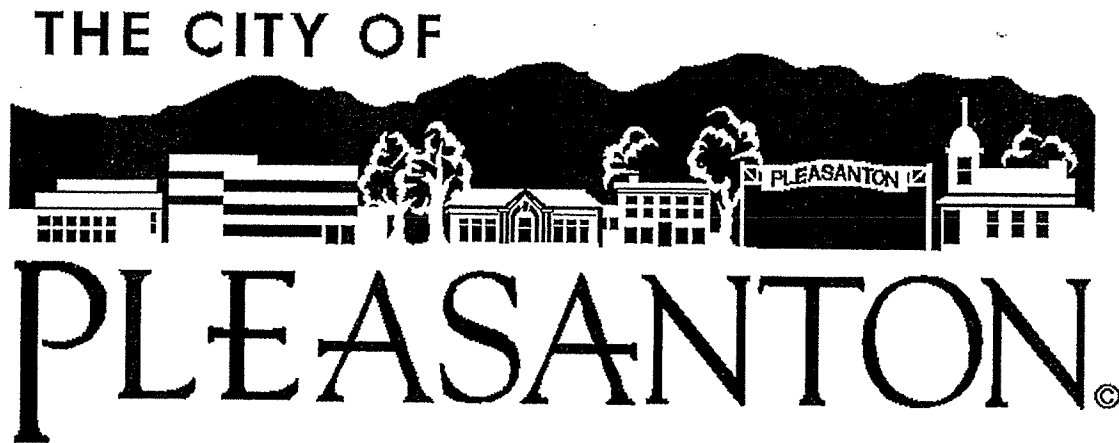

**Final Environmental Impact Report
for the
Stoneridge Drive Specific Plan Amendment/
Staples Ranch Project**

SCH 2006062053



February 2009*

*As certified by the Pleasanton City Council on February 24, 2009

**Final Environmental Impact Report
for the
Stoneridge Drive Specific Plan Amendment/
Staples Ranch Project**

SCH 2006062053

Prepared for:
The City of Pleasanton
200 Old Bernal Avenue
P.O. Box 520
Pleasanton, CA 94566-0802

Prepared by:
PBS&J
353 Sacramento Street, Suite 100
San Francisco, CA 94111

February 2009*

*As certified by the Pleasanton City Council on February 24, 2009

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Section 1

Introduction

1.1 BACKGROUND

Draft Environmental Impact Report

A Draft Environmental Impact Report (EIR) was prepared for the City of Pleasanton (City, lead agency) to disclose potential environmental effects of the Stoneridge Drive Specific Plan Amendment/Staples Ranch project (proposed project). The Draft EIR included a description of the project, an assessment of its potential effects, and a description of possible mitigation measures to reduce significant effects that were identified in the Draft EIR. The Draft EIR determined that the project would have the following significant and unavoidable impacts:

- Visual resources as a result of conversion of the Staples Ranch site from undeveloped to developed land and the loss of the rural character of the Project Area;
- Air quality as a result of emissions of ozone precursors (reactive organic gases and oxides of nitrogen) and particulate matter from mobile and stationary sources, above thresholds used by the Bay Area Air Quality Management District;
- Traffic congestion as a result of increased project trips at two study area intersections outside the jurisdiction of Pleasanton under project conditions, and three intersections outside the jurisdiction of Pleasanton under cumulative conditions if other jurisdictions decide not to implement the proposed mitigation measures.

As required under CEQA, the Draft EIR also provided a description and evaluation of a range of reasonable alternatives to the project that would feasibly attain most of the basic objectives of the project, and would avoid or substantially reduce certain significant effects of the Project. Two Stoneridge Drive Specific Plan alternatives were considered and analyzed. Also, as required by CEQA, a No Project Alternative was analyzed in the Draft EIR.

In accordance with CEQA, the Draft EIR was distributed for public review and comments. The public review period for the Draft EIR began April 14 2008 and ended June 4, 2008. (The original review period ended on May 30, 2008 but it was extended by the City of Pleasanton to June 4, 2008.) During this timeframe, the document was reviewed by various State, regional, and local agencies, as well as by interested organizations and individuals. Twenty-three comment letters were received from eleven agencies, five organizations, and seven individuals. A public meeting was also held at Pleasanton City Hall on May 14, 2008 to obtain oral comments on the Draft EIR. During the public meeting, oral comments were received from individual members of the public.

Revisions to the Draft EIR

After the release of the Draft EIR, the City of Pleasanton initiated certain changes or identified certain possible revisions to the project as described and analyzed in the Draft EIR. These changes are a normal part of the planning process and modifications and refinements are expected as the plans evolved. The project modifications or possible changes as of the release of this Responses to Comments document are identified below. Text or graphic changes to the Draft EIR as a result of these modifications are presented in Section 4 of this document.

- The Project Description (page 2-27 of the Draft EIR) states that the emergency vehicle access (EVA) point between the extended Stoneridge Drive and Auto Mall Place would be outfitted with Opticom gates. While the EVA gates will have equipment which will allow for the automatic opening of the gates by emergency vehicles this equipment may not be an Opticom device.
- Master planning in Figure 2-18 of the Draft EIR (proposed rezoning), a small area north of the Senior Continuing Care Community entrance road, is designated for PUD-C/HDR. This area is isolated and not physically connected to the rest of the Senior Continuing Care Community. This area may become part of the neighborhood park, designated as PUD-P.

The conceptual park master plan for the Staples Ranch Community Park has progressed on a parallel track with the Stoneridge Drive Specific Plan Amendment/Staples Ranch project. On June 10, 2008, the Pleasanton City Council reviewed and approved the Staples Ranch Community Park Master Plan (Plan). To be consistent with the Park Master Plan, the Proposed Staples Ranch Land Use Map (Figure 2-3) has been slightly modified in the following manner: The Plan shows Auto Mall Place extended beyond the entrances to the Auto Mall and Retail Commercial sites to provide a separate eastern entrance to the Community Park. This results in a shorter EVA between Auto Mall Place and Stoneridge Drive, which would be gated to prevent non-emergency vehicles from utilizing it. It is anticipated that there would be at least one entrance into the Community Park located generally across from the Neighborhood Park and at least one entrance generally located across from the entrance in the proposed health center at the senior continuing care community. If Stoneridge Drive were ever extended to El Charro Road in the future, as anticipated in the Pleasanton General Plan, then the entrance into the Community Park across from the Neighborhood Park may be relocated near the main entrance to the senior continuing care community.

In addition, the Park Master Plan approved by the City Council slightly revises the number of parking spaces within the Community Park accessible from Stoneridge Drive and from Auto Mall Place than was assumed in the Draft EIR. As a result, there should be a few more trips to and from the Community Park via Auto Mall Place, and a few less via Stoneridge Drive.

- The boundary between the Continuing Care Community and the Neighborhood Park has been "squared off" so that none of the former land use extends beyond the shared access road.

Auto Mall Place has been extended beyond the entrances to the Auto Mall and Retail Commercial sites to provide a separate eastern entrance to the Community Park. This results

in a shorter EVA between Auto Mall Place and Stoneridge Drive, which would be gated to prevent non-emergency vehicles from utilizing it. Refinements to the conceptual park master plan result in adjustments to the Draft EIR Figure 2-4 (conceptual site plan) and Figure 2-12 (site emergency vehicle access points). The EVA on the conceptual park master plan is shorter in length than the EVA shown in the Draft EIR, and the entrance into the community park (from Auto Mall Place) has a slightly different alignment.

- In addition, the conceptual Ppark Mmaster Pplan approved by the City Council slightly revises the number of parking spaces within the park accessible from Stoneridge Drive and from Auto Mall Place than was assumed in the Draft EIR. As a result, there should be a few more trips to and from the community park via Auto Mall Place, and a few less via Stoneridge Drive.
- A potential multi-use trail from Stoneridge Drive to the Zone 7 maintenance road on the southern side of the Arroyo Mocho is now contemplated. If the connection is supported, the City of Pleasanton would work with Zone 7 to open up the maintenance road as a multi-use trail which would potentially be paved.
- In 2007, the City of Pleasanton, the City of Livermore, Alameda County, the Alameda County Surplus Property Authority, and Vulcan Materials Company entered into a Pre-Development and Cooperation Agreement regarding roadway construction and intersection improvements in the project vicinity. Two exhibits in this agreement show how the Auto Mall Place/El Charro Road intersection will be constructed. Exhibit K-1 shows how the intersection will be constructed if the City of Livermore constructs the intersection. Exhibit K-2 shows how the intersection will be constructed if the City of Pleasanton constructs the intersection. The Draft EIR generally shows the construction of exhibit K-2; however, it is anticipated that the City of Livermore will construct El Charro Road and that the intersection improvements shown in exhibit K-1, which includes three left turn lanes from Auto Mall Place onto El Charro Road will be constructed. In either event, the Auto Mall Place/El Charro Road intersection will be designed to be consistent with the improvements required in the Pre-Development and Cooperation Agreement. This being said, Section 3.3 of the Pre-Development and Cooperation agreement allows for changes to the Auto Mall Place/El Charro Road intersection, if an amendment to the agreement is supported. The City of Pleasanton may pursue an amendment to allow two left turn lanes from Auto Mall Place onto El Charro Road under existing plus approved plus project traffic conditions, since Stoneridge Drive is not proposed to be extended to El Charro Road as part of the project, and traffic volumes do not warrant a third left turn lane at this time. As described in section 4 of the Draft EIR, under cumulative conditions, a third left turn lane would be required. If an amendment to the Pre-Development and Cooperation Agreement were proposed and supported, the City of Pleasanton would be responsible to construct the third left turn lane from Auto Mall Place to El Charro Road prior to the onset of cumulative conditions.

The aforementioned modifications do not result in any new significant environmental impacts that were not previously disclosed in the Draft EIR. The changes to the Project Description or those being considered do not constitute "significant new information," as defined in CEQA Guidelines Section 15088.5; rather, they are refinements of which the City wishes to inform the public. Accordingly,

recirculation of the Draft EIR is not warranted (see discussion below for an explanation of the circumstances under which the Draft EIR should be distributed to the public again for further comments).

Responses to Public Comments

This Responses to Comments document includes responses to comments on the Draft EIR raised during the public review period, and contains revisions intended to correct, clarify, and amplify the Draft EIR in the context of the proposed project. The responses and revisions in this document substantiate and confirm the analyses contained in the Draft EIR in the context of the proposed project.

The previously released Draft EIR and this Responses to Comments document together constitute the Final Environmental Impact Report (Final EIR) for the Stoneridge Drive Specific Plan Amendment/Staples Ranch Project. The City must certify the EIR before final approval action can be taken on the proposed project. Certification requires that the City, as the Lead Agency, make findings that the EIR complies with CEQA. In this case, because of the significant and unavoidable effects identified in the EIR, the City must also make a Statement of Overriding Considerations if it elects to approve the proposed project.

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

- the Draft EIR or a revision of the Draft EIR (the Draft EIR is hereby incorporated by reference);
- comments and recommendations received on the Draft EIR, either verbatim or in summary (Section 3 contains the 23 comment letters received and a transcript of the oral comments made at the public hearing);
- a list of public agencies, organizations, and individuals who commented on the Draft EIR (see Section 2);
- the responses of the lead agency to significant environmental points raised in the review and consultation process (see Section 3); and
- any other information added by the lead agency (see Section 4).

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

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

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

No new significant information was added to the EIR based on the comments and information received or the revisions to the EIR as presented in Section 4 of this document. Therefore, it is not necessary to recirculate the EIR.

1.2 HOW TO USE THIS REPORT

This document addresses substantive comments received during the public review period and consists of four sections: (1) Introduction; (2) List of Commenters; (3) Draft EIR Comments and Responses; and (4) Revisions to the Draft EIR. Section 1 reviews the purpose and contents of this Responses to Comments document. Section 2 lists the public agencies, organizations, and individuals who submitted comments on the Draft EIR, as well as those commenters who spoke at the May 14, 2008 public hearing. Section 3 contains each comment letter, the transcripts of speakers at the public hearing on the Draft EIR, and the responses to these comments. In Section 3, specific comments within each comment letter have been bracketed and enumerated in the margin of the letter. Responses to each of these comments follow each comment letter. The responses are provided in the context of the proposed project. For the most part, the responses provide explanatory information or additional discussion of text in the Draft EIR. In some instances, the response supersedes or supplements the text of the Draft EIR for accuracy or clarification. Section 4 identifies changes and additions to the Draft EIR that were initiated by City staff, as well as repeating all of the Draft EIR revisions from Sections 3. New text that has been added to the Draft EIR is indicated with underlining. Text that has been deleted is indicated with ~~strikethrough~~.

Section 2

List of Commenters

Individuals submitting comments on the Stoneridge Drive Specific Plan Amendment/Staples Ranch project Draft Environmental Impact Report (EIR) are identified in this section. Section 2.1 identifies the commenters who submitted written comments; additional comments received at the public meeting as “verbal comments” are identified in Section 2.2.

2.1 WRITTEN COMMENTERS

Comment letters on the Draft EIR were received from eleven agencies, five organizations, and seven individuals, as listed below. The agencies, organizations, and individuals are listed below in the order they are presented in Section 3 of this Comments and Responses document. Following this list, an alphabetized list of these agencies, organizations, and individuals is provided in order to help the commenter find individual responses more easily.

Public Agencies

0. Terry Roberts, Director, State Clearinghouse (letter dated June 2, 2008)
1. Rhodora Biagtan, Principal Engineer, Dublin San Ramon Service District (letter dated June 4, 2008)
2. Ron Bolyard, Aviation Environmental Planner, California Department of Transportation Division of Aeronautics (letter dated May 19, 2008)
3. Lisa Carboni, District Branch Chief, Local Development-Intergovernmental Review, Department of Transportation (letter dated June 4, 2008)
4. Cindy Horvath, Senior Transportation Planner, Alameda County Airport Land Use Commission (letter dated June 3, 2008)
5. Susan Frost, Principal Planner, Planning Division, City of Livermore (letter dated June 4, 2008)
6. Mary Lim, Alameda County Flood Control and Water Conservation District, Zone 7 (letter dated June 4, 2008)
7. M.M. Mueller, Captain Commander, Dublin Area, California Department of Highway Patrol (letter dated May 19, 2008)
8. Jeri Ram, Community Development Director, City of Dublin (letter dated June 4, 2008)
9. Diane Stark, Senior Transportation Planner, Alameda County Congestion Management Agency (letter dated June 4, 2008)

10. Karen Sweet, Executive Officer, Alameda County Resource Conservations District (letter dated June 3, 2008)

Organizations

11. Rich Cimino, Conservation Chair, Ohlone Audubon Conservation Committee, Alameda County Chapter (letter dated June 4, 2008)
12. Rich Cimino, Conservation Chair, Ohlone Audubon Conservation Committee, Alameda County Chapter (letter dated April 28, 2008)
13. Don Gralnek, Executive Vice President, General Counsel, San Jose Sharks (letter dated June 4, 2008)
14. Jeff Miller, Director, Alameda Creek Alliance (letter dated June 4, 2008)
15. Douglas J. Reynolds, Manager Business Development, Northern & Central California, Vulcan Materials Company (letter dated June 3, 2008)

Individuals

16. Anne Fox, City of Pleasanton Planning Commissioner (letter dated June 4, 2008)
17. Matt Morrison (letter dated June 4, 2008)
18. Arne Olson, City of Pleasanton Planning Commissioner (letter dated May 12, 2008)
19. Richard Pugh (transcription of verbal comments made dated May 14, 2008)
20. Joel Schmidt (letter dated May 12, 2008)
21. Jack (no last name) (transcription of verbal comments made April 21, 2008)
22. Stephen Allen, Fremont Land, Inc. (letter dated May 14, 2008)

Alphabetical List of Agencies, Organizations, and Individuals Submitting Written Comments on the Draft EIR

Stephen Allen, Fremont Land, Inc. (letter dated May 14, 2008) – Letter 22

Rhodora Biagtan, Principal Engineer, Dublin San Ramon Service District (letter dated June 4, 2008)
– Letter 1

Ron Bolyard, Aviation Environmental Planner, California Department of Transportation Division of Aeronautics (letter dated May 19, 2008) – Letter 2

Lisa Carboni, District Branch Chief, Local Development-Intergovernmental Review, Department of Transportation (letter dated June 4, 2008) – Letter 3

Rich Cimino, Conservation Chair, Ohlone Audubon Conservation Committee, Alameda County Chapter (letter dated June 4, 2008) – Letter 11

Rich Cimino, Conservation Chair, Ohlone Audubon Conservation Committee, Alameda County Chapter (letter dated April 28, 2008) – Letter 12

Anne Fox, City of Pleasanton Planning Commissioner (letter dated June 4, 2008) – Letter 16

Susan Frost, Principal Planner, Planning Division, City of Livermore (letter dated June 4, 2008) – Letter 5

Don Gralnek, Executive Vice President, General Counsel, San Jose Sharks (letter dated June 4, 2008) – Letter 13

Cindy Horvath, Senior Transportation Planner, Alameda County Airport Land Use Commission (letter dated June 3, 2008) – Letter 4

Mary Lim, Alameda County Flood Control and Water Conservation District, Zone 7 (letter dated June 4, 2008) – Letter 6

Jeff Miller, Director, Alameda Creek Alliance (letter dated June 4, 2008) – Letter 14

Matt Morrison (letter dated June 4, 2008) – Letter 17

M.M. Mueller, Captain Commander, Dublin Area, California Department of Highway Patrol (letter dated May 19, 2008) – Letter 7

Arne Olson, City of Pleasanton Planning Commissioner (letter dated May 12, 2008) – Letter 18

Richard Pugh (letter dated May 14, 2008) – Letter 19

Jeri Ram, Community Development Director, City of Dublin (letter dated June 4, 2008) – Letter 8

Douglas J. Reynolds, Manager Business Development, Northern & Central California, Vulcan Materials Company (letter dated June 3, 2008) – Letter 15

Terry Roberts, Director, State Clearinghouse (letter dated June 2, 2008) – Letter 0

Joel Schmidt (letter dated May 12, 2008) – Letter 20

Diane Stark, Senior Transportation Planner, Alameda County Congestion Management Agency (letter dated June 4, 2008) – Letter 9

Karen Sweet, Executive Officer, Alameda County Resource Conservations District (letter dated June 3, 2008) – Letter 10

Jack (no last name) (transcription of verbal comments made April 21, 2008) – Letter 21

2.2 ORAL COMMENTERS AT PUBLIC MEETING

Oral comments were received at the public meeting on the Draft EIR, held on May 14, 2008. Comments were received from members of the public. In addition, comments and questions were offered by the City Planning Commissioners. Comments and questions that were addressed at the

hearing are not noted below; those comments that were unanswered, however, are included. Those who provided oral comments are listed below.

- S1 Ralph Kanz, Alameda Creek Alliance
- S2 Richard Pugh
- S3 John Carroll
- S4 Phil Blank, City of Pleasanton Planning Commission Chair
- S5 Kathy Narum, City of Pleasanton Planning Commissioner
- S6 Jennifer Pearce, City of Pleasanton Planning Commissioner Vice Chair

Section 3

Responses to Comments

3.1 WRITTEN COMMENTS AND RESPONSES

This section contains written letters and comments received on the Draft EIR. Discrete comments within each letter are denoted with a vertical line in the margin of the letter and numbered. Responses follow the letters and are enumerated to correspond with the comment number.



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

June 2, 2008

Robin Giffin
City of Pleasanton
200 Old Bernal Avenue
P.O. Box 520
Pleasanton, CA 94566

Subject: Stoneridge Drive Specific Plan Amendment/Staples Ranch DEIR.
SCH#: 2006062053

Dear Robin Giffin:

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 May 30, 2008, 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,

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

RECEIVED

JUN 5 2008

CITY OF PLEASANTON
PLANNING DEPT.

*** Document Details Report
State Clearinghouse Data Base**

SCH# 2008062053
Project Title Stoneridge Drive Specific Plan Amendment/Staples Ranch DEIR
Lead Agency Pleasanton, City of

Type EIR Draft EIR
Description Application for a Specific Plan Amendment to the Stoneridge Drive Specific Plan for the Staples Ranch project. Staples Ranch is approximately 124 acres of undeveloped land within the larger 283-acre Stoneridge Drive Specific Plan area. The Alameda County Surplus Property Authority proposes to amend the 1989 Specific Plan to revise planned land use designations, development intensities, and circulation patterns.

Lead Agency Contact

Name Robin Giffin
Agency City of Pleasanton
Phone (925) 931-8612 **Fax**
email rgiffin@ci.pleasanton.ca.us
Address 200 Old Bernal Avenue
P.O. Box 520
City Pleasanton **State** CA **Zip** 94588

Project Location

County Alameda
City Pleasanton
Region
Cross Streets I-580 Freeway and El Charro Road
Parcel No.

Township	Range	Section	Base
-----------------	--------------	----------------	-------------

Proximity to:

Highways I-580
Airports Livermore Municipal Airport
Railways
Waterways Arroyos Mocho and Las Positas
Schools Yes
Land Use

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Cumulative Effects; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Geologic/Seismic; Growth Inducing; Landuse; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Sewer Capacity; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife

Reviewing Agencies Resources Agency; Regional Water Quality Control Board, Region 2; Department of Parks and Recreation; Native American Heritage Commission; Office of Emergency Services; Office of Historic Preservation; Department of Fish and Game, Region 3; Department of Water Resources; Department of Conservation; California Highway Patrol; Caltrans, District 4; Caltrans, Division of Aeronautics; State Lands Commission

Date Received 04/16/2008 **Start of Review** 04/16/2008 **End of Review** 05/30/2008

0. Governor's Office of Planning and Research, State Clearinghouse and Planning Unit (letter dated June 2, 2008)

0.1 The City acknowledges receipt of the State Clearinghouse comment letter indicating that the Stoneridge Drive Specific Plan Amendment/Staples Ranch Draft EIR has been distributed to state agencies and departments for review and that the City has complied with the State Clearinghouse review requirements. No further response is warranted to this commenter, although it is noted that direct responses are provided to Caltrans (Comment Letters #2 and #3).

**DUBLIN
SAN RAMON
SERVICES
DISTRICT**



7051 Dublin Boulevard
Dublin, California 94568
Phone: 925 828 0515
FAX: 925 829 1180
www.dsrud.com

June 4, 2008

By Fax (925) 931-5483

RECEIVED

Robin Giffin, Associate Planner
City of Pleasanton Dept. of Planning
And Community Development
200 Old Bernal Avenue
Pleasanton, CA 94566

JUN - 4 2008

CITY OF PLEASANTON
PLANNING DEPT.

Subject: Stoneridge Drive Specific Plan Amendment / Staples Ranch EIR

Dear Ms. Giffin

Thank you for providing Dublin San Ramon Services District (DSRSD) the opportunity to review and comment on the Draft Environmental Impact Report for the Stoneridge Drive Specific Plan Amendment / Staples Ranch EIR. Our agency has identified no necessary mitigations beyond those identified in the Draft EIR. Our comments on the specific areas in which DSRSD serves the community of Pleasanton are detailed below.

Potable Water Supply and Service

DSRSD does not directly serve potable water to the City of Pleasanton. As you point out in the Draft EIR, the City receives 80 percent of its potable water from Zone 7 of the Alameda County Flood Control and Water Conservation District. Zone 7 provides wholesale water to the Tri-Valley area and regulates the withdrawal and recharge of the underlying groundwater. The remaining 20 percent of potable water is supplied through ground water pumping at city operated wells.

The Draft EIR references the 2007 Zone 7 Sustainable water supply table as part of the basis for determination of available water supply for this projects future demand. According to the Draft EIR the 2008 Zone 7 Sustainable water supply should be available for reference as indicated by the date of preparation being every year during the month of April. The Final EIR should take into account the current year or latest available sustainable water supply information provided by Zone 7.

1-1

Robin Giffin
June 4, 2008
Page 2 of 2

Recycled Water Supply and Service

DSRSD does not currently provide recycled water service to the City of Pleasanton. However, as indicated in the Draft EIR, recycled water use does have an impact upon Zone 7's total water demand. Currently DSRSD owns and maintains recycled water pipelines within the vicinity of the proposed project area along El Charro Road. The pipelines were originally part of the Clean Water Revival Project. At this time, the pipelines are used as an interim means for distribution of potable water crossing Interstate 580 until the future interchange is completed. This infrastructure could possibly be used as a distribution source upon completion of a recycled water service assessment to determine adequate capacity of the tertiary treatment facility. In addition, an agreement will need to be reached between the City of Pleasanton and DSRSD for the use of recycled water within Pleasanton city limits.

1-2

Wastewater Treatment

DSRSD agrees with the determination of this Draft EIR. Current capacity at the DSRSD Regional Treatment is adequate to serve the proposed project. DSRSD does not deem necessary any mitigation measures be taken beyond those specified in the Draft EIR in regard to wastewater treatment service.

Wastewater disposal

The proposed Project would increase the amount of treated wastewater leaving the Tri-Valley area. Disposal of treated effluent from DSRSD's Wastewater Treatment Plant (WWTP) in Pleasanton is the responsibility of the Livermore Amador Valley Water Management Agency (LAVWMA). LAVWMA currently exports secondary treated wastewater to the East Bay Dischargers Authority (EBDA) interceptor pipeline for ultimate discharge to San Francisco Bay via a deepwater outfall. Under existing contractual arrangements between LAVWMA and DSRSD, DSRSD is entitled to a maximum average dry weather flow of 10.4 mgd.

1-3

Thank you for consideration in this matter. Please contact Aaron Johnson at 875-2246 or me at 875-2255 should you have any questions.

Sincerely,

RHODORA BIAGTAN
Principal Engineer

ATJ/RB/es

cc: David Requa, DSRSD
Aaron Johnson, DSRSD

1. Dublin San Ramon Services District (letter dated June 4, 2008)

- 1.1 The commenter correctly states that the Draft EIR referenced the April 2007, "Annual Review of the Sustainable Water Supply" as part of the basis for determining available water supplies for the Staples Ranch project. Because Zone 7 issues a sustainable water supply report every year in April, the Dublin San Ramon Services District (DSRSD) states that the Final EIR should update and reference Zone 7's "Annual Review of the Sustainable Water Supply" (Annual Review) for 2008.

The Draft EIR concluded there would be water available for this project based on a SB 610 Water Supply Assessment (WSA) approved by the City in December 2007. The WSA relied upon current information provided by Zone 7 that stated that Zone 7 had 87,500 acre-feet annually (AFA) of long-term sustainable water supply available to serve the buildout of the communities within Zone 7's service area. The 87,500 AFA had several components, namely, the State Water Project (SWP) (60,900 AFA), Lake Del Valle (9,300 AFA), Byron Bethany Irrigation District (2,000 AFA), groundwater safe yields (13,400 AFA), and recycled water (1,900 AFA). The WSA also identified a number of other sources of water available for reliability purposes, e.g., a total of 65,000 AF from the Semitropic Water Storage District and 10,000 AFA from the Cawelo Water Storage District. Zone 7 anticipates pump back of approximately 8,700 AFA from Semitropic Water Storage District and approximately 10,000 AFA from Cawelo Water Storage District during drought years.

The 2008 Annual Review presents two main points that may have important bearing on this project: First, recent court rulings related to endangered species in the Delta have mandated reduced pumping of water from the Delta. As a result, SWP future average delivery to Zone 7 has been reduced from 60,900 AFA to 53,200 AFA and the total sustainable water supply reduced from 87,500 AFA to 81,200 AFA. Second, the report states that based on sustainable supplies of 81,200 AFA, Zone 7 can meet customer demands through 2015.

As previously stated, the 2008 Annual Review indicates that its long-term sustainable water supply is now 81,200 AFA. The 81,200 AFA presented in the 2008 Annual Review has several supply components, namely, SWP (53,200 AFA), Lake Del Valle (9,300 AFA), Byron Bethany Irrigation District (2,000 AFA), safe groundwater yields (13,400 AFA) and recycled water (3,300 AFA). Based on the 81,200 AFA, this Annual Review observes that if Zone 7 demands continue to rise and if there are no improvements in the current restrictions in Delta pumping, Zone 7 projects a sufficient sustainable supply of water through 2015. The 2008 Annual Review acknowledges that Zone 7 could take a total of 5,000 AFA from the Byron Bethany Irrigation District; however, for conservative water supply planning purposes, Zone 7 chooses to use 2,000 AFA per year. In terms of recycled water supplies, Zone 7 expects to increase recycled water use to approximately 3,300 AFA.

Although the SWP amount was reduced in 2008, recycled water supplies were increased by 1,500 AFA and are expected to continue to increase over time. Furthermore, the WSA

indicates that in 2030 the Chain of Lakes will provide an additional 3,000 AFA of sustainable water, but that amount was not reflected as part of the WSA's 87,500 nor in the Zone 7 2008 report. Additionally, although the WSA table of sustainable water identified only 2,000 AFA from the Byron Bethany Irrigation District, the text of the WSA, as well as the Zone 7 2008 report, provides that Zone 7 contractually has the right to supply up to additional 3,000 AFA from Byron Bethany. Finally, although the WSA table of sustainable water does not identify any out of basin groundwater banking supplies, the WSA text provides 8,700 AFA from Semitropic Water Storage District and 10,000 AFA from the Cawelo Water Storage District, respectively, to Zone 7 during drought years for water reliability purposes.

The WSA concludes that if Zone 7 has 87,500 AFA available, the water demands of this project could be met. Although Zone 7 is taking an understandably conservative approach in identifying only 81,200 AFA of sustainable water, based on the information in the WSA, supported by the 2008 Zone 7 report, it is reasonable to conclude that in any given year, Zone 7 will have at least 81,200 AFA available for its customers, including the proposed project. Furthermore, the WSA determined that consumer conservation could further alleviate demand pressure on Zone 7 supplies. The following information is from page 7-4 of the WSA.

Due to Zone 7's long-term success of delivery of water to all customers and commitment to continue to serve treated water to all retailers, when SWP curtailments occur, Zone 7 has supply flexibility through increased groundwater pumping, surface water transfers back and from CSWD and STWSD to continue to meet all demands. In addition, Zone 7, the City of Pleasanton, DSRSD and the CWSC of Livermore, could pump additional local groundwater during drought, emergency or other surface supply reductions to meet demands in the future. Furthermore, as presented in Section 5 consumers and retailers could effectively reduce demands by 10 or 25 percent to relieve demand pressure on Zone 7 supplies. It is reasonable to assume, based on the consumer demand reductions in 1992 that Zone 7 customers would again cutback on per-capita use and reduce demands by up to 25 percent.¹

Finally, although it is expected that this project would be built out by 2015 (the Zone 7 2008 report raises concerns about providing sustainable water to customers thereafter), the City's standard conditions of approval provide that the City does not guarantee the availability of water to serve a project and if adequate water is not available, then no building permits will be issued. That potential limitation would also be reflected in the development agreement. In addition, to the extent that the CLC project provides affordable senior housing, the City has a policy that such uses have a priority for water (and sewer). That will be reflected in the conditions of approval and the development agreement as well.

¹ Only voluntary stages were implemented from the City's drought ordinance. In 1991 and 1992 the City experienced a high level of customer cooperation. 2002 City of Pleasanton, Urban Water Management Plan, page 10-4.

1.2 The comment regarding the potential use of recycled water is noted. Use of recycled water within the Project Area is not being considered at this time. At some point in the future, if the City chooses to serve recycled water via the existing pipelines, an agreement would have to be reached between DSRSD and the City, as noted by the commenter, and then a recycled water service assessment would need to be performed.

1.3 The commenter agrees with information presented in the Draft EIR regarding wastewater. As presented in Section 4.6, Effects Found Not to be Significant, of the Draft EIR, impacts from wastewater treatment for the proposed project were found to be less than significant because adequate treatment capacity exists at the wastewater treatment plant operated by the DSRSD.

DEPARTMENT OF TRANSPORTATION
DIVISION OF AERONAUTICS — M.S.#40
 1120 N. STREET
 P. O. BOX 942873
 SACRAMENTO, CA 94273-0001
 PHONE (916) 654-4959
 FAX (916) 653-9531
 TTY 711



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May 19, 2008

Mr. Robin Giffin
 City of Pleasanton
 P.O. Box 520
 Pleasanton, CA 94566

RECEIVED

MAY 31

CITY OF PLEASANTON
 PLANNING DEPT.

Dear Mr. Giffin:

Draft Environmental Impact Report for the Stoneridge Drive Specific Plan Amendment/Staples Ranch; SCH# 2006062053

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

The proposal is for an amendment to the Stoneridge Drive Specific Plan for the Staples Ranch project. The Staples Ranch project would allow for an auto mall, a senior continuing care community, a commercial center, a community park, and a neighborhood park/stormwater detention facility. The project site is located approximately 5,400 feet west of the Livermore Municipal Airport, just north of the extended runway centerline. Livermore Municipal is an active airport with approximately 600 based aircraft and over 235,000 annual operations. Portions of the project site will be subject to aircraft overflights and subsequent noise and safety impacts.

In accordance with CEQA, Public Resources Code § 21096, the Caltrans Airport Land Use Planning Handbook (Handbook) must be utilized as a resource in the preparation of environmental documents for projects within an airport land use compatibility plan boundaries or if such a plan has not been adopted, within two miles of an airport. The Handbook is a resource that should be applied to all public use airports. The Handbook is published on-line at <http://www.dot.ca.gov/hq/planning/aeronaut/>.

2-1

The Handbook identifies 6 airport safety zones based on risk levels. The project site appears to be within Safety Zones 4 and 6 as defined in the Handbook. Safety Zone 4 is situated along the extended runway centerline with approaching aircraft usually at less than traffic pattern altitude. The potential severity of an off-airport aircraft accident is highly dependent upon the nature of the land use at the accident site.

Public Utilities Code § 21659 prohibits structural hazards near airports. In accordance with Federal Aviation Regulation, Part 77 "Objects Affecting Navigable Airspace" a Notice of

Mr. Robin Giffin
May 20, 2008
Page 2

Proposed Construction or Alteration (Form 7460-1) may be required by the Federal Aviation Administration (FAA). Form 7460-1 is available on-line at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp> and should be submitted electronically to the FAA.

Business and Professions Code § 11010 and Civil Code § 1102.6, 1103.4, and 1353 address buyer notification requirements for lands around airports and are available on-line at <http://www.leginfo.ca.gov/calaw.html>. Any person who intends to offer subdivided lands, common interest developments and residential properties for sale or lease within an airport influence area is required to disclose that fact to the person buying the property.

2-2

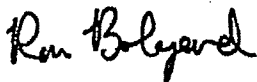
The proposal should be submitted to the Alameda County Airport Land Use Commission (ALUC) for review. The proposal should also be coordinated with Livermore Municipal Airport staff to ensure that the proposal will be compatible with future as well as existing airport operations.

2-3

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

Thank you for the opportunity to review and comment on this proposal. If you have any questions, please call me at (916) 654-7075.

Sincerely,



RON BOLYARD
Aviation Environmental Planner

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

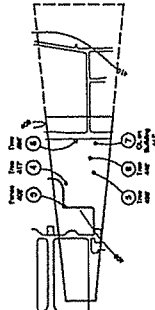
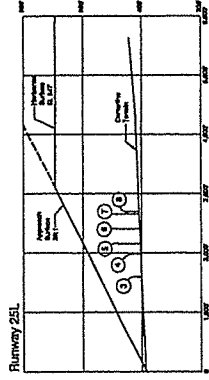
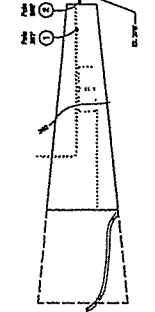
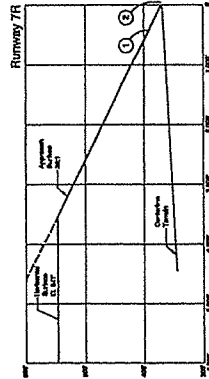
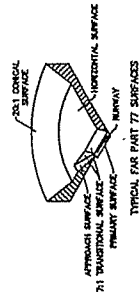
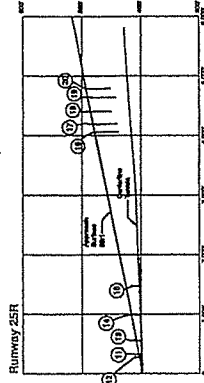
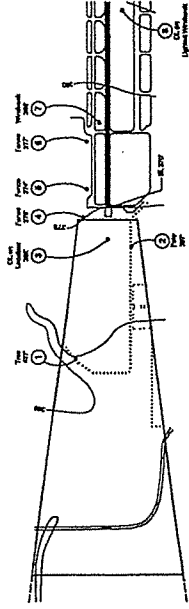
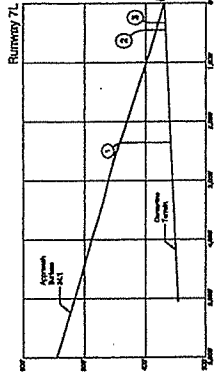
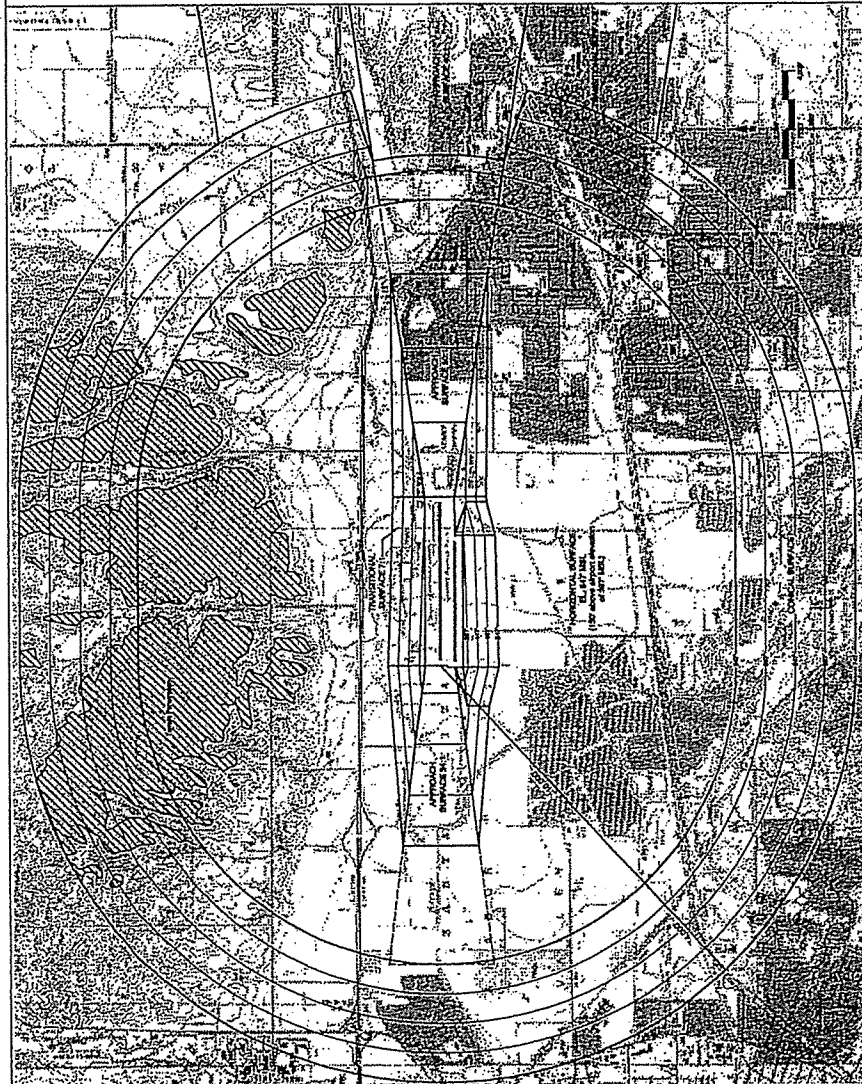
2. California Department of Transportation, Division of Aeronautics (letter dated May 19, 2008)

2.1 As discussed on page 3.4-11 in Section 3.4, Hazards and Hazardous Materials, the California Department of Transportation Division of Aeronautics' California Airport Land Use Planning Handbook was used to determine the potential for land use, safety, and noise impacts to the proposed project or to airport operations. The commenter confirms information in the Draft EIR that the project site is located within Safety Zones 4 and 6 which are depicted in Figure 3.4-2 of the Draft EIR. However, these safety zones have not been adopted by the Alameda County Airport Land Use Commission. As stated on page 3.4-19 of the Draft EIR, safety statistics specific to the Livermore Airport were evaluated and indicated that safety risks at the project site would be less than significant.

Specifically, the Draft EIR identifies potential impacts that the Airport Land Use Planning Handbook recommends be investigated. For example, there is a potential for safety hazards due to new sources of light and glare associated with the project; however, implementation of Mitigation Measures VQ-3.1 (as modified in response to Comment 4.2) through VQ-3.4 would reduce this impact to a less-than-significant level. In addition, noise impacts due to airport operations would be reduced to a less-than-significant level with implementation of Mitigation Measures NO-1.1 through NO-1.4. Thus, the proposed project was evaluated against the Airport Land Use Planning Handbook in order to properly identify and mitigate impacts under CEQA.

The commenter notes that in accordance with Federal Aviation Regulation, Part 77 "Objects Affecting Navigable Airspace" a Notice of Proposed Construction or Alteration (Form 7460-1) may be required by the Federal Aviation Administration (FAA). Per section 77.13.a. of the Part 77 regulations, it is not anticipated that the project would be subject to the FAA notification requirements unless construction equipment, such as a tall crane, were used. As shown in the figure on the next page, the project would not project above the sloped surface area defining the instrument approach area. However, if tall construction equipment, over 100 feet tall, were to be used which would penetrate the instrument approach surface or if, per section 77.13.a.4, the FAA notifies the City/developer that it believes a notice should be filed, the developer proposing construction shall file the notice prior to construction, consistent with the regulations of Part 77. In response to the comment, the first full paragraph of Mitigation Measure HZ-5 on page 3.4-20 of the Draft EIR is revised to read:

Implementation of Mitigation Measures VQ-3.1 ~~through VQ-3.4~~, which would require preparation of a lighting plan for the Staples Ranch site, and specifications for the lighting plans for the auto mall and community park, would reduce the potential for safety impacts from light and glare at the Staples Ranch



PLAN AND PROFILE LEGEND

- Existing pavement (shaded gray surface)
- Proposed pavement (unshaded white surface)
- Elevation markers (circles with numbers)
- Elevation markers (circles with numbers)

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

SOURCES:
 1. Livermore Municipal Airport
 2. Rock Distribution Chart No. 8775

NO.	REVISION	DATE
LIVERMORE MUNICIPAL AIRPORT LIVERMORE, CALIFORNIA AIRSPACE PLAN		
PROJECT NO.	DATE	SHEET 4 OF 4

site. If construction equipment is used which penetrates the surface of the instrument approach area over the Project Area, or if the FAA notifies the City and/or the developer that it believes a Notice of Proposed Construction or Alteration should be filed, the developer proposing construction shall file a Notice of Proposed Construction or Alteration prior to construction, consistent with the regulations of Part 77 of the Federal Aviation Regulations.

- 2.2 The commenter raises the project need to adhere to Business and Professional Codes. Within the airport influence area of the Livermore Municipal Airport, the project sponsor and developers would be required to comply with Business and Professional Code 11010, 1103.4, and 1353 and issue buyer notification information. It should be noted that Mitigation Measures LU-5.1 and LU-5.2 go beyond this requirement by requiring specific airport disclosures, deed riders and noise complaint procedures to ensure that future property owners and residents are informed of the proximity of the Livermore Airport and potential compatibility issues. In response to the comment, a new paragraph is added to the end of Mitigation Measures LU-5.1 and LU-5.2 on pages 3.6-27 and 3.6-28:

Property owners shall include deed riders/disclosures about the Livermore Municipal Airport consistent with Business and Professions Code Section 11010 and Civil Code Sections 1102.6, 1103.4, and 1353.

- 2.3 This commenter indicates that the proposal for the proposed project should be submitted to the Alameda County Airport Land Use Commission (ALUC) and the Livermore Municipal Airport. It should be noted that the Draft EIR was reviewed and commented on by the ALUC (see Comment Letter #4). The City of Livermore, which owns and operates the Livermore Municipal Airport, also reviewed and commented on the Draft EIR (see Comment Letter #5). The comments made by the ALUC and City of Livermore are addressed in the responses to Comment Letters #4 and #5. Notably, there was no issue with the conclusion in Impact LU-5 that the proposed project would not conflict with the policies of the Alameda County Airport Land Use Policy Plan.

STATE OF CALIFORNIA - BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZKOPFER, Governor

DEPARTMENT OF TRANSPORTATION

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June 4, 2008

ALA580829
ALA-580-16.7
SCH#2006062053

Ms. Robin Giffin
Planning and Community Development
City of Pleasanton
P.O. Box 520
Pleasanton, CA 94566-0802

Dear Ms. Giffin:

Stoneridge Drive Specific Plan Amendment/Staples Ranch - Plans, Draft Environmental Impact Report (DEIR), and Technical Memorandum for Traffic and Circulation (Memo)

Thank you for continuing to include the California Department of Transportation (Department) in the environmental review process for the Stoneridge Drive Specific Plan Amendment/Staples Ranch Project. We have reviewed the plans, DEIR and Memo and have the following comments:

Interstate 580 (I-580) is a critical regional and interregional route, providing connectivity between the San Francisco Bay Area and the Central Valley. I-580 is vital to commuting, freight, and recreational users and is one of the most congested interregional freeway facilities. Therefore, it is important to address any mainline capacity and on/off-ramps impacts resulting from the proposed development.

Traffic Forecasting

Due to the scale of the project and the potential impacts to State facilities, the Department requested the opportunity to provide input into the scope of work for the Traffic Impact Study (TIS) for this project. Unfortunately, the Department was not afforded this opportunity and as a result there is information that we need to analyze potential impacts of this project that was not included in the TIS. The information that we need is as follows:

Please provide schematic illustrations showing lane configurations and turning movements for AM and PM peak hour volumes for the following scenarios:

- Existing
- Existing plus Project
- Cumulative/No Project Conditions
- Project Only Conditions
- Project plus Ice Center Only Conditions
- 1989 Specific Plan Only Conditions

Ms. Robin Giffin/ City of Pleasanton
 June 4, 2008
 Page 2

- Cumulative plus Project Conditions
- Cumulative plus Project plus Ice Center Conditions

The study intersections should include:

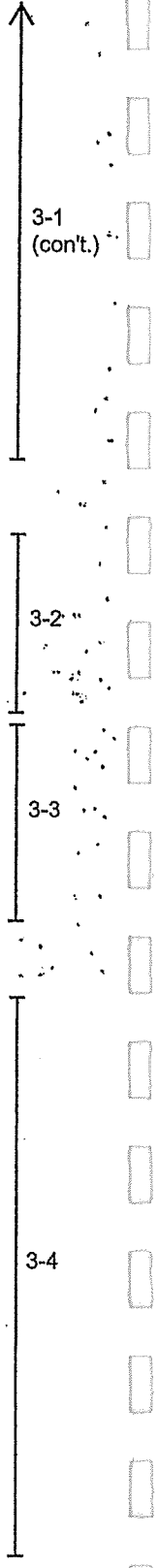
- Continuing Care Community driveway/Stoneridge Drive (Intersection S2)
- Automall Place/Auto Mall driveway (Intersection S3)
- El Charro Road/I-580 EB ramps (Intersection S1)
- El Charro Road/Frisman Road (Intersection S2)
- El Charro Road/Jack London Boulevard/Automall Place (Intersection S3)
- Fallon Road/I-580 WB ramps (Intersection S5)

Highway Operations

The proposed project assumes the connection between Stoneridge Drive and Automall Place would only be accessible to emergency vehicles and public transit (if the City approves). However, it is important to evaluate all potential impacts (including future modifications) for the proposed project. Please provide the additional analysis assuming an extension of Stoneridge Drive to El Charro Road as stated in the City of Pleasanton's 1996 General Plan.

