Final Initial Study / Mitigated Negative Declaration

for the

Pleasanton Stream Maintenance Project Redline

Prepared for:

City of Pleasanton,

Operation Services Department

P.O. Box 520

Pleasanton, CA 94566

Contact:

Rita Di Candia

rdicandia@cityofpleasantonca.gov

Prepared by:

WRA, Inc.

4225 Hollis Street,

Emeryville, CA 94608

ENVIRONMENTAL CONSULTANTS

2169-G East Francisco Blvd., San Rafael, CA 94901 (415) 454-8868 tel (415) 454-0129 fax info@wra-ca.com www.wra-ca.com

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1.0 INTRODUCTION AND PURPOSE

This Initial Study of environmental impacts is being prepared to conform to the requirements of the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations 15000 et. seq.), and the regulations and policies of City of Pleasanton (City). This Initial Study evaluates the potential environmental impacts that might reasonably be anticipated to result from the City's proposed stream maintenance project (Pleasanton Stream Maintenance Project; proposed Project).

The City is the Lead Agency under CEQA and has prepared this Initial Study to address any impacts of implementing the proposed Project. The purpose of the proposed Project is to conduct maintenance activities in stream segments and stormwater detention ponds throughout the City of Pleasanton to improve stormwater conveyance and quality. This would be accomplished through maintenance activities such as weed abatement and silt and rock removal in seventeen stream sections and eight stormwater detention ponds throughout Pleasanton.

2.0 PROJECT INFORMATION

2.1 Project Title

Pleasanton Stream Maintenance Project

2.2 Lead Agency

City of Pleasanton
Operation Services Department
P.O. Box 520
Pleasanton, CA 94566

2.3 Contact Person and Phone Number

Rita Di Candia
rdicandia@cityofpleasantonca.gov
925-931-5513

2.4 Project Location

The Project Area is comprised of 17 stream segments and eight stormwater detention ponds throughout the City of Pleasanton. Apart from seven areas situated on private property, all maintenance areas are owned by the City. Stream segment and detention pond locations and site access are described in Tables 1 and 2, respectively. Stream segments and stormwater detention ponds included in the proposed Project are depicted in Figure 1.

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Table 1. Summary Description of the Project's Stream Maintenance Sites

Site #	Site Name	Land Use	Summary Description
C-01	Pimilco Canal	Public Health & Safety (PHS)	Concrete lined ditch running parallel to Interstate 580 east of Santa Rita Road exit, accessible from Pimlico Drive. Connects to channelized USGS Blue Line Stream on the east end.
C-02	Pleasanton Canal	PHS, Parks & Recreation (PR)	Earthen canal, located east of Hopyard Drive. Part of a Blue Line Stream. Accessible via the paved bike path along the Pleasanton canal, or the parking lot for the Hopyard Village.
C-03	Foothill High School Trash Rack	School – High School	Blue Line Stream that connects to an underground system, located west of Interstate 680 and east of Foothill Road. Accessible via a paved pathway.
C-04	Bernal V-ditch	PR	Earthen-lined ditch located east of Interstate 680 and immediately south of Bernal Avenue. Accessible via a paved path. Presumed underground connection to USGS Blue Line Stream, piped connection to Mission Creek.
C-05	Bernal North/South V-ditch	PR	Earthen-lined ditch located immediately south of Bernal Avenue, and east of Interstate 680. Accessible via field, no improved roadway. Connected to a USGS Blue Line Stream, Mission Creek.
C-06	Mission Creek Restoration Project	PR, PHS, Wildland Overlay	Earthen channel and partial Blue Line Stream located east of Laguna Creek Lane and south of Valley Avenue. Accessible via a paved path.
C-07	Lower Kottinger Creek	Medium Density	Earthen channel located east of First Street and adjacent to Lions Wayside Park. Accessible via road. Potential upstream connection to a USGS Blue Line Stream, Arroyo de la Laguna.
C-08	Upper Kottinger Creek	PR, Medium Density	Earthen channel and USGS Blue Line Stream located east of Bernal Avenue and north of Kottinger Drive. Accessible via a paved bike path.
C-09	Touriga Creek	High Density, Medium Density, PR	Earthen channel and USGS Blue Line Stream located east and west of Touriga Drive. Accessible via the dirt road that parallels the creek channel.
C-10	Junipero Canal	Medium Density, Commercial & Limited Industrial	Earthen channel and Blue Line Stream located immediately south of Valley Avenue, and west of Sunol Boulevard. Accessible from a paved bike path and graveled all season road.

C-11	Mission Park Creek	Low Density, PR	Earthen channel located north of Junipero Street and west of Independence Drive. Accessible from a concrete path in Mission Hills Park.
C-12	Cemetery Creek	Commercial, Public & Institutional	Earthen channel that is a Blue Line Stream. Located immediately east of Sunol Boulevard. South side of the creek is on private property. Accessible from the north side of the creek, but there is no paved surface on this side of the creek.
C-13	Gold Creek	PR, Medium Density	Earthen channel that is part of a Blue Line Stream located west of Pleasant Hill Road and east of Foothill Road near the intersection of Stoneridge Drive and Foothill Road. Accessible via the paved path within Moller Park.
C-14	Dublin Canyon Creek	Medium Density, High Density	Blue line stream with a steep bed and bank located west of Canyon Meadow Drive and north of Dublin Canyon Road. Located on private property. Access from the south side of the creek, via Dublin Canyon road, which runs adjacent to the stream.
C-15	Stonedale Channel	Medium Density	Concrete-lined channel running perpendicular to Interstate 680, east of Stonedale Drive, and north of Maywood Drive. Connects Gold Creek to Alamo Canal. Part of a Blue Line Stream. Located on private property within public right-of-way. Access from the west side of the ditch via sidewalk on Stonedale Drive.
C-16	Arlington Creek	Low Density	Earthen channel, appears to connect to a USGA Blue Line Stream, Happy Valley Creek. Located east of Riddell Street and west of Carriage Drive. Located on private property. Accessible via paved pathway.
C-17	Rutledge Place Culvert	Low Density	Culvert located within an earthen channel in a residential development. The feature runs north/south from a culvert beneath Lunch Ranch Road, and is located east of Independence Drive. Located on private property. Access from the north side of the culvert via Lund Ranch Rd. Appears to have downstream connection to Mission Creek, a USGS Blue Line Stream.

Table 2. Summary Description of the Project's Detention Basin Maintenance Sites

Site #	Site Name	Land Use	Summary Description
P-01	Stoneridge Pond	Medium & High Density, PR, Commercial	An earthen bottom pond located south of Interstate 580 and immediately north of Stoneridge Drive. An artificial water body constructed through channelized portion of a USGS Blue Line Stream, Arroyo Las Positas. Accessible via a concrete road.
P-02	Bernal Detention Pond Central	PHS, PR	An earthen bottom pond located east of Interstate 680 and south of Valley Avenue. An artificial water body adjacent to a channelized feature. Accessible via an all-season unpaved road.
P-03	Canyon Oaks Detention Pond	Medium Density, PHS	An earthen bottom pond located immediately south of Valley Avenue and east of Laguna Creek Lane. An artificial water body that is adjacent to a USGS Blue Line Stream. Accessible via an all-season unpaved road.
P-04	Bernal Detention Pond West	PR	An earthen bottom pond is located west of Interstate 680 and east of Foothill Road. An artificial water body that is adjacent to a USGS Blue Line Stream. Accessible via unpaved all-season road.
P-05	Callippe Detention Pond	Low Density, PR	An earthen bottom pond is located north of Callippe Preserve Golf Course and south of Westridge Lane. An artificial water body excavated in uplands. Accessible via a paved surface street.
P-06	Oak Tree Farms Detention Pond	Rural Density, Low Density	An earthen bottom pond located immediately west of a residential development at the south end of Fondry Court. Input is an unnamed intermittent stream and output is a piped storm drain connection to Arroyo de la Laguna. Located on private property. Accessible via a paved path.
P-07	Vineyard West Detention Pond	PHS, Wildland Overlay	An earthen bottom pond located directly north of Vineyard Avenue and east of Vineyard Terrace. An artificial water body excavated in uplands. Located on private property. Accessible via an unpaved path.
P-08	Vineyard East Detention Pond	PHS, Agriculture and Grazing, Wildland Overlay	An earthen bottom pond located directly northeast of the intersection of Vineyard Ave and Safreno Way. An artificial water body excavated in uplands. Located on private property. Accessible via an unpaved path.

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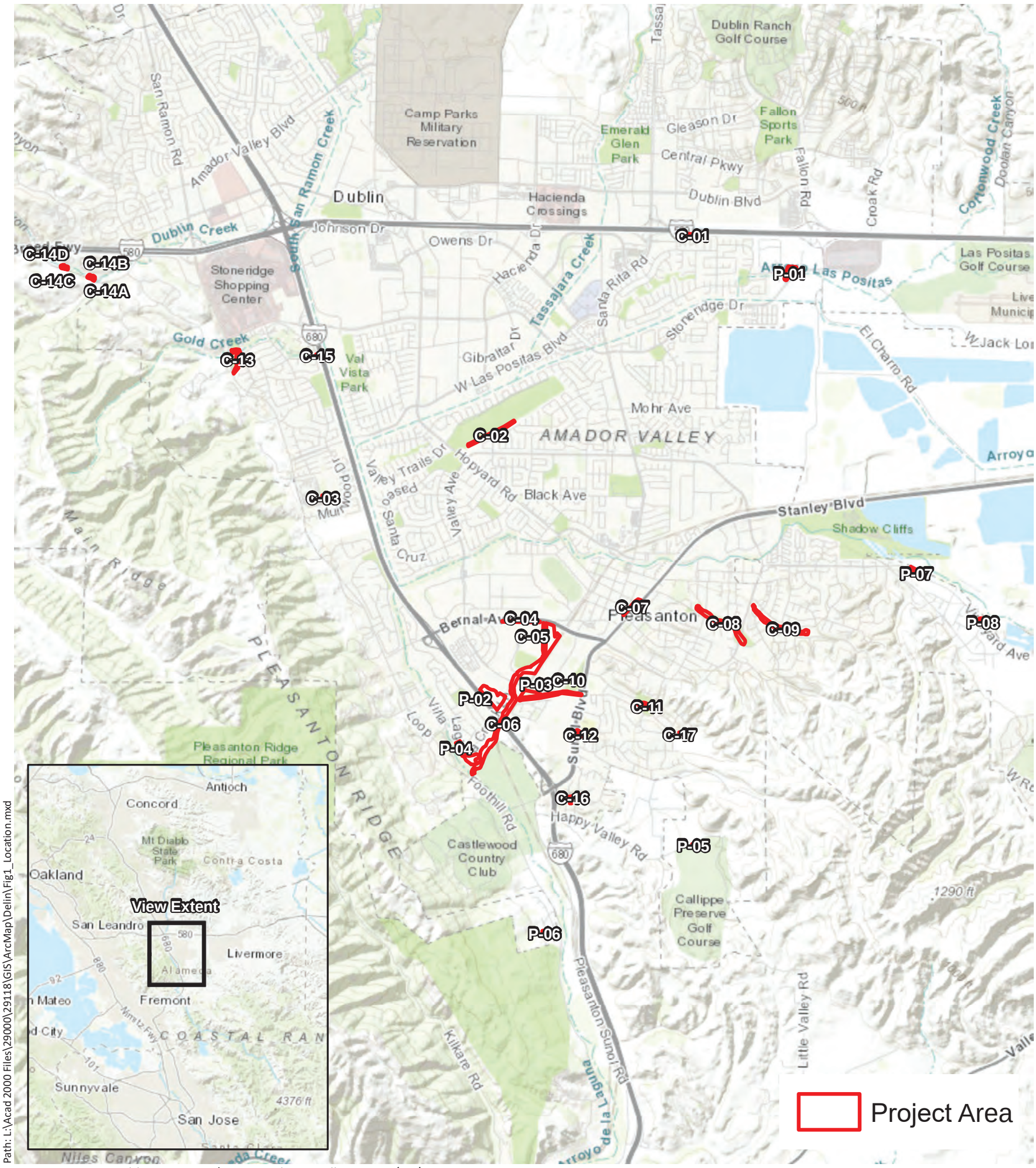

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Sources: ESRI World Topo, WRA | Prepared By: SGillespie, 11/19/2019

Figure 1. Project Area Location Map

City of Pleasanton
Stream Maintenance Program
Alameda County, California

0 0.5 1 Miles

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2.5 General Plan Land Use and Zoning Designations

General Plan land use designations for the proposed maintenance areas include agricultural, commercial, industrial, residential, recreational, public/institutional, public health and safety-oriented, and school-related land uses. These are outlined on a site-by-site basis in Tables 1 and 2 above. Zoning for each maintenance area roughly corresponds to these land use designations. Maintenance areas' zoning classifications are related to commercial, industrial, residential, open space, public and institutional, and transportation-related uses.

2.6 Surrounding Land Uses and Setting

Maintenance sites included in the proposed Project are within the City's engineered flood control channels, detention basins, and adjacent access roads. The sites are generally bounded by residential areas, schools, office parks, and/or major thoroughfares in the City of Pleasanton. Figure 2 depicts the location of all maintenance sites proposed by this Project.

3.0 PROJECT DESCRIPTION

3.1 Project Description

3.1.1 Overview

The City of Pleasanton proposes to conduct periodic routine maintenance in its stream corridors and detention basins to improve stormwater conveyance and quality, and prevent flooding during storm events. The routine maintenance is proposed for 17 stream sections and eight stormwater detention ponds located throughout the City in a myriad of settings, including a concrete drainage basin between Pimlico Drive and Interstate 580, a naturalized stream running through Mission Park, and a detention basin in the Bernal Community Park. All proposed maintenance sites are contained within and owned by the City of Pleasanton including channel corridors, detention basins, and adjacent roads, with the exception of four channels and three detention basins, which are located on private property and accessible via City of Pleasanton easements. For descriptions of each maintenance location, refer to Tables 1 and 2 above.

3.1.2 Maintenance Actions

Maintenance actions include sediment, rock, and vegetation removal in and adjacent to stream corridors and detention basins. All activities would be scheduled to begin by April 15 and would be completed by October 31, unless otherwise allowed by environmental regulatory agencies. All materials would be hauled to the City's existing Laguna Creek soil disposal site, located in the southwestern portion of Pleasanton.

In order to minimize impacts to local residents, maintenance actions would be limited to normal working hours, from 8 a.m. to 5 p.m., Monday through Friday, or as allowed by City noise ordinance. Each location would have approximately one to four pieces of equipment working at any given time with two to four crewmembers and a supervisor. Maintenance actions would include the following:

Weed Abatement in Detention Basins

An agricultural tractor equipped with a fail or rotary type mower would be used to abate weeds along and within the maintenance road, along the top of the banks of the basin, on the basin floor, and on the internal and external bank slopes of each basin. Time required for this maintenance action would range from one to two days depending on the size of the basin.

Silt and Rock Removal in Detention Basins

Dump trucks, a backhoe, and an excavator would be used to scrape and off-haul the silt or washed-in layer of rock materials from the basin floor. The time required for this maintenance action would vary from one to four days per site.

Weed Abatement in Streams

A tracked Bobcat with an enclosed cab and mowing attachment would be used along maintenance roads, stream bank tops, and within the channels themselves. Weed abatement along steeper banks or areas unreachable by the Bobcat would occur with gas powered string trimmers. For small sites, the time required for this maintenance action would vary from two to

three hours. Larger sites for which a Bobcat is required would take four to 12 hours. This work may occur at most stream sites.

Silt and Rock Removal in Streams

While less likely to be required as a stream maintenance activity, infrequent silt and rock removal may occasionally be needed within stream areas. If necessary, sand bags and plastic sheeting would be used to temporarily dewater during the dry season. Dump trucks and a backhoe or excavator would be used to remove and haul off silt or washed in rock materials from the streams. This work activity would be infrequent and the time required for each maintenance action would vary from one to three days.

Tule Removal from Streams

Dump trucks and an excavator would be utilized to dig out tules and their roots from streambeds in order to allow flow through existing channels and infrastructure, such as culverts. Removed tules would be loaded into the dump trucks and hauled to Laguna Creek soil disposal site. Tule removal in locations with potential for California Tiger Salamander (CTS) to occur, such as P-08, may use herbicide treatment during the dry season when no water is present instead of mechanical control in order to avoid and minimize the potential to disturb moist soils. Only EPA registered herbicides would be used in channels or basins for tule control. Herbicide application would conform to all applicable County, State, and Federal Regulations and licenses. Streets sweepers would be scheduled to sweep the haul route mid-day and after the last load of the day. Time required for these maintenance actions would vary from one to five days at proposed maintenance site C-10 (Junipero Canal).

Riparian Tree Maintenance

Hand-powered mechanical methods will be used to prune and trim riparian trees along the tops of stream banks as found to be necessary. Trimming may take place in designated sites after storm damage to reduce public health and safety risk from damaged or injured tree limbs.

3.2 Project-Related Approvals, Agreements, and Permits

The information contained in this Initial Study will be used by the City and responsible and trustee agencies as they consider whether or not to approve the proposed Project. Approvals, permits, and consultations required of the proposed Project that are under the jurisdiction of responsible and trustee agencies include but are not necessarily limited to:

U.S. Army Corps of Engineers (Corps)

Clean Water Act Section 404 Regional General Permit

U.S. Fish and Wildlife Service (Service)

Federal Endangered Species Action (FESA) Section 7 Consultation

San Francisco Regional Water Quality Control Board (SF Water Board)

Clean Water Act Section 401 Water Quality Certification

California Department of Fish and Wildlife

California Fish and Game Code Section 1602 Lake and Streambed Alteration Agreement

California Endangered Species Act (CESA) Consultation

4.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is potentially significant unless mitigation is incorporated, as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Greenhouse Gas Emissions	☐ Public Services
☐ Agricultural Resources	☒ Hazards/Hazardous Materials	☐ Recreation
☒ Air Quality	☒ Hydrology/Water Quality	☒ Transportation
☒ Biological Resources	☐ Land Use/Planning	☒ Tribal Cultural Resources
☒ Cultural Resources	☐ Mineral Resources	☐ Utilities and Service Systems
☐ Energy	☐ Noise	☒ Wildfire
☐ Geology/Soils	☐ Population/Housing	☐ Mandatory Findings of Significance

4.1 Determination

On the basis of this initial evaluation:

☐ I find that the project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the project MAY have a "Potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE

DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Kathleen Yurchak 06/23/2020

Signature Date

4.2 Initial Study Checklist

This section describes the existing environmental conditions in and near the Project Area and evaluates environmental impacts associated with the proposed Project for 20 topics. The environmental checklist, as recommended in the CEQA Guidelines (Appendix G), includes a series of questions for each topic, and was used to identify environmental impacts that could occur if the proposed project is implemented. The right-hand column in the checklist lists the source(s) for the answer to each question. The cited sources are identified in the footnotes.

Each of the environmental questions was answered, and one of the following four determinations was made for each checklist question:

"No Impact" means that no impact to the resource would occur as a result of implementing the project.

"Less than Significant Impact" means that implementation of the project would not result in a substantial and/or adverse change to the resource, and no mitigation measures are required.

"Less than Significant with Mitigation Incorporated" means that the incorporation of one or more mitigation measures is necessary to reduce the impact from potentially significant to less than significant.

"Potentially Significant Impact" means that there is either substantial evidence that a project-related effect may be significant, or, due to a lack of existing information, could have the potential to be significant.

4.3 Aesthetics

AESTHETICS — Would the project:	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Source*
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒	4
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒	4
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐	4,5
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒	

4.3.1 Environmental Setting

Aesthetic resources are often referred to as visual resources because these resources are often plainly visible to the general public. Certain high-quality visual resources are protected such as those in parklands, ridgelines, scenic vistas, and scenic highways. A Scenic Vista is typically defined as a broad panoramic overview of a landscape, often from an elevated perspective, that can be viewed by the public.[1] Highways or roadways are listed by the California Department of Transportation (Caltrans), or by local jurisdictions and counties as state or county Scenic

[1] *California Department of Transportation, "Landscape Architecture and Community Livability," accessed January 2, 2020, https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability.*

Highways.[2] Visual character or quality is the arrangement of all visual features (i.e., anything visible, such as trees, hills, houses, sky, water, towers, roads, power lines, etc.) in a view.[3] The arrangement of visible features on the ground produces the visual character of a site and its surroundings.

The City of Pleasanton General Plan does not contain an aesthetic or visual resources chapter, nor reference any designated scenic view or vista. However, the City's visual appeal is nonetheless referenced by way of the General Plan Conservation and Open Space Element and the Community Character Element. The Conservation and Open Space Element includes specific language pertaining to the natural and scenic resources of the City in Goal 2, Policies 1-3 and in Goal 6, Policy 8.[4] The Open Space element references these priorities in Goal 3, Policy 6.[5]

The proposed Project would consist of work in 17 stream sections and eight stormwater detention ponds throughout the City of Pleasanton. The aesthetics at each proposed maintenance site vary depending on the setting. In general, the City has a small, downtown area surrounded by suburban development. The City is located within a tree-covered valley that is defined by its surrounding hills. The hills can be seen in the distance from most points in the City. The City of Pleasanton was designed to function as a planned, suburban community and as such was designed mostly for transportation by automobiles.[6]

Interstate 680, which traverses the western side of the City in the north-south direction, is designated by the California Department of Transportation (CalTrans) as a State Scenic Highway. CalTrans has also designated Interstate 580 and State Route 84 as Eligible State Scenic Highways.[7] All of these thoroughfares run through the City of Pleasanton Planning Area. Three Project Areas, Bernal Detention Pond Central (P-02), Stonedale Channel (C-15), and Mission Creek Restoration Project (C-11), are directly adjacent to I-680. Pimlico Canal is directly adjacent to I-580.

4.3.2 Discussion of Impacts

Due to the proximity of some of the Project's proposed maintenance sites to State Scenic Highways, there would be a temporary impact to the scenic resources of the area. The presence of large maintenance equipment would temporarily degrade the visual character of the area. This impact would no longer be experienced after project completion, which

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[2] California Department of Transportation, "Scenic Highways – Frequently Asked Questions," accessed January 2, 2020, https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways/lap-liv-i-scenic-highways-faq2.

[3] U.S. Department of Transportation, Federal Highway Administration, "Guidelines for the Visual Impact Assessment of Highway Projects," January 2015, https://www.environment.fhwa.dot.gov/env_topics/other_topics/VIA_Guidelines_for_Highway_Projects.aspx#chap54.

[4] City of Pleasanton, "Pleasanton General Plan 2005-2025, 7. Conservation and Open Space Element," July 21, 2009, https://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=23910.

[5] City of Pleasanton, "Pleasanton General Plan 2005-2025, 12. Community Character Element," July 21, 2009, https://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=23915.

[6] City of Pleasanton, "Complete Streets Policy," December 2012, http://admin.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=23840.

[7] California Department of Transportation, "Scenic Highways," accessed January 2, 2020, https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways.

would vary from several hours to four days. As such, the impact would be less than significant.

c) ***Less than Significant Impact.*** Project activities would occur in both partially urbanized areas and areas designated for open space usage. Maintenance equipment required to complete project activities may temporarily degrade the typical visual setting of the area. These effects would be short-lived and would cease upon Project completion. There would be no impact in regards to zoning or other regulations that pertain to aesthetics. The maintenance of the sites would leave the areas in the same visual state they experienced prior to project activities.

d) ***No Impact.*** Conducting the proposed project would not create a significant source of light or glare during daytime hours, to which maintenance activities would be limited. The long-term operation of the project would not result in the addition of new sources of light or glare. Upon completion of maintenance activities, the light and glare conditions at each maintenance site would be identical to existing conditions. Therefore, there would be no impact related to new sources of light or glare adversely affecting day or nighttime views in the area.

4.4 Agriculture and Forestry Resources

AGRICULTURE AND FORESTRY RESOURCES — Would the project:	***Potentially Significant Impact***	***Less than Significant with Mitigation Incorporated***	***Less than Significant Impact***	***No Impact***	***Source***
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒	9,10
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	8,9,10,11
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒	8
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	8
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒	8,9,10,11

4.4.1 Environmental Setting

Maintenance areas proposed for inclusion in the proposed Project are zoned for various uses, including agriculture. Areas zoned partially or entirely for agricultural use include Foothill High School Trash Rack (C-03), Pleasanton Canal (C-02), Upper Kottinger Creek (C-08), Touriga

Creek (C-09), and Cemetery Creek (C-12).[8] None of the proposed maintenance areas are zoned for forestry, timberland, or timberland production.

The California Department of Conservation's Farmland Mapping and Monitoring Tool designates all lands within the Project Area as urban and built-up land, other land, and grazing land.[9] Proposed maintenance sites located in areas classified as grazing land include Mission Creek Restoration Project (C-11), Bernal Detention Pond Central (P-02), Bernal North/South V-Ditch (C-05), and Vineyard East Detention Pond (P-08).[10] None of the proposed maintenance areas are classified as prime farmland, unique farmland, or farmland of statewide importance. According to the Pleasanton General Plan Conservation and Open Space Element, none of the proposed maintenance areas are within lands under Williamson Act contracts.[11]

4.4.2 Regulatory Setting

The Williamson Act, a common name for the 1965 California Land Conservation Act, promotes continued agricultural activity on certain land holdings through an incentive program. The Act allows local governments to create contracts with landowners to commit to maintaining their lands as designated for agricultural uses. In exchange, the landowners pay less property tax. These contracts are set for ten-year periods, but renew automatically, thereby making them functionally indefinite in length.

4.4.3 Discussion of Impacts

a-e) ***No Impact.*** The Proposed Project would not involve the conversion or alteration of existing farmland or forest land, and no new construction would result from Project activities, therefore no land-use zoning would need changed and no impact would result.

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[8] City of Pleasanton, "Parcel Zoning Map," accessed January 4, 2020, https://www.cityofpleasantonca.gov/gov/depts/cd/planning/zoning/map.asp.

[9] California Department of Conservation, Division of Land Resource Protection, "Farmland Monitoring and Mapping Program, Alameda County," accessed January 4, 2020, https://www.conservation.ca.gov/dlrp/fmmp/Pages/Alameda.aspx.

[10] California Department of Conservation, Division of Land Resource Protection, "Alameda County Important Farmland 2016," August 2018.

[11] City of Pleasanton, "City of Pleasanton General Plan 2005-2025, 7. Conservation and Open Space Element," July 21, 2009, https://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=23910.

4.5 Air Quality

AIR QUALITY— Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	***Potentially Significant Impact***	***Less than Significant with Mitigation Incorporated***	***Less than Significant Impact***	***No Impact***	***Source***
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐	14,15
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☒	☐	☐	14,15
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐	14,15
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐	14,15

4.5.1 Environmental Setting

The Project Area is located in the City of Pleasanton in Alameda County, which is part of the San Francisco Bay Air Basin (SF Air Basin). The Bay Area Air Quality Management District (BAAQMD) has jurisdiction over air quality in the SF Air Basin in accordance with the Clean Air Act (CAA) and under the delegation of the California Air Resource Board (CARB) and the U.S. Environmental Protection Agency (US EPA). BAAQMD regulates air quality through its permit authority over most types of stationary emission sources and through its planning and review activities. BAAQMD monitors air quality at numerous sites within the nine-county District, although, including one site within the City of Pleasanton.[12]

Ambient air quality standards are generally designed with the health of sensitive receptors in mind. Sensitive receptors are especially vulnerable to air pollution's health effects, and include children, seniors, and people with pre-existing health conditions. Such individuals can often be found at residences, hospitals, and schools. Many of the proposed maintenance areas are located within or near residential areas, parks, and schools where there may be children, elderly

[12] *Bay Area Air Quality Management District, Meteorology and Measurement Division, "2018 Air Monitoring Network Plan," July 1, 2019, https://www.baaqmd.gov/~/media/files/technical-services/2018_network_plan-pdf.pdf?la=en.*

people, and people with pre-existing health conditions. Additionally, there is a proposed maintenance site located on the property of Foothill High School.

4.5.2 Regulatory Setting

Under the authority of the Federal CAA, US EPA establishes maximum ambient concentrations for the six criteria air pollutants under the National Ambient Air Quality Standards (NAAQS). The six criteria air pollutants under the Federal CAA are ozone (O_3), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), carbon monoxide lead (CO), lead (Pb), and particulate matter of 10 and 2.5 microns in size (PM_{10} and $PM_{2.5}$).

For particulate matter, there are separate NAAQS's for particles of different size classes. "Fine particulate matter," designated as $PM_{2.5,}$ is composed of particles with a diameter below 2.5 microns and includes most particles created by the burning of gaseous or liquid fuel, smoking and vaping, and atmospheric reactions between gases. "Respirable particulate matter", designated as PM_{10}, is comprised of particles with a diameter below 10 microns. By definition, PM_{10} includes all particulate matter classified as $PM_{2.5}$, as well as additional windblown and mechanically generated dust, including re-suspended road dust and dust from earthmoving activities.

