
FINAL

Environmental Impact Report

State Clearinghouse No. 91103064

**Eastern Dublin General Plan Amendment
and Specific Plan**

VOLUME III

RESPONSES TO COMMENTS ON THE DEIR

Part I (For Planning Commission Review)

December 7, 1992

PREPARED FOR:
CITY OF DUBLIN
PLANNING DEPARTMENT
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PREFACE

EIR PROCESS

The following is the review process that is being followed for the Draft Environmental Report (DEIR) on the Eastern Dublin Specific Plan/General Plan Amendment.

Written Comments: The DEIR was circulated for a 60-day public/agency review period beginning on August 28, 1992 and ending on October 29, 1992. Public notice of the availability of the Draft Environmental Impact Report was published in a newspaper of general circulation. Copies of the EIR have been available for public review at Dublin City Hall and the Dublin Public Library. The DEIR was then reviewed for its adequacy by state, regional and local agencies, and by interested members of the public, during the 60-day review period.

Oral Comments: The public was invited to comment on the DEIR at Planning Commission hearings on September 21, 23, and 29, 1992, and October 1, 1992.

Responses: Wallace Roberts & Todd, the EIR consultant, is in the process of responding in writing to the written comments received during the public review period. This packet, which represents approximately half of the letters received on the DEIR, will be discussed at the December 7, 1992 meeting of the Planning Commission.

Text Revisions: Where the responses required minor changes in the information contained in the text of the DEIR, a revised text has been prepared and included in this response document.

Planning Commission: Once the Planning Commission has completed its review and determined that the EIR is adequate and complete, the EIR will be recommended to the City Council for certification. The Final EIR will then be forwarded to the City Council whose members will vote on certification of the EIR.

COMPONENTS OF THE FINAL EIR

The Final EIR for the Eastern Dublin General Plan Amendment and Specific Plan will include the following three documents:

Volume I: Draft EIR with Revisions. Volume I is the Draft EIR which was circulated for public review.

Volume II: Draft EIR Appendices with Revisions. The Draft EIR Appendices were circulated for public review in conjunction with the Draft EIR (Volume I).

Volume III: Responses to Comments on the Draft EIR. Volume III contains the written comments received on the Draft EIR together with responses to these comments, and any revisions to the Draft EIR and Appendices.

RESPONSE TO COMMENTS

The following text provides responses to those written comments received during the public review period that address the adequacy of the EIR. In instances where the text addressed the GPA, Specific Plan, or something other than the EIR, no response has been provided since it is not required by CEQA. Each of the letters received have been divided into individual comments that require some response. The individual comments (in toto or paraphrased if lengthy) are included prior to the Lead Agency's response. The full text of each letter follows the Lead Agency responses, with each comment bracketed and numbered for ease of cross-referencing.

Letters Received: Private Individuals, Local Organizations and Public Agencies

<u>Letter Number</u>	<u>Date of Letter</u>	<u>Commentor/Agency</u>
1	9/21/92	Royce/Sierra Club Bay Chapter
2	9/21/92	Pilots to Protect the Livermore Airport
3	not dated	Anderson, John
4	9/23/92	Morgan, Carolyn
5	9/23/92	Stedman, James R. for Pao Lin
6	9/25/92	Jordan/CA Arch Inventory
7	9/28/92	Watt/City of Pleasanton
8	9/30/92	Stedman, James R
9	10/5/92	Moscovich/Alameda Co. CMA
10	10/6/92	Herrmann/CA Dept. of Conservation
11	10/13/92	Righetti, Milton
12	10/9/92	Adams/Caltrans
13	10/13/92	Sharp/TVPOA
14	10/15/92	Lindenmeyer/EBRPD
15	10/20/92	Fairfield, Ted C.
16	10/20/92	Rutherford/Livermore Valley Joint USD
17	10/26/92	Brown/City of Livermore
18	10/21/92	Cobbs-Adams/DUSD
19	10/22/92	Kawar/Alameda County PWA
20	10/29/92	Hunter/Ca. Dept. Fish & Game
21	10/28/92	Owens/Hacienda Business Park
22	10/28/92	Cutler/Contra Costa Co. Community Development
23	10/29/92	Breitbart/Alameda County Administrator

PURPOSE OF THE EIR

The primary purpose of this EIR is to inform the public and decision-makers of the environmental effects of the proposed Eastern Dublin General Plan Amendment and Specific Plan. The EIR includes mitigation measures which reduce these impacts. The EIR does not recommend approval or denial of the project. This decision rests with the City Council.

DRAFT EIR REVISIONS

Text revisions (i.e., corrections or deletions) have been made as a result of written and oral comments made during the public review period of the Draft EIR. These revisions or deletions are identified as follows:

- Added text is shaded in grey.
- Deleted text is ~~dashed out~~.

These revisions to the text of the Draft EIR are provided to clarify or augment existing information. No new significant Project-related impacts were identified.

Response to Letter 1: James R. Royce, Conservation Committee, Sierra Club

1-1 **Comment: Traffic Flow and Transit Use.** In the same sentence that the EIR speaks about supporting transit use, it states that the project will facilitate safe and efficient traffic flow. A cardinal rule of development is that if traffic flow is safe and efficient people will not use public transit -- of course the report does not use the term "public" in describing the transit it proposes to support!

Response to Comment 1-1: The comment does not address the adequacy of the Draft EIR, but questions the logic of the project's stated objectives. While no response is required, it is worthwhile to clarify the intent of the referenced objective. The sentence referred to (*Section 2.5: Statement of Project Objectives*) states that the Project seeks "to encourage development patterns that support transit use and facilitate safe and efficient traffic flow.". In the commentor's view, the two objectives are incompatible. While it may be true that adverse driving conditions (i.e., congestion) encourage people to seek other modes of transportation and not to travel as much, it would be irresponsible to plan for conditions that threatened public safety or exacerbated air quality conditions by purposefully causing congestion. It would also result in much greater impacts on the environment.

As stated in the Plan, it is the intent to balance automobile traffic with other modes of transportation in order to provide residents and employees in eastern Dublin with real transportation choices. This not only means providing facilities and rights-of-way for alternate modes of transportation, but it also means not overbuilding roads so that use of the single-occupant automobile is further encouraged. While it is assumed that the majority of any transit that is developed would be public in nature, the Plan specifically avoided limiting it to public transit because it wants to encourage any and all modes that will help to reduce daily vehicle trips. It may be that private transit, such as van pools sponsored by private businesses, can play an important role in future transportation.

1-2 **Comment: Alteration to Existing Land Use.** The Draft EIR states that alteration of existing land use from rural to urban is an insignificant impact and that no mitigation is required (p. SM-7, para. IM 3.1/A). We disagree. It is our feeling that whenever there is a major land use change as proposed by this project the impacts on the local agriculture, population, traffic, community services, sewer, water, storm drainage, soils, biological resources, visual resources, cultural resources, noise, and air quality are great. Mitigation must be made to make up for the significant damage to the environment that this project will cause.

Response to Comment 1-2: The EIR has been prepared pursuant to *CEQA* and follows the criteria established under *CEQA Guidelines* to identify those environmental effects that can be classified as "significant". Under *CEQA*, a "significant effect on the environment" means *a substantial change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance* (Section 15382). A change in the land use *character* of a site is not, per se, a significant environmental effect. The specific physical changes that accompany this alteration in land use (i.e., noise impacts, biological impacts, traffic impacts, etc.) can, however, be significant and are discussed accordingly in their respective sections of the Draft EIR.

1-3 **Comment: On-Site Project Land Use Conflicts.** The Draft EIR states that land use plans for both the Specific Plan and the General Plan Amendment areas avoid abrupt transitions between potentially incompatible land uses and provide adequate buffer and open space areas. It further states that this is an insignificant impact and that no mitigation is required (p. SM-

7, para. IM 3.1/B). We disagree. We feel that the proposed land uses create abrupt boundaries between primarily incompatible rural and urban uses.

An easy example is to see the abrupt land use changes between the existing rolling hills and horse pastures and the heavily populated urban area south of I-580. This type of land use boundary is abrupt, ugly, and inelegant. It shows a lack of long term planning; no transition exists. The proposed project will have just such a boundary between the GPA and the Contra Costa County line.

Response to Comment 1-3: The referenced impact (IM 3.1/B, page 3.1-7) addresses "on-site" land use conflicts (i.e., those internal to the planning area), not conflicts between the Project and adjoining areas. Impacts with adjoining lands are discussed on pages 3.1-13 and 14.

The land use pattern set forth in the plan generally provides decreasing development intensities moving from the flatter areas to the hilly areas, and from the Town Center to the adjoining rural lands of Alameda and Contra Costa Counties (i.e., to the east and north) specifically to avoid abrupt transitions between incompatible land uses. The densities along the north and east perimeter of the project area consist of primarily rural residential lands with isolated pockets of low density residential. One area of medium density residential has been proposed along a portion of the northern project boundary west of Tassajara Road. This area currently adjoins undeveloped, rural lands to the north. The proposed Tassajara Valley general plan amendment before Contra Costa County, calls for the adjoining area to be developed with low density single family residential uses. If the area to the north develops or stays undeveloped, the adjacency of a limited amount of residential use is not considered a significant impact since no land use incompatibilities are created. In the future, if specific development proposals in these perimeter areas appear to create transitions that are too abrupt, the City can require additional buffering or setbacks within the proposed development as part of its development review process.

1-4

Comment: Discontinuation of Agricultural Uses and Loss of Farmland. The Draft EIR states that discontinuation of agricultural uses is an insignificant impact and that no mitigation is required (p. SM-7, para IM 3.1/C). We disagree. Discontinuation of agricultural use affects large populations of animals, people, and plants by creating such impacts as new roads, homes, schools, traffic, police, fire, electricity, natural gas, and telephone service, sewage, storm drainage, water usage, etc.

The Draft EIR states that "loss of farmlands on the project ...is judged to be insignificant." (p. SM-7, para IM 3.1/D). For the reasons stated in the previous paragraph we feel that the change of land use and loss of farmlands is a significant impact and that mitigation is required.

Response to Comment 1-4: The EIR's finding that the discontinuation of agricultural activities and the loss of farmland would be insignificant is based on CEQA criteria for significance. As stated on page 3.1-8 of the Draft EIR:

As defined by CEQA, the loss or conversion of agricultural lands is "significant" if the affected agricultural lands are classified as "prime". Because the agricultural lands on the Project site are not "prime", their loss is considered to be an insignificant impact of the Project.

The significance criteria used in assessing the impact to agricultural land has been questioned by other commentors on the Draft EIR. Refer to the Response to Comment 24-3, in the letter from the Alameda County Local Agency Formation Commission (LAFCO) for further

discussion of agricultural impacts.

1-5 **Comment: Potential Conflicts with Adjacent Land Uses.** The Draft EIR states that "Project site land uses are compatible with existing and projected land uses to the south and east." (p. SM-8, paras. IM 3.1/H & I). We feel that land uses are incompatible with existing and projected land uses to the south and east. The south is heavily urbanized and filled with more development than the Livermore Valley basin can handle. The large influx of population has increased air pollution to the point where one can now see the air one breathes, it has increased water usage, strained existing fire and police services, increased traffic, and put a severe strain on schools and local government.

The land to the east and west has many of the same problems. It is our feeling that these existing environmental problems must be dealt with and solved before a project of this size and impact is allowed to develop.

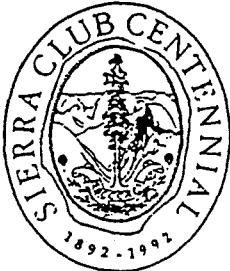
Response to Comment 1-5: Opinion noted. As discussed on page 3.1-14 of the Draft EIR, the existing and projected land uses to the east and south of the planning area are generally buffered from proposed land uses in eastern Dublin by the I-580 or open space. In the southeast corner of the planning area, the only area where existing and proposed development would be adjacent to each other, the proposed Industrial Park, Medium Density Residential, and Rural Residential uses would not result in land use conflicts with the existing Triad Business Park.

1-6 **Comment: Fault Ground Rupture.** The Draft EIR states that "the exposure of people or structures to hazards from fault ground rupture is insignificant" requiring no mitigation (IM 3.6/A - pg. SM-21). We feel that inadequate information is available to make such a blanket assumption.

Response to Comment 1-6: Refer to pages 3.6-1 and 3.6-2 of the Draft EIR for discussion of seismic conditions in the planning area. As discussed there, no active faults are known to traverse the Project site, so the potential for fault ground rupture is considered to be nil.

1-7 **Comment: Need for Further Study of Environmental Impacts.** The Sierra Club feels that much more study of the potential environmental impacts of this project are necessary before it can proceed. The existing environmental impact report is replete with "no mitigation required" statements and explanations that impacts are insignificant. We believe that each and every time these statements are made they need to be further reviewed.

Response to Comment 1-7: The findings of insignificance and "no mitigation required" are based on analysis of the best available information and a determination that no significant impacts would occur. If there was some doubt as to the effect of the project with regard to certain factors, the EIR identified impacts as being "potentially significant". A finding of insignificance does not inherently require additional study as seems to be indicated by the commentor.



SIERRA CLUB SAN FRANCISCO BAY CHAPTER

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ALAMEDA COUNTY • CONTRA COSTA • MARIN • SAN FRANCISCO

RECL...

SEP 21 1992

DUBLIN PLANNING

September 21, 1992

City of Dublin
100 Civic Plaza
P. O. Box 2340
Dublin, California 94568

RE: PA 87-031 Eastern Dublin General Plan Amendment (GPA), Specific Plan (SP), Draft Environmental Impact Report (DEIR) and related project implementation including Amendment to the Sphere of Influence, and Annexation to the City of Dublin and the Dublin San Ramon Services District (DSRSD).

Dear City of Dublin:

Yesterday while driving along Fallon Road from Highway 580 a medium sized hawk we identified as a Cooper's Hawk swept from a large oak tree down onto a grassy area to our right and scooped up a hapless furred mammal of undetermined species. During our ride back down Fallon Road we saw a pair of Sparrow Hawks waiting on electrical wires as they often do, looking for breakfast.

While we realize that today's hearing is only for a portion of the draft EIR (Chapters 1 through 3.6) which does not include the section on biological resources (Chapter 3.7) we only relate these experiences because while looking at these lovely raptors engaging in their instinctive behavior in the middle of the GQA and SP study area we were struck by a statement quoted below which was found on page SM-6:

"Often, the Mitigation Measures are policies included in the Eastern Dublin General Plan Amendment or Eastern Dublin Specific Plan. In this case, the Project is considered 'self-mitigating.'"

We bring this up because we feel there is no way the loss of these two beautiful animals can be "self-mitigating." If this project is built as outlined in the EIR there will be no more raptors to grace the sky above Fallon Road. More likely -- there will be circling turkey vultures over a road kill.

The estimated 28,288 new jobs to be provided by this project is a very optimistic number in these economic times. We hope that these are not the short-term jobs to be provided by the development company to build the project. We hope the long-term jobs will not increase pollution, cause more automobile use, increase traffic, etc., but they will.

The 12,458 new housing units to be provided are expected to increase Dublin's population by 27,794 new residents. This is a huge population increase for an enclosed valley that suffers some of the worst air pollution problems in the San Francisco Bay Area. The smog from I-580 and I-680 already causes the air to be so thick on some days that one can see the air one breaths. 20,000 more cars will certainly make the auto row at the junction of I-580 and 680 a vigorously healthy employment haven. The influx of extra population to support these 27,794 new residents will add at least another 20,000 to the area's automobile population. These automobiles need mechanics. Auto row will need more automobile salespersons. More opportunity is available for those making smog checks for the state -- 10,000 extra smog checks a year add an extra \$200,000.00 in smog check fees alone -- enough for several more employees.

In the same sentence that the EIR speaks about supporting transit use it states that the project will facilitate safe and efficient traffic flow. A cardinal rule of development is that if traffic flow is safe and efficient people will not use public transit -- of course the report does not use the term "public" in describing the transit it proposes to support! (p. SM-4 para. 2.5.)

The draft EIR states that alteration of existing land use from rural to urban is an insignificant impact and that no mitigation is required (p. SM-7, para IM 3.1/A). We disagree. It is our feeling that whenever there is a major land use change as proposed by this project the impacts on the local agriculture, population, traffic, community services, sewer, water, storm drainage, soils, biological resources, visual resources, cultural resources, noise, and air quality are great. Mitigation must be made to make up for the significant damage to the environment that this project will cause.

The draft EIR states that land use plans for both the SP and the GPA areas avoid abrupt transitions between potentially incompatible land uses and provide adequate buffer and open space areas. It further states that this is an insignificant impact and that no mitigation is required (p. SM-7, para IM 3.1/B). We disagree. We feel that the proposed land uses create abrupt boundaries between primarily incompatible rural and urban uses.

An easy example is to see the abrupt land use changes between the existing rolling hills and horse pastures and the heavily populated urban area south of I-580. This type of land use boundary is abrupt, ugly, in inelegant. It shows a lack of long term planning; no transition exists. The proposed project will have just such a boundary between the GPA and the Contra Costa County line.

The draft EIR states that discontinuation of agricultural uses is an insignificant impact and that no mitigation is required (p. SM-7, para IM 3.1/C). We disagree. Discontinuation of agricultural use affects large populations of animals, people, and plants by creating such impacts as new roads, homes, schools, traffic, police, fire, electricity, natural gas, and telephone service, sewage, storm drainage, water usage, etc.

The draft EIR states that "loss of farmlands on the project...is judged to be insignificant." (p. SM-7, para IM 3.1/D.) For the reasons stated in the previous paragraph we feel that the change of land use and loss of farmlands is a significant impact and that mitigation is required.

The draft EIR states that "Project site land uses are compatible with existing and projected land uses to the south and east." (p. SM-8, paras. IM 3.1/H & I.) We feel that land uses are incompatible with existing and projected land uses to the south and east. The south is heavily urbanized and filled with more development than the Livermore Valley basin can handle. The large influx of population has increased air pollution to the point where one can now see the air one breaths, it has increased water usage, strained existing fire and police services, increased traffic, and put a severe strain on schools and local government.

1-5

The land to the east and west has many of the same problems. It is our feeling that these existing environmental problems must be dealt with and solved before a project of this size and impact is allowed to develop.

The draft EIR states that "the exposure of people or structures to hazards from fault ground rupture is insignificant" requiring no mitigation. (IM 3.6/A - pg. SM-21.) We feel that inadequate information is available to make such a blanket assumption.

1-6

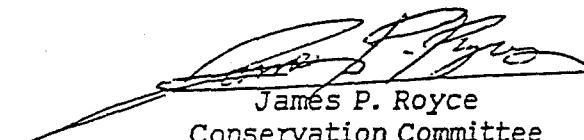
Further, the Sierra Club feels that much more study of the potential environmental impacts of this project are necessary before it can proceed. The existing environmental impact report is replete with "no mitigation required" statements and explanations that impacts are insignificant. We believe that each and every time these statements are made they need to be further reviewed.

1-7

The Sierra Club further hereby reserves the right to make further objections as they may arise. In no way can this letter be made to assume that the Sierra Club endorses any part of this project for which a specific objection has not been made.

Thank you for your consideration of our above stated objections. We request that we please be kept informed all future activity.

Sincerely,



James P. Royce
Conservation Committee
Sierra Club, San Francisco Bay Chapter

JPR:cl

Response to Letter 2: Connie Eccles, Pilots to Protect the Livermore Airport

2-1 **Comment: Potential Conflicts with Land Uses to the South.** Section IM 3.1/H (p. SM-8) states that "Project site land uses are compatible with existing and projected land uses to the south. This is an insignificant impact." This is incorrect -- The Livermore Airport is located south of the Project Site. If houses and schools are allowed to be built in the Airport Protection Area under the traffic pattern where there are incoming and outgoing flights, future residents of Dublin will be exposed to noise and safety concerns. This is a significant impact.

Response to Comment 2-1: The assessment of airport-related impacts is based on review of the existing and proposed operations of the Livermore Municipal Airport as set forth in the Alameda County Airport Land Use Policy Plan (adopted July 16, 1986) and the Livermore Airport Master Plan (LAMP) (adopted in 1975). As stated in the Draft EIR (p.3.1-10), the above referenced Airport Protection Zone (APA) and its restrictions, are not applicable to eastern Dublin since they have not, as of this writing, been adopted by the County ALUC. Based on current airport/ALUC policy, the Project would not be incompatible with existing or projected airport operations or result in any significant noise or safety impacts.

The City of Livermore has recently submitted documentation to the ALUC in support of its application to amend the ALUC Policy Plan to designate an 5,000-foot Airport Protection Zone (APA) around the airport. This documentation (*Supporting Documentation and Background Information for Airport Protection Area*, June 22, 1992) shows noise contours and flight patterns that differ significantly from those shown in the current master plan. These revised flight patterns and noise contours are attached. The reason these figures differ so substantially from those in the existing ALUC Policy Plan is unclear since the projected future operations in the supporting documentation (up to 1995) are less than projections in the current ALUC Policy Plan. The current LAMP projected 340,000 annual operations in 1995, while supporting documentation for the expanded APA projects 270,030 by 1996. The environmental implications of the year 2011 projections (420,700 operations) that are put forth in the City of Livermore's recent supporting documentation for the APA has not been addressed in the 1975 LAMP EIR or any subsequent airport EIR.

Under the proposed APA, approximately 135 acres of residential and school designations would be considered incompatible: approximately 132 acres of proposed residential land, and approximately 3 acres of the junior high school site. As shown in the Project Land Use Plan (Figure 2-E), the residential uses would consist of medium- and low-density housing along the north side of the Dublin Boulevard extension. Projected residential development potential in the area would be roughly 960 dwelling units. The proposed residential and junior high school uses are located 3,600 to 5,000 feet from the airport runway.

The ALUC is currently considering Livermore's application to amend the ALUC Policy Plan to include an APA which would prohibit residential development within 5,000 feet either side of the Livermore Municipal Airport runway. The ALUC received informational material regarding the proposed APA at its meeting of October 14, 1992 and will hold a public hearing on the subject at its next meeting to be held November 17, 1992. If the proposed APA and supporting documentation is adopted by ALUC as policy, some residential and school uses proposed by the Eastern Dublin Specific Plan and General Plan Amendment would be inconsistent. However, the potential for airport-related noise and safety impacts on eastern Dublin residents is not clear. The City of Dublin has reviewed Livermore's supporting documentation and found it deficient in substantiating either the need for an APA of the proposed proportions or the likelihood of future impacts on the health, safety, and welfare

of eastern Dublin (refer to the response to Comment 2-6 below for discussion of potential noise impacts). The City of Dublin believes the City of Livermore should prepare an EIR if it wants to expand Airport operations to the degree suggested by their supporting documentation. For more detailed discussion of the City of Dublin's response to the proposed APA and its supporting documentation refer to the City's September 22, 1992 letter to the ALUC in Appendix A of this response document.

2-2 **Comment: Page SM-9, Consistency with Relevant Land Use Plans and Policies.** The Draft EIR's discussion of applicable plans and policies of other jurisdictions (subsection of *Section 3.1: Land Use*) does not address the Airport Protection Zone under City of Livermore plans and policies.

Response to Comment 2-2: Comment acknowledged. The summary section does not address the specifics of any of the plans reviewed for consistency. See page 3.1-10 of the DEIR for discussion of the Airport Protection Zone.

2-3 **Comment: Page 3.1-10, Operations at Livermore Municipal Airport.** The last sentence of the first paragraph on page 3.1-10 should be revised to update the information on operations at the Livermore Municipal Airport.

Response to Comment 2-3: Comment acknowledged. The text is revised as follows:

~~As of 1985, there were 400 based aircraft, 37 of which were twin-engine and only four of which were turbine-powered. As of August, 1992, there were 597 based aircraft including 56 twin-engine, and a total of three turbine-powered and jet aircraft.~~

2-4 **Comment: Page 3.1-10, Applicability of the Airport Protection Zone (APZ) to the Project.** The Draft EIR's statement that the proposed APZ restrictions are not applicable to the project because the APZ has not been adopted by the ALUC is accurate, but since the Livermore Airport is a regional transportation facility, it is essential that the City of Dublin recognize the importance of the Airport to the entire region in these critical planning stages. This is the time to take a broad view to protect the public interest versus private monied interests. The *Pilots to Protect the Livermore Airport* has been participating in the political process with the City of Dublin since January 1989 stressing the importance of the airport to the entire valley and the need for the valley communities to recognize this in their land use planning.

Response to Comment 2-4: Comment acknowledged.

2-5 **Comment: Consistency with Relevant Land Use Plans and Policies.** This section does not include the Airport Protection Area (Airport Protection Zone) adopted by the Livermore City Council on March 11, 1991, which recommends no new residential development 5,000 feet to the north, east and south of the airport, and 7,100 feet to the west. Currently the Airport Protection Area is in the hands of the ALUC staff. We believe that the City of Dublin has been provided with a copy of the APA and the Consultant's study subsequently requested by the ALUC staff as supporting documentation for the APA (Draft report, 6/22/92 - McClintock, Becker, & Associates). This Draft EIR under Section 3.1-2- should be corrected to include the APA as it was adopted as an amendment to the General Plan of the City of Livermore.

Response to Comment 2-5: The Airport Protection Area is discussed on page 3.1-10 of the DEIR and the perimeter of the proposed APA is outlined on Figure 3.1-D. Refer to the Response to Comment 2-1 for further discussion of the City's position regarding the proposed

APA.

2-6 **Comment: Exposure of Existing and Proposed Development to Airport Noise.** The commentor disagrees with the conclusion that noise impacts will be insignificant. The commentator asserts that residences located to the north and northwest of the airport on the Project site will be exposed to noise and safety impacts.

Response to Comment 2-6: Aircraft noise is considered an insignificant impact because the airport's projected CNEL 65 dB contour does not extend onto the project site. Title 21 of the California Code of Regulations (Division of Aeronautics) identifies areas exposed to a DNL of 65 dB or more as unsuitable for residential or other sensitive development. Since the project would be exposed to a future CNEL of 65 dB or less from aircraft noise, aircraft noise was considered an insignificant impact.

If one assumes the future level of operations projected for the airport (These projections have not been adopted by the County ALUC) in the City of Livermore's recent supporting documentation, future airport operations could result in potentially significant noise impacts. Projected operations in the year 2011, would result in the CNEL 60 dB contour extending onto the southeastern corner of the project site. The basis for considering the impact potentially significant is that the City of Dublin considers a CNEL of 60 dB or more as "conditionally acceptable". "Conditionally acceptable" means noise insulation features are required. Mitigation measures could be implemented to reduce this potentially significant impact to a level of insignificance.

Residences and other sensitive uses within the CNEL 60 dB contour would need to have sound insulation features included in the building design. The goal would be to control interior aircraft flyover noise levels to a maximum single-event, A-weighted sound level of 55 dB in habitable rooms and 50 dB in sleeping areas (These single-event noise standards are more restrictive than the noise standards in the Dublin General Plan, which are based on 24-hour average noise levels). This mitigation measure would include a requirement that residents purchasing homes within the CNEL 60 dB contour be notified of the proximity of the Livermore Airport and the types of operations that can be expected.

2-7 **Comment: Future Planning.** The commentator stresses the need for coordinated land use planning in order to protect airport operations, ensure the future viability of the airport as a regional transportation facility, and protect future residents from noise and safety concerns.

Response to Comment 2-7: Comment acknowledged. Refer back to responses to Comments 2-1 and 2-6.

PILOTS TO PROTECT THE LIVERMORE AIRPORT

P. O. BOX 1065, PLEASANTON, CA 94566

September 21, 1992

Dublin Planning Commission
100 Civic Plaza
Dublin, California 94568

Re: PA 87-031 Eastern Dublin General Plan
Amendment, Specific Plan, Draft EIR etc.

Dear Members of the Planning Commission:

I am here tonight as Chairman of the *Pilots to Protect the Livermore Airport* to once again ask you to consider the importance of the Livermore Airport as a regional transportation facility in these critical stages of planning land uses in Eastern Dublin. We represent over 600 airport supporters, including members from four pilot organizations, most of whom live in the valley. Our charter is and has been to work for compatible land uses in the vicinity of the airport.

After reviewing the Draft EIR, we submit the following comments:

Summary 3.1: Land Use

Page SM-8 Section: 1M 3.1/H Potential Conflict with Land Uses to the South

"Project Site land uses are compatible with existing and projected land uses to the south. This is an insignificant impact."

2-1

Comment: This is incorrect -- The Livermore Airport is located south of the Project Site. If houses and schools are allowed to be built in the Airport Protection Area under the traffic pattern where there are incoming and outgoing flights, future residents of Dublin will be exposed to noise and safety concerns. This is a significant impact.

Page SM-9 sub-section: Consistency with Relevant Land Use Plans and Policies

".....Also discussed are the applicable plans and policies of other counties, cities and agencies."

2-2

Comment: This does not mention the Airport Protection Area (known in Dublin as the Airport Protection Zone - APZ) which is already part of the City of Livermore's General Plan. See our Comments under: Pages 3.1-20-21 - City of Livermore

Setting 3.1-9: Land Use in the Project Site Vicinity

Page 3.1-10: To the South

Livermore Municipal Airport (First Paragraph, last sentence):

"As of 1985, there were 400 based aircraft, 37 of which were twin-engine and only four of which were turbine-powered."

2-3

Comment: This should be updated. According to the staff at the Livermore Airport, as of August, 1992, there were 597 based aircraft including 56 twin-engine, and a total of three turbine-

powered and jet aircraft.

2-3 contd.

Page 3.1-10 Livermore Municipal Airport (sixth paragraph):

This refers to the Airport Protection Zone (APZ) stating that the City of Livermore has asked the Alameda County Airport Land Use Commission (ALUC) to adopt it as part of their policy plan, adding that it had not yet been adopted by the ALUC as of August 1992 and "therefore the proposed APZ restrictions are not applicable at this time."

2-4

Comments: This is accurate, but since the Livermore Airport is a regional transportation facility, it is essential that the City of Dublin recognize the importance of the Airport to the entire region in these critical planning stages. This is the time to take a broad view to protect the public interest versus private monied interests. The *Pilots to Protect the Livermore Airport* has been participating in the political process with the City of Dublin since January 1989 stressing the importance of the airport to the entire valley and the need for the valley communities to recognize this in their land use planning.

Pages 3.1-20-21: City of Livermore

City of Livermore Community General Plan

This section does not include the Airport Protection Area (Airport Protection Zone) adopted by the Livermore City Council on March 11, 1991, which recommends no new residential development 5000 feet to the north, east and south of the airport, and 7100 feet to the west.

2-5

Comments: Currently the Airport Protection Area is in the hands of the ALUC staff. We believe that the City of Dublin has been provided with a copy of the APA and the Consultant's study subsequently requested by the ALUC staff as supporting documentation for the APA (Draft report, 6/22/92 - McClintock, Becker & Assoc.)

This Draft EIR under Section 3.1-20 should be corrected to include the APA as it was adopted as an amendment to the General Plan of the City of Livermore.

Impacts and Mitigation Measures

IM 3.10-4 Exposure of Existing and Proposed Development to Airport Noise.

The Draft EIR states ".....aircraft noise would be considered an insignificant impact."

Comments: This is not true. The primary reason the Airport Protection Area was adopted was to establish criteria and standards for compatible land uses in the vicinity of the airport. This important planning tool enables the City of Livermore and neighboring communities to use it as a guideline in their land use plans in close proximity to the airport. Numerous noise complaints have been made by residents living west of the airport. It is because of these complaints, documented over the years at the Livermore Airport, that pilots are encouraged to make right turns when taking off to the west to avoid overflying these residences to the west in Pleasanton. If further residences are placed to the north and northwest of the airport as proposed in this Draft EIR, it will be subjecting future citizens of Dublin to noise and safety concerns. Now is the time to avoid these problems with proper planning.

2-6

Page 3.
City of Dublin - Planning Commission
September 21, 1992

Flight Operations at the Livermore Airport during its 1991-92 fiscal year were 251,650. In August of this year, the level of operations was 21,454. Nearly one half of all operations overfly at a low altitude at least some portion of the area referred to in the Draft EIR. This low altitude is necessary for take-off and landing. Land uses in this area will be subjected to the noise associated with these operations. Residences and schools are not compatible with this noise.

2-6 contd.

Conversely, once residences and schools are established as shown in your plans, their existence will in turn have a negative impact on the airport and its operations. In the Bay Area alone there are numerous examples where poor or uncoordinated land use planning resulted in incompatible uses which subsequently impacted existing airports. Either severe restrictions on its operations resulted or the airport closed. In each case, the utility of the airport as a regional transportation facility was denied to all area citizens.

2-7

We understand that Dublin City government has a duty to future East Dublin residents and occupants to see that they are minimally impacted by noise from airport operations. It has been common experience that maximizing residential construction also maximizes the return on investment for those limited number of individuals who have an economic interest in the raw land. Since the airport is a valuable transportation facility serving the whole valley, we ask that you reject land use concepts which do not serve these purposes.

The City of Livermore has the foresight to protect the airport for the entire valley and future generations. They have adopted an Airport Protection Area which would prohibit any new residential development within that area. We believe that your concerns and ours are the same which would be to protect future citizens from noise and safety concerns and at the same time preserve the airport for the entire region. As business and industry grow in the valley, it will become even more valuable as a vital regional transportation facility. In particular, the Livermore Airport will be an attractive asset to the proposed commercial development in East Dublin. We, therefore, urge you in your planning of East Dublin to plan compatible land uses in close proximity to the airport.

I'm enclosing a paper which explains the airport's value to the whole valley as well as the impacts that would result from encroachment. We ask you to review it and honor the Airport Protection Area during your deliberations and to allow for it in your final recommendations.

Sincerely yours,

Connie Eccles
Connie Eccles, Chm.
(510) 426-5018

Encl

copies: City of Livermore City Council, Airport Commission, Planning Department

Response to Letter 3: John Anderson, Resident of Dublin

3-1 **Comment: Project Phasing.** The commentor asks whether the Project is "modular", and then goes on to ask whether commercial development can proceed without residential development and whether development of the Specific Plan area can proceed without development of the General Plan Amendment Increment Area?

Response to Comment 3-1: Comment requests additional information on the plan, and does not address the adequacy of the Draft EIR. No response is required.

In one sense, the Project is "modular" in that there are almost 50 different landowners in the planning area. Each landowner is free to pursue development of all or part of their property once the Specific Plan has been approved. While Policy 4-26 recommends maintaining a balance in the development of residential and employment-generating uses, there is no restriction preventing the development of one without the other. Development of the Specific Plan area would proceed before any development in the General Plan Amendment Increment Area, because the Specific Plan area would be the only area annexed into the City. No development could occur in the General Plan Increment Area until it is annexed.

3-2 **Comment: Development Coalition.** The commentor asks whether a development coalition exists for the Project site; if any of the 46 landowners are dealing with the same developer; and if "rights of easements" must be granted for any portion of the Project area?

Response to Comment 3-2: Comment requests additional information on the plan, and does not address the adequacy of the Draft EIR. No response is required.

The City of Dublin is responsible for preparing the Specific Plan and General Plan Amendment. Throughout the process, the City has worked with landowners and concerned citizens, but there has been no formal "development coalition" involved. Who landowners are dealing with to develop their properties is beyond the purview of the City. The granting of easements is recommended in the plan specifically in relation to maintaining open space corridors along streams and along ridgetops (see Program 4O, on page 32 of the Specific Plan).

3-3 **Comment: Consistency in Project Site Acreage.** The commentator notes that the total acreage given on Figure 2-D: Ownership Patterns, is not consistent with the total given on Table 2.0-1.

Response to Comment 3-3: Comment acknowledged. There were errors in the legend of Figure 2-D. Corrections of errors are provided below, and are incorporated in the Final EIR by this reference. Even with these corrections, there are minor discrepancies between the total acreage because the acreages in Table 2.0-1 were developed from manual measurement of mapped areas, and the figures in Figure 2-D are taken from County Assessor Parcel information. The corrections to the legend in Figure 2-D are as follows:

16	Alameda County Surplus Property Authority	700.4	600.0
26	Crosby	186.35	14.0
47	Bloom	87.32	<u>87.52</u>

3-4 **Comment: Cumulative Growth.** How did the EIR analyze the impact of external (other cities or counties) development with respect to time and cumulative effects?

Response to Comment 3-4: The Draft EIR incorporated the best available data on projected growth in the project vicinity when analyzing potential impacts. The Draft EIR uses growth projections prepared by ABAG (Projections '90) as the basis for relating the project to the rate and volume of growth in the subregion. ABAG considers several factors, such as market demand, land availability, and community intentions, when developing its growth projections. To supplement this regional analysis, the Draft EIR also considered land uses shown in existing general plans and any specific projects proposed in the planning area vicinity in order to assess the potential for more localized impacts. A list of the specific projects included in the cumulative analysis of impacts is included on pages 5.0-1 and 5.0-2.

3-5 **Comment: Impacts and Planning Concerns Related to the Livermore Municipal Airport.** What are the mitigation measures for the airport factor? Will there be applicable waivers for noise issues? Will the aircraft take-off and landing patterns be limited without air service degradation?

Response to Comment 3-5: See responses to comments 3.1-3.7 for discussion of airport impact concerns. Based on existing documentation, the Draft EIR did not identify any significant airport-related impacts on the Project, nor were there any restrictions placed on airport operations as currently proposed.

3-6 **Comment: The Role of ABAG.** The commentator's questions address information provided in *Section 3.2: Population, Housing and Employment*. The commentator asks whether ABAG has any enforcement powers if, for example, the jobs/housing balance is not achieved. The commentator also asks whether the projections for dwelling units and population given in the EIR match ABAG's projections for the year 2005.

Response to Comment 3-6: ABAG is a regional planning agency whose function is to compile, analyze, and disseminate regional demographic data in an effort to inform local planning decisions throughout the nine-county Bay Area. ABAG does not have any political or enforcement powers. It should be noted that the growth data disseminated by ABAG are projections, not goals or guidelines. These projections are based on recent growth as well as input from each local jurisdiction on projected growth within the nine-county area. The growth projections in the Draft EIR are based on ABAG's figures, which are the best available projections for the Bay Area. These projections include consideration of Dublin's plans for eastern Dublin.

3-7 **Comment: Text Corrections.** On Table 3.2-5, the persons per dwelling unit should be 2.32 not 23.2. On Table 3.2-6, the number of persons/dwelling unit for Single Family should be 2.32.

Response to Comment 3-7: There is a typographical error in Table 3.2-5 relating to the Persons/d.u. for the Single Family land use designation. The correct number of persons/d.u. is 3.2, rather than the 23.2 that is shown. Table 3.2-6 is correct as shown in the Draft EIR.

3-8 **Comment: Definition of Affordable Housing.** What is affordable housing in actual dollars per type of dwelling (page 3.2-10, policy 4-7)? Who defines or regulates the interpretation of "affordable" housing?

Response to Comment 3-8: The definition of affordable housing is based on income classifications established by HUD for Federal housing assistance programs. The basis for the income classifications is the median income in the county for which affordability is being determined. The City of Dublin is responsible for defining, adopting, and implementing affordable housing standards for the City of Dublin. According to the City's recently adopted

Housing Element the affordable housing categories used by the City and the corresponding dollar equivalents are as listed below. These figures are based on a median Alameda County income of \$44,100 for a family of four.

- Very Low Income (up to 50% of median income): up to \$22,500
- Low Income (51% to 80% of median income): up to \$35,300

3-9 **Comment: Phasing of Circulation Improvements.** The commentator asks how circulation improvements will be phased.

Response to Comment 3-9: The time schedule for traffic improvements will be set based on the level of development within the Eastern Dublin Specific Plan and General Plan Amendment areas. As individual construction projects are proposed, the City of Dublin will use the most recent available information to review existing and projected traffic conditions. The City will determine which on-site traffic improvements should be constructed in association with the proposed project. The City will also determine if the projected level of traffic at that time will warrant the construction of one or more of the recommended off-site mitigation measures in order to comply with the stated level of service standards.

3-10 **Comment: Feasibility of Mitigation Measures to Improve LOS.** The commentator asks whether the mitigation measures proposed to improve the LOS are feasible based upon variables such as time, manpower, technology, finances and quality-of-life. Are these mitigation measures dependent upon a technological development, increased revenues, lower labor costs or a change in values?

Response to Comment 3-10: The transportation mitigation measures proposed in the DEIR are all physically feasible given current technology. The level of mitigation is also consistent with the level of mitigation already funded and constructed by other similar major development projects, for example the internal roadways and freeway interchanges constructed by Hacienda Business Park in Pleasanton and Bishop Ranch Business Park in San Ramon. Specific funding sources for the road improvements recommended in the DEIR will need to be identified after approval of the Plan, but funding will generally be provided by Project area developers with other jurisdictions contributing their fair share. The Tri-Valley Transportation Council is currently completing a study which will identify required improvements and funding levels on a subregional basis.

The DEIR does not assume technological development, lower labor costs or a metamorphosis of quality-of-life values. The DEIR does assume that additional revenue will be available as a result of development within the SP/GPA. A Gantt chart of action has not been created for the mitigation measures. The feasibility of each mitigation measure was evaluated based on site inspections, preliminary engineering evaluation, and comparison with mitigation measures constructed for other projects of similar magnitude.

3-11 **Comment: Police Services.** If the requirement for police services is to increase by 82% as indicated on page 3.4-2 of the Draft EIR, why isn't a police facility identified in the planning area. Why is Dublin able to get by with only 80% of the State standard of police officers per 1,000 residents?

Response to Comment 3-11: As discussed on page 3.4-2, police services to eastern Dublin would be provided under a "beat" system. Under such a system, on-duty police officers are assigned to patrol specific areas or "beats". Responses to calls for service are then responded to by officers on patrol within the area, rather than from the central police station. This system facilitates quick response to emergencies. This system would limit the amount of new

facilities that might be needed in eastern Dublin. The Police Department has indicated that it may at some future point want to augment its central facility with a substation in eastern Dublin. According to the Police Department, a substation would probably not be a separate police-only facility, but would in all likelihood be shared with some other public agency or city department (e.g., public works, DRFA, etc.).

The State standard of 1.5 officers/1,000 residents is an ideal that city police departments attempt to maintain. Ideally the City might be better served with a couple more officers, but that does not indicate that current service is inadequate. In these lean economic times, most communities are not able to maintain the 1.5 officer standard. In any event, implementation of mitigation measures in the DEIR (MM 3.4/1.0--3.4/5.0 will ensure that adequate police protection is provided whether the actual number of officers needed is slightly above or below the 1.5 officers/1,000 residents standard.

3-12 **Comment: Fire Services.** If the requirement for fire services is to increase by 87% as indicated on page 3.4-3, why isn't a fire station identified in the planning area?

Response to Comment 3-12: See page 3.4-5 of the Draft EIR for discussion of mitigation of fire service impacts. Mitigation measure 3.4/8.0 addresses the issue of identifying and acquiring specific sites for new fire stations. Mitigation measure 3.4/6.0 addresses the timing of such construction. The Specific Plan, on page 121, discusses the number and location of new stations in the Specific Plan area:

...DRFA projects that two new fully-equipped stations will need to be located in the planning area to provide adequate service (i.e., a 5-minute response time) at buildout. DRFA has indicated that the first of these stations will be located west of Tassajara Road in the vicinity of Gleason Drive, and the second would be generally located east of Fallon Road near Fallon Village.

The location of a fire station(s) in the General Plan Amendment Increment Area will need to be identified when the area is annexed into the City and more detailed planning for the area is undertaken.

3-13 **Comment: Increased Solid Waste Production.** Why is only an 0.8% increase in solid waste to landfills forecasted for the Altamont landfill facility?

Response to Comment 3-13: The 0.8% increase in the amount of solid waste disposed of countywide is a background assumption formulated by the consultants who prepared the countywide Source Reduction and Recycling Element. This increase is considered a very conservative estimate given the State requirement that all jurisdictions reduce the amount of solid waste placed in landfills by 25% by 1995 and by 50% by the year 2000. These reductions will off-set increases in solid waste generation resulting from projected growth in the county.

3-14 **Comment: Sewer and Water Demand.** What control processes are planned to evaluate the ever changing state of sewage demand-vs.-supply and water demand-vs.-supply?

Response to Comment 3-14: The issue of long-term planning and monitoring of demand and supply of sewer and water services is beyond the scope of the Program EIR on the Eastern Dublin General Plan Amendment and Specific Plan. The responsibility for such planning and monitoring rests with DSRSD and Zone 7. Refer to Section 3.5 of the Draft EIR for discussion of the ongoing efforts of these two agencies to ensure adequate service to their respective districts. The principal control built into the Specific Plan and included in the EIR as mitigation is that both sewer (MM 3.5/4.0) and water (MM 3.5/38.0) will require a "will

"serve" letter from DSRSD prior to construction of any new development. The City has indicated that no development would be approved without adequate water supply and sewer capacity to available to serve it.

3-15 **Comment: Multi-Factor Geotechnical Hazards.** The commentator believes that a multi-factor rather than "single point" method of evaluating potential geotechnical hazards should be used in the EIR.

Response to Comment 3-15: Complex computer modeling of geotechnical variables is beyond the scope of the EIR, and would be unlikely to provide more useful data given the programmatic level of environmental analysis required by the Specific Plan and General Plan Amendment. It should be noted however, that the geotechnical analysis does include consideration of how one geotechnical factor may be affected by others, i.e., how slope stability may be affected by soil types, earthquakes, construction activity, etc.

CH 2 - PROJECT DESCRIPTION

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SEP 23 1992

IS PROJECT MODULAR ?

DUBLIN PLANNING

- * CAN COMMERCIAL DEVELOPMENT PROCEED WITHOUT RESIDENTIAL DEVELOPMENT ?
- * CAN SPECIFIC PLAN AREA DEVELOPMENT PROCEED WITHOUT GENERAL PLAN INCREMENT AREA DEVELOPMENT ?

3-1

IS THERE A DEVELOPMENT COALITION ?

- * ARE ANY OF THE 46 LANDOWNERS WHO ARE DEALING WITH THE SAME DEVELOPER ?
- * DOES ANY PORTION OF THE DEVELOPMENT PROPOSED AREA INVOLVE THE "RIGHT OF EASEMENT" GRANTING ?

3-2

WHY DOESN'T FIG 2-D (OWNERSHIP PATTERNS) AGREE WITH TABLE 2.0-1 ON PAGE 2-7 AS FAR AS TOTAL ACRES INVOLVED ?

- * FIG 2-D INDICATES 467 ACRES LESS THAN THE TABLE
- * SPECIFIC PLAN AREA IS 134 ACRES OFF; GENERAL PLAN INCREMENT AREA IS 333 ACRES OFF

3-3

CH 3.1 - LAND USE

HOW DID THE EIR ANALYZE THE IMPACT OF EXTERNAL (OTHER CITIES OR COUNTIES) DEVELOPMENT WITH RESPECT TO TIME AND THE CUMMULATIVE EFFECTS ?