Due to the close proximity of the El Charro Road/Jack London Boulevard/Automall Place intersection to the El Charro Road/I-580 EB ramps intersection, please provide an analysis of the El Charro Road/I-580 EB ramps intersection and El Charro Road/Jack London Boulevard/Automall Place intersection in which Stoneridge Drive is located at the previously earmarked alignment adjacent to and along Arroyo Mocho connecting to El Charro Road. In both cases, please include Livermore's forecasted volumes for the planned development at Jack London Boulevard east of El Charro Road. The proposed intersections should show design capacity and intersection spacing distances.

Based on the Alameda County Congestion Management Agency's (ACCMA) Level-of-Service (LOS) threshold, Tables 41, 42, 54, and 55 indicate no significant traffic impacts to the I-580 mainline since the project will not cause the volume/capacity (v/c) ratio to increase by more than three percent. However, the Department believes an additional 2,000 to 3,000 vehicles per hour (vph) added to State facilities will cause significant impacts. According to the Department's "Guide for Preparation of Traffic Impact Studies", significant traffic impacts occur when the increase to v/c ratio is greater than one percent or there is a one percent increase in freeway segment capacity (increase of 100 vph over a four-lane freeway segment). On page 13, Table 2 of the Memo, the total generated AM and PM peak hour trips are 956 and 1,686, respectively. In Table 3, under the Proposed Project plus Ice Center scenario, the total generated AM and PM peak hour trips are 1,033 and 2,035. In addition, the project site is immediately adjacent to the I-580/El Charro Road interchange. Due to these factors, we believe the AM and PM peak hour generated trips are likely to cause significant traffic impacts and further deteriorate existing LOS F conditions for I-580 segments between Airway Boulevard and Santa Rita Road and adjacent interchanges. Please provide the Department with the number of additional trips generated by the project that will be added to the freeway segments and interchanges, and calculate the percentage of project trips/capacity ratio per freeway segment per direction. The fair share contribution for mitigation measures for these significantly impacted segments and interchanges should then be determined.



Ms. Robin Giffin/ City of Pleasanton
June 4, 2008
Page 3

Hydraulics

Please provide preliminary grading plans and onsite drainage plans for the proposed Pleasanton Auto Mall and the proposed Stoneridge Creek Continuing Care Retirement Community. This will allow the Department to better understand existing and proposed flood flow patterns. Please provide a copy of the Staples Ranch Floodplain Analysis Technical Memo, dated July 20 2006, prepared by the consulting firm, Schaaf and Wheeler. Please include any diagrams, figures, mapping, or other attachments referenced in the technical memorandum.

3-5

3-6

Landscaping/Maintenance

The Department is concerned with the proposed landscaping/planting along I-580. Based on the Draft Overall Landscape Plan, dated October 29, 2007, and page 13 of the City Council/Planning Commission Workshop Report, dated November 8, 2007, the applicant has chosen shrub and groundcover treatments for the Department's side of the right-of-way (ROW) at the off ramp to El Charro Road that we believe are not appropriate given the future level of maintenance needed for this landscaping. The shrubs chosen (Diets, Cistus, Hemerocallis, Kniphofia, Felicia, and Coreopsis) will survive only a few years without irrigation. Felicia and Coreopsis are short lived and require pruning to look presentable. Diets and Hemerocallis require at least some water. Kniphofia may survive without water, but the scale is small for this location. Some Cistus may survive, but as a result, it may be spotty. We suggest changing shrubs to a larger scale and incorporating drought and maintenance free California natives. The groundcovers chosen (Fescue with Poppies, Lupine and Blazing Star) require continuous maintenance since non-native annual grasses and forbs can gradually overtake these groundcovers.

3-7

As the lead agency, the City of Pleasanton is responsible for any additional maintenance requirements generated. If the project is approved, the Department will coordinate with the City of Pleasanton to develop a Maintenance Agreement based on our suggested landscaping treatments.

3-8

Furthermore, please provide a discussion on how the project might impact additional maintenance requirements on existing and future State facilities. For example, this project will generate additional maintenance requirements on nearby state and local roads from additional vehicles. In addition, the proposed structures and walls facing the highway might be subject to graffiti, homeless habitation, and vandalism that require maintenance.

3-9

Encroachment Permit

Any work or traffic control within the State ROW requires an encroachment permit that is issued by the Department. Traffic-related mitigation measures will be incorporated into the construction plans during the encroachment permit process. See the following website link for more information:

3-10

<http://www.dot.ca.gov/hq/traffops/developserv/permits/>

To apply for an encroachment permit, submit a completed encroachment permit application, environmental documentation, and five (5) sets of plans which clearly indicate State ROW to the address at the top of this letterhead, marked: ATTN: Michael Condie, Mail Stop #5E.

Ms. Robin Giffin/ City of Pleasanton
June 4, 2008
Page 4

Should you require further information or have any questions regarding this letter, please call
Yatman Kwan of my staff at (510) 622-1670.

Sincerely,



LISA CARBONI
District Branch Chief
Local Development-Intergovernmental Review

c: State Clearinghouse

3. California Department of Transportation (letter dated June 4, 2008)

- 3.1 California Department of Transportation (Caltrans) was included in the distribution list for the Notice of Preparation (NOP) for this EIR. A copy of the initial NOP was sent to Caltrans on June 13, 2006, and a revised NOP was sent to Caltrans on March 26, 2007. Caltrans sent scoping letters in response to these NOPs on June 30, 2006 and April 6, 2007, respectively.

The commenter requests schematic illustrations showing lane configurations, turning movements and LOS calculation sheets. The LOS calculation sheets are provided in an appendix to the *Stoneridge Drive Specific Plan Amendment Traffic Report –Staples Ranch Technical Memorandum for Traffic and Circulation Supporting the Findings and Recommendation*, prepared by Dowling & Associates (December 2007, revised March 2008) hereafter “the Traffic Report”. The Traffic Report includes intersection lane configurations, peak hour turning movement volumes, and other traffic analysis assumptions. A copy of the Traffic Report and appendix have been provided to the commenter. It is noted that these worksheets and diagrams consist of large volumes of technical data and are desired by a relatively small number of reviewers. Accordingly, it is not common practice to include such documentation as part of a Draft EIR distribution.

Regarding the study intersections, the Draft EIR only provides results for the key study intersections in the immediate vicinity of the Project Area and significantly impacted by the proposed project. Under all scenarios, traffic analysis results for all 74 study intersections including intersections #51, #52, #53, and #55 that were requested by the commenter can be reviewed in the Traffic Report.

- 3.2 The commenter requests an evaluation of the proposed project with the extension of Stoneridge Drive. Although the Stoneridge Drive extension was assumed in previous transportation planning studies, including the earlier City General Plan analysis, the proposed project does not include the extension. Because the project description does not include the Stoneridge Drive extension and therefore the timing of the construction of the Stoneridge Drive extension is not known, undertaking extensive analysis is speculative and hence not required by CEQA. The analysis presented in the Draft EIR therefore assumes the extension would not be completed by 2015. However, to understand the potential impacts of the proposed project and the Stoneridge Drive Extension were complete, the *Traffic Report* describes the results under all alternatives with the Stoneridge Drive extension in the roadway network under 2015 and 2030 conditions.

Information from the Traffic Report regarding the Stoneridge Drive Extension is summarized below. Although some of the data for Livermore intersections and for the Congestion Management Program/Metropolitan Transportation System (CMP) was included in the Traffic Report, not all the necessary data was summarized. These data have now been collected and are also summarized below. The information below includes a summary

of (1) the no project level of service without the extension, (2) the level of service if the extension were constructed but the project was not, and (3) the level of service if the extension were constructed with the first phase of the project.

Table 3.1-2 is the same information shown in Table 3.1-1, but with the traffic signals retimed and optimized for the volumes that are expected to be present.

The optimized Table 1 shows that four intersections operate at an unacceptable level of service with the project plus the Stoneridge Drive Extension as part of the initial phase of the project. Other major findings include:

- Hopyard at Owens continues to operate at an unacceptable level of service, although the Stoneridge Drive Extension does relieve some of the congestion at that intersection and therefore the delay is slightly reduced with the extension. The mitigation identified in the Draft EIR—for the project developer to pay the City's traffic development fee—would remain the same.
- Hopyard at Stoneridge with the extension shows considerable improvement, from LOS E to LOS D. This is due to the re-routing of traffic within the Hacienda Business Park. The mitigation in the Draft EIR—retiming of signals—would still be necessary in order to attain LOS D.
- Santa Rita at Stoneridge changes from an acceptable level of service to an unacceptable level of service with the Stoneridge Drive Extension as part of the initial phase of the project. This intersection was not listed as an impacted intersection in the Draft EIR. Mitigations required to return this intersection to an acceptable level of service would include the conversion of the #1 eastbound right turn lane to an eastbound through lane, the #2 eastbound right turn lane to a free right turn and the construction of a northbound right turn lane. This would provide an acceptable level of service at the intersection. These mitigations would be the financial responsibility of the project developer.
- Santa Rita at Valley would continue to operate at an unacceptable level of service with the Stoneridge Drive Extension. Although the extension removes approximately 250 vehicles from this intersection, the critical movement (southbound left turn from Santa Rita to Valley) continues to exceed capacity. The mitigation for this intersection is to construct the second Valley Avenue westbound left turn and construct either a Santa Rita northbound right turn or construct a third Santa Rita southbound left turn.

Pleasanton Intersections (including some Dublin intersections close by to the Project)

Table 3.1-1

No.	Syn	NS Street	EW Street	AM PEAK						PM PEAK															
				Vacant Site No Stoneridge Extension		Vacant Site With Stoneridge Extension		Project With Stoneridge Extension		Vacant Site No Stoneridge Extension		Vacant Site With Stoneridge Extension		Project With Stoneridge Extension											
				LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay										
10	310	Hopyard	Owens	D	47	D	44	D	44	D	44	D	44	D	44	D	48	D	48	D	48	D	48		
11	313	Hopyard	Stoneridge	D	46	D	44	D	44	D	44	D	44	D	44	D	44	D	44	D	44	D	44	D	44
32	327	Santa Rita	Stoneridge	D	49	D	52	D	52	D	52	D	52	D	52	D	52	D	52	D	52	D	52	D	52
34	329	Santa Rita	Valley	C	35	D	36	D	36	D	36	D	36	D	36	D	36	D	36	D	36	D	36	D	36
56	102	Fallon	Dublin	D	40	C	33	C	33	C	33	C	33	C	33	C	33	C	33	C	33	C	33	C	33

Notes: Downtown intersections and the intersection at Stoneridge Drive and El Charro that with the project fall below level of service D are not shown because downtown intersections are exempt under the General Plan from meeting threshold levels of service, and the geometry of the Stoneridge Drive/El Charro intersection in the model is not what will be built. What will be built at that intersection will be designed to accommodate traffic volumes and operate at level of service D or better.

Levels of service in the table do not show optimized levels of service (i.e., no adjustment was made for any changes in traffic volumes due to the project). (Data taken from Table 33 of the Traffic Report.)

Table 3.1-2

No.	Syn	NS Street	EW Street	AM PEAK						PM PEAK															
				Vacant Site No Stoneridge Extension		Vacant Site With Stoneridge Extension		Project With Stoneridge Extension		Vacant Site No Stoneridge Extension		Vacant Site With Stoneridge Extension		Project With Stoneridge Extension											
				LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay										
10	310	Hopyard	Owens	D	39.2	D	38.5	D	38.5	D	38.6	D	38.6	D	38.6	D	38.6	D	38.6	D	38.6	D	38.6	D	38.6
11	313	Hopyard	Stoneridge	D	44.8	D	42.4	D	42.4	D	42.4	D	42.4	D	42.4	D	42.4	D	42.4	D	42.4	D	42.4	D	42.4
32	327	Santa Rita	Stoneridge	D	42.6	D	61.7	D	61.7	D	66	D	66	D	66	D	66	D	66	D	66	D	66	D	66
34	329	Santa Rita	Valley	C	35.9	D	37.3	D	37.3	D	37.8	D	37.8	D	37.8	D	37.8	D	37.8	D	37.8	D	37.8	D	37.8
56	102	Fallon	Dublin	D	40	C	33	C	33	C	34	C	34	C	34	C	34	C	34	C	34	C	34	C	34

Notes: Downtown intersections and the intersection of Stoneridge Drive and El Charro that with the project fall below level of service D are not shown because downtown intersections are exempt under the General Plan from meeting threshold levels of service, and the geometry of the Stoneridge Drive/El Charro intersection that was modeled is not what will be built. What will be built at that intersection will be designed to accommodate traffic volumes and operate at level of service D or better.

- Fallon at Dublin Boulevard would continue to operate at an unacceptable level of service with the Stoneridge Drive Extension. The mitigation for this intersection is the same as the mitigation identified in TR 2-1 of the Draft EIR, which includes the addition of a third northbound left turn lane, addition of a second northbound through lane and the addition of a second eastbound right turn lane. See TR-2.1 on page 3.9-37 of the Draft EIR.

The Stoneridge Drive Extension, however, does eliminate the need for mitigation at the intersection of Hopyard Road and I-580 Eastbound and at the intersection of El Charro Road and I-580 Eastbound, both of which are identified in the Draft EIR as needing mitigation with the Project.

Dublin Intersections

Table 39 of the Traffic Report provides a table similar to the table shown above for the Pleasanton intersections. The values in Table 39 have been reorganized in Table 3.1-3 below to show the comparison of No Project and extension, No Project but with the extension and the Project with the extension. Comparing Columns 1 and 2 provides the impacts due to the Stoneridge Drive Extension. Comparing Columns 1 and 3 provides the impacts of the Stoneridge Drive Extension if it were assumed to be constructed as part of the initial phase of the project.

Table 3 shows that the Stoneridge Drive Extension with the initial phase of the project does not change the level of service to any of these Dublin intersections.

Livermore Intersections

Table 40 of the Traffic Report provides a table that shows some of the data required to complete the analysis requested as to Livermore intersections. Additional data were compiled and are presented in the Table 3.1-4 below on the following page.

The intersection of Murrieta and East Jack London Boulevard appears as a failing intersection with and without the Stoneridge Drive Extension and with and without the project. The data also show that the Stoneridge Drive Extension would add to the delay at this intersection with or without the project. Mitigation for this impact is identified on the Draft EIR:

Add a second eastbound right-turn lane to provide dual right-turn lanes at the intersection of Murrieta Boulevard at East Jack London Boulevard and Pine Street and improve signal operations. This could be accomplished by re-striping the bike lanes and removing the existing median, and improving the signal operations.” (Mitigation Measure TR 2.2 on page 3.9 - 37 of the Draft EIR).

Table 3.1-3

	AM PEAK						PM PEAK					
	Vacant Site No Stoneridge Extension		Vacant Site With Stoneridge Extension		Project With Stoneridge Extension		Vacant Site No Stoneridge Extension		Vacant Site With Stoneridge Extension		Project With Stoneridge Extension	
	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C
Dublin Blvd/Dougherty Rd	C	0.73	C	0.74	C	0.74	D	0.87	D	0.87	D	0.87
Dublin Blvd/Hacienda Dr	C	0.79	C	0.78	C	0.79	C	0.72	B	0.68	B	0.69
Central Pkwy/Hacienda Dr	C	0.78	C	0.78	C	0.78	A	0.33	A	0.33	A	0.33

Table 3.1-4

	AM PEAK						PM PEAK					
	Vacant Site No Stoneridge Extension		Vacant Site With Stoneridge Extension		Project With Stoneridge Extension		Vacant Site No Stoneridge Extension		Vacant Site With Stoneridge Extension		Project With Stoneridge Extension	
	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
# 5 Airway at I-580 EB	D	40.9	D	38.6	D	38.7						
# 6 Isabel/Kitty Hawk at Airway Blvd.	D	54.5	D	47	D	47.1						
# 8 Isabel at Jack London Blvd.							C	25.2	C	26.9	C	28.5
# 9 Isabel at Stanley Blvd.							C	23	C	27.4	C	27.7
#12 East Vallecitos at Isabel Ave.	C	31.5	C	28.9	C	29.3						
#13 Murricta & East Jack Lond Blvd.	E	58.2	E	65.9	E	67.5						
#42 Jack London Blvd/Road A	B	15.7	B	15.6	B	16.1	C	25.7	C	25.8	C	28

Alameda County Congestion Management Agency CMP Analysis

Table 41 of the Traffic Report provides a table that shows some of the data required to complete the analysis requested concerning the CMP. Additional CMP analysis was needed to complete Tables 3.1-5 and 3.1-6, below.

The CMP analysis shows that with the extension in the PM there is an improvement on I-580 between Santa Rita Road and El Charro Road. This link segment goes from an existing failing level of service to an acceptable level of service. This improvement in level of service, however, allows enough additional traffic on I-580 eastbound to trigger a change from an acceptable level of service on I-580 between North Livermore Avenue and First Street to an unacceptable level of service. For the arterial link segments, the CMP analysis show with the extension an improvement on Hopyard Road from LOS F to LOS E. It also shows a significant decrease in LOS on Stoneridge Drive east of Santa Rita Road. This segment moves from LOS D to LOS F.

Mitigations to the link segments adversely impacted have not been identified as part of this analysis but would likely include payment of the Tri-Valley Transportation Development Fee to mitigate the impacts to the level of service on a regional basis.

Additional Mitigations with the Stoneridge Drive Extension

In addition to the mitigations identified above, there are operational and safety improvements that are necessary with the Stoneridge Drive Extension that are independent of the project. These improvements include the signalization of several intersections along Stoneridge Drive (e.g., Newton, Guzman and Trevor Parkway). The signalization of these intersections is necessary due to traffic signal warrants during peak hours being met with the increase in volume on Stoneridge Drive. Stoneridge Drive would also need to be constructed as shown in the ultimate design plans, including the second bridge over the arroyo. Mitigation measures identified in the Draft EIR for bridge construction impacts (including BIO-2.1, 2.2, 2.3, 2.4, 3.2, 4.1, 4.2, 5.1, 6.1, 6.2, 6.3, and 7.1, 8.1, HY-4.1, and NO-2.1, 2.2 and 4.1, and CR-1) would also apply for the second Arroyo Mocho bridge.

Table 3.1-6

PM PEAK	Northbound/Eastbound						Southbound/Westbound															
	Vacant Site		With Stoneridge Extension		Project With Stoneridge Extension		Vacant Site		With Stoneridge Extension		Project											
	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C										
Link Location																						
I-580 (Betn. Santa Rita & El Charro)	E	0.92	E	0.97	E	0.98	C	0.58	C	0.56	C	0.58	C	0.56	C	0.58						
I-680 (Betn. Stoneridge and Las Positas)	E	0.96	E	0.98	E	0.98	B	0.55	C	0.55	C	0.55	C	0.55	C	0.55						
SR 84 (Near Little Valley)	E	0.96	E	0.98	E	0.98	E	0.80	E	0.80	E	0.80	E	0.80	E	0.80						
I-580 (Betn. El Charro & Airway Pkwy)	E	0.96	E	0.98	E	0.98	B	0.43	B	0.43	B	0.43	B	0.43	B	0.43						
I-580 (Betn. Airway Pkwy & Isabel Pkwy)	E	0.96	E	0.98	E	0.98	B	0.43	B	0.43	B	0.43	B	0.43	B	0.43						
I-580 (Betn. Airway Pkwy & Portola Ave)	E	0.96	E	0.98	E	0.98	B	0.43	B	0.43	B	0.43	B	0.43	B	0.43						
I-580 (Betn. Isabel Pkwy & Portola Ave)	E	0.96	E	0.98	E	0.98	B	0.43	B	0.43	B	0.43	B	0.43	B	0.43						
I-580 (Betn. Portola Ave & N. Livermore Ave)	E	0.96	E	0.98	E	0.98	B	0.43	B	0.43	B	0.43	B	0.43	B	0.43						
I-580 (Betn. N. Livermore Ave & First St.)	E	0.96	E	0.98	E	0.98	B	0.43	B	0.43	B	0.43	B	0.43	B	0.43						
I-580 (Betn. First St & South Vasco Rd.)	E	0.96	E	0.98	E	0.98	B	0.43	B	0.43	B	0.43	B	0.43	B	0.43						
I-580 (Betn. South Vasco Rd. & Greenville Rd.)	E	0.96	E	0.98	E	0.98	B	0.43	B	0.43	B	0.43	B	0.43	B	0.43						
Arterials																						
Dougherty Rd. (Betn. Dublin Blvd. and I-580)	E	0.85	E	0.86	E	0.87	D	0.76	D	0.78	D	0.76	D	0.78	D	0.76						
Dublin Blvd. (East of Tassajara Rd.)	B	0.73	B	0.43	B	0.43	B	0.00	B	0.00	B	0.00	B	0.00	B	0.00						
Hopyard Rd. (Betn. I-580 & Owens Dr.)	E	0.85	E	0.90	E	0.91	E	0.60	E	0.60	E	0.60	E	0.60	E	0.60						
Las Positas (West of Santa Rita Rd.)	E	0.85	E	0.86	E	0.87	D	0.38	D	0.38	D	0.38	D	0.38	D	0.38						
Santa Rita Rd. (South of I-580)	E	0.81	E	0.62	E	0.64	D	0.28	D	0.28	D	0.28	D	0.28	D	0.28						
Stanley Blvd. (East of Valley Blvd.)	E	0.81	E	0.62	E	0.64	D	0.28	D	0.28	D	0.28	D	0.28	D	0.28						
Stoneridge (East of Santa Rita Rd.)	D	0.41	E	0.61	E	0.61	D	0.25	D	0.25	D	0.25	D	0.25	D	0.25						
Sunol Blvd. (North of I-680)	D	0.71	D	0.61	D	0.61	D	0.25	D	0.25	D	0.25	D	0.25	D	0.25						
Tassajara Rd. (North of Dublin Blvd.)	B	0.21	B	0.22	B	0.22	B	0.20	B	0.20	B	0.20	B	0.20	B	0.20						

3.3 The commenter requests an analysis of El Charro Road with a Stoneridge Drive alignment at the “previously earmarked alignment adjacent to and along Arroyo Mocho” and requests Livermore’s forecasted volumes for Jack London Boulevard be used. The approximate location of the El Charro/Jack London/Auto Mall Place (Stoneridge Drive) intersection was established in the 1989 Stoneridge Drive Specific Plan. While the 1989 Specific Plan included a possible alternative alignment along the Arroyo Mocho, the subsequent reservation in Livermore for the Jack London Boulevard alignment in the 1990s and the construction of housing in Pleasanton south of the Arroyo in 2000 essentially eliminated this option. Livermore’s El Charro Specific Plan (adopted in 2007) further set the exact location of the intersection in relationship to I-580. Both the El Charro Road/I-580 EB ramps intersection and the El Charro Road/Jack London Boulevard intersection have been analyzed with the Stoneridge Drive Extension under 2015 conditions and documented in the Traffic Report. Both intersection analyses assume Livermore’s forecasted volumes for the planned El Charro Specific Plan development east of El Charro Road (see Table 40, Page 62 of the Traffic Report) and the intersections have been designed to maintain a LOS D given the projected traffic volumes. The distance between the intersection of El Charro Road at I-580 Eastbound Off Ramp and El Charro Road at Jack London/ Automall Place is approximately 850 feet.

3.4 The commenter requests the number of additional trips generated by the Project that will be added to the freeway segments and interchanges, requests a calculation of the percentage of project trips/capacity ratio per freeway segment per direction, and a determination of the Project’s contribution towards mitigation measures in light of the significantly impacted segments and interchanges. Page 45 of the Traffic Report shows the project trip distribution for the PM peak hour. This distribution shows that 39 percent of the 2035 total project traffic will travel to or from the west along I-580. This equates to 790 trips on I-580 west of El Charro Road. Of these 790 trips, 44 percent are inbound to the project site (see Table 27 on page 41 of the Traffic Report). This equates to 350 project trips in the PM peak hour traveling eastbound on I-580 to the west of El Charro Road. This volume is substantially below the identified threshold of 2000 – 3000 peak hour trips.

The Draft EIR uses the methodology for analysis based on guidance from the Alameda County Congestion Management Plan which considers a project impact significant if the addition of project-related traffic would result in a LOS value worse than LOS E, except where the roadway link was already at LOS F under no project conditions. These are the recommended standards for analysis by the ACCMA. Based on the ACCMA CMP analysis, any potential impact to the I-580 mainline is shown in Table 41, page 64 and Table 54 page 83 of the Traffic Report. The CEQA Guidelines indicate that it is the decision of the lead agency to determine the thresholds for determining a significant impact. As such, the City has used the ACCMA’s standards of significance. The methodology and standards used in the Draft EIR are consistent with those used by the City of Livermore in its El Charro Road Specific Plan EIR.

The project will be responsible to pay the Regional Transportation Development Fee to address "fair share" mitigations (also see response to Comment 9.1).

- 3.5 The commenter requests details about the grading and drainage plans for the project. Preliminary grading plans and on-site drainage plans are not available. The proposed project is a Specific Plan and at this stage even the site plans are conceptual in nature. However, they will be available during the design phase of each proposed development. A copy of these can be obtained from the City when they become available.
- 3.6 The commenter requests the 2006 Technical Memo mentioned on page 3.5-22 of the Draft EIR. A copy of the Staples Ranch Floodplain Analysis Technical Memo July 20, 2006 was mailed to the commenter on July 8, 2008. It should be noted that since publication of the Draft EIR, the City of Livermore has filed a CLOMR application with FEMA that indicates that, with the implementation of the upstream Livermore Flood Control Improvements, all of Staples Ranch (as well as the adjacent I-580 freeway) would be removed from the 100 year flood plain. Livermore is currently anticipating construction of these improvements to occur in Spring 2009.
- 3.7 The commenter is concerned about landscaping along I-580, because the proposed plants would require extensive maintenance or watering. The commenter suggests the use of drought tolerant and maintenance free California natives in the landscaping plan. As noted on page 2-37 of the Draft EIR, the proposed project would require an encroachment permit and approval for landscaping improvements within the Caltrans right-of-way. If the project is approved, the City of Pleasanton and/or the affected project developers will coordinate with Caltrans on a proposed landscaping plan prior to receipt of an encroachment permit.
- 3.8 The commenter notes that the City will be responsible for additional maintenance requirements affecting the State facilities. If the project is approved, the City of Pleasanton will ensure that maintenance will occur for the landscaping treatments planned along the I-580 through a Maintenance Agreement or other mechanism acceptable to Caltrans. Actual maintenance may be conducted by the adjacent property owner or his or her designee.
- 3.9 The commenter notes that the project may generate additional maintenance needs on/near the I-580. The project will generate less than a 3 percent increase in traffic volumes during the AM and PM peak hour. Impacts to the existing roadway would not be significant from a maintenance perspective due to the minimal increase in traffic volume. However, the project is adjacent to the I-580 and would be highly visible. On the conceptual site plan for the senior continuing care community, two solid walls are shown near I-580. The walls would be located on private property and would be the private property owner's responsibility to maintain if vandalized. The City of Pleasanton, through its Code Enforcement procedures, would enforce the maintenance of these walls. As noted on page 2-37 of the Draft EIR, the proposed project would require an encroachment permit and approval for landscaping improvements within the Caltrans right-of-way. If the project is approved, the City of Pleasanton and/or the affected project developers will coordinate with

Caltrans for a proposed landscaping plan prior to receipt of an encroachment permit. If the project is approved, the City of Pleasanton will ensure that maintenance will occur for the landscaping treatments planned along the I-580 through a Maintenance Agreement or other mechanism acceptable to Caltrans. If requested by Caltrans, the Maintenance Agreement will address measures to address potential homeless habitation, litter removal, and vandalism. The Maintenance Agreement may be drafted such that maintenance may be conducted by the adjacent property owner or his or her designee.

- 3.10 The commenter notes that any work or traffic control within the State ROW requires an encroachment permit from Caltrans. The proposed project includes improvements to El Charro Road, in the event these improvements have not been constructed by the City of Livermore. The proposed project also includes landscape improvements along the I-580 frontage. These improvements may include encroachment into the state right-of-way along I-580. Project-related construction that would occur within the I-580 right-of-way would require an encroachment permit from Caltrans. As noted by the commenter, traffic-related mitigation measures would need to be incorporated into the construction plan during the encroachment permit process.

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

June 3, 2008

Robin Giffin, Associate Planner
City of Pleasanton
Department of Planning and Community Development
P.O. Box 520
Pleasanton, CA 94566

**SUBJ: Alameda County Airport Land Use Commission (ALUC)
Administrative Review: Stoneridge Drive Specific Plan Amendment/Staples
Ranch DEIR**

Dear Ms. Giffin,

Thank you for the opportunity to review the DEIR for the Stoneridge Drive Specific Plan Amendment/Staples Ranch EIR. As you are aware, the Specific Plan area is located wholly within the Airport Influence Area (AIA-also known as the General Referral Area in the current ALUC Plan), the Height Referral Area, and partially within the Airport Protection Area (APA). This project is not located within any Safety Zones described in the current ALUC Airport Land Use Policy Plan. As discussed below, there appears to be conflicting information on potential Noise Impacts associated with the operation of Livermore Airport.

Each of these zones and areas has particular land use requirements associated with them. The DEIR does an excellent job of addressing how the project's proposed land uses compare with the criteria established for each of these zones, including extensive discussion of the concerns relative to the Livermore Airport and the ALUC Policies for compatible land uses. The following are my comments offered for your consideration as this project moves forward.

ALUC Height Policy

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

In conversations with Alameda County Surplus Property Authority (ACSPA) staff, the following details regarding height requirements and this project have been established: Because the Livermore Valley generally slopes down toward the west, the Livermore Municipal Airport is at a higher elevation than the Staples Ranch property. The published elevation of Livermore Airport (LVK) is 397 feet Above Ground Level (AGL), and the end of the closest runway is approximately 370 feet AGL. The highest point on Staples Ranch, adjacent to El Charro Road, is approximately 355 feet AGL, or approximately 15 feet lower than the closest runway end. The property continues to slope down to the west, with the elevation at the APA area being approximately 350 feet AGL (or 20 feet lower than the runway end).

Using the "Imaginary slope" calculation of 1:100 feet, the FAA Part 77 height restriction area is approximately 69 feet at the easterly edge of Staples Ranch (5,400 feet = 54 feet plus 15 feet elevation change = 69 feet). At the APA line, the height restriction area is approximately 91 feet (7,100 feet = 71 feet plus 20 feet elevation change = 91 feet).

The highest building in the auto mall is not proposed to exceed 45 feet - although light standards for proposed rooftop parking may extend a maximum of an additional 15 feet, for a total of 60 feet, well below the height restriction area of 69 feet at El Charro Road.

Similarly, the proposed retail project's building heights will not exceed 40 feet above existing grade, well below the 69 foot "ceiling" at El Charro Road.

Building heights for the senior continuing care facility will not exceed 50 feet, far below the 91 foot "ceiling" at the APA.

This project, as proposed, is compatible with ALUC Height Policies. If, as this project moves forward, any building or structure would exceed the allowable heights as defined by the FAA, it would need to be referred to the ALUC and the FAA for further review.

Additionally, FAA Part 77 includes policies regarding light and glare that could be a potential flight hazard. The proposed project has some discussion of lighting and glare from exterior lights on buildings or in park or Open Space areas, including possible ball field lights. These features of the project would need to be referred to the ALUC and the FAA for further review.

Airport Protection Area (APA)

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

4-1

4-2

"Airport Protection Areas are established to prohibit new residential land use designations, or the intensification of existing residential land use designations, within the Airport Protection Area. The purpose is to forestall the complaints and adverse impacts on the health, safety and welfare of future citizens that will otherwise reside in the protection areas..."

As noted in the DEIR for this project, no habitable buildings will be included within the existing APA boundaries, thus this project as proposed is compatible with ALUC APA policies.

4-3

Potential Noise Impacts

As discussed in section 3.7 of the DEIR, two evaluations of airport noise have been used in assessing the potential noise impacts associated with this project location and proposed land uses. An extensive discussion of noise begins on Page 3.7-8.

An Airport Noise Study was completed in 2003 for the City of Pleasanton in response to ongoing concerns over aircraft operations at Livermore Airport. Figure 3.7-1 depicts noise contours that were developed as part of this study. According to figure 3.7-1 the project site is located within the 55, 60 and a small portion of the 65dB CNEL for the Livermore Airport.

Additionally, the most recent Livermore Airport Noise Contour map was also utilized for the evaluation in the DEIR. That map shows the existing (year 2000) 60 and 65 dB CNEL contours, as well as the projected 65 CNEL, as being located east of El Charro Road. The projected (Year 2020) 60 dB CNEL airport noise contour does include a very small portion in the southeastern corner of the Staples Ranch site.

Given the conflicting noise contours used for this evaluation in the DEIR, and based on ALUC Noise Policies, the ALUC would support and encourage implementation of the proposed Mitigation Measures NO-1.1, NO-1.2, NO-1.3, and NO-1.4.

4-4

Additional Area for Consideration

As noted in a number of discussions within the DEIR, the Alameda County ALUC is in the process of updating its current 1986 Airport Land Use Policy Plan. That project is expected to be completed in middle to late 2008, and would include Land Use Compatibility Policies for all three public use airports located in Alameda County: Oakland International, Hayward Executive, and the Livermore Municipal airports. During review of this DEIR, as well as discussions with various agency staff, an area of potential concern has emerged that should be considered by the City of Pleasanton as this project moves forward.

Project Alternative: Proposed Athletic Facility

The project DEIR evaluated two alternatives to the Proposed Project: the development of an Ice-Rink/Sports facility, and an Open Space alternative. Both Alternatives would be located within the proposed 17 acre Community Park. In

correspondence with ACSPA and City of Pleasanton staff, I understand that, while not yet officially proposed, there are ongoing discussions regarding the potential Ice Rink/Sports Facility on the Staples Ranch Site. Exact parameters of this project are unknown, but the DEIR evaluated a project consisting of four National Hockey League-size ice rinks and related facilities. These facilities would be utilized by various youth and adult hockey leagues, as well as by the general public. The DEIR states that that facility could hold up to six large events per year, with attendance ranging from 1,400 to 2,200. (The ice center developer has indicated they may reduce seating to 1,400).

As noted in the DEIR, the Community Park falls within Safety Zones 4 and 6, as shown in Figure 3.4-2 – Caltrans Recommended Safety Zones. That figure is based on the Caltrans Airport Land Use Planning Handbook (Handbook), which is the guidance document utilized by ALUCs throughout the state when developing Compatibility Plans.

The DEIR states that the Safety Zone Data that is used to develop the zones is based on national accident data and do not apply specifically to Livermore airport. While the data is nationally derived, it should be noted that the data does apply to the Livermore Airport because it is accident data derived from airports with Livermore's runway characteristics, i.e., same runway lengths. This information has been verified by Caltrans Division of Aeronautics staff.

Figure 3.4-2 corresponds directly with the proposed Safety Zones found in the County's internal (uncirculated) DRAFT Airport Land Use Compatibility Plan for the Livermore Airport. Under the County's DRAFT Plan policies, an athletic facility as described in the DEIR would be an incompatible land use in this location. However the following types of facilities are permissible in the DRAFT ALUC Plan:

- Medium to large indoor assembly room (>300, <1,000 people, approximately 15 s.f./person)
 - Conditionally Compatible Use Zones 6 and 7
- Low capacity indoor assembly room (<300 people, approximately 60 s.f./person)
 - Conditionally Compatible Use Zones 3 and 4
 - Compatible Use (No restrictions) Zones 6 and 7
- Medium outdoor assembly area (>300, <999 people)
 - Conditionally Compatible Use Zones 3, 4 and 6
 - Compatible Use (No restrictions) Zone 7
- Small outdoor assembly area (>50, <300)
 - Conditionally Compatible Use Zones 3, 4 and 6
 - Compatible Use (No restrictions) Zone 7

4-5

4-6

In an effort to avoid potential safety issues or other incompatible land uses, ALUC staff recommends that the City consider the proposed DRAFT Airport Land Use Compatibility Plan Safety Zones, as shown is DEIR Figure 3.4-2 for the Livermore Airport when evaluating any future proposed athletic facilities.

↑
4-6
(cont.)

Again, thank you for the opportunity to review this project. Please do not hesitate to contact me as this project moves forward; I am available to discuss any potential issues or projects as needed. I can be reached at 510-670-6511.

Sincerely,



Cindy Horvath, Sr. Transportation Planner
ALUC Staff

- c: Members, Alameda County Airport Land Use Commission
Albert Lopez, Alameda County Planning Director, ALUC Administrative Officer
Ron Bolyard, Caltrans Division of Aeronautics
Stuart Cook, Alameda County Surplus Property Authority
Chris Bazar, Alameda County Community Development Agency
Buzz Sorensen, Alameda County Community Development Agency

4. Alameda County Airport Land Use Commission (letter dated June 3, 2008)

- 4.1 The commenter states that, as currently proposed, the proposed project would be compatible with Airport Land Use Commission (ALUC) Height Policies. If the proposed retail buildings or auto mall buildings (including rooftop light fixtures) exceed 69 feet; or if the proposed senior continuing care facility exceeds 91 feet, the project would need to be reviewed by the ALUC and Federal Aviation Administration (FAA). The comment is noted and will be used in evaluating future plan submittals by the project developers. It should also be noted that the Draft Stoneridge Drive Specific Plan Amendment for Staples Ranch also limits building heights for the auto mall and retail center to 45 feet and the senior continuing care facility to 50 feet, well below the heights that would require review by the ALUC or FAA.
- 4.2 The commenter notes that potential light and glare from development of the Staples Ranch site should be referred to the ALUC and the FAA for further review. As explained in Impact VQ-3, starting on page 3.1-24, the proposed project has the potential to create significant light and glare effects. Also as discussed in Impact HZ-5, starting on page 3.4-18, because details on lighting fixtures and heights have not been determined, there is the potential for the proposed project to result in a safety hazard for aircraft.
- 4.3 The commenter states that the proposed project would be compatible with ALUC and Airport Protection Area (APA) policies. This comment affirms information contained in the Draft EIR under Impact LU-5, beginning on page 3.6-26.
- 4.4 As discussed on page 3.7-8, the Livermore Municipal Airport's 2004 Draft Airport Master Plan estimated Year 2000 airport operations at 256,000, and forecast Year 2020 operations to total 368,000. However, to provide a more conservative analysis, the noise contour from the 2003 Airport Noise Study completed for the City of Pleasanton was used which assumed Year 2011 airport operations at 420,000. Thus, the 2003 Airport Study contained a more conservative noise analysis than the 2004 Draft Airport Master Plan because it projected a higher number of operations in an earlier timeframe. Impact NO-1 discusses the potential for noise impacts on the proposed project and requires implementation of Mitigation Measures NO-1.1 through NO-1.4. These mitigation measures are based on the noise contours developed for future Year 2011, which were derived from the most conservative future airport operations available. The commenter expresses support for these mitigation measures.
- 4.5 The commenter explains that the Safety Zone Data, while based on national accident data, are still applicable to the Livermore Airport, contrary to the text in the Draft EIR. In response to the comment, the first full paragraph on page 3.4-12 of the Draft EIR is revised to read:

~~These safety zones are not adopted for the Livermore Airport, and are instead based on the general Caltrans guidelines, which utilize historical spatial distribution of aircraft accidents for various categories of runways. Safety compatibility zones for each individual airport must take into account the specific type of aircraft usage, flight procedures, and other operational characteristics particular to each runway type end. As such, these safety zones may be modified to reflect accident data derived from airports with Livermore Airport's runway characteristics, which are verified by the Caltrans Division of Aeronautics. conditions at the Livermore Airport, when incorporated by the ALUC.~~

4.6 The commenter states that an athletic facility, like the ice center, would be incompatible with the Safety Zones in the County's internal (uncirculated) Draft Airport Land Use Compatibility Plan for the Livermore Airport. The Staples Ranch site is located within Caltrans Safety Zone 4 and 6 as shown on Figure 3.4-2 on page 3.4-13 of the Draft EIR. As proposed, the project would be compatible with the land uses allowed within these Caltrans safety zones. However, if the Ice Center Alternative were approved, the ice center would be incompatible with the land uses allowed within these safety zones. As the commenter indicates, only the following land uses would be allowed within the Caltrans safety zones identified in the Draft Airport Land Use Compatibility Plan:

- Medium to Large indoor assembly room (greater than 300 people and less than 1,000 people)
- Low Capacity indoor assembly room (less than 300 people)
- Medium outdoor assembly area (greater than 300 people and less than 999 people)
- Small outdoor assembly area (greater than 50 people and less than 300 people).

Because the ice center would be able to accommodate up to 2,200 spectators, it would be incompatible with the Caltrans safety zones found in the Draft Airport Land Use Compatibility Plan for the Livermore Airport. The projection of the 2,200 spectators was based on previous estimates of spectators for the ice center from potential developers of the ice center. As noted in response to Comment 13.4, if the ice center alternative were chosen, the ice center would be designed for a capacity of 1,475 spectators instead of the previous estimate of 2,200. This revised design would also not be compatible with the Caltrans safety zones. Based on the allowed land uses in Safety Zone 4 and 6, the fourth full paragraph on page 5-29 of the Alternatives section is revised to read:

The Ice Center would be within Caltrans' recommended safety zones (Zones 4 and 6); and would be inconsistent with allowable land uses in these zones as they are currently described in the Draft Airport Land Use Compatibility Plan for Livermore Municipal Airport (uncirculated). Allowable land uses in these safety zones include assembly rooms that can accommodate between 50 and 1,000 people. Because the Ice Center Alternative would include an ice center that

could accommodate more than 1,000 spectators, the alternative would be inconsistent with compatible land uses allowed in these safety zones as currently drafted. Thus, the Ice Center Alternative has the potential to create safety risks at the project site due to its proximity to the Livermore Airport; however, as noted with the proposed project, these safety zones have not been adopted by the Alameda County Land Use Commission (ALUC). ~~and are based on nationwide data for similar sized airport facilities. Safety statistics more specific to the Livermore Airport were evaluated and indicated that safety risks at the site would be less than significant.~~

In the event that the City would consider development of the Ice Center Alternative on the Staples Ranch site, the City would also need to consider the project's potential incompatibility with the Caltrans safety zones, as discussed above.

Also as stated on page 3.4-19 an assessment of the potential for aircraft accidents at the Staples Ranch site was conducted in 1994 by Charles Salter Associates. Data was applied to the Livermore Municipal Airport taking into account the airport's projected volume of operations and proximity to the Staples Ranch site. The report determined that there would be a low potential frequency of aircraft crashes on the site (identified as once every 712 years). Consequently, the report concluded that the risk of death or injury on the ground would be considered less than significant.



RECEIVED

JUN - 4 2008

CITY OF PLEASANTON
PLANNING DEPT.

June 4, 2008

Robin Giffin, Associate Planner
Pleasanton Department of Planning and Community Development
200 Old Bernal Avenue
Pleasanton, CA 94566

Dear Ms. Giffin:

Thank you for the opportunity to review and comment on the Draft Environment Impact Report (EIR) for the Stoneridge Drive Specific Plan Amendment/Staples Ranch Project. The proposed project involves amendments to the 1989 Stoneridge Drive Specific Plan to allow an auto mall, commercial, community park, and continuing care community on 124 acres of the original 293-acre Specific Plan area. Comments on the Draft EIR are as follows.

In September 2007, the City of Livermore, the City of Pleasanton, and the Alameda County Surplus Property Authority (SPA) entered into a Cost Sharing Agreement relating to the substantial infrastructure improvements needed to serve both Livermore's El Charro Specific Plan and the remaining portion of the Pleasanton Stoneridge Specific Plan, which includes the Staples Ranch property owned by the Alameda County SPA.

Also in September 2007, the City of Livermore, the City of Pleasanton, and Vulcan Materials Company entered into the Pre-Development and Cooperation Agreement for the El Charro Specific Plan and Prime Outlets Project, and Staples Ranch Project. This agreement relates to the planned improvements to El Charro Road and the El Charro Interchange.

The Draft EIR should ensure consistency with the terms of the agreements as they relate to improvements for roadways, infrastructure, and flood protection, which serve both the Staples Ranch Project and the El Charro Specific Plan Project, as well as airport operations. We are looking forward to working with you on the implementation of these significant projects.

5-1

Robin Giffin, Associate Planner

June 4, 2008

Page 2 of 2

If you have any questions, please call me at (925) 980-4462.

Sincerely,



Susan Frost
Principal Planner
Planning Division

cc: Marc Roberts, Community Development Director
Eric Brown, Planning Manager
Cheri Sheets, City Engineer
Judith Propp, Senior Assistant City Attorney
Bob Vinn, Assistant City Engineer

5. City of Livermore, Planning Division (letter dated June 4, 2008)

- 5.1 The commenter requests that the Draft EIR should ensure consistency with the terms of the Cost Sharing Agreement and the Pre-Development and Cooperation Agreement, both of which were executed in September 2007. The commenter specifically mentions the importance of the agreements' provisions for roadways, infrastructure, and flood protection that affect both the Staples Ranch Project and the El Charro Specific Plan Project.

As discussed in Section 1, Introduction, and Section 3.9, Transportation, the Pre-development Cooperation Agreement was approved by the Pleasanton City Council in 2007 in association with the City of Livermore, the Alameda County Surplus Property Authority, and Vulcan Materials regarding the design and construction of El Charro Road near the Project Area. In addition, in 2007, the Cost Sharing Agreement between the Alameda County Surplus Property Authority, the City of Pleasanton, and the City of Livermore was approved regarding each jurisdiction's financial contribution toward the El Charro Road improvements. According to the agreements, it is anticipated that the City of Livermore will commence construction of the El Charro Road improvements before the Staples Ranch project (including El Charro Road) is annexed into the City of Pleasanton. If this does not occur and the Staples Ranch project proceeds, then the City of Pleasanton becomes the "Constructing Agency" as that term is used in those agreements, unless the cities of Pleasanton and Livermore agree otherwise in writing. See Impact TR-6, beginning on page 3.9-41, for more information.

Mitigation Measures LU-5.1 and LU-5.2 include deed disclosures and riders required by the agreements. As noted in response to Comment 2.2, additional language about the deed disclosures and riders is being inserted into the EIR for clarification.

