impacts studied in the Draft EIR and whether revisions to Impacts, Mitigation Measures or conclusions are required.

Chapter 23: Revisions to the Draft EIR. This chapter includes corrections, clarifications or additions to text contained in the Draft EIR based on comments received during the public review period.

Chapter 24: Response to Comments. This chapter provides reproductions of letters received on the Draft EIR and verbal comment sets. The comments are numbered in the right margin. The responses to comments are also provided in this chapter immediately following each comment letter, and are keyed to the numbered comments.

REVISED PROJECT ASSESSMENT

INTRODUCTION

This chapter describes the Revised Project and assesses the Revised Project against the analysis in the Draft EIR to determine whether the impacts of the revised Project fall within the scope of the impacts studied in the Draft EIR and whether any revisions to impacts and mitigation measures are required.

REVISED PROJECT DESCRIPTION

In response to comments on the Draft EIR and Project plans from the public, the City, and other agencies and organizations, the applicant decided to revise and simplify the Project.

The Revised Project is generally consistent with Alternative B: Reduced Density, Current General Plan Allowance Alternative that was assessed in Chapter 19 of the Draft EIR. Alternative B was considered environmentally superior to the Project though the feasibility was unknown because of the cost of bridge construction. Note that while Alternative B questioned the financial feasibility of the Hawk Street bridge connection, it did not make conclusions about whether this alternative could be feasible without inclusion of a bridge, as currently proposed.

The Revised Project plan is shown in **Figure 21.1** and the changes from the original Project analyzed in the Draft EIR are summarized below:

- The number of residential units was reduced from 76 to 47.
- No bridge is planned over Altamont Creek to connect to Hawk Street as originally proposed.
- One-story floor plans are provided at locations to maximize views of the on-site knolls.
- The limits of grading/footprint of the development are generally the same except for the bridge discussed above and at the northwestern corner where the rock outcropping is proposed to be preserved in the revised project (but was not in the original project).
- The revised project is consistent with the density allowed under the current General Plan Designation of UL-1 and would not require a General Plan Amendment.
- The revised project would not alter the streambed and would not require a streambed alteration agreement from the Department of Fish and Wildlife.

To summarize the details of the project that have not changed:

The 31.7-acre project site is located north of Interstate-580 and east of Vasco Road and west of Laughlin Road in the City of Livermore, and is an undeveloped parcel consisting predominantly of non-native grassland habitat.

The topography of the site is moderately steeply sloping, having a predominantly 15% to 20% slope. Altamont Creek, an intermittent stream channel, forms the southern boundary of the site. There are two prominent knolls in roughly the center of the site.

The previous Maralisa development is located to the south, across Altamont Creek. This is a largely residential development with Altamont Creek Elementary and the connected Altamont Creek Park also adjacent to the other side of the creek. Existing residential uses border the Project site to the east.

The 24-acre Garaventa Wetlands Preserve borders the site to the west. Along with undeveloped land to the north of the Project, this area contains sensitive alkali wetlands and vernal pools which support special status species.

The Project proposes single family residential units on an internal looped circulation plan that circumscribes the prominent knolls and connects to the planned extension of Bear Creek Drive.

Less than half of the site will be developed with roadways and lots. The knolls will remain undeveloped with informal public-access trails for hiking and vista views. The remaining area will include a detention basin at the southeast corner and natural areas surrounding development to buffer the nearby creek, wetlands and other sensitive habitat.

The following approvals will be required: a Tentative Subdivision Map, Planned Development, Site Plan Design Review (including architecture and landscaping), Grading and Dirt Haul Permit, Stormwater Pollution Prevention Plan, Permits from both the US Army Corps of Engineers (Corps) and from the Regional Water Quality Control Board (RWQCB) relating to potential impacts to Corps jurisdictional wetlands/waters associated with the wetland swale, Approval of Mitigation Plans from the US Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW).

COMPARISON AND SUMMARY OF CONCLUSIONS

Overall Summary

Table 22.1 details the relationship of the Revised Project to Impacts and Mitigation Measures from the Draft EIR.

No new impacts would result from the Revised Project that were not previously identified in the Draft EIR and there would be no substantial increase in the severity of identified impacts. Minor revisions would be required to some impacts, as discussed below. Some impacts and mitigation measures would no longer be applicable to the Revised Project, as listed below. All changes are detailed in Table 22.1.

Some impacts and mitigation would no longer be applicable because of omission of the Hawk Street bridge (and related streambed disturbance) in the Revised Project. These include Impacts Traf-3 and Traf-8 and Mitigation Measures Bio-11b, Traf-3, Traf-8.

Impact Plan-1 is no longer applicable because the Revised Project is consistent with the existing General Plan designation.

Some impact statements require minor changes to remove reference to the Hawk Street bridge (and related streambed disturbance) that is no longer proposed. These include Impacts Bio-4, Bio-5, Bio-11, Hydro-3, and Traf-5.

Impact Pop-1 required revision because the number of new residents projected would be reduced under the Revised Project from that assumed for the original Project.

Impact Traf-10 required a revision to adjust the projected increased seconds of average delay at the Laughlin Road and Northfront Road intersection. However, this increase would not change conclusions from the Draft EIR or effectiveness of the required mitigation or otherwise be considered a substantial increase in severity. The traffic assessment for the Revised Project is discussed in more detail below.

Revised Traffic Assessment Summary

Overall traffic from the fewer units proposed with the Revised Project would be reduced from that projected for the original Project, though the distribution of trips would be modified with omission of the bridge such that some intersections would see marginally higher traffic from the Project despite overall reduced trips. Because of the potential for increased trips at some intersections, a Revised Transportation Analysis (RTA) was prepared to assess traffic impacts under the Revised Plan. The RTA is included in full as Appendix I.

The RTA concludes that there are no new or substantially increased traffic impacts and mitigation measures either remain unchanged or no longer apply to the Revised Project. This is also summarized in Table 22.1.

Omission of the previously-proposed Hawk Street bridge would concentrate all of the project traffic at the sole remaining access point along Bear Creek Drive. This would increase peak hour (AM and PM) Project trips along Bear Creek Drive by 20 vehicles compared to the original Project. However, with omission of the Hawk Street bridge, the Revised Project would also avoid the possibility for vehicle diversions associated with Altamont Creek Elementary School traffic, which was estimated in the Draft EIR to be diversion of 25 vehicles onto Bear Creek Drive.

As noted in the Draft EIR, Bear Creek Drive carries around 500 vehicles per day. Even with a modest increase of vehicles on Bear Creek Drive under the Revised Project, the daily volume would not result in more than 5,000 vehicles per day, which is the capacity threshold for local streets in Livermore. There would be no new or significantly increased impact related to increased vehicle traffic on Bear Creek Drive under the Revised Project.

Some intersections would also carry more traffic under the Revised Project than under the original Project because of revised trip distribution with omission of the Hawk Street bridge. With the exception of the intersection discussed below, all intersections would operate at acceptable service levels under existing and cumulative conditions with the addition of traffic from the Revised Project.

The Laughlin Road and Northfront Road intersection is projected to be operating below acceptable service levels even without the Project under the cumulative scenario. Without the Project, this intersection would have a delay of 339.6 seconds in the AM and 305.5 seconds in the PM peak hours. With the original Project, this delay was projected to be 342.5 and 310.7 seconds respectively. With the Revised Project, this delay is projected to be 343.6 and 314.4 seconds respectively. The Revised

Project would result in an increase in delay above that identified for the Project of 1.1 seconds in the AM peak hour and 3.7 seconds in the PM peak hour. These minor increases would not represent a substantial increase in the severity of the already significant impact and the impact would still be able to be fully mitigated through identified mitigation measure Traf-10 requiring intersection signalization or installation of a roundabout.

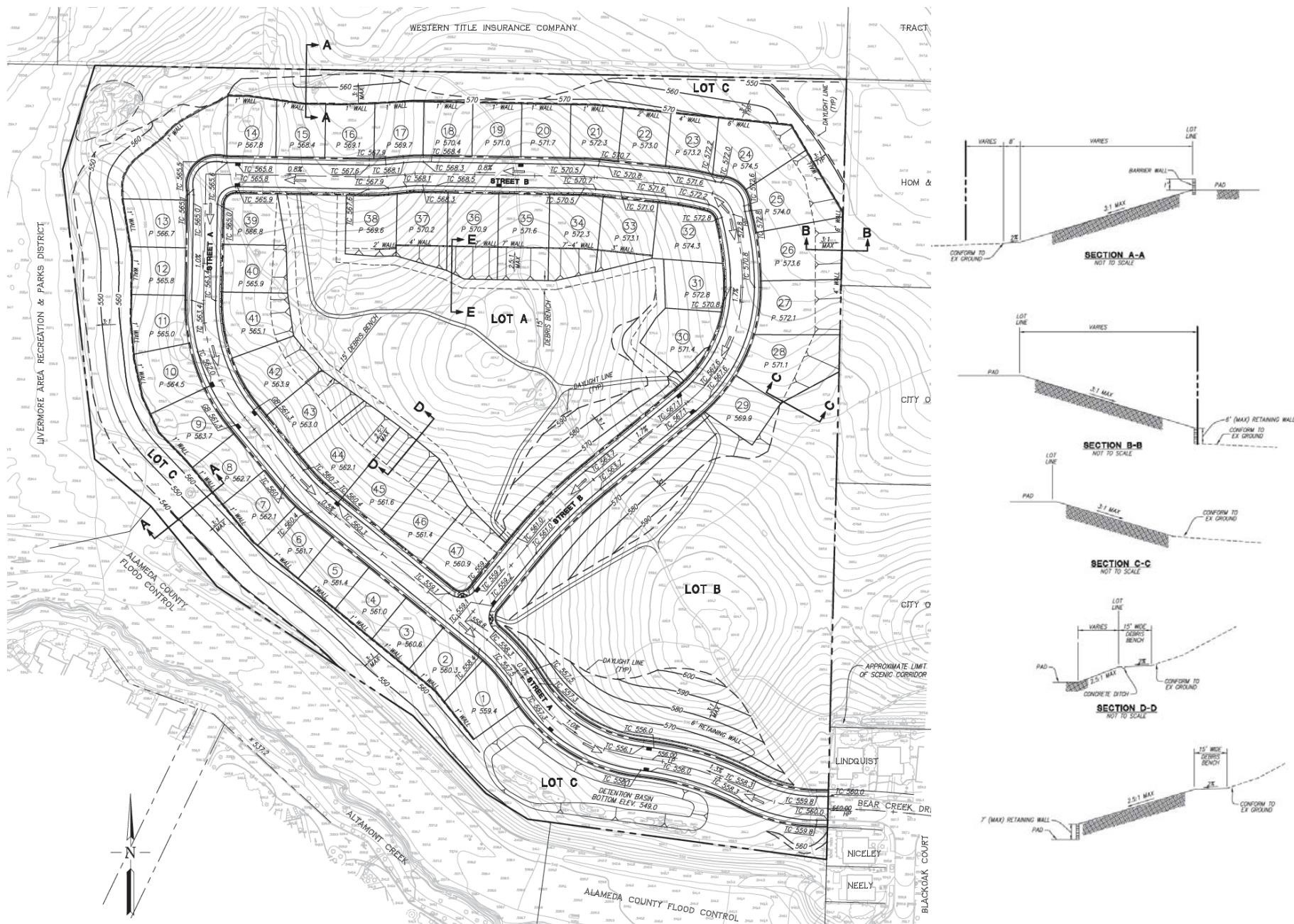


Figure 22.1: Revised Project Site and Grading Plan

Source: RJA, January 24, 2014

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Table 22.1: Original and Revised Project Impacts and Mitigation Measures

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
AESTHETICS				
<u>Original Project Impact:</u> Impact Visual-1: Scenic Vistas. In the Project vicinity, the Altamont Hills and their ridgelines are identified as scenic resources by the City of Livermore, and creeks, such as the adjacent Altamont Creek, are identified as important topographical and visual features. The Project does not substantially alter views of identified scenic resources from identified vistas and would not substantially change views toward these scenic resources from nearby public areas. Therefore, the impact related to scenic vistas is less than significant.	Yes	No	No	Less than Significant
<u>Original Project Mitigation Measures:</u> No mitigation warranted				
<u>Revised Project Impact:</u> Same as original Project. The Revised Project proposes fewer homes on the same development footprint. While two-story homes will have the same approximate height, the Revised Project includes one-story plans that are placed to maximize views of the knolls from Altamont Creek Park. Conclusions from the Draft EIR would remain valid for the Revised Project.				
<u>Revised Project's Mitigation Measures:</u> None recommended				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Original Project Impact:</u> Impact Visual-2: Scenic Corridor. The Project site is located partially within the view corridor of I-580, which is designated as a city scenic corridor in the City of Livermore General Plan and identified as an eligible State Scenic Highway. However, the Project would not substantially obscure, detract from, or negatively affect the quality of the views from this route or substantially obscure view to the distant hills. Further, through substantial conformance with the applicable City design standards and guidelines, any potential impact on this local scenic corridor would be less than significant.	Yes	No	No	Less than Significant
<u>Original Project Mitigation Measures:</u> No mitigation warranted				
<u>Revised Project Impact:</u> Same as original Project. The Revised Project proposes fewer homes on the same development footprint. While two-story homes will have the same approximate height, the Revised Project includes one-story plans with heights lower than previously proposed. Conclusions from the Draft EIR would remain valid for the Revised Project.				
<u>Revised Project's Mitigation Measures:</u> None recommended				
<u>Original Project Impact:</u> Impact Visual-3: Changed Visual Character. The proposed Project would construct a residential subdivision on a currently undeveloped site within the boundaries of the City of Livermore but at the edge of existing development. The proposed Project would change the visual character of the site itself, but is not inconsistent with the character of the adjacent developed areas and would not result in development incongruous to the existing and proposed development in the area. This impact would be less than significant.	Yes	No	No	Less than Significant

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p>Original Project Mitigation Measures:</p> <p>No mitigation warranted</p> <p>Revised Project Impact:</p> <p>Same as original Project. The Revised Project proposes fewer homes on the same development footprint. While two-story homes will have the same approximate height, the Revised Project includes one-story plans with heights lower than previously proposed. Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p>Revised Project's Mitigation Measures:</p> <p>None recommended</p>				
<p>Original Project Impact:</p> <p>Impact Visual-4: Increased Light and Glare. The Project would add additional sources of light to a currently undeveloped site adjacent to other residential uses. Lighting quality, intensity and design is required to meet City standards to minimize glare, light trespass and “sky glow” and would be within allowable levels for residential uses. Therefore, impacts related to light and glare would be less than significant.</p> <p>Original Project Mitigation Measures:</p> <p>No mitigation warranted</p> <p>Revised Project Impact:</p> <p>Same as or marginally reduced from original Project. The Revised Project proposes fewer homes on the same development footprint and would be required to comply with City regulations and the Design Review process. Conclusions from the Draft EIR would remain valid for the Revised Project.</p>	Yes	No	No	Less than Significant

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Revised Project's Mitigation Measures:</u> None recommended				
AIR QUALITY				
<u>Original Project Impact:</u> Impact Air-1: Construction Period Dust, Emissions and Odors. Construction of the Project would result in temporary emissions of dust, diesel exhaust and odors that may result in both nuisance and health impacts. Without appropriate measures to control these emissions, these impacts would be considered significant.	Yes	No	No	Less than Significant with implementation of MM Air-1
<u>Original Project Mitigation Measures:</u> Air-1: Basic Construction Management Practices. The Project shall demonstrate proposed compliance with all applicable regulations and operating procedures prior to issuance of demolition, building or grading permits, including implementation of the following BAAQMD “Basic Construction Mitigation Measures”. <ul style="list-style-type: none">• All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.• All haul trucks transporting soil, sand, or other loose material off-site shall be covered.• All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.• All vehicle speeds on unpaved roads shall be limited to 15 mph.• All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.• Idling times shall be minimized either by shutting equipment off when not in use or reducing				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p>the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</p> <ul style="list-style-type: none"> • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. <p><u>Revised Project Impact:</u></p> <p>Same as or marginally reduced from original Project. The Revised Project proposes fewer, larger homes on the same development footprint and would have similar or marginally reduced construction activities and related emissions and fugitive dust. Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p><u>Revised Project's Mitigation Measures:</u></p> <p>MM Air-1 exactly as written for the original Project.</p>				
<p><u>Original Project Impact:</u></p> <p>Impact Air-2: Operational Emissions. The Project would result in increased emissions from on-site operations and emissions from vehicles traveling to the site. However, the Project is below applicable threshold levels and the impact would be considered less than significant.</p> <p><u>Original Project Mitigation Measures:</u></p> <p>No mitigation warranted</p>	Yes	No	No	Less than Significant

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Revised Project Impact:</u> Same as or marginally reduced from original Project. The Revised Project proposes fewer homes on the same development footprint and would have similar though marginally reduced emissions from homes and vehicle trip emissions. Conclusions from the Draft EIR would remain valid for the Revised Project.				
<u>Revised Project's Mitigation Measures:</u> None recommended				
<u>Original Project Impact:</u> Impact Air-3: Construction Period Exposure of Sensitive Receptors. Construction activities would expose nearby sensitive receptors to toxic air contaminants during the construction period, but the maximum exposure risk would be below the thresholds of significance under BAAQMD criteria for cancer, chronic hazard, and PM2.5 exposure. This would be a less than significant impact.	Yes	No	No	Less than Significant
<u>Original Project Mitigation Measures:</u> No mitigation warranted.				
<u>Revised Project Impact:</u> Same as or marginally reduced from original Project. The Revised Project proposes fewer, larger homes on the same development footprint and would have similar or marginally reduced construction activities and related exposure of existing nearby residents to toxic air contaminants from construction emissions. Conclusions from the Draft EIR would remain valid for the Revised Project.				
<u>Revised Project's Mitigation Measures:</u> None recommended				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Original Project Impact:</u> Impact Air-4: Operational Period Exposure of Sensitive Receptors. The Project proposes to add new sensitive receptors to a currently undeveloped site. The exposure risk to on-site sensitive receptors would be below applicable threshold levels and therefore, the impact would be less than significant.	Yes	No	No	Less than Significant
<u>Original Project Mitigation Measures:</u> No mitigation warranted.				
<u>Revised Project Impact:</u> Same as original Project. The proposed Project is in the same location with the same type of proposed use, and therefore conclusions regarding operation exposure would not change.				
<u>Revised Project's Mitigation Measures:</u> None recommended				
BIOLOGICAL RESOURCES				
<u>Original Project Impact:</u> Impact Bio-1: Loss of Annual Grasslands. The Project will result in the permanent removal of up to 31.78 acres of non-native annual grassland habitat. An additional 1.18 acres will be temporarily disturbed for construction of the bridge and access road over Altamont Creek. Non-native annual grasslands are common throughout the region and removal of this plant community is not considered a significant impact unless special status species are known to use the habitat. Because the site has the potential to support several special status species, this impact would be considered potentially significant.	Yes	No	No	Less than Significant with implementation of MM Bio-3a, 3b, 3c, 4a, 4b, 4c, 5a, 5b, and 5c

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p>Original Project Mitigation Measures:</p> <p>Mitigation Measures Bio-3a, 3b, 3c, 4a, 4b, 4c, 5a, 5b, and 5c (see below) would reduce this impact to less than significant levels through mitigation specific to the special status species that the site could support.</p> <p>Revised Project Impact:</p> <p>Same as or marginally reduced from original Project. The Revised Project proposes home and roadway development on the same development footprint but does not include construction of a bridge or related disturbance. The impact would be revised as follows (deletions shown in strikeout). Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p>Impact Bio-1: Loss of Annual Grasslands. The Project will result in the permanent removal of up to 31.78 acres of non-native annual grassland habitat. An additional 1.18 acres will be temporarily disturbed for construction of the bridge and access road over Altamont Creek. Non-native annual grasslands are common throughout the region and removal of this plant community is not considered a significant impact unless special status species are known to use the habitat. Because the site has the potential to support several special status species, this impact would be considered potentially significant.</p> <p>Revised Project's Mitigation Measures:</p> <p>MM Bio-3a, 3b, 3c, 4a, 4b, 4c, 5a, 5b, and 5c as written for the original Project or with minor revisions (see below).</p>				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Original Project Impact:</u> Impact Bio-2: Loss of Designated Critical Habitat for Vernal Pool Fairy Shrimp. The Project will result in the permanent loss of up to 31.78 acres of grassland that is included within designated VPFS critical habitat. This is a potentially significant impact. <u>Original Project Mitigation Measures (as revised in Chapter 23):</u> Bio-2: Construction-Period Protection of Offsite Wetlands and Vernal Pools. The applicant shall implement the following measures to minimize the potential impact to off-site wetlands and vernal pools resulting from construction activities on the Project site. <ul style="list-style-type: none"> a) Stormwater Best Management Practices shall be implemented during construction activities to avoid the potential for sediments and other pollutants to enter the offsite wetland areas. b) Install fencing and signage identifying the limits of the wetlands and providing a physical barrier to keep construction equipment and personnel out of the sensitive habitat areas. c) Schedule grading in close proximity to offsite vernal pools during the non-rainy season in order to minimize potential for sedimentation of the pools. d) Stabilize the natural vegetated buffer between the grading area and the offsite wetlands during the early phases of construction so that it serves as a protective barrier for the wetlands. Stabilization can be accomplished through establishment of vegetation and/or temporary Best Management Practices to prevent erosion and sedimentation from occurring, such as erosion control mats, silt fences, fiber rolls, and/or soil binders. Mitigation Measure Geo-5 , which requires implementation of a construction-period stormwater pollution prevention plan including Best Management Practices for preventing construction-period stormwater pollution through soil stabilization, sediment control, wind erosion control, soil tracking control, non-storm water management, and waste management and materials pollution control, would also help to mitigate Impact Bio-2. (See below.)	Yes	No	No	Less than Significant with implementation of MM Bio-2 and Geo-5

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p><u>Revised Project Impact:</u></p> <p>Same as or marginally reduced from original Project. The Revised Project proposes home and roadway development on the same development footprint but does not include construction of a bridge or related disturbance. Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p><u>Revised Project's Mitigation Measures:</u></p> <p>MM Bio-2 and Geo-5 as written for the original Project.</p>				
<p><u>Original Project Impact:</u></p> <p>Impact Bio-3: Potential Take of Vernal Pool Fairy Shrimp. The Project will result in the permanent loss of approximately 0.004 acre of seasonal wetland that could be occupied by VPFS. This is a potentially significant impact.</p> <p><u>Original Project Mitigation Measures:</u></p> <p>Bio-3a: Conduct surveys to determine presence/absence of VPFS. Complete surveys following protocol deemed acceptable by the USFWS to determine presence/absence of VPFS in the seasonal wetland on the Project site prior to initiation of construction. The presence of VPFS can be assumed instead of implementing the surveys required by this measure. If no VPFS are found, no further mitigation is required. If VPFS are found or assumed to be present, implement Mitigation Measures 3b and 3c.</p> <p>Bio-3b: Obtain Authorization from USFWS for take of VPFS. If VPFS are found as a result of directed surveys or are assumed to be present, the Project applicant shall obtain authorization from USFWS for take of VPFS prior to filling or disturbance of the seasonal wetland. USFWS authorization may be obtained through Section 7 of the ESA as a component of the USACE permitting process (see wetland impacts below).</p>	Yes	No	No	Less than Significant with implementation of MM Bio-3a through -3c

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
Bio-3c: Obtain offsite compensatory habitat for loss of VPFS habitat if determined to be present. If VPFS are found as a result of directed surveys or are assumed to be present, compensatory habitat shall be provided for loss of this habitat at a 9:1, 10:1 or 11:1 mitigation ratio depending on the location of the mitigation site, as recommended in the East Alameda County Conservation Strategy (EACCS). Final replacement ratios shall be based on the assessed functions and values of an agency approved mitigation site. <u>Revised Project Impact:</u> Same as the original Project. The Revised Project proposes home and roadway development on the same development footprint, including disturbance of the small, 0.004 acre seasonal wetland area. Conclusions from the Draft EIR would remain valid for the Revised Project.				
<u>Revised Project's Mitigation Measures:</u> MM Bio-3a through -3c as written for the original Project.				
<u>Original Project Impact:</u> Impact Bio-4: Loss/Disturbance of Habitat for and Potential Take of Individual California Tiger Salamanders. The Project will result in the permanent loss of up to 31.78 acres and temporary disturbance of 0.08 acre of potential upland aestivation habitat for CTS. In addition, loss of the 0.004 acre seasonal wetland could result in loss of onsite breeding habitat for CTS. This is a potentially significant impact. <u>Original Project Mitigation Measures:</u> Bio-4a: Obtain Authorization from USFWS and CDFG for potential take of CTS. The Project applicant shall obtain authorization from USFWS and CDFG for potential take of CTS prior to initiation of any ground disturbance activities.	Yes	No	No	Less than Significant with implementation of MM Bio-4a through -4c

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p>Bio-4b: Obtain Offsite Compensatory Habitat for Loss/Disturbance of Potential Upland Aestivation Habitat for CTS. The compensatory habitat shall be provided at a 2.5:1 to 3:1 ratio for acres permanently lost and at a 1.5:1 ratio for areas temporarily disturbed, as recommended in the EACCS. Final replacement ratios shall be based on the assessed functions and values of an agency approved mitigation site. The mitigation site should be of sufficient quality and quantity to fully offset the permanent loss of habitat and should be permanently protected and managed in perpetuity with sufficient funding to maintain and enhance the quality of the site for CTS.</p> <p>Bio-4c: Implement Appropriate Measures during Construction to Minimize Potential Take of CTS. Minimization measures specified in the authorizations obtained from USFWS and CDFG shall be implemented prior to and during construction: Such measures could include the following:</p> <ul style="list-style-type: none"> • Project applicant shall contract with a Designated Biologist approved by USFWS and CDFG to monitor construction activities. • All earthwork in the construction area shall be confined to the period of June 15 to October 31, or as approved by USFWS and CDFG. • A barrier with one-way ramps shall be constructed around the limits of grading in the fall prior to the initiation of construction. This barrier will allow CTS to move out of the construction area during the fall/winter and keep them from returning in the spring. • Before any construction activities begin, the Designated Biologist will conduct a training session with construction personnel to describe the CTS and its habitat, the specific measures being implemented to minimize effect to the species, and boundaries of the construction area. • The Designated Biologist shall complete walking surveys of the construction area prior to initiation of ground-disturbing activities each day during the construction period. If any CTS are discovered, the Designated Biologist shall move the animal to a safe, nearby location as predetermined through consultation with USFWS and CDFG. 				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p><u>Revised Project Impact:</u></p> <p>Same as or marginally reduced from original Project. The Revised Project proposes home and roadway development on the same development footprint but does not include construction of a bridge or related disturbance. The impact would be revised as follows (deletions shown in strikeout). Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p>Impact Bio-4: Loss/Disturbance of Habitat for and Potential Take of Individual California Tiger Salamanders. The Project will result in the permanent loss of up to 31.78 acres and temporary disturbance of 0.08 acre of potential upland aestivation habitat for CTS. In addition, loss of the 0.004 acre seasonal wetland could result in loss of onsite breeding habitat for CTS. This is a potentially significant impact.</p> <p><u>Revised Project's Mitigation Measures:</u></p> <p>MM Bio-4a through -4c as written for the original Project.</p>				
<p><u>Original Project Impact:</u></p> <p>Impact Bio-5: Loss of Habitat for and Potential Take of Individual California Red-Legged Frogs. The Project will result in the permanent loss of up to 31.78 acres and temporary disturbance of 0.08 acre of potential upland habitat for CRLF. This is a potentially significant impact.</p> <p><u>Original Project Mitigation Measures (as revised in Chapter 23):</u></p> <p>Bio-5a: Obtain Authorization from USFWS for Potential Take of CRLF. The Project applicant shall obtain authorization from USFWS for potential take of CRLF prior to initiation of any ground disturbance activities.</p> <p>Bio-5b: Obtain Offsite Compensatory Habitat for Loss/Disturbance of Potential Upland Habitat for CRLF. The compensatory habitat shall be provided at a 2.5:1 to 3:1 ratio for the acres permanently lost and at a 1:1 ratio for areas temporarily disturbed, consistent with the</p>	Yes	No	No	Less than Significant with implementation of MM Bio-5a through -5c

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p>EACCS recommendations for the species. Final replacement ratios shall be based on the assessed functions and values of an agency approved mitigation site. The mitigation site can be the same as that obtained for Mitigation Measure Bio 4b, as long as there is sufficient area to provide habitat for both CRLF and CTS.</p> <p>Bio-5c: Implement Appropriate Measures during Construction to Minimize Potential Take of CRLF. Minimization measures specified in the authorizations obtained from USFWS shall be implemented prior to and during construction. Such measures are expected to be similar to those described for Mitigation Measure 4c.</p> <p><u>Revised Project Impact:</u></p> <p>Same as or marginally reduced from original Project. The Revised Project proposes home and roadway development on the same development footprint but does not include construction of a bridge or related disturbance. The impact would be revised as follows (deletions shown in strikeout). Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p>Impact Bio-5: Loss of Habitat for and Potential Take of Individual California Red-Legged Frogs. The Project will result in the permanent loss of up to 31.78 acres and temporary disturbance of 0.08 acre of potential upland habitat for CRLF. This is a potentially significant impact.</p> <p><u>Revised Project's Mitigation Measures:</u></p> <p>MM Bio-5a through -5c as written for the original Project.</p>				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Original Project Impact:</u> Impact Bio-6: Loss of burrowing owl habitat and potential harm to individual burrowing owls. The Project will result in the permanent loss of up to 31.78 acres of grasslands that provide habitat for the burrowing owl. Additionally, individual owls could be harmed during construction activities if they are occupying burrows on the site. This is a potentially significant impact.	Yes	No	No	Less than Significant with implementation of MM Bio-6a and -6b
<u>Original Project Mitigation Measures:</u> Bio-6a: Obtain Offsite Compensatory Habitat for Loss/Disturbance of potential burrowing owl habitat. The compensatory habitat to be obtained as described for Mitigation Measures Bio-4b and 5b should also be determined as occupied or suitable for burrowing owls in order to compensate for potential habitat loss resulting from the Project. Bio-6b: Conduct a Pre-Construction Burrowing Owl Survey. A pre-construction survey shall be conducted by a qualified biologist within 30 days prior to initiation of any ground-disturbing activities to ensure individual owls are not harmed. If the survey occurs during the breeding season (February 1 to August 31) and owls are observed on or within 250 feet of the area of disturbance, a 250-foot buffer should be established around the occupied burrow with construction fencing. The fenced area should remain in place for the duration of the breeding season while construction activities are occurring. If the survey is conducted outside of the breeding season and owls are observed, owl eviction may be allowed if authorized by CDFG.				
<u>Revised Project Impact:</u> Same as or marginally reduced from original Project. The Revised Project proposes home and roadway development on the same development footprint. Conclusions from the Draft EIR would remain valid for the Revised Project.				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Revised Project's Mitigation Measures:</u> MM Bio-6a and -6b as written for the original Project.				
<u>Original Project Impact:</u> Impact Bio-7: Potential Harm to Individual American Badgers. Although not observed on the Project site, there is potential for American badgers to use burrows on the property. Project construction activities could harm individual badgers if they occupy the site when grading begins. This is a potentially significant impact.	Yes	No	No	Less than Significant with implementation of MM Bio-7a and -7b
<u>Original Project Mitigation Measures (as revised in Chapter 23):</u> Bio-7a: Obtain Offsite Compensatory Habitat for Loss/Disturbance of Potential American Badger Habitat. The compensatory habitat to be obtained as described for Mitigation Measures Bio-4b and -5b will also be determined as occupied or suitable for American badger to compensate for potential habitat loss resulting from the Project. Bio-7b: Conduct a Pre-Construction American Badger Survey. A pre-construction survey shall be conducted by a qualified biologist no less than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities or any Project activity likely to impact potential burrows. If occupied burrows are found, one of the following actions shall be implemented by the applicant: 1. Initiate an on-site passive relocation program, through which badgers are excluded from occupied burrows by installation of a one-way door in burrow entrances, monitoring of the burrow for one week to confirm badger usage has been discontinued, and hand excavation and collapse of the burrow to prevent reoccupation; or 2. Have a qualified biologist actively trap and relocate badgers to suitable off-site habitat in coordination with the CDFG.				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p><u>Revised Project Impact:</u></p> <p>Same as or marginally reduced from original Project. The Revised Project proposes home and roadway development on the same development footprint as the original Project. Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p><u>Revised Project's Mitigation Measures:</u></p> <p>MM Bio-7a and -7b as written and revised for the original Project.</p>				
<p><u>Original Project Impact:</u></p> <p>Impact Bio-8: Loss of potential foraging habitat and potential harm to individual San Joaquin Kit Fox: The Project will result in the permanent loss of up to 31.78 acres of grassland within the historical range of SJKF. Additionally, there is a slight potential for kit fox to forage or den on the site. This is a potentially significant impact.</p> <p><u>Original Project Mitigation Measures:</u></p> <p>Bio-8a: Obtain Offsite Compensatory Habitat for Loss/Disturbance of potential SJKF habitat. The compensatory habitat to be obtained as described for Mitigation Measures Bio-4b and 5b should also be determined as occupied or suitable for SJKF in order to compensate for potential habitat loss resulting from the Project.</p> <p>Bio-8b: Conduct pre-construction surveys for San Joaquin kit fox: The pre-construction survey should be conducted by a qualified biologist no less than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities or any Project activity likely to impact the San Joaquin kit fox.</p> <ul style="list-style-type: none"> • If potential dens are present, their disturbance and destruction will be avoided. • If potential dens are located within the proposed work area and cannot be avoided during construction, qualified biologist will determine if the dens are occupied or were recently occupied using methodology coordinated with the USFWS and CDFG. 	Yes	No	No	Less than Significant with implementation of MM Bio-8