The California CAA establishes maximum allowable concentrations, known as California Ambient Air Quality Standards (CAAQS), for the above-mentioned six criteria pollutants, as well as four additional pollutants (visibility-reducing particles, sulfates (SO_4), hydrogen sulfide (H_2S), and vinyl chloride). The CAAQS are overseen by CARB, which is part of the California EPA (Cal/EPA) and has jurisdiction over local air districts.

Local and regional ambient air quality is assessed relative to both these national standards (NAAQS) and state standards (CAAQS), which are required to be protective of human health (allowing an adequate margin of safety) and public welfare. When air pollution levels within an air basin are below the thresholds set by the NAAQS and CAAQS, the region is said to be in attainment. Similarly, nonattainment status refers to a situation in which air basin pollution levels do not meet these standards. Attainment plans are prepared for non-attainment basins to facilitate compliance with the air quality standards. The SF Air Basin is currently in non-attainment of the O_3 and $PM_{2.5}$ NAAQS and CAAQS and the PM_{10} CAAQS.[13]

BAAQMD is directly responsible for reducing emissions from stationary (area and point), mobile, and indirect sources. As such, BAAQMD has issued a series of air quality management plans to improve air quality in the SF Air Basin and to facilitate compliance with the NAAQS and CAAQS. The most recent plan was issued in April 2017.[14] Projects consistent with the population forecasts identified by the Association of Bay Area Governments are considered consistent with the 2017 Clean Air Plan's transportation and growth-related goals and policies, since these projections form the basis of the land use and transportation control strategies of the Plan. The Plan also assumes general development projects will include feasible strategies (i.e., mitigation measures) to reduce emissions generated during construction and operation.

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[13] *Bay Area Air Quality Management District, "Air Quality Standards and Attainment Status," accessed September 2019, http://www.baaqmd.gov/about-air-quality/research-and-data/air-quality-standards-and-attainment-status.*

[14] *Bay Area Air Quality Management District, "Spare the Air, Cool the Climate: A Blueprint for Clean Air and Climate Protection in the Bay Area - Final 2017 Clean Air Plan," April 19, 2017, http://www.baaqmd.gov/~/media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en.*

Guidance on assessing compliance with the Clean Air Plan is provided in BAAQMD's CEQA Guidelines.[15] Where available, thresholds from the BAAQMD Guidelines are the basis of the below discussion of impacts.

4.5.3 Discussion of Impacts

a-b) ***Less than Significant with Mitigation Incorporated.*** Maintenance activities would result in short-term increases in emissions from soil disturbance, maintenance traffic, and the use of heavy equipment that generates dust, exhaust, and tire-wear emissions. Maintenance activities would produce respirable particulate matter during ground disturbance and would generate carbon monoxide, ozone precursors, and other emissions from vehicle and equipment operation. Areas that would be disturbed during maintenance actions are relatively small and maintenance activity would be limited in duration, occurring during one dry season with less than two weeks of work at each site. Following maintenance actions, the proposed Project would not directly or indirectly create any emissions. As maintenance activity emissions would occur in small areas over short periods of time and there would be no operational emissions, the proposed Project's overall emissions would be minimal.

BAAQMD's 2017 CEQA Guidelines provide screening criteria for operational and construction-related air quality impacts based on the project's proposed land use types, the project site's size, and proposed construction methodologies. For construction-related impacts, a project would not generate significant concentrations of criteria air pollutants if:

1. It is below the screening size for the proposed land use type;
2. All BAAQMD-recommended BMPs would be implemented; and
3. The project would not include demolition, simultaneous occurrence of more than one construction phase, simultaneous construction of more than one land use type, extensive site preparation, or material transport greater than 10,000 cubic yards of soil per day.

No screening size is provided for open space, stormwater, or stream-related land use. The most closely analogous use is city parks, which have a screening size of 67 acres. By comparison, the proposed Project's overall disturbance area would be smaller than the approximately 95 acre Project Area. The 95-acre estimate is the largest possible size, and maintenance in the entire project area would occur over multiple days. The proposed Project does not include any demolition, simultaneous occurrence of more than one construction phase at any given site, simultaneous construction of more than one land use type, or extensive site preparation. Overall material transport is estimated to be below BAAQMD's screening criterion of 10,000 cubic yards of soil transport per day.[16] This estimate is based on total transport of fill material for the Initial Study/Mitigated Declaration for the 2016 Stream Maintenance Priority Projects. This project included nine stream

[15] *Bay Area Air Quality Management District, "California Environmental Quality Act Air Quality Guidelines," May 2017, http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en.*

[16] *Ibid.*

reaches and an estimated total transport of 299 cubic yards of material.[17] Moreover, materials would be transported to the appropriate landfill over multiple days as maintenance activities occur at these different locations.

Best management practices (BMPs) recommended by BAAQMD in the 2017 CEQA Air Quality Guidelines are identified below in Mitigation Measure AIR-1 and would be implemented during maintenance activities to minimize missions. Because of the small area of disturbance, temporary nature of the emissions, and implementation of maintenance measures, the proposed Project would not conflict with or obstruct the applicable air quality plan; nor would it result in a considerable increase in any air pollutant for which the SF Air Basin is non-attainment. Thus, impacts would be less than significant with mitigation incorporated.

Mitigation Measure AIR-1: Air Quality BMPs

The Contractor shall implement the following best management practices (BMPs) recommended by the Bay Area Air Quality Management District (BAAQMD) throughout the duration of maintenance activities. The City of Pleasanton shall be responsible for verifying implementation of these measures.

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes.
- All maintenance equipment shall be maintained and properly tuned in accordance with manufacturer's specifications, and all equipment shall be checked by a certified visible emissions evaluator.
- A publicly visible sign with the telephone number and person to contact at the lead agency regarding any dust complaints shall be posted in or near the project site. The contact person shall respond to complaints and take corrective action within

[17] *Alameda County Flood Control and Water Conservation District, Zone 7, "Stream Maintenance – Priority Projects 2016, Final Initial Study/ Mitigated Negative Declaration," July 2016, https://www.zone7water.com/images/pdf_docs/env_documents/*strm*-maint-prjcts_2016_is-mind_final.pdf*

48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

c) ***Less than Significant with Mitigation Incorporated.*** Several maintenance areas are within residential areas or near sensitive land uses such as schools and parks. Sensitive receptors could therefore be temporarily exposed to air pollutants from maintenance activities. Maintenance activities would be limited in duration, taking place over a period of less than two weeks at each site. Potential exposure to pollutants would therefore be limited to the short-term. To ensure that acute exposure to substantial concentrations of air pollutants would not occur, the contractor would be required to implement BMPs outlined under Mitigation Measure AIR-1. BMPs would minimize generation of pollutants of concern such as respirable particulate matter and carbon monoxide, reducing potential exposures to less than significant levels. Thus, the proposed Project would not expose sensitive receptors to substantial pollutant concentrations; and impacts would be less than significant with mitigation incorporated.

Mitigation Measure AIR-1: Air Quality BMPs

Please see above, Discussion of Impacts (a-b).

d) ***Less than Significant Impact.*** Maintenance activities would involve the use of gasoline or diesel-powered equipment that emits exhaust fumes. These activities would take place intermittently throughout the workday, and the associated odors are expected to dissipate within the immediate vicinity of the work area. Furthermore, potential odors associated with maintenance emissions would be limited in scope and duration due to the short-term nature of maintenance and the small area of disturbance at each site. In the long-term, the proposed Project would not introduce any new land uses, including land uses associated that generate emissions leading to odors. Existing streams and detention ponds would undergo routine maintenance, and would not change in use or capacity in a way which would create odor-generating emissions. Thus, the proposed Project would not result in emissions such as those leading to odors, which would adversely affect a substantial number of people, and a less than significant impact would occur.

4.6 Biological Resources

BIOLOGICAL RESOURCES — Would the project:	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Source*
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐	21,22, 23
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐	20,23
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐	21,22
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐	40,41
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒	

4.6.1 Environmental Setting

Biological Communities

This section relies on the information and findings presented Appendices A (Aquatic Resources Delineation Report) and B (Biological Resource Assessment). The Project Area includes seven sensitive and five non-sensitive biological communities. The non-sensitive biological communities observed in the Project Area include developed land, landscaped land, coyote brush scrub, ruderal grassland, and coast live oak woodland. Additionally, seven sensitive biological communities were observed in the Project Area: riparian, ephemeral stream, intermittent stream, perennial marsh, perennial stream, detention basin, and drainage ditch. Descriptions of each biological community are contained in the following sections. Biological communities within the Project Area are also summarized in Table 3, below, and shown in Figures 3-1 through 3-25 in Appendix B to this IS/MND.

Table 3. Summary of Biological Communities within the Project Area

Community Type	Area (acres)
Non-sensitive Biological Communities	
Coast Live Oak Woodland	3.95
Coyote Brush Scrub	1.28
Ruderal Grassland	39.04
Developed/Landscaped	12.54
Sensitive Biological Communities	
Riparian Coast Live Oak Woodland	21.67
Detention Basin	9.71
Intermittent Stream	1.08
Ephemeral Stream	0.93
Perennial Marsh	0.04
Perennial Stream	2.37
Drainage Ditch	2.45

Non-Sensitive Biological Communities

Coast Live Oak Woodland

Coast live oak woodland is known to be present in California's inner and outer Coast Ranges, Transverse Ranges, and on the southern coast from northern Mendocino County south to San Diego County. This vegetation community is typically located on terraces, canyon bottoms, slopes, and flats underlain by deep, well-drained substrates of sand or loam that are high in organic content.[18] Coast live oak woodland occupies approximately 25.6 acres of the Project's proposed maintenance sites, of which about 4 acres are non-sensitive communities. A majority of the coast live oak woodland community can be found within the riparian corridor areas of the channel segments and along the riparian corridors of detention ponds, with some woodland occurring just outside of the riparian corridor. Dominant species in the tree layer include coast live oak (*Quercus agrifolia*), valley oak (*Quercus lobata*), and black walnut (*Juglans hindsii*). A majority of tree stands at proposed maintenance sites lack density, allowing for the presence of a denser-than-average shrub and an herb layer dominated by coyote brush (*Baccharis nigra*), Himalayan blackberry (*Rubus armeniacus*), and canary ivy (*Hedera canariensis*).

[18] *Sawyer, J. T. Keeler-Wolf and J. Evens. California Native Plant Society, Berkeley CA, "A Manual of California Vegetation" 2009.*

Coyote Brush Scrub

Coyote brush scrub is known to be present in the outer Coast Ranges and the Sierra Nevada Foothills from Del Norte County south to San Diego County. This vegetation community is typically located in river mouths, riparian areas, terraces, stabilized dunes, coastal bluffs, open hillsides, and ridgelines on variable substrate underlain with sand or clay.[19] Plant species associated with coyote brush scrub at the proposed maintenance sites consist of coyote brush (*Baccharis pilularis*) and ruderal grassland.

Ruderal Grassland

The Project's proposed maintenance sites are dominated by ruderal grassland. Although not described in the literature, ruderal grassland includes areas that are partially developed or were used in agricultures in the past. These areas are not currently used for agricultural activities and have been allowed to revert to a semi-natural condition. Based on soil conditions, vegetation composition, and a review of historical imagery, many of the proposed maintenance sites have historically consisted of agricultural land. Dominant plant species observed in the ruderal herbaceous grasslands at proposed maintenance sites include wild oat (*Avena sativa*), Harding grass (*Phalaris aquatica*), Italian rye grass (*Festuca perennis*), Italian thistle (*Carduus pycnocephalus*), yellow star thistle (*Centaurea solstitialis*), along with additional ruderal species.

Developed/ Landscaped

There are developed and landscaped lands at maintenance sites proposed by the Project. There is no described Holland alliance for developed or landscaped areas. Within the proposed maintenance sites, developed land consists of paved roads or trails (see Figures 3-1 through 3-25 in Appendix B), while landscaped areas are comprised of native and non-native plants maintained through irrigation, pruning, and/ or fertilizing. Most of the landscaped areas in the proposed maintenance sites are found within the stream segments that run through public parks.

Sensitive Biological Communities

Riparian Coast Live Oak Woodland

Riparian coast live oak woodland is a sensitive natural community that occurs as a subset of the coast live oak woodland habitat in the Project Area. Within the Project Area approximately 21.67 acres of riparian coast live oak woodland habitat occurs as a sensitive natural community in areas directly adjacent to maintenance sites proposed by the Project. Riparian woodland is not classified as sensitive biological community existing in *A Manual of California Vegetation, Online Edition* (CNPS 2019b). However, this community does contain elements of the communities described as coast live oak woodland (*Quercus agrifolia* Woodland Alliance; Rarity ranking G5, S4; CNPS 2019b). The overstory is generally open to dense and the understory is generally open. Dominant riparian forest tree layer includes coast live oak, valley oak, and black walnut, with lower densities of willow and sycamore. The understory shrub species include Himalayan blackberry, willow, and toyon (*Heteromeles arbutifolia*). The understory herbaceous species include wild oat, soft brome (*Bromus hordeaceus*), and fennel (*Foeniculum vulgare*).

[19] *Ibid.*

Detention Basin

The Project Areas consist of eight (8) manmade detention basins that are used as flood control features. These ponds receive stormwater flow through a series of culverts that connect to various other City channels and natural streams. No open water was observed within any of the ponds during the site assessments except for P-02, which had standing water within the northernmost basin that was diked by a riprap dam preventing water from flowing into other portions of the pond. Vegetation on the banks of the basin was dominated by Harding grass, wild oat, and curly dock (*Rumex crispus*). Vegetation within the basin was dominated by cattail (*Typha latifolia*), seaside barley (*Hordeum marinum*), and rabbitsfoot grass (*Polypogon monspeliensis*).

Intermittent Stream

The proposed Project contains intermittent stream segments. Intermittent streams are linear features within which water flows for a portion of the year, generally drying out during the driest time of the year. Intermittent streams generally have a well-developed riparian corridor dominated by coast live oak, coyote brush, valley oak, and black walnut. Streams and their riparian corridors are considered sensitive under CEQA and are protected by federal and state laws.

Ephemeral Stream

There are ephemeral streams among the proposed maintenances sites. Ephemeral streams are linear features within which water flows only during or immediately after a significant rain event. As such, these streams are dry for most of the year. Streams and their riparian corridors are considered sensitive under CEQA and are protected by federal and state laws.

Perennial Marsh

The proposed Project contains perennial marsh habitat the Arlington Creek maintenance site (C-16). This determination was given for the perennial bulrush vegetation that is dominant in the feature. Arlington Creek is located directly in a residential development to the east of Riddell Street and to the west of Arlington Drive. An intermittent stream feature runs from east to west within the Creek, which opens into an intervening section of perennial marsh as the stream feature turns south. Vegetation observed within the marsh includes California bulrush (*Schoenoplectus californicus*) and smartweed (*Persicaria* sp.). The perennial marsh then thins and returns to an intermittent stream feature with a defined bed and bank running south out of the proposed maintenance area.

Perennial Stream

There are perennial streams delineated within the proposed Project Area at the Mission Creek Restoration Project (C-06) and Dublin Canyon Creek (C-14) maintenance sites. Perennial streams are linear features with a distinct bed and bank that have a continuous flow of water all year during years of normal rainfall. Flowing water was observed at both of these features.

The Mission Creek Restoration Project feature spans from Bernal Avenue to Arroyo de la Laguna and travels south. Valley Avenue bisects the feature, which continues flowing under the road via culverts; it also travels under an Interstate 680 bridge. Habitat along this creek varies from coast live oak, coyote brush scrub, and riparian. Water was observed throughout much of the channel with the northernmost portion of the creek being dry. The Mission Creek Restoration Project

conveys water through a natural channel with its southern tip ending in a concrete channel that drains into Arroyo de la Laguna.

The proposed maintenance site Dublin Canyon Creek consists of four short segments of the Dublin Canyon Creek and is located near the entrance of two residential developments, just south of I-580. Each segment has a distinct, steep bed and bank with mature riparian vegetation consisting of coast live oak, willow, and sycamore.

Drainage Ditch

The proposed Project includes six manmade channelized drainage ditches, namely Pimlico Canal (C-01), Pleasanton Canal (C-02), Bernal V-ditch (C-04), Bernal North/South V-ditch (C-05), Junipero Canal (C-10), and Stonedale Channel (C-15). These drainage ditches vary from concrete lined to engineered earthen channels that are used as flood control conveyance. Dominant vegetation within the earthen channels/ ditches composed largely of weedy upland species including Harding grass, wild oat, bristly ox-tongue (*Helminthotheca echioides*), and Italian rye grass.

Special-Status Species

Special-Status Plant Species

Sixty-two special-status plant species have been documented within the vicinity of the Project's proposed maintenance sites. Figure 2 summarizes the potential of these species to occur within the sites proposed by this Project. Two special-status plant species were determined to have a high potential to occur within some of the proposed maintenance sites due to the presence of relatively suitable habitat and recently documented proximity. Additionally, two plant species on the East Bay Locally Rare Plants list were observed within the proposed maintenance sites: The coast live oak, which is present in all the mapped coast live oak woodland and riparian communities, and the black walnut, which is only in the mapped riparian community. However, the black walnut tree is only considered to be native to three sites in the state,[20] none of which are in the City of Pleasanton; therefore, the black walnut is not considered to be a locally rare tree in the City of Pleasanton.

Species Considered Present in the Project Area

Congdon's tarplant (*Centromadia parryi ssp. congdonii*), CNPS List 1B.1. Congdon's tarplant is an annual herb in the aster family (Asteraceae). It blooms from May through October and its nearest and most recent occurrence was documented in 2011, 1.7 miles northwest of Pimlico Canal (C-01).[21] Congdon's tarplant habitat varies from valley and foothill grassland in elevations ranging from 0 to 755 feet.[22,23] This species can be associated with alkaline or saline soils. Proposed maintenance sites C-05, C-06, P-01, P-02, P-03, P-04, and P-06 support some potential grassland habitat on alkaline soils for Congdon's tarplant which can tolerate disturbed areas therefore it has a moderate

[20] *Jepson Flora Project, "Jepson eFlora," accessed January, 2020, http://ucjeps.berkeley.edu/eflora/.*

[21] *California Natural Diversity Database, accessed 2019.*

[22] *California Department of Fish and Wildlife, Wildlife and Habitat Data Analysis Branch, "California Natural Diversity Database," 2019.*

[23] *California Native Plants Society, accessed 2019.*

potential to occur onsite, but was not observed during the July or October 2019 site assessments.

San Joaquin spearscale (*Extriplex joaquinana*), CNPS List 1B.2. The San Joaquin spearscale is an annual herb in the goosefoot family (Chenopodiaceae) that blooms from April to October. It typically occurs in seasonal alkali sink scrub and wetlands in chenopod scrub, alkali meadow, and valley and foothill grassland habitat at elevations ranging from 0 to 2,740 feet.[22,23] The San Joaquin spearscale is known from Alameda, Contra Costa, Colusa, Fresno, Glenn, Merced, Monterey, Napa, San Benito, Santa Clara, San Joaquin, San Luis Obispo, Solano, Tulare, and Yolo counties. The nearest and most recent CNDDB occurrence was documented in 2002, 0.6 miles north of Stoneridge Pond (P-01). Proposed maintenance sites C-05, C-06, P-01, P-02, P-03, and P-04 support some disturbed foothill grassland habitat on alkaline soils and due to the proximity of the nearest and most recent occurrence there is a moderate potential this species could occur within the Project Area, but was not observed during the July or October 2019 site assessments.

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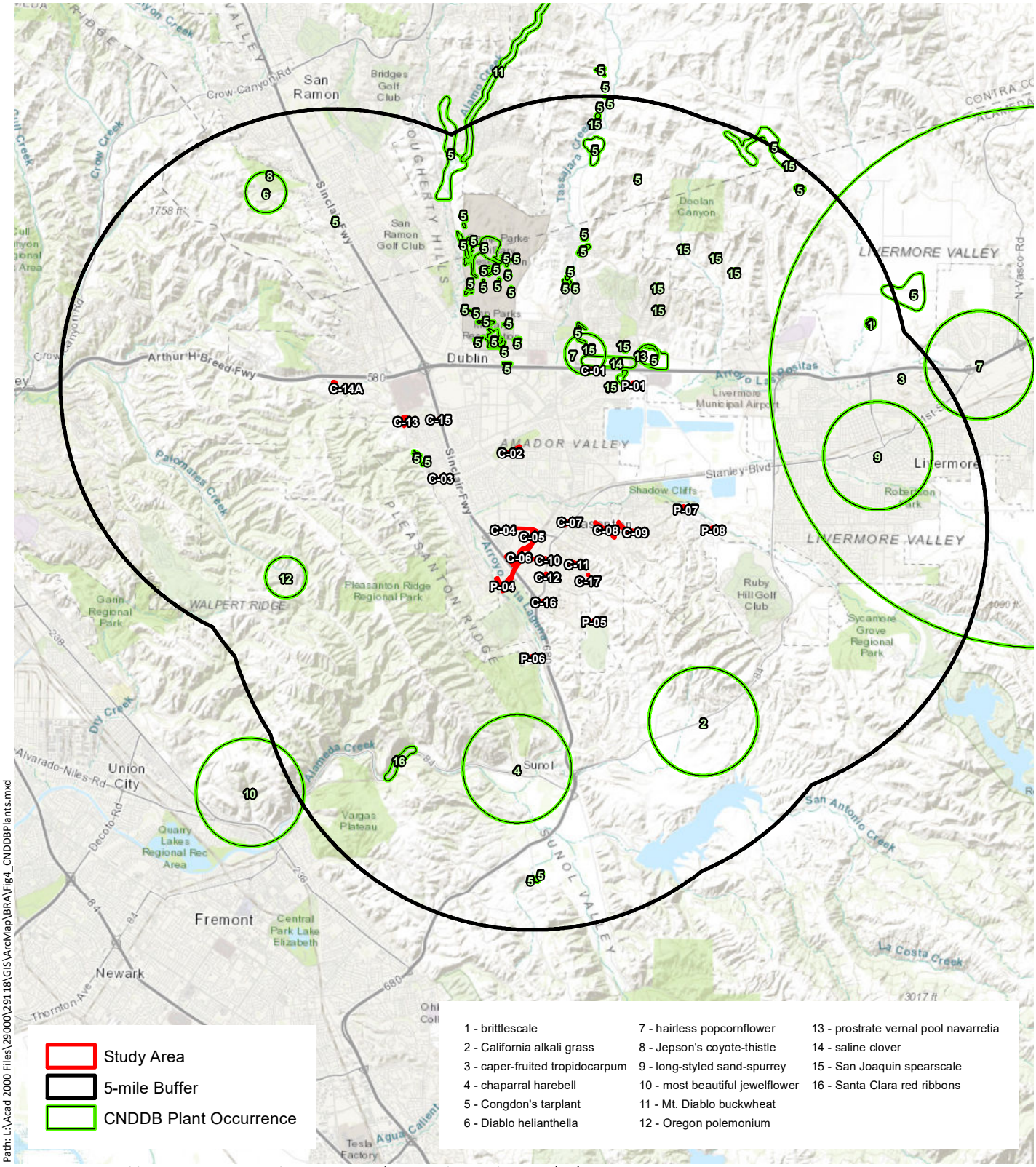

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Sources: ESRI World Topo, CNDDB September 2019, WRA | Prepared By: JSChuster, 1/21/2020

Figure 2. Special-status Plant Species within 5-mile Radius of Study Area

City of Pleasanton
Stream Maintenance Program
Alameda County, California

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ENVIRONMENTAL CONSULTANTS

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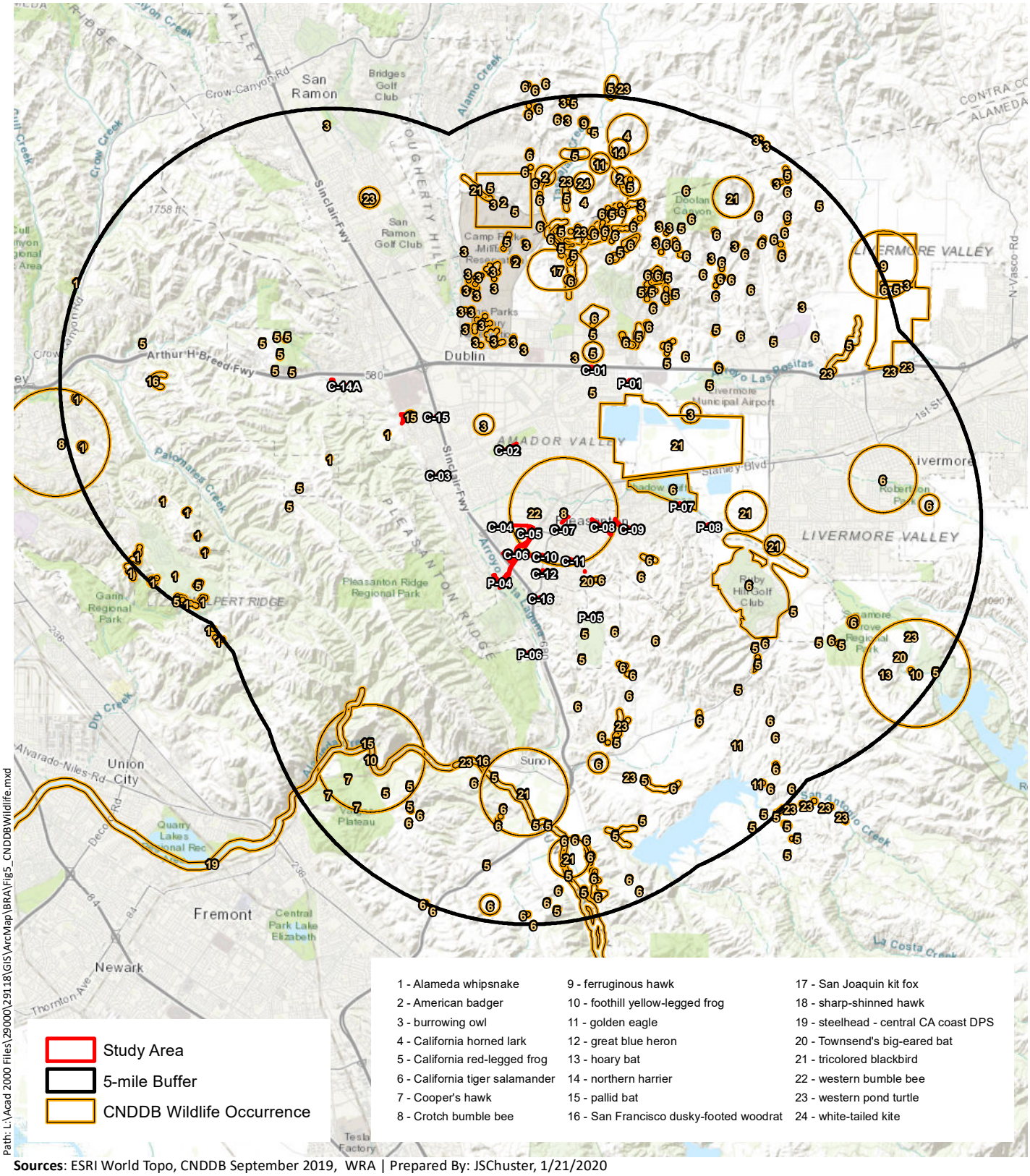

Sources: ESRI World Topo, CNDDB September 2019, WRA | Prepared By: JSChuster, 1/21/2020

Figure 3. Special-status Wildlife Species within 5-mile Radius of Study Area

City of Pleasanton
Stream Maintenance Program
Alameda County, California

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ENVIRONMENTAL CONSULTANTS

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Coast live oak (*Quercus agrifolia*). East Bay Locally Rare A.2. The coast live is an evergreen tree in the oak family (Fagaceae) that blooms from February to April. It occurs in valleys and slopes of mixed evergreen forest, foothill woodland, and oak woodland at elevations below 4,725 feet.20 Coast live oak is known from 33 counties in California. The species is relatively common and was observed in proposed maintenance sites C-06, C-08, C-09, C-11, C-12, C-13, C-14 and C-16 in riparian and coast live oak communities.

Special-Status Wildlife Species

Thirty-nine special-status wildlife species have been documented within the vicinity of the Project's proposed maintenance sites. Figure 3 summarizes the potential of these species to occur within the sites proposed by this Project. One special-status wildlife species was observed within proposed maintenance site Junipero Canal (C-10) during the site assessment conducted for the Biological Resources Assessment Report (Appendix B to this IS/MND), while eight others were determined to have a moderate or high potential to occur within the Project Area. Additionally, native birds within the Project Area are protected by the federal Migratory Bird and Treaty Act (MBTA) MBTA and the California Fish and Game Code (CFGC). The remaining 30 special-status species documented within the vicinity of the Project were determined to have no potential to occur or be unlikely to occur within the Project Area. These determinations were made based on a lack of required habitat elements, or because the species are absent from the Project Area and its surroundings. Those species determined to be unlikely or to have no potential to occur typically require habitat elements which are absent from the maintenance sites proposed by the Project and their surrounds, including:

- vernal pools
- perennial aquatic features
- old growth redwood or fir forest
- coastal marsh
- sandy beaches or alkaline flats
- caves, mine shafts or abandoned buildings
- wildlife movement corridors

The species observed, or those with a moderate or high potential to occur within the Project Area are discussed in more detail below.