The retail center's conceptual site plan includes a gated EVA onto the private portion of El Charro Road, south of the planned Jack London Boulevard intersection. As stipulated in the Pre-Development Cooperation Agreement, this will require review and approval by Vulcan Materials. See Impact TR-7, beginning on page 3.9-42, for more information. In addition, the project would not result in an increase in freight and truck traffic levels as the 2007 Cooperation Agreement stipulates that El Charro Road will be maintained as a quarry truck route following its improvement and annexation into the City.

The 2007 Cost Sharing Agreement also included provisions for the Alameda County Surplus Property Authority and the City of Livermore to implement the "Livermore Flood Protection Improvements" or the "Minimum Livermore Flood Protection Improvements," either of which would remove the entire Staples Ranch site from the 100-year flood zone. Construction of the improvements would be completed by the Authority or the City of Livermore. Mitigation Measures HY-4.1 and HY-4.2 in the Draft EIR on page 3.5-40 require that these improvements be completed prior to the issuance of certificates of occupancy by the City of Pleasanton for the Staples Ranch Project. The applicable

mitigation measures identified in the El Charro Specific Plan for the Livermore Flood Protection Improvements would be implemented as identified in the El Charro Specific Plan EIR. Responsibility for construction and financing of the improvements would be as provided in the Cost Sharing Agreement.



ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

100 NORTH CANYONS PARKWAY, LIVERMORE, CA 94551-9488

PHONE (925) 454-5000

June 4, 2008

Ms. Robin Giffin
City of Pleasanton
200 Old Bernal Avenue
P.O. Box 520
Pleasanton, CA 94566

RECEIVED

JUN 6 2008

CITY OF PLEASANTON
PLANNING DEPT.

Subject: Stoneridge Drive Specific Plan Amendment/Staples Ranch Draft EIR

Dear Ms. Giffin:

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 offer the following comments for your consideration.

- 1. The third paragraph, on page S-1, makes reference to a September 2007 Cooperation Agreement between Livermore, Pleasanton, Alameda County, the ACSPA, and Vulcan Materials regarding improvements to El Charro Road. Zone 7 requests a copy of this cooperative agreement to assess impacts to Zone 7 flood protection and storm water drainage facilities.
2. As a point of clarification, on page S-4 to S-5, page 2-4 (first paragraph) and page 3.6-3 (first paragraph), the 300,000 CY of material (or stockpiled soil mounds) was deposited on the property during construction of adjacent bridge and flood control project, per the direction of the property owner, ACSPA. Please revise text accordingly.
3. The last bullet on the top of page S-12 as well as on page 2-38, states that an encroachment permit for the Stoneridge Drive bridge will be required from Zone 7. Please note that an aerial easement is also required for this bridge, prior to issuance of an encroachment permit.
4. Please revise the first sentence of the last paragraph on page 2-6 and the second sentence of the third paragraph on page 3.6-3 to read as follows: "In 2004, Hanson Aggregates, in coordination with the ACSPA, completed a flood control improvement project for Zone 7 of the Alameda County Flood Control and Water Conservation District, to significantly widen and deepen the Arroyo Mocho channel to buildout conditions consistent with Zone 7's 1960 Flood Control Master Plan."

In addition, please revise the second to the last sentence to read as follows" Material removed as a result of excavation of the new channels was stockpiled on the Staples Ranch property per direction of ACSPA (property owner), in anticipation of future development."

- 5. On page 2-8, there is reference to a 2006 Memorandum of Understanding (MOU) discussing the extension of Stoneridge Drive across the Arroyo Mocho. Zone 7 was not included in any such discussions with regards to potential impacts to Zone 7 flood protection and storm water

6-1

6-2

6-3

6-4

6-5

6-6

drainage facilities such as the Arroyo Mocho. Zone 7 requests a copy of this MOU to review the potential impacts to Arroyo Mocho.

6-6
(cont.)

6. As a point of clarification, on page 2-24, second to the last sentence under Neighborhood Park/Detention Basin, the existing outfall in the Arroyo Mocho was constructed in 2004 as part of the Arroyo Mocho Widening/Arroyo Las Positas Realignment Project.

6-7

In the last paragraph on the same page, it correctly states that a 14-foot vertical clearance is necessary for Zone 7 maintenance vehicles. However, the current layout plans, previously sent to Zone 7, are unclear as to how this clearance will be met on either side of the Arroyo Mocho.

6-8

7. Figure 2-9 fails to show the bridge in relation to existing Zone 7 maintenance roads. Zone 7 requests that the figure include existing and proposed Zone 7 maintenance roads.

6-9

8. On page 2-34, first sentence of second paragraph, please revise the reference of the channel project to "Arroyo Mocho Widening/Arroyo Las Positas Realignment Project."

6-10

Also referenced in this paragraph is the 2007 Cost-Sharing Agreement. Zone 7 is unaware of any agreement that will remove Staples Ranch from the existing flood plain. Zone 7 requests a copy of this cost-share agreement to review. In addition, Zone 7 requests that ACSPA and the City define what the alternative plan will be if the City of Livermore's planned development is delayed or if the City does not succeed in executing the CLOMR with FEMA.

6-11

9. The last sentence in the first paragraph under "Flooding" (page 3.5-6), makes reference to the 2004 channel improvements significantly altering the floodplain up and downstream of El Charro Road per the Schaaf and Wheeler 2006 Technical Memo. As a point of clarification, the improvements of the Arroyo Mocho Widening/Arroyo Las Positas Realignment Project had little to do with altering an existing floodplain, which begins farther upstream the unimproved section of the Arroyo Las Positas. The relocation of the Arroyo Las Positas removed a channel from the Staples Ranch area and was then deemed as highly developable.

6-12

10. On page 3.5-7, 2nd paragraph, while the revised hydraulics may show less flooding in Staples Ranch, this area is still considered a floodplain until otherwise determined by FEMA.

6-13

11. As a point of clarification, in the second sentence on the second full paragraph on page 3.5-7, flows conveyed to Line G-3 flow into the Arroyo Mocho, not Arroyo Las Positas as indicated in this sentence. Please revise this reference accordingly.

6-14

12. On page 3.5-18, fourth paragraph, in general, an encroachment permit is required to gain access to any Zone 7 flood protection and storm water drainage or water supply facilities at any time and for any purpose. The requirement is not limited to reviewing and inspecting proposed work sites. In order to inspect the right-of-way for the proposed work, an encroachment permit would be required to allow access, provided that the purpose for the access is necessary for the project.

6-15

13. On page 3.5-18, last paragraph, the Stream Management Master Plan (SMMP) was not renamed 'StreamWISE.' StreamWISE represents the implementation plan for the 30-year SMMP and will break out projects for inclusion in a 10-year SMMP-based Capital Improvement Plan for Zone 7. Please revise text accordingly. 6-16
14. On page 3.5-22, there is a reference to the July 20, 2006 Staples Ranch Floodplain Analysis Zone 7 requests to review a copy of this analysis as it is unclear what comparison was made with regards to hydrology in Arroyo Las Positas. 6-17
15. The last sentence of the first full paragraph on page 3.5-35 implies that runoff from Staples Ranch would potentially recharge in the Arroyo Mocho. Because the Arroyo Mocho channel bottom, downstream of the fish ladders, is clayey, the permeability is limited. Further, the little recharge capability that the Arroyo Mocho has is already "used" by the perennial flows of the Arroyo Las Positas. Therefore, stream recharge of Staples Ranch runoff and stormwaters in the Arroyo Mocho is unlikely to occur. Moreover, loss of rainfall recharge from infiltration on the Staples Ranch site due to new impervious surface would probably be a greater impact. 6-18
16. The third paragraph, on page 3.5-36, states that the existing site is relatively flat. Furthermore, it states that grading and fill activities are not expected to alter the amount of impervious surfaces. Please note that the site is not relatively flat as there are mounds of soil that have been placed on the site for future grading use. No information has been provided regarding soil infiltration rates if the intent was to imply that there is currently a low infiltration rate. In other words, because the site is currently undeveloped, any development can be assumed to alter the amount of impervious surfaces. 6-19
17. In the fourth paragraph on the page 3.5-36, it states that the construction of the Stoneridge Drive bridge would most likely incorporate the use of piers as opposed to clear-span bridges, the preferred Zone 7 standard. Installation of piers in the Arroyo Mocho would likely alter the drainage feature of the Arroyo Mocho and cause scouring and erosion. The design of the bridge needs to incorporate measures to protect the channel from scour and erosion, as well as a maintenance agreement as to whom will be responsible for the damages. 6-20
18. The last sentence in the first paragraph on page 3.5-37 states that construction of the proposed project would not result in substantial changes in site runoff and drainage contribution to erosion. However, construction of this site will include development of retail, commercial and light industrial facilities, which create impervious areas. Creation of impervious surface would result in additional runoff above the C3 and hydromodification flows and lead to channel erosion. Therefore, this statement should be revised accordingly. 6-21
19. In the third paragraph on page 3.5-37, under Operation Phase, it mentions the possibility of installing pedestrian/bicycle crossing and path in addition to the Staples Ranch development. A pedestrian/bicycle path should be constructed in conjunction with the Stoneridge Drive bridge to minimize impacts to Arroyo Mocho. Furthermore, the potential scour and erosion potentially caused by these crossings should be analyzed together. 6-22
- Moreover, the first sentence under "Off-Site Erosion" states that installation of bridge pilings within the Arroyo Mocho channel could alter channel flow rates, conveyance capacity and 6-23

Ms. Robin Giffin
City of Pleasanton
June 4, 2008
Page 4 of 4

velocities that might affect bed and bank erosion within the Arroyo Mocho and downstream reaches. With that said, Mitigation Measures HY-1.1 and HY-3.1 do not address the impacts associated with installing bridge piers. In contrast, use of clear spans, the preferred Zone 7 alternative, would mitigate these impacts.

6-23
(cont.)

20. At the bottom of page 3.5-37 and into page 3.5-38, it states that the development of the Stoneridge Drive bridge was included in the approved permit for the 2004 flood control channel improvements. This is an inaccurate statement as the bridge was **NOT** included part of the Arroyo Mocho Widening/Arroyo Las Positas Realignment Project. There were no proposed bridge designs presented as part of that project. Permits for the flood control channel improvements project have since expired and therefore, would no longer be valid.

6-24

Moreover, the statement that the Stoneridge Bridge would not substantially alter flows such that there would be an increase in bed or bank erosion is unfounded. There have been no hydraulic studies or scour analysis performed or presented to Zone 7 to support this statement. Zone 7 requires a minimum 2 feet of freeboard from the bridge soffit and 100' upstream. However, in this location, two maintenance roads exist, which would require 14' of vertical clearance to allow maintenance vehicles to pass under any proposed bridge.

6-25

21. On page 3.5-40, Mitigation Measures HY 4.1 and 4.2 proposes to raise the ground surface elevation to remove project from 100-year flood area. No mitigation has been proposed for the downstream flood impacts that raising the ground surface elevation may cause, particularly in the event that a CLOMR is not obtained and the proposed Livermore Flood Protection Improvements are not implemented. Furthermore, it is unclear how the project can proceed in the absence of or prior to implementation of the Livermore Flood Protection Improvements.

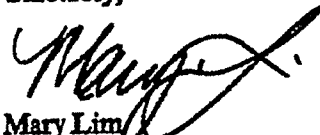
6-26

22. On page 3.5-41, the last paragraph makes reference to the completed environmental review of the Livermore Flood Protection Improvements via the El Charro Specific Plan EIR. Please note that the El Charro Specific Plan EIR is currently being challenged by local property owners.

6-27

We appreciate the opportunity to comment on this document. If you have any questions or comments, please feel free to contact me at your earliest convenience at 925-454-5036 or via e-mail at mlim@zone7water.com.

Sincerely,


Mary Lim
Zone 7 Water Agency

cc: Jill Duerig, Kurt Arends, Jim Horen, Karla Nemeth, Joe Seto, Jeff Tang,
Carol Mahoney, Jaime Rios

6. Zone 7 Water Agency (letter dated June 4, 2008)

6.1 The commenter requests a copy of the Cooperative Agreement to assess impacts to Zone 7 flood protection and storm water drainage facilities. A copy of the September 2007 Cooperative Agreement is available on the Staples Ranch webpage at www.staplesranch.org.

6.2 The commenter requests a clarification regarding the stockpiling of materials during construction of improvements in the Arroyo Mocho. While it is correct that the stockpiled material was placed on the property at the direction of the property owner (ACSPA), it was also in accordance with the improvement plans approved by Zone 7. Therefore, in response to the comment, the following revisions to the Draft EIR are proposed.

The last paragraph starting on page S-4 is revised as follows:

The Staples Ranch site is predominantly flat, but slopes gradually from El Charro Road (elevation 356 feet above mean seal level (msl)) to the north and southwest (elevation 344 msl). The only significant "topography" are four large dirt stockpiles containing a total of about 300,000 cubic yards of material, most of which was deposited on the property during the construction of adjacent flood control projects. These materials were placed on site at the direction of the property owner in accordance with improvement plans that were reviewed and approved by Zone 7.

The first paragraph on page 2-4 is revised as follows:

The Staples Ranch site is predominantly flat, but slopes gradually from El Charro Road (elevation 356 feet above mean seal level (msl)) to the north and southwest (elevation 344 msl). The only significant "topography" are four large dirt stockpiles containing a total of about 300,000 cubic yards of material, most of which was deposited on the property during the construction of adjacent flood control projects. These materials were placed on site at the direction of the property owner in accordance with improvement plans that were reviewed and approved by Zone 7.

6.3 The commenter requests an addition to the list of project approvals. In response to the comment, the following revisions to the Draft EIR are proposed.

The last bullet on page S-12 is revised as follows:

- Alameda County Flood Control and Water Conservation District Zone 7, for an easement and encroachment permit for the Stoneridge Drive bridge and construction in the easement area by I-580.

The last bullet on page 2-38 is revised as follows:

- Alameda County Flood Control and Water Conservation District Zone 7, for an easement and encroachment permit for the Stoneridge Drive bridge and construction in the easement area by I-580.

6.4 The commenter requests text revisions regarding the improvements made to the Arroyo Mocho in 2004. It should be noted that on February 19, 2003 the Zone 7 Board of Directors adopted a Mitigated Negative Declaration (MND) for the Arroyo Mocho Widening/Arroyo Las Positas Realignment Project. The MND states that Zone 7, in conjunction with the Alameda County Community Development Agency (of which the ACSPA is a part), is proposing the project, the purpose of which is provide flood control to protect adjacent public and private property. Because of the complex funding arrangement necessary to complete the flood control project, Hansen Aggregates contracted for the actual construction, but the funds ultimately came from Zone 7, who also reviewed and approved all of the improvement plans prior to construction, which included stockpiling of excess excavated material on the ACSPA's property.

Therefore, in response to the comment, the following revisions to the Draft EIR are proposed.

The last paragraph on page 2-6 is revised as follows:

In 2004, Hanson Aggregates the Alameda County Flood Control District Zone 7 (Zone 7), in coordination with Zone 7 and the ACSPA and consistent with the 1989 Specific Plan, completed a flood control improvement project for Zone 7 of the Alameda County Flood Control District (Zone 7) following certification of a mitigated negative declaration and review and approval of construction plans by Zone 7, to significantly widen and deepen the Arroyo Mocho channel to buildout conditions consistent with Zone 7's 1960 Flood Control Master Plans, current size in order to contain the projected 100-year flood. This project also realigned the Arroyo las Positas, which had formerly traversed the Staples Ranch property, removing it from the property and constructing a new channel in Livermore to meet the Arroyo Mocho at El Charro Road. Material removed as a result of the excavation of the new channels was stockpiled on the Staples Ranch property, at the direction of the ACSPA (property owner), and as specified in the construction documents approved by Zone 7 in anticipation of future development. As part of the realignment project, two new bridges were constructed over the new channels to maintain access to the quarry operations to the south, via El Charro Road.

6.5 The third paragraph on page 3.6-3 is revised as follows:

The Arroyo Mocho borders the Staples Ranch site to the south, within a channel that is approximately 250 feet wide. In 2004, Hanson Aggregates the Alameda

~~County Flood Control District Zone 7 (Zone 7), in coordination with Zone 7 and the ACSPA and consistent with the 1989 Specific Plan, completed a flood control improvement project for Zone 7 of the Alameda County Flood Control District (Zone 7) following certification of a mitigated negative declaration and review and approval of construction plans by Zone 7. This project widened the Arroyo Mocho channel to buildout conditions consistent with Zone 7's 1960 Flood Control Master Plan—its current size in order to contain the projected 100-year flood. This project also realigned the Arroyo las Positas, which had formerly traversed the Staples Ranch property, so that it now converges with the Arroyo Mocho at El Charro Road (at the southeast corner of the Staples Ranch site). Several large soil stockpiles from the flood control work were placed on the Staples Ranch property, at the direction of the ACSPA (property owner) and as specified in the construction documents approved by Zone 7, in anticipation of using the stockpiles as fill material for the property.~~

6.6 The commenter requests a copy of the Memorandum of Understanding referenced on page 2-8 of the Draft EIR. A copy of the Memorandum of Understanding is available on the Staples Ranch webpage at www.staplesranch.org.

6.7 The commenter requests clarifying text regarding the Arroyo Mocho improvements. In response to the comment, the second to last sentence under “Neighborhood Park/Detention Basin” on page 2-24 is revised as follows:

Water from the detention basin would be released into the existing outfall in the Arroyo Mocho located generally west of the proposed two lane bridge that, in anticipation of the Staples Ranch project, was constructed in 2004 as part of the Arroyo Mocho Widening/Arroyo Las Positas Realignment project.

6.8 The commenter notes that the Draft EIR identifies the correct vertical clearance requirements for the Zone 7 maintenance road under the proposed bridge, but notes that previous layout plans that have been sent to Zone 7 are not clear how this clearance will be satisfied. The plans for the proposed bridge are not finalized, and were not available at the time of the Draft EIR. As such, no analysis of the specific design of the bridge was included in the Draft EIR.

It should be noted that a Stoneridge Drive bridge in this location has been part of the City's circulation planning since the adoption of the original 1989 Stoneridge Drive Specific Plan. The Army Corps of Engineers permit that gave the environmental clearances for the construction of the Arroyo improvements in 2003-2004 included the Stoneridge Drive bridge. While the bridge was not included in the actual improvements at that time, the design of the Arroyo Mocho improvements that were reviewed and approved by Zone 7 were specifically designed to accommodate a future Stoneridge Drive bridge crossing, including a north bank maintenance road that “dips” down the channel bank in the bridge location and riparian vegetation plantings that limited trees in the vicinity of the future

bridge. The hydraulic modeling used to design the channel capacity also anticipated future Stoneridge Drive bridge piers located in the center of the channel to ensure that the channel could accommodate flood flows with a future bridge in place without significantly altering channel flow rate, conveyance capacity or velocities in the vicinity of the bridge.

The City is aware of the need to consult with Zone 7 as the bridge designs progress so that issues such as maintenance, access, and scour protection are addressed and that hydraulic modeling using actual bridge designs adequately demonstrates that channel flow rates, capacity and/or velocities are not negatively impacted.

6.9 The commenter requests a revised graphic to illustrate the relationship of the proposed bridge with Zone 7 maintenance roads. The cross-section of the bridge in Figure 2-9 of the Draft EIR is only a conceptual design, and is meant only to convey the planned number of traffic lanes and pedestrian/bicycle paths on the bridge; the final design of the bridge is not available at this time. However, as noted in response to Comment 6.8 above, the City is aware of the need to consult with Zone 7 as the bridge designs progress.

6.10 The commenter requests a modification to the text regarding the Arroyo Mocho improvements. In response to the comment, the first sentence of the second paragraph on page 2-34 is revised as follows:

While the 2004 Arroyo Mocho Widening/Arroyo Las Positas Realignment project created adequate capacity to carry the 100-year flood event in the channel adjacent to Staples Ranch, the arroyos upstream of the Staples Ranch site are currently under capacity and predicted to overtop and send flood waters over El Charro Road and through the northern portion of the Staples Ranch site.

6.11 The commenter requests a copy of the 2007 Cost Sharing Agreement. A copy of the 2007 Cost Sharing Agreement is available on the Staples Ranch webpage at www.staplesranch.org.

The commenter also requests clarification of what the City's alternative plan for flood improvements would be if the El Charro Road Specific Plan project is delayed, or the City of Livermore is unable to execute the Conditional Letter of Map Revision (CLOMR). As noted on page 2-34, if Livermore has not succeeded in executing the CLOMR and removing the Staples Ranch site from the flood zone, the ACSPA may proceed with constructing the planned Livermore flood protection improvements or an alternative plan outside the El Charro Specific Plan Area. The Draft EIR in Impact HY-4 acknowledges that until the improvements are made and approval from the Federal Emergency Management Agency is obtained, flood risk still exists at the project site. Mitigation Measure HY-4.1 on page 3.5-40 of the Draft EIR would require the execution of the CLOMR prior to construction activities. It should also be noted that since the Draft EIR was published, the City of Livermore filed a CLOMR application with FEMA (that was reviewed by Zone 7 and Alameda County, as well as the Cities of Livermore, Pleasanton and Dublin) that would

modify the floodplain area in the vicinity—including the removal of all of Staples Ranch from the 100 year floodplain as a result of implementing the Livermore Flood Protection Improvements. According to Livermore staff, Livermore currently anticipates construction of these improvements to commence in early 2009.

- 6.12 The commenter suggests that improvements to the Arroyo Mocho had little effect on altering the existing floodplain. As noted in the response to Comment 6.4 above, the stated purpose of the Arroyo Mocho improvements completed in 2004 was for flood control. While the Arroyo Mocho Widening/Arroyo Las Positas Realignment Project did not completely remove the Staples Ranch property from the 100 year flood zone due to upstream conditions the Schaaf and Wheeler 2006 Technical Memo and the recent City of Livermore CLOMR application show that the widening and improved conveyance capacity did, in fact, contribute to some flood hazard area reductions on the Staples Ranch site. In response to the comment, the text on page 3.5-6, paragraph 3, last sentence is revised as follows:

The improvements significantly altered the floodplain near El Charro Road both upstream and downstream of El Charro Road.¹⁴

- 6.13 The commenter notes that the area will continue to be designated as a floodplain until FEMA rules otherwise. The City agrees with this statement and recognizes that portions of the Project Area are, indeed, a floodplain. This assessment is reflected in the significant impact finding in Impact HY-4 on page 3.5-39. Mitigation Measures HY-4.1 and HY-4.2 require receipt of Letter of Map Revision (LOMR) based on the Livermore Flood Protection Improvements or the Minimum Livermore Flood Protection Improvements.

- 6.14 The commenter requests correction of a reference to where flows from Line G-3 discharge. In response to this comment, the second full paragraph on page 3.5-7, is revised as follows:

For the newly defined 100-year floodplain conditions, both with and without levee failure, the Arroyo las Positas overtops both its north and south banks east of El Charro Road. The estimated volume and rate of flood flows as they enter the El Charro Specific Plan area (the area east of Staples Ranch in the City of Livermore) is 8,570 cfs. The smaller, northern flows, amounting to 430 cfs, would leave the stream upstream of the fish ladder and flow north across El Charro Road and I-580, before the flows are conveyed to the line G3-1 flood control channel and back into ~~Arroyo las Positas~~ Arroyo Mocho, west of the El Charro Road. The larger, southern flows leave the stream at three locations: above the adjacent golf course and at two locations within the golf course, with flows of 5,380, 1,700, and 1,060 cfs, respectively.

- 6.15 The commenter clarifies conditions related to a Zone 7 encroachment permit. In response to this comment, the first sentence of the fourth paragraph on page 3.5-18 is revised as follows:

In general, an encroachment permit is required for ~~reviewing and inspecting proposed gaining access and work~~ of any nature that has the potential to impact any existing Zone 7 flood control or water supply facilities.

- 6.16 The commenter requests a text change regarding the reference to StreamWISE. In response to this comment, the last paragraph on page 3.5-18 and continuing onto page 3.5-19 is revised as follows:

Stream Management Master Plan. Zone 7, in pursuing its flood control mission, has developed a Stream Management Master Plan (SMMP). StreamWISE is the SMMP 30-year implementation plan and will identify individual projects for inclusion in a 10-year SMMP-based Capital Improvement Plan for Zone 7., ~~which was recently renamed 'StreamWISE'.~~ The SMMP was prepared in collaboration with Valley cities, park districts, businesses, and other stakeholders. The plan is a multi-disciplinary document that emphasizes the interrelationships between flood protection, adequate water supply, healthy habitats for plants and animals, and recreation for the Cities of Livermore, Dublin, and Pleasanton, and the unincorporated Tri-Valley area in keeping with area general plans. Primary goals of the SMMP Stream Management Master Plan are:

- Flood control and drainage
- Erosion and sedimentation
- Water supply
- Water quality
- Habitat and environment
- Recreation, trails, and public education

The Staples Ranch site is located within Reach 8 of the ~~StreamWISE~~ SMMP study area and its development should be consistent with ~~StreamWISE~~ SMMP goals and management plans. Currently, no specific projects are identified for Reach 8.

- 6.17 The commenter requests the 2006 Technical Memo mentioned on page 3.5-22 of the Draft EIR. A copy of the Staples Ranch Floodplain Analysis Technical Memo July 20, 2006 was mailed to the commenter on July 15, 2008.

- 6.18 The commenter questions a statement in the assessment of groundwater recharge in Impact HY-2. While the commenter is correct that stream recharge of Staples Ranch is unlikely to occur due to the "used" recharge capability of the Arroyo Mocho in the project vicinity, the loss by increased impervious surfaces would also not be significant as identified in Impact HY-2. The annual average reference evapotranspiration (evapotranspiration from a

standardized grass surface) for the area is about 46.2 inches per year.² Pavement of the currently vegetated surface would reduce use and uptake of groundwater during the dry season and infiltration of excess precipitation during the rainy season.

The amount of water actually used or evaporated depends upon the type of vegetation growing on the land. Potential groundwater recharge by percolation of precipitation can be estimated as the amount of precipitation that does not runoff and is not used by vegetation. The vegetation water demand is estimated from the landscape evapotranspiration formula by:

$$ETI = KI \times ETo$$

Where KI is the landscape coefficient (about 0.1 for native plant species) and ETo is the reference evapotranspiration for the area.³

Under the worst case situation, precipitation in excess of the reference evapotranspiration plus mean annual runoff would not be available for groundwater recharge.⁴ Using monthly precipitation and evapotranspiration data, development under the proposed Staples Ranch project would result in a net decrease in potential on-site groundwater recharge by about 7.3 inches per year, or about 75.4 afy during a normal year. The overall reduction in groundwater recharge by increased impervious surfaces at the project site, with no mitigating factors, would be less than 0.4 percent of the total Main Basin annual recharge. This does not account for any potential recharge from the detention basins or other facilities implemented as part of the Specific Plan.

The conservative loss of 75.4 afy also does not include additional planned recharge capabilities associated with incorporation of more recharge via the Chain of Lakes system. Consequently, potential recharge losses would remain less than significant.

- 6.19 The commenter states that the site is not flat as depicted in the Draft EIR on page 3.5-36. As noted in the Methodology for Analysis Section Footnote 42, soils within the project site are primarily Hydrologic Group D, which means that infiltration is limited and runoff rates are high. Furthermore, this section only deals with construction activities and grading and fill activities, not the potential operational effects, where the amount of impervious surfaces would increase. There are several mounds on the site but the majority of the project site is

² Department of Water Resources Office of water Use Efficiency. California Irrigation Management Information System Station 191, Pleasanton, California Monthly Average ETo.

www.cimis.water.ca.gov/cimis/frontmonthlyEToReport.do accessed July 11, 2007

³ University of California Cooperative Extension and California Department of Water Resources. A Guide to Estimating Irrigation Water Needs of Landscape Plantings in California, The Landscape Coefficient Method and WUCOLS III. August 2002 <http://www.cimis.water.ca.gov/cimis/infoEtoCropCo.jsp>

⁴ Potential Recharge = Precipitation - ETI - Runoff; where ETI is calculated for the fraction of pervious area. For existing conditions, the entire area is considered pervious. For developed conditions, 20 percent of the area is considered pervious. Runoff is calculated using the Simple Method discussed in the Methodology for Analysis.

relatively flat. This section does not deal with post-construction issues. Post-construction issues are dealt with under the "Operation Phase" subheading for this impact.

6.20 Please refer to response to Comment 6.8 above regarding the design of the Stoneridge Drive bridge.

6.21 The commenter questions the conclusion in the last sentence in the first paragraph on page 3.5-37 of the Draft EIR that states that construction at the project site would not result in substantial changes in site runoff and drainage, because it would result in development, with creation of impervious surfaces, resulting in additional runoff above the C3 and hydromodification flows, leading to channel erosion. The referenced paragraph is describing "Construction Phase" impacts, not impacts resulting from post-construction completion of the project. These potential post-construction impacts are addressed in the next section of the Draft EIR, on page 3.5-38, where it is noted that flows up to and including the 10-year storm event are considered to be the most important for maintaining channel stability and site stormwater runoff from storms of greater magnitude do not contribute as much. Because the Project includes a stormwater detention basin that will maintain existing site runoff rates for the more damaging 10-year and below storm events, potential impacts to off-site channel bed and bank erosion would be less than significant, provided that the basin is maintained.

6.22 The commenter recommends that the proposed pedestrian/bicycle path across the Arroyo Mocho be constructed at the same time as the Stoneridge Drive bridge. As noted in Impact HY-3, if a pedestrian/bicycle crossing and path is implemented in addition to the Staples Ranch development, it would be subject to the same regulatory requirements as development of the Stoneridge Drive bridge and would have to undergo an environmental review process to address potential impacts, depending upon the design and construction. If a clear-span pedestrian bridge is constructed, potential effects on erosion and sedimentation would be limited to potential construction impacts as discussed above. If footings or other structures are placed within the Arroyo Mocho channel or floodplain, the pedestrian/bicycle crossing would have to obtain a Zone 7 encroachment permit, CDFG streambed alteration agreement, and include a detailed hydrology and hydraulics analysis to determine potential effects on Arroyo Mocho flow. Additionally, a Corps Nationwide 404 permit may be necessary for any fill or dewatering activities that might be required.

6.23 The commenter states that the proposed Mitigation Measure HY-1.1 and Mitigation Measure HY-3.1 would not address impacts of installing bridge piers. Because the new Stoneridge Drive Bridge would require a Zone 7 encroachment permit, under their review of the structure and functions, a clear span bridge could be required, which would avoid impacts of installing bridge piers, as noted by the commenter. However, the existing bridge design was already approved with the Arroyo Mocho flood control improvement permits; therefore, significant impacts are not expected. Please refer to response to Comment 6.8 above for more details regarding the bridge.

- 6.24 Please refer to response to Comment 6.8 above regarding the design and permitting of the Stoneridge Drive bridge.
- 6.25 Please refer to response to Comment 6.8 above regarding the design and potential impacts of the bridge.
- 6.26 Please refer to response to Comment 6.11 above regarding development of the site if a CLOMR is not obtained and the Livermore Flood Protection Improvements are not implemented.
- 6.27 In June 2007, both challenges to the City of Livermore's El Charro Specific Plan EIR were denied in Alameda County Superior Court, and, according to Livermore staff, Livermore is currently anticipating commencement of construction of the Livermore Flood Protection Improvements in Spring 2009. Regardless, the Livermore Flood Protection Improvements (or the Minimum Livermore Flood Protection Improvements) would have to be implemented before Certificates of Occupancy can be issued for development at the project site.

State of California—Business, Transportation and Housing Agency **ARNOLD SCHWARZENEGGER, Governor**

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

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May 19, 2008

File No.: 390.11767

Ms. Robin Giffin, Planning Department
City of Pleasanton
Post Office Box 520
Pleasanton, CA 94566

Dear Ms. Giffin:

The Dublin Area office of the California Highway Patrol (CHP) received the "Notice of Completion" of the Environmental document prepared for the proposed Staples Ranch Project; State Clearinghouse number 2008062053. After reviewing this document, we have a concern with this project.

Our concern relates to the impact this proposed project will no doubt have on traffic patterns, congestion, and public safety in the region. The new construction of a 46 acre continuing care community, 37 acre auto mall retail development, 11 acres of commercial retail space and 22 acres of community parks will increase traffic volume on local roadways, which ultimately connect to Interstate 580. The increased traffic may ultimately cause delays in emergency response times and stretch existing emergency resources. The proposed project would necessitate additional resources and officers to provide adequate traffic enforcement, emergency incident management, public service, assistance and accident investigation on the surrounding unincorporated roadways and Interstate freeways.

7-1

Lieutenant S. Latimer will be our Department's contact person for the project. If you have any questions or concerns, she may be reached at the above address or telephone number. Thank you for allowing us the opportunity to comment on this project.

Sincerely,

**M. M. MUELLER, Captain
Commander
Dublin Area**

RECEIVED

MAY 23 2008

CITY OF PLEASANTON
PLANNING DEPT.

CC: California Highway Patrol – Special Projects Section and Golden Gate Division
State Clearinghouse

7. California Department of Highway Patrol (letter dated May 19, 2008)

7.1 The commenter notes that the proposed project would result in an increase in traffic volumes on local roadways and I-580. The commenter also indicates that this increase in traffic volumes would cause delays in emergency response times and stretch existing emergency resources. The proposed project is located along I-580, and it is inevitable that some of the project-related trips will use the freeway. Table 3.9-8 on page 3.9-21 shows that under existing conditions with the approved projects, all of the freeway segments and most of the arterials that were studied operate at undesirable levels of congestion during one or both peak periods. Thus, regardless of whether the project were proposed, there would be volumes on the local roadways and I-580 that result in substantial delays. However, under both scenarios (without the proposed project and with the proposed project), vehicles are required by law to move out of the way when an emergency response vehicle uses its sirens. As such, the proposed project would not impede the flow of emergency vehicles on surrounding roadways.

Notably, the significance thresholds that are used to identify project-related impacts address, among other things:

- an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections);
- substantially increased hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); and
- inadequate emergency access;

According to Impact TR-3, the proposed project would not exceed the standards established by the county congestion management agency for designated roads or highways. Impact TR-6 explains why the proposed project would not result in increased hazards stemming from the design of the project or the proposed uses. Impact TR-7 notes that there could be a significant impact related to emergency access to the project site, but the recommended mitigation to that impact would reduce the impact to less than significant. Accordingly, the proposed project would not result in impacts that are regarded as being within the purview of CEQA.

In response to the commenter's concern regarding a need for additional resources and officers, CEQA does not regard demand for personnel a physical environmental impact. A significant public services impact would occur under CEQA if the proposed project would have a direct significant impact to the environment, such as through the construction of additional facilities, the construction of which would cause an impact to the environment. As such, the addition of staff would not be considered a significant impact under CEQA.



CITY OF DUBLIN

100 Civic Plaza, Dublin, California 94568

Website: <http://www.ci.dublin.ca.us>

June 4, 2008

Robin Giffin
City of Pleasanton
P.O. Box 520
Pleasanton, CA 94566

Subject: Stoneridge Drive Specific Plan Amendment/Staples Ranch Draft Environmental Impact Report

Dear Ms. Giffin:

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Stoneridge Drive Specific Plan Amendment/Staples Ranch project. The Staples Ranch project area contains approximately 124 acres of undeveloped land within the larger 293-acre Specific Plan area and is bounded by Interstate 580 (I-580) and the City of Dublin to the north, Arroyo Mocho to the south, the eastern edge of Pleasanton to the west, and the City of Livermore and El Charro Road to the east. The proposed project would include amendments to the Specific Plan to revise planned land use designations, development intensities, and circulation patterns to allow development of an auto mall, senior continuing care facility, public park, and related infrastructure improvements.

The City of Dublin respectfully submits the following comments:

1. The Stoneridge Drive extension was envisioned as a major parallel facility to the freeway located south of I-580 similar to the Dublin Boulevard extension north of I-580. In fact, the existing portions of these roadways are identified as Routes of Regional Significance in the Tri-Valley Transportation Plan/Action Plan, and the future extensions of these roadways are identified as Potential Future Routes. Both roads were anticipated to serve a relief function for I-580. The I-580 corridor serves as one of the primary access points to the Bay Area. In the event of a disaster and the closure of the freeway, an alternate parallel route is desirable for safe and efficient movement of vehicles, especially emergency vehicles. Confirm policies set forth by Caltrans and the Federal Highway Administration with regards to Defense Highways, such as I-580. The Stoneridge Drive extension has been assumed in the City of Pleasanton General Plan and consequently assumed in Tri-Valley transportation planning for more than a decade. It has been expected to provide an alternative to I-580 for local trips traveling within the Tri-Valley and to provide better connectivity between Livermore and Pleasanton. Removing this arterial roadway may cause a significant shift in expected traffic patterns along the I-580 corridor. The proposed Specific Plan amendment is a concern to the City of Dublin regarding how the relief function south of I-580 can be provided without construction of the Stoneridge Drive extension. [Furthermore, the City is concerned that without a parallel corridor to the south, Dublin Boulevard will carry a disproportionate amount of regional traffic and Pleasanton-related traffic that will deteriorate arterial operations and degrade local access.] The City of Dublin has approved development north of I-580 and has identified roadway improvements that anticipate the extension of both Dublin Boulevard to North Canyons Parkway and Stoneridge Drive to El Charro Road by 2015.

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Futhermore, the Draft EIR analysis reportedly uses traffic forecasts from the Fallon Village Traffic Study. The Fallon Village Traffic Study assumes the extensions of Dublin Boulevard and Stoneridge Drive under 2015 conditions. Thus, the information from which the Stoneridge SP Draft EIR analysis was based for Dublin intersections is inconsistent with the assumption of the proposed project that Stoneridge Drive will not be extended.

If the Stoneridge Drive extension will not occur with the project and will not occur by 2015, then the EIR should also assume that the Dublin Boulevard extension to North Canyons Parkway will not be complete by 2015. Project impacts should be re-evaluated for 2015 conditions without the Dublin Boulevard extension.

2. As long as the Stoneridge Drive extension is not constructed, access to the portion of the project that will generate nearly 90% of the traffic (the auto dealers and retail component) is limited to Auto Mall Place via El Charro Road. The remainder of the project (the community park and senior community) is limited to access via Stoneridge Drive. The plan to not extend Stoneridge Drive for general vehicular use through the project area will place a burden on non-Pleasanton roadways. Namely, I-580, which operates at LOS F without the addition of project traffic, will be required to carry local traffic because of the lack of connectivity within the City of Pleasanton between this site and Pleasanton residences. The added congestion to I-580 could also result in spillover onto Dublin streets. Similarly, City of Livermore roadways will be required to carry the burden of local Pleasanton traffic to accommodate this project. As stated in the above comment, not completing this portion of the roadway will directly result in additional traffic within Dublin, requiring additional travel lanes to mitigate the impact.
3. The City of Dublin previously requested at the time of the NOP that several intersections within Dublin be included in the analysis. Some of the intersections have been included. The following intersections were not included in the analysis, as requested:
 - Dublin Boulevard / San Ramon Road
 - Dublin Boulevard / Tassajara Road
 - Central Parkway / Fallon Road
 - Hacienda Drive/Martinelli Way-Hacienda Crossings

Please add these intersections to the EIR or provide an explanation as to why it would not be necessary to analyze these locations.

4. Table 3.9-1 of the Draft EIR lists the study intersections. The Fallon Road at I-580 WB Ramps intersection (#55) should not be identified as an intersection within Dublin. This location is outside the Dublin city limit and within Caltrans right-of-way; also, the planned future signal at this intersection will be maintained and operated by Caltrans.
5. Some locations within the City of Dublin are called "Dublin Intersections," while some are called "Pleasanton Model Intersections" and contain a footnote stating that they are "intersections located within Dublin, but adjacent to Pleasanton." The level of service method was not applied consistently to intersections located within the City of Dublin. Three intersections were identified as "Dublin Intersections" (D1-D3) and were analyzed using the Contra Costa Transportation Authority Level of Service (CCTALOS) method. An additional three intersections were identified as "Pleasanton Model Intersections" with a footnote indicating that they are "located within Dublin, but adjacent to Pleasanton" (#56, 60 and 63) and were analyzed using the *Highway Capacity Manual 2000* delay-based method. At the time of the NOP, the CCTALOS method was the City of Dublin's preferred

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method for level of service calculations and all locations within Dublin should be analyzed accordingly.

6. On page 3.9-11 of the Draft EIR, the text should be corrected to state that the *Highway Capacity Manual 2000* procedure for calculating level of service is based on "control" delay rather than "stopped" delay. The "stopped-delay" method has been superseded by the "control" delay method.
7. On page 3.9-12 of the Draft EIR, the source for Table 3.9-4 (Level of Service Criteria for Volume to Capacity Ratios) should be corrected to reference the *CCTA Technical Procedure Manual* rather than the *Highway Capacity Manual 2000*.
8. On page 3.9-12, the text should be corrected to say that a CMA land use analysis is required if the project will generate more than 100 PM peak hour trips rather than if "the project is estimated to add project trips to any segment equal to or greater than one percent of the capacity of the segment," per the CMA's Congestion Management Program (CMP).
9. According to the CMA's CMP, the CMA land use analysis shall be conducted for Metropolitan Transportation System (MTS) roadways potentially affected by the proposed project. The segments of Dougherty Road between Dublin Boulevard and I-580 and Tassajara Road north of Dublin Boulevard are part of the MTS network and are included in the Draft EIR analysis. The segment of Dublin Boulevard east of Tassajara Road is included in the Draft EIR analysis but is not part of the MTS network. Instead, Dublin Boulevard west of Dougherty Road should be included (see Figure 5 of the CMA's CMP). The CMA analyses included throughout the document should be corrected.
10. The peak hour turning movement counts for the intersection of Dublin Boulevard/Dougherty Road were taken from the *Fallon Village Traffic Study* (TJKM Transportation Consultants, August 2005) and were conducted in June 2004. When the updated NOP was distributed in March 2007, about three years after the counts were taken, traffic conditions had noticeably changed from June 2004 conditions. Specifically, through-movements, particularly in the northbound and southbound directions, have increased due to on-going development to the north in San Ramon. In fact, an analysis recently conducted based on traffic counts collected in May 2007 shows peak hour levels of service at LOS B and LOS E during the AM and PM peak hours, respectively. These results show a deterioration of operations compared to the June 2004 results of LOS A and LOS D during the AM and PM peak hours, respectively. The EIR analysis should reflect traffic operations at the time of the NOP, so the results should be updated accordingly.
11. Page 3.9-16 of the Draft EIR (last sentence) states that for 2015 conditions within the City of Dublin, the regional transportation model was used to determine land use changes and vehicle growth. The separate traffic report (*Stoneridge Drive Specific Plan Amendment - Staples Ranch Technical Memorandum for Traffic and Circulation Supporting the Findings and Recommendations*, Dowling & Associates, December 2007, revised March 2008), herein referred to as the Staples Ranch traffic report, was obtained from the City of Pleasanton. The traffic report states that the projections were taken from the Fallon Village Traffic Study (TJKM Transportation Consultants, August 2005). If taken from the Fallon Village Traffic Study, then the projections would have come from the City of Dublin's travel forecasting model, not a regional model. If a regional model was used, such as the CMA's Countywide model, then the land use assumptions contained within the model do not reflect Dublin's General Plan buildout condition. Similar to the City of Livermore, the City of Dublin maintains its own forecasting model that contains land use data consistent with our General Plan. According to the Draft EIR, the City of Livermore's model was used to assign traffic to Livermore intersections. A similar process should have been applied to City of Dublin intersections. Please

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(cont.)

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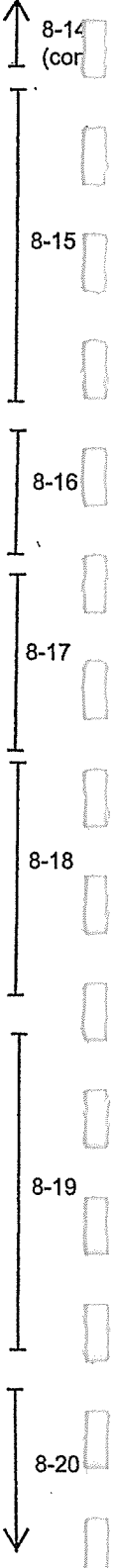
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clarify which model was used and correct the EIR reference or update the analysis to reflect the City of Dublin's General Plan Buildout.

12. The Draft EIR in combination with the Staples Ranch traffic report does not provide a complete record of the traffic assumptions and analyses. The LOS calculation sheets are not provided, nor are intersection lane configuration diagrams. It is unclear what lane configuration was assumed for the Dublin Boulevard/Fallon Road intersection in 2015. A component of the recommended project mitigation (TR-2.1) is to add a second eastbound right-turn lane. Upon completion of Phase I of the Fallon Road/I-580 interchange improvement project and the opening of the Dublin Boulevard/Fallon Road intersection, slated for 2009/2010, the eastbound approach will contain two right-turn lanes. The mitigation measure also recommends a third northbound left-turn lane and a second northbound through lane. Necessary information needs to be provided so that a thorough review of the assumptions and the appropriateness of the mitigation measures can be conducted.
13. Similarly for the cumulative (2030) analysis, it not clear what lane configuration was assumed at the Dublin Boulevard/Fallon Road intersection. Necessary information needs to be provided so that a thorough review of the assumptions and the appropriateness of the mitigation measure TR-8C can be conducted.
14. The appropriateness of the assumptions associated with the analysis of the Tassajara Road/Central Parkway intersection could not be reviewed because the necessary information was not provided in either the Draft EIR or the Staples Ranch traffic report. Volume forecasts, intersection lane configurations and level of service calculation worksheets should be included as part of the public record for the 2015 and 2030 scenarios.
15. Table 3.9-8 of the Draft EIR [CMP Freeway and Arterial Analysis – Existing plus Approved (Year 2015)] indicates that Dougherty Road between I-580 and Dublin Boulevard will operate at LOS F during both the AM and PM peak hours. How many lanes were assumed for the northbound and southbound segments? The analysis should have assumed three through lanes plus an auxiliary lane (to WB on-ramp) in the southbound direction and three lanes in the northbound direction. Additional turn lanes are provided at the intersection in the northbound direction. Because the assumptions are not provided, the appropriateness of the assumptions and analysis results cannot be assessed.
16. Table 3.9-9 of the Draft EIR (Trip Generation Rates for the Proposed Stoneridge Specific Plan Amendment) provides trip generation rates assumed for each component of the project. The rates were taken from the Institute of Transportation Engineers (ITE) *Trip Generation* manual (7th Edition) and reflect average trip generation rates. The associated *Trip Generation Handbook* provides guidelines of when to use the average trip generation rate and when to use the regression equation to determine the trip generation rate. Based on these guidelines, it appears that it would be appropriate to use the regression equation for the PM peak hour retail component. By doing so, the peak hour trip generation would be 906 trips instead of the 656 trips assumed for the analysis. The EIR analysis should assess project impacts using the regression equation, which yields higher trip generation, or else explain why it would not be appropriate to use the regression equation.
17. Table 3.9-12 (Intersection LOS Results – Existing Plus Approved No Project and With Project) compares the LOS results with and without the project at key study intersections. The results for the El Charro / I-580 EB Off-Ramp (#51) intersection appear counter-intuitive. Without the project, the intersection operates with nearly the same amount of average delay (16 seconds and 9 seconds during the AM and PM peak hours, respectively). The project generates more inbound traffic during



the PM peak hour compared to the AM peak hour. It is unclear why operations deteriorate to LOS F during the AM peak but only to LOS C during the PM peak hour. Please explain.