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<ul style="list-style-type: none"> If unoccupied, the qualified biologist will collapse these dens by hand in accordance with USFWS procedures (U.S. Fish and Wildlife Service 1999). Exclusion zones will be implemented following USFWS procedures (U.S. Fish and Wildlife Service 1999) or the latest USFWS procedures available at the time. The radius of these zones will follow current standards or will be as follows: Potential Den—50 feet; Known Den—100 feet; Natal or Pupping Den—to be determined on a case-by-case basis in coordination with USFWS and CDFG. Pipes will be capped and trenches will contain exit ramps to avoid direct mortality while construction area is active. 				
<p><u>Revised Project Impact:</u></p> <p>Same as or marginally reduced from original Project. The Revised Project proposes home and roadway development on the same development footprint as the original Project. Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p><u>Revised Project's Mitigation Measures:</u></p> <p>MM Bio-8a and -8b as written for the original Project.</p>				
<p><u>Original Project Impact:</u></p> <p>Impact Bio-9: Loss of Potential Habitat for and Potential Harm to Western Spadefoot Toad: The Project will result in the permanent loss of 0.004 acre of potential breeding habitat for western spadefoot toad and up to about 31 acres of potential burrowing habitat. Additionally, there is a slight potential for individual western spadefoot toads to be harmed during construction activities. This is a potentially significant impact.</p>	Yes	No	No	Less than Significant with implementation of MM Bio-9

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Original Project Mitigation Measures:</u> Bio-9: Conduct a pre-construction survey for western spadefoot toad. A survey for western spadefoot toad shall be conducted by a qualified biologist a maximum of one week prior to construction. The survey should include the potential breeding habitat and an area within 50 feet of that habitat. If a western spadefoot toad is found, the biologist shall move it to suitable habitat in a safe location outside of the construction zone. In the event that a western spadefoot toad is observed within an active construction zone, the contractor shall temporarily halt construction activities until a biologist has moved the toad to a safe location outside the construction zone, within similar habitat. <u>Revised Project Impact:</u> Same as or marginally reduced from original Project. The Revised Project proposes home and roadway development on the same development footprint as the original Project. Conclusions from the Draft EIR would remain valid for the Revised Project.				
<u>Revised Project's Mitigation Measures:</u> MM Bio-9 as written for the original Project.				
<u>Original Project Impact:</u> Impact Bio-10: Disturbance of Nesting Birds. Construction activities could adversely affect nesting birds protected by the Migratory Bird Treaty Act and/or Fish and Game Code of California. This is a potentially significant impact. <u>Original Project Mitigation Measures:</u> Bio-10: Conduct a Pre-Construction Nesting Bird Survey. Pre-construction surveys for nesting birds protected by the Migratory Bird Treaty Act of 1918 and/or Fish and Game Code of California shall be conducted within 30 days of initiation of construction activities. The survey area shall include the Project site and areas within 100 feet of the site. If active nests are found,	Yes	No	No	Less than Significant with implementation of MM Bio-10

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p>the Project shall follow recommendations of a qualified biologist regarding the appropriate buffer in consideration of species, stage of nesting, location of the nest, and type of construction activity. The buffer shall be maintained until after the nestlings have fledged and left the nest. If there is a complete stoppage in construction activities for 30 days or more, a new nesting-survey shall be completed prior to re-initiation of construction activities.</p> <p><u>Revised Project Impact:</u></p> <p>Same as or marginally reduced from original Project. The Revised Project proposes home and roadway development on the same development footprint as the original Project, so would have the same potential to impact nesting birds. Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p><u>Revised Project's Mitigation Measures:</u></p> <p>MM Bio-10 as written for the original Project.</p>				
<p><u>Original Project Impact:</u></p> <p>Impact Bio-11: Fill of Jurisdictional Wetlands: The proposed activity will permanently impact approximately 0.004 acre of seasonal wetland habitat and 0.053 acre (290 linear feet) of intermittent drainage channel habitat (Altamont Creek). Both of these areas are jurisdictional waters/wetlands. This is a potentially significant impact.</p> <p><u>Original Project Mitigation Measures:</u></p> <p>Bio11a: Obtain authorization from USACE, CDFG and RWQCB for fill of wetlands and alteration of Altamont Creek. The applicant shall obtain the necessary permits from the USACE, CDFG and RWQCB pursuant to §404 of the Clean Water Act, §1602 of the California Fish and Game Code, and §401 of the Clean Water Act, respectively.</p> <p>Bio-11b: Re-creation of Jurisdictional Waters along Altamont Creek. The applicant shall create a new channel segment located several feet to the north of the existing channel alignment</p>	Yes, except MM Bio-11b no longer applicable.	No	No	Less than Significant with implementation of MM Bio-11a and -11c (MM Bio-11b no longer applicable)

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p>to replace the reach impacted by the bridge crossing. The new channel segment shall extend 310 linear feet and contain an average width of 8-10 feet, mimicking the channel dimensions of the impacted segment of Altamont Creek. The total jurisdictional area provided by the new channel is approximately 0.071 acre. Enhancement measures such as riparian planting would also take place if approved by Zone 7.</p> <p>Bio-11c: Re-creation of 0.004 Acre of Seasonal Wetland. The applicant shall create a minimum of 0.004 acre of seasonal wetland habitat either onsite or offsite to replace the area lost through Project construction. Creation of this habitat shall be done in consultation with USFWS if the existing seasonal wetland is found to support VPFS (see Mitigation Measure Bio-4c).</p> <p><u>Revised Project Impact:</u></p> <p>Same as or marginally reduced from original Project. The Revised Project proposes home and roadway development on the same development footprint but does not include construction of a bridge or related disturbance. The impact would be revised as follows (deletions shown in strikeout). Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p>Impact Bio-11: Fill of Jurisdictional Wetlands: The proposed activity will permanently impact approximately 0.004 acre of seasonal wetland habitat and 0.053 acre (290 linear feet) of intermittent drainage channel habitat (Altamont Creek). Both of these areas are jurisdictional waters/wetlands. This is a potentially significant impact.</p> <p><u>Revised Project's Mitigation Measures:</u></p> <p>MM Bio-11a and -11c as written for the original Project remain applicable to the Revised Project.</p> <p>MM Bio-11b is no longer applicable as the Revised Project does not include a bridge and therefore would not impact Altamont Creek alignment.</p>				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Original Project Impact:</u> Impact Bio-12: Removal of a Portion of a Potential Wildlife Corridor. The Project site is adjacent to existing residential development to the east and south and open space to the north and west. While it may currently be used as a wildlife corridor, development of the property would not disrupt that corridor, as open space will remain to the north and east. Consequently, the Project has a less than significant impact on wildlife corridors.	Yes	No	No	Less than Significant
<u>Original Project Mitigation Measures:</u> No mitigation warranted				
<u>Revised Project Impact:</u> Same as or marginally reduced from original Project. The Revised Project proposes home and roadway development on the same development footprint as the original Project. Conclusions from the Draft EIR would remain valid for the Revised Project.				
<u>Revised Project's Mitigation Measures:</u> None recommended				
CULTURAL RESOURCES				
<u>Original Project Impact:</u> Impact Culture-1: Disturbance of Unidentified Archaeological Resources, Paleontological Resources or Human Remains. During earth-moving activities at the Project site, it is possible that unidentified archaeological resources, paleontological resources, or human remains could be uncovered and disturbed. This is a potentially significant impact.	Yes	No	No	Less than Significant with implementation of MM Culture-1a through -1c.

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Original Project Mitigation Measures:</u> <p>Culture-1a: Halt Construction Activity, Evaluate Find and Implement Mitigation. In the event that previously unidentified historical resources are uncovered during site preparation, excavation or other construction activity, all such activity within 25 feet of the discovery shall cease until the resources have been evaluated by a qualified archaeologist, and specific mitigation measures can be implemented to protect these resources in accordance with sections 21083.2 and 21084.1 of the California Public Resources Code.</p> <p>Culture-1b: Prepare Mitigation Plan, Halt Construction Activity, Evaluate Find and Implement Mitigation. Because of the high potential for unique paleontological resources within the Project area, a qualified professional Paleontologist shall prepare a Paleontological Mitigation Plan outlining a paleontological monitoring plan and a salvage plan to be implemented during construction excavation and other ground-disturbing activities for the Project. The Paleontological Mitigation Plan should include the following: in the event that previously unidentified paleontological resources are uncovered during site preparation, excavation or other construction activity, all such activity within 25 feet of the discovery shall cease until the resources have been evaluated by a qualified Paleontologist, and specific mitigation measures can be implemented to protect these resources in accordance with sections 21083.2 and 21084.1 of the California Public Resources Code.</p> <p>Culture-1c: Halt Construction Activity, Evaluate Remains and Take Appropriate Action in Coordination with Native American Heritage Commission. In the event that human remains are uncovered during site preparation, excavation or other construction activity, all such activity within 25 feet of the discovery shall cease until the remains have been evaluated by the County Coroner, and appropriate action taken in coordination with the Native American Heritage Commission, in accordance with section 7050.5 of the California Health and Safety Code or, if the remains are Native American, section 5097.98 of the California Public Resources Code.</p>				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Revised Project Impact:</u> <p>Same as or marginally reduced from original Project. The Revised Project proposes home and roadway development on the same development footprint as the original Project. Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <u>Revised Project's Mitigation Measures:</u> <p>MM Culture-1a through -1c as written for the original Project.</p>				
GEOLOGY AND SOILS				
<u>Original Project Impact:</u> <p>Impact Geo-1: Earthquake Fault Zone. The northeastern portion of the Project site is included in the Alquist-Priolo Earthquake Fault Zone for the Greenville fault. However, a focused geologic investigation has demonstrated that there are no active or potentially active fault traces at the site. The impact related to earthquake faults would be less than significant.</p> <u>Original Project Mitigation Measures:</u> <p>No mitigation warranted</p> <u>Revised Project Impact:</u> <p>Same as the original Project. The Revised Project proposes home and roadway development on the same development footprint as the original Project. Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <u>Revised Project's Mitigation Measures:</u> <p>None recommended</p>	Yes	No	No	Less than Significant

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Original Project Impact:</u> Impact Geo-2: Seismic Hazards. The Project is located in a seismically active region and likely to be subject to strong seismic shaking during the life of the improvements. The potential for liquefaction is considered to be low, though densification and lateral spreading is possible. The impact related to seismic hazards would be potentially significant.	Yes	No	No	Less than Significant with implementation of MM Geo-2.
<u>Original Project Mitigation Measures:</u> Geo-2: Compliance with a design-level Geotechnical Investigation report prepared by a Registered Geotechnical Engineer and with Structural Design Plans as prepared by a Licensed Professional Engineer. Proper slope and foundation engineering and construction shall be performed in accordance with the recommendations of a Registered Geotechnical Engineer and a Licensed Professional Engineer. The structural engineering design, with supporting Geotechnical Investigation, shall incorporate seismic parameters compliant with the California Building Code.				
<u>Revised Project Impact:</u> Same as the original Project. The Revised Project proposes home and roadway development on the same development footprint as the original Project. Conclusions from the Draft EIR would remain valid for the Revised Project.				
<u>Revised Project's Mitigation Measures:</u> MM Geo-2 as written for the original Project				
<u>Original Project Impact:</u> Impact Geo-3: Unstable Soils and Slope Stability. The topography and soils at the Project site represents a concern for unstable soils and landslides if not properly mitigated. The impact related to unstable soils and landslides would be potentially significant.	Yes	No	No	Less than Significant with implementation of MM Geo-2.

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p><u>Original Project Mitigation Measures:</u></p> <p>Mitigation Measure Geo-2 would also serve to mitigate Impact Geo-3 through requiring compliance with a design-level geotechnical investigation and recommendations. (See above.)</p> <p><u>Revised Project Impact:</u></p> <p>Same as the original Project. The Revised Project proposes home and roadway development on the same development footprint as the original Project. Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p><u>Revised Project's Mitigation Measures:</u></p> <p>MM Geo-2 as written for the original Project.</p>				
<p><u>Original Project Impact:</u></p> <p>Impact Geo-4: Expansive Soils. The Project proposes deep fill in some locations that could result in swell/settlement if not properly mitigated. The impact related to expansive soils would be potentially significant.</p> <p><u>Original Project Mitigation Measures:</u></p> <p>Mitigation Measure Geo-2 would also serve to mitigate Impact Geo-4 through requiring compliance with a design-level geotechnical investigation and recommendations. (See above.)</p> <p><u>Revised Project Impact:</u></p> <p>Same as the original Project. The Revised Project proposes home and roadway development on the same development footprint as the original Project. Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p><u>Revised Project's Mitigation Measures:</u></p> <p>MM Geo-2 as written for the original Project.</p>	Yes	No	No	Less than Significant with implementation of MM Geo-2.

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p><u>Original Project Impact:</u></p> <p>Impact Geo-5: Construction-Period Soil Erosion. Grading and construction activities will expose soil to the elements, which would be subject to erosion during storm events. This is a potentially significant impact.</p> <p><u>Original Project Mitigation Measures:</u></p> <p>Geo-5: Construction-Period Stormwater Pollution Prevention Plan (SWPPP). The Project applicant shall prepare and implement a SWPPP for the proposed construction period. The SWPPP and Notice of Intent (NOI) must be submitted to the State Water Resources Control Board to receive a Construction General Permit. The plan shall address National Pollutant Discharge Elimination System (NPDES) requirements, include applicable monitoring, sampling and reporting, and be designed to protect water quality during construction. The Project SWPPP shall include “Best Management Practices” (BMPs) as required by the State and the Regional Water Quality Control Board for preventing stormwater pollution through soil stabilization, sediment control, wind erosion control, soil tracking control, non-storm water management, and waste management and materials pollution control.</p> <p>The SWPPP shall take into account the following considerations recommended by the preliminary geotechnical report:</p> <ul style="list-style-type: none"> • Ponding of stormwater, other than within engineered detention basins, should not be permitted at the site, particularly during work stoppage for rainy weather. Before the grading is halted by rain, positive slopes should be provided to carry surface runoff to storm drainage structures in a controlled manner to prevent erosion damage. • The tops of fill or cut slopes should be graded in such a way as to prevent water from flowing freely down the slopes. Due to the nature of the site soil and bedrock, graded slopes may experience severe erosion when grading is halted by heavy rain. Therefore, before work is stopped, a positive gradient away from the tops of slopes should be provided to carry the surface runoff away from the slopes to areas where erosion can be controlled. It is vital that 	Yes	No	No	Less than Significant with implementation of MM Geo-5.

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p>no completed slope be left standing through a winter season without erosion control measures having been provided.</p> <ul style="list-style-type: none"> Because the existing bedrock is relatively nutrient-poor, it may be difficult for vegetation to become properly established, resulting in a potential for slope erosion. Revegetation of graded slopes can be aided by retaining the organic-rich strippings and spreading these materials in a thin layer (approximately 6 inches thick) on the graded slopes prior to the winter rains and following rough grading. When utilizing this method, it is sometimes possible to minimize hydroseeding. <p><u>Revised Project Impact:</u></p> <p>Same as the original Project. The Revised Project proposes home and roadway development on the same development footprint as the original Project. Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p><u>Revised Project's Mitigation Measures:</u></p> <p>MM Geo-5 as written for the original Project.</p>				
GREENHOUSE GAS (GHG) EMISSIONS				
<p><u>Original Project Impact:</u></p> <p>Impact GHG-1: Increased GHG Emissions. Construction and operation of the proposed Project would be additional sources of GHG emissions, primarily through consumption of fuel for transportation and energy usage on an ongoing basis. This is a potentially significant impact.</p> <p><u>Original Project Mitigation Measures:</u></p> <p>GHG-1: Increased Energy Efficiency. The Project shall demonstrate proposed energy efficiency at least 16% greater than Title 24 requirements prior to issuance of building permits.</p>	Yes	No	No	Less than Significant with implementation of MM GHG-1.

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p><u>Revised Project Impact:</u></p> <p>Same as or marginally reduced from original Project. The Revised Project proposes fewer homes on the same development footprint and would have similar though marginally reduced GHG emissions from homes and vehicle trips. Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p><u>Revised Project's Mitigation Measures:</u></p> <p>MM GHG-1 as written for the original Project.</p>				
<p><u>Original Project Impact:</u></p> <p>Impact GHG-2: Compliance with Livermore Climate Change Element. The Project plans are not detailed enough at this stage to determine consistency with best management practices included in the Climate Change Element of the Livermore General Plan. This is a potentially significant impact.</p> <p><u>Original Project Mitigation Measures/Conditions of Approval:</u></p> <p>GHG-2: GHG Emissions Reduction Best Management Practices (BMPs). The Project shall demonstrate proposed compliance with City of Livermore General Plan Climate Change Element BMPs prior to issuance of building permits, including the following. If the City's Climate Action Plan is approved prior to issuance of permits, requirements of the Climate Action Plan can be substituted for the BMPs below.</p> <ul style="list-style-type: none"> • Climate BMP No. 1 – Energy-efficient buildings in compliance with the Livermore Green Building Ordinance. • Climate BMP No. 2 – Use of energy-efficient appliances that meet Energy Star standards. • Climate BMP No. 3 – Incorporate solar roofs into commercial development. Residential development to be “solar-ready” including proper solar orientation (south facing roof area sloped at 20° to 55° from the horizontal), clear access on the south sloped roof (no chimneys, 	Yes	No	No	Less than Significant with implementation of MM GHG-2.

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p>heating vents, plumbing vents, etc.), electrical conduit installed for solar electric system wiring, plumbing installed for solar hot water system, and space provided for a solar hot water storage tank.</p> <ul style="list-style-type: none"> • Climate BMP No. 4 – Incorporate transit and bicycle/pedestrian connections into development. • Climate BMP No. 5 – has been omitted as it applies only to Commercial/Industrial projects. • Climate BMP No. 6 – has been omitted as it applies to parking lots and structures. • Climate BMP No. 7 – In compliance with the Construction and Demolition Ordinance, recycle construction materials and divert construction waste from disposal as feasible. • Climate BMP No. 8 – Include recycling facilities to provide for commercial and/or community recycling of plastic, paper, green waste, and food waste. • Climate BMP No. 9 –Incorporate “heat island” treatments including cool roofs, cool pavements, and strategically placed shade trees. • Climate BMP No. 10 –Use landscaping that meets the City’s Water Efficient Landscape Ordinance. <p>Revised Project Impact:</p> <p>Same as the original Project. The Revised Project proposes fewer homes on the same development footprint though also does not include enough detail to assess compliance with BMPs. Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p>Revised Project’s Mitigation Measures:</p> <p>MM GHG-2 as written for the original Project.</p>				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
HAZARDOUS MATERIALS				
<u>Original Project Impact:</u> Impact Haz-1: Routine transportation, use or disposal of hazardous materials. Construction activities routinely utilize fuels and oils in construction equipment that may be considered hazardous and residential operations do not generally utilize substantial amounts of hazardous materials. Compliance with applicable regulations would ensure that the impact is less than significant.	Yes	No	No	Less than Significant
<u>Original Project Mitigation Measures:</u> No mitigation warranted.				
<u>Revised Project Impact:</u> Same as or marginally reduced from the original Project. The Revised Project proposes fewer homes on the same development footprint though does not include bridge construction. Conclusions from the Draft EIR would remain valid for the Revised Project.				
<u>Revised Project's Mitigation Measures:</u> None recommended				
<u>Original Project Impact:</u> Impact Haz-2: Oil Seepage Possibility. Because there are oil seepage issues on a nearby site, it is possible, though unlikely, that near-surface oil could exist on the Project site. The possibility of future oil seepage from near-surface oil is a potentially significant impact.	Yes	No	No	Less than Significant with implementation of MM Haz-2
<u>Original Project Mitigation Measures:</u> Haz-2: Confirm Absence of Near Surface Oil or Implement Overexcavation. The absence of naturally occurring oil should be confirmed during grading of the site. If oil is encountered				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p>during grading, the following overexcavation shall be implemented:</p> <ul style="list-style-type: none"> • The area where naturally occurring near surface oil is encountered shall be overexcavated a minimum of 10 feet below proposed finish grade and replaced with engineered fill. This will provide a low permeable fill cap to prevent the upward migration of oil. • Where proposed storm drain lines cross areas where naturally occurring near surface oil is encountered, the area shall be overexcavated a minimum of 5 feet beyond the outside diameter of the proposed storm drain line. The excavation should be backfilled with engineered fill and the storm drain line trenched through the fill. The storm drain trench within the previously overexcavated and backfilled area should be lined with 20 mil visqueen prior to placement of shoring and the storm drain line. • In every case the utility lines shall be designed to be airtight to prevent potential oil from entering the utility lines. • Any stormwater underdrains shall be shallow or eliminated in areas of potential oil seepage. • If oil is encountered then an oil/water separator shall be installed to treat stormwater prior to entering the creek. • A Community Facilities District, or other funding mechanism approved by the City, shall be formed in order to fund remedies to public infrastructure and utilities in the event oil seepage occurs after construction of the Project. <p><u>Revised Project Impact:</u></p> <p>Same as the original Project. The Revised Project proposes fewer homes on the same development footprint, and while not anticipated, has the same potential for oil seepage. Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p><u>Revised Project's Mitigation Measures:</u></p> <p>MM Haz-2 as written for the original Project.</p>				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Original Project Impact:</u> Impact Haz-3: Construction at a Wildland-Urban Interface. Wildland fire hazard is considered moderate in the undeveloped portions of Livermore and the surrounding area. Compliance with the Wildland-Urban Interface Code, as required during design review, would ensure that the impact is less than significant.	Yes	No	No	Less than Significant
<u>Original Project Mitigation Measures:</u> No mitigation warranted.				
<u>Revised Project Impact:</u> Same as or marginally reduced from the original Project. The Revised Project proposes development in the same location and would require design review and compliance with the Wildland-Urban Interface Code. Conclusions from the Draft EIR would remain valid for the Revised Project.				
<u>Revised Project's Mitigation Measures:</u> None recommended				
HYDROLOGY				
<u>Original Project Impact:</u> Impact Hydro-1: Construction-Period Erosion and Siltation. Construction of the proposed Project would involve grading activities that would disturb soils at the site. Such disturbance would present a threat of soil erosion by subjecting unprotected bare soil areas to runoff during construction, which could result in siltation to receiving waters. This is a potentially significant impact.	Yes	No	No	Less than Significant with implementation of MM Geo-5

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p><u>Original Project Mitigation Measures:</u></p> <p>Mitigation Measure Geo-5, which requires implementation of a construction-period stormwater pollution prevention plan including Best Management Practices for preventing construction-period stormwater pollution through soil stabilization, sediment control, wind erosion control, soil tracking control, non-storm water management, and waste management and materials pollution control, would also mitigate Impact Hydro-1. (See above.)</p> <p><u>Revised Project Impact:</u></p> <p>Same as or marginally reduced from the original Project. The Revised Project proposes fewer homes on the same development footprint though does not include bridge construction. Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p><u>Revised Project's Mitigation Measures:</u></p> <p>MM Geo-5 as written for the original Project.</p>				
<p><u>Original Project Impact:</u></p> <p>Impact Hydro -2: Surface Water Contamination from existing Oil on Groundwater. Construction of underdrains beneath swales and storm drain systems that are not water tight can potentially allow oil laden groundwater to seep in and deliver contaminated water to the creek.</p> <p><u>Original Project Mitigation Measures:</u></p> <p>Mitigation Measure Haz-2 requires implementation of a monitoring program and remediation plan if oil is discovered in the storm drain or swale underdrain system and would mitigate Impact Hydro-2. (See above.)</p>	Yes	No	No	Less than Significant with implementation of MM Haz-2

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Revised Project Impact:</u> <p>Same as or marginally reduced from the original Project. The Revised Project proposes fewer homes on the same development footprint though does not include bridge construction. Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <u>Revised Project's Mitigation Measures:</u> <p>MM Haz-2 as written for the original Project.</p>				
<u>Original Project Impact:</u> <p>Impact Hydro-3: Altered Streambed and Runoff. The Project will modify the collection and treatment of stormwater before release into Altamont Creek and will require re-alignment of Altamont Creek at the site of the proposed Hawk Street bridge. While the Project would alter the existing drainage pattern and flow of stormwater along the creek, such changes would not result in increased erosion, siltation or on- or off- site flooding. This is a less than significant impact.</p> <u>Original Project Mitigation Measures:</u> <p>No mitigation warranted.</p> <u>Revised Project Impact:</u> <p>Same as or marginally reduced from original Project. The Revised Project proposes home and roadway development on the same development footprint but does not include construction of a bridge or related streambed disturbance. The impact would be revised as follows (deletions shown in strikeout). Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p>Impact Hydro-3: Altered Streambed and Runoff. The Project will modify the collection and treatment of stormwater before release into Altamont Creek and will require re-alignment of Altamont Creek at the site of the proposed Hawk Street bridge. While the Project would alter the</p>	Yes	No	No	Less than Significant

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
existing drainage pattern and flow of stormwater along the creek , such changes would not result in increased erosion, siltation or on- or off- site flooding. This is a less than significant impact. <u>Revised Project's Mitigation Measures:</u> None recommended				
LAND USE				
<u>Original Project Impact:</u> Impact Plan-1: Increased Density. The City's 2003 General Plan identifies the existing use at the site as Allocated Residential and the land use designation as Urban Low Residential 1-1.5 dwelling units per acres. The development proposed is of a higher density than currently allowed under the existing General Plan. The current General Plan designation would allow a maximum of 47 units on the property. Therefore, a General Plan Amendment is required in order to allow the proposed Project. However, the Planned Unit Development for the Maralisa development states that a portion of the density for the Project site was transferred to properties south of Altamont Creek, and the maximum number of units permitted on the Project site is 76 units. The Project site was not developed as a phase of the Maralisa project since environmental constraints were unknown at that time. However, subsequent detailed environmental analysis indicates that the site could be developed without significant impacts to the environment and can support this infill development at a density originally envisioned under the Urban Low Medium Residential designation. The proposed Project would be generally consistent with the goals and policies of the General Plan though would require special consideration to allow the proposed density. This is a less than significant impact.	No longer applicable	No	No	No Impact (original Project was Less than Significant)
<u>Original Project Mitigation Measures:</u> No mitigation warranted				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Revised Project Impact:</u> Impact Plan-1 is no longer applicable to the Revised Project as the Revised Project is consistent with development density allowed under the current General Plan designation. The Revised Project would have no impact in this regard.				
<u>Revised Project's Mitigation Measures:</u> None recommended				
NOISE				
<u>Original Project Impact:</u> Impact Noise-1: Noise and Land Use Compatibility. Residential uses that would be developed would be exposed to exterior noise levels considered “normally acceptable” by the Livermore General Plan. This is a less-than-significant impact.	Yes	No	No	Less than Significant
<u>Original Project Mitigation Measures:</u> No mitigation warranted				
<u>Revised Project Impact:</u> Same as the original Project. The Revised Project proposes fewer homes on the same development footprint in the same noise environment as the original Project. Conclusions from the Draft EIR would remain valid for the Revised Project.				
<u>Revised Project's Mitigation Measures:</u> None recommended				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Original Project Impact:</u> Impact Noise-2: Ground-borne Noise and Vibration. There are no sources of ground-borne noise or vibration that affect the Project area or would result from development of the Project area. This is a less-than-significant impact. <u>Original Project Mitigation Measures:</u> No mitigation warranted <u>Revised Project Impact:</u> Same as the original Project. The Revised Project proposes fewer homes on the same development footprint in the same noise environment as the original Project. Conclusions from the Draft EIR would remain valid for the Revised Project. <u>Revised Project's Mitigation Measures:</u> None recommended	Yes	No	No	Less than Significant
<u>Original Project Impact:</u> Impact Noise-3: Permanent Noise Level Increases. Project-generated traffic would cause noise levels to increase by less than 3 dBA CNEL along roadways adjoining existing residences in the area. This is a less-than-significant impact. <u>Original Project Mitigation Measures:</u> No mitigation warranted. <u>Revised Project Impact:</u> Similar to the original Project. The Revised Project proposes fewer homes on the same development footprint as the original Project, with revised vehicle circulation for fewer overall vehicles. Conclusions from the Draft EIR would remain valid for the Revised Project.	Yes	No	No	Less than Significant

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Revised Project's Mitigation Measures:</u> None recommended				
<u>Original Project Impact:</u> Impact Noise-4: Construction Period Noise Impact. The construction activities necessary to develop the Project would elevate noise levels in the areas near active construction sites but would comply with applicable Livermore regulations and would not cause a substantial temporary or periodic increase in ambient noise levels. This is a less-than-significant impact.	Yes	No	No	Less than Significant
<u>Original Project Mitigation Measures:</u> No mitigation warranted				
<u>Revised Project Impact:</u> Same as or reduced from the original Project. The Revised Project proposes fewer homes on the same development footprint as the original Project, with no bridge construction, so would have somewhat less construction activity and related construction noise. Conclusions from the Draft EIR would remain valid for the Revised Project.				
<u>Revised Project's Mitigation Measures:</u> None recommended				
<u>Original Project Impact:</u> Impact Noise-5: Aircraft Noise Impact. The Project site is located more than two miles from Livermore Municipal Airport. Noise exposure contours for the airport show that the noise exposure is less than 60 dBA CNEL. The site is located outside of the airport protection area and the airport influence area. This is a less-than-significant impact.	Yes	No	No	Less than Significant
<u>Original Project Mitigation Measures:</u> No mitigation warranted				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p><u>Revised Project Impact:</u></p> <p>Same as the original Project. The Revised Project proposes fewer homes on the same development footprint in the same noise environment as the original Project. Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p><u>Revised Project's Mitigation Measures:</u></p> <p>None recommended</p>				
<p><u>Original Project Impact:</u></p> <p>Impact Noise-6: Cumulative Noise Level Increases. The Project would not make a cumulatively considerable contribution to increased traffic noise in the area. This is a less-than-significant impact.</p> <p><u>Original Project Mitigation Measures:</u></p> <p>No mitigation warranted</p> <p><u>Revised Project Impact:</u></p> <p>Similar to the original Project. The Revised Project proposes fewer homes on the same development footprint as the original Project, with revised vehicle circulation for fewer overall vehicles. Conclusions from the Draft EIR would remain valid for the Revised Project.</p> <p><u>Revised Project's Mitigation Measures:</u></p> <p>None recommended</p>	Yes	No	No	Less than Significant

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
POPULATION, PUBLIC SERVICES, RECREATION				
<u>Original Project Impact:</u> Impact Pop-1: Population Growth. The Project would result in an increase of 218 residents at the Project site. However, this increase is consistent with local and regional projections and contributes to a jobs-housing balance in the area. The impact related to population growth would be considered a less than significant impact.	Yes	No	No	Less than Significant
<u>Original Project Mitigation Measures:</u> No mitigation warranted.				
<u>Revised Project Impact:</u> Same as or marginally reduced from original Project. The Revised Project proposes 47 homes and would result in an increase of approximately 135 residents. The impact would be revised as follows (deletions shown in strikeout and additions underlined). Conclusions from the Draft EIR would remain valid for the Revised Project. Impact Pop-1: Population Growth. The Project would result in an increase of <u>218</u> <u>135</u> residents at the Project site. However, this increase is consistent with local and regional projections and contributes to a jobs-housing balance in the area. The impact related to population growth would be considered a less than significant impact.				
<u>Revised Project's Mitigation Measures:</u> None recommended				
<u>Original Project Impact:</u> Impact Services-1: Increased Public Service Demand. The Project would increase the number of residents at the site. However, the Project could be adequately served with existing facilities and the impact related to public services would be considered less than significant.	Yes	No	No	Less than Significant

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Original Project Mitigation Measures:</u> No mitigation warranted.				
<u>Revised Project Impact:</u> Same as or reduced from the original Project. The Revised Project proposes fewer homes and therefore fewer residents and lower demand for services than the original Project. Conclusions from the Draft EIR would remain valid for the Revised Project.				
TRANSPORTATION AND CIRCULATION				
<u>Original Project Impact:</u> Impact Traf-1: Project-Generated Traffic. Traffic generated by the proposed Project would increase traffic levels at vicinity intersections. However, these increases would either still be within acceptable service levels or not contribute to delays above threshold levels. This is a less than significant impact.	Yes	No	No	Less than Significant
<u>Original Project Mitigation Measures:</u> No mitigation warranted				
<u>Revised Project Impact:</u> Same as original Project. Overall Project trips would be reduced from that assumed for the original Project. While the redistribution of trips resulting from omission of the Hawk Street bridge could result in slightly more vehicles at some intersections, the above impact statement remains correct. (See Table 2 in Attachment I for detailed results.)				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Revised Project's Mitigation Measures:</u> None recommended				
<u>Original Project Impact:</u> Impact Traf-2: Project-Generated Traffic contribution to Freeway. Traffic generated by the proposed Project would increase the number of vehicles on I-580 during peak-hours. This is a less than significant impact.	Yes	No	No	Less than Significant
<u>Original Project Mitigation Measures:</u> No mitigation warranted				
<u>Revised Project Impact:</u> Same as or reduced from the original Project. With fewer residential units, marginally fewer vehicles would travel on I-580, resulting in a somewhat reduced impact from that already below threshold levels.				
<u>Revised Project's Mitigation Measures:</u> None recommended				
<u>Original Project Impact:</u> Impact Traf-3: Conflict with Pedestrian-Bicycle Trail. The Project would install the Hawk Street bridge across the existing Altamont Creek Trail. This is a potentially significant impact.	No longer applicable	No	No	No Impact (original Project was Less than Significant)
<u>Original Project Mitigation Measures:</u> Traf-3: Trail Crossing and Bridge Design. The Project shall design the Hawk Street Bridge for pedestrian, bicycle, and equestrian access at the trail crossings and on the bridge itself.				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p>In terms of the trails' intersection with Hawk Street (perpendicular to the bridge), the Federal Highway Administration recommends that the following elements are included:</p> <ul style="list-style-type: none"> • The trail should intersect the street at a 90-degree angle; • Increase trail width at the intersection to reduce user conflicts; • Provide good sight lines for both motorists and trail users; • Provide signage to ensure that motorists are aware of the trail crossing; • Provide a visible crosswalk across the intersection to increase trail user and motorist awareness; • Signs, both on the road and the trail, should clearly indicate whether motorists or trail users have the right of way; • Use curb ramps as required, including detectable warnings to ensure that trail users with vision impairments are aware of the street. Curb ramps should be designed and located in accordance with Section 16.3.1.d; and • At a road and trail intersection, raising the level of the road up to the level of the trail can eliminate the need for curb ramps and contributes to traffic calming because of the raised crosswalk that is created (see Section 8.4). If this design is used, detectable warnings should be included between the edge of the trail and the roadway to ensure that users with vision impairments can identify the intersection. <p>Instead of striping a standard crosswalk at roadway crossings, some trails use nonstandard crosswalk patterns in locations where cyclists are expected to ride across a roadway instead of dismounting and walking across. For example, crossings where cyclists are supposed to ride can be indicated with parallel dashed lines and bike symbols. Nonstandard striping indicates to drivers and trail users that the crossing is different than a standard crosswalk situation.</p> <p>Pedestrian and bicycle access across the Hawk Street bridge should be provided on both sides and be designed for safe and convenient access, per the City of Livermore's design standards.</p>				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
Revised Project Impact: The Revised Project does not include the previously-proposed Hawk Street bridge, so there is not potential for conflict between bridge vehicular traffic and pedestrian/bicycle trail users. Impact Traf-3 is not applicable to the Revised Project.				
Revised Project's Mitigation Measures: Mitigation Measure Traf-3 is no longer applicable to the Revised Project.				
Original Project Impact: Impact Traf-4: Project-Generated Transit Demand. The Project may increase levels of transit usage in the vicinity. However, the Project has adequate access to existing transit opportunities with available capacity and would not impede or interfere with existing services. This is a less than significant impact.	Yes	No	No	Less than Significant
Original Project Mitigation Measures: No mitigation warranted				
Revised Project Impact: Same as original Project. The Project is in the same location relative to transit stops, though omission of the previously-proposed bridge would provide less convenient access to the closest bus stop, increasing the distance traveled from 0.19 miles to 0.64 miles. The train station remains approximately 2 miles away. With fewer residential units, there would be marginally less demand for transit expected.				
Revised Project's Mitigation Measures: None recommended				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Original Project Impact:</u> Impact Traf-5: Hazards Due to Design Features or Incompatible Uses. The proposed Project includes installation of new internal roadways, trail access to open space areas, provision of a bridge and new access points from existing streets, and a roadway crossing of the Altamont Creek Trail that could result in hazards if the details are not properly designed. This is a potentially significant impact.	Yes	No	No	Less than Significant with implementation of MM Traf-5.
<u>Original Project Mitigation Measures (as revised in Chapter 23):</u> Traf-5: Hazards Due to Design Features or Incompatible Uses. The Project's on-site transportation elements, such as sight distances, driveway locations, and marked crosswalk locations, have been reviewed by the Livermore staff with design-level project approvals and meet applicable local regulations. The following design details are recommended, though final details will be determined through consultation with Livermore staff, taking into consideration constraints of the site: a) The stem of each intersection should be stop-controlled or contain other intersection controls. b) Livermore thoroughfare standards should be followed, which could involve narrowed vehicle lanes, widened sidewalks, reduced corner radii, and installation of corner bulb-outs. Narrower vehicle travel lanes and tighter corner radii with bulb-outs are associated with lower vehicle travel speeds, increased visibility between pedestrians and motorists, and reduce pedestrian roadway exposure. c) The mid-block trail crossings on Street A between Lot D and Lot B, and on Street B between Lot A and Lot B should be marked with warning signs and a high-visibility crosswalk and include bulb-outs and lighting to enhance pedestrian visibility. d) According to Livermore's Municipal Code 3-15-050, driveways should be located more than 20 feet from the corners.				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Revised Project Impact:</u> Same as the original Project. City staff have reviewed the Revised Project to ensure design features, such as location of driveways and marked crosswalks do not create hazards. The difference is that the bridge is no longer proposed. The impact would be revised as follows (deletions shown in strikeout and additions underlined). Conclusions from the Draft EIR would remain valid for the Revised Project. Impact Traf-5: Hazards Due to Design Features or Incompatible Uses. The proposed Project includes installation of new internal roadways, trail access to open space areas, provision of a bridge and a new access points from an existing streets, and a roadway crossing of the Altamont Creek Trail that could result in hazards if the details are not properly designed. This is a potentially significant impact.				
<u>Revised Project's Mitigation Measures:</u> MM Traf-5 as written for the original Project.				
<u>Original Project Impact:</u> Impact Traf-6: Emergency Access. The proposed Project includes a new internal roadway system that connects with existing roadways that could result in inadequate emergency access if the details are not properly designed. This is a potentially significant impact.	Yes	No	No	Less than Significant with implementation of MM Traf-6.
<u>Original Project Mitigation Measures:</u> Traf-6: Design Review for Emergency Access. It is expected that the Project's emergency access elements will be reviewed with design-level project approvals and would be required to meet applicable regulations.				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p>Revised Project Impact:</p> <p>Similar to the original Project. While the Revised Project shows only one point of ingress and egress, the City of Livermore does not prohibit such access conditions. Details of emergency access will need to be reviewed and approved by the Fire Chief or his/her designee.</p> <p>Revised Project's Mitigation Measures:</p> <p>Traf-6: Emergency Access. The Livermore-Pleasanton Fire Department has reviewed the Revised Project. Conditions of approval for the Vesting Tentative Tract Map include additional design features and measures necessary for emergency response.</p>				
<p>Original Project Impact:</p> <p>Impact Traf-7: Construction. Construction-related impacts generally would not be considered significant due to their temporary and limited duration. However, depending on the construction phasing and truck activity, this is a potentially significant impact.</p> <p>Original Project Mitigation Measures:</p> <p>Traf-7: City Review of Construction Plan. It is expected that the construction plan will be reviewed by the City of Livermore and designed to meet applicable regulations.</p> <p>Revised Project Impact:</p> <p>Similar to the original Project. The Revised Project, with less units and no bridge construction, would result in less construction activity than the original Project, but would still be required to submit construction plans for review.</p> <p>Revised Project's Mitigation Measures:</p> <p>MM Traf-7 as written for the original Project.</p>	Yes	No	No	Less than Significant with implementation of MM Traf-7.