Species Considered Present in the Project Area

Tricolored blackbird (*Agelaius tricolor*), CDFW State Threatened. The tricolored blackbird is a locally common resident of the Central Valley and California coast. Most tricolored blackbirds reside in the Central Valley March through August, then moving into the Sacramento-San Joaquin Delta and east to Merced County and coastal locations during winter.[24] This species breeds adjacent to freshwater, preferring emergent wetlands with tall, dense cattails or tules, thickets of willow or blackberry, and/or tall herbs. Flooded agricultural fields with dense vegetation are also used.[25] This species is highly colonial;

[24] *Beedy, E. C., W. J. Hamilton, III, R. J. Meese, D. A. Airola, and P. Pyle, "Tricolored Blackbird (Agelaius tricolor)," version 3.1. In The Birds of North America (P. G. Rodewald, Editor). Cornell Lab of Ornithology, Ithaca, NY, USA. https://doi.org/10.2173/bna.tribla.03.1*

[25] *Shuford, W.D. and T. Gardali, "California Bird Species of Special Concern: A ranked Assessment of Species, Subspecies, and Distinct Populations of Birds of Immediate Conservation Concern in California," In Studies of*

nesting habitat must be large enough to support a minimum of 30 pairs of birds, and colonies are often substantially larger with up to thousands of pairs. The tricolored blackbird often intermingles with other blackbird species during the non-breeding season. Individuals typically forage up to 5.6 miles from their colonies, although in most cases only a small part of the area within this range provides suitable foraging.[26]

This species was identified during field assessments at the proposed maintenance site Junipero Canal (C-10). While it was not clear whether an established breeding colony currently exists at this location, several individuals were seen moving as a group through tall aquatic vegetation. Several proposed maintenance sites, chiefly Junipero Canal (C-10), Bernal Detention Pond Central (P-02), and Canyon Oaks Detention Pond (P-03) possess dense stands of cattails or tules that may provide a suitable location for a breeding colony. Due to the presence of potentially suitable nesting and foraging habitat, combined with field observations, this species has a high potential to occur within the Project Area at sites C-10, P-02, and P-03.

Species with High Potential to Occur in the Project Area

Northern harrier (*Circus hudsonius [cyaneus]*), CDFW Species of Special Concern. The northern harrier occurs as a resident and winter visitor of open habitats throughout most of California, including freshwater and brackish marshes, grasslands and fields, agricultural areas, and deserts. Harriers typically nest in treeless areas within patches of dense, relatively tall vegetation, the composition of which is highly variable; Nests are placed on the ground and often located near water or within wetlands.[27] Harriers are birds of prey and subsist on a variety of small mammals and other vertebrates.

Multiple maintenance sites proposed by this Project (specifically P-02, P-03, P-04, and C-10) provide suitable nesting habitat for this species amid emergent vegetation or otherwise slightly sheltered areas near wetlands. The proposed maintenance sites with the greatest potential to support this species are those without adjacent dense urban/residential matrix. Foraging opportunities are present across the sites in open grassland areas and in wetlands. Given the availability of both nesting and foraging habitat in the areas of the Project, this species has high potential to occur.

White-tailed Kite (*Elanus leucurus*). CDFG Fully Protected. The white-tailed kite is a resident of open to semi-open habitats throughout the lower elevations of California, including grasslands, savannahs, woodlands, agricultural areas, and wetlands. Vegetative structure and prey availability seem to be more important habitat elements for the white-tailed kite than associations with specific plants or vegetative communities. Nests are constructed mostly of twigs and placed in trees, often at habitat edges. Nest trees are highly variable in size, structure, and immediate surroundings, ranging from

Western Birds 1: Western Field Ornithologists, Camarillo, California and the California Department of Fish and Game, Sacramento, California, 2008.

[26] *Hamilton III, W.J. and R.J. Meese, "Habitat and Population Characteristics of Tricolored Blackbird Colonies in California, 2005 Final Report," U.C. Davis for California Department of Fish and Game, 2006.*

[27] *Shuford, W.D. and T. Gardali, "California Bird Species of Special Concern: A ranked Assessment of Species, Subspecies, and Distinct Populations of Birds of Immediate Conservation Concern in California," In Studies of Western Birds 1: Western Field Ornithologists, Camarillo, California and the California Department of Fish and Game, Sacramento, California, 2008.*

shrubs to trees greater than 150 feet tall.[28] This species preys upon a variety of small mammals, as well as other vertebrates and invertebrates.

Nearby riparian habitats and open spaces are likely to provide suitable foraging habitat for white-tailed kites. Small mammal burrows are present within several maintenance sites proposed by this Project, and open spaces directly adjacent to the City limits likely provide increased foraging opportunity. Suitable nesting trees are present throughout the areas included in the Project, though sites located within dense residential areas are unlikely to support nesting for this species. Since nesting substrates are scattered throughout the areas of the proposed Project and foraging habitat is widely available, there is a high potential for this species to occur within the Project Area.

Burrowing Owl (*Athene cunicularia*), CDFG Species of Special Concern. The burrowing owl typically favors flat, open grassland or gentle slopes and sparse shrub land ecosystems. These owls prefer annual or perennial grasslands, typically with sparse or nonexistent tree or shrub canopies; however, they also colonize debris piles and old pipes. In California, burrowing owls are found in close association with California ground squirrels (*Otospermophilus beecheyi*). Burrowing owl exhibits high site fidelity and usually use the abandoned burrows of ground squirrels for shelter and nesting.

Ground squirrel burrows were observed during a site visit conducted by WRA biologists. The squirrels were mainly at proposed maintenance sites located in southwestern Pleasanton, (i.e. C-04, C-05, P-02, and P-03). In several cases, burrows were observed on excavated banks of detention ponds or in other locations where owls, if confirmed present, could be adversely affected by the proposed Project. At the creek sites, ground squirrel activity was chiefly present on open, level areas adjacent to drainages where vegetation height and other conditions were highly suitable for burrowing owl occupation in both wintering and breeding. However, this species has been documented to nest throughout the region, including within the Project Area. Due to the presence of active ground squirrels in close proximity to proposed maintenance sites and the presence of nearby burrowing owl breeding populations, there is high potential for this species to occur in the Project Area within or adjacent to site C-04, C-05, P-02, and P-03.

Species with Moderate Potential to Occur in the Project Area

Loggerhead shrike (*Lanius ludovicianus*), CDFW Species of Special Concern. The loggerhead shrike is a year-round resident and winter visitor of lowlands and foothills throughout California. This species is associated with open country with short vegetation and scattered trees, shrubs, fences, utility lines and/or other perches. Although they are songbirds, shrikes are predatory and forage on a variety of invertebrates and small vertebrates. Captured prey items are often impaled for storage purposes on suitable substrates, including thorns or spikes on vegetation and barbed wire fences. Shrikes nest in trees and large shrubs, and nests are usually placed three to ten feet off the ground.[29]

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[28] *Ibid.*

[29] *Shuford, W.D. and T. Gardali, "California Bird Species of Special Concern: A ranked Assessment of Species, Subspecies, and Distinct Populations of Birds of Immediate Conservation Concern in California," In Studies of Western Birds 1: Western Field Ornithologists, Camarillo, California and the California Department of Fish and Game, Sacramento, California, 2008.*

This species prefers open grasslands with scattered trees or shrubs, which is present throughout the Project Area. Additionally, this species is known to occur in the vicinity of the Project's proposed maintenance sites.[30] However, nesting substrates in areas with potential for this species to occur would not likely be impacted by project work unless tree removal was scheduled as part of maintenance.

Although the loggerhead shrike is known to occur in the vicinity of the Project and the bird's typical foraging habitat is present, nesting habitat is unlikely to be directly impacted by the proposed Project, therefore the species has a moderate potential to occur within the Project Area.

California Tiger Salamander (*Ambystoma californiense*), Federal Threatened, State Threatened. The California tiger salamander (CTS) is restricted to grasslands and low-elevation foothill regions in California (generally under 1,500 feet) where it uses seasonal aquatic habitats for breeding. CTS breed in natural ephemeral pools, or ponds that mimic ephemeral pools, and occupy substantial areas surrounding the breeding pool as adults. CTS spend most of their time in the grasslands surrounding these breeding pools. They survive hot, dry summers by estivating (going through a dormant period) in refugia, such as the burrows created by ground squirrels and other mammals, and deep cracks or holes in the ground, where the soil atmosphere remains near the water saturation point. During wet periods, CTS may emerge from refugia and feed in the surrounding grasslands.

CTS occurrences are generally documented in the vicinity of C-17, P-05, P-07, and P-08 (CDFW 2019). Other Study Areas are surround by complete barriers to dispersal (e.g. large arterial roads) and thus are unlikely to support event transient individuals of this species. All three of the aforementioned Study Areas are ephemeral in nature, and likely do not hold water for a sufficient period of time for CTS larvae to attain metamorphosis. However, ground squirrel burrows exist near P-05, P-07, and P-08 and provide potential upland or estivation habitat for CTS. C-17 is located in a developed residential area where hardscaping precludes burrowing mammal activity. Generally, these areas are separated from known CTS occurrences to some degree by significant barriers to dispersal, such as roads or highly-maintained landscaped areas. The Callippe Detention Pond maintenance site (P-05) is the most accessible by source populations of CTS. However, it is not suitable breeding habitat due to its design-function to quickly draw down and disperse stormwater. The nearest occurrence of this species is located in the open space adjacent to the Callippe golf course, and is approximately 0.5 mile to the southeast. This occurrence is within potential dispersal distance, although habitat present within Study Area P-05 is marginal and barriers to dispersal exist between this Study Area and known occurrences in the form of roads and highly-maintained golf course areas.

The Project Area is also partially surrounded by developments, which may be a complete barrier to CTS, preventing colonization from known extant populations. No apparent upland of aquatic movement corridors exist between the proposed maintenance sites and extant populations of CTS within the known dispersal distance of the species, approximately 1 mile. Without viable corridors between a source population and the

[30] *California Department of Fish and Wildlife, Wildlife and Habitat Data Analysis Branch, "California Natural Diversity Database," 2019.*

Project Area, there is no potential for CTS to use the Project's proposed maintenance sites as upland habitat.

Although barriers to dispersal exist between the proposed maintenance sites and the regional extant populations of CTS, CTS may incidentally use nearby maintenance sites that support intermittent streams, ephemeral streams, or detention basins as aquatic dispersal habitat in some years during movements in precipitation events. Additionally, several proposed sites are within the known dispersal distance of CTS from extant populations. Therefore, CTS has a moderate potential to occur in portions of the Project Area, specifically Study Area C-18, P-05, P-07, and P-08.

California Red-legged Frog (*Rana draytonii*), Federal Threatened, CDFW Species of Special Concern. The California red-legged frog (CRLF) is dependent on suitable aquatic, estivation, and upland habitat. During periods of wet weather, starting with the first rainfall in late fall, CRLF disperse away from their estivation sites to seek suitable breeding habitat. Aquatic and breeding habitat are characterized by dense, shrubby, riparian vegetation and deep, still, or slow-moving water. Breeding occurs between late November and late April. CRLF estivates during the dry months in small mammal burrows, moist leaf litter, incised stream channels, and large cracks in the bottom of dried ponds.

Potential aquatic habitat for CRLF is limited to proposed maintenance sites C-06, C-14, and P-02, all of which appear to hold water for sufficient duration for CRLF to complete their aquatic life-history. C-14 is particularly close to documented CRLF occurrences, although the documented occurrences are chiefly on the opposite (north) side of Interstate 680. The many detention ponds, intermittent streams, and ephemeral streams in the Project Area do not constitute aquatic breeding or non-breeding habitat due to the rapid draw-down of standing water, and as these features were designed to capture and or rapidly dissipate storm flow. By design as flood-control infrastructure, these features also lack aquatic and upland vegetation, and do not effectively function as upland or dispersal habitat due to the lack of cover from predation.

The nearest documented occurrence of this species is more than two miles away from most of the Project's proposed maintenance sites, which is beyond CRLF's longest known dispersal distance. Proposed maintenance sites closer to extant populations are largely surrounded by barriers, such as residential developments and paved roads that prevent dispersal and immigration to, and colonization of, these sites. Perennial aquatic habitat is present at the proposed Upper Kottinger Creek maintenance site (C-08), though this location is surrounded on all sides by residential development and is believed to be completely isolated. Due to the presence of potential aquatic habitat with proximal extant populations at the Mission Creek Restoration Project (C-06), Stonedale Channel (C-15) and Bernal Detention Pond Central (P-02), this species has moderate potential to occur in the Project Area.

Alameda whipsnake (*Mastic phis lateralis euryxanthus*). Federal Threatened, State Threatened. The range of the Alameda whipsnake (AWS) is restricted to California's inner Coast Range in western and central Contra Costa and Alameda Counties.[31] AWS is associated with scrub communities, including mixed chaparral, chamise-redshank

[31] *U.S. Fish and Wildlife Service, "Endangered and Threatened Wildlife and Plants, Final Determination of Critical Habitat for the Alameda Whipsnake (Masticophis lateralis euryxanthus)," Vol. 65, No. 192, October 3, 2000.*

chaparral, coastal scrub, annual grassland, and oak woodlands that lie adjacent to scrub habitats and contain areas of rock outcroppings. Rock outcroppings are important for AWS as they are a favored location for lizard prey. Whipsnakes frequently venture into adjacent habitats, including grassland, oak savanna, and occasionally oak-bay woodland.

The physical and biological features required for habitation by AWS include: scrub/shrub communities with a mosaic of open and closed canopy; woodland or annual grassland plant communities contiguous to lands containing scrub communities; lands containing rock outcrops, talus, and small mammal burrows within or in proximity to scrub communities; and accessible dispersal habitat.[32] Use of habitats other than scrub by AWS is now known to be more common, especially for corridor movement. Thus, habitats adjacent to scrub habitat, including grassland and riparian communities, are considered essential to AWS conservation.[33]

Most of the proposed maintenance sites assessed for this proposed Project are located outside of the known range of AWS. Maintenance sites located east of Interstate 680 are unlikely to provide habitat for AWS due to the presence of complete barriers to dispersal, including Interstate Highways, residential developments, and commercial developments. Additionally, most sites do not provide the physical and biological features necessary to support AWS. Specifically, most sites are located in developed areas without scrub communities, and lack the following: known extant contiguous populations of AWS, rock outcroppings, and burrowing mammal activity.

Unlike other proposed maintenance sites assessed, the Oak Tree Farms Detention Pond (P-06) is located adjacent to a large swath of suitable habitat, is characterized by oak scrub and ruderal open spaces, and overlaps with AWS critical habitat, as discussed in the Critical Habitat section below. However, despite potentially suitable habitat in the immediate vicinity, the portions of this maintenance site that will be impacted by the proposed stream maintenance activities provide very little habitat value for resident AWS. Since the Oak Tree Farms Detention Pond may be used as a movement corridor for dispersing individuals, and due to the proximity of this maintenance site to suitable habitat and its location within the boundaries of designated Critical Habitat for this species, AWS has moderate potential to occur in this maintenance site.

4.6.2 Regulatory Setting

Critical Habitat

The proposed Oak Tree Farms Detention Pond maintenance site (P-06) is located at the most extreme eastern edge of Unit 3 of the designated critical habitat of AWS. However, Critical Habitat mapping is not fine-tuned and suitable habitat must still be evaluated. During site visits described in the Biological Resources Assessment (Appendix C), no rocky outcrops, a critical habitat element for AWS, were observed. Woodland/scrub mosaic is not present in any areas that would be disturbed as a result of the proposed Project. Additionally, small mammal burrows were absent or lacking around the Oak Tree Farms Detention Pond, suggesting the prey base at this site is poor. Although this proposed maintenance site falls within designated Critical Habitat for AWS,

[32] *U.S. Fish and Wildlife Service, "Alameda Whipsnake Critical Habitat Final Rule" In Federal Register, Vol. 71, No. 190: 58176-58231 October 2, 2006.*

[33] *Ibid.*

the site lacks the physical and biological features required to support AWS. Moreover, the proposed Project therefore neither removes nor modifies designated Critical Habitat in a way that would affect AWS either positively or negatively.

Essential Fish Habitat

No essential fish habitat is present within the Project Area.

Wildlife Corridors

A review of the California essential connectivity project[34] showed that the westernmost edge of the Project Area is located within an essential connectivity area, core reserve or corridor, landscape block, or general wildlife corridor identified in the California Department of Fish and Wildlife (CDFW) Biogeographic Information and Observation System (BIOS).[35] While some overlap exists between the Project Area and an essential connectivity area, these overlapping areas are defined as "less permeable", indicating impacts to that portion of the proposed Project should not have a significant impact on habitat connectivity, particularly given the proposed timing, short duration, limited scope, and fundamentally low impact of the proposed Project on wildlife species to utilize this area as a corridor at the time Project activities would occur, or after Project completion.

The Project Area varies in land cover types, but is generally surrounded by suburban residential development or ruderal/landscaped open spaces that are intended and used for human recreation. The presence of anthropogenic features, such as roads and contiguous housing tracts, and the lack of intact natural communities or other areas that would provide necessary elements for wildlife to persist, indicate the Project Area does not likely function as a wildlife corridor. It does not provide a logical connection between two or more core habitats, or provide a linkage between areas commonly used by wildlife for daily, or annual activities. Given the extensive open space surrounding the City of Pleasanton, wildlife movement is much more likely to occur across natural landscapes than in the proposed maintenance sites.

Sensitive Biological Communities

Sensitive biological communities include habitats that fulfill special functions or have special values, such as wetlands, streams, or riparian habitat. These habitats are protected under federal regulations such as the Clean Water Act (CWA), state regulations such as the Porter-Cologne Act, the California Fish and Game Code (CFGC), and the California Environmental Quality Act (CEQA) or local ordinances and policies such as city or county Tree Ordinances, Special Habitat Management Areas, General Plans, and Habitat Conservation Plans.

Waters of the United States

The U.S. Army Corps of Engineers (Corps) regulates "Waters of the United States" under Section 404 of the CWA. Waters of the U.S. are defined in the Code of Federal Regulations (CFR) as waters susceptible to use in commerce, including interstate waters and wetlands, all other waters (intrastate waterbodies, including wetlands), and their tributaries (33 CFR 328.3). Potential wetland areas, according to the three criteria used to delineate wetlands as defined in the *Corps*

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[35] *California Department of Fish and Wildlife, Wildlife and Habitat Data Analysis Branch, "Biogeographic Information and Observation System," accessed 2019, https://wildlife.ca.gov/data/BIOS.*

of Engineers Wetlands Delineation Manual (Corps Manual; Environmental Laboratory 1987), *A Field Guide to Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the United States* ("OHWM Guide;" Corps 2005), and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region Supplement* (Arid West Supplement; Corps 2008), are identified by the presence of (1) hydrophytic vegetation, (2) hydric soils, and (3) wetland hydrology. Areas that are inundated at a sufficient depth and for a sufficient duration to exclude growth of hydrophytic vegetation are subject to Section 404 jurisdiction as "other waters" and are often characterized by an ordinary high-water mark (OHWM). Other waters, for example, generally include lakes, rivers, and streams. The placement of fill material into Waters of the U.S generally requires an individual or nationwide permit from the Corps under Section 404 of the CWA.

Waters of the State

The term "Waters of the State" is defined by the Porter-Cologne Act as "any surface water or groundwater, including saline waters, within the boundaries of the state." The Regional Water Quality Control Board (RWQCB) protects all waters in its regulatory scope and has special responsibility for wetlands, riparian areas, and headwaters. These waterbodies have high resource value, are vulnerable to filling, and are not systematically protected by other programs. RWQCB jurisdiction includes "isolated" wetlands and waters that may not be regulated by the Corps under Section 404. Waters of the State are regulated by the RWQCB under the State Water Quality Certification Program which regulates discharges of fill and dredged material under Section 401 of the CWA and the Porter-Cologne Water Quality Control Act. Projects that require a Corps permit, or fall under other federal jurisdiction, and have the potential to impact Waters of the State, are required to comply with the terms of the Water Quality Certification determination. If a proposed project does not require a federal permit, but does involve dredge or fill activities that may result in a discharge to Waters of the State, the RWQCB has the option to regulate the dredge and fill activities under its state authority in the form of Waste Discharge Requirements.

Streams, Lakes, and Riparian Habitat

Streams and lakes, as habitat for fish and wildlife species, are subject to jurisdiction by the California Department of Fish and Wildlife (CDFW) under Sections 1600-1616 of CFGC. Alterations to or work within or adjacent to streambeds or lakes generally require a 1602 Lake and Streambed Alteration Agreement. The term "stream", which includes creeks and rivers, is defined in the California Code of Regulations (CCR) as "a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life [including] watercourses having a surface or subsurface flow that supports or has supported riparian vegetation" (14 CCR 1.72). In addition, the term "stream" can include ephemeral streams, dry washes, watercourses with subsurface flows, canals, aqueducts, irrigation ditches, and other means of water conveyance if they support aquatic life, riparian vegetation, or stream-dependent terrestrial wildlife.[36] The term "riparian" is defined as "on, or pertaining to, the banks of a stream." Riparian vegetation is defined as "vegetation which occurs in and/or adjacent to a stream and is dependent on, and occurs because of, the stream itself".[37]

[36] *California Department of Fish and Wildlife. 2018. BIOS - California Essential Habitat Connectivity Project: A Strategy for Conserving a Connected California. Prepared for California Department of Transportation, California Department of Fish and Game, and Federal Highways Administration.*

[37] *CDFG. 1994. A Field Guide to Lake and Streambed Alteration Agreements, Sections 1600-1607. Environmental Service Division, California Department of Fish and Game, Sacramento, CA.*

Removal of riparian vegetation also requires a Section 1602 Lake and Streambed Alteration Agreement from the CDFW.

Other Sensitive Biological Communities

Other sensitive biological communities not discussed above include habitats that fulfill special functions or have special values. Natural communities considered sensitive are those identified in local or regional plans, policies, regulations, or by the CDFW. The CDFW ranks sensitive communities as "threatened" or "very threatened" and keeps records of their occurrences in its California Natural Diversity Database. Sensitive plant communities are also identified by the CDFW.[38] Vegetation alliances in the CNDDB are ranked 1 through 5 based on NatureServe's (2017) methodology, with those alliances ranked globally (G) or statewide (S) as 1 through 3 considered sensitive. Impacts to sensitive natural communities identified in local or regional plans, policies, or regulations or those identified by the CDFW or the USFWS must be considered and evaluated under the CEQA. Specific habitats may also be identified as sensitive in city or county general plans or ordinances.

Special-Status Species

Special-status species include those plants and wildlife species that have been formally listed, are proposed as endangered or threatened, or are candidates for such listing under the federal Endangered Species Act (FESA) or California Endangered Species Act (CESA). These Acts afford protection to both listed and proposed species. In addition, CDFW Species of Special Concern (SSC), and National Marine Fisheries Service (NMFS) Species of Concern (SOC), are species that face extirpation if current population and habitat trends continue. U.S. Fish and Wildlife Service (USFWS) Birds of Conservation Concern, which have the potential to nest within the area, sensitive species included in USFWS Recovery Plans, and CDFW special-status invertebrates, are also considered special-status species. Although CDFW SSC generally have no special legal status, they are given special consideration under the CEQA.

In addition to regulations for special-status species, most birds in the United States, including non-status species, are protected by the Migratory Bird Treaty Act of 1918 (MBTA). Under this legislation, destroying active nests, eggs, and young is illegal. Bat species designated as “High Priority” by the Western Bat Working Group (WBWG) qualify for legal protection under Section 15380(d) of CEQA Guidelines. Species designated “High Priority” are defined as “imperiled or are at high risk of imperilment based on available information on distribution, status, ecology and known threats”.

Plant species listed in the California Native Plant Society (CNPS) Rare and Endangered Plant Inventory (Inventory) with California Rare Plant Ranks (Rank) of 1 and 2 are also considered special-status plant species and must be considered under CEQA. Rank 3 and Rank 4 species are afforded reduced to no protection under CEQA, but are included in this analysis for completeness. A description of the CNPS Ranks and associated threat codes are provided below in Table 4.

[38] *California Department of Fish and Wildlife. Biogeographic Data Branch. 2017. California Natural Diversity Database (CNDDB). Sacramento Field Office. https://www.wildlife.ca.gov/Data/CNDDB/Maps-and-Data. Accessed August 2017.*

Table 3. Description of CNPS Ranks and Threat Codes

California Rare Plant Ranks (formerly known as CNPS Lists)	
Rank 1A	Presumed extirpated in California and either rare or extinct elsewhere
Rank 1B	Rare, threatened, or endangered in California and elsewhere
Rank 2A	Presumed extirpated in California, but more common elsewhere
Rank 2B	Rare, threatened, or endangered in California, but more common elsewhere
Rank 3	Plants about which more information is needed - A review list
Rank 4	Plants of limited distribution - A watch list
Threat Ranks	
0.1	Seriously threatened in California
0.2	Moderately threatened in California
0.3	Not very threatened in California

Critical Habitat

Critical habitat is a term defined in the FESA as a specific geographic area that contains features essential for the conservation of a threatened or endangered species and that may require special management and protection. The FESA requires federal agencies to consult with the USFWS to conserve listed species on their lands and to ensure that any activities or projects that they fund, authorize, or carry out will not jeopardize the survival of a threatened or endangered species. In consultation for those species with critical habitat, federal agencies must also ensure that their activities or projects do not adversely modify critical habitat to the point that it will no longer aid in the species' recovery. In many cases, this level of protection is similar to that already provided to species by the FESA "jeopardy standard". However, areas that are currently unoccupied by the species but which are needed for the species' recovery are protected by the prohibition against adverse modification of critical habitat.

Essential Fish Habitat

Essential Fish Habitat (EFH) is regulated through the NMFS, a division of the National Oceanic and Atmospheric Administration (NOAA). Protection of EFH is mandated through changes implemented in 1996 to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) to protect the loss of habitat necessary to maintain sustainable fisheries in the United States. The Magnuson-Stevens Act defines EFH as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity" [16 USC 1802(10)]. The NMFS further defines essential fish habitat as areas that "contain habitat essential to the long-term survival and health of our nation's fisheries". Essential Fish Habitat can include the water column, certain bottom types such as sandy or rocky bottoms, vegetation such as eelgrass or kelp, or structurally complex coral or oyster reefs. Under regulatory guidelines issued by the NMFS, any federal agency that authorizes, funds, or undertakes action that may affect EFH is required to consult with the NMFS (50 CFR 600.920).

Wildlife Corridors

Wildlife movement between suitable habitat areas typically occurs via wildlife movement corridors. The primary function of wildlife corridors is to connect two larger habitat blocks, also referred to as core habitat areas. Core habitat areas are important for wildlife that may travel between different types of habitat in order to complete various stages of their lifecycle. Wildlife corridors must be considered under CEQA.

Local Policies, Ordinances, and Regulations

City of Pleasanton General Plan

The City of Pleasanton General Plan outlines conservation goals and policies in the City of Pleasanton. These policies include land use, zoning, housing, and conservation among additional policies. All 25 proposed maintenance sites are either zoned as agriculture or as low-density residential land use. The Project Area also lies within the East Alameda County Conservation Strategy (EACCS) boundaries.[39] These policies provide a framework to protect natural resources while improving and streamlining the environmental permitting process.

City of Pleasanton Tree Ordinance

The proposed Project is within the City of Pleasanton and, therefore, the City's Tree Ordinance is the appropriate regulation to reference for guidance on tree protections and provisions.[40] Per the City's Tree Preservation Ordinance, trees that meet a certain height and circumference are considered Heritage trees, and are thereby protected by the ordinance. Heritage trees may be of any species, and can be publicly or privately owned. Removal of heritage trees requires a permit from the City's Landscape Architect.

Alameda County Regulation of Trees in County Right-Of-Way

The Alameda County Municipal Code contains its own additional tree regulations[41] which outline the requirements for protecting trees that occur in a right-of-way. Prohibited activities include anything that could injure or damage a tree, such as the use of mechanical weeding devices and the attaching of materials to these trees. The Director of the Alameda County Public Works Agency has the authority to approve of the removal of a tree from the right-of-way as a part of a scheduled tree removal and replacement program, or in conjunction with an approved roadway improvement project.

4.6.3 Discussion of Impacts

a) ***Less than Significant with Mitigation Incorporated.*** There are three candidate, sensitive, or special-status plant species with potential to occur within the Project's

[39] *ICF International, "Final Draft: East Alameda County Conservation Strategy," Prepared for: East Alameda County Conservation Strategy Steering Committee, October, 2010.*

[40] *City of Pleasanton, "Pleasanton Municipal Code, Chapter 17.16 – Tree Preservation," accessed January 21, 2020, https://qcode.us/codes/pleasanton/.*

[41] *Alameda County, "Alameda County, California – Code of Ordinances, Chapter 12.11 – Regulation of Trees in County Right-of-Way, accessed January 21, 2020, https://library.municode.com/ca/alameda_county/codes/code_of_ordinances?nodeId=TIT12PUROPA_CH12.11RETRCORI-W.*

proposed maintenance sites. Of the 39 special-status wildlife species documented from within the vicinity of the Project, eight were determined to be present, have moderate potential to occur, or have high potential to occur within proposed maintenance sites: Loggerhead shrike, white-tailed kite, burrowing owl, California red-legged frog, California tiger salamander, Alameda whipsnake, northern harrier, and tricolored blackbird.