- * AS IDENTIFIED IN THE SECTION TITLED "OTHER APPLICABLE COUNTY, CITY AND AGENCY PLANS" BEGINNING ON PAGE 3.1-19, THE VALLEY WILL INCREASE DWELLING UNITS BY 66% (39,943 DU) & INCREASE POPULATION BY 58% (96,668 PEOPLE)

3-4

- * DUBLIN WILL INCREASE DWELLING UNITS BY 29% (21,230 DU) & INCREASE POPULATION BY 22% (51,069 PEOPLE)
- * DUBLIN IS 53% OF THE INCREASE IN VALLEY'S DWELLING UNITS & 53% OF THE INCREASE IN POPULATION

WHAT ARE THE MITIGATION MEASURES FOR THE AIRPORT FACTOR ?

- * REFER TO FIG 3.1-D "AIRPORT REFERAL AREA"
- * THE AIRPORT OFFERS THE BUSINESS CONNECTION REQUIRED BY A MODERN INDUSTRIAL PARK
- * WILL THERE BE APPLICABLE WAIVERS FOR NOISE ISSUES ?
- * WILL THE AIRCRAFT TAKE-OFF & LANDING PATTERNS BE LIMITED WITHOUT AIR SERVICE DEGRADATION ?

3-5

CH 3.2 – POPULATION, HOUSING AND EMPLOYMENT

DOES THE ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG) EXERCISE POLITICAL OR ECONOMIC POWER IN THE ENFORCEMENT OF THEIR GUIDELINES ?

- * IF THE JOBS/HOUSING RATIO IS NOT ACHIEVED WHAT ACTION MAY ABAG TAKE ?
- * THE ABAG FORECAST FOR THE VALLEY INCREASES IN DWELLING UNITS & POPULATION MATCH THE EIR STATED DEVELOPMENT PLANS OF THE VALLEY CITIES, BUT FORECAST THIS BY 2005 (15 YEARS); DOES THE EIR AGREE WITH THIS TIMING FORECAST ?

3-6

CORRECTIONS :

- * TABLE 3.2-5 PAGE 3.2-7; PERSONS PER DWELLING FOR SINGLE FAMILY RESIDENTIAL SHOULD BE 2.32 NOT 23.2
- * TABLE 3.2-6 PAGE 3.2-9; PERSONS PER DWELLING FOR SINGLE FAMILY RESIDENTIAL SHOULD BE 2.32 NOT 3.2

3-7

WHAT IS AFFORDABLE HOUSING IN ACTUAL DOLLARS PER TYPE OF DWELLING ? (PAGE 3.2-10 POLICY 4-7)

- * THIS CAN BE DONE IN TODAYS DOLLARS OR AS A RATIO TO INCOME
- * WHO DEFINES OR REGULATES THE INTERPETATION OF "AFFORDABLE" HOUSING ?

3-8

CH 3.3 – TRAFFIC AND CIRCULATION

WHAT IS THE TIME SCHEDULE FOR TRAFFIC WAY IMPROVEMENTS ?

- * ACCORDING TO PAGE 3.3-13 THE VALLEY'S DAILY VEHICLE TRIPS (DVT) WILL INCREASE BY 105% (TO 3,900,000 DVT) BY 2010
- * BY 2010 ALL MAJOR INTERSECTIONS WILL BE AT LEVEL OF SERVICE (LOS) E OR F (GRIDLOCK) PER TABLE 3.3-9 ON PAGE 3.3-20

3-9

ARE THE MITIGATION MEASURES TO REDUCE LOS TO AN ACCEPTABLE LEVEL FEASIBLE PER TIME, MANPOWER, TECHNOLOGY, FINANCES, & QUALITY-OF-LIFE AS DEFINED BY THE CITY OR VALLEY AUTHORITIES ?

- * ARE WE WAITING FOR A TECHNOLOGICAL DEVELOPMENT, INCREASED REVENUES, LOWER LABOR COSTS, OR A METAMORPHOSIS OF QUALITY-OF-LIFE VALUES ?
- * DOES A GANTT CHART OF ACTION EXIST ?
- * HOW WAS THE FEASIBILITY OF EACH MITIGATION MEASURE & IT'S INTERRELATION EVALUATED ?

3-10

CH 3.4 – COMMUNITY SERVICES AND FACILITIES

IF THE REQUIREMENT FOR POLICE SERVICES IS TO INCREASE BY 82% AS INDICATED ON PAGE 3.4-2, WHY ISN'T A POLICE FACILITY IDENTIFIED IN PLANNING AREA 2 (REF FIG 2-E)

- * THE DISTANCE FROM THE CURRENT FACILITY WOULD REDUCE RESPONCE TIME; THEREFORE THERE WOULD BE A DEGRADATION OF SERVICE
- * WITH A MASSIVE INCREASE IN PERSONNEL, HOW COULD CURRENT FACILITIES HANDLE THE INCREASE ?
- * WHY IS DUBLIN ABLE TO GET BY WITH ONLY 80% OF THE STATE STANDARD OF POLICE OFFICERS PER 1,000 RESIDENTS ? (STATE = 1.5::1,000 ; DUBLIN = 1.2 ::1,000)

3-11

IF THE REQUIREMENT FOR FIRE SERVICES IS TO INCREASE BY 87% AS INDICATED ON PAGE 3.4-3, WHY ISN'T A FIRE STATION IDENTIFIED IN PLANNING AREA ? (REF FIG 2-E)

* DOUGHERTY REGIONAL FIRE AUTHORITY (DRFA) HAS 1,500 CALLS PER YEAR WITH 35,303 RESIDENTS IN SAN RAMON & 23,229 RESIDENTS IN DUBLIN (FOR TOTAL OF 58,532) WHICH YIELDS ONE CALL PER 39.02 RESIDENTS PER YEAR

3-12

* IF WEST & EAST DUBLIN PLANS INCREASE THE POPULATION BY 51,069 (8,404 FOR WEST DUBLIN & 42,669 FOR EAST DUBLIN), IT WILL INCREASE CALLS PER YEAR TO 2,803 AND REQUIRE AN INCREASE IN SERVICE BY 87% [(58,532+51,069)/39.02]/1500]

WHY IS ONLY .8% INCREASE IN SOLID WASTE TO LANDFILLS FORECASTED FOR THE ALTAMOUNT LANDFILL FACILITY ? (PAGE 3.4-21)

3-13

DUBLIN'S IMPACT

YEAR	POP	CU YD	CAP BAL
1992	23,229	75,262	24,424,738
1993	25,319	82,035	24,342,703
1994	27,410	88,807	24,252,836
1995	29,500	95,580	24,158,316
1996	31,020	100,505	24,057,811
1997	32,540	105,430	23,952,382
1998	34,060	110,354	23,842,027
1999	35,580	115,279	23,725,748
2000	37,100	120,204	23,606,544

VALLEY'S IMPACT

YEAR	POP	CU YD	CAP BAL
1992	165,806	537,211	23,962,789
1993	179,404	581,269	23,381,520
1994	193,002	625,325	22,756,193
1995	206,600	669,384	22,086,809
1996	212,180	687,463	21,399,346
1997	217,760	705,542	20,693,804
1998	223,340	723,622	19,970,182
1999	228,920	741,701	19,228,481
2000	234,500	759,780	18,468,701

CH 3.5 - SEWER, WATER AND STORM DRAINAGE

WHAT CONTROL PROCESSES ARE PLANNED TO EVALUATE THE EVER CHANGING STATE OF SEWAGE DEMAND-vs-SUPPLY ?

- * BOTH DSRSD & LAWWMA EXCEED CAPACITY WITH CURRENT PLANNED DEVELOPMENTS - 3.5-2
- * TWA IS STILL IN THE PLANNING STAGES & FUNDS ARE SHRINKING ON A GLOBAL LEVEL - 3.5-1
- * SINCE CONDITIONS OF SUPPLY-AND-DEMAND CHANGE OFTEN
 - ** REQUIRE ANNUAL STATUS REPORT FROM CITIES, VALLEY REGIONAL GROUPS, DEVELOPERS, & SUPPLY OR SERVICE AGENCIES AS TO CURRENT USAGE RATES, FORECASTED DEMAND BY MONTH & YEAR, CURRENT SUPPLY RATES, FORECASTED SUPPLY RATES BY MONTH & YEAR, AND POTENTIAL OBSTACLE TO COORDINATED SUPPLY-AND-DEMAND
 - ** PLOT ALL DATA AGAINST AN EVOLVING TIME RELATED SERVICE SCHEDULE
 - ** OPERATE SERVICE LEVELS AT NO MORE THAN 90% OF CAPACITY UNTIL A STATISTICALLY SIGNIFICANT TIME-RELATED PERFORMANCE LEVEL HAS BEEN ACHIEVED BY BOTH THE SERVICE AGENCY & THE PLANNING EFFORT

3-14

WHAT CONTROL PROCESSES ARE PLANNED TO EVALUATE THE EVER CHANGING STATE OF WATER DEMAND-vs-SUPPLY ?

- * WATER DEMAND EXCEEDS WATER SUPPLY BY DSRSD & ZONE 7 BY 1995 ACCORDING TO PLANNED DEVELOPMENTS - 3.5-12
- * IT IS EXTREMELY RISKY TO ASSUME THAT CAPACITIES CAN BE LENGTHENED BY CURRENT WATER CONSERVATION QUATITIES
- * SINCE CONDITIONS OF SUPPLY-AND-DEMAND CHANGE OFTEN
 - ** REQUIRE ANNUAL STATUS REPORT FROM CITIES, VALLEY REGIONAL GROUPS, DEVELOPERS, & SUPPLY OR SERVICE AGENCIES AS TO CURRENT USAGE RATES, FORECASTED DEMAND BY MONTH & YEAR, CURRENT SUPPLY RATES, FORECASTED SUPPLY RATES BY MONTH & YEAR, AND POTENTIAL OBSTACLE TO COORDINATED SUPPLY-AND-DEMAND

SERVICE SCHEDULE

** OPERATE SERVICE LEVELS AT NO MORE THAN 90%
OF CAPACITY UNTIL A STATISTICALLY SIGNIFICANT
TIME-RELATED PERFORMANCE LEVEL HAS BEEN
ACHIEVED BY BOTH THE SERVICE AGENCY & THE
PLANNING EFFORT

3-14 contd

CH 3.6 - SOILS, GEOLOGY AND SEISMICITY

WHY WERE THERE NO EVALUATIONS & ASSOCIATED MITIGATIONS BASED ON
THE INTERACTION OF MULTI-VARIABLE CAUSES OF STRUCTURE HAZARDS ?

* GEOLOGICAL CHARACTERISTICS OF THE PROJECT AREA LIST

** FAULT LINES - 3.6-1

** ELEVATION CHANGES - 3.6-3

** WATER WAYS - 3.6-3

** EXPANSIVE SOILS - 3.6-6

** EXPOSED GROUND WATER TABLES - 3.6-4

** LANDSLIDES - 3.6-5

3-15

* IN THE REALM OF MECHANICS SINGLE ACTING FORCES (VARIABLES)
ARE RARE AND MULTIPLE FORCES ACTING SIMULTANEOUSLY
ARE THE NORM

* EFFECTIVE MODELLING OF CONDITIONS CAN ONLY BE REALIZED
EVALUATIONS OF INTERACTIONS INSTEAD OF SINGLE POINT
VARIABLES

Response to Letter 4: Carolyn Morgan, Resident of Doolan Canyon

4-1 **Comment: Schedule for Review of the Draft EIR.** The commentator would like the public review period for the Draft EIR to be extended beyond the original 45-day review period. The commentator requests a 90-day review period to November 25, 1992.

Response to Comment 4-1: The comment does not pertain to the adequacy of the EIR, so no response is required. However, the Planning Commission subsequently did extend the public review period by two weeks.

RECEIVED
SEP 23 1992

September 23, 1992

DUBLIN PLANNING

Carolyn Morgan
5184 Doolan Canyon Rd.
Livermore, California

Dublin Planning Commission
100 Civic Plaza
Dublin, California 94568

Commissioners,

The pressure that you seem to have felt to expedite this important draft E.I.R. process does not exist and it never did.

You have been misled. In a letter, dated June 3, 1992, addressed to Mayor Brown of Livermore and Mayor Snyder of Dublin, LAFCO Commissioners agreed that the "outside" date in which they will hear the sphere of influence application for the Doolan Canyon area will be in May, 1993 even if only one city is ready to proceed. It further states that "if both Cities are in agreement, the S.O.I. applications can be either heard prior to or "after" May, 1993.

I have been in contact with some of the LAFCO Commissioners and I have been informed that there is no deadline. I was also told that LAFCO was a reactionary commission. In other words, LAFCO will only take action in response to a request from a City. At this time there is not a request from either City. I also spoke with staff from the City of Livermore and I have been assured that they would be willing to put this matter off.

Since the only reason this commission gave for a rushed timetable was a LAFCO deadline, which does not exist, then I fail to see a reason why the City of Dublin cannot extend both the comment period and public hearings on the draft E.I.R..

Considering Dublin had limited copies of the document available for the public, many people were unable to obtain one. With only one copy at the library that could be checked out, a longer response time would give more people the chance to read, comprehend and make informed comments on the draft E.I.R. With your schedule of 10 hearings, if there was only one meeting a week people could use the library copy more effectively. CEQA law allows for a 90 day comment period. This would give the public until November 25, 1992 or 10

more weeks to understand and respond to the East Dublin E.I.R. and project.

4-1 contd

I am requesting that Dublin give the public until November 25, 1992 to respond to this draft E.I.R.

Thank You

Carolyn Morgan

Carolyn Morgan

Attachment

cc: LAFCO Staff
Each LAFCO Commissioner
Pete Snyder, Mayor of Dublin
Cathie Brown, Mayor of Livermore
Bob Brown, Director of Planning, City of Livermore
Larry Tong, Director of Planning, City of Dublin
Brenda Gillarde, Project Coordinator

Response to Letter 5: James Stedman, President, Stedman and Associates

5-1 **Comment: Number of Proposed Traffic Lanes.** The proposed number of lanes on Figure 3.3-B should correspond to the number of lanes for right-of-way reservation shown on Figure 5.1 of the Eastern Dublin Specific Plan.

Response to Comment 5-1: The number of lanes shown in the two figures are consistent with each other. There may be some confusion however, because Specific Plan Figure 5.1 shows the number of proposed lanes with right-of-way reservation shown in parentheses, and EIR Figure 3.3-B shows the number of existing lanes with the proposed number of lanes in parentheses.

5-2 **Comment: Right-of-Way Reservations.** We want the number of lanes reserved for Tassajara Road to be increased to six lanes between Dublin Boulevard and Gleason Road as stated in MM #.3/14.0; four lanes for the Transit Spine in the Town Center between Tassajara Road and Fallon Road; and four lanes for the two north/south streets shown on Figure 5.1 of the Specific Plan in the Town Center east of Tassajara Road between Dublin Boulevard and Gleason Road.

Response to Comment 5-2: Mitigation measure MM 3.3/14.0 provides for the possibility of reserving right of way for six lanes on Tassajara Road between Dublin Boulevard and Gleason Road as a means of reducing the impacts on levels of service. The Planning Commission is considering recommending that the Specific Plan be revised to ensure right-of-way for six lanes even though it conflicts with the land use concept for the Town Center. It is important to note that the conflict does not represent an environmental impact. The change to six lanes simply means a different land use character for the section of Tassajara Road through the Town Center. The six lane cross-section on Tassajara Road will not be required to accommodate traffic generated by full buildout of Eastern Dublin plus regional projections of year 2010 development in the Tri-Valley area. The six-lane section will only be required to mitigate traffic generated by potential full buildout of proposed development in Dougherty Valley and Tassajara Valley, and if no new connections can be developed between I-580 and Contra Costa County, such as an extension of Hacienda Drive. If the City Council agrees with the Planning Commission's recommendation to change the Specific Plan, mitigation measure MM 3.3/14.0 (page 3.3-28) will be revised as follows:

MM 3.3/14.0 Buildout of proposed non-Project related development (i.e., outside Eastern Dublin) beyond Year 2010 levels would require the widening of Tassajara Road to six lanes between Dublin Boulevard and the Contra Costa County line. Reserve adequate right of way along this section of Tassajara Road to allow the ultimate development of six lanes. Development of Tassajara Road between Dublin Boulevard and Gleason Road should be planned to provide and maintain an attractive pedestrian environment in the Town Center as long as possible (e.g., maintaining reserved right of way on the outside of the roadway where it can be developed with extra wide sidewalks and street tree plantings). This is particularly important given that the need for six lanes may not occur for many years, if ever. Widening of Tassajara Road would mitigate the projected traffic impact, but would not be compatible with planned land uses in the Eastern Dublin General Plan Amendment and Specific Plan, particularly in the Town Center area between Dublin Boulevard and Gleason Road.

For clarification, it should be noted that Figure 3.3-B includes only a portion of the streets included in the Specific Plan, in particular the streets which are anticipated to carry some amount of through traffic. Please refer to Figure 2-F for a more detailed view of the street system which could develop under the Specific Plan guidelines. The grid of two-lane streets proposed in the Town Center area is intended to provide a pedestrian-oriented environment and encourage the development of land uses which rely on convenient pedestrian and transit access. The smaller blocks and higher density of streets within the Town Center provide capacity equivalent to or greater than four-lane streets at wider intervals. The type of street system proposed for the Town Center area successfully provides circulation for vehicles, transit and pedestrians in active downtown areas such as Portland, Oregon.

Stedman & Associates, Inc.

1646 N. California Blvd.
Suite 240, Walnut Creek
California 94590
510-935-9140
FAX 510-935-5842

Civil Engineering
Land Planning
Land Surveying

September 23, 1992
Job No. 8089-87-00

Dublin Planning Commission
City of Dublin
100 Civic Plaza
Dublin, CA 94568

Re: Draft Environmental Impact Report
Eastern Dublin General Plan Amendment
And Specific Plan

Dear Planning Commissioners:

The traffic and circulation chapter of the subject EIR is deficient:

The proposed number of lanes on Figure 3.3-B of the subject EIR should correspond to the number of lanes for right of way preservation shown on Figure 5.1 of the Eastern Dublin Specific Plan. In addition we want the number of lanes to be preserved increased to six (6) for Tassajara Road between Dublin Boulevard and Gleason Road as required in section MM3.3/14.0 of the subject EIR, four (4) lanes for the transit spine in the town center area between Tassajara Road and Fallon Road and four (4) lanes for the two north/south streets shown on figure 5.1 of the Specific Plan in the town center area east of Tassajara Road between Dublin Boulevard and Gleason Road.

5-1

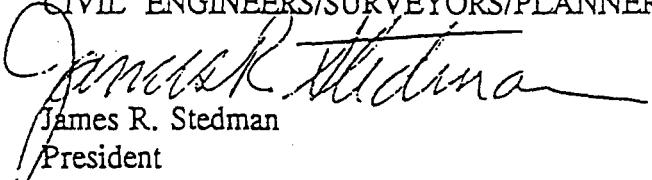
5-2

It is very important that sufficient street carrying capacities be preserved in the town center area to avoid traffic congestion and to promote the marketability of the town center commercial areas along the transit spine.

The owners of the Pao Lin property thank you for your consideration.

Yours sincerely,

STEDMAN AND ASSOCIATES, INC.
CIVIL ENGINEERS/SURVEYORS/PLANNERS


James R. Stedman
President

JRS:kj

Enclosure: Fig. 3.3-B & Fig. 5.1

cc: Kenny Wan
Brenda Gillarde

Response to Letter 6: Leigh Jordan, California Archaeological Inventory

No comments were submitted on the Draft EIR. No response is required.

3 June 1992

re: Eastern Dublin Specific Plan Draft

Dear Ms. Gillarde:

Our office has no further comment on the above project. However, thank you for your interest in protecting cultural resources.

Sincerely,

Leigh Jordan
Leigh Jordan

Assistant Coordinator

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JUN - 5 1992

DUBLIN PLANNING

25 September 1992

re: Eastern Dublin GPA & Specific Plan (No. 91103064)

Dear Ms. Gillarde:

Our office has no additional comments on the above referenced project. However, thank you for your interest in protecting cultural resources.

Sincerely,

Leigh Jordan
Leigh Jordan
Assistant Coordinator

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OCT - 1 1992

DUBLIN PLANNING

Response to Letter 7: Kathryn Watt, Associate Planner, City of Pleasanton

(The first two paragraphs of this letter summarize issues which are addressed in detail in the attached memorandum from the City of Pleasanton's Traffic Engineer. Refer to Responses 7-4 through 7-15 for responses to these traffic-related comments.

7-1 **Comment: Regional Environmental Impacts.** Discuss the extent of regional input which was sought in preparing the GPA, Specific Plan and Draft EIR in terms of the review of existing and proposed regional plans and documents, inter-agency meetings, interviews, etc. Discuss how matters of regional concern (traffic congestion, air quality, transportation, open space preservation, etc.), have been integrated into and coordinated with the proposed GPA and Specific Plan projects. Finally, please provide appropriate regional mitigation measures which ensure that all regional concerns are addressed through GP or Specific Plan policies, or EIR mitigation measures. These concerns would include, but not be limited to:

- Jobs/housing balance;
- Affordable housing (policies and methods);
- Transportation systems (public transit and funding of improvements);
- Water supplies and water distribution;
- Wastewater treatment and facilities, export capacities, and collection;
- Noise along I-580;
- Open space buffers between jurisdictions;
- Scenic open space and ridgeline protection;
- Wildlife habitat protection and preservation.

Response to Comment 7-1: The Draft EIR on the Eastern Dublin General Plan Amendment and Specific Plan evaluates potential impacts based on the best available information from all known planning and environmental documents. Projections and base data for regional issues such as traffic, air quality, and commercial and residential growth are based on data from the responsible regional agencies; Metropolitan Transportation Commission, the Bay Area Air Quality Management District, and the Association of Bay Area Governments. Refer to the Bibliography in the Draft EIR for a listing of the specific documents used. Many planning efforts of considerable size and importance have been proceeding concurrently with the eastern Dublin planning process. These efforts have been tracked as closely as possible, however, given the changing character of each of these processes some of the data may have changed since the publication of the Draft EIR. Planning efforts that have been considered in the formulation and review of the Project include the North Livermore General Plan Amendment, the Dougherty Valley Specific Plan, the Tassajara Valley General Plan Amendment, the East Alameda County Area Plan Update, the Tri-Valley Wastewater Authority's Long Range Wastewater Management Plan for the Livermore-Amador Valley, the BART extension, and the Tri-Valley Transportation Council's progress toward preparation of a Tri-Valley Transportation Plan.

For discussion of how regional data has been utilized in the planning and environmental analysis, refer to the following specific sections of the Draft EIR:

- Jobs/Housing Balance: page 3.2-1 to 3.2-11
- Affordable Housing: page 3.2-5 through 3.2-11
- Transportation systems: page 3.3-19 through 3.3-29
- Water Supply and Distribution: page 3.5-12 through 3.5-22
- Wastewater Collection and Treatment: page 3.5-5 through 3.5-12
- I-580 Noise Levels: page 3.10-3

- Open Space Buffers: page 3.1-9 through 3.1-14
- Scenic Open Space and Ridgeland Protection: page 3.8-4 through 3.8-9
- Wildlife Habitat Protection and Preservation: 3.7-8 through 3.8-18.

7-2 **Comment: Infrastructure Financing Issues/Financing of Capital Facilities outside the Project Site.** Chapter 3.12 discusses impacts and mitigations in relation to capital facilities. No specific mention is made of the type of water and sewer facilities required to off-set the expected development impacts of the project. Are the costs listed related exclusively to facilities which are to occur within the General Plan and Specific Plan boundaries?

Response to Comment 7-2: A detailed discussion of the specific infrastructure improvements that will be necessary to serve the Specific Plan area are contained in Appendix 6 of the Draft Specific Plan. Improvements include both on-site and off-site facilities that would be required to serve the Project. Tables A-5 through A-13 show a breakdown of costs by facility. While all improvements, both on-site and off-site, have been sized to accommodate future buildout of the General Plan Amendment Increment area, no on-site improvements have been designed for that area at this point. Likewise, improvement costs include only those improvements necessary for buildout of the Specific Plan area (i.e., off-site improvements and on-site improvements within the Specific Plan area), so that the feasibility of the financing load could be determined.

7-3 **Comment: Infrastructure Financing Issues/Reimbursement and Shared Interagency Costs.** The City of Pleasanton and the North Pleasanton Improvement District (NPID) have contributed substantial sums towards the improvement of I-580 interchanges (Hopyard Road, Hacienda Drive, and Santa Rita Road) which will be impacted by the proposed project and from which the proposed project will benefit. Similarly, the City of Pleasanton and NPID have contributed to Zone 7 and DSRSD projects which potentially could be utilized and impacted by the proposed project. The EIR, and GP and/or Specific Plan policies (as stated in the EIR), do not seem to address any reimbursement or inter-agency shared costs regarding these improvements.

Response to Comment 7-3: Comment acknowledged. The specifics of shared inter-agency costs will need to be worked out once the plan has been adopted. The issue of other cities or agencies receiving credit for past improvements is obviously one of the factors that will need to be explored when negotiating any cost sharing on proposed improvements.

7-4 **Comment: Additional I-580 Overpasses.** The two additional I-580 overpasses included in the base transportation system could be considered as mitigating measures. The impact of these overpasses on Pleasanton street system was not detailed in the Environmental Impact Report and under normal conditions an overpass of this nature would require an individual impact report.

Response to Comment 7-4: Additional overcrossings of I-580 were not included in the Eastern Dublin Specific Plan (see Figure 3.3-B). Such overpasses would not be required with full buildout of Eastern Dublin plus regionally consistent projections of Year 2010 growth in the rest of the Tri-Valley area. Additional overpasses were tested in the DEIR as a potential mitigation for traffic generated by cumulative buildout of all proposed development outside of Eastern Dublin. Upon further analysis, it has been determined that the overcrossings would not eliminate any of the significant traffic impacts identified in the DEIR. Therefore, they are no longer considered to be part of the assumed circulation system for the Cumulative Buildout scenario.

7-5 **Comment: IM 3.3/B: I-580 Freeway between I-680 and Hacienda.** I-580 freeway between

I-680 and Hacienda was assessed to be at level of service "F" and determined to be an "unavoidable adverse impact." The proposed mitigating measures for the City of Dublin would be to participate in TSM programs and regional transit facilities. The assumption is that the impact is in all likelihood not mitigated.

Response to Comment 7-5: Recommended mitigation measures to reduce freeway congestion include participation in TSM programs and regional transit improvements. Although these mitigation measures would help to reduce congestion, their effectiveness cannot be accurately quantified, and therefore the impact IM 3.3/B is identified as an "unavoidable adverse impact."

7-6 **Comment: IM 3.3/C: I-580 Freeway from Tassajara to Fallon/Airway.** I-580 Freeway from Tassajara to Fallon/Airway is projected to reach Level of Service "F" and to be mitigated by the installation of auxiliary lanes. The specific language was "...shall contribute to the construction of auxiliary lanes"). This could imply the City of Pleasanton's possible assistance.

Response to Comment 7-6: Contributions to regional road improvements would be determined based on a regionally accepted methodology, such as the current study being conducted by the Tri-Valley Transportation Council. The determination of contributions to future improvements should consider the proportion of traffic contributed by various areas, as well as prior contributions to regional road improvements (such as those built by the North Pleasanton Improvement District). Traffic increases on I-580 are anticipated to be attributable to future development in Dublin (including Eastern Dublin), Pleasanton (particularly further buildout of Hacienda Business Park), Livermore, Contra Costa County and San Joaquin County.

The discussion of Impact IM 3.3/C and Mitigation Measure MM 3.3/3.0 on page 3.3-22 is incorrect. Implementation of MM 3.3/3.0 would reduce the impact to a level of insignificance on I-580 between Tassajara Road and Fallon Road as well as the portion of I-580 between Fallon Road and Airway Boulevard.

7-7 **Comment: Intersection Impacts.** The report on page 3.3-22 under the heading "Impacts and Mitigation Measures: Peak Hour Intersection Operation" references detail PM peak intersection problems significantly impacted by project traffic (Figure 3.3-F). This figure is not included in the report and table 3.3-10 listing levels of service by intersection is not a complete listing of those intersections which may be impacted by the project. Specifically missing from the list are any intersections with the new proposed overpasses of I-580 between Hacienda and Tassajara/Santa Rita and between Tassajara/Santa Rita and Fallon/El Charro Roads. The report should also include analysis of those intersections immediately south of I-580.

Response to Comment 7-7: Figure 3.3-F is located at the end of the Traffic and Circulation section, and indicates the existing and recommended lanes for intersections where significant traffic impacts were identified. New overpasses of I-580 are not part of the Eastern Dublin circulation system and were only included as potential mitigation associated with full cumulative buildout of development outside of Eastern Dublin.

7-8 **Comment: IM 3.3/F: Dougherty Road & Dublin Boulevard.** The EIR states that "the project shall contribute a proportionate share of the improvement costs" to the Dougherty road/Dublin Boulevard intersection. The EIR should detail a specific funding plan for needed improvements including cost estimates and estimates of pro rata share and which agencies are expected to share in the improvements. The City of Pleasanton would obviously want included in any proportionate shares, those portions of NPID3 which provided significant

capacity to those cities north of I-580. Such cost could be applied as credits to any reasonable proportionate shares attributed to Pleasanton.

Response to Comment 7-8: It is beyond the scope of a program EIR, such as this, to include cost estimates and a specific funding plan for improvements. Cost estimates and recommended funding sources for improvements to the intersection of Dougherty Road and Dublin Boulevard will be determined by the current study by the Tri-Valley Transportation Council, or by a similar study with full participation by all affected agencies. Funding shares should consider prior contributions to regional road improvements. If no means of apportioning responsibility for shares of regional transportation improvements is available, no development proposals pursuant to the Eastern Dublin Specific Plan would be approved beyond the capacity of the road system at that time.

7-9 **Comment: IM 3.3/G: Hacienda Drive & I-580 Eastbound Ramps.** This intersection is projected to operate at level of service "F". The proposed mitigation measure is not acceptable to the City of Pleasanton as it requires the re-striping of eastbound off-ramp taking away one of the right turn lanes serving Pleasanton to create an additional left turn lane serving Dublin. Given that the NPID constructed this interchange, adding additional lanes required to serve Dublin should be lanes in addition to those which have been provided which are needed for service to the City of Pleasanton.

Response to Comment 7-9: Mitigation measure MM 3.3/7.0 has been revised as follows:

MM 3.3/7.0 *The City of Dublin shall coordinate in coordination with the City of Pleasanton and Caltrans, shall implement improvements on the I-580 eastbound off-ramp at Hacienda Drive. The improvements will widen the off-ramp by 12 feet to provide a second left-turn lane in addition to the existing single left-turn lane and two right-turn lanes. to restripe the I-580 eastbound off ramp to provide two left turn lanes and one right turn lanes (existing lanes are one left turn lane and two right turn lanes). The Project shall contribute a proportionate share of the improvement costs. Proportionate shares shall be determined by a regional study of transportation needs and funding requirements, such as the current study by the Tri-Valley Transportation Council. Funding shares shall also consider prior contributions to road improvements at this location. The improvements will provide LOS C operations.*

The traffic analysis indicated that an adequate level of service could be provided with the restriping recommended in the DEIR. However, the recommendation will be modified to retain the existing two right-turn lanes in order to maintain the current levels of accessibility for traffic to Pleasanton. The City of Dublin engineering staff have conducted a field review of this location and determined that the improvement is physically feasible.

7-10 **Comment: IM 3.3/H: Tassajara Road & I-580 Westbound Ramps.** This intersection is estimated to operate at Level of Service "F". Widening of this intersection is proposed with a similar "proportionate share of improvement costs". Given that the North Pleasanton Improvement District constructed the second bridge and necessary ramps the City of Pleasanton proportionate cost has more than been contributed.

Response to Comment 7-10: Proportionate shares for the cost of improvements at this intersection should consider prior contributions to road improvements. See Response to Comment 7-8.

7-11 **Comment: IM 3.3/I: Santa Rita Road & I-580 Eastbound Ramps.** Mitigation measure MM 3.3/9.0 recommends widening of the I-580 eastbound off-ramp at Santa Rita Road to provide two left-turn lanes, one through lane to Pimlico Drive, and one right-turn lane, as shown in Figure 3.3-F. The text on page 3.3-26 describing "two left-turn lanes and two right-turn lanes" is incorrect. The recommended widening of the off-ramp will provide LOS E operations. This improvement would reduce the impact, but not to a level of insignificance.

Prohibition of southbound left-turns to Pimlico Drive was recommended for the P.M. peak period only, and this left-turn movement would be available at all other times of day. The City of Pleasanton has indicated that this peak-period left-turn prohibition would not be acceptable. No other feasible street improvements have been identified at this intersection. Therefore, MM 3.3/9.0 will reduce the impact, but not to a level of insignificance. Impact IM 3.3/I would remain significant. The City of Dublin shall continue to coordinate with the City of Pleasanton and Caltrans to monitor traffic conditions at this intersection and identify other potential mitigation alternatives.

The northbound lanes shown on Figure 3.3-F represent the observed configuration at the approach to Pimlico Drive, and include two lanes which pass through the intersection to the freeway overpass, two lanes which pass through the intersection to the eastbound I-580 on-ramp, and right-turn movements to Pimlico Drive provided from the right-most of the four lanes.

Response to Comment to Comment 7-11: Mitigation measure 3.3/9.0 will be revised in consultation with the City of Pleasanton. Prohibition of southbound left turns to Pimlico Drive was recommended for the P.M. peak period only, and this left-turn movement would be available at all other times of day. Figure 3.3-F indicates that the recommended lanes on the eastbound off-ramp would include a lane for through movements to Pimlico Drive. The northbound lanes shown in Figure 3.3-F represent the configuration at the approach to Pimlico Drive, and include two lanes which pass through the intersection to the overpass, two lanes which pass through the intersection to the eastbound I-580 on-ramp, and right turn movements to Pimlico Drive provided from the rightmost of the four lanes.

7-12 **Comment: Other Arterial Intersections/Dublin Boulevard.** It does not appear that grade intersections of Dublin Boulevard with Hacienda Drive, Tassajara Road and Fallon Road would be practical given the Average Daily Traffic Volumes shown in Figure 3.3-E. The projected ADT numbers would appear to exceed any reasonable grade intersection capabilities.

Response to Comment 7-12: The proposed grade intersections on Dublin Boulevard at Hacienda Drive, Tassajara Road and Fallon Road would require two left-turn lanes, three through lanes and one right-turn lane on each approach. A fourth through lane would be required on the southbound approach heading towards the I-580 freeway. These lane configurations would provide the levels of service indicated in Table 3.3-10. The high traffic volumes shown on Figure 3.3-E on the roadway sections just north of I-580 would not actually cross Dublin Boulevard. Much of the projected traffic on these roadway sections would turn to and from Dublin Boulevard.

7-13 **Comment: Tassajara Road.** Tassajara Road is proposed as only a four lane arterial even though the demand is much higher. The reasoning given is that the road splits the commercial

area and would create a barrier. Perhaps the commercial area should be planned in such a way that it is not split and the roadway can be used as a divider of different land use types.

Response to Comment 7-13: See response to Comment 5-2.

7-14 **Comment: Average Daily Traffic Volumes.** There are no ADT projections for either the proposed I-580 overpasses or for the Dougherty/Hopyard interchange.

Response to Comment 7-14: Additional overpasses of I-580 are not part of the proposed circulation system for Eastern Dublin. Table 3.3-9 includes traffic volume projections for I-580 on either side of the Dougherty/Hopyard interchange. Secondary impacts related to these improvements would need to be evaluated in environmental analysis of these individual projects.

7-15 **Comment: Arterial Connection through the Northern Portion of the Project Site.** Given the projected over capacity of I-580, it could appear desirable to have a major arterial connection between planned new growth in North Livermore, Eastern Dublin, and Bishop Ranch on the north side of the planning area.

Response to Comment 7-15: The Eastern Dublin SP/GPA includes a six-lane extension of Dublin Boulevard extending from Dougherty Road to North Canyons Parkway in Livermore. The plan also provides several parallel streets within the Eastern Dublin area, and a major extension of Fallon Road to connect with Tassajara Road. The current study by the Tri-Valley Transportation Council will evaluate regional transportation improvements and needs, potentially including another major arterial connection north of I-580.



CITY OF PLEASANTON

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

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OCT - 5 1992

DUBLIN PLANNING

CITY OFFICES
123 MAIN STREET

CITY COUNCIL
484-8001

CITY MANAGER
484-8008

CITY ATTORNEY
484-8003

CITY CLERK
484-8235

FINANCE
484-8033

PERSONNEL
484-8012

CITY OFFICES
200 OLD BERNAL AVE

PLANNING
484-8023

ENGINEERING
484-8041

BUILDING INSPECTION
484-8015

COMMUNITY SERVICES
484-8160

WATER - BILLING
484-8038

FIELD SERVICES
3333 BUSCH RD.

SUPPORT SERVICES
484-8067

PARKS
484-8056

SANITARY SEWER
484-8061

STREET
484-8066

WATER
484-8071

FIRE
4444 RAILROAD AVE
484-8114

POLICE
4333 BERNAL AVE
P.O. BOX 909
484-8127

September 28, 1992

City of Dublin Planning Departm
ATTN: Ms. Brenda A. Gillarde
100 Civic Plaza
Dublin, CA 94568

Dear Ms. Gillarde:

RE: Draft EIR for the Eastern Dublin General Plan Amendment and Specific Plan

Thank you for the referral of the Eastern Dublin EIR and for giving the City of Pleasanton an opportunity to comment upon the document. The City would like additional evaluation of potential environmental impacts which are described below in the form of 1) "local" impacts likely to affect Pleasanton, 2) "regional" impacts likely to affect the Tri-Valley area, and 3) infrastructure financing.

Local Environmental Impacts

The Draft EIR projects inadequate levels of service for several key intersections and for the interstate freeway system. Proposed mitigation measures on I-580 intersections would adversely impact traffic circulating to the City of Pleasanton by diverting lanes currently dedicated to serving the City of Pleasanton, to serving the City of Dublin. Additional I-580 overpasses could adversely impact traffic on Rosewood Drive and Fairlands Drive. Specific peak hour intersection volume analyses should be provided at all I-580 interchanges and the proposed overpass.

Mitigation measures which address the Level of Service (LOS) F at Hacienda Drive and the I-580 eastbound ramps, and at Santa Rita Road and the I-580 eastbound off-ramp, are not acceptable to the City. Additionally, the document states that the LOS F on the I-580 freeway between I-680 and Hacienda Drive is an "unavoidable adverse impact" and that the impact, in all likelihood, will not be mitigated. (For more specific comments, please refer to the attached memo dated September 29, 1992, from Mr. Bill van Gelder, the City's Traffic Engineer).

Regional Environmental Impacts

Discuss the extent of regional input which was sought in preparing the GPA, Specific Plan and Draft EIR in terms of the review of existing and proposed regional plans and documents, inter-agency meetings, interviews, etc. Discuss how matters of regional concern (traffic congestion, air quality, transportation, open space preservation, etc.), have been integrated into and coordinated with the proposed GPA and Specific Plan projects. Finally, please provide appropriate regional mitigation measures which ensure that all regional concerns are addressed through GP or Specific Plan policies, or EIR mitigation measures. These concerns would include, but are not limited, to:

1. Jobs/housing balance;
2. Affordable housing (policies and methods);
3. Transportation systems (particularly suggestions for ameliorating traffic impacts through public transit and funding of transportation improvements);
4. Water supplies and water distribution;
5. Wastewater treatment and facilities, export capacities, and collection systems;
6. Increased noise levels along the I-580 due to traffic volume increases;
7. Open space buffers between jurisdictions;
8. Scenic open space and ridgeline protection; and
9. Wildlife habitat protection and preservation.

7-1

Infrastructure Financing Issues

Chapter 3.12 discusses impacts and mitigations in relation to capital facilities. One paragraph identifies the general costs associated with infrastructure improvements in the Specific Plan area. However, in reviewing the sections of Chapter 3 which address mitigations relating to infrastructure improvements for water and sewage, no specific mention is made of the type of facilities required to off-set the expected development impacts of the project (General Plan or Specific Plan). Are the costs listed related exclusively to facilities which are to occur within the General Plan and Specific Plan area boundaries?

7-2

Mitigation measures 3.12/5.0, 3.12/7.0 and 3.12/8.0 address developer impact fee systems, highway interchange funding and utilities impact fees. The City of Pleasanton and the North Pleasanton Improvement District (NPID) have contributed substantial sums towards the improvement of I-580 interchanges (Hopyard Road, Hacienda Drive, and Santa Rita Road) which will be impacted by the proposed project and from which the proposed project will benefit. Similarly,

7-3

September 28, 1992

the City of Pleasanton and NPID have contributed to Zone 7 and DSRSD projects which potentially could be utilized and impacted by the proposed project. The EIR, and GP and/or Specific Plan policies (as stated in the EIR), do not seem to address any re-imbursement or inter-agency shared costs regarding these improvements.

7-3
contd.

Should you have any questions, please do not hesitate to call me at (510) 484 - 8023. If you have specific questions regarding the City's concerns with traffic impacts, please direct your comments to Mr. Bill van Gelder (484 - 8041). Again, thank you for the opportunity to comment upon this project.

Sincerely,

Kathryn Watt

Kathryn Watt
Associate Planner

Enclosure

CC: Pleasanton City Council
Deborah Acosta, City Manager
Brian W. Swift, Director of Planning and Community Development
Joseph Elliott, Director of Public Works

(edubeir.ltr)
September 28, 1992

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OCT - 5 1992

DUBLIN PLANNING

MEMORANDUM



DATE: September 29, 1992

RECEIVED

TO: Brian Swift

SEP 29 1992

Bill

FROM: Bill van Gelder

CITY OF PLEASANTON
PLANNING DEPT.

SUBJECT: Revised E.I.R. for Eastern Dublin General Plan Amendment and
Specific Plan for August 28, 1992.

I have reviewed the "traffic" portion of the draft Environmental Impact Report. I believe that the report is inadequate for us to determine the impacts on the City of Pleasanton's transportation system. In summary, the report shows projections of inadequate levels of service on several key intersections and on the interstate freeway system. It proposes mitigating measures on I-580 intersections which would adversely impact traffic circulation to the City of Pleasanton by diverting lanes currently dedicated to serve Pleasanton, to serving the City of Dublin. The Environmental Impact Report also proposes additional I-580 overpasses between Hacienda Boulevard and Tassajara Road and between Santa Rita Road and El Charro. This could adversely impact traffic on Rosewood Drive and Fairlands Drive. To adequately analyze the Eastern Dublin proposal, specific peak hour intersection volume analysis should be provided at all I-580 interchanges and the proposed overpass. The following discussion is a more complete review of the traffic impacts on a general overview and point-by-point basis.

GENERAL

The Eastern Dublin General Plan Amendment proposes 17,970 new residential units with a population of 42,669. In terms of commercial, it provides 10.6 million additional square feet with four and half million in commercial and the remainder in office and industrial park for the production of some 27,720 jobs.

The project is expected to generate 482,900 new daily vehicle trips with 42,200 of those occurring during the PM peak hour (Table 3.3-7). The analysis assumes that about 40% of the total trips are projected to remain within Eastern Dublin. Three-quarters of the trips within the Tri-Valley with only approximately 25% traveling outside the Tri-Valley on the Interstate System. (see Table 3.3-8) The traffic analysis used by the City was done by DKS on their own traffic model using 1990 ABAG land use projections. Traffic was generated and assigned to a future roadway network which included "future roadway improvements." Many of the future roadway improvements are

Revised E.I.R. for Eastern Dublin
General Plan Amendment & Specific Plan

not in place and have no guaranteed funding source. The most critical on the list would be the 580/680 Interchange flyover and State Route 84. A light rail proposal extending to San Ramon via the SP Right-of-Way/Dougherty Road/Bollinger Canyon Road is proposed together with an East-West Transit Spine paralleling I-580 somewhere north of Dublin Boulevard extension. The plan also assumes Hacienda Drive extended as a four lane arterial from Dublin Boulevard to Gleason Road, widening Tassajara to four lanes, widening of Fallon Road and extension as a four lane arterial to Tassajara Road.

The interstate is assumed to be widened on I-580 between I-680 and Tassajara to ten lanes with a new freeway over-crossing of I-580 between "Hacienda Drive and Tassajara Road" and an additional overpass between Tassajara Road and Fallon Road.

The attached Table 3.3 indicates I-580 operating between levels of service "E" and "F" from Airway Boulevard to I-680 in the year 2010. With the proposed General Plan amendment adding some eighteen to twenty-seven thousand cars a day to I-580 east of I-680 and some eighteen thousand cars a day to I-680 south of 580, eleven thousand cars a day to 680 north of 580. These traffic volumes are roughly equivalent to an additional peak hour travel lane. Table 3.3-10 shows intersection levels of service with level of service "F" at Hacienda and the eastbound I-580 off-ramps; level service "F" at both Santa Rita/Tassajara/I-580 off ramps.

MITIGATION MEASURES

The two additional I-580 over-crossings included in the base transportation system could be considered as mitigating measures. The impact of these overpasses on Pleasanton street system was not detailed in the Environmental Impact Report and under normal conditions an overpass of this nature would require an individual impact report.

FREEWAY IMPACTS

I-580 freeway between I-680 and Hacienda was assessed to be at level of service "F" and determined to be an "unavoidable adverse impact." The proposed mitigating measures for the City of Dublin would be to participate in TSM programs and regional transit facilities. The assumption is that the impact is in all likelihood not mitigated.

I-580 freeway from Tassajara to Fallon/Airway is projected to reach Level of Service "F" and to be mitigated by the installation of auxiliary lanes. The specific language was "...shall contribute to the construction of auxiliary lanes." This could imply the City of Pleasanton's possible assistance.

Revised E.I.R. for Eastern Dublin
General Plan Amendment & Specific Plan

INTERSECTION IMPACTS

The report on page 3.3-22 under the heading "Impacts and Mitigation Measures: Peak Hour Intersection Operation" references detail PM peak intersection problems significantly impacted by project traffic (Figure 3.3-F). This figure is not included in the report and table 3.3-10 listing levels of service by intersection is not a complete listing of those intersections which may be impacted by the project. Specifically missing from the list are any intersections with the new proposed overpasses of I-580 between Hacienda and Tassajara/Santa Rita and between Tassajara/Santa Rita and Fallon/El Charro Roads. The report should also include analysis of those intersections immediately south of I-580.