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Original Project Impact:</u> Impact Traf-8: Vehicle Diversions. It is expected that there will be some school-associated vehicles that will divert through the existing neighborhood. The resulting daily traffic will be within the design capacity for low-volume residential roadways. This is a less than significant impact.	No longer applicable	No	No	No Impact (original Project was Less than Significant)
<u>Original Project Mitigation Measures:</u> No mitigation warranted. <u>Revised Project Impact:</u> The Revised Project does not include the previously-proposed Hawk Street bridge, so there is not potential for vehicle diversions across this bridge. Impact Traf-8 is not applicable to the Revised Project. <u>Revised Project's Mitigation Measures:</u> Mitigation Measure Traf-8 is no longer applicable to the Revised Project.				
<u>Original Project Impact:</u> Impact Traf-9: Project-Generated Traffic Contribution to Cumulative Levels. Traffic generated by the proposed Project would contribute to cumulative increases in traffic levels at vicinity intersections and the I-580 freeway. However, other than those listed in separate impacts, these increases would either still be within acceptable service levels or the Project would not contribute a cumulatively considerable level to delays or speed reductions. This is a less than significant impact.	Yes	No	No	Less than Significant

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p>Original Project Mitigation Measures:</p> <p>No mitigation warranted.</p> <p>Revised Project Impact:</p> <p>Same as original Project. Overall Project trips would be reduced from that assumed for the original Project. While the redistribution of trips resulting from omission of the Hawk Street bridge could result in slightly more vehicles at some intersections, the above impact statement remains correct. (See Table 3 in Attachment I for detailed results.)</p> <p>Revised Project's Mitigation Measures:</p> <p>None recommended</p>				
<p>Original Project Impact:</p> <p>Impact Traf-10: Laughlin Road & Northfront Road Intersection. The addition of Project trips would have a cumulatively considerable impact on the delay at an intersection already projected to operate below acceptable levels (an increase of 5.2 seconds of average delay during the PM peak hour under Cumulative Plus Project conditions). This is a significant impact.</p> <p>Original Project Mitigation Measures:</p> <p>Traf-10: Laughlin Road & Northfront Road Intersection Improvements. The Project shall contribute a fair share amount to improvements at this intersection, as determined by the City of Livermore Community Development Department. The improvements shall consist of either A) or B) below, again as determined in coordination with the City of Livermore Community Development Department:</p> <p>A) Roundabout. Install a roundabout with yield-control at all three intersection legs. The current vehicle lane configuration would remain, but right-of-way may need to be expanded to accommodate traffic movements through the intersection.</p>	Yes	No	No	Less than Significant with implementation of MM Traf-10.

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<p>OR</p> <p>B) Signal Control. Signalize the intersection. The current vehicle lane configuration would need to be altered from the existing one lane in each direction to include a left-turn pocket in the eastbound direction and a right-turn pocket in the westbound direction. Right-of-way may need to be expanded to accommodate the turn-pocket lanes at the intersection.</p> <p><u>Revised Project Impact:</u></p> <p>Similar to the original Project. While overall Project trips would be reduced from that assumed for the original Project, redistribution of trips resulting from omission of the Hawk Street bridge would result in slightly more vehicles at this intersection, though conclusions and mitigation requirements would not change with this small increase. Impact Traf-10 would be revised as follows:</p> <p>Impact Traf-10: Laughlin Road & Northfront Road Intersection. The addition of Project trips would have a cumulatively considerable impact on the delay at an intersection already projected to operate below acceptable levels (an increase of 5.2 <ins>8.9</ins> seconds of average delay during the PM peak hour under Cumulative Plus Project conditions). This is a significant impact.</p> <p><u>Revised Project's Mitigation Measures:</u></p> <p>MM Traf-10 as written for the original Project remains adequate to mitigate the impact of the Revised Project.</p>				
<p><u>Original Project Impact:</u></p> <p>Impact Traf-11: Cumulative Project-Generated Traffic Contribution to Freeway. Traffic generated by the proposed Project would increase the number of additional vehicles on I-580 during peak-hours. This is a less than significant impact.</p>	Yes	No	No	Less than Significant

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Original Project Mitigation Measures:</u> No mitigation warranted				
<u>Revised Project Impact:</u> Same as or reduced from the original Project. With fewer residential units, marginally fewer vehicles would travel on I-580, resulting in a somewhat reduced impact from that already below threshold levels.				
Revised Project's Mitigation Measures: None recommended				
UTILITIES				
<u>Original Project Impact:</u> Impact Util-1: Increased Water Demand and Wastewater Generation. The proposed Project represents new development and related increases in water demand and wastewater generation within the existing service area for Livermore Municipal Water. As a standard condition of any project, the proposed Project will pay appropriate development impact and utility connection fees toward ongoing improvement and maintenance of the water and wastewater systems and comply with all applicable regulations. While the proposed Project would lead to an increase in demand for water and generation of wastewater, it would utilize existing water facilities and resources and would not cause an exceedance of wastewater treatment requirements or result in the need for new off-site facilities. Therefore, the impacts related to water and wastewater are less than significant.	Yes	No	No	Less than Significant
<u>Original Project Mitigation Measures:</u> No mitigation warranted				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
Revised Project Impact: Same as or reduced from the original Project. The Revised Project proposes fewer homes and therefore fewer residents and lower utility usage than the original Project. Conclusions from the Draft EIR would remain valid for the Revised Project.				
Revised Project's Mitigation Measures: None recommended				
Original Project Impact: Impact Util-2: Increased Solid Waste Generation. The Project would increase solid waste generation at the site but would be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs, and would not impede the ability of the City to meet the applicable federal, state and local statutes and regulations related to solid waste. The Project would have a less-than-significant impact with no mitigation warranted.	Yes	No	No	Less than Significant
Original Project Mitigation Measures: No mitigation warranted				
Revised Project Impact: Same as or reduced from the original Project. The Revised Project proposes fewer homes and therefore fewer residents and lower solid waste generation than the original Project. Conclusions from the Draft EIR would remain valid for the Revised Project.				
Revised Project's Mitigation Measures: None recommended				

Original and Revised Impacts and Mitigation Measures	Impact Discussion			Resulting Level of Significance (Same as Draft EIR unless noted)
	Impact / Measures Remain Applicable?	New or Substantially Increased Impact?	New or Revised Measure?	
<u>Original Project Impact:</u> Impact Util-3: Increased Energy Consumption. The Project would have an incremental increase in the demand for gas and electrical power. However, the Project is expected to be served with existing capacity and would not require or result in construction of new energy facilities or expansion of existing off-site facilities and would not violate applicable federal, state and local statutes and regulations relating to energy standards. The Project would have a less than significant impact relating to energy consumption with no mitigation warranted.	Yes	No	No	Less than Significant
<u>Original Project Mitigation Measures:</u> No mitigation warranted <u>Revised Project Impact:</u> Same as or reduced from the original Project. The Revised Project proposes fewer homes and therefore fewer residents and lower energy consumption than the original Project. Conclusions from the Draft EIR would remain valid for the Revised Project. <u>Revised Project's Mitigation Measures:</u> None recommended				

REVISIONS TO THE DRAFT EIR

REVISIONS TO THE DRAFT EIR

The following are minor text changes, additions or modifications made to the Draft EIR for the Garaventa Hills Project. An explanation of the changes made in response to comments can be found in Chapter 24.

Comments, including the original location in the Draft EIR of the text to be changed, are in *italics*. Deletions are noted by ~~strikethrough~~. Additions are underlined.

Since the Draft EIR, the applicant has voluntarily revised the Project to be generally consistent with the environmentally superior Alternative B identified in the Draft EIR and to omit the Hawk Street bridge and related streambed alteration. The Project assessed in the Draft EIR is referred to in this Final EIR as the “original Project.” The Revised Project is described and assessed against conclusions in the Draft EIR in Chapter 22 of this document and there is no need to revise the Draft EIR to reflect the Revised Project.

CHANGES TO MULTIPLE CHAPTERS

- *Pages 2-1, 3-1, 4-4, 4-9, 13-5, and 13-8.*

Revision is hereby made to correct the references to “Altamont Park” to the complete name of “Altamont Creek Park”.

- *Pages 7-2, 7-18.*

Revision is hereby made to correct the references to the “Preserve” to the complete name of the “Garaventa Wetlands Preserve”.

CHANGES TO CHAPTER 2: EXECUTIVE SUMMARY

- *Pages 2-5, 2-14 to 2-19k*

Revisions are made to Table 2.1: Summary of Project Impacts and Mitigation Measures to be consistent with revisions made to specific impacts or mitigation measures including: Impact Bio-7 and Mitigation Measures Bio-2, Bio-7 (now -7a and -7b) and Traf-5.

CHANGES TO CHAPTER 3: PROJECT DESCRIPTION

- *Page 3-3*

The following revisions are hereby made to the second paragraph under the Stormwater and Landscaping sub-header to specify design of the outfall.

Stormwater at the site currently sheet flows unhindered off the site, largely into Altamont Creek. Stormwater bio-retention is built into the plan, including capturing stormwater on lots and bio-retention included in front yards. Swales for bio-retention of stormwater will border all proposed roadways. Details of the bio-retention components are included as **Figure 3.5**. Following these bio-retention systems, the water will run through pipes to the detention basin located on lot D for eventual discharge into Altamont Creek through a new outfall pipe, which will be designed in coordination with Zone 7 Water Agency. Undeveloped buffer areas will continue to sheet flow as they do under existing conditions.

CHANGES TO CHAPTER 4: AESTHETICS

- *Page 4-14*

The following revisions are hereby made to the first and fifth paragraphs following Impact Visual-3 to clarify that the Garaventa Wetlands Preserve, which contains biological habitat, is located adjacent to the Project.

The Project is adjacent to residential development to the south and east that is similar in character to the proposed development. Properties to the north and west are preserved as undeveloped land/and biological habitat, including the Garaventa Wetlands Preserve immediately adjacent to the west of the Project (see Chapter 7 for additional detail).

The Project consists of previously planned development on a site adjacent to existing residential development on two sides (east and south). Properties to the north and west of the Project site are preserved as undeveloped land and biological habitat. A “greenbelt” of non-urbanized land surrounding City development will be maintained with this development. Additionally, the Project includes undeveloped areas along the north and western edges of the Project area to buffer the adjacent undeveloped areas biological habitat along those borders.

CHANGES TO CHAPTER 7: BIOLOGICAL RESOURCES

- *Page 7-1*

The following revisions are hereby made to the paragraph under the Known Concerns sub-header to reference the specific concerns of LARPD.

In the scoping meeting, neighbors expressed concern regarding whether development is prohibited because of sensitive environmental conditions including rare grasses. LARPD submitted a letter in response to the NOP (included in Appendix A), specifically expressing concern about the Project's impact on the Garaventa Wetlands Preserve, which is located adjacent to the Project to the west. These concerns have been addressed in this analysis.

- *Page 7-2*

The following revisions are hereby added to the first paragraph under the Environmental Setting header to clarify the nature of the surrounding area.

The site is situated on an undeveloped knoll surrounded by open grasslands and wetlands to the north and west, Altamont Creek to the south, and residential development to the south and east. The Garaventa Wetland Preserve lies immediately west of the site and the grasslands/wetlands to the north appear to be similar in composition to those of the Garaventa Wetlands Preserve.

- *Page 7-4*

The following revision is hereby added to the first paragraph under the Plants sub-header to clarify the alkali species found in the surrounding area, but not on the Project site.

The CNDDB was queried for occurrences of special status plants in the vicinity of the Project site (Altamont, Byron Hot Springs, Clifton Court Forebay, Livermore, La Costa Valley, Tassajara, Midway, Mendenhall Springs, and Cedar Mountain 7.5 minute quadrangles)(**Figure 7.2**), generating a list of 43 different species. All but 15 of the species can be eliminated from consideration because they are restricted to habitats or soil types not found on the Project site. The remaining 15 species were further evaluated based on reconnaissance-level surveys of the Project site conducted in November 2010, January/February 2011, and December 2011. All but one of these species, Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*), were determined to have a low to moderate probability of occurring on the site due to the lack of suitable habitat and historic disking and grazing practices. The suite of special status plants found in the alkali habitats in the vicinity were not observed on the Project site. These include; San Joaquin spearscale (*Atriplex joaquiniana*), lesser saltscale (*Atriplex minuscule*), brittlescale (*Atriplex depressa*), heartscale (*Atriplex cordulata*), hispid bird's beak (*Chloropyron molle* ssp. *hispidum*), palmate-bracted bird's beak (*Chloropyron palmatum*) Livermore tarplant (*Deinandra bacigalupi*), and saline clover (*Trifolium hydrophilum*).

- *Page 7-6*

The following revisions are hereby made to the fourth paragraph on this page to clarify that vernal pools are found in the Garaventa Wetlands Preserve.

Several occurrences of VPFS have been recorded in the vicinity of the Project site within the last five years: the closest observation was in 2005 (Occurrence #411), roughly 0.3 mile southeast of the site (**Figure 7.3**). Although the Project site does not contain a complex of vernal pools and does not have the undulating landscape, where soil mounds are interspersed with basins, swales, and drainages, it is immediately adjacent to and within the watershed of such habitat to the north and west, including the Garaventa Wetlands Preserve. (A map showing the approximate locations of vernal pools in the vicinity is included as Figure 1 in Appendix J.) Perhaps because of its proximity to known VPFS habitat, the USFWS has included the site within designated critical habitat for VPFS (VERFS 19C) (**Figure 7.4**). The seasonal wetland in the western portion of the Project is potentially suitable habitat for this species because VPFS occur in alkaline pools of varying depths, there are recorded occurrences of the species nearby, and the property lies within designated critical habitat for VPFS.

- *Page 7-14*

The following text is hereby added immediately following the State sub-header to clarify regulatory authority of the regional water quality control board.

Porter-Cologne Water Quality Control Act

Under CWA Section 401, states have the authority to certify federal permits for discharges to waters under state jurisdiction. States may review proposed federal permits (e.g., Section 404 permits) for compliance with state water quality standards. The permit cannot be issued if the state denies certification. In California, the State Water Resources Control Board (State Board) and the Regional Water Quality Control Boards (Regional Boards) are responsible for the issuance of Section 401 certifications.

The Porter-Cologne Water Quality Control Act is the primary state law concerning water quality. It authorizes the State Board and Regional Boards to prepare management plans such as regional water quality plans to address the quality of groundwater and surface water. The Porter-Cologne Water Quality Control Act also authorizes the Regional Boards to issue waste discharge requirements defining limitations on allowable discharge to waters of the state. In addition to issuing Section 401 certifications on Section 404 applications to fill waters, the Regional Boards may also issue waste discharge requirements for such activities. Because the authority for waste discharge requirements is derived from the Porter-Cologne Water Quality Control Act and not the CWA, waste discharge requirements may apply to a somewhat different range of aquatic resources than do Section 404 permits and Section 401 water quality certifications. Applicants that obtain a permit from the Corps under Section 404 must also obtain certification of that permit by the Regional Board. These authorizations, if required, must be obtained separately.

The Porter-Cologne Water Quality Control Act, in part, implements the federal Clean Water Act (CWA) to provide a mechanism for protecting the quality of the state's waters through the State Water Quality Control Board (SWRCB) and the nine Regional Water Quality Control Boards (RWQCBs). The SWRCB and the San Francisco Bay RWQCB have taken the position that the Porter-Cologne Act and the San Francisco Bay Basin Plan developed pursuant to the Act provide independent authority to regulate discharge of fill material to wetlands outside the jurisdiction of the Corps. The San Francisco RWQCB issues water quality certifications pursuant to Section 401 of the CWA in conjunction with Corps Section 404 permits discussed above and simultaneously issues individual or general Waste Discharge Requirements.

- *Page 7-18*

The following revisions are hereby added to item d) of Mitigation Measure Bio-2 to clarify how the buffer area should be stabilized.

- d) Fully s Stabilize the natural vegetated buffer between the grading area and the offsite wetlands during the early phases of construction so that it serves as a protective barrier for the wetlands. Stabilization can be accomplished through establishment of vegetation and/or temporary Best Management Practices to prevent erosion and sedimentation from occurring, such as erosion control mats, silt fences, fiber rolls, and/or soil binders.

- *Page 7-21*

The following revisions are hereby made to Mitigation Measure Bio-5b to update the current standard mitigation ratio for temporary impacts under the EACCS and add the missing punctuation to the end.

- Bio-5b:** **Obtain Offsite Compensatory Habitat for Loss/Disturbance of Potential Upland Habitat for CRLF.** The compensatory habitat shall be provided at a 2.5:1 to 3:1 ratio for the acres permanently lost and at a 1.5:1 ratio for areas temporarily disturbed, consistent with the EACCS recommendations for the species. Final replacement ratios shall be based on the assessed functions and values of an agency approved mitigation site. The mitigation site can be the same as that obtained for Mitigation Measure Bio 4b, as long as there is sufficient area to provide habitat for both CRLF and CTS.

- *Page 7-22 to 7-23*

The following text is hereby added to the discussion under the American Badgers sub-header to clarify that loss of American badger habitat may be mitigated in accordance with the EACCS.

American Badgers

- Impact Bio-7:** **Loss of Potential Habitat and Potential Harm to Individual American Badgers.** The Project will result in the permanent loss of up to 31.78 acres of grassland that could provide suitable habitat for American badger. American badgers are a State Species of Special Concern and are typically found in grasslands where there is sufficient food (burrowing rodents), friable soils, and relatively open, uncultivated ground. Badgers have large home ranges, typically from about 395 to 2,100 acres, and are generally solitary aside from temporary family groups, transient mating bonds, and overlapping home ranges. No badgers or signs of badger use have been observed on the Project site. Although not observed on the Project site, there is potential for American badgers to use burrows on the property. Project construction activities could harm individual badgers if they occupy the site when grading begins. This is a ***potentially significant*** impact.

Mitigation Measures

- Bio-7a:** **Obtain Offsite Compensatory Habitat for Loss/Disturbance of Potential American Badger Habitat.** The compensatory habitat to be obtained as described for Mitigation Measures Bio-4b and -5b will also be determined as occupied or suitable for American badger to compensate for potential habitat loss resulting from the Project.
- Bio-7b:** **Conduct a Pre-Construction American Badger Survey.** A pre-construction survey shall be conducted by a qualified biologist no less than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities or any Project activity likely to impact potential burrows. If occupied burrows are found, one of the following actions shall be implemented by the applicant:
1. Initiate an on-site passive relocation program, through which badgers are excluded from occupied burrows by installation of a one-way door in burrow entrances, monitoring of the burrow for one week to confirm badger usage has been discontinued, and hand excavation and collapse of the burrow to prevent reoccupation; or
 2. Have a qualified biologist actively trap and relocate badgers to suitable off-site habitat in coordination with the CDFG.

With implementation of Mitigation Measures Bio-7a and Bio-7b, impacts on ~~individual~~ American badgers would be reduced to ***less than significant***.

CHANGES TO CHAPTER 12: HYDROLOGY

- *Page 12-2*

The following text is hereby added immediately preceding the Regulatory Setting header to clarify that biological impacts related to off-site hydrology are discussed in Chapter 7: Biological Resources and not Chapter 12: Hydrology.

The Project is located on uplands that are immediately adjacent to the Garaventa Wetlands Preserve and Altamont Creek, as well as additional biological habitat to the north. Approximately 7.2 acres of tributary area that now drains to the adjacent wetlands will be routed to the proposed detention basin and then released into Altamont Creek. Alterations to existing drainage patterns may affect the quantity, timing and quality of precipitation that enters the wetlands and is needed to maintain a functioning system.⁴ While related to hydrology, potential impacts to adjacent wetlands are considered under Chapter 7: Biological Resources and not repeated here.

The following footnote is also added to this page, and subsequent footnotes in this chapter are hereby renumbered to 5 to 7.

⁴ ENGEO, Evaluation of Potential Hydrological Impacts to Garaventa Wetlands, revised March 23, 2012, included as Appendix I.

- *Page 12-9*

The following revision is hereby made to the first paragraph on this page to correct and clarify the reference to drainage toward adjacent biological habitat.

The Project involves development of a currently undeveloped site. As discussed above, stormwater that currently sheet flows off the site toward Altamont Creek would instead be captured by the onsite stormwater treatment and collection system and ultimately released into Altamont Creek from a new outfall pipe. Small portions of the site currently drain directly to biological habitat to the north and west east. Undeveloped buffer areas at these boundaries will continue to drain in these directions, as discussed in more detail in Chapter 7: Biological Resources.

CHANGES TO CHAPTER 15: POPULATION, PUBLIC SERVICES AND RECREATION

- *Page 15-5*

The following revision is hereby made to the last paragraph under the Parks and Recreation sub-header to focus the statement to the stated topic only.

LARPD also manages the 24-acre Garaventa Wetlands Preserve, located to the west of the Project site. This property is operated as a biological preserve, with access for guided tours upon appointment only, as discussed in more detail in Chapter 7: Biological Resources.

CHANGES TO CHAPTER 16: TRANSPORTATION AND CIRCULATION

- *Page 16-37*

The following revisions are hereby made to Mitigation Measure Traf-5 to clarify the location of trail crossings and inclusion of warning signs and reflect completed City review of the plan.

Mitigation Measure

Traf-5:

Design Review for Hazards Due to Design Features or Incompatible Uses. The Project's on-site transportation elements, such as sight distances, driveway locations, and marked crosswalk locations, shall be have been reviewed by the Livermore staff with design-level project approvals and shall be required to meet applicable local regulations. The following design details are recommended, though final details will be determined through consultation with Livermore staff, taking into consideration constraints of the site:

- a) The stem of each intersection should be stop-controlled or contain other intersection controls.
- b) Livermore thoroughfare standards should be followed, which could involve narrowed vehicle lanes, widened sidewalks, reduced corner radii, and installation of corner bulb-outs. Narrower vehicle travel lanes and tighter corner radii with bulb-outs are associated with lower vehicle travel speeds, increased visibility between pedestrians and motorists, and reduce pedestrian roadway exposure.
- c) The mid-block trail crossings on Street A between Lot D and Lot B, and on Street B between Lot A and Lot B should be marked with warning signs and a high-visibility crosswalk and include bulb-outs and lighting to enhance pedestrian visibility.
- d) According to Livermore's Municipal Code 3-15-050, driveways should be located more than 20 feet from the corners, ~~which should be confirmed during the design review.~~

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RESPONSE TO COMMENTS

INTRODUCTION

This chapter contains responses to the written comments on the Draft EIR. Where revisions to the Draft EIR are appropriate, such changes are noted below and the actual text changes are included in Chapter 23.

The City of Livermore received fifteen (15) letters commenting on the Draft Environmental Impact Report for the Project, in addition to verbal comments at the December 4, 2012, Planning Commission meeting.

Specific comments are organized generally in chronological order by grouping, as follows:

LETTERS FROM AGENCIES

Letter A, Alameda County Transportation Commission, Beth Walukas, 11/26/2012

Letter B, Livermore Area Recreation and Park District, John Lawrence, 11/28/2012

Letter C, San Francisco Bay Regional Water Quality Control Board, Brian Wines, 12/5/2012

Letter D, Save Mount Diablo, Nancy Woltering, 12/19/2012

Letter E, Alameda County Flood Control and Water Conservation District, Zone 7, Elke Rank, 12/21/2012

Letter F, Governor's Office of Planning and Research, State Clearinghouse and Planning Unit, Scott Morgan, 12/26/2012

LETTERS FROM PERSONS AND GROUPS

Letter G, Helen Nelson, 12/4/2012

Letter H, Carolyn Morgan, 12/20/2012

Letter I, Matt Tadevich & Wendy Koontz, 12/20/2012

Letter J (Set), Save Our Hill, Compiled List of Citizen Questions and Concerns, forwarded by Cindy L. M. Angers, 12/21/2012

Letter K, David Huges, 12/26/2012

Letter L, Lorena Dunkly, 12/26/2012

Letter M, John Lindquist, 12/26/2012

Letter N, Helen Nelson, 12/26/2012

VERBAL COMMENTS

Set O, 12/4/2012 public hearing before the Planning Commission, Meeting Minutes including comments on this Project.

RESPONSES TO SPECIFIC COMMENTS

The following pages contain comments on the Draft EIR for the Project. Each comment is numbered and responses to these comments are provided following each comment letter or set.

In some instances, responding to a comment received on the Draft EIR resulted in a revision to the text of the Draft EIR. Revisions are shown in Chapter 23 of the Final EIR. In other cases, the information provided in the responses is deemed adequate in itself, and modification of the Draft EIR text was not necessary.

Since the Draft EIR, the applicant has voluntarily revised the Project to be generally consistent with the environmentally superior Alternative B identified in the Draft EIR. The Revised Project is described and assessed against conclusions in the Draft EIR in Chapter 22 of this document. To summarize, the Revised Project reduces the number of residential units to 47 to be consistent with the current General Plan designation, omits the Hawk Street bridge and related streambed modifications, and retains the rock outcropping at the northwest corner of the Project site. In some cases, the Revised Project addresses comments, as will be noted in the response.

Letters and meetings referenced in this chapter were not always intended to be focused on environmental matters only and comments sometimes reference matters related to the Project but that are outside the realm of environmental review. Conversely, the responses to comments included here are intentionally focused on matters specific to the environmental review that is required under CEQA. A response noting that a comment is not related to the environmental analysis is intended to signify the specific comment was not addressing a matter subject to review under CEQA and therefore that the EIR is not the appropriate forum for providing a response. Such a response is not intended to dismiss or diminish the validity of the comment outside the CEQA realm. All of the comments are a part of the record and will be considered by the Planning Commission and City Council at public meetings when they review the Project's land use entitlements.

Letter "A"



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www.AlamedaCTC.org

RECEIVED

NOV 28 2012

November 26, 2012

Steve Stewart
Senior Planner
City of Livermore
1052 South Livermore Avenue
Livermore, CA 94550

COMMUNITY DEVELOPMENT DEPT.

SUBJECT: Response to Draft Environmental Impact Report for Garaventa Hills Project

Dear Mr. Stewart,

Thank you for the opportunity to comment on the Draft Environmental Impact Report for the Garaventa Hills Project. The Project consists of a 76 unit single-family residential subdivision on an approximately 31.7 acre undeveloped parcel.

We have reviewed the Garaventa Hills DEIR and have no comment because the project does not generate 100 or more p.m. peak hour trips above and beyond expected trips based on existing land use designation, which would require compliance with the Land Use Analysis Program (LUAP) of the CMP. The project is therefore exempt from the LUAP of the CMP.

Please do not hesitate to contact me at 510.208.7405 if you require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth Walukas".

Beth Walukas
Deputy Director of Planning

Cc: Matthew Bomberg, Assistant Transportation Planner

File: 2012 Environmental Review Opinions

A-1

**LETTER A, ALAMEDA COUNTY TRANSPORTATION COMMISSION, BETH WALUKAS,
11/26/2012**

Comment A-1

This is a statement that the reviewer has no comment and does not require a response.

Letter "B"

Stewart, Steve

From: Chiye Azuma <cazuma@larpd.dst.ca.us>
Sent: Thursday, December 20, 2012 5:32 PM
To: Stewart, Steve
Cc: Mike Nicholson; jlawrence@larpd.dst.ca.us; Bwines@waterboards.ca.gov; Marcia Grefsrud; kim_squires@fws.gov; state.clearinghouse@opr.ca.gov
Subject: RE: Garaventa comments
Attachments: StewartGaraventa 120611.pdf; Garaventa_Comments LARPD 21220.pdf

Hi Steve,
Attached are LARPD's review and comments on the DEIR for the proposed Garaventa Hills project. I have also attached for your reference the letter previously sent from General Manager Tim Barry, dated Dec. 6, 2011 in response to the NOP, expressing the District's concerns and directing your attention to the sensitive nature of these lands.

Thank you for providing us with the opportunity to review and comment on this project.

Best regards,

Chiye Azuma, ASLA, CPSI, QSD/QSP
Landscape Architect/CIP Manager
Livermore Area Recreation and Park District
Direct (925)373-5724
Fax (877)219-3765
Cell (925)766-5233
cazuma@larpd.dst.ca.us

From: Stewart, Steve [<mailto:scstewart@cityoflivermore.net>]
Sent: Wednesday, November 28, 2012 2:48 PM
To: John Lawrence
Cc: Chiye Azuma; Mike Nicholson; Sandra Kaya
Subject: RE: Garaventa comments

Thank you. I received your e-mail and will look for you comment letter before the public comment period closes at 5pm on December 26th.

Best,

Steve

Steve Stewart, AICP
Senior Planner
Community Development Department
City of Livermore
(925) 960-4468
www.cityoflivermore.net



From: John Lawrence [<mailto:jlawrence@larpd.dst.ca.us>]
Sent: Wednesday, November 28, 2012 2:31 PM
To: Stewart, Steve

Letter "B"

Cc: cazuma@larpd.dst.ca.us; mnicholson@larpd.dst.ca.us; skaya@larpd.dst.ca.us
Subject: Garaventa comments

November 28, 2012
Steve Stewart
City of Livermore Planning Division
1052 South Livermore Ave
Livermore CA 94550

Dear Steve,

We appreciate receiving the Draft Environmental Impact Report for the proposed Garaventa development and the opportunity to comment on that report. LARPD staff is reviewing the document and we will forward more detailed comments in the next week or two. For now however, we have some concerns that I wanted to raise with you as soon as possible.

