

Appendix A:
Notice of Preparation (NOP) and Comments

Notice of Preparation

To: State Clearinghouse From: City of Livermore
1400 Tenth Street 1052 South Livermore Avenue
Sacramento, CA 95814 Livermore, CA 94550

Subject: Notice of Preparation of a Draft Environmental Impact Report

City of Livermore will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study (is is not) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to Steve Stewart, Senior Planner at the address shown above. We will need the name for a contact person in your agency.

Project Title: Garaventa Hills Project

Project Applicant, if any: Livermore LT Ventures I Group, LLC

Date November 16, 2011 Signature [Handwritten Signature]
Title Senior Planner
Telephone (925) 960-4450

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Garaventa Hills Project

Lead Agency: City of Livermore Contact Person: Steve Stewart
 Mailing Address: City Administration Building, 1052 South Livermore Ave. Phone: (925) 960-4468
 City: Livermore Zip: 94551 County: Alameda

Project Location: County: _____ City/Nearest Community: Livermore
 Cross Streets: north of Garaventa Ranch Rd. and Hawk St., west of Bear Creek Dr. and Laughlin Rd. Zip Code: 94551
 Longitude/Latitude (degrees, minutes and seconds): 37 ° 43 ' 30 " N / 121 ° 43 ' 00 " W Total Acres: 31.7
 Assessor's Parcel No.: 99B-5300-10 Section: _____ Twp.: _____ Range: _____ Base: _____
 Within 2 Miles: State Hwy #: I-580 Waterways: Altamont Creek
 Airports: none Railways: ACE Schools: various

Document Type:

CEQA: NOP Draft BIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) _____ Draft EIS Other: _____
 Mit Neg Dec Other: _____ FONSI _____

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: _____

Development Type:

Residential: Units 76 Acres _____
 Office: Sq.ft. _____ Acres _____ Employees _____ Transportation: Type _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____ Mining: Mineral _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____ Power: Type _____ MW _____
 Educational: _____ Waste Treatment: Type _____ MGD _____
 Recreational: _____ Hazardous Waste: Type _____
 Water Facilities: Type _____ MGD _____ Other: _____

Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement
 Coastal Zone Noise Solid Waste Land Use
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Economic/Jobs Public Services/Facilities Traffic/Circulation Other: see Attachment A

Present Land Use/Zoning/General Plan Designation:

currently undeveloped. UL-1: Urban Low Density Residential

Project Description: (please use a separate page if necessary)

76-unit single-family residential subdivision including bridge construction over Altamont Creek. See Attachment A for more details.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

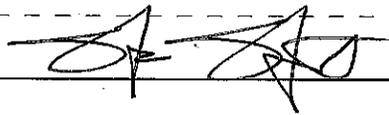
- | | |
|--|--|
| <input type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Emergency Services |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> Caltrans District # <u>4</u> | <input type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Regional WQCB # <u>2</u> |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Fish & Game Region # <u>3</u> | <input type="checkbox"/> SWRCB: Water Rights |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Housing & Community Development | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Integrated Waste Management Board | |
| <input type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date _____ Ending Date _____

Lead Agency (Complete if applicable):

Consulting Firm: <u>Lamphier-Gregory, Inc.</u>	Applicant: <u>Livermore LT Ventures I Group, LLC</u>
Address: <u>1944 Embarcadero</u>	Address: <u>5000 Executive Parkway, No. 530</u>
City/State/Zip: <u>Oakland, CA 94110</u>	City/State/Zip: <u>San Ramon, California 94583</u>
Contact: <u>Rebecca Gorton</u>	Phone: <u>925-830-2603</u>
Phone: <u>510-535-6690</u>	

Signature of Lead Agency Representative:  Date: 11/16/11

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

SITE LOCATION AND CONDITIONS

LOCATION AND EXISTING CONDITIONS

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, as shown on Figure 1.

The site is bordered by open space along the northern, western and immediate eastern boundaries, and is adjacent to other existing residential developments to the south and east.