Noise, ground disturbance, and other proposed maintenance activities could cause a temporary disturbance to these species, and may have potentially adverse effects on other species protected by the MBTA or CDFW. Potential impacts to these species or their habitats could occur during the removal of vegetation, silt, and rock from stream corridors and detention basins, tree trimming along riparian corridors, or due to disturbance associated with the maintenance activities.

The removal of vegetation could result in the direct take of nests containing eggs or young, including for the special-status white-tailed kite, loggerhead shrike, northern harrier, and tricolored blackbird. Visual and auditory disturbance associated with the proposed maintenance activities could also result in burrowing owl nest abandonment. However, implementation of **Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, BIO-7, and BIO-8** would reduce the impact of the proposed maintenance activities to birds to a less than significant level.

Mitigation Measure BIO-1: Best Management Practices (BMPs)

The following BMPs were developed to ensure that maintenance activities would be conducted to protect and enhance existing habitat. When heavy equipment must access sensitive areas such as the creek bed and riparian banks, measures shall be taken to avoid harm to trees and compaction of soil and the area shall be stabilized and restored after maintenance is complete.

1. Dry season work window for in-stream, in-channel, and in-pond work between April 15 and October 31. The City may request work be authorized by the regulatory agencies to begin earlier than the start of the dry season and extend past the end of the dry season, subject to agency approval.
    i. Work in concrete lined channels between April 15 and October 31
    ii. Work in earthen channels between May 1 and October 31
    iii. Work in detention basins between August 15 and October 31
2. Access to channels and ponds for the purposes of maintenance shall be minimized to the amount necessary. Access points should avoid large mature trees and native vegetation to the extent feasible. Temporary access locations shall be sited to minimize tree removal.

3. No heavy equipment shall be operated in streambeds.

4. Control of weeds and grasses on channel access roads or shoulders by mowing shall take place between April 1 and October 31.

5. Before the first significant rainfall (defined as 0.5 inch of rain in a 24-hour period) occurs, all in-channel equipment shall be removed.

6. Exposed soils in upland areas shall be stabilized via hydroseeding or with erosion control fabric/ blankets.

7. Staging shall occur on access roads, surface streets, or other disturbed areas that are already compacted and only support ruderal vegetation to the extent feasible. To the extent practical, all maintenance equipment and materials shall be contained within the existing service roads, paved roads, or other pre-determined staging areas.

8. Maintenance-related materials, including sediment, shall not be stockpiled or stored where they could spill into water bodies or storm drains or where they shall cover aquatic or riparian vegetation.

9. No runoff from the staging areas may be allowed to enter water of the U.S. / State, including the creek channel or storm drains, without being subject to adequate filtration (e.g., vegetated buffer, wattles, silt screens). Runoff from the proposed maintenance sites to other waters of the U.S. / State is prohibited.

10. All maintenance-related items including equipment, stockpiled material, temporary erosion control treatments and trash shall be removed within 72 hours of maintenance action completion. All residual soils and/ or materials shall be cleared from the maintenance site.

11. All soils shall be disposed of in an approved location.

Mitigation Measure BIO-2: Special Status Plants

Prior to any maintenance work in maintenance areas where San Joaquin spearscale or Congdon's tarplant may occur, a focused botanical survey shall occur. in grassland habitats underlain with alkaline soils.

1. Each year, prior to any vegetation removal or ground-disturbing activities, a focused special-status plant survey shall occur in areas of suitable habitat (grassland on alkaline soils) for Congdon's tarplant and San Joaquin spearscale in Study Areas C-05, C-06, and P-01 through P-04 as well as suitable habitat for Congdon's tarplant at Study Area P-06 prior to the start of the Project. These plant surveys will be required to confirm the presence or absence of these species.

2. Surveys shall be conducted in accordance with the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018). These guidelines require special-status plant surveys to be conducted at the proper time of year when special status species are both "evident" and identifiable. Field surveys shall be scheduled to coincide with known blooming periods, and/or during periods of physiological development that are necessary to identify the plant species of concern.

    a. If no special-status plant species are found, then the Project activities that year will not have any impacts to the species and no additional mitigation measures are necessary.

    b. If the survey determines that one or more special-status plant species are present within the Project Area, direct and indirect impacts of the Project on the species shall be avoided where feasible through the establishment of activity exclusion zones, where no ground-disturbing activities shall take place, including the staging or other temporary work areas. Activity exclusion

zones for special-status plant species shall be established prior to maintenance activities around each occupied habitat site, the boundaries of which shall be clearly marked with standard orange plastic exclusion fencing or its equivalent. The establishment of activity exclusion zones shall not be required if no maintenance action-related disturbances would occur within 50 feet of the occupied habitat site. The size of activity exclusion zones may be reduced through consultation with a qualified biologist.

3. If exclusion zones and avoidance of impacts to special-status species within the Project Area are not feasible, vegetation management activities such as mowing will be conducted under the guidance of the qualified biologists to reduce potential impacts. The activities shall be timed to avoid the blooming period of the species, after the month of August.

4. If exclusion zones and full avoidance is not feasible, then the loss of individuals or occupied habitat of special-status plants shall be enumerated and compensated for through either the restoration by seed collection, planting, and subsequent management of propagules from on-site or preservation by acquisition, protection, and subsequent management of other existing off-site occurrences. Before the implementation of compensation measures, the Project's applicant shall provide detailed information to the lead agency on the quality of restored or preserved habitat, location of the restored or preserved occurrences, provisions for protecting and managing the areas, the responsible parties involved, and other pertinent information that demonstrates the feasibility of the compensation. A mitigation plan identifying appropriate mitigation ratios at a minimum ratio of 1:1 shall be developed in consultation with, and approved by, the lead agency prior to the commencement of any activities that would impact special-status plant species that occur within the Project Area. A mitigation plan may include but is not limited to the following: plant collection, planting, maintenance, and monitoring plans with success criteria for a restoration site, the acquisition of off-site mitigation areas presently supporting the special-status species within the Project Area, purchase of credits in a mitigation bank that is approved to sell credits for special-status plants, or payment of in-lieu fees to a public agency or conservation organization (e.g. a local land trust) for the preservation and management of existing populations of special-status plants.

Mitigation Measure BIO-3a: Nesting Birds

Work on the proposed Project shall be conducted outside of the bird nesting season (generally February 1 – August 31) to the extent practicable. It is also recommended that any trees and shrubs in or adjacent to a proposed maintenance site that are proposed for removal be removed during the non-breeding season (September 1 through February 1), if possible. In the event that work must occur during the bird nesting season, pre-action nesting bird surveys shall be conducted within 14-days of ground disturbance at the maintenance site on an individual site-basis to determine whether active nests are present that may be disturbed, and to avoid disturbance to active nests, eggs, and/or young of nesting birds.

In the event that an active nest (defined as containing live eggs, chicks, or young) is located, a no-disturbance buffer shall be established around the nest until all young have fledged or the nest otherwise becomes inactive (e.g. due to predation). Exclusion buffer

sizes differ depending on species, location, and placement of nest and shall be determined and implemented in the field by the surveying ornithologist.

Minimization measures for both special-status species and common nesting birds are the same and implementation of Mitigation Measure BIO-3 would reduce impacts to nesting birds to less than significant levels.

Mitigation Measure BIO-3b: Tricolored Blackbird Mitigation Measure

Removal of wetland vegetation within Study Area where tricolored blackbird has the potential to occur (see Table 9 of Appendix A) should be limited to the non-nesting season, generally August 16 – March 14 for this species. If working outside of the nesting season is not possible, pre-construction nesting bird surveys (MM BIO-3) should also include an assessment for the presence of tricolored blackbird. If nesting tricolored blackbird are found within a Study Area, avoidance 250-foot buffer should be implemented around the vegetation that contains the nesting colony until such time as nests within the colony are no longer active. With the implementation of this measure, the Project's impact to nesting tricolored blackbird would be reduced to a less than significant level.

Mitigation Measure BIO-4: Burrowing Owl

Maintenance actions performed at any maintenance site with potential burrowing owl habitat within 500-feet (see Table 9 of Appendix A) shall be preceded by a pre-activity survey focused on detecting burrowing owl. Burrowing owl take avoidance surveys should be conducted in accordance with the *CDFW Staff Report on Burrowing Owl Mitigation* (2012). These surveys often consist of a minimum of two surveys that are conducted 14 days and within 48 hours prior to the start of work to determine whether burrowing owls occur in an area where they may be adversely affected by the proposed Project. Level of survey effort will be determined in consultation with CDFW. Pre-activity surveys for burrowing owl are not restricted to the nesting season.

If determined to be present, exclusion buffers of up to 500 feet during the nesting season (March 15 through August 31) and 250 feet in the non-nesting season shall be established and maintained around occupied burrows until such time as the burrow becomes unoccupied through natural processes. If avoidance is not feasible, a minimization and monitoring plan shall be prepared for burrows following CDFW guidance (CDFW 2012). The plan shall outline methods to reduce disturbance of Project activities, and may include monitoring of owls during work, installation of visual barriers, or other methods as appropriate for the owl locations and Project activities proposed. Avoidance of occupied burrows as determined through pre-activity surveys and, under certain circumstances, minimization and monitoring plan implementation, will reduce the impacts to burrowing owl to a less than significant level.

Mitigation Measure BIO-5: California Tiger Salamander (CTS)

The mitigation measures listed below have been obtained from the Programmatic Biological Opinion for CTS for small projects within the San Francisco Bay Area.[42] and are similar to those that would likely be required by the USFWS and CDFW following consultation if consultation with USFWS and/or CDFW is required, additional measures for proposed maintenance work and required timing of implementation of measures would be determined and implemented by the proposed Project. In addition to any measures required by Project permits, the following would be implemented to avoid and minimize impacts to CTS:

1. Work at maintenance sites where potential exists for CTS to be present shall be conducted during the dry season and when aquatic features are likely to be dry. This is generally considered to be May 1 – October 31.

2. The qualifications of qualified biologist(s) shall be submitted to the USFWS for review and written approval at least thirty (30) calendar days prior to the start of work.

3. A qualified biological monitor should be onsite during all activities at C-06 and P-02 that may result in take of CTS including vegetation removal, silt removal, and ground disturbance.

4. A qualified biologist should conduct an education training for employees working on the Project. Personnel would be required to attend the training that would cover topics such as identification and legal protection of the species, as well as project specific avoidance and minimization measures.

5. Plastic monofilament netting (erosion control matting, or wrapping around wattles), or similar material in any form should not be used on the Project in order to avoid entangling, strangling, or trapping CTS.

6. To minimize temporary habitat disturbances, Project-related vehicle traffic should be restricted to established roads, and maintenance activity areas. Project-related vehicles shall observe a 15-mile per hour speed limit within maintenance activity areas.

7. All maintenance equipment should be maintained to prevent leaks of fuels, lubricants, or other potentially toxic fluids.

8. In order to avoid attracting predators of CTS, all trash shall be deposited in covered or closed trash containers that are removed from the Project Area regularly.

[42] U.S. Fish and Wildlife Service, "Programmatic Biological Opinion for Issuance of Permits for Projects that May Affect the Threatened California Tiger Salamander in Nine San Francisco Bay Area Counties, California," December 11, 2014. Accessed January 2020. Available online at: https://www.fws.gov/sacramento/es/Consultation/Programmatic-Consultations/Documents/2014-F-0660_CTS_Bay_Area_Programmatic_for_Small_Projects.pdf

9. Initial ground disturbance activities shall cease no less than 30 minutes before sunset and shall not begin again prior to no less than 30 minutes after sunrise.

10. No work in wet weather or within 48 hours of a rain event defined as 0.25 inch of rain within a 24-hour period.

11. Removal of vegetation and any soil disturbance in Study Areas where CTS has potential to occur shall be conducted with hand tools. Soil manipulations at locations with potential for CTS to occur shall further not disturb the soil subsurface to avoid take of individuals in underground refugia.

12. If herbicide applications are anticipated as part of vegetation management at any Study Area with potential for CTS to occur, applications should be made outside of the wet season (i.e. applied May 1 – October 31) to avoid runoff events into downstream waters and when the Study Area is dry.

Mitigation Measure BIO-6: California Red-legged Frog (CRLF)

The mitigation measures listed below have been obtained from the Programmatic Biological Opinion for CRLF for small projects within the San Francisco Bay Area and are similar to those that will be required by the USFWS following consultation.[43] If consultation with USFWS is required, additional measures for proposed maintenance work and required timing of implementation of measures would be determined and implemented by the proposed Project. In addition to any measures required by Project permits, the following would be implemented to avoid and minimize impacts to CRLF:

1. To the extent practicable, initial ground-disturbing activities shall be avoided between November 1 and March 31 because that is the time period when CRLF are most likely to be moving through upland areas. When ground-disturbing activities must take place between November 1 and March 31, the Corps through the applicant shall ensure that daily monitoring by the Service-approved biologist is completed for the California red-legged frog.

2. A qualified biologist(s) shall be onsite during all activities that may result in take of CRLF at C-06 and C-14.

3. The qualifications of the qualified biologist(s) shall be submitted to the Service for review and written approval at least 30 calendar days prior to the date earthmoving is initiated at the Project Area.

4. The qualified biologist shall conduct employee education training for employees working on earthmoving and/or maintenance activities. Personnel shall be required to attend the presentation which shall describe the CRLF, avoidance, minimization, and conservation measures, legal protection of the animal, and other related issues.

[43] U.S. Fish and Wildlife Service, "Programmatic Biological Opinion for Issuance of Permits for Projects that May Affect the Threatened California Red-Legged Frog in Nine San Francisco Bay Area Counties, California," June 18, 2014. Accessed January 2020. Available online at: https://www.fws.gov/sacramento/es/Consultation/Programmatic-Consultations/Documents/Programmatic_BO_CRLF__9_San_Francisco_Bay_Area_Counties.pdf

5. To minimize temporary habitat disturbances, project-related vehicle traffic shall be restricted to established roads and maintenance activity areas. Project-related vehicles shall observe a 15-mile per hour speed limit within maintenance activity areas.

6. All maintenance equipment shall be maintained to prevent leaks of fuels, lubricants, or other potentially toxic fluids.

7. •Plastic monofilament netting (erosion control matting, or wrapping around wattles), or similar material in any form shall not be used on the Project in order to avoid entangling, strangling, or trapping CRLF.

8. In order to avoid attracting predators of CRLF, all trash shall be deposited in covered or closed trash containers that are removed from the Project Area regularly.

9. No work in wet weather or within 48 hours of a rain event defined as 0.25 inch of rain within a 24-hour period shall occur.

10. Work in Study Areas with potential for CRLF to occur shall be conducted only after the Study Areas have naturally dried.

Mitigation Measure BIO-7: Alameda Whipsnake

If consultation with USFWS and/or CDFW is required, additional measures for proposed maintenance work and required timing of implementation of measures would be determined during consultation and implemented by the proposed Project. In addition to any measures required by Project permits, the following would be implemented to avoid and minimize impacts to AWS:

- The qualifications of qualified biologist(s) shall be submitted to the USFWS for review at least thirty (30) calendar days prior to the start of work.
- A qualified biologist should conduct an education training for employees working on the Project. Personnel would be required to attend the training that would cover topics such as identification and legal protection of the species, as well as project specific avoidance and minimization measures.
- Maintenance activities performed within Study Area P-06, where potential for take of individual AWS exists, shall be overseen by a qualified biological monitor. The qualified biological monitor will be present during all ground disturbing activities.
- Prior to start of work each day, the qualified biological monitor will inspect the work area and should AWS be discovered on any portion of the Study Area work will be postponed and the snake will be allowed to leave of its own volition. Work would not resume until the qualified biologist has determined the AWS has left the work area and is out of harm's way.

Mitigation Measure BIO-8: Roosting Bats

The following measures shall be implemented to avoid and minimize impacts to roosting bats:

- To the extent practicable, work that involves disturbance of potential bat roost habitat should be scheduled to occur between October and March to avoid the bat maternity season.
- If limiting work to this window is not feasible and noise disturbances are anticipated to exceed the baseline level of disturbance at a maintenance site, or in the event that trees greater than 12" DBH are slated for removal, a bat roost habitat assessment shall be performed at least 30 days prior to the commencement of maintenance actions. The bat roost assessment shall be performed by a qualified bat biologist and shall assess whether potential bat roosting habitat is present, and whether maintenance actions within any given maintenance site shall result in direct or indirect impacts to roosts that may be present.
    - The assessment shall consist of visual examination of trees (greater than 12" DBH), buildings, bridges, or other structures in the immediate vicinity, or along access routes of each maintenance site. The assessment would address conditions that may be favorable or unfavorable for bat use such as maintenance materials

used, thermal conditions, frequency of disturbance, and evidence of potential predators. If maternity roosts are detected during the assessment, additional avoidance measures may be required.

- Any larger trees or branches (>6 inches in diameter) that are downed in the course of maintenance actions should be left on the ground for a minimum of 24 hours before being chipped, off-hauled, or otherwise processed, to ensure any roosting bats therein have the opportunity to leave the vicinity of their own volition.

b,c) ***Less than Significant with Mitigation Incorporated.*** The Proposed Project has the potential to impact up to approximately 38.25 acres of sensitive communities, including 21.67 acres of temporary impact to riparian coast live oak woodland , 9.62 acres of detention basins, 1.08 acres of intermittent stream, 0.93 acres of ephemeral stream, 0.04 acres of wetlands, 2.37 acres of perennial stream, and 2.45 acres of drainage ditch. No land conversions are included in the proposed Project. The proposed maintenance activities would result in temporary impacts to the stream channels and detention ponds. Disturbance may include but is not limited to removal of riparian vegetation, weed abatement, and silt and rock removal. Maintenance activities would not result in new hardscape or permanent loss of vegetation as a result of weed abatement, tule removal, or riparian tree pruning.

Streams and lakes are subject to jurisdiction by Corps under Section 404 of the CWA, the RWQCB under Section 401 of the CWA, and CDFW under Sections 1600-1616 of the CFGC. Work in streams generally requires Section 404 and 401 permits from Corps and RWQCB. A 1602 Lake and Streambed Alteration Agreement is generally required if alterations to streambeds or lakes is proposed, or if a Project involves work within or adjacent to streambeds. Removal of riparian vegetation also requires a Section 1602 Lake and Streambed Alteration Agreement (LSAA) from CDFW and may require a Section 401 permit. CDFW jurisdiction typically extends to the top of bank or the outer edge of riparian vegetation, whichever is further from the stream. The permits may require mitigation for the small footprint of the project's riparian and stream impacts.

With this and implementation of Mitigation Measures BIO-9, and BIO-10~~, BIO-11and BIO-12~~ below, the Project's adverse effects on sensitive biological communities, riparian habitat, and state and federally protected wetlands would be less than significant.

Mitigation Measure BIO-9: Vegetation Management Mitigation Measures

1. Herbaceous layers that provide erosion protection and habitat value shall be left in place.
2. Vegetation along the boundary of the Study Areas shall be preserved to the extent feasible to maintain temporary soil stabilization.
3. Removal of mature trees shall be avoided whenever possible. To the extent feasible, maintenance to native trees shall be avoided unless they are directly affecting stream flow or are considered a flood hazard.
4. Vegetation removed from the Study Areas shall be handled in a manner to prevent spread of seed and shall be contained so that stray plant parts do not leave the site or contaminate adjacent areas.

5. If vegetation requires removal for access to maintenance site, non-native species and/ or quick growing species shall be targeted first for removal. Removal of native, riparian trees shall be avoided whenever possible.

Mitigation Measure BIO-10: Silt and Rock Removal

1. Upland soils or areas above ordinary high-water mark exposed from maintenance activities shall be stabilized using erosion control fabric or hydroseeding.

2. Erosion control fabric shall consist of natural fibers that will biodegrade over time.

3. Other erosion control measures shall be implemented as necessary to ensure that sediment or other contaminants do not reach surface water bodies for stockpiled or reused/ disposed sediments.

4. After sediment removal, the creek shall be graded so that the transition between the existing creek/ channel both upstream and downstream is smooth and continuous between the maintained and non-maintained areas and does not present a barrier of sediment or other blockages that could erode once flows are restored to the creek or channel.

5. BMPs including silt fencing, fiber rolls, and/or wattles, shall be implemented throughout the duration of Project activities to minimize the potential for sediment movement offsite.

~~**Mitigation Measure BIO-12: Riparian Woodland**~~

~~Project activities resulting in the maintenance actions in riparian communities may require a 401 permit from RWQCB and an SAA from the CDFW under Section 1602 of the CDFG. The City would apply for permits from the appropriate regulatory agencies and comply with terms. Terms of these permits would likely include, but not necessarily be limited to, the mitigation measures listed below:~~

~~1. To the extent feasible, maintenance to riparian trees shall be avoided unless they are directly affecting stream flow or are considered a flood hazard.~~

~~2. If riparian vegetation requires removal for access to maintenance site, non-native species and/ or quick growing species shall be targeted first for removal. Removal of native, mature trees shall be avoided whenever possible.~~

~~3. If any Project activity results in the permanent impact of sensitive riparian habitat it shall be replaced at a replacement-to-loss ratio of 3:1 (three acres of riparian habitat created for each acre disturbed). Mitigation would occur either through the purchase of mitigation credits from a local riparian mitigation bank or pursuant to a site-specific mitigation plan. At a minimum, this plan shall identify mitigation areas, a planting plan, and success criteria, along with remedial measures to compensate for lack of success.~~

~~Mitigation Measure BIO-11: Aquatic Resources~~

~~Project activities resulting in the maintenance actions in aquatic resources may require a Section 404 permit from the USACE, Section 401 permit from RWQCB, and/or an SAA from the CDFW under Section 1602 of the CDFG. The City would apply for permits from the appropriate regulatory agencies and comply with terms prior to initiating maintenances actions in streams or detention basins. The City and contractors shall comply with the conditions of these regulatory permits. If repair activities affect the active channel, the work area will be isolated from flowing stream segments using silt fences, wattles, and/or cofferdams.~~

~~The following dewatering BMPs will be used to help minimize impacts to sensitive aquatic resources and species during Project implementation:~~

1. ~~A water diversion plan will be prepared and approved by the agencies prior to implementation.~~

2. ~~A qualified biologist will be present to monitor coffer dam installation, dewatering, and removal.~~

3. ~~To the extent feasible, work will occur during the dry season.~~

4. ~~Cofferdams or diversion structures shall be constructed from materials that are fully contained and can be completely removed from the aquatic resources, such as clean, bagged gravel, sandbags, or rubber bladders. Once maintenance is complete, the diversion structures will be fully removed as soon as possible.~~

~~Project specific mitigation for impacts to features jurisdictional to state and federal agencies will be determined during the wetland permitting process with a minimum of 1:1 required. Mitigation could include land conservation and management in perpetuity, on-site habitat enhancement and restoration, payment of in-lieu fees to authorized conservation organizations, or a combination of these measures. Habitat enhancement and restoration would require a mitigation and monitoring plan to ensure environmental impacts are mitigated and the sensitive habitats are returned to a natural state after the project is complete~~

a) ***Less than Significant with Mitigation Incorporated***. The Project Area is variable in land cover but is generally surrounded by suburban residential development or ruderal/landscaped open spaces that are intended and used for human recreation. The presence of anthropogenic features such as roads and contiguous housing tracts, and lack of intact natural communities or other areas that would provide necessary elements for wildlife to persist, mean that the Project Area does not likely function as a wildlife corridor. It does not provide any logical connection between two or more core habitats or provide a linkage between areas commonly used by wildlife for daily, or annual activities. Furthermore, given the extensive open space surrounding the city of Pleasanton, wildlife movement is much more likely to occur across natural landscapes than the portions of the Project Area subject to the proposed Project.

The proposed maintenance site Oak Tree Farms Detention Pond (P-06) may potentially be used as a movement corridor for dispersing Alameda Whipsnake. Additionally, the California red-legged frog may use some proposed maintenance sites as migration

corridors during the wet season. However, with implementation of Mitigation Measures BIO-6 and BIO-7, a less than significant impact would occur.

e) ***Less than Significant with Mitigation Incorporated.*** Within the overall Project Area, there are numerous protected/ ordinance sized trees, as defined by the City and Alameda County. Activities that compact soil, trench through roots, or pile soil up around the base of trees may adversely affect the health of protected trees. The removal or injury of protected trees would require permits or mitigation measures under the City Municipal Code (Chapter 17.16).

Disturbance or removal of trees in natural channels shall not exceed the minimum necessary to complete maintenance activities. Precautions shall be taken to avoid other damage to vegetation by people or equipment. Branches and/or limbs overhanging the channel and impacting water flows shall be properly pruned. Trees may be removed from natural channels if and only if they are below ordinary high-water mark and they are restricting the capacity of the channel and they are causing erosion or flooding. Any trees which must be cut are to be cut at ground level and the root mass left in place to maintain bank stability.

Mitigation Measures BIO-11 and BIO-12 shall be implemented to assure that impacts to protected trees are less than significantly impacted. Implementation of the following measures will reduce potential impacts on protected trees to a less-than-significant level.

Mitigation Measure BIO-113 Avoid Trees

To the extent feasible, activities will avoid impacts to protected trees. Avoidance is considered to be the exclusion of any maintenance work on protected trees. If complete avoidance is not feasible, Mitigation Measure BIO-12 will be implemented.

Mitigation Measure BIO-124 Comply with Tree Ordinance

The Project proponent will comply with the local ordinances, including replacement ratios, and submit permit applications for removal, trimming, damage, or relocation of all protected trees covered by the applicable City or County ordinance include in Sections 2.3.2 and 2.3.3.

f) ***No Impact.*** No state, regional, or federal habitat conservation plans or Natural Community Conservation Plans have been adopted for the Project Area. No impact would occur.

4.7 Cultural Resources

CULTURAL RESOURCES — Would the project:	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Source*
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	☒	☐	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐	
c) Disturb any human remains, including those interred outsides of dedicated cemeteries?	☐	☒	☐	☐	

This section examines the potential impacts of the proposed project on cultural resources. Tribal cultural resources are addressed in Section 4.21, *Tribal Cultural Resources*. For the purposes of this analysis, the term cultural resource is defined as follows:

> Indigenous and historic-era sites, structures, districts, and landscapes, or other evidence associated with human activity considered important to a culture, a subculture, or a community for scientific, traditional, religious, or another reason. These resources include the following types of CEQA-defined resources: historical resources, archaeological resources, and human remains.

The term indigenous, rather than prehistoric, is used in this section as a synonym for "Native American–related". This section relies on the information and findings presented in *Historic Property Survey Report/Finding of Effect: Twenty Stream Maintenance Projects, City of Pleasanton, Alameda County, California* (Basin Research Associates [Basin] 2020). That report, provided in Appendix C, details the results of the cultural resources study, which examined the environmental, ethnographic, and historic background of the Project Area, emphasizing aspects of human occupation.

4.7.1 Environmental Setting

Records Search

At the request of Basin, on August 29 and December 4, 2019, staff of the Northwest Information Center (NWIC), Sonoma State University, conducted records searches for the Project Area and areas within 0.25 mile thereof. The NWIC maintains the California Historical Resources Information System (CHRIS) records relevant to the Project Area and vicinity. The NWIC has record of three previously recorded cultural resources within

the Project Area, one immediately adjacent to the Project Area, and another 18 outside but within 0.25 mile of the Project Area. The three previously recorded resources in the Project Area consist of one archaeological resource (P-01-000063) and two architectural resources (P-01-001775, -011624). The previously recorded resource immediately adjacent to the Project Area (P-01-010610) is an archaeological resource.

P-01-000063 is an indigenous archaeological resource with reported human burials, midden, fire-affected rock, groundstone artifacts, shell, and flaked-stone artifacts. The resource was mapped by CHRIS as within the eastern portion of the C-14 (Dublin Canyon) portion of the Project Area; it does not appear that the resource has been previously evaluated for eligibility for listing in the California Register of Historical Resources (California Register), and previous cultural resources reports document that the resource was previously destroyed by housing developments. P-01-001775 is the Pleasanton Canal, an earth channelized flood control and drainage canal modified and constructed in the mid-1980s present in the C-02 (Pleasanton Canal) portion of the Project Area; the resource was previously evaluated as not eligible for the California Register. P-01-0011624 is the Niles Canyon Transcontinental Railroad District, mapped as intersecting the C-10 (Junipero Canal) portion of the Project Area; the resource is listed in the National Register of Historic Places (National Register), eligible under Criterion A, and is therefore automatically listed in the California Register. P-01-010610 is an extensive indigenous archaeological site with more than 400 human burials, thousands of artifacts and abundant diagnostic artifacts dating it to between 3,500 and 150 years before present. The resource was previously mapped as approximately 30 feet south of the C-10 (Junipero Canal) portion of the Project Area. P-01-010610 was previously evaluated as California Register-eligible and subsequently subject to extensive data recovery efforts as part of a housing development project that destroyed the site.