- 1) The draft EIR repeatedly refers to the land as 'undeveloped property', but this is actually a wetlands preserve and I would think it would serve the purposes of the EIR to refer to it as such. This is a sensitive habitat that is home to the San Joaquin spearscale, burrowing owls, and many other unusual plant and animals. B-1
- 2) From the draft EIR, it is unclear where any mitigation would occur. Because LARPD's Garaventa Wetlands Preserve will be the land that is disturbed by the proposed development, LARPD staff firmly believes that any mitigation should be performed at the LARPD Garaventa Wetlands and not at other sites. B-2
- 3) The hydrology of the site needs to be explored and researched further. LARPD's goal would be for the drainage to maintain the existing flow and at the same -or better- quality of water after the development as existed prior to. B-3
- 4) I am attaching a letter that was sent to you before (by General manager Tim Barry) that outlined these same concerns ... concerns that were also expressed to the developer. It seems that the EIR has not taken these concerns into account or the authors of the draft EIR do not agree that these are issues of concern. B-4

FYI ... We received a postcard, postmarked November 14, 2012 and it indicates that all input needs to be provided by at or before the meeting for December 4, 2012. The undated bulletin (titled "Notice of Availability Draft Environmental Impact Report") that we received states that all written comments need to be received by December 26, 2012. As I previously mentioned, we will send an additional letter with more specific comments once we have had time to review the entire document in more detail. B-5

Thank you for the opportunity to review this important document.
Sincerely,

John Lawrence
Assistant General Manager
Livermore Area Recreation and Park District

Letter "B"

Number	Page	Comments	
1	2-1	Fourth Paragraph, second line: The word "Creek" needs to be added to the existing text "Altamont Park."	← B-6
2	2-3	Under <u>Hydrology and Water Quality</u> , there's no mention of changes in hydrology and potential or real impact to wetland species.	← B-7
3	2-6	Under the second column of "Recommended Mitigation Measures," section d) Fully Stabilize-What does this mean-"fully stabilize?"	← B-8
4	2-7	Under the second column, top section, of "Recommended Mitigation Measures," Should be on adjacent site to expand Garaventa Wetland Preserve.	← B-9
5	2-8	Under the second column, middle section of "Recommended Mitigation Measures," Add to Garaventa Wetlands Preserve	← B-9
6	2-8	Under the second column, bottom section, Bio-6a: of "Recommended Mitigation Measures," LARPD wants this mitigation at Brushy Peak.	
7	2-9	Under the second column, top section, of "Recommended Mitigation Measures," Habitat Mitigation if Badgers are found on site is needed.	← B-10
8	2-9	Under the second column, bottom section, of "Recommended Mitigation Measures," Mitigation on Brushy Peak.	← B-11
9	2-10	Under the second column, bottom section, second sentence Bio 11c: of "Recommended Mitigation Measures," 0.004 should be at a higher replacement ratio than 1:1.	← B-12
10	2-14	Under the second column, middle section, under Haz-2:, second bullet point of "Recommended Mitigation Measures," inline oil separation at storm drain entrance?	← B-13
11	2-17	Under the second column, middle section, of "Recommended Mitigation Measures," under the first "No mitigation warranted" They will alter view as this project is higher than the surrounding structures.	← B-14
12	2-17	Under the second column, middle section, of "Recommended Mitigation Measures," under the third "No mitigation warranted" It will dominate the view from Wetland Preserve which it towers over.	← B-15
13	3-3	#6 Under Project Objectives How is this project meeting this goal?	← B-16
14	3-3	#7 Under Project Objectives Will the knolls be visible over the roof lines?	← B-17

Letter "B"

Number	Page	Comments	
15	3-5	Show Wetland Preserve on map.	B-18
16	3-7	To the left of Lot C What is barrier between development and preserve? Possible trail?	B-19
17	3-9	Want to see bigger detail to better see impacts. What is this fence? Trail crossing?	B-20
18	4-4	Fourth paragraph down, first sentence starting with "Parks are" Consider views from Garaventa Wetlands too.	B-21
19	4-4	Fourth paragraph down, second sentence, second line Change Altamont Park to Altamont Creek Park.	B-22
20	4-14	First paragraph under Impact Visual-3: Second line/sentence where it reads "as undeveloped land/biological habitat" aka Wetlands?	B-23
21	4-14	Fifth paragraph under Impact Visual-3: Last sentence on the fifth line where it reads "Additionally, the Project includes....." The wording "undeveloped areas" should be replaced with "biological habitat."	B-23
22	4-14	Refer to Garaventa as "Wetland Preserve" or by its full name.	B-24
23	7-1	Bottom of page under KNOWN CONCERNS, the fifth word is "neighbors," Identify as LARPD	B-25
24	7-2	Top of page under ENVIRONMENTAL SETTING, the first & third sentence mentions "open grasslands/grasslands," should read "wetland." Also, in this same area, reference is made to location being "west" and that is incorrect.	B-26
25	7-2	Include San Joaquin Spearscale and other Alkali Species under discussion of Vegetation.	B-27
26	7-5	Include San Joaquin Spearscale and other Alkali Species under Special-Status Plant Species	
27	7-6	Third paragraph beginning with "Vernal Pool Fairy Shrimp," There are 3 vernal pools on Garaventa.	B-28
28	7-20	Between Bio-4b: and Bio-4c: Where will the mitigation take place? Add to Garaventa preferred.	B-29
29	12-2	Under the first paragraph above REGULATORY SETTING No mention that sheet flow goes into extensive wetland areas to north and west.	B-30
30	12-9	What about run off to the west? Not discussed.	B-31

LARPD Comments 12/20/12
Draft EIR Garaventa Hills

Letter "B"

Number	Page	Comments	
31	13-6	List at top of page-(c-o) Include & acknowledge the Garaventa Wetland Preserve in this list.	← B-32
32	13-7	Re: POLICY CC-4.13.P1. "All public trail easements...." Trail easements for LARPD?	← B-33
33	13-10	Re: POLICY OSC 1.2.P3. Protection of wetland from casual use & domestic animals (dogs & cats). Fencing-what type?	← B-34
34	13-11	Top of page, section between POLICY OSC 5.1.P2 and POLICY OSC 6.1.P1 Any dedications to LARPD?	← B-35
35	13-13	Under "CONFLICT WITH CONSERVATION PLAN" Review; need more discussion of adjacent Wetlands Preserve.	← B-36
36	15-5	Under "Parks and Recreation," bottom paragraph beginning with "LARPD also manages the 24-acre Garaventa Wetlands Preserve, located to the west of the project site, as discussed in more detail in Chapter 7: Garaventa Wetlands Preserve is not fully discussed in Chapter 7.	← B-37
37	15-7	Top of page underneath top paragraph: Impact fees should be dedicated towards improvements at Garaventa Biological Preserve.	← B-38
38	15-7	Third paragraph under Parks and Recreation beginning with "discounting for any credit given for the proposed open space and trails through consultation with LARPD. Why would there be credit for this?	← B-39

Letter "B"



Livermore Area
Recreation & Park District
An independent special district

4444 East Ave., Livermore, CA 94550-5053
(925) 373-5700 www.larpd.dst.ca.us

General Manager
Timothy J. Barry

December 6, 2011

Mr. Steve Stewart, Sr. Planner
City of Livermore
1052 So. Livermore Ave.
Livermore, CA 94550

Dear Mr. Stewart:

We received the Notice of Preparation of an Environmental Impact Report and Project Introduction and Scoping Meeting Notice for the Proposed Garaventa Hills Project and have some comments and concerns about this project. Chiye Azuma, Mike Nicholson and John Lawrence from our staff met with Scott Roylance of Lafferty Communities on Thursday April 14, 2011 to discuss the Garaventa housing project. We reviewed all of our concerns regarding the proposed project. Since 1996, LARPD has owned and managed the Garaventa Wetlands Preserve, a 24-acre wetland area at the northeast corner of North Vasco Road and Altamont Creek containing sensitive alkali wetlands and vernal pools supporting a wide range of special status species.

B-40

The Garaventa wetland property is mitigation for the development just to the south of the existing Preserve. The primary concern expressed at the April 14th meeting was the negative impact the development will have on the natural drainage patterns to the neighboring wetlands. The seasonal drainage (or lack thereof) will have a significant impact on the surrounding wetland environment. We were also concerned with potential pollutants such as fertilizers, oils from autos, pet feces, (etc.) that will be transported into the wetlands via water runoff.

B-41

The City's NOP doesn't clearly indicate the adjacent wetland area. The EIR should clearly indicate that mitigation area for discussion on how this development will negatively impact the environmentally sensitive wetlands. From what we can ascertain from the City's NOP: (1) the developer did not incorporate the LARPD trail comments from our meeting with him to maximize the buffer between the development and the wetland; (2) there are no ponds incorporated into the plan to filter runoff from the develop before it enters the wetland, as discussed with the developer; and, (3) the roadway adjacent to the creek should be a single loaded street to maximize the creek protection and public access (Lots 41-47).

B-42

The above mentioned items are design issues and not directly related to the NOP. However, given that the developer met with LARPD staff to discuss our needs/concerns, and our comments are apparently not incorporated in the plan, we request that the City

Board of Directors

Maryllice Faltings Steve Goodman David Hutchinson Beth Wilson

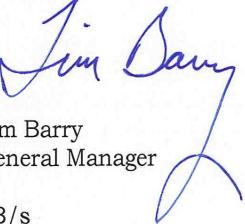
Letter "B"

Steve Stewart, Sr. Planner
City of Livermore
Page Two
December 6, 2011

address the issue of protecting and enhancing the wetland area east of Vasco Road. Until there is an overall plan for the area (addressing hydrology and wetland integrity issues), LARPD is concerned with any housing developments in the area.

B-42 contd

Sincerely,



Tim Barry
General Manager

TB/s

cc: John Lawrence, Asst. General Manager

**LETTER B, LIVERMORE AREA RECREATION AND PARK DISTRICT, JOHN LAWRENCE,
11/28/2012**

Comment B-1

It is unclear exactly what “land” this comment is referencing.

Neither the Project site nor the lands immediately to the north are official wetlands preserves. These are privately owned parcels that have not been developed and hence, “undeveloped property” is an appropriate term. Sensitive habitat is discussed in the Draft EIR, but the presence of such habitat does not mean that the area has been legally set aside as a “preserve”.

The Livermore Area Recreation and Park District (LARPD) property to the west of the Project site is described in the Draft EIR as the “Garaventa Wetland Preserve”. While the commenter provided no specific reference to a location in the Draft EIR where it was described incorrectly, there were occasions in the Draft EIR where the general term “undeveloped” was used when it was important to make the distinction between developed land and land that is not and/or will not be developed, such as when discussing views, wildfire risks, biological buffers, and expected constraints to area growth. However, in case it was unclear in the Draft EIR, let it be noted here that the Garaventa Wetlands Preserve is a wetlands preserve and will not be developed.

Comment B-2

No significant impact to the wetlands preserve is identified and therefore no mitigation for such an impact is proposed. Loss of habitat identified in Chapter 7 of the Draft EIR would occur on the Project site itself and not the adjacent Garaventa Wetlands Preserve.

According to the applicant, environmental mitigation for the Project is to place an 85-acre property in the Springtown Alkali Sink, also owned by the Garaventa family, under a permanent conservation easement with an endowment for restoration and management in perpetuity. The 85-acre property has sensitive soils, special status animal and plant species, vernal pools, and a segment of Altamont Creek. The environmental mitigation will be coordinated with appropriate regulatory agencies according to their policies and procedures, as specified in the Draft EIR.

Comment B-3

The potential for changes to site hydrology to impact adjacent habitat was analyzed for the Draft EIR. The revised ENGEO analysis utilized for the Draft EIR analysis is included with this document as Appendix J. As specified in this revised report, the Garaventa Wetlands Preserve receives flows from nearly 645 acres of tributary watershed and that “...the minor changes to onsite drainage patterns proposed with the project will not result in significant impacts to the hydrology of the Garaventa Wetlands [Preserve].” (Excerpted from page 4 of Appendix J.) With a slightly reduced footprint of development, these conclusions would remain valid for Revised Project as well.

Comment B-4

This comment references a letter received prior to the completion of the Draft EIR and taken into account when the Draft EIR was prepared, as noted on page 1-2 of the Draft EIR. This letter was previously included in Appendix A of the Draft EIR and is also included in full as part of letter B (comments B-40 through B-42) in this Final EIR.

Comment B-5

This comment notes that additional comments would be forwarded. The additional comments that were forwarded are included as comments B-6 through B-25.

Comment B-6

The requested revision has been included in Chapter 23 of this document. References to “Altamont Park” have been revised to “Altamont Creek Park” per LARPD’s official full name for that park.

Comment B-7

The referenced text is part of a summary section listing only impacts that were reduced through mitigation. Biological impacts fitting that description were summarized on page 2-2 of the Draft EIR, including potential impacts to offsite wetlands during the construction period. No additional significant impacts to the adjacent wetlands were identified in the analysis and hence are not summarized in the referenced section.

Comment B-8

A revision to clarify how disturbed areas should be stabilized has been added in Chapter 23.

Comment B-9

See response to Comment B-2. The specific location for biological mitigation will be coordinated with regulatory agencies according to their policies and procedures, as specified in the Draft EIR. There is no cause, from the perspective of this EIR, to further constrain specifics of the mitigation location so long as it meets relevant habitat requirements required by the regulatory agencies.

Comment B-10

The Project would not have a substantial adverse effect on the species and would not cause the population to drop below self-sustaining levels, threaten to eliminate the badger community, or reduce the number or restrict the range of the species. However, a revision has been added in Chapter 23 to clarify that the Project should comply with compensatory habitat requirements under the East Alameda County Conservation Strategy (EACCS) for the American Badger.

Comment B-11

See response to Comment B-9.

Comment B-12

A 1:1 replacement ratio is noted to be a minimum in Mitigation Measure Bio-11c. This is the minimum replacement ratio and is acceptable in some cases. The Corps and RWQCB authorizations for fill of the wetlands will dictate the final replacement ratio, which will be at least 1:1, as specified in the Draft EIR.

Comment B-13

The bullet point referenced is addressing subterraneous oil seepage, and not seepage at the storm drain entrance as implied in the comment, which is not expected.

Comment B-14

This comment is referencing a summary section only. The complete discussion of aesthetics is included in Chapter 4 of the Draft EIR. The 2003 General Plan includes Goals, Objectives and Policies to preserve views of the hills and ridgelines that surround the City, most of which lie outside the City limits. Such ridgelines located north of the I-580 corridor, include Brushy Peak to the northeast, as well as the Altamont Hills east of Vasco and Greenville Roads.

According to the General Plan Community Character Element, protection of scenic views from I-580 is of particular importance. This heavily-traveled roadway provides some of the best views of Livermore's surrounding hillsides and ridgelines. Policies and actions in the General Plan specifically seek to preserve and protect scenic views within the designated I-580 Scenic Corridor through control of grading, landscaping, and building height.

Other than identifying scenic routes, the City does not officially designate locations from which scenic vistas would be viewed by the public. In the vicinity of the Project site, Dalton Road just west of Vasco Road is considered a scenic route.¹ The closest point of the Project site is approximately 1,300 feet east from this location. (I-580 is also identified as a scenic route, but is instead discussed in the impact assessment below.) The Project site is located in the mid-ground of views from Vasco Road. While some development on the Project site would be able to be seen from the scenic route, it would constitute mid-ground views and would not substantially alter views of the more distant Altamont Hills.

The Project will not obstruct views of Brushy Peak and the distant hills to the north from the Garaventa Wetlands Preserve. The existing knolls on the Project site are approximately 605 and 608 feet high, while ridgelines adjacent to Frick Lake, approximately $\frac{3}{4}$ of a mile east of the Project range in height from 735 to 807 feet. The Project site and these ridgelines east of Frick Lake already prevent views further east of the Altamont Hills from the Garaventa Wetland Preserve. These ridgelines adjacent to Frick Lake will backdrop views of the Project from Vasco Road so that new homes will not silhouette against the sky.

The fact of a Project being visible from other locations is not intrinsically a significant environmental impact. As demonstrated in Chapter 4 of the Draft EIR, the Project was found not to significantly alter views of identified scenic resources from identified scenic vistas and scenic routes and was found to be consistent with the character of adjacent developed areas to the south and east and therefore have only less than significant environmental impacts without the need for mitigation.

Comment B-15

See response to Comment B-14.

Comment B-16

Objective No. 6 is to provide buffers as a separation and natural transition from adjacent open space and habitat to urban development. Buffer areas are labeled LOT C on the Site and Lotting Plan included as Figure 3.2 of the Draft EIR (and the Revised Project plan included as Figure 22.1 of the Final EIR). There is an approximately 50' wide buffer to the north and a variable (though larger than 80' wide) buffer at the western edge of the Project site between the Garaventa Wetlands Preserve.

¹ City of Livermore, prepared by DC&E, City of Livermore General Plan 2003-2025, Adopted February 2004, as amended through June 2009, Figure 4-1.

Comment B-17

As demonstrated in Chapter 4: Aesthetics of the Draft EIR, views of the knolls will remain from some perspectives.

Comment B-18

The Garaventa Wetlands Preserve is labeled on Figure 1 of Appendix J, included with the Final EIR.

Comment B-19

A six-foot chain link fence on the Project's southern property line separates the Project site from Altamont Creek and the existing Zone 7 maintenance road on the north side of Altamont Creek. While proposed to be modified under the original Project, with the Revised Project, this fence will remain as it exists today. An existing barbed-wire fence along the Project site's western and northern property lines is also proposed to remain. 6-foot high open-wire view fencing is proposed along the rear property lines of the proposed lots. The Project does not include new fencing along the perimeter of the Project site.

Comment B-20

See response to comment B-19. No changes to existing fences at the Project perimeter are proposed under the Revised Project.

Comment B-21

Views of the Project from the Garaventa Wetlands Preserve will be consistent with the views to the south of residential development (Maralisa Courtyards). The Project will not obstruct views of Brushy Peak and the distant hills to the north from the Garaventa Wetlands Preserve. The existing knolls on the Project site are approximately 605 and 608 feet high, while ridgelines adjacent to Frick Lake, approximately $\frac{3}{4}$ of a mile east of the Project range in height from 735 to 807 feet. The Project site and these ridgelines east of Frick Lake already prevent views further east of the Altamont Hills from the Garaventa Wetland Preserve. These ridgelines adjacent to Frick Lake will backdrop views of the Project from Vasco Road so that new homes will not silhouette against the sky.

Comment B-22

See response to Comment B-6.

Comment B-23

See response to Comment B-1. Clarifying revisions were also added in Chapter 23 of this document.

Comment B-24

The term "Garaventa" is not used in the Draft EIR to refer to the "Garaventa Wetlands Preserve". Also see response to Comment B-1.

Comment B-25

A revision to clarify the known concerns from LARDP has been added in Chapter 23.

Comment B-26

A revision to clarify the presence of wetlands in the vicinity has been added in Chapter 23. It is correct that the Garaventa Wetlands Preserve lies immediately to the west of the Project site.

Comment B-27

The referenced section on page 7-2 of the Draft EIR is specifically discussing plants found on the Project site, which does not include the species listed in this comment. A revision to clarify the presence of alkali species in the vicinity has been added in Chapter 23.

Comment B-28

A revision to clarify the presence of vernal pools within the Garaventa Wetlands Preserve has been added in Chapter 23. The approximate locations of Vernal Pools are shown in Figure 1 of Appendix J, attached to this document.

Comment B-29

See response to Comment B-2.

Comment B-30

A revision to clarify that biological impacts related to off-site hydrology are discussed in Chapter 7: Biological Resources and not Chapter 12: Hydrology has been added in Chapter 23.

Comment B-31

A revision to correct the reference from east to west has been included in Chapter 23.

Comment B-32

Note that the referenced text is a quote from the City's General Plan. No revision has been made to quoted material.

Comment B-33

There are no public trail easements currently over the Project site and none are proposed with the Project. The informal trails and open space on the knolls will remain privately owned, but maintained by the homeowners through a landscape maintenance district, community facilities district or other funding mechanism subject to review and acceptance by the City of Livermore. The informal trails and open space will be available for public use.

Comment B-34

Under the current condition, residents walk dogs on the Project site, often off leash. With development as proposed, there will be additional barriers to the wetlands in the form of fenced lots that may potentially reduce access by domestic pets to the Garaventa Wetlands Preserve.

The site is currently fenced along the property boundary with a barbed wire fence. The Project proposes new fencing only around proposed lots. Rear yard fences will be six feet high and open wire

view fences in order to minimize the visual prominence of the development from neighboring properties.

Comment B-35

There are no dedications to LARPD associated with the Project.

Comment B-36

The potential for impacts to the biology of the adjacent Garaventa Wetlands Preserve was analyzed in Chapter 7: Biological Resources of the Draft EIR. As noted on page 7-26 of the Draft EIR:

The site is within the area covered by the EACCS, a guidance document for regional conservation, and environmental permitting for private and public development projects in East Alameda County. EACCS identifies the site as urban, reflecting the existing General Plan Land Use Designation. There are no other conservation plans that cover the Project site. Project impacts and minimization and mitigation measures were evaluated considering recommendations in the EACCS. With implementation of Mitigation Measures Bio-1 through Bio-11a, the Project would be consistent with local policies or ordinances protecting biological resources and there would be no impact related to conflict with a biological plan or policy.

Comment B-37

The referenced text is discussing Parks and Recreation as it relates to potential impacts to Public Services. To clarify the topic, a revision has been included in Chapter 23 of this document.

Comment B-38

There is no cause, from the perspective of this EIR, to constrain use of City-collected Park Facilities Fees. The following is included for informational purposes:

The City of Livermore Municipal Code includes provisions for utilizing park fee revenue. Specifically, the park facilities fee will fund expanded park facilities in the city to serve new development. These facilities include land for public parks plus all associated capital improvements necessary to provide park and recreation services including:

1. Adjacent street improvements, including utility connections, curbs, gutters, street paving, traffic control devices, street trees, sidewalks and fencing adjacent to the property line;
2. Typical park improvements including but not limited to landscaping, irrigation, sports fields, courts, swimming pools, play structures, benches, pathways, fences, lighting and parking;
3. Special use facilities and structures such as restrooms, sports complexes, and buildings;
4. Land for public multi-use trails plus all associated capital improvements per the city's Bikeways and Trails Master Plan and Design Guidelines (December 2001) and the LARPD Trails Master Plan;
5. Private open space accessible to the public as defined in the Downtown Specific Plan; and
6. Financing and administrative costs associated with any of the above.

Comment B-39

The EIR is not recommending credit be granted for any open space set aside, but simply noting the process if land was dedicated to LARPD. The Project does not include any dedications to LARPD.

Comment B-40

This is an introductory statement and not a specific comment on the EIR.

Comment B-41

See response to Comment B-3.

Comment B-42

Some of these items are noted to be design issues and not related to the environmental analysis. However, the site plan includes an undeveloped buffer area between Project improvements and the property line that is adjacent to the Garaventa Wetlands Preserve and is over 80 feet wide. The Project also includes a water quality basin to treat stormwater runoff from developed areas.

These elements were included in the Project description analyzed in the Draft EIR, which found no significant impacts to the Garaventa Wetlands Preserve.

Letter "C"

Stewart, Steve

From: Wines, Brian@Waterboards <Brian.Wines@waterboards.ca.gov>
Sent: Wednesday, December 05, 2012 3:37 PM
To: Stewart, Steve; state.clearinghouse@opr.ca.gov
Cc: Marcia Grefsrud (mgrefsrud@dfg.ca.gov); Kim_Squires@fws.gov; cazuma@larpd.dst.ca.us
Subject: SCH # 2011112045 - Water Board Comments on the DEIR for Garaventa Hills Project
Attachments: R2_GaraventaHills_DEIR.pdf

Importance: High

Hi All

Here is the comment letter on the DEIR for Garaventa Hills.

I share LARPD's concerns that the DEIR has not really looked at how the Project may impact the contributing watershed of the adjacent Garaventa Wetlands Preserve. C-1

I am very concerned by the way the Engeo memo in Appendix G to the DEIR extrapolates from a single Sacramento Valley study of vernal pools to draw conclusions for vernal pools in other regions/climates/topographies of the State. C-2

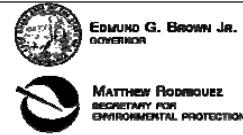
I am even more concerned by the way in which the body of the DEIR uses the Engeo memo to support arguments that are not presented in the Engeo memo. I am not convinced that this much "artistic license" is appropriate to the CEQA process. C-3

Brian Wines
Water Resources Control Engineer
San Francisco Bay Regional Water Quality Control Board
510-622-5680

*** The City of Livermore's anti-virus application (eSafe) scanned this email for malicious content ***

*** IMPORTANT: Do not open attachments from unrecognized senders ***

Letter "C"



San Francisco Bay Regional Water Quality Control Board

December 4, 2012
CIWQS Place No. 788741

Sent via electronic mail: No hardcopy to follow

City of Livermore, Planning Division
1052 South Livermore Avenue
Livermore, CA 94550-6707

Attn: Steve Stewart (SCStewart@cityoflivermore.net)

Subject: Garaventa Hills Project, Draft Environmental Impact Report
SCH No. 2011112045

Dear Mr. Stewart:

San Francisco Bay Regional Water Quality Control Board (Water Board) staff have reviewed the *Garaventa Hills Project, Draft Environmental Impact Report* (DEIR). The DEIR assesses potential impacts associated with implementing the Garaventa Hills Project (Project). The 31.7-acre Project site is located north of Interstate-580 and east of Vasco Road and west of Laughlin Road in the City of Livermore. The Project proposes 76 single family residential units on an internal looped circulation plan that circumscribes the prominent knolls at the Project site and connects to the planned extension of Bear Creek Drive, as well as Hawk Street, via a new bridge over Altamont Creek. Water Board staff have the following comments on the DEIR.

Comment 1, Chapter 7, Biological Resources, Regulatory Setting, State (pages 7-14 and 7-15).

This section of the DEIR lacks a discussion of the Water Board's authority under the State of California's Porter-Cologne Water Quality Control Act (California Water Code, Division 7). The DEIR notes that impacts to wetlands and other waters are subject to the jurisdiction of the Army Corps of Engineers (ACOE) and the California Department of Fish and Game (CDFG). However, the discussion of Water Board jurisdiction is limited to the certifications of ACOE permits that are issued by the Water Board pursuant to Section 401 of the Clean Water Act. The DEIR should be revised to include the Water Board's independent jurisdiction over wetlands and other waters, including wetland and waters that may not be subject to ACOE jurisdiction, under the State of California's Porter-Cologne Water Quality Control Act.

The Water Board has regulatory authority over wetlands and waterways under both the federal Clean Water Act (CWA) and the State of California's Porter-Cologne Water Quality Control Act. Under the CWA, the Water Board has regulatory authority over actions in waters of the United States, through the issuance of water quality certifications (certifications) under Section 401 of the CWA, which are issued in conjunction with permits issued by the Army Corps of Engineers (ACOE), under Section 404 of the CWA. When the Water Board issues Section 401 certifications, it simultaneously issues general Waste Discharge Requirements for the project, under the Porter-Cologne Water Quality Control Act. Activities in areas that are outside of the jurisdiction of the ACOE (e.g., isolated wetlands, vernal pools, seasonal streams, intermittent

C-4

JOHN MULLER, CHAIR | BRUCE H. WOLFE, EXECUTIVE OFFICER

1616 Clay St., Suite 1400, Oakland, CA 94612 | www.waterboards.ca.gov/sanfranciscobay

RECYCLED PAPER

Letter "C"

DEIR, Garaventa Hills Project

- 2 -

SCH. No. 2011112045

streams, channels that lack a nexus to navigable waters, or stream banks above the ordinary high water mark) are regulated by the Water Board, under the authority of the Porter-Cologne Water Quality Control Act. Activities that lie outside of ACOE jurisdiction may require the issuance of either individual or general waste discharge requirements (WDRs).

The *San Francisco Bay Basin Water Quality Control Plan* (Basin Plan) defines the beneficial uses of waters of the state. The Basin Plan assigns the following beneficial uses to Altamont Creek: groundwater recharge; cold freshwater habitat; preservation of rare and endangered species; warm freshwater habitat; wildlife habitat; and contact and non-contact water recreation. Therefore, the Basin Plan should have been included in the discussion of state laws and regulations related to biological resources.

C-4 contd

Water Board staff have pointing out the Water Board's authority over waters of the state and biological resources, pursuant to the State of California's Porter-Cologne Water Quality Control Act in comments on CEQA documents prepared by Lamphier-Gregory since at least 2005. It is unfortunate that these comments are still not reflected in CEQA documents that are prepared by Lamphier-Gregory (Note: The discussion of the Porter-Cologne Act in Chapter 12 of the DEIR does not include a discussion of WDRs or the beneficial uses of Altamont Creek).

Comment 2, Chapter 7, Biological Resources, East Alameda County Conservation Strategy (pages 7-15).

C-5

Text on Page 7-15 of the DEIR describes the East Alameda County Conservation Strategy (EACCS). The Project site is located in Conservation Zone 4 of the EACCS. As the DEIR correctly notes, one of the Conservation Priorities established for Conservation Zone 4 is, "Protection and Restoration of Cayetano Creek, Arroyo Las Positas, and Altamont Creek." Re-aligning about 300 linear feet of Altamont Creek is not consistent with "protection and preservation" of Altamont Creek.

Comment 32, Chapter 7, Biological Resources, Impacts and Mitigation Measures, Wetlands (pages 7-25 and 7-26).

C-6

According to Impact BIO-11:

Fill of Jurisdictional Wetlands: The proposed activity will permanently impact approximately 0.004 acre of seasonal wetland habitat and 0.053 acre (290 linear feet) of intermittent drainage channel habitat (Altamont Creek). Both of these areas are jurisdictional waters/wetlands. This is a **potentially significant impact**.

Altamont Creek is regulated by the USACE, the Regional Water Quality Control Board (RWQCB) and California Department of Fish and Game (CDFG). Field verification of the extent of Corps jurisdiction took place on April 11, 2011. Jurisdictional impacts will include the placement of approximately 350 cubic yards (cy) of clean earthen fill into jurisdictional waters in association with the proposed channel relocation activity.

Relocation of the channel several feet to the north of its current location would allow for the construction of a pier supported bridge structure. In addition to the channel relocation activity, a small (0.004 acre) seasonal wetland would be graded in association with the construction of the Project.

The Project proponent should not assume that the Water Board, or any of the other agencies, will allow the fill of the wetland or the re-alignment of 290 linear feet of Altamont Creek. The Water Board regulates Altamont Creek as water of the state. It is not standard practice for the Water Board to allow the realignment of a creek to accommodate the construction of a bridge to serve a

Letter "C"

DEIR, Garaventa Hills Project

- 3 -

SCH. No. 2011112045

single residential development. Access to the Project site should be redesigned to avoid any impacts to the current alignment of Altamont Creek.

Creeks are dynamic systems, and any change in the alignment of a creek may have unintended consequences that extend beyond the limits of the alignment change proposed by the Project. Even a carefully designed realignment may result in unintended changes to the channel alignment upstream and/or downstream of the realigned reach; this can negatively impact neighboring properties. Because of this, if the resource agencies were to allow any realignment of the creek, the Project should anticipate as much as 20 years of post-realignment monitoring of the stability of Altamont Creek. And the Project proponent would be responsible for correcting any creek bank failures that occurred subsequent to the realignment.

C-6 contd

Mitigation Measure Bio-11c proposes to mitigate the fill of 0.004 acres by creating a minimum of 0.004 acres of wetlands at either an on-site or off-site location. Even on-site mitigation would probably require a slightly greater than 1:1 ratio. Any creation of an off-site mitigation wetland would require more mitigation than is proposed in the DEIR's suggested mitigation ratio of 1:1.

C-7

The DEIR should be recirculated with an alternative that does not require the re-alignment of Altamont Creek.

C-8

Comment 3, Potential Impacts to the 24-Acre Garaventa Wetlands Preserve to the West of the Project Site.

In a December 6, 2011, letter that was submitted in response to the Notice of Preparation for the DEIR, the Livermore Area Recreation & Park District (LARPD) expressed concern that Project construction could reduce the watershed that supports vernal pool habitat at the adjacent Garaventa Wetlands Preserve. Text in Impact Bio-2; Loss of Designated Critical Habitat for Vernal Pool Fairy Shrimp, states the following:

An evaluation of potential hydrologic impacts to offsite wetlands with construction of the Project was conducted by Engeo Incorporated (included in Appendix G). Engeo concluded that the Project will not significantly impede or decrease water supplies to the vernal pools in the Preserve for the following reasons:

1. The timing and frequency of direct precipitation is the most critical factor influencing the hydrology of most vernal pools in California. The project has no impact on direct precipitation.
2. The Project is not proposing grading or construction activities directly within the limits of the offsite wetlands or the immediately adjacent area, which is likely to be a critical tributary area needed to supply the pools.
3. The natural buffer area proposed between the Project and the wetlands will help maintain function of the water exchange between the pools and the adjacent uplands.
4. The acreage of the entire watershed contributing to vernal pools is considerably larger than the Project area and is capable of generating significantly more water than is needed by the wetlands. This is regardless of the minor modifications to onsite drainage patterns that are an order of magnitude smaller than the total watershed.

C-9

In support of bullet 1, above, the 2.5-page long memorandum (one page of which is devoted to a Project description) from Engeo that is included in Appendix G only references a single study of vernal pools in the Sacramento Valley. The DEIR extrapolates the findings of a single study of Sacramento Valley vernal pools to "most vernal pools in California." At the nearby Springtown Preserve, mitigation wetlands/vernal pools have been created by manipulating their contributing

Letter "C"

DEIR, Garaventa Hills Project

- 4 -

SCH. No. 2011112045

watersheds. Therefore, it is probably not appropriate to extrapolate the single Sacramento Valley study to vernal pools in northern Livermore. And it is certainly not appropriate to use a single study of Sacramento Valley vernal pools to attempt to establish that vernal pools at the Garaventa Wetlands Preserve would not be impacted by watershed modifications associated with the Project.

As the Engeo memorandum acknowledges, a total of about 6.8 acres of watershed on the Garaventa Hills Project site that currently drains toward the Garaventa Wetlands Preserve will be redirected away from the Preserve's watershed by Project implementation. To be genuinely responsive to LARPD's concerns, Engeo should have assessed the change in the contributing watershed to the Garaventa Wetlands Preserve. Water Board staff consider the material in Appendix G to the DEIR to be substantially unresponsive to the concerns raised by LARPD.