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(con't.)

18. Mitigation Measure TR-1.5 (page 3.9-36 of the Draft EIR) includes re-striping the eastbound I-580 off-ramp at El Charro Road from two left-turn lanes and a right-turn lane to a left-turn lane, a shared left-turn/right-turn lane, and a right-turn lane. This modification will add capacity for the right-turn movement without widening the off-ramp. As stated in the Draft EIR, City of Livermore is required to widen the off-ramp to mitigate impacts from the El Charro Specific Plan project. The necessary improvement includes widening the off-ramp to accommodate a second exclusive right-turn lane. According to the Cost Sharing Agreement dated September 4, 2007, between City of Livermore, City of Pleasanton, and the Surplus Property Authority of Alameda County, if the City of Livermore does not complete the improvements prior to occupancy of the Stoneridge Specific Plan project, then City of Pleasanton is obligated to complete the improvements. Please clarify whether the City of Pleasanton will widen the off-ramp to accommodate four lanes or re-stripe the three lanes to accommodate a shared left-turn/right-turn lane. If Pleasanton will only complete the re-striping, the EIR should explain why the necessary mitigation for Stoneridge SP is less than the mitigation for El Charro SP. If the analysis for the Stoneridge SP assumes project traffic is added to existing and El Charro SP traffic, then the results should demonstrate higher traffic levels and the same if not more mitigation improvements.

8-21

19. Mitigation Measure TR-2.1 indicates that impacts to the intersection at Fallon Road and Dublin Boulevard could be mitigated if the City of Dublin elects to complete certain improvements at the intersection. It then refers to Mitigation Measure TR-2.3, which requires the City to confer with the City of Dublin, among others, to fund and complete mitigation measures within each others' jurisdictions, as being a potential mechanism for cost sharing among multiple jurisdictions to address a project's impact. It is unclear to what extent TR-2.1 would require mitigation if an agreement under TR-2.3 is not reached. Mitigation Measure TR-2.3 indicates that the City of Pleasanton is willing to "ensure that projects it approves contribute fair share mitigation cost for improvements in other jurisdictions but only if the other jurisdictions are also willing to reciprocate for projects within their jurisdictions that contribute considerably to traffic occurring within the City of Pleasanton." The City of Dublin respectfully disagrees with the City of Pleasanton's interpretation of its obligations under CEQA. Pleasanton's obligation to mitigate the impacts of the projects it approves is not dependent upon whether the jurisdictions responsible for constructing the improvements would "reciprocate" in similar circumstances. Reciprocity is not a component of the analysis of whether a mitigation measure is feasible. The California Supreme Court recently confirmed this point in *City of Marina v. Board of Trustees of the California State University* (2006) 39 Cal.4th 341 that "CEQA does not . . . limit a public agency's obligation to mitigate or avoid significant impacts to effects occurring on the agency's own property" and that "to pay a third party to perform the necessary acts" to complete necessary improvements "may well represent a feasible alternative." Thus, Dublin expects Pleasanton to condition the projects that it approves to pay those projects' fair share of the cost of the improvements necessitated by those projects, notwithstanding the fact that the cities had not entered into a binding agreement to ensure that Dublin would reciprocate under similar circumstances.

8-22

8-23

20. Mitigation measure TR-10C recommends a fourth eastbound through lane at the Dublin Boulevard/Dougherty Road intersection to mitigate 2030 project impacts. At this time, the City of Dublin considers this improvement infeasible. The impact remains significant and unavoidable.

8-24

21. The Draft EIR analysis assumes that Stoneridge Drive would be extended to El Charro Road by 2030. Additional information was provided in the Staples Ranch traffic report that was not included

8-25

Robin Giffin
June 4, 2008
Page 6 of 6

in the Draft EIR. Specifically, project impacts under cumulative (2030) conditions without the Stoneridge Drive extension were assessed. The results indicate that by not extending Stoneridge Drive, traffic operations along Dublin Boulevard would be worse. For example, the recommended mitigation measure at Dublin Boulevard/Fallon Road with the Stoneridge Drive extension is the addition of an eastbound free right-turn lane. Without the Stoneridge Drive extension, the recommended mitigation measure is two free right-turn lanes. Not completing the Stoneridge Drive extension to El Charro Road will have a negative impact not only on Dublin streets but also on Caltrans and City of Livermore facilities.

↑
8-25
(cont)

Please feel free to contact me if you have any questions or need further information regarding the above comments. I can be reached through the Dublin Community Development Department at 925-833-6610.

Sincerely,



Jeri Ram
Community Development Director

cc: City of Dublin City Council
Richard Ambrose, City Manager
Mary Jo Wilson, Planning Manager
Melissa Morton, Public Works Director

8. City of Dublin (letter dated June 4, 2008)

- 8.1 The commenter states that the Stoneridge Drive extension and the Dublin Boulevard extension were anticipated to serve as a “relief function” to the congestion on I-580. Because the proposed project does not include the Stoneridge Drive extension as part of the initial phase of the project, the commenter asks how the relief function south of I-580 can be provided. Although the Stoneridge Drive extension is not part of the proposed project, it is included in the City of Pleasanton’s General Plan and presumably will be built, thereby providing the “relief function” that the commenter believes the extension is intended to serve.
- 8.2 The commenter states that by not constructing the extension of Stoneridge Drive with the proposed project there may be a significant shift in traffic pattern along the I-580 corridor. Because the extension of Stoneridge Drive is not part of the proposed project, the Draft EIR assumes the extension would not be completed with the first phase of the project. However the Traffic Report, referenced at page 3.9-1 of the Draft EIR, did model and analyze all scenarios with the Stoneridge Drive extension in the roadway network for both Pleasanton and Dublin intersections. As such, any potential shifts in traffic patterns with or without the Stoneridge Drive Extension were analyzed and documented in the Traffic Report (see Tables 33 and 39 of the Traffic Report). Also see the response to Comment 3.2.
- 8.3 The commenter notes that the Fallon Village Traffic Study assumed Dublin Boulevard and Stoneridge Drive were both extended. Because the proposed project does not include the Stoneridge Drive extension, the commenter questions whether the traffic forecasts for Dublin intersections are valid. The Draft EIR and the Traffic Report used the Fallon Village Traffic Study (TJKM Transportation Consultants, August 2005) as a basis to determine Interim Year 2015 Conditions with Fallon Village constructed. This scenario assumes the extension of Dublin Boulevard as well as Stoneridge Drive. However, to understand the impacts of the proposed project under 2015 conditions without the Stoneridge Drive Extension, the Traffic Report used the City of Pleasanton travel demand model to estimate the changes in traffic patterns in Dublin without the Stoneridge Drive Extension.
- 8.4 The commenter requests that the project’s traffic impacts should be reevaluated on an assumption that Dublin Boulevard will not be extended to North Canyon Parkway by 2015, based on the assumption that the Stoneridge Drive extension will likewise not be extended by that year. CEQA does not require an analysis that is speculative. Roadway improvements identified in the project were established based on the City of Dublin’s General Plan that indicates that Dublin Boulevard will be extended to North Canyon Parkway in the near term. Additionally, the Fallon Village Traffic Study assumed Dublin Boulevard to be extended in the near term, making the extension of Dublin Boulevard in the near term a reasonable assumption. Moreover, since the Pleasanton General Plan shows the

Stoneridge Drive extension, it is speculative to assume that such extension would not occur by 2015.

8.5 The comment repeats concerns regarding that the proposed project does not include the extension of Stoneridge Drive and its impact on non-Pleasanton roadways. Without the Stoneridge Drive extension, access to and from the Auto Mall, the retail center, and portions of the community park site would be via El Charro Road (see Figure 3.9-6 of the Draft EIR). In accordance with the Alameda County Congestion Management Agency methodology with its specified growth and highway/transit network improvement assumptions, the Stoneridge Drive extension and the connection of El Charro Road through to Stanley Boulevard are both excluded from the ACCMA 2015 analysis. The ACCMA model assumptions were unchanged for this analysis to provide all ACCMA member agencies a consistent basis for evaluating the relative impacts of their land use decisions and those of other jurisdictions on the regional CMP network. As such, I-580 under all scenarios under 2015 conditions (no project, with project, project plus ice center and the 1989 Specific Plan) were evaluated without the Stoneridge Drive Extension. The resulting LOS and v/c ratios show that with or without the project, the service levels along I-580 do not change significantly under 2015 conditions and the project does not cause a road segment to go from non-violation to violation of the ACCMA standards (see the Traffic Report, Table 41: CMP Project Impact Analysis – near Term 2015 – AM Peak Hour). Note that under 2030 conditions which were analyzed with the extension of Stoneridge Drive and West Jack London Boulevard, the proposed project would also not cause a road segment to go from non-violation to violation of the ACCMA standards nor does it increase the v/c ratio by over 3.0 percent for a road segment that, without the proposed project, already violates the ACCMA standards. Since the proposed project was analyzed with and without the Stoneridge Drive Extension under 2015 and 2030 conditions, any impacts within Dublin or Livermore generated by the proposed project was analyzed, mitigated and documented in the Draft EIR. (see Impact TR-3 on page 3.9-38 and page 4-30) Therefore no additional mitigations are required. Also see response to Comment 3.2.

8.6 The commenter states that its NOP letter requested a number of intersections within Dublin be included in the Draft EIR traffic analysis but that four intersections were not, Dublin Boulevard at San Ramon Road, Dublin Boulevard at Tassajara Road, Central Parkway at Fallon Road, and Hacienda Drive at Martinelli Way/ Hacienda Crossings. The commenter requests these intersections be added or an explanation why not. The intersections were not added for the following reasons. As stated in the Traffic Report, Section 2.1 Analysis Method for Pleasanton Model Area Intersections, page 21, the study intersections selected for analysis included those within the City of Pleasanton Model Area as well as a limited number of critical intersections outside of the City of Pleasanton's jurisdiction located in the County, City of Dublin, and City of Livermore. The analysis of these intersections is automated, and therefore they are included as a study intersection even if they are located a considerable distance from a specific project.

For those intersections not included in the City of Pleasanton model, the analysis process is *not* automated. Therefore, only those intersections likely to be significantly impacted by a project are included in the analysis. In the case of the proposed project, staff at Dublin and Livermore were consulted to identify a list of key intersections within their jurisdictions thought to be possibly significantly impacted by the proposed project. Additional intersections suggested by Dublin and Livermore were evaluated as well as the intersections included in the Pleasanton model.

- Dublin Boulevard / San Ramon Road - The intersection of Dublin Boulevard and San Ramon Road was initially reviewed as requested in the NOP. Dublin Boulevard at San Ramon Road, however, was excluded from the analysis due to insufficient traffic volume (see note 6 on page 25 of the Traffic Report).
- Dublin Boulevard / Tassajara Road – This intersection was analyzed (Intersection # 59) and included in the traffic analysis and documented in the Draft EIR (see Figure 3.9-2 and Table 3.9-1 on pages 3.9-5 and 3.9-6 for study intersections).
- Central Parkway/ Fallon Road - This intersection was analyzed (Intersection # 57) and included in the traffic analysis and documented in the Draft EIR (see Figure 3.9-2 and Table 3.9-1 on pages 3.9-5 and 3.9-6 for study intersections).
- Hacienda Drive/ Martinelli Way- Hacienda Crossings - The intersection of Hacienda Drive/Martinelli Way-Hacienda Crossings was initially reviewed as requested in the NOP. It was excluded from the analysis, after discussion with Dublin staff, due to insufficient traffic volume and that it was not likely that the proposed project would significantly impact this intersection.

8.7 The commenter notes the intersection at Fallon Road and I-580 Westbound Ramps (#55) in Table 3.9-1 of the Draft should not be included as an intersection in the City of Dublin and that the future signal at the intersection will be maintained by Caltrans. Table 3.9-1 is modified to indicate this intersection is not in Dublin, and the correction is presented in Section 4 of this Responses to Comments document.

8.8 Commenter requests that all Dublin intersections be analyzed using v/c ratio instead of delay. As described in the Traffic Report, Section 2 Impact Analysis Methodology, page 17, for those intersections not in the City of Pleasanton traffic model but considered key study intersections within the City of Dublin, the LOS of these intersections was analyzed using the City of Dublin's LOS method (the Contra Costa Transportation Authority LOS method). For those intersections in the City of Pleasanton traffic model (immediately adjacent to the City of Pleasanton but within the City of Dublin), the Highway Capacity Manual method was used to compute LOS. This method was outlined in the EIR to identify significant impacts and mitigations.

The City of Dublin was contacted regarding this comment. The City of Dublin submitted a letter stating that Dublin's method of intersection analysis has changed to the Highway Capacity Manual methodology and the data provided in the Draft EIR are sufficient

- 8.9 The commenter notes that the Highway Capacity Manual no longer calculates level of service using "stopped" delays. Page 3.9-11 of the Draft EIR has been revised to reflect use of the "control" delay method, and this correction is presented in Section 4 of this Responses to Comments document.
- 8.10 The commenter notes that the Highway Capacity Manual is not the correct source for Table 3.9-4 on page 3.9-12. Table 3.9-4 of the Draft EIR has been revised to indicate the CCTA Technical Procedure Manual as the correct source, and this correction is presented in Section 4 of this Responses to Comments document.
- 8.11 The commenter notes that page 3.9-12 should be corrected to identify the correct threshold used to determine when a CMA land use analysis is required. Page 3.9-12 of the Draft EIR has been revised to explain that such analyses are required when a project will generate more than 100 PM peak hour trips, and this correction is presented in Section 4 of this responses to Comments document.
- 8.12 Commenter states that the segment of Dublin Boulevard east of Tassajara Road is not part of the MTS network and should not be included in the CMP analysis and further states that Dublin Boulevard west of Dougherty Road should be included in the MTS network. The segment of Dublin Boulevard east of Tassajara (rather than Dublin Boulevard west of Dougherty Road) was selected because it is representative of Dublin Boulevard. ACCMA commonly accepts a representative segment for analysis .
- 8.13 Commenter notes that traffic counts for existing conditions at Dublin Boulevard/Dougherty Road were taken in June 2004 and should be updated. Although information such as peak hour turning movement counts, geometries and cumulative analyses contained the Fallon Village Traffic Study (TJKM Transportation Consultants, August 2005) was used as a basis to analyze intersections within the City of Dublin (excluding those intersections in the Pleasanton traffic model), any impacts generated by the proposed project were analyzed under 2015 conditions. As such, peak hour turning movement counts for all study intersections (including those analyzed under Dublin's jurisdiction) were projected to year 2015 and analyzed with and without the proposed project.
- Similarly, the City of Livermore's El Charro Specific Plan was used for analyzing Livermore intersection and assumed 2008 as the opening year thereby placing the proposed project trips on top of the 2008 trip estimates from the El Charro Specific Plan's traffic study.
- 8.14 Commenter requests clarification on which traffic model—the Dublin travel forecasting model or the CMA's County wide model—was used to determine land use changes and

vehicle growth within Dublin. The Draft EIR states 2015 conditions used the regional model but the Traffic Study cites the Fallon Village Traffic Study. Land use change assumptions were taken from the Dublin General Plan and vehicle growth were calculated using the Dublin Travel Forecasting Model as identified in the Fallon Village Traffic Study for the year 2015. Page 3.9-16 of the Draft EIR will be revised to reflect this information. Project-related traffic was added to the Fallon Village intersections. For 2015, intersection volumes were adjusted to reflect a scenario without a Stoneridge Drive extension

- 8.15 The commenter requests that LOS calculation sheets and intersection lane configuration diagrams be provided in order to understand the impact analyses and recommended mitigations. These worksheets and diagrams consist of large volumes of technical data and are desired by a relatively small number of reviewers. Accordingly, it is not common practice to include such documentation as part of a Draft EIR distribution. These sheets are available for review at the City's offices at 200 Old Bernal Avenue. The LOS calculation sheets are provided in the appendix to the *Traffic Report* which includes intersection lane configurations, peak hour turning movement volumes, and other traffic analysis assumptions.
- 8.16 Commenter requests information regarding lane geometries and level of service calculation sheets for cumulative analysis. The LOS calculation sheets are provided in the appendix to the Traffic Report. The appendix contains intersection lane configurations, peak hour turning movement volumes and other traffic analysis assumptions.
- 8.17 The commenter requests information about the volume forecasts, intersection lane configurations, and level of service calculation worksheets for the Tassajara Road/Central Parkway intersection. As explained in the response to Comment 8.15, this type of information is provided in the appendix to the *Traffic Report* and is available for review in the City offices.
- 8.18 Commenter requests lane geometry information for Dougherty Road in the CMP Freeway and Arterial Analysis and requests confirmation concerning the number of lanes concerning Dougherty Road. The Draft EIR assumed Dougherty Road as a six lane arterial with an auxiliary lane to westbound I-580.
- 8.19 Commenter comments that project impacts should be analyzed using a regression equation for trip generation rather than an average trip generation rate. The trip generation rates used for the proposed project were based on the City's trip generation rates documented in the City of Pleasanton 2003 Baseline Traffic Report and are the same rates used in the City of Pleasanton Traffic Model. Trip generation rates were updated in 2006 (City Council General Plan Workshop)⁵. These rates are based on Institute of Transportation Engineer's Trip Generation, 7th Edition average trip rates, not the regression equation rates. Using the

⁵ Joint Workshop of the City Council and Planning Commission Agenda Report, General Plan Workshop Discussion on the Results of General Plan Traffic Modeling Without and With The Stoneridge Drive Extension, April 24, 2007.

same trip rates as those used for the model construction ensures greater stability in the model outputs. While regression equations may be used in traffic models, the Pleasanton Model was not constructed with these equations.

- 8.20 Commenter requests clarification on LOS F condition for AM peak at El Charro and I-580 Eastbound off ramp and requests an explanation why the level of service at this location is worse in the AM Peak than in the PM Peak.

The intersection of El Charro/I-580 EB Off-Ramp (Intersection #51) operates during AM peak hour conditions at LOS B under Existing plus Approved and at LOS F with the Project during AM peak hour conditions. During both the AM and PM peak hour, the project adds around 500 vehicles to the intersection. In the AM, these trips are inbound and added to the eastbound right-turn movement which creates a volume of traffic too large to be accommodated by the single lane. In the PM, the 500 trips are outbound trips and are added to the northbound through movement. This movement has two northbound lanes which can accommodate the added trips without an increase in delay. The resulting failing AM level of service is due to the limited capacity of the eastbound off ramp. The intersection does not fail in the PM because trips are not added to the eastbound ramp, but instead to the northbound through lane which is not at capacity during the PM peak hour.

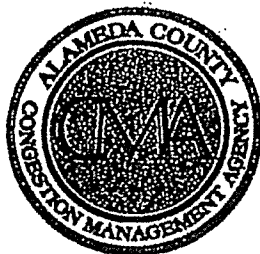
- 8.21 Commenter requests clarification on Mitigation Measure TR-1.5 and the correlation to the Cost Sharing Agreement dated September 4, 2007 between City of Livermore, City of Pleasanton and the Surplus Property Authority of Alameda County.

Mitigation Measure TR-1.5 addresses the impact at the intersection of El Charro / I-580 EB Off (#51) by restriping one eastbound left turn-lane to a shared eastbound left/right lane configuration. Based on the analysis performed in the Draft EIR, implementing this mitigation would improve AM operations from LOS F to LOS C. This mitigation measure is also consistent with the lane configuration in Phase 1 of the Fallon Interchange Project.

According to the Cost Sharing Agreement, it is anticipated that the City of Livermore will commence construction of the El Charro Road improvements before the Staples Ranch project (including El Charro Road) is annexed into the City of Pleasanton. If this does not occur, then the City of Pleasanton would construct the El Charro Road improvements listed in the agreement, including the widening of the off ramp to accommodate four lanes. See Impact TR-6, beginning on page 3.9-41.

- 8.22 Commenter asks if Mitigation TR-2.1(improving Fallon Road at Dublin Boulevard) will be accomplished in the absence of an Interagency Cooperative Agreement identified in Mitigation Measure TR-2.3. In that this intersection is solely within the jurisdiction of the City of Dublin, the City of Dublin can and should undertake this mitigation. By adopting Mitigation Measure TR-2.3 Pleasanton is committing itself to working with Dublin (as well as Livermore and the County of Alameda) to fund mitigation measures for projects that have interagency impacts.

- 8.23 Commenter cites concerns with Mitigation Measure TR-2.3 where the mitigation recommended is an Interagency Cooperative Agreement between Pleasanton, Dublin, Livermore, and the County that would fund impacts in all four jurisdictions. Accordingly, this is not like the situation cited in the comment where the agency causing the traffic (and other) impacts refused, on a number of legal grounds, to pay for impacts caused by its project. Pleasanton has committed to working with Dublin and other jurisdictions to fund mitigation improvements in all the jurisdictions where it is shown that projects have impacts beyond a jurisdiction's borders. Pleasanton is unaware of any cost estimates to implement Mitigation Measure TR-2.1 but is committed to working with Dublin such that projects in Pleasanton that impact Dublin are mitigated appropriately.
- 8.24 Commenter states that Dublin considers Mitigation Measure TR-10C (a fourth eastbound through lane at the Dublin Blvd./Dougherty Road intersection) as infeasible. This comment is noted and, thus, impacts at this intersection would remain significant and unavoidable as described in the Draft EIR (see page 4-29, under "Mitigation Measures").
- 8.25 Commenter states that by not constructing the Stoneridge Drive Extension there will be a negative impact on Dublin, Livermore, and I-580. CEQA does not require a traffic analysis based on speculation. The Pleasanton General Plan shows the Stoneridge Drive extension and the cumulative impact analysis assumes that the Stoneridge Drive Extension will be built. Accordingly, an analysis of traffic impacts in 2030 without the Stoneridge Drive extension is not required by CEQA. See response to Comment 3.2 above.



ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

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AC Transit
Director
Greg Harper

June 4, 2008

Alameda County
Supervisors
Nate Milroy
Scott Hegarty
Chair

Ms. Robin Giffin
Associate Planner
Planning and Community Development Department
200 Old Bernal Avenue
P O Box 520
Pleasanton, CA 94566-0802

City of Alameda
Mayor
Beverly Johnson

City of Albany
Councilmember
Field Jayapodil

BART
Director
Thomas Eldock

SUBJECT: Comments on the Draft Environmental Impact Report for the Stoneridge Drive Specific Plan Amendment and Staples Ranch Project (PUD-57/PSP-11)

City of Berkeley
Councilmember
Kilee Worthington

Dear Ms. Giffin:

City of Dublin
Mayor
Janet Lochner

Thank you for the opportunity to comment on the City of Pleasanton's Draft Environmental Impact Report (DEIR) for the City's Stoneridge Specific Plan Amendment. The project site, also known as Staples Ranch, is outside the Pleasanton City limits, but within its sphere of influence. The project site is approximately 124 acres of undeveloped land within the larger 293-acre Stoneridge Drive Specific Plan area. The project site is at the eastern edge of Pleasanton and is bordered by the City of Livermore and the El Charro Road interchange to the east; I-580 to the north; the terminus of Stoneridge Drive to the southwest; and the Arroyo Mocho on the south.

City of Emeryville
Vice-Mayor
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City of Union City
Mayor
Mark Green
Vice Chair

The project proposes to develop an auto mall of approximately 37 acres with up to 331,000 square feet of buildings and up to 3,270 parking stalls; an up to 800-unit senior continuing care community on 46 acres; about 120,000 square feet retail or 200,000 square feet non-retail on 11 acres; 22 acres of park, and 7 acres of street, right-of-way and flood control channel. The Plan amendment would result in a shift from 1.3 million square feet of commercial office and industrial uses on 100 acres to 120,000 square feet of retail or 200,000 non retail on 11 acres. Most of the acreage in the Plan amendment would therefore be shifted from commercial to auto mall and senior care units. The project proposes to preserve the Stoneridge Drive extension right-of-way through the project site and connecting to an improved El-Charro Road, as envisioned in the Specific Plan while developing a through road connecting the two access routes from El Charro Road and Stoneridge Drive for use only by emergency vehicles. Required actions to complete the proposed project are: 1) amendment to the Stoneridge Drive Specific Plan; 2) Annexation and rezoning of the project site; 3) PUD approval for the project; and 4) Tentative and Final Subdivision Maps and Improvement Plan.

Executive Director
Dennis R. Fey

Ms. Robin Giffin
June 4, 2008
Page 2

Based on our review of the DEIR and the Technical Memo for Traffic and Circulation (December 7, 2007, revised March 20, 2008), the project is expected to generate less traffic than the 1989 Stoneridge Drive Specific Plan. Since the Plan was created before ACCMA existed, we have the following comments:

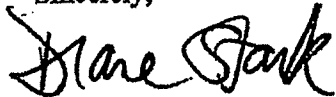
- ACCMA appreciate that the DEIR includes a traffic analysis, as required by the Congestion Management Program. As a mitigation measure for traffic generated from the project, Mitigation measure, TR-2.3 recommends seeking an interagency cooperative agreement to jointly fund mitigation measures among the Cities of Pleasanton, Livermore, Dublin and Alameda County. The mitigation measure mentions only contributing the project's fair share of the mitigation cost for improvements if the other jurisdictions also contribute. However, the Tri Valley Transportation Development fee program is already in place. The project sponsor for this project, therefore, should contribute their fair share towards that fee.
- Mitigation Measure TR-9.1 states providing acceptable bicycle and pedestrian access by working with the City to develop cities and access. Please clarify how these facilities and access will be funded.

9-1

9-2

Thank you for the opportunity to comment on this DEIR. Please do not hesitate to contact me if you have any questions at 510.836.2560.

Sincerely,



Diane Stark
Senior Transportation Planner

cc: file: CMP - Environmental Review Opinions - Responses - 2008

9. Alameda County Congestion Management Agency (letter dated June 4, 2008)

- 9.1 The commenter suggests that the project sponsor should be required to pay the Tri Valley Transportation Development Fee (TVTD Fee) as mitigation for impacts to regional transportation facilities, instead of seeking an interagency cooperation agreement, as proposed in Mitigation Measure TR-2.3.

The Tri Valley Transportation Development fee program (Alameda County General Code, Title 15, Chapter 15.48 Tri-Valley Transportation Development Fee (“TVTD”) for Traffic Mitigation),⁶ mentioned by the commenter, was enacted in 1998 and stipulates that project sponsors contribute their fair share towards regional transportation improvement projects identified in the Tri-Valley transportation plan/action plan for routes of regional significance. According to the Alameda County General Code, these projects are listed in Section 8 of the Tri-Valley JEPA and on file with the clerk of the board of supervisors and the director of public works agency. *The TVTD fee shall be for traffic improvements over and above any improvements required to mitigate project-specific impacts.* (Ord. 98-90 § 1 (part)).

While not explicitly stated in the Draft EIR, the Staples Ranch development, like all new development within the City of Pleasanton, will be subject to payment of the TVTD Fee at the time building permits are issued. Funds collected are then utilized to help pay for regional transportation improvements identified the Tri-Valley Transportation Plan/Action Plan for routes of regional significance.

While payment of the TVTD Fee will help mitigate regional impacts of the Staples Ranch project, Mitigation Measure TR-2.3, as discussed on page 3.9-36 of the Draft EIR, seeks the establishment of an interagency cooperative agreement between the Cities of Livermore, Dublin, and Pleasanton and Alameda County on a strategy to fund and complete mitigation measures within each other’s jurisdiction. These mitigation measures may not be the same improvements funded by the TVTD Fee, and so Mitigation Measure TR-2.3, if implemented, would further reduce project impacts to intersections outside of Pleasanton’s control.

- 9.2 The commenter asks how Mitigation Measure TR-9.1 would be funded. Mitigation Measure TR-9.1 addresses potentially significant impacts associated with providing acceptable bicycle and pedestrian access if they are not consistent with the City of Pleasanton’s General Plan or Circulation Element (Policy 6, Program 6.3). The project sponsor would fund and provide separated sidewalks along the west side of El Charro Road, Stoneridge Drive, and Auto Mall Place, as well as along the intervening EVA. Based on the City’s PUD process, project developers would be required to provide pedestrian and bicycle improvements as conditions of project approval from the City.

⁶ http://www.acgov.org/admin/admincode/Alameda_County_General_Ordinance_Code/Title_15/48/index.html



ALAMEDA COUNTY RESOURCE CONSERVATION DISTRICT

... Making Conservation Happen in Alameda County

June 3, 2008

Robin Giffin, Associate Planner
City of Pleasanton
Via Electronic Mail

RE: Stoneridge Drive Specific Plan Amendment / Staples Ranch Draft Environmental Impact Report

My comments are directed at the mitigation plans for Rural Open Space, Biological Resources, and Land Use. They are linked together by the Community's expressed desire to protect and enhance local agriculture and natural resources. I request that each comment be addressed in the Final EIR.

Mitigation

While the CEQA process and the EIR allow the mitigation measures as described, the Alameda County Resources Conservation District believes that the citizens and agriculturalists of Alameda County expect a more benevolent approach to mitigating the loss of Alameda County – owned agricultural land and associated open space and biological resources. Several significant, public programs and policies indicate support for this position, both private and public. These include Vision 2010, Measure D and the revised ECAP, and the newly-formed Alameda County Partnership for Land Conservation and Stewardship (PLCS), all briefly described in the attachment.

10-1

PLCS can assist with required mitigation to the losses of rural open space, biological resources and agriculture that also supports agriculture and its natural resource values. It would be particularly appropriate for the Staples Ranch, owed by Alameda County and proposed by the City of Pleasanton, as participants in Vision 2010, to utilize the project as a demonstration of the public's commitment to its natural and agricultural resources by voluntarily proposing an increase in mitigation that protects privately-owned working landscape in the Valley.

PLCS could help with mitigation specifically related to Staples Ranch, and it could utilize a mitigation endowment funded by the Staples Ranch Specific Plan for the purpose of permanently protecting local working landscapes and natural resources while supporting local agriculture. An endowment would be leveraged with other funds to

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(925) 371-0154 Phone
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"The Alameda County Resource Conservation District provides leadership in the County and region about natural resources conservation and agricultural issues through education, outreach, resource services, partnerships and funding."

meet Supervisor Haggerty's expectation that PLCS will "increase land conservation through innovative and collaborative solutions."

Please review the suggestion that Staples Ranch utilizes PLCS to achieve its mitigation requirements and to fund an endowment that supports the public's will to enhance and support agriculture and its associated natural resources.

Agricultural Water

At the Pleasanton Planning Commission's Scoping Session, April 11, 2007, raised the above issue to mitigate for the loss of agricultural land. I also inquired into the agricultural water rights associated with the wells on the property, asking if those water rights remain and if they could be transferred and used by current agriculture on other locations. I did not see this topic addressed in the EIR.

Please research the existence of these ground water rights and the potential to transfer them to other Valley agricultural users.

10-2

Soils Classification

(Agriculture Reference and Farmland Classification.) Under the five farmland categories it should be noted that the State of California has added the following modifier. "Farmland must have been used for the production of irrigated crops at some time during the two update cycles prior to the mapping date." The USDA NRCS considers the Classification of Soils as Prime, Statewide Importance, Unique and Locally Important to be an inherent physical property of the soil and site location and remains a property of the soil regardless of prior use for irrigated agriculture.

Please provide clarification in the FEIR about the physical nature of soils, defined by United States Department of Agriculture Natural Resources Conservation Service.

10-3

Thank you for your thoughtful consideration.

Karen Sweet
Executive Officer

3585 Greenville Rd, Suite 2
Livermore, CA 94550-6710
www.acrcd.org

(925) 371-0154 Phone
(925) 371-0155 Fax

"The Alameda County Resource Conservation District provides leadership in the County and region about natural resources conservation and agricultural issues through education, outreach, resource services, partnerships and funding."

Attachment
Some Important Programs and Policies that Protect and Support Agriculture

Vision 2010. The cities of Livermore, Dublin, Pleasanton and the County of Alameda invested in the multi-year project called Vision 2010 and the resulting working landscape products, the *Alameda County Agriculture Enhancement Plan* and the *Working Landscape Plan*. The participating citizens, businesses and organizations were committed to seek programs and tools to ensure the economic viability of the local agriculture industry and the health of the local natural resources. These plans complemented the cities' and the County's general plans.

Measure D, too was the voters' commitment to support agriculture. It stimulated revision to the general plan. ECAP Policy 56 expects the dedication or protected lands for the loss of open space, both in unincorporated and incorporated areas. Other programs explicitly aim at enhancing agriculture and protecting agricultural lands.

Alameda County Partnership for Land Conservation and Stewardship (PLCS) was authorized by the Board of Supervisors in 2006 to coordinate and facilitate the county's land conservation objectives. Says Supervisor Scott Haggerty, PLCS' purpose is to increase land conservation activities through innovative and collaborative solutions, both existing and new." The Alameda County Resource Conservation District administers PLCS. It operates by matching willing landowners, mitigation purchasers and interested easement holding entities.

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"The Alameda County Resource Conservation District provides leadership in the County and region about natural resources conservation and agricultural issues through education, outreach, resource services, partnerships and funding."

10. Alameda County Resource Conservation District (letter dated June 3, 2008)

10.1 The comment states that the City should utilize the Alameda County Partnership for Land Conservation and Stewardship (PLCS) to mitigate for the loss of rural open space, biological resources, and agricultural land. The EIR did not identify any impacts associated with loss of rural open space, with the exception of Impact VQ-2, which states that the development of proposed land uses within the Project Area would substantially change the existing visual character from rural open space to urban development. As noted on page 3.6-21 of the Draft EIR, the site is not designated as open space, and there would be no conflicts with the City and County General Plans and the 1989 Specific Plan to develop the Staples Ranch site with urban uses. Furthermore, it is noted that this area was already previously approved for urban development as part of the 1989 Specific Plan approval for the site.

As discussed in Section 3.3, Biological Resources, all impacts to special status species and their habitats would be reduced to a less-than-significant level through implementation of Mitigation Measures BIO-2.1 through BIO-2.4 (California red-legged frog), BIO-3.1 and BIO-3.2 (California tiger salamanders), BIO-4.1 and BIO-4.2 (western pond turtles), BIO-5.1 (nesting birds), BIO-6.1 through BIO-6.3 (riparian vegetation in the Arroyo Mocho), BIO-7.1 (waters of the state and of the U.S), BIO-8.1 and BIO-8.2 (native or migratory terrestrial wildlife in the Arroyo Mocho), and BIO-9.1 and BIO-9.2 (heritage trees). In addition, the proposed project would not conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan, as no such plans apply to the project site.

As discussed in Section 3.6, Land Use and Agricultural Resources, the Staples Ranch site has been designated by the Farmland Mapping and Monitoring Program (FMMP) as grazing land and other, neither of which is considered Prime Farmland, Unique Farmland, or Farmland of Statewide Importance under the FMMP criteria. In addition, development of the agricultural lands at the Staples Ranch site would not conflict with LAFCo policies regarding annexation or development of Prime Agricultural Land. Therefore, the mitigation for the loss of agricultural land is not necessary because impacts were found to be less than significant.

All impacts to biological and agricultural resources were either mitigated to a less-than-significant level or would result in a less-than-significant impact. Thus, the suggestions made by the commenter to utilize PLCS for implementation of additional mitigation measures are not required under CEQA.

10.2 The commenter is correct in noting that, "...the Draft EIR did not address the nature of the rights to groundwater [at the project site]." It should be noted that, according to the ACSPA, all active wells on the Staples Ranch property have been closed and abandoned, with the exception of one well used by Zone 7 for groundwater monitoring purposes.

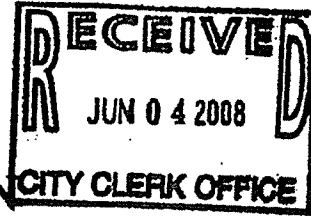
The commenter has inquired about the future status of groundwater rights that are associated with agricultural well(s). Groundwater rights of this nature are classified as “overlying rights.” By definition, the extracted water must be used on the lands overlying the basin or aquifer from which the water is pumped. Furthermore, no water-right permit is required; right arises directly from ownership of the land. In contrast, with “appropriative rights” [to groundwater], the right derives from constructing a well, pumping the well, and applying the pumped water for beneficial uses; this is typical of municipal users.

The State of California does not assign water rights for groundwater extractions, although in highly contentious groundwater basins, the courts have stepped in and effectively adjudicated the extraction capacities of that groundwater particular basin. The Main Basin is not adjudicated; however, Zone 7 in cooperation with the local retailers have agreed to limit “normal” year extractions from the Main Basin to 13,400 acre-feet annually (AFA). The City of Pleasanton’s portion is 3,500 AFA. Since the State of California does not assign groundwater rights, the overlying rights would remain at the Staples Ranch site and no “rights” would be transferable to “other Valley users.” This situation does allow the groundwater to remain in the Main Basin aquifer and would be available for extraction by either private or public users now or in the future.

10.3

The commenter requests clarification regarding the nature of soils as defined by the State of California. The description of soil classifications by the State and the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS) is provided in Appendix D of the Draft EIR.

The commenter clarifies that the State has added a modifier to the classification of the five farmland categories, wherein “farmland must have been used for the production of irrigated crops at some time during the two update cycles prior to the mapping date.” The NRCS does not include this modifier, and instead considers the classifications to be an inherent physical property of the soil and site location, regardless of prior use.



Brian
25

OHLONE AUDUBON

1281 Ridgewood Road * Pleasanton, Ca 94566
rscimino@earthlink.net

Mr. Brian Dolan, Director
Dept. of Planning & Community Development
City of Pleasanton
P. O. Box 520
Pleasanton, CA 94566

RECEIVED

JUN 17 2008

CITY OF PLEASANTON
PLANNING DEPT.

**Re: Stoneridge Drive Specific Plan Amendments/
Staples Ranch Draft Environmental Impact Report**

Dear Mr. Dolan:

The Alameda County Ohlone Chapter of the National Audubon Society, representing its membership in Pleasanton, is offering the following comments on the above.

We have serious concerns about the Staples Ranch Draft EIR. However, we believe that these can be addressed by increasing the size and changing the position of the proposed Open Meadows #30 in the Staples Ranch Park. Through adjustments to the Shark's facility location, the impact to the California Red-legged Frog and the Western Pond Turtle, plus threatened bird species such as the Western Burrowing Owl - can all be mitigated onsite.

11-1

We have submitted these comments in the past to the Pleasanton Parks and Recreation Committee, both during the Hearing and through hard copy (see attached).

11-2

Our proposal is to have the Staples Ranch Park Open Meadows (#30) habitat area consolidated along the southern border of the proposed development from El Charro to Stoneridge roads. (See DERI map on page 16). This could be achieved by exchanging the Open Turf (#20) with the Ice Arena (#10) effectively relocating the Shark's facility next to the retail area. (See Staples Ranch Park Master Plan map provided to the public on March 13th Parks and Recreation Commission meeting.)

11-3

As presented, our membership is in support of the Open Space Alternative with some minor modifications in order to best provide for the needs of the various plant and animal species, including the Steelhead Trout Fish Ladder Complex managed by Zone 7.

11-4

A golden opportunity exists for the City of Pleasanton to create a buffer zone to the Arroyo Mocho by increasing the size of the Open Meadows southern boarder. This could be the keystone in supporting all the existing commitments of various government agencies to work towards the return of the Steelhead Trout fishery to Pleasanton's sphere of influence. With visionary leadership in accepting and acting on this proposed Master Plan revision, Pleasanton planning could place Stables Ranch Park in a privileged arena of California Cities who support endangered fisheries recovery plans and public education.

11-5

We feel that another opportunity, perhaps in an open forum, to discuss the concerns of conservation community would be fruitful. Subjects to be covered would be wildlife mitigation, park Arroyo buffer zone, facility the location of the Ice Arena and the Detention Ponds. There is time for such a meeting. Might we hear from you on this matter soon?

11-6

Respectfully,



Rich Cimino, Chair
Ohlone Audubon Conservation Committee
925-353-0266

11. Richard Cimino, Ohlone Audubon Conservation Committee, Alameda County Chapter (letter dated June 4, 2008)

11.1 This comment addresses details of design for the Staples Ranch Park, which are under consideration by the City of Pleasanton as part of their Parks Master Plan. The Draft EIR evaluates the effects of the proposed Stoneridge Drive Specific Plan Amendment. The Draft EIR does acknowledge that the Staples Ranch site would include both a neighborhood and community park. The information and suggestions offered by the commenter should be considered in the park master planning effort and will be reviewed by the City Council. Since these comments do not pertain to the adequacy of the Draft EIR, no further response is required.

The commenter also suggests that a certain placement of the ice center within Staples Ranch Park would reduce impacts to the California red-legged frog, western pond turtle, and the burrowing owl. Please refer to response to Comments 14.3, 14.5, and 14.6, for a discussion of impacts to these species.

11.2 The commenter notes he has previously submitted comments to the Pleasanton Parks and Recreation Commission. The City appreciates the input from the commenter on the development of the Staples Ranch Park. Such comments, however, are not relevant to the adequacy of the Draft EIR.

11.3 The commenter provides suggestions concerning the design of the Staples Ranch community park discussed in the City of Pleasanton Parks Master Plan, which is a separate planning document from the proposed project. See response to Comment 11.1 above.

11.4 The commenter expresses support for the proposed project's Open Space Alternative with some minor modifications. This comment concerns the merits of the project and does not concern the adequacy of the EIR or the City's implementation of CEQA. Accordingly, no further response is necessary.

11.5 The commenter suggests that the City of Pleasanton create a buffer zone along the Arroyo Mocho to support the return of the Steelhead Trout fishery. This comment addresses possible modifications to the proposed project, which can be addressed during the upcoming discussions of the project's merits and details. The creation of a buffer zone, however desirable, would not address a physical environmental impact identified in the Draft EIR. Accordingly, CEQA would not be the appropriate tool to incorporate such a project modification. Please also refer to response to Comment 14.2 for more information regarding steelhead trout.

11.6 The commenter requests an opportunity to meet with the City to discuss concerns with the project. The City has encouraged the public to participate at a number of meetings and workshops regarding the project. Additionally, the public has been invited to submit

comments on both the EIR and the merits of the project. The commenter can offer additional comments by visiting the project webpage, contacting staff, or attending the upcoming public hearings.

12.1

*Robin
FYI = TMS by EIR-CD.
Rich Cimino*

To: Mr. Jim Wolfe
Director of Parks and Recreation
City of Pleasanton

RECEIVED

APR 23 2008

From: Mr. Richard S. Cimino
Conservation Chair for Ohlone Audubon Alameda
Pleasanton, CA

CITY OF PLEASANTON
PLANNING DEPT.

Subject: Stables Ranch Park – Master Plan as of April 10th, 2008
Reference: RRM Stables Ranch Master Plan Map and Legend April 10, 2008

I was at the April 10th Parks and Recreation Commission Review of the proposed master plan for the Stables Ranch Community Park. Though I was unable to attend the February public survey meeting, public records will reflect my presence at earlier city meetings on this matter.

Please enter the following comments into the official record for review by the various city committees and the landscape architecture firm, RRM, as citizen inputs for the master plan continue. The high priority that Pleasanton places on its citizen involvement is the impetus for the following recommendations.

I am a 30-year Pleasanton resident representing the Ohlone Audubon Society (OAS) of Alameda County. In the past, I have served on the Pleasanton Alviso Adobe master plan committee and the Oak Hill steering committee.

The Audubon (OAS) has specific interest in the areas numbered on the RRM master plan map, right to left as: 30, 33, 18, 20, 25, 26, 29, 22, 10 and 13.

OAS comments and suggestion are:

1) We support the position of the Open Meadow #30 and strongly suggest that the southern lands item #20S (southern lands) be deleted at the walk way between #24 and 36. OAS supports a smaller Open Turf -Informal Play area foot print in favor of the larger #30 Natural Meadow concept with the boundary nature trail #31.

2) That # 10 the Sharks facility be moved to the northern area of # 20N (northern) and the western boundary of # 30 be extended to incorporate #10 lands. OAS believes that the Sharks corporate area is better placed in area #20N because it can co-utilize the parking resources of the Retail center for over flow. Besides, from a marketing stand point, the Sharks may add new users by

sharing the retailing customer base. OAS supports areas #12 and #14 for parking since the Sharks # 10 foot print will utilize the entire Open Turf - Informal Play of area #20 area.

3) Area # 30 is where your consulting Biology firm is finding the resident endangered species, so it is essential to preserve this area. # 20 and # 10 also currently have resident endangered species. Saving these lands as a continuous meadow will greatly expedite the Federal and States consultation process. It can also reduce the need for large scale mitigation acquisition, a costly move that will more than likely delay the project.

4) We recommend that # 26 be pushed back towards #34 areas. OAS is not in favor of the current # 26 group picnic area location because of potential trash which draws crows plus the fact that user noise can be disruptive. Crows will drive native meadow and grass land birds out and may also feed on the resident endangered species. Thus the introduction of crows into the Open Meadow concept is not an acceptable potential.

5) OAS is in favor of the #1 Detention Basin in their current position. But if public opposition demands it, the detention pond could be placed in #20S. The detention pond could be used as mitigation for Red-legged Tree Frog and Tiger Salamander endangered species.

The Alameda Creek Alliance, an organization that I chair at present, with the full cooperation of Zone 7, Alameda County Water district and the Federal Fish and Game have joined to exert every effort in bringing back Steel Head Salmon into the Las Positas and Upper Arroyo Mocho drainage. Pleasanton can truly show case the fish ladders with signage and turn the Open Meadow# 30 into an out door ecological educational unit.

Currently there is a movement to turn Springtown Preserve in Livermore into an outdoor ecological educational unit. It is on the Las Positas creek

For the past two years, with approval from Zone 7, I have been leading Audubon Society birding walks along the Los Positas Creek area, including the Steel Head fish ladders which has lead to a first hand knowledge of the area.

Without #10 on its border, this park land could be a global leader for blending "planned nature" and planned development.

I would be happy to work with RRM to conceptualize and am available to co-manage the Open Meadows as a living native plants project in whatever capacity might be deemed appropriate.