7-7

DOUGHERTY ROAD AND DUBLIN BOULEVARD

This intersection is projected to operate at Level of Service "F" and requires significant widening adding a northbound thru lane and an additional right turn lane, adding an additional southbound left turn lane and one more thru lane and adding an additional eastbound thru lane. Westbound would be improved to two left turn lanes, three thru lanes and a right turn lane. The EIS reads "the project shall contribute a proportionate share of the improvement costs." The EIR should detail a specific funding plan for needed improvements including cost estimates and estimates of pro-rata share and which agencies are expected to share in the improvements. The City of Pleasanton would obviously want included in any proportionate shares, those portions of NPID3 which provided significant capacity to those cities north of I-580. Such cost could be applied as credits to any reasonable proportionate shares attributed to Pleasanton.

7-8

HACIENDA DRIVE AND I-580 EAST BOUND RAMPS

This intersection is projected to operate at level of service "F". The proposed mitigating measure is not acceptable to the City of Pleasanton as it requires the restriping of eastbound off-ramp taking away one of the right turn lanes serving Pleasanton to create an additional left turn lane serving Dublin. Given that the NPID constructed this interchange adding additional lanes required to serve Dublin should be lanes in addition to those which have been provided which are needed for service to the City of Pleasanton.

7-9

TASSAJARA ROAD AND I-580 WESTBOUND RAMP

This intersection is estimated to operate a Level of Service "F". Widening of this intersection is proposed with a similar "proportionate share of improvement costs." Given that the North Pleasanton Improvement District constructed the second bridge and necessary ramps the City of Pleasanton proportionate cost has more than been contributed.

7-10

Revised E.I.R. for Eastern Dublin
General Plan Amendment & Specific Plan

SANTA RITA ROAD AND I-580 EASTBOUND OFF-RAMP

This intersection is projected to operate at Level of Service "F". The proposed mitigating measure is not acceptable to the City of Pleasanton. It suggests providing two left turn lanes and two right turn lanes eastbound and the possible prohibition of the southbound left turn lane to Pimlico. There is no reasonable alternative to the southbound left turn to Pimlico which serves not only residential but significant commercial enterprise. The creation of two left turns for the eastbound off ramp would also not provide to any thru traffic for Pimlico Drive. The lane configuration shown in Figure 3.3-F does not correctly reflect the northbound distribution of lanes to the eastbound on-ramp which has two right turn lanes. If this configuration was used in the capacity analysis it may be inaccurate as there are not three northbound thru lanes.

OTHER ARTERIAL INTERSECTIONS IN DUBLIN

Several mitigating measures are discussed for other intersections in the City of Dublin. If the average daily traffic volume shown in figure 3.3-E adequately represents future traffic volumes it would not appear that grade intersections of Dublin Boulevard with Hacienda Drive, Tassajara Road or Fallon Road would be practical. The projection of traffic on the north-south arterial links between Dublin Boulevard and I-580 are in the range of seventy to eighty thousand cars a day. This volume would have to cross Dublin Boulevard which carries some forty-five to fifty thousand cars a day. Such ADT numbers would appear to exceed any reasonable grade intersection capabilities. Tassajara Road is proposed as only a four lane arterial even though the demand is much higher. The reasoning given is that the road splits the commercial area and would create a barrier. Perhaps the commercial area should be planned in such a way that it is not split and the roadway can be used as a divider of different land use types. There are not volume projections given for the proposed new overpasses of I-580 and no figures are shown for the Dougherty/Hopyard Interchange.

In conclusion, Staff believes that the EIR indicates numerous unavoidable adverse impacts which are not mitigated and presents several mitigation measures which are not acceptable to the City of Pleasanton. The plan assumes many transportation network facilities which have no assured funding nor no recommended funding plan. Some of the proposed network facilities such as the additional overpass between Hacienda and Tassajara could provide additional access between new residential units in Dublin and the North Pleasanton Improvement District. This may be feasible, however, no specific analysis of the proposal is presented. The other additional connection between Tassajara, Santa Rita and Fallon Road would not appear to be at all advisable or compatible with Pleasanton's land use, which is single family residential. The only east-west access from such a connection would be over the residential streets of Fairlands or possibly West Las Positas.

Revised E.I.R. for Eastern Dublin
General Plan Amendment & Specific Plan

Given the projected over capacity of I-580 it could appear desirable to have a major arterial 7-15
connection between planned new growth in North Livermore, Eastern Dublin and Bishop Ranch on contd.
the North side of the planning area.

cc: TTVTAC

Memos\Dublin.Eir

Response to Letter 8: James R. Stedman, Stedman and Associates

8-1 **Comment: Policy Reconciliation in Table 3.1-4/IP 2.1.2.C.** The Specific Plan is inconsistent with General Plan Implementing Policy 2.1.2.C: "Require a mixture of dwelling types in large projects". The following Policy Reconciliation is required: "In the Town Center area the Specific Plan requires straight streets with rectangular blocks not to exceed 500' in length. Those small blocks do not accommodate large projects. In order to be consistent with the *General Plan* policy, the *Specific Plan* shall allow for curvilinear streets with large blocks."

Response to Comment 8-1: The proposed street pattern is not inconsistent with existing General Plan policy. There appears to be a misreading of the intent of policy 2.1.2.C. The existing policy does not require large projects, rather it requires that there be a mixture of dwelling types when there is a large project. The Specific Plan provides three density categories within the Town Center area, creating the possibility for an array of housing types. The proposed blocks (shown in Figure 2-F) are not particularly small. The size of the proposed blocks is typical of residential blocks in suburban communities.

8-2 **Comment: Policy Reconciliation in Table 3.1-4/GP 5.1.D.** The Specific Plan is inconsistent with existing General Plan Policy 5.1.D: "Reserve right-of-way and construct improvements necessary to allow arterial and collector streets to accommodate projected traffic with the least friction." The following Policy Reconciliation is required: "Right-of-way width shall be preserved to accommodate eight lanes for Tassajara Road from I-580 to Dublin Boulevard and 6 lanes from Dublin Boulevard to Fallon Road and to accommodate four lanes for the Transit Spine from Tassajara Road to Fallon Road."

Response to Comment 8-2: The Project Consistency column in Table 3.1-4, GP 5.1.A should be revised to indicate that the proposed plan would be potentially inconsistent with general plan policy to accommodate projected traffic with the least friction. As discussed under IM 3.3/N (page 3.3-28), cumulative buildout of the proposed Dougherty Valley and Tassajara Valley projects could result in LOS F operating conditions along Tassajara Road between Dublin Boulevard and Gleason Road. If it is assumed that both these developments will be built out as proposed, the current 4-lane right-of-way reservation along this section of Tassajara Road would be inconsistent with current general plan policy.

Mitigation measure MM3.3/14.0 (page 3.3-28), which would provide for the reservation of six lanes of right-of-way in this area, would be consistent with current policy and improve operating conditions to acceptable levels. As noted in the Draft EIR, this solution (six lanes of traffic) is inconsistent with the land use concept for the area, which calls for the establishment of a pedestrian-friendly commercial environment. To eliminate the inconsistency, the Policy Reconciliation column on page 3.1-28 of the DEIR should recommend that the Specific Plan reserve right-of-way for six lanes on Tassajara Road between Gleason Road and Dublin Boulevard (and Figure 5.1 in the Specific Plan should be revised to reserve right-of-way for six lanes).

There are no consistency problems between current general plan policy and the proposed rights-of-way proposed on Tassajara between Dublin Boulevard and I-580 or on the Transit Spine. The traffic analysis conducted for the Specific Plan and the DEIR indicated that two lanes would provide adequate capacity on the Transit Spine within the Town Center east of Tassajara Road, provided two additional two lane collector streets are provided parallel to the Transit Spine in that section as shown in Figure 5.1 of the Specific Plan and Figure 2-F in the DEIR.

8-3 **Comment: Policy Reconciliation in Table 3.1-4/IP 5.1.I.** The Specific Plan is inconsistent with existing General Plan Policy 5.1.I: "Prevent misuse of neighborhood collector streets by through traffic." The following Policy Reconciliation is required: "In order to discourage through-traffic in residential neighborhoods, the Transit Spine shall be four lanes from Tassajara Road to Fallon Road."

Response to Comment 8-3: The identified Specific Plan policy is not inconsistent with existing General Plan policy. The Transit Spine has been designed to accommodate local traffic within the commercial shopping area and to maintain a pedestrian-friendly scale and character. From an operations standpoint, there is no reason to increase the size of the Transit Spine to four lanes. The Transit Spine is not intended to serve as an east-west through route, and given the convenience of major east-west arterials (Dublin Boulevard and Gleason Road) there is no reason to assume the Transit Spine would become one. Increasing the number of lanes would only encourage through traffic and higher traffic speeds both of which would be at odds with establishing a pedestrian-oriented retail district.

OCT - 1 1992

DUBLIN PLANNING

Stedman & Associates, Inc.

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510-935-9140
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Civil Engineering
Land Planning
Land Surveying

September 30, 1992
Job No. 8089-87-00

Dublin Planning Commission
City of Dublin
100 Civic Plaza
Dublin, CA 94568

Re: Draft Environmental Impact Report
Eastern Dublin General Plan Amendment
and Specific Plan

Dear Planning Commissioners:

Please refer to Table 3.1-4 in the Land Use section of the subject EIR.

Line IP 2.1.2.C in the Residential category identifies the following General Plan Policy: "Require a mixture of dwelling types in large projects". The Specific Plan is inconsistent with that policy. The following Policy Reconciliation is required: In the town center area the Specific Plan requires straight streets with rectangular blocks not to exceed 500' in length. Those small blocks do not accommodate large projects. In order to be consistent with the General Plan Policy the Specific Plan shall allow for curvilinear streets with large blocks.

8-1

Line 5.1.D in the circulation and Scenic Highways section identifies the following General Plan Policy: "Reserve right-of-way and construct improvements necessary to allow arterial and collector streets to accommodate projected traffic with the least friction." The Specific Plan is inconsistent with that policy. The following Policy Reconciliation is required. "Right-of-way width shall be preserved to accommodate 8 lanes for Tassajara Road from I-580 to Dublin Boulevard and 6 lanes from Dublin Boulevard to Fallon Road and to accommodate 4 lanes for the Transit Spine from Tassajara Road to Fallon Road."

8-2

Line 5.1.I in the circulation and Scenic Highways section identifies the following General Plan Policy: "Prevent misuse of neighborhood collector streets by through traffic." The Specific Plan is inconsistent with that policy. The following Policy Reconciliation is required: "In order to discourage through traffic in residential neighborhoods the Transit Spine shall be 4 lanes from Tassajara Road to Fallon Road."

8-3

202
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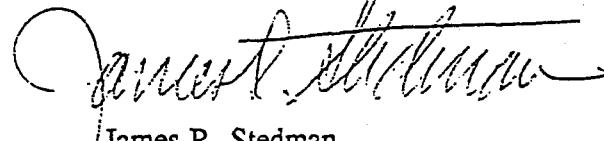
Dublin Planning Commission
City of Dublin
Page 2

September 30, 1992
Job No. 8089-87-00

Thank you for your consideration.

Yours sincerely,

STEDMAN AND ASSOCIATES, INC.
CIVIL ENGINEERS/SURVEYORS/PLANNERS



James R. Stedman
President

JRS:kj

cc: Kenny Wan, Pao Lin, Owner
Brenda Gillarde

Response to Letter 9: Jose L. Moscovich, Alameda County Congestion Management Agency

9-1 **Comment: Relationship of the Project to the 1991 Alameda County Congestion Management Program (CMP).** The subject Draft EIR should address all potential impacts of the project on the Alameda County Congestion Management Program (CMP) designated roadway system and/or other aspects of the CMP (e.g., transit service standards). Particular attention should be paid to the level of service standards in the Alameda County CMP.

Response to Comment 9-1: The Alameda County Congestion Management Program identifies Interstate 580 and Interstate 680 as portions of the designated roadway system within the study area. Traffic impacts on these routes were evaluated in the Draft EIR. Specific Plan Policies 5-10 and 5-11 recommend conformance with LAVTA transit service standards, which are consistent with the transit service standards in the CMP.

9-2 **Comment: LOS on Interstates 580 and 680.** Table 3.3-9 shows that several freeway segments are expected to deteriorate to LOS F as a result of the project, with no feasible mitigation measures identified. How much traffic congestion will be alleviated as a result of participation in a TSM program?

Response to Comment 9-2: The amount of traffic congestion which would be alleviated by TSM programs cannot be accurately quantified. Therefore, congestion on I-580 between I-680 and Hacienda Drive has been identified as an unavoidable adverse impact of Year 2010 growth with the Project.

9-3 **Comment: Funding for Transportation Improvements.** Fundable mitigation measures with the identified responsible agency should be included in the EIR. It is not clear where the funding for certain mitigation measures will come from; the DEIR only suggests which agencies and entities should coordinate efforts.

Response to Comment 9-3: Many of the mitigation measures identified in the DEIR are necessitated by projected growth in all jurisdictions in the Tri-Valley area, including Eastern Dublin. Therefore, no single jurisdiction would have responsibility for the full funding and implementation of these mitigation measures. The DEIR does identify which party should take responsibility for initiating and coordinating the implementation of mitigation measures. Actual funding amounts should be determined by a study with full participation by all affected agencies, such as the current study by the Tri-Valley Transportation Council. The City of Dublin is participating in these regional coordination efforts.

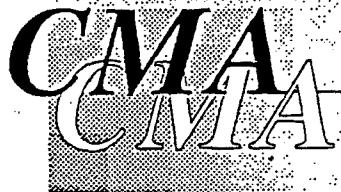
9-4 **Comment: Relationship of the Project to the Alameda Countywide Transportation Plan (ACWTP).** Discussion of the relation of the subject plan to the Alameda Countywide Transportation Plan (ACWTP) should be included. The ACWTP, now nearing completion, is Alameda County's long range (20 year planning horizon) transportation policy document.

Response to Comment 9-4: The Alameda Countywide Transportation Plan was not available for review at the time of preparation of this EIR. The City of Dublin will coordinate with Alameda County in the preparation of the mitigation monitoring program for Eastern Dublin and subsequent environmental review to ensure that all project-specific mitigation measures are consistent with the findings of the Alameda Countywide Transportation Plan.

9-5 **Comment: Project Impacts on Circulation System in 1991 CMP.** The DEIR should include a section detailing the impacts of the proposed project on the designated roadway and transit system in the 1991 Alameda County CMP, with a table comparing the projected LOS to the

LOS standards established in the CMP.

Response to Comment 9-5: Technical procedures for project review, including methodology for determining future levels of service, were not available from the Alameda County Congestion Management Authority at the time of preparation of this EIR. The City of Dublin will coordinate with the Alameda County CMA in the preparation of the mitigation monitoring program for Eastern Dublin and subsequent environmental review to ensure that all project-specific transportation analyses are in conformance with the procedures of the Alameda County CMA.



ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

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OCT - 8 1992

DUBLIN PLANNING

October 5, 1992

Ms. Brenda Gillarde
City of Dublin Planning Commission
City of Dublin
100 Civic Plaza
Dublin, California 94568

Subject: DEIR for General Plan Amendment and Specific Plan for Stage III in Eastern Dublin

Dear Ms. Gillarde,

Thank you for the opportunity to comment on the Draft EIR for the General Plan Amendment and Specific Plan for Stage III in Eastern Dublin. The subject DEIR should address all potential impacts of the project on the Alameda County Congestion Management Program (CMP) designated roadway system and/or other aspects of the CMP (e.g. transit service standards). Particular attention should be paid to the level of service standards in the Alameda County CMP. Table 3.3-9 shows that several freeway segments are expected to deteriorate to LOS F as a result of the project, with no feasible mitigation measures identified. How much traffic congestion will be alleviated as a result of participation in a TSM program? Also, fundable mitigation measures with the identified responsible agency should be included in the EIR. It is not clear where the funding for certain mitigation measures will come from; the DEIR only suggests which agencies and entities should coordinate efforts.

9-1

9-2

9-3

9-4

9-5

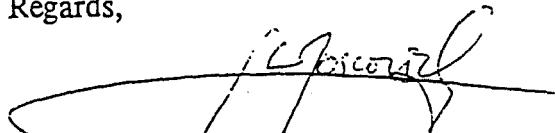
In addition, discussion of the relation of the subject plan to the Alameda Countywide Transportation Plan (ACWTP) should be included. The ACWTP, now nearing completion, is Alameda County's long range (20 year planning horizon) transportation policy document.

The DEIR should include a section detailing the impacts of the proposed project on the designated roadway and transit system in the 1991 Alameda County CMP, with a table comparing the projected LOS to the LOS standards established in the CMP.

Page 2
City of Dublin Planning Commission
October 5, 1992

If you have any questions about this, please call me at (510) 785-2710.

Regards,



Jose L. Moscovich
Deputy Director

JLM/mvp

cc: Dennis Fay
Mark Spencer

File: CMA Env. Review Opinions

Response to Letter 10: Deborah L. Herrmann, Environmental Program Coordinator, California Department of Conservation

10-1 **Comment: Policy Reconciliation in Table 3.1-4/GP 3.2.A.** The general plan amendment calls for a revision of General Plan policy 3.2.A which states that land under Williamson Act contract should be maintained in rangeland. The policy also states that proposals for conversion to urban uses consistent with the General Plan will not be considered sooner than two years prior to contract expiration. The revision would eliminate the need to wait until two years remain in contract nonrenewal before considering development proposals.

The Department is concerned about weakening of sound policy related to the implementation of the Williamson Act program. We feel that considering development proposals on land which is in nonrenewal puts unnecessary pressure on adjacent landowners, raises compatible use issues, and may lead to the eventual termination of contracts. We ask that the City reconsider the recommendation to change the general plan policy relating to the implementation of the Williamson Act program.

Response to Comment 10-1: The Department's concern regarding the potential weakening of the Williamson Act program is acknowledged. However, as discussed on page 3.1-8 of the Draft EIR, the non-renewal of Williamson Act contracts is not an environmental impact under CEQA, but is a planning concern of the City. In the process of developing a long-term plan for ultimate development of eastern Dublin, the current policy was revised to remove the two year restriction on the consideration of conversion of land to urban uses. It was considered inconsistent to designate areas for urban uses yet not permit landowners to have conversion to urban uses considered until at least two years prior to contract expiration. Aware that this might hasten non-renewal of contracts, the revised policy included language supporting landowners' desire to continue agriculture activities. Upon review, the Planning Commission is recommending that the policy be further revised to read as follows:

Lands currently in the Williamson Act agricultural preserve can remain as rangeland as long as the landowner(s) wish to pursue agricultural activities. The City generally does not support the cancellation of Williamson Act contracts, unless some compelling public interest would be served. The urban land use designations in the General Plan Land Use Map illustrate ultimate (i.e., long-term) urban development potential, and do not represent a call for the cessation of agricultural activities. A development application cannot be approved until a property owner has notified the applicable agency of the intent to cancel, or not renew, any prevailing Williamson Act Contract on the subject property. At such time as landowner(s) wish to change from agricultural activities to pursue development of their property, any development proposal must be consistent with the General Plan and applicable Specific Plan policies for the site.

10-2 **Comment: Cancellation of Williamson Act Contracts.** Cancellation should not be used to eliminate large tracks of Williamson Act land in the general plan area (Section 3.2.D). Nonrenewal is the preferred method of terminating a contract. Cancellation is for extraordinary circumstances and should be considered on a case by case basis, not to implement broad policy.

Response to Comment 10-2: Comment acknowledged. These remarks reference IP 3.2.D which says: "Consider cancellation of Williamson Act contracts in Western Dublin where the request is in the public interest." This policy was recently adopted as part of the Western Dublin General Plan Amendment, and only applies to Western Dublin. As stated above in Guiding Policy 3.2.A, the City generally does not support the cancellation of Williamson Act contracts in the Eastern Extended Planning Area.

Memorandum

RECEIVED

OCT - 9 1992

To : Mr. Douglas P. Wheeler
Secretary for Resources

Ms. Brenda A. Gillarde
City of Dublin
100 Civic Plaza
Dublin, CA 94568

From : Department of Conservation—Office of

DUBLIN PLANNING

Date : October 6, 1992

Subject: Draft Environmental
Impact Report (DEIR)
for the Eastern
Dublin General Plan
Amendment - Specific
Plan Studies.
SCH #91103064

The Department of Conservation, which is responsible for monitoring farmland conversion on a statewide basis has reviewed the City of Dublin's DEIR for the general plan amendment and specific plan studies referenced above. The study area for the general plan amendment contains 7,400 acres and includes 4,000 acres of Williamson Act contracted land. The contracted land is either in active contract or in some stage of the nine-year nonrenewal process. The Department is concerned about the impacts of the amendment and subsequent specific plan on the Williamson Act contracted land in the general plan area.

The general plan amendment calls for a revision of general plan policy 3.2.A which states that land under Williamson Act contract should be maintained in rangeland. The policy also states that proposals for conversion to urban uses consistent with the General Plan will not be considered sooner than two years prior to contract expiration. The revision would eliminate the need to wait until two years remain in contract nonrenewal before considering development proposals.

The Department is concerned about the weakening of sound policy related to the implementation of the Williamson Act program. We feel that considering development proposals on land which is in nonrenewal puts unnecessary pressure on adjacent landowners, raises compatible use issues, and may lead to the eventual termination of contracts.

Cancellation should not be used to eliminate large tracts of Williamson Act land in the general plan area (Section 3.2.D). Nonrenewal is the preferred method of terminating a contract. Cancellation is for extraordinary circumstances and should be considered on a case by case basis, not to implement broad policy.

We ask that the City reconsider the recommendation to change the general plan policy relating to the implementation of the Williamson Act program. We support the retention of the current policy with respect to nonrenewal and we oppose policy recommending cancellation as a method of removing large tracts of Williamson Act land.

10-1

10-2

Mr. Wheeler and Ms. Gillarde
October 6, 1992
Page Two

The Department appreciates the opportunity to comment on the DEIR. We hope that the farmland conversion impacts and the Williamson Act contract issues are given adequate consideration in the Final Environmental Impact Report. If I can be of further assistance, please feel free to call me at (916) 322-5873.

Deborah L. Herrmann

Deborah L. Herrmann
Environmental Program Coordinator

cc: Kenneth E. Trott, Manager
Land Conservation Unit

Alameda County Resource Conservation District

Response to Letter 11: Milton E. Righetti, Esq., Righetti Law Firm

11-1 **Comment: Traffic and Circulation/Preservation of Right-of-Way.** Adequate right-of-way must be established at the onset of the Project to provide a circulation pattern that works today and 20 years from now. This does not mean that the "Town Concept" around Tassajara Road will be in jeopardy. It means that traffic must be able to get through this area.

Response to Comment 11-1: Comments acknowledged. Refer to response to Comment 5-2 for further discussion of traffic flow conditions on Tassajara Road through the Town Center area.

11-2 **Comment: North-South Expressway.** One solution may be a north-south expressway with exits onto city streets to the east and to the west as opposed to controlled intersections. A plan should also be established for Dublin Boulevard to either overpass or underpass Tassajara while incorporating pedestrian crossings. This grade separation would enhance the "Town Concept" and not impede the flow of traffic through this area.

Response to Comment 11-2: Grade-separated expressways would move traffic through the Specific Plan area with fewer conflicts. Grade separations were not included in the Specific Plan for three reasons. First, they would introduce additional visual impacts (overpass structures or deep cuts for underpasses) and restrict access to adjacent properties. Second, they would introduce additional infrastructure cost, about five to ten million dollars per interchange. Third, the grade separations within the project area would not alleviate the controlling bottlenecks at the I-580 freeway interchanges.

11-3 **Comment: Project Phasing/Financing.** To work, a financing structure requires the timely development of the properties that will bear the cost of the infrastructure in conjunction with the actual construction of this infrastructure. In order to evaluate whether or not the proposed phasing is affordable one must evaluate how many and what types of building permits will be issued contemporaneous with the construction of the infrastructure so that there is a base established for the payment of improvement bonds issued to finance this infrastructure. One may find that half or more of the housing units planned for the specific plan are needed in an early phase of development just to allow for the infrastructure required to service these units. This would be a much more aggressive plan of development than is set forth in the proposed plan documents. In this light one must also remember that we most likely cannot count on significant office or commercial development to pay for the costs of this infrastructure in today's real estate market.

I would also question why there is simply an assumption that the development should just proceed from west to east in three phases.

Response to Comment 11-3: Comments noted. Capital investment should not go too far ahead of development. If the development cannot support the cost of infrastructure improvements, it will not proceed. A west to east phasing plan was assumed as the best way to minimize "leap frog" development and to facilitate an orderly extension of major infrastructure, such as Dublin Boulevard. A sharing plan was also assumed in the fiscal analysis which spread the costs of improvements and demonstrated how debt backed by property values does not have to place undue burden on property owners. Phasing will have to be further refined or may have to be modified depending upon such factors as the ability of the players involved to secure financing and market conditions at the time.

11-4 **Comment: Project Phasing/Extension of Dublin Boulevard.** As a property owner in the eastern end of the project along I-580 we would be interested, as would other similarly situated property owners, in seeing the infrastructure developed within Dublin Boulevard along I-580 in the first phase. As an economic unit, the properties along the freeway may be viable earlier than properties further inland of the Project. Livermore is developing on both sides of I-580 to the East of the project. Livermore and Alameda County are continuing to aggressively develop along I-580 to the south. It only makes sense to join Dublin Boulevard with the developments to the north in the earlier phases of development of East Dublin to tie in with other simultaneous development along the freeway. This joining of infrastructure between Dublin, Livermore and Alameda County will enhance development within the East Dublin area while certain costs of access and utilities are shared by adjoining jurisdictions. The cost benefit of such sharing will be due to the fact that the service districts of Zone 7 and LAVWMA as well as the costs of road and other improvements will be shared by several cities and their residents who will also benefit from and utilize this infrastructure. This approach should be analyzed in conjunction with Dublin's ultimate application to LAFCO for annexation of this area and the associate applications for annexation into the various utility districts that will service these areas.

Response to Comment 11-3: Comment acknowledged, regarding the potential cost benefit of sharing costs of improvements. In regard to phasing, the phasing schedule presented in the Financing Element of the Specific Plan primarily serves as an illustration of how development could proceed. Actual phasing will have to be further refined or may have to be modified depending upon such factors as to whether the development would likely support the infrastructure costs, the ability of the players involved to secure financing and market conditions at the time. Phasing and financing of infrastructure improvements are not environmental impacts according to CEQA.

11-4 **Comment: Dublin Boulevard Extension.** The extension of Dublin Boulevard through to Airway Boulevard is also crucial to the traffic circulation patterns of Dublin. If we are to have alternative traffic routes available to residents we must have these routes linked in the initial phases of development. This cohesive transportation network is essential to the development of Eastern Dublin and the properties along the Dublin portion of the I-580 corridor. These developments are the backbone that will support the housing that is planned in Eastern Dublin and an analysis of phasing in this manner should be incorporated into the Final EIR.

Response to Comment 11-4: The extension of Dublin Boulevard through to Airway Boulevard is considered an integral part of the circulation network for the General Plan Amendment. It is expected that this portion of the circulation system would be constructed concurrent with development in the Doolan Road area and further development of the Triad Business Park in Livermore.

11-5 **Comment: Project Phasing/Circulation and Air Quality Linkages.** The commentator requests that the Final EIR address how proposed changes in the phasing plan for development would impact air quality in the Project area.

Response to Comment 11-5: The relationship between congestion and air quality reduction is acknowledged in Mitigation Measure MM 3.11/9.0 which recommends that growth and transportation system improvements be closely coordinated. If growth outpaces traffic capacity, not only will new traffic move at pollution inefficient speeds, but it will slow much of the areawide non-project traffic as well. Conversely, if excess through-capacity exists, it will encourage accelerated development in Livermore and the Central Valley which will contribute to increased commuting to jobs in the Bay Area. Project phasing and a

transportation system improvement schedule therefore must proceed simultaneously with neither substantially outpacing the other.

11-6 **Comment: Relationship of the Livermore Municipal Airport to the Project.** Several of the speakers commenting on the EIR have addressed the issues of how the Livermore Airport impacts on development in East Dublin. These speakers do not consider the airport as a negative as it relates to noise or air pollution. They failed to mention that airplanes are noisy and they do pollute the air. Private aircraft benefit a few at the expense of many. The Livermore airport is not an airport that services the general public. It is designed to service only private pilots and several commercial enterprises. These parties, especially the commercial enterprises, should pay their own way. The commenting parties only feel that the public should be insulated from these impacts by limiting development. They have not addressed their own participation in mitigation that would protect others from their part time recreational flying pursuits.

The Livermore study (i.e., *Supporting Documentation and Background Information for Airport Protection Area*, June 22, 1992) was not an environmental document but merely a study initiated and funded by Livermore. It never addressed a basic question required for an EIR. This is the No Airport Alternative. If this airport is unsafe and noisy, perhaps it should not be in populated areas. Airports are mandated to enforce noise restriction policies. Airports can limit the type of aircraft that utilize their runways. How will the elimination of the airport effect Livermore and the Tri-Valley area? If the Livermore Airport Protection Zone study is to be addressed as an impact on this East Dublin EIR it should be pointed out that this study was done only for the benefit of Livermore to the potential detriment of Livermore's neighbors. It is not a regional study and it does not meet CEQA mandated standards.

Response to Comment 11-6: Comment acknowledged. Refer to responses to Letter #2 from Pilots to Protect the Livermore Airport for additional discussion of airport issues.

RIGHETTI
LAW
FIRM

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October 13, 1992

DUBLIN PLANNING

**The Planning Commission
City of Dublin
100 Civic Plaza
Dublin, California 94568**

Attention: Larry Tong and Brenda Gillarde

Regarding: **Eastern Dublin study area/
Environmental Impact Report,
General and Specific Plans**

Dear Mr. Tong and Ms. Gillarde:

Our office represents our own interests and that of our family concerning the substance of the Draft General and Specific Plan for Eastern Dublin and the Draft Environmental Impact Report for that area. We have reviewed the above documents and attended the meetings held to date concerning same. Please incorporate the following comments into your review of the draft Environmental Impact Report for the purpose of preparation of the final Environmental Impact Report.

Our analysis leaves us with questions in two areas. The first area is that of traffic and circulation patterns for the East Dublin area and the second involves phasing of improvements for the services that will be needed to service this area. I will address each in order.

TRAFFIC

Traffic in this area to Interstate 580 from the north and along Interstate 580 going east and west has obviously been extensively studied. The most important comment from parties that spoke at the hearings (and which we support) is that adequate right of way must be established at the onset of the project to provide a circulation pattern that works today and 20 years from now. This does not mean that the "Town Concept" around Tassajara Road will be in jeopardy. It means that traffic must be able to get through this area.

One solution may be a north-south expressway with exits onto city streets to the east and to the west as opposed to controlled intersections. A plan should also be established for Dublin Boulevard to either overpass or underpass Tassajara while incorporating pedestrian crossings. This grade separation would enhance the "Town Concept" and not impede the flow of traffic through this area.

11-1

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PROJECT PHASING

The sections of the Environmental Impact Report dealing with the proposed phasing of the project seem to discuss this phasing in conjunction with development from the west to the east coordinated with the required construction of certain levels of infrastructure to support this phasing. This process does not necessarily address the financing aspect of the phasing.

To work, a financing structure requires the timely development of the properties that will bear the cost of the infrastructure in conjunction with the actual construction of this infrastructure. In order to evaluate whether or not the proposed phasing is affordable one must evaluate how many and what types of building permits will be issued contemporaneous with the construction of the infrastructure so that there is a base established for the payment of improvement bonds issued to finance this infrastructure. One may find that half or more of the housing units planned for the specific plan are needed in an early phase of development just to allow for the infrastructure required to service these units. This would be a much more aggressive plan of development than is set forth in the proposed plan documents. In this light one must also remember that we most likely cannot count on significant office or commercial development to pay for the costs of this infrastructure in today's real estate market.

11-2

I would also question why there is simply an assumption that the development should just proceed from west to east in three phases.

As a property owner in the eastern end of the project along I-580 we would be interested, as would other similarly situated property owners, in seeing the infrastructure developed within Dublin Boulevard along I-580 in the first phase. As an economic unit, the properties along the freeway may be viable earlier than properties further inland of the freeway. Livermore is developing on both sides of I-580 to the East of the project. Livermore and Alameda County are continuing to aggressively develop along I-580 to the south. It only makes sense to join Dublin Boulevard with the developments to the North in the earlier phases of development of East Dublin to tie in with other simultaneous development along the freeway. This joining of infrastructure between Dublin, Livermore and Alameda County will enhance development within the East Dublin area while certain costs of access and utilities are shared by adjoining jurisdictions. The cost benefit of such sharing will be due to the fact that the Service Districts of Zone 7 and LAVWMA as well as the costs of road and other improvements will be shared by several cities and their residents who will also benefit from and utilize this infrastructure. This approach should be analyzed in conjunction with Dublin's ultimate

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October 13, 1992
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application to LAFCO for annexation of this area and the associate applications for annexation into the various utility districts that will service these areas.

11-2 contd

The extension of Dublin Boulevard through to Airway Boulevard is also crucial to the traffic circulation patterns of Dublin. If we are to have alternative traffic routes available to residents we must have these routes linked in the initial phases of development. This cohesive transportation network is essential to the development of Eastern Dublin and the properties along the Dublin portion of the I-580 corridor. These developments are the backbone that will support the housing that is planned in Eastern Dublin and an analysis of phasing in this manner should be incorporated into the final Environmental Impact Report.

11-3

A third area of concern that is addressed in the Environmental Impact Report and which is associated with traffic and project phasing is that of air quality. There is no doubt that with or without a project Dublin exists in an area that is impacted by the presence of two major freeways. In order to best mitigate the impacts to Air Quality, **Dublin has to keep traffic moving** within its jurisdiction. Dublin cannot control the freeways or development in adjoining cities or in the Central Valley. It can however provide the infrastructure within the city limits to allow traffic to move through the city in an expeditious manner. This will not only reduce total exhaust emissions in Dublin but will further enhance the quality of life of the residents who will have the ability to travel within the whole of Dublin without extreme traffic constraints. Completion of Dublin Boulevard to the East will enhance circulation.

11-4

The final Environmental Impact Report should address whether or not the phasing proposed herein together with more extensive development of traffic systems in the Tassajara/Dublin Boulevard areas would lessen the impacts on air quality in the project area.

Several of the speakers commenting on the Environmental Impact Report have addressed the issues of how the Livermore Airport impacts on development in East Dublin. (It should be noted that the same speakers for the most part spoke disparagingly about each and every aspect of the Environmental Impact Report and generally spoke negatively about the project). These speakers do not consider the airport as a negative as it relates to noise or air pollution. They failed to mention that airplanes are noisy and they do pollute the air. Private aircraft benefit a few at the expense of many. The Livermore airport is not an airport that services the general public. It is designed to service only private pilots and several commercial enterprises. These parties,

11-5

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October 13, 1992
Page four -

especially the commercial enterprises, should pay their own way. The commenting parties only feel that the public should be insulated from these impacts by limiting development. They have not addressed their own participation in mitigation that would protect others from their part time recreational flying pursuits.

I have endeavored to keep informed on progress of the airport study funded by the City of Livermore to study what Livermore calls its "Airport Protection Zone". This has been most difficult as Livermore has not endeavored to affirmatively inform property owners that would be affected by this study of its findings and conclusions. One seeking this information must do so from reading the local newspapers and contacting Livermore directly when one seeks information.

11-5 contd.

Furthermore, this Livermore study was not an environmental document but merely a study **initiated and funded** by Livermore. It never addressed a basic question required for an environmental impact report. This is THE NO AIRPORT ALTERNATIVE. If this airport is unsafe and noisy, perhaps it should not be in populated areas. Airports are mandated to enforce noise restriction policies. Airports can limit the type of aircraft that utilize their runways. How will the elimination of the airport effect Livermore and the Tri-valley area? If the Livermore Airport Protection Zone study is to be addressed as an impact on this East Dublin Environmental Impact Report it should be pointed out that this study was done only for the benefit of Livermore to the potential detriment of Livermore's neighbors. It is not a regional study and it does not meet CEQA mandated standards.

Sincerely yours,

RIGHETTI LAW FIRM

Milton Righetti
Milton E. Righetti, Esq.

MeR:tg
20-City of Dublin;EIR

Response to Letter 12: Gary F. Adams, Caltrans District 4

12-1 **Comment: Methodology for Analysis of Traffic Impacts.** This report does not analyze the proposed project's impact to traffic on freeway corridors and ramp intersections in an acceptable manner. AM peak hour and PM peak hour traffic volumes should be used as a basis in analysis rather than daily traffic volumes.

Response to Comment 12-1: Peak hour traffic volumes (P.M.) were used in the analysis of all freeway ramp intersections (see Table 3.3-10, page 3.3-24).

As shown in Table 3.3-7 on page 3.3-14, 47 percent of the Project's trip generation would be attributable to retail land uses. Retail land uses generate little of their traffic during the A.M. peak hour, about 25 percent of the traffic they generate during the P.M. peak hour. Therefore, the overall Project trip generation would be about 30 percent lower during the A.M. peak hour compared to the P.M. peak hour. It was determined that the P.M. peak hour would be the most critical period for traffic analysis.

Freeway volumes were evaluated on a daily basis, consistent with the daily traffic volume data published by Caltrans. Directional peak hour traffic volumes have not been published by Caltrans for the freeway segments adjacent to the Eastern Dublin Project.

12-2 **Comment: I-580 Improvements.** The fifth auxiliary lane between Dougherty/Hopyard Road in each direction of I-580 has not been added as of today. These auxiliary lanes will be included in BART's roadway reconstruction which is scheduled to begin in mid-1993.

Response to Comment 12-2: The fifth auxiliary lane will be added prior to the 2010 analysis year. The analysis of project impacts in Table 3.3-9 assumed the correct number of lanes. The analysis of existing conditions for the segment of I-580 between Dougherty Road/Hopyard Road and Hacienda Drive is incorrect. The existing level of service on this freeway segment would be "D" rather than "C". Corresponding revisions to text and tables are included as an attachment to this Final EIR.

12-3 **Comment: Road Segments.** In Table 3.3-2: 1992 Existing Freeway Operations, the number of lanes west of Hacienda Drive should be eight, not ten.

Response to Comment 12-3: See response to Comment 12-2.

12-4 **Comment: Freeway Operations.** In Table 3.3-9: Freeway Operations, the number of lanes just west of I-680 (between San Ramon/Foothill Road) should be ten. West of Hacienda, the number of lanes should be eight.

Response to Comment 12-4: As noted in the comment, a fifth auxiliary lane for merging and weaving is now provided in each direction on I-580 west of I-680 between Foothill/San Ramon and I-680, for a total of ten lanes (eight through lanes, two auxiliary lanes). Corresponding revisions to Table 3.3-9 are included as an attachment to this Final EIR. The revised number of lanes on I-580 west of I-680 would not cause a change in Project impacts or mitigations.

As noted in the comment, there are currently eight lanes on I-580 west of Hacienda between Dougherty/Hopyard and Hacienda Drive. Corresponding revisions to Table 3.3-9 for the existing conditions are included as an attachment to this Final EIR. This section of I-580 has been programmed for construction to provide a total of ten lanes (eight through lanes, two

auxiliary lanes) as part of the current BART extension construction project. These lanes will be completed prior to 2010. The analysis of Project and Cumulative impacts on this section of I-580 assumed the correct number of lanes which will exist at that time.

12-5 **Comment: Proportionate Share.** The EIR recommends (MM 3.3/4.0) "the project should contribute a proportionate share to planned improvements at the I-580/I-680 interchange...". Please explain what the proportionate share would be based on, and also describe the procedure which would ensure that the Project will contribute its share.

Response to Comment 12-5: The proportions of improvement costs to be paid by various jurisdictions and developments should be based on a regional study of improvement needs, such as the current study by the Tri-Valley Transportation Council. The shares of improvement costs should also consider prior contributions to regional road improvements. The City of Dublin is participating in regional studies of future transportation requirements (Tri-Valley, Alameda County) and would establish a fee structure to ensure future development pays for the appropriate share of regional road improvements based on those regional studies.

12-6 **Comment: Impact of the Project on Existing Intersections.** The level of service and average vehicle delay of PM peak hour intersection operations are listed without mitigation. Because this proposed development is mainly residential, the impact of projected traffic on existing intersections caused by the morning commute (AM peak) should also be considered. Any intersection in which the LOS will become unacceptable during the AM peak will need mitigation.

Response to Comment 12-6: See the response to Comment 12-1. As noted, nearly half of the Project's daily trip generation would be attributable to retail land uses, which generate about 75 percent fewer trips during the A.M. peak hour compared to the P.M. peak hour. Therefore, the overall Project traffic generation would be about 30 percent lower during the A.M. peak hour compared to the P.M. peak hour. It was determined that the P.M. peak hour would be more critical for traffic analysis than the A.M. peak hour. However, recommended road improvements propose balanced lanes in each direction to ensure that reverse direction traffic flows can be accommodated during other time periods.

12-7 **Comment: Ramp Metering.** The operation of at least five interchanges on I-580 and two interchanges on I-680 will be affected by the Project. It is recommended that ramp metering be considered for all the on-ramps within the Project limits. The proposed on-ramp improvements should provide adequate storage to accommodate the ramp metering operation. The improvement of local streets needs to be considered to accommodate the ramp metering.

Response to Comment 12-7: Ramp metering would control vehicles entering the freeway on on-ramps, to ensure that traffic on the mainline freeway operates smoothly during peak periods. Ramp metering reduces delay on the mainline freeway, but increases delay for drivers on local streets wishing to access the freeway. If designed properly, ramp metering can reduce the total overall delay for all drivers. The City of Dublin will coordinate with Caltrans on all interchange improvements to ensure that ramp metering can be accommodated.

12-8 **Comment: Coordination of Signalization of Ramps and Intersections.** There are several signalized ramp intersections and local street intersections within the project limits. Usually, the signals on local streets are designed and operated independently by local authorization. However, in order to operate the interchanges which will be affected by this project more efficiently, the signal interconnection between ramp intersections and local street intersections is essential. The coordination between the State and local authorization to design and operate

these signals should be arranged.

Response to Comment 12-8: The City of Dublin will coordinate with Caltrans on all improvements to freeway interchange intersections to ensure proper coordination of traffic signal operations.

12-9 **Comment: Figure 3.3-B: Future Road Improvements.** In Figure 3.3-B, the existing number of lanes between Dougherty/Hopyard Road and Hacienda Drive should be eight and not ten.

Response to Comment 12-9: See response to Comment 12-2.

12-10 **Comment: IM 3.3/G: Hacienda Drive & I-580 Eastbound Ramps.** As mitigation for the project (MM 3.3/7.0), it is proposed to re-stripe the existing two right turn lanes and one left turn lane at the Eastbound Hacienda Drive off-ramp to two left turn lanes and one right turn lane. Justify how the estimated traffic at year 2010 with the Project can be accommodated by only one right-turn lane (reduced from two lanes to one).

Response to Comment 12-10: The analysis of peak hour traffic impacts indicated that the proposed restriping would provide an adequate level of service provided at the intersection of Hacienda Drive with the I-580 eastbound off-ramp (the projected turn volumes from the off-ramp for 2010 With Project were 1665 left turns and 445 right turns). However, in response to comments by the City of Pleasanton, MM 3.3/7.0 will be revised to indicate widening of the off-ramp to provide two left-turn lanes and retain the existing two right-turn lanes.

12-11 **Comment: IM 3.3/K: Airway Boulevard & I-580 Westbound Ramps.** The proposed improvement at eastbound I-580 at Airway Boulevard should be included on Figure 3.3-F: Proposed Intersection Lanes. Use estimated peak hour traffic volumes at these interchange off-ramps to check if the warrant for installation of signals is satisfied. Some of the information shown on Figure 3.3-F is not accurate. Revise the lane numbers on the existing intersection to reflect the actual situation.

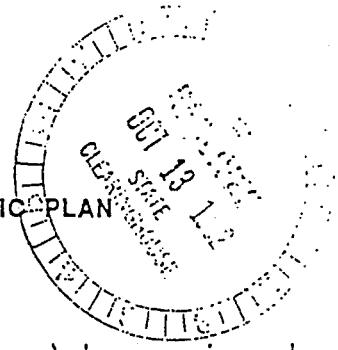
Response to Comment 12-11: Future 2010 projected traffic volumes at the intersections of Airway Boulevard with the I-580 freeway ramps will exceed the peak hour traffic volumes warrants for signalization from the Caltrans Traffic Manual, with or without the Eastern Dublin project. The comment does not indicate which existing information on Figure 3.3-F is inaccurate. The existing lanes shown on Figure 3.3-F were based on field review of each intersection just prior to publication of the DEIR.

Memorandum

TO: MR. MIKE CHIRIATTI
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, Ca 95814

10/13
6
Date: October 9, 1992
File: ALA000079
SCH: 91103064
P.M.: 0.0

FROM: DEPARTMENT OF TRANSPORTATION
Transportation Planning Branch-District 4
SUBJECT: EASTERN DUBLIN GENERAL PLAN AMENDMENT/SPECIFIC PLAN



The California Department of Transportation (Caltrans) has reviewed the above-referenced document and forwards the following comments:

This report does not analyze the proposed project's impact to traffic on freeway corridors and ramp intersections in an acceptable manner. AM peak hour and PM peak hour traffic volumes should be used as a basis in analysis rather than daily traffic volumes.

12-1

3.3 TRAFFIC AND CIRCULATION

EXISTING ROADS

Freeways

The fifth auxiliary lane between Dougherty/Hopyard Road in each direction of I-580 has not been added as of today. These auxiliary lanes will be included in BART's roadway reconstruction which is scheduled to begin in mid 1993.

12-2

EXISTING TRAFFIC OPERATIONS

Road Segments

Table 3.3-2 - 1992 EXISTING FREEWAY OPERATIONS - The number of Lanes West of Hacienda Drive should be 8 not 10.

12-3

Table 3.3-9 - FREEWAY OPERATIONS

The number of lanes just west of I-680 (between San Ramon/Foothill Road) should be 10, and west of Hacienda should be 8.

12-4

IMPACTS AND MITIGATION

MM3.3/4.0

The EIR recommends "the project should contribute a proportionate share to planned improvements at the I-580/I-680 interchange and" Please explain what the proportion would be based on, and also describe the procedure which would ensure that the project will contribute its share.

12-5

Table 3.3-10

The level of service and average vehicle delay of PM peak hour intersection operations are listed without mitigation. Because this proposed development is mainly residential, the impact of projected traffic on existing intersections caused by morning commute (am peak) from this new development should also be considered. Any intersection, in which the level of service will become unacceptable during the am peak, will need mitigation.

12-6

The operation of at least five interchanges on Route 580 and two interchanges on Route 680 will be affected by this proposed project. It is recommended that ramp metering be considered for all the on-ramps within the project limits. The proposed on-ramp improvements should provide adequate storage to accommodate the ramp metering operation. The improvement of local streets need to be considered to accommodate the ramp metering.