The topography of the site is moderately steeply sloping. Altamont Creek, an intermittent stream channel, forms the southern boundary of the site. A ridgeline in the center of the site forms a natural watershed divide, with runoff draining either towards the north or south. The ridgeline forms a connection between the two prominent knolls in roughly the center of the site.

PROJECT DESCRIPTION

The project applicant is seeking land use entitlements and environmental clearance for a proposed 76-unit residential subdivision that would be known as Garaventa Hills. The proposed site plan is shown included as Figure 2.

The proposed subdivision would consist of an internal looped circulation plan circumscribing the prominent knolls, with a number of smaller cul-de-sacs accessing the corners of the property. The looped roadway system would be connected to the south across Altamont Creek by a new bridge crossing at Hawk Street that would connect to the developed properties to the south, and by the planned extension of Bear Creek Drive, which ultimately connects to Laughlin Road to the east. Construction of this bridge would require modification of the streambed, as shown in Figure 3.

A detailed slope analysis of the property has been prepared, indicating the relative gradient of the site as having a predominantly 15% to 20% slope. The site development plan seeks to work with these existing contours by aligning the primary internal road system parallel to the slope contours and using natural grade to find adequate access to the more gently sloping portions of the site. Excavations into the side slopes of the existing two hills would result in new slopes at approximately 3:1 (horizontal to vertical) ratios, placement of fill across the majority of the site, and construction of up to 30-foot-high slopes along the property boundaries, with total gross grading of approximately 200,000 cubic yards.

Ultimate development will include 76 residential lots of approximately 6,500 square feet in size each, and construction of associated roadways and utilities. Each lot will contain one single-family home supported by a shallow foundation system. Lots and roadways will comprise approximately 62% of the site only, with the remaining land reserved for open space slopes at the edges (Lot C on Figure 2), undeveloped knolls with trails (Lots B and C), and a detention basin (Lot D).

PROPOSED ANALYSIS

An Initial Study Checklist has not been prepared for this Notice of Preparation since the Lead Agency has determined that the proposed project has the potential to significantly affect the environment. A comprehensive EIR will be prepared for the project, which will address all environmental issues related to the project. Because biology and hydrology are anticipated to be important issues with a creek running along the site, a discussion of the issues and intended analysis is included below. As traffic is always a concern, even with this relatively low-traffic generating project, the scope of the traffic study is also excerpted below to facilitate early comments:

Biological Resources/Hydrology

With Altamont Creek at the southern border, the project site contains both wetland and waters of the U.S. (under Army Corps of Engineers jurisdiction). Alteration of the streambed will be necessary to build the proposed bridge and the Project will formalize one discharge point from the site.

Wetland and grassland habitats on or surrounding the project site have been determined through studies for the applicant to support several special-status species including California red-legged frog, California tiger salamander, burrowing owl and Congdon's tarplant. It is possible the US Fish and Wildlife Service will also request assumed presence of San Joaquin kit fox.

The applicant has begun coordinating appropriate permits and clearances through the Corps, the Regional Water Quality Control Board (RWQCB), California Department of Fish and Game (CDFG) and the US Fish and Wildlife Service (USFWS).

The CEQA analysis related to these topics will include peer review of hydrology issues by the City's engineering department and Lamphier-Gregory and peer review of applicant biological studies by Zander & Associates, as well as coordination with the permitting process to ensure mitigation is both appropriate and consistent with agency requirements.