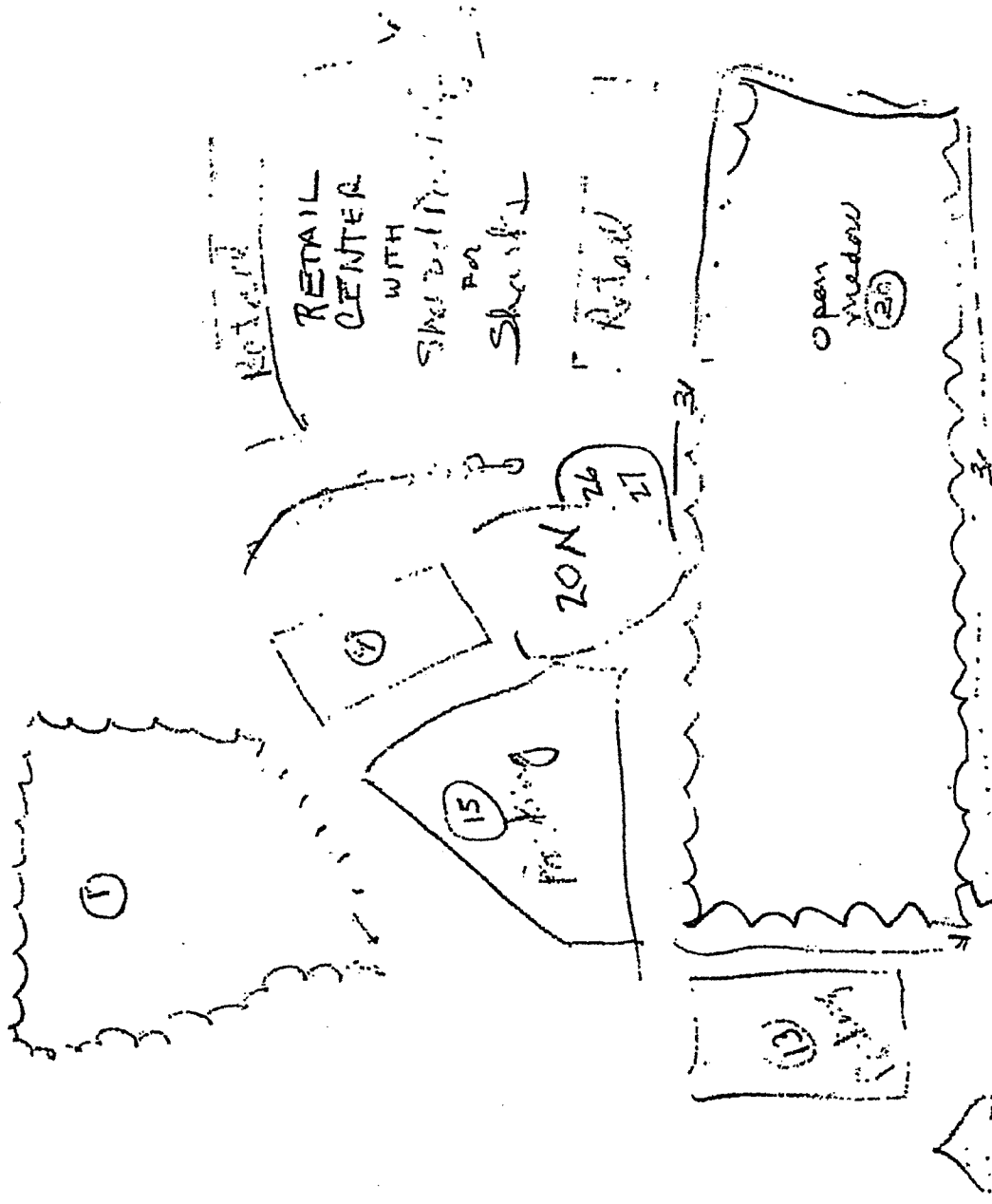
A visionary, melded conservation, corporate and retail project along the lines of the above suggestions is within our grasp. Your consideration of such would create the matrix of a world class conservation project, surely a win-win for the city and a priceless legacy for future generations of Pleasantonians.

Question: What about the tree area? There are a few tree's which deserve to remain. The larger tree have been roosting spots for Golden Eagle, White-tailed Kites, Hawks and Falcons. We understand if some tree may need to be removed. Again I'd be willing to meet on site to discuss this issue.

12-2

Sincerely,
Rich Cimino
1281 Ridgewood Road, Pleasanton, CA 94566
Cell phone: 925-353-0266

Ohlone Audubon, Conservation Chair, Alameda County
Alameda Creek Alliance, President, Board of Directors



ALFONSO MCGHIO

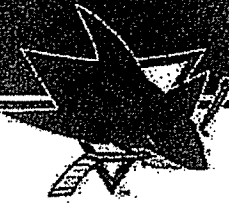
12. Richard Cimino, Ohlone Audubon Conservation Committee, Society of Alameda County Chapter (letter dated April 28, 2008).

12.1 This comment letter provides suggestions concerning the design of the Staples Ranch community park discussed in the City of Pleasanton Parks Master Plan. The Draft EIR evaluates the effects of the proposed Stoneridge Drive Specific Plan Amendment. The Draft EIR does acknowledge that the Staples Ranch site would include both a neighborhood and community park, but details regarding programming, specific facilities, and design are not addressed in the project description (nor is this level of detail appropriate at this stage for the proposed project). The information and suggestions offered by the commenter should, however, be considered in the park master planning effort and will be reviewed by the City Parks and Community Services Department.

12.2 The commenter also raised concerns over the tree removals in the project site and state that a few trees deserve to be preserved because they have been roosting spots for golden eagles, white-tailed kites, hawks, and falcons. Trees that could potentially provide suitable nesting habitat for raptor species include the London plane (*Plantanus x acerifolia*) trees in middle of the project site, and several of the larger California black walnuts (*Juglans hindsii*) and black locust (*Robinia pseudoacacia*) trees located near the southeast corner of the project site. Trees along the western border of the project site adjacent to the existing residential development are unlikely to be used by raptor species because of their proximity to the houses, and because the trees do not have the structure to support a large stick nest. However, these trees do provide suitable nesting habitat for other migratory birds such as mourning dove (*Zenaida macroura*), scrub jays (*Aphelocoma californica*), and American robin (*Turdus migratorius*).

Fish and Game Code Section 3503 states that it is unlawful to take, possess, or needlessly destroy the nests or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Fish and Game Code Section 3503.5 protects all birds-of-prey (raptors) and their eggs and nests. Section 3513 states that it is unlawful to take or possess any migratory non-game bird as designated in the Migratory Bird Treaty Act (MBTA). These regulations could require that elements of the proposed project be reduced or eliminated during critical phases of the nesting cycle unless surveys by a qualified biologist demonstrate that nests, eggs, or nesting birds will not be disturbed, subject to approval by CDFG. Furthermore, The MBTA regulates or prohibits taking, killing, possession of, or harm to migratory bird species listed in Title 50 Code of Federal Regulations (CFR) Section 10.13. Mitigation Measure BIO-5.1 recommended in the EIR ensures that active nest sites for raptors and migratory birds will not be disturbed during the breeding season. Furthermore, Mitigation Measure BIO-9.2 ensures that heritage trees are replaced at a 6:1 ratio with native tree species. Tree plantings of both native and non-native tree species around the planned open space areas and detention basins will provide nesting

habitat for migratory birds, which will eventually become large enough to provide suitable nesting habitat for raptor species.



June 4, 2008

Robin Giffin, Associate Planner
 Planning and Community Development Department
 City of Pleasanton
 P.O. Box 520
 Pleasanton, CA 94566-0802

RE: Comments Pertaining to the Stoneridge Drive Specific Plan Amendment/Staples Ranch Draft EIR, Dated April 2008 (SCH #2006062053)

Dear Ms. Giffin:

The San Jose Sharks organization would like to congratulate City staff and consultants on the preparation of a very fine Draft Environmental Impact Report for the Stoneridge Drive Specific Plan Amendment project. Following are our formal comments with regard to the Draft EIR your consideration.

1. Page S-68, last paragraph, sentence 4; page 5-3, paragraph 3, sentence 4; page 5-22 paragraph 5, sentence 2; and potentially other pages within the DEIR indicate that the ice center building is proposed to be approximately 32 feet in height. This figure was provided to the City by the Sharks in 2007 when the ice center planning process was first beginning. Since then, a series of architectural design concepts featuring a variety of roof forms and building heights ranging up to 45 feet has been explored between the Sharks and City staff, and as a result, the Sharks have concluded that greater flexibility in height allows the potential for more varied and attractive building design alternatives.

A flat roof concept was studied but rejected because the long building roof spans would require numerous roof support columns throughout the structure in order to distribute the weight of the roof. This turned out to be unworkable because some of the columns would have to encroach into the actual ice rinks in order to structurally work. Sloping roof types (with faster rain water runoff) can span greater distances thus requiring fewer columns which could be spaced so as not to interfere with the ice rinks.

The Sharks are proposing that the maximum allowable height limit for the ice center be established at 45 feet. This would be consistent with the allowable heights proposed in the Amended Specific Plan for the other Staples Ranch Specific Plan projects, which include:

- Pleasanton Auto Mall - 45 feet
- Stoneridge Creek Senior Continuing Care Community - 50 feet
- The Shops at Staples Ranch Retail Center - 45 feet



5/21

In light of the Shark's proposed maximum allowable 45-foot height for the Ice Center Alternative, we ask that the project Response to Comments document address this change and its potential environmental affects, if any.

13-3
(cont.)

2. Page S-68, last paragraph, last partial sentence; page 5-3, paragraph 3, sentence 6; page 5-34, paragraph 2, last sentence; and potentially other pages within the Draft EIR assume that the ice center may have seating for up to 2,200 spectators. Although up to 2,200 spectators was considered by the Sharks in the past, the actual proposed number of spectator seats is 1,475, which is the same seating capacity as the Sharks Ice facility in San Jose. We request that the traffic and air quality impact reductions resulting from this reduced number of seats be reflected in the Response to Comments document.

13-4

3. Pages S-69, S-70, 5-50 and 5-51 provide discussion regarding the CEQA "environmentally superior alternative" but do not discuss the significance of what this means and how this relates to the Project and the other Alternatives. For example, what is the CEQA procedure for potentially selecting the Project or another Alternative (except the No Project Alternative) instead of the "environmentally superior alternative? Also in this regard, the last sentence of page S-70 conflicts with the top three lines of page S-77.

13-5

4. The Sharks wish to include in the EIR documentation that it believes the Ice Center Alternative would provide significant economic and social benefits to the community that will be relevant to the City's decision regarding which project alternative to select. The Sharks further believe that these benefits will outweigh the unavoidable adverse environmental effects that it as well as the Project and the other Project Alternatives would create, and that the Ice Center Alternative would further result in the best all-around project from a combined environmental, economic and social benefit standpoint.

Some of the economic benefits associated with the proposed ice center include becoming a major generator of business in the community, particularly during times of special events. City sales and transient tax revenues would benefit from visitors coming from out of town and doing business at local hotels, stores and restaurants. Retail sales tax dollars would be generated by the ice center restaurant and retail shop. In addition, the Sharks have offered to contribute to and construct a substantial share of the remainder of the City's 17-acre Staples Ranch Community Park.

Social benefits resulting from the Ice Center Alternative would include the introduction of many activities to the community relating to health, education, recreation, family life and special needs provided by a variety of ice skating activities, including:

13-6

- Public skating sessions
- Public school physical education classes and possible future competitive team practices and games
- City Park and Recreation Department programs
- Private class skating lessons
- Youth and adult hockey practices and games for men, women, boys and girls
- Figure skating
- Speed skating
- Curling
- Synchronized skating

- Ice dance
- Olympic level figure skating instruction and practice
- Approximately six total annual weekend special events such as hockey tournaments and figure skating competitions
- Special needs programs for physically and developmentally disabled children
- Disabled hockey program providing sled hockey for disabled persons
- Lessons and programs for community organizations such as YMCA, Girl and Boy Scouts, etc.
- Birthday and company parties
- Ice reservation booking priority and Pleasanton resident discount fees (similar to the City's Callippe Preserve Golf Course offerings presently extended by the City to Pleasanton residents).

Anticipated users of the facility would be people of all ages and include:

- Public
- Families
- Local community and sports groups
- Pleasanton Parks and Recreation Department
- Local schools
- Local businesses
- Physically disabled and mentally challenged groups.

In addition, we request that the City provide a detailed discussion in its CEQA Findings for EIR certification describing the justification for each Statement of Overriding Considerations including:

- Selection of the preferred project alternative
- Visual resources as a result of conversion of the Staples Ranch site from undeveloped to developed land and the resulting loss of the rural character of the project area
- Air quality as a result of ozone precursors (relative organic gases and oxides of nitrogen) and particulate matter from mobile and stationary sources, above thresholds used by the Bay Area Air Quality Management District
- Traffic congestion as a result of increased vehicular trips at two study intersections outside the jurisdiction of Pleasanton under project conditions, and three intersections outside the jurisdiction of Pleasanton under cumulative conditions, if other jurisdictions decide not to implement the proposed mitigation measures.

5. The page S-74, Table S-3, first "Noise" environmental issue comparison indicates that the Ice Center Alternative would have noise impacts that are slightly greater than the Project in terms of exposing persons to or generating noise levels in excess of standards established in the local general plan or noise ordinances, or applicable standards of other agencies. The Project includes lighted sports fields that would facilitate competitive outdoor recreational activities, including tournaments, and the resulting noise levels generally associated with cheering and other crowd noises, amplified sound systems for announcing games, referee whistles, etc. during both day and nighttime hours. However, the Ice Center Alternative proposes indoor sporting activities where similar noise is confined to the interior of the building, and this alternative would not physically accommodate sports fields due to its reduced play area acreage and siting difficulties created by the irregular shaped configuration of the community park. Please consider revising Table S-3 to note that the Ice Center Alternative noise impacts would be slightly less than the Project and that this alternative is therefore environmentally better than the Project in this regard.

13.6
(cont.)

13-7

13-8

6. Similarly, on Page S-74, Table S-3, the third "Noise" environmental issue comparison indicates that the Ice Center Alternative would have impacts that are comparable to the Project in terms of creating a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. As discussed in the comment above, the Project includes lighted sports fields that would facilitate competitive outdoor recreational activities, including tournaments, and the resulting noise levels generally associated with cheering and other crowd noises, amplified sound systems for announcing games, referee whistles, etc. during both day and nighttime hours. However, the Ice Center Alternative proposes indoor sporting activities where similar noise is confined to the interior of the building, and this alternative would not physically accommodate sports fields due to its reduced play area acreage and siting difficulties created by the irregular shaped configuration of the community park. Please consider revising Table S-3 to note that the Ice Center Alternative noise impacts would be slightly less than the Project and that this alternative is therefore environmentally better than the Project in this regard.

13-9

7. Page 2-24, paragraph 1, sentence I characterizes the ice center restaurant as "a brew-pub type restaurant." The restaurant proposed by the Sharks is envisioned as a family restaurant with a beer and wine license, and is intended to serve mostly the participants of ice skating activities at the center and their families.

13-10

8. The beginning of the last sentence on page 5-30 and extending onto page 5-31 reads: "Based on preliminary designs, the area developed for the ice center would be mostly impervious and add almost 8 acres of impervious surfaces to the Staples Ranch site." The Sharks estimate that the impervious surface areas assumed for the proposed ice center building footprint, parking and other hardscape impervious surfaces total approximately 5.6 acres of impervious surfaces. As required by the City, some of this runoff will be retained on site. In addition, if the grass parking area concept proposed in the Staples Community Park Master Plan recommended by the Parks and Recreation Commission were to be implemented, then substantial additional pervious surface would become part of the ice center project, thus further reducing the total impervious surface acreage. The reduced area of impervious surfaces as discussed above would have a positive impact on runoff reduction and water quality. We therefore ask that this consideration be addressed in the City's Response to Comments.

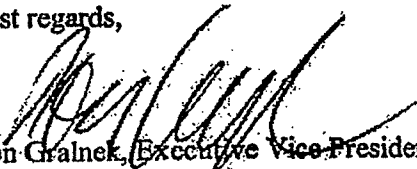
13-11

9. Pages 5-34 and 5-35 analyze the traffic projections and impacts relating to the Ice Center Alternative. We feel that the trip generation rates used for the ice center in these pages and in other sections of the DEIR and traffic study for the ice center significantly overstates typical traffic conditions. As the DEIR concludes, however, the Ice Center Alternative traffic generation projections do not result in any unacceptable traffic conditions beyond those of the "Project." However, we are concerned that the use of the DEIR trip generation rates could result in substantially excessive traffic impact fees for the ice center development project. We therefore request that the City staff work with the Sharks at the appropriate time in the future to arrive at valid trip rates during the actual Pleasanton A.M. and P.M. peak hours for use in the traffic fee determinations. The processes for addressing matters of this nature are provided in the current traffic fee ordinances.

13-12

Thank you once again for all of your hard work.

Best regards,



Don Gralnek, Executive Vice President, General Counsel
San Jose Sharks



13. San Jose Sharks (letter dated June 4, 2008)

13.1 The commenter notes that according to architectural design concepts discussed between the San Jose Sharks and the City of Pleasanton staff, the Ice Center Alternative may contain buildings that range in height up to 45 feet instead of 32 feet as stated in the Draft EIR. In acknowledgment of this more current information, text revisions to the Draft EIR are identified below.

The fourth sentence of the last paragraph on Page S-68 is revised to read the following:

The ice center would be approximately 45 ~~32~~ feet tall and contain up to four National Hockey League-size ice rinks.

The fourth sentence of the third paragraph on Page 5-3 is revised to read the following:

The ice center would be approximately 45 ~~32~~ feet tall and contain up to four National Hockey League-size ice rinks.

The second sentence of the last paragraph on Page 5-22 is revised to read the following:

As a result, this alternative would result in a ~~be~~ more intensely developed site than the proposed project, with the addition of a 45 ~~32~~-foot high, 138,500-square-foot ice center building and related parking.

Although the height of buildings under the Ice Center Alternative could be as high as 45 feet, 13 feet higher than discussed in the Draft EIR, the environmental impacts discussed in Section 5, Alternatives would not result in different significance conclusions than already determined in the Draft EIR. The revised height of the ice center would be compatible with the proposed heights of the other buildings: the auto mall, 45 feet; the senior continuing care community, 50 feet; and retail complex, 45 feet.

Pages 5-22 and 5-23 of the Draft EIR addresses impacts to visual resources associated with the Ice Center Alternative. The Draft EIR indicates that the Ice Center Alternative would be similar in density, height, and scale of development to the proposed project. Even with a change in height from 32 feet to 45 feet for the ice center, there would continue to be no impacts to scenic resources. There would also continue to be significant and unavoidable impacts from the Ice Center Alternative associated with the change in visual character from undeveloped to urbanized lands. The compatibility of the ice center with the Livermore Airport would not be affected as the 45-foot retail center, as analyzed in the Draft EIR, would be closer to the Livermore Airport and was found to be consistent with the Livermore Airport Land Use Plan and FAA guidance. The height of the ice center building would not influence any other impact areas discussed for the Ice Center Alternative in Section 5 of the Draft EIR.

13.2 The commenter explains that the design concept for the roof of the ice center in the Ice Center Alternative may be sloped rather flat as portrayed in the Draft EIR. The final design of the ice center roof would be approved during final design review and would not change the conclusions of the environmental impact discussions under the Ice Center Alternative.

13.3 As discussed in response to Comment 13.1 above, an ice center building height of 45 feet would not result in additional environmental impacts that have not already been addressed in Section 5, Alternatives, of the Draft EIR.

13.4 In the Summary of the Draft EIR, it was reported that the ice center would have seating for up to 2,200 spectators; however, it is also noted that the ice center may reduce its available seating to 1,475 or 1,400 spectators (see page S-69, first paragraph, in the Draft EIR). Section 5, Alternatives, also notes that the ice center's maximum capacity may be reduced to 1,400 spectators (see page 5-3, third paragraph, in the Draft EIR).

Although a maximum of 2,200 spectators was used to assess a worst-case scenario for traffic and air quality impacts, the conclusions reported in the Alternatives section would be similar if the available seating were reduced to 1,475 or 1,400 spectators. As described on pages 5-23 through 5-28, construction air emissions could be reduced by implementing the same mitigation measures identified for the proposed project; regional emissions would remain significant and unavoidable because the amount of vehicle trips associated with this alternative would still be higher than under the proposed project which also had a significant and unavoidable impact; localized carbon monoxide emissions would be lower than modeled in Table 5-9 and would still result in a less-than-significant impact, similar to the proposed project; exposure to TACs and odors would remain similar to the proposed project with less-than-significant impacts; and GHG emissions would be similar to those of the proposed project with either 2,200, 1,475, or 1,400 spectators.

As discussed on pages 5-34 through 5-40, transportation impacts would be similar to that of the proposed project assuming the ice center could accommodate 2,200 spectators. The proposed project would generate less traffic than the Ice Center Alternative assuming 2,200 spectators; however, both the proposed project and the Ice Center Alternative would significantly affect level of service at intersections in the project vicinity. Assuming an Ice Center Alternative with 1,475 or 1,400 spectators rather than 2,200 spectators would reduce the number of vehicle trips, but would still result in more vehicle trips than the proposed project. As a result, with 2,200, 1,475, or 1,400 spectators, the Ice Center Alternative would still result in significant traffic impacts.

13.5 The purpose of selecting an environmentally superior alternative is to inform the decision-makers of alternatives to the proposed project that would result in fewer environmental impacts than if the proposed project were approved. However, the decision-making body is not required to choose the proposed project or other alternative based only on environmental effects. In this case, the City Council may choose to approve the proposed project or the Ice Center Alternative even though it would result in environmental impacts greater than the

environmentally superior alternative. The Council may come to this decision based on other factors, such as economic, legal, social, technological, or other issues. If the Council chooses to approve a project (or one of its alternatives) and it would result in a significant and unavoidable impact (an impact for which there are no feasible mitigation measures to reduce the impact to a less-than-significant level), a Statement of Overriding Considerations must be prepared which states specific reasons to support its action and must also be supported by substantial evidence in the record (CEQA Guidelines Section 15093(b)).

In response to the comment about conflicting text, the following deletion is made to the first paragraph on page S-77 of the Draft EIR:

~~...in greater impacts as compared to the proposed project. Therefore, the proposed project would be considered environmentally superior to the proposed alternatives.~~

13.6 The comment expresses support for the Ice Center Alternative. This comment is an opinion held by the commenter and does not address the adequacy of the EIR or the City's compliance with CEQA. Accordingly, no further response is needed.

13.7 The commenter requests certain information be included in the City's Statement of Overriding Considerations. At the time for consideration of project approval, the City will prepare Findings and a Statement of Overriding Considerations in accordance with CEQA Guidelines Section 15091 and Section 15093, respectively. Among the required findings is that "specific economic, legal, social, technological, or other considerations, ... make infeasible the mitigation measures or project alternatives identified in the final EIR" (CEQA Guidelines, Section 15091(3)). Additionally, CEQA requires that the City deliberately balance the economic, legal, social, technological, or other benefits of the proposed project against its unavoidable environmental risks when determining whether to approve the project" (CEQA Guidelines, Section 15093(a)).

13.8 The commenter believes that the Ice Center Alternative would have less noise impact than the proposed project. The commenter is correct in stating that noise levels associated with outdoor sporting activities would likely create higher sound levels than those associated with indoor sporting activities, such as those that would occur under the Ice Center Alternative. However, there are other contributors to noise levels that determine whether noise levels over a specified period of time would be above or below those modeled under the proposed project.

With respect to noise levels associated with motor vehicle trips, Table 5-11 of the Draft EIR shows that the Ice Center Alternative's incremental increase would not be considered significant and would result in a less-than-significant impact, similar to the proposed project. In contrast, the Ice Center Alternative could expose sensitive receptors to greater noise impacts from mechanical equipment than under the proposed project, because the ice center building would involve larger mechanical equipment to maintain operations. It is

acknowledged, however, that on-site mechanical equipment would be subject to sound attenuation and compliance with the City's noise standards for commercial properties adjacent to residential uses.

In summary, the Ice Center Alternative would not result in outdoor recreational fields, as pointed out by the commenter, but this alternative would perhaps increase noise from traffic and additional mechanical equipment. In light of this reasoning, the comparative rating for the Ice Center Alternative in Table S-3 for this issue is correct.

13.9 The commenter believes that the Ice Center Alternative would have less noise impacts than the proposed project. However, the construction equipment required to construct the ice center under the Ice Center Alternative is expected to be different than that used in constructing the outdoor recreation facilities under the proposed project. The ice center construction activities would likely require heavier equipment and for longer durations. Thus, it can be reasonably assumed that temporary noise impacts of the Ice Center Alternative would be more substantial than those associated with the proposed project. In light of this reasoning, the comparative rating for the Ice Center Alternative in Table S-3 for this issue is correct.

13.10 The commenter provides better information on the type of restaurant that might be associated with the ice center. As a result of this comment, the first sentence of the first paragraph on page 2-24 of the Draft EIR is revised to read:

An alternative site plan has been proposed for the park, which includes an approximately 138,500-square-foot ice center with four rinks, a ~~brew-pub-type~~ family restaurant with a beer and wine license, a pro shop, and similar amenities on 8 acres of the 17-acre community park site.

13.11 The commenter provides updated information regarding the amount of impervious surface area for the ice center. In light of this information, the last sentence on page 5-29 extending to the first sentence on page 5-30 of the Draft EIR is revised to read:

Based on preliminary designs, the area developed for the ice center would be mostly impervious and add ~~almost~~ approximately 8 5.6 acres of impervious surfaces to the Staples Ranch site.

The commenter is correct in stating that a reduced amount of impervious surface from that previously calculated for the Ice Center Alternative would result in reduced runoff and improved water quality. However, because the Ice Center Alternative would still result in an approximately 5.6-acre increase in impervious surface above the proposed project, the Ice Center Alternative would still result in a potentially significant impact. Implementation of Mitigation Measures HY-1.1 and HY-1.2 would reduce potential pollutant load impacts associated with the Ice Center Alternative to less-than-significant levels, similar to the proposed project.

13.12

The commenter believes that the typical trip generation rates for the Ice Center Alternative are overstated. Trip generation rates for the Ice Center Alternative were developed based on rates from a similar ice facility of comparable size (see Table 5-12 for the AM and PM peak hour rates). According to CEQA Guidelines Section 15126.6(d), "...the EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project...[T]he significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed." Thus, traffic impacts due to development of the Ice Center Alternative were evaluated using sufficient information for the decision-makers to make a meaningful comparison between the Ice Center Alternative and the proposed project. In the event that the Ice Center Alternative were approved instead of the proposed project, specific traffic impact fees would be calculated in consultation with the City and the developer of the ice center to determine the appropriate responsibility levels of the project proponent for necessary roadway improvements. The commenter acknowledges that the processes for addressing these types of project refinements exist in the current City traffic fee ordinances.



Alameda Creek Alliance

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June 4, 2008

Brian Dolan, Director
 Department of Planning and Community Development
 City of Pleasanton
 P.O. Box 520
 Pleasanton, CA 94566

Dear Mr. Dolan;

The Alameda Creek Alliance (ACA) offers the following comments to the Stoneridge Drive Specific Plan Amendment/Staples Ranch Draft Environmental Impact Report (EIR).

The ACA has significant concerns about the adequacy of proposed mitigation measures.

Biological Resources

The EIR does not assess mitigation requirements based on impacts to habitat. While protecting individuals of a particular species is important, ultimately species will not survive without adequate habitat. The proposed mitigation measures do not fully mitigate for the impacts of the project. Since the project site provides potential habitat for a number of special-status wildlife and plant species, we recommend that as much mitigation as possible be done on site, and if that is not feasible, then sufficient offsite habitat be preserved in perpetuity.

14-1

Steelhead Trout (*Oncorhynchus mykiss*)

Central California Coast steelhead trout are listed as a threatened species under the Federal Endangered Species Act. The Arroyo Mocho Widening/Arroyo Las Positas Realignment Project included fish ladders specifically to address the issue of future steelhead migration through the Arroyos. The Alameda Creek Fisheries Restoration Workgroup (Workgroup), which includes 17 public agencies and non-profit organizations, has for the last nine years been working to return steelhead to the Alameda Creek watershed. Over the past two years the Niles and Sunol dams were removed, improving fish passage in the creek. Earlier this year two steelhead were transported past the BART weir in Fremont, and successfully spawned in Stonybrook Creek, a tributary to Alameda Creek in Niles Canyon. Fish passage projects in the lower creek are scheduled for construction by 2010. We expect that the efforts of the Workgroup will lead to fish passage into lower Arroyo de la Laguna within two to three years. At that time steelhead trout may be able to reach the project area without assistance. Steelhead trout should be included in the CEQA analysis for the project.

14-2

California Red-legged Frog (*Rana aurora draytonii*)

The EIR acknowledges that the project area provides habitat for the California red-legged frog (CRLF). Unfortunately there have been no CRLF surveys in the project area since 2002. The EIR argues that the project area has low quality habitat "because of the presence of exotic

14-3

predators.” If the invasive predators were removed from the creek and suitable upland habitat was available, the species could again occupy this area. The mitigation measures should include removal of non-native predators from the creeks, and maintenance of adjacent upland habitat. Removal of non-native predators would also benefit steelhead when they return to the Arroyos

↑
14-3
(cont.)

California Tiger Salamander (*Ambystoma californiense*)

The project area provides potential habitat for this species. Mitigation ratios for this species should be consistent with those contained in the U.S. Fish and Wildlife Service Biological Opinion for the Santa Rosa Plain Conservation Strategy.¹

14-4

Western Pond Turtle (*Clemmys marmorata*)

One western pond turtle was found and relocated to an upstream location during construction of the adjacent Arroyo Mocho Widening/Arroyo Las Positas Realignment Project in 2003. Western pond turtles were observed during post construction monitoring in May 2004 near the Arroyo Las Positas fish ladder, and in March 2005, in a plunge pool area immediately downstream of the Hanson Bridge. As the EIR states “suitable aquatic habitat for the turtles exists in portions of Arroyo Mocho, and the Arroyo Mocho Realignment project included western pond turtle habitat enhancements; however, fencing along the arroyo prevents this species from migrating and inhabiting upland habitats in the Staples Ranch site.”

14-5

Special Status Birds

The list of special-status bird species with potential to occur on site should include the western burrowing owl (*Athene cunicularia hypugea*). The project area provides potential habitat for this species, and if the species occurs on site the EIR needs to detail the mitigation measures that will be implemented to compensate for the impacts.

14-6

San Joaquin Spearscale (*Atriplex joaquiniana*)

The EIR asserts that some mitigation provided for the Arroyos project can count towards the impacts from this proposed project. This is an unacceptable approach – it does not mitigate for the habitat that currently exists on the site. As an annual species, San Joaquin spearscale impacts cannot be measured by the number of plants present, but rather by the amount of potential habitat present. It is well documented that the populations of annual plant species can fluctuate widely from year to year due to climatic conditions. In many cases not all potential habitat is occupied every year. The EIR acknowledges and maps the location of San Joaquin spearscale populations as they were found in July 2006 on the project site. However, the EIR does not provide information about how many acres of spearscale habitat is being lost to the project. Until surveys determine the amount of San Joaquin spearscale habitat on the site, the EIR cannot determine appropriate mitigation measures. Once the habitat on the site is assessed and quantified, then on- or off-site mitigation should occur at a minimum 1:1 mitigation ratio.

14-7

Riparian Habitat

We are concerned that the current riparian habitat restoration efforts that are a part of the Arroyos project is not providing adequate habitat for native species. The riparian area is important for the future use of the project area by steelhead, pond turtles, songbirds, and many other species. Restoration of full ecological function to the riparian zone is far from complete.

14-8
↓

¹ http://www.fws.gov/sacramento/es/consultations/COE_Santa_Rosa_CTS_and_plant_programmatic.pdf

Since the project site provides upland habitat for species that would utilize the riparian habitat along the Arroyos, there should be measures in place to insure the future productivity of the riparian zone.

↑ 14-8
(con't.)

Hydrology and Water Quality

The Hydrology and Water Quality section does not discuss the effects on water temperature in the Arroyos as a result of the proposed project. Water temperature is one of the most critical factors affecting the success of steelhead spawning and rearing. Warm water temperatures also favor the spread of invasive predators. How will the water detention facility and the other impacts of the project impact water temperature?

14-9

Chloramine has proven deadly to aquatic life. How will the project handle runoff of chloramine treated water to prevent impacts to the aquatic species in the Arroyos?

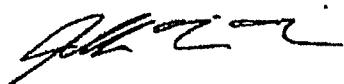
14-10

Environmentally Superior Alternative

We support the Open Space Alternative, but request further analysis of additional designs. Specifically we want to ensure adequate buffering along the arroyos to protect the ecological function of the waterways and adjacent riparian zones. This should include enhancements of upland habitats adjacent to the arroyos. This will provide habitat for special status wildlife species and help protect water quality.

14-11

Sincerely,



Jeff Miller
Director

14. Alameda Creek Alliance (letter dated June 4, 2008)

- 14.1 The commenter asserts that the Draft EIR does not contain adequate mitigation for potential impacts to sensitive species and their habitat. The commenter is directed to the responses below that address specific questions the commenter raised about potential impacts to the specific species and their habitat, and the adequacy of this mitigation under CEQA.

In general, pages 3.3-18 through 3.3-29 of the Draft EIR include a range of specific mitigation measures, where warranted, to reduce potential impacts and protect sensitive species and their habitat where applicable under CEQA or other state and federal regulations, and preserve sensitive habitats. The mitigation recommended for impacts to sensitive biological resources in the Draft EIR is designed to meet or exceed applicable and adopted State and federal resource agency standards via the agency oversight of the final permit approval process. In those cases where the mitigation meets agency standards or requirements, those standards and requirements have been developed, in part, for the purpose of providing guidance as to proportionality between an impact and proposed mitigation. In addition, the Draft EIR includes specific and enforceable mitigation measures that recognize that wildlife and plant habitat and locations are not static but change through time.

Furthermore, the Mitigation Monitoring and Reporting Program, which will be adopted with project approval, will identify specific mitigation monitoring requirements, including implementation documentation, monitoring activity, timing, and the responsible monitoring party. Verification of compliance with each measure is required, thus ensuring implementation of the mitigation measures designed to protect biological resources. This plan would be overseen and enforced by the City and, as appropriate, State and/or federal resources agencies.

Thus, the proposed mitigation measures are consistent with current interpretations of CEQA as well as State guidelines implementing CEQA Sections 15126.4(a)(1)(A), 15126.4(a)(1)(B), 15126.4(a)(2), and 15126.4(a)(4)(B). Accordingly, the assessment in the Draft EIR of potential direct and indirect impacts of the project to sensitive and/or State and federally listed species and their habitats is considered adequate, as is the identification of mitigation.

- 14.2 The commenter suggests that steelhead trout should be included in the CEQA analysis for the proposed project. As discussed in Appendix C of the Draft EIR, Central California Coast steelhead trout historically migrated through the area via the Arroyo Mocho; however, barriers downstream along Alameda Creek and the Arroyo Mocho now prohibit migration into this segment of the Arroyo Mocho. Additional barriers block access to potential spawning habitat in the upper Arroyo Mocho above Livermore. As a result, this species does not occur within the project site, and the project would result in no impacts to steelhead trout. Potential future distribution of this species onto the reach of Arroyo Mocho

in the vicinity of the Project Area is speculative, because no firm plans have been made either for the removal of all of the barriers to migration (both upstream and downstream) or for significant changes to area dam releases, quarry-area pumping and other water flow issues that may be needed to support a viable steelhead run. Consequently, the assessment in the Draft EIR is appropriate and adequate.

- 14.3 As discussed in Impact BIO-2 of the Draft EIR (see page 3.3-17), the California red-legged frog (CRLF) is known to occur in Arroyo las Positas upstream of the Project Area and in several of the drainages north of I 580, but are unlikely to be found in the Project Area due to poor habitat suitability. The EIR acknowledges that if this species were to occur in the Project Area and would be impacted by the project, impacts could be significant. As a result, Mitigation Measure BIO-2.1 was developed to mandate a preconstruction survey, which is designed to identify any CRLF that were not present at the time of the biological survey of the Project Area. If this species is found, Mitigation Measures BIO-2.2, 2.3, and 2.4 are proposed in the Draft EIR to avoid both direct and indirect impacts to this species and the project developers would be bound by the federal Endangered Species Act's regulatory requirements, including requirements protecting habitat of this species.

Although the commenter suggests that additional mitigation involving the removal of invasive species should occur in order to make the habitat more suitable, it must be recognized that the purpose of the EIR is to identify impacts associated with the proposed project. Removal of invasive predators could be appropriate as part of a plan to enhance the habitat; however, that is not the project being evaluated for this EIR. The proposed project involves development of the Project Area for residential, commercial, and recreational uses. The mitigation measures in Section 3.3, Biological Resources, of the Draft EIR, respond to significant impacts of this development plan.

- 14.4 As discussed in Impact BIO-3 of the Draft EIR, if individual California tiger salamanders (CTS) would be directly affected by project construction, then activities shall cease and the USFWS shall be notified immediately. Mitigation measures would be developed through the federal Endangered Species Act consultation process to reduce impacts to the species. These impact reduction measures would be consistent with an applicable Biological Opinion and would be designed by federal agencies to reduce potential impacts to federally listed species, such as the CTS, to less-than-significant levels. Thus, the mitigation ratios, which would include mitigation for occupied habitat would be appropriate and tailored to the specific conditions of the Project Area, rather than those devised for the Santa Rosa Plain Conservation Strategy.

- 14.5 The commenter discusses the western pond turtle and cites information in the Draft EIR that indicates there is suitable habitat in the Arroyo Mocho. The commenter is directed to Impact BIO-4 of the Draft EIR on page 3.3-20, for a discussion of potential impacts to the western pond turtle and a list of proposed mitigation to reduce impacts to less-than-significant levels. Furthermore, any impacts to this species' habitat would be further

mitigated through the CDFG Section 1600 Streambed Alteration Agreement as this species habitat falls almost entirely within areas that are under the jurisdiction of Section 1600.

14.6 As discussed in Appendix C of the Draft EIR, the burrowing owl (*Athene cunicularia*) has a low potential to occur due to past site disturbance and lack of burrows in the Project Area. Consequently, impacts to this species are not anticipated. However, Impact BIO-5 indicates that the proposed project could affect nesting birds or their habitat, including species not expected to occur such as the burrowing owl. To mitigate potential impacts, Mitigation Measure BIO-5.1 would be implemented, and if nesting species are found, construction buffers around breeding pairs would be established.

14.7 The commenter asserts that the mitigation for the San Joaquin spearscale (SJS) is improper as it relies on previously approved and implemented mitigation to offset project losses, and is inadequate as it does not mitigate for loss of potential SJS habitat.

As discussed in Impact BIO-1 of the Draft EIR (see text beginning on page 3.3-16), the SJS population on the Staples Ranch site has already been fully and successfully mitigated for in advance at a ratio of approximately 8:1. Accordingly, the loss of the San Joaquin spearscale population on the Staples Ranch site is considered fully mitigated and the analysis in the Draft EIR is adequate. With respect to mitigation for losses of "potential habitat," impacts are considered significant for occupied habitat only, and were mitigated at an approximate ratio of 8:1.

14.8 The commenter suggests that the current riparian habitat restoration efforts that are part of the "Arroyos project" are not providing adequate habitat for native species. The Arroyos project is not a part of the proposed Staples Ranch project and the adequacy of that project's riparian restoration is independent of this project. Impacts to riparian vegetation resulting from the proposed project are identified in Impact BIO-6 and are fully mitigated through compliance with the Fish and Game Code of California and via implementation of Mitigation Measures BIO-6.1 through BIO-6.3 (see pages 3.3-23 through 3.3-24).

14.9 The commenter requests that the Draft EIR consider the project's effects on water temperature. Stormwater runoff occurs during the wet weather season when surface temperatures are cooler. The proposed detention basin would be designed to release water in a manner that mimics the existing hydrograph and would not detain water for a long time such that substantial warming could occur, especially because it would primarily be functioning during the rainy, cooler season. During the warm season, when aquatic organisms would be most susceptible to water warming impacts, discharges would not be expected to be substantial because Mitigation Measure HY-1.1 requires water efficient irrigation practices that would minimize the potential runoff used for landscape irrigation and nuisance flows would first be directed to the detention basin. Additionally, during the warmer seasons, flow in the Arroyo Mocho near the eastern portion of the project site can be zero (see Zone 7, Groundwater Management Plan 2006 Annual Report, Table 3.3-3), and therefore, there would be no aquatic life to impact.

- 14.10 The commenter requests information on how the project will handle runoff of chloramine treated water. Chloramine treated water would only contribute to runoff if potable water is used for irrigation in excess of required needs (nuisance flows). Mitigation Measure HY-1.1 requires water efficient irrigation practices that would minimize the potential runoff of potable water used for landscape irrigation. Additionally, runoff is directed first to stormwater quality BMP areas and the detention basins. The project Water Quality Management Plan must comply with the Alameda Countywide Clean Water Program. This existing regulatory requirement would further reduce the potential for nuisance flows that could be discharged to the detention basin. Therefore, even if low nuisance flows were generated. It would be unlikely that such flows would be discharged off site and affect receiving waters.
- 14.11 The comment expresses support for the Open Space Alternative of the proposed project, and requests additional design features to protect and enhance habitat. The City Council will be deliberating on the merits of the proposed project, and the commenter is invited to participate in those discussions and to express his preference for one of the project alternatives presented in the Draft EIR.

Vulcan

Materials Company

Western Division

June 3, 2008

Ms. Robin Giffin
 Department of Planning and Community Development
 City of Pleasanton
 P.O. Box 520
 Pleasanton, CA 94566

Re: Stoneridge Drive Specific Plan Amendment/Staples Ranch Draft Environmental Impact Report ("Draft EIR"); State Clearinghouse #2006062053

Dear Ms. Giffin:

As set forth in the Draft EIR, Pleasanton is a party to that certain Pre-Development and Cooperation Agreement, dated September 17, 2007 ("Cooperation Agreement"), along with Vulcan, Livermore, Alameda County and the Surplus Property Authority. The stated purposes of the Cooperation Agreement include assuring the construction of certain improvements in connection with the Staples Ranch project in Pleasanton and the El Charro Specific Plan and Prime Outlets project in Livermore, including certain specified major improvements along El Charro Road.

Vulcan appreciates the opportunity to present these comments on the Draft EIR. Most of these comments relate to inconsistencies between the Draft EIR and the provisions of the Cooperation Agreement. The issues raised in this letter should be properly addressed prior to certifying the EIR and granting approval of the Staples Ranch project.

CONFLICTING LAND USES

The discussion of Surrounding Land Uses in Section 3.6 of the Draft EIR does not mention or discuss Vulcan's long-established and significant mining and processing and related transport operations in the immediate vicinity of the project site. The Draft EIR only mentions Vulcan with respect to the proposed emergency vehicle access onto Vulcan's private El Charro Road. Vulcan's nearby quarry operations constitute a conflicting land use, especially with respect to the proposed housing and recreational uses on the Staples Ranch site. Pleasanton officials are familiar with Vulcan's operations, but we would be glad to provide you with additional information if desired. The impacts of this conflict should be discussed and analyzed in the Draft EIR. We would suggest that the appropriate mitigation for this impact would be the inclusion in the Draft EIR of the disclosure statement and deed rider required by Sections 10.2

15-1

and 10.3] of the Cooperation Agreement, copies of which are included in Attachment A to this letter.

15-1
(cont.)

TRAFFIC AND TRANSPORTATION

Inconsistencies with Cooperation Agreement. Pursuant to Sections 3 and 5 of the Cooperation Agreement, Pleasanton is required to construct certain improvements to the El Charro / Stoneridge / Jack London intersection prior to or as part of any development on Staples Ranch. The required improvements are shown in Exhibits K-1, K-2 and O to the Cooperation Agreement, copies of which are included in Attachment B to this letter. However, the Staples Ranch project analyzed in the Draft EIR includes intersection improvements which appear to be inconsistent with the Cooperation Agreement. Pleasanton should revise the Staples Ranch project and the Draft EIR so that each is consistent with the Cooperation Agreement.

Portions of the Draft EIR appear to indicate that a free right turn from southbound El Charro Road to westbound Stoneridge Drive / Auto Mall Place is part of the Staples Ranch project (for example, see Figure 2-15). The configuration of this lane is consistent with the attached Exhibits from the Cooperation Agreement. However, mitigation measure TR-7C in the Draft EIR makes this lane a mitigation measure, rather than a part of the Staples Ranch project, and requires its construction only in the event Pleasanton determines to construct the extension of Stoneridge Drive from its western terminus. The separation of the required right turn lane from the Staples Ranch project is inconsistent with the Cooperation Agreement, which controls the improvements to be constructed at this intersection, and which mandates the construction of the lane regardless of whether the Stoneridge Drive extension is completed.

15-2

Mitigation measure TR-7C also calls for the addition of a third eastbound left turn lane at this intersection. Under Sections 5.2 and 2.26 of the Cooperation Agreement, Pleasanton may not unilaterally make any such material modification to the intersection layout. To the extent this mitigation measure calls for an improvement which differs from those specified by the Cooperation Agreement, that Agreement requires the parties to execute an appropriate amendment.

15-3

Cumulative Impacts. Mitigation measure TR-7C is designed to address cumulative impacts of the Staples Ranch project and other cumulative development on the El Charro / Stoneridge / Jack London intersection. However, the Draft EIR's assumptions regarding cumulative development are not clearly laid out. The Draft EIR merely notes on page 4-19 that estimates have been prepared for traffic generated by projects within Pleasanton, without reproducing these estimates, or identifying their source, precise nature, and the factors upon which these estimates are based. In particular, it is not clear what assumptions have been made for the former Kaiser/Hanson quarry property, now owned by Legacy Partners. The Draft EIR should specifically state the development assumptions included in the cumulative development scenario for this property.

15-4

Timing of Development. The Draft EIR notes that certain improvements along El Charro Road are to be constructed by the City of Livermore prior to annexation of the Staples Ranch project site by Pleasanton. However, as acknowledged during the May 14, 2008, Planning Commission hearing regarding the Draft EIR, the Livermore El Charro Specific Plan is currently delayed due to litigation with third parties. This means that the Staples Ranch project may proceed in advance of development in the El Charro Specific Plan area. The Draft EIR notes that the Cooperation Agreement includes provisions which would allow Pleasanton to take over construction of certain improvements which Livermore is otherwise required to construct. Given the current litigation regarding the El Charro Specific Plan, the Draft EIR should provide more detail regarding the improvements Pleasanton would construct if the Staples Ranch project proceeds in advance of the El Charro Specific Plan, based on the Cooperation Agreement.

15-5

Ice Center Alternative. As described on Pages S-60 and 5-34 of the Draft EIR, the Ice Center Alternative would include seating for up to 2,200 spectators at up to six special events per year. Beyond stating that shuttle bus service may be required for these special events, however, the Draft EIR fails to conduct any analysis of the impacts of these special events on traffic and circulation. Even if it is assumed that these events are held outside the AM and PM peak hours for the roadway network, it is possible that these events could conflict with the peak hours of truck operations related to quarry operations. The Draft EIR should be revised to include a proper analysis of the traffic impacts of these special events at the proposed ice center.

15-6

FLOOD IMPACTS

The Draft EIR's discussion of Hydrology and Water Quality identifies a number of existing flood control deficiencies which affect or may be affected by the Staples Ranch project. These include situations in which a 100-year flood could cause the Arroyo Mocho and/or Arroyo Las Positas to overtop their respective banks, which could flood El Charro Road. The Draft EIR notes that many of these flood control issues will be addressed by the construction of the "Livermore Flood Protection Improvements" - a set of flood control improvements which are expected to be constructed as part of Livermore's El Charro Specific Plan. In fact, Mitigation Measure HY-4.2 requires the construction of the Livermore Flood Protection Improvements prior to issuance of any certificates of occupancy within Staples Ranch.