12-7

There are several signalized ramp intersections and local street intersections within the project limits. Usually, the signals on local streets are designed and operated independently by local authorization. However, in order to operate the interchanges which will be affected by this project more efficiently, the signal interconnection between ramp

12-8

intersections and local street intersections is essential. The coordination between the State and local authorization to design and operate these signals should be arranged.

12-8
contd.

MAPS AND FIGURES

Figure 3.3-B. Future Road Improvements

Existing number of lanes between Dougherty/Hopyard Road and Hacienda Drive should show 8 not 10.

12-9

Figure 3.3-F. Proposed Intersection Lanes

As a mitigation for the project, it is proposed to restripe the existing two right turn lanes and one left turn lane at the Eastbound Hacienda Drive off-ramp to two left turn lanes and one right turn lane. Justify how the estimated traffic at year 2010 with the project can be accommodated by only one right turn lane (reduced from two lanes to one).

12-10

The proposed improvement at eastbound Route 580 at Airway Boulevard should be included on the Figure 3.3-F. Use estimated peak hour traffic volume at these interchange off-ramps to check if the warrant for installation of signals is satisfied. Some of the information shown on figure 3.3-F is not accurate. Revise the lane numbers on the existing intersection to reflect the actual situation.

12-11

We appreciate the opportunity to comment on this project. If you have any questions regarding these comments, please feel free to contact Alice Jackson of my staff at (510) 286-5587.

bit later
FOR: GARY F. ADAMS
District CEQA Coordinator

cc: Sally Germain, ABAG
Susan Pultz, MTC

Response to Letter 13: Nolan Sharp, President, Tassajara Valley Property Owners Association.

13-1 **Comment: Interjurisdictional Cooperation.** East Dublin, Dougherty Valley and Tassajara Valley share a common location, a common need for expansion of infrastructure, and a common time frame for development. Because of these common traits, the planning agencies should work together to coordinate expansion of public services and facilities, and to find solutions to common problems.

Response to Comment 13-1: Comment acknowledged.

13-2 **Comment: Coordinated Subregional Transit Plan.** TVPOA suggests that eastern Dublin developers be required to cooperate with adjacent property owners (TVPOA and Dougherty Valley) as well as adjacent business parks (Hacienda and Bishop Ranch) and the nearby regional shopping mall (Stoneridge) to explore the feasibility of a sub-regional transit system to serve the area. This effort should be done in cooperation with the Central Contra Costa Transit Authority, Livermore-Amador Transit Authority, and BART. It may be that such an effort can be accomplished in conjunction with the TVTC planning study.

Response to Comment 13-2: Comment acknowledged. Mitigation measures MM 3.3/15.0 through MM 3.3/15.3, page 3.3-28 of the DEIR, recommend that the City of Dublin coordinate with transit service agencies and that the Project contribute a proportionate share to the cost of transit service extensions. The City of Dublin is also participating in the Tri Valley Transportation Council study, which will recommend transportation improvements on a regional basis.

13-3 **Comment: Land Use Assumptions for Tassajara Valley.** The Final EIR should reflect current projections for total buildout and timing of development in Tassajara Valley. Current plans call for 6,100 dwelling units and 350,000 square feet of commercial/office space which would yield 700 employees. This update may require modifications to the cumulative traffic analysis in those areas most impacted by trips generated by Tassajara Valley development, i.e., Tassajara Road.

Response to Comment 13-3: The analysis of Project traffic impacts in the DEIR was based on ABAG Projections of land use for the Bay Area. These 2010 projections of overall land use in each census tract are based on an assessment of regional growth and absorption potential of new land uses, and would not change significantly as a result of changes in the ultimate projected buildout of each individual development project such as Tassajara Valley. The Cumulative Buildout analysis in the DEIR assumed development levels in Tassajara Valley consistent with the application for a General Plan Amendment submitted to Contra Costa County, the most current publicly available document at the time of the analysis for the DEIR. Future traffic studies conducted for the Tassajara Valley development should address the traffic impacts of changes in potential development levels in Tassajara Valley compared to the initial GPA application.

13-4 **Comment: Cumulative Traffic Impact on Tassajara Road.** The Draft EIR concludes that development outside Eastern Dublin, primarily in Dougherty and Tassajara Valleys, will cause level of service F operations at three Tassajara Road intersections in the Eastern Dublin planning area. The Draft EIR determines that this impact can be mitigated by widening Tassajara Road (MM 3.3/14.0, page 3.3-28). Yet, the Draft EIR falls short of recommending this mitigation measure. Instead, the Draft EIR leaves open the possibility that Tassajara road will remain four lanes despite concluding that to do so would result in a significant impact. Attempting to maintain Tassajara Road as a four lane road would seem to be inconsistent with

a regional vision of the problem.

Response to Comment 13-4: See Response to Comment 5-2. The City of Dublin is considering recommending a revision to the Specific Plan to reserve right-of-way for six lanes on Tassajara Road between Dublin Boulevard and Gleason Road.

13-5 **Comment: Extension of Hacienda Drive to Dougherty Valley.** One solution to the traffic congestion problems projected for Tassajara Road is the extension of Hacienda Drive north into the Dougherty Valley.

Dougherty Road is incapable of handling the entire vehicle traffic volume from new development in Dougherty Valley. To help solve this problem, Windemere Parkway is extended from the east side of Dougherty Valley east to Camino Tassajara in Tassajara Valley. This route will provide a primary, yet indirect, access to I-580 via Tassajara Road, but will also increase the volume of traffic on Tassajara Road and at the I-580 interchange almost to a breaking point assuming development in Tassajara Valley and East Dublin.

An extension of Hacienda Drive north into Dougherty Valley would provide direct access routes to I-580 for the west and east sides of Dougherty Valley and Tassajara Valley, and thus would balance the traffic loads at the I-580 interchanges and through Dublin and East Dublin. Also, a Hacienda Drive extension provides a direct link for the entire Dougherty Valley to the following: 1) the new BART station planned near Hacienda Drive and I-580; 2) the heart of Hacienda Business Park in Pleasanton, and 3) the new commercial and office uses planned for the County property in the East Dublin Specific Plan.

Extending Hacienda Drive into Dougherty Valley is a positive step that will alleviate problems on Tassajara Road. This alternative should be reviewed further in the EIR.

Response to Comment 13-5: Comment acknowledged. The circulation plan for the Eastern Dublin Specific Plan does not preclude the potential extension of Hacienda Drive north to Dougherty Valley. An extension of Hacienda Drive north is a possibility that has been explored by both the Dougherty Valley proponents and by the Eastern Dublin planning consultants. The U.S. Army has indicated that such an extension through Camp Parks would be inconsistent with the Army's plan for the base, and therefore would not be permitted.

13-6 **Comment: Coordination with the 680/580 Association.** The Eastern Dublin Specific Plan should include provisions to require property owners and developers to coordinate with the 680/580 Corridor Transportation Association and, if appropriate, to develop remote telecommute centers within the Project area. Also, consideration might be given to the development of so-called "smart houses" in the study area to facilitate at-home and/or neighborhood telecommuting. These concepts could be evaluated to determine the potential to reduce peak hour and/or total Daily Vehicle Trips.

Response to Comment 13-6: Telecommuting could help to reduce future traffic volumes, and should be included as one of the potential components of the Transportation Systems Management programs included as Mitigation Measure MM 3.3/2.0. Since there is inadequate existing data available to quantify the potential traffic reductions due to increased telecommuting, the DEIR conservatively assumed no reduction in traffic.

13-7 **Comment: Consistency of EIR with Regional Traffic Models.** The Final EIR should point out the similarities and differences of the Draft EIR land use assumptions and trip distribution model with regional traffic models developed by the Contra Costa Transportation Authority, the Tri-Valley Transportation Council, and the Alameda County Congestion Management

Agency, if available.

Response to Comment 13-7: The traffic model used in the Draft EIR uses the standard methodology for traffic forecasting, as do the other travel demand models currently being used for Tri-Valley studies.

The Eastern Dublin analysis uses essentially the same ABAG Projections '90 2010 land use forecasts for the Tri-Valley area as the current studies by the Contra Costa Transportation Authority and the Tri-Valley Transportation Council. The Alameda County model also uses ABAG Projections '90, but currently uses an earlier disaggregation of land use data to individual traffic analysis zones. The earlier disaggregation did not consider the most recent development proposals. The Eastern Dublin analysis quantifies non-residential land uses in terms of square footage, while the other models use employment, so there may be some differences in the reported employment numbers by jurisdiction because of assumptions used in the conversion between employment and square footage.

The Eastern Dublin analysis determines traffic generation by relating vehicle trips directly to land uses. The other models use a standard procedure to estimate the number of person trips (people coming in and out of each building rather than cars), and then the persons are allocated to travel modes such as auto driver, auto passenger, or transit passenger. The resulting number of vehicle trips should be the same using either process.

All of the models use a standard trip distribution process based on data from the Metropolitan Transportation Commission (MTC). The Eastern Dublin analysis assumes trip distribution based on unconstrained travel conditions. The other models assume that future trip distribution will be balanced based on congestion; in other words, in the future, people may choose to work and shop closer to home because congestion has increased. This procedure may result in a more realistic analysis of future travel patterns, but is somewhat less conservative since it will tend to indicate more future trips remaining internal to each development. The Eastern Dublin analysis also assumes unconstrained growth of traffic demand over the Altamont Pass to San Joaquin County, while the other models assume some type of constraint on traffic demand over the Altamont Pass. Again, the procedures for trip distribution used in the Eastern Dublin DEIR will tend to provide a more conservative analysis of future traffic impacts.

13-8 **Comment: IM 3.7/B: Indirect Impacts of Vegetation Removal.** The Draft EIR mitigates for vegetation removal and possible erosion by calling for revegetation with native vegetation (MM 3.7/5.0). TVPOA suggests expansion of this mitigation in the Final EIR by requiring verification of physical and biological feasibility of planting locations, including topography, aspect, soils, hydrologic condition, and potential competition. Also, the native shrubs, herbs, and grasses should also be local to the Tri-Valley and the plant communities of eastern Dublin.

Response to Comment 13-8: Comment acknowledged. The following text has been added to MM 3.7/5.0, on page 3.7-10:

All areas of disturbance should be revegetated as quickly as possible to prevent erosion. Native trees (preferably those species already on site), shrubs, herbs and grasses should be used for revegetation of areas to remain as natural open space. The introduction of non-native plant species should be avoided. Specific physical characteristics of proposed revegetation areas will be determined to evaluate the long term feasibility of the proposed mitigation and to identify potential conflicts at the site. Characteristics would include but not be limited to ground and flow hydrology,

geomorphology, soils, aspect, terrain, and land uses. Plants used for revegetation will be native to the Tri-Valley area.

13-9 **Comment: IM 3.5/Q: Increase in Demand for Water.** The Draft EIR (MM 3.5/26.0) proposes drought-resistant, low-water-use plant species for landscaped areas. Because many drought-resistant plants are extremely invasive and are able to out-compete native plants, these species threaten wildlife habitat. This could affect wildlife management activities contemplated by TVPOA for the Tassajara Valley. A list of prohibited species developed for Tassajara Valley is recommended for all landscaping in eastern Dublin as well.

Response to Comment 13-9: Comment acknowledged. The last bullet of MM 3.5/26.0 has been amended to include the following:

Ensure that highly invasive plant species that could out-compete native species and threaten wildlife habitat are not used in these areas. Species which should be prohibited include, but are not limited to:

Acacia	English Ivy	Periwinkle
Algerian Ivy	French Broom	Pyracantha
Bamboo	Fountain Grass	Scotch Broom
Mattress Vine	Giant Reed	Spanish Broom
Black Locust	German Ivy	Tamarisk
Blue Gum Eucalyptus	Gorse	Tree of Heaven
Castor Bean	Ice Plant	Tree Tobacco
Cotoneaster	Pampas Grass	

13-10 **Comment: Coordination of Water, Sewer and Recycled Water Services.** Eastern Dublin and the Tassajara Valley share a common need for expansion of water, sewer, and recycled water services. The adopted mitigation measures should require coordination of infrastructure and service improvements with development of the Tassajara Valley. The TVPOA is interested in setting up a system designed to avoid redundancy in planning and overlapping projects.

Response to Comment 13-10: Comment acknowledged. The water, sewer, and recycled water services and infrastructure for eastern Dublin were designed based on input from DSRSD. Coordination of future sewer and water service and infrastructure planning is within the purview of DSRSD. As the proposed service agency for the area, it is DSRSD's responsibility to provide necessary coordination for inter-jurisdictional planning. Therefore it is not necessary to add language to the EIR regarding DSRSD's responsibility to coordinate with Tassajara Valley.

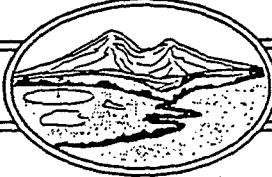
13-11 **Comment: IM 3.5/C: Extension of a Sewer Trunk Line with Capacity to Serve New Development.** The Draft EIR specifically requires sizing of the sewer system to meet only the needs of East Dublin (MM 3.5/6.0, page 3.5-6). This mitigation measure supports a finding that the Project is not growth-inducing. However, a modified mitigation measure would be equally effective. Specifically, the new mitigation measure could allow sizing to support development in Tassajara Valley only if the Alameda County LAFCO approves expansion of DSRSD sewer services into the Tassajara Valley.

Response to Comment 13-11: The sizing of the sewer system in eastern Dublin was coordinated with DSRSD to ensure consistency with their long-range service plans. DSRSD did not recommend that additional sewer capacity be provided for in the eastern Dublin system, so the system was designed to serve only the proposed eastern Dublin planning area. By way of contrast, DSRSD did require that the water distribution system be sized to

accommodate potential growth in the Dougherty Valley, which DSRSD has indicated a willingness to serve.

13-12 **Comment: IM 3.5/T: Inducement of Substantial Growth and Concentration of Population.** The Draft EIR suggests a mitigation measure allowing sizing of the water distribution system to meet the needs of East Dublin and Dougherty Valley, but not Tassajara Valley (MM 3.5/39.0). TVPOA is in the same position as Dougherty Valley with regard to extended water service. East Bay Municipal Utility District is the natural provider of water to Tassajara Valley but, in the alternative, DSRSD may be asked to supply the water. Again, a revised mitigation measure tying oversizing to LAFCO action should alleviate the growth-inducing issue and may prevent duplicative water line construction through East Dublin.

Response to Comment 13-12: Comment acknowledged. Refer to response to Comment 13-11.



TASSAJARA VALLEY PROPERTY OWNERS ASSOCIATION

ENVIRONMENTALLY PLANNED GROWTH

RECEIVED

OCT 15 1992

October 13, 1992

DUBLIN PLANNING

City of Dublin Planning Commission
c/o City of Dublin Planning Department
100 Civic Plaza
Dublin, CA 94568

Re: Comments on Draft Environmental Impact
Report for the East Dublin General Plan
Amendment and Specific Plan

Dear Planning Commission:

On behalf of the Tassajara Valley Property Owners Association ("TVPOA"), please accept this letter as our written comments on the Draft Environmental Impact Report ("Draft EIR") prepared for the proposed East Dublin General Plan Amendment and Specific Plan.

STATUS OF DEVELOPMENT PLANS IN TASSAJARA VALLEY

The Tassajara Valley is immediately north of the west portion of the East Dublin Planning Area and generally includes the unincorporated area along Camino Tassajara east of Blackhawk and continuing south to the Alameda County line. The Tassajara Valley is within Contra Costa County's Urban Limit Line as designated in the 1990-2005 Contra Costa County General Plan.

On August 13, 1991, the County Board of Supervisors authorized County staff to proceed with a general plan amendment and rezoning study for the Tassajara Valley Area including property owned by TVPOA members. On December 17, 1991, TVPOA formally applied to the County for a general plan amendment with respect to their properties. On September 30, 1992, TVPOA submitted a rezoning application and a preliminary development plan. A complete master plan is in process. Current plans call for up to 6,100 dwelling units for the planning area. We anticipate a

draft EIR for the project will be released in 1993. Copies of the authorization resolution, the recent TVPOA application letter, and a Project Summary and two maps submitted as part of the application (Regional Land-Use Context and Development Plan) are attached as part of this comment.

COMMENTS ON THE DRAFT EAST DUBLIN EIR

A. Preliminary Comment

East Dublin, Dougherty Valley, and Tassajara Valley share a common location, a common need for expansion of infrastructure, and a common time frame for development. Because of these common traits, the planning agencies should work together to coordinate expansion of public services and facilities, and to find solutions for common problems. More importantly, the timing and proximity of these developments creates an unprecedented opportunity to implement new solutions to the problems of transportation and increased air pollution from vehicles. Dublin should explore these possibilities with public and private entities and should work closely with Contra Costa County to seek their implementation.

13-1

B. Circulation

1. Coordinated Sub-Regional Transit Plan

The circulation section in the Draft EIR goes a long way to require coordination with adjacent jurisdictions and transportation agencies. A very positive step is mitigation measure MM 3.3/2.1 (page 3.3-21) which requires proportionate contribution to regional mitigation measures as determined by Tri-Valley Transportation Council (TVTC) including enhanced rail and feeder bus transit services.

13-2

In addition, we would suggest that East Dublin developers be required to cooperate with adjacent property owners (TVPOA and Dougherty Valley) as well as adjacent business parks (Hacienda and Bishop Ranch) and the nearby regional shopping mall (Stoneridge) to explore the feasibility of a sub-regional transit system to serve the area. This effort should be done in cooperation with Central Contra Costa Transit Authority, Livermore-Amador Valley Transit Authority, and BART. It may be that such an effort can be accomplished in conjunction with the TVTC planning study.

2. Land Use Assumption for Tassajara Valley

The Draft EIR assumes development in Tassajara Valley for

13-3

purposes of reviewing cumulative traffic impacts and assigns 1,900 households in 2010 and 5,000 households at buildout for the area. (Table 3.3-5, page 3.3-10.) Of course, no final decisions have been made regarding development in Tassajara Valley, but both the timing of Tassajara Valley development and the total number of units may be different than the assumptions in the Draft EIR.

As noted above, current plans call for up to 6,100 dwelling units in the Tassajara Valley Planning Area. Also, the plans call for 350,000 square feet of commercial, office, and public space which would yield more employees in Tassajara Valley than predicted in the Draft EIR. (Table 3.3-5, page 3.3-10, shows 300 employees, but 350,000 square feet would yield 700 employees at 500 square feet per employee.)

13-3 contd

Specifically, Dublin should update the traffic projections in the Final EIR to reflect current projections for total buildout and timing of development in Tassajara Valley. Such an update may require modifications to cumulative traffic analysis in those areas most impacted by trips generated by Tassajara Valley development, i.e., Tassajara Road.

3. Cumulative Traffic Impact on Tassajara Road

The Draft EIR concludes that development outside East Dublin, primarily in Dougherty and Tassajara Valleys, will cause level of service F operations at three Tassajara Road intersections in the East Dublin Planning Area. Specifically, the Draft EIR recognizes that current plans call for traffic from Dougherty Valley to be channelled onto Tassajara Road by a new connecting road in the south end of Tassajara Valley. (IM 3.3/N, page 3.3-28 and Figure 3.3-B.)

The Draft EIR determines that this impact can be mitigated by widening Tassajara Road. (MM 3.3/14.0, page 3.3-28.) Yet, the Draft EIR falls short of recommending this mitigation measure. Instead, the Draft EIR leaves open the possibility that Tassajara Road will remain four lanes despite concluding that to do so would result in a significant impact. Attempting to maintain Tassajara Road as a four lane road would seem to be inconsistent with a regional vision of the problem.

13-4

Besides, as a practical matter, many residents from the East Dublin Specific Plan area will utilize Tassajara Road to travel to and from I-580. Although the perception may be that residents from Dougherty and Tassajara Valleys are the ones causing the problem, the East Dublin residents will be stuck in the same traffic. Therefore, adopting an effective mitigation measure

improves the circulation for East Dublin residents and for residents north of the Planning Area. Leaving open the possibility that Tassajara Road might need to be six lanes is the clearest solution, but other mitigation measures may work, such as widening Fallon Road or extending Hacienda Drive into Dougherty Valley (discussed below).

13-4 contd

4. Extension of Hacienda Drive to Dougherty Valley

We have just noted that the Draft EIR predicts heavy traffic on Tassajara Road. One solution to that problem is to extend Hacienda Drive into Dougherty Valley.

Dougherty Road is incapable of handling the entire vehicle traffic volume from new development in Dougherty Valley. To help solve this problem, Windemere Parkway is extended from the east side of Dougherty Valley east to Camino Tassajara in Tassajara Valley. This route will provide a primary, yet indirect, access to I-580 via Tassajara Road, but will also increase the volume of traffic on Tassajara Road and at the I-580 interchange almost to a breaking point assuming development in Tassajara Valley and East Dublin. The Draft EIR recognizes this problem. (IM 3.3/N, page 3.3-28 and Figure 3.3-B.)

13-5

It would seem that a more natural access would be to extend Hacienda Drive north to provide a direct access from the new I-580/Hacienda Drive interchange to Dougherty Valley. This change would provide direct access routes to I-580 for the west and east sides of Dougherty Valley (Dougherty Road and Hacienda Drive, respectively), and Tassajara Valley (Tassajara Road), and thus, would balance the traffic loads at the I-580 interchanges and through Dublin and East Dublin. Also, a Hacienda Drive extension provides a direct link for the entire Dougherty Valley to the following: 1) the new BART station planned near Hacienda Drive and I-580; 2) the heart of Hacienda Business Park in Pleasanton, and 3) the new commercial and office uses planned for the County property in the East Dublin Specific Plan.

Therefore, as a planning and circulation matter, extending Hacienda Drive into Dougherty Valley is a positive step that will alleviate problems on Tassajara Road. That alternative should be further reviewed in the EIR.

5. Other Comments

The 680/580 Corridor Transportation Association (680/580 Association) is a private non-profit Transportation Management Association (TMA) comprised of major employers and business representatives along the I-680 and I-580 corridors in Contra

13-6

Costa and Alameda Counties. The primary purpose of the 680/580 Association is to identify, study, advocate and promote creative and innovative transportation solutions and technologies and related facilities and operational strategies in the corridor between Pleasanton and Martinez.

The East Dublin Specific Plan should include provisions to require property owners and developers to coordinate with the 680/580 Association and, if appropriate to develop remote telecommute centers within the project area. Besides providing a place to work for employers located elsewhere, these neighborhood centers could provide numerous services, such as distance learning through videoconferencing, teleshopping, governmental services, library connection and medical applications. Also, consideration might be given to the development of so called "smart houses" in the study area to facilitate at-home and/or neighborhood telecommuting. These concepts could be evaluated to determine the potential to reduce peak hour and/or total Daily Vehicle Trips.

13-6 cont

The Final EIR should point out the similarities and differences of the Draft EIR land use assumptions and trip distribution model with regional traffic models developed by the Contra Costa Transportation Authority, the Tri-Valley Transportation Council, and the Alameda Congestion Management Agency, if available.

13-7

C. Biological Impacts

The Draft EIR mitigates for vegetation removal and possible erosion by calling for revegetation with native vegetation. (MM 3.7/5.0, page 3.7-10.) We suggest expansion of this mitigation in the Final EIR by requiring verification of physical and biological feasibility of planting locations, including topography, aspect, soils, hydrologic condition, and potential competition. Also, the native shrubs, herbs, and grasses should also be local to the Tri-Valley and the plant communities of East Dublin.

13-8

The Draft EIR proposes drought resistant, low-water-use plants species for landscaped areas (MM 3.5/26.0, page 3.5-18). Because many drought-tolerant plants are extremely invasive and are able to out compete native plants, these species threaten wildlife habitat. This could affect wildlife management activities contemplated by TVPOA for the Tassajara Valley. Therefore, a list of prohibited species for all landscaping in the East Dublin Planning Area is recommended (see attached list).

13-9

D. Expansion of Water, Sewer, and Recycled Water Services and Coordination With Development in Tassajara Valley

As noted above, the Draft EIR defers some regional planning for transportation to the Tri-Valley Transportation Council. Transportation is not the only issue requiring coordination among jurisdictions. East Dublin and Tassajara Valley share a common need for expansion of water, sewer, and recycled water. The adopted mitigation measures should require coordination of infrastructure and service improvements with development of Tassajara Valley.

13-10

The key point at this early stage of the development process is to set up a system designed to avoid redundant planning and overlapping projects. The need for coordination is especially important for sewer, water, and recycled water infrastructure because it may be desirable to plan expansion of facilities and extension of lines to accommodate both projects.

Specifically, development in the Tassajara Creek drainage portion of Tassajara Valley can gravity sewer to the south for connection to Dublin-San Ramon Services District (DSRSD). TVPOA is actively seeking this arrangement. It should be noted that the Tassajara Valley is included within the Tri-Valley Wastewater Authority Planning Area.

In contrast, the Draft EIR specifically requires sizing of the sewer system to meet only the needs of East Dublin. (MM 3.5/6.0, page 3.5-6.) This mitigation measure supports a finding that the Project is not growth inducing. However, a modified mitigation measure would be equally effective. Specifically, the new mitigation measure could allow sizing to support Tassajara Valley only if the Local Area Formation Commission (LACFO) approves expansion of DSRSD sewer services into the Tassajara Valley.

13-11

Similarly, the Draft EIR suggests a mitigation measure allowing sizing of the water distribution system to meet the needs of East Dublin and Dougherty Valley, but not Tassajara Valley. (MM 3.5/39.0.) TVPOA is in the same position as Dougherty Valley with regard to extended water service. East Bay Municipal Utility District is the natural provider of water to Tassajara Valley but, in the alternative, DSRSD may be asked to supply the water. Again, a revised mitigation measure tying oversizing to LACFO action should alleviate the growth-inducing issue and may prevent duplicative water line construction through East Dublin.

13-12

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October 13, 1992
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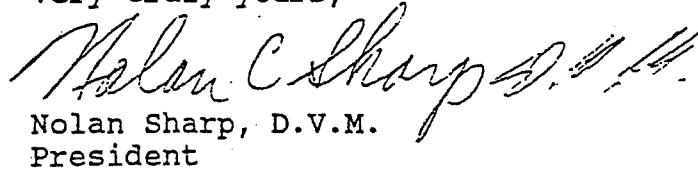
Given that these projects are in the early planning stages and that buildout is long term, establishment of an ongoing program to coordinate expansion of these and other services could be efficiently created at this time.

13-12
contd.

E. Concluding Comments

Thank you for this opportunity to comment on a Draft EIR for what appears to be an exciting planning opportunity for the City of Dublin and Tri-Valley. We want to ensure that potential development in Tassajara Valley takes into consideration regional concerns. Therefore, we want to work with the City of Dublin, the East Dublin property owners, including Alameda County and local officials, in an appropriate and cooperative manner to integrate development in East Dublin and Tassajara Valley with the Tri-Valley subregion.

Very truly yours,



Nolan C. Sharp, D.V.M.
President

NS:alp
Enclosures
cc: Contra Costa Community Development Department
Attn: Harvey Bragdon (w/o encs.)

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Response to Letter 14: T.H. Lindenmeyer, Environmental Specialist, East Bay Regional Parks District

14-1 **Comment: Calculation of Open Space.** Table 3.4-5: Parks and Open Space Provision, should be revised to present open space acreages calculated on the basis of a consistent set of assumptions. As it is now presented, the acreage of open space for the project includes privately owned agricultural land while the existing open space acreage does not. This gives the incorrect impression that open space would be created when the development process would actually be having the opposite effect.

Response to Comment 14-1: The open space acreages identified in the table represent those lands that are designated as Open Space on the Land Use Maps in the Specific Plan and GPA. These areas include stream corridors, scenically sensitive ridgelines, and other areas where no development would be permitted. The acreage figures do not include areas designated as Rural Residential, as seems to be indicated by the commentor.

14-2 **Comment: Demand for Regional Parklands.** The discussion of increased demand for park facilities (IM 3.4/K: Demand for Park Facilities) should be expanded to include the increase in demand for regional parklands. The two closest facilities are Shadow Cliffs and Del Valle Regional Recreation areas. These both offer body contact and other water related recreation. These are extremely popular and, on warm summer weekends, the demand for recreation frequently exceeds their capacity. The additional demand of the residents of the project would exacerbate this situation; this impact also should be considered in the context of the cumulative demands for regional parklands represented by other large-scale development proposals in West Dublin, the Dougherty Valley, and North Livermore.

The District anticipates a revision to its Master Plan after annexation of Murray Township; this will specifically address the regional parkland needs of eastern Alameda County. The District anticipates that significant increases in public open space will be appropriate and necessary for the substantial population increase proposed in this project and by the cumulative effects of other specific plans and development proposals in the eastern Alameda and Contra Costa County areas. Nevertheless, the cumulative impact of these developments should be addressed in the subject EIR with regard to open space loss and mitigation for the loss and the increase in demand through permanent preservation of open space for public use.

Response to Comment 14-2: As indicated by EBRPD, the Project and other proposed development in the Tri-Valley area would result in an increased demand for regional parklands. Demands on unique facilities, such as Shadow Cliffs and Del Valle Regional Recreation areas that both offer water-related recreation, would be likely to increase beyond current capacity. In general, however, the increased demand for regional parklands would be largely off-set by the Project's provision of major community park facilities and increased public access to open space areas.

In addition to 287 acres of developed parkland, the Project provides for 571 acres of dedicated open space which consists primarily of open space/trail corridors along the area's stream corridors and visually sensitive ridgelines (particularly in the south near I-580). The largest of the trail corridors is the Tassajara Creek corridor, which the Project designates as a trail corridor and parkway. The Tassajara Creek parkway is intended to be designed consistent with EBRPD standards and incorporated into the larger EBRPD regional trail system as called for in the District's Master Plan (Specific Plan Policy 5-15 and Action Program 5C). The trail corridors proposed along the smaller streams will provide public access between urban areas and Rural Residential areas, and are intended to connect with

conceptual trail corridors identified by LARPD as extending into eastern Dublin from Livermore (GP Policy 3.3.H., page 20).

The 2,672 acres of Rural Residential land in the GPA area is intended to remain primarily as rural open space (total development potential of 27 units). The Specific Plan encourages the transfer of development rights out of the Rural Residential areas and the clustering of development to enhance the open space character of the area (Policy 6-7), and the assemblage of undeveloped Rural Residential areas into "a contiguous whole that can then be managed and maintained by an agency with experience in open space management such as the East Bay Regional Park District" (page 62). Even if the Rural Residential areas remain under private ownership, the Project requires land dedication or easements to provide for public access along stream corridors and ridgelines (GP Implementing Policies 3.3.L and M).

Together, the developed parklands, the open space corridors, and the Rural Residential areas provide 3,530 acres of open space. While not all of this area would be physically suitable or accessible for recreation purposes, by providing access to open space areas not currently open to the public and by developing new facilities (e.g., trails, staging areas, etc.) the Project would limit the potential impact on regional parklands. In addition, the open space resources within the planning area can be expected to be augmented at some point by the Tassajara Creek Regional Park, which is adjacent to the west side of the Project area. EBRPD has an agreement with the Army that if/when Camp Parks closes or no longer needs the land, a 400-acre parcel adjacent to the west side of the creek would revert to the District for the development of a regional park.

As mentioned, Eastern Dublin together with the proposed Dougherty Valley, North Livermore, and Tassajara Valley developments will have cumulative impacts on the demand for regional parklands. The level of impact is difficult to determine at this point given that none of the four projects has been approved, and the fact that EBRPD does not have any criteria for assessing potential impact on demand for regional parkland. Currently, the four projects are proposing roughly 100,000 new residents and approximately 9,500 acres of open space (not counting parklands). The ultimate disposition of this open space is still undecided, although both eastern Dublin and Tassajara Valley, which are contiguous, suggest that EBRPD could play a role in owning/managing these areas. Given the potential availability of open space land for public acquisition, and the policy support provided by the Eastern Dublin Specific Plan (pp. 62-3) it appears unlikely that there would be significant impacts on regional parklands. EBRPD should undertake, as it has suggested, a comprehensive assessment of the regional parkland needs of eastern Alameda and Contra Costa Counties when it has annexed the Murray Township (which includes the majority of the eastern Dublin planning area). Such a study would allow the District to effectively negotiate with the various jurisdictions involved to ensure that adequate public open space is set aside.

14-3 **Comment: Dedication of Open Space.** The project appears to rely on privately owned open space to meet recreation demand for facilities beyond the City park levels. The District strongly advocates that open space dedicated and accessible to the public be provided as mitigation for loss of existing private open space and to meet regional recreation demand. If open space is dedicated to the EBRPD, the District offers a set of factors to determine the feasibility of open space management by the EBRPD. These factors include site configuration, buffer zones, access, public use, water sources, and funding of ongoing maintenance (Refer to original letter for more discussion of each of these factors).

Response to Comment 14-3: Section 6.2.4 of the Specific Plan discusses the concept of securing more of the privately held Rural Residential land as public open space. Policies (6-6 and 6-7) and programs (6A and 6B) support the concept of publicly held open space owned

and/or managed by an experienced open space agency such as EBRPD. Given that most of the Project area was only recently annexed into the EBRPD, the resolution of the open space issue was not possible at the time the Plan was written. The Plan sets the groundwork for providing more public open space through the conversion of undeveloped Rural Residential areas, but the exact mechanisms or means of accomplishing it (e.g., dedication, conservation easements, TDR's, etc.) will have to be worked out by the City once the Plan is adopted.

14-4 **Comment: IM 3.5/P: Overdraft of Local Groundwater Resources.** The discussion of the overdraft of local groundwater resources (page 3.5-17) should be expanded to include secondary adverse impacts. The main concerns of the EBRPD are related to the water quality in Tassajara Creek as it flows through the District's lands. If local groundwater is used for domestic and irrigation purposes, it is likely that nitrates and dissolved salts will become a part of surface runoff, to the detriment of downstream riparian vegetation and wildlife.

Response to Comment 14-4: The Draft EIR indicates that extensive use of groundwater would have potentially significant impacts (IM 3.5/P, page 3.5-17). For this reason, the use of groundwater to serve future development is discouraged. In addition, while DSRSD policy does not require connection to its distribution system, groundwater wells are only permitted to produce water for use on an individual parcel. No water extracted from a well on one parcel may cross a property line to another parcel. The Draft EIR finds that Mitigation Measures MM 3.5/24.0 and MM 3.5/25.0 would eliminate the need for local groundwater wells and reduce the potential for impact to a level of insignificance. The limited amount of groundwater usage which may occur, would not be enough to wash significant amounts of nitrates or dissolved salts into Tassajara Creek. To ensure that the Specific Plan is clear on this point, mitigation measure MM 3.5/25.0 (page 3-17) has been revised as follows:

Encourage all developments in the Specific Plan and Project to connect to the DSRSD water system. **The use of groundwater pumped from existing wells and the construction of new groundwater wells in the Project area is discouraged.**

14-5 **Comment: IM 3.5/Q: Increase in Demand for Water.** The discussion of increased demand for water should be expanded to include the secondary impacts of this demand in view of the fact that the State Water Plan (SWP) and other current sources of supply are not sufficient to meet this demand. These impacts would be multiple and significant and should be appropriately addressed, but the EBRPD is especially concerned about how the Del Valle and Shadow Cliffs Recreation areas would be affected. Both these recreation areas have water-oriented recreation as their primary attractions. A deficiency of water from the SWP would cause the local water purveyors to depend more upon surface water and ground water supplies and storage capacity.

A greater reliance upon surface water supplies and storage capacity would necessitate winter water storage levels at Lake Del Valle being substantially higher, thereby inundating millions of dollars of developed recreation facilities. In addition, summer draw down levels would be substantially lower, thereby precluding the use of existing beach, marina and boat launch facilities. Similarly, a greater reliance upon groundwater sources and storage capacity would result in draw downs of the groundwater aquifers. This could result in summer water levels in Shadow Cliffs Lake which would be substantially lower because the water table determines the lake level at Shadow Cliffs unless supplemental water is added. Such draw downs could result in water levels which are lower than the levels for which beach, marina and boat launch facilities are designed. Overall, significant additional use of surface and groundwater supplies would substantially inhibit the District's ability to provide water oriented recreation and could result in the destruction of the primary recreational facilities at Del Valle and Shadow Cliffs, parks which provide thousands of individual recreation days per year.

Response to Comment 14-5: In response to the first part of the comment regarding storage at Lake Del Valle, lake storage operations are controlled by the California State Department of Water Resources (DWR). DWR operates Lake Del Valle storage in the best interests of the California State Aqueduct Project. City of Dublin, DSRSD and Zone 7 have no control over the DWR storage operations at Lake Del Valle. The DWR storage operations use an "operations curve" developed by DWR and approved by the U.S. Army Corps of Engineers. The development of Eastern Dublin and its associated water demand has no direct effect on the DWR lake storage operational plan, which is already in place, regardless of the Eastern Dublin development.

In response to the second part of the comment regarding water levels at Shadow Cliffs Reservoir, the lake level at Shadow Cliffs Reservoir is deliberately maintained at a higher level than that of the water table by filling the lake with water from the Kaiser Sand and Gravel dewatering operations. However, regardless of this, as long as Zone 7 manages the groundwater basin within the limits of the safe yield, the water table will not drop substantially.

14-6 **Comment: Storm Drainage Mitigation.** The storm drainage discussion (pages 3.5-22 to 3.5-27) should be rewritten and reevaluated because of the doubtful feasibility of the primary "mitigation" measure (viz., the Zone 7 Specific Drainage Area Plan). This measure is to channelize 4,000 feet of lower Tassajara Creek, including portions of EBRPD land. This would cause the destruction of a number of heritage-sized oak trees and a variety of other riparian vegetation and wildlife. At present, there is no easement across EBRPD lands for flood control purposes; further, the EBRPD Board of Directors is unlikely to grant such an easement for the purpose of facilitating development in the watershed. To do so would require the destruction of the primary trailside amenities of this land, namely a transect (via a bridge across the creek) of a mature riparian forest. As alternative mitigation measures, the city should consider stormwater design restrictions upon development, detention basins, and/or a modified flood plain.

Response to Comment 14-6: The 4,000 feet of the southern portion of Tassajara Creek (Line K) that is referenced is entirely on former Camp Parks land, now owned by the Alameda County Surplus Property Authority. This section of Tassajara Creek is to the south of (i.e., does not cross) EBRPD lands.

14-7 **Comment: IM 3.7/C: Loss or Degradation of Botanically Sensitive Habitat.** The discussion of biological resources (pages 3.7-1 to 3.7-18) should be augmented to give a fuller explanation of the ecological importance of the riparian forest in the project area, and the substantial nature of the implications of its destruction by channelization for flood control purposes. This is of special interest, because it is proposed to be carried out on EBRPD property. The expanded discussion should include the concept of ecotone, the fact that the riparian forest offers six ecotones, and the fact that much of the wildlife in the project area would not persist locally in the absence of the riparian forest. Further, the discussion of mitigation should be augmented to indicate that even with revegetation of an earthen flood control channel, the requirements of continuing maintenance would preclude the reestablishment of a riparian forest which would equal the wildlife habitat value of the existing forest. This leaves a significant adverse impact which is avoidable by adoption of alternative flood control measures.

Response to Comment 14-7: In terms of its uniqueness, scarcity, contrast with ambient habitats, and the distinctive food, cover and water resources that it provides, this riparian woodland is probably the most valuable habitat in the Project area. Large mature trees, many with snag tops or dead branches are scattered throughout this habitat. Attributes of riparian

habitat that make it so important to wildlife include a high edge to area ratio, many different habitats in close proximity, fairly diverse vegetation species composition, sharp edge contrast, the capability to provide thermal and escape cover, and movement corridors (Thomas 1979). Wildlife species richness is very likely greater in this habitat than elsewhere in the project site. Vegetation structural diversity appeared to be high and vegetation species composition diverse. The contrast between the ungrazed habitat in the 25-acre section of the creek corridor controlled by EBRPD and the heavily grazed riparian habitat in the surrounding reaches are quite astounding.

While it is true that maintenance activities could preclude the re-establishment of a riparian forest which would equal the wildlife habitat value of the existing forest along the northern reach of Tassajara Creek, most of the stream corridors have highly degraded habitat which could only be improved by revegetation and maintenance. However, to minimize maintenance impacts, the following text has been added to the end of mitigation measure MM3.7/9.0 (page 3.7-11):

Flood control maintenance practices will be designed and performed to be responsive to public safety while preserving the unique riparian community. Maintenance agreements (memoranda of understanding) between the City and responsible agencies will address, but not be limited to, site access, criteria for determining the need for maintenance (i.e., assessment and monitoring), and the timing and frequency of actual maintenance practices.

REGIONAL PARKS

EAST-BAY REGIONAL PARK DISTRICT

October 15, 1992

RECEIVED

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DUBLIN PLANNING

Mr. Laurence Tong
Planning Director
City of Dublin
100 Civic Plaza
Dublin, CA 94568

SUBJECT: DEIR FOR THE EASTERN DUBLIN GPA AND SPECIFIC PLAN - SCH
#91103064; Sycamore Valley to Tassajara Creek
REGIONAL TRAIL

Dear Mr. Tong:

The East Bay Regional Park District has reviewed the subject document and offers the following comments.

Table 3.4-5 should be revised to present open space acreage numbers calculated on the basis of a consistent set of assumptions. As it is now presented, the acreage of open space for the project includes privately owned agricultural land while the existing open space acreage does not. This gives the incorrect impression that open space would be created when the development process would actually be having the opposite effect.

14-1

The discussion of increased demand for park facilities (page 3.4-16) should be expanded to include the increase in demand for regional parklands. The two closest facilities are Shadow Cliffs and Del Valle Regional Recreation areas. These both offer body contact and other water related recreation. These are extremely popular and, on warm summer weekends, the demand for recreation frequently exceeds their capacity. The additional demand of the residents of the project would exacerbate this situation; this impact also should be considered in the context of the cumulative demands for regional parklands represented by other large-scale development proposals in West Dublin, the Dougherty Valley, and North Livermore. Further, as noted below, the water supply demands of the project have a serious adverse effect on the recreational resources of these parklands. To date, the EBRPD has not identified any feasible mitigation for these impacts.

14-2



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The District anticipates a revision to its Master Plan after annexation of Murray Township; this will specifically address the regional parkland needs of eastern Alameda County. The District anticipates that significant increases in public open space will be appropriate and necessary for the substantial population increased proposed in this project and by the cumulative effects of other specific plans and development proposals in the eastern Alameda and Contra Costa County areas. Nevertheless, the cumulative impact of these developments should be addressed and in the subject EIR with regard to open space loss and mitigation for the loss and the increase in demand through permanent preservation of open space for public use.

14-2 contd.

The project appears to rely on privately owned open space to meet recreation demand for facilities beyond the city park levels. The District strongly advocates that open space dedicated and accessible to the public be provided as mitigation for loss of existing private open space and to meet project related regional recreation demand. If that open space is dedicated to the EBRPD, the District offers the following factors to determine the feasibility of open space management by the EBRPD. These factors include site configuration, buffer zones, access, public use, water sources, and funding of ongoing maintenance.

- Configuration of the open space must be such that it includes at least 200 acres of grazable grassland (not including the areas which will be excluded from grazing - e.g., sensitive habitat) and which has a boundary that is fenced in a reasonably maintainable configuration.
- Buffer Zones between open space and developed areas must be sufficient to allow the owners of the developed areas to include within the buffer zone, fire breaks and any previously repaired landslides. Previously repaired landslides must not be part of the publicly owned open space. Perimeter public streets are desirable as part of a buffer zone.
- Access points to open space must include at least one location where heavy trucks can bring cattle in and take them out. There also must be an appropriate number of access points and service roads for emergency and maintenance vehicles.
- Public use of the open space must be compatible with adjacent land uses. For example, staging areas and access points can be associated with other public and quasi-public uses including neighborhood parks and schools.

14-3

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- Water sources for cattle or provisions for importing domestic water supplies for cattle troughs and trailside drinking water must be assured.
- Funding mechanisms (e.g., a lighting and landscaping district) to fund ongoing maintenance must be assured. This must include funding for created riparian forest proposed as mitigation for the project within the open space areas.

14-3 contd.

The open space configuration in the proposed G.P.A. and Specific Plan does not appear to meet these criteria.

The discussion of the overdraft of local groundwater resources (page 3.5-17) should be expanded to include secondary adverse impacts of the use of local groundwater. According to Webster, 1972 (Map showing areas in the San Francisco Bay Region where nitrate, boron, and dissolved solids may influence local or regional development, U.S.G.S. San Francisco, CA.), the entire project area has groundwater with total dissolved solids between 500 mg/l and 1000 mg/l. Information given on two wells in the project area shows that one has a measured total dissolved solids level in excess of 2,000 mg/l and the other has nitrates in excess of 45 mg/l. This has a number of public health and planning implications which should be appropriately addressed, but the District's concern is related to water quality in Tassajara Creek as it flows through the District's lands. If local groundwater is used for domestic and irrigation purposes, it is likely that nitrates and dissolved salts from this water will become part of the surface runoff, to the detriment of downstream riparian vegetation and wildlife.

14-4

The discussion of increased water demands (page 3.5-18) should be expanded to include the secondary impacts of this demand in view of the fact that the State Water Plan (SWP) and other current sources of supply are not sufficient to meet this demand. These impacts would be multiple and significant and should be appropriately addressed, but the EBRPD is especially concerned about how the Del Valle and Shadow Cliffs Regional Recreation areas would be affected. Both these recreation areas have water oriented recreation as their primary attractions. A deficiency of water from the SWP would cause the local water purveyors to depend more upon surface water and ground water supplies and storage capacity.

14-5

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A greater reliance upon surface water supplies and storage capacity would necessitate winter water storage levels at Lake Del Valle being substantially higher, thereby inundating millions of dollars of developed recreation facilities. These facilities were constructed below the high water mark to be adjacent to the design operating levels which are much lower. In addition, summer draw down levels would be substantially lower, thereby precluding the use of existing beach, marina and boat launch facilities. This would substantially inhibit the District's ability to provide water oriented recreation and could result in the destruction of the primary recreational facilities at Del Valle, a park which provides thousands of individual recreation days per year. Similarly, a greater reliance upon groundwater sources and storage capacity would result in draw downs of the groundwater aquifers. This could result in summer water levels in Shadow Cliffs Lake which would be substantially lower because the water table determines the lake level at Shadow Cliffs unless supplemental water is added. Such draw downs could result in water levels which are lower than the levels for which beach, marina and boat launch facilities are designed. This would substantially inhibit the District's ability to provide water-oriented recreation at Shadow Cliffs, a park which provides thousands of individual recreation days per year. As noted above, both Shadow Cliffs and Del Valle now have insufficient capacity for peak summer weekend demand, and the additional residential development in the project would exacerbate this situation.