Native American Correspondence

On August 6 and December 23, 2019, Basin contacted the California Native American Heritage Commission (NAHC), requesting a search of the NAHC's Sacred Lands File (SLF) and a list of Native American representatives who may be interested in the proposed project. The NAHC replied on August 16 and December 27, 2019, stating that the SLF has no record of sacred sites in the Project Area. The reply also included a list of Native American representatives to contact regarding the proposed project.

In August and December 2019, Basin sent letters with proposed project information to the Native American contacts identified in the NAHC's replies; letters were sent to the following groups: Amah Mutsun Tribal Band of Mission San Juan Bautista; Indian Canyon Mutsun Band of Costanoan; Muwekma Ohlone Indian Tribe of the San Francisco Bay Area; North Valley Yokuts Tribe; The Confederated Villages of Lisjan; The Ohlone Indian Tribe; and, the Costanoan Rumsen Carmel Tribe.

Responses were received from two Native Americans representatives. The first was received on August 28, 2019 from Michelle Zimmer, of the Amah Mutsun Tribal Band of Mission San Juan Bautista. Christopher Canzonieri, of Basin, and Ms. Irene Zwierlein, of the Amah Mutsun Tribal Band of Mission San Juan Bautista, had a subsequent phone

call, during which Ms. Zwierlein recommended that maintenance crews receive cultural sensitivity training in areas that may yield potential indigenous archaeological material and that archaeologists on the proposed project have experience in Northern and Central California archaeology. The second response was received on September 29, 2019 via email from Katherine Erolinda Perez, Chairperson of the North Valley Yokuts Tribe, who emailed Basin a series of recommended mitigation measures, which included avoiding potential tribal cultural resources, workers awareness training for tribal cultural resources, and maintenance activity monitoring, and protocol for inadvertent discovery of cultural resources and tribal cultural resources.

Note, no California Native American tribes previously requested notification regarding City projects for potential consultation under California Public Resources Code (PRC) § 21080.3 (i.e., Assembly Bill [AB] 52). Therefore, no formal consultation pursuant to PRC § 21080.3 (see AB 52), was required for the proposed project.

Appendix D presents documentation of correspondence with Native American representatives regarding the proposed project to date.

Field Survey

In August and December 2019, and February 2020, Basin conducted a cultural resources pedestrian survey of the Project Area, covering all portions of the Project Area. Intensive pedestrian survey methods were used, consisting of walking parallel transects spaced no more than approximately 5 meters apart and inspecting the surface for cultural material or evidence thereof. During the pedestrian survey, no archaeological resources or architectural resources were identified in the Project Area.

Summary of Cultural Resources Identified

Through background research conducted for the proposed project, three previously recorded cultural resources, one archaeological resource (P-01-000063) and two architectural resources (P-01-001775, -011624) were identified in the Project Area. However, P-01-001775 (Pleasanton Canal) does not meet the age requirements for California Register-eligibility and previous documentation for P-01-000063 shows that the resource has been destroyed and is no longer present in the Project Area. Finally, during the field survey, no cultural resources, including any of the three previously recorded in the Project Area were identified. It appears that P-01-011624 (Niles Canyon Transcontinental Railroad District), though mapped as being partially within the Project Area, does not have any components actually in the Project Area.

In summary, through background research and field survey, no cultural resources appear to be present in the Project Area. Therefore, no historical resources or unique archaeological resources, as defined by CEQA, appear to be present in the Project Area.

4.7.2 Regulatory Setting

California Environmental Quality Act

CEQA (codified at PRC § 21000 *et seq.)* is the principal statute governing environmental review of projects occurring in the State. CEQA requires lead agencies to determine if a project would have a significant effect on historical resources, unique archaeological resources, or tribal cultural resources.

The State implements provisions in CEQA through its statewide comprehensive cultural resources surveys and preservation programs. Typically, a resource must be more than 50 years old to be considered as a potential historical resource. The State of California Office of Historic Preservation advises recordation of any resource 45 years or older, since there is commonly a five-year lag between resource identification and the date that planning decisions are made.

Historical Resources

CEQA Guidelines recognize that a historical resource includes: 1) a resource in the California Register; 2) a resource included in a local register of historical resources, as defined in PRC § 5020.1(k) or identified as significant in a historical resource survey meeting the requirements of PRC § 5024.1(g); and 3) any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California by the lead agency, provided the lead agency's determination is supported by substantial evidence in light of the whole record.

If a lead agency determines that an archaeological site is a historical resource, the provisions of PRC § 21084.1 and PRC § 15064.5 apply. If an archaeological site does not meet the criteria for a historical resource contained in the *CEQA Guidelines* (codified at PRC § 15000 *et seq.*), then the site may be treated in accordance with the provisions of PRC § 21083, pertaining to unique archaeological resources.

Unique Archaeological Resources

As defined in PRC § 21083.2 a "unique archaeological resource" is an archaeological artifact, object, or site, about which it can be clearly demonstrated that without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- Contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information;
- Has a special and particular quality such as being the oldest of its type or the best available example of its type; or,
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

CEQA Guidelines note that if an archaeological resource is not a unique archaeological, historical resource, or tribal cultural resource, the effects of the project on those cultural resources shall not be considered a significant effect on the environment (PRC § 15064.5[c][4]).

Tribal Cultural Resources

Impacts to tribal cultural resources also are considered under CEQA (PRC § 21084.2). PRC § 21074(a) defines a tribal cultural resource as any of the following:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
    - included or determined to be eligible for inclusion in the California Register; or
    - included in a local register of historical resources, as defined in PRC § 5020.1(k).
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of [PRC] § 5024.1. In applying these criteria, the lead agency would consider the significance of the resource to a California Native American tribe.

California Register of Historical Resources

The California Register is "an authoritative listing and guide to be used by State and local agencies, private groups, and citizens in identifying the existing historical resources of the State and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change" (PRC § 5024.1[a]). The criteria for eligibility for the California Register are based upon the criteria for listing on the National Register (PRC § 5024.1[b]). Certain resources are determined by the statute to be automatically included in the California Register, including California properties formally determined eligible for, or listed in, the National Register.

To be eligible for the California Register, a cultural resource must be significant at the local, State, and/or federal level under one or more of the following four criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important in prehistory or history.

A resource eligible for the California Register must be of sufficient age, and retain enough of its historic character or appearance (integrity) to convey the reason for its significance. Additionally, the California Register consists of resources that are listed automatically and those that must be nominated through an application and public hearing process. The California Register automatically includes the following:

- California properties listed on the National Register and those formally Determined Eligible for the National Register;
- California Registered Historical Landmarks from No. 770 onward; and
- Those California Points of Historical Interest that have been evaluated by the OHP and have been recommended to the State Historical Commission for inclusion on the California Register.

Other resources that may be nominated to the California Register include:

- Historical resources with a significance rating of Category 3 through 5 (those properties identified as eligible for listing in the National Register, the California Register, and/or a local jurisdiction register);
- Individual historic resources;
- Historic resources contributing to historic districts; and
- Historic resources designated or listed as local landmarks, or designated under any local ordinance, such as an historic preservation overlay zone.

California Public Resources Code § 5097

California PRC § 5097.99, as amended, states that no person shall obtain or possess any Native American artifacts or human remains that are taken from a Native American grave or cairn. Any person who knowingly or willfully obtains or possesses any Native American artifacts or human remains is guilty of a felony, which is punishable by imprisonment. Any person who removes, without authority of law, any such items with an intent to sell or dissect or with malice or wantonness is also guilty of a felony which is punishable by imprisonment. PRC § 5097.5 specifies that any unauthorized removal of paleontological remains is a misdemeanor.

California Native American Historic Resource Protection Act

The California Native American Historic Resources Protection Act of 2002 imposes civil penalties, including imprisonment and fines up to $50,000 per violation, for persons who unlawfully and maliciously excavates upon, removes, destroys, injures, or defaces a Native American historic, cultural, or sacred site that is listed or may be listed in the California Register.

California Health and Safety Code § 7050.5

Section 7050.5 of the California Health and Safety Code (HSC) protects human remains by prohibiting the disinterring, disturbing, or removing of human remains from any location other than a dedicated cemetery. PRC § 5097.98 (and reiterated in PRC § 15064.59[e]) also identifies steps to follow in the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery.

4.7.3 Discussion of Impacts

The following analysis describes archaeological resources, both as historical resources, according to CEQA Guidelines § 15064.5, as well as unique archaeological resources, as defined in PRC § 21083.2(g), under Question b.

a) ***No impact.*** Through background research conducted for the proposed project, two previously recorded architectural resources (P-01-001775, -011624) were identified in the Project Area. However, P-01-001775 (Pleasanton Canal) does not meet the age requirements for California Register-eligibility, as it was constructed in the 1980s; therefore, P-01-001775 does not qualify as an historical resource, as defined in CEQA Guidelines § 15064.5. P-01-011624 is the Niles Canyon Transcontinental Railroad District and is listed in the National Register and, therefore, is automatically listed in the California Register. Therefore, the resource qualifies as an historical resource, as defined in CEQA Guidelines § 15064.5. However, during the field survey conducted for the proposed project, no components of the resource were identified in the Project Area.

   In summary, no architectural resources were identified in the Project Area. As such, there are no known historical resources, as defined in CEQA Guidelines § 15064.5, in the Project Area. Therefore, the proposed project would result in no impact on historical resources, and no mitigation is required.

b) ***Less than Significant with Mitigation Incorporated.*** Through background research conducted for the proposed project, one previously recorded archaeological resource (P-01-000063) was identified in the Project Area, and one previously recorded archaeological resource (P-01-010610) was identified approximately 30 feet south of the Project Area. P-01-000063 was previously mapped as within the eastern portion of the C-14 (Dublin Canyon) portion of the Project Area and the resource does not appear to have been previously evaluated for California Register-eligibility. Previous cultural resources reports document that the resource was previously destroyed by housing developments. P-01-010610 is an extensive indigenous archaeological site with more than 400 human burials and thousands of artifacts. The resource was previously mapped as approximately 30 feet south of the C-10 (Junipero Canal) portion of the Project Area. P-01-010610 was previously evaluated as California Register-eligible and subsequently subject to extensive data recovery efforts as part of a housing development project that destroyed the site.

   During the field survey conducted for the proposed project, no archaeological resources, including any evidence of P-01-000063 or P-01-010610, were identified in the Project Area. As such, there are no known archaeological resources that may qualify as historical resources (as defined in CEQA Guidelines § 15064.5) or unique archaeological resources (as defined in PRC § 21083.2[g]) present in the Project Area. Therefore, the proposed project is not anticipated to impact any archaeological resources, pursuant to CEQA Guidelines § 15064.5.

Although the proposed project is not anticipated to impact any archaeological resources, there remains the possibility that previously unrecorded archaeological deposits are present in the Project Area. If such deposits are present and were found to qualify as archaeological resources pursuant to CEQA Guidelines § 15064, impacts of the proposed project on archaeological resources could be potentially significant.

Such potentially significant impacts would be reduced to less than significant with mitigation incorporated by implementing **Mitigation Measure CULT-1**.

Mitigation Measure CULT–1: Implement Unanticipated Discovery Protocol for Archaeological Resources, including Potential Tribal Cultural Resources.

If indigenous or historic-era archaeological resources are encountered during proposed project development or operation, all activity within 100 feet of the find shall cease and the find shall be flagged for avoidance. The City and a qualified archaeologist, defined as one meeting the U.S. Secretary of the Interior's Professional Qualifications Standards for Archeology, shall be immediately informed of the discovery. The qualified archaeologist shall inspect the find within 24 hours of discovery and notify the City of their initial assessment.

If the City determines, based on recommendations from the qualified archaeologist, that the resource may qualify as a historical resource or unique archaeological resource (as defined in CEQA Guidelines § 15064.5), or a tribal cultural resource (as defined in PRC § 21074), the resource shall be avoided if feasible. Avoidance means that no activities associated with the proposed project that may affect cultural resources shall occur within the boundaries of the resource or any defined buffer zones. If avoidance is not feasible, the City shall consult with appropriate Native American tribes (if the resource is indigenous), and other appropriate interested parties to determine treatment measures to avoid, minimize, or mitigate any potential impacts to the resource pursuant to PRC § 21083.2, CEQA Guidelines § 15126.4. This shall include documentation of the resource and may include data recovery or other measures. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource. The resource and treatment method shall be documented in a professional-level technical report to be filed with the California Historical Resources Information System. Work in the area may commence upon completion of approved treatment and under the direction of the qualified archaeologist.

c) ***Less than Significant with Mitigation Incorporated.*** No human remains have been identified in the Project Area through archival research, field surveys, or Native American consultation. Also, the land use designations for the Project Area do not include cemetery uses, and no known human remains exist within the

Project Area. Therefore, the proposed project is not anticipated to disturb any human remains.

However, because the proposed project would involve ground-disturbing activities, it is possible that such actions could unearth, expose, or disturb previously unknown human remains. In the event that human remains were discovered during proposed project maintenance activities, impacts on the human remains resulting from the proposed project would be significant if those remains were disturbed or damaged. Implementation of **Mitigation Measure CULT-2** would reduce any potential impacts on human remains to a less-than-significant level through identification, consultation, and avoidance.

Mitigation Measure CULT–2: Implement Unanticipated Discovery Protocol for Human Remains.

If human remains are uncovered during proposed project maintenance activities, all work shall immediately halt within 100 feet of the find and the Alameda County Coroner shall be contacted to evaluate the remains and follow the procedures and protocols set forth in CEQA Guidelines § 15064.5(e)(1). If the county coroner determines that the remains are Native American, the County shall contact the California Native American Heritage Commission, in accordance with California Health and Safety Code § 7050.5(c) and PRC § 5097.98. As required by PRC § 5097.98, the City shall ensure that further development activity avoids damage or disturbance in the immediate vicinity of the Native American human remains, according to generally accepted cultural or archaeological standards or practices, until the City has conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.

4.8 Energy

ENERGY — Would the project:	***Potentially Significant Impact***	***Less than Significant with Mitigation Incorporated***	***Less than Significant***	***No Impact***	***Source***
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐	48,49
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐	47,50,51

4.8.1 Environmental Setting

Energy usage is typically quantified using the British thermal unit (BTU). As a point of reference, the approximate amount of energy contained in common energy sources are as follows: gasoline, 115,000 BTUs per gallon; diesel, 138,500 BTUs per gallon; natural gas, 21,000 BTUs per pound; electricity, 3,414 BTUs per kilowatt-hour (kWh).[44]

Total energy usage in California was 7,881 trillion BTUs in 2017, which equates to an average of 200 million BTUs per capita. Of California's total energy usage, the breakdown by sector is 40% transportation, 23% industrial, 18% residential, and 19% commercial.[45] Petroleum satisfies 45% of California's energy demand, natural gas 28%, and electricity 11%. Coal fuel accounts for less than 1% of California's total energy demand.[46] Electric power and natural gas in California are generally consumed by stationary users, whereas petroleum consumption is generally accounted for by transportation-related energy use. The other sources are made up of renewable energy sources, which includes wind and solar power, among other sources.

The proposed Project would not have any operational energy needs as the streams and detention basins proposed for maintenance would continue to passively trap and convey water. All energy consumption would therefore occur during maintenance activities through vehicle fuel use.

[44] *U.S. Department of Energy, "Alternative Fuels Data Center – Fuel Properties Comparison," October 29, 2014, http://www.afdc.energy.gov/fuels/fuel_comparison_chart.pdf.*

[45] *U.S. Department of Energy, Energy Information Administration, "California State Profile and Energy Estimates," November 15, 2018, https://www.eia.gov/state/?sid=CA.*

[46] *U.S. Department of Energy, Energy Information Administration, "State Energy Consumption Estimates 1960 Through 2017," June, 2019, https://www.eia.gov/state/seds/sep_use/notes/use_print.pdf.*

4.8.2 Regulatory Setting

Federal and state agencies regulate energy use and consumption through various means and programs. At the federal level, the United States Department of Transportation, the United States Department of Energy, and the United States Environmental Protection Agency (EPA), and the Federal Energy Regulatory Commission (FERC) all have substantial influence over energy policies and programs. Generally, these federal agencies influence and regulate transportation energy consumption through establishing and enforcing fuel economy standards for automobiles and light trucks, through funding of energy-related research and development projects, and through funding of transportation infrastructure improvements.

At the state level, the California Public Utilities Commission (CPUC) and the California Energy Commission (CEC) are two agencies with authority over different aspects of energy. The CPUC regulates privately owned utilities in the energy, rail, telecommunications, and water fields. The CEC collects and analyzes energy-related data, prepares statewide energy policy recommendations and plans, promotes, and funds energy efficiency programs, and adopts and enforces appliance and building energy efficiency standards. California is exempt under federal law from rules that otherwise would preempt setting state fuel economy standards for new on-road motor vehicles. Some of the more relevant federal and state energy-related laws and plans are discussed below.

Federal Regulations

Energy Policy Act of 2005

Passed by Congress in July 2005, the Energy Policy Act includes a comprehensive set of provisions to address energy issues. The act includes tax incentives for the following: energy conservation improvements in commercial and residential buildings; fossil fuel production and clean coal facilities; and construction and operation of nuclear power plants, among other things.

Energy Independence and Security Act of 2007

Signed into law in December 2007, this broad energy bill included an increase in auto mileage standards, and also addressed biofuels, conservation measures, and building efficiency. The U.S. EPA administers the Corporate Average Fuel Economy (CAFE) program, which determines vehicle manufacturers' compliance with existing fuel economy standards. The bill amended the CAFE standards to mandate significant improvements in fuel efficiency (i.e., average fleet wide fuel economy of 35 miles per gallon (mpg) by 2020, versus the previous standard of 27.5 mpg for passenger cars and 22.2 mpg for light trucks).[47]

State Regulations

Title 24 (California Energy Code)

The California Energy Code (Title 24, Part 6, of the California Code of Regulations, California's Energy Efficiency Standards for Residential and Nonresidential Buildings), provides energy conservation standards for all new and renovated commercial and residential buildings constructed in California. The provisions of the California Energy Code apply to the building

[47] *U.S. Environmental Protection Agency, "Summary of the Energy Independence and Security Act," December 19, 2007, https://www.epa.gov/laws-regulations/summary-energy-independence-and-security-act.*

envelope, space-conditioning systems, and water-heating and lighting systems of buildings and appliances; they also give guidance on construction techniques to maximize energy conservation. Minimum efficiency standards are given for a variety of building elements, including appliances; water and space heating and cooling equipment; and insulation for doors, pipes, walls, and ceilings. The CEC adopted the 2005 changes to the Building Efficiency Standards, which emphasized saving energy at peak periods and seasons, and improving the quality of installation of energy-efficiency measures. It is estimated that implementation of the 2005 Title 24 standards have resulted in an increased energy savings of 8.5 percent relative to the previous Title 24 standards. Compliance with Title 24 standards is verified and enforced through the local building permit process.[48] The 2008 Title 24 Standards, which had an effective date beginning August 1, 2009, include added provisions that require, for example, "cool roofs" on commercial buildings; increased efficiency in heating, ventilating, and air conditioning systems; and increased use of skylights and more efficient lighting systems.[49] Title 24 Standards were further updated with the 2013 Building Energy Efficiency Standards, which are estimated to lead to 25 percent less energy consumption for residential buildings and 30 percent savings for nonresidential buildings over 2008 Energy Standards. 2013 standards, which updated codes for lighting, space heating and cooling, ventilation, and water heating, took effect on July 1, 2014.

California Global Warming Solutions Act of 2006

In September 2006, the governor signed AB 32, the Global Warming Solutions Act of 2006, which mandates that California's GHG emissions be reduced to 1990 levels by 2020. The act directs the California EPA to work with state agencies to implement a cap on GHG emissions (primarily carbon dioxide) from stationary sources of such as electric power generation facilities, and industrial, commercial, and waste-disposal sectors. Since carbon dioxide emissions are directly proportional to fossil fuel consumption, the cap on emissions is expected to have the incidental effect of forcing a reduction in fossil fuel consumption from these stationary sources. Specifically, AB 32 directs the California EPA to work with other state agencies to accomplish the following: 1) promulgate and implement GHG emissions cap for the electric power, industrial, and commercial sectors through regulations in an economically efficient manner; 2) institute a schedule of greenhouse gas reductions; 3) develop an enforcement mechanism for reducing GHG; 4) establish a program to track and report GHG emissions.[50]

Senate Bill 32

Enacted in 2016, Senate Bill (SB) 32 (Pavley, 2016) codifies the 2030 GHG emissions reduction goal of Executive Order B-30-15 by requiring CARB to ensure that state-wide GHG emissions are reduced to 40 percent below 1990 levels by 2030. Similar to AB 32, a reduction in GHG emissions typically corresponds with a reduction in energy usage as the bulk of GHGs result from the combustion of fossil fuel.

SB 32 was coupled with a companion bill: AB 197 (Garcia, 2016). Designed to improve the transparency of CARB's regulatory and policy-oriented processes, AB 197 created the Joint Legislative Committee on Climate Change Policies, a committee with the responsibility to

[48] *California Energy Commission, "Building Efficiency Standards – Title 24," http://www.energy.ca.gov/title24.*

[49] *California Energy Commission, "2008 Building Energy Efficiency Standards," December 2008, https://ww2.energy.ca.gov/2008publications/CEC-400-2008-001/CEC-400-2008-001-CMF.PDF.*

[50] *Assembly Bill 32, the California Global Warming Solutions Act, Passed August 31, 2006, http://www.arb.ca.gov/cc/docs/ab32text.pdf.*

ascertain facts and make recommendations to the Legislature concerning state-wide programs, policies and investments related to climate change. AB 32 requires CARB to develop a Scoping Plan that describes the approach California will take to reduce GHG emissions. AB 197 also requires CARB to make certain GHG emissions inventory data publicly available on its web site; consider the social costs of GHG emissions when adopting rules and regulations designed to achieve GHG emission reductions; and, include specified information in all Scoping Plan updates for the emission reduction measures contained therein.

Local Regulations

In addition to federal and state regulations and guidelines, the City of Pleasanton General Plan includes an Energy Element[51] with goals and policies relevant to energy use.

4.8.3 Discussion of Impacts

a) ***Less than Significant Impact.*** The Project would require the use of diesel and other fuels for trucks and equipment during maintenance activities, but these activities would be short-term and completed as efficiently as possible for practical and financial reasons, among other considerations. There would be no ongoing energy consumption in the operational phase of the project in excess of the current baseline condition. Given the importance of maintaining steam corridors and detention basins for stormwater conveyance for public health and safety reasons, the minor and temporary amount of energy used for maintenance activities is not wasteful, inefficient, or unnecessary. Impacts in this regard would therefore be less than significant.

b) ***Less than Significant Impact.*** The Project would remove sediment, rock, and vegetation both within and adjacent to stream corridors and detention basins. The degree of energy consumption due to the new storm drain system would not be changed from current baseline conditions. The proposed Project would not hinder or obstruct state or local energy efficiency plans. The City of Pleasanton adopted a Climate Action Plan in 2012, which outlines multiple policies and measures focused on energy efficiency and energy use reduction. Impacts would be less than significant.

[51] *City of Pleasanton, "The Pleasanton General Plan 2005-2025, 10. Energy Element," July 21, 2009, https://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=23913.*

4.9 Geology and Soils

GEOLOGY AND SOILS — Would the project:	***Potentially Significant Impact***	***Less than Significant with Mitigation Incorporated***	***Less than Significant Impact***	***No Impact***	***Source***
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☒	☐	51,53
ii) Strong seismic ground shaking?	☐	☐	☒	☐	51,53,57
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	51,54,57
iv) Landslides?	☐	☐	☒	☐	55,56
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐	51,53
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐	51,53,54
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐	51,53
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☒	☐	51,53

GEOLOGY AND SOILS — Would the project:	***Potentially Significant Impact***	***Less than Significant with Mitigation Incorporated***	***Less than Significant Impact***	***No Impact***	***Source***
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐	51,53

4.9.1 Environmental Setting

Soils

The City of Pleasanton is located within the Amador Valley, which is part of the Coast Range Geologic province. The Coast Range province is a large area of folded and faulted rocks along the western edge of the North American continent. The Amador Valley joins the San Ramon Valley to the north and the Livermore Valley to the east. The underlying geology of Pleasanton is composed of sedimentary rock in the Pleasanton Ridge and Southeast Hills, thick deposits of sediment on the Valley floor, and areas of older landslide deposits.51

The maintenance sites proposed by this Project are composed of ten soil series: Azule, Clear Lake, Danville, Diablo, Gravel Pits, Los Osos, Pleasanton, Positas, Sunnyvale, Sycamore, Yolo, and Zamora.[52] The Azule, Danville, Diablo, Los Osos, Pleasanton, Yolo, and Zamora series are all composed of deep or moderately-deep, well-drained soils while the Clay Lake, Gravel Pits, Sunnyvale, and Sycamore series are all composed of poorly-drained soils.

Seismicity

Pleasanton is located within the seismically active San Francisco Bay region, one of the most seismically active zones in the United States. The faults in the region are capable of generating earthquakes of at least 8.0 in magnitude on the Richter scale, producing violent ground shaking in Pleasanton. The Calaveras and Verona Faults run through the city of Pleasanton.[53] The Hayward Fault runs about 6 miles west of Pleasanton, and the Greenville Fault runs 10 miles east of Pleasanton.

Liquefaction and Lateral Spreading

Soil liquefaction is a phenomenon primarily associated with saturated, cohesionless soil layers located close to the ground surface. During liquefaction soils lose strength and ground failure may occur. According to the City of Pleasanton General Plan, about 12,000 acres of Pleasanton are susceptible to liquefaction. Liquefaction can cause lateral spreading, resulting in the displacement of large blocks or soil down slopes or towards stream channels. Lateral spreading is most likely to occur during a combination of seismic activity and heavy rainfall. However, coastal locations in and around the Bay Area are considered to be at low risk for expansive soil

[52] *U.S. Department of Agriculture, Natural Resources Conservation Service, "Web Soil Survey," accessed July 2019, https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm.*

[53] *Association of Bay Area Governments Resilience Program, "Alquist-Priolo Earthquake Fault Zone Interactive Fault Rupture Map," accessed November 20, 2019, http://resilience.abag.ca.gov/earthquakes/#FAULTS.*

behavior because these areas are permanently saturated.[54] In Pleasanton, lateral spreading could occur along the arroyos where surface materials are made up of alluvial and fluvial deposit such as clays, sands, and gravels.

Landslide

According to the City of Pleasanton General Plan, about 17,700 acres of the Pleasanton Planning Area are within earthquake-induced landslide areas or are mostly made up of landslide deposits. Generally, the areas in the City of Pleasanton most at risk of earthquake-induced landslides are near the Calaveras Fault and Verona Fault. The level areas of the City largely lack landslide deposits, and are therefore at low risk of future landslides.

Based on Landslide Inventory Maps from the California Geologic Survey,[55,56] there are two active or historic landslide locations near proposed Project sites. One active landslide area is within one mile of the Gold Creek (C-13) and Dublin Canyon Creek (C-14) maintenance sites, and a second small active landslide area is one mile from Gold Creek and Stonedale Channel (C15). There are also a number of dormant landslide locations near proposed maintenance sites, rated as either mature or old. No young, dormant landslide areas are present near the proposed Project.

4.9.2 Regulatory Setting

Safety standards and building specifications relating to earthquakes, seismic-related ground failure, landslides, geology, and soils are mainly regulated via the Alquist-Priolo Earthquake Fault Zoning Act, as amended in 1994, as well as the California Building Code (CBC).

The Alquist-Priolo Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The Act requires the state's California Geological Survey agency to compile and maintain up-to-date maps of surface traces of known active earthquake faults. Before a new project is permitted, cities and counties require a geologic investigation to demonstrate that proposed buildings will not be constructed on active Alquist-Priolo fault zones.

The CBC, based on the International Code Council, requires specific tests for masonry and other building elements of newly constructed buildings to ensure structures can adequately resist seismic forces during earthquakes.

4.9.3 Discussion of Impacts

a-i) ***Less than Significant Impact.*** Some of the proposed maintenance sites are located within designated Alquist-Priolo Earthquake Fault Zones, as defined by the Alquist-Priolo Earthquake Fault Zoning Act of 1974. Most of the City of Pleasanton is considered to be a liquefaction zone. However, given that all maintenance activities associated with the

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[54] City of Pleasanton, "Emergency Operations Plan," March, 2018, http://www.cityoflivermore.net/civicax/filebank/documents/17884/.

[55] California Geologic Survey, Perez, F.G., "Landslide Inventory Map of the Livermore Quadrangle," December, 2010.