Bullet item 2, above, is not relevant to assessing the Project's potential impacts on the contributing watershed for the Garaventa Wetlands Preserve. The Project has never had permission to grade property within the boundaries of the Garaventa Wetlands Preserve.

Bullet item 3, above, does not appear to make sense. If the contributing watershed is reduced by Project activities, it is not clear how a natural buffer will be able to maintain the function of water exchange between pools and adjacent uplands.

Bullet item 4, above, is not supported by material in Appendix G. The total acreage of the watershed of the Garaventa Wetlands Preserve is not presented in the DEIR or Appendix G. Therefore, the DEIR provides no basis for concluding that Project modifications to the watershed are an order of magnitude smaller than the total watershed.

Water Board staff are concerned that the body of the DEIR references the Engeo memorandum as the basis for the four reasons that the DEIR uses to justify the conclusion that the Project will not impact the water balance at the Garaventa Wetlands Preserve. However, the Engeo memorandum does not actually mention all four reasons. The DEIR should be recirculated with a much more robust discussion of potential Project impacts on the watershed of the Garaventa Wetlands Preserve. This discussion should include an assessment of the entire contributing watershed for the wetlands at the preserve.

Please contact me at (510) 622-5680 or bwines@waterboards.ca.gov if you have any questions. All future correspondence regarding this Project should reference the CIWQS Place Number indicated at the top of this letter.

Sincerely,

Brian K. Wines

Brian Wines
Water Resources Control Engineer
Watershed Division

cc: State Clearinghouse (state.clearinghouse@opr.ca.gov)
CDFG, Bay Delta Region, Attn: Marcia Grefsrud (mgrefsrud@dfg.ca.gov)
LARPD
USFWS, Kim Squires (kim_squires@fws.gov)
LARPD, Chiye Azuma (cazuma@larpd.dst.ca.us)

C-9 contd

LETTER C, SAN FRANCISCO BAY REGIONAL WATER QUALITY CONTROL BOARD, BRIAN WINES, 12/5/2012

Comment C-1

See response to Comment B-3

Comment C-2

The revised memo from ENGEO utilized for the analysis in the Draft EIR is included as Appendix J with this document. This revised report provides a much more extensive discussion as to the potential impacts of the Project on the wetlands than was included with the original report included in Appendix G. Conclusions were based on multiple literature sources from various vernal pool locations as well as offsite watershed analysis.

Comment C-3

A previous version of the ENGEO report was included in Appendix G of the Draft EIR, whereas a revised report was utilized for the analysis in the Draft EIR. This revised report is included as Appendix J to this document.

Comment C-4

A revision to clarify regulatory authority of the Water Board has been added in Chapter 23. Note that this authority is acknowledged in the discussion of Wetlands impacts on pages 7-25, including in Mitigation Measure Bio-11a.

Comment C-5

The Revised Project omits the Hawk Street bridge and does not include any disturbance of Altamont Creek.

Comment C-6

The Revised Project omits the Hawk Street bridge and does not include realignment of Altamont Creek.

Comment C-7

See response to Comment B-12.

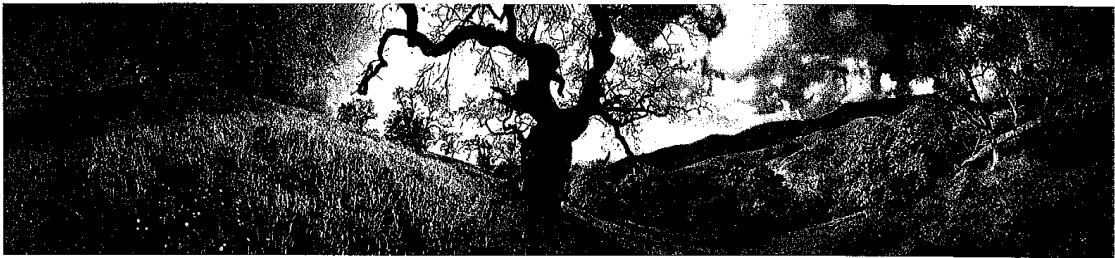
Comment C-8

The Revised Project omits the Hawk Street bridge and does not include any disturbance of Altamont Creek. As demonstrated in Chapter 22: Revised Project Assessment, the Revised Project would be encompassed by the analysis and conclusions in the Draft EIR, and while some impacts would be avoided or reduced, would have no new impacts or substantially increased impacts from those studied in the Draft EIR.

Comment C-9

A previous version of the ENGEO report was included in Appendix G of the Draft EIR, whereas a revised report was utilized for the analysis in the Draft EIR. This revised report is included as Appendix J to this document and addresses these comments. This comment references a letter received from LARPD prior to the completion of the Draft EIR and taken into account when the Draft EIR was prepared, as noted on page 1-2 of the Draft EIR. This letter was previously included in Appendix A of the Draft EIR and is also included in full as part of letter B in this Final EIR.

Letter "D"



December 19, 2012

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DEC 21 2012

COMMUNITY DEVELOPMENT DEPT.

1901 Olympic Blvd., # 320
Walnut Creek, CA 94596
Tel: (925) 947-3535
Fax: (925) 947-0642
www.SaveMountDiablo.org

Steve Stewart
Senior Planner
City of Livermore
1052 S. Livermore Avenue
Livermore, CA 94550

Board of Directors
Malcolm Sproul
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Amara Morrison
Secretary
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Treasurer
Arthur Bonwell
Emeritus
Heath Bartosh
Joe Canciamilla
Charla Gabert
John Gallagher
Claudia Hein
Scott Hein
David Husted
Doug Knauer
Brian Kruse
Marty Reed
Directors

**Subject: Notification regarding the Garaventa Hills Project EIR (SCH No. 2011112045)
and related Planning Process**

Dear Mr. Stewart:

Save Mount Diablo would appreciate being added to the notification list for all matters related to the Garaventa Hills project and EIR process.

Thank you very much.

Sincerely,

Nancy Woltering
Land Conservation Associate
Save Mount Diablo

Staff Directors
Ronald Brown
Executive Director
Seth Adams
Land Programs Director
Julie Seelen
Advancement Director
Monica E. Oei
Finance Director

Cc: Seth Adams, Land Programs Director

Founders
Arthur Bonwell
Mary L. Bowerman

Proud member of
Land Trust Alliance
California Council of Land Trusts
Bay Area Open Space Council

D-1

LETTER D, SAVE MOUNT DIABLO, NANCY WOLTERING, 12/19/2012

Comment D-1

This is not a comment on the environmental analysis, rather a request to be notified for future matters related to the EIR and public hearings for the Project. Save Mount Diablo has been added to the notification list for the Project.

Letter "E"



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7
100 NORTH CANYONS PARKWAY • LIVERMORE, CA 94551 • PHONE (925) 454-5000 • FAX (925) 454-5727

December 21, 2012

Mr. Steve Stewart
City of Livermore
1052 South Livermore Ave.
Livermore, CA 94551

Subject: Draft Environmental Impact Report for the Garaventa Hills Project

Dear Steve:

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

- 1) **On p.2-10, Impact Bio-11.** Mitigation Measure Bio-11b (and related discussion) should be restated to indicate that any plantings proposed on Zone 7 property would need to be discussed in detail with Zone 7 prior to recommending such measures as mitigation to regulatory agencies. E-1
- 2) **On p.2-15, Impact Traf-3,** it should be acknowledged that the Pedestrian-Bicycle Trail to be impacted by the proposed Hawk Street Bridge, is first and foremost a Zone 7 maintenance access road which requires continued access. While design elements for the trail should be considered, access for Zone 7's maintenance vehicles must be of primary concern. E-2
- 3) **On p.3-3, under Stormwater and Landscaping,** a new outfall into Altamont Creek is proposed. The outfall would have to be constructed to Zone 7 detail and specifications. E-3
- 4) **On p.3-9, Figure 3.3,** a preliminary Hawk Street Bridge and Altamont Creek Realignment Plan is presented, dated Sep 5, 2012 by RJA, the developer's Engineering Consultant; Zone 7 has not had any discussion with RJA about the project since Mar 2012. Figure 3.3 appears to be the same conceptual drawing that was presented to Zone 7 back in March, but no detailed review was conducted at the time. It would be beneficial for Zone 7 to have a copy of the latest set of drawings for review. E-4

In addition, the propose bridge design does not meet Zone 7's design criteria for bridges across a Zone 7 owned flood control facility; the bridge should ideally be clear span and provide a minimum of 14' of vertical clearance between the soffit and Zone 7's existing maintenance road in order for the channel to be maintained under the bridge. Providing vehicular pass-through over the bridge on the north and south side of the channel, as the current design specifies, does not

Letter "E"

provide access to the channel. Based on the proposed design, Zone 7 would defer to the City to provide maintenance of the channel under the bridge, as well as a minimum distance upstream and downstream of the bridge, as the proposed configuration does not allow Zone 7 to maintain it. Such responsibility can be transferred over as a grant deed or conveyed in a maintenance agreement, if it is the City's desire to allow the proposed design.

- 5) **On p.4-11, Figure 4.4b**, a simulation of what the bridge crossing will look like is presented. No discussions have occurred between the developer and Zone 7 on how the maintenance road crossing will look/function and what sort of safety measures will be incorporated. Based on the figure, there does not appear to be any safety measure (stop sign, bollards, gate, etc.) implemented for Zone 7 or for public use. E-4 contd
- 6) **On p. 7-2 under Environmental Setting**, there is no discussion of native fish or the watershed-wide recovery efforts for steelhead trout. NMFS is currently preparing a Recovery Plan for Central California Coast steelhead - including the Alameda Creek Watershed. E-5
- 7) **On p.12-4, under Local Regulations**, it should be noted that the proposed project includes a bridge that will prohibit proper maintenance of a flood control channel (section under the bridge). See comment #4. E-6
- 8) **On p. 12-9, under Impact Hydro-3**, Zone 7 disagrees with the statement that the proposed bridge meets Zone 7's design criteria. The only criteria Zone 7 has been informed of is that 2' of freeboard is maintained under the bridge. As mentioned earlier, the proposed bridge design is not a free-span (piers proposed in creek), nor does it provide vertical clearance on the north side or access on the south side, to adequately maintain the channel under the bridge. While the channel may contain flood waters, there is no way for it to be maintained under the bridge by Zone 7. Such responsibility will be passed on to the City, should the proposed bridge design be allowed over Zone 7 right-of-way. In addition, based on the Hydraulic Analysis provided, no scour analysis of the project was conducted. With the proposed piers and channel realignment, there is a potential impact for scour and erosion in the channel. The hydraulic analysis was also based on a conceptual design provided by RJA in September 2011; it is unclear whether the conceptual design has changed since then. E-7
- 9) **We provided comments on the NOP in January 2012** (attached for reference). E-8

We appreciate the opportunity to comment on this Draft EIR. Staff is available to go over any of these comments in more detail. If you have any questions, please feel free to contact me at (925) 454-5005 or via email at erank@zone7water.com.

Sincerely,

Elke Rank

cc: Jill Duerig, Joe Seto, Jeff Tang, Carol Mahoney

Letter "E"



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7
100 NORTH CANYONS PARKWAY, LIVERMORE, CA 94551-9486 • PHONE (925) 454-5000

January 5, 2012

Mr. Steve Stewart
City of Livermore
1052 South Livermore Ave.
Livermore, CA 94551

Subject: Notice of Preparation (NOP) of an Environmental Impact Report for the Garaventa Hills Project

Steve
Dear Mr. Stewart:

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

1. The Developer for this project has had initial discussions with Zone 7's Flood Protection staff. As the process progresses, we ask that they continue to meet and discuss their bridge design proposal with Zone 7 to insure that Zone 7 standards are met. In addition, the Developer will need to discuss with Zone 7, the proposed detention basin proposed in Lot D. A hydrologic/hydraulic study of the area is required to determine the impacts of the development on the existing Zone 7 Flood Control facility.
2. The project area that spans Zone 7's property and Altamont Creek has been identified as a potential mitigation/restoration site. The Developer should coordinate closely with Zone 7 Flood Protection and Integrated Planning groups to identify any possible conflicts from the proposed bridge crossing of Altamont Creek.

We appreciate the opportunity to comment on this NOP. If you have any questions, please feel free to contact me at (925) 454-5036 or via email at mllim@zone7water.com.

Sincerely,

Mary Lim
Mary Lim
Integrated Planning

Cc: Carol Mahoney, Joe Seto, Jeff Tang

E-10

E-11

LETTER E, ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7, ELKE RANK, 12/21/2012

Comment E-1

The Revised Project omits the Hawk Street bridge and does not include disturbance of Altamont Creek. Mitigation Measure Bio-11b is no longer applicable to the Revised Project.

Comment E-2

The Revised Project omits the Hawk Street bridge and would not impact the existing trail/maintenance access road. Impact and Mitigation Measure Traf-3 are no longer applicable to the Revised Project.

Comment E-3

A revision to clarify coordination with Zone 7 for the outfall has been added in Chapter 23.

Comment E-4

The Revised Project omits the Hawk Street bridge and therefore would not impact maintenance of the channel.

Comment E-5

The Hawk Street bridge has been omitted from the Revised Project. No changes to existing trail/maintenance access road or existing fences are proposed under the Revised Project.

Comment E-6

According to the biologist for the EIR, Zander Associates, Altamont Creek adjacent to the Project site is not considered critical habitat for steelhead trout and it seems unlikely that the species would be present given the significant downstream barriers to fish passage and unsuitability of the habitat (no shade, too warm, intermittent or at least low flow). The recovery plan referenced in the comment is not public and not available for review so cannot be specifically addressed. Regardless, the Project will not remove fish habitat. The Revised Project omits the Hawk Street bridge and does not include disturbance of Altamont Creek.

Comment E-7

See response to Comment E-4.

Comment E-8

See response to Comment E-4.

Comment E-9

There referenced letter in included in full with letter E, encompassing comments E-10 and E-11, below.

Comment E-10

Comment on applicant coordination with Zone 7 is not a comment on the environmental analysis.

Comment E-11

See response to Comment E-4.

Letter "F"



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

December 26, 2012

RECEIVED

JAN 02 2013

PLANNING DIVISION

Steve Stewart
City of Livermore City Administration Building
1052 S. Livermore Avenue
Livermore, CA 94551

Subject: Garaventa Hills Project
SCH#: 2011112045

Dear Steve Stewart:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on December 24, 2012; and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Morgan".

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

F-1

F-2

Letter "F"

Document Details Report State Clearinghouse Data Base

SCH#	2011112045
Project Title	Garaventa Hills Project
Lead Agency	Livermore, City of
Type	EIR Draft EIR
Description 76-unit single-family residential subdivision including bridge construction over Altamont Creek.	

Lead Agency Contact

Name Steve Stewart
Agency City of Livermore City Administration Building
Phone 925 960 4468
email
Address 1052 S. Livermore Avenue
City Livermore State CA Zip 94551

Fax

Project Location

County Alameda
City Livermore
Region
Lat / Long 37° 43' 30" N / 121° 43' 0" W
Cross Streets north of Garaventa Ranch Rd. and Hawk St., west of Bear Creek Dr. and Laughlin Rd.
Parcel No. 99B-5300-10
Township Range Section Base

Proximity to:

Highways I-580
Airports No
Railways ACE
Waterways Altamont Creek
Schools various
Land Use currently undeveloped. UL-1; Urban Low Density Residential

Project Issues Air Quality; Biological Resources; Flood Plain/Flooding; Geologic/Seismic; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Wetland/Riparian

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 3; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 4; Regional Water Quality Control Board, Region 2; Native American Heritage Commission; Public Utilities Commission; State Lands Commission; Other - Public Comments

Date Received 11/08/2012 Start of Review 11/08/2012 End of Review 12/24/2012

LETTER F, GOVERNOR'S OFFICE OF PLANNING AND RESEARCH, STATE CLEARINGHOUSE AND PLANNING UNIT, SCOTT MORGAN, 12/26/2012

Comment F-1

This is a comment noting compliance with Clearinghouse review requirements. No response is necessary.

Comment F-2

The referenced letter has been omitted here as it is included in full as Letter C in this document.

Letter "G"

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DEC 19 2012

COMMUNITY DEVELOPMENT DEPT.

December 4, 2012

City of Livermore Planning Division
1052 South Livermore Avenue
Livermore, CA

Dear City of Livermore Planning Commission:

With all due respect to the planning commission, I think the proposed planned development of the Garaventa Hills project is clearly in conflict with the policies of the City of Livermore and with the community it is supposed to support and protect.

I spent quite a bit of time studying the EIR for the Garaventa Hills project and the more I read, the more I realized that you, as members of the planning commission, have been mandated to protect the hills located at the end of Bear Creek Drive from any development, including the top knoll, the crest, and all of the slopes to the bottom of the hills. In the policy statements attached to this letter there are fully 11 policy statements that I have quoted directly from the EIR for the Garaventa Hills project which very clearly and in the most commanding manner state that there should be absolutely no structural development and no building on any hillsides, knolls, ridgelines, scenic views, or silhouettes.

For starters, the Garaventa project writers seem to be trying to get around the clearly written policies by saying that the hills are knolls. If they are so insistent on calling our hills knolls, then why do they call their project, "Garaventa Hills?" Which one is it?

Furthermore, I attached the eleven policy statements that put this project in direct conflict with the mandates of the policies of the City Livermore. Be sure to look at the attachment.

I have written comments on all of them in the attachment. For now, let's start with POLICY CC-1.1.Pw. "The City shall permit no intensive development of the hills . . . Under no circumstances shall development create uniform, geometrically terraced building sites which are contrary to the natural landforms of which detract, obscure, or negatively effect the visual quality of the landforms."

The Garaventa project writer responds, "The project site includes knolls, but not the prominent hillsides surrounding Livermore."

However, the policy never contained the word "prominent", it just said that, "there should be no intensive development of the hills." This could not be more clearly written! And over and over again in the policies of the City, the hills are mandated to be under your protection from any development or building. After reading all of these policies, surely there can be no doubt in your mind that these hills need to be protected by you!!

Another glaring example is Policy CC-1.1P11, which clearly states that, "The City shall preserve and enhance... the following natural amenities: (a) Ridgelines (B) Oak Woodlands and Grasslands (C) Grasslands (D) Riparian Woodlands (E) Arroyos and Creeks (F) Knolls (G) Brushy Peak (H) Arroyo Mocho/Cedar Mountain (I) corral Hollow (J) Sycamore Grove (K) Hilltops (L) Slopes (M) Viewscapes (N) Frick Lane

G-1

G-2

G-3

G-4

G-5

Letter "G"

that the management of the community growth will assure that the natural amenities and environmental qualities which are among its greatest assets can be successfully improved, preserved and enhanced." I urge you not to tear apart these hills, which are the "greatest asset" and "natural amenity" of our area.

G-5 contd

The second policy I mentioned above, states, "All residential growth shall be consistent with the policy that a proposed development must be in the best interest of the community as a whole, considering that our goal is to achieve balance in our community." It is not in the best interest of the community to take away a beloved open space area that is like a precious jewel for the fact that it contains ever so rare, lovely, and irreplaceable hills! In fact, I think the people of the immediate neighborhoods would begin to suffer depression, anxiety, anger, and resentment if you go further with this whole idea. That is definitely not in the best interest of the community as a whole. And since this policy states that the development must be in the best interest of the community as a whole, then the whole community of Livermore should have a say as to whether or not we should demolish some of the few hills that exist in our city.

G-6

I urge you, (In fact, I insist) to put this up as a ballot measure on the next election cycle. It is too important to not allow the community as a whole to not have a say in the development or rather the destructions of this valuable asset to the city.

G-7

Lastly, as I am sure you have noticed, most of Livermore is as flat as a pancake! There are blessed few hills, or knolls, and they need to be protected, each and every one of them. This is obviously why the policy statements mention protecting the hills and knolls over and over and over again in the city document. Please protect this gift from nature. If you tear them up and haul half of them away, and build houses all over them, thus ruining them, you are being completely irresponsible. But if you protect them, not just for all of the hundreds of people who love them today, but for all of the 1,000s of residents who will enjoy them for centuries to come and who will be grateful for you for protecting them.

G-8

Once they are destroyed, you can't bring them back!

A society grows great when old men plant trees whose shade they know they shall never sit in. Greek Proverb.

BE great! Protect the hills for the coming generations!

Sincerely,
Helen Nelson
6949 Bear Creek Drive
Livermore, CA



"Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has." Margaret Mead

Letter "G"

Addendum to the Statement by Helen Nelson in objection to the Planned Development of Garaventa Hills.

These are from excerpts from the Draft EIR for the Garaventa Hills Project in Livermore, CA

Page 13-2

The following General Plan goals, objectives and policies would be applicable to the Project (note that this is not intended to be a complete list or determination of consistency):

GOAL LU-1. Protect the unique qualities of Livermore, which include a historic Downtown, a variety of residential neighborhoods, vineyards, ranches, natural habitats and open space.

My Comment: Although this area is within the Urban Growth Boundary, it is already a natural habitat for many species of birds, mammals, and reptiles, many of them possibly endangered. Plus, it has become a beloved natural open space for the people who live around it and it should be protected for that reason, if for nothing else.

OBJECTIVE LU-2.1. Develop and phase new housing at a rate that can be absorbed by public infrastructure and in a manner that fits within Livermore's character.

My Comment: It is not in Livermore's character to demolish four of the few wild and scenic hills Livermore has. Livermore is a flat city and the few hills it has must be protected!

Their Comment: The proposed Project is within the Urban Growth Boundary, adjacent to established urban areas, and already annexed into the City.

My Comment: This does not mean that it must be destroyed, plowed under, and built over with houses.

On Page 13-2

POLICY LU-2.1.P1. The City shall ensure that the management of community growth will assure that the natural amenities and environmental qualities which are among its greatest assets can be successfully improved, preserved, and enhanced.

My Comment: There are very few hills or even knolls in Livermore, especially ones that provide the magnificent views that these hills provide. Therefore, the policy clearly states that they need to be preserved since there are so few to begin with. They are truly unique and precious, as well as being a great asset. Once they are destroyed, they can never be replaced.

POLICY LU-2.1.P13. All residential growth shall be consistent with the policy that a proposed development must be in the best interest of the community as a whole, considering that our goal is to achieve balance in our community.

My Comment: Destroying these hills and open space would not be taking into consideration the best interests of the citizens who love these hills. Plus, I consider this a mandate that the development should be brought to the attention of the entire city of Livermore, since the hills belong to every citizen of Livermore, not just to those of us in the immediate neighborhood. The city needs to have a vote on this when something as important as some of the few hills are being threatened.

Page 13-3

The City shall maintain an area of non-urbanized land surrounding Livermore to serve as a buffer between communities. Uses that are considered compatible with this area include agriculture, grazing, open space, recreation, and reclaimed sand and gravel extraction.

My Comment: These hills are a beloved open space area where residents can go to be away from and above the developed area and enjoy an untouched, natural environment near their own homes and neighborhoods. They provide recreation for people and children of all

G-9 contd

Letter "G"

ages. I am 62 and I walk the crest of the hills almost every day. I walked the entire crest of the hills with my 2 and ½ year-old grandson last summer, along with my daughter who was 7 months pregnant. The accessibility of the hills for recreation for citizens of all abilities and all ages is one of the main reasons they need to be protected as open space.

Page 13-4

POLICY LU-4.1.P2. The City shall encourage the clustering of development in order to minimize its overall footprint in areas of ecological sensitivity, such as hillsides, alkali springs, creek corridors, and watersheds.

My Comment: How much more clear can this policy be?

POLICY CC-1.1.P1. The City shall allow no structural development in hillside areas involving skylines, ridgelines, or silhouettes.

GOAL CC-4. Protect and enhance public views within and from established scenic routes, including views of arroyos.

OBJECTIVE CC-4.1. Protect public views from scenic routes and corridors.

Here is the Project's response!?!?

(The Project site includes knolls, but not the prominent hillsides surrounding the Livermore area. The Project would not significantly impact skylines, ridgelines or silhouettes of the hillside areas, as discussed in more detail in Chapter 4: Aesthetics

My response- It does not say “prominent” in the policy. I just says “the hillside areas, skylines, ridgelines, or silhouettes!” Our hills have all of those! “The City shall not allow structural development in hillside areas!” No one can build on our hills!!! This is plain English!

Page 13-5

POLICY CC-1.1.P2. The City shall permit no intensive development of the hills. Development including roads, buildings and other structural or land coverage shall be located, sited and designed to fit and be subordinate to the natural landforms. Under no circumstances shall development create uniform, geometrically terraced building sites which are contrary to the natural landforms and which detract, obscure or negatively effect the visual quality of the landforms.

Their Response: The Project site includes knolls, but not the prominent hillsides surrounding the Livermore

My response- Once again, it does not say “prominent” in the policy. I just says “the hills!” And I am quite certain it says, “Under no circumstances . . . “ That is definitely clear!

Page 13-5

POLICY CC-1.1.P9. Open space shall be used as a buffer between incompatible land uses within urban or essentially undeveloped areas.

My suggestion: Use this policy to make the hills a permanent open space buffer. In fact, I insist on it!

Pages 13-5 and 13-6

POLICY CC-1.1.P11. The City shall preserve and enhance, or work with and support the efforts of other agencies, as appropriate (e.g., with joint grant applications, sharing of staff resources and legal services), to preserve and enhance the following natural amenities:

- (a) Ridgelines
- (b) Oak Woodlands and Grasslands

DRAFT ENVIRONMENTAL IMPACT REPORT

Letter "G"

PAGE 13-6 GARAVENTA HILLS PROJECT

- (c) Grasslands
- (d) Riparian Woodland
- (e) Arroyos and Creeks
- (f) Knolls
- (g) Brushy Peak
- (h) Arroyo Mocho/Cedar Mountain
- (i) Corral Hollow
- (j) Sycamore Grove
- (k) Hilltops (NLUGBI)
- (l) Slopes (NLUGBI)
- (m) Viewscapes (NLUGBI)
- (n) Frick Lake

Their response: The Project preserves the creek and retains the on-site knolls while developing lower lying grassland.

The City will ultimately determine consistency, but it should be noted that the Project site is acknowledged in the General Plan as a planned site for residential development.

My Comment: The general plan states that the area is a “planned site”. But plans can change and this area is definitely at least a knoll, and it is a grassland, and it is has a hilltop, and it has slopes, and it has viewscapes. So for those 5 natural amenities (out of the 12), the hills should be “preserved and enhanced”.

Page 13-13

POLICY CC-4.12.P1. In both urban and rural areas, normally permitted uses of land should be allowed in scenic routes, except that panoramic views and vistas should be preserved and enhanced

My Comment: Once again, the views from the hills and of the hills themselves, without and houses on them, area amazingly fantastic!

Page 13-8

POLICY CC-4.16.P1. Views from scenic routes will comprise essentially all of the remainder of the Valley beyond the limits of the I-580 Scenic Corridor. The I-580 Scenic Corridor is intended to establish a framework for the observation of the views beyond; therefore, in all areas in the Valley extending beyond the scenic routes, scenic qualities should be preserved through retaining the general character of natural slopes and natural formations, and through preservation and, where desirable, enhancement of water areas, water courses, vegetation and wildlife habitats.

My Comment: “Retaining the general character of natural slopes and natural formations” should definitely be a clear policy to not allow any building of homes on these lovely slopes, not to mention the wildlife habitats that they are. My daughter saw a 6-point buck up on the hills once, and I have seen red-tailed hawks, prairie dogs, rabbits, squirrels, and a coyote. Fox have been spotted there, as well.

POLICY CC-4.16.P2. Development of lands adjacent to scenic routes should not obstruct views of scenic areas, and development should be visually compatible with the natural scenic qualities.

My Comment: How can cramming 76 homes all over these three small knolls not obstruct the views of the scenic area when the hills themselves are the scenic area!!!! Also how can 76 homes be compatible with the natural scenic qualities of the hills?

LETTER G, HELEN NELSON, 12/4/2012**Comment G-1**

This is an introduction comment. Specific comments follow and are addressed below.

Comment G-2

This document, the Final EIR, is responding only from an environmental perspective. However, the use of the term “knolls” was not used to specifically exclude the Project from references to “hills” or “hillsides.” The Draft EIR does not intend to distinguish a difference between hills and knolls. While excerpted policies are included in the setting section of Chapter 13: Land Use of the Draft EIR, interpretation of consistency was based on a more comprehensive reading of the discussion, goals, objectives and actions included in the City’s General Plan, which also identifies the site as a location for residential development. Potentially applicable policies referencing hills or hillsides were specifically included in this section of the EIR so that consistency with them could be discussed.

Comment G-3

This is an introductory statement to the comments following.

Comment G-4

The excerpt of both Policy CC-1.1.P2 (referenced as Pw in the letter) and the Draft EIR discussion of consistency have excluded the portion discussing under what circumstances development could be allowed. Policy CC-1.1.P2 in full states: The City shall permit no intensive development of the hills. Development including roads, buildings and other structural or land coverage shall be located, sited and designed to fit and be subordinate to the natural landforms. Under no circumstances shall development create uniform, geometrically terraced building sites which are contrary to the natural landforms and which detract, obscure or negatively affect the visual quality of the landforms. These are included in full on page 13-5 of the Draft EIR.

Comment G-5

As noted on page 13-6 of the Draft EIR, the Project retains the on-site knolls while developing lower lying grassland. The City will ultimately determine consistency, but it should be noted that the Project site is acknowledged in the General Plan as a planned site for residential development.

Comment G-6

The excerpt of the referenced Policy LU-2.1.P13 excludes the portion of policy that determines the understanding of what is meant by achieving balance in the community.

Policy LU-2.1.P13 in full states: All residential growth shall be consistent with the policy that a proposed development must be in the best interest of the community as a whole, considering that our goal is to achieve balance in our community, which shall be understood to mean:

(a) A geographical balance of the physical population on the terrain.

(b) That the adverse impact of the residential growth on air quality be balanced by factors such as reduced vehicle miles traveled (VMT) because of shopping facility locations and local employment of the residents.

(c) That the ratio of the industrial-commercial tax base versus that residential tax base will become more favorable.

(d) The need to provide more very-low and low income housing.

(e) Compliance with the goals and policies set forth in this plan.

The response from page 13-3 of the Draft EIR reads:

The Project site is acknowledged in the General Plan as a planned site for residential development and therefore assumed to be part of the managed community growth and not intended as non-urbanized land. The Project has undergone design-level review of the site plan, architecture and landscape architecture to ensure compliance with the City's Design Standards and Guidelines and applicable policies and regulations.

Comment G-7

This is not a comment on the environmental analysis. However, the Project site is acknowledged in the General Plan as a planned site for residential development and is located within the City Boundary and North Livermore Urban Growth Boundary. A ballot measure is required for development proposals beyond the North Livermore Urban Growth Boundary.

Comment G-8

The comment is an expression of the commenter's opinion and not a comment on the environmental analysis.

Comments G-9 (Addendum to the Statement by Helen Nelson in objection to the Planned Development of Garaventa Hills)

The commenter is providing interpretation of City General Plan policies that were included in the setting section of Chapter 13: Land Use of the Draft EIR and sometimes to the discussion also included in that section. As the Final EIR document, this document is limited to response from an environmental perspective. There is no additional responses from this perspective other than a) to reference the complete discussion included in the referenced portion of that chapter, and b) to note that related topic areas alluded to in the comments, such as Aesthetics and Biology were fully assessed in those respective chapters of the Draft EIR.

Letter "H"

stewart, Steve

om: CAROLYN6665@aol.com
ent: Thursday, December 20, 2012 11:07 AM
p: Stewart, Steve
c: saveourgaraventahill@gmail.com
ubject: Garaventa Hills

b: Steve Stewart
ity of Livermore Planning

2/20/12

ood Morning Mr. Stewart. My name is Carolyn Morgan and I own the house at 1997 Ivy Common in the city of vermore. I do have a couple of questions regarding the Garaventa Hills development. I know that the issues of traffic at e school and the walking trail have all been addressed so I will not address them again.

H-1

ne of my concerns is the destruction of habitat when the hill is bulldozed to make suitable building pads. I was ondering if the developer owns any other land within the city that is more suitable for building. If so would a transfer of evelopments credits be a possibility? Even if the developer could sell the development credits to another builder in a ore suitable area then the habitat would be saved of forever.

H-2

he other question I have concerns is affordable housing. Is it not a requirement that each city provide more affordable ousing? Because of the enormous cost in developing this land to make it suitable for building and the limited number of ouses that can be built on this land, there is no way these houses would be affordable.

H-3

hank you for letting me express my concerns. Carolyn Morgan

LETTER H, CAROLYN MORGAN, 12/20/2012

Comment H-1

This is an introductory statement and not a specific comment on the environmental analysis.

Comment H-2

The Project site is within the North Livermore Urban Growth Boundary and is not eligible as a Transfer Development Credit (TDC) Sending Site. Thus, the property owner does not have the option to participate in the City's TDC Program that grants credits to participating property owners for retiring development rights. In addition, the discussion of the no project/no development alternative on page 19-4 of the Draft EIR states, "...there is no current proposal for the City or other agency to purchase this site or otherwise preserve it in an undeveloped state. The site is zoned for and previously indicated under the Maralisa plan for residential development." Impacts related to habitat loss are mitigated to less than significant levels through mitigation included in Chapter 7: Biological Resources.

Comment H-3

This is a question and not a comment on the environmental analysis. The General Plan Housing Element has the goal of providing housing affordable to all economic segments of the community and requires 15 percent of the dwelling units in the proposed project to be affordable to low and moderate income households, or satisfy this requirement by an alternative means. Consistent with these provisions the applicant intends to satisfy the Project's affordable housing obligation by paying an in-lieu fee. Such fees and interest earned will be used only to finance programs to create more affordable housing, including:

1. Mortgage subsidies and down payment assistance;
2. Site acquisition;
3. Banking of land for use in the development of affordable housing;
4. Rental subsidies;
5. Construction financing;
6. Issuance of bonds;
7. Providing predevelopment funds;
8. Providing rehabilitation funds to preserve existing affordable housing stock;
9. Providing loan security; and
10. Any other assistance that will serve to increase or maintain the supply of affordable housing in the city.

Ultimately, the details of the affordable housing provision will be subject to City Council approval of a Housing Agreement before adoption of the final subdivision map.

Letter "I"

Stewart, Steve

From: Dazzling Spas <dazzlingspas@comcast.net>
Sent: Thursday, December 20, 2012 1:44 PM
To: Stewart, Steve
Subject: Garaventa Hills (proposed project)

Hello Mr Stewart,

My name is Matt Tadevich and my girlfriend's name is Wendy Koontz. We live at 2188 Teagarden Common (Maralisa Courtyards) in Livermore CA. When we moved in 2004 we were told that the hillside would never be developed.