TRANSPORTATION AND CIRCULATION

Dowling Associates, Inc (DA) will complete the traffic analysis for the project. DA will use published trip generation rates from Institute of Transportation Engineers (ITE) Trip Generation, Version 8 to calculate the trips for the project and determine any potential impacts to nearby City intersections. Potential impacts will be assessed based on City Standards of Significance, and any impacts will be mitigated to reduce them to less than significant levels. DA will use the Citywide General Plan Traffic Model to determine trip distribution percentages (select zone) to manually perform trip assignment. DA will apply industry standard incremental adjustment methods to minimize any model errors based on differences between counts and base model turning volumes. DA will use the volume growth at the study intersections and segments between the 2005 and 2025 model as the growth basis for cumulative analysis. These will be added to the existing condition counts and function as the cumulative no build conditions. The following scenarios will be analyzed for a.m. and p.m. peak hour conditions:

1. Existing (2011)
2. Existing (2011) plus Project
3. Cumulative (2025) without Project
4. Cumulative (2025) with Project

The impacts of the proposed project on traffic operations (both existing and cumulative conditions) will be analyzed at the study locations using the 2000 HCM methods for the weekday a.m. and p.m. peak hour conditions. DA will use TRAFFIX software to develop the level of service (LOS) using the 2000 Highway Capacity Manual Operations Analysis Method at all study intersections. Potential traffic impacts will be identified according to the City standards of significance, and mitigated to less than significant levels. Alameda CTC CMP Compliance analysis is *not* proposed, as the Project is expected to generate less than 100 p.m. peak hour trips.

The following six intersections and three roadway segments were chosen for analysis based on existing vicinity conditions, anticipated trip distribution, and coordination with City staff.

Study Intersections

1. North Vasco Road / Garaventa Ranch Road
2. Laughlin Road / Bear Creek Drive (east project access)
3. Hawk Street / Garaventa Ranch Road (south project access)
4. Laughlin Road / Altamont Creek Drive
5. Laughlin Road / Northfront Road
6. Herman Avenue/Garaventa/ Altamont Creek Drive

Road Segments

1. Laughlin Road
2. Garaventa Ranch Road
3. Altamont Creek Road



Figure 1: Site Location and Vicinity



Figure 2: Site Plan



Edmund G. Brown Jr.
Governor

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



Ken Alex
Director

Notice of Preparation

November 18, 2011

RECEIVED

NOV 22 2011

PLANNING DIVISION

To: Reviewing Agencies

Re: Garaventa Hills Project
SCH# 2011112045

Attached for your review and comment is the Notice of Preparation (NOP) for the Garaventa Hills Project draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

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

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2011112045
Project Title Garaventa Hills Project
Lead Agency Livermore, City of

Type NOP Notice of Preparation
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 **Fax**
email
Address 1052 S. Livermore Avenue
City Livermore **State** CA **Zip** 94551

Project Location

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

Township	Range	Section	Base
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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 Other Issues

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

Date Received 11/18/2011 **Start of Review** 11/18/2011 **End of Review** 12/19/2011

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # **2011112045**

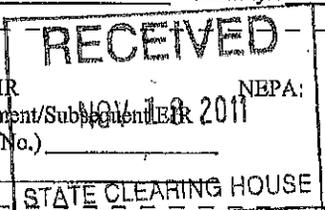
Project Title: Garaventa Hills Project

Lead Agency: City of Livermore Contact Person: Steve Stewart
Mailing Address: City Administration Building, 1052 South Livermore Ave. Phone: (925) 960-4468
City: Livermore Zip: 94551 County: Alameda

Project Location: County: Alameda City/Nearest Community: Livermore
Cross Streets: north of Garaventa Ranch Rd. and Hawk St., west of Bear Creek Dr. and Laughlin Rd. Zip Code: 94551
Longitude/Latitude (degrees, minutes and seconds): 37 ° 43 ' 30 " N / 121 ° 43 ' 00 " W Total Acres: 31.7
Assessor's Parcel No.: 99B-5300-10 Section: _____ Twp.: _____ Range: _____ Base: _____
Within 2 Miles: State Hwy #: I-580 Waterways: Altamont Creek
Airports: none Railways: ACE Schools: various

Document Type:

- | | | | | |
|---|--|--------------|------------------------------------|--|
| CEQA: <input checked="" type="checkbox"/> NOP | <input type="checkbox"/> Draft EIR | Other: _____ | <input type="checkbox"/> NOI | Other: <input type="checkbox"/> Joint Document |
| <input type="checkbox"/> Early Cons | <input type="checkbox"/> Supplement/Subsequent EIR | | <input type="checkbox"/> BA | <input type="checkbox"/> Final Document |
| <input type="checkbox"/> Neg Dec | (Prior SCH No.) _____ | | <input type="checkbox"/> Draft EIS | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Mit Neg Dec | Other: _____ | | <input type="checkbox"/> FONSI | |



Local Action Type:

- | | | | |
|--|--|---|---|
| <input type="checkbox"/> General Plan Update | <input type="checkbox"/> Specific Plan | <input checked="" type="checkbox"/> Rezone | <input type="checkbox"/> Annexation |
| <input checked="" type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Master Plan | <input type="checkbox"/> Prezone | <input type="checkbox"/> Redevelopment |
| <input type="checkbox"/> General Plan Element | <input checked="" type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Use Permit | <input type="checkbox"/> Coastal Permit |
| <input type="checkbox"/> Community Plan | <input checked="" type="checkbox"/> Site Plan | <input checked="" type="checkbox"/> Land Division (Subdivision, etc.) | <input type="checkbox"/> Other: _____ |

Development Type:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Residential: Units <u>76</u> Acres _____ | <input type="checkbox"/> Transportation: Type _____ |
| <input type="checkbox"/> Office: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Mining: Mineral _____ |
| <input type="checkbox"/> Commercial: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Power: Type _____ MW _____ |
| <input type="checkbox"/> Industrial: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Waste Treatment: Type _____ MGD _____ |
| <input type="checkbox"/> Educational: _____ | <input type="checkbox"/> Hazardous Waste: Type _____ |
| <input type="checkbox"/> Recreational: _____ | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Water Facilities: Type _____ MGD _____ | |

Project issues Discussed in Document:

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> Aesthetic/Visual | <input type="checkbox"/> Fiscal | <input type="checkbox"/> Recreation/Parks | <input type="checkbox"/> Vegetation |
| <input type="checkbox"/> Agricultural Land | <input type="checkbox"/> Flood Plain/Flooding | <input type="checkbox"/> Schools/Universities | <input type="checkbox"/> Water Quality |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Forest Land/Fire Hazard | <input type="checkbox"/> Septic Systems | <input type="checkbox"/> Water Supply/Groundwater |
| <input type="checkbox"/> Archeological/Historical | <input type="checkbox"/> Geologic/Seismic | <input type="checkbox"/> Sewer Capacity | <input type="checkbox"/> Wetland/Riparian |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Minerals | <input type="checkbox"/> Soil Erosion/Compaction/Grading | <input type="checkbox"/> Growth Inducement |
| <input type="checkbox"/> Coastal Zone | <input type="checkbox"/> Noise | <input type="checkbox"/> Solid Waste | <input type="checkbox"/> Land Use |
| <input type="checkbox"/> Drainage/Absorption | <input type="checkbox"/> Population/Housing Balance | <input type="checkbox"/> Toxic/Hazardous | <input type="checkbox"/> Cumulative Effects |
| <input type="checkbox"/> Economic/Jobs | <input type="checkbox"/> Public Services/Facilities | <input type="checkbox"/> Traffic/Circulation | <input checked="" type="checkbox"/> Other: <u>see Attachment A</u> |

Present Land Use/Zoning/General Plan Designation:

currently undeveloped. UL-1: Urban Low Density Residential

Project Description: (please use a separate page if necessary)

76-unit single-family residential subdivision including bridge construction over Altamont Creek. See Attachment A for more details.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

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Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
 If you have already sent your document to the agency please denote that with an "S".