However, as discussed above, due to litigation with third parties regarding the El Charro Specific Plan, the Staples Ranch project may proceed in advance of development in the El Charro Specific Plan area. The Draft EIR fails to address what would happen if Livermore is unable to construct the Livermore Flood Protection Improvements in a timely manner, and should be revised accordingly. For example, the Draft EIR might discuss whether or not Pleasanton itself would assume responsibility for the construction of these improvements. The Draft EIR might also consider whether other aspects of the Staples Ranch project, for example grading, should await construction of the Livermore Flood Protection Improvements to prevent potential flood impacts.

15-7

Ms. Robin Giffin
June 3, 2008
Page 4

SUMMARY

Thank you in advance for your consideration of these comments. Vulcan reserves the right to submit further comments on the Staples Ranch project and EIR during the public review and hearing process.

Very truly yours,



Douglas J. Reynolds
Manager Business Development
Northern & Central California

cc: Pleasanton Planning Commission
Rob Wilson
Stuart Cook
Cheri Sheets
David L. Preiss, Esq.

Ms. Robin Giffin
June 3, 2008

Attachment A
to June 3 Letter from Vulcan Materials Company, Western Division
Excerpts from the Cooperation Agreement Related to Conflicting Land Uses

**PRE-DEVELOPMENT AND COOPERATION AGREEMENT
(El Charro Specific Plan and Prime Outlets Project, Livermore, California;
Staples Ranch, Pleasanton, California)**

By And Among

**CITY OF LIVERMORE, COUNTY OF ALAMEDA, SURPLUS PROPERTY AUTHORITY OF
THE COUNTY OF ALAMEDA, CITY OF PLEASANTON, and CALMAT CO., d/b/a VULCAN
MATERIALS COMPANY, WESTERN DIVISION**

Vulcan to any of the Jurisdictions, or any other public agency, or for any public use or purpose whatsoever.

10. REQUIRED CONDITIONS OF APPROVAL.

10.1 Acknowledgement of this Agreement. Livermore shall provide a copy of this Agreement to any applicant for a Livermore Land Use Approval. Pleasanton shall provide a copy of this Agreement to any applicant for a Pleasanton Land Use Approval. Livermore also shall include the following condition of approval for any and all Livermore Land Use Approvals, and Pleasanton also shall include the following condition of approval for any and all Pleasanton Land Use Approvals:

Applicant acknowledges that the City has provided to applicant a copy, and applicant is aware of the existence, of that certain Pre-Development and Cooperation Agreement by and among the City Of Livermore, the County Of Alameda, the Surplus Property Authority of the County of Alameda, the City Of Pleasanton, and CalMat Co., d/b/a Vulcan Materials Company, Western Division ("Vulcan"), dated as of September 18, 2007 (the "Cooperation Agreement"), and further acknowledges that applicant has reviewed and understands the provisions of the Cooperation Agreement, including but not limited to the provisions thereof that prohibit the City's issuance of certain permits for applicant's project unless and until the City complies with its obligations under the Cooperation Agreement, and allow Vulcan to join applicant as a real party in interest in any action to enforce the City's obligations under the Cooperation Agreement. Applicant consents to the recordation of the Memorandum of Agreement on title to Applicant's property and shall execute and deliver to City all documents required to evidence the consent to recordation.

Without limitation, the Authority, for itself and on behalf of any successor owner of all or any portion of the Staples Ranch Property, consents to the inclusion of the above condition on any Pleasanton Land Use Approval.

10.2 Property Owner Disclosures.

(a) **Livermore.** As a condition of approval of any and all Livermore Land Use Approvals, Livermore shall require all property owners or developers to provide each potential tenant or purchaser of any property in the El Charro Specific Plan Area with the written disclosure statement set forth Section 10.2(c).

(b) **Pleasanton.** As a condition of approval of any and all Pleasanton Land Use Approvals, Pleasanton shall require all property owners or developers to provide each potential tenant or purchaser of any property in the Staples Ranch Property with the written disclosure statement set forth in Section 10.2(c). Without limitation, the Authority agrees to provide each potential tenant or purchaser of any property in the Staples Ranch Property from the Authority with the written disclosure statement set forth in Section 10.2(c).

(c) **Disclosure Statement Form.** The disclosure statement required Sections 10.2(a) and 10.2(b) shall be as follows:

This property is located in the vicinity of operating quarries on land designated by the County of Alameda for sand and gravel quarry and related operations, including asphalt and concrete plants, landfill, recycling of construction materials, reclamation and other similar uses (the "Quarry Lands"). The Quarry Lands have been designated by the State of California as containing aggregate and mineral resources of regional significance. Operations and reclamation activities at the Quarry Lands are projected to continue until at least 2030. Quarry operations may result in airborne particulate matter, bright lights, noise and vibration, unattractive visual appearance, and heavy truck traffic. El Charro Road serves as the main access route to the Quarry Lands and is subject to a high volume of heavy truck traffic related to the Quarry Lands.

10.3 Deed Rider.

(a) **Livermore.** As a condition of approval of all Livermore Land Use Approvals, Livermore shall require all property owners and developers to attach a rider to each deed for any property within the El Charro Specific Plan Area as set forth in Section 10.3(e).

(b) **Pleasanton.** As a condition of approval of all Pleasanton Land Use Approvals, Pleasanton shall require all property owners and developers to attach a rider to each deed for any property in the Staples Ranch Property as set forth in Section 10.3(e). Without limitation, the Authority agrees to attach the rider set forth in Section 10.3(e) to each deed from the Authority for any property in the Staples Ranch Property.

(c) **Deed Rider Form.** The deed rider required by Sections 10.3(a) and 10.3(b) shall be as follows:

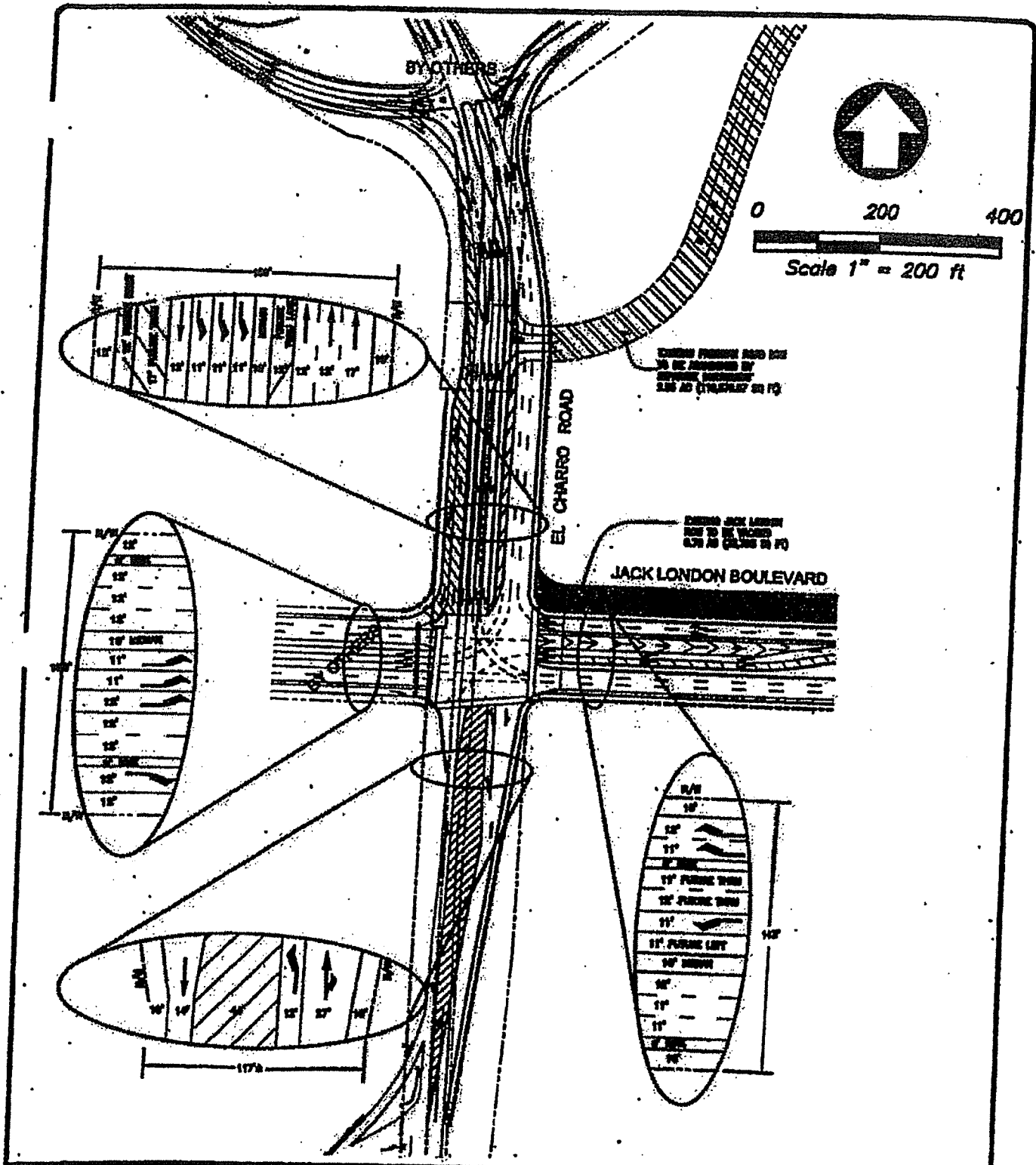
Grantee hereunder acknowledges and agrees that the subject property is located in the vicinity of active and operating quarries and processing facilities. Grantee also acknowledges that quarry operations may result in airborne particulate matter, bright lights, noise and vibration, unattractive visual appearance, and heavy truck traffic on El Charro Road and adjacent streets and roadways within or outside the quarries. Grantee accepts possible inconvenience or discomfort from any of the foregoing and Grantee hereby acknowledges and agrees that no claim of nuisance shall lie based on any of the foregoing. Grantee hereby covenants to include this same paragraph, in its entirety, in any subsequent deed by Grantee of all or any portion of the subject property. Grantee further covenants to include this same paragraph within any lease for all or any portion of the subject property.

10.4 Memorandum of Agreement.

(a) **Livermore.** Concurrently with its execution of this Agreement, Livermore shall duly execute an original counterpart of the Memorandum of Agreement. Livermore further agrees to impose a condition of approval on any and all Livermore Land Use Approvals which requires, prior to the issuance of any grading or building permit related to such Livermore Land Use Approval, that the developer or property owner(s) associated with such Livermore Land Use Approval (i) consents to the recordation of the Memorandum of Agreement on title to such developer's or property

Ms. Robin Giffin
June 3, 2008

Attachment B
to June 3 Letter from Vulcan Materials Company, Western Division
Excerpts from the Cooperation Agreement Related to Required Improvements at
El Charro Road / Stoneridge Drive / Jack London Boulevard Intersection



KIER & WRIGHT
 CIVIL ENGINEERS & SURVEYORS, INC.
 1233 Quarry Lane, Suite 148 (925) 248-8300
 Pleasanton, California 94566 Fax (925) 248-8383

EXHIBIT "K-1"
 DIAGRAM OF
EL CHARRO INTERSECTION IMP
 LIVERMORE CALIFORNIA

SCALE	1" = 200'
DATE	6-30-07
BY	J.A.M.
JOB NO.	AD6717
SHEET	1 OF 1

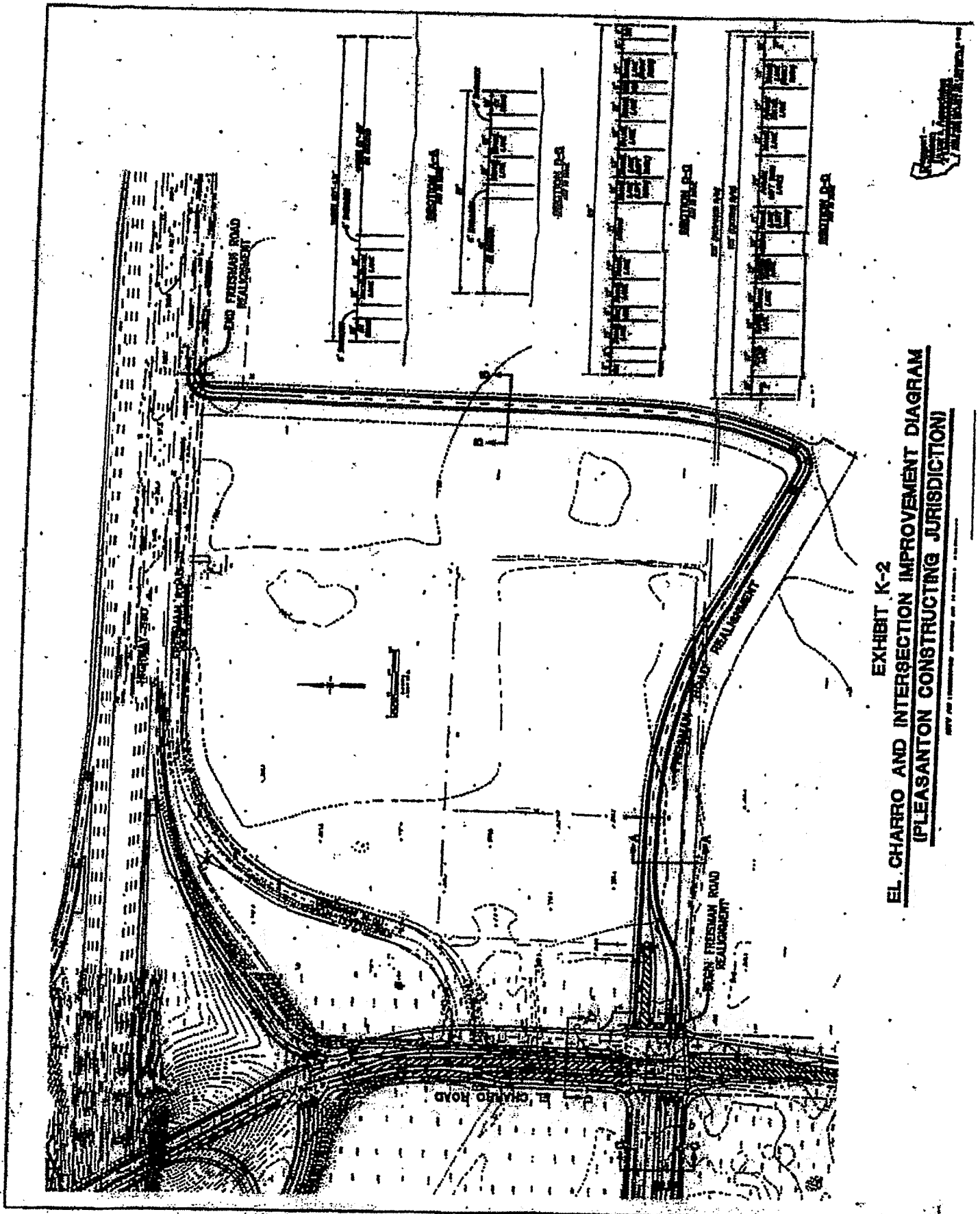


EXHIBIT K-2
EL CHARRO AND INTERSECTION IMPROVEMENT DIAGRAM
(PLEASANTON CONSTRUCTING JURISDICTION)



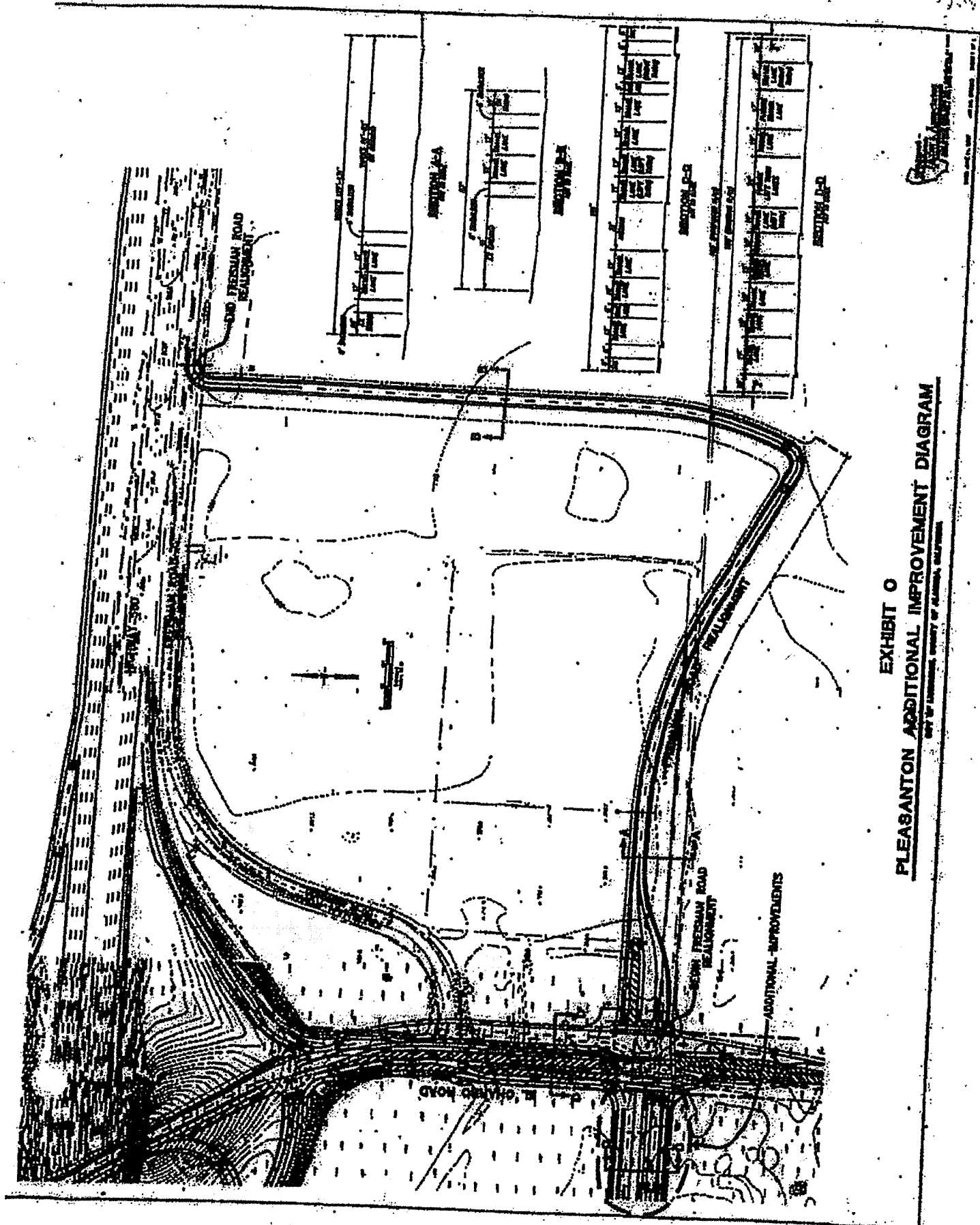


EXHIBIT O
PLEASANTON ADDITIONAL IMPROVEMENT DIAGRAM
 CITY OF PLEASANTON, COUNTY OF ALAMEDA, CALIFORNIA



15. Vulcan Materials Company (letter dated June 3, 2008)

- 15.1 The commenter notes that Section 3.6, Land Use and Agricultural Resources, of the Draft EIR does not identify the quarry in the surrounding uses. As shown in Figure 3.6-2 of the Draft EIR, the area to the south of the Project Area is identified as undeveloped/quarry.

The commenter also suggests that the quarry would be a conflicting use for the residential and recreational uses proposed for the Staples Ranch site. The active quarry areas are not directly adjacent to the Staples Ranch site and, as such, would not present a land use conflict. There may be some indirect impacts to the project from the quarry, such as noise, air quality, or traffic, especially as a result of the quarry truck traffic that would use El Charro Road. Impacts from these uses are addressed in their respective sections, see Sections 3.2, Air Quality; 3.7, Noise; and Section 3.9, Transportation in the Draft EIR for discussions of these impacts.

While the commenter's request for a deed rider would not be required under CEQA as mitigation, because no significant impacts are identified from the quarry, the deed rider would be included for the Staples Ranch site properties, per the 2007 Predevelopment and Cooperation Agreement. For clarification, a new paragraph on page 2-9 is inserted after the second paragraph:

The disclosure statement and the deed riders of sections 10.2 and 10.3 of the Cooperation Agreement shall be required. These relate to active and operating quarries and processing facilities in the vicinity and acknowledge that quarry operations may result in inconvenience or discomfort from airborne particulate matter, bright lights, noise and vibration, unattractive visual appearance, and heavy truck traffic on El Charro Road and adjacent streets and roadways within or outside the quarries.

- 15.2 The commenter states that Mitigation Measure TR-7C (Improve El Charro at Stoneridge (#53)) is inconsistent with Pre-Development and Cooperation Agreement between the Cities of Pleasanton and Livermore, the Surplus Property Authority of Alameda County, the County of Alameda and Calmat Co. in which construction of the southbound free right turn lane is identified as part of the project, not a mitigation to the project. In recognition of this correction, the project description is revised to include the construction of the southbound free right turn lane as part of the project.
- 15.3 The commenter states that Mitigation Measure TR-7C (Improve El Charro at Stoneridge (#53)) is inconsistent with Pre-Development and Cooperation Agreement between the Cities of Pleasanton and Livermore, the Surplus Property Authority of Alameda County, the County of Alameda and Calmat Co. in which the construction of the third eastbound left turn lane is identified as part of the project, not a mitigation to the project. In recognition

of this correction, the project description is revised to include the construction of the third eastbound left turn lane as part of the project.

In 2007, the City of Pleasanton, the City of Livermore, Alameda County, the Alameda County Surplus Property Authority, and Vulcan Materials Company entered into a Pre-Development and Cooperation Agreement regarding roadway construction and intersection improvements in the project vicinity. Two exhibits in this agreement show how the Auto Mall Place/El Charro Road intersection will be constructed. Exhibit K-1 shows how the intersection will be constructed if the City of Livermore constructs the intersection. Exhibit K-2 shows how the intersection will be constructed if the City of Pleasanton constructs the intersection. The Draft EIR generally shows the construction of exhibit K-2; however, it is anticipated that the City of Livermore will construct El Charro Road and that the intersection improvements shown in exhibit K-1, which includes three left turn lanes from Auto Mall Place onto El Charro Road will be constructed. In either event, the Auto Mall Place/El Charro Road intersection will be designed to be consistent with the improvements required in the Pre-Development and Cooperation Agreement. This being said, Section 3.3 of the Pre-Development and Cooperation agreement allows for changes to the Auto Mall Place/El Charro Road intersection, if an amendment to the agreement is supported. The City of Pleasanton may pursue an amendment to allow two left turn lanes from Auto Mall Place onto El Charro Road under existing plus approved plus project traffic conditions, since Stoneridge Drive is not proposed to be extended to El Charro Road as part of the project, and traffic volumes do not warrant a third left turn lane at this time. As described in section 4 of the Draft EIR, under cumulative conditions, a third left turn lane would be required. If an amendment to the Pre-Development and Cooperation Agreement were proposed and supported, the City of Pleasanton would be responsible to construct the third left turn lane from Auto Mall Place to El Charro Road prior to the onset of cumulative conditions.

- 15.4 The commenter requests clarification on the land use assumed in the cumulative analysis for the former Kaiser/Hansen quarry property now owned by Legacy Partners. The specific roadway improvements and land use changes assumed for Existing plus Approved and Cumulative (2030) conditions were taken from the technical analysis completed for the April 24, 2007 Joint City Council and Planning Commission Workshop on the General Plan Traffic Modeling Results. The land use and roadway assumptions are documented in the appendices to the *Stoneridge Drive Specific Plan Amendment Traffic Report*. The Kaiser/Hansen property is immediately south of the Staples Ranch Project and was modeled as 327,000 square feet of R&D.
- 15.5 The commenter requests clarification on improvements that will be constructed should the El Charro Specific Plan project not be constructed prior to the Staples Ranch project. As discussed in Section 1, Introduction, and Section 3.9, Transportation, the Pre-development Cooperation Agreement was approved by the Pleasanton City Council in 2007 in association with the City of Livermore, the Alameda County Surplus Property Authority (Authority),

Alameda County, and Vulcan Materials regarding the design and construction of El Charro Road near the Project Area. In addition, in 2007, the Cost Sharing Agreement between Alameda County, the City of Pleasanton, and the City of Livermore was approved regarding each jurisdiction's financial contribution toward the El Charro Road improvements. According to the agreements, it is anticipated that the City of Livermore will commence construction of the El Charro Road improvements before the Staples Ranch project (including El Charro Road) is annexed into the City of Pleasanton. If this does not occur, then the City of Pleasanton would construct the El Charro Road improvements listed in the agreements, unless the cities of Pleasanton and Livermore agree otherwise in writing. See Impact TR-6, beginning on page 3.9-41, for more information.

- 15.6 The commenter suggests additional analysis of the Ice Center Alternative's impact due to special events, specifically during "peak quarry operation" times. It is anticipated that special events will only be conducted outside of the AM and PM peak hours and the traffic volumes during "peak quarry operation" are not anticipated to exceed the volumes during the AM and PM peak hours, and will operate at acceptable levels of service. For the El Charro Specific Plan EIR, twenty four hour roadway directional counts (using pneumatic directional counters) were conducted on El Charro Road at Freisman Road over a week long period in October 2006. These data (which is part of the Traffic Report) shows the "peak quarry traffic" as occurring between 11 a.m and 1 p.m. By contrast, traffic count data collected in February 2007 at the Sharks facility in San Jose in connection with a "special event" shows that the increases in traffic volumes occurs between 4 p.m and 9 p.m. During the "peak quarry traffic" period, traffic volumes remained the same.
- 15.7 The commenter requests clarification of what the City's alternative plan for flood improvements would be if the El Charro Road Specific Plan project is delayed, or the City of Livermore is unable to execute the Conditional Letter of Map Revision (CLOMR). As noted on page 2-34, if Livermore has not succeeded in executing the CLOMR and removing the Staples Ranch site from the flood zone, the ACSPA may proceed with constructing the planned Livermore flood protection improvements or an alternative plan outside the El Charro Specific Plan Area. The Draft EIR in Impact HY-4 acknowledges that until the improvements are made and approval from the Federal Emergency Management Agency is obtained, flood risk still exists at the project site. Mitigation Measure HY-4.1 on page 3.5-40 of the Draft EIR would require the execution of the CLOMR prior to construction activities. It should also be noted that since the Draft EIR was published, the City of Livermore filed a CLOMR application with FEMA (that was reviewed by Zone 7 and Alameda County, as well as the Cities of Livermore, Pleasanton and Dublin) that would modify the floodplain area in the vicinity -including the removal of all of Staples Ranch from the floodplain- as a result of implementing the Livermore Flood Protection Improvements. According to Livermore staff, Livermore currently anticipates construction of these improvements to commence in early 2009.

Comments on Draft Environmental Impact Report for Staples Ranch

June 4, 2008

Transmitted via Email

Robin Giffin
200 Old Bernal Avenue
Pleasanton, CA 94566

Dear Robin:

My comments and questions are:

- 1) The title of the document is the Stoneridge Drive Specific Plan Amendment/Staples Ranch EIR although the notice of completion refers to this document as a Draft Environmental Impact Report. Please clarify why the notice is of a Draft EIR, but the actual document does not include Draft in its title. Has the document been circulated with the previous draft and final EIR of the Stoneridge Drive Specific Plan of 1989 to all parties? Or is the Stoneridge Drive Specific Plan Amendment/Staples Ranch EIR a standalone document?
- 2) During the proposed Kaufman and Broad development of 311 residential units in Staples Ranch, a Supplemental Draft Environmental Impact Report was prepared (SDEIR) under CEQA Guidelines Section 15162 and 15163. Why was a SDEIR prepared for that project when a Supplemental EIR was not prepared for the current project?
- 3) Table S-1 on page S-8 is confusing because it does not compare the land uses for the specific plan area to the proposed amendment. It only compares the net Staples Ranch site. Please prepare a table similar to p.7 of the Kaufman and Broad Supplemental EIR which compares the Land Uses for the Specific Plan Area and the Proposed Amendment and highlights the net change.
- 4) Table S-1 is also confusing because it creates new land use categories that are not part of the original Stoneridge Drive Specific Plan EIR. Please revise it or add a supplementary table to place the proposed development within the appropriate existing categories and show the net change. The Land Uses were 'Commercial/Office/Industrial,' 'Residential,' 'School,' 'Park,' 'Misc Public and Institutional,' and 'Street, ROW and Flood Control Channel.' The Table S-1 should be revised to place the term 'Auto Mall' within an existing designation such as 'Commercial/Office/Industrial,' the residential portion of the 'Senior Continuing Care Community' into 'Residential,' the portion to be allocated to commercial entities (e.g., the Sharks Arena option) within the 'Commercial/Office/Industrial' category and the remaining actual park into the 'Park' category.
- 5) Within the adopted Specific Plan, 1,340 residential units were analyzed in the project in the EIR. With the proposed amendment to add an additional 800 housing units to

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the Specific Plan area, what is the total amount of new residential units in the Specific Plan area and the change with the proposed amendment? Please report this similar to Table 2-1 in the SDEIR of the previous Staples proposal.

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(cont.)

- 6) On Table S-2, why is LU-1 'The proposed project would not divide an established community' discussed as having No Impact when a major section of the entire development proposal contemplates an enclosed, gated community?
- 7) On Table S-2, LU-5 refers to the airport proximity issue somewhat, but why is the related LU-3 'The proposed project land uses would be compatible with existing and proposed uses surrounding the Staples Ranch site' less than significant when in the previous Kaufman and Broad SDEIR Potential Impact 3 for Land Use was reported as significant unless, for example, the City of Livermore exercised more diligent control over airport operations to ensure aircraft follow clearly established flight paths away from settle areas--'Potential Impact: Due to the proximity of the Specific Plan area to the Livermore Municipal Airport, development of the area, especially residential areas, could generate additional complaints about airport operations.'?
- 8) Table S-2 and LU-5 refers to the 1975 Livermore Airport Master Plan. However, as recently as four years ago, another more air traffic intense proposal was distributed throughout the region to increase runway lengths and airport traffic that were more intensive than the 1975 Livermore Airport Master Plan. This also proposed increasing the APA on both sides more than .5 mile in either direction in Appendix D of the Livermore document. Why are none of the recent issues involving Livermore Airport discussed and reference is instead made to a 33 year old master plan? Also, the noise contours appear to be different from the City of Livermore's General Plan within maps contained in the document. [Within the previous SDEIR, Potential Impact 15 indicated that "once an accurate 55 dB noise contour is determined, residential buildings should be either excluded from the area or required to be soundproofed" and that "for both noise and safety purposes, aircraft operations over the Specific Plan area should be more closely controlled by the City of Livermore." If in that project, it was suggested that residential buildings be excluded from the 55 dB area, why is residential development contemplated in the 60 dB contour as implied in Figure 3.7-1?] [Also in reference to the prior SDEIR, Potential Impact 4.3-1 indicated that "proposed residential uses would be exposed to single event aircraft noise exceeding City standards," yet the projected data in this EIR just goes to the year 2011. Why are future projections not included?] [In addition, Livermore's Planning Director and City Council sent Pleasanton a letter indicating that the senior care facility was a 'sensitive receptor;' therefore, Livermore did not support placing residential units of this nature near the airport. Please discuss.
- 9) Table S-2 has the proposed wording of the Livermore Airport noise disclaimer that residents (or the owner of the Senior Community Care center, it is not clear) would sign a waiver indicating that residents surrounding the future airport noise would not have a potential "claim of nuisance." Is it not the purpose of CEQA to discuss potential environmental impacts in terms of potential noise rather than place language within CEQA documents designed to prevent future lawsuits?

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- 10) In Table S-2, LU-6 indicates that proposed uses would not convert Prime Farmland to non-agricultural use as delineated on referenced maps, yet the SDEIR for the previous Staples project indicated a significant unavoidable impact was "Development of the Specific Plan would cause the irretrievable loss of over 100 acres of prime agricultural soils." Further it notes that 20 acres of prime soils are located within the Staples Ranch area. This impact in the previous SDEIR was listed as unavoidable and significant. Why is there a discrepancy?
- 11) Potential Impact 5 in the previous SDEIR referenced expansive soils in the northern portion of the area are a significant hazard to structures and roads and susceptible to severe seismic shaking and secondary ground failure. Is this addressed in the current DEIR?
- 12) In the previous SDEIR, it indicated that outdoor noise levels for the proposed residential area near I-580 would not meet City General Plan standards even with a 16 foot high soundwall and some residences would not meet noise standards for indoor noise. Since there is increased traffic on I-580, would this not also be a major impact? The berm and two wall construct proposed in this project may not be sufficient to buffer noise.
- 13) VQ-3 indicates that the proposed project would create a new source of substantial light or glare, which could adversely affect day or nighttime views in the area and discusses mitigation measures. However the DEIR does not fully address how the light or glare may interfere with airport operations and safety or pilots easily locating the airport. This should be addressed. Within the previous SDEIR, it indicated that "unshielded lights from the proposed sports park could also be a safety issue by interfering with the vision of pilots attempting to takeoff or land."
- 14) The height of proposed pylon signs and lighting needs to be examined with any elevation increases that raise the base elevation of the structures with the ALUC and FAA height formulas.
- 15) The exposure to noise from any public address system, closing of car doors and starting of cars, etc. in the Auto Mall or inside or outside Sharks proposed arenas needs to be examined in conjunction to sound traveling, wind direction, etc. to minimize its impact on nearby residential areas.
- 16) The General Plan Land Use Policy 8 indicates "Provide each major residential area with high quality neighborhood facilities including an elementary school, park and other amenities" and the adopted Specific Plan calls for an elementary school, two neighborhood parks and a community park. During the SDEIR for the Kaufman and Broad project, a 33 acre active use sports park was proposed for Staples Ranch in lieu of the 17 acre community park. However, under the Sharks Arena proposal, a large portion of the 17 acre community park will be converted instead to a large commercial set of structures and parking areas. How then does the city plan to find the nearby

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land to provide a make-up for the net loss of open space/green area that will be removed from the planned 17 acre community park area?

↑ 16-19
(cont.)

17) The lack of buffer areas between the Auto Mall and proposed residences as well as the hospital and surrounding neighborhood would appear to violate the Pleasanton General Plan policy "Buffer new and existing development from potentially incompatible adjacent land uses."

16-20

18) There have been several airplane crashes surrounding Buchanan Field in Concord and a recent fatal airplane crash on a takeoff from Livermore Airport. During the Kaufman and Broad SDEIR, there was analysis completed that examined aircraft accident potential from the Livermore Municipal Airport. A similar study should be done, in conjunction with safety implications for emergency rescue personnel needing to access residents enclosed by a gated community.

16-21

19) At the time of the Specific Plan, Flood Insurance Rate Maps produced by FEMA showed that approximately 85 percent of the Specific Plan area was susceptible to being inundated by a 100 year flood, including all the Staples Ranch property. Have the FEMA maps been amended for the Staples Ranch property in particular to indicate specifically that it is no longer in the 100 year flood plain?

16-22

20) Regarding the proposed leasing arrangements for city land for the proposed Sharks arena, how can the city provide city land owned by the public to a commercial entity such as the Sharks for a small lease amount far below market rate without this financing arrangement going to a vote of the people? The Sharks organization is not a community serving non-profit organization. In addition, if public land is available for lease and a public construction process is contemplated, does the city not have a requirement to place the proposed construction project out for public bid as a public works project?

16-23

21) Regarding the financial implications of the Sharks Ice Arena, the city of Vallejo, now on the verge of bankruptcy, had to take over the Marine World park once the commercial park defaulted on its debt. [In addition, the city of Concord has had to spend substantial public funds on the maintenance of the Concord Pavilion. What are the long term financial implications of a commercial entity and its long-term viability and its impact on public funds?

16-24

22) Regarding the implications of the residential units of the Senior Care facility, if the Senior Care facility were to contemplate ceasing operations, not be able to find a buyer in the same line of business, or be closed down by the State, one possible outcome is that the apartments and the villas would no longer be part of a senior care facility. If this is the case and the apartments and villas would be rented/owned by the general public, given Mohr Elementary is landlocked due the quarries and full to capacity, where would the children of the future occupants attend school?

16-25

23) The 1996 General Plan contemplated a 29.7 acre community park on Staples Ranch. In addition, no sports facilities have yet to be completed on the Bernal Property. If

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there are additional state requirements for class size reduction, the Mohr school site will have to potentially use all or a portion of adjacent Amaral park for this construction since it resides next to an open quarry pit. Since 29.7 acres were contemplated in the 1996 General Plan for a community park, in order to comply with the 1996 General Plan, the community park on Staples Ranch should be 29.7 acres.

↑
16-26
(con't.)

24) On page 2-8, the MOU is described as a "roadmap" for the future development of Staples Ranch. As described, this appears to be a binding development agreement under the guise of a Memorandum of Understanding prior to the completion and certification of CEQA documents. Any MOU must comply with long-standing environmental review and land use laws. As currently written, does the MOU violate or comply with the California Environmental Quality Act (CEQA)?

16-27

25) How does the EIR take into account a cumulative affect of the proposed Outlet Mall contemplated by the El Charro Specific Plan in conjunction with new development in Pleasanton, and concurrent gravel operations continuing to use El Charro Road as a haul route?

16-28

26) What are the safety implications of seniors, some with limited mobility, residing in 3 to 4 story apartment buildings, within a 100 year flood zone, within a gated community, near a major airport, if there is a need to evacuate due to a catastrophic flight accident or flood or fire?

16-29

27) For affordable units, the applicant proposes to make 15 percent of the independent units affordable. Does this mean that 120 units will be affordable or less than that? If a unit is affordable as an independent unit, does the resident move to skilled nursing as an 'affordable' or 'not affordable' resident?

16-30

28) There have been two recent fires that have caused either a house to burn down (Mohr Avenue) or be substantially destroyed (Martin Avenue). In addition, the AMR ambulance service adjacent to Santa Rita primarily services calls up and down Santa Rita with rare trips east of Santa Rita. What is the projected load on existing fire stations and ambulance services for the proposed residential development in Staples Ranch?

16-31

Thank you,
Anne Fox

16. Anne Fox (letter dated June 4, 2008)

16.1 The commenter notes that the Draft EIR does not include the word "Draft" in the title, when the notice of preparation identifies it as the Draft EIR. As such, the cover title has been modified to reflect this clarification as follows:

Stoneridge Drive Specific Plan Amendment/Staples Ranch Draft EIR

16.2 The commenter questions whether the Draft EIR is a stand-alone document or an extension of the Draft and Final EIR for the 1989 Stoneridge Drive Specific Plan. As originally discussed with staff, this document was planned to be a Supplemental EIR. However, the proposal is so different from the original approval that City staff and the County Surplus Property Authority agreed that a new stand-alone EIR was appropriate and necessary for CEQA clearance.

According to CEQA Guidelines Section 15162, a subsequent EIR should be prepared for an EIR that has been certified, if substantial changes have been proposed in the project, which will require major revisions to the previous EIR due to the involvement of new significant environmental effects. However per Section 15163, the Lead Agency may choose to prepare a supplemental EIR rather than a subsequent EIR if only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation. In the case of the Kaufman and Broad proposal, the City elected to prepare a Supplemental EIR since the changes to the project description proposed by Kaufman and Broad were not substantially different from the project description evaluated in the 1989 EIR. In the case of the proposed project, a Supplemental EIR was considered inappropriate because the proposed project is substantially different than the proposal and conditions in the 1989 EIR.

16.3 The commenter is comparing Table S-1 contained in the Draft EIR on page S-8 to a similar table contained in the supplemental EIR prepared in 1996 for a Stoneridge Drive Specific Plan Amendment, which was never certified by the City of Pleasanton. The commenter requests that a similar table be prepared in the Draft EIR, which reflects changes in the Specific Plan Area as a whole, rather than the changes to just the Staples Ranch site. The intent of Table S-1 on page S-8 is to identify changes affecting the Staples Ranch site only. The proposed project does not involve any changes to areas of the Stoneridge Drive Specific Plan that are not within the Staples Ranch site, and as such, are not included in this table. Footnote a in Table S-1 was included to ensure that reviewers were aware that the figures reported in the table did not reflect the entire acreage of the original Specific Plan Area.

16.4 The commenter requests that the land use categories in Table S-1 be modified to reflect the categories contained within the 1989 EIR; i.e., Commercial/Office/Industrial, Residential, School, Park, Misc. Public & Institutional, and Street, right-of-way, and flood control channel. Table S-1 segregates the auto mall uses from the "Commercial/Office/Industrial,"

since it comprises such a significant and distinct component of the proposed commercial land at the project site; however, to address the commenter's request, the auto mall has been incorporated into the "Commercial/Office/Industrial" category in the table below. As explained in the Draft EIR, the senior continuing care community can be considered a commercial or residential use (or some combination thereof) by the City and this determination has not yet been made. Accordingly, the senior continuing care community has been retained in the table as a separate and distinct land use. The resulting changes are reflected in the modified Table S-1 below.

Revised Table S-1
Comparison of Adopted and Proposed Specific Plan Land Uses for the Staples Ranch Site

Land Use	Adopted Specific Plan ^a		Proposed Amendment		
	Maximum Development (sf)	Acres	Maximum Development (sf)	Acres	Change
Commercial/Office/Industrial	1,353,000	100 ^b	451,000 (retail option) to 531,000 (office option)	48.5	902,000 to 822,000 fewer sf; 51.5 fewer acres
Senior Continuing Care Community	--	0	800 units (1,200,000 square feet)	46.1	800 more units (1,200,000 more sf); 46.1 more acres
Park	--	17.2	--	22.1	5 more acres
Street, ROW, and Flood Control Channel	--	6.8 ^c	--	7.3	0.5 more acres
Total	1,353,000	124	1,651,000 (retail option) or 1,731,000 (office option), including up to 800 units	124	298,000 to 378,000 more sf

16.5 As noted in the Draft EIR, the proposed project includes a proposal for a senior continuing care community, which has yet to be designated as to its use. The commenter notes that the adopted 1989 Specific Plan EIR analyzed 1,340 residential units for the Specific Plan area, and requests that the total number of new residential units be provided, assuming that all 800 units of the senior continuing care community are considered "residential." Per the City of Pleasanton GIS Division, approximately 753 residential units have been built in the Stoneridge Drive Specific Plan area as of July 2008. Because Staples Ranch is the last remaining vacant land in the Specific Plan area, if all 800 units of the senior continuing care community were considered "residential" and all are constructed, it would result in a total of 1,553 residential units in the Specific Plan area, or an increase of 213 units above the number analyzed in the 1989 EIR. As noted in the Draft EIR and in response to Comment

16.4 above, the senior continuing care community (not including the health center) can be considered a commercial or residential use (or some combination thereof) by the City and this determination has not yet been made. As noted in the Draft EIR on page 2-18, the senior continuing care community may contain up to 800 senior continuing care units as well as a health center which may include assisted living units, skilled nursing units, and Alzheimer's units.

16.6 The commenter questions the Draft EIR's determination of no impact for the proposed project under Impact LU-1, because the project would include a gated community. The significance threshold is intended to address whether a new project would divide an existing community, as can occur when a new transportation facility is proposed; the significance threshold does not address whether the new use is physically or visually connected or integrated with the existing uses. As described under Impact LU-1 on page 3.6-19 of the Draft EIR, the Staples Ranch site does not provide connectivity to surrounding land uses under existing conditions. While one component of the proposed project would include a gated community, the proposed project would not alter the conditions and/or connections to the existing communities as a result of the proposed gated community. A discussion of the gated community and the proposed project's consistency with City policies on gated communities is provided in the first full paragraph on page 3.6-23 of the Draft EIR.

16.7 The commenter notes that a significant impact may occur as a result of proximity of residents to the Livermore Airport (see Impact LU-5), yet also notes that compatibility with existing and proposed uses in the vicinity is less than significant (see Impact LU-3). Impact LU-3 examines the proposed project's relationship to uses immediately surrounding the project site. Land use conflicts and incompatibilities typically stem from uses that adjoin one another or are in close proximity. In the case of Impact LU-3, the project's effects on surrounding uses are considered, and it is concluded that they would not be adversely affected by the proposed Specific Plan Amendment. In contrast, Impact LU-5 considers nearby uses that could impact the proposed project, and recognizes that the Livermore Municipal Airport has operational characteristics and activities that extend much further beyond its property limits. In investigating the effects of the airport operations on the proposed uses at the project site, the Draft EIR identifies that aircraft activity could adversely affect the proposed project. These potentially significant impacts can be reduced to less-than-significant levels with implementation of Mitigation Measure LU-5.1, which requires the proposed project developer to: a) disclose to all potential residents the proximity of the Livermore Airport and the potential for noise and other nuisances from aircraft operations; b) establish procedures, including provision of a phone number, so that the on-site manager for the senior continuing care community will be the initial contact to handle all airport noise complaints from residents; and c) agree to include a deed rider on the conveyance of any property within the Staples Ranch site. The impact classification for Impact LU-5 and the recommended mitigation measures are similar to Potential Impact 3 for the previous Kaufman and Broad SDEIR cited by the commenter.

16.8 The Draft EIR on page 3.6-18 discusses the status of the Livermore Municipal Airport Master Plan, which was adopted in 1975 with a 20-year planning horizon to the year 1995. The Draft EIR notes that, although an updated 20-year master plan was drafted in 2004, it was never adopted so that the applicable airport master plan in effect remains the 1975 Master Plan. As explained on page 3.6-18 of the Draft EIR, the 2004 draft Master Plan did project an increase in airport operations over the adopted 1975 Master Plan, but for very different time horizons. The 1975 Master Plan projected "future" operations in 1995 to reach 340,000, while the 2004 draft Master Plan reported that actual operations (in 2001) had only reached a total of 257,000 annual operations and projected annual operations to reach 370,000 in 2020. The commenter also refers to a proposal to increase the size of the APA "on both sides more than .5 miles in either direction in Appendix D of the Livermore document." It is not clear what document the commenter is referring to, in that the 2004 draft Master Plan does refer to the APA (in Appendix E) but there is no reference in the proposal for increasing the size of the APA. Such an increase would require the approval of the Alameda County Airport Land Use Commission.

As discussed on page 3.5-18, the Livermore Municipal Airport's 2004 Draft Airport Master Plan estimated Year 2001 airport operations at 257,000, and forecast Year 2020 operations to total 370,000. These numbers were used to generate the airport contours used in the Livermore General Plan. The airport noise contours presented in the Draft EIR are from the 2003 Airport Noise Study completed for the City of Pleasanton, which conservatively relied on a 1992 City of Livermore study that projected airport operations to reach 420,000 by 2011. The Draft EIR uses the noise contours from the 2003 Airport Noise Study which are more conservative than the airport noise contours used in the Livermore General Plan.