14-5 contd.

The storm drainage discussion (pages 3.5-22 to 3.5-27) should be rewritten and reevaluated because of the doubtful feasibility of the primary "mitigation" measure (viz., the Zone 7 Specific Drainage Area Plan). This measure is to channelize 4,000 feet of lower Tassajara Creek including the portions crossing EBRPD lands. This would cause the destruction of a number of heritage-sized oak trees and a variety of other riparian vegetation and wildlife. As noted below, the discussion of these biological impacts should be given greater emphasis. At present, there is no easement across EBRPD lands for flood control purposes; further, the EBRPD Board of Directors is unlikely to grant such an easement for the purpose of facilitating development in the watershed. To do so would require the destruction of the primary trailside amenities of this land, namely a transect (via a bridge across the creek) of a mature riparian forest. As alternative mitigation measures, the city should consider stormwater design restrictions upon development, detention basins, and/or a modified flood plain.

14-6

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The discussion of biological resources (pages 3.7-1 to 3.7-18) should be augmented to give a fuller explanation of the ecological importance of the riparian forest in the project area, and the substantial nature of the implications of its destruction by channelization for flood control purposes. This is of special interest, because it is proposed to be carried out on EBRPD property. The expanded discussion should include the concept of ecotone, the fact that the riparian forest offers six ecotones, and the fact that much of the wildlife in the project area would not persist locally in the absence of the riparian forest. Further, the discussion of mitigation should be augmented to indicate that even with revegetation of an earthen flood control channel, the requirements of continuing maintenance would preclude the reestablishment of a riparian forest which would equal the wildlife habitat value of the existing forest. This leaves a significant adverse impact which is avoidable by adoption of alternative flood control measures.

14-7

The EBRPD appreciates the opportunity to review and comment on the subject document.

Very truly yours,



T.H. Lindenmeyer
Environmental Specialist

c:edub.deir

Response to Letter 15: Ted C. Fairfield, Consulting Engineer

15-1 **Comment: Regional Location.** This section should be amended to reflect the fact that the Project area is directly served by four interchanges, including the Airway Boulevard interchange.

Response to Comment 15-1: Comment acknowledged. On page 2-2 of the Draft EIR, a sentence shall be added to the end of the third paragraph. The revised text will read as follows:

Direct access from Interstate 580 to the Project site is provided by three interchanges: Hacienda Drive, Tassajara/Hopyard Road and Fallon/El Charro Road. **A fourth interchange, Airway Boulevard, provides access to the east end of the Project area through the Triad Business Park in Livermore.**

15-2 **Comment: Project Characteristics.** This section implies that the Rural Residential designation will result in development having "residential" character. In fact, the development constraints dictate that Rural Residential land will have an open space character. The quoted acreages and percentages, as well as the tabulations, should be modified.

Response to Comment 15-2: The comment is not clear on how or where the section implies that Rural Residential areas would have a "residential" character. The designation allows residential development at one unit per 100 acres, and is therefore included in the tables as a residential category. However, the Draft EIR clearly states the following (page 2-6, last paragraph):

It is important to emphasize, however, that Rural Residential areas, which comprise more than half the residential acreage, are intended to remain primarily as open space.

15-3 **Comment: Figure 2-D.** The ownership map contains several errors: Parcel #12 is owned by Chang Su-O Lin, et al., and Parcel #30 is owned by Doolan West Associates.

Response to Comment 15-3: Comment acknowledged. Corrections to the map will be included in the Revisions/Errata section.

15-4 **Comment: Table 3.1-1: Williamson Act Contracts: Ownership and Contract Status.** This table contains errors related to the termination dates for certain parcels.

Response to Comment 15-4: Comment acknowledged. Corrections to the table will be made and included in the Revisions/Errata section.

15-5 **Comment: Table 3.1-2: Williamson Act Contracts: Summary of Contract Status (1992; 2000).** This table should be amended to reflect the changes indicated in Comment 15-4.

Response to Comment 15-5: Comment acknowledged. Corrections will be made and included in the Revisions/Errata section.

15-6 **Comment: Table 3.1-4: Riparian Vegetation.** Under Riparian Vegetation, GP 7.1B (and Action Plan 5C), a 300-foot wide setback between Tassajara Creek Trail, the main stream corridor trail, and nearby development is proposed. There is no apparent justification for this policy, which will unnecessarily consume acreage. It certainly is not founded on engineering or geological criteria. Is this land meant to be added park land, subject to credit against park

dedication fees?

Response to Comment 15-6: The 300-foot figure is a typographical error, and is corrected to be a 100-foot wide setback by this reference.

15-7 **Comment: Figure 3.1-C: Williamson Act Agreements.** Same as Comment 15-3.

Response to Comment 15-7: Comment acknowledged. Corrections will be made to the figure and included in the Revisions/Errata section.

15-8 **Comment: Table 3.2-5: Population and Employment Generation: Specific Plan Area.** This table erroneously states that Single Family residential units are expected to contain 23.2 persons per dwelling unit.

Response to Comment 15-8: Comment acknowledged. As previously noted in response to Comment 3-7, Table 3.2-5 has a typographical error. The correct number of person/d.u. for the Single Family land use designation is 3.2, rather than the 23.2 that is shown.

15-9 **Comment: Jobs/Housing Balance.** In reference to Action Program 4F (page 3.2-10). As previously indicated in comments on the General Plan and Specific Plan, we feel that a formal, "inclusionary housing" program is probably the least effective way for the City to achieve its lower cost housing goals. We hope that the City opts, instead, to impose a reasonable system of development fees, which would collect funds to be used to construct relatively small groups of lower cost units, most likely via private, non-profit housing entities.

Response to Comment 15-9: Comment acknowledged.

15-10 **Comment: Doolan Road.** The stated daily traffic volume (page 3.3-2) for existing Doolan Road (600 VTE) does not seem credible.

Response to Comment 15-10: The existing traffic volume for Doolan Road was incorrectly estimated based on aggregate land use data for the area. The correct volume would be between 100 and 200 daily vehicles. This existing daily volume estimate was not used for the analysis of future conditions or Project impacts and mitigations.

15-11 **Comment: Future Road Improvements.** The Future Road Improvements discussions (page 3.3-5) seem to ignore the serious need for the northerly extension of Hacienda Blvd. to pass through Camp Parks and connect to Dougherty Road. This extension is a vital link in balancing the traffic volumes on the several I-580 interchanges. It also appears to be an important element in relieving Tassajara Road from excessive traffic loading. We are surprised that this major traffic facility is not shown on the General Plan Amendment/Specific Plan and is virtually ignored by the DEIR.

Response to Comment 15-11: Extension of Hacienda Boulevard north through the Camp Parks area was not included in the circulation plan for Eastern Dublin, because a public road within the Camp Parks area would be incompatible with existing or planned land uses in Camp Parks. The Eastern Dublin Specific Plan circulation system was designed to allow for such a connection in the future in case circumstances change. See response to Comment 13-5.

15-12 **Comment: Table 3.3-3: Level of Service Definitions for Signalized Intersections.** The DEIR describes existing level of service in terms of delay, as permitted by the *Highway Capacity Manual*. However, most local agencies and EIR reviewers are more familiarly with the "volume to capacity ratio" method to express LOS. We suggest that the v/c ratios be included

along with the delay figures. Also, were the delays expressed in Table 3.3-4 measured or calculated?

Response to Comment 15-12: The analysis of intersection operations in the DEIR uses delay as the measure of level of service, as recommended by the 1985 *Highway Capacity Manual*. The Alameda County Congestion Management Plan recommends that local agencies use level of service methodologies from the 1985 *Highway Capacity Manual*, consistent with state legislation. The delay figures in Table 3.3-4 were calculated using the standard methodology. Details of these calculations, including estimates of "volume to capacity ratio", are available at the City of Dublin.

15-13 **Comment: Future Road Improvements.** In general, we are concerned that the EIR fails to acknowledge that Caltrans has already designated I-580 as a future ten-lane facility between I-680 and Route 84 or Vasco Road. Cumulative interstate freeway traffic will necessitate this future widening with or without development of eastern Dublin. Therefore, statements such as "Year 2010 with the Project would cause freeway volumes to exceed LOS E on I-580 between Tassajara Road and Airway Boulevard" (IM 3.3/C) are misleading at best. Eastern Dublin's reasonable obligation to contribute to the cost of such widening should be minimal. This reality is not stated in the EIR.

Response to Comment 15-13: The Caltrans Route Concept Report for Interstate 580 (most recently updated in 1985) recommends 10 lanes as the ultimate width for I-580 east of I-680 for planning purposes. Caltrans currently has no plans to widen I-580 in this section, except for the completion of auxiliary lanes between Hopyard/Dougherty and Hacienda Drive associated with the BART extension project. The Route Concept Report projections of future traffic demand would have considered all growth in the area, including some level of potential growth in Eastern Dublin. In other words, Eastern Dublin traffic would contribute to the projected 10 lane requirement.

15-14 **Comment: State Route 84.** It is our belief that the Measure B contribution to the improvement of Route 84 is mis-implied (*sic*). The Measure B project, since being scaled back, is for a two-lane facility connecting Vallecitos Road with I-580. The reduced first phase project now planned will connect neither Vallecitos Road nor I-580.

Response to Comment 15-14: The first phase of the SR 84 project would construct a two-lane extension of Isabel Avenue. The ultimate plan for SR 84 would include a new connection to I-580, and would be consistent with planned development areas in Livermore. Very little of the traffic to and from Eastern Dublin would use SR 84. Assumptions regarding the status of SR 84 improvements would not significantly change the magnitude of Eastern Dublin traffic impacts.

15-15 **Comment: Land Use Projections.** The land use projections (pages 3.3-6 through 3.3-12) call for a buildup of eastern Dublin but reflect only Year 2010 land use everywhere else. While this might usually be an acceptable analysis procedure for EIR level traffic investigations, in this case, the proportion of traffic impacts attributable to the Eastern Dublin Project may be significantly overstated by this procedure. Please refer to the attached land use table (TJKM Transportation Consultants: Land Use Comparisons- Three Current Tri-Valley Traffic Models) which reflects land use assumptions for two other Tri-Valley traffic forecasts in current preparation, along with the Eastern Dublin assumptions. Note that the Tri-Valley-wide totals of numbers of jobs and households in each of the three studies are very close but, in the Eastern Dublin EIR, the Dublin numbers in both categories are higher, while the number of households in two major projects to the north (Dougherty Valley and Tassajara Valley) are lower. This results in higher traffic forecasts on sections of Tassajara Road,

Fallon Road, and other streets, with a possibly misleading higher proportion of such traffic attributable to Eastern Dublin.

Response to Comment 15-15: The DEIR evaluates traffic conditions with and without the entire Eastern Dublin project, in order to assess the full magnitude of traffic impacts attributable to buildout of the Project. These traffic impacts were evaluated against the most reasonable available projections of conditions which would exist at the time of Project buildout. Although Project buildout may occur at some point beyond 2010, the year 2010 was selected as a basis for evaluation to be consistent with other regional studies. The intent of the evaluation is to highlight potential traffic impacts of full Project buildout against a reasonable level of background traffic. The Project's proportionate share of traffic and improvement responsibilities will be determined through a regional study of transportation needs, such as the current study by the Tri-Valley Transportation Council, and through environmental analysis of specific development projects subsequent to this Program EIR.

It is not known whether the other land use projections indicated (Tri-Valley Model, Dougherty Valley DEIR) are based on the most current version of the Eastern Dublin GPA/SP land uses.

15-16 Comment: Analysis Methodology. The several traffic analysis scenarios (page 3.3-8) fail to include a scenario such as "Year 2010 With Project, but without Dougherty Valley Traffic." Perhaps more correctly stated, the missing scenario should be entitled "Existing 1992 Conditions with Project." This omission creates an inherent bias against the Eastern Dublin Project, because it implies that Eastern Dublin is the "last in line" project that tips some of the critical scales. The DEIR could lead one to conclude, falsely, that, but for the Eastern Dublin Project, some of the key significant effects would not exist. In fact, some of the other major, not yet existing and not yet even "approved" projects must be evaluated equally with Eastern Dublin. The present DEIR language tends to give them unwarranted stature and undeserved priority for existing roadway capacity. The only way to truly isolate, measure and evaluate Eastern Dublin's traffic impact is to start with an analysis of what impacts would be generated by imposing the Eastern Dublin Project upon the existing conditions. We hope that this analysis will be added in the FEIR.

Response to Comment 15-16: An analysis of existing conditions plus the Eastern Dublin project was not included in the DEIR, as it would not evaluate Project impacts against a reasonable level of background traffic which may exist at the time of Project buildout. Although other projects do not have approvals (such as Dougherty Valley or Tassajara Valley), some development may occur in those areas concurrent with Eastern Dublin buildout. In addition, it is reasonable to assume that additional development of approved projects, such as Hacienda Business Park or Triad Business Park, would occur concurrent with commercial development in Eastern Dublin. The DEIR bases the analysis of development in areas outside Eastern Dublin on regionally accepted projections of land use growth by the Association of Bay Area Governments.

15-17 Comment: Future Road Improvement Assumptions. The I-580 Overcrossing scenario (page 3.3-18) seems to be a very dubious proposal, especially when considering the presence of existing, incompatible land uses southerly of I-580. All the more reason to strive for the northerly extension of Hacienda Boulevard.

Response to Comment 15-17: See response to Comment 7-6. A northern extension of Hacienda Drive may help to reduce traffic impacts on Tassajara Road and Fallon Road projected to occur as a result of proposed development in Contra Costa County. An extension of Hacienda Drive is inconsistent with current and planned land uses at Camp Parks.

15-18 Comment: I 580/I-680 Interchange Mitigations (IM 3.3/D: I-680 Freeway, North of I-580.) The DEIR suggests Project contributions to the planned improvements at this interchange. These improvements are required based on existing problems, and have been so designated in Measure B. This measure is worded in such a generalized fashion that improvements to "adjacent local streets" is an unknown issue. The DEIR does not indicate in text, figures, or tables, enough information about Project-related impacts on I-680 and other areas outside the immediate Project area to justify such far-reaching mitigation suggestions.

Response to Comment 15-18: Improvements to adjacent local streets refers to potential ramp connections on I-680 within Dublin, which are being considered as part of the I-580/I-680 interchange project. Table 3.3-9 on page 3.3-20 indicates the projected Eastern Dublin contributions to traffic volumes on I-580 and I-680. Contributions to interchange improvements should be determined based on a regional study of future needs, such as the current study by the Tri-Valley Transportation Council.

15-19 Comment: Table 3.3-10: P.M. Peak Hour Intersection Operations without Mitigation. Table 3.3-10 (page 3.3-24) is another case of the use of "delay" figures, instead of volume to capacity ratios. This is uninformative to the reader. Does the traffic model forecast delay or volume to capacity ratios? Also, there is no table corresponding to this one which shows the results of the proposed mitigation measures.

Response to Comment 15-19: See response to Comment 15-12. The results of each intersection mitigation measure are described in the text on pages 3.3-25 to 3.3-27. Details of these calculations are available at the City of Dublin.

15-20 Comment: BART Improvements. Does the DEIR taken into account the widening of I-580 overcrossings at Hopyard/Dougherty and Santa Rita/Tassajara by BART, and any resulting intersection capacity improvements?

Response to Comment 15-20: The DEIR does not include any further widening of I-580 overcrossings at Hopyard/Dougherty and Santa Rita/Tassajara. Caltrans has indicated that these improvements would primarily involve ramp modifications and completion of auxiliary lanes.

15-21 Comment: Airway Boulevard Mitigations (IM 3.3/K). The need for improvements at this location is apparently based upon specific land use and highway network assumptions for the area immediately surrounding this interchange and the proposed new interchange to the east. The DEIR does not disclose enough information about these assumptions to justify the Project's contribution to this mitigation measure.

Response to Comment 15-21: The road network assumptions are shown in Figure 3.3-B. The land use assumptions are based on ABAG *Projections '90* for the year 2010. Additional detailed information, including land use databases by traffic analysis zone for each scenario, computerized road networks, and model process code (TRANPLAN software), can be made available at the City of Dublin if needed.

15-22 Comment: General Observation on Traffic. The DEIR provides very little information about key Project interior streets and intersections and their resulting service levels and design requirements.

Response to Comment 15-22: The DEIR traffic analysis focuses on significant impacts which would affect the City of Dublin and surrounding jurisdictions. A full analysis of traffic requirements was conducted during the preparation of the Specific Plan and General Plan

Amendment which addressed all the key project interior as well as exterior roadways. The recommended internal roadway circulation network has been designed to accommodate all projected traffic at buildout at acceptable levels of service.

15-23 **Comment: Transit Spine.** What is the level of transit service assumed for the transit spine? What types and quantities of equipment will be required? What will be the ridership potential? Who will use the planned transit and for what purpose?

Response to Comment 15-23: No specific service plan was assumed for the transit spine. Mitigation measures MM 3.3/15.0-15.3 indicate that the transit service plan would be coordinated with LAVTA in accordance with their service standards. The transit service along the transit spine would directly serve land uses along the transit spine, which would be designed to facilitate transit access in accordance with Specific Plan design guidelines. The transit spine service would also serve as a feeder service to the East Dublin/Pleasanton BART station.

15-24 **Comment: MM 3.3/14.0 (IM 3.3/N: Cumulative Impacts on Tassajara Road).** *Mitigation Measure 3.3/14.0* suggests conflicts between the almost self-evident need to widen Tassajara Road to six lanes and some of the land uses designated in the proposed General Plan Amendment and Specific plan. We suggest that the EIR speak to what kinds of changes must be made in the two latter documents in order to accommodate a six-lane Tassajara Road.

Response to Comment 15-24: The City of Dublin is currently considering the potential to modify the Specific Plan to preserve right-of-way for six lanes on Tassajara Road between Dublin Boulevard and Gleason Road.

15-25 **Comment: El Charro Road.** Figures 3.3-A, *et seq*, imply that El Charro Road is a public street connecting I-580 to Stanley Blvd. In fact, El Charro is a privately owned (The Jamieson Company) haul road for quarry purposes, and there are no plans or agreements in existence that would suggest the future conversion of this road to a public use facility southerly of the Arroyo Mocho.

Response to Comment 15-25: The DEIR traffic analysis did not assume public use of El Charro Road between the proposed Stoneridge Drive extension and Stanley Boulevard. It was assumed that El Charro Road would continue to be a private quarry haul road south of Arroyo Mocho. El Charro Road is shown on Figure 3.3-A only for orientation purposes.

15-26 **Comment: MM 3.4/8.0 (IM 3.4/C: Demand for Increased Fire Services).** Mitigation Measure 3.4/8.0 should be revised by replacing the word "acquired" with something like "assured". Such a change would result in a more feasible and practical criteria [sic] with no reduction in mitigation level.

Response to Comment 15-26: Comment acknowledged. It is true that acquisition of the site prior to any approvals might not be practical. MM 3.4/8.0 should be revised to read:

(Program 8G). Coordinate with DRFA to identify and acquire specific sites for new fire stations. The westernmost site in the Specific Plan area must be ~~acquired~~ assured prior to the approval of the first development plans in Eastern Dublin. Timing for acquisition of the subsequent sites will be determined by DRFA.

15-27 **Comment: MM 3.4/8.0 (IM 3.4/E: Exposure to Wildlands Hazards).** One proposed mitigation measure is "Compliance with DRFA minimum road widths, maximum street slopes, parking recommendations, and secondary access road requirements" In fact, the City of Dublin has

formally adopted criteria for all such facilities. To the extent DRFA's wishes might conflict with Dublin's criteria, those differences should be "worked out" between the two agencies, irrespective of the Project, and Dublin's criteria (as may be amended by the "working out process") should be applicable to the Project.

Response to Comment 15-27: Comment acknowledged.

15-28 **Comment: IM 3.4/C--Increased Response Times.** The next successive mitigation measure deals with "response time." What is DRFA's established response time? And, won't it vary substantially with construction of new fire stations?

Response to Comment 15-28: DRFA's current standards for responding to calls is addressed in Section 8.3.1 of the Specific Plan (page 120). Currently the fire district attempts to maintain a five minute response time and 1.5 mile response zone (i.e., radius of response area). The new stations proposed in the Specific Plan have been located specifically to avoid an increase in response standards. In spite of this, there is the potential, as identified in IM 3.4/D, that the northern-most portions of the GPA Increment area would be outside the District's standard response time/distance. Mitigation measure MM 3.4/13.0 (page 3.4-7) has been included in the Draft EIR to address this potential impact.

15-29 **Comment: MM 3.4/12.0--Wildfire Protection of Open Areas.** Another mitigation measure suggests that the selection or formation of an entity responsible for maintenance of the open lands should be subject to the Fire Chief's approval. This is quite a high level of autonomy to apply to anyone. On the other hand, this measure would appear more reasonable if it were limited to only formal "common area" lands contained within formal developments, as opposed to covering all "open lands" contained within the Project area.

Response to Comment 15-29: If Mitigation measure MM 3.4/12.0 is read in its entire context it will be seen that the Fire Chief is not given an extraordinary amount of autonomy. The mitigation measure clearly states that "The City, in consultation with DFRA and a qualified wildlife biologist, shall prepare a wildfire management plan for the project area." Within this larger task, the mitigation measure suggests only that "The selection or formation of an entity responsible for maintenance of the open lands should be subject to the Fire Chief's approval". The final wildfire management plan would be the responsibility of the City of Dublin.

15-30 **Comment: IM 3.4/F Demand for New Classroom Space.** While we have no quarrel with the selected school sites, it is a virtual truism that, over the long course of development of eastern Dublin, with changing educational standards and school sizes and a variety of other unforeseen variables, one or more of such sites will not be acquired and used for school purposes. Likewise, it is just as clear that one or more schools will be constructed on sites not presently anticipated by the DEIR and the General Plan Amendment/Specific Plan. We suggest the addition of adequate language in all of these documents, sufficient to anticipate and accommodate such "movement" in school sites. Specifically included should be designation of alternate land use designations of the underlying lands, in the event sites are not utilized.

Response to Comment 15-30: Comment acknowledged. The sites ultimately selected for proposed schools may differ somewhat in size, number, location or configuration from those indicated on the land use maps. Similar comments have been made by the Livermore Valley Unified School District and the Dublin Unified School District. Refer to responses to Comments 16-19 and 18-3 for detailed response. In terms of alternate land use designations for underlying lands, it is assumed that if a school site is moved the land left open would be designated with a residential designation consistent with the character of adjoining parcels.

Since the schools are located in residential areas, the relocation of a school site would be unlikely to increase development potential since comparable development potential would be displaced from the new site as is produced on the former site.

15-31 **Comment: IM 3.4/J Financial Burden on School Districts.** We suggest the addition of another mitigation measure which would specifically obligate the School District to continuously use best efforts to qualify for and obtain State funding assistance for construction of new schools, as a condition precedent to levying any such financial or construction obligation on the Project.

Response to Comment 15-31: Comment acknowledged. MM 3.4/19 (page 3.4-13) has been revised to incorporate the following language:

MM 3.4/19.0 (Action Program 8C). Encourage the School District(s) to use best efforts to qualify for and obtain State funding assistance for construction of new schools. In addition, work with the district(s) to establish appropriate funding mechanisms, such as a Mello Roos Community Facilities District, development impact fees, or a general obligation bond measure, to fund new school development in Eastern Dublin.

15-32 **Comment: IM 3.4/K Demand for Park Facilities.** It should be noted in this section that the 5 acres/1,000 person "standard" is substantially in excess of the statutory authority of the City to levy park fees on developments.

Response to Comment 15-32: The Quimby Act (Section 66477 of the Government Code) states that "local ordinance may require fees or land dedication for park or recreation purposes." A dedication of land, an in-lieu fee, or a combination of both may be required, per a city ordinance. The ordinance must include definitive standards for determining the park dedication requirement and the basis for the in-lieu fee. The amount of land dedicated is based on the estimated population in the subdivision given the number of housing units and the average household size per the most recent census. The dedication ratio cannot exceed 3 acres per thousand population unless the amount of existing neighborhood and community park area exceeds this limit, in which case the city may adopt a higher park standard not to exceed 5 acres per thousand population. Currently, the City has a parkland ratio of 2.5 acres/1,000 residents. The City of Dublin does not currently have an ordinance requiring the dedication of parkland. Such an ordinance is proposed by the Draft Parks and Recreation Master Plan, and will need to be adopted to implement the park system proposed for eastern Dublin. That ordinance will determine the amount of land dedication the City can require. Parkland area desired by the City that is in excess of what it can legally require through dedication will need to be purchased or acquired in exchange for other considerations.

15-33 **Comment: Post-Mitigation Level of Significance for IM 3.4/K.** At the top of page 3.4-18, the text states that "the above mitigation measures combine to reduce the impact on existing park facilities and new park demand to a level of significance. Should this word be changed to insignificance?

Response to Comment 15-33: Comment acknowledged. The line referenced is incorrect. The line should read as follows:

The above mitigation measures combine to reduce the impact on existing park facilities and new park demand to a level of insignificance.

15-34 **Comment: IM 3.4/L Park Facilities Fiscal Impact.** MM 3.4/31.0 (*Action Program 4N*) limits parkland dedication credits to flat or gently sloping land. It would seem less onerous and more fair to restate that condition to limit such credits to "land accepted by the City as part of its park system", irrespective of slopes.

Response to Comment 15-34: Since parkland dedications are specifically intended to accommodate active recreational uses such as sports fields, it would not serve the City's purpose to give parkland dedication credits for dedication lands that were unsuitable for such uses.

15-35 **Comment: IM 3.4/R Utility Extension Visual and Biological Impacts.** MM 3.4/42.0 requires all utilities to be located below grade. In fact, portions of certain electrical, telephone, gas, fire/water systems, etc. effectively must be constructed above grade. As stated, this mitigation is too absolute.

Response to Comment 15-35: MM 3.4/42.0 (page 3.4-24) clearly requires "all utilities to be located below grade where feasible" [emphasis added].

15-36 **Comment: IM 3.4/S Consumption of Non-Renewable Natural Resources.** MM 3.4/45.0 seems to require the expenditure of money for "symbolism", with no defined beneficial purpose. Demonstration projects are best left to the public utilities and others who are charged with honing the cutting edge of energy issues. Demonstration projects in a private development can only add directly to the cost of housing, subject homebuyers to the potential inadequacy of experimental systems, and result in increased liability to the builder via "strict liability" legal obligations.

Response to Comment 15-36: Comment acknowledged.

15-37 **Comment: IM 3.4/T Demand for Increased Postal Service.** MM 3.4/47.0 can be read to require the developers of eastern Dublin to construct and pay for a U.S. Post Office. This is contrary to the system by which post offices are constructed and operated by the federal government. We suggest replacing the word "provide" with something like "encourage and accommodate the U.S. Postal Service in its obligation to provide..."

Response to Comment 15-37: Comment acknowledged. Specific Plan Policy 8-10 is a statement of the City's recognition of the need for a postal facility in eastern Dublin. There was no intent to suggest procedures or responsibilities for establishing such a facility which are contrary to the U.S. Postal Service's standard procedures. To clarify its intent, the Specific Plan policy should be revised to read as follows:

Provide Encourage and support the efforts of the U.S. Postal Service to establish a post office within the eastern Dublin Town Center.

15-38 **Comment: IM 3.4/U Demand for Increased Library Service.** MM 3.4/49.0: we have similar concerns about the meaning of the word "provide" with respect to a library. What is intended?

Response to Comment 15-38: As with the previous mitigation measure, the intent of Policy 8-11 was for the City to acknowledge the need for library facilities in eastern Dublin. To clarify its intent, the Specific Plan policy should be revised to read as follows:

Provide Encourage and support the efforts of the Alameda County Library System to establish a library(ies) and associated services for Eastern Dublin as determined to be appropriate given the size and population of the planning area.

15-39 **Comment: Planned DSRSD Improvements.** Both pages 3.5-3 and 3.5-16 indicated that DSRSD's water Master Plans exclude service for development of the Doolan area. Conversely, it is our belief that the most recent DSRSD master plans include such services.

Response to Comment 15-39: DSRSD has clarified this comment and it has been revised as shown below. On page 3.5-3, under the heading "PLANNED WASTEWATER COLLECTION SYSTEM IMPROVEMENTS DSRSD," the second sentence has been revised as follows:

The most recent DSRSD planning was completed in March 1991 and was based on eastern Dublin land uses proposed in April 1990, ~~exclusive of Doolan Canyon that included the upper part of Doolan Canyon, and not the lower part of Doolan Canyon. This was done at the DSRSD's request in March 1991 in order to avoid oversizing of facilities should development not proceed there.~~

15-40 **Comment: IM 3.5/C Extension of a Sewer Trunk Line with Capacity to Serve New Developments.** We interpret MM 3.5/6.0 to mean that the wastewater system shown on Figure 3.5-B has capacity to serve the entire General Plan Amendment area. Correct?

Response to Comment 15-40: Yes, the proposed wastewater system in Figure 3.5-B has the capacity to serve the entire General Plan Area. Figure 3.5-B presents only those facilities required for the Specific Plan.

15-41 **Comment: IM 3.5/AA Non-Point Sources of Pollution.** One of the "non-point sources" mitigations that will be inherent with development of eastern Dublin will be a reduction in the quantity of cattle grazing. This will substantially reduce the non-point pollution load that is currently generated by body waste emissions from cattle which get washed into the drainage system.

Response to Comment 15-41: The comment is technically true. However, currently agricultural runoff in the Eastern Dublin area is not a major non-point source. The development of Eastern Dublin actually creates a greater potential for non-point sources of pollution through urban uses. These potential non-point sources of pollution can be mitigated through the mitigation measures identified in the EIR.

15-42 **Comment: IM 3.6/C Earthquake Ground Shaking: Secondary Effects.** MM 3.6/7.0 requires that design level geotechnical investigations should include stability analyses of both natural slopes and engineered cut and fill slopes. The report also states that a displacement analysis should be performed for critical slopes to confirm the effectiveness of mitigation measures. In our opinion, the recommended stability analysis is appropriate; however, the displacement requirement is not appropriate for geotechnical conditions that exist in the Project.

Response to Comment 15-42: In the judgement of the EIR authors, displacement analyses are appropriate for critical slopes to confirm the effectiveness of mitigation measures.

15-43 **Comment: IM 3.6/G Groundwater Impacts Associated with Irrigation.** MM 3.6/11.0 states that piezometers should be installed and monitored for a period of at least one year prior to construction to determine ground water levels and variations. This would be an onerous requirement, and one whose necessity is seriously doubted. We do agree that piezometers should be installed to measure groundwater levels in some instances. However, monitoring for a year is unlikely to yield more useful data than that which could be collected in the more useful monitoring period of about a month. In our opinion, recognition that groundwater levels could vary significantly over the long term is the more important concern. Efforts should be directed at characterizing soil and bedrock conditions to a level where those areas

that are likely to experience shallow groundwater can be identified. Of greater importance is some understanding of the changes in groundwater conditions that can occur as a result of grading and development.

Response to Comment 15-43: Given that the weather pattern in the project area is seasonal, a one month monitoring period is essentially useless, particularly, as the comment goes on to state, in "...recognition that ground water levels could vary significantly over the long term is the more important concern". At least one year (season) is necessary, some would argue that a longer period is appropriate considering the recent extended drought. Piezometers are one of the effective techniques in characterizing ground water conditions. We agree that it is important to understand the changes in ground water conditions that can occur as a result of grading and development, and therefore, MM 3.6/11.0 is modified to add the following.

Piezometers should be installed in areas of significant grading (eg. deeper fills), and monitored for a period of at least five years after construction, or for an appropriate period determined by the project geotechnical consultant.

15-44 Comment: Special Status Species. This paragraph (page 3.7-3) appears to attempt to use Section 15380, Subdivision (d) of *CEQA* to elevate non-listed species to the category of rare or endangered, for purposes of determining an impact under *CEQA*. By mere reference to that section, the DEIR concludes that "Therefore, California species of special concern are included in this list." In actuality, before such species of special concern can be included, they must be "shown to meet the criteria in Subsection (b)" of section 15380 of the *CEQA Guidelines*. It appears clear to us, in reading the statute, that no such showing has been made; therefore, the California species of special concern included in the list do not meet this criteria [sic] and should not be included in the list.

Response to Comment 15-44: To clarify the information provided in the above referenced paragraph, the text has been revised as follows:

Special Status Species is a term applied to botanical and wildlife species which are listed as threatened or endangered by the U.S. Fish and Wildlife Service (USFWS) or the California Department of Fish and Game (CDFG); federal candidates for listing; and California Species of Special Concern. In addition, the California Native Plant Society (CNPS) maintains a separate listing of sensitive plants. Under Section 15380(d) of *CEQA*, a species not included in any formal listing identified by the state "shall nevertheless be considered rare or endangered if the species can be shown to meet the criteria" for listing. Therefore, California Species of Special Concern (Remsen 1978, Williams 1986) are included in this list. For the Eastern Dublin Project, special-status wildlife species are defined to include animals that:

- meet definitions of rare or endangered species under *CEQA* (State *CEQA Guidelines* Section 15380);
- are listed or proposed for listing as threatened or endangered under the federal Endangered Species Act (50 CFR 17.11 for listed animals and various notices in the Federal Register for Proposed species);
- are Category 1 or 2 candidates for possible future listing as threatened or endangered under the federal Endangered Species Act (54 FR 554-579);
- are listed or proposed for listing by the State of California as threatened or endangered under the California Endangered Species Act (14 CCR 670.5);

- are species of special concern to California Department of Fish and Game (Remsen 1978 and Williams 1986); and
- are species of special interest to California Department of Fish and Game and CNDDDB.

The CDFG has compiled a list of natural communities considered rare or declining in California. Special status plants and wildlife with potential to occur in the GPA area are listed in Tables 3.7-1 and 3.7-2 (included at the end of this section.) Habitat for sensitive species is illustrated on *Figure 3.7-C: Sensitive Species*.

15-45 Comment: Botanically Sensitive Habitats. This section concludes that the habitats are "of great biotic significance because they provide potential habitat for special status species." Yet, the DEIR also concludes that none of those special status species are found in the habitats. Thus, the habitats should not be found to be significant.

Response to Comment 15-45: As stated in the Draft EIR, "These habitats are recognized as rare and declining in the state by the CDFG Natural Diversity Database (CNDDDB 1991)." The significance of the habitats lies in both their current rarity and their potential to contain special status species. The fact that no special status species have been identified to this point does not eliminate the significance of these habitat areas.

15-46 Comment: San Joaquin Kit Fox. The DEIR maintains that the Project area is within the historic and potential range of the San Joaquin Kit Fox, and has habitat suitable for the fox. It therefore labels impacts to the species as "potentially significant." This assertion is made in spite of the fact that surveys for the DEIR failed to detect kit foxes, all prior in-depth surveys in the vicinity have also failed to detect kit foxes, and subsequent (to the DEIR field survey), much more intensive site specific surveys also failed to detect the species.

Response to Comment 15-46: [TO BE INSERTED LATER]

15-47 Comment: San Joaquin Kit Fox. The DEIR fails to mention that extensive surveys were completed in 1991 on the Dublin Ranch portion of the GPA and SP area (Harvey and Associates, 1991). These surveys were conducted more intensively than any prior study of the area, and to a level approximately twice the current standard established by the USFWS and CDFG. No evidence of kit fox was found, either on-site or off-site. The surveys were therefore at a level more than twice what has been recommended by the DEIR for "annual surveys".

Response to Comment 15-47: [TO BE INSERTED LATER]

15-48 Comment: San Joaquin Kit Fox. The DEIR states (page 3.7-4) that kit fox range in Alameda and Contra Costa counties is "expanding", but cites only the opinion of one of the DEIR's authors (Orloff), without giving any factual basis for that opinion. Our review of records at the CDFG and the USFWS, and the available literature, shows a consistent pattern of distribution of this animal in the hills of eastern Contra Costa and Alameda counties, with no evidence of populations "near Highway 680."

Response to Comment 15-48: [TO BE INSERTED LATER]

15-49 Comment: San Joaquin Kit Fox. The DEIR also cites historic evidence of kit fox occurrence in the GPA area (Morrell, 1975). We agree that Morrell conducted extensive surveys in an

effort to better delimit the kit fox range in California. He employed several methods in this effort, including aerial den surveys, remote sensing, and ground field work. He also relied on interviews, including interviews with landowners. He prepared a base map based upon his information, and these data were later transcribed into the CNDDDB. From Morrell's efforts, one alleged "kit fox den" was located approximately 0.75 miles west of Collier Canyon Road, 2 miles north of I-580. However, no information as to observer, dimension of the den, and possible associated sign has been provided to help evaluate the credibility of this single den. Specifically, it must be noted that no actual kit fox sitings were noted in this vicinity. We have attempted to obtain more information from the CDFG, but CDFG did not keep the records, so it is impossible to determine the source or validity of the siting. It was not from either the ground or aerial transect work conducted by the CDFG, as the transects were in other regions of the state. Perhaps, more importantly, this "evidence" is now nearly 20 years old, and bears little relationship to current conditions.

Response to Comment 15-49: [TO BE INSERTED LATER]

15-50 **Comment: San Joaquin Kit Fox.** The DEIR also cites the CDFG as being unable to "determine that the development in the GPA area would not negatively affect the kit fox by eliminating suitable habitat." However, the DEIR fails to mention that this statement was made in the context of the CDFG's letter citing recent "unconfirmed reports of kit fox sightings within the planning area at Camp Parks and along Tassajara Road." When questioned about these unconfirmed reports, CDFG cited Dr. Sam McGinnis as the source of the Camp Parks report, but Dr. McGinnis subsequently indicated that he never has surveyed at Camp Parks. When questioned directly, CDFG could not remember the source of other sightings along Tassajara Road. It seems, therefore, that CDFG was using erroneous information as a basis for the above-mentioned letter about suitable habitat.

Response to Comment 15-50: [TO BE INSERTED LATER]

15-51 **Comment: Potential Kit Fox Habitat.** The DEIR concludes that this data suggests that the kit fox could potentially inhabit the Project area. In other words, the DEIR seems to be saying that, even if there are no kit fox present now, there might be a fox present in the future; therefore the impact is significant. The conclusion is both pure speculation and contrary to all available evidence. It is simply not possible to reasonably predict that kit fox may someday become established in the GPA area, and even less reasonable to conclude that they are already present and we just can't find them. All confirmed evidence that is before the City is negative (no kit fox present), and the only evidence to the contrary is both extremely minimal and unconfirmed. It is as if the DEIR is attempting to "will" the presence or the potential future presence of kit fox, as if that were somehow the purpose and duty of an EIR. Of course, that is not the purpose of an EIR. The DEIR and the City should simply conclude that this "potential impact" is too speculative for evaluation, and terminate serious consideration of the impact and of the proposed mitigation measures. This latter decision would be fully in accordance with, and would seem to be virtually mandated by, Section 15145 of the *CEQA Guidelines*.

Response to Comment 15-51: [TO BE INSERTED LATER]

15-52 **Comment: San Joaquin Kit Fox/Appendix D, page D/31.** The second paragraph should be modified to state that there is strong, direct evidence to conclude that there are no kit fox present on the Project site. This is as opposed to the existing language containing some double negatives, but effectively and erroneously suggesting that circumstantial evidence exists to the contrary.

Response to Comment 15-52: [TO BE INSERTED LATER]

15-53 **Comment: San Joaquin Kit Fox/Appendix D, page D/31.** Likewise, we take exception to the statement in the very next (i.e., third) paragraph, which states that "if the minimal mitigation measures proposed in this document are not enacted and development proceeds as though the area is not kit fox habitat, then there could be high adverse impacts to the species." Not only is this statement directly contrary to all of the available evidence, we suggest that it reflects an underlying bias, and its retention in the DEIR could detract from the credibility of the remainder of the document!

Response to Comment 15-53: [TO BE INSERTED LATER]

15-54 **Comment: San Joaquin Kit Fox/Appendix D, page D/31.** Additionally, the next (i.e., fourth) successive paragraph makes an equally outrageous statement; "Since impacts are anticipated to a federally listed species, and there is Federal involvement, a Section 7 consultation will be invoked. This gratuitous and erroneous statement and, in fact, its entire paragraph, should be deleted from the DEIR!

Response to Comment 15-54: [TO BE INSERTED LATER]

15-55 **Comment: San Joaquin Kit Fox/Appendix E.** Appendix E proposes an East Dublin/San Joaquin Kit Fox Protection Plan. This is an interesting, but irrelevant and unjustifiable proposal, in light of the fact that there are no kit foxes in Eastern Dublin and, at best, there is only an undefined potential that the area could be suitable habitat for kit fox.

Response to Comment 15-55: [TO BE INSERTED LATER]

15-56 **Comment: San Joaquin Kit Fox/Appendix E, page E/2.** The fourth paragraph on this page states "The agency could not determine that development in the GPA and SP area would not negatively affect the kit fox by eliminating suitable habitat." Such a nebulous inference has no meaning. An affirmative statement of the agency's conclusions would be "The agency could not determine that an impact would result to the species or its habitat."

Response to Comment 15-56: [TO BE INSERTED LATER]

15-57 **Comment: San Joaquin Kit Fox/Appendix E, APPE/1.0 Monitoring Surveys.** The requirement for annual surveys in each of the first five years following project approval is an unreasonable burden. Does the City of Dublin propose, as part of this Project, to pay for those surveys, at a cost of many tens of thousands of dollars per year? All mitigation measures in this Appendix E, but which are not specifically included in the EIR, should be deleted or ignored. If not, they should all be reworded to become effective only if and when it has been objectively determined that kit fox do reside in Eastern Dublin.

Response to Comment 15-57: [TO BE INSERTED LATER]

15-58 **Comment: California Tiger Salamander.** The last sentence in the California Tiger Salamander section (page 3.7-5) is representative of a general concern with this section of the DEIR. It proclaims the presence of "high quality habitat." Yet, without the presence of the species, it cannot be habitat. If the author intends to speak in terms of potential habitat, the author should take pains to make that distinction, by inserting "potential" in all appropriate places, such as in this particular section, as in the "Overview" on page 3.7-12, i.e., "reduction in the number of potential denning or nesting sites", and in many other places in the DEIR.

Response to Comment 15-58: In an effort to explain what appears to be a misunderstanding by the commentor, it should be explained that "habitat" refers to a place or environment where a plant or animal could naturally live. The quality of the habitat is based on the presence and condition of all the characteristics necessary to support a certain species. Habitat does not require the presence of a certain species to be suitable for that species, just as a house does not require a tenant to be considered suitable habitat for people. For this reason, there is no need to insert the word "potential" at the referenced location on page 3.7-5.

Similarly, in the Overview section on page 3.7-12, there is no real need to insert the word potential before "...denning or nesting sites." This is an overview section and, if anything, it would be more accurate to insert known and potential before "...denning or nesting sites" to cover all possibilities.

15-59 **Comment: Golden Eagle.** The Golden Eagle nest cited on page 3.7-6 appears to have been abandoned and of no further concern to the Project. It has been monitored since 1989. It was definitely not used in 1992, and almost certainly not used in 1991. The probable reason for abandonment of the nest is the fact that much of the nest tree died during the freeze in the winter of 1990-1991, which resulted in defoliation of the branches shielding the nest and the exposure of the nest to winds and potential predation. The nest is starting to fall apart, and shows no evidence that it has been used recently. In this regard, the USFWS has been contacted repeatedly, but, as of yet, has not found time to visit the site of the nest. Verification of nest abandonment should alleviate the need for *Mitigation Measures 3.7/23* and *3.7/24*. It should also be noted that *Mitigation Measure 3.7/25* should include a provision for nest abandonment; specifically that, if the nest is abandoned, *Mitigation Measure 3.7/23* will not be implemented, and that 571.1 acres of open space and 2,672.3 acres of Rural Residential lands alone would provide suitable foraging habitat and reduce the impacts to a level of insignificance.

Response to Comment 15-59: The EIR authors have not tracked the progress or have any first hand knowledge, regarding the status of the nest site that was documented in 1989. There is no need to eliminate the proposed mitigation measures (3.7/23 and 3.7/24) since they provide for USFWS to verify the presence or absence of the golden eagles. There is also no need to alter MM 3.7-25. If, as claimed, the eagles have stopped nesting due to natural causes (i.e., the freeze of 1990-91), there is no reason to assume that once the tree has recovered that the eagles will not again take up residence.

15-60 **Comment: Burrowing Owl.** Maintaining a minimum buffer area of 300 foot around known burrowing owl nests (or those identified in pre-construction surveys) (*Mitigation Measure 3.7/27.0*) may not always be feasible. There should be an additional mitigation option of passively or actively relocating birds to either the Open Space or Rural Residential portions of the Project, when maintaining buffers from March-September is not feasible. Passive relocation should be coordinated with the CDFG and USFWS. Active relocation would require permits from both agencies.

Response to Comment 15-60: Comment acknowledged. To provide more flexibility in mitigation, the following has been added to the end of MM 3.7-27.0:

Other potential mitigation options for reducing impacts to burrowing owls include passive and active relocation of den sites. A standardized protocol for accomplishing these and other mitigation actions are being developed (Barclay pers. comm. 1992). Any relocation efforts will be coordinated to the USFWS and CDFG.

15-61 **Comment: IM 3.7/A Direct Habitat Loss.** IM 3.7/A (page 3.7-9) states that no unique or rare plant species are found on the Project site. Yet, the reduction in "habitat" (which really isn't habitat if the species are not present) constitutes a potentially significant impact? Additionally, it should be pointed out that this item is effectively declaring the loss of non-native grassland to be a potentially significant impact. This is a highly unusual declaration, especially since this type of habitat is probably the most abundant habitat in this portion of California. Likewise, the subsequent mitigation measures are for the loss of these ubiquitous grasslands; a burden that hardly seems justifiable either legally or objectively.

Response to Comment 15-61: See response to Comment 15-58 regarding the meaning of "habitat". The EIR authors disagree with this comment. Non-native grasslands have a critical role for numerous common and special status wildlife species inhabiting this region of California. Non-native grasslands provide all or at least part of the habitat requirements for many special status species including most that occur in the Eastern Dublin Project area.

15-62 **Comment: IM 3.7/A Direct Habitat Loss.** *Mitigation Measures 3.7/2.0 and 3.7/4.0* require the "reintroduction of native species" of vegetative cover and grasses. A mitigation measure mandating introduction of species that do not now exist (and might never have existed) is rather burdensome, extremely subjective, and may not be feasible.

Response to Comment 15-62: The EIR authors disagree with the commentor's conclusions. The proposed mitigation is both feasible and quite common in situations such as this. The concept underlying the mitigation approach is that the loss of habitat can be at least partially mitigated by upgrading the quality of the habitat that remains.

15-63 **Comment: Page 3.7-10 and 3.7-11.** We suggest that these statements be reviewed and amended appropriately to comply with our previously suggested revisions to Specific Plan policies 6-9 through 6-11 and programs 6E and 6G.