I-1

We have (along with all of our neighbors) had the privilege of un-obsured and picturesque views of Brushy Peak for over 8 years now. We have also watched people walking the many trails; whether it be for exercise, walking their dogs or just enjoying the serenity of the openness. We have watched/listened to the children playing on the hill; getting the exercise they so desperately need by riding their bicycles on the trails and over the small ramps, using their imaginations (instead of a video game doing it for them) enjoying the fresh outdoor air and the freedom that this open space has afforded all of us in the surrounding neighborhoods.

With the obesity rate of children in today's society (1 in 3) can we really afford to let Lafferty or any other developer build homes on this site? There is no other area in northeast Livermore that compares with this specific spot, that offers so much, (for so little) for everyone, that I'm aware of. This place is so beautiful that people are drawn to it on many levels.

I-2

Most important of all...I've never seen any of these children with a cell phone (texting) or a can of spray paint defacing property) in their hands: they're too busy having fun!

sincerely hope the Planning Commission rejects the plan to develop this beautiful piece of property.

Best regards,

Matt Tadevich & Wendy Koontz

LETTER I, MATT TADEVICH & WENDY KOONTZ, 12/20/2012

Comment I-1

This is not specifically a comment on the environmental analysis, but it can be noted that the Project site has had residential land use designations for over 25 years. In 1988, the Area A General Plan Amendment changed the Property's land use designation from Urban Medium Residential (4.5 dwelling units per acre) to Urban Low Medium Residential (3 dwellings per acre). The site is currently within the City limits and North Livermore Urban Growth Boundary and remains identified as a site for residential development in the City's General Plan.

Comment I-2

This comment is not specifically a comment on the environmental analysis. Impacts to views were assessed in Chapter 4: Aesthetics. Some views of the Project site from neighboring homes will include single family homes in the foreground of views to Brushy Peak and the distant hills to the north. However, views of Brushy Peak and the distant hills to the north will remain unobstructed from public vantage points along the Altamont Creek Trail, from the Garaventa Wetlands Preserve, and from many of the homes in Maralisa Courtyards. The views of the Project site will be similar to views of neighboring residential developments patterns.

Also see response to Comment B-33 regarding access to the informal knoll trails.

Letter "J"

Stewart, Steve

From: Cindy Angers <norcal7@gmail.com>
Sent: Friday, December 21, 2012 2:22 PM
To: Stewart, Steve
Subject: Save Our Hill Group's Compiled List of Questions/Concerns on the proposed project and DEIR at Garaveta Hill
Attachments: DEIR review questions-Save Our Hill-12-21-2012.xlsx

Mr. Stewart,

Attached please find the Excel type spreadsheet with our questions and concerns on this proposed development. Should you have any problems with this .xls file, please let me know.

J-1

I will submit this List and copies of the Concerned Citizens lists in person later today. I will leave you with a hardcopy of this lengthy list at that time.

J-2

As a group, we would like to meet with you to clarify any of these questions. Since there are so many questions, it is likely that some extra explanation of a few may be needed.

We look forward to working with you on resolving these many questions and concerns.

Thanks, and Happy Holidays!

Cindy L.M. Angers for Save Our Hill Group

** The City of Livermore's anti-virus application (eSafe) scanned this email for malicious content ***

** IMPORTANT: Do not open attachments from unrecognized senders ***

Letter "J"

Save Our Hill Group Garaventa Hill Development DEIR Review

QUESTION/CONCERN #	QUESTION/CONCERN	BASIS OF QUESTION/CONCERN	SUGGESTED ALTERNATIVE/ MITIGATION	REFERENCE DOCUMENT
TRAFFIC				
T-1	Concerned about pedestrian (especially school kids) conflict with increased vehicular traffic on Hawk St.	Currently huge amount of traffic and pedestrians at Hawk during school start and end, additional ~150 cars will create unsafe vehicular/pedestrian conflicts.	Widen Hawk St. to allow for striping of lanes. Add traffic signal, at least electronic crosswalk.	Alarming photo of kids darting out in front of cars.
T-2	Hawk St. is 1 of 2 access road to the project; Hawk is not good choice for an access road, and will probably be the main access road.	Hawk St. too narrow, heavily used by school kids, adjacent to the school.	Eliminate Hawk access, provide road to project from Vasco.	Map of area to show better road alignment from signal at Vasco.
T-3	Unsafe pedestrian crossing of internal street at knolls path.	Knolls path is highly used, will have increased usage with new development's residents.	Add illuminated crosswalk or traffic signal. Concern is this disrupts rural feel of area.	Site plan.
T-4	Project only proposes traffic improvement at North Front and Laughlin. Increased traffic will impact 580 interchanges at both Vasco and Greenville.		Improvements at 580/Vasco and 580/Greenville also.	
T-5	Altamont Creek Trail an existing, highly used pedestrian trail. Potential ped and vehicular conflicts at proposed bridge.		Grade Separation of ped trail and vehicular bridge.	DEIR grading plan
T-6	RECEIVED DEC 21 2012 Community Development Dept.	This is a vehicle dependent neighborhood, most residents have 2.5 cars per household, with average of 2 cars per household entering the weekday commute. The project only trips number should be closer to 150, not 77.	Traffic impacts to be reanalyzed.	DEIR pg. 16-25

Save Our Hill Group Garaventa Hill Development DEIR Review

QUESTION/CONCERN #	QUESTION/CONCERN	BASIS OF QUESTION/CONCERN	SUGGESTED ALTERNATIVE/ MITIGATION	REFERENCE DOCUMENT
T-7	The traffic for the new houses will be coming from Bay Area, not Tracy. Why is freeway entrance slated for Greenville, not Vasco?			
T-8	Why can't a road be built from Vasco to the new development? Why is it necessary to go through a neighborhood street, particularly one so close to a protected area?			
ENVIRONMENTAL				
E-1	Listed species impacts eminent, so mitigation will be required. Where is description of mitigation area/site?	At community meeting, developer supplied maps of mitigation area. No mention in Draft EIR.	Provide Mitigation Area/Site description.	Developer prepared Mitigation area map.
E-2	Insufficient number of Biological reconnaissance field visits for high number of Listed Species.	6 Listed species studying in EIR, 4 additional Listed species within Vicinity. This totals 10 Listed species!	This total of 10 potentially affected Listed species needs better Biological studies done in project planning.	DEIR pg. 7-6 to 7-7
E-3	Lack of through Biological reconnaissance field visits.	DEIR pg. 7-1 lists field visits only in Nov. 2010, Jan/Feb. 2011	Biological field reconnaissance field visit all seasons. 2010 and 2011 unusual rainfall years, so false findings probable.	DEIR pg. 7-1

Letter "J"

Save Our Hill Group Garaventa Hill Development DEIR Review

QUESTION/CONCERN #	QUESTION/CONCERN	BASIS OF QUESTION/CONCERN	SUGGESTED ALTERNATIVE/ MITIGATION	REFERENCE DOCUMENT
E-4	Development an obstacle for wildlife to water source at Altamont Creek. Wetlands near Bluffs for Red Legged Frog and Tiger Salamander was created/protected for the benefit of these species and now we are allowing an obstacle to the closest water source? This development an obstacle for other wildlife too.		Wildlife should not be expected to go around development. Current access should be preserved.	J: E-5
E-5	Intrusion of fresh water from irrigation disrupts soil chemistry at alkaline wetlands in LARPD lands?	Unique alkaline wetlands at LARPD lands, protected now, on mitigated land from Maralisa development.	Further studies to be done.	Friends of Springtown Preserve Soils Map show these adjacent wetlands. J: E-5
E-6	Burrowing Owl protected habitat immediately adjacent to proposed project; project's impacts too high.	Burrowing Owls tolerance to adjacent development found to be very low. Also, pets from development will impact Owls. LARPD has monitored Owl habitat immediately adjacent to project. Project too close to Owls.	Further studies to be done before project can advance.	J: E-6
E-7	Adjacent land owners LARPD and ZONE 7 and Alameda Co. Flood Control District should review DEIR. All affected agencies and organization should review the DEIR.	Majority of project is bordered by lands owned and managed by at least 2 of these agencies.		J: E-7
E-8	Detention basin to be designed to provide habitat for wildlife.	Similar to situation at a Dublin development, where habitat was created at detention basin.		J: E-8

Save Our Hill Group Garaventa Hill Development DEIR Review

QUESTION/CONCERN #	QUESTION/CONCERN	BASIS OF QUESTION/CONCERN	SUGGESTED ALTERNATIVE/ MITIGATION	REFERENCE DOCUMENT
E-9	Doesn't there need to be some sort of a corridor for the listed species from the planned development area to reach the protected areas adjacent to the proposed development site?			J: E-9
E-10	Rerouting of creek at proposed bridge a tremendous impact.	The disturbance to the local wildlife appears to be too invasive. The grading impacts and sediment pollution too high.	No creek rerouting should be allowed due to high impacts.	J: E-10
VISUAL IMPACTS				
V-1	One DEIR Project Objective is 7. conserve 2 knolls as visual resource for community. View of knolls ruined by proposed rooflines and trees.			DEIR pg. 4-4, 4-14 J: V-1
V-2	Views of open space on knolls ruined for both Maralisa Commons, Maralisa Meadows, and the Bluffs	Views from approximately 50% of parcels in the Bluffs will be of a tall CMU wall and 2 story houses, not open hillside, which is current view.		J: V-2
V-3	Per the DEIR only Altamont Hills/Ridgeline and Creeks are "Livermore Scenic Resources". Brush Peak mentioned also. Views of Brushy Peak highly impacted by proposed project.		Adjust site layout to allow for views of Brushy Peak	DEIR pg. 4-3 J: V-3

Letter "J"

QUESTION/CONCERN #	QUESTION/CONCERN	BASIS OF QUESTION/CONCERN	SUGGESTED ALTERNATIVE/ MITIGATION	REFERENCE DOCUMENT
V-4	Views from Livermore parks very important; unlike Dublin's park requirements. Views from Altamont Creek Park currently of open space/knots will become one of housing. Not a serene view, as desired.	LARPD goals is to allow scenic views from parks.		DEIR pg. 4-4 J: V-4
V-5	Visual character from Bluffs and Maralisa Courtyard and Maralisa Meadows drastically ruined.			DEIR pg. 4-14 J: V-5
V-6	The Altamont Hills and their ridgelines are identified as scenic resources by the City of Livermore. Why isn't the proposed development on the hills not alter the view of these resources?			
Density of project / Insufficient Public Outreach				J: V-6
D-1	Increasing Density of project not in keeping with what site can handle, from environmental impacts to traffic increases	Current number of homes and residents already stressor to local wildlife. Traffic already congested at key locations, especially at Hawk St.	Project to keep Urban Low Residential density	
D-2	Higher density allowance should be a public vote. What is the process for increasing this project's Density?	Huge public outcry on the proposed N Livermore development by Shea Homes developer. This project a similar attempt at higher density, this project similar in many ways to that attempt. The Livermore residents clearly resist high density in N. Livermore.	Put General Plan Amendment to Public Vote.	
				J: D-1 J: D-2

Save Our Hill Group Garaventa Hill Development DEIR Review

QUESTION/CONCERN #	QUESTION/CONCERN	BASIS OF QUESTION/CONCERN	SUGGESTED ALTERNATIVE/ MITIGATION	REFERENCE DOCUMENT
D-3	Due to high number of concerned residents, and holiday timing of DEIR review, allow additional review time?	Even more neighbors would be at Planning Meeting and additional DEIR review comments, but may conflicts with holiday schedules.	Allow extended DEIR review time.	
D-4	Extremely high number of residents unaware of proposed project, 'Notification Zone' should be increased.	Most affected residents unaware of project, similar to the Toyota development on N. Front Road. Many, many residents angry about lack of public notification on Toyota development. That anger now directed at this proposed project.		Planning Commission Meeting Notification size = 1/4 mile J: D-3 J: D-4
D-5	Majority of demography in this community is parent with school age kids. Public notification not sufficient for this demographic.			
D-6	Maralisa development has increased density, as density was transferred from the Garaventa Hill site. Maralisa Courtyards already higher density, why allow another higher density project adjacent to Maralisa Courtyards?			
Open Space				J: D-5 J: D-6
OS-1	Concerned about our loss of Open Space.	This unique landscape feature hosts a variety of compatible users: kids on their bikes or exploring, dog walkers, hikers, wildlife observers, model plane enthusiast.	No development on such a unique and highly valued open space.	Pictures of high number of or high variety of users. J: OS-1

Letter "J"

Save Our Hill Group Garaventa Hill Development DEIR Review				
QUESTION/CONCERN #	QUESTION/CONCERN	BASIS OF QUESTION/CONCERN	SUGGESTED ALTERNATIVE/ MITIGATION	REFERENCE DOCUMENT
OS-2	How will retained open space within proposed project be maintained, who pays for that maintenance?	DEIR shows a lack of planning and/or money for that retained open space. High number of users condensed into this smaller retained open space leads to increased need for maintenance.	HOA for new home owners or City maintained, if funds available.	
OS-3	How will retained open space within proposed project be kept available for the surrounding neighborhood users?	Will current users be trespassing on private lands, are we actually welcome to use what's left of our Open Space?	Open Space to be owned by public agency, not private land.	
OS-4	DEIR shows beloved rock outcropping at NW corner of proposed project not easily accessible to us current users.	This very unique rock outcropping, usually the destination for The Knolls users. Looks like pedestrian access to it not available.	Proposed project to be revised to allow high use of pedestrian access to unique rock outcropping in NW corner of parcel.	
OS-5	How can retained open space be permanently kept as open to public.	Concern that new landowner may later on developed proposed open space within project.		
IMPACTS TO SCHOOL				
S-1	Can already strained school handled additional students from the proposed development?	DEIR states 218 residents in proposed project, even if 25% of those are elementary age students, that =55 new students for school. Already high class sizes will be increased by these students!		

← J: OS-2
← J: OS-3
← J: OS-4
← J: OS-5
← J: S-1

Save Our Hill Group Garaventa Hill Development DEIR Review				
QUESTION/CONCERN #	QUESTION/CONCERN	BASIS OF QUESTION/CONCERN	SUGGESTED ALTERNATIVE/ MITIGATION	REFERENCE DOCUMENT
S-2	With 76 new houses, assuming 2 children per house (national average), that is 152 new children into the local school system. Where are these children supposed to go to school? Altamont Creek's classrooms are already maxed out per the CA Department of Education Standards.	California Education Code (EC) sections 41376 and 41378 prescribe the max class size and penalties for districts with any classes that exceed the limits established in 1964. Kindergarten: average class size not to exceed 31 students; no class larger than 33 students. Grades one through three-average class size not to exceed 30 students; no class larger than 32 students. Grades four through eight: in the current fiscal year, average number of students per teacher not to exceed the greater of 29.9 (the statewide average number of students per teacher in 1964) or the district's average number of students per teacher in 1964.		
S-3	Has anyone thought about how odd it is to have a huge housing development overlooking an elementary school? There are currently 44 registered sex offenders living in Livermore as of Dec. 2, 2012; what is being done to ensure a thorough screening process of the new residents?			
EROSION AND RUNOFF				
ER-1	Concern of roadway runoff polluting Altamont Creek.	DEIR doesn't show Pollution Prevention Plan.		DEIR Grading Plan

← J: S-2
← J: S-3
← J: ER-1

Letter "J"

Save Our Hill Group Garaventa Hill Development DEIR Review

QUESTION/ CONCERN #	QUESTION/CONCERN	BASIS OF QUESTION/CONCERN	SUGGESTED ALTERNATIVE/ MITIGATION	REFERENCE DOCUMENT
ER-2	Runoff from yards will contain pesticides, fertilizers, and other pollutants. These will sheet flow into adjacent sensitive wetlands with Threatened species.	Signage at the cul de sacs at The Bluffs shows preserved wetlands for Threatened species of Red Legged Frog and Tiger Salamander.		Picture of Threatened species signage.
ER-3	Per the Dec. 26, 2012 developer led meeting, a HOA will be set up for this proposed project. How will HOA be guided to retain the important sediment and pollution control landscape based measures?	Other housing developments here in Livermore have allowed landscape based BMPs to be modified by the residents. Treatment of all yards for this project based on front yard bioswales, how to keep residents from filling these in? Other landscape based treatment measures could be modified unless HOA is required to retain them.		
ER-4	To retain 4% of each parcel as runoff treatment area, an Maintenance and Operations agreement will be needed from each home owner. Otherwise the owners will modify their parcel in ways that produce untreated runoff.			
ER-5	Per the Grading sections shown in the DEIR, steep 2.5:1 backyards will need to be benched to prevent erosion.		Grading flaws need to be addressed and resubmitted.	
GRADING AND UTILITIES				
G-1	Steep 2.5 : 1 slopes in backyards unusable space.			DEIR Grading plan section

← J: ER-2
← J: ER-3
← J: ER-4
← J: ER-5
← J: G-1

Save Our Hill Group Garaventa Hill Development DEIR Review

QUESTION/ CONCERN #	QUESTION/CONCERN	BASIS OF QUESTION/CONCERN	SUGGESTED ALTERNATIVE/ MITIGATION	REFERENCE DOCUMENT
G-2	Grading plan in DEIR shows unique rock outcropping in NW corner of parcel as removed. Please retain this amazing visual landscape feature.			
U-1	Project should utilize reclaimed water as available from Water Treatment plant to decrease use of valuable fresh water piped in.			DEIR pg. 17-2
U-2	Sanitary sewer current capacity doesn't allow for this project's additional waste water. DEIR vaguely talks about a proposed wastewater plant expansion.			DEIR pg. 17-1
OTHER				
OT-1	At 12/19/2012 meeting, developer claimed that 4 month delay for release of DEIR due to Lamphier-Gregory and the City. What are reasons for the delay, and are those issues available to public?			
OT-2	There seems to be no low income housing within this proposed project; there are requirements to meet all income levels in new housing developments which are not being met on this site.			

← J: G-2
← J: U-1
← J: U-2
← J: OT-1
← J: OT-2

Letter "J"

QUESTION/CONCERN #	QUESTION/CONCERN	BASIS OF QUESTION/CONCERN	SUGGESTED ALTERNATIVE/ MITIGATION	REFERENCE DOCUMENT
OT-3	Per the Dec. 26, 2012 developer led meeting, a HOA will be set up for the site. Since a portion of the site will be available to us current users, how to insure the HOA does the appropriate measures for that open space?	Concern that HOA could put up a barrier so we can't use the retained open space on the proposed project.		
OT-4	This is the 3rd time this site has faced being developed. Are the previous 2 DEIR or other information available to the public? How were the concerns on those other two attempts addressed?		Provide documents and such from the previous attempted development efforts to the public.	
OT-5	Per the Grading plan shown in the DEIR, the useable portion of most parcels will not include the steep sloping backyards. With this taken into account, the actual useable area is smaller than shown, therefore seems to exceed the Maximum Developable Area.			
OT-6	Per Grading plan in DEIR, retaining wall for Bear Creek Rd. extension to be 6' high. This very tall, built feature in an otherwise naturalistic landscape will be an eyesore. Also a graffiti target.		Lower wall built here.	
OT-7	Appendices very difficult to find, many reviewers missed seeing them so didn't get a chance to review them.		Extend DEIR review period due to insufficient instructions on obtaining the entire DEIR. Consultants on specific issues to review DEIR, e.g. freshwater intrusion into wetlands and burrowing owl impacts to name a few.	
OT-8	Insufficient environmental review of project impacts.			

J: OT-3
J: OT-4
J: OT-5
J: OT-6
J: OT-7
J: OT-8

QUESTION/CONCERN #	QUESTION/CONCERN	BASIS OF QUESTION/CONCERN	SUGGESTED ALTERNATIVE/ MITIGATION	REFERENCE DOCUMENT
OT-9	Long time use of pedestrian trails on Knolls honored though prescriptive easement or other such method.			
OT-10	Per the Grading plan in the DEIR, backyards will be quite steep, 2.5:1 and 3:1. This steep slope will need to be landscaped to prevent erosion and be self treating. Maintaining landscape on a steep slope is difficult and expensive. Slopes should be shallower to allow for proper maintenance.			
OT-11	False early dating of Vesting date of tentative map may allow project to escape current regulations.		Project to meet all current stormwater, traffic, and other regulations.	
OT-12	Provide proposed project milestones and schedule, especially public input opportunities.	We are just a neighborhood group, and not knowledgeable as to development project approval procedures.		
OT-13	Development of greenfield should be avoided. Development of infill ideal.			
OT-14	Has property been annexed to the City? What is that procedure? What our the public involvement opportunities of that process?			
OT-15	Special needs children are picked up and dropped off at north side of Altamont Creek School. Due to their handicaps, extra vehicles using Hawk creates very unsafe pedestrian-vehicular conditions.		Studies to be done, revisions implemented to alleviate the danger of these kids interacting unsafely with cars on Hawk.	
DENSITY continued				

J: OT-9
J: OT-10
J: OT-11
J: OT-12
J: OT-13
J: OT-14
J: OT-15

Letter "J"

Save Our Hill Group Garaventa Hill Development DEIR Review

QUESTION/CONCERN #	QUESTION/CONCERN	BASIS OF QUESTION/CONCERN	SUGGESTED ALTERNATIVE/ MITIGATION	REFERENCE DOCUMENT
D-7	What is the original reasoning behind the lower density of this site, why has it changed? Have the facts, other than someone wanting to develop the land, changed?			
T-9	With a stoplight being built at Northfront and Laughlin, won't you need to create a left turn lane? Wouldn't you need to widen the road in order to do that? There is no space to widen the road there.			
T-10	How does creating a major thoroughfare through Bear Creek relate to the listed species?			
T-11	There is virtually no mention of the effects of traffic and the local environment by extending Bear Creek Road, why is that? Won't there be affects on traffic, pollution, quality of life of the residents?			

J: D-7
J: T-9
J: T-10
J: T-11

Save Our Hill Group Garaventa Hill Development DEIR Review

QUESTION/CONCERN #	QUESTION/CONCERN	BASIS OF QUESTION/CONCERN	SUGGESTED ALTERNATIVE/ MITIGATION	REFERENCE DOCUMENT
T-12	Hawk St. is extremely narrow, congested with people dropping off/picking up their kids from school and filled with parked cars on both sides of the street at nearly all times. It is also the only route for the special needs kids to be dropped off at the elementary school via the loop at the back of the school. How are both the emergency vehicles as well as the route for the special needs children being taken into consideration in this plan? As the only other access road is through Bear Creek, Hawk Street will be a major access road to the development. Has there been a study to ensure the safety of the residents by extending (there is no room to expand) an already overcrowded and congested street?			
T-13	Many of the current residents would like the City to consider having EVA only access from Bear Creek.		Traffic volumes should be redone with all traffic using Hawk to see if it meets acceptable levels.	
T-14	Traffic volumes should take into consideration the all of traffic of the existing conditions.		Include traffic from the church service held at the school on Sundays, and the test drives and other traffic from the Toyota dealership.	

J: T-12
J: T-13
J: T-14

Letter "J"

QUESTION/CONCERN #	QUESTION/CONCERN	BASIS OF QUESTION/CONCERN	SUGGESTED ALTERNATIVE/ MITIGATION	REFERENCE DOCUMENT
T-15	Per the Dec. 26, 2012 developer led meeting, he said something to the effect that, "On Hawk, there is emotionally no space, but logically there is enough space." Won't current requirements make this statement false, due to requirement for bike lane or turn lane into school or other such requirements?			
T-16	Per the Dec. 26, 2012 developer led meeting, he said something to the effect that an access road from Vasco would require a "Resend of a conservation easement, and I don't know how to do that." It appears the developer has not sufficiently looked into alternate access route to the site; if he doesn't know how to do this one step, what other possibilities is he ignorant on?		More research onto main access to site from other than Hawk is needed.	
T-17	Per the DEIR, R/W take at Northfront and Laughlin will be needed. It's even feasible that the current land owner (we think BART is current owner) will sell?			
T-18	Concern of the speed of vehicles travelling downhill on Hawk towards the trail path and the school.	The slope of this access road out of the proposed development will increase the speed of vehicles as they approach pedestrian heavy areas.		

← J: T-15
← J: T-16
← J: T-17
← J: T-18

Save Our Hill Group Garaventa Hill Development DEIR Review

QUESTION/CONCERN #	QUESTION/CONCERN	BASIS OF QUESTION/CONCERN	SUGGESTED ALTERNATIVE/ MITIGATION	REFERENCE DOCUMENT
This list is compiled from all of the questions and concerns as of Dec. 22, 2012 from the Save Our Hill group.				
Authors of this List include the below:				
Clinty Angers, Landscape Designer, QSD/P, CPESC, LEED, ASLA, formerly Civil Engineering Technician.				
Tami Turner, full time Lecturer at Heald College Concord, background in Community and Sustainable Development and Marketing/Green Business.				
Ty Turner, CEC, AOS, Corporate Executive Chef at Sodexo, part time Lecturer at the Art Institute in Sunnyvale.				
Helen Nelson, California Certified Teacher				
Art J. Nelson, PhD, Physical and Life Sciences Directorate, LLNL.				
Alexis Nelson, stay at home Mom,				
Carol Eicher, former Real Estate Agent with 30+ years experience in Livermore Valley.				
Verlin (Ted) Crosley, Retired Cost Analysis Supervisor, Certified Professional Estimator, MS Management, BS Engineering, Contracting Officer, Training Officer, Retired Lt. Colonel, USAF.				
Charlene, retired Pediatric Occupational Therapist.				
and others in the Save Our Hill Group.				

Letter "J"

SAVE OUR HILL

11-29-2012

SAVE OUR HILL: CONCERNED NEIGHBORS LIST

The below Livermore residents have concerns with the Proposed Garaventa Hill development project.

Name	Address
KARIJOE KERR	6420 Rosemary Common Ave
KIRSTEN SUNDIUS	6395 BLUEBONNET CMLN.
Stephanie Sing	6430 Magnolia Cmn
Maria Perez de Vega	2002 Hawk St.
Jeremy Tran	1056 Hawk St.
Daniel Pacheco	1910 Hawk St.
Joe Bartolice	2193 FARM BROOK CMLN.
Jeff Baker	6602 Tiffany Common
Maggie Willis	6852 Brookview Ct. Livermore, CA
DAVE LORO	2325 Hillstone Dr. Livermore, CA
Jodi Spears	2172 Teagarden CMLS.
Brian Spears	" " "
NICKIE BASTANI	2157 Teagarden Cmn Livermore CA
COURTNEY BRUCE	2157 Teagarden Cmn. Livermore CA

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DEC 21 2012

COMMUNITY DEVELOPMENT DEPT.

Letter "J"

SAVE OUR HILL

11-29-2012

**SAVE OUR HILL:
CONCERNED NEIGHBORS LIST**

The below Livermore residents have concerns with the Proposed Garaventa Hill development project.

Name <u>John Muir</u>	Address <u>1476 Winding Stream</u> <u>1488 Winding Stream Dr</u>
Luis Fang	<u>1432 Winding Stream</u>
Julie Beer Julie Beers	<u>1410 Winding Stream Drive</u> <u>1396 WINDING STREAM DR</u>
Helen Pang	<u>1366 Winding Stream Dr.</u>
ROBERT PUSE	<u>1312 WINDING STREAM DR.</u>
Deanna K Willis	<u>1393 WINDING STREAM DR</u>
John Stiles	<u>1399 Winding Stream DR</u>
Gillian	<u>1429 WINDING STREAM DR</u>
David Cuse Keith	<u>1441 Winding Stream Dr</u>
Jon Slobwick	<u>1463 Winding Stream Dr.</u>
Rita Ohlhausen	<u>1485 Winding Stream Dr.</u>

J-3 contd

Letter "J"

SAVE OUR HILL

11-29-2012

SAVE OUR HILL: CONCERNED NEIGHBORS LIST

The below Livermore residents have concerns with the Proposed Garaventa Hill development project.

Name

Address

Eric Hubachar 1395 MEADOW CT
Bruno Hubachar 1395 MEADOW CT
Don Joseph 1387 meadow ct.
Tim Dougherty 1321 Meadow ct
Clos Dougherty 1331 Meadow Ct.
Donald Lillard 1309 Meadow Ct.
Heather Lombardo 1309 meadow Ct.
Rudy Koelsch 1294 Village Green dr
Kim Vardanega 1250 Village Green Dr
John Szym 1268 Village Green DR
Dr E R 1324 meadow ct
Sueiro Rodriguez 1356 meadow Ct
Stephanie Zgusta 1372 Meadow Ct.
Mark Bosas 1372 meadow ct

J-3

Letter "J"

SAVE OUR HILL

11-29-2012

SAVE OUR HILL: CONCERNED NEIGHBORS LIST

The below Livermore residents have concerns with the Proposed Garaventa Hill development project.

Name	Address
Karen Crosby	1404 Fox Creek Ct.
Verlin Crosby	1424 FOX CREEK CT.
John Battisti Don Battisti	1446 Fox Creek Ct.
Lee Becker	1468 Fox Creek Ct
TJ Barker	1480 Fox Creek Ct.
Mather Barker	1480 Fox Creek Ct.
Kelsey Barker	1480 Fox Creek Court
Nissy Chandler	1479 Fox Creek Ct
Kyle Dixon	1457 Fox CREEK Ct.
Syria Hemby	1457 Fox Creek Ct
Michael Crosley	1424 Fox Creek Ct.
Angela Becker	1468 FOX CREEK CT.
Anthony Fabrizi	1435 Fox Creek Ct. Livermore 94551
Teri Henson	1413 Fox Creek Ct Livermore, CA 94551
Greg Albright	1392 MEADOW Ct.

J-3 contd

Letter "J"

SAVE OUR HILL

11-28-2012

SAVE OUR HILL: GROUP LIST

The below Livermore residents have concerns with the Proposed Garaventa Hill development project.

Name	Address
CINDY ANGERS	1999 WINDING STREAM DR.
DAVID ANGERS	" " " "
TAMI Turner	1834 Edgewater Lane, Livermore
Marnie Steele	1996 Meadow Glen Dr
Scott Steele	" "
Wendy Koenig	2188 Teagarden Common, Livermore
MATTHEW TAYLOR	2588 TRAILBLAZER DR. LIV.
Luis Faria	1498 Winding Stream Dr. Liv.
June Krekling	1472 Chaparral Way
Carol Ann Eicher	2445 Chateau Way
Karen Crossley	1424 Fox Creek Ct
Ted Crossley	" " "
Mick Reed	1696 Bridle Path Ct
RAY REED	" " "

J-3

Letter "J"

SAVE OUR HILL

11-29-2012

**SAVE OUR HILL:
CONCERNED NEIGHBORS LIST**

The below Livermore residents have concerns with the Proposed Garaventa Hill development project.

Name

Marcie & Scott Steele

Jose & Lupe Silvia

Address

1996 Meadow Glen Drive THE HILLS

1988 MEADOW GLEN DR THE
BLUFFS

J-3 contd

Letter "J"

SAVE OUR HILL

11-29-2012

SAVE OUR HILL: CONCERNED NEIGHBORS LIST

The below Livermore residents have concerns with the Proposed Garaventa Hill development project.

Name	Address
Marnie & Scott Steelez	1996 Meadow Glen Drive The Bluffs
Michelle & Dan Pearson	1979 Meadow Glen Drive The Bluffs
DAVID HUGHES	2003 HILLSTONE DR THE BLUFFS

J-3

Letter "J"

SAVE OUR HILL

11-29-2012

**SAVE OUR HILL:
CONCERNED NEIGHBORS LIST**

The below Livermore residents have concerns with the Proposed Garaventa Hill development project.

Name	Address
Marnie & Scott Steele	1990 Meadow Glen Drive The Bluffs
Aaron & Tiffany Treas	15416 Rhododendron Dr.
Vivian & Paul Treas	2259 Hillstone Drive The Bluffs
J.P. HAGE	4375 Daffodil Way.
Don Dunkley & Lon Contrell	1984 Meadow Glen Drive The Bluffs

J-3 contd

Letter "J"

XFINITY Connect

Page 1 of 1

XFINITY Connect

marniesteele@comcast.ne

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Save Our Hill

From : bc5432@gmail.com

Mon, Dec 03, 2012 01:02 AM

Subject : Save Our Hill

To : marniesteele@comcast.net

Reply To : bc5432@gmail.com

Hi Marnie,

Thank you for the information and for your efforts in bringing the community together.

I, too, live in the Bluffs with my back yard facing the hill. I thought the entire area was a wild life preserve with no developing/building allowance for the rare salamander inhabiting the area.

J-4

In addition, the added traffic on Laughlin Road, which is our only entrance and exit road to and from the Bluffs, is a consideration.

J-4

I'm concerned about this development. And truly support saving our beautiful hill.

J-5

Sincerely,

Blanca Covarelli

2256 Bluffs Ct

Sent from my Verizon Wireless BlackBerry

http://web.mail.comcast.net/zimbra/h/printmessage?id=187848&tz=America/Los_Angeles... 12/2/2012

Letter "J"

XFINITY Connect

Page 1 of 1

XFINITY Connect

marniesteele@comcast.ne

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Please add us to the list of concerned neighbors

From : R Brewer <rhonda_brewer@att.net>
Subject : Please add us to the list of concerned neighbors
To : marniesteele@comcast.net
Reply To : rhonda brewer <rhonda_brewer@att.net>

Wed, Dec 05, 2012 01:41 AM

From: "R Brewer" <rhonda_brewer@att.net>
To: <marniesteele@comcast.net>
Subject: Please add us to the list of concerned neighbors
Date: Sun, 2 Dec 2012 18:41:50 -0800

Rhonda and Wayne Brewer

6803 Brookview Ct

Livermore, CA 94551

In addition to the destruction of Livermore's open space, traffic and lack ← J-7
of exists out of the area in case of emergency is a concern. ← J-8

Thank you for taking this on.

Rhonda and Wayne Brewer

Rhonda Brewer | Mobile: (925) 784-3979 | <mailto:rbrewer@sportvision.com>
rhonda_brewer@att.net

http://web.mail.comcast.net/zimbra/h/printmessage?id=188192&tz=America/Los_Angeles... 12/4/2012

Letter "J"

XFINITY Connect

Page 1 of 1

XFINITY Connect

marniesteele@comcast.net

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Garaventa Hills

From : madsmom4598@aol.com

Mon, Dec 03, 2012 02:07 PM

Subject : Garaventa Hills

To : marniesteele@comcast.net

Hi Marnie,
I tried sending this on the other gmail address you listed on your flyer, but it bounced back saying it was not a good address? Can you add us on to your concerned neighbor list? Thanks so much!