16.9 The commenter notes that the 1996 Supplemental Draft EIR prepared for the Staples Ranch site recommended residential buildings within the 55 dB airport noise contour be excluded or soundproofed. These recommendations are also included in the City's General Plan, as noted on page 3.7-17 of the Draft EIR. Specifically, the City's General Plan indicates that "Residential developments should be strongly discouraged where L_{dn} exceeds 55 dB due to aircraft noise. If residential uses are allowed in areas where the L_{dn} exceeds 55 dB, then interior noise levels should be controlled so that maximum noise levels do not exceed 50 dBA in bedrooms or 55 dBA in other rooms. Residential development should not be allowed in areas where the L_{dn} exceeds 65 dB from aircraft."

Impact NO-1 describes the potential for noise impacts on the proposed project and requires implementation of Mitigation Measures NO-1.2, to reduce impacts to the proposed residents from aircraft-related, single-event noise levels. These mitigation measures reflect recommendations from the City's General Plan for interior noise levels. In addition, the impacts were based on the noise contours developed for future Year 2011, which were derived from the most conservative forecast of future airport operations available.

16.10 As noted under response to Comment 16.8, the future Year 2011 projections were the most conservative estimates of aircraft operations available at the time of preparation. The

contours used in this analysis are not necessarily a reflection of aircraft operations in Year 2011, but rather a projection of noise for up to 420,000 aircraft operations. Because an updated airport master plan has not been approved by the City of Livermore, this was used as a worst-case analysis and, depending on projections from the City of Livermore, may exceed the projections included in a future master plan update.

- 16.11 The letters received from the City of Livermore during the scoping periods and outside the scoping periods are reproduced in Appendix A. These comments were considered in preparing the Draft EIR. The City of Livermore also participated in a Cost Sharing Agreement, as described on pages 2-8 and 2-9 of the Draft EIR. As part of this agreement, the City of Livermore agreed to neither challenge nor oppose the proposed project, provided that certain conditions are met. One of the conditions of this agreement was that specific noise mitigation measures be included for the proposed project. These mitigation measures are included in the Draft EIR as Mitigation Measure LU-5.1.
- 16.12 Mitigation Measure LU-5.1 is provided to reduce the potential for complaints from the proposed continuing care community, in that it would require the notification to all potential future residents of the facility's proximity to the airport and potential associated noise events from the airport. As noted in response to Comment 16.11 above, this specific mitigation measure was requested by the City of Livermore to reduce the potential for complaints about airport operations. It is commonly accepted that warnings of potential impacts before they occur help to cope with these impacts. Examples of such notices are often associated with construction activities, e.g., Caltrans' warnings of delays on the freeways, local municipalities' notices for nighttime installation of underground pipes, as well as to inform residential buyers of nearby uses, such as a landfill, that have operations not totally compatible with residential uses.
- 16.13 The commenter is directed to Impact LU-6 in the Draft EIR. The Draft EIR identifies on page 3.6-28 that there would be a loss of prime agricultural soils with development of the site, and that the 1989 Specific Plan EIR identified the loss of over 100 acres of prime agricultural soils to non-agricultural uses as a significant unavoidable impact. However, the Draft EIR also provides a discussion on page 3.6-28 about why this impact was considered significant in the 1989 Specific Plan EIR, and is not considered significant based on current planning guidance.
- 16.14 The potential for impacts from geological hazards, including expansive soils, is addressed in Section 4.6, Effects Found Not to be Significant, on page 4-35 of the Draft EIR. Specifically, page 4-35 notes that the soils on site have a moderate to high expansion potential. In addition, page 4-35 reports conclusions from the 1989 Specific Plan EIR that strong seismic shaking could result in secondary ground failure including lateral spreading, differential settlement, lurch cracking, and bank failures (near the arroyos). Subsequent studies for a proposed 1996 development on the Staples Ranch site concluded that the potential for secondary seismically induced ground failure, including liquefaction-induced lateral spreading, lurching, dynamic compaction, and landsliding at the site would be

land uses. These zones are based on national accident data that is derived from airports with runway characteristics similar to the Livermore Municipal Airport.

The commenter is also referred to Impact TR-7 on page 3.9-42 of the Draft EIR, which addresses emergency access to the Staples Ranch site.

- 16.22 In accordance with Mitigation Measure HY-4.1, prior to beginning any construction activities, a Conditional Letter of Map Revision shall be obtained from FEMA for the Livermore Flood Protection Improvements. Once the Livermore Flood Protection Improvements are implemented, an application for a LOMR (Letter of Map Revision) to reflect both the new facility and improvements to the Arroyo Mocho shall be submitted to FEMA. These mitigation measures would provide assurance that the project site has been removed from the FEMA special flood hazard area (i.e., the 100-year floodplain). Furthermore, Mitigation Measure HY-4.2 requires that the Livermore Flood Protection Improvements shall be implemented prior to issuing the certificate(s) of occupancy on the Staples Ranch site.
- 16.23 The commenter notes potential leasing arrangements for the ice center on City land. This comment concerns the administrative and legal means of advancing the ice center. Since this comment does not address the adequacy of the Draft EIR or the City's implementation of CEQA, no further response is required. However, such comments should be considered and addressed during the upcoming public hearings on the project merits.
- 16.24 The commenter notes financial implications for the ice center. This comment concerns the potential fiscal impacts on the City. Since this comment does not address the adequacy of the Draft EIR or the City's implementation of CEQA, no further response is required. However, such comments should be considered and addressed during the upcoming public hearings on the project merits.
- 16.25 The proposed project includes a senior continuing care community. General residential uses are not a proposed use for the Staples Ranch site; therefore, general residential uses were not analyzed in the Draft EIR. The financial viability of the senior continuing care community is an appropriate topic for consideration during the upcoming public hearings on the project merits. Performing an impact analysis of school enrollment, should the senior facility fail and its residents replaced by working age households with school-aged children, is speculative.
- 16.26 Refer to page 2-5 of the Draft EIR for a discussion of the planning history for park uses at the Staples Ranch site and the City.
- 16.27 As described on page 2-8 of the Draft EIR, the Memorandum of Understanding (MOU) is an agreement between the City and the Alameda County Surplus Property Authority which has merely created a road map and set forth a potential timeline for the development entitlements to be in place. Nothing in the MOU requires the City to approve any of the

land use applications that would be submitted under the proposed project or limits the City Council's authority to impose reasonable conditions if the applications are approved; therefore, the MOU does not conflict with the guidelines of CEQA.

- 16.28 As noted on page 4-4 of the Draft EIR, the El Charro Specific Plan development is included in the cumulative analysis. Traffic estimates for cumulative conditions are based on the City's traffic model for the year 2030.
- 16.29 Evacuation procedures would be required for the senior continuing care community. Evacuation plans would be reviewed by the Livermore-Pleasanton Fire Department prior to obtaining a building and/or occupancy permit.
- 16.30 As noted on page 2-20 of the Draft EIR, the proposed senior continuing care community would not be subject to rent control and other residential income requirements. However, the developer for the senior continuing care community has indicated that it would provide an affordability program which would be consistent with the City's Inclusionary Zoning Ordinance. A proposed program has been reviewed and recommended for approval by the Housing Commission and will be forwarded to the City Council for review and decision. The proposed program includes an approximately \$2 million annuity to provide an on-going subsidy of low income units at the senior continuing care community as well as a guarantee that at least 10% of the units will be rented by persons with income below the Area Median Income, and at least 5% will be rented by persons with income at the Area Median Income. A complete outline of the proposed program is provided in the Housing Commission staff report dated January 17, 2008, available at the City of Pleasanton Housing Division.
- 16.31 Impacts to public services, including fire and emergency response services, is addressed in Section 4.6, Effects Found Not to be Significant. As noted on page 4-37 of the Draft EIR, the proposed project would not result in development not previously planned or accounted for by these service providers. The Livermore-Pleasanton Fire Department reviewed the comment and noted that it is difficult to estimate exactly how many calls there will be, since call areas are broken into large areas, and not individual project areas. However, in general, there are approximately twice as many fire calls in senior living facilities as there are in non-senior living facilities of comparable size. Approximately 66 percent of all fire calls are medical calls, and this percentage is generally higher in senior living facilities. The top paragraph on page 3.7-28 of the Draft EIR provides information regarding the approximate number of anticipated ambulance calls at the proposed health center.

Matt Morrison
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Ms. Robin Giffin, Associate Planner
Department of Planning and Community Development
City of Pleasanton
P.O. Box 520
Pleasanton, CA 94566

06/04/08

Re: Stoneridge Drive Specific Plan Amendment/Staples Ranch Draft EIR

Dear Ms. Giffin,

In regards to the Draft Environment Report please address the following three concerns.

1. Please verify whether the visual depictions of planned structures for the site took into account the elevations after the fill and grading to raise the property out of the 100 year flood plain and any impact the raising of the site will have on visual mitigation for the structures of the CLC facility.
2. Please discuss the potential sources for fill material to be used in raising the property out of the flood plain and the potential environmental impacts of the various potential source material.
3. Please evaluate potential RWQCB restrictions of uses for the storm water detention basin in respect that the water stored there eventually flows into the arroyo (pesticide, fertilizer, organic waste/dog feces, etc.).

17-1

17-2

17-3

Sincerely,
Matt Morrison

17. Matt Morrison (letter dated June 4, 2008)

17.1 The visual simulations were based on conceptual grading plans provided by the developers for the auto mall, senior continuing care community, and the retail center. Conceptual grading plans were not available for the community park and were based on a continuation of grading from the surrounding developments. Any modifications to the site grading that may result from refinements of grading plans for hydrologic needs would appear to be minimal from distant vantage points, and would not result in a noticeable change to the visual simulations.

17.2 The existing Arroyo Mocho improvements and the planned Livermore Flood Protection Improvements would remove the project site from flood hazard areas and fill would not be required for this purpose (see response to Comment 16.22). However, as stated on page 2-34, in Section 2, Project Description, of the Draft EIR, because of the relatively flat topography and a low area in the northwestern portion of the Staples Ranch site, much of the site needs to be filled in order for wastewater and stormwater to gravity flow into the City lines. The mounds of excavation material that were previously deposited on the Staples Ranch site following the Arroyo Mocho improvements will be used for this purpose, as well as for the proposed landscaped berm along I-580. Therefore, no substantial import or export of fill material is anticipated. Potential concerns regarding the fill could include suitability as a fill material (e.g., load bearing capacity, corrosivity), toxicity (public health), and erodibility (susceptible to erosion from stormwater runoff or wind). Precautions will be taken to ensure that the fill material is suitable for use on the project site.

17.3 Existing regulatory requirements include the implementation of post-construction stormwater quality best management practices (BMPs) to treat and control pollutants in stormwater runoff prior to off-site discharge. Additionally, Mitigation Measure HY-1.1 requires implementation of a Water Quality Management Plan (WQMP) with targeted pollutant removal rates, and Mitigation Measure HY-1.2 requires an Integrated Pest Management Plan and Pesticide Management Program (IPMPPMP). The IPMPPMP would be implemented to minimize the risk of pollutants associated with landscape establishment and maintenance practices in surface water runoff and infiltration to groundwater. It would comply with existing pesticide use regulations and encourage minimization and efficiency of chemical and fertilizer use. Because the receiving water have been listed as impaired by diazinon, diazinon use would also be severely limited or prohibited. The WQMP would include both source control and treatment BMPs to minimize off-site transport of pollutants from all areas on the project site, including the detention basin. Therefore, both the IPMPPMP and WQMP and existing regulations would reduce the potential for pollutants in stormwater runoff to receiving waters. Stormwater runoff from the entire project site eventually flows into the Arroyo Mocho; the detention basin is a part of the project site and

as such, is treated in the same manner as the rest of the project site regarding stormwater quality issues.

STAPLES RANCH DRAFT EIR

In reviewing Table S-2 there are only three impacts that are judged to have Significant and Unavoidable Impact after application of mitigation measures. All others outlined in the draft report are considered to have Less Than Significant Impact after mitigation.

The three unavoidable impacts are:

- 1. Visual Quality VQ-2 Loss of rural open space. Certainly when the land is transformed the open space is lost and there is no mitigation for this. However, this land borders a major East-West freeway. Its not as if the land is part of the hillside viewscape. In my opinion loss of this open space is greatly outweighed by the projects multiple benefits to Pleasanton. 18-1

- 2. Air Quality AQ-3 Operational emissions will likely have a significant and unavoidable impact on air quality, even after mitigation measures. However, with a major freeway bordering to the North and development by Livermore to the East, it will be difficult to measure the project's contribution to a decline in air quality. To be fair to the project benchmark measurements of ROG, NOx and PM10 should be taken on the site before development is commenced. 18-2
 On AQ-5 On site exposure to toxic air contaminants. The mitigation measures mentioned reduce this to Less Than Significant. However, in the Senior housing portion of the project, I believe addition of HEPA air filtration systems should be required. 18-3

- 3. Transportation TR-2 Potentially significant and measurable impact from increased traffic and unacceptable levels of service at the Fallon/Dublin intersection in Dublin and the Murrieta, East Jack London Blvd. intersection in Livermore. The report uses the word "potential" here as indication that the outcomes are not certain. Also, this condition would likely arise regardless of who or what develops on the property. And most certainly the property will be developed. 18-4

As for the alternatives presented in the Draft EIR, I favor the Ice Center alternative.

In summary the Staples Ranch development with Ice Center, in my opinion makes excellent use of this surplus property by helping to meet multiple goals for Pleasanton. The project:

- 1. Provides Pleasanton with needed Senior housing.
 - 2. Maintains an important auto sales tax revenue base for Pleasanton.
 - 3. Provides additional park and recreation space to Pleasanton.
 - 4. Meets a strong interest in ice skating and ice hockey in Pleasanton.
- 18-5

The Staples Ranch project has my strong interest and support.

Ame Olson
Pleasanton Planning Commission
Submitted May 12, 2008

18. Arne Olsen, City of Pleasanton Planning Commissioner (letter dated May 18, 2008)

18.1 Impact VQ-2 in the Draft EIR discusses whether the proposed project would substantially change the visual character of the site. Although the proposed project would be similar to the existing urban development to the west and north of the Staples Ranch site and would not degrade the existing visual quality of surrounding residential development, the proposed project would substantially alter the visual character of the site from undeveloped open space to urban development. Because the project site currently has an open space character, which would be significantly altered as a result of the proposed project to a built-up, urban development, the existing visual character would be completely transformed from existing conditions. The Commissioner indicates that the project benefits outweigh the loss of open space. Such comments are appropriate for the Statement of Overriding Considerations that the City Council must adopt if it wishes to approve the project in spite of significant unavoidable environmental impacts. The project's benefits (e.g., new employment base, new revenue for the City) will be considered by the City Council during the project approval process.

18.2 The Commissioner is correct in stating that operational emissions of ROG, NO_x, and PM₁₀ would result in a significant and unavoidable impact (see the discussion under Impact AQ-3 in the Draft EIR). Emissions thresholds set by the Bay Area Air Quality Management District (BAAQMD) would be exceeded for all three pollutants. Despite implementation of Mitigation Measures AQ-3.1(a) and (b), project operations would still exceed the air district's standards and would result in a significant and unavoidable impact.

Air emissions from I-580 are independent of the proposed project and are pre-existing emissions which are not the responsibility of the project. Air emissions from Staples Ranch are currently zero since the site is vacant. The project would create a net increase in emissions above the air district's thresholds; however, this increase in emissions would be less than the increase that would occur if the Existing Specific Plan Alternative were developed instead of the proposed project. Emissions of diesel particulate matter from I-580 are of concern according to the State Air Resources Board. Diesel particulate matter was evaluated in Impact AQ-5 according to the California Air Resources Board's recommended screening distance for siting sensitive receptors 500 feet from high-volume freeways. The impact was found to be less than significant with implementation of Mitigation Measure AQ-5.1. Also see response to Comment 18.3 below.

The comment also states that measurements of ROG, NO_x, and PM₁₀ should be taken on site prior to project development. Ambient air concentrations are listed in Table 3.2-2 and show local emissions concentrations for the years 2004 through 2006 from the Livermore monitoring station. Because many of the pollutants are regional pollutants, it is difficult to obtain a meaningful reading from a site-specific measurement. For example, emissions of ROG and NO_x are not directly measured; however, ROG and NO_x form a regional

pollutant, ozone, whose concentration can be measured at the many air monitoring stations located around the state. ROG and NO_x can also be carried to different locations around the state and form ozone elsewhere, while ozone formed by ROG and NO_x emitted in different parts of the state can be blown into the project area. The analysis performed in the Draft EIR to evaluate the proposed project's impact to air quality is sufficient under CEQA and the BAAQMD requirements. The City Council will decide whether project development should proceed despite the significant and unavoidable operational emissions impact discussed in Impact AQ-3. Table 7 on the next page shows pollutants and which thresholds are being exceeded in Pleasanton.

- 18.3 Impact AQ-5, starting on page 3.2-17 of the Draft EIR, discusses the potential for exposure of future residents on the project site to substantial toxic air contaminants (TAC). The senior continuing care community would place residents within approximately 150 feet of the closest lane of traffic on I-580 which is a significant source of TAC. Even though residential units would be separated from the freeway by a 20-foot-high berm topped by an 8-foot wall, this impact would be potentially significant without implementation of Mitigation Measure AQ-5.1. Mitigation Measure AQ-5.1 would require that a health risk assessment (HRA) be prepared for the future residents within 500 feet of I-580. Depending on the findings contained in the HRA, the installation of HEPA air filtration systems, or other similar mitigation measures, in the senior continuing care community facilities would only be required if the HRA completed for the project identified significant impacts to human health due to the project's proximity to I-580.
- 18.4 The Commissioner notes use of the term "potential" in describing the intersections impacts in Dublin and Livermore. The Draft EIR identifies impacts based on the information that is available at the time of preparation of the EIR. The use of "potential" indicates a level of uncertainty in the analysis based on assumptions used to arrive at conclusions of significance. In the case of traffic, assumptions are made for the trip generation that would arise from development at the site and cumulative developments in the project area. The Draft EIR also identifies that the impacts to traffic can be mitigated to a less-than-significant level if mitigation measures are implemented at those intersections. Since the City of Pleasanton has no jurisdiction over the intersections in these other cities, there is no assurance that the recommended mitigation measures would be made. Thus, the conclusion that the impact would be reduced to less than significant can only be stated tentatively.
- 18.5 The Commissioner expresses support for the Ice Center Alternative of the proposed project. This comment does not address the adequacy of the Draft EIR or the City's compliance with CEQA. Rather, it is the Commissioner's opinion on the merits of the project relative to the alternatives evaluated in the Draft EIR. Such expressions of support for a project alternative are appropriate during the upcoming hearings on the project's merits.

Table 3.1-7
1995 - 2006 Local Air Quality Conditions

POLLUTANT	Emissions Information by Year											
	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Ozone												
Ozone Peak One-Hour Concentrations	16	14	11	15	15	15	11	16	13	11	12	12.7
State 1-Hour Standard: 9 ppbm: No. of Violations	20	22	3	21	14	7	9	10	10	5	6	13
Federal 1-Hour Standard: 12 ppbm: No. of Violations	7	8	0	6	2	2	0	2	1	0	—	—
Ozone Peak Eight-Hour Concentrations	—	—	—	—	12	11	9	11	9	8	9	10.1
State 8-Hour Standard: 7 ppbm: No. of Violations	—	—	—	—	—	—	—	—	—	—	7	15
Federal 8-Hour Standard: 8 ppbm: No. of Violations	—	—	—	—	5	2	2	6	3	0	1	5
Respirable Particulate Matter (PM₁₀)												
PM ₁₀ Annual Geometric Mean	19.4	19.9	22.0	19.4	22.7	19.4	21.1	21.5	—	—	—	—
PM ₁₀ Annual Average Concentration	—	—	—	—	25.7	21.8	24.6	24.5	18.9	20	18.8	21.8
PM ₁₀ Maximum 24-Hour Concentration	—	—	—	—	87	71	109	64	33	49	49	69
State PM ₁₀ Standard: 50 µg/m ³ : No. of Violations	1	1	2	2	3	2	3	2	0	0	0	3
Federal PM ₁₀ Standard: No. of Violations	0	0	0	0	0	0	0	0	0	0	0	0
Fine Particulate Matter (PM_{2.5})												
Annual Average Concentration	—	—	—	—	—	—	—	13.8	9.0	10.3	9.0	11.0
Maximum 24-Hour Concentration: 35 µg/m ³ , 65 µg/m ³ in 2006	—	—	—	—	—	56.4	107.5	62	42	41	32.1	50.8
State PM _{2.5} Standard: 12 µg/m ³ 3-Year Average: No. of Violations	—	—	—	—	—	—	—	0	0	0	0	0
Federal PM _{2.5} Standards: No. of Violations	—	—	—	—	—	—	2	0	0	0	0	3

Notes: No. = number, ppm = parts per million, ppbm = parts per hundred million, mg = milligram (one-thousandth of a gram), µg = microgram (one-millionth of a gram), m³ = cubic meter.

BAAQMD has measured no violations (exceedances) of the carbon monoxide, nitrogen dioxide, or sulfur dioxide standards from 1995 to 2005.

On December 17, 2006, the U.S. EPA implemented a more stringent national 24-hour PM_{2.5} standard—revising it from 65 µg/m³ to 35 µg/m³. PM_{2.5} exceedance days for 2006 reflect the new 35 µg/m³ standard, while PM_{2.5} exceedance (violation) days for 2004 and 2005 reflect the 65 µg/m³ standard.

Sources: BAAQMD, Bay Area Air Pollution Summary, 1999-2005; BAAQMD, Summary of Air Pollution in the Bay Area, 1995-1998. All data are from the Livermore Station.

Richard Pugh, oral comment at hearing on 5/14/08.

After the DIER meeting, on of the speaker (Richard Pugh) provided additional clarification about his waster quality concern. He expressed a concern about pollutants entering into the detention basin over time and children/adults playing in the basin since it is also proposed to be a park he expressed particular concern about trash, animal waste, oil, etc.

19-1

He would also like it to b clarified why the site should or should not be surveyed for illegally dumped materials (batteries, etc.) immediately prior to construction, especially in the parks areas. He would like information on types of dumped materials which could be a problem. He believes is should be surveyed.

19-2

19. Richard Pugh (transcription of verbal comments after May 14, 2008 Hearing)

19.1 Refer to response to Comments S2.1. The stormwater detention basin is for mitigating peak flow rates and not for water quality treatment. Other water quality best management practices (BMPs), both source control and treatment control BMPs must be implemented prior to discharge to the detention basin; this basin would not accumulate more pollutants from stormwater runoff than would be the case on any landscaped area within the Specific Plan, and likely, less, because stormwater would be treated prior to discharge to the basin. Implementation of post-construction BMPs, in accordance with the Alameda Countywide Clean Water Program would also include operations and maintenance BMPs to minimize the potential introduction of pollutants in stormwater runoff. Mitigation Measure HY-1.1 would ensure that BMPs are implemented to target stormwater pollutants loads to existing conditions levels to the maximum extent practicable and that these are approved by the City's Engineering Department prior to beginning construction activities.

19.2 The commenter expresses concern about dumped materials at the Staples Ranch site. As noted on pages 3.4-2 and 3.4-3 of the Draft EIR, the Staples Ranch property has been the subject of several Preliminary Site Assessments and hazardous material abatements between 1993 and 2001, with all known hazardous materials that were identified at the site removed in 2001. The land is fenced and is not open to the public. In addition, recent field reviews of the Staples Ranch site as part of the EIR investigation indicate there is no evidence, such as empty containers or debris, that the site has been used recently as a dumping ground.

From: Joel Schmidt [mailto:joelpschmidt@sbcglobal.net]
Sent: Sunday, May 11, 2008 11:18 AM
To: Steven Bocian; Robin Giffin
Subject: Environmental Impact Report for Stables Ranch Project

Dear Steve and Robin,

I would like to submit the following comments regarding the Draft Environmental Impact Report for the Stables Ranch Project:

One area that was not addressed in the draft report was the increased heat that the project would create. There are well-documented studies on urban "heat islands" caused by placing pavement and buildings on previously undeveloped land. The resulting rise in temperature can be substantial. The project calls for considerable pavement for roads and parking lots and a number of large buildings (especially the ice rink).

I would request to have this factor considered because the development will likely contribute to the temperature on hot summer days in the surrounding neighborhoods. This is particularly salient to me because I live in an adjacent neighborhood.

A common strategy for mitigating such problems involves mandating a large amount of foliage, particularly trees. Trees have been shown to substantially reduce ambient temperatures due to the increased shade and respiration (which then cools the air as it evaporates). An additional strategy would involve mandating roofing materials designed to reduce heat absorption.

Mandating a large amount of foliage would also help reduce the impact of the project's carbon emissions, as trees absorb and store carbon. Trees may also reduce the air pollution, noise, and light pollution caused by the project.

There may be other heat mitigation strategies that I am not aware of and, if so, I hope that they are also considered in this project.

Thank you for allowing me to submit my views,

Joel Schmidt
2605 Lotus St.
Pleasanton

6/11/2008

Stoneridge Drive Specific Plan Amendment/Draft EIR Comments
Start Date 4/16/08

4/21/08

1. Jack (no last name, no address, no phone number)—Left a message. [Stated he is a long-time Pleasanton resident.] He believes the project is a “good deal”. He believes that Stoneridge Drive should connect to Livermore.]

21-1

21. Jack (No Last Name) (transcription of verbal comments offered to City on April 21, 2008)

21.1 The commenter believes that the project is a “good deal” and thinks Stoneridge Drive should connect to Livermore. This comment addresses the project’s merit and does not address the adequacy of the Draft EIR. No further response is needed.

Robin Giffin

From: Stephen [Stephen@missionpeakco.com]
Sent: Wednesday, May 14, 2008 11:08 AM
To: Robin Giffin
Subject: DEIR_ Comment's

RECEIVED

MAY 14 2008

CITY OF PLEASANTON
PLANNING DEPT.

Robin,

There are a few mitigation measures identified in sections 3.9 and 4.0 that I would like to comment on, all of which are linked to an interagency cooperative agreement.

In section 3.9, Impact TR-2 identifies two intersections outside of the City of Pleasanton, one in Dublin the other in Livermore. The DEIR states that the Staples Ranch Project would increase traffic and contribute to unacceptable levels of service at both intersections, therefore, requiring mitigation. However, identifiable impacts and specific mitigation measures are not identified which leaves the developers responsibility or their fair share to be determined later by several different governing bodies without the developers having representation. The impacts, if any, that the Staples Ranch project will have on these intersections will be very minimal considering the proposed development both cities have planned in close proximity. It would be good to know exactly what the net effect the Staples Ranch Project will have on these intersections and determine what a fair share of the cost will be now. In Section 4.0 under the Cumulative Impacts there are additional intersections outside the City of Pleasanton that have been identified as being impacted by the Staples Ranch Project and may require mitigation. The developers of the Staples Ranch Project should know now what the extent of impact is on these intersections and a fair share of the cost be determined now, not sometime in the future.

22-1

22-2

22. Stephen Allen, Fremont Land, Inc. (letter dated May 14, 2008)

22.1 TR-2 refers to impacts that would occur at intersections outside Pleasanton city limits (#56 - Fallon Road / Dublin Boulevard located in the city of Dublin and #EC13 - Murrieta / East Jack London Boulevard located in the City of Livermore). According to the California Environmental Quality Act (CEQA), the lead environmental agency is responsible to identify potential impacts, which could result from implementation of the proposed project. This includes impacts to intersections within the project vicinity, which may be outside the City's jurisdiction. As noted, the City has identified potential impacts on neighboring jurisdictions outside of their jurisdiction; however, the City does not have control over whether these mitigation measures would be implemented. As a good faith effort, the City has described improvement measures which could mitigate those potential impacts, if the corresponding jurisdiction chooses to implement them. Since the City has no authority to approve mitigations in other jurisdictions, if these measures are implemented it would be the responsibility of the neighboring jurisdiction to collect fair share contributions from the project developers.

Given the complexity of the intercity roadway network, the cities of Pleasanton, Livermore, Dublin and Alameda County will be working together to develop an interagency cooperative agreement to fund and complete mitigation measures within each other's jurisdictions. At the time of preparation of the Draft EIR, the cooperative agreement had not yet been established; therefore, Mitigation Measure TR-2.3, on page 3.9-37 of the Draft EIR is included to for the City to seek an interagency agreement. However, because the result of this agreement are unknown, and the potential for implementation of the identified mitigation measures within other jurisdictions are unknown, the impacts of the proposed project are considered significant and unavoidable.

22.2 As stated in response to Comment 22.1 above, although impacts would occur at intersections outside of Pleasanton city limits under Cumulative Conditions, the result of the interagency cooperative agreement have not been established and are unknown, and therefore the impacts of the proposed project are considered significant and unavoidable.

3.2 ORAL COMMENTS AND RESPONSES

The transcript from the May 14, 2008 public hearing on the Stoneridge Drive Specific Plan/Staples Ranch Project Draft EIR is reproduced in this section. Discrete comments by each speaker are denoted with a vertical line in the margin of the public hearing transcript and numbered. Responses follow the oral comments and are enumerated to correspond with the oral comment number.

flyover is within 600 feet above the development. He added that he also checked with the Livermore Municipal Airport and was told that their aircraft were about 1,800 feet above where residences would be located.

Chair Blank stated that he believed the Draft EIR reported the altitude to be 800 feet. Mr. Jeung indicated that he would look into that.

Chair Blank noted that the Draft EIR states that the development is not within the airport land use area but that it was his understanding that some parts of the project are in the airport influence area. Mr. Jeung confirmed Chair Blank's statement.

Ms. Giffin clarified that the Draft EIR states that the pollutant that the health assessment will be looking at with respect to the Senior Care Facility is just diesel particulate matter not other pollutants.

Chair Blank thanked staff and the consultant for their excellent presentations. He complimented the consultants for a great document and indicated his appreciation for the excellent visuals.

THE PUBLIC HEARING WAS OPENED.

Ralph Kanz, Conservation Director of the Alameda Creek Alliance, expressed several concerns about the biological resources on the site and requested that they be properly and fully mitigated through the course of the project. He noted that the Draft EIR disregarded the steelhead trout, claiming that they have a low probability of occurring. He stated that there is potential for them to occur once a passage is provided for those fish, which may occur within two years and which will allow fish to come all the way up toward the Arroyo Mocho. He requested that the EIR address this issue.

S1-1

Mr. Kanz then expressed concern that the San Joaquin spearscale was not addressed, noting that the Draft EIR stated that mitigation work done on the species by a previous project provides mitigation for this project as well. He indicated that he did not believe that was appropriate and that this project needs to mitigate for the loss of habitat for that plant rather than for the loss of the number of plants. He suggested that there be some off-site mitigation done for the loss of that habitat.

S1-2

Mr. Kanz inquired if tiger salamanders were found on the site. He noted that surveys were done in 2007 and 2008 regarding the California tiger salamander and inquired if a document detailing the results has been produced. Ms. Giffin replied that tiger salamanders were not found on the site and that the U.S. Fish and Wildlife Service would have to concur with that finding.

Mr. Kanz then stated that the EIR should look at the Santa Rosa Plain Conservation Strategy and examine the mitigation ratios that came out of the U.S. Fish and Wildlife Service's biological opinion for the Santa Rosa Plain. He stated that those mitigation ratios should be applied to this project for the California tiger salamander species. He noted that the California red-legged frog needs to have similar mitigation ratios as the project is in the habitat for those species. He stated

S1-3

S1-4

that mitigation for the red-legged frog needs to be done on a habitat basis rather than on an individual basis as well.

Mr. Kanz concluded that the Open Space Alternative is the environmentally superior alternative for the project. He indicated that he would also like to see further analysis on other ways of approaching the areas along the creek in order to provide superior wildlife habitat as this is a good riparian source for birds and fish and to create a buffer that would help along that area. He stated that the Alliance will be sending in its written comments on the Draft EIR.

Richard Pugh disclosed that he is affiliated with the Friends of Pleasanton Committee organization and that he was married to a Planning Commissioner. He thanked staff for a detailed document and noted that he would focus on one section. He indicated that he did not see any information on the types of potential mitigations in Chapter 3.5, Hydrology and Water Quality, regarding their potential impact on wildlife, some of which were listed in Appendix B. He expressed concern for toxic runoff and biological oxygen demand as they are flushed across the property, as well as for emulsions, things with acids, caustics, correlated products, oil from automotive center, breakdown degradation of paving binders, trash particularly on the east side, animal waste potentially in dog parks, animals brought through neighborhood parks and surrounding areas, and the general stormwater runoff listed in Table 3.5-4. He recommended including in the report a recognition of how this can be dealt with. He stated that it is one thing to say in the Report that it might be a problem and another thing to have an analysis of the dimension of the problem and what actually would be required to deal with it, which would provide some visibility to what the level of impact is. He noted that the sources of pollution from animal waste is not often thought of, but it is hazardous material, just as oil that is coming like runoff from automobiles that end up in the neighborhood park or the nine-foot deep detention basin, either as residue contaminating the park or the Arroyo. He indicated that he did not see those types of issues called out in the Draft EIR, as well as what other jurisdictions or technologies might considerably be available for adoption by Pleasanton as part of the actual implementation of the community park and the surrounding commercial property. He urged that these issues be given high prominence in the planning, actual execution, and conditions of approval for the project.

John Carroll indicated that he had not had a chance to go through most of the documentation and inquired about the buffer along Arroyo Mocho. He stated that the latest park design revision shows the access road starting on the easternmost section of the Staples Ranch property and actually parallels the Arroyo Mocho fairly closely to the buffer area between the park development and the ice skating facility and the Arroyo. He indicated that he was not sure about the amount of traffic anticipated on the access road and that it was not clear whether or not the traffic study included traffic that the ice facility would actually bring. He expressed concern that the road from the westernmost end of the property to the commercial property would bring in a substantial amount of traffic.

Mr. Carroll noted that the public parking area was located on the far side of ice facility. He stated that bringing cars deep into a park is not his idea of a well-planned park and that he preferred to keep cars, traffic, and access roads to the outside or peripheral area. He noted that he would also like to have a buffer zone between the project development that will take place

S1-5

S1-6

S2-1

S3-1

S3-2

S3-3

S3-4

and the Arroyo Mocho to protect as much of the wild life as possible. He requested that extra caution be taken in the easternmost section of the property where part of the commercial area and the park will be located as this portion has additional importance in terms of the habitat area.

↑ S3.4
(con't.)
| S3-5
|

THE PUBLIC HEARING WAS CLOSED.

Chair Blank noted that the Commission would review of the Draft EIR, starting with Section 3, Environmental Analysis.

Commissioner Pearce clarified that the Commission would be asking questions and comments on areas it finds potentially inadequate in order to gain more information for the Final EIR. She noted that the Commission should limit itself to this task.

Chair Blank noted that rather than the term "inadequate," he preferred to say "where the Commission believes more development would be worthwhile having."

Section 3.1. Aesthetics and Visual Quality

Commissioner Narum inquired where on Figure 3.1-7 the automall freeway sign was located. After a short discussion among the Commissioners, Commissioner Narum was able to locate it on the corner.

Chair Blank noted that there has often been controversy about visuals and that he found the visuals in this document great. He noted that the existing and the proposed have the same exact lens and proportion such that there can be no controversy about which kind of lens was used. He compliment the author who came up with this idea and highly recommended that staff encourage developers who are asked to do visuals to use this methodology as it takes all questions out.

| S4-1
|

Section 3.2. Air Quality

Chair Blank stated that this section talked about exposure from the Livermore Airport. He indicated that he knows the concentrations of carbon monoxide or hydrocarbons would be addressed but that not a lot of people know that leaded fuel is used in general aviation aircraft. He stated that he would like to make sure that the recommendations for health assessment not be limited to diesel particulates but also address all the health hazards, including lead, that might be potentially involved, especially since the document states that the flying altitude is 800 feet but the FAA says it is 600 feet.

| S4-2
|

Section 3.3. Biological Resources

There were no comments.

Section 3.4. Hazards and Hazardous Materials

Referring to page 3.4-5, Other Health and Safety Considerations in the Project Area, Chair Blank stated that he believes about 80 percent of complaints about the Livermore Airport come from houses in Pleasanton. He expressed concern that the reflected impact this project could have on the Livermore Airport has not been looked at. He noted that while the project talks about the Airport Protection Area, it does not talk about the Airport Influence Area. He observed that the noise complaints were coming from the farther side of the Staples Ranch site. He stated that the project is not being proactive enough in the mitigation for the surrounding area.

S4-3

Chair Blank noted that page 3.4-10, Noise, talks about the 65 dBA noise contour and the part of the project is in the noise contour. He further noted that on page 3.4-19, reference is made to the airplane flight altitude as 800 feet above ground level rather than 1,800 feet earlier mentioned.

S4-4

S4-5

Section 3.5. Hydrology and Water Quality

There were no comments.

Section 3.6. Land Use and Agricultural Resources

Chair Blank noted that the document did not address a California bill has just been introduced and has been either approved by the California Senate or coming before the Senate for signature regarding statewide airport land use policies. He stated that he did not know what its current status is and requested that it be looked into to ensure that it does not contain anything that might be a cause of issue for this project.

S4-6

Section 3.7. Noise

Chair Blank pointed out that on page 3.7-8, it stated that the Airport Noise Study was done on a Tuesday, which is not necessarily representative in 2006 of operations at the airport today. He noted that there has been a substantial growth in larger aircraft at the airport since 2006 and recommended that further noise studies be done, particularly on Saturday or Sunday as Livermore Airport is a heavy training airport.

S4-7

Commissioner Narum stated that page 1.5 of the Summary refers to limiting noise levels from the automall carwash stations to 60 dBA at the senior continuing care community facility. She requested that the statement be defined more clearly, e.g., if the 60 dBA is at the property edge.

S5-1

Commissioner Narum noted that it might not be appropriate to discuss page 3.1 of the Summary on noise at this point; however, it talks about implementing Best Management Practices to reduce construction noise. She stated that it would seem that construction should start on the eastern side to mitigate the western side so that construction vehicles access the property from the east end. Chair Blank agreed and added that with proper mitigation for the noise that the airport generates that would impact the project, the potential complaints that come from the project could be mitigated back toward the airport with the proper types of disclosures. He requested that this issue be looked into.

S5-2

S4-8

Commissioner Narum stated that page 4.1 of the Summary talks about using noise attenuating pavements to new portions of Stoneridge Drive. She indicated that she would like to see the impact of the pavement on the Automall Parkway, particularly in vicinity of the community park.

S5-3

Section 3.8. Population, Employment, and Housing

There were no comments.

Section 3.9. Transportation

Commissioner Narum noted that the statement "Narrow lanes to reduce pedestrian clearance to 20 seconds" on page F-46 on the Summary needs to be clarified.

S5-4

Section 3.10. Water Supply

There were no comments.

Alternatives

Regarding the traffic analysis on the Ice Center Alternative, Commissioner Pearce stated that on the parking plan for the Ice Center, it appears that major parking is going off of El Charro Road and a sub-parking area off of Stoneridge Drive. She inquired if the traffic study included scenarios such as people pulling in off of Stoneridge Drive and finding no parking in there, go back out to the freeway and come down El Charro Road.

S6-1

Chair Blank stated that he did not see the question of safety addressed in the traffic study, which only deals with how many dots can get through a certain intersection at a certain time. He would like the question of safety be sufficiently addressed and what the impact could be on the safety of pedestrians or other cars.

S4-9

Chair Blank stated that this was his fourth EIR since he started on the Planning Commission and that this Draft EIR is one of the most thorough jobs he had seen. He then concluded the public hearing section of the Draft EIR.

S4-10

S1 Ralph Kanz, Alameda Creek Alliance

- S1.1 The commenter states concern over biological resources, particularly steelhead trout, that have the potential to occupy the site. Responses to a letter by this organization address this comment. See response to Comments 14.1 and 14.2.
- S1.2 The commenter states concern over biological resources, particularly the San Joaquin spearscale, that occupy the site. Responses to a letter by this organization address this comment. See response to Comment 14.7.
- S1.3 The commenter states that the USFWS mitigation ratios for the Santa Rosa Plain should apply to the project site. Responses to a letter by this organization address this comment. See response to Comment 14.4.
- S1.4 The commenter states concern over biological resources, particularly California red-legged frog. Responses to a letter by this organization address this comment. See response to Comment 14.3.
- S1.5 The comment expresses support for the Open Space Alternative of the proposed project. This comment does not address the adequacy of the Draft EIR nor the City's compliance with the CEQA process. Rather, it is the commenter's opinion regarding the merits of this alternative, relative to the proposed project. Such expressions are appropriate at the upcoming public hearing on the merits of the project.
- S1.6 The comment expresses a desire to look into alternative uses of the creek area to enhance wildlife habitat. The focus of the proposed project and the Draft EIR is the development of the site and the amendment of the previously adopted Specific Plan for Stoneridge Drive. Suggestions by the commenter to amend the plan and the proposed project should be raised as part of the upcoming public hearing on the merits of the project.

S2. Richard Pugh

- S2.1 The stormwater detention basin is for controlling the peak flow rates and not for water quality treatment. Other water quality best management practices (BMPs), both source control and treatment control BMPs, must be implemented prior to discharge to the detention basin; this basin would not accumulate more pollutants from stormwater runoff than would be the case on any landscaped area within the Specific Plan, and likely, less, because stormwater would be treated prior to discharge to the basin. Implementation of post-construction BMPs, in accordance with the Alameda Countywide Clean Water Program would also include operations and maintenance BMPs to minimize the potential introduction of pollutants in stormwater runoff. Mitigation Measure HY 1.1 would ensure that BMPs are implemented to reduce stormwater pollutants loads to existing conditions

levels to the maximum extent practicable and that these BMPs are approved by the City prior to beginning construction activities.

S3. John Carroll

S3.1 The comment addresses details of the proposed Staples Ranch Community Park, which is being formulated as part of a separate master planning process. This comment does not address the adequacy of the Draft EIR nor the City's compliance with CEQA. Accordingly, no further response is necessary.

S3.2 The commenter references an access road within the Community Park, which is not included as part of the Stoneridge Drive Specific Plan. An access road may be included as an interior road within the proposed community park; however, because a conceptual site plan was not available at the time of preparation of the Draft EIR, no specific access roads were addressed as part of the Draft EIR.

The traffic report prepared for the proposed project addresses impacts from the ice center, impacts of which are summarized in the Draft EIR in Section 5, Alternatives. The traffic generation assumed for the ice center is included in the Ice Center Alternative analysis, and included trips from employees of and visitors to the ice center. The analysis also assumed that without extension of Stoneridge Drive to El Charro Road, 10 percent of the ice center generated trips would access the Staples Ranch site from the west along Stoneridge Drive, and 90 percent of the ice center generated trips would access the Staples Ranch site from the east along El Charro Road. No commercial traffic (associated with the retail or auto mall) was assumed to access the Staples Ranch site from the west.

S3.3 The commenter recommends modifying the layout for the ice center parking to keep cars, traffic, and access roads to the outside or peripheral area. The Draft EIR presents a programmatic analysis of impacts from the proposed community and neighborhood parks, because no specific site plans were available at the time of preparation of the document. Similarly, the Ice Center Alternative also analyzed the community park area at a programmatic level without a specific layout for the ice center and associated amenities. Details for parking lot layout and on-site circulation will be refined as the planning process evolves.

S3.4 The commenter expresses support for a buffer zone between the proposed development and the Arroyo Mocho. This comment does not address the adequacy of the Draft EIR nor the City's compliance with CEQA. Such additions to the proposed project can be raised at the upcoming public hearing on the merits of the project.

S3.5 The commenter expresses concern for the eastern section of the Staples Ranch site, where the commercial uses and the park would be near areas of additional habitat importance. The Draft EIR does include several mitigation measures that seek to minimize the habitat effects of developing the Staples Ranch site. Key measures include Mitigation Measure BIO-8.1

(minimize lighting spillover onto the Arroyo Mocho), Mitigation Measure BIO-8.1 (incorporate wildlife habitat into landscaping plans), Mitigation Measure HY-1.1 (implement Water Quality Management Plan with targeted pollutant removal rates), and Mitigation Measure HY-1.2 (implement an Integrated Pest Management Plan and Pesticide Management Program).

S4. Phil Blank, City of Pleasanton Planning Commission Chair

S4.1 The Commissioner's compliment on the methodology for the visual simulations presented in the Draft EIR and the recommendation to use this methodology on other projects are noted.

S4.2 There are several reasons to believe that air pollutants from on-road motor vehicles using I-580 are likely to have a much more substantial health impact to the adjacent population than air pollutants from aircraft operating from Livermore Airport:

1. According to recent Caltrans data, about 200,000 vehicles *per day* travel on the section of I-580 passing through Pleasanton, about 10 percent of which are trucks and about two-thirds to three-quarters of these trucks are heavy-duty diesel trucks, which are recognized as the major emitter of small-diameter particulate matter, a known toxic air contaminant (TAC). As stated on page 3.6-8 of the Draft EIR, data from Livermore Airport states that there were over 200,000 *annual* flight operations from the Livermore Municipal Airport in 2007. As stated on page 3.6-18 of the DEIR an updated 20-year master plan for the Livermore Municipal Airport was drafted, but not adopted, in 2004. The 2004 Master Plan Update indicated that in 2001, actual total aircraft operations were 257,000, but that total operations would increase to 370,000 by 2020 of which only a portion would pass over Staples Ranch. By comparison, aircraft operations are less than 0.5 percent of the daily volume on I-580. Further, aviation engines are not major emitters of small-diameter particulate matter, although a small fraction of the particulate from the piston-engine planes would be lead (from leaded fuel).
2. Many residential and other health-sensitive uses within the City are located within 100 feet of the freeway (some even closer), while most planes would pass at least several hundred feet over the Staples Ranch site. Further, traffic on I-580 moves relatively slowly relative to aircraft speeds, so the dispersal of particulates from aircraft would be much more rapid. Finally, there would be the added dimension for the dispersion of aircraft pollutants as they descend vertically.
3. Although most piston aircraft still use leaded fuel, the lead content of aviation fuel has decreased by 50 percent in recent years and further substitution of unleaded fuel is expected in future years, which could reduce the use of leaded fuel by an additional 30 to 40 percent.