Response to Comment 15-63: The Planning Commission has made recommendations on the proposed amendments to the referenced Specific Plan policies and programs. Any amendments to the Plan that are approved by the City Council will be incorporated into the mitigation measures in the Final EIR as well.

15-64 **Comment: Mitigation Measure 3.7/13.0.** Mitigation Measure 3.7/13.0 (Program 6G) should be amended to delete the gratuitous comment about CDFG typical recommendations.

Response to Comment 15-64: Due to the varying conditions in the Project area, the mitigation measure states that the width of dedicated stream corridors will be determined in consultation with CDFG. The "gratuitous" reference regarding CDFG's typical requirement of 100 feet is provided to inform decision-makers and the public of what might be expected. CDFG's letter responding to the Draft EIR confirms this standard, stating: "Required buffers along streams should be 100 feet from the top of bank" (Comment 20-6). The mitigation measure will remain as written.

15-65 **Comment: Table 3.7-2: Special Status Wildlife Species.** This table includes a number of invertebrate species that are highly unlikely to occur in or around the Project. The Bay Checkerspot Butterfly and Lum's micro-blind harvestman occur only in serpentine soils. There are no such soils in the GPA area, nor in the immediate vicinity. The Callippe silverspot butterfly is known only from San Bruno Mountain in San Mateo County. The San Francisco forktail damselfly has never been found east of the Berkeley Hills. Ricksecker's water scavenger beetle is known from Marin, Sonoma and San Mateo counties, but not in Alameda County. We suggest that these species be eliminated from further consideration.

Response to Comment 15-65: The species listed in Table 3.7-2 indicate the invertebrate species that could potentially occur in or around the Project area. We agree that several of these species are very unlikely to occur in the project area, but following discussions with the USFWS, and given that there is very scant information available on habitat requirements and distribution of many of these species, we believe that these species should be initially considered for planning purposes.

15-66 **Comment: Mitigation Measure 3.7/8.0 (Policy 6-11).** *Mitigation Measure 3.7/8.0* requires prior certification of the stream corridor revegetation by a professional approved by the CDFG. This seems to be a gratuitous or unjustified use of CDFG authority, and the requirement should not be imposed unless specifically deemed necessary by CDFG via its streambed alteration statutory authority.

Response to Comment 15-66: Comment acknowledged. The Planning Commission has recommended, per the request by the commentor, that the responsibility for approving revegetation specialists reside with the City of Dublin rather than CDFG. If the Council adopts this recommendation, the mitigation measure will be amended accordingly.

15-67 **Comment: Mitigation Measure 3.7/15.0 (Program 6K).** *Mitigation Measure 3.7/15.0* imposes requirements for involvement of State and Federal agencies which substantially exceed statutory requirements. This measure should be rewritten to merely require compliance with the applicable statutes.

Response to Comment 15-67: The EIR authors disagree with this statement. The mitigation proposed in MM 3.7/15.0 does not impose requirements for involvement that exceed statutory requirements. It merely establishes as City policy that relevant resource management "agencies should be consulted and involved throughout the planning and development process of individual properties in order to avoid violations of state and federal regulations and ensure that specific issues and concerns are recognized and addressed" (page 3.7-12).

15-68 **Comment: Page 3.7-12.** A similar concern is offered with respect to the finding of potential significance relative to certain species, such as the California Tiger Salamander. All available evidence indicates that this species does not exist on the Project site. Therefore, there can be no basis for a finding of potential significance.

Response to Comment 15-68: Except for the point-in-time surveys conducted for the EIR, all available evidence (i.e., CNDDB records, Brode pers. comm., habitat characteristics, resident interview data, and possible negative influence of the drought) indicates there is suitable habitat for the species in the Project area. Thus, the finding of potentially significant impacts remains as stated in the DEIR.

15-69 **Comment: IM 3.7/I Tri-Colored Blackbird.** The same statement applies to IM 3.7/I. The tri-colored blackbird was not found on the site. Therefore, all further consideration of this species should be dropped from the DEIR.

Response to Comment 15-69: The EIR authors disagree with this comment. No tri-colored blackbirds were observed on site during our limited point-in-time surveys. There is suitable habitat for the species and including them in the planning process is prudent.

15-70 **Comment: IM 3.7/S Special Status Invertebrates.** IM 3.7/S (page 3.7-18) is another "let's pretend they are here" catchall "potentially significant impact." Absent evidence of the presence of these species, there can be no potential impact. In fact, detailed reports covering much of the Project site verify the absence of such species.

Response to Comment 15-70: The EIR authors disagree with this statement. No surveys or habitat characterizations were conducted for any of these species, so no conclusive statement can be made regarding their presence or absence. See response to Comment 15-63.

15-71 **Comment: Figure 3.8-H: Visually Sensitive Ridgelands.** Figure 3.8-H and the related discussion on page 3.8-1 refer to "visually sensitive ridgelands." None of the planning documents gives an objective definition of such a ridgeland, nor is there any explanation as to how such ridges were delineated on Figure 3.8-H. Our own efforts to "confirm" the delineations on that exhibit result in substantially less lands being categorized as "Restrictive [sic] Development" zones. In fact, substantial portions of the shaded areas are behind true ridges, and can't even be seen from surrounding roadways. (We are talking many tens of acres of discrepancy.) We can't object to objective delineation of these sensitive ridges, but the DEIR should not knowingly include areas that don't meet objective criteria. We have previously submitted extensive exhibits in this regard. We would also appreciate the chance to "compare notes" with the DEIR authors.

Response to Comment 15-71: The Specific Plan (on page 69) provides the following definitions of visually sensitive areas:

"Visually sensitive ridgelines" are defined as those ridgelines which form the horizon (i.e., skyline) when viewed from one or more existing scenic corridors. "Visually sensitive ridgelands" include those areas in which two-story development (i.e., 30-foot building height) would obstruct or extend above the ridgeline as seen from existing scenic corridors.

The delineation of visually sensitive areas contained in the Specific Plan and EIR is general in nature. Detailed delineation of the visually sensitive ridgelands will occur during individual development review, based on the above definition.

15-72 **Comment: IM 3.8/D Alteration of Visual Quality of Hillsides.** *Mitigation Measure 3.8/4.1 (Policy 6-34)* goes far beyond reasonable environmental limitations. It presumes that all grading, for whatever reason, is bad, irrespective of such things as whether or not disturbed areas are visible from off-site areas, or if such grading is proposed merely to result in a much more functional, aesthetically pleasing project. Grading is a tool used by every planner, engineer, and architect, as part of site and building design, and the apparent intent of this mitigation measure is to severely limit the use of that tool for unstated and unjustified reasons. Suffice it to say that we have made similar comments relative to the SP and GPA documents, and we suggest that this mitigation measure would seriously interfere with, if not effectively preclude portions of the development anticipated by those planning documents. Please be aware that this observation is not limited to "steep" terrain; it applies almost equally to flatter terrain. Finally, to help make this point, please be reminded that almost the entire site (but for open space areas) of virtually any kind of development, whether residential, commercial, industrial, active parks, or schools, must be graded at least to some extent.

Response to Comment 15-72: Comment acknowledged. Comment does not deal with adequacy of the EIR. Refer to staff recommendations to similar comments on the Specific Plan.

15-73 **Comment: Mitigation Measure 3.8/4.2 (Policy 6-35).** *Mitigation Measure 3.8/4.2* draws a "ditto" of the immediately preceding comments in this letter. Again, literal imposition of this mitigation measure is mutually exclusive with achieving the developments proposed in the SP and GPA documents.

Response to Comment 15-73: Comment acknowledged. Comment does not deal with adequacy of the EIR. Refer to staff recommendations to similar comments on the Specific Plan.

15-74 **Comment: Mitigation Measures 3.8/4.0 through 3.8/4.5.** We suggest that Mitigation Measures 3.8/4.0 through 3.8/4.5 be modified to comply with our previously suggested changes in Policies 6-32 through 6-38 of the Specific Plan.

Response to Comment 15-74: Comment acknowledged. Comment does not deal with adequacy of the EIR. Refer to staff recommendations to similar comments on the Specific Plan.

15-75 **Comment: Mitigation Measure 3.8/5.1 (Policy 6-30).** *Mitigation Measure 3.8/5.1* is very specific in its content. Except, however, it fails to identify the subject scenic ridgeline, nor does it state which scenic routes will come into play.

Response to Comment 15-75: MM 3.8/5.1 complements and should be considered in conjunction with Implementing Policy 3.3.F from the General Plan Amendment (page 20) which reads as follows:

Use subdivision design and site design review process to preserve or enhance the ridgelines that form the skyline as viewed from freeways (I-580 or I-680) or major arterial streets (Dublin Blvd., Amador Valley Blvd., San Ramon Road, Village Parkway, Dougherty Road, Tassajara Road, Doolan Canyon Road, and the future Fallon Road extension).

15-76 **Comment: Mitigation Measure 3.8/5.2 (GPA Guiding Policy E).** Mitigation Measure 3.8/5.2 relates to major ridgelines. Can we assume that this statement relates to only those Visually Sensitive Ridgelands designated on Figure 3.8-H? If not, why not?

Response to Comment 15-76: In as much as MM3.8/5.2 is a Guiding Policy (3.3.E) in the Dublin General Plan, it refers to ridgelines throughout the city. However, it is correct to assume that the Visually Sensitive Ridgelands designated in Figure 3.8-H do represent the major ridgelines in eastern Dublin.

15-77 **Comment: Historic Resources.** Page 3.9-1, *et seq.* We are concerned with the DEIR's rather loose interpretation of the word "historic", when applied to existing buildings. Since the author of this letter was raised in 1920s, 1930s and 1940s buildings, it is a little disconcerting to see such facilities labelled as "historic". Wouldn't an appropriate definition, for these purposes, start with a threshold age of 100 years, or, involve buildings that might be somewhat younger but have served some truly historic purpose? If so, most of the buildings listed on page 3.9-5 would be eliminated from the list.

Response to Comment 15-77: Comment acknowledged. The EIR analysis is based on CEQA guidelines for determining archaeological and historic impacts. For the purposes of CEQA (*CEQA Guidelines: Appendix K*), an important archaeological or historic resource is one which:

1. Is associated with an event or person of:

- Recognized significance in California or American history, or
- Recognized scientific importance in prehistory.

2. Can provide information which is both of demonstrable public interest and useful in addressing scientifically consequential and reasonable or archaeological research questions;
3. Has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind;
4. Is at least 100 years old and possesses substantial stratigraphic integrity; or
5. Involves important research questions that historical research has shown can be answered only with archaeological methods.

The Draft EIR identifies a number of historic sites within the Project area. For the most part, the available information on these sites is not adequate to determine whether the sites represent significant historic resources. It is for this reason that MM 3.9/7.0 (Specific Plan Policy 6-26) requires more in-depth research to determine the significance of these resources prior to any alteration. It may turn out upon further inspection that the listed sites do not contain significant resources, in which case no additional mitigation would be required.

15-78 **Comment: Site A: Historic School Site.** The historic school site is, in fact, an old school which the Lin family has taken steps to preserve in its present state; i.e., arrested decay. We have some very limited historical information on this building which was known as the Antone School, and was constructed and utilized in about 1912.

Response to Comment 15-78: Comment acknowledged.

TED C. FAIRFIELD
Consulting Civil Engineer

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OCT 22 1992

DUBLIN PLANNING

October 20, 1992

Larry Tong
CITY OF DUBLIN
Planning Director
P.O. Box 2340
Dublin, CA 94568

Dear Mr. Tong:

This constitutes comments of Chang Su-O Lin, et al, Doolan East Associates, and Doolan West Associates, relative to the Eastern Dublin DEIR. We thank you for the opportunity to review the DEIR, and we hope that you will take our comments in a constructive manner. We anticipate that your responses to our comments will help ensure that the Final EIR will be a stronger, more comprehensive document.

Our comments are in no particular order of importance, but are presented in accordance with the numbering system used in the DEIR.

Item 2.1—Regional Location. This section should be amended to reflect the fact that the project area is directly served by four interchanges, including the Airway Blvd. interchange.

15-1

Item 2.6—Project Characteristics. This section implies, in at least a couple instances, that the Rural Residential designation will result in development having "residential" character. In fact, the subsequently defined restraints on development of such land will dictate that Rural Residential land will retain an "open space" character. Therefore, the quoted acreages and percentages, as well as the tabulations, should be modified to reflect this reality.

15-2

Figure 2-D. This ownership map contains several errors, specifically including the following:

15-3

1. Parcel #12 is owned by Chang Su-O Lin, et al.
2. Parcel #30 is owned by Doolan West Associates.

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Page 2

Table 3.1-1. This table contains a number of errors, specifically including:

1. The properties listed as belonging to "Chang" actually belong to Chang Su-O Lin, et al.
2. Parcel 946-541-5-1 is no longer covered by a Williamson Act Contract. (Termination became effective 12-31-91).
3. Parcel 946-1040-1 is no longer covered by a Williamson Act Contract. (Termination became effective 12-31-91).
4. Ditto, relative to parcel 946-1040-2.
5. Ditto, relative to parcel 946-1040-3.
6. The Parcel 946-680-3 Williamson Act Contract will terminate on 12-3-95. 15-4
7. Ditto, relative to parcel 946-680-4.
8. The Parcel 99B-3036-7 Williamson Act Contract will terminate on 12-31-96.
9. Ditto, for parcel 99B-3036-8.
10. The Parcel 99B-3281-4 Williamson Act Contract will terminate on 12-31-92.
11. Ditto, for Parcel 99B-3301-2.
12. Ditto, for Parcel 99B-3281-5.

Table 3.1-2. This table should be amended to reflect the changes indicated above. 15-5

Table 3.1-4. Under Riparian Vegetation, GP 7.1B (and Action Plan 5C) a 300 ft. wide setback between the Tassajara Creek Trail, the main stream corridor trail, and nearby development is proposed. There is no apparent justification for this policy, which will unnecessarily consume substantial acreage. It certainly is not founded on engineering or geological criteria. Is this land meant to be added park land, subject to credit against park dedication fees? 15-6

Figure 3.1-C. (Same comments as on Item 2-D, above.) 15-7

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Page 3

Table 3.2-5. This table erroneously states that single family residential units are expected to contain 23.2 persons per dwelling unit.

15-8

Page 3.2-10—Planning program 4F. As previously indicated in comments on the General Plan and Specific Plan, we feel that a formal, "inclusionary housing" program is probably the least effective way for the City to achieve its lower cost housing goals. We hope that the City opts, instead, to impose a reasonable system of development fees, which would collect funds to be used to construct relatively small groups of lower cost units; most likely via private, non-profit housing entities.

15-9

Page 3.3-2. The stated traffic volume for existing Doolan Road (600 VTE) does not seem credible.

15-10

Page 3.3-5. The Future Road Improvements discussions seem to ignore the serious need for the northerly extension of Hacienda Blvd., to pass through Camp Parks and connect to Dougherty Road. This extension is a vital link in balancing the traffic volumes on the several I-580 interchanges. It also appears to be an important element in relieving Tassajara Road from excessive traffic loading. We are surprised that this major traffic facility is not shown on the General/Specific Plan and is virtually ignored by the DEIR.

15-11

Page 3.3-5. The DEIR describes existing level of service in terms of delay, as permitted by the Highway Capacity Manual. However, most local agencies and EIR reviewers are more familiar with the "volume to capacity ratio" method to express level of service. We suggest that the v/c ratios be included, along with the delay figures. Also, were the delays expressed in Table 3.3-4 measured, or calculated?

15-12

Section 3.3. In general, we are concerned that the EIR fails to acknowledge that Cal Trans has already designated I-580 as a future ten lane facility between I-680 and Rt. 84 or Vasco Road. Cumulative interstate freeway traffic will necessitate this future widening with or without development of Eastern Dublin. Therefore, statements such as "year 2010 growth with the Project would cause freeway volumes to exceed level of service E on I-580 between Tassajara Road and Airway Boulevard", (page 3.3-21) are misleading at best. Eastern Dublin's reasonable obligation to contribute to the cost of such widening should be minimal. This reality is not stated in the EIR.

15-13

Page 3.3-6. State Route 84. It is our belief that the Measure B contribution to the improvement of Route 84 is misimplied. The Measure B project, since being scaled back, is for a two lane facility connecting Vallecitos Road with

15-14

I-580. The reduced, first phase project now planned will connect with neither Vallecitos Road nor I-580. 15-14

Pages 3.3-6 through 3.3-12. Land Use Projections. The land use projections call for a build out of Eastern Dublin, but reflect only year 2010 land use everywhere else. While this might usually be an acceptable analysis procedure for EIR level traffic investigations, in this case, the proportion of traffic impacts attributable to the East Dublin project may be significantly overstated by this procedure.

Please refer to the attached land use table, which reflects land use assumptions for two other major Tri-Valley traffic forecasts in current preparation, along with the East Dublin assumptions. Note that the valley-wide totals of numbers of jobs and households in each of the three studies are very close but, in the East Dublin EIR, the Dublin numbers in both categories are higher, while the numbers of households in two major projects to the north (Dougherty Valley and Tassajara Valley) are lower. This results in higher traffic forecasts on sections of Tassajara Road, Fallon Road and other streets, with a possibly misleading higher proportion of such traffic attributable to Eastern Dublin. 15-15

Page 3.3-8. The several traffic analysis scenarios fail to include a scenario such as "Year 2010 with Project, but without Dougherty Valley Traffic". Perhaps more correctly stated, the missing scenario should be entitled "Existing 1992 Conditions, With Project". This omission creates an inherent bias against the Eastern Dublin project, because it implies that Eastern Dublin is the "last in line" project that tips some of the critical scales. The DEIR could lead one to conclude, falsely, that, but for the Eastern Dublin project, some of the key significant effects would not exist. In fact, some of the other major, not yet existing and not yet even "approved" projects must be evaluated equally with Eastern Dublin. The present DEIR language tends to give them unwarranted stature and undeserved priority for existing roadway capacity. The only way to truly isolate, measure and evaluate Eastern Dublin's traffic impact is to start with an analysis of what impacts would be generated by imposing the Eastern Dublin project upon the existing conditions. We hope that this analysis will be added in the FEIR. 15-1

Page 3.3-18. The I-580 Overcrossing scenario seems to be a very dubious proposal, especially when considering the presence of existing, incompatible land uses southerly of I-580. All the more reason to strive for the northerly extension of Hacienda Blvd.

Page 3.3-22. I-680/I-580 interchange mitigations. The DEIR suggests project contributions to the planned improvements at this interchange. These

improvements are required based on existing problems, and have been so designated in Measure B. This measure is worded in such a generalized fashion that improvements to "adjacent local streets" is an unknown issue. The DEIR does not indicate in text, figures or tables, enough information about project related impacts on I-680 and other areas outside of the immediate project area, to justify such far-reaching mitigation suggestions.

15-18 contd

Page 3.3-24. Table 3.3-10 is another case of the use of "delay" figures, instead of volume to capacity ratios. This is uninformative to the reader. Does the traffic model forecast delay or volume to capacity ratios? Also, there is no table corresponding to this one, which shows the results of the proposed mitigation measures.

15-19

BART improvements, in general. Does the DEIR take into account the planned widening of I-580 overcrossings at Hopyard/Dougherty and Santa Rita/Tassajara by BART, and any resulting intersection capacity improvements?

15-20

Page 3.3-27. Airway Boulevard mitigations. The need for improvements at this location is apparently based upon specific land use and highway network assumptions for the area immediately surrounding this interchange and the proposed new interchange to the east. The DEIR does not disclose enough information about these assumptions to justify the Project's contribution to this mitigation measure.

15-21

General observation on traffic. The DEIR provides very little information about key Project interior streets and intersections and their resulting service levels and design requirements.

15-22

Transit Spine. What is the level of transit service assumed for the transit spine? What types and quantities of equipment will be required? What will be the ridership potential? Who will use the planned transit, and for what purpose?

15-23

Page 3.3-28. Mitigation measure 3.3/14.0 suggests conflicts between the almost self evident need to widen Tassajara Road to six lanes and some of the land uses designated in the proposed General Plan amendment and Specific Plan. We suggest that the EIR speak to what kinds of changes must be made in the two latter documents in order to accommodate a six lane Tassajara Road.

15-24

Figures 3.3-A, et seq, imply that El Charro Road is a public street, connecting I-580 to Stanley Blvd. In fact, El Charro is a privately owned (The Jamieson Company) haul road, for quarry purposes, and there are no plans or agreements in existence that would suggest the future conversion of this road to a public use facility southerly of the Arroyo Mocho.

15-25

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Page 6

Page 3.4-5. Mitigation measure 3.4/8 should be revised by replacing the word "acquired" with something like "assured". Such a change would result in a more feasible and practical criteria, with no reduction in mitigation level.

15-26

Page 3.4-6. One proposed mitigation measure is "Compliance with DRFA minimum road widths, maximum street slopes, parking recommendations, and secondary access road requirements". In fact, the City of Dublin has formally adopted criteria for all such facilities. To the extent DRFA's wishes might conflict with Dublin's criteria, those differences should be "worked out" between the two agencies, irrespective of the Project, and Dublin's criteria (as may be amended by the "working out process") should be made applicable to the Project.

15-27

Page 3.4-6. The next successive mitigation measure deals with "response time". What is DRFA's established response time? And, won't it vary substantially with construction of new fire stations?

15-28

Page 3.4-6. Another mitigation measure suggests that the selection or formation of an entity responsible for maintenance of the open lands should be subject to the fire Chief's approval. This is quite a high level of autonomy to apply to anyone. On the other hand, this measure would appear more reasonable if it were limited to only formal "common area" lands contained within formal developments, as opposed to covering all "open lands" contained within the project area.

15-29

Page 3.4-11. While we have no quarrel with the selected school sites, it is a virtual truism that, over the long course of development of Eastern Dublin, with changing educational standards and school sizes and a variety of other unforeseen variables, one or more of such sites will not be acquired and used for school purposes. Likewise, it is just as clear that one or more schools will be constructed on sites not presently anticipated by the DEIR and the Specific Plan/General Plan. We suggest the addition of adequate language in all of these documents, sufficient to anticipate and accommodate such "movement" in school sites. Specifically included should be designation of alternate land use designations of the underlying lands, in the event sites are not utilized.

15-30

Page 3.4-13. Financial Burden on school Districts. We suggest the addition of another mitigation measure, which would specifically obligate the School District to continuously use best efforts to qualify for and obtain State funding assistance for construction of new schools, as a condition precedent to levying any such financial or construction obligation on the Project.

15-31

Page 3.4-16. Demand for Park Facilities. It should be noted in this section that the 5 acres/1,000 person "standard" is substantially in excess of the statutory authority of the City to levy park fees on developments.

15-32

Page 3.4-18. At the top of the page, the text states that "the above mitigation measures combine to reduce the impact on existing park facilities and new park demand to a level of significance." Should this word be changed to insignificance?

15-33

Page 3.4-18. MM 3.4/31 limits parkland dedication credits to flat or gently sloping land. It would seem less onerous and more fair to restate that condition to limit such credits to "land accepted by the City as part of its park system", irrespective of slopes.

15-34

Page 3.4-24. MM 3.4/42.0 requires all utilities to be located below grade. In fact, portions of certain electrical, telephone, gas, fire/water systems, etc. effectively must be constructed above grade. As stated, this mitigation is too absolute.

Page 3.4-25. MM 3.4/45.0 seems to require the expenditure of money for "symbolism", with no defined beneficial purpose. Demonstration projects are best left to the public utilities and others who are charged with honing the cutting edge of energy issues. Demonstration projects in a private development can only add directly to the cost of housing, subject homebuyers to the potential inadequacy of experimental systems, and result in increased liability to the builder via "strict liability" legal obligations.

15-36

Page 3.4-26. Mitigation measure 3.4-47.0 can be read to require the developers of Eastern Dublin to construct and pay for a U.S. post office. This is contrary to the system by which post offices are constructed and operated by the federal government. We suggest replacing the word "provide" with something like "Encourage and accommodate the U.S. Postal Service in its obligation to provide . . ."

15-37

Page 3.4-27. Mitigation measure 3.4/49. We have similar concerns about the meaning of the word "Provide" with respect to a library. What is intended?

15-38

Page 3.5-3 and 3.5-16. Both of these pages indicated that DSRSD's water master plans exclude service for development of the Doolan area. Conversely, it is our belief that the most recent DSRSD master plans include such services.

15-39

Page 3.5-6. We interpret Mitigation measure 3.5/6.0 to mean that the wastewater system shown on Figure 3.5-B has capacity to serve the entire General Plan area. Correct?

15-40

Page 3.5-27. One of the "non-point sources" mitigations that will be inherent with development of Eastern Dublin will be a reduction in the quantity of cattle grazing. This will substantially reduce the non-point pollution load that is currently generated by body waste emissions from cattle, which get washed into the drainage system.

15-41

Page 3.6-9. Mitigation measure 3.6/7.0 requires that design level geotechnical investigations should include stability analyses of both natural slopes and engineered cut and fill slopes. The report also states that a displacement analysis should be performed for critical slopes to confirm the effectiveness of mitigation measures. In our opinion, the recommended stability analysis is appropriate; however the displacement analysis requirement is not appropriate for geotechnical conditions that exist in the Project.

15-42

Page 3.6-10. Mitigation measure 3.6/11.0 states that piezometers should be installed and monitored for a period of at least one year prior to construction to determine ground water levels and variations. This would be an onerous requirement, and one whose necessity is seriously doubted. We do agree that piezometers should be installed to measure ground water levels in some instances. However, monitoring for a year is unlikely to yield more useful data than that which could be collected in the more useful monitoring period of about a month. In our opinion, recognition that ground water levels could vary significantly over the long term is the more important concern. Efforts should be directed at characterizing soil and bedrock conditions to a level where those areas that are likely to experience shallow ground water can be identified. Of greater importance is some understanding of the changes in ground water conditions that can occur as a result of grading and development.

15-43

Page 3.7-3. Special Status Species. This paragraph appears to attempt to use Section 15380, Subdivision (d) of CEQA to elevate non-listed species to the category of rare or endangered, for purposes of determining an impact under CEQA. By mere reference to that section, the DEIR concludes that "Therefore, California species of special concern are included in this list". In actuality, before such species of special concern can be included, they must be "shown to meet the criteria in Subsection (b)" of section 15380 of the CEQA guidelines. It appears clear to us, in reading that statute, that no such showing has been made; therefore the California species of special concern included in the list do not meet this criteria and should not be included in the list.

15-44

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Page 3.7-3. Botanically Sensitive Habitats. This section concludes that the habitats are "of great biotic significance because they provide potential habitat for special status species". Yet, the DEIR also concludes that none of those special status species are found in the habitats. Thus, the habitats should not be found to be significant.

15-45

Page 3.7-4. San Joaquin Kit Fox. We offer a variety of comments about the kit fox issue, as follows:

1. The DEIR maintains that the Project area is within the historic and potential range of the San Joaquin Kit Fox, and has habitat suitable for the fox. It therefore labels impacts to the species as "potentially significant". This assertion is made in spite of the fact that surveys for the DEIR failed to detect kit foxes, all prior in-depth surveys in the vicinity have also failed to detect kit foxes, and subsequent (to the DEIR field survey), much more intensive site specific surveys also failed to detect the species.
2. The DEIR fails to mention that extensive surveys were completed in 1991 on the Dublin Ranch portion of the GPA and SP area (Harvey and Associates, 1991). These surveys were conducted more intensively than any prior study of the area, and to a level approximately twice the current standard established by USFWS and CDFG. No evidence of kit fox was found, either on-site or off-site. The surveys were therefore at a level more than twice what has been recommended by the DEIR for "annual surveys".
3. The DEIR states (page 3.7-4) that kit fox range in Alameda and Contra Costa Counties is "expanding", but cites only the opinion of one of the DEIR's authors (Orloff), without giving any factual basis for that opinion. Our review of records at the CDFG and the USFWS, and the available literature, shows a consistent pattern of distribution of this animal in the hills of eastern Contra Costa and Alameda Counties, with no evidence of populations "near Highway 680".
4. The DEIR also cites historic evidence of kit fox occurrence in the GPA area (Morrell, 1975). We agree that Morrell conducted extensive surveys in an effort to better delimit the kit fox range in California. He employed several methods in this effort, including aerial den surveys, remote sensing, and ground field work. He also relied on interviews, including interviews with landowners. He prepared a base map based upon his information, and these data were later transcribed into the CNDDDB.

15-46

15-47

15-48

15-49

From Morrell's efforts, one alleged "kit fox den" was located approximately 0.75 mile west of Collier Canyon Road, 2 miles north of

I-580. However, no information as to the observer, dimension of the den, and possible associated sign has been provided, to help evaluate the credibility of this single den. Specifically, it must be noted that no actual kit fox sitings were noted in this vicinity. We have attempted to obtain more information from the CDFG, but CDFG did not keep the records, so it is impossible to determine the source or validity of the siting. It was not from either the ground or aerial transect work conducted by the CDFG, as the transects were in other regions of the state. Perhaps more importantly, this "evidence" is now nearly 20 years old, and bears little relationship to current conditions.

15-49 con

5. The DEIR also cites the CDFG as being unable to "determine that the development in the GPA area would not negatively affect the kit fox by eliminating suitable habitat". However, the DEIR fails to mention that this statement was made in the context of CDFG's letter citing recent "unconfirmed reports of kit fox sitings within the planning area at Camp Parks and along Tassajara Road". When questioned about these unconfirmed reports, CDFG cited Dr. Sam McGinnis as the source of the Camp Parks report, but Dr. McGinnis subsequently indicated that he never has surveyed at Camp Parks. When questioned directly, CDFG could not remember the source of other sightings along Tassajara Road. It seems, therefore, that CDFG was using erroneous information as a basis for the above mentioned letter about suitable habitat.
6. The DEIR concludes that this data suggests that the kit fox could potentially inhabit the Project area. In other words, the DEIR seems to be saying that, even if there are no kit fox present now, there might be a fox present in the future; therefore the impact is significant.

15-50

This conclusion is both pure speculation and contrary to all available evidence. It is simply not possible to reasonably predict that kit fox may someday become established in the GPA area, and even less reasonable to conclude that they are already present and we just can't find them. All confirmed evidence that is before the City is negative (no kit fox present), and the only evidence to the contrary is both extremely minimal and unconfirmed. It is as if the DEIR is attempting to "will" the presence or the potential future presence of kit fox, as if that were somehow the purpose and duty of an EIR. Of course, that is not the purpose of an EIR!

15-51

The DEIR and the City should simply conclude that this "potential impact" is too speculative for evaluation, and terminate serious consideration of the impact and of the proposed mitigation measures. This latter decision would

be fully in accordance with, and would seem to be virtually mandated by Section 15145 of the CEQA guidelines.

7. Appendix Part II, Appendix D, page D/31, the second paragraph should be modified to state that there is strong, direct evidence to conclude that there are no kit fox present on the Project site. This is as opposed to the existing language containing some double negatives, but effectively and erroneously suggesting that circumstantial evidence exists to the contrary.
8. Likewise, we take exception to the statement in the very next paragraph, which states that "If the minimal mitigation measures proposed in this document are not enacted and development proceeds as though the area is not kit fox habitat, then there could be high adverse impacts to the species". Not only is this statement directly contrary to all of the available evidence, we suggest that it reflects an underlying bias, and its retention in the DEIR would detract from the credibility of the remainder of the document!
9. Additionally, the next successive paragraph makes an equally outrageous statement; "Since impacts are anticipated to a federally listed species, and there is Federal involvement, a Section 7 consultation will be invoked. This gratuitous and erroneous statement and, in fact, its entire paragraph, should be deleted from the DEIR!
10. Appendix E proposes an East Dublin/San Joaquin Kit Fox protection plan. This is an interesting, but irrelevant and unjustifiable proposal, in light of the fact that there are no kit foxes in Eastern Dublin and, at best, there is only an undefined potential that the area could be a suitable habitat for kit fox.
11. Appendix E, page 2. The fourth paragraph on this page states "The agency could not determine that development in the GPA and SP area would not negatively affect the kit fox by eliminating suitable habitat". Such a nebulous inference has no meaning. An affirmative statement of the agency's conclusions would be "The agency could not determine that an impact would result to the species or its habitat."
12. Appendix E, monitoring surveys. The requirement for annual surveys in each of the first five years following project approval is an unreasonable burden. Does the City of Dublin propose, as part of this project, to pay for those surveys, at a cost of many tens of thousands of dollars per year? All mitigation measures in this Appendix E, but which are not specifically included in the EIR, should be either deleted or ignored. If not, they

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should all be reworded to become effective only if and when it has been objectively determined that kit fox do reside in Eastern Dublin.

15-57 contd

Page 3.7-5, etc. The last sentence in the California Tiger Salamander section is representative of a general concern with this section of the DEIR. It proclaims the presence of "high quality habitat". Yet, without the presence of the species, it cannot be habitat. If the author intends to speak in terms of potential habitat, the author should take pains to make that distinction, by inserting "potential" in all appropriate places, such as in this particular section, as in the "Overview" on page 3.7-12; i.e., "reduction in the number of potential denning or nesting sites", and in many other places in the DEIR.

15-58

Page 3.7-6. Golden Eagle. The Golden Eagle nest cited on page 3.7-6 appears to have been abandoned, and of no further concern to the Project. It has been monitored since 1989. It was definitely not used in 1992, and almost certainly not used in 1991. The probable reason for abandonment of the nest is the fact that much of the nest tree died during the freeze in the winter of 1990-1991, which resulted in defoliation of the branches shielding the nest and the exposure of the nest to winds and potential predation. The nest is starting to fall apart, and shows no evidence that it has been used recently.

15-59

In this regard, the USFW has been contacted repeatedly but, as of yet, has not found time to visit the site of the nest. Verification of nest abandonment should alleviate the need for mitigation measures 3.7/23 and 3.7/24. It should also be noted that Mitigation measure 2.7/25 should include a provision for nest abandonment; specifically that, if the nest is abandoned, Mitigation measure 3.7/23 will not be implemented, and that the 571.1 acres of open space and 2,672.3 acres of Rural Residential lands alone would provide suitable foraging habitat and reduce the impacts to a level of insignificance.

Page 3.7-6. Burrowing Owl. Maintaining a minimum buffer area of 300 ft. around known burrowing owl nests (or those identified in pre-construction surveys) (Mitigation measure 3.7/27) may not always be feasible. There should be an additional mitigation option of passively or actively relocating birds to either the open space or rural residential portions of the Project, when maintaining buffers from March - September is not feasible. Passive relocation should be coordinated with the CDFG and USFWS. Active relocation would require permits from both agencies.

15-60

Page 3.7-9. Impact 3.7-A states that no unique or rare plant species are found on the project site. Yet, the reduction in "habitat" (which really isn't "habitat" if the species are not present), constitutes a potentially significant impact!? Additionally, it should be pointed out that this item is effectively declaring the

15-61

loss of non-native grasslands to be a potentially significant impact. This is a highly unusual declaration, especially since this type of habitat is probably the most abundant habitat in this portion of California. Likewise, the subsequent mitigation measures are for the loss of these ubiquitous grasslands; a burden that hardly seems justifiable either legally or objectively.

15-61 contd

Page 3.7-9. Mitigation measures 3.7/2.0 and 3.7/4.0 require the "reintroduction of native species" of vegetative cover and grasses. A mitigation measure mandating introduction of species that do not now exist (and might never have existed) is rather burdensome, extremely subjective, and may not be feasible.

15-62

Page 3.7-10 and 3.7-11. We suggest that these statements be reviewed and amended appropriately to comply with our previously suggested revisions to Specific Plan policies 6-9 through 6-11 and programs 6E and 6G.

15-63

Page 3.7-11. Mitigation measure 3.7/13.0 should be amended to delete the gratuitous comment about CDFG typical recommendations.

15-64

Table 3.7-2. This table includes a number of invertebrate species that are highly unlikely to occur in or around the Project. The Bay Checkerspot butterfly and Lum's micro-blind harvestman occur only in serpentine soils. There are no such soils in the GPA area, nor in the immediate vicinity. The Callippe silverspot butterfly is known only from San Bruno Mountain in San Mateo County. The San Francisco forktail damselfly has never been found east of the Berkeley Hills. Ricksecker's water scavenger beetle is known from Marin, Sonoma and San Mateo counties, but not in Alameda County. We suggest that these species be eliminated from further consideration.

15-65

Page 3.7-11. Mitigation measure 3.7/8.0 requires prior certification of the stream corridor revegetation by a professional approved by the CDFG. This seems to be a gratuitous or unjustified use of CDFG authority, and the requirement should not be imposed unless specifically deemed necessary by CDFG via its streambed alteration statutory authority.

15-66

Page 3.7-12. Mitigation measure 3.7/15 imposes requirements for involvement of State and Federal agencies which substantially exceed statutory requirements. This measure should be rewritten to merely require compliance with the applicable statutes.

15-67

Page 3.7-13. A similar concern is offered with respect to the finding of potential significance relative to certain species, such as the California Tiger Salamander. All available evidence indicates that this species does not exist on

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the Project site. Therefore, there can be no basis for a finding of potential significance.

15-68 contd.

Page 3.7-14. The same statement applies to IM 3.7/I. The Tri-colored blackbird was not found on the site. Therefore, all further consideration of this species should be dropped from the DEIR.

15-69

Page 3.7-18. IM3.7/S is another "let's pretend they are here", catchall, "potentially significant impact". Absent evidence of the presence of these species, there can be no potential impact. In fact, detailed reports covering much of the project site verify the absence of such species.

15-70

Figure 3.8-H, and the related discussion on page 3.8-1 refer to "visually sensitive ridgelines". None of the planning documents gives an objective definition of such a ridgeland, nor is there any explanation as to how such ridges were delineated on Figure 3.8-H. Our own efforts to "confirm" the delineations on that exhibit result in substantially less lands being categorized as "Restrictive Development" zones. In fact, substantial portions of the shaded areas are behind true ridges, and can't even be seen from surrounding roadways. (We are talking many tens of acres of discrepancy!) We can't object to objective delineation of these sensitive ridges, but the DEIR should not knowingly include areas that don't meet objective criteria. We have previously submitted extensive exhibits in this regard. We would also appreciate the chance to "compare notes" with the DEIR authors.

15-71

Page 3.8-6. Mitigation measure 3.8/4.1 goes far beyond reasonable environmental limitations. It presumes that all grading, for whatever reason, is bad, irrespective of such things as whether or not disturbed areas are visible from off-site areas, or if such grading is proposed merely to result in a much more functional, aesthetically pleasing project. Grading is a tool used by every planner, engineer and architect, as part of site and building design, and the apparent intent of this mitigation measure is to severely limit the use of that tool for unstated and unjustified reasons. Suffice it to say that we have made similar comments relative to the proposed SP and GPA documents, and we suggest that this mitigation measure would seriously interfere with, if not effectively preclude portions of the development anticipated by those planning documents. Please be aware that this observation is not limited to "steep" terrain; it applies almost equally to flatter terrain. Finally, to help make this point, please be reminded that almost the entire site (but for open space areas) of virtually any kind of development, whether residential, commercial, industrial, active parks, or schools, must be graded at least to some extent.

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Page 3.8-6. Mitigation measure 3.8/4.2 draws a "ditto" of the immediately preceding comments in this letter. Again, literal imposition of this mitigation measure is mutually exclusive with achieving the developments proposed in the SP and GPA documents.

15-73

Page 3.8-6. We suggest that Mitigation measures 3.8/4 through 3.8/4.5 be modified to comply with our previously suggested changes in Policies 6-32 through 6-38 of the Specific Plan.

15-74

Page 3.8-7. Mitigation measure 3.8/5.1 is very specific in its content. Except, however, it fails to identify the subject scenic ridgetop, nor does it state which scenic routes will come into play.

15-75

Page 3.8-7. Mitigation measure 3.8-5.2 relates to major ridgelines. Can we assume that this statement relates to only those Visually Sensitive Ridgelands designated on Figure 3.8-H? If not, why not?

15-76

Page 3.9-1, et seq. We are concerned with the DEIR's rather loose interpretation of the word "historic", when applied to existing buildings. Since the author of this letter was raised in 1920's, 1930's and 1940's buildings, it is a little disconcerting to see such facilities labelled as "historic". Wouldn't an appropriate definition, for these purposes, start with a threshold age of 100 years, or, involve buildings that might be somewhat younger but have served some truly historic purpose? If so, most of the buildings listed on page 3.9-5 would be eliminated from the list.

15-77

Page 3.9-5. Site A. The historic school site is, in fact an old school, which the Lin family has taken steps to preserve in its present state; i.e., arrested decay. We have some very limited historical information on this building, which was known as the Antone School, and was constructed and utilized in about 1912.

15-78

These comments constitute a summary of our questions, observations and suggestions.

Very truly yours,



Ted C. Fairfield

TCF:dlm

Enc.

Response to Letter 16: Kim Rutherford, Facilities Planner, Livermore Valley Joint Unified School District

16-1 **Comment: Page SM-5: Schools, Public Lands and Utilities.** The Project characteristics with regard to schools would be more accurately described by addressing the current provision of educational services to the students in this area. LVJUSD currently serves the majority of the Project area.

Response to Comment 16-1: Comment acknowledged. The Draft EIR (page 3.4-8) identifies that practically all of the Project area east of Tassajara Road is currently within the LVJUSD. Additional information on existing provision of school services by the LVJUSD is given in the responses to the following comments.

16-2 **Comment: IM 3.4/F Demand for New Classroom Space (Page SM-13).** While LVJUSD concurs that the demand for new classroom space and school facilities will increase as a result of this project, based upon the generation rates used in our district, we find the number of new junior high schools required equal to 3.6 and the number of new high schools needed equal to 2.5

Response to Comment 16-2: The DEIR used a set of assumptions to project new student yield and new school needs that differs from the assumptions currently used by the LVJUSD. The differences between these two sets of assumptions are clarified in *Response to Comment 16-17*. Refer to the *Response to Comment 16-17* for detailed discussion of projected school needs.

16-3 **Comment: IM 3.4/I Impact of School Financing District Jurisdiction (Page SM-14).** The District would appreciate clarification on the adverse affect [sic] existing jurisdictional boundaries would have on the financing of schools.

Response to Comment 16-3: Financing the construction of required new schools is identified as a potentially significant impact of the Project. Because fees levied on new residential and commercial/industrial construction (ie. development fees) rarely provide sufficient revenue to construct new schools, cities and school districts rely on additional mechanisms and sources of financing. These include special assessments such as: Mello Roos Community Facilities Districts (CFD), lease financing, and general obligation bond measures. Some of these assessments must first be approved by the electorate in local district or municipal elections. The intent of IM 3.4/I is to recognize the difficulty that school district(s) may face in trying to raise funds to build needed schools. Splitting eastern Dublin by two school districts may make it more difficult to convince voters to approve bond measures or assessments for areas located outside their city limits but within their school districts. For example, if the Project site remains within the jurisdiction of the LVJUSD but is annexed to the City of Dublin, voters in the City of Livermore may be asked to approve school bonds for schools located in the eastern portion of the City of Dublin. It remains the position of the City of Dublin and the Dublin Unified School District that coterminous city/school district boundaries would reduce potential confusion related to overlapping jurisdictional boundaries and might facilitate efforts to finance new school construction.

16-4 **Comment: Page 2-6, Paragraph 7.** The fourth sentence should be corrected to read: Another 5% (386.6 acres) is designated for Public/Semi-Public uses of which 288 acres are reserved for 15 school sites. The proposed schools include 9.1 elementary schools, 3.6 middle schools, and 2.5 high schools.

Response to Comment 16-4: Again, this comment reflects a different set of assumptions than those used in the Draft EIR. See *Comment 16-18* for detailed discussion.

16-5 **Comment: Page 2-7, Table 2.0-1: General Plan Amendment Area: Land Use Summary.** The schools portion of this chart should be corrected to show 9.1 elementary schools, 72 acres for 3.6 middle schools, and 125 acres for 2.5 high schools. The subtotal of schools acres should be 288 and the subtotal under units should read 15.2 schools. The total under Public/Semi-Public should then be revised to 386.6 acres and the grand total should be revised to 7,114.5 acres.

Response to Comment 16-5: Same as above. See *Response to Comment 16-18* for detailed discussion.

Even if the number of schools is eventually increased, the total acreage within the Project area would not increase. Any additional acreage committed to schools would in all likelihood be taken out of residentially designated lands given the need to locate schools near residences.

16-6 **Comment: Page 2-9, Table 2.0-2: Eastern Dublin Specific Plan: Land Use Summary.** The land use summary schools section indicates the need for 160.3 acres of school land. Based upon LVJUSD student generation data, the number of new schools needed within the Specific Plan area is 6.3 elementary schools, 2.5 middle schools, and 1.7 high schools. The total number of schools required in the Specific Plan are 10.5. The acreage requirements for the Eastern Dublin Specific Plan are 63 acres for elementary schools, 50 acres for middle schools, and 85 acres for high schools. The total acreage requirement for school sites is 198 acres.

Response to Comment 16-6: Same as above. See *Response to Comment 16-18* for detailed discussion.

16-7 **Comment: Page 2-10, Paragraph 6: Schools, Public Lands and Utilities.** This paragraph suggests that the current district boundaries be revised so that all Eastern Dublin school children attend Dublin Unified School District. It is the intent of LVJUSD to serve the educational needs of the students that reside within our district.

Response to Comment 16-7: Comment acknowledged.

16-8 **Comment: Page 2-13, Paragraph 2: Schools.** Once again, based upon LVJUSD student generation rates, the number of school sites required for the Specific Plan area are 6.3 elementary school sites, 2.5 middle school sites, and 1.7 high school sites. It should be noted that LVJUSD is interested in continuing to serve the students within the boundaries of the District.

Response to Comment 16-8: Comment acknowledged. See *Response to Comment 16-18*.

16-9 **Comment: Page 3-1, Paragraph 3.** In the development of the "baseline" description of the existing environmental conditions, in general, the impact to LVJUSD should be more thoroughly analyzed.

Response to Comment 16-9: Comment acknowledged. The "baseline" conditions for the LVJUSD are set forth in the *Setting* section for Schools (page 3.4-8). This information has been expanded to match the analysis provided for the Dublin Unified School District (See *Response to Comment 16-11* below).

16-10 Comment: Table 3.1-4: Project Consistency with City of Dublin General Plan (1985), Public Schools. The term "prior to sale" is unclear. Some definition would be helpful.