Janet & Vic Valdes
2118 Bluffs Dr.

J-9

http://web.mail.comcast.net/zimbra/h/printmessage?id=187900&tz=America/Los_Angeles... 12/4/2012

LETTER J (SET), SAVE OUR HILL, COMPILED LIST OF CITIZEN QUESTIONS AND CONCERNS, FORWARDED BY CINDY L. M. ANGERS, 12/21/2012**Comment J-1**

This is not a comment on the environmental analysis but a reference to a spreadsheet list of comments and questions that were attached to an e-mail. A hard copy of the list was also submitted to the City.

Comment J-2

This is not a comment on the environmental analysis.

Comment J-T-1

The Revised Project omits the Hawk Street bridge so would not increase traffic on Hawk Street.

Comment J-T-2

The Revised Project omits the Hawk Street bridge so would not increase traffic on Hawk Street.

Comment J-T-3

The potential for hazards to result from trail crossings at new roadways was identified and mitigated on pages 16-36 and 16-37 of the Draft EIR (Impact and Mitigation Measure Traf-5). Revisions to clarify the locations of the trail crossings and inclusion of warning signs have been added in Chapter 23.

Comment J-T-4

While the Project would contribute vehicle volumes to the I-580 freeway, based on the identified trip generation and trip distribution, the numbers are small. The results from the traffic model show Project traffic on I-580 freeway segments is expected to increase over existing conditions from between 1 to 7 vehicles per hour (vph) in some segments. (The Revised Transportation Analysis for the Revised Project projects these numbers to be reduced to 1 to 5 vph.) The Alameda County *Congestion Management Plan* and *Tri-Valley Transportation Plan/Action Plan for Routes of Regional Significance* identify LOS no worse than E ($v/c < 1.00$) on freeways and ramps during peak hours. Significant traffic impacts on I-580 in the study area are identified if the proposed Project causes:

- the operations of a freeway segment or ramp to deteriorate from LOS E or better to LOS F; or
- an increased v/c ratio on a freeway segment already operating at LOS F by more than 3%.

Therefore, based on the small amount of project traffic, this is not expected to increase the v/c ratio over the no project condition by more than 3% and therefore the freeway segments are not considered impacted.

The freeway ramps were not included in the traffic study, but as stated on Page 16-43 of the Draft EIR, the Project trip distribution estimates a maximum of 6 vehicles per hour would be added to the Vasco Road ramps that are currently carrying over 1,000 vehicles during the peak hours. Because the Project trips are such a low relative volume at these ramps (less than 1%), it was determined through coordination with the City that there would not be the possibility of a significant impact from the

Project or cumulatively considerable contribution to cumulative impacts. This conclusion remains valid for the reduced project trips under the Revised Project.

Comment J-T-5

The Revised Project omits the Hawk Street bridge and would not impact the existing trail. Impact and Mitigation Measure Traf-3 are no longer applicable to the Revised Project.

Comment J-T-6

Given the suburban location of the Project, it was appropriate to use the Institute of Transportation Engineers (ITE) Trip Generation manual to estimate Project trips. Rates and equations in ITE are based predominantly on data collected from surveyed observations at suburban locations. It can also be noted that the trip numbers referenced in this comment are hourly and represent the highest peak hour in the morning and the highest peak hour in the evening, usually coinciding with the highest amount of work commute trips to and from the project. Hourly trip generation rates relate to the fact that not everyone operates on the same schedule. In other words, even the peak hour trip rates utilized in traffic studies such as this would not be expected to equate to the total number of vehicles in the neighborhood.

Comment J-T-7

Trip distribution was determined using the City traffic model and in coordination with the City based on traffic patterns in the area and shown on Figure 16.9 of the Draft EIR. The trip distribution pattern identified in the travel demand model attributes 1% of Project traffic to access I-580 at the Laughlin Road/Greenville Road entrance ramp and 14% of Project traffic to access I-580 at the Vasco Road entrance ramp. The remainder of the traffic would utilize local roadways in the vicinity of the Project. Note that the trip distribution has been revised for the Revised Project, as included in Figure 2 of Appendix I.

Comment J-T-8

LARPD owns and manages the property (Garaventa Wetland Preserve) between the Project site and Vasco Road. The applicant does not control the land and does not have an access easement between Vasco Road and the Project site. Garaventa Wetland Preserve was set aside and preserved in perpetuity as environmental mitigation for the Maralisa development south of Altamont Creek. Based upon the presence of vernal pools, sensitive soils, plant and animal species in the Garaventa Wetland Preserve and lands to the north, access from Vasco Road was determined not to be feasible.

Comment J-E-1

According to the applicant, the proposed biological mitigation site is an 85-acre property in the Springtown Alkali Sink that would be placed under permanent easement with an endowment for restoration and management in perpetuity. The owners of the Project site also own this 85-acre property, which has sensitive soils, animal and plant species in addition to vernal pool and a segment of Altamont Creek. However, this is just a proposal at this point and the specific location for biological mitigation will be coordinated with regulatory agencies per standard procedures, as specified in the Draft EIR. Because these standard procedures are in place to finalize the mitigation location, there is no cause to require the specific location of the compensatory habitat to be determined prior to certification of this EIR.

Comment J-E-2

Biological field visits were performed as required during appropriate seasons to reach conclusions regarding significance of impacts and mitigation for biological impacts in the Draft EIR. As summarized on page 7-1 of the Draft EIR, these included field visits in November 2010, January 2011, February 2011, March 2011, April 2011, May 2011, June 2011, August 2011, and December 2011.

Comment J-E-3

See response to Comment J-E-2. Biological field visits included reconnaissance-level site visits as well as focused surveys.

Comment J-E-4

Access to the Altamont Creek water source will remain through the Garaventa Wetlands Preserve to the west. The proposed development may cause some animals to have to route around development on the Project site instead of taking a direct line over the hill but the Project will not prohibit access.

While the above provides adequate response from the position of this EIR, the following provides additional information about the referenced wetlands in the vicinity, which were avoided and preserved during the Bluffs project although these areas were found not to have suitable habitat for California Tiger Salamander (CTS) and California Red Legged Frog (CRLF). A June 1993 preliminary wetlands and biological assessment prepared by Environmental Science Associates, Inc. (ESA) for the Bluffs residential project identified approximately 1.93 acres of wetlands on the property, clustered along the western boundary. The Bluffs development avoided these wetlands and designated them “Wetland Preserve” on the Subdivision Map. ESA biologists also conducted surveys for CTS on 4/1/93 and no larvae were found, lack of suitable burrows, and the ponded water did not remain on the site long enough for CTS larvae to complete their metamorphosing cycle. Surveys were also negative for California linderella, vernal pool fairy shrimp, vernal pool tadpole shrimp, and longhorn fairy shrimp.

Comment J-E-5

The potential for changes to site hydrology to impact adjacent habitat was analyzed for the Draft EIR, utilizing technical assessment by ENGEO. A previous version of the ENGEO report was included in Appendix G of the Draft EIR, whereas a revised report was utilized for the analysis in the Draft EIR. This revised report is included as Appendix J to this document.

As noted in the revised ENGEO report (page 6 of Appendix J), “...all stormwater from disturbed areas will be routed to the detention/bioretention basin for treatment prior to being discharged...” Runoff from residential lots and paved areas will not flow to the adjacent wetlands.

Comment J-E-6

There are burrowing owls on adjacent properties. As noted by the EIR biologist, Zander Associates, burrowing owls are fairly tolerant of human disturbance, but dogs can be a disruption if allowed to approach the burrows or owls. However, under the current condition, residents walk dogs on the Project site, often off leash. With development as proposed, there will be additional barriers to the wetlands in the form of fenced lots that may potentially reduce harassment of owls by dogs. In summary, residents and their dogs are currently located in the vicinity and access the Project site.

Development of the site would not substantially increase the potential for harassment of burrowing owls by dogs and may decrease such opportunity for harassment.

Also see response to comment B-19 regarding fencing.

Comment J-E-7

Other agencies, including LARPD and Zone 7, have reviewed the Draft EIR per requirements under CEQA. Comments received from both agencies are included in this Final EIR.

Comment J-E-8

The storm water collection and treatment basin is not explicitly proposed or required to mitigate biological impacts in the Draft EIR. If required by regulatory and resource agencies, the basin would need to be designed for proper maintenance to allow for adequate ongoing functioning of the site drainage.

Comment J-E-9

While some species may use the site as a wildlife corridor, the disruption was determined to be less than significant due to the remaining open space to the north and east, as discussed on page 7-26 of the Draft EIR. Also see response to Comment J-E-4.

Comment J-E-10

The Revised Project omits the Hawk Street bridge and related realignment of Altamont Creek.

Comment J-V-1

Impacts to views were assessed in Chapter 4: Aesthetics. Views of Brushy Peak and the distant hills to the north will remain unobstructed from public vantage points along the Altamont Creek Trail, from the Garaventa Wetlands Preserve, and from Scenic Routes identified in the City's General Plan. Also see response to Comment I-2.

The applicant modified the Project site plan extensively from initial submittals in order to reduce grading and preserve the natural topography and shape of the knolls. As demonstrated in Chapter 4: Aesthetics of the Draft EIR, views of the knolls will remain from some perspectives.

Comment J-V-2

The fact of a Project being visible from other locations is not intrinsically a significant environmental impact. As demonstrated in Chapter 4 of the Draft EIR, the project was found not to significantly alter views of identified scenic resources from identified scenic vistas and was found to be consistent with the character of adjacent developed areas to the south and east and therefore have only less than significant environmental impacts related to views.

Comment J-V-3

Private views are not considered protected under CEQA nor would changes to these be considered an impact to the environment. This is the Final EIR document and therefore focused on responses solely from an environmental perspective. While some neighbors' views would change, this was not considered a significant impact to the *environment*. However, views of Brushy Peak and the distant

hills to the north will remain unobstructed from public vantage points along the Altamont Creek Trail, from the Garaventa Wetlands Preserve, and from many of the homes in Maralisa Courtyards. The knolls on the Project site and the knoll to the east already obstruct views of Brushy Peak and the distant hills from Altamont Creek Park and segments of the trail along the south side of Altamont Creek.

Comment J-V-4

The knoll closest to and visible from Altamont Creek Park will remain largely undeveloped (identified as Lot B on Figure 3.2 of the Draft EIR and Figure 22.1 of the Final EIR). As shown on page 4-9 of the Draft EIR, while some homes will be visible from Altamont Creek Park, the knolls will also continue to be visible.

Comment J-V-5

The fact of a Project being visible from other locations is not intrinsically a significant environmental impact. As demonstrated in Chapter 4 of the Draft EIR, the Project was found to be consistent with the character of adjacent developed areas to the south and east and therefore have only less than significant environmental impacts. Also see response to Comment J-V-3.

Comment J-V-6

Interpretation of General Plan policies was based on a comprehensive reading of the discussion, goals, objectives and actions included in the City's General Plan, which also identifies the site as a location for residential development. According to the 2003 General Plan, Livermore's most distinctive features are the hills and ridgelines that surround the City, most of which lie outside the City limits. Ridgelines are pronounced along the southern edge of the City, where views of rolling hills, interspersed with sycamore woodland areas, are complemented by intervening vistas of agricultural land and vineyards. Significant ridgelines are also located north of the I-580 corridor, particularly those associated with Brushy Peak to the northeast, as well as the Altamont Hills east of Vasco and Greenville Roads. Other open space to the north consists of more moderate topography, with rolling hills and rangelands. Livermore's built environment, and its planning policies, are designed to preserve views to these hills. The complete discussion and analysis is found in Chapter 4: Aesthetics of the Draft EIR.

Comment J-D-1

The Revised Project proposed density consistent with the General Plan land use designation for the Project site, "UL-1" (Urban Low Residential 1-1.5 dwelling units per acres).

Comment J-D-2

See response to comment J-D-1.

Comment J-D-3

CEQA requires a 45-day review period for the Draft EIR. The review period for the Project Draft EIR was 48 days, (November 8, 2012 through December 26, 2012) and was consistent with requirements under CEQA.

Comment J-D-4

Notification was consistent with CEQA requirements, as outlined in section 15087 of the CEQA Guidelines. This does not preclude the City from providing additional notice. The City expanded the notification list for the Draft EIR to ¼-mile. The City will also add the residents who signed the Save Our Hill: Concerned Neighbors List that was submitted with these comments to the Project notification list. The notification list will also be utilized for subsequent Planning Commission and City Council public hearings.

Comment J-D-5

Notification was consistent with CEQA requirements, as outlined in section 15087 of the CEQA Guidelines. In addition to mailing the public hearing notice for the Draft EIR to all residents within ¼-mile of the Project site, a public notice was also printed in the local newspapers.

Comment J-D-6

See response to comment J-D-1.

Comment J-OS-1

The Project site is an undeveloped parcel that is privately owned and zoned for residential development. It is not identified on City plans or in LARPD plans as an area ultimately intended for open space or recreation. That being said, the informal knoll trails on the site will be preserved for public use. Also see response to Comment B-33.

Comment J-OS-2

The informal trails and open space on the knolls will be privately owned and maintained by the homeowners through a landscape maintenance district, community facilities district or other funding mechanism subject to review and acceptance by the City of Livermore. The informal trails and open space will be available for public use and will be designated as such on the subdivision map and within the Planned Development standards for the Project.

Comment J-OS-3

See response to Comment J-OS-2. The informal trails and open space on the knolls will be privately owned and maintained by the homeowners through a landscape maintenance district, community facilities district or other funding mechanism subject to review and acceptance by the City of Livermore. The privately-owned publicly accessible trails and open space will be available for public use and will be designated as such on the subdivision map and within the Planned Development standards for the Project.

Comment J-OS-4

The rock outcropping at the northwest corner of the Project site and access to this area would be retained under the Revised Project.

Comment J-OS-5

See response to Comment J-OS-2 and J-OS-3.

Comment J-S-1

The potential of the Project to impact schools was assessed in Chapter 15: Population, Public Services and Recreation of the Draft EIR utilizing student yield rates of the local school district (LVJUSD). As noted on pages 15-6 and 15-7 of the Draft EIR, new facilities would not be required for this Project alone and payment of school mitigation fees, consistent with State law, would mitigate the Project's contributions to cumulative needs for expanded facilities.

Comment J-S-2

See response to Comment J-S-1.

Comment J-S-3

This is not a comment on the environmental analysis.

Comment J-ER-1

The Project applicant will be required to comply with Provision C.3 of Livermore's Municipal Regional Permit that requires the flow of stormwater and stormwater pollutants to be controlled and treated, as discussed on pages 9-4 and 12-3 of the Draft EIR. As noted in the revised ENGEO report (page 6 of Appendix J), "...all stormwater from disturbed areas will be routed to the detention/bioretention basin for treatment prior to being discharged..."

Because this is standard practice and reviewed through the relevant regulatory agency to ensure compliance with standards, the complete plan does not need to be included in the environmental analysis.

Comment J-ER-2

See response to Comment J-E-5.

Comment J-ER-3

The homeowners association (HOA) will be responsible for ensuring swales function as a component of storm water treatment. The City has allowed some flexibility with planting and hardscape features in other areas. Plans prepared by a licensed professional (landscape architect) must be submitted for review and approval by the City prior to modifications to the swales and storm drain features. The detention/bioretention basin will be maintained by City maintenance services funded through a landscape maintenance district, community facilities district, or other funding mechanism subject to review and acceptance by the City.

Comment J-ER-4

See response to Comment J-ER-3 regarding drainage on lots. In addition, the HOA established for the Project will be responsible for implementing the Covenants, Conditions, and Restrictions (CC&R's) that will include maintenance of swales and storm water collection/treatment measures.

Comment J-ER-5

The slope stability was assessed for the Draft EIR. As stated on page 9-7, "The preliminary geotechnical report concludes the proposed soil and slope conditions would not result in significant

risk of landslide at the site, though design-level specifics should be considered, as required in Mitigation Measure Geo-2.” The applicant modified the initial site plan to reduce grading and retain the knolls. This resulted in some portions of rear yards requiring retaining walls and 2.5:1 slopes. As shown on the grading plan and related section plans, the steeper slopes are a portion of some of the lots and not intended as the only yard space (Draft EIR page 3-1).

Comment J-G-1

As shown on the grading plan and related section plans, the steeper slopes are a portion of some of the lots and not intended as the only yard space (Draft EIR page 3-1). The applicant modified the initial site plan to reduce grading and retain the knolls. This resulted in some portions of rear yards requiring retaining walls and 2.5:1 slopes.

Comment J-G-2

See response to Comment J-OS-4.

Comment J-U-1

As noted on page 17-2 of the Draft EIR, the Project is not located in the recycled water use area (LMW Zone 1), where recycled water would be available for use.

Comment J-U-2

As noted on page 17-5 of the Draft EIR, the projected increase in wastewater is well within current capacity. This statement is referencing a section discussing projected capacity shortfalls under buildup of the entire Livermore General Plan, not just this Project, for which a plan exists to increase capacity through expansion to be funded by the sanitary sewer impact fee program (page 17-1 of the Draft EIR), toward which the Project is required to contribute.

Comment J-OT-1

This is not a comment on the environmental analysis. However, it can be noted that the environmental analysis was paused between the Notice of Preparation and circulation of the Draft EIR while the applicant responded to the City’s request to reduce grading and preserve more of the knolls. These modifications to the site plan required collateral studies to ensure infrastructure (streets, sewer, storm drainage, etc.) continued to function. Subsequent to this comment, the Final EIR was also delayed as the applicant again revised the Project, as included and assessed in Chapter 22 of this document.

Comment J-OT-2

See response to Comment H-3.

Comment J-OT-3

See response to Comments J-OS-2 and J-OS-3.

Comment J-OT-4

On July 6, 1990, the Maralisa builder Hal Porter Homes applied for the allocation of 610 units under the City’s 1991 Housing Implementation Program. On November 13, 1990, the Livermore City Council adopted Resolution 347-90 approving the Housing Implementation Program (HIP) ranking

and allocations for the Maralisa project but reduced the number of units to 397 units over a three-year period (1991 – 1993). The builder reduced the number of housing unit allocations he was seeking in response to the City Council's concerns regarding allocating 610 units to a single project. The development plan for the reduced number of units included 31 custom lots covering the knolls on the Project site. At that time, the City Council also recommended preparation of an Environmental Impact Report for the subsequent subdivision, planned unit development, and development agreement applications.

On January 21, 1992, the Livermore Planning Commission continued Planned Unit Development 54-90, Vesting Tentative Tract Map 6433, and Development Agreement 41-91, in order for the applicant to address environmental issues raised by regulatory resource agencies.

On September 12, 1994, the Livermore City Council adopted Resolution 94-228, certifying an Environmental Impact Report and approving the Maralisa development (Planned Unit Development 54-90 and Vesting Tentative Tract Map 6433). The project consisted of 322 residential units including 64 apartments to be subsequently subdivided into condominiums, 119 townhomes and 139 single family detached units, a 2.1 acre park, a 10 acre school site, and several parcels for landscaping, environmental protection, and subsequent development. The Planned Unit Development (PUD) included a standard that required a separate environmental determination before any development was permitted on the Project site and also notes that a portion of the density for the Project site had been transferred to properties within the Maralisa development south of Altamont Creek. To remain consistent with the General Plan designation for the overall property (three dwelling units per acre), the maximum number of units permitted on the Project site is 76 units.

On March 10, 1997, the Livermore City Council adopted Resolution 97-50 approving an amendment to Vesting Tentative Tract Map 6433 and PUD to replace 64 condominium/apartments and 119 townhomes with 123 single-family small lot/courtyard detached units and 50 apartments. The PUD Amendment included the same language as the original PUD requiring separate environmental review prior to developing the Project site, noting the transfer of density to areas south of Altamont Creek, and to remain consistent with the General Plan designation for the overall property (three dwelling units per acre), the maximum number of units permitted on the Project site is 76 units.

On January 24, 2000, the Livermore City Council adopted Resolution 2000-10 approving the 2000 Housing Implementation Program allocations. Western Pacific/Garaventa applied for 45 housing unit allocations for the Project site. The Project, Maralisa Summit, was ranked below Below Average and did not receive allocations. The Below Average ranking was due to below average landscaping, contributions to City facilities, and project location. The applicant also did not provide any new information regarding environmental resources on the property.

It should be noted that all circulated EIRs are a matter of public record and available through the lead agency.

Comment J-OT-5

This is not a comment on the environmental analysis. Livermore's General Plan and Development Code do not include provisions for a Maximum Developable Area for residential uses. The applicant modified the initial site plan to reduce grading and retain the knolls. This resulted in some portions of rear yards requiring retaining walls and 2.5:1 slopes. As shown on the grading plan and related section plans, the steeper slopes are a portion of some of the lots and not intended as the only yard space (Draft EIR page 3-1 and the Revised Project in Figure 22.1).

Comment J-OT-6

This is not a comment on the environmental analysis. The applicant modified the initial development plan shown in Appendix A of the Draft EIR to reduce grading and retain more of the natural shape of the knolls by eliminating lots along the north side of the Bear Creek Drive extension. The height of the retaining wall could be reduced by increasing the grading on the knoll to reduce the slope. However, the proposed retaining wall is similar in height to others in Livermore and is the same height as that allowed for fences or walls at residential lot property lines (section 3-05-190.B.3 of the Livermore Development Code). The HOA will ultimately be responsible for any necessary graffiti removal, which is enforced by the City.

Comment J-OT-7

It is unclear from the comment what made the appendices difficult for the commenter to find. The Draft EIR was available as a hard copy or as a digital copy on the City's website and for both versions, included clearly labeled Appendices, as described below.

For the hard copy of the Draft EIR, it is noted in the table of contents on Page v of the Draft EIR that the Appendices are "Included on CD attached to the back cover of this document." The CD is included in a clear slipcover with clearly visible labeling reading "Garaventa Hills Project Draft Environmental Impact Report Technical Appendices." For those that accessed the Draft EIR on the City's website, there is a webpage (http://www.cityoflivermore.net/citygov/cd/planning/garaventa_hills_draft_eir.asp) titled "Garaventa Hills Draft Environmental Impact Report (Draft EIR)" that includes a list of links with the topmost being the Draft EIR and the following being the Appendices, labeled as such. CEQA requires a 45-day review period for the Draft EIR. The review period for the Project Draft EIR was 48 days, (November 8, 2012 through December 26, 2012) and was consistent with requirements under CEQA.

Comment J-OT-8

The comment is too general to respond to directly. Please see response to specific comments such as response to Comment J-E-5 addressing run-off from the site into wetlands and response to Comment J-E-6 addressing impacts to burrowing owls.

Comment J-OT-9

See response to Comment B-33 regarding public open space.

Comment J-OT-10

See response to Comment J-ER-5 regarding slopes.

Comment J-OT-11

This is not a comment on the environmental analysis, but an allegation of falsifying the date of the subdivision map. The date indicated on the Vesting Tentative Map refers to the date the map was drawn and/or revised. Generally, the vested rights to proceed with a development in accord with the ordinances, policies and standards are established when the vesting tentative map is deemed complete. The application must be deemed complete prior to proceeding to the Planning Commission and City Council hearings and that date will be recorded with the City.

Comment J-OT-12

The City expanded the notification list for the Draft EIR to ¼-mile and will utilize the same radius for forthcoming public meeting notification. The City will also add the residents who signed the Save Our Hill: Concerned Neighbors List that was submitted with these comments to the Project notification list. Notifications for the Planning Commission and City Council meetings will be sent 20 days in advance of the scheduled meeting.

Comment J-OT-13

This is not a comment on the environmental analysis. In December 2002, the Livermore City Council adopted the North Livermore Urban Growth Boundary Initiative, which limits urbanization and preserves open space, habitat, and agriculture beyond the urban growth boundary and focuses development to areas within the urban growth boundary. The Project site is acknowledged in the General Plan as a planned site for residential development and is located within the City Boundary and North Livermore Urban Growth Boundary. Bear Creek Drive is already stubbed for future extension and urban services (sanitary sewer and water) are sized to serve the development of the Project site.

Comment J-OT-14

The Project site and surrounding lands were annexed into the City on November 8, 1963. The Livermore City Council held a public hearing for the annexation on August 5, 1963.

Comment J-OT-15

The Revised Project no longer proposes a bridge connecting to Hawk Street.

Comment J-D-7

This is not a comment on the environmental analysis. The Draft EIR analyzed the Project as proposed. In 1988, the Area A General Plan Amendment changed the Property's land use designation from Urban Medium Residential (4.5 dwelling units per acre) to Urban Low Medium Residential (3 dwellings per acre). During the City's 2003 General Plan Update the Project site's designation was changed again, along with the undeveloped properties to the north and east between the Bluffs and Meadow Glen Drive, to the current designation of Urban Low Residential (1 and 1.5 dwelling units per acre). The density was lowered due to the potential, but unknown environmental sensitivity of the sites.

The Revised Project proposes development density in accordance with the current General Plan land use designation.

Comment J-T-9

As noted in Mitigation Measure Traf-10 (page 16-43 of the Draft EIR), mitigation at this intersection could require additional right-of-way. Preliminary discussion of the need for additional right-of-way is included below:

- a) Implementation of a roundabout at this intersection would require right of way acquisition near the intersection to accommodate a 63' radius circle, but maintains the single lane approaches to the intersection.

b) Implementation of a traffic signal at this intersection would require an eastbound left turn pocket of approximately 600 feet in length, and a westbound right turn pocket of approximately 375 feet in length. Currently the paved cross-section of Northfront Road is approximately 32' with approximately 44' to 48' of total available right-of-way (some of which is not currently paved). Per the AASHTO (American Association of State Highway and Transportation Officials) Green Book guidelines for width of traveled way on a local urban street, lanes should be 10'-11' wide, and turning lanes at intersections should be 10'-12' wide. Based on these guidelines, provision of a new eastbound left-turn lane, a new westbound right turn lane and inclusion of a gore for opposing lane offset on Northfront Road at the intersection with Laughlin Road would require a paved width of 44'. This would require an additional 12' of roadway width, which can be accommodated within the existing right-of-way.

As discussed above, no additional right-of-way or only limited additional right-of-way would be required for the mitigation at this intersection, depending on which option is pursued. It is the opinion of the City and traffic engineers for the EIR, Kittelson Associates, that this mitigation is feasible.

Comment J-T-10

As described on pages 16-38 and 16-39 of the Draft EIR, the capacity threshold for local streets in Livermore is 5,000 vehicles per day. As noted in the Draft EIR, Bear Creek Drive carries less than 600 vehicles per day. Even with a modest increase of vehicles on Bear Creek Drive under the Revised Project, the daily volume would not result in more than 5,000 vehicles per day. Additionally, the Revised Project no longer includes a bridge connecting Hawk Street, and therefore affords no opportunity for school traffic diversions onto Bear Creek Drive.

Increases in traffic along Bear Creek Drive are within design capacity and would not be considered a significant environmental impact. There is no reason to conclude the increase in traffic that would result would be innately unsafe, as the roadway would operate within all relevant safety standards and guidelines. There is not cause from an environmental perspective to disallow normal usage of the public roadways.

The potential for noise impacts resulting from increases in traffic was analyzed in the Draft EIR (page 14-15) and found to be below significance levels. The potential for biological impacts of the plan as proposed, including roadways, was analyzed and mitigated in Chapter 7: Biological Resources of the Draft EIR.

Comment J-T-11

See response to Comment J-T-10 regarding traffic on Bear Creek Drive.

Comment J-T-12

As described on page 16-37 of the Draft EIR, the site plan provides adequate access for emergency vehicles. The Project's plan includes a 40-foot roadway width with 30-foot corner radii, which meets design standards. This remains valid for the Revised Project shown in Figure 22.1. The applicant has made entitlement applications and the Fire Department has reviewed for emergency vehicle access. The access meets their requirements and Mitigation Measure Traf-6 on DEIR p. 16-37 is satisfied.

See response to Comment J-T-10 above regarding traffic volume along Bear Creek Drive. The Revised Project omits the Hawk Street bridge.

Comment J-T-13

See comment J-T-10 above regarding traffic volume along Bear Creek Drive.

Comment J-T-14

The existing traffic condition was included in the Draft EIR (pages 16-3 through 16-22). Analysis of traffic volumes was conducted for total weekday daily (24 hours) traffic and traffic during the AM (morning) and PM (evening) peak hours. Accepted industry practice is to analyze traffic in a residential neighborhood during the AM and PM peaks on a weekday as those periods consistently reflect the greatest amount of trip generation. Peak hour vehicle counts were conducted on Thursday, Dec. 1, 2011. 24-hour vehicle counts were conducted on Thursday, Dec. 1, 2011, and Tuesday, Dec. 6, 2011. This same methodology was utilized for assessment of the Revised Project, included as Appendix I.

Comment J-T-15

The Revised Project omits the Hawk Street bridge.

Comment J-T-16

See comment J-T-10 above regarding traffic volume along Bear Creek Drive. There is not cause from an environmental perspective to disallow normal usage of public roadways. LARPD owns and manages the property (Garaventa Wetland Preserve) between the Project site and Vasco Road. The applicant does not control the land and does not have an access easement between Vasco Road and the Project site. Garaventa Wetland Preserve was set aside and preserved in perpetuity as environmental mitigation for the Maralisa development south of Altamont Creek. Roadways and access easements are typically prohibited from dedicated conservation lands. Based upon the presence of vernal pools, sensitive soils, plant and animal species in the Garaventa Wetland Preserve and lands to the north, access from Vasco Road was determined to be unfeasible. If an alternate roadway route is proposed in the future, its potential for environmental impact must be assessed under CEQA.

Comment J-T-17

See response to Comment J-T-9 regarding right-of-way for mitigation at the Northfront and Laughlin intersection. In the event additional right-of-way is needed, and the landowner is unwilling to sell the necessary land, then the City has authority under eminent domain to condemn the property and pay the owner the fair market value.

Comment J-T-18

The Revised Project omits the Hawk Street bridge.

Comment J-3

This is a list of concerned neighbors and not a comment on the environmental analysis. Everyone on this list has been added to the contact list for project notifications.

Comment J-4

The Project site is not designated as a preserve or for conservation. It is designated for residential development in the City's General Plan. No portion of the Project site is within designated critical

habitat for the California tiger salamander (page 7-9 of the Draft EIR). However the site could serve as potential upland aestivation habitat for this species, the loss of which and mitigation for is discussed on pages 7-20 and 7-21 of the Draft EIR.

Comment J-5

At the intersection of Laughlin Road and Bear Creek Drive, the northernmost access point to the Project from Laughlin Road, the Revised Project is projected to generate 37 additional trips during the AM peak hour (vehicles making eastbound right turns from Bear Creek Drive) and 46 additional trips during the PM peak hour (vehicles turning northbound left from Laughlin Road). Trips generated by the Project are not projected to travel north of the intersection of Bear Creek Road and Laughlin Road and therefore would have no impact on ease of access to/from the Bluffs. Even if a few cars from the Project headed in that direction, the impact of the traffic on functioning of those intersections would not be expected to be significant.

Comment J-6

This is not a comment on the environmental analysis.

Comment J-7

See response to Comment J-OS-1 regarding open space.

Comment J-8

See response to Comment J-T-12 regarding emergency access.

Comment J-9

The commenters have been added to the contact list for project notifications.

Letter "K"

Stewart, Steve

From: Titlemaverick@yahoo.com Hughes <bdahughes@gmail.com>
Sent: Wednesday, December 26, 2012 11:50 AM
To: Stewart, Steve
Subject: Proposed Garaventa Hills Project - Modifying Density

Mr. Stewart, good afternoon. One of the main reasons we live where we live on Hillstone drive, is because of the designation of low density in the area. This designation protects the integrity of the neighborhoods surrounding the bluffs where we live. Over the past 5 years our homes have lost approximately 43 percent of their prior value. although we are in the midst of a slow recovery in values, we have not regained even 30 percent of what has been lost. the fact that values are going up at all is very encouraging. With this in mind this would be the worst time to consider altering the current density designation, allowing this Garaventa Hills project to go forward developing the open space around our homes and putting in sub standard size lots for this area would have an adverse effect on our property values. This is the worst time to consider this move. Please do not allow this project to go forward with the current small lot sizes that is currently being proposed. I am a real estate agent and property valuations specialist. I know that what I'm talking about is true. I urge you to have them modify their development plan so that it preserves the integrity of the lot sizes in the area. I and our neighbors are vehemently opposed to changing the designation of low density. Please do not approve a plan that requires this modification to the general plan. It is completely unfair and inappropriate to the people that already live in this area and adverse to the values of the homes in place.

Respectfully,
David Hughes
2203 Hillstone Drive

K-1

LETTER K, DAVID HUGES, 12/26/2012

Comment K-1

This is not a comment on the environmental analysis.

Economic impacts are not generally studied under CEQA, as noted in section 15131(a) of the State CEQA Guidelines, “Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes.”

Such “physical changes” are often referred to as urban decay. Urban decay is the process whereby a previously functioning city, or part of a city, falls into disrepair and decrepitude. Turnover of ownership and/or reduction in values would not in and of themselves be considered urban decay.

As a residential project on a residentially-zoned site, the construction and operation of the Project would not reasonably be considered to result in physical decay due to economic or social effects.

It can also be noted that the Revised Project proposes generally larger homes on larger lots than the original Project.

Letter "L"

Stewart, Steve

From: Lori Cantrell <LCantrell@yieldengineering.com>
Sent: Wednesday, December 26, 2012 4:49 PM
To: Stewart, Steve
Subject: Garaventa Hills Project

Dear City of Livermore,

I am sorry for these late comments, but since it is the holidays it has been a very busy time. I am surprised that the comments need to be submitted by the day after Christmas.

Anyhow, I have some comments regarding this planned project in our neighborhood.

I cannot imagine why they City would allow this, unless there is some money involved and the money is what is leading the decision, or in other words GREED.

GREED is the only thing I can think of that would be the reason for the city to ever consider approval to build 76 sub-par homes on a scenic hill with known endangered species living there.