- S4.3 The Commissioner addresses the potential increase in noise complaints related to the airport. The proposed project includes Mitigation Measure LU-5.1, which requires the project developer to disclose to all potential residents that the proximity of the Livermore Airport and the potential for noise and other nuisances from aircraft operations; establishes procedures, including a phone number, so that the on-site manager for the senior continuing care community will be the initial contact to handle all airport noise complaints from residents; and agree to a deed rider concerning airport noise and impacts on the conveyance of any property within the Staples Ranch site. These mitigation measures were specifically requested by the City of Livermore.
- S4.4 The Commissioner correctly notes that the Draft EIR identifies that part of the Staples Ranch site is within the 65 dBA noise contour.
- S4.5 The Commissioner references that the altitude of plane flights is 800 feet above ground, which is consistent with the text on page 3.4-19 of the Draft EIR.
- S4.6 The Commissioner references a California Senate Bill, but does not identify which Senate Bill. There is a Senate Bill 1118 that passed the Senate in May 2008 and would strengthen those laws protecting airports from incompatible land uses by requiring all counties with at least one public-use airport to have an airport land-use commission. The bill affects Marin, San Bernardino, and Santa Cruz counties; Alameda County already has an airport land use commission. If this is the bill referenced by the Commissioner, it would not apply to the proposed project.
- S4.7 The Commissioner notes that measurements taken as part of the 2003 Airport Noise Study were completed on a weekday, which is not representative of the higher activity at the airport that occurs on weekends. While the Airport Noise Study did include measurements on weekdays, the impacts of the proposed project were based on the projected future noise contours which are not dependent on the weekday noise levels. Furthermore, the future contours upon which impacts at the project site are based taken into consideration changes in the size of the aircraft fleet.
- S4.8 The Commissioner notes that disclosures could be used to reduce noise impacts. These disclosures would be required as part of Mitigation Measure LU-5.1.
- S4.9 The Commissioner requests consideration of safety concerns, particularly for the safety of pedestrians and vehicles. The design of the roadway and pedestrian facilities will adhere to the goals and policies identified in the 1996 General Plan Circulation Element. Goal 2 states: *develop and manage a street and highway system which accommodates future growth while maintaining acceptable levels of service.* Within this section is Policy 6 which states *Maximize traffic safety for automobile, transit, bicycle users, and pedestrians.* All State and Federal standards for safety will be adhered to in this project. Additionally, Impact TR-6 of the Draft EIR specifically addresses the safety of the road layout and the potential for the project design to result in hazards. In that assessment, it was noted that City staff,

including the City Traffic Engineer, were involved in the preliminary design of the roadway layout to ensure that potential hazardous traffic conditions are avoided, and will continue to review plans as they proceed through the entitlement process.

S4.10 The Commissioner's compliment of the EIR is noted and appreciated.

S5. Kathy Narum, City of Pleasanton Planning Commissioner

S5.1 The Commissioner requests clarification on the noise mitigation measure for the car wash stations. Page 3.7-28 of the Draft EIR, in Mitigation Measure NO-1.5 explains that noise levels "shall not exceed 60 dBA at any habitable structure."

S5.2 The Commissioner suggests construction start on the east side of the site to mitigate the western side. Mitigation Measure TR-12.1 on page 3.9-46 of the Draft EIR requires development of a construction access plan, which would include "using El Charro Road for construction-related access for all phases of development, to the maximum extent feasible, rather than Stoneridge Drive."

S5.3 The Commissioner would like to see the effects of noise reducing pavement on Auto Mall Parkway. While noise reducing pavements would not be required for Auto Mall Place according to Mitigation Measure NO-4.1, the noise reducing pavement would also reduce noise levels at the park by 2 to 3 dBA. However, as noted on page 3.7-25 of the Draft EIR, the proposed project would be consistent with the noise compatibility guidelines of 65 dBA for park uses for the majority of the park areas.

S5.4 The Commissioner requests clarification of text in Mitigation Measure TR-1.2. In response to the comment, Mitigation Measure TR-1.2 on page 3.9-36 of the Draft EIR is revised as follows:

- Narrow lanes to reduce the total distance pedestrians are required to cross to 80 feet. ~~clearance to 20 seconds~~

S6. Jennifer Pearce, City of Pleasanton Planning Commissioner

The Commissioner requests clarification on whether the traffic study accounted for vehicles being unable to find parking along the Stoneridge side and then driving around to the Auto Mall Parkway side, under the Ice Center Alternative. Additional trips were not assumed to be generated as a result of the split parking lot design. The parking lot capacity of the ice center is based on the expected trip origination and destination assumed for the site. An estimated 10 percent of the total trips would come from Stoneridge Drive, and the parking lot on this side of the site would be sized to accommodate this volume.

Section 4

Revisions to the Draft EIR

This section identifies changes and additions to the Draft EIR that were initiated by City staff, as well as revisions resulting from the responses to comments on the Draft EIR. The revisions have been organized by section, per their location in the Draft EIR. This section enables the decision-makers and the public to see comprehensively in one place the changes that have been made to the Draft EIR as a result of comments on the document and staff-initiated revisions.

COVER AND TITLE PAGE

The cover and title page are modified as follows:

Stoneridge Drive Specific Plan Amendment/Staples Ranch Draft EIR

SUMMARY

Note that in addition to the specific text edits enumerated below, other revisions to the Summary result from changes made to impact statements and mitigation measures in Section 3 of the Draft EIR. These other revisions to the Summary are noted below.

The last paragraph starting on page S-4 is revised as follows:

The Staples Ranch site is predominantly flat, but slopes gradually from El Charro Road (elevation 356 feet above mean seal level (msl)) to the north and southwest (elevation 344 msl). The only significant "topography" are four large dirt stockpiles containing a total of about 300,000 cubic yards of material, most of which was deposited on the property during the construction of adjacent flood control projects. These materials were placed on site at the direction of the property owner in accordance with improvement plans that were reviewed and approved by Zone 7.

Page S-8 (Table S-1) is revised as follows:

Revised Table S-1
Comparison of Adopted and Proposed Specific Plan Land Uses for the Staples Ranch Site

Land Use	Adopted Specific Plan ^a		Proposed Amendment		Change
	Maximum Development (sf)	Acres	Maximum Development (sf)	Acres	
Commercial/Office/Industrial	1,353,000	100 ^b	<u>451,000 (retail option) to 531,000 (office option)</u>	<u>48.5</u>	<u>902,000 to 822,000 fewer sf; 51.5 fewer acres</u>
Park	--	17.2	--	22.1	5 more acres
Senior Continuing Care Community	--	0	800 units (1,200,000 square feet)	46.1	800 more units (1,200,000 more sf); 46.1 more acres
Park	--	17.2	--	22.1	5 more acres
Street, ROW, and Flood Control Channel	--	6.8 ^c	--	7.3	0.5 more acres
Total	1,353,000	124	1,651,000 (retail option) or 1,731,000 (office option), including up to 800 units	124	298,000 to 378,000 more sf

The last bullet on page S-12 is revised as follows:

- Alameda County Flood Control and Water Conservation District Zone 7, for an easement and encroachment permit for the Stoneridge Drive bridge and construction in the easement area by I-580.

Pages S-13 through S-16 regarding Mitigation Measure VQ-3.1 is revised in accordance with revisions described later in this section for pages 3.1-26 through 3.1-28.

Page S-23 regarding Mitigation Measure BIO-3.2 is revised in accordance with revisions described later in this section for page 3.3-20.

Pages S-37 and S-38 regarding Mitigation Measures LU-5.1 and LU-5.2 are revised in accordance with revisions described later in this section for pages 3.6-27 and 3.6-28.

Page S-40 and page S-41 regarding Mitigation Measure NO-1.5 is revised to be consistent with the text for this same mitigation measure on page 3.7-29.

Page S-44 regarding Mitigation Measure PH-1 is revised in accordance with revisions described later in this section for pages 3.8-7, 3.8-8, and 3.8-11.

Page S-46 regarding Mitigation Measure TR-1.2, last bullet is revised in accordance with revisions described later in this section for page 3.9-36.

- Narrow lanes to reduce the total distance pedestrians are required to cross to 80 feet. ~~clearance to 20 seconds~~

Page S-51 regarding Mitigation Measure TR-9.1 is revised in accordance with revisions described later in this section for page 3.9-44.

Page S-53 regarding Mitigation Measure TR-12.1 is revised in accordance with revisions described later in this section for page 3.9-46.

Pages S-59 and S-60 regarding Mitigation Measure TR-10C is revised in accordance with revisions described later in this section for page 4-29.

Pages S-62 through S-64 regarding Mitigation Measure CR-1 is revised in accordance with revisions described later in this section for pages 4-33 through 4-35.

Page S-67, last paragraph, sentence 1 is revised as follows:

This EIR analyzes four ~~three~~-alternatives: No Project (No build), development under the Existing Stoneridge Drive Specific Plan, ~~and~~-development of an Ice Center as part of the community park on the Staples Ranch site, and a primarily open space option for the community park.

The fourth sentence of the last paragraph on page S-68 is revised as follows:

The ice center would be approximately 45 ~~32~~ feet tall and contain up to four National Hockey League-size ice rinks.

Line 2 on page S-69 is revised as follows:

however, the ice center developers have indicated that they may reduce seating to 1,475 ~~or~~ 1,400.

The text in the first paragraph on page S-77 is revised as follows:

~~...in greater impacts as compared to the proposed project. Therefore, the proposed project would be considered environmentally superior to the proposed alternatives.~~

2. PROJECT DESCRIPTION

The first paragraph on page 2-4 is revised as follows:

The Staples Ranch site is predominantly flat, but slopes gradually from El Charro Road (elevation 356 feet above mean seal level (msl)) to the north and southwest (elevation 344 msl). The only significant “topography” are four large dirt stockpiles containing a total of about 300,000 cubic yards of material,

most of which was deposited on the property during the construction of adjacent flood control projects. These materials were placed on site at the direction of the property owner in accordance with improvement plans that were reviewed and approved by Zone 7.

The last paragraph on page 2-6 is revised as follows:

In 2004, Hanson Aggregates the Alameda County Flood Control District Zone 7 (Zone 7), in coordination with Zone 7 and the ACSPA and consistent with the 1989 Specific Plan, completed a flood control improvement project for Zone 7 of the Alameda County Flood Control District (Zone 7) following certification of a mitigated negative declaration and review and approval of construction plans by Zone 7, to significantly widen and deepen the Arroyo Mocho channel to buildout conditions consistent with Zone 7's 1960 Flood Control Master Planits, current size in order to contain the projected 100-year flood. This project also realigned the Arroyo las Positas, which had formerly traversed the Staples Ranch property, removing it from the property and constructing a new channel in Livermore to meet the Arroyo Mocho at El Charro Road. Material removed as a result of the excavation of the new channels was stockpiled on the Staples Ranch property, at the direction of the ACSPA (property owner), and as specified in the construction documents approved by Zone 7 in anticipation of future development. As part of the realignment project, two new bridges were constructed over the new channels to maintain access to the quarry operations to the south, via El Charro Road.

A new paragraph on page 2-9 is inserted after the second paragraph as follows:

The disclosure statement and the deed riders of sections 10.2 and 10.3 of the Cooperation Agreement shall be required. These relate to active and operating quarries and processing facilities in the vicinity and acknowledge that quarry operations may result in inconvenience or discomfort from airborne particulate matter, bright lights, noise and vibration, unattractive visual appearance, and heavy truck traffic on El Charro Road and adjacent streets and roadways within or outside the quarries.

The first sentence of the first paragraph on page 2-24 is revised as follows:

An alternative site plan has been proposed for the park, which includes an approximately 138,500-square-foot ice center with four rinks, a ~~brew pub type~~ family restaurant with a beer and wine license, a pro shop, and similar amenities on 8 acres of the 17-acre community park site.

The second to last sentence under "Neighborhood Park/Detention Basin" on page 2-24 is revised as follows:

Water from the detention basin would be released into the existing outfall in the Arroyo Mocho located generally west of the proposed two lane bridge that, in anticipation of the Staples Ranch project, was constructed in 2004 as part of the Arroyo Mocho Widening/Arroyo Las Positas Realignment project.

Page 2-27, paragraph 2, at the end of the paragraph, the following text is inserted.

Two exhibits in this agreement show how the Auto Mall Place/El Charro Road intersection will be constructed. Exhibit K-1 (labeled as Figure 2-15a) shows how the intersection will be constructed if the City of Livermore constructs the intersection. Exhibit K-2 (labeled as Figure 2-15b) shows how

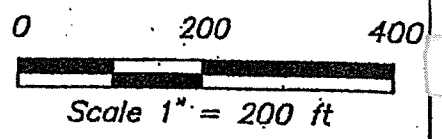
the intersection will be constructed if the City of Pleasanton constructs the intersection. This EIR generally shows the construction of Exhibit K-2; however, it is anticipated that the City of Livermore will construct El Charro Road and that the intersection improvements shown in Exhibit K-1, which includes three left turn lanes from Auto Mall Place onto El Charro Road will be constructed. In either event, the Auto Mall Place/El Charro Road intersection will be designed to be consistent with the improvements required in the Pre-Development and Cooperation Agreement. Section 3.3 of the Pre-Development and Cooperation agreement allows for changes to the Auto Mall Place/El Charro Road intersection, if an amendment to the agreement is supported. The City of Pleasanton may pursue an amendment to allow two left turn lanes from Auto Mall Place onto El Charro Road under existing plus approved plus project traffic conditions, since Stoneridge Drive is not proposed to be extended to El Charro Road as part of the project, and traffic volumes do not warrant a third left turn lane at this time. As described in Section 4, Other CEQA Considerations, of this document, a third left turn lane would be required under cumulative conditions. If an amendment to the Pre-Development and Cooperation Agreement were proposed and supported, the City of Pleasanton would be responsible to construct the third left turn lane from Auto Mall Place to El Charro Road prior to the onset of cumulative conditions.

Page 2-27, paragraph 3, sentence 1 is revised as follows:

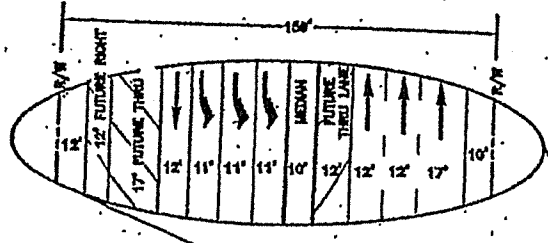
The proposed project also accommodates possible pedestrian access from the Staples Ranch site to the existing Zone 7 maintenance road along the north and south banks of the Arroyo Mocho.

Text in the first sentence of the second paragraph on page 2-34 is revised as follows:

While the 2004 Arroyo Mocho Widening/Arroyo Las Positas Realignment project created adequate capacity to carry the 100-year flood event in the channel adjacent to Staples Ranch, the arroyos upstream of the Staples Ranch site are currently under capacity and predicted to overtop and send flood waters over El Charro Road and through the northern portion of the Staples Ranch site.



BY OTHERS

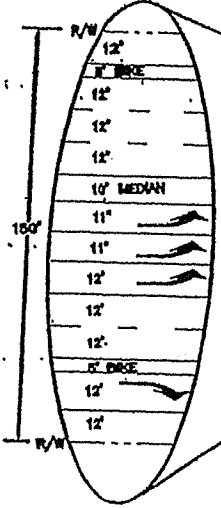


EXISTING FRESHMAN ROAD ROW TO BE ABANDONED BY SEPARATE INSTRUMENT 2.55 AC (110,870.87 SQ FT)

EL CHARRO ROAD

EXISTING JACK LONDON ROW TO BE ABANDONED 0.78 AC (33,795 SQ FT)

JACK LONDON BOULEVARD



BY OTHERS

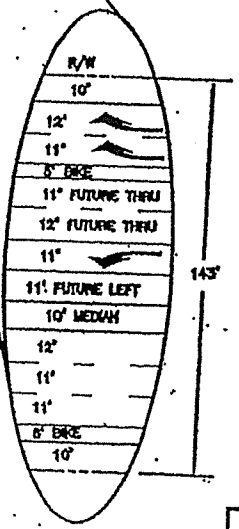
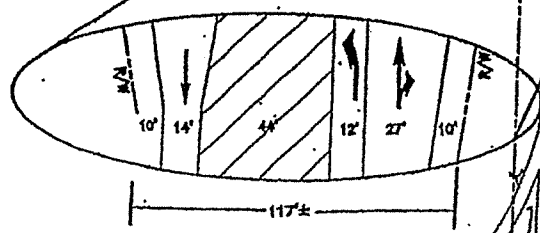


FIGURE 2.15a



KIER & WRIGHT
 CIVIL ENGINEERS & SURVEYORS, INC.
 1233 Quarry Lane, suite 145 (925) 249-6555
 Pleasanton, California 94566 Fax (925) 249-6563

EXHIBIT "K-1"
 DIAGRAM OF
 EL CHARRO INTERSECTION IMP
 LIVERMORE CALIFORNIA

SCALE	1" = 200'
DATE	5-30-07
BY	J.A.V
JOB NO.	A08717
SHEET	1 OF 1

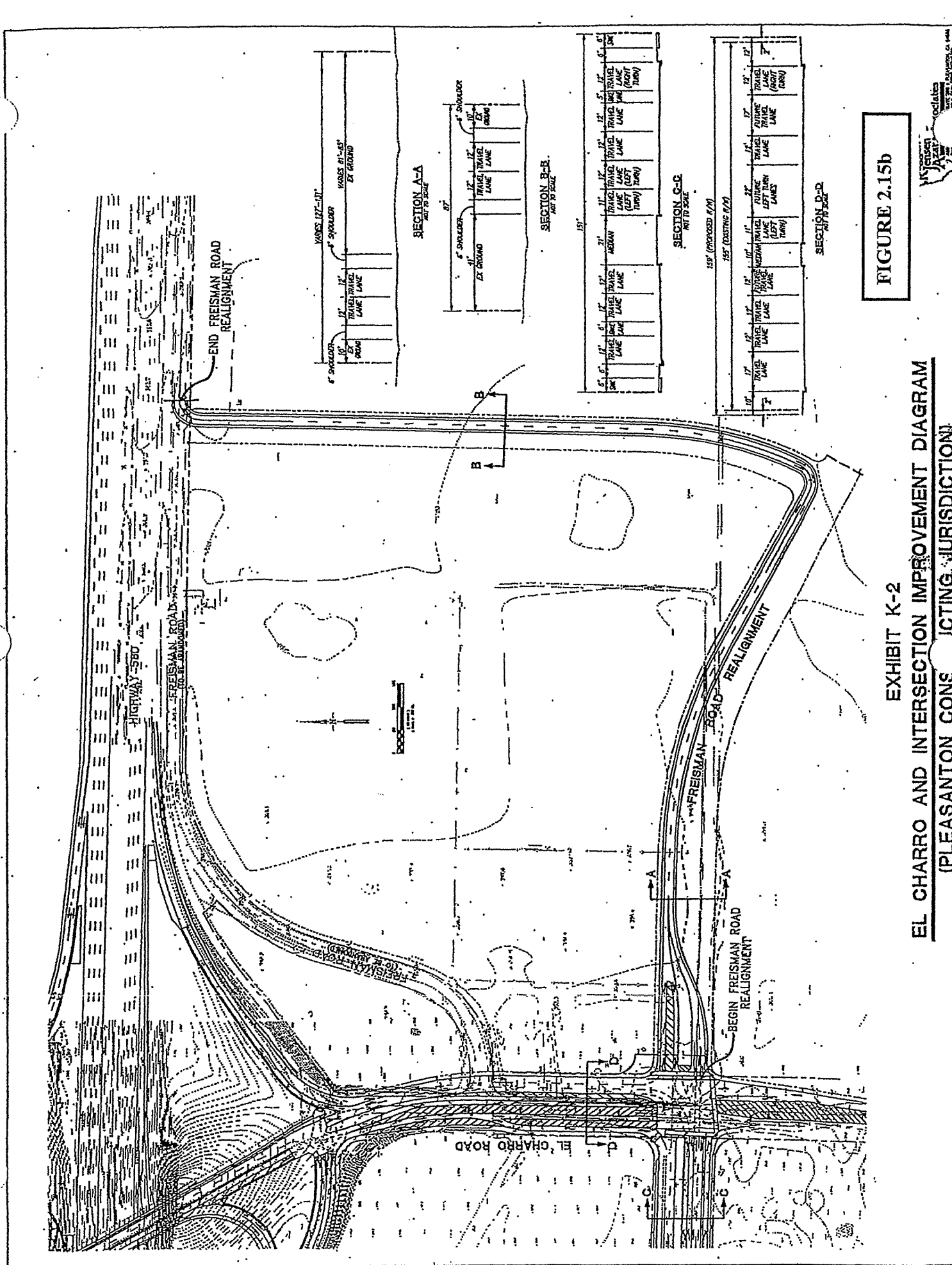


FIGURE 2.15b

EXHIBIT K-2
EL CHARRO AND INTERSECTION IMPROVEMENT DIAGRAM
(PLEASANTON CONC. CTG. JURISDICTION)

INTEGRATED
 AVIATION
 SOLUTIONS
 10000 WILSON AVENUE, SUITE 200
 WILSON, CA 94094
 TEL: 415.352.5000

Text in the last bullet on page 2-38 is revised as follows:

- Alameda County Flood Control and Water Conservation District Zone 7, for an easement and encroachment permit for the Stoneridge Drive bridge and construction in the easement area by I-580.

3.1 VISUAL QUALITY

Page 3.1-26, Mitigation Measure VQ-3.1, Prepare Lighting Plan, is revised as follows:

VQ-3.1 Prepare Lighting Plan. All exterior lighting shall be directed downward and ~~designed or~~ shielded to avoid shining on neighboring properties. Each developer shall submit a conceptual and final lighting plan, and include drawings and/or manufacturer's specification sheets showing the size and types of light fixtures proposed for the exterior areas, including exterior building lighting and parking lot lighting. ~~The City will refer the conceptual lighting plan including, conceptual light fixtures and their locations, to the Alameda County ALUC, and to the FAA if requested by the FAA, prior to Planned Unit Development approval. The final light fixtures and their locations shall be subject to the review and approval of the Community Development Director prior to the issuance of a building permit. The light fixtures and their locations shall be subject to the review and approval of the Community Development Director prior to the issuance of a building permit.~~

Energy efficient lamp technologies shall be incorporated wherever possible. Mercury vapor shall be avoided. Incandescent lights shall be avoided unless they are integrated with a control mechanism that limits their operation time. The use of such lighting shall help minimize impacts on reduced visibility of the night sky.

3.3 BIOLOGICAL RESOURCES

A new paragraph is added after the first paragraph on page 3.3.-17:

Although the loss of the San Joaquin spearscale population is a less than significant impact (and therefore no mitigation measures are required under CEQA), there are opportunities, both on site and off site, to improve this population. For example, prior to grading on the Staples Ranch property, the ACSPA will purchase credits from the Springtown Natural Community Preserve in Livermore, or purchase land at another appropriate mitigation area in Alameda County, for an equivalent acreage of spearscale habitat to the area currently occupied by spearscale on the Staples Ranch property. These off site commitments will be embodied in the development agreement between the applicant and the City. In addition, topsoil from any areas of Staples Ranch that are documented to contain populations of Spearscale can be separately stockpiled during grading operations, and then incorporated into appropriate areas within the Open Space Area of the Staples Ranch Community Park, if so desired by the City Council. Any on site

proposal would be subject to the review and approval of the City Council as part of the PUD project review process for the Community Park.

Page 3.3-20 regarding Mitigation Measure BIO-3.2 is revised as follows:

BIO-3.2 Provide construction monitoring for California tiger salamanders. If surveys identify California tiger salamanders in the Staples Ranch site, each project developer and the Project Sponsor shall retain a qualified biologist to monitor the presence of California tiger salamanders in the active construction area. If individual California tiger salamanders could be directly affected by project construction, then these activities shall cease and the USFWS shall be notified immediately. Mitigation measures will be developed through the consultation process to reduce impacts to the species.

3.4 HAZARDS AND HAZARDOUS MATERIALS

The first full paragraph on page 3.4-12 is revised as follows:

These safety zones are ~~not adopted for the Livermore Airport, and are instead based on the general Caltrans guidelines, which utilize historical spatial distribution of aircraft accidents for various categories of runways. Safety compatibility zones for each individual airport must take into account the specific type of aircraft usage, flight procedures, and other operational characteristics particular to each runway type end.~~ As such, these safety zones ~~may be modified to reflect accident data derived from airports with Livermore Airport's runway characteristics, which are verified by the Caltrans Division of Aeronautics.~~ conditions at the Livermore Airport, when incorporated by the ALUC.

The first full paragraph of Mitigation Measure HZ-5 on page 3.4-20 is revised to read:

Implementation of Mitigation Measures VQ-3.1 through VQ-3.4, which would require preparation of a lighting plan for the Staples Ranch site, and specifications for the lighting plans for the auto mall and community park, would reduce the potential for safety impacts from light and glare at the Staples Ranch site. If construction equipment is used which penetrates the surface of the instrument approach area over the Project Area, or if the FAA notifies the City and/or the developer that it believes a Notice of Proposed Construction or Alteration should be filed, the developer proposing construction shall file a Notice of Proposed Construction or Alteration prior to construction, consistent with the regulations of Part 77 of the Federal Aviation Regulations.

3.5 HYDROLOGY AND WATER QUALITY

The text on page 3.5-6, paragraph 3, last sentence is revised as follows:

The improvements ~~significantly~~ altered the floodplain near El Charro Road both upstream and downstream of El Charro Road.¹⁴

Text in the second full paragraph on page 3.5-7 is revised as follows:

For the newly defined 100-year floodplain conditions, both with and without levee failure, the Arroyo las Positas overtops both its north and south banks east of El Charro Road. The estimated volume and rate of flood flows as they enter the El Charro Specific Plan area (the area east of Staples Ranch in the City of Livermore) is 8,570 cfs. The smaller, northern flows, amounting to 430 cfs, would leave the stream upstream of the fish ladder and flow north across El Charro Road and I-580, before the flows are conveyed to the line G3-1 flood control channel and back into ~~Arroyo las Positas~~ Arroyo Mocho, west of the El Charro Road. The larger, southern flows leave the stream at three locations: above the adjacent golf course and at two locations within the golf course, with flows of 5,380, 1,700, and 1,060 cfs, respectively.

The first sentence of the fourth paragraph on page 3.5-18 is revised as follows:

In general, an encroachment permit is required for ~~reviewing and inspecting proposed~~ gaining access and work of any nature that has the potential to impact any existing Zone 7 flood control or water supply facilities.

The last paragraph on page 3.5-18 and continuing onto page 3.5-19 is revised as follows:

Stream Management Master Plan. Zone 7, in pursuing its flood control mission, has developed a Stream Management Master Plan (SMMP). StreamWISE is the SMMP 30-year implementation plan and will identify individual projects for inclusion in a 10-year SMMP-based Capital Improvement Plan for Zone 7., which was recently renamed 'StreamWISE', The SMMP was prepared in collaboration with Valley cities, park districts, businesses, and other stakeholders. The plan is a multi-disciplinary document that emphasizes the interrelationships between flood protection, adequate water supply, healthy habitats for plants and animals, and recreation for the Cities of Livermore, Dublin, and Pleasanton, and the unincorporated Tri-Valley area in keeping with area general plans. Primary goals of the SMMP Stream Management Master Plan are:

- Flood control and drainage
- Erosion and sedimentation
- Water supply
- Water quality
- Habitat and environment
- Recreation, trails, and public education

The Staples Ranch site is located within Reach 8 of the ~~StreamWISE~~ SMMP study area and its development should be consistent with ~~StreamWISE~~ SMMP goals and management plans. Currently, no specific projects are identified for Reach 8.

3.6 LAND USE AND AGRICULTURAL RESOURCES

The third paragraph on page 3.6-3 is revised as follows:

The Arroyo Mocho borders the Staples Ranch site to the south, within a channel that is approximately 250 feet wide. In 2004, Hanson Aggregates the Alameda County Flood Control District Zone 7 (Zone 7), in coordination with Zone 7 and the ACSPA and consistent with the 1989 Specific Plan, completed a flood control improvement project for Zone 7 of the Alameda County Flood Control District (Zone 7) following certification of a mitigated negative declaration and review and approval of construction plans by Zone 7. This project widened the Arroyo Mocho channel to buildout conditions consistent with Zone 7's 1960 Flood Control Master Plan—its current size in order to contain the projected 100-year flood. This project also realigned the Arroyo las Positas, which had formerly traversed the Staples Ranch property, so that it now converges with the Arroyo Mocho at El Charro Road (at the southeast corner of the Staples Ranch site). Several large soil stockpiles from the flood control work were placed on the Staples Ranch property, at the direction of the ACSPA (property owner) and as specified in the construction documents approved by Zone 7, in anticipation of using the stockpiles as fill material for the property.

A new paragraph is added to the end of Mitigation Measures LU-5.1 and LU-5.2 on pages 3.6-27 and 3.6-28 as follows:

Property owners shall include deed riders/disclosures about the Livermore Municipal Airport consistent with Business and Professions Code Section 11010 and Civil Code Sections 1102.6, 1103.4, and 1353.

3.8 POPULATION, EMPLOYMENT, AND HOUSING

Page 3.8-7, PH-1, is revised as follows:

PH-1. The proposed project would increase population and employment in the Project Area and the overall projected growth would be consistent with growth forecasts for the City². The City's Growth Management Program Ordinance allows the City Council to vary the number of annual building permits, consistent with the General Plan, ~~however,~~ In that the timing of the development of the senior continuing care community ~~would have the potential to result in an exceedance of the annual limit for residential uses under the City's Growth Management Ordinance.~~ will be guided by a Development Agreement, the Growth Management Ordinance will not be applicable. The City Council will consider the project and Development Agreement in light of how many units it believes are appropriate for construction in a given year. (PS) (NI)

Page 3.8-8, the third paragraph under "Housing", is revised as follows:

~~However,~~ The City also has a Growth Management Ordinance that is intended to limit residential growth so that residential development remains within the housing cap. As part of the Growth Management Program Ordinance, residential development from the year 2005 through buildout is generally limited to 350 housing units per year but City Council may vary that number depending

on the type of project. The senior continuing care community could have up to 800 units which would exceed the annual limit if the project were developed within a single year. However, since the timing of this project's development will be guided by a Development Agreement that the City Council will consider, the Growth Management Program Ordinance will not control. In this regard, ~~the project could be considered to result in substantial the Growth Management Ordinance.~~ However, Continuing Life Communities (CLC) has indicated that it plans to develop the senior continuing care community in phases. Since final phasing plans for this project have not been developed, the project would have the potential to exceed the City's annual limit of 350 units.

Page 3.8-11, text after Table 3.8-6 about PH-1.1, is deleted as follows:

~~Mitigation Measure. If the City Council determines that the senior continuing care community is a residential project, the following mitigation measure would reduce the proposed project's potential to exceed the City's annual growth limits, resulting in a less than significant impact. (LTS)~~

~~PH 1.1 — Phase construction of residential units at the senior continuing care community based on the City's Growth Management Ordinance. Construction of residential units, as determined by the City Council, shall be phased such that construction of residential units would not exceed the City's limits for residential development, as described in the City's Growth Management Ordinance and General Plan.~~

3.9 TRANSPORTATION

Table 3.9-1 on page 3.9-6 of the Draft EIR is revised to delete footnote 5 for Intersection 55.

Page 3.9-11, paragraph 1, sentences 3 and 4 are modified as follows:

As required by the City of Pleasanton, signalized and unsignalized intersection analyses are conducted using the operational methodology outlined in the *Highway Capacity Manual 2000 (HCM 2000)* (Transportation Research Board, 2000). This procedure calculates an average stopped controlled delay in seconds per vehicle at the intersections and assigns an LOS designation based upon the delay.

The reference to Table 3.9-2 on page 3.9-12 of the Draft EIR is revised as follows:

~~Source: *Highway Capacity Manual (HCM)*, Transportation Research Board, Washington, DC, 2000, Chapter 16 (Signalized Intersections) CCTA Technical Procedure Manual.~~

Page 3.9-12, last paragraph, first sentence is revised as follows:

According to ACCMA guidelines for the CMP, an analysis of freeway and arterial segment levels of service is required if a project is estimated to add 100 PM peak hour trips project trips to any segment equal to or greater than one percent of the capacity of that segment.

Last sentence on page 3.9-16 is revised as follows:

For the City of Dublin, land use changes and vehicles growth were calculated using the Dublin Forecasting Model ~~regional transportation model~~ for the year 2015.

Page 3.9-17, Table 3.9-6, is revised as follows:

...Isabel Avenue extension (~~4~~ 6 lanes) from Airway Boulevard to Portola Avenue...

Notes:...

...2. The Portola Avenue overcrossing (over I-580) is not listed in the table, but is assumed in the existing + approved traffic model.

Page 3.9-36 regarding Mitigation Measure TR-1.2, last bullet is revised as follows:

- Narrow lanes to reduce the total distance pedestrians are required to cross to 80 feet. ~~clearance to 20 seconds~~

Page 3.9-39 (Table 3.9-14), second line under the heading "Arterials" is revised as follows:

Dublin Blvd. (~~East~~ West of Tassajara Rd.)

Page 3.9-44, Mitigation Measure TR-9.1 is revised as follows:

TR-9.1 Provide acceptable bicycle and pedestrian access. As part of the PUD process, each individual project developer shall work with the City to develop acceptable on-site pedestrian and bicycle facilities, including access to planned sidewalks and bike lanes on Stoneridge Drive and Auto Mall Place, ~~as well as appropriate access to the future regional trail along the Arroyo Mocho.~~ The Project Sponsor shall work with the City to develop appropriate pedestrian and bicycle access to the future regional trail along the Arroyo Mocho as well as bicycle access on Stoneridge Drive and Auto Mall Place.

Page 3.9-46, Mitigation Measure TR-12.1, is revised as follows:

TR-12.1 Develop Construction Access Plan. Prior to the issuance of final improvement plans or grading permits, each developer within the project and the Project Sponsor shall develop and provide a construction access plan to be reviewed and approved by the City's Engineering Department. This plan will include, at a minimum, the following construction traffic management strategies for each phase of development:

4. OTHER CEQA CONSIDERATIONS

Pages 4-33 through 4-35, Mitigation Measure CR-1, are revised as follows:

CR-1 Each project developer and the Project Sponsor shall retain the services of a qualified archaeological consultant having expertise in California prehistoric archaeology. The archaeological consultant shall determine if planned development could potentially impact important archaeological resources and shall then design an appropriate archaeological monitoring program. Upon completing the archaeological monitoring program, the archaeological consultant shall submit a written report of

findings first and directly to the Director of the Department of Planning and Community Development. At a minimum, the archaeological monitoring program shall include the following: ...

- Should archaeological resources be encountered during construction, the Project Developer/Sponsor shall consult with City and tribal representatives to determine the appropriate disposition of findings. Mitigation measures shall include one of the three alternatives below:
 1. In-Situ Preservation: The project developer/sponsor shall preserve artifacts and resources as found and shall apply suitable open space, capping, or monumentation to the site. The project developer/sponsor shall alter development plans to accommodate this alternative, as necessary.
 2. Excavation/Recovery: The archaeological consultant shall excavate the site, evaluate the site for historical references, recover artifacts as appropriate, and cover the site to preserve remaining artifacts. The project developer/sponsor shall maintain sufficient buffering between development subsurface construction and the location of resources...

If development plans call for trenching within 200 feet of the Arroyo Mocho, a program of subsurface mechanical trenching along the impacted route shall precede project trenching in an attempt to locate additional archaeological sites and/or the original meander of the Mocho, where such sites would most likely be. If additional sites were to be found, the project developer/sponsor shall adhere to the above mitigation measures.

If human remains are discovered, the project developer/sponsor shall contact the County Coroner immediately. If the coroner determines that the human remains are Native American remains, the Project Developer/Sponsor shall notify the California State Native American Heritage Commission.

The archaeological consultant shall prepare a Final Archaeological Resources Report, meeting City and state standards, evaluating the historical importance of the archaeological resource and describing the archaeological and historical research methods employed in the testing, monitoring, and data recovery programs. The Director of the Planning and Community Development Department shall review and approve this document. The project developer/sponsor shall file the report with appropriate state offices.

Page 4-28, Mitigation Measure TR-7C is deleted, since improvements at this intersection (El Charro Road at Stoneridge Drive) are already addressed by the Pre-Development and Cooperation Agreement. ~~Mitigation Measures TR-8C through TR-11C are renumbered to reflect the deletion of Mitigation Measure TR-7C.~~

Page 4-29, Mitigation Measure TR-10C is deleted, since the City of Dublin considers the improvement at the Dublin Boulevard/Dougherty Road intersection infeasible (see City of Dublin comment letter, comment 8-24, on page 3-61 of the Draft Final Environmental Impact Report). This impact remains significant and unavoidable.

5. ALTERNATIVES

The fourth sentence of the third paragraph on page 5-3 is revised as follows:

The ice center would be approximately 45 32 feet tall and contain up to four National Hockey League-size ice rinks.

The second sentence of the last paragraph on page 5-22 is revised as follows:

As a result, this alternative would result in a be more intensely developed site than the proposed project, with the addition of a 45 32-foot high, 138,500-square-foot ice center building and related parking.

The sixth sentence of the third paragraph on page 5-3 is revised as follows:

This analysis assumes that the ice center would have seating for up to 2,200 spectators and could employ approximately full-time equivalent staff; however, the ice center developers have indicated that they may reduce seating to 1,475 or 1,400.

The second paragraph, sentence 6, on page 5-14 is revised as follows:

The Existing Specific Plan plus approved projects would increase noise levels above existing conditions by a maximum of 8 dBA along El Charro Road,

The fourth full paragraph on page 5-29 of the Alternatives section is revised as follows:

The Ice Center would be within Caltrans' recommended safety zones (Zones 4 and 6); and would be inconsistent with allowable land uses in these zones as they are currently described in the Draft (uncirculated) Airport Land Use Compatibility Plan for Livermore Municipal Airport. Allowable land uses in these safety zones include assembly rooms that can accommodate between 50 and 1,000 people. Because the Ice Center Alternative would include an ice center that could accommodate more than 1,000 spectators, the alternative would be inconsistent with compatible land uses allowed in these safety zones as currently drafted. Thus, the Ice Center Alternative has the potential to create safety risks at the project site due to its proximity to the Livermore Airport; however, as noted with the proposed project, these safety zones have not been adopted by the Alameda County Land Use Commission (ALUC).—and are based on nationwide data for similar sized airport facilities.—Safety statistics more specific to the Livermore Airport were evaluated and indicated that safety risks at the site would be less than significant.

The last sentence on page 5-29 extending to the first sentence on page 5-30 is revised as follows:

Based on preliminary designs, the area developed for the ice center would be mostly impervious and add ~~almost~~ approximately 8 5.6 acres of impervious surfaces to the Staples Ranch site.

6. APPENDIX A

The letter on the following page is added to Appendix A.

Alameda

LAFCO

ALAMEDA LOCAL AGENCY FORMATION COMMISSION
1221 OAK STREET, SUITE 555 * OAKLAND, CA 94612
(510) 271-5142 FAX (510) 272-3784
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Members

Jocelyn Combs, Vice Chair
Special District Member

Gail Steele
County Member

Janet Lockhart, Chair
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Sblend Sblendorio
Public Member

Katy Foulkes
Special District Member

Nate Milley
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Marshall Kamena
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Anthony B. Santos
City Member

Linda Sheehan
Public Member

Executive Officer

Crystal Hishida Graff

May 23, 2007

Robin Giffin, Associate Planner
City of Pleasanton
P.O. Box 520
Pleasanton, CA. 94566-0802

SUBJECT: Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) – Staples Ranch Project

Dear Ms. Giffin:

Thank you for the opportunity to comment on the Staples Ranch Notice of Preparation (NOP). As a Responsible Agency, pursuant to the California Environmental Quality Act (CEQA), the Alameda Local Agency Formation Commission (LAFCo) will rely on the City's environmental documentation in the consideration of any subsequent change of organization or sphere of influence applications related to this project.

Potential environmental impacts relating to proposed LAFCo actions must be quantified, mitigated to the maximum extent feasible, and fully disclosed. Please refer to LAFCo's policies, which you may access via our website at www.co.alameda.ca.us/lafco/index.shtml for a listing of factors to be considered by LAFCo (pp.6-7); CEQA compliance policies and issues (pp. 19-25); and other policies pertaining to agriculture, Williamson Act contracts, reorganizations and other LAFCo concerns. I have also enclosed some information from Alameda LAFCo's CEQA Handbook which outlines the Responsible Agency role. If you would like a copy of our policies mailed to you, please contact me.

LAFCo staff has reviewed the NOP and offers the following specific comments and questions:

- Please provide a rezoning map for affected territory.
- Please provide annexation maps which indicate where the subject territory is in relation to sphere of influence boundaries, city boundaries, and any relevant special district boundaries. The El Charro Road area should be included and rezoned.
- Please provide a detailed discussion of agricultural issues as described in Government Code § 56064, e.g. agricultural production on-site.

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- Please provide a list of pre- and post-annexation municipal service providers, so that LAFCo can determine whether any detachments required.

In the meanwhile, if you have any questions, feel free to contact Mona Palacios, LAFCo Analyst at (510) 272-3894.

Sincerely,


Crystal Hishida Graff
Executive Officer

Enclosure

cc: Each Alameda LAFCo Commissioner
Brian Washington, LAFCo Legal Counsel
Barbara Graichen, LAFCo Planner
Mona Palacios, LAFCo Analyst

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7. APPENDIX B

Changes to the Final Environmental Impact Report certified by City Council on February 24, 2009 are Appendix B.

I. **Draft Final Environmental Impact Report for the Stoneridge Drive Specific Plan Amendment/Staples Ranch Project**

1. Retain the second paragraph of mitigation measure VQ-3.1 on page 4-8.

Retain the Following Paragraph

Energy efficient lamp technologies shall be incorporated wherever possible. Mercury vapor shall be avoided. Incandescent lights shall be avoided unless they are integrated with a control mechanism that limits their operation time. The use of such lighting shall help minimize impacts on reduced visibility of the night sky.

{Staff recommends that this paragraph be retained. Mercury vapor is considered to be one of the least energy efficient lighting sources.}

2. Add the following paragraph on Page 4-8 after "3.3 Biological Resources".

A new paragraph is added after the first paragraph on page 3.3.-17:

Although the loss of the San Joaquin spearscale population is a less than significant impact (and therefore no mitigation measures are required under CEQA), there are opportunities, both on site and off site, to improve this population. For example, prior to grading on the Staples Ranch property, the ACSPA will purchase credits from the Springtown Natural Community Preserve in Livermore, or purchase land at another appropriate mitigation area in Alameda County, for an equivalent acreage of spearscale habitat to the area currently occupied by spearscale on the Staples Ranch property. These off site commitments will be embodied in the development agreement between the applicant and the City. In addition, topsoil from any areas of Staples Ranch that are documented to contain populations of Spearscale can be separately stockpiled during grading operations, and then incorporated into appropriate areas within the Open Space Area of the Staples Ranch Community Park, if so desired by the City Council. Any on site proposal would be subject to the review and approval of the City Council as part of the PUD project review process for the Community Park.

{Staff recommends this paragraph be added. On February 3 environmental groups expressed concern about San Joaquin spearscale. The applicant is willing to provide more San Joaquin spearscale either on or off site.}

3. Remove mitigation measure PH-1.1 (concerning growth management) and revise text.

A. Page 4-11, immediately before section "3.9 Transportation", revise to include the following text:

3.8 Population, Employment, and Housing

Page 3.8-7, PH-1, is revised as follows:

PH-1. The proposed project would increase population and employment in the Project Area and the overall projected growth would be consistent with growth forecasts for the City. The City's Growth Management Program Ordinance allows the City Council to vary the number of annual building permits, consistent with the General Plan, however, In that the timing of the development of the senior continuing care community would have the potential to result in an exceedance of the annual limit for residential uses under the City's Growth Management Ordinance. will be guided by a Development Agreement, the Growth Management Ordinance will not be applicable. The City Council will consider the project and Development Agreement in light of how many units it believes are appropriate for construction in a given year. (PS) (NI)

Page 3.8-8, the third paragraph under "Housing", is revised as follows: ~~However, the City also has a Growth Management Ordinance that is intended to limit residential growth so that residential development remains within the housing cap. As part of the Growth Management Program Ordinance, residential development from the year 2005 through buildout is generally limited to 350 housing units per year but City Council may vary that number depending on the type of project. The senior continuing care community could have up to 800 units which would exceed the annual limit if the project were developed within a single year. However, since the timing of this project's development will be guided by a Development Agreement that the City Council will consider, the Growth Management Program Ordinance will not control. In this regard, the project could be considered to result in substantial the Growth Management Ordinance. However, Continuing Life Communities (CLC) has indicated that it plans to develop the senior continuing care community in phases. Since final phasing plans for this project have not been developed, the project would have the potential to exceed the City's annual limit of 350 units.~~

{Staff and the Planning Commission recommend that this mitigation measure be removed and that the timing of construction be required to be consistent with the Development Agreement for the project.}

Page 3.8-11, text after Table 3.8-6 about PH-1.1, is deleted as follows:
~~Mitigation Measure. If the City Council determines that the senior continuing care community is a residential project, the following mitigation measure would reduce the proposed project's potential to exceed the City's annual growth limits, resulting in a less than-significant impact. (LTS)~~

~~PH 1.1 Phase construction of residential units at the senior continuing care community based on the City's Growth Management Ordinance. Construction of residential units, as determined by the City Council, shall be phased such that construction of residential units would not exceed the City's limits for residential development, as described in the City's Growth Management Ordinance and General Plan.~~

{Staff and Planning Commission suggest that this text be deleted as timing of the construction of the project will be as set forth in Development Agreement.}

B. Page 4-3, after the first paragraph, revise to include the following text:

Page S-44 regarding Mitigation Measure PH-1 is revised in accordance with revisions described later in this section for pages 3.8-7, 3.8-8, and 3.8-11.

{Staff and the Planning Commission recommend that this mitigation measure be removed.}

4. Revise Table 3.9-6 for clarification.

Page 4-12, before the first paragraph, revise to include the following text:

Page 3.9-17, Table 3.9-6, is revised as follows:

...Isabel Avenue extension (4 & lanes) from Airway Boulevard to Portola Avenue...

Notes:...

...2. The Portola Avenue overcrossing (over 1-580) is not listed in the table, but is assumed in the existing + approved traffic model.

{Staff recommends that the text be changed for clarification only. The existing plus approved traffic model assumed a 4 lane Isabel Avenue extension from Airway Boulevard to Portola Avenue.}

5. Remove mitigation measure TR-10C (regarding the Dublin Boulevard/Dougherty Road intersection) and revise text.

Page 4-13, after the sixth paragraph, revise to include the following text:

Page 4-29, Mitigation Measure TR-10C is deleted, since the City of Dublin considers the improvement at the Dublin Boulevard/Dougherty Road intersection infeasible (see City of Dublin comment letter, comment 8-24, on page 3-61 of the Draft Final Environmental Impact Report). This impact remains significant and unavoidable.

Page 4-3, after the fourth paragraph, revise to include the following text:

Pages S-59 and S-60 regarding Mitigation Measure TR-10C is revised in accordance with revisions described later in this section for page 4-29.

{Staff recommends that this mitigation measure be removed. The City of Dublin has confirmed that intersection improvements are infeasible at the Dublin Boulevard/Dougherty Road intersection. The draft Statement of Overriding Considerations addresses this intersection.}

6. Edit the sixth paragraph of page 4-13 for clarification.

Page 4-13, sixth paragraph, revise as follows:

Page 4-28, Mitigation Measure TR-7C is deleted, since improvements at this intersection (El Charro Road at Stoneridge Drive) are already addressed by the Pre-Development and Cooperation Agreement. ~~Mitigation Measures TR 8C through TR 11C are renumbered to reflect the deletion of Mitigation Measure TR-7C.~~

{Staff recommends the changes for clarification only. Several proposed mitigation measures refer to Mitigation Measure TR-11C, and renumbering the measures, although doable, may be confusing to future readers of the Final Environmental Impact Report.}