Response to Comment 16-10: Comment acknowledged. The Draft EIR also points out that IP 4.1.B needs to be clarified (page 3.1-27). In fact, the policy does not have any relevance to the development of new schools in eastern Dublin. This language is found in *Implementing Policy (IP) 4.1.B of Section 4.1: Public Schools* of the current *City of Dublin General Plan*. This policy implements *Guiding Policy 4.1.A* which states: "Cooperate with Dublin Unified School District to ensure preservation of surplus sites compatible with surrounding land uses and Housing Element objectives." At the time the *General Plan* was drafted, Dublin K-8 schoolchildren were enrolled in Murray School District schools which were experiencing declining enrollment. The possibility of continued declining enrollment meant that some school sites might become surplus property and sold. *Implementing Policy 4.1.B* was included in the *General Plan* to ensure that, "prior to sale" of surplus school sites, detailed site or specific plans would be prepared to promote new land uses compatible with existing residential areas.

16-11 Comment: Schools (Pages 3.4-7 and 3.4-8). The discussion of LVJUSD should more closely follow the analysis done for Dublin Unified School District. Information should be included regarding capacity within the District, projected enrollment increases, school capacities, student generation rates and long-range facility needs. LVJUSD will be happy to provide this information at your request.

Response to Comment 16-11: Table 3.4-1a presents capacity and enrollment information (March 1992) for the LVJUSD. Also, see Comment 16-16 for basic information on the current operations of LVJUSD.

**EASTERN DUBLIN GENERAL PLAN AMENDMENT/SPECIFIC PLAN EIR
COMMUNITY SERVICES AND FACILITIES**

**Table 3.4-1a
LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT
CURRENT CAPACITY AND ENROLLMENT (March 1992)**

School	Grades	Total Enrollment Capacity	March 1992 Enrollment	Available Seats
Arroyo Seco	K-5	570	546	24
Christensen	K-5	510	510	0
Croce	K-5	295	128	167
Jackson	K-5	660	654	6
Marylin	K-5	630	581	49
Michell	K-5	480	402	78
Portola	K-5	630	591	39
Rancho	K-5	540	521	19
Smith	K-5	540	502	38
Sunset	K-5	630	568	62
Subtotal		5,485	5,003	482
Christensen	6-8	270	188	82
East Avenue	6-8	717	704	13
Junction	6-8	705	692	13
Mendenhall	6-8	826	740	86
Subtotal		2,518	2,324	194
Granada	9-12	1,887	1253	634
Livermore	9-12	1,500	1343	157
Subtotal		3,387	2,596	791
TOTAL		11,390	9,923	1,467

16-12 Comment: LVJUSD Student Generation Rates. LVJUSD student generation rates are: K-5=.33 students/dwelling units; 6-8=.16 students/dwelling unit, and 9-12=.21 students/dwelling unit. The district projects the need for 2 new elementary schools, 1 new middle school, and .5 new high schools by the year 2001. The sentence regarding one district school being over-capacity should be deleted.

Response to Comment 16-12: Comment acknowledged. The student generation rates listed in the Draft EIR are the previous generation rates provided by the LVJUSD, and the rates used to determine the number of schools needed in the planning area. The new generation rates provided by the District have been recently adopted for single family dwelling units. The District is also expected in the near future to adopt new generation rates for multi-family units (see response to Comment 16-17). The text of the DEIR (Paragraph 6; Page 3.4-8) is revised as follows:

Based on City of Livermore growth projections and LVJUSD generation factors (0.30 0.33 children/dwelling unit for K-6; 0.15 0.16 children/dwelling unit for 7-8; 0.20 0.21 children/dwelling unit for 9-12), the District projects that it will need ~~four~~ two new elementary schools, ~~two~~ one new middle schools, and ~~one~~ .5 new high school by the year 2010 2001. ~~At present, only one of the District's schools (Christensen Middle School with an enrollment of less than 200) is over capacity.~~

16-13 Comment: Page 3.4-9, Paragraph 2. The LVJUSD feels it is equally responsive to community concerns in all portions of the district. The discussion of school district jurisdiction should include not only the views of Dublin Unified but also of LVJUSD with regard to students in this area. It is the intent of LVJUSD to serve the students within the district.

Response to Comment 16-13: Comment acknowledged. As stated in the Draft EIR, the sentence stating that "a coterminous school district would be more responsive to community concerns and would play an important role in building a strong civic identity in the Project area" is the opinion of some Dublin property owners and the DUSD. It should not be interpreted as the opinion of the EIR that the LVJUSD would not be responsive to community concerns were the Project area to remain within LVJUSD's jurisdiction. This paragraph simply restates the City of Dublin's preference for coterminous City and school district boundaries. If the Project area is annexed to the City of Dublin, it is the City's preference that this area also be detached from the LVJUSD and annexed to the DUSD. The EIR authors do not dispute the intent or capacity of the LVJUSD to serve students in eastern Dublin should the Project site remain within LVJUSD boundaries.

16-14 Comment: Page 3.4-10, Paragraph 2. The two main sources of capital expenditure funding within LVJUSD are a voter-approved bond election in March of 1975 and the sale of two unused parcels. There are severe constraints on both of these funding sources. The bond authorization terminates in the year 2000 and can only be used for selected sites within the District, and the sale of property, by nature, is a one-time limited revenue. LVJUSD does not currently participate in the State Building Program due largely to the level of overcrowding which must exist before a school district may qualify.

Response to Comment 16-14: Comment acknowledged. The text of the Draft EIR is revised to read as follows:

~~The Livermore Valley Joint Unified School District uses various methods for funding the expansion of school services. Some of these include using monies available from the State school building program, general obligation bonds, lease-back options, and Community Facilities districts (special assessment districts), as allowed under the Mello-Rees legislation of 1982. The two main sources of capital expenditure funding within LVJUSD are a voter-approved bond election in March of 1975 and the sale of two unused parcels. There are severe constraints on both of these funding sources.~~

The bond authorization terminates in the year 2000 and can only be used for selected sites within the District, and the sale of property, by nature, is a one-time limited revenue. LVJUSD does not currently participate in the State Building Program due largely to the level of overcrowding which must exist before a school district may qualify.

16-15 **Comment: Page 3.4-10, Paragraph 2.** All of LVJUSD school sites use portables to supplement permanent classroom space.

Response to Comment 16-15: Comment acknowledged.

16-16 **Comment: Page 3.4-10, Paragraph 5.** As of September 1992, LVJUSD operated 10 elementary schools, 4 middle schools, 2 high schools, and 1 continuation high school. Current enrollment, projected enrollment from existing housing stock, enrollment from previously-approved but unbuilt homes, and enrollment from existing and approved housing will require all of the capacity which is currently available within LVJUSD. LVJUSD will require additional mitigation beyond the development fees currently paid under AB 2926 to meet the school facilities needs of the students resulting from future development approvals. It is the policy of the LVJUSD that development, both residential and commercial/industrial, shall fully mitigate the impact of such growth on school facilities.

Response to Comment 16-16: Comment acknowledged.

16-17 **Comment: Page 3.4-10, Paragraph 6.** The calculations done in Table 3.4-2: New Student Yield do not appear to be based upon the housing units discussed on pages 2-7, 2-8 and 2-9. Using the housing units on pages 2-7, 2-8, and 2-9, and the LVJUSD student generation rates, the number of K-5 students in the total Project area is 5,930, the number of 6-8 students in the total Project area is 2,875 and the number of 9-12 students in the total Project area 3,774. The total number of students from both the Specific Plan and the General Plan areas is 12,579. The detail of this information is included on Attachment A.

Response to Comment 16-17: The discrepancy between LVJUSD's new student projections (Attachment A) and those of the DEIR is 3,117 students. This difference results from the use of differing assumptions regarding 1) the definition of the single family (SF) and multi-family (MF) categories, and 2) the application of student generation rates to residential dwelling units, as explained below.

First, the student generation analysis in the DEIR includes Medium Density Residential units, along with Rural Residential and Low Density categories, in the SF category. On the other hand, in the LVJUSD projections, Medium Density Residential units were grouped with Medium High Density and High Density units in the multi-family category. The different assumptions result in a total of 12,811 SF units in the DEIR analysis versus 5,608 SF units in the LVJUSD analysis. The Draft EIR (and Plan) were being conservative by giving SF credit to Medium Density units. The 1990 Census indicates that units in the Medium Density range in Dublin only average about 2 persons per unit. These units would obviously generate fewer students than single family units which average 3.2 persons per unit.

The second difference in assumptions involved generation rates and their application. The DEIR used two different sets of generation rates for single family and multi family units to project student yield, because multi-family units generate fewer students than single family units. For the single-family category, the generation rates (i.e., students generated per dwelling unit) were: K-5=0.30, 6-8=0.15, and 9-12=0.20. Assumed multi-family generation rates were as follows: K-5=0.10, 6-8=0.05, and 9-12=0.07. On the other hand, projections

provided by LVJUSD use new, higher generation rates (see Comment 16-12), and they do not reflect different generation rates for SF and MF units. As a result, LVJUSD's projections are considerably higher than those of the DEIR. The LVJUSD has prepared new draft generation rates for multi-family housing as part of its *10-Year Facilities Master Plan 1992-2002*. It is expected that these rates will be formally adopted by the LVJUSD School Board of Trustees in December 1992. The new multi-family rates, like the new single family rates, are also higher than those used for the plan and EIR. The new draft rates are as follows: K-6=0.22, 7-8=0.11, and 9-12=0.14.

Given the different assumptions and change in standards, the projections of new student yield (Table 3.4-2) have been revised to reflect updated student generation rates for single family and multi-family housing in the Project area based on LVJUSD standards. It should be pointed out that LVJUSD standards are used because the DUSD does not currently have established student generation rates that it uses. The revised tables are as follows:

EASTERN DUBLIN GENERAL PLAN AMENDMENT/SPECIFIC PLAN EIR COMMUNITY SERVICES AND FACILITIES							
Table 3.4-2 (Revised) NEW STUDENT YIELD							
Grades ¹	Specific Plan			GPA Increment Area			The Project
	SF ²	MF ³	Subtotal	SF	MF	Subtotal	
K-5	791	2,211	3,002	1,059	508	1,567	4,569
6-8	383	1,105	1,488	513	254	767	2,255
9-12	503	1,407	1,910	674	323	997	2,907
Total	1,677	4,723	6,400	2,246	1,085	3,331	9,731

Notes:

¹ Assumed student generation rates for single family units are: K-5=0.33, 6-8=0.16, and 9-12=0.21.

Assumed student generation rates for multi-family units are: K-5=0.22, 6-8=0.11, and 9-12=0.14.

² SF=Single Family. Includes Rural Residential and Single Family designations.

³ MF=Multi-Family. Includes Medium Density, Medium High Density and High Density designations.

Source: Livermore Valley Joint Unified School District (LVJUSD); WRT; November 1992.

The revised Table 3.4-2 above uses LVJUSD student generation rates and the single family/multi-family split used by the District. As can be seen in the table, these assumptions result in 269 more students over the entire project than projected in the plan and EIR. Almost 80% of this increase is in K-5 students (209 students). It should be pointed out, that these projections should be viewed as being very rough approximations of what may actually occur. As evidenced by the fact that LVJUSD student generation rates have changed during the time it has taken to prepare the eastern Dublin plan and EIR, generation rates are quite variable, and are affected by factors as variable as the housing market, job availability, and birth rates. Current rates will therefore have limited effectiveness at accurately projecting student growth over a period of 20 to 30 years. The assumptions regarding the generation potential of different residential designations is also hard to predict. The cost of the housing (no matter what density) can significantly affect the student generation levels. Typically, higher cost housing generates fewer students than lower cost housing at comparable densities.

16-18 Comment: Table 3.4-5: Provision of New Schools. Table 3.4-3 does not reflect the student yield data applicable to LVJUSD nor does it include the district's criteria for new school size. Projected students should be equal to the numbers provided in Attachment A of this packet. New school size for LVJUSD at the K-5 level is 650 students, for 6-8 new school size is 800 students, and for 9-12 new school size is 1,500 students. Dividing projected students by the new school size indicates the need for 6.3 new elementary schools, 2.5 new middle schools and 1.7 new high schools within the Specific Plan area. Dividing projected students by new school size in the Project area indicates the need for 9.1 new elementary schools, 3.6 new middle schools, and 2.5 new high schools in total.

Response to Comment 16-18: Comment acknowledged. As explained in *Response to Comment 16-17*, the DEIR made different assumptions in the variables and definitions used to project new students. Additionally, whereas the DEIR assumes a standard of 500 students/new elementary school, the LVJUSD uses a standard of 650 students/new elementary school. The revised projection of new school demand is based on the student generation projections in the Revised Table 3.4-2 (see Comment 16-17) and assumes the LVJUSD standard of 650 students/K-5 school. The revised projections for new schools are shown in Table 3.4-3 below:

EASTERN DUBLIN GENERAL PLAN AMENDMENT/SPECIFIC PLAN EIR COMMUNITY SERVICES AND FACILITIES Table 3.4-3 (Revised) PROVISION OF NEW SCHOOLS				
Specific Plan	Projected Students	New School Size	New Schools Needed	New Schools Provided
K-5	3,002	650	4.6	6.5
6-8	1,488	800	1.86	1.75
9-12	1,910	1,500	1.27	1
GPA Increment				
K-5	1,567	650	2.4	2.5
6-8	767	800	.96	.25
9-12	997	1,500	.66	0
The Project				
K-5	4,569	650	7.03	9
6-8	2,255	800	2.82	2
9-12	2,907	1,500	1.94	1

Source: Livermore Valley Joint Unified School District (LVJUSD); WRT; November 1992.

As shown in Table 3.4-3 (Revised), the revised assumptions used to project student generation has also altered the projected need for new schools. The biggest change from the projections in the plan and DEIR is that two fewer elementary schools appear to be needed. However, it is recommended that the Plan not be revised at this point to remove any school sites. Given the discrepancies in projected needs and the possibility that not all of the sites will be

acceptable to the school district(s), having "extra" sites will provide the district(s) with some flexibility. Any sites that are not needed for schools would be able to be developed for residential uses.

Both LVJUSD and DUSD have indicated that the number of middle schools and high schools provided in the Specific Plan and GPA is not adequate. During the planning process it was assumed that the projected need for partial campuses could be covered either through available capacity in existing schools or through a combination of available capacity and the development of slightly larger schools. Dublin High has available capacity for almost 1,900 students, which is 400 students more than the capacity of a full high school according to LVJUSD criteria. While it is understood that some of this capacity may be absorbed by other development in Dublin, there appears to be so much available capacity that there is not justification for building a second high school within the Project area. The Draft EIR identifies the potential need for more junior high school (middle school) space as a potentially significant impact since there is not excess capacity in existing schools to absorb the demand. MM 3.4/14.0 identifies two means of mitigating this potential impact: increase the capacity of the two proposed middle schools in the Project area or locate a third site in Doolan Canyon if there proves to be a need.

As shown in Table 3.4-3 (Revised), the schools provided within the Specific Plan area is almost identical to the projected demand. Discrepancies between schools provided and projected demand are greatest for the GPA Increment Area. The GPA Increment Area is projected to generate demand for one (.96) middle school and two-thirds (.66) of a high school. If, as the Project area builds out, it appears that an additional middle school and high school are needed, the logical place for these schools would be in Doolan Canyon. Since this area will be the last to develop and will require additional planning prior to development, the school district(s) will have the opportunity to reserve the necessary sites.

16-19 **Comment: Page 3.4-11, Paragraph 3.** A sentence in this paragraph indicates that "school sites were selected based on student generation potential in each area, developability of each site, integration with surrounding neighborhood, and student safety in retaliation [sic] to automobile traffic." This sentence should more accurately read school site areas, rather than school sites. Approval for any of the sites indicated lies with the California Department of Education (CDE). The sites indicated have neither been accepted nor approved by the District nor CDE. Also, this paragraph indicates that Table 3.4-3 shows the number of schools provided being less than schools needed. LVJUSD does not find this acceptable. The number of schools provided should equal the number of schools needed by the District.

Response to Comment 16-19: Comment acknowledged. The planning process attempted to identify locations for schools with the knowledge that the responsible school district and the CDE would ultimately have to approve the final site location, size and configuration. Although specific sites and acreages have been identified for future schools, it is anticipated that there may be instances where changes will be necessary. The second sentence in the third paragraph on page 3.4-11 has been revised as follows:

School sites ~~areas~~ were selected based on student generation potential in each area, developability of each site, integration with the surrounding neighborhood, and student safety in ~~retaliation~~ ~~relation~~ to automobile traffic.

See response to Comment 16-18 regarding the number of school sites identified.

16-20 **Comment: IM 3.4/G Demand for Junior High Schools.** *Mitigation Measure 3.4/13.0* indicates that the potentially significant impact on junior high school capacity could be mitigated by

reserving school sites designated in the Specific Plan. This does not provide adequate mitigation as the school district and ultimately the CDE must approve all school sites as was indicated earlier.

Response to Comment 16-20: See the *Response to Comment 16-18*.

16-21 **Comment: IM 3.4/G Demand for Junior High Schools.** The potential shortage of junior high school capacity cannot be adequately mitigated (*Mitigation Measure 3.4/14.0*) by simply increasing the number of students on a campus. School capacity is established based upon educational program requirements and the safety and well-being of students. To increase this capacity is done at the expense of this program. Interim housing of students can and often does increase the capacity of a school beyond the planned level. However, this should never be considered a permanent solution to facilities requirements.

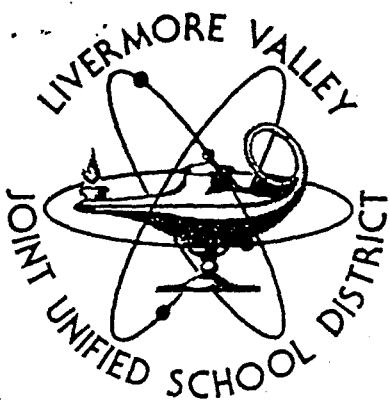
Response to Comment 16-21: See *Response to Comment 16-18* above.

16-22 **Comment: IM 3.4/I Impact on School Financing District Jurisdiction.** LVJUSD believes that the Project area can be adequately served under the existing jurisdictional boundaries.

Response to Comment 16-22: Comment acknowledged.

16-23 **Comment: IM 3.4/J Financial Burden on School Districts.** This mitigation measure (MM 3.4/17.0) should explain how the procedure for the provision of full mitigation will be handled. Does general plan language or an ordinance currently exist which will support the provision of adequate school facilities? The lack of clear mitigation measures can reduce the effectiveness of this action program.

Response to Comment 16-23: The intent of the mitigation measures for IM 3.4/J (MM 3.4/17.0-3.4/19.0) is to acknowledge that State funding and impact fees cannot be depended on to provide the necessary schools. It is also intended to provide the City of Dublin and school districts with the broadest possible means by which to finance new school construction. The City of Dublin does not currently collect development fees for school construction, but could decide to do so as provided under AB 2926 (1986). Current changes in State law affecting the ability of cities to collect additional assessments (see *Response to Comment 18-2* below) will increase the need to consider a broad range of financing mechanisms available to school districts.



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October 20, 1992

City of Dublin Planning Commission
City of Dublin
100 Civic Plaza
Dublin, California 94568

Dear Commissioners:

Thank you for providing Livermore Valley Joint Unified School District (LVJUSD) with the opportunity to comment on the Eastern Dublin General Plan Amendment and Specific Plan, State Clearinghouse Number (SCH #91103064).

The District's comments are provided below:

Page SM-5 Paragraph titled; Schools, Public Lands and Utilities

The project characteristics with regard to schools would be more accurately described by addressing the current provision of educational services to the students in this area. LVJUSD currently serves the majority of this project area.

16-1

Page SM-13 Paragraph IM 3.4/F Demand for New Classroom Space:

While LVJUSD concurs that the demand for new classroom space and school facilities will increase as a result of this project, based upon the generation rates used in our district we find the number of new junior high schools required equal to 3.6 and the number of new high school needed equal to 2.5.

16-2

Page SM-14 Paragraph IM3.4/I Impact on School Financing District Jurisdiction:

16-3

The District would appreciate clarification on the adverse affect existing jurisdictional boundaries would have on the financing of schools.

Page 2-6 Paragraph 7:

The fourth sentence should be corrected to read, Another 5% (386.6 acres) is designated for Public/Semi-Public uses of which 288 acres are reserved for 15

16-4

school sites. The proposed schools include 9.1 elementary schools, 3.6 middle schools, and 2.5 high schools.

16-4 contd.

Page 2-7 Table 2.0-1:

The schools portion of this chart should be corrected to show 91 acres for 9.1 elementary schools, 72 acres for 3.6 middle schools, and 125 acres for 2.5 high schools. The subtotal of school acres should be 288 and the subtotal under units should read 15.2 schools. The total under Public/Semi-Public should then be revised to 386.6 acres and the grand total should be revised to 7,114.5 acres.

16-5

Page 2-9 Table 2.0-2

The land use summary schools section indicates the need for 160.3 acres of school land. Based upon LVJUSD student generation data the number of new schools needed within the specific plan area is 6.3 elementary schools, 2.5 middle schools, and 1.7 high schools. The total number of schools required in the specific plan area are 10.5. The acreage requirements for the Eastern Dublin Specific Plan are 63 acres for elementary schools, 50 acres for middle schools, and 85 acres for high schools. The total acreage requirement for school sites is 198 acres.

16-6

Page 2-10 Paragraph 6:

This paragraph suggests that the current district boundaries be revised so that all Eastern Dublin school children attend Dublin Unified School District. It is the intent of LVJUSD to serve the educational needs of the students that reside within our district.

16-7

Page 2-13 Paragraph 2:

Once again based upon LVJUSD student generation rates the number of school sites required for the specific plan area are 6.3 elementary school sites, 2.5 middle school sites and 1.7 high school sites. It should be noted that LVJUSD is interested in continuing to serve the students within the boundaries of the district.

16-8

Page 3-1 Paragraph 3:

In the development of the "baseline" description of the existing environmental conditions, in general, the impact to LVJUSD should be more thoroughly analyzed.

16-9

Page 3.1-27 The public schools section:

16-10

The term "prior to sale" is unclear, some definition would be helpful.

Pages 3.4-7 and 3.4-8

The discussion of LVJUSD should more closely follow the analysis done for Dublin Unified School District. Information should be included regarding capacity within the District, projected enrollment increases, school capacities, student generation rates and long-range facility needs. LVJUSD will be happy to provide this information at your request.

16-11

Page 3.4-8 Paragraph 6:

LVJUSD student generation rates have been revised. The revised student generation rates are K-5 .33 students/dwelling unit, 6-8 .16 students/dwelling unit, and 9-12 .21 students/dwelling unit. The district projects the need for 2 new elementary schools, 1 new middle school, and .5 new high school by the year 2001. The sentence regarding one district school being over capacity should be deleted.

16-12

Page 3.4-9 Paragraph 2:

The LVJUSD feels it is equally responsive to community concerns in all portions of the district. The discussion of school district jurisdiction should include not only the views of Dublin Unified but also of LVJUSD with regard to students in this area. It is the intent of LVJUSD to serve the students within the district.

16-13

Page 3.4-10 Paragraph 2:

The two main sources of capital expenditure funding within LVJUSD are a voter approved bond election in March of 1975 and the sale of two unused parcels. There are severe constraints on both of these funding sources. The bond authorization terminates in the year 2000 and can only be used for selected sites within the District, and the sale of property, by nature, is a one-time limited revenue. LVJUSD does not currently participated in the State Building Program due largely to the level of overcrowding which must exist before a school district may qualify.

16-14

Page 3.4-10 Paragraph 4:

All of LVJUSD school sites use portables to supplement permanent classroom space.

16-15

Page 3.4-10 Paragraph 5:

As of September 1992 LVJUSD operated 10 elementary schools, 4 middle schools, 2 high schools, and 1 continuation high school. Current enrollment, projected enrollment from existing housing stock, enrollment from previously approved but unbuilt homes, and enrollment from existing and approved housing will

16-16

require all of the capacity which is currently available within LVJUSD. LVJUSD will require additional mitigation beyond the development fees currently paid under AB 2926 to meet the school facilities needs of the students resulting from future development approvals. It is the policy of the LVJUSD that development, both residential and commercial/industrial, shall fully mitigate the impact of such growth on school facilities.

16-16 contd

Page 3.4-10 Paragraph 6:

The calculations done in Table 3.4-2 do not appear to be based upon the housing units discussed on pages 2-7, 2-8 and 2-9. Using the housing units on pages 2-7, 2-8 and 2-9, and the LVJUSD student generation rates the number of K-5 students in the total project area are 5,930, the number of 6-8 students in the total project area are 2,875 and the number of 9-12 students in the total project area 3,774. The total number of students from both the specific plan and the general plan areas are 12,579. The detail of this information is included on Attachment A.

16-17

Page 3.4-11 Significance of Criteria

Table 3.4-3 does not reflect the student yield data applicable to LVJUSD nor does it include the district's criteria for new school size. Projected students should be equal to the numbers provided in Attachment A of this packet. New school size for LVJUSD at the K-5 level is 650 students, for 6-8 new school size is 800 students, and for 9-12 new school size is 1,500 students. Dividing projected students by the new school size indicates the need for 6.3 new elementary schools, 2.5 new middle schools and 1.7 new high schools within the specific plan area. Dividing projected students by new school size in the project area indicates the need for 9.1 new elementary schools, 3.6 new middle schools, and 2.5 new high schools in total.

16-18

Page 3.4-11 Paragraph 3:

A sentence in this paragraph indicates that "School sites were selected based on student generation potential in each area, developability of each site, integration with surrounding neighborhood, and student safety in relation to automobile traffic."

This sentence would more accurately read school site areas, rather than school sites. Approval for any of the site indicated lies with the affected school district and ultimately with the California Department of Education(CDE). The sites indicated have neither been accepted nor approved by the District nor CDE.

16-19

Also this paragraph indicates that table 3.4-5 shows number of schools provided being less than school needed. LVJUSD does not find this acceptable. The number of schools provided should equal the number of schools needed by the District.

Page 3.4-12 MM3.4/13.0 (Policy 8-1)

This mitigation measure indicates the potentially significant impact on junior high school capacity could be mitigated by reserving school sites designated in the Specific Plan.

16-20

This does not provide adequate mitigation as the school district and ultimately the CDE must approve all school sites as was indicated earlier.

Page 3.4-12 MM 3.4/14.0

Potential shortage of junior high school capacity cannot be adequately mitigated by simply increasing the number of students on a campus. School capacity is established based upon educational program requirements and the safety and well-being of students, to increase this capacity is done at the expense of this program. Interim housing of students can and often does increase the capacity of a school beyond the planned level, however this should never be considered a permanent solution to facilities requirements.

16-21

Page 3.4-12 MM 3.4/16.0

LVJUSD believes that the project area can be adequately served under the existing jurisdictional boundaries.

16-22

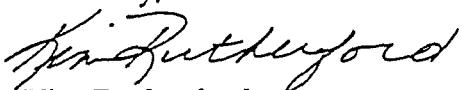
Page 3.4-13 MM 3.4/17.0

This mitigation measure should explain how the procedure for the provision of full mitigation will be handled. Does general plan language or an ordinance currently exist which will support the provision of adequate school facilities? The lack of clear mitigation measures can reduce the effectiveness of this action program.

16-23

If you have any questions or would like additional information, please call me at 447-9500 x273.

Sincerely,



Kim Rutherford
Facilities Planner

EAST DUB EIR SUP WKSHT

Attachment A

STUDENT GENERATION DATA EASTERN DUBLIN GPA AND SPECIFIC PLAN							
SPECIFIC PLAN				GENERAL PLAN			
GRADES	SF	MF	SUBTOTAL	SF	MF	SUBTOTAL	TOTAL
K-5	791	3,317	4,108	1,059	763	1,822	5,930
6-8	384	1,608	1,992	514	370	884	2,875
9-12	504	2,111	2,614	674	486	1,160	3,774
TOTAL	1,679	7,035	8,714	2,247	1,618	3,865	12,579

ASSUMPTIONS

HOUSING UNITS-SPECIFIC PLAN

SF	2,398
MF	10,050

HOUSING UNITS GENERAL PLAN

SF	3,210
MF	2,312

GENERATION RATES

K-5	0.33
6-8	0.16
9-12	0.21
TOTAL	0.7

Response to Letter 17: Eric Brown, Senior Planner, City of Livermore

17-1 **Comment: Future Road Improvement Assumptions.** Future traffic projections assume that several road improvements in the Tri-Valley area will be in place. Included in the list is "Completion of State Route 84 as a four lane highway between "I-680 and I-580, with construction of a new interchange at I-580" (page 3.3-17). This project will have to compete with other projects in Alameda County for future funding. To date, major projects costing approximately \$4 billion have been identified in the Alameda County-wide Transportation Planning Program, with less than \$1 billion of potential funding available for identified projects. Therefore, funding for the DEIR's identified improvements of State Route 84 is far from certain. As a result, the traffic study for the EIR should examine, as an alternative, the impact of the proposed Project, on I-580 from the I-580/I-680 interchange easterly without assuming completion of State Route 84 improvements between I-680 and I-580.

Response to Comment 17-1: See response to Comment 15-14.

17-2 **Comment: IM 3.3/K Airway Boulevard & I-580 Westbound Ramps.** *Mitigation Measure 3.3/11.0* calls for widening the Airway Boulevard overcrossing of I-580 by 12 feet (page 3.3-27). The existing overcrossing bridge is narrow, and it would be impractical to widen it 12 feet. It should be noted that this mitigation would require construction of a new overcrossing bridge. Additionally, funding and installation of improvements for the Airway Blvd. interchange should be in place prior to level of service "F" impacts.

Response to Comment 17-2: Mitigation measure 3.3/11.0 will be revised to recommend construction of a new overpass structure as opposed to widening of the existing overpass structure. The cities of Livermore and Dublin should coordinate to ensure that road improvements in the vicinity of Airway Boulevard are implemented concurrent with development in the Triad Business Park, Livermore Airport area and the Doolan Canyon Road area.

17-3 **Comment: IM 3.11/C Mobile Source Emissions: ROG or NOx.** The precursors (ROG and NOx) analysis doesn't extend to an adequate analysis/estimate of ozone impacts from proposed development. The analysis does not include PM 10 impacts from mobile sources. The analysis omits consideration of potential impacts/mitigation for sensitive receptors, i.e. schools, residential, convalescent and similar facilities/land uses.

Response to Comment 17-3: There is no satisfactory mechanism to translate project-related ozone precursor emissions explicitly into an ozone impact. By identifying that precursors exceed significance thresholds, the implication is that the incrementally small impact is nevertheless significant - even if not directly quantifiable.

PM-10 emissions were not quantified because the URBEMIS3 computer program has a "bug" in the PM-10 routine which has not been corrected to date. PM-10 emissions are generally about 50% of ROG levels in terms of weight of pollution per mile traveled. Based on this approximate ratio, PM-10 should be included among the pollutants exceeding the BAAQMD threshold of significance.

On a plan/regional basis where schools, residences and convalescent facilities have not yet been built, it is not possible to identify future uses down to the exact geographic/topographic location where such uses will occur. The microscale analysis in Table 3.11.3 was conducted at 25 feet from the edge of a large number of roadways in the region. This analysis, showing no adverse impacts beyond 25 feet, lays the groundwork for planning of

future sensitive receiver development that is not constrained by microscale air quality impacts as long as a nominal 25 foot setback is maintained.

17-4 **Comment: CO Values.** The report should identify how CO values were established. The appendix shows studies based upon 75 degrees Fahrenheit and 30 Mph values. These do not appear to be realistic values.

Response to Comment 17-4: The air temperature and travel speed referenced in this comment refer to regional conditions on a smoggy summer day used in the URBEMIS3 model. The CO concentrations for the microscale analysis were based on data in the BAAQMD Handbook as noted in the footnote on Table 3.11-3.

17-5 **Comment: Clean Air Act.** A program mitigation should be added to assure that the East Dublin Plan is generally consistent with the 1991 Clean Air Act.

Response to Comment 17-5: The 1991 Clean Air Plan ('91 CAP) incorporates regional transportation and growth management plans. MM3.11/6.0 clearly states that specific development plans within the Eastern Dublin Specific Plan (EDSP) are to be consistent with the same transportation and growth management plans. By inference, the mitigation measure requires maintenance of consistency between the EDSP and the '91 CAP.

17-6 **Comment: IM 3.10/C Exposure of Existing and Proposed Development to Airport Noise/CNEL 60 Contour.** Impact 3.10/C indicates that no mitigation is required. This is not correct. The assumption of project land use compatibility based on reliance of meeting technical standards (60 CNEL) does not ensure or adequately mitigate the potential for future incompatibilities between existing airport operations and future Dublin proposed development within the Airport Protection Area. While technical studies/standards may provide "technically correct" distances for noise attenuation setbacks, it is improbable that they will address real or perceived annoyances of residents in approximately 1,000 residential dwellings proposed for location within the APA. Consequently, aircraft noise should be considered a potentially significant (as opposed to DEIR proposed "insignificant impact") impact.

Response to Comment 17-6: See response to Comment 2-6.

17-7 **Comment: IM 3.10/C Exposure of Existing and Proposed Development to Airport Noise/Land Use Conflicts.** As portions of this planning area are also a primary aircraft overflight area, safety issues regarding the location of intense residential development and a junior high school are not adequately identified and addressed.

Response to Comment 17-7: See Response to Comment 2-1.

17-8 **Comment: IM 3.10/C Exposure of Existing and Proposed Development to Airport Noise/Variability of Noise.** The noise from the airport has unique characteristics and variability. CNEL does not effectively measure this. Intense use of the airport occurs early on weekend mornings and during late evening hours. The DEIR does not indicate when noise measurements were made, and whether they took into consideration these hours of intense use.

Response to Comment 17-8: Measurements of airport activity were not specifically made for the preparation of the DEIR. The noise analysis in the *Livermore Municipal Airport Master Plan* was considered adequate to address issues of compatibility between the airport and the Project. It has been assumed that the operational characteristics of the airport are consistent with the ALUC-approved Master Plan, and that the level of operations at night and on

weekends have therefore already been considered in the airport noise analysis.

Noise measurements that were conducted for the DEIR were made during the weekday and primarily focused on quantifying noise levels from Interstate 580 and local roads. See response to Comment 2-6 for more detailed discussion of potential impacts associated with single event noise levels and necessary mitigation.

17-9 **Comment: IM 3.5/Q Increase in Demand for Water.** The DEIR indicates the need for Zone 7 to develop new water sources to accommodate the East Dublin Plan and all other general plan amendments proposed in the Tri-Valley. The DEIR should contain program language/mitigation that requires coordination with Zone 7 to insure that Zone 7's goals and objectives will support the development of new water sources to meet these demands.

Response to Comment 17-9: The DEIR does indicate the need for Zone 7 and DSRSD to develop new water sources to meet the water demands of Eastern Dublin but does not make any statements that indicate the need for Zone 7 to develop water sources to accommodate all other General Plan Amendments proposed for the Tri-Valley.

Zone 7's February 1992 Water Supply Update fully describes Zone 7's analysis of what it needs to do to meet the water supply demands of the prospective general plans in the Tri-Valley. This update is referenced on page 3.5-14 and in MM 3.5/28.0.

17-10 **Comment: IM 3.5/P Overdraft of Local Groundwater Resources.** The DEIR (IM 3.5/P) acknowledges that overdrafting of groundwater through wells is a potentially significant impact. However, *Mitigation Measure 3.5/31.0* calls for drilling of new wells south of the Specific Plan area to provide a backup source of water supply. Where overdrafting of current wells affects groundwater resources, the addition and utilization of new wells may potentially compound the problem. This is a potentially significant impact. The drilling of new wells does not constitute "new" supplies of water.

Response to Comment 17-10: IM 3.5/P, *Overdraft of Local Groundwater Resources*, refers to overdrafting of the fringe groundwater basins underlying the Project. Such groundwater basins have limited available groundwater which is, in general, of very poor quality. These fringe basins are located north of the larger Central Groundwater Basin, which is a water supply source for DSRSD. Overdrafting of these small fringe groundwater basins is a potentially significant impact. Appropriate mitigation measures to this impact are noted in the DEIR.

MM 3.5/31.0 does identify that new DSRSD water wells are being constructed in the Central Groundwater Basin. The comment is correct that these wells do not constitute new water supplies. According to DSRSD, these new wells are viewed primarily as an improvement to the DSRSD system. Thus, with the development of these wells, there will be an increased reliability in the DSRSD system to serve the increased demands created by the Project.

17-11 **Comment: Alternative 2: Reduced Planning Area ("RPA").** Until there is a demonstrated need for the current proposed scale and intensity of development, a reduced planning area may be desirable as proposed in the above alternative. This alternative has the affect [sic] of less urban sprawl while not reducing overall intensities of land use. This may be an environmentally superior alternative to the current proposed Project. Alternative 2 allows buildup as proposed in the Specific Plan, and buildup of the General Plan Amendment within the current SOI for Dublin. Equally important, it explicitly allows for the preservation of Doolan Canyon as an important "green community separator between Dublin, Livermore, and Tassajara Valley..." (page 409). Based on Livermore land use proposals, and our

understanding of the intent of Alameda County's General Plan, Doolan Canyon should also serve a green separator function under any jurisdiction.

Response to Comment 17-11: Comment acknowledged.

17-12 **Comment: Scenic Vistas.** Analysis in the DEIR does not indicate how vistas from scenic routes will be affected by construction of new development and soundwalls. It should be established as to how and when mitigation will be implemented.

Response to Comment 17-12: Without development plans, it is impossible to speculate on how development might affect views from scenic routes. It was for this reason that all the mitigation measures were included in the Visual Resource section of the Draft EIR. MM 3.8/5.1, in particular addresses the need to protect views from designated scenic routes. Mitigation Measures MM 3.8/8.0 and 8.1 (page 3.8-9) specifically address the need to "establish review procedures and standards" to protect scenic corridor viewsheds, and require "detailed visual analysis with development project applications".

17-13 **Comment: IM 3.4/I Impact on School Financing District Jurisdiction.** The conclusion under Impact 3.4/H [sic] that division of the Project site by two different districts would have adverse effects appears correct. *Mitigation Measure 3.4/16.0* should be expanded to include an action program (s) that indicates that prior to the development of the Plan or shortly thereafter, a program will be developed and implementation plan prepared showing how these issues will be resolved. This should be included as part of a mitigation program.

Response to Comment 17-13: Comment acknowledged. The process to be undertaken to resolve the jurisdictional issues will be determined by the two school districts. A mitigation monitoring program is being prepared, however, to ensure implementation of the mitigation measure within a time frame that avoids significant impacts.

17-14 **Comment: IM 3.4/J Financial Burden on School Districts.** *Mitigations 3.4/17.0 through 3.4/19.0* indicate that regardless of which school district has authority, potentially significant impacts must be considered. The mitigations are generally adequate, but should be clarified to indicate that they apply to the entire Project area including the Specific Plan and the General Plan Amendment areas.

Response to Comment 17-15: Comment acknowledged. The DEIR clearly states on page 3.4-13 (1st sentence, last paragraph): "*Mitigation Measures 3.4/17.0 - 3.4/19.0* are applicable to the entire Project site."

17-15 **Comment: Planned Wastewater Treatment System Improvements.** Analysis in Section 3.5 regarding Wastewater Improvements should clearly indicate growth potential given existing export capacity and treatment. Some improvements are assumed that may not occur, including the TWA project.

Response to Comment 17-15: According to an October 15, 1992 DSRSD letter commenting on the Draft Specific Plan and General Plan Amendment for Eastern Dublin,

"DSRSD's current projections indicate that the LAVWMA capacity will be exhausted by 1996. Therefore, it is unlikely that any LAVWMA capacity may be committed to the Plan Area. The facilities planned by the members of the Tri-Valley Wastewater Authority (TWA) are therefore essential to the development proposed by the Specific Plan and General Plan Amendment."

Therefore, without the development of a TWA project, it is unlikely the Eastern Dublin Project can be developed. Consult the January 1992 TWA Subsequent EIR for information about the growth potential for existing and proposed wastewater treatment and disposal facilities.

17-16 **Comment: State Route 84.** In reference to page 3.3-6 "State Route 84", this paragraph should read: "The Alameda County Measure B sales tax provides partial funding for a two-lane segment of State Route 84 between Vallecitos Road and I-580." The present paragraph in the text gives the impression that Measure B is funding more of future Route 84 than it actually is.

Response to Comment 17-16: Measure B will provide partial funding for the ultimate configuration of State Route 84, but funding for only a small portion of the improvements is currently committed.

17-17 **Comment: Level-of-Service Definition.** Livermore and Dublin have different Level of Service (LOS) standards for LOS D. The Livermore standard is .85 volume/capacity, Dublin's standard is .90. The difference needs to be taken into account where road networks and corresponding traffic considerations must be coordinated between the two cities.

Response to Comment 17-17: The levels of service in the DEIR are based on driver delay in accordance with the methodology in the 1985 *Highway Capacity Manual*. This methodology was used to ensure consistent findings for intersections in all jurisdictions. Details of these calculations are available at the City of Dublin. Future focused traffic and design studies of the Airway Boulevard area should ensure that specific improvements will meet the level of service criteria for all affected jurisdictions, including Caltrans.

17-18 **Comment: Figure 3.6-C: Geology.** Figure 3.6-C should be replaced/updated with recent (1992) maps and reports from the State Geology and Mining Department which provide more detailed landslide information. Technical Appendix C should contain a map showing the division of the planning area into six zones, and the acreage within each zone.

Response to Comment 17-18: The EIR authors have reviewed California Division of Mines and Geology (CDMG) Open-File Report 91-2, *Landslide Hazard in the Livermore Valley and Vicinity, Alameda and Contra Costa Counties, California, Landslide Hazard Identification Map No. 21*. This publication, not available at the time the EIR was prepared, does not "...provide more detailed information" than Figure 3.6-C, but in fact provides less. The map scale of this publication is 1 inch = 2000 feet. Landslide scarps and deposits are not separately mapped, and there is no differentiation (classification) of the landslides. Colluvial deposits, a source of potential landslides, and a critical element in the evaluation of slope stability, are not mapped. The mapping of landslides and surficial deposits shown on Figure 3.6-C is original work undertaken for the EIR. This mapping was prepared at a map scale of 1 inch = 800 feet (Figure 3.6-C in the EIR is a reduced version of the original). This figure maps landslides and surficial deposits separately, uses a classification system to differentiate landslides, and maps colluvial deposits. The six geotechnical opportunities and constraints zones discussed in Appendix C, pages APP-C/1 and APP-C/2, are shown on a working map prepared during the EIR at a scale of 1 inch = 800 feet, but not included in the EIR. A copy of this working map is available for review at the Planning Department. The following siting of the CDMG publication has been added to the Bibliography on page 3.6-8.

CDMG, 1991, *Landslide Hazard in the Livermore Valley and Vicinity, Alameda and Contra Costa Counties, California, Landslide Hazard Identification Map No. 21: California Division of Mines and Geology (CDMG) Open-File Report 91-2*.

17-19 Comment: Conclusion. In conclusion, the General Plan, Specific Plan and EIR should recognize the limitations of services/resources (water, sewer, transportation, etc.) and contain policy language and mitigations to indicate that programs will be developed that will address funding and implementation of necessary additional resources and improvements prior to allowing significant new development that would exceed available resources (water), infrastructure (sewer, road improvements) and services (libraries, police, school capacities, etc.). Where appropriate, proposed programs should identify the need to coordinate objectives and implementation of programs with other affected agencies and cities.

Response to Comment 17-19: The Draft EIR currently identifies the limitations of services and resources and addresses, in the relevant sections, how these limitations are to be addressed. Responses in this document have reinforced the position that development will not proceed until adequate funding mechanisms and implementation procedures have been established and adequate resources procured. Mitigation measures have been included in the *Traffic and Circulation; Sewer, Water, and Storm Drainage; and Community Services and Facilities* sections of the DEIR that indicate the City's willingness and intent to coordinate with affected agencies and jurisdictions to ensure adequate infrastructure and services.

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

October 26, 1992

Dennis Carrington, Senior Planner
City of Dublin Planning Department
100 Civic Plaza
Dublin, CA 94568

RE: Response to Eastern Dublin General Plan Amendment and
Specific Plan Draft Environmental Impact Report
(SCH. #91103064)

RECEIVED
OCT 27 1992

DUBLIN PLANNING

Dear Dennis:

Comments below are divided into two sections. The first section contains substantiative remarks, the second section includes comments regarding technical matters.

Section One

1. Transportation

In general, the traffic analysis should identify the traffic impacts of proposed development on the existing road system without assumption of unfunded future road improvements. This data would serve as a baseline for evaluation of impacts and required future improvements. The cost of future improvements should then be estimated and a "fair share" mitigation program(s) proposed.

A. Future traffic projections assume that several road improvements in the Tri-Valley area will be in place. Included in the list is "Completion of State Route 84 as a four-lane highway between I-680 and I-580, with construction of a new interchange at I-580" (page 3.3-17). This project will have to compete with other projects in Alameda County for future funding. To date, major projects costing approximately \$4 billion have been identified in the Alameda County-wide Transportation Planning Program, with less than \$1 billion of potential funding available for identified projects. Therefore, funding for the DEIR's identified improvements of State Route 84 is far from certain. As a result, the traffic study for the EIR should examine, as an alternative, the impact of the proposed project on I-580 from the I-580/I-680 interchange easterly without assuming completion of the State Route 84 improvement between I-680 and I-580.

17-1

B. Mitigation measure MM 3.3 /11.0 (Airway Boulevard & Westbound Ramps) calls for widening the Airway Boulevard overcrossing of I-580 by 12 feet (page 3.3-27). The existing overcrossing bridge is narrow, and it would be impractical to widen it 12 feet. It should be noted that this mitigation would require construction of a new overcrossing bridge. Additionally, funding and installation of improvements for the Airway Blvd.

17-2

interchange should be in place prior to level of service "F" 17-2 contd.
impacts.

2. Air Quality

- A. The precursors (ROG and NOX) analysis doesn't extend to an adequate analysis/estimate of ozone impacts from proposed development. The analysis does not include PM 10 impacts from mobile sources. The analysis omits consideration of potential impacts/mitigation for sensitive receptors, i.e. schools, residential, convalescent and similar facilities/land uses. 17-3
- B. The report should identify how CO values were established. The appendix shows studies based upon 75 degrees Fahrenheit and 30 Mph values. These do not appear to be realistic values. 17-4
- C. A program mitigation should be added to assure that the East Dublin Plan is generally consistent with the 1991 Clean Air Act. 17-5

3. Airport

- A. Impact IM 3.10/C indicates that no mitigation is required. This is not correct. The assumption of project land use compatibility based on reliance of meeting technical standards (60 CNEL) does not ensure or adequately mitigate the potential for future incompatibilities between existing airport operations and future Dublin proposed development within the Airport Protection Area. While technical studies/standards may provide "technically correct" distances for noise attenuation setbacks, it is improbable that they will address real or perceived annoyances of residents in approximately 1,000 residential dwellings proposed for location within the APA. Consequently, aircraft noise should be considered a potentially significant (as opposed to DEIR proposed "insignificant impact") impact. As portions of this planning area are also a primary aircraft overflight area, safety issues regarding the location of intense residential development and a junior high school are not adequately identified and addressed. 17-6
- B. The noise from the airport has unique characteristics and variability. CNEL does not effectively measure this. Intense use of the airport occurs early on weekend mornings and during late evening hours. The DEIR does not indicate when noise measurements were made, and whether they took into consideration these hours of intense use. 17-7

4. Water Source

- A. The DEIR indicates the need for Zone 7 to develop new water sources to accommodate the East Dublin Plan and all other 17-9

General Plan Amendments proposed in the Tri-Valley. The DEIR should contain program language/mitigation that requires coordination with Zone 7 to insure that Zone 7's goals and objectives will support the development of new water sources to meet these demands.