- | | |
|--|--|
| <input type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Emergency Services |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> Caltrans District # <u>4</u> | <input type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Regional WQCB # <u>2</u> |
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| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Fish & Game Region # <u>3</u> | <input type="checkbox"/> SWRCB: Water Rights |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Housing & Community Development | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Integrated Waste Management Board | |
| <input type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date _____ Ending Date _____

Lead Agency (Complete if applicable):

Consulting Firm: <u>Lamphier-Gregory, Inc.</u>	Applicant: <u>Livermore LT Ventures I Group, LLC</u>
Address: <u>1944 Embarcadero</u>	Address: <u>5000 Executive Parkway, No. 530</u>
City/State/Zip: <u>Oakland, CA 94110</u>	City/State/Zip: <u>San Ramon, California 94583</u>
Contact: <u>Rebecca Gorton</u>	Phone: <u>925-830-2603</u>
Phone: <u>510-535-6690</u>	

 Signature of Lead Agency Representative:  Date: 11/16/11

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
(916) 657-5390 - Fax



RECEIVED

DEC -7 2011

COMMUNITY DEVELOPMENT DEPT.

December 5, 2011

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

RE: SCH# 2011112045 Garaventa Hills Project; Alameda County.

Dear Mr. Stewart:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Preparation (NOP) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archaeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
 - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
 - If any known cultural resources have already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
 - A Sacred Lands File Check. **USGS 7.5 minute quadrangle name, township, range and section required.**
 - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. **Native American Contacts List attached.**
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
 - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
 - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
 - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Handwritten signature of Katy Sanchez in black ink.

Katy Sanchez
Program Analyst
(916) 653-4040

cc: State Clearinghouse

Native American Contact List

Alameda County

December 5, 2011

Indian Canyon Mutsun Band of Costanoan
Ann Marie Sayers, Chairperson
P.O. Box 28 Ohlone/Costanoan
Hollister , CA 95024
ams@indiancanyon.org
831-637-4238

Amah/Mutsun Tribal Band
Irene Zwielerlein, Chairperson
789 Canada Road Ohlone/Costanoan
Woodside , CA 94062
amah_mutsun@yahoo.com
(650) 851-7747 - Home
(650) 851-7489 - Fax

Jakki Kehl
720 North 2nd Street Ohlone/Costanoan
Patterson , CA 95363
jakki@bigvalley.net
(209) 892-1060

Don Hankins
P.O. Box 627 Miwok
Forest Ranch, CA 95942
530-343-3489 - phone/fax

Katherine Erolinda Perez
PO Box 717 Ohlone/Costanoan
Linden , CA 95236 Northern Valley Yokuts
canutes@verizon.net Bay Miwok
(209) 887-3415

Amah/Mutsun Tribal Band
Joseph Mondragon, Tribal Administrator
882 Bay view Avenue Ohlone/Costanoan
Pacific Grove, CA 94062
831-372-9015
831-372-7078 - fax

Trina Marine Ruano Family
Ramona Garibay, Representative
30940 Watkins Street Ohlone/Costanoan
Union City , CA 94587 Bay Miwok
soaprootmo@msn.com Plains Miwok
510-972-0645-home Patwin
209-688-4753-cell

Amah/Mutsun Tribal Band
Melvin Ketchum III, Environmental Coordinator
7273 Rosanna Street Ohlone/Costanoan
Gilroy , CA 95020
408-842-3220

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 2011112045 Garavent Hills Project; Alameda County.

Native American Contact List
Alameda County
December 5, 2011

Muwekma Ohlone Indian Tribe of the SF Bay Area
Rosemary Cambra, Chairperson
2574 Seaboard Avenue Ohlone / Costanoan
San Jose , CA 95131
muwekma@muwekma.org
408-205-9714
510-581-5194

Amah/Mutsun Tribal Band
Jean-Marie Feyling
19350 Hunter Court Ohlone/Costanoan
Redding , CA 96003
jmfmc@sbcglobal.net
530-243-1633

The Ohlone Indian Tribe
Andrew Galvan
PO Box 3152 Ohlone/Costanoan
Fremont , CA 94539 Bay Miwok
chochenyo@AOL.com Plains Miwok
(510) 882-0527 - Cell Patwin
(510) 687-9393 - Fax

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This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH# 201112045 Garavent Hills Project; Alameda County.