[56] California Geologic Survey, Wiegers, M.O., "Landslide Inventory Map of Dublin Quadrangle," December, 2010.

proposed maintenance Project would be brief in duration, the risk of loss, injury, or death resulting from seismic activity is low, therefore a less than significant impact would occur.

a-ii) ***Less than Significant Impact***. The potential for seismic ground-shaking within Project Areas is mostly within the "severe" to "violent" range according to the Association of Bay Area Government's (ABAG) Resilience Program due to the Project's proximity to the active Calaveras, Verona, Hayward, and Greenville Faults.[57] The proposed Project would not create a need or opportunity for people to reside on-site, and thus be exposed to such ground shaking long-term. If an earthquake were to occur during the maintenance actions, it could create a risk for workers on-site, but under the obligation of the Occupational Safety and Health Act (OSHA), maintenance workers would be trained to take the necessary precautions to maintain worker safety in the event of an earthquake. Given these legal obligations, the impacts related to this topic would be less than significant.

a-iii) ***Less than Significant Impact.*** About 12,000 acres within the City of Pleasanton are in liquefaction zones. According to ABAG's Resilience Program hazards map, the Project would be susceptible to liquefaction should seismic activity or heavy rainfall occur. However, all maintenance activities associated with the project would occur during the dry season, therefore the likelihood of damage to the Project due to liquefaction is low. In addition, the Project would be subject to all Federal, State, and local regulations for seismic conditions, including the CBC. Given this, impacts would be less than significant.

a-iv) ***Less than Significant Impact.*** Landslides are frequently triggered by strong ground motions. They are an important secondary earthquake hazard. The term landslide includes a wide range of ground movement, such as rock falls, deep failure of slopes, and shallow debris flows. About 17,000 acres of the City of Pleasanton are within areas susceptible to earthquake-induced landslides, with the hilly areas near the Calaveras and Verona Faults most at risk. None of the proposed maintenance sites are in active or historic landslide zones. Additionally, the Project is subject to all Federal, State, and local regulations and standards for seismic conditions, including the CBC, and does not involve the building of any new structures. Given the low risk of landslides in the Project site and the legal obligations associated with seismic building design, impacts associated with seismic landslides would be less than significant.

b) ***Less than Significant Impact.*** Maintenance activities would involve some soil disturbance, which could temporarily expose soils to wind and water erosion. However, the Project would not cause a substantial change to erosion and accretion patterns in the long-term because the maintenance would not alter the overall existing drainage pattern of the area. Temporary maintenance impacts related to run-off from the removal of soil, sediment, and vegetation buildup in streams and detention ponds could occur, but standard measures from the required Stormwater Pollution Prevention Program (SWPPP) would be implemented to ensure impacts from runoff would remain less than significant. As such, impacts on soil would be less than significant.

c,d) ***Less than Significant Impact***. As discussed above, the proposed Project is not located in areas of active of historic landslides and is not anticipated to be susceptible to landslides. The Project is, however, located in areas at risk of liquefaction and lateral

[57] *Association of Bay Area Governments Resilience Program, "Alameda County Hazard Map," accessed November 20, 2019, http://resilience.abag.ca.gov/earthquakes/alameda/.*

spreading. The soil types in the Project Area are similar to those throughout the rest of Pleasanton and have not been identified as presenting special risk of lateral spreading or collapse. Further, the Project does not propose construction of new structures that would create risk to life or property. The Project would improve the stability and capacity of the stormwater conveyance by providing routine maintenance to stream corridors and detention ponds. Furthermore, as mentioned above, the project is subject to all Federal, State, and local regulations, and standards for seismic conditions. Impacts would be less than significant.

e) ***Less than Significant Impact.*** The proposed Project would provide maintenance to Pleasanton's existing stormwater drainage system. The soils in the maintenance areas already support stormwater conveyance, and the Project would not change the baseline condition of these soils. Therefore, impacts would be less than significant.

f) ***Less than Significant Impact.*** The Project Area follows existing utility rights-of-way on previously disturbed land. Excavation of soil would be required, but much of the soil is cut and fill-Urban land complex and is therefore non-native and unlikely to contain any paleontological resources. The ground disturbance associated with the Project would not change the topography or geologic substructures of the vicinity, except to improve existing stream-flow, and would therefore not change any unique geologic features. Impacts would be less than significant.

4.10 Greenhouse Gas Emissions

GREENHOUSE GAS EMISSIONS — Would the proposed Project:	***Potentially Significant Impact***	***Less than Significant with Mitigation Incorporated***	***Less than Significant Impact***	***No Impact***	***Source***
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐	
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	59

4.10.1 Environmental Setting

Greenhouse gases (GHGs) are heat-trapping gases that, when emitted to the earth's atmosphere, contribute to an abnormally fast rate of planetary warming. The consequences of these warming patterns include rising sea levels and increased frequency and intensity of natural disasters, among other issues. The major GHGs released by human activity are carbon dioxide (CO_2), methane, and nitrous oxide. Although less potent than other GHGs such as methane, CO_2 is the most common and therefore the greatest contributor to man-made global warming. Accordingly, GHGs are expressed in terms of CO_2 equivalents (CO_{2e}) based on their global warming potential.

4.10.2 Regulatory Setting

Assembly Bill 32, adopted in 2006, established the Global Warming Solutions Act of 2006,[58] which requires the State to reduce GHG emissions to 1990 levels by 2020. Senate Bill 97, adopted in 2007, required the Governor's Office of Planning and Research to develop CEQA guidelines for the mitigation of greenhouse gas emissions, and the Resources Agency certified and adopted the amendments to the guidelines on December 30, 2009. According to CEQA Guidelines Section 15064.4, the lead agency may quantitatively or qualitatively assess the proposed Project's impact on GHGs. The Lead Agency should consider the proposed Project's reasonably foreseeable incremental contribution to the effects of climate change using evolving scientific knowledge, state regulatory schemes, and an appropriate timeframe for the proposed Project.

The Bay Area Air Quality Management District

The City of Pleasanton adopted its Climate Action Plan in 2012.[59] The Climate Action Plan is the City's primary guidance document on attaining AB 32 standards. It outlines goals, strategies, and

[58] *California Air Resources Board, "Assembly Bill 32 Overview," accessed November 21, 2019, https://ww3.arb.ca.gov/cc/ab32/ab32.htm.*

[59] *City of Pleasanton, "Climate Action Plan," 2012, http://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=24757.*

next steps to attain the City's GHG reduction goals as well as providing background information pertinent to these efforts. According to the Climate Action Plan, Pleasanton's annual emissions totaled 770,844 metric tons CO_{2e} in 2005. In accordance with AB 32, the City is required to reduce annual emissions to 655,000 metric tons CO_{2e} by 2020. Strategies to achieve this reduction include changes to transportation and land use, energy consumption and generation, water use and wastewater treatment, and solid waste disposal.[60]

4.10.3 Discussion of Impacts

a) ***Less-than-Significant Impact.*** The proposed Project would not directly or indirectly generate substantial amounts of GHG emissions in the long-term. The proposed Project would involve removal of sediment and vegetation in detention basins, in culverts, along streams, and lined ditches. Emissions associated with these activities would be limited to the short term and would occur during maintenance activities.

In the short-term, the proposed Project would require the use of gasoline- and/or diesel-powered equipment including an excavator, dump truck, Bobcat, and tractor with a mower for several hours to several days for each maintenance action. Excess sediment and vegetation would be transported up to 3.5 miles from the stream maintenance and detention basin sites with trucks powered by gasoline or diesel. Given these short distances and the short duration of maintenance actions, the proposed Project would not generate substantial amounts of GHG emissions.

In summary, the proposed Project would not directly or indirectly emit any GHGs in the long-term. During maintenance activities, equipment use and material hauling would generate GHGs, but the small scope and limited duration of maintenance activities make it such that any such GHGs would not be considered significant. Accordingly, the proposed Project would not directly or indirectly generate GHGs which may have a significant impact on the environment; and a less-than-significant impact would occur.

b) ***Less than Significant Impact.*** The proposed Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. The Bay Area Air Quality Management District (BAAQMD) does not have a formal threshold for measuring compliance with their Clean Air Plan's goal of reducing GHG emissions. BAAQMD does, however, recommend lead agencies evaluate their project's GHG emissions in the context of state-wide AB 32 goals. This assessment is consistent with the City of Pleasanton's Climate Action Plan, which outlines goals and recommendations for the City to achieve its requisite AB 32 GHG reductions.

Given the proposed Project's relatively minimal contribution to the region's GHGs (as discussed in response to Impact (a) above) and that the proposed Project would not be growth-inducing, the proposed Project would not impede the attainment of AB 32 goals. As such, the proposed Project would not conflict with any applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions, and impacts would be less than significant.

[60] *City of Pleasanton, "Climate Action Plan," 2012, http://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=24757.*

4.11 Hazards and Hazardous Materials

HAZARDS AND HAZARDOUS MATERIALS — Would the proposed Project:	***Potentially Significant Impact***	***Less than Significant with Mitigation Incorporated***	***Less than Significant Impact***	***No Impact***	***Source***
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐	63,64
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐	63
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐	63
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐	61,62,64
e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the proposed Project result in a safety hazard or excessive noise for people residing or working in the proposed Project Site?	☐	☐	☐	☒	65
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☒	☐	☐	67,68
g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires?	☐	☒	☐	☐	63

4.11.1 Environmental Setting

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency or if it has characteristics defined as hazardous by such an agency. A hazardous material is defined in Title 22, Section 66261.10 of the California Code of Regulations as a substance with physical, chemical, or infectious characteristics which may cause or contribute to mortality or illness or pose a threat to human health or the environment when mismanaged. Chemical and physical properties which may cause a substance to be considered hazardous include toxicity, ignitability, corrosivity, and reactivity.

Under Government Code Section 65962.5, the California Department of Toxic Substances Control (DTSC) maintains a list of hazardous substance sites. This list, referred to as the "Cortese List," includes CALSITE hazardous material sites, sites with leaking underground storage tanks, and landfills with evidence of groundwater contamination. The State Water Resource Control Board (State Water Board) *GeoTracker* database similarly documents hazardous waste sites throughout the state but focuses on groundwater contamination. Both databases indicate that some maintenance areas are within a mile of hazardous material sites, some of which are currently active.[61,62]

According to *GeoTracker*, there is one active remediation site about one mile away from two proposed stream maintenance sites. All other *GeoTracker* cleanup sites within one mile of proposed maintenance sites are either in the site assessment phase, eligible for closure, or are in the assessment and interim remedial action phase.

According to the Cortese List there are no Federal superfund sites within five miles of the proposed Project. There are three voluntary cleanup sites proximate to proposed maintenance sites. The first cleanup site (EnviroStor ID 01280050) was certified as complete on December 12, 2003 by DTSC. The second voluntary cleanup site (EnviroStor ID 60000786) is inactive and awaiting evaluation as of September 3, 2008. Soils at this site were last sampled in 2007 and did not indicate the presence of volatile organic chemicals (VOCs). However, organochlorine pesticides were detected in one sample at a level above the residential Environmental Screen Levels and California Human Health Screening Levels. This cleanup site is within 0.3 miles of proposed maintenance site C-03. The third voluntary cleanup site (EnviroStor ID 60000883) was referred to Alameda County by DTSC on November 17, 2010. There is also an active cleanup site approximately 1.4 miles from proposed site P-01. This cleanup project (EnviroStor ID 01970012) has a number of contaminants of concern including DDT, dioxin, and metals. A former incinerator (EnviroStor ID 70000157) resides approximately 1.2 miles from one of the maintenance sites proposed by the Project, but was deemed to not pose a threat to human health or the environment under a residential land use scenario in December of 2005.

4.11.2 Discussion of Impacts

a-c) ***Less than Significant.*** In the long-term, the stream and stormwater detention pond maintenance would require infrequent use, transport, or disposal of hazardous materials to operate gas-driven equipment. As such, there would be minimal long-term risks

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[61] *Department of Toxic Substances Control, "EnviroStor Database," Accessed November 26, 2019. https://www.envirostor.dtsc.ca.gov/public/map/.*

[62] *State Water Resources Control Board, "GeoTracker," Accessed November 26, 2019. https://geotracker.waterboards.ca.gov/datadownload.*

associated with the use, transportation, or disposal of hazardous materials, and long-term risks of accident and upset conditions releasing hazardous materials into the environment would be minimal given the infrequency of maintenance activities, and the quantities of fuels and lubricants used.

Maintenance activities would require use of motorized equipment, creating the need for routine use of small quantities of hazardous materials, such as fuels and lubricants, during the six-month maintenance activities period. For some of the proposed Project maintenance areas, the use of motorized equipment would take place within a residential community, or within 0.5 miles of a school.

Maintenance activities would take place during the dry season and equipment would be staged off-site, minimizing the risk of hazardous material spills adversely affecting the downstream environment. Nonetheless, use of hazardous materials in close proximity to aquatic resources and a residential community would create a small risk of releasing hazardous materials into the environment. In Alameda County, contractors are required to implement California Stormwater Quality Association (CASQA) construction Best Management Practices (BMPs).[63] Specifically, the CASQA Materials and Waste Management BMPs dictate how and when equipment should be stored, how best to fuel vehicles to prevent spills, and how spills should be handled.[64] With adherence to these CASQA BMPs, the proposed Project would not create significant hazards through routine transport, use, or disposal of hazardous materials, nor would it create a significant hazard to the public through reasonably foreseeable accident and upset conditions involving hazardous materials. Accordingly, impacts would be less than significant.

d) ***Less than Significant.*** According to the California DTSC *EnviroStor* and State Water Board *GeoTracker* databases, none of the Project's proposed maintenance sites are included on the list of hazardous material sites compiled pursuant to Government Code Section 65962.5. A number of sites are within one mile of hazardous waste sites, including an active remediation site, three voluntary cleanup sites, and a former incinerator. However, the implementation of CASQA BMPs would reduce the potential risks posed by nearby hazardous waste sites through the established spill preparedness protocols and vehicle maintenance requirements. Given that none of the proposed maintenance sites are located on listed hazardous materials sites, and that the risk of release of hazardous materials during Project activities would be minimal with the implementation of CASQA BMPs, impacts would be less than significant.

e) ***No Impact.*** Two maintenance sites proposed by the project, P-01 and C-01, are within the area of influence of Livermore Municipal Airport.[65] The proposed Project would not introduce any tall structures, sources of light, or habitat which may attract more birds to any of the proposed sites. As such, the proposed Project would not create a hazard to

[63] *Alameda County Clean Water Program, "Construction," Accessed January 7, 2020, https://www.cleanwaterprogram.org/businesses/construction.html.*

[64] *California Stormwater Quality Association, "Best Management Practices for Waste Management and Materials Pollution Control," November 2009, https://www.cleanwaterprogram.org/images/uploads/C6%20CASQA%20BMPs%20Waste%20and%20Materials%20Management.pdf.*

[65] *Environmental Science Associates, "Livermore Municipal Airport, Airport Land Use Compatibility Plan." August 2012, https://www.acgov.org/cda/planning/generalplans/documents/LVK_ALUCP_082012_FULL.pdf.*

flight. Furthermore, the Livermore Municipal Airport's Land Use Compatibility Plan[66] provides noise contours for the airport up to Community Noise Level Equivalent Level (CNEL) of 65, calculated using the average sound level over a 24-hour period with 5 dB and 10 dB penalties added to sound generated from 7am to 10pm and 10pm to 7am, respectively. Proposed maintenance site P-01 is on the edge of the extent of the airport's 55 CNEL noise contour, and no other sites are within the airport's noise contours, indicating minimal background noise from airport-related activity. As the proposed Project would not create hazards or excessive noise for people living in the vicinity of an airport, no impact would occur.

f) ***Less than Significant with Mitigation Incorporated.*** The City of Pleasanton is characterized by its residential, small-town feeling and by its surrounding rural lands. The City's streets were therefore designed to accommodate minimal through-traffic. Most streets in the vicinity of the Project Area are classified as local roadways and permit on-street parking. Maintenance equipment would be staged off-site using on-street parking when not in use, minimizing the risk of obstructing emergency response during evenings and weekends, when maintenance activities would not occur. During maintenance work hours, however, given the narrow design of adjacent roadways it is possible that on-site maintenance equipment could obstruct emergency response outlined in the Pleasanton Emergency Operations Plan[67] in the event of an evacuation or should emergency vehicles require passage.

Mitigation Measure HAZ-1 requires notification of police and fire departments 72-hours prior to the start of maintenance activities and compliance with the City of Pleasanton's recommended traffic BMPs during maintenance activities, minimizing the risk of obstructing emergency access. Following maintenance activities, the proposed Project would not interfere with an emergency response plan, as Project modifications would generally be confined to detention ponds and stream corridors which do not contain any emergency response infrastructure. The proposed Project would therefore not lead to physical modification or obstruction of emergency response infrastructure such as communication systems or roadways.[68] As such, the proposed Project would not impair implementation of or physically interfere with implementation of an emergency response or evacuation plan, and impacts would be less than significant with mitigation incorporated.

Mitigation Measure HAZ-1:

The contractor shall implement the following actions throughout the duration of maintenance activities to maintain adequate emergency access to the site and through the adjacent neighborhood:

[66] *Ibid.*

[67] *City of Pleasanton, "Emergency Operations Plan," March, 2018, http://www.cityoflivermore.net/civicax/filebank/documents/17884/.*

[68] *City of Pleasanton, "Pleasanton General Plan 2005-2025, 5. Public Safety Element, February 5, 2013, https://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=23899.*

- Traffic controls, flag persons, signage, and safety site controls shall be used at all times when work is being done in the City's right-of-way or equipment is obstructing the right-of-way;

- The contractor shall obtain all clearances and permits required by the City for work within its right-of-way prior to the start of maintenance activities;

- The contractor shall comply with truck routes specified in the grading application, if any;

- The City or a representative of the City shall prepare a parking plan. The contractor shall comply with the parking plan and shall not damage adjoining or nearby parking strips;

- If any other construction Projects are being implemented in the vicinity of the Project Area, the contractor shall coordinate all parking, maintenance activity processes, and deliveries with other nearby construction sites;

- The contractor shall notify the Pleasanton Police Department and the Livermore-Pleasanton Fire Department of maintenance activities at minimum 72 hours prior to its start.

g) ***Less than Significant with Mitigation Incorporated.*** Many proposed Project maintenance sites would be accessed by relatively narrow, local roadways. The proposed Project would not increase fire risk in the long-term, as no new structures or fuel sources would be introduced to the Project Area and the proposed Project would not draw new people who would be exposed to fire risk to the area.

In the short-term, the presence of motorized equipment at proposed detention pond and stream corridor maintenance sites during the dry season may lead to a small, temporary increase in fire risk. Mitigation measure HAZ-2 requires the contractor to remove potential fuel sources, such as dried vegetation, and requires service trucks to be equipped with fire extinguishers, among other fire risk reducing measures. With implementation of Mitigation Measure HAZ-2, the proposed Project would not exacerbate wildfire risks, and would not expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Impacts would accordingly be less than significant with mitigation incorporated.

Mitigation Measure HAZ-2:

During maintenance activities, the maintenance contractor shall implement the following best management practices to prevent fire hazards:

- Staging areas, welding areas, or areas slated for development using spark producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. To the extent feasible, the contractor shall keep these areas clear of combustible materials in order to maintain a firebreak.

- Vehicle engines shall be shut down during refueling.

- No smoking, open flames, or welding shall be allowed in refueling or service areas.

- Service trucks shall be equipped with fire extinguishers.
- Any maintenance equipment that normally includes a spark arrester shall be equipped with an arrester in good working order.

4.12 Hydrology and Water Quality

HYDROLOGY AND WATER QUALITY — Would the proposed Project:	***Potentially Significant Impact***	***Less than Significant with Mitigation Incorporated***	***Less than Significant Impact***	***No Impact***	***Source***
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☒	☐	☐	78
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the proposed Project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒	73
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					
i) Result in substantial erosion or siltation on- or off-site;	☐	☒	☐	☐	
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐	
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?	☐	☒	☐	☐	69,71

4.12.1 Environmental Setting

Hydrology

Two of the areas where maintenance would be conducted are located within 100-year flood zones: Pleasanton Canal (C-02) and Stoneridge Detention Pond (P-01).[69] There are an additional five proposed maintenance sites located within 500-year flood zones. Most maintenance sites are also located within a dam inundation zone due to the City's proximity to the Del Valle Reservoir.[70] No parts of the proposed Project are within tsunami inundation zones.[71]

The proposed Project is located within the Alameda Creek Watershed, which has a surface area of approximately 432,000 acres (675 square miles).[72] In addition to Alameda Creek, the watershed includes the Arroyo de la Laguna, Arroyo del Valle, Arroyo Mocho, Chain of Lakes, Shadow Cliffs Lake, Del Valle Reservoir, and San Antonio Reservoir.[73] Groundwater recharge primarily comes from the Arroyo de la Laguna, Arroyo del Calle, Arroyo Mocho, and part of the Chain of Lakes.

Water Quality

Groundwater quality within the City of Pleasanton water supply is satisfactory according to both the Zone 7 Water Agency and the City of Pleasanton water quality monitoring programs.[74,75] Neither agency has detected significant levels of volatile organic compounds or contaminants within the City's water supply. The Regional Water Quality Control Board has characterized the Arroyo de la Lagunas, Arroyo las Positas, Arroyo del Calle, Arroyo Mocho, and Alameda Creek as impaired by diazinon, a pesticide used on a variety of agricultural crops.[76] Use of the pesticide for non-agricultural functions was banned in 2004, and is now strictly regulated by the EPA.[77] As a result, diazinon levels in the creeks have diminished in recent years.

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[69] *City of Pleasanton, "City of Pleasanton General Plan 2005-2025, 5. Public Safety Element," July 21, 2009, https://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=23899.*

[70] *Ibid.*

[71] *California Governor's Office of Emergency Services, "MyHazards," accessed January 5, 2020, http://myhazards.caloes.ca.gov/.*

[72] *City of Pleasanton, "City of Pleasanton General Plan 2005-2025, 8. Water Element," July 21, 2009, https://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=23911.*

[73] *Oakland Museum of California, "Creek and Watershed Map of the Pleasanton & Dublin Area," accessed January 5, 2020, http://explore.museumca.org/creeks/WholeMaps/4_Pleasanton%20Creek%20Map.pdf.*

[74] *Zone 7 Water Agency, "Reports & Planning Documents," accessed January 5, 2020, http://www.zone7water.com/library/reports-planning-documents.*

[75] *City of Pleasanton, "Water Quality," accessed January 5, 2020, http://www.cityofpleasantonca.gov/gov/depts/os/water_quality.asp.*

[76] *United States Environmental Protection Agency and San Francisco Bay Water Board, "Bay Area Urban Creeks – Diazinon and Pesticide-Related Toxicity," June 15, 2015.*

[77] *United States Environmental Protection Agency, "Cancellation of Certain Agricultural Uses of Diazinon," January, 2007, accessed January 5, 2020, https://archive.epa.gov/pesticides/reregistration/web/html/diazinon_cancellation_fs.html.*

Pleasanton is part of the Alameda Countywide Water Pollution Prevention Program (Countywide Program).[78] The Countywide Program is a collaboration between 17 member-agencies, which include the County of Alameda and various and cities in the County, as well as the Alameda County Water District. The Countywide Program holds a Municipal Regional Permit (MRP) that covers countywide stormwater discharges pursuant to the National Pollutant Discharge Elimination System (NPDES) program under the Clean Water Act (CWA). The MRP is part NPDES permit CAS612008, ORDER No. R2-2015-0049, and is administered by the San Francisco Regional Water Quality Control Board (SF Water Board). MRP implementation programs include pesticide, mercury, polychlorinated biphenyl, and copper controls; construction site control; water quality monitoring; and others. Construction site control measures include erosion control, run-on and run-off control, sediment control, active treatment systems, and non-stormwater management[79].

The City of Pleasanton's Public Works Division oversees NPDES compliance for public and private projects. The City's Storm Water Management and Discharge Control Ordinance requires applicants follow current California Stormwater Quality Association (CASQA) construction Best Management Practices (BMPs) to prevent debris and dirt from flowing into the City's storm sewer system.[80]

4.12.2 Discussion of Impacts

a) ***Less than Significant with Mitigation Incorporated.*** The proposed Project would not have any long-term impacts on water quality. The removal of sediment, rock, and vegetation in and adjacent to stream corridors and detention basins would temporarily affect water quality, however, impact would be minor give the small scale of the proposed Project and the short timescales of each proposed maintenance activity.

Other water quality impacts that could result from the proposed maintenance include potential erosion or spills. Maintenance activities would occur in the dry season, when the flows of streams and detention basins is at a minimum. Implementation of best management practices would further reduce the possibility of adverse effects on water quality. Thus, with the implementation of HYDRO-1, impacts would be less than significant with mitigation incorporated.

Mitigation Measure HYDRO-1:

The Contractor shall implement earthmoving best management practices as recommended by the Alameda County Clean Water Program to prevent erosion and siltation during maintenance activities. Compliance shall be verified by the City of Pleasanton through, at minimum, one site inspection during maintenance activities. These measures include, but are not necessarily limited to:

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[78] *Clean Water Program, "About the Clean Water Program," accessed January 5, 2020, https://www.cleanwaterprogram.org/about-us.html*

[79] *California Regional Water Quality Control Board - San Francisco Bay Region, "Municipal Regional Stormwater NPDES Permit, Order No. R2-2015-0049, NPDES Permit CAS612008," November 19, 2015, https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/stormwater/Municipal/R2-2015-0049.pdf.*

[80] *City of Pleasanton, "Pleasanton Municipal Code, Chapter 9.14 Stormwater Management and Discharge Control," accessed January 5, 2020, https://qcode.us/codes/pleasanton/.*

- Grading and excavation work shall occur during dry weather;
- All denuded areas shall be stabilized through installation of temporary erosion controls such as erosion control fabric or bonded fiber matrix. These controls shall be maintained until vegetation is established;
- Sediment shall be prevented from migrating off-site and storm drain inlets shall be protected by installing and maintenance appropriate BMPs such as fiber rolls, silt fences, sediment basins, gravel bags, berms, etc.
- Excavated soil shall be stored and transferred on-site to the extent feasible;
- Stockpiled landscaping materials shall be protected from wind and rain through storage under tarps; and
- Any erodible landscape material shall not be applied within two days prior to a forecasted rain event.

b) ***No Impact.*** The proposed Project would perform necessary routine maintenance activities on stream corridors and stormwater detention ponds. The proposed Project would not require introduction of new impervious surfaces in areas previously penetrable for groundwater recharge purposes. Furthermore, the proposed Project would not require any use of groundwater.

There may be a small, temporary increase in on-site water use during maintenance activities. This water would be provided by the Zone 7 Water Agency's existing water supply, which is sourced predominantly from the South Bay Aqueduct. The proposed Project would not likely require dewatering in the creek bed, as maintenance activities are scheduled to occur during the dry season. It is unlikely that any groundwater would be encountered during maintenance activities, as maintenance activity would occur in the footprint of existing stream corridors and detention ponds. Given the small size of the proposed Project, as well as the short duration of maintenance activity, the proposed Project would not interfere with groundwater recharge or management, and no impact would occur.

c-i) ***Less than Significant with Mitigation Incorporated.*** The proposed Project would conduct routine maintenance on detention ponds and stream corridors within the footprint of the City of Pleasanton's existing system. No new installation of impervious surfaces would occur.

Although the proposed Project would be beneficial in the long-term, excavation, grading, and vegetation removal could temporarily increase the rate of erosion during the as-needed maintenance period. The risk of causing additional erosion is relatively low given that maintenance activities would be carried out in the dry season, when rainfall is unlikely to occur and cause siltation, and each site would experience maintenance activity for only a brief amount of time. Nonetheless, construction best management practices as required by Mitigation Measure HYDRO-1 would further reduce the possibility of erosion and siltation within and downstream from maintenance sites. Thus, the proposed Project would not alter drainage patterns in a way which would result in substantial erosion or siltation on- or off-site, and impacts would be less than significant with mitigation incorporated.

Mitigation Measure HYDRO-1:

Please see above.

c-ii) ***No Impact.*** The proposed Project would not create new sources of surface runoff or introduce impervious surfaces which would alter the rate of surface runoff. Stream and detention pond maintenance would generally be confined to the footprint of the existing system, and no new impervious surface would be needed. The routine maintenance would enhance the water conveyance system's ability to continue to convey flood flows adequately. As such, adjacent properties would not experience increased flood risk. As the proposed Project would improve flood conveyance by maintaining existing storm water infrastructure, the proposed Project would not substantially increase the rate or amount of surface runoff in a manner which would result in on- or off-site flooding, therefore no impact would occur.

c-iii) ***No Impact.*** The proposed Project would improve stormwater conveyance in the proposed Project vicinity by providing routine maintenance to stream corridors and detention ponds throughout the City of Pleasanton, helping the system continue to function properly. The proposed Project would not create any new sources of runoff water or polluted runoff, as it would not expand the system's footprint, replace pervious surfaces with impervious materials, nor create new sources of pollution. Thus, no impact would occur.

d) ***Less than Significant with Mitigation Incorporated***. The proposed Project includes two maintenance sites located within a 100-year floodplain, and many sites within the Del Valle Reservoir dam inundation zone**.** None of the proposed sites are within a tsunami inundation zone. Maintenance activities would occur during the dry season when risk of flooding and dam inundation are at a minimum. Given this, and with the implementation of mitigation measure HYDRO-1, risk of release of pollutants due to flood hazards would be less than significant with mitigation incorporated.