L-1

As I write this I wonder how this ever got so far. I can (and will write) the reasons why personally this affects me greatly, but even more so concern to the city, should be the effects to the neighborhood, the families, the city and the wildlife. It all seems so obvious to me that this decision is very poor. Has the city abandoned us here living on the north east end of town? I feel like we have been completely forgotten. We have horrible eyesores to deal with that the city seems to not care about (old Calco fence company etc.). I guess we are too far away from the wineries or downtown for the city to care about improving this area? The traffic and the streets are downright dangerous. We cannot safely get to the other side of a freeway on a bicycle. Our children cannot get to highschools across town without getting a ride in a car, or they would get hit by a car. Why is it OK to shove 76 more homes over here without first taking care of some serious issues we have??

My husband and I purchased our home in the Bluff's neighborhood brand new in 2001. Although not yet at the height of the market, we still paid \$800K for this house. And then we needed to have a yard and over the years have added around \$200K in improvements. We watched the property values in our neighborhood climb to well over \$1M. And then we watched them drop like a rock. Our home recently appraised for only \$675K. My husband and I have worked very hard to survive this downturned economy. Our property values have taken a beating. But now the city wants to approve 76 homes being built on tiny lots which are at a much lower standard than all the other housing around it? With this we will most certainly take another beating to our property values. Is that fair to us to were here first?

L-2

We moved our business to Livermore 4 years ago thinking this is were we want to run our business and live and someday retire. I am not so sure anymore. Why should we work so hard and get punished for working hard and caring?

L-3

Our neighborhood is very careful about the wildlife around us. There is a lot of wildlife here. I have had coyotes in my yard, as well as skunks, possums, squirrels, water fowl, frogs salamanders. All kinds of wonderful creatures. I am very careful to use only organic pest control. Can the city guarantee that all these people who move into these 76 homes are going to be as careful? What will they do when they get swarms of ants, ground beetles, and other insects as well as mice that will surely invade their homes as they did ours when we moved in??? They will call pest control. They will head to Home Depot. They will spray poisons that will kill all the wonderful wildlife we have.

L-4

The reports keep stating how some things are not all that important. Well, not important to whom??? Do the people writing these reports live here?? Who paid for these studies?? Do they know what wildlife is here on a daily, weekly, monthly yearly basis???

No. This is about money. Well, the city needs to stop this and take a close look at the dangers involved here.

L-5

The streets are dangerous already. Lets fix the problems we have. Let's build the homes in a place that will not devalue the rest of the neighborhood and destroy wildlife! Let's take the mindset Livermore had when fixing downtown and continue it this direction instead of just looking at revenue.

Letter "L"

Thank you for your time. I have more to say, but I have run out of time.

Regards,
Lorena Dunkly

1984 Meadow Glen Drive
Livermore, CA
408 590-4568

LETTER L, LORENA DUNKLY, 12/26/2012

Comment L-1

This is not directly a comment on the environmental analysis. The environmental impacts of the Project were analyzed as required under CEQA. The Revised Project now proposed reduces or avoids some impacts identified in the Draft EIR, as discussed in Chapter 22 of this document.

Comment L-2

See response to Comment K-1 regarding economic impacts.

Comment L-3

This is not a comment on the environmental analysis.

Comment L-4

Biological impacts were assessed as required under CEQA by Principal Biologist Leslie Zander of Zander Associates based upon her field assessment and records' searches and peer review of multiple previous studies performed on the site as noted on pages 7-1 and 20-1 of the Draft EIR. Full text of the biological analysis, including the potential for impacts to species using the site, is included in Chapter 7 of the Draft EIR and supported by information contained in Appendix C of the Draft EIR.

The services performed by the environmental consultant for the Draft and Final EIR were under the direction of the City and administered through a professional services agreement between environmental consultant and the City. The cost for the preparation of the EIR was borne by the applicant.

Comment L-5

See response to Comment L-1.

Letter "M"

Stewart, Steve

From: The Lindquist Family <lindquists4@yahoo.com>
Sent: Wednesday, December 26, 2012 5:06 PM
To: Stewart, Steve
Subject: Comments on Garaventa Hills

Hi Steve,

I live at 6682 Bear Creek Drive next to the proposed development site. I came to the public hearing and made a few remarks at that time, however, wanted to augment those with a few more comments and my petition results.

M-1

I would like to invite the members of the Planning Commission to come over here and walk the site for themselves before they make a decision. I strongly believe that nobody should in good conscience make a decision about this project without doing that first.

M-2

I think that when they do so, it will become apparent that this site is simply not appropriate for this development. Prior city staff and Planning Commission members have twice rejected applications for developing this parcel in the last ten years, for good reason. The entire parcel is sloped, and the project will result in huge "cuts" into the grade in order to construct the homes and roads. The project mentions 200,000 cubic yards of earthworks, which is an amazing amount of dirt to move. To visualize it, imagine a lot that is 120x75 feet, which is a 9000 square foot lot. Now imagine a column of dirt, with that footprint, that is 600 feet tall, and that is 200K cubic yards of dirt! That's a lot of dirt. That's a column of dirt as tall as a 44 story skyscraper, or twice the height of Statue of Liberty, or two football fields. It will totally change the contours of the hills, and certainly that qualifies as "intensive development"....it is not compatible with the city's policies for development.

M-3

In terms of neighborhood sentiment, everyone I have talked to opposes this project. I went door to door in my neighborhood and collected over 30 signatures on a petition opposed to the project and in particular objecting to extending our street. (attached).

M-4

I hope that the commission and staff will make the effort to come out here and walk the site and see for themselves that this site is not appropriate for the project.

Best Regards
John Lindquist
925.456.3436

LETTER M, JOHN LINDQUIST, 12/26/2012

Comment M-1

This is not a comment on the environmental analysis.

Comment M-2

This is not a comment on the environmental analysis. See response to Comment J-OT-4 regarding the Project site's land use entitlement history.

Comment M-3

This is not a comment on the environmental analysis and no attachment was received.

Comment M-4

This is not a comment on the environmental analysis.

Letter "N"

RECEIVED

DEC 26 2012

December 26, 2012

Steve Stewart
City of Livermore Planning Division
1052 South Livermore Avenue
Livermore, CA 94550

COMMUNITY DEVELOPMENT DEPT.

Dear Mr. Stewart,

I wanted to express my concern about the Garaventa Hills Development, because the wetlands area west of the site is a protected area, a habitat for burrowing owls, and a component of Livermore's quality of life. I would therefore ask that there be a thorough search for nesting borrows of borrowing owls on the hills of the proposed development. If you walk up the path on the hill that continues from the end of Bear Creek Drive, you will see two large burrows a little more than half way up on the left of the trail. The two burrows are well used and are about three feet apart. The borrow entrances are larger than prairie dog burrows. These may have been enlarged by burrowing owls (or possibly the San Joaquin Kit Fox, another endangered species of Alameda County), which use prairie dog burrows. I trust that you will hire a professional environmental biologist to investigate these burrows and others on the hills before the development plans go any further.

I found on a "Defenders of Wildlife" web page that, "Burrowing owls often nest in loose colonies about 100 yards apart." Also, "This species of owl prefers open areas with low ground cover." Since there is a known habitat of burrowing owls approximately 100 yards from the borrows I found, and it is an open area with low ground cover, it seems highly likely that those burrows might house burrowing owls. I implore you to determine if the area is a habitat for burrowing owls, before the development plans are continued.

Furthermore, on the north side of the hills, there is an area that is dotted with dozens and dozens of small holes, which could easily be the habitat of other endangered species, such as the Alameda Whipsnake, the California Tiger Salamander, or the Salt Marsh Harvest Mouse. I hope the holes and other borrows will be examined for these endangered species known to inhabit areas in Alameda County before any development is considered on the hills located at the end of Bear Creek Drive.

Also, when I moved into the Mill Creek Development, I was told that the grassland hills, that are currently designated for the proposed Garaventa Hills development would *not* be developed because they were a mitigation area, reserved to be a home for the animals and birds displaced because of the Maralisa and Mill Creek developments. Since the hills are already a mitigation area, surely they cannot and must not be used for any new development. Otherwise, how many times and how often are the indigenous animals and birds going to be expected to move? These issues must be adequately addressed before you go any further with the proposed development of the hills in an effort to maintain the high quality of life we all enjoy here in Livermore. Thank you for your timely consideration of these vital issues.

Sincerely yours,

Helen Nelson (925) 292-1138
6949 Bear Creek Drive
Livermore, CA 94551

P.S. I hope you will visit the site in person.

N-1

N-2

LETTER N, HELEN NELSON, 12/26/2012

Comment N-1

See response to Comment L-4 as well as response to Comment J-E-6.

Comment N-2

The Project site is not designated as a preserve or for habitat conservation. The Project site has had residential land use designations for over 25 years and is currently designated for residential development in the City's General Plan.

Letter "O"

Approved December 18, 2012



**PLANNING COMMISSION
MINUTES**

TUESDAY, DECEMBER 4, 2012

MEETING – 7:30 P.M.

**COUNCIL CHAMBERS
3575 PACIFIC AVENUE
LIVERMORE, CA 94550**

1. CALL TO ORDER 7:30 P.M.

1.01 Roll Call Present were Chairperson Harriet Cole, Vice Chairperson Todd Storti, and Commissioners Loretta Kaskey, Neal Pann, and Steven Spedowfski.

Also present were Planning Manager Paul Spence, Senior Assistant City Attorney Jason Alcala, Senior Planners Ingrid Rademaker and Steve Stewart, Principal Planner Susan Frost, Assistant City Engineer Bob Vinn, Associate Civil Engineers Pam Lung and Roberto Escobar, and Division Clerk Kim Phillips.

1.02 Pledge of Allegiance

2. MINUTES APPROVAL

2.01 Meeting Minutes of November 6, 2012

MOTION BY COMMISSIONER SPEDOWFSKI, SECOND BY COMMISSIONER PANN, APPROVING THE PLANNING COMMISSION MEETING MINUTES OF NOVEMBER 6, 2012, AS WRITTEN.

AYES: COLE, KASKEY, PANN, SPEDOWFSKI, STORTI
NOES: NONE

December 4, 2012

Approved December 18, 2012

Page 1

Letter "O"

2.02 Meeting Minutes of November 20, 2012

MOTION BY COMMISSIONER COLE, SECOND BY COMMISSIONER STORTI, APPROVING THE PLANNING COMMISSION MEETING MINUTES OF NOVEMBER 20, 2012, AS WRITTEN.

AYES: COLE, KASKEY, PANN, SPEDOWFSKI, STORTI
NOES: NONE

3. OPEN FORUM

None

4. COMMUNICATIONS

None

5. REPORT FROM COMMUNITY DEVELOPMENT DEPARTMENT STAFF

None

6. CONSENT CALENDAR

None

7. PROJECT REVIEW

None

8. PUBLIC HEARINGS

8.01 Hearing to receive comments on the Draft Environmental Impact Report for the Garaventa Hills residential development.

- Location: North of Garaventa Ranch Road and Hawk St., west of Bear Creek Drive and Laughlin Road (APN 99B-5300-10)
- Applicant: Livermore LT Ventures I Group, LLC
- On-site and off-site public improvements: Construction of public infrastructure, including streets, bridge over Altamont Creek, street frontage landscaping, and installation of on-site and off-site public utilities.
- Site Area: 31.7± acres
- Zoning: Planned Development (PD)
- General Plan: Urban Low Residential 1-1.5 dwelling units per acre (UL-1)

Letter "O"

- CEQA: A Draft Environmental Impact Report has been prepared for this project. All potential project impacts were found to be less than significant or less than significant with mitigation measures incorporated.
- Application Number: Project Tracking 11-011
- Project Planner: Steve Stewart

Chair Cole stated the Commission will not comment or vote on this item tonight. The Planning Commission is here strictly to take public comment.

The public comment period was opened.

Karen Crosley, 1424 Fox Creek Court, Livermore, stated her house is just off of Altamont Creek Drive. She's going to address the problems of Hawk Street, which is right next to the school. It's a very narrow street. If there are cars on both sides, which there generally is, it basically gets down to a one-way street. There are lots of children darting in and out of those cars. It's a major crosswalk for the school. It's also the road that parents use to pick up their children at the after school program during the school hours. Therefore, there is an awful lot of traffic on this street.

O-1

Ms. Crosley said if the Commission decides that there needs to be houses on that property, the neighbors feel that Hawk Street needs to be enlarged. It would at least have to be made a viable two-way stop and perhaps put a stop sign or stop light just over the bridge to protect the children who are going back and forth from school. That means the City will probably have to take land from either side. However, as it is right now, the traffic going in and out of that area is pretty restricted to just one way when there is a car there.

Luis Faria, 1498 Winding Stream Drive, Livermore, said his house is around the corner from Altamont Creek. He has a beautiful view of the hillside at the current time. Obviously, the road is a little bit too narrow, and they are looking to eliminate (if possible) Hawk Street itself. He knows that the north end of that property lines up perfectly with a previous plan that the City had at one time where there was going to be an access road where Greenville was going to be extended, follow the foothills, loop around across Laughlin, and eventually hook up with Dalton. That was one of the plans that the City had at one time. He attended a meeting at Altamont Creek School on those plans, which never came to fruition. If there is a possibility, he would like to see that access not be on Hawk Street, but be on the north side of the property that this development is on, which lines up with Dalton. Some of that property over in that area, between that property and Dalton, was being used as mitigation property for other projects, but we could possibly cut a strip of that property out and use that as an access road from the north side of the development over to Dalton. Dalton is a much more viable access than Hawk. Safety is a big concern. By eliminating Hawk, it would eliminate the possibility of any accidents with their children at the school. Hawk would take the traffic right over Dalton, which is already a major access. Whether it

O-2

Letter "O"

is through eminent domain or not, it would be a very small section of that property that could be used for an access road. All the land that is going to be taken on the school site and on the homeowners' site to widen Dalton obviously would put a burden on both the homeowners and the school.

O-2 contd

David Hughes, 2203 Hill Stone Drive, Livermore, said his home is in The Bluffs. He is a licensed real estate agent and currently makes his living doing property valuations. The size of the homes that are being talked about and the average lot size in this development would in his profession be deemed substandard and would have a negative impact on home values, which they are still trying to recover since the bubble burst in the real estate market. What he doesn't see on this map is the very well-worn trail that is commonly used by all of the surrounding developments. The open and notorious use of that trail over the past nine years by law creates a prescriptive easement he believes in favor of the public and the neighboring developments that use it. He doesn't think that has been taken into consideration. Also, part of the value and the allure of the properties in this area is the open space. He hates to see that slowly disappear, which would also have a negative impact on their property values. Their values have dropped up to 40 percent since the bubble burst. We have only recovered barely 40 percent of that loss. This project would have further negative impacts on property values with this type of development with these very small lots. Even the larger lots that create a higher average lot size are unusable and unbuildable because of the slope in the back. He's concerned about the valuation and the economic impacts of having substandard lots directly adjacent to developments with some of the average lots in those developments almost twice what they are in this project. Even the smaller average lot size developments are almost 30 percent larger than these average lots. That's a significant consideration to take in.

O-3

Marni Steele, 1996 Meadow Glen Drive, Livermore, stated she is also in The Bluffs community in the northeast above the new development. She has been able to collect 9 signatures from the 48 homes in The Bluffs, which represents about 19 percent of the neighborhood that has concerns about the development going in. She is representing their concerns regarding the visual impact, as well as the open space impact, that this development would have on existing residences. One of the draws to the neighborhood is the fact that they have beautiful views of the open space. There are approximately 22 homes of the 28 homes in The Bluffs that actually border the open land. All of the homes in The Bluffs would be impacted, but for these 22 in particular, the open space is right out their windows. They are currently looking at a beautiful hill and they would be looking at a wall of fences and backyards. Building on the hill would destroy the allure of the area and would impact the quality of their life, as well as their property values.

O-4

Ms. Steele said the unique landscape features a variety of compatible users. There are kids on bikes, kids exploring, dog walkers, hikers, wildlife

Letter "O"

observers, and all are drawn to the area and use the site daily. There is also a unique rock out-cropping that is a draw that people like to hike up to and see. She doesn't see how that would be accessible by the neighborhood community that currently uses it. It would impact their quality of life and why they bought there in the first place. Based on these things, many people in The Bluffs would like to see no development on the land. But even if there was development, she seconds the position of the gentleman ahead of her to at least have lot sizes that are comparable with the area so they could try to maintain some of their home's value.

O-4 contd

Cynthia Angers, 1499 Winding Stream Drive, Livermore, said her property is across the park from the proposed site. As the Commission can see, there are several here tonight from their neighborhood that are very concerned about this project. She had six full lists of concerned citizens that signed their hand-made list, because they couldn't be here tonight but they wanted to make sure that everyone knows how many people are very concerned and have a lot of questions about this project. That said, neighbors who have formed a very loose group come from very different backgrounds. Many of their backgrounds allow them to review the Draft EIR and the proposed project with some semblance of expertise. She is a landscape designer and qualified developer. She came from a civil engineering background. There are others who have a utility company background, an educator, and an environmentalist of 20 years. In addition, they have all reached out to several experts, therefore, all of them have reviewed the Draft EIR, asked some good questions and compiled these questions. They aren't just NIMBY questions; they are solid questions. The Commission has heard a few of those tonight in addition to other new questions. There's going to be a lot of questions on this Draft EIR. Those questions will be put in writing and submitted with reference material for review. As a group, they understand there is a need for development. Their very unique hillside, which is very much loved, is a gorgeous view, they want to at least see some aspect of their treasured, unique landscape feature preserved.

O-5

Frank Tadevich, 2188 Tea Garden Common, Livermore, said his home is in Maralisa Courtyard, which is directly south of the proposed development. He asked if the intrusion of fresh water is going to disrupt the soil chemistry at the alkaline wetlands in the LARPD lands. He said he has lived in his house for the last eight years. He and his wife don't have children themselves, but during the summertime, there are many kids that go out to the park to play, enjoy the sun, and get exercise. He has never seen one child playing out there riding his bicycle with a cell phone or a can of spray paint in his hand. They are getting exercise, using their imaginations, and taking full advantage of the open space that is currently available to them.

O-6

Joe Bartolick, 2193 Fernbrook, Livermore, said his property is in the Maralisa development. He was at a meeting at Altamont Creek School where a lot of these questions were brought up originally. One of the first questions was about access onto Dalton Road. The explanation that was

O-7

Letter "O"

given was that the Corp of Engineers wouldn't allow this project because it is a wetlands area. Why are they allowing a bridge to be built, which involves realignment of the creek bed? Altamont Creek is actually a flowing creek with wildlife in it. Whereas, the other wetlands are seasonal. Since the Hawk Street bridge crosses public land, is there an easement? Is the City, or whoever owns that land, aware that there is going to be a bridge built across it? When he came in tonight, he heard that there was an amendment to the urban density level. If we are going to an Urban Medium level, which is 2 to 2.3 units per acre; 76 houses on 31.7 acres is 2.4 units per acre. That needs to be looked at.

O-7

Mr. Bartolick said he doesn't believe in traffic analyses simply because he sits in traffic jams a lot. He deals with people who do computer models all the time, and he is an experimentalist who proves their computer models wrong. There is something wrong with this traffic model. With 76 units, we're not going to have 48 trips in the morning rush. These are going to be relatively expensive homes. There are going to be two earners per household. Each has their own car, and the traffic is going to be a lot worse than they think it is. Every development ever put in had a traffic analysis done. The very existence of traffic jams shows that if traffic models were accurate, he wouldn't sit and idle so much.

O-8

Scott Steele, 1996 Meadow Glen Drive, Livermore, stated while he doesn't know the previous speaker, he almost completely agrees with everything he said. Mr. Steele said he is concerned about the change in density. What is the process that allows the change in density? It's an amendment to the General Plan. How does that take place? Are the neighbors going to be notified? Will they have an opportunity to oppose it? It seems to him that there has been a development agreement that has allowed it. Has a developer bought the rights to increase the density? He heard at a meeting the other day about trading and/or borrowing of development rights from the Maralisa developer. Is this going to be public record? How does it take place? What types of financial considerations are done and do the neighbors have anything they can say about it? He really likes his neighborhood. He understands development is going to happen. He wants to make sure development is done in the right way; however, he is also very concerned and he has no children. The pinch point at the school concerns him greatly with the children.

O-9

Chair Cole noted that questions such as these will go to the staff. She asked staff if there are going to be more meetings/hearings? PM Spence replied this is a proposal for a change in the General Plan designation. It has to be reviewed and approved or denied ultimately by the Planning Commission and the City Council. There will be meetings next year that will cover that process. Those meetings will be open for public comment. People will be notified again and will be able to come out, speak, and provide comments. There is a sign-up sheet in the lobby tonight if people would like to leave their name and address to make sure they are on the notification list.

Letter "O"

T.J. Barker, 1480 Fox Creek Court, Livermore, said he is opposed to this project in its entirety. He understands development has to happen. There are a lot of places in Livermore that it could happen. There is a lot of infill that this project can go on. On Scenic Avenue for instance, there is a project that was just put in there just east of Vasco. It's a perfect spot for houses. There are already houses all around it. On Vasco where Ken's Tires used to be is right in the middle of where houses already are where this could go.

O-10

Mr. Barker said if he wanted sprawl and wanted to look into the hills and see houses, he would move to Dublin. Houses are up in the hills as far as you can see in Dublin. That's not why he is in Livermore. It's a beautiful area. We can go on and on all night, but there is nothing that can be said or done that would bring him on-board for this site. Let's talk about other sites and discuss them, but not this location.

Carol Eicher, 2445 Chateau Way, Livermore, said she lives all the way across town, but she is very familiar with this area. It's one of the most beautiful areas in town. There is a wetland in between this proposed development and The Bluffs. There are signs that plainly show that there are red legged frogs and leopard salamanders in the area. The site is posted and people aren't allowed to go into that area. She doesn't see how you can mitigate something like that. They aren't going to round up all the critters and move them to a new area. It seems to her, if you have houses at a higher elevation than this area that she is talking about, wouldn't you have run-off from the lawns with fertilizer and pesticides. The cars that are on these streets drip oil and the brakes have chemicals in them. She doesn't know how the City would ever correct problems like that. She's hoping that the developer has taken this into consideration and this area could be protected. That's her interest in this project. Even though she lives across town she would like to see that wetland protected.

O-11

Chair Cole noted it is good to have Livermore residents interested in the whole City. The Commission always appreciates that.

Vincent Turner, 6834 Edgewater Lane, Livermore, stated his house is in front of the creek that is between Altamont Creek and Edgewater. He's concerned with the impact on the creek itself. The containment basin, which is at the end of Edgewater seems to be a place where oils accumulate and leach into the overflow pond that was just filled up the other day. He's also concerned about even more run-off going into there. He agrees with everyone who has spoken so far. The view and the traffic are a concern. The safety of the children and the value of their homes are also concerns. He came to this area because of those hills and the views. It would be a terrible thing to have those hills not be as accessible as they are and enjoyed as much as they are today. He sees a lot of residents taking hikes in those hills. This would be severely degraded and their home values would follow. He's also concerned with wildlife corridors between Bear Creek and Altamont.

O-12

Letter "O"

Creek. He's concerned about the changing of the density. The surrounding hills aren't developed yet, but after this project, they would be more likely to get developed. The access would be much better off of Dalton. Building a bridge on Hawk would damage the creek. Dalton would be a more efficient way to get in and out of this development. He doesn't think people would use Hawk as much as come all the way down to Laughlin and then turn left on Beer Creek, which would bring a lot more traffic in that neck of the woods as well. He's opposed to the project and he agrees with the previous speakers.

O-12 contd

John Lindquist, 6682 Bear Creek Drive, Livermore, said his home is adjacent to the development property. He agrees with everything his neighbor Ty said. One of the things he wanted to bring to the Commission's attention is that in the 12 years since he's lived on his property (he's the original owner), similar development projects have been proposed and rejected. One time the reason was environmental concerns, the other time, the conclusion of the Planning Commission was that they felt the property was simply not a suitable area for development, which he thinks as the Commission learns more about it, they may come to the same conclusion. There was a gentleman who mentioned the run-off. One of the things he noticed that is interesting about the proposed development property is that this would be the only development that has back yards that have downhill drainage so there wouldn't be any way to capture run-off into a sewer system. It would be something that has to go into a sub-surface collector. He believes one of the speakers mentioned that there is something that is planned to go into Altamont Creek, which would be a big area of concern having pesticides and herbicides and other things that come out of people's backyards draining into the creek. Currently that doesn't happen in any of the existing houses because they have a swale system and all the backyards drain to the front yard, where they either run into the swale and then into the gutter storm sewer, but they don't go out into the creek.

O-13

Mr. Lindquist stated that he found the Draft EIR to have a few defects. Another person already criticized it, but he looked at the numbers they projected and they didn't make a lot of sense to him. The Draft EIR said that his street has no traffic, which is completely not true. The other thing he found to be interesting is that they list eight project objectives – various things that make it sound like the project is a public service of sorts, providing housing for jobs and balancing the eco system, but they don't mention that the number one objective of the project is to make a lot of money for the developer.

O-14

O-15

Phillip White, 6694 Bear Creek Drive, Livermore, said his home is the second house on the north side from the end of Bear Creek. As far as traffic, he agrees with what people have been saying tonight. He doesn't know of anybody who wants to have the traffic that would be generated on Bear Creek Drive from the surrounding developments. They would end up circling around and going down Bear Creek Drive, which is basically just a residential collector street. One way to correct that is between the end of the

O-16

Letter "O"

existing Bear Creek Drive up to the first intersection is make that an emergency road that is only 26-feet wide so that it isn't open to the public, but it is still there for emergency access. That would solve all types of problems on Bear Creek Drive and it provides the minimum amount of development. You would be able to reduce the amount of cuts on the hills in that area which is very steep. There could be a better drainage system in there. Some other areas that weren't mentioned are along the existing creek where the bridge is going in there is significant erosion along that whole hillside by the school. It looks like they may be fixing a little bit of it, but that creek really needs to be relocated farther north, because it is tearing into that hillside. There's about a 10- to 12-foot drop right next to that school. If a child falls off there, nobody would see them and they could be there a long time. Another issue that has not been addressed is the kind of wind that is in that area is very bad. His house is protected by a hillside in the back. It took a good ten years of growing a lot of trees to get that to where they can even use the backyard because of the wind. He doesn't see that anyone is ever really going to be able to use their back yards because of the amount of wind they are going to have. They aren't going to be able to enjoy their back yards at all because they are exposed.

O-16 contd

O-17

O-18

O-19

O-20

O-21

Brent McHale, 6976 Bear Creek Drive, Livermore, said he agrees with almost everything everybody said. We are changing from low density residential to high density residential, which means a lot more traffic. If we were only talking about 47 units, it would not be nearly the same issue as when we start talking about 74 or 75 units. Looking at Dalton as a way to get on this property is a far better way than trying to go down Hawk or trying to go down Bear Creek. All that traffic is going to get pushed on those two roads that were never designed to handle 76 units, plus the traffic that is already on them. There is a set aside for this, but it isn't really usable for people in this area. The set aside is quite a bit away from where they live. It would be nice if the set aside had places for recreation. This development is taking their recreational area; it would be nice to have a recreational area that the neighbors could use.

Patrick Tuey said he works for Lafferty Communities. Lafferty Communities is the managing member of the applicant LLC. He has taken good notes tonight. They will be having a fourth and a fifth public meeting on their own. The City had one at the beginning of the process. They have since had three meetings. There will be another public outreach meeting where a lot of these questions and issues will be addressed. There will be another meeting before the public hearings start as well. They are going to a great effort to understand the community issues and see what they can do to address some, but certainly not all. He wanted the Commission to know that they are doing public outreach and they are doing their best to try to whittle it down so they are left with some of the issues, but certainly not all that the Commission has heard tonight. Just know that there is more activity going on than just these meetings.

Letter "O"

Someone from the audience who already spoke asked if he could speak again. Chair Cole replied that usually people do not speak twice. If they want to get in touch with the staff after the meeting, they could submit a written question and get it on the record so it could be considered.

O-22

Miguel Pineda, 2036 Hawk Street, Livermore, said he owns the last house at the end of Hawk Street. His concerns are his family first, of course, and second all the children in the school. The lives of those children are precious and to put them at risk with this development or street is not worth it. He also has concerns about the noise pollution by vehicles coming up and down the street all the time. He hopes that the Commission considers that there are other options that are better options to develop in other places that really would help Livermore to develop better. Life is about options, so he hopes the Commission considers other options besides this one.

O-23

Cheryl Atkins, 6942 Bear Creek Drive, Livermore, said on the freeway entrance there are car developments going in. What is the development doing with the traffic and the freeway entrance? There will be more people with the car developments and will bring more traffic.

O-24

Chair Cole said the neighbors have taken a very good first step. The Commission is always glad to see a neighborhood come in and talk to the Commission in a serious way about their concerns. She's glad the developer is here. Staff is taking notes, and everyone seems interested. This is the beginning of a process. She hopes everyone will stay engaged and keep up with it. Please depend on the staff and make sure to list names and addresses so those who want to be notified will be notified. She thanked everyone for coming this evening.

O-25

The public comment period was closed.

8.02 Hearing to consider a request to rezone property located in the Downtown Specific Plan Area by creating a new sub-district of the Downtown Core Plan Area and clarifying uses permitted in this sub-district. No new uses are proposed for this sub-district.

- Location: Downtown Specific Plan Area in a portion of the block bounded by Railroad Avenue, First Street, and South Livermore Avenue.
- Applicant: City of Livermore
- On-site and off-site public improvements: None
- Zoning: Downtown Specific Plan (DSP) in the subarea entitled the Downtown Core Plan Area
- General Plan: Downtown Area (DA)
- Historic Status: None
- CEQA: The project is within the scope of two previously certified environmental documents, the 2003-2025 General Plan Environmental Impact Report (SCH 2003032038) and the Downtown Specific Plan Amendments and Regional Performing Arts Theater Subsequent

**SET O, 12/4/2012 HEARING BEFORE THE PLANNING COMMISSIONS, MEETING MINUTES
INCLUDING COMMENT ON THIS PROJECT**

Comment O-1

The Revised Project no longer proposes a bridge to connect to Hawk Street.

Comment O-2

The Revised Project no longer proposes a bridge to connect to Hawk Street.

Comment O-3

See response to Comment K-1 regarding home values.

See response to Comment B-33 regarding the knoll trail and response to Comment J-OS-1 regarding open space.

Comment O-4

See response to Comment J-V-3 regarding private views.

See response to Comment B-33 regarding the knoll trail and response to Comment J-OS-1 regarding open space.

Comment O-5

This is not a direct comment on the environmental analysis, but references what is included here as comment set J.

Comment O-6

See response to Comment J-E-5 regarding site runoff.

See response to Comment B-33 regarding the knoll trail and response to Comment J-OS-1 regarding open space.

Comment O-7

The Revised Project no longer proposes a bridge across Altamont Creek.

Comment O-8

Standard industry practice to identify existing peak hour volumes is based on 2 hours of direct observation of traffic during both AM and PM. The highest volume of traffic occurring during 1 hour of the 2-hour observation period constitutes the peak hour volume. This practice was used in the collection of existing traffic volumes on Thursday, Dec. 1, 2011, and identification of existing AM and PM peak hour volumes.

Trip generation rates are based on existing developments, most of which are located in suburban settings. The ITE (Institute of Transportation Engineers) Trip Generation Handbook was used to project trips generated by the Project.

Comment O-9

This is largely not a comment on the environmental analysis, but questions (and following, answers) regarding the approval process.

Note that the Revised Project proposed density consistent with the current General Plan designation and omits the Hawk Street bridge.

Comment O-10

This is not a comment on the environmental analysis.

Comment O-11

See response to Comment J-E-5 regarding site runoff and response to Comment J-E-4 regarding habitat in the Bluffs development.

Comment O-12

See response to Comment J-E-5 regarding site runoff.

There are known oil seepage issues affecting runoff from nearby properties and the potential of such oil seepage at the Project was analyzed in the Draft EIR on pages 11-2, 11-3, 11-6 and 11-7. While the conclusion was that such issues were unlikely to occur at the Project site, Mitigation Measure Haz-2 was included to require the absence of near-surface oils be confirmed during grading or if encountered, mitigation to be implemented.

See response to Comment J-V-3 regarding private views.

See response to Comment B-33 regarding the knoll trail and response to Comment J-OS-1 regarding open space.

See response to Comment K-1 regarding home values.

See response to Comments J-E-4 and J-E-9 regarding wildlife corridors and wildlife access to the creek.

The Project site is within the City limits and designated for residential development and the development as proposed would not be considered growth inducing (Draft EIR pages 18-2 to 18-3).

The Revised Project no longer proposes the Hawk Street bridge over Altamont Creek.

To understand where trips generated by the project will travel, the official City of Livermore Travel Demand model developed as part of the General Plan was used to distribute the traffic from/to the Project site. This model assigns trips to one route or another based on existing patterns of the origin and destination of similar trips and takes into account proximity to freeway access via Vasco Road or North Front Road and Greenville Road.

See response to Comment J-T-10 above regarding traffic volume along Bear Creek Drive.

Comment O-13

The proposed lot drainage is shown on Figure 3.5 of the Draft EIR. All stormwater from disturbed areas (lots and roadways) will be routed to the on-site detention/bioretention basin for treatment prior to being discharged. With implementation of Best Management Practices and oil monitoring and remediation if warranted, there would be no significant impacts to water quality (pages 12-7 and 12-8 of the Draft EIR).

Comment O-14

See response to Comment J-T-10 regarding traffic volumes on Bear Creek Drive.

Comment O-15

Per section 15124(b) of the CEQA Guidelines, objectives are stated to help the Lead Agency (City of Livermore) in development and assessment of alternatives to the Project. The potential for the applicant to profit need not be considered an objective of the Project by the City.

Comment O-16

See response to Comment J-T-10 regarding traffic on Bear Creek Drive.

Comment O-17

The proposed realignment of the creek will improve some existing erosion conditions. There is no nexus from an environmental perspective under which to require the Project to address existing conditions on other sites unrelated to the Project.

Comment O-18

Wind at proposed residential lots is not considered an impact on the environment.

Comment O-19

See response to Comment J-T-10 regarding traffic on Bear Creek Drive. A bridge connecting to Hawk Street is no longer proposed with the Revised Project.

Comment O-20

See response to Comment B-33 regarding the knoll trail and response to Comment J-OS-1 regarding open space.

Comment O-21

This is not a comment on the environmental analysis.

Comment O-22

This is not a comment on the environmental analysis.

Comment O-23

See response to Comment J-T-10 regarding traffic on Bear Creek Drive. A bridge connecting to Hawk Street is no longer proposed with the Revised Project.

Comment O-24

See response to Comment J-T-4 regarding traffic at freeway ramps.

Comment O-25

This is not a comment on the environmental analysis.

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