Notes from City of Livermore Project Introduction and
Draft Environmental Impact Report Scoping Meeting on December 7, 2011

Introductions: Steve Stewart, Senior Planner with the City of Livermore Community Development Department introduced; Scott Gregory, Lamphier-Gregory consulting firm that will be preparing the Environmental Impact Report for the project; and Scott Roylance and Pat Toohey from Livermore LT Ventures 1, homebuilder proposing the project.

Meeting Purpose and Environmental Impact Report Process: Steve Stewart explained the purpose of the meeting and the Environmental Impact Report process: The purpose of the meeting was to introduce a residential project concept and receive comments on anything about the project that would be important to include in an Environmental Impact Report for the project.

The project site is under the land use jurisdiction of the City of Livermore and Livermore LT Ventures I, is seeking City approval of land use entitlements to develop the property with single family homes. Land use entitlements are typically a subdivision to divide the property up into single family lots, and site plan design review that would have details on lot layout, street designs, architecture, and landscaping.

The California Environmental Quality Act (CEQA), requires an Environmental Impact Report (EIR) to be prepared in order to address impacts on the physical environment that may result from this project, ways to minimize such impacts, and alternatives to the project in light of the EIR's purpose to provide information about these impacts.

The homebuilder is funding the EIR. However, Lamphier-Gregory will be preparing the EIR under the direction of the City and under a City-administered contract. This arrangement ensures that the environmental impact report remains objective and does not advocate for or against a project.

Lamphier-Gregory will soon begin performing studies and analyzing environmental information for the site. Once they prepare a draft EIR, then that document will be available for public review and comments. A final EIR will then be prepared that will include responses to all of the comments.

Public meetings will also be held by the City's Planning Commission and City Council to consider the EIR. Other land use entitlements such as a subdivision to create the individual lots and site plan/design review for the architecture/landscaping/street designs, would likely be considered concurrently with the EIR. If the City Council determines that the EIR adequately addresses environmental impacts, then they would certify the EIR, approve the land use entitlements, and the project could move forward to construction.

Scott Roylance, Livermore LT Ventures 1 introduced his firm and background.

Scott Gregory, Lamphier-Gregory introduced himself and provided some background on his firm. At this point, Lamphier-Gregory is preparing to conduct technical studies and research

to address some of the potential environmental issues including: aesthetics, air quality, geotechnical, biological, public services, traffic, utilities, and acoustics.

Comments: Below is a summary of the concerns/comments/suggestions from meeting attendees:

- Public Notice: Attendees questioned how notification of this meeting was handled. Steve Stewart responded that typically a 300 foot radius is utilized to identify properties to receive notice. Steve will send the notice list to attendees if interested. The City is also able to expand the notification for future meetings to include complete neighborhoods in the project vicinity.
- Greenbelt behind homes (along Bear Creek Dr. and other nearby homes): Residents asked if development is prohibited because of sensitive environmental conditions (rare grasses, earthquake faults, and natural springs).
- Traffic. Potential for traffic conflicts with Altamont Creek Elementary school traffic. Cut through traffic on Bear Creek Dr. is a concern.
- Schools. Impacts to enrollment at existing schools.
- Marketability and impact on property values: Is there a market for new homes and how will they impact surrounding property values. Does the City need this project now?
- Oil seeps/treatment: There is a history of oil seeps in the area and extensive clean ups have been necessary.
- Geology/soils: Some of the soils in the area seem unstable and there are nearby rock formations.
- Natural springs: There are natural springs in the project area that flow heavily at times.
- Project amenities: Does the project offer any amenities to the public and nearby neighborhoods.
- Failed Housing Implementation Project (HIP): Unsuccessful attempt in approximately 2000. Why come back with another one now?
- Access: Look at alternative access other than Bear Creek Drive.
- Slope: Slope stability is a concern.



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

RECEIVED

DEC -8 2011

COMMUNITY DEVELOPMENT DEPT.

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.

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.

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).