4.13 Land Use and Planning

LAND USE AND PLANNING – Would the proposed Project:	***Potentially Significant Impact***	***Less than Significant with Mitigation Incorporated***	***Less than Significant Impact***	***No Impact***	***Source***
a) Physically divide an established community?	☐	☐	☐	☒	
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐	81,82

4.13.1 Environmental Setting

The Project Area is located in the City of Pleasanton in Alameda County, California. The locations of the proposed maintenance sites are shown in Figure 1. The locations of the stream maintenance areas also have residential and open space land use designations per the City's General Plan[81], as shown in figure. The residential land use designations range from rural to medium density and allow for the development of single-family homes and other compatible uses identified in the City's Zoning Ordinance.[82] Accordingly, many of the sites where stream maintenance would be conducted are residential, with single-family homes adjacent.

There are no Habitat Conservation Plans (HCPs) or Natural Community Conservation Plans (NCCPs) applicable to the Project. The following provisions of the City's General Plan and Zoning Ordinance are designed to avoid or mitigate environmental impacts and are relevant to the Project:

City of Pleasanton General Plan Goals, Policies, and Programs

LAND USE ELEMENT

Goal 2: Achieve and maintain a complete well-rounded community of desirable neighborhoods, a strong employment base, and a variety of community facilities.

Policy 4: Allow development consistent with the General Plan land Use Map.

> *Program 4.1: Ensure consistency between the General Plan Land Use Map and the zoning designation for all properties within the City's sphere of influence.*

Policy 8: Preserve and enhance the character of existing residential neighborhoods.

[81] *City of Pleasanton, "Pleasanton General Plan Land Use Map 2005-2025," January 4, 2012, https://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=23897.*

[82] *City of Pleasanton, "Pleasanton Municipal Code, Title 18 Zoning," accessed January 6, 2020.*

Program 8.1: Enforce the provisions of the City's Zoning Ordinance and related planning ordinances to maintain the character of existing residential neighborhoods.

Policy 10: Provide flexibility in residential development standards and housing type consistent with the desired community character.

Program 10.1: Use planned unit development (PUD) zoning for residential properties that have unique characteristics or to accommodate development that does not fit under standard zoning classifications.

Policy 19: Preserve designated open space areas for the protection of public health and safety, the provision of recreational opportunities, agriculture and grazing, the production of natural resources, the preservation of wildlands, water management and recreation, and the physical separation of Pleasanton from neighboring communities.

Program 19.1: Preserve open space by way of fee purchase, developer dedications, conservation and scenic easements, transfer of development rights, Williamson Act contracts, open-space zoning categories, and other means which may become available.

Policy 21: Preserve scenic hillside and ridge views of the Pleasanton, Main, and Southeast Hills ridges (Measure QQ, Nov. 2008).

Program 21.1: Continue to implement the land-use and development standards of the Pleasanton Ridgelands Initiative of 1993 (Measure F).

WATER ELEMENT

Goal 1: Preserve and protect water resources and supply for long-term sustainability.

Policy 1: To ensure sustainability, promote the conservation of water resources.

Program 1.4: Work with Zone 7 Water Agency to investigate innovative and more efficient ways to recharge aquifers and other groundwater resources.

Goal 2: Provide healthy water courses, riparian functions, and wetlands for humans, wildlife, and plants.

Policy 2: Preserve and enhance streambeds and channels in a natural state.

Program 2.1: Develop and implement ordinances and policies that provide for the preservation and restoration of riparian functions, and establish mitigation requirements for modifications to riparian corridors.

Program 2.2: Develop policies and standards in cooperation with Zone 7 that include restoring riparian corridors when flood- and erosion-control activities require channelization.

Program 2.4: Design projects adjacent to the arroyos to protect habitat areas.

Program 2.5: Work with Zone 7 Water Agency Management Master Plan to restore arroyos consistent with its Stream Management Master Plan.

Goal 3 Ensure a high level of water quality and quantity at a reasonable cost, and improve water quality through production and conservation practices which do not negatively impact the environment.

Policy 3: Protect the quality and quantity of surface water and groundwater resources in the Planning Area.

Program 3.11: Support Zone 7 in implementing its Stream Management Master Plan so as to protect and enhance the water quality of streams and groundwater.

Goal 6: Minimize stormwater runoff and provide adequate stormwater facilities to protect property from flooding.

Policy 8: Ensure an adequate storm drainage system to serve existing and future development.

Program 8.2: Design local storm drainage improvements to carry appropriate design-year flows resulting from buildout of the General Plan.

Policy 11: Implement stormwater runoff requirements, as required by the State Regional Water Quality Control Board and the Alameda County-wide Clean Water Program, with as little impact on development and business costs as possible.

Program 11.7: Review the City's erosion and sedimentation prevention program to ensure that erosion prevention controls and enforcement are being implemented. Create an ordinance, if necessary, to accomplish these requirements.

OPEN SPACE ELEMENT

Goal 2: Preserve and enhance the natural resources of the Planning Area, including plant and wildlife habitats, heritage trees, scenic resources, and watercourses.

Policy 1: Preserve and enhance natural wildlife habitats and wildlife corridors

Program 1.4: Develop and implement ordinances and policies that provide for the preservation of wildlife corridors and riparian vegetation, and establish mitigation requirements which minimize the barriers across wildlife corridors that roadways and developments can create.

Goal 4: Designate, preserve, and protect the archaeological and historic resources within the Pleasanton Planning Area.

Policy 5: Preserve and rehabilitate those cultural and historic resources which are significant to Pleasanton because of their age, appearance, or history.

Program 5.2: Follow the recommendations contained within archaeological and historical architecture studies regarding rehabilitation or preservation of archaeologically or historically significant structures and sites.

Program 5.3: Continue to include a standard condition of project approval to require the cessation of all construction and grading activities within the vicinity of any discovered prehistoric or historic artifacts, or other indications of cultural resources, until any such find

is evaluated by a qualified professional archaeologist, and appropriate mitigation is approved by the City.

4.13.2 Discussion of Impacts

a) ***No Impact.*** The proposed Project maintenance sites are in areas designated as residential and open space in the City of Pleasanton. Although the proposed Project would occur in existing residential communities, it would not create any new barriers to movement within the City. Through various maintenance activities, existing stream corridors and detention basins would be maintained or restored. No new structures would be erected and no road closures would be required. As the proposed Project would not introduce any barriers to movement within adjacent residential communities, the proposed Project would not divide an existing community, and no impact would occur.

b) ***Less than significant Impact.*** When assessing a Project's impacts related to consistency with land use policies and plans, general consistency with the intent and spirit of such plans should be considered. Inconsistency with a single policy does not itself present a significant impact if the proposed Project would be generally consistent with applicable land use policies and regulations. The proposed Project is consistent with the Pleasanton General Plan, and supports Plan policies of maintaining stormwater infrastructure. As there are no major conflicts with the City's General Plan and the proposed Project would support some of the Plan's objectives and policies adopted for the purposes of avoiding an environmental impact, a less than significant impact would occur.

4.14 Mineral Resources

MINERAL RESOURCES — Would the proposed Project:	***Potentially Significant Impact***	***Less than Significant with Mitigation Incorporated***	***Less than Significant Impact***	***No Impact***	***Source***
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒	83,84
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒	83,84

4.14.1 Environmental Setting

The proposed maintenance sites are largely within residential or built-out areas in the City of Pleasanton. There are no known mineral resources on or near the Project as documented in the California Department of Conservation's Mines Online database[83], nor are any of the proposed maintenance sites located within any resource recovery sites listed in or protected by the City of Pleasanton General Plan.[84] The closest proposed maintenance sites to the City's Aggregate Resource Area of Regional Significance are sites P-07 and P-08, Vineyard West and Vineyard East Detention Ponds, respectively, each located adjacent to the Resource Area Boundary and to the southwest of Shadow Cliffs.

4.14.2 Discussion of Impacts

a, b) ***No Impact.*** There are no known mineral resource recovery sites within or near the Project Area, as documented by the State of California and the City of Pleasanton. As there are no important mineral resources in the Project Area, the proposed Project would not result in a loss of an available mineral resource recovery site of local or statewide importance, and no impact would occur.

[83] *California Department of Conservation, "Mines Online," 2016, https://maps.conservation.ca.gov/mol/index.html.*

[84] *City of Pleasanton, "Pleasanton General Plan 2005-2025, 7. Conservation and Open Space Element," July 21, 2009, https://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=23910.*

4.15 Noise

NOISE — Would the proposed Project result in:	***Potentially Significant Impact***	***Less than Significant with Mitigation Incorporated***	***Less than Significant Impact***	***No Impact***	***Source***
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the proposed Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐	86,87, 88
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐	88
c) For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport of public use airport, would the proposed Project expose people residing or working in the proposed Project Site to excessive noise levels?	☐	☐	☒	☐	89,90, 91,92

4.15.1 Environmental Setting

Basics of Noise

Sound is described in terms of loudness and pitch. The standard unit for measuring loudness is the decibel (dB), which is quantified on a logarithmic scale. The human ear is not equally sensitive to a given sound level at all pitches. A special pitch-dependent rating scale has been devised to relate noise to human sensitivity. The A-weighted decibel scale (dBA) provides this compensation by approximating the sensitivity of the human ear.

Noise is typically defined as unwanted sound. A typical noise environment consists of a base of steady background noise from many distant and indistinguishable noise sources. Superimposed on this background noise is sound from individual local sources, which may be intermittent or continuous. Several rating scales have been developed to analyze the adverse effect of noise on people. Since environmental noise fluctuates over time, these scales consider that the effect of noise upon people is dependent on the energy of noise itself as well as time of day. Noise scales that are applicable to this analysis are as follows:

- L_{eq} – An L_{eq}, or equivalent energy noise level, is the average acoustic energy content of noise for a stated period of time. The L_{eq} of a time-varying noise and that of a steady noise

are the same if they deliver the same acoustic energy to the ear during exposure. For evaluating community impacts, this rating scale does not vary, regardless of whether the noise occurs during the day or the night.

- CNEL – The Community Noise Equivalent Level is a 24-hour average L_{eq} with a 5 dBA "weighting" during the hours of 7:00 P.M. to 10:00 P.M. and a 10 dBA "weighting" added to noise during the hours of 10:00 P.M. to 7:00 A.M. to account for noise sensitivity in the evening and nighttime, respectively. The logarithmic effect of these additions is that a 60 dBA 24 hour L_{eq} would result in a measurement of 66.7 dBA CNEL.

For residential uses, environmental noise levels are generally considered low when the CNEL is below 60 dBA, moderate in the 60–70 dBA range, and high above 70 dBA.[85] Noise levels greater than 85 dBA can cause temporary or permanent hearing loss. Examples of low daytime levels are isolated, natural settings with noise levels as low as 20 dBA and quiet suburban residential streets with noise levels around 40 dBA. Noise levels above 45 dBA at night can disrupt sleep. Examples of moderate level noise environments are urban residential or semi-commercial areas (typically 55–60 dBA) and commercial locations (typically 60 dBA). People may consider louder environments adverse, but most will accept the higher levels associated with noisier urban residential or residential-commercial areas (60–75 dBA) or dense urban or industrial areas (65–80 dBA).

It is widely accepted that in the community noise environment the average healthy ear can barely perceive CNEL noise level changes of 3 dBA. CNEL changes from 3 to 5 dBA may be noticed by some individuals who are extremely sensitive to changes in noise. A 5 dBA CNEL increase is readily noticeable, while the human ear perceives a 10 dBA CNEL increase as a doubling of sound.

Noise levels from a particular source generally decline as distance to the receptor increases. Other factors, such as the weather and reflecting or barriers, also help intensify or reduce the noise level at any given location. A commonly used rule of thumb for roadway noise is that for every doubling of distance from the source, the noise level is reduced by about 3 dBA at acoustically "hard" locations (i.e., the area between the noise source and the receptor is nearly complete asphalt, concrete, hard-packed soil, or other solid materials) and 4.5 dBA at acoustically "soft" locations (i.e., the area between the source and receptor is normal earth or has vegetation, including grass). Noise from stationary or point sources is reduced by about 6 to 7.5 dBA for every doubling of distance at acoustically hard and soft locations, respectively. Noise levels are also generally reduced by 1 dBA for each 1,000 feet of distance due to air absorption. Noise levels may also be reduced by intervening structures – generally, a single row of buildings between the receptor and the noise source reduces the noise level by about 5 dBA, while a solid wall or berm reduces noise levels by 5 to 10 dBA. The normal noise attenuation within residential structures with open windows is about 17 dBA, while the noise attenuation with closed windows is about 25 dBA.[86]

[85] *Office of Planning and Research, State of California General Plan Guidelines, October 2003 (in coordination with the California Department of Health Services).*

[86] *National Cooperative Highway Research Program Report 117, Highway Noise: A Design Guide for Highway Engineers, 1971.*

Noise Environment

Pleasanton exhibits moderate levels of noise, most of which is related to vehicular traffic. According to the City's General Plan, primary sources of noise include vehicular traffic on major roadways (Interstates 580 and 680) and vehicle-generated noise along Stanley Boulevard, First Street, Stoneridge Drive, Hopyard Road, Santa Rita Road, West Las Positas Boulevard, Foothill Road, Vineyard Avenue, and Valley Avenue. Based on noise measurements taken in 2007, noise levels in the City ranged from 53 to 70 dBA, and averages were slightly greater than 65 dBA. The City's noise ordinance limits construction noise to 86 dBA for any location outside a Project Area's plane.[87]

4.15.2 Discussion of Impacts

a) ***Less than Significant.*** In the long term, the proposed Project would not generate any noise. Storm drain and detention pond maintenance would improve stormwater conveyance and would not introduce any new noise-generating land uses. During maintenance activities, the proposed Project would require the use of motorized equipment such as an excavator, dump truck, backhoe, and tracked Bobcat. Use of this equipment would occur on weekdays between 8 a.m. and 5 p.m. in accordance with City Ordinance[28] and to minimize impacts to local residents. The City of Pleasanton Noise Regulations[29] allow up to 83 dBA of noise from each individual piece of maintenance equipment, measured from 25 feet away from the source, and up to 86 dBA of noise for any location outside the Project Area plane. According to the Federal Highway Administration, dump trucks, excavators, and backhoes each generate a maximum noise level of approximately 85 dBA as measured 50 feet away.[88] Individual pieces of maintenance equipment and the use of multiple pieces of equipment simultaneously could temporarily generate noise in excess of the Noise Ordinance standard of 83 dBA. To minimize maintenance-related noise, the proposed Project would comply with California Vehicle Code Section 21750, which requires use of proper muffling equipment. Additionally, maintenance activities would not start until 8A.M. and end by 8 P.M., per the City's Noise Ordinance. With implementation of these requirements, the proposed Project would not result in a substantial temporary or permanent increase in ambient noise in excess of established standards, and impacts would be less than significant.

Maintenance Noise BMPs

a) The Contractor shall implement the following noise Best Management Practices throughout the duration of maintenance activities:

- Maintenance activity hours shall be clearly posted on a sign at the entrance to the maintenance site;
- Residences adjacent to the maintenance site shall be notified of construction in writing 72 hours prior to the start of maintenance activities;

[87] *City of Pleasanton, "Pleasanton Municipal Code, Chapter 9.04.100 – Construction," accessed July 23, 2019, http://www.nonoise.org/lawlib/cities/ordinances/Pleasanton,%20California.pdf.*

[88] *Federal Highway Administration, "Construction Equipment Noise Levels and Ranges," in Construction Noise Handbook, 2017, https://www.fhwa.dot.gov/Environment/noise/construction_noise/handbook/handbook09.cfm.*

- All equipment used on-site shall be muffled and maintained in good working condition. All internal combustion engine-drive equipment shall be fitted with mufflers in good condition;

- Unnecessary idling of internal combustion engines shall be prohibited and all equipment shall be turned off when not in use.

b) ***Less than Significant Impact.*** The proposed storm drain and detention pond maintenance would not produce any ground-borne noise or vibration in the long-term. Maintenance activities would be limited to weekday, daytime hours, resulting in minimal disturbance to nearby residents. As the proposed Project would not generate ground-borne noise or vibration in the long-term and would do so in limited quantities in the short-term, a less than significant impact would occur.

c) ***Less than Significant Impact.*** The nearest airports to the Project are Livermore Municipal Airport and Hayward Executive Airport. Livermore Municipal Airport has two runways and operates as a Division of the City of Livermore's Public Works Department. The airport and is considered a general aviation reliever airport, meaning the airport can be used to relieve congestion at Commercial Service airports.[89] Livermore Municipal Airport's nearest runway is approximately 1.3 miles southeast of the nearest proposed maintenance site, P-01, and approximately 2.0 miles from sites P-07 and P-08. Proposed maintenance sites P-01 and C-01 are within Livermore Municipal Airport's area of influence, and P-01 is on the edge of the extent of the airport's 55 CNEL noise contour.[90] Hayward Executive Airport is a municipal airport that also functions as a reliever airport.[91] The airport has two runways that support both small airplanes and large corporate jets. Hayward Executive Airport's nearest runway is approximately 9.3 miles southwest of the nearest proposed maintenance site, C-14. All proposed maintenance sites are outside Hayward Executive Airport's influence area.[92]

[89] *City of Livermore, "Livermore Airport," Accessed December 2019, http://www.cityoflivermore.net/citygov/pw/public_works_divisions/airport/.*

[90] *Environmental Science Associates, "Livermore Municipal Airport, Airport Land Use Compatibility Plan." August 2012.*

[91] *Coffman Associates, Inc., "Hayward Executive Airport, Airport Master Plan." April 2002.*

[92] *Environmental Science Associates, "Hayward Executive Airport, Airport Land Use Compatibility Plan." September 2010.*

4.16 Population and Housing

POPULATION AND HOUSING — Would the proposed Project:	***Potentially Significant Impact***	***Less than Significant with Mitigation Incorporated***	***Less than Significant Impact***	***No Impact***	***Source***
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒	93,94,95, 96
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	93,94,95, 96

4.16.1 Environmental Setting

The locations where stream maintenance actions would occur are generally located in residential areas in Pleasanton. As of 2018, Pleasanton had a population of approximately people 82,000.[93] Housing stock and population in Pleasanton have changed since the last recession ended in 2012, during which time there were about 72,000 residents and 27,118 housing units[94,95]. On average, the City has seen the construction of an average of 320 net new units annually since 2012[96]. As of 2018, there were 29,043 housing units in Pleasanton, 73% of which were owner-occupied.

4.16.2 Discussion of Impacts

a) ***No Impact.*** The proposed Project would not affect population growth as no new jobs, businesses, homes, or other growth-inducing elements are proposed. Most of the Project Area is situated in built-out residential neighborhoods with little opportunity for further development or population growth. A few temporary jobs would be created during

[93] *State of California, Department of Finance, "2018 American Community Survey-Total Population and Median Age." Accessed December 10, 2019, http://www.dof.ca.gov/Reports/Demographic_Reports/American_Community_Survey/#ACS2018x1.*

[94] *State of California, Department of Finance, "2012 American Community Survey-Total Population and Median Age," Accessed December 10, 2019, http://www.dof.ca.gov/Reports/Demographic_Reports/American_Community_Survey/#ACS2012x1*

[95] *State of California, Department of Finance, "2012 American Community Survey- Housing Characteristics Occupancy, Cost, Tenure, Units by Type," Accessed December 10, 2019, http://www.dof.ca.gov/Reports/Demographic_Reports/American_Community_Survey/#ACS2012x1*

[96] *State of California, Department of Finance, "2018 American Community Survey-Housing Characteristics Occupancy, Cost, Tenure, Units by Type". Accessed December 10, 2019, http://www.dof.ca.gov/Reports/Demographic_Reports/American_Community_Survey/#ACS2018x1.*

maintenance activities but would likely be filled by contractors already local to the area. The proposed Project would maintain existing stormwater infrastructure life and would not expand capacity of the stormwater system. As no permanent jobs, housing, or other population growth-inducing elements are proposed and any temporary maintenance jobs would likely be filled locally, the proposed Project would not induce substantial population growth, and therefore would result in no impact.

b) ***No Impact***. The Project would not displace any housing or people. Project elements include storm drain and detention pond maintenance, some of which would occur within residential areas. Adjacent housing would not be affected by the proposed Project. Further, the proposed Project does not contain any growth-inducing elements such as construction of new homes, roads, or employment centers, or expansion of facilities or services which could subsequently facilitate population growth. The proposed Project would therefore not induce any population growth which may result in displacement of existing people or housing. As the proposed Project would not displace any people or housing, there would be no impact.

4.17 Public Services

PUBLIC SERVICES — Would the proposed Project:					
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:	***Potentially Significant Impact***	***Less than Significant with Mitigation Incorporated***	***Less than Significant Impact***	***No Impact***	***Source***
i) Fire protection?	☐	☐	☐	☒	51
ii) Police protection?	☐	☐	☐	☒	51,99
iii) Schools?	☐	☐	☐	☒	100
iv) Parks?	☐	☐	☐	☒	51,101
v) Other public facilities?	☐	☐	☐	☒	

4.17.1 Environmental Setting

Fire

Fire services within Pleasanton city limits are provided by the Livermore-Pleasanton Fire Department (LFPD). The LPFD has ten fire prevention vehicles of different types to serve different needs, including forest fires. The Department also has an established goal of responding within five minutes of call receipt, 90 percent of the time.

In addition to Safety Operations, the department also has Fire Prevention, Safety Education, and Disaster Preparedness divisions[97]. In total, the LFPD maintains 10 stations and one training center, five of which are within the City of Pleasanton, including the department's headquarters. Each City is responsible for the maintenance of its own buildings, light-duty vehicles, and fire apparatus. Together, the stations within Pleasanton field a daily on-duty force of 18 personnel.51

The station closest to the majority of proposed maintenance sites is Station #4, located at 1600 Oak Vista Parkway in Pleasanton, California.

[97] *City of Livermore, "Livermore-Pleasanton Fire Department," accessed December 10, 2019, http://www.cityoflivermore.net/citygov/fire/*

The California Department of Forestry and Fire Protection (Cal Fire) Sunol Forest Fire Station is located southwest of Pleasanton city limits by the intersection of I-84 and I-680. This Cal Fire Station provides fire services to the Pleasanton Ridge, Southeast Hills, and pockets of unincorporated land adjacent to Pleasanton city limits.[98] Proposed maintenance site P-06 at Oak Tree Farms Detention Pond is in the area serviced by this Cal Fire Station, and would require over five minutes of travel time from this station should fire services be needed.

Police

Police services for the proposed Project are provided by the Pleasanton Police Department. As of 2018 the Department included 55 sworn officers.[99] The Department's headquarters is located at 4833 Bernal Avenue in Pleasanton. According to the Pleasanton General Plan, Pleasanton experiences crime rates lower than similarly sized cities.

Schools

The proposed Project is within the jurisdiction of the Pleasanton Unified School District. All proposed maintenance sites are within areas serviced by this District's nine elementary schools, three middle schools, and three high schools.[100]

Parks

The City of Pleasanton has 44 community and neighborhood parks. The City's 371 acres of parkland provides over five acres of neighborhood and community parks per 1,000 population,[101] exceeding the goals established in the Pleasanton General Plan. Additionally, the City manages 600 acres of undeveloped open space.

4.17.2 Discussion of Impacts

ai-v) ***No Impact.*** The proposed Project would not involve the construction of any additional housing, infrastructure, or employment centers that may induce population growth. There would therefore not be any permanent increase in demand by the general public for fire protection, police protection, schools, parks, or other public facilities. There could be a temporary, minimal increase in demand for fire or police services to accommodate maintenance activities. Any such increase would be limited to the six-month maintenance activities period and would be insufficient in scope and duration to necessitate new facilities. As no fire or police protection, school, park, or other public facilities are proposed and no increase in the need for such facilities would occur, there would be no impact.

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[98] Alameda County Fire Department, "Fire Stations/ Facilities, ACFD Station 14", accessed December 12, 2019. https://www.acgov.org/fire/about/station14.htm

[99] City of Pleasanton, "Pleasanton Police Department Annual Report 2018," accessed December 12, 2019. https://www.cityofpleasantonca.gov/gov/depts/police/annualreports.asp

[100] Pleasanton Unified School District, "School Locator," accessed December 12, 2019. http://apps.schoolsitelocator.com/index.html?districtCode=17274.

[101] City of Pleasanton, "Parks and Recreation Master Plan," June 3, 2014. http://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=24609

4.18 Recreation

RECREATION — Would the proposed Project:	***Potentially Significant Impact***	***Less than Significant with Mitigation Incorporated***	***Less than Significant Impact***	***No Impact***	***Source***
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒	
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒	

4.18.1 Environmental Setting

The City of Pleasanton manages 44 parks and 371 acres of open space. Four of the proposed maintenance sites are located within Pleasanton parks, and eight parks are adjacent to proposed sites. All proposed maintenance sites are within 0.5 miles of a park or recreation facility with the exception of C-14, P-08, and C-16.

4.18.2 Discussion of Impacts

a) ***No Impact.*** The proposed Project would not involve the construction or expansion of any additional housing, infrastructure, or businesses that would induce population growth and increase demand for recreational facilities in the City of Pleasanton, therefore the project results in no impact.

b) ***No Impact.*** The proposed Project would not include construction of any recreational facilities that might have an adverse physical effect on the environment.

4.19 Transportation

TRANSPORTATION — Would the proposed Project:	***Potentially Significant Impact***	***Less than Significant with Mitigation Incorporated***	***Less than Significant Impact***	***No Impact***	***Source***
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☒	☐	☐	102,103
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐	
c) Substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐	
d) Result in inadequate emergency access?	☐	☒	☐	☐	102, 105

4.19.1 Environmental Setting

The City of Pleasanton is served by an extensive road network which includes freeways, arterials, collectors, and local streets. Most City streets feature at least 11-foot-wide travel lanes, curbs, gutters, and sidewalks.[102] The City generally prohibits on-street parking on arterial streets, but allows parking on local and collector streets when sufficient right-of-way exists. The proposed project would limit the staging of maintenance equipment to local and collector roads in accordance with these City regulations and to reduce the impact of staging on local traffic.

Regional public transit facilities located within the City of Pleasanton include Bay Area Rapid Transit (BART), the Altamont Commuter Express (ACE) Train, and BART express bus service. Local transit facilities within the City include the Livermore Amador Valley Transit Authority (LAVTA), which provides public bus service to the Tri-Valley communities of Pleasanton, Dublin, and Livermore. None of the maintenance proposed by the Project is expected to interfere with these regional and local transportation systems.

The City of Pleasanton has developed a Pedestrian and Bicycle Master Plan (PBMP)[103] that builds upon the City's General Plan blueprint for a system of bikeways in Pleasanton. The PBMP plan seeks to improve pedestrian and bicyclist safety, create a continuous trail network, promote

[102] *City of Pleasanton, "The Pleasanton General Plan 2005-2025, 3. Circulation Element," 2005. https://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=23898.*

[103] *City of Pleasanton, "Pedestrian and Bicycle Master Plan," 2018. http://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=32630.*

alternatives to driving, and educate residents about the walking and bicycling opportunities within the City. Many of the Project's proposed maintenance sites would overlap with or run adjacent to these shared use paths, trails, and bicycle lanes. Appropriate signage would be used as appropriate to indicate path, trail, and bicycle lane closures while maintenance is conducted.
Discussion of Impacts

a,d) ***Less than Significant with Mitigation Incorporated.*** The primary plans and ordinances addressing the circulation system in the City of Pleasanton are the General Plan Circulation Element, the Pedestrian and Bicycle Master Plan (PBMP), Title 11 of the City's Municipal Code,[104] and the Neighborhood Traffic Calming Program (NTCP).[105] Relevant policies from the Circulation Element include requirements to facilitate the free flow of vehicular traffic on major arterials, such as by discouraging additional on-street parking on arterials (Policy 3, Program 3.5) and restrictions on parking near intersections to ensure visibility and traffic safety (Policy 8, Program 8.5). The PBMP includes policies that promote low traffic stress on facilities for bicyclists (Policy 2-1). The City's Municipal Code Title 11 requires vehicles to be parked at least 15 feet away from fire hydrants and to avoid parking in bicycle lanes (chapter 11.36). The NTCP includes policies that dictate the need to maintain access across the city for emergency vehicles (Policy 2).

Mitigation Measure HAZ-1 (see Section 4.9) requires preparation of a parking plan and coordination with emergency service providers during maintenance activities, which would facilitate consistency with the policies of the General Plan, PBMP, NTCP, and Municipal Code. No long-term impacts to transportation policies or emergency access would occur as the proposed Project would not physically alter roadways or increase their usage. The proposed Project would not conflict with a plan, policy, or program addressing the circulation system or result in inadequate emergency access. As such, no long-term impact would occur and short-term impacts would be mitigated to less than significant levels, therefore overall impact would be less than significant with mitigation incorporated.

b) ***Less than Significant Impact.*** CEQA Guidelines Section 15064.3(b) provides considerations for a lead agency evaluating a project's transportation impacts, dictating that vehicle miles traveled (VMT) are generally the most appropriate measure of transportation impacts and that a qualitative analysis of maintenance VMT is often most appropriate. Section 15064.3(b) further stipulates that a Project's effects on automobile delay do not constitute significant environmental impacts.