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

Maryalice Faltings

Steve Goodman

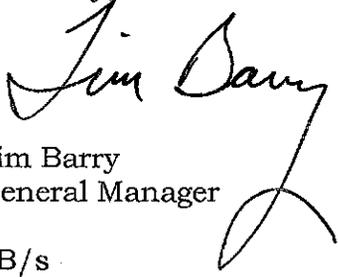
David Hutchinson

Beth Wilson

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.

Sincerely,

A handwritten signature in black ink that reads "Tim Barry". The signature is written in a cursive style with a long, sweeping tail that extends downwards and to the right.

Tim Barry
General Manager

TB/s

cc: John Lawrence, Asst. General Manager

Mr. Steve Stewart/City of Livermore

December 7, 2011

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Traffic Impact Study

We encourage the City to coordinate preparation of the Traffic Impact Study (TIS) with our office, and we would appreciate the opportunity to review the scope of work. Please include the information detailed below in the TIS to ensure that project-related impacts to state roadway facilities are thoroughly assessed. The Department's "Guide for the Preparation of Traffic Impact Studies" should be reviewed prior to initiating any traffic analysis for the project; it is available at the following website:

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

The TIS should include:

1. Vicinity map, regional location map, and a site plan clearly showing project access in relation to nearby state roadways. Ingress and egress for all project components should be clearly identified. The state right of way (ROW) should be clearly identified.
2. The maps should also include project driveways, local roads and intersections, parking, and transit facilities.
3. Project-related trip generation, distribution, and assignment. The assumptions and methodologies used to develop this information should be detailed in the study, and should be supported with appropriate documentation.
4. Average Daily Traffic, AM and PM peak hour volumes and levels of service (LOS) on all significantly affected roadways, including crossroads and controlled intersections for existing, existing plus project, cumulative and cumulative plus project scenarios. Calculation of cumulative traffic volumes should consider all traffic-generating developments, both existing and future, that would affect study area roadways and intersections. The analysis should clearly identify the project's contribution to area traffic and degradation to existing and cumulative levels of service. Lastly, the Department's LOS threshold, which is the transition between LOS C and D, and is explained in detail in the Guide for Traffic Studies, should be applied to all state facilities. Please note, the Department considers LOS by itself as an inadequate measure of effectiveness (MOE) for describing traffic operational conditions since it may actually mask a deficient condition on one or more approaches. As for intersection analysis the accepted MOEs used by the Department include flow (output), average control delay, queue (length or number of vehicles), and Volume/Capacity (V/C) ratio. For freeway and ramp operations, flow (output), speed, and travel time/delay are the accepted MOEs in addition to LOS.
5. Schematic illustration of traffic conditions including the project site and study area roadways, trip distribution percentages and volumes as well as intersection geometrics, i.e., lane configurations, for the scenarios described above.

If the proposed project will not generate the amount of trips needed to meet the Department's trip generation thresholds, an explanation of how this conclusion was reached must be provided.

Sent By: CALTRANS TRANSPORTATIO PLANNING; 510 286 5560;

Dec-6-11 4:23PM;

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Mr. Steve Stewart/City of Livermore

December 7, 2011

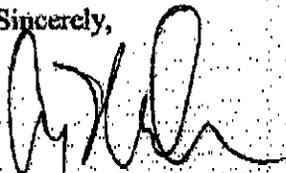
Page 3

Cumulative Impact

Cumulative impacts should also be considered where alternatives contemplate work that would affect Departmental ROW, such as any transportation of hazardous material on state ROW, greenhouse emissions, community impacts, traffic impacts, tree removal, section 4(f), endangered species, seasonal wetlands, and water quality impacts (e.g. drainages, culverts etc.).

Please forward one hard copy and one CD of the environmental document, along with the TIS, including Technical Appendices, one full size and one 11" X 17" complete plan set, and the City's Conditions of Approval as soon as they are available.

Sincerely,



GARY ARNOLD

District Branch Chief

Local Development -- Intergovernmental Review

c: State Clearinghouse