The proposed Project would have no long-term effects on VMT. The proposed Project would not create any new roads or introduce any new facilities which might induce additional driving, such as recreational, retail, or residential facilities. Furthermore, the proposed Project would not have any impact on existing roadways or transit facilities. As such, no permanent change in VMT would result.

[104] *The City of Pleasanton, "Pleasanton Municipal Code, Title 11 Vehicles and Traffic," https://qcode.us/codes/pleasanton/.*

[105] *The City of Pleasanton, "Neighborhood Traffic Calming Program," May 2012, https://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=23868.*

During maintenance activities, the proposed Project would result in the hauling of materials, worker transportation, and movement of equipment to and from maintenance sites, which would temporarily increase VMT.

Soils being exported for disposal would travel approximately three to five miles from the maintenance sites to the City's Laguna Creek soil disposal site, located in the southwestern portion of Pleasanton. Maintenance equipment would be staged on paved surfaces near maintenance sites. Excess VMT associated with movement of equipment and materials would be temporary and would terminate upon completion of maintenance activities. Given the temporary, minimal nature of maintenance-related VMT and the lack of permanent increase in VMT, the proposed Project would not conflict with CEQA Guidelines Section 15064.3(b), and a less than significant impact would occur.

c) ***Less than Significant Impact.*** The proposed Project would not involve any physical modifications to roadways which would introduce design hazards. Furthermore, the proposed Project would not facilitate any population growth or changes in land use which would introduce incompatible uses. During maintenance activities, heavy equipment would be transported to and from the maintenance sites using area roadways. This would be temporary and would be carried out by an experienced contractor, minimizing the likelihood of hazards from incompatible uses. As such, the proposed Project would not increase hazards due to a design feature or incompatible uses, and a less than significant impact would occur.

4.20 Tribal Cultural Resources

TRIBAL CULTURAL RESOURCES — Would the proposed Project:	***Potentially Significant Impact***	***Less than Significant with Mitigation Incorporated***	***Less than Significant Impact***	***No Impact***	***Source***
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	☐	☒	☐	☐	
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐	

This section examines the potential impacts of the proposed project on tribal cultural resources. Much of the background context and methods used for the analysis of potential impacts from the proposed project on tribal cultural resources and cultural resources are the same.

For the purposes of this analysis, the term *tribal cultural resource* is defined as follows:

> Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are listed, or determined to

be eligible for listing, in the National Register of Historic Places (National Register), California Register of Historical Resources (California Register), or a local register of historical resources.

The term indigenous, rather than prehistoric, is used in this section as a synonym for "Native American–related". This section relies on the information and findings presented in *Historic Property Survey Report/Finding of Effect: Twenty Stream Maintenance Projects, City of Pleasanton, Alameda County, California* (Basin Research Associates [Basin] 2020). That report, provided in Appendix C, details the results of the cultural resources study, which examined the environmental, ethnographic, and historic background of the Project Area, emphasizing aspects of human occupation.

4.20.1 Environmental Setting

Records Search

At the request of Basin, on August 29 and December 4, 2019, staff of the Northwest Information Center (NWIC), Sonoma State University, conducted records searches for the Project Area and areas within 0.25 mile thereof. The NWIC maintains the California Historical Resources Information System (CHRIS) records relevant to the Project Area and vicinity. The NWIC has record of one previously recorded indigenous archaeological resource (P-01-000063) within the Project Area, and one indigenous archaeological resource (P-01-010610) immediately adjacent to the Project Area.

P-01-000063 is an indigenous archaeological site with reported human burials, midden, fire-affected rock, groundstone artifacts, shell, and flaked-stone artifacts. The resource was mapped by CHRIS as within the eastern portion of the C-14 (Dublin Canyon) portion of the Project Area; it does not appear that the resource has been previously evaluated for eligibility for listing in the California Register of Historical Resources (California Register), and previous cultural resources reports document that the resource was previously destroyed by housing developments.

P-01-010610 is an extensive indigenous archaeological site with more than 400 human burials, thousands of artifacts and abundant diagnostic artifacts dating it to between 3,500 and 150 years before present. The resource was previously mapped as approximately 30 feet south of the C-10 (Junipero Canal) portion of the Project Area. P-01-010610 was previously evaluated as California Register-eligible and subsequently subject to extensive data recovery efforts as part of a housing development project that destroyed the site.

Native American Correspondence

On August 6 and December 23, 2019, Basin contacted the California Native American Heritage Commission (NAHC), requesting a search of the NAHC's Sacred Lands File (SLF) and a list of Native American representatives who may be interested in the proposed project. The NAHC replied on August 16 and December 27, 2019, stating that the SLF has no record of sacred sites in the Project Area. The reply also included a list of Native American representatives to contact regarding the proposed project.

In August and December 2019, Basin sent letters with proposed project information to the Native American contacts identified in the NAHC's replies; letters were sent to the following groups: Amah Mutsun Tribal Band of Mission San Juan Bautista; Indian Canyon Mutsun Band of Costanoan; Muwekma Ohlone Indian Tribe of the San Francisco Bay Area; North Valley Yokuts Tribe; The Confederated Villages of Lisjan; The Ohlone Indian Tribe; and, the Costanoan Rumsen Carmel Tribe.

Responses were received from two Native Americans representatives. The first was received on August 28, 2019 from Michelle Zimmer, of the Amah Mutsun Tribal Band of Mission San Juan Bautista. Christopher Canzonieri, of Basin, and Ms. Irene Zwierlein, of the Amah Mutsun Tribal Band of Mission San Juan Bautista, had a subsequent phone call, during which Ms. Zwierlein recommended that maintenance crews receive cultural sensitivity training in areas that may yield potential indigenous archaeological material and that archaeologists on the proposed project have experience in Northern and Central California archaeology. The second response was received on September 29, 2019 via email from Katherine Erolinda Perez, Chairperson of the North Valley Yokuts Tribe, who emailed Basin a series of recommended mitigation measures, which included avoiding potential tribal cultural resources, workers awareness training for tribal cultural resources, and maintenance activity monitoring, and protocol for inadvertent discovery of cultural resources and tribal cultural resources.

Note, no California Native American tribes previously requested notification regarding City projects for potential consultation under California Public Resources Code (PRC) § 21080.3 (i.e., Assembly Bill [AB] 52). Therefore, no formal consultation pursuant to PRC § 21080.3 (see AB 52), was required for the proposed project.

Appendix D presents documentation of correspondence with Native American representatives regarding the proposed project to date.

Field Survey

In August and December 2019, and February 2020, Basin conducted a cultural resources pedestrian survey of the Project Area, covering all portions of the Project Area. Intensive pedestrian survey methods were used, consisting of walking parallel transects spaced no more than approximately 5 meters apart and inspecting the surface for cultural material or evidence thereof. During the pedestrian survey, no archaeological resources were identified in the Project Area.

Summary of Tribal Cultural Resources Identification Efforts

Through background research conducted for the proposed project, one previously recorded indigenous archaeological resource (P-01-000063) was identified in the Project Area, and one indigenous archaeological resource (P-01-010610) was identified immediately adjacent to the Project Area. P-01-000063 was previously mapped as within the eastern portion of the C-14 (Dublin Canyon) portion of the Project Area and the resource does not appear to have been previously evaluated for California Register-eligibility. Previous cultural resources reports document that the resource was previously

destroyed by housing developments. P-01-010610 is an extensive indigenous archaeological site with more than 400 human burials and thousands of artifacts. The resource was previously mapped as approximately 30 feet south of the C-10 (Junipero Canal) portion of the Project Area. P-01-010610 was previously evaluated as California Register-eligible and subsequently subject to extensive data recovery efforts as part of a housing development project that destroyed the site.

4.20.2 Regulatory Setting

California Environmental Quality Act

CEQA (codified at PRC § 21000 *et seq.*) is the principal statute governing environmental review of projects occurring in California. CEQA requires lead agencies to determine whether a proposed project would have a significant effect on the environment, including a significant effect on tribal cultural resources. Under CEQA (PRC § 21084.1), a project that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.

Assembly Bill 52 and Tribal Cultural Resources

Assembly Bill (AB) 52, enacted in September 2014, recognizes that California Native American Tribes have expertise with regard to their tribal history and practices. The law established a new category of cultural resources, *tribal cultural resources*, in CEQA to consider tribal cultural values when determining the impacts of projects on cultural resources (PRC § 21080.3.1, 21084.2, and 21084.3).

Impacts to tribal cultural resources also are considered under CEQA (PRC § 21084.2). PRC § 21074(a) defines a tribal cultural resource as any of the following:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
    - included or determined to be eligible for inclusion in the California Register; or
    - included in a local register of historical resources, as defined in PRC § 5020.1(k).
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of [PRC] § 5024.1. In applying these criteria, the lead agency would consider the significance of the resource to a California Native American tribe.

A cultural landscape that meets the criteria of PRC § 21074(a) is also a tribal cultural resource if the landscape is geographically defined in terms of the size and scope. A historical resource as described in PRC § 21084.1, a unique archaeological resource as defined in PRC § 21083.2, or a non-unique archaeological resource as defined in PRC § 21083.2 may also be a tribal cultural resource under CEQA if it meets the criteria identified in PRC § 21074(a).

AB 52 requires CEQA lead agencies to analyze the impacts of projects on tribal cultural resources separately from impacts on archaeological resources (PRC § 21074 and

21083.09) because archaeological resources have cultural values beyond their ability to yield data important to prehistory or history. AB 52 also defines tribal cultural resources in a new section of the PRC (§ 21074; see above). Lead agencies must engage in additional consultation with California Native American Tribes (PRC § 21080.3.1, 21080.3.2, and 21082.3).

The provisions of AB 52 apply to projects for which a notice of preparation or notice of negative declaration/ mitigated negative declaration was filed on or after July 1, 2015. As such, AB 52 applies to the proposed project.

California Register of Historical Resources

The California Register is "an authoritative listing and guide to be used by State and local agencies, private groups, and citizens in identifying the existing historical resources of the State and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change" (PRC § 5024.1[a]). The criteria for eligibility for the California Register are based upon the criteria for listing on the National Register (PRC § 5024.1[b]). Certain resources are determined by the statute to be automatically included in the California Register, including California properties formally determined eligible for, or listed in, the National Register.

To be eligible for the California Register, a cultural resource must be significant at the local, State, and/or federal level under one or more of the following four criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important in prehistory or history.

A resource eligible for the California Register must be of sufficient age, and retain enough of its historic character or appearance (integrity) to convey the reason for its significance. Additionally, the California Register consists of resources that are listed automatically and those that must be nominated through an application and public hearing process. The California Register automatically includes the following:

- California properties listed on the National Register and those formally Determined Eligible for the National Register;
- California Registered Historical Landmarks from No. 770 onward; and
- Those California Points of Historical Interest that have been evaluated by the OHP and have been recommended to the State Historical Commission for inclusion on the California Register.

Other resources that may be nominated to the California Register include:

- Historical resources with a significance rating of Category 3 through 5 (those properties identified as eligible for listing in the National Register, the California Register, and/or a local jurisdiction register);
- Individual historic resources;
- Historic resources contributing to historic districts; and
- Historic resources designated or listed as local landmarks, or designated under any local ordinance, such as an historic preservation overlay zone.

California Public Resources Code § 5097

California PRC § 5097.99, as amended, states that no person shall obtain or possess any Native American artifacts or human remains that are taken from a Native American grave or cairn. Any person who knowingly or willfully obtains or possesses any Native American artifacts or human remains is guilty of a felony, which is punishable by imprisonment. Any person who removes, without authority of law, any such items with an intent to sell or dissect or with malice or wantonness is also guilty of a felony which is punishable by imprisonment. PRC § 5097.5 specifies that any unauthorized removal of paleontological remains is a misdemeanor.

California Native American Historic Resource Protection Act

The California Native American Historic Resources Protection Act of 2002 imposes civil penalties, including imprisonment and fines up to $50,000 per violation, for persons who unlawfully and maliciously excavates upon, removes, destroys, injures, or defaces a Native American historic, cultural, or sacred site that is listed or may be listed in the California Register.

California Health and Safety Code § 7050.5

Section 7050.5 of the California Health and Safety Code (HSC) protects human remains by prohibiting the disinterring, disturbing, or removing of human remains from any location other than a dedicated cemetery. PRC § 5097.98 (and reiterated in PRC § 15064.59[e]) also identifies steps to follow in the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery.

4.20.3 Discussion of Impacts

a) ***Less than Significant with Mitigation Incorporated.*** During the field survey conducted for the proposed project, no indigenous archaeological resources, including any evidence of P-01-000063 or P-01-010610, were identified in the Project Area. As such, there are no known indigenous archaeological resources that may qualify as tribal cultural resources (as defined in PRC § 21074) present in the Project Area. Additionally, during outreach efforts to Native American representatives and the NAHC, no tribal cultural resources were identified in the Project Area.

In summary, no tribal cultural resources, as defined in PRC § 21074, have been identified in the Project Area through archival research, field survey, or Native

American consultation. Therefore, the proposed project is not anticipated to impact any tribal cultural resources.

Although the proposed project is not anticipated to impact any tribal cultural resources, there remains the possibility that previously unrecorded archaeological deposits, including human remains, are present in the Project Area. If such deposits are present and were found to qualify as tribal cultural resources, pursuant to PRC § 21074, any impacts of the proposed project on the resource would be potentially significant.

Such potentially significant impacts would be reduced to less-than-significant with mitigation incorporated by implementing **Mitigation Measures CULT-1** and **CULT-2** (See Section 4.7, *Cultural Resources*).

4.21 Utilities and Service Systems

UTILITIES AND SERVICE SYSTEMS — Would the proposed Project:	***Potentially Significant Impact***	***Less than Significant with Mitigation Incorporated***	***Less than Significant Impact***	***No Impact***	***Source***
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒	
b) Have sufficient water supplies available to serve the proposed Project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐	107
c) Result in a determination by the wastewater treatment provider which serves or may serve the proposed Project that it has adequate capacity to serve the proposed Project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒	106,107, 108
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐	111,113, 114
e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐	110,113, 114

4.21.1 Environmental Setting

Water for the City of Pleasanton is provided by the Zone 7 Water Agency (80%), which is predominantly sourced from the South Bay Aqueduct, and by City-owned wells (20%).[106] Zone 7

[106] *City of Pleasanton, "Water Quality," accessed December 19, 2019, http://www.cityofpleasantonca.gov/gov/depts/os/water_quality.asp.*

has a current sustainable water supply of about 86,100 acre-feet per year, and manages a local groundwater basin with a capacity of 240,000 acre-feet.[107]

The City has a wastewater management system with approximately 255 miles of gravity sewers, 25,192 feet of force main, and ten pump stations. The system has an average daily dry weather flow of 7 million gallons. The City also receives wastewater from the Castlewood Area of Alameda County. The Dublin San Ramon Service District (DSRSD) treats and disposes of the City's wastewater stream.[108] The City is entitled to half of the DSRSD treatment capacity of 17 million gallons per day.

Pleasanton Garbage Service, Inc. handles all solid waste management activities for the City. As of 2016 the City was generating 96,744 tons of solid waste per year.[109] All solid waste is taken to the Pleasanton Transfer Station which is owned and operated by Pleasanton Garbage Service, Inc. Solid waste is subsequently disposed of at the Vasco Road Landfill in Livermore, which is owned and operated by Republic Services. As of 2013, the Vasco Road Landfill had 5.6 million tons of capacity remaining and a projected closure in 2022.[110]

The main solid waste management planning document for the City of Pleasanton is the Source Reduction and Recycling Element.[111] This was incorporated into Alameda County's Integrated Waste Management Plan.110 Both of these plans describe the steps the City and County will take to comply with the California Integrated Waste Management Act, which requires all California entities to divert 50 percent of their solid waste away from landfills by the year 2000 and to continue that diversion rate thereafter. The Alameda County Waste Reduction and Recycling Initiative Charter Amendment (Measure D) expanded the diversion requirement to a 75 percent by the year 2010.[112] Per the City's Waste Reduction Ordinance, waste diversion plans must be developed prior to issuance of a building or demolition permit and typically require the permittee to maintain records of waste diversion and compliance throughout the construction process.[113]

4.21.2 Discussion of Impacts

a) ***No Impact.*** The proposed stream corridor and detention basin maintenance would not require the relocation or construction of new or expanded water supply or distribution, wastewater treatment, electric power, natural gas, or telecommunications facilities. The

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[107] City of Pleasanton, "The Pleasanton General Plan 2005-2025, 8. Water Element," July 21, 2009, https://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=23911.

[108] City of Pleasanton, "Sewer System Management Plan," July 2018, http://www.cityofpleasantonca.gov/documents/SSMP/Sewer%20System%20Management%20Plan%20-2018%20Audit_Final.pdf.

[109] SCS Engineers and StopWaste, "2017-18 Waste Characterization Study," September 5, 2018.

[110] Alameda County Waste Management Authority, "Alameda County Integrated Waste Management Plan," March 22, 2017.

[111] City of Pleasanton, "The Pleasanton General Plan 2005-2025, 6. Public Facilities and Community Programs Element," July 21, 2009, https://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=23909.

[112] Stop Waste, "Construction and Demolition (C&D) Recycling Requirements in Alameda County," March, 2016, http://www.stopwaste.org/resource/policies/construction-and-demolition-debris-ordinances-alameda-county-matrix.

[113] City of Pleasanton, "Waste Management Plans," 2017, http://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=30482.

proposed Project would not increase demand for or alter any of the aforementioned utilities. As such, the proposed project would result in no impact.

b) ***Less than Significant Impact.*** The proposed Project would not require a significant increase in water use at any point throughout its expected duration. Any potential local increase in water use would be negligible relative to Zone 7 Water Agency's annual sustainable water supply of approximately 86,000 acre-feet. In the long-term the proposed maintenance would not result in any long-term changes to City water use. Accordingly, a less than significant impact would occur.

c) ***No Impact.*** The proposed Project would not expand any human-serving land uses such as recreation, retail, or residences or introduce any new infrastructure that would facilitate the later expansion of such uses. The proposed Project would therefore not be growth-inducing and would not create a need for additional wastewater treatment capacity. The proposed Project would include the maintenance of Pleasanton stream corridors and detention basins to improve stormwater conveyance and quality. The Project would only improve stormwater conveyance systems already in place and would not create any new demand or indirectly affect wastewater treatment systems. As such, the wastewater treatment provider would have adequate capacity to serve the proposed Project's projected demand in addition to the provider's existing commitments, and no impact would occur.

d) ***Less than Significant Impact.*** The proposed Project would not generate solid waste in the long-term, but would generate solid waste during maintenance activities. The solid waste generated through the proposed maintenance activities would consist of sediment, rock, and vegetation. The amount of waste generated would not be known until proposed Project activities are completed. These waste materials would be disposed of at the Laguna Creek soil disposal site. This disposal site is not associated with the Vasco Road Landfill used by the City of Pleasanton for solid waste disposal, therefore waste generated by the proposed Project would not be incorporated into the City's main landfill and would not impact the ability of the City to reach its solid waste reduction goals. As such, a less than significant impact would occur.

e) ***Less than Significant Impact.*** No Federal solid waste reduction statutes applicable to the proposed Project were identified. The United States Environmental Protection Agency encourages solid waste reduction, but does not impose any substantive requirements. The State of California has a goal of 75% recycling, composting, or source reduction of solid waste by 2020, which is to be attained using a statewide approach. Per chapter 9 of the Pleasanton Municipal Code, the City requires waste reduction during construction.[114] Proposed Project activities must comply with the waste reduction provisions of chapter 9 of the Pleasanton Municipal Code. With this measure, the proposed Project would comply with State and local requirements to reduce solid waste. Following maintenance activities, the proposed Project would not generate any solid waste. As there would be no long-term impact and short-term impacts would be mitigated through compliance with the Pleasanton Municipal Code, the proposed Project would comply with all applicable

[114] *City of Pleasanton, "Pleasanton Municipal Code, Chapter 9.21 - Construction and Demolition Debris," accessed December 18, 2020, https://qcode.us/codes/pleasanton/.*

Federal, State, and local waste reduction requirements, and impacts would be less than significant.

4.22 Wildfire

WILDFIRE If located in or near state responsibility areas or lands classifies as very high fire hazard severity zones, would the proposed Project:	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Source*
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☒	☐	☐	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☒	☐	☐	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐	

4.22.1 Environmental Setting

According to the Public Safety Element of the Pleasanton General Plan, the City has over 7,000 acres of land designated as Special Fire Protection Areas that are within wildland-urban interface fire-threat areas.[115] Seven maintenance sites proposed by the Project are within Special Fire Protection Areas: Stoneridge (P-01), Callippe (P-05), Oak Tree Farms (P-06), Vineyard West (P-07), and Vineyard East (P-08) detention ponds, Mission Creek Restoration Project (C-06) and Cemetery Creek (C-12). All of these sites receive fire protection services from the Livermore-Pleasanton Fire Department with the exception of Oak Tree Detention Pond, which receives

[115] *City of Pleasanton, "Pleasanton General Plan 2005-2025, 5. Public Safety Element," February 5, 2013, https://www.cityofpleasantonca.gov/civicax/filebank/blobdload.aspx?BlobID=23899.*

services from the California Department of Forestry and Fire Protection (CalFire) Sunol Forest Fire Station.98

According to Cal Fire's public fire hazard severity zone (FHSZ) data, maintenance sites within areas of State responsibility include C-14, Dublin Canyon Creek (High FHSZ) and P-05, Callippe Detention Pond (Moderate FHSZ).[116] Under local responsibility is proposed maintenance site P-06, Oak Tree Farms Detention Pond, which is classified as Very High FHSZ.[117] Areas that are designated as in Very High or High FHSZ are at a significant risk for loss of life or property if a fire were to occur. No other proposed maintenance sites are within fire hazard severity zones.

4.22.2 Discussion of Impacts

a) ***Less than Significant with Mitigation Incorporated.*** The City of Pleasanton is characterized by its residential, small-town feeling City surrounded by rural lands. The City's streets were therefore designed to accommodate minimal through-traffic. Most streets in the vicinity of the Project Site are classified as local roadways and permit on-street parking. Maintenance equipment would be staged off-site using on-street parking when not in use, minimizing the risk of obstructing emergency response during evenings and weekends, when maintenance activities would not occur. During maintenance activity hours, however, given the narrow design of adjacent roadways it is possible that on-site maintenance equipment could obstruct emergency response in the event of an evacuation or should emergency vehicles require passage.

Mitigation Measure HAZ-1 requires notification of emergency service providers 72-hours prior to the start of maintenance activities and compliance with the City of Pleasanton's recommended traffic BMPs during maintenance activities, minimizing the risk of obstructing emergency access. Following maintenance activities, the proposed Project would not interfere with an emergency response plan, as Project modifications would generally be confined to detention ponds and stream corridors which do not contain any emergency response infrastructure. The proposed Project would therefore not lead to physical modification or obstruction of emergency response infrastructure such as communication systems or roadways. As such, the proposed Project would not impair implementation of or physically interfere with implementation of an emergency response or evacuation plan in a very high fire hazard severity zone, and impacts would be less than significant with mitigation incorporated.

Mitigation Measure HAZ-1

Please see section 4.9, Hazards and Hazardous Materials, above.

b) ***Less than Significant with Mitigation Incorporated.*** Many proposed Project maintenance sites would be accessed by relatively narrow, local roadways. The proposed Project would not increase fire risk in the long-term, as no new structures or fuel sources would be introduced to the Project Area and the proposed Project would not draw new people who would be exposed to fire risk to the area.

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[116] *[Calfire] California Department of Fire and Forestry, Fire Hazard Severity Zones in SRA (Alameda County, CA, November 7, 2007), https://osfm.fire.ca.gov/media/7271/fhszs_map1.pdf.*

[117] *[Calfire] California Department of Fire and Forestry, Fire Hazard Severity Zones in the LRA as Recommended by CALFIRE (Alameda County, CA, September 3, 2008), https://osfm.fire.ca.gov/media/6638/fhszl_map1.pdf.*

In the short-term, the presence of motorized equipment at proposed detention pond and stream corridor maintenance sites during the dry season may lead to a small, temporary increase in fire risk. Mitigation measure HAZ-2 requires the contractor to remove potential wildfire fuel sources, such as dried vegetation, and requires service trucks to be equipped with fire extinguishers, among other fire risk reducing measures. With implementation of Mitigation Measure HAZ-2, the proposed Project would not exacerbate wildfire risks, and would not expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Impacts would accordingly be less than significant with mitigation incorporated.

Mitigation Measure HAZ-2

Please see section 4.9, Hazards and Hazardous Materials, above.

c) ***No Impact.*** The proposed Project would not require the installation of any infrastructure that may exacerbate fire risk, such as power lines or utilities, nor would it require the installation of infrastructure intended to reduce wildfire risk or facilitate emergency response, such as rods, fuel breaks, or emergency water sources. The proposed stormwater maintenance Project would not have any long-term impact on wildfire risk. Short-term increases in wildfire risk during maintenance activities would not be sufficiently severe nor occur over a long enough period to require installation of risk attenuating infrastructure. As the proposed Project would not require installation or maintenance of associated infrastructure that may exacerbate fire risk, nor result in temporary or ongoing environmental impacts, no impact would occur.

d) ***Less than Significant Impact.*** Two of the maintenance sites proposed by the Project are in FHSZs in close proximity to residential structures. During proposed Project maintenance activities, fire risk would be temporarily exacerbated by the use of motorized equipment in and around stream corridors and detention basins. However, with implementation of Mitigation Measure HAZ-2, fire risk would be minimal. Additionally, Mitigation Measure WILD-1 would require prohibit maintenance activities from occurring during “Red Flag” days. Any fires that might start would be small and would not result in downstream landslide and flooding. Thus, impacts would be less than significant with mitigation incorporated.

Mitigation Measure WILD-1:

During “red flag” days (i.e., days during which Calfire issues a warning for weather events which may result in extreme fire behavior that will occur within 24 hours) maintenance activities shall be prohibited.

Mitigation Measure HAZ-2:

Please see section 4.9, Hazards and Hazardous Materials, above.

4.23 Mandatory Findings of Significance

MANDATORY FINDINGS OF SIGNIFICANCE	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant Impact*	*No Impact*	*Source*
a) Does the proposed Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐	
b) Does the proposed Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a Project are considerable when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects)?	☐	☒	☐	☐	
c) Does the proposed Project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐	

a) **Less than Significant with Mitigation Incorporated**. The proposed Project does not have the potential to substantially degrade the quality of the environment, reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory. As illustrated throughout this document, the proposed Project would have generally beneficial effects on wildlife populations through habitat restoration. Any potentially adverse effects to wildlife during maintenance activities would be reduced to less than significant levels through implementation of mitigation measures discussed in Section 4.4, Biological Resources. The proposed Project would remove riparian vegetation, but vegetation would be

replanted and there would be no long-term impacts on plant communities. Furthermore, as discussed in Section 4.5, Cultural Resources, the proposed Project would not eliminate important examples of major periods of California history or prehistory. Thus, the proposed Project's impacts would be less than significant with mitigation incorporated.

b) **Less than Significant with Mitigation Incorporated.** Other projects in the watershed with the potential to alter maintenance sites' hydrology or water quality could result in cumulative impacts. However, given that the proposed Project would result in long-term beneficial effects, its contribution to any such effects would not be cumulatively considerable. Other maintenance projects with substantial temporal and spatial overlap with the proposed Project's maintenance actions could result in cumulative impacts related to transportation and hazards due to the use of residential roadways by heavy equipment and maintenance workers. However, the proposed Project's contribution would not be cumulatively considerable, as mitigation discussed in Section 4.17, Transportation, would assure coordination with other ongoing maintenance projects and minimize potential impacts. Furthermore, no maintenance projects were identified with substantial temporal and spatial overlap that would potentially result in cumulative impacts. Thus, the proposed Project would not result in impacts that are individually limited but cumulatively considerable, and this impact would be less than significant with mitigation incorporated.

c) **Less than Significant with Mitigation Incorporated**. Maintenance-related impacts to Air Quality, Biological and Cultural Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, Transportation and Wildfire have the potential to adversely affect human beings. With implementation of the various city, state, or federal requirements, BMPs, and Mitigation Measures included in this Initial Study, the proposed Project would not result in substantial adverse effects to human beings, either directly or indirectly. This impact would therefore be less than significant with mitigation incorporated.

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APPENDIX A: AQUATIC RESOURCES DELINEATION REPORT

WRA, INC.

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APPENDIX B: BIOLOGICAL RESOURCES ASSESSMENT REPORT

WRA, INC.

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APPENDIX C: CULTURAL RESOURCES REPORT

BASIN RESEARCH ASSOCIATES

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APPENDIX D: NATIVE AMERICAN CORRESPONDENCE

BASIN RESEARCH ASSOCIATES

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