17-9 contd.

B. The DEIR IM 3.5/P acknowledges that overdrafting of groundwater through wells is a potentially significant impact. However, Mitigation Measure 3.5/31.0 calls for drilling of new wells south of the Specific Plan area to provide a backup source of water supply. Where overdrafting of current wells affect groundwater resources, the addition and utilization of new wells may potentially compound the problem. This is a potentially significant impact. The drilling of new wells does not constitute "new" supplies of water.

17-10

5. Alternative 2: Reduced Planning Area ("RPA")

A. Until there is a demonstrated need for the current proposed scale and intensity of development, a reduced planning area may be desirable as proposed in the above alternative. This alternative has the affect of less urban sprawl while not reducing overall intensities of land use. This may be an environmentally superior alternative to the current proposed project. Alternative 2 allows buildout as proposed in the Specific Plan, and buildout of the General Plan Amendment within the current SOI for Dublin. Equally important, it explicitly allows for the preservation of Doolan Canyon as an important "green community separator between Dublin, Livermore and the Tassajara Valley.."(page 4-9). Based on Livermore land use proposals, and our understanding of the intent of Alameda County's General Plan, Doolan Canyon should also serve a green separator function under any jurisdiction.

17-11

6. Visual Resources

A. Analysis in the DEIR does not indicate how vistas from scenic routes will be affected by construction of new development and soundwalls. It should be established as to how and when mitigation will be implemented.

17-12

7. Schools

A. The conclusion under Impact IM 3.4/H that division of the project site by two different school districts would have adverse effects appears correct. Mitigation Measure 3.4/16.0 should be expanded to include an action program(s) that indicates that prior to the development of the Plan or shortly thereafter, a program will be developed and implementation plan prepared showing how these issues will be resolved. This should be included as part of a mitigation program.

17-13

B. Mitigations 3.4/17.0 - 19.0, indicate that regardless of which school district has authority, potentially significant impacts must be considered. The mitigations are generally adequate, but should be clarified to indicate that they apply to the entire project area including the Specific Plan and the General Plan Amendment Areas. 17-14

8. Wastewater 17-15

A. Analysis in Section 3.5 regarding Wastewater Improvements should clearly indicate growth potential given existing export capacity and treatment. Some improvements are assumed that may not occur, including the TWA project.

Section Two

1. Transportation 17-16

A. In reference to page 3.3-6 "State Route 84" - this paragraph should read: "The Alameda County Measure B sales tax provides partial funding for a two-lane segment of State Route 84 between Vallecitos Road and I-580." The present paragraph in the text gives the impression that Measure B is funding more of future Route 84 than it actually is.

B. Livermore and Dublin have different Level of Service (LOS) standards for LOS D. The Livermore standard is .85 volume/capacity, Dublin's standard is .90. The difference needs to be taken into account where road networks and corresponding traffic considerations must be coordinated between the two cities. 17-17

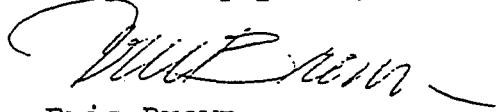
2. Geology 17-18

A. Figure 3.6 C should be replaced/updated with recent (1992) maps and reports from the State Geology and Mining Department which provide more detailed landslide information. Technical appendix C should contain a map showing the division of the planning area into six zones, and the acreage within each zone.

In conclusion, the General Plan, Specific Plan and EIR should recognize the limitations of services/resources (water, sewer, transportation, etc.) and contain policy language and mitigations to indicate that programs will be developed that will address funding and implementation of necessary additional resources and improvements prior to allowing significant new development that would exceed available resources (water), infrastructure (sewer, road improvements) and services (libraries, police, school capacities, etc.). Where appropriate, proposed programs should identify the need to coordinate objectives and implementation of programs with other affected agencies and cities. 17-19

We appreciate the opportunity to comment on the above documents.

Very truly yours,



Eric Brown
Senior Planner

Response to Letter 18: Cynthia Cobb-Adams, President, Board of Trustees, Dublin Unified School District

18-1 **Comment: School District Boundaries and Jurisdiction.** The majority of the area included in the Eastern Dublin Plan lies within the current boundaries of the Livermore School District. A district consolidation process will have to be undertaken if the entire Eastern Dublin area is to be serviced by the Dublin Unified School District. The District would like to reiterate "that a school district with coterminous city boundaries would be more responsive to community concerns and would play an important role in building a strong civic identity."

Response to Comment 18-1: Comment acknowledged. This position is stated on Page 3.4-9 of the Draft EIR.

18-2 **Comment: IM 3.4/J Financial Burden on School Districts.** On September 30, 1992, Governor Wilson signed into law SB 1287, which, when considered with ACA 6 (a constitutional amendment on the June 1994 ballot), prohibits cities and counties from using the Mira and Murrieta decisions to assess developers with additional fees for school facilities' construction. SB 1287 becomes effective January 1, 1993, and repeals the existing state school construction program on January 1, 1996. Based on this recent legislation, the District has grave concerns as to the feasibility of providing adequate housing for an increased student population in light of eliminated funding sources. The District concurs with IM 3.4/J (*Mitigation Measures 3.4/17.0 through 3.4/19.0*).

Response to 18-2: Comment acknowledged.

18-3 **Comment: IM 3.4/F Demand for Classroom Space/School Sites.** The District cannot, at this time, confirm the location of school sites as presented in the study document. Only site areas can be confirmed as actual location approval must be received from the California Department of Education. It is apparent that three elementary sites and one middle school site are within the two (2) mile radius limit of the Livermore Airport and therefore, unacceptable for school facility construction.

Response to Comment 18-3: See *Response to Comment 16-19* for response regarding the confirmation of school site areas. Site areas for new schools shown on the land use plans for the Specific Plan and General Plan Amendment are considered preliminary and are subject to review and approval by the California Department of Education.

The commentator is correct in noting that there are schools located within two miles of the airport. Location within 2 miles of an airport is one of sixty site review considerations that have been established by the CDE for review of potential school sites. In considering these factors, the sites shown in the plan were believed to be the most suitable even though they are within 2 miles of the Livermore Municipal Airport. Being within 2 miles of the airport does not immediately disqualify these sites from use as school sites (LVJUSD, for example has four schools located within 2 miles of the airport, in addition to Las Positas College).

Appendix B of the *School Site Selection and Approval Guide* (CDE, 1989) provides procedures and criteria for reviewing sites within 2 miles of an airport. The two most important concerns are noise exposure and aircraft accident exposure. None of the proposed school sites would be adversely affected by current or projected aircraft noise (including the City of Livermore's most recent projections). To reduce potential exposure to aircraft accidents, the three school sites located within 2 miles of the airport are all situated on the back side (i.e., north side) of

a row of low lying hills that separate the sites from the airport. The State will have to determine whether the exposure to aircraft accidents is within acceptable standards.

18-4 **Comment: IM 3.4/F Demand for Classroom Space/Future School Need.** Representatives of the State Department of School Facilities have recommended that the District conduct thorough demographic studies to evaluate the appropriateness of school location in relation to planned development. Student generation factors and grade level configuration will also need to be confirmed in order to plan adequate facilities for the future. In reviewing the Plan, however, based on current desirable school size, three (3) middle schools and two (2) high schools would be needed to service the students generated from new development. The planned number of elementary schools (nine) appears adequate to service the Project. Our District staff will work through the demographic study process as expeditiously as possible to offer pertinent data on number of sites needed and alternative site location areas to City staff.

Response to Comment 18-4: Comment acknowledged. In the absence of generation factors from DUSD the DEIR has used LVJUSD factors. See responses to Comments 16-17 and 16-18 regarding projected student generation and school needs.

18-5 **Comment: Coterminous School/Park Facilities.** The District would like to encourage the development of neighborhood parks and city recreational areas coterminous to school site locations. Coterminous recreational facilities would provide cost savings in planning, construction and maintenance to both City and District as well as provide upgraded facilities for community use.

Response to Comment 18-5: Comment acknowledged. In at least four instances, the Specific Plan and GPA provide coterminous school and neighborhood park sites.

DUBLIN SCHOOLS

DUBLIN UNIFIED SCHOOL DISTRICT

RECEIVED

OCT 28 1992

DUBLIN PLANNING

October 21, 1992

City of Dublin Planning Commission
c/o City of Dublin Planning Department
100 Civic Plaza
Dublin, CA 94568

Re: Eastern Dublin Draft EIR

Honorable Planning Commission Members:

The Board of Trustees of the Dublin Unified School District would like to thank the City's employees Laurence Tong, Planning Director and Dennis Carrington, Senior Planner for their assistance to our staff during the review process of the Eastern Dublin Plan. Based on District staff review of the proposed plan, discussion with representatives from the State of California -- Facilities Planning Department and Department of Transportation, Division of Aeronautics along with input from our District's Citizens' Advisory Committee, we offer the following comments on the proposed Eastern Dublin Plan:

1. The majority of the area included in the Eastern Dublin Plan lies within the current boundaries of the Livermore School District. A district consolidation process will have to be undertaken if the entire Eastern Dublin area is to be serviced by the Dublin Unified School District. The District would like to reiterate "that a school district with coterminous city boundaries would be more responsive to community concerns and would play an important role in building a strong civic identity."

18-1

2. On September 30, 1992 Governor Wilson signed into law SB 1287, when considered with ACA 6 (a constitutional amendment on the June 1994 ballot), prohibits cities and counties from using the Mira and Murrieta decisions to assess developers with additional fees for school facilities construction. SB 1287 becomes effective January 1, 1993 as well as repeals the existing state school construction program on January 1, 1996. Based on this recent legislation, the District has grave concerns as to the feasibility of providing adequate housing for an increased student population in light of eliminated funding sources. The District concurs with IM 3.4/J (mitigation measures).

18-2

3. The District cannot at this time confirm the location of school sites as presented in the study document. Only site areas can be confirmed as actual site location approval must be received from the California Department of Education. It is apparent that three elementary sites and one middle school site are within the two (2) mile radius limit of the Livermore Airport and therefore, unacceptable for school facility construction.

18-3

Representatives of the State Department of School Facilities have recommended that the District conduct thorough demographic studies to evaluate the appropriateness of school location in relation to planned development. Student generation factors and grade level configuration will also need to be confirmed in order to plan adequate facilities for the future. In reviewing the Plan, however, based on current desirable school size three (3) middle schools and two (2) high schools would be needed to service the students generated from new development. The planned number of elementary schools (nine) appears adequate to service the project. Our District staff will work through the demographic study process as expeditiously as possible to offer pertinent data on number of sites needed and alternative site location areas to City staff.

18-4

4. The District would like to encourage the development of neighborhood parks and city recreational areas coterminous to school site locations. Coterminous recreational facilities would provide cost savings in planning, construction and maintenance to both City and District as well as provide upgraded facilities for community use.

18-5

Again, the Board of Trustees would like to thank members of the City's Planning Department for their responsiveness and helpfulness to District staff during the review process. The excellent overview presentation of the Plan that was given by Larry and Dennis on September 30th at a Board study session with our District's Citizens' Advisory Committee was extremely helpful in understanding the scope of the project and future impact on Dublin schools.

Sincerely,

DUBLIN UNIFIED SCHOOL DISTRICT

Cynthia A. Cobb-Adams

Cindy Cobb-Adams
President, Board of Trustees

Response to Letter 19: Ousama H. Kawar, County Engineer, County of Alameda Public Works Agency

19-1 **Comment: City of Dublin Storm Drainage Management.** The City of Dublin's General Plan Amendment should include a statement which incorporates the "Storm Water Management Plan for the Alameda County Urban Runoff Clean Water Program" (the Plan). The City of Dublin's Municipal NPDES permit (October, 1991) requires that the Plan be included in subsequent updates to an NPDES permit holder's General Plan.

Response to Comment 19-1: The comment is acknowledged. On page 3.5-23, under the heading "City of Dublin," add the following new paragraph after the first paragraph:

The City of Dublin's October 1991 Municipal National Pollution Discharge Elimination System (NPDES) permit requires that the *Storm Water Management Plan for the Alameda County Urban Runoff Clean Water Program* be included in the City's General Plan and subsequent updates to the City's General Plan.

19-2 **Comment: IM 3.5/AA Non-Point Sources of Pollution.** Chapter [sic] 3.5: Sewer, Water and Storm Drainage, should include a discussion of the water quality aspects of storm drainage including a summary of "Best Management Practices" the City of Dublin wishes to require to mitigate storm water pollution.

Response to Comment 19-2: The comment is acknowledged. The text has been revised to include the following mitigation measure on page 3.5-27, after MM 3.5/52.0:

MM 3.5/53.0 Require all development to meet the requirements of the City of Dublin's 'Best Management Practices' to mitigate storm water pollution.

19-3 **Comment: General Storm Water Quality Requirements.** For new developments or significant re-developments, general storm water quality requirements pursuant to the City's NPDES permit should be included.

Response to Comment 19-3: The comment is acknowledged. The text has been revised to include the following mitigation measure on page 3.5-27, after the above described MM 3.5/53.0 (Response to Comment No. 19-2):

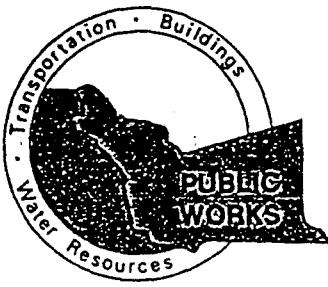
MM 3.5/54.0 Require all developments meet the water quality requirements pursuant to the City of Dublin's National Pollution Discharge Elimination System (NPDES) permit.

19-4 **Comment: Alameda County Urban Runoff Clean Water Program.** The DEIR should address all potential impacts of the Project on the Alameda County Urban Runoff Clean Water Program and on the water quality of water bodies within Alameda County.

Response to Comment 19-4: The comment is acknowledged. The text has been revised to include the following changes on page 3.5-27, after the above described MM 3.5/54.0 (Response to Comment No. 19-3):

MM 3.5/55.0 Require all developments meet the requirements of the Alameda County Urban Runoff Clean Water Program.

MM 3.5/51.0 - 3.5/52.0 MM 3.5/55.0 are applicable to the total Project site. Implementation of this mitigation measure will reduce the impact to a level of insignificance.



COUNTY OF ALAMEDA
PUBLIC WORKS AGENCY
399 Elmhurst Street • Hayward, CA 94544-1395
(510) 670-5480

RECEIVED
OCT 28 1992
DUBLIN PLANNING

October 22, 1992

City of Dublin Planning Commission
City of Dublin
100 Civic Plaza
Dublin, CA 94568

Subject: Eastern Dublin Planning Study - Draft EIR
General Plan Amendment and Specific Plan

Thank you for the opportunity to comment on the above-referenced document. The following comments are offered for your consideration.

The City of Dublin's General Plan Amendment should include a statement which incorporates the "Storm Water Management Plan for the Alameda County Urban Runoff Clean Water Program" (the Plan). The City of Dublin's Municipal NPDES permit (October, 1991) requires that the Plan be included in subsequent updates to an NPDES permit holder's General Plan.

19-1

Chapter 3.5, Sewer, Water, and Storm Drainage, should include a discussion of the water quality aspects of storm drainage including a summary of "Best Management Practices" the City of Dublin wishes to require to mitigate storm water pollution.

19-2

For new developments or significant re-developments, general storm water quality requirements pursuant to the City's NPDES permit should be included.

19-3

The DEIR should address all potential impacts of the project on the Alameda County Urban Runoff Clean Water Program and on the water quality of water bodies within Alameda County.

19-4

Please call Scott Swanson at (510) 670-5557 if you have any questions on the above comments.

Very truly yours,

Ousama H. Kawar
Ousama H. Kawar

Ousama H. Kawar
County Engineer

SLJ

c: Scott Swanson
Ruel Brown
Rick Baker
John Fenstermacher
Tat Cheung
Tom Hinderlie
Ralph Johnson
Jack Lindley
Jose Moscovich

Response to Letter 20: Brian Hunter, Regional Manager, Region 3, California Department of Fish and Game

20-1 **Comment: IM 3.7/A Direct Habitat Loss.** Development in the Project area would affect non-native grasslands, alkali grassland, northern riparian forest, riparian woodland, freshwater marsh, wetlands (associated with springs, seeps, and impoundments), dry-farmed cropland, and ruderal habitats. The proposed project would result in the loss, degradation, or disturbance of 3,700 acres of existing vegetation. The DEIR provides no breakdown of the amount of each habitat type affected by the Project. The final document should provide an accounting of vegetation impacts by habitat type.

Response to Comment 20-1: Table 3.7-3 has been prepared to illustrate the magnitude of potential impact to project area habitats. The table indicates the approximate number of acres of each habitat in the Eastern Dublin Project area and the amount of each type converted and retained. Vegetation/habitat types were mapped as discussed in Appendix D, (page APP-D/5). Land use changes and area calculations were accomplished by digitizing habitat maps (Figures 3.7-A and 3.7-B), and the land use map (Figure 2-E). Digital information was "unioned" using ARC/INFO Geographic Information System (GIS). Area values are approximate and based on mapping criteria given in Table 3.7-3. This information is presented for planning purposes and is not intended as cadastral survey level data. The actual number of acres comprising the existing environment may be somewhat different, and changes that result from future development can vary substantially dependent upon individual project design.

Table 3.7-3. Area and percent of habitat available, retained and converted, for the Eastern Dublin Project area.¹

Habitat Classification	Acres of habitat existing conditions	Acres of habitat retained ²	Percent of habitat retained	Acres of habitat converted	Percent of habitat converted	Acres of habitat w/ potential land use conflicts
Alkali Grassland	318	149	47%	169	53%	—
Arroyo Willow	12	12	100%	0	0%	6
Developed	381	37	10%	344	90%	—
Dry land Cultivation	2,747	802	29%	1,945	71%	—
Northern Riparian Forest	35	35	100%	0	0%	7
Non-native Grassland	2,943	2,204	75%	740	25%	—
Ruderal Field	361	10	3%	350	97%	—
Springs/Intermittent	54	54	100%	0	0%	21
Freshwater Marsh	9	9	100%	0	0%	0
Total	6,860	3,313	48%	3,548	52%	35

¹ Habitat mapping and conversion criteria.

Developed: areas mapped

Northern Riparian Forest: (these areas were not mapped to scale)

- Main stem of Tassajara Creek buffered using a total width of 100 feet

Non-native Grassland: areas mapped

Dry land Cultivation: areas mapped

Springs, Seeps, Impoundments and Intermittent Streams: (these are mostly azonal areas, i.e., not mapped to scale)

- Springs, seeps and impoundments were buffered using a 20 foot radius)
- Intermittent streams were buffered using a total width of 30 feet

Alkali grassland: areas mapped

Arroyo Willow: areas mapped

Ruderal Field: areas mapped

Freshwater Marsh: areas mapped

² Land use categories used for determining whether a habitat was retained or converted from one type to another.

Habitat retained: if the habitat is located within land areas classified as open space, rural residential/agriculture, riparian corridor, community park, or if the area (under existing conditions) is classified as a sensitive habitat (i.e., northern riparian forest, arroyo willow, spring, seep, water impoundment or intermittent stream and fresh water marsh).

Habitat converted: if the habitat is located within land areas not classified as open space, rural residential/agriculture, riparian corridor, community park.

Habitat with potential conflicts: if the area (under existing conditions) is classified as a sensitive habitat (i.e., northern riparian forest, arroyo willow, spring, seep, water impoundment or intermittent stream, and fresh water marsh), and the site is located within a more intensive land use designation. These areas will require particular attention because they are proximate to areas with apparent land use conflicts (e.g., intermittent stream traversing a low density residential area).

20-2 Comment: Impacts Associated with Designating Agricultural Lands as Rural Residential. Additionally, the effect of designating large areas of agricultural land Rural Residential should be more closely evaluated. The DEIR appears to make the assumption that this land use designation would not appreciably change habitat conditions in designated areas. This may not be the case since such a designation may intensify agricultural or recreational uses on such lands which would reduce their value to wildlife below existing levels.

Response to Comment 20-2: Large areas of land in the Eastern Dublin Project area will simply be maintained in their existing land use designation (i.e., rural residential/agriculture). Although there will be changes in land use in some of the surrounding areas, there are no indications that agricultural and recreational uses will greatly intensify in these areas. In addition, Specific Plan Policy 6-7 (page 62) supports the retention of undeveloped Rural Residential lands as open space, and suggests the possible transfer of development rights as a means of retaining the land for open space uses. The Plan also states that: "it is preferable that undeveloped Rural Residential lands be assembled into a contiguous whole that can then be managed and maintained by an agency with experience in open space management such as the East Bay Regional Park District (EBRPD)." (page 62).

20-3 Comment: Conversion and Fragmentation of Wildlife Habitat. The Department's primary concern is the extensive conversion and fragmentation of wildlife habitat which would result from the GPA and SP. Mitigation measures, while providing protection for wetland habitats, do nothing to address the significant loss of grassland habitats which provide habitat for a variety of wildlife. The document identifies no mitigation measures beyond the revegetation of disturbed areas with native vegetation to offset this loss of habitat. Dedicated open space focuses primarily on ridges within the SP area. These areas are linear in nature and surrounded by residential uses. In most cases, they are cut off from water sources. The preserved open space, while addressing the visual requirements specified by General Plan policy, does little to avoid or minimize impacts to wildlife. As designated, these areas would be of limited use to most wildlife species presently occurring in the area, particularly canids, badgers, tiger salamanders and raptors. Proposed open space would not provide habitat suitable for the endangered kit fox. To minimize impacts to wildlife, open space should be concentrated in large contiguous blocks which are connected directly or by corridors with other natural open spaces within and outside the planning area. The effect of the SP land use designations is to render the majority of the site a minimal value to wildlife. At the minimum, we would recommend that rural residential areas be designated permanent open space. This should be accomplished through acquisition or dedication of conservation easements or fee title to an appropriate public agency. The use of density transfers could also be considered as a means of preserving permanent open space.

Response to Comment 20-3: The DEIR is also concerned with extensive conversion and fragmentation of wildlife habitat. Implementing the Eastern Dublin Project will affect habitat values in the region. Anticipated impacts will involve many different species of wildlife by modifying habitat conditions that favor some species more than others. This shift is expected to result in changes to distribution and abundance patterns, and relative species composition.

The DEIR is responsive to these potential impacts by focusing mitigation on protecting, buffering and enhancing sensitive habitats (i.e., northern riparian forest, arroyo willow, spring, seep, water impoundment or intermittent stream and fresh water marsh), and maintaining and enhancing large areas of non-native grassland in existing land use designations (i.e., rural residential/agriculture), large community parks and dedicated open space. The majority of the habitat converted in the Project area is classified as developed, ruderal field, dry land cultivation and non-native grassland (Table 3.7-3). These areas are concentrated along the 580 corridor, west of Tassajara Road, and just east of Tassajara Road,

leaving lower intensity areas to the north and east. About 75% of the non-native grassland, 47% of the alkali grassland, and 100% of the sensitive habitats will be retained in the Eastern Dublin Project area (Table 3.7-3). The spatial arrangement of habitats, their size, and proximity to sensitive habitat form a large contiguous area interconnected by drainages and ridgelines. The resulting area retains much of the integrity and positive attributes of the original landscape pattern and should help to assure that wildlife value for special status species are provided in addition to many of the more common wildlife occurring in the region.

20-4 **Comment: IM 3.7/D San Joaquin Kit Fox.** The majority of the GPA area is suitable habitat for the endangered kit fox. Natural Diversity Data Base records document the presence of the species in the area. Recent surveys have not documented current occupation. Since the area is at the edge of the species range, it is not uncommon, based on extended survey work within this portion of its range, for the species to be present on an infrequent basis. Recent observations of the species in areas of Contra Costa County within historic range, where they had not been believed to be extant, indicate that the species will make use of habitat which had not previously been believed to be habitat or occupied habitat. Elimination of the majority of the planning area as suitable habitat for this species is considered a significant impact by the Department. Mitigation measures identified in the DEIR and East Dublin San Joaquin Kit Fox Protection Plan do not address the loss of habitat which would result from implementation of the Plan.

Response to Comment 20-4: [TO BE INSERTED LATER]

20-5 **Comment: Conservation Plan.** It is the Department's recommendation that the City of Dublin develop a conservation plan in conjunction with the County, City of Livermore, and Contra Costa County which addresses the impacts of this and other large scale developments proposed for the Amador-Livermore Valley. Appendix E of the East Dublin San Joaquin Kit Fox Protection Plan outlines measures intended to minimize the potential for "take" of the species as a result of development activities within the planning area. The plan provides no specific means of offsetting the loss of kit fox habitat associated with project implementation. It is the Department's position that before development in the SP and GPA areas is permitted to proceed, a Mitigation Agreement with the Department and a Section 10A permit from the U.S. Fish and Wildlife Service be finalized which address specific, enforceable measures to avoid or minimize "take" and compensate for loss of habitat. Without such a requirement, it is the Department's position that the Project would result in both significant direct and cumulative impacts to the kit fox which are not mitigated to a level of insignificance.

Response to Comment 20-5: [TO BE INSERTED LATER]

20-6 **Comment: IM 3.7/C Loss or Degradation of Botanically Sensitive Habitat.** Mitigation measures to protect wetlands and riparian corridors are appropriate and should be incorporated as required mitigations at the time of certification. Required buffers along streams should be 100 feet from the top of bank. Trails, if included in stream corridors, should be located on one side at the outer edge of the buffer away from habitat areas.

Response to Comment 20-6: Mitigation measures 3.7/6.0 through 3.7/17.0, which address protection of wetlands and riparian corridors, will be incorporated as required mitigation upon adoption of the plan and certification of the EIR. MM 3.7/13.0 requires the dedication of stream corridor setbacks as open space. The mitigation measure requires consultation with CDFG to determine the width of these setbacks, and indicates that 100 feet is the typical standard. MM 3.7/10.0 addresses the need to limit pedestrian trails to one side of the stream corridor in order to protect wildlife habitat along the stream.

20-7 **Comment: IM 3.7/G California Tiger Salamander.** The document identifies the Project area as containing suitable habitat for the California tiger salamander. No surveys were done to determine the presence of this sensitive species. Consequently, no specific mitigation measures are identified. Mitigation measures for this species are not adequate. This species, if present in the Project area, is known to occupy extensive upland areas around suitable breeding sites (up to one mile radius). The recommended provision of 100-foot buffers around breeding sites probably would not assure that impacts to this species are reduced to insignificance. To assure that impacts to the salamander and other species such as the red-legged frog and pond turtle are adequately mitigated, a comprehensive mitigation plan should be developed which specifically addresses their habitat requirements.

Response to Comment 20-7: Field surveys were conducted for the California Tiger Salamander (APP-D/11). No salamanders were located during our surveys. All the available evidence including CNDDB records, Brode pers. comm., habitat characteristics, resident interview data, indicates there is suitable habitat for the species in the Eastern Dublin Project area. Mitigation proposed in MM 3.7-6.0, 7.0, 9.0, 13.0, 15.0, 20.0, 21.0, and 22.0 should minimize impacts to most potential breeding sites. Mitigation proposed in MM 3.7-1.0 through 3.7-4 should enhance habitat quality in many upland areas which might be used by the California tiger salamander and many other species. In addition, open space, rural residential/agriculture, community parks, and riparian corridor land use designations are situated adjacent to the majority of the breeding habitat. This design mitigation should help insure that the integrity of many of the upland habitats are also maintained. Project specific surveys to locate special status species (MM 3.7/20, page 3.7-14) may identify site specific mitigation measures that will be necessary to protect the species.

20-8 **Comment: Direct and Cumulative Habitat Loss.** General loss of habitat associated with this Project will be significant both as a function of direct habitat loss associated with development and cumulatively as a result of development in the region. The size and scope of the Project and its effects on raptors (loss of nesting and foraging habitat), sensitive amphibians and reptiles, and the kit fox require that impacts be addressed more specifically through development of a management plan which identifies specific enforceable measures which will be implemented to assure that impacts are reduced and viable habitat is protected as part of the development process. Department personnel are available to work with the City to develop such a Plan.

Response to Comment 20-8: Mitigation measures MM 3.7/2.0, 3.0, 4.0, and 12.0 all require the preparation of management and/or restoration plans for lost or degraded habitat. Also, see responses to comments 20-1 through 20-7.

OCT 29 '92 16:45 YOUNTVILLE R3

P.2

STATE OF CALIFORNIA—THE RESOURCES AGENCY

DEPARTMENT OF FISH AND GAME

POST OFFICE BOX 47
YOUNTVILLE, CALIFORNIA 94599
(707) 944-5300

October 29, 1992

RECEIVED

Mr. Dennis Carrington
City of Dublin
100 Civic Plaza
Dublin, California 94568

DUBLIN PLANNING

Dear Mr. Carrington:

Eastern Dublin General Plan/Specific Plan
Draft Environmental Impact Report (DEIR), SCH# 91103064

Department of Fish and Game personnel have reviewed the Draft Programmatic EIR for the General Plan Amendment (GPA) for a 6,920-acre study area and a Specific Plan (SP) for 3,328 acres within the larger study area. The GPA and SP call for the development of a mixed-use community in the eastern Dublin area, in Alameda County. The SP area identifies 1,702 acres of residential development providing 12,458 units, approximately 11 million square feet of commercial space and 412 acres of open space. The GPA area outside the SP (3,592 acres) would be designated for residential uses, primarily rural residential.

Development in the project area would affect non-native grasslands, alkali grassland, northern riparian forest, riparian woodland, freshwater marsh, wetlands (associated with springs, seeps, and impoundments), dry-farmed cropland, and ruderal habitats. The proposed project would result in the loss, degradation, or disturbance of 3,700 acres of existing vegetation. The DEIR provides no breakdown of the amount of each habitat type affected by the project. The final document should provide an accounting of vegetation impacts by habitat type. Additionally, the effect of designating large areas of agricultural land rural residential should be more closely evaluated. The DEIR appears to make the assumption that this land use designation would not appreciably change habitat conditions in designated areas. This may not be the case since such a designation may intensify agricultural or recreational uses on such lands which would reduce their value to wildlife below existing levels.

Special status species occurring within the project area include the State-listed threatened and Federally-listed endangered San Joaquin kit fox. Other candidate or species of special concern occurring in the area include the red-legged frog, California tiger salamander, western pond turtle, tri-colored blackbird, golden eagle, burrowing owl, and badger.

Mr. Dennis Carrington
October 29, 1992
Page Two

The Department's primary concern is the extensive conversion and fragmentation of wildlife habitat which would result from the GPA and SP. Mitigation measures, while providing protection for wetland habitats, do nothing to address the significant loss of grassland habitats which provide habitat for a wide variety of wildlife. The document identifies no mitigation measures beyond the revegetation of disturbed areas with native vegetation to offset this loss of habitat. Dedicated open space focuses primarily on ridges within the SP area. These areas are linear in nature and surrounded by residential uses. In most cases, they are cut off from water sources. The preserved open space, while addressing the visual requirements specified by General Plan policy, does little to avoid or minimize impacts to wildlife. As designated, these areas would be of limited use to most wildlife species presently occurring in the area, particularly canids, badgers, tiger salamanders and raptors. Proposed open space would not provide habitat suitable for the endangered kit fox. To minimize impacts to wildlife, open space should be concentrated in large contiguous blocks which are connected directly or by corridors with other natural open spaces within and outside the planning area. The effect of the SP land use designations is to render the majority of the site a minimal value to wildlife. At the minimum, we would recommend that rural residential areas be designated permanent open space. This should be accomplished through acquisition or dedication of conservation easements or fee title to an appropriate public agency. The use of density transfers could also be considered as a means of preserving permanent open space.

20-3

The majority of the GPA area is suitable habitat for the endangered kit fox. Natural Diversity Data Base records document the presence of the species in the area. Recent surveys have not documented current occupation. Since the area is at the edge of the species range; it is not uncommon, based on extended survey work within this portion of its range, for the species to be present on an infrequent basis. Recent observations of the species in areas of Contra Costa County within historic range, where they had not been believed to be extant, indicate that the species will make use of habitat which had not previously been believed to be habitat or occupied habitat. Elimination of the majority of the planning area as suitable habitat for this species is considered a significant impact by the Department. Mitigation measures identified in the DEIR and East Dublin San Joaquin Kit Fox Protection Plan do not address the loss of habitat which would result from implementation of the plan.

20-4

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October 29, 1992
Page Three

It is the Department's recommendation that the City of Dublin develop a conservation plan in conjunction with the County, City of Livermore, and Contra Costa County which addresses the impacts of this and other large scale developments proposed for the Amador-Livermore Valley. Appendix E of the East Dublin San Joaquin Kit Fox Protection Plan outlines measures intended to minimize the potential for "take" of the species as a result of development activities within the planning area. The plan provides no specific means of offsetting the loss of kit fox habitat associated with project implementation. It is the Department's position that before development in the SP and GPA areas is permitted to proceed, a Mitigation Agreement with the Department and a Section 10A permit from the U. S. Fish and Wildlife Service be finalized which address specific, enforceable measures to avoid or minimize "take" and compensate for loss of habitat. Without such a requirement, it is the Department's position that the project would result in both significant direct and cumulative impacts to the kit fox which are not mitigated to a level of insignificance.

20-5

Mitigation measures to protect wetlands and riparian corridors are appropriate and should be incorporated as required mitigations at the time of certification. Required buffers along streams should be 100 feet from the top of bank. Trails, if included in stream corridors, should be located on one side at the outer edge of the buffer away from habitat areas.

20-6

The document identifies the project area as containing suitable habitat for the California tiger salamander. No surveys were done to determine the presence of this sensitive species. Consequently, no specific mitigation measures are identified. Mitigation measures for this species are not adequate. This species, if present in the project area, is known to occupy extensive upland areas around suitable breeding sites (up to one mile radius). The recommended provision of 100-foot buffers around breeding sites probably would not assure that impacts to this species are reduced to insignificance. To assure that impacts to the salamander and other species such as the red-legged frog and pond turtle are adequately mitigated, a comprehensive mitigation plan should be developed which specifically addresses their habitat requirements.

20-7

General loss of habitat associated with this project will be significant both as a function of direct habitat loss associated with development and cumulatively as a result of development in the region. The size and scope of the project and its effects on raptors, (loss of nesting and foraging habitat), sensitive amphibians and reptiles, and the kit fox require that impacts be

20-8

Mr. Dennis Carrington
October 29, 1992
Page Four

addressed more specifically through development of a management plan which identifies specific enforceable measures which will be implemented to assure that impacts are reduced and viable habitat is protected as a part of the development process. Department personnel are available to work with the City to develop such a plan. 20-8 contd.

Questions concerning our comments should be directed to Mr. Carl Wilcox, Environmental Services Supervisor, at (707) 944-5525.

Sincerely,



Brian Hunter
Regional Manager
Region 3

cc: Ms. Laurie Simmons,
U. S. Fish and Wildlife Service, Sacramento

Ms. Ruth Pratt,
U. S. Fish and Wildlife Service, Sacramento

Response to Letter 21: Christopher Owens, Hacienda Business Park

21-1 **Comment:** We are in receipt of the Eastern Dublin EIR and believe that the City of Pleasanton's letter commenting on same defines our concerns with the document adequately enough to simply reiterate those concerns and request that you address them in full in the final EIR. A copy of the City's letter is enclosed, as well as the staff report from the City's Traffic Engineer.

Response to Comment 21-1: See responses to comments in Letter 7.

HACIENDA
Business Park

RECEIVED

OCT 28 1992

DUBLIN PLANNING

October 28, 1992

City of Dublin Planning Department
100 Civic Plaza
Dublin, California 94568

Attention: Brenda A. Gillarde

Dear Ms. Gillarde:

Regarding: Draft EIR for the Eastern Dublin General Plan Amendment
and Specific Plan

We are in receipt of the Eastern Dublin EIR and believe that the City of Pleasanton's letter commenting on same defines our concerns with the document adequately enough to simply reiterate those concerns and request that you address them in full in the final EIR.

A copy of the City's letter is enclosed, as well as the staff report from the City's Traffic Engineer.

Thank you for the opportunity to comment on this project.

Sincerely,

Christopher Owens

Christopher Owens

enclosures

CO:jdk (7.ltr)

21-1

Response to Letter 22: James W. Cutler, Assistant Director of Comprehensive Planning, Contra Costa County Community Development Department

22-1 **Comment: Environmental Review of Prezoning and Subdivision Applications.** The project description on page 2-4 clearly indicates that the DEIR covers the adoption of a general plan amendment and a specific plan. It does not appear to cover rezoning or follow-up subdivision applications. It is presumed that since those items are not referenced as projects under this document, that follow-up environmental impact reports shall be prepared to cover the site-specific details, should the General Plan be amended.

Response to Comment 22-1: The third paragraph under 2.3 *Project Components* (page 2.4) identifies a number of implementation procedures, including pre-zoning, that are covered by the EIR. However, as stated in *Section 1.7: Future Environmental Analysis*, the use of a Program EIR for the Project "reduces, but does not necessarily eliminate, the need for future environmental analysis. Following approval of the Project, development proposed for the Project site will be reviewed by the City to determine whether it might have effects not examined in this EIR." Future rezoning of portions of the Project site as well as specific development proposals will be evaluated to determine whether potential environmental effects were covered in the Program EIR for the General Plan Amendment and Specific Plan. If the City of Dublin finds that these effects were not covered in the EIR, then additional environmental review would be performed.

22-2 **Comment: Buildout of Specific Plan and General Plan Amendment Areas.** The land use summary tables found in *Chapter 2* discuss specific numbers of units, yet no subdivision maps are included to show how they could be sighted [sic] in the area. Presumably, this is a worst case analysis and the actual number of units that could be approved fall [sic] within a range which could be substantially less than shown on Table 2.0-1. A table showing the range of each plan category would be helpful.

Response to Comment 22-2: As in most General Plan programs that are not based on specific development proposals, development projections are not based on the maximum densities permitted (i.e., a worst case scenario) because it would overstate the probable level of development, necessary infrastructure improvements, and potential impacts. The numbers in Table 2.0-2 (page 2-9) are projections of what is considered reasonable development potential given the designated densities and actual densities achieved in similar developments in the subregion. In order to not underestimate environmental impacts, development potential projected in Table 2.0-2 is based on gross acreage. When land which is unsuitable for development (e.g., because of steep or unstable slopes) and land which is needed for roads and infrastructure is subtracted from the total acreage, the development potential is expected to be less than the preliminary projections used for planning purposes.

22-3 **Comment: Cancellation of Williamson Act Contracts.** On page 2-10, it states that the *City of Dublin General Plan* "generally does not support the cancellation of Williamson Act contracts unless some compelling public interest would be served." This is consistent with the required finding for cancellation of Agricultural Preserve contracts. I strongly disagree that cancellation of over 50% of the area's contract is not a significant environmental impact especially given state law on the purpose of agricultural preserves. The DEIR fails to analyze the state-required findings as they might relate to public need for these contracts. It should.

Response to Comment 22-3: The Project does not cause, nor is it dependent upon, the cancellation of any Williamson Act contracts. See responses to comments in Letter 10 from

the California Department of Conservation for further discussion of Agricultural Preserve contracts.

22-4 **Comment: Dougherty Valley Specific Plan.** Over the past few months, the City of Dublin has been participating in the review of Dougherty Valley proposals for both the City of San Ramon and the County. This includes general plan amendment and specific plan proposals and a DEIR. None-the-less, the writers of the EIR have written their report without considering this project as reasonably foreseeable in terms of analysis. *Chapter 3* dealing with population, housing and employment is totally different in this regard and needs to be updated to reflect 11,000 units in the Dougherty Valley. All analytical assumptions, especially regarding transportation, need to be updated based on inclusion of the Dougherty Valley Specific Plan proposal. The Tassajara Valley Property Owners Association (TVPOA) proposal is less far along and is appropriately discussed in the regional planning section as you have done. The reference on page 3.1-21 does not discuss TVPOA and casually references Dougherty Valley; it is not clear these were integrated into the analysis.

Response to Comment 22-4: Both the Dougherty Valley and the Tassajara Valley proposal have been considered in the preparation of the plan and the EIR. Population, housing, and employment issues have been analyzed from a subregional vantage, using ABAG figures for timing and distribution of growth. The traffic analysis also incorporated traffic projections from both developments into its considerations. For additional discussion of the Tassajara Valley project relative to eastern Dublin see responses to Letter 13 from the Tassajara Valley Property Owners Association.

22-5 **Comment: LOS Analysis.** Levels of service (LOS) analysis for the road segments examine only Average Daily Trips (ADT), irrespective of am/pm traffic conditions. Am/pm LOS analysis considers peak hour directions during congested periods (7-9 am 4-6 pm). Page 3.3-3 stated that "...higher levels of congestion occur during peak periods." To obtain a relatively clear understanding of traffic impacts that the Project could have on the surrounding transportation network, am/pm LOS analysis is logical for congestion management purposes.

Response to Comment 22-5: The analysis of freeway segments is based on daily capacities which consider the effect of peaking during the A.M. and P.M. peak periods. The daily analysis is consistent with the best available traffic count data for the freeway segments, and is consistent with the level of analysis used in the Caltrans Route Concept Reports. See response to Comment 12-1.

22-6 **Comment: Existing Intersection Operations.** In the same vein as above, intersection LOS examines only pm peak period traffic conditions. Since there are am and pm peak periods, the LOS analysis should also include am traffic conditions as well. This analytical approach could also demonstrate that additional mitigations are necessary for the various scenarios.

Response to Comment 22-6: See responses to Comments 12-1 and 12-6.

22-7 **Comment: AM/PM Traffic Generation.** Considering the above comments, am/pm traffic generation, distribution, and assignment conditions should also be illustrated in the overall traffic analysis -- not just pm peak conditions. Having both am/pm peak (commute) traffic conditions illustrated, without and with mitigations, would provide an enhanced assessment of Project impacts and mitigation measures.

Response to Comment 22-7: See responses to Comments 12-1 and 12-6.

22-8 **Comment: Overall Traffic Analysis Methodology.** The general approach of the traffic analysis

for determining the segment and intersection LOS, without and with mitigation measures, makes reviewing the GPA/Specific Plan EIR difficult; there were a number of mitigation measures forwarded, and they appeared to have remedied the Project impacts -- based on the ADT LOS for road segments and pm traffic conditions for intersection LOS. However, because the authors employed this approach instead of using am/pm directional volume for the road segments and am/pm intersection LOS, am/pm congested conditions were inadequately analyzed. Hence, the Project mitigations are spurious for both 2010 and cumulative buildup with Project.

Response to Comment 22-8: The evaluation of project impacts and mitigation measures uses standard procedures of traffic analysis for long-range development projects and city general plan studies. See responses to Comments 12-1 and 12-6.

22-9 **Comment: IM 3.3/B I-580 Freeway, I-680-Hacienda.** Impacts on I-580 and I-680/Hacienda Drive would exceed LOS E. It was proposed that TDM efforts would alleviate some of the impacts as part of the Specific Plan mitigation measures. Since this is a major undertaking, who will assume monitoring responsibility for this endeavor?

Response to Comment 22-9: The City of Dublin would be responsible for overall monitoring of traffic conditions and implementation of mitigation measures, in cooperation with project sponsors within the Eastern Dublin planning area. The mitigation monitoring program for Eastern Dublin will assign specific responsibility for each mitigation measure for individual developments within the General Plan Amendment and Specific Plan areas.

22-10 **Comment: Physical Separation Between Communities.** Figure 2-E and 2-F both show suburban densities extending to the edge of the County boundary. Most planning criteria call for a physical separation between communities. Whether or not this land in Contra Costa County develops, a buffer between Alameda and Contra Costa should be provided for. I have attached a copy of the TVPOA proposal for your use so that the issue of buffers can be addressed by both our agencies. Several hundred foot buffers would appear reasonable. The developers of the TVPOA and the County would disagree with the statement on page 3.1-13 that they should provide Dublin's buffer.

Response to Comment 22-10: Residential land uses adjoin the Alameda and Contra Costa county line in the Tassajara Village planning subarea, located in the northeastern portion of the Project site. This area is directly to the south of the proposed development of the Tassajara Valley (TVPOA project) whose plan shows SM (Single Family Medium) land uses extending to the County line. While it is a common planning precept that communities be physically separated from one another, there is nothing incompatible about the adjacency of proposed residential uses in eastern Dublin and Tassajara Valley. It may in fact be appropriate that the two communities be adjacent if they share common infrastructure (i.e., roads, sewer, water, etc.), thus reducing infrastructure costs. Rather than insisting at this point that the proposed new communities of eastern Dublin and the Tassajara Valley be separated by physical buffers, it seems more prudent to coordinate land use planning between the City of Dublin and Contra Costa County along the counties' shared border as specific development proposals are put forth. In this manner, the two agencies can determine an optimal land use plan which responds to needs for community identity, open space preservation and construction of infrastructure.

In response to the commentor's statement that neither the County nor TVPOA would agree with "the statement on page 3.1-13 that they should provide Dublin's buffer", this appears to be a misreading of IM 3.1/F which states: Because most of the Project's Rural Residential and Open Space lands are located on the Project site perimeter, they should provide a buffer

between the Project and adjoining agricultural lands." The "they" in this sentence refers to the function of the lands themselves, not to any particular agency or party. The Draft EIR does not require the Tassajara Valley project to provide Dublin's buffer.

22-11 **Comment: Project and Camp Parks Compatibility.** The Draft EIR does not discuss the potential of noise, vibration and generally conflicting goals of the Camp Parks Reserve Training Facility and the residential projects, especially near Tassajara Road. It should.

Response to Comment 22-11: Project compatibility with Camp Parks is discussed in *Section 3.1: Land Use*, and in *Section 3.10: Noise*. IM 3.1/G Potential Conflicts with Land Uses to the West recognizes that existing and future training activities at Camp Parks have the potential to result in substantial land use conflicts related to noise and safety for the Project site. However, because the Master Plan for Camp Parks is not complete, the extent of future activities and potential environmental effects remains unclear. The DEIR states: "These potential conflicts are an important planning concern of this EIR and may constitute a potentially significant impact. As a mitigation measure, the DEIR includes MM 3.1/1.0 which calls for ongoing coordination between the Army and the City of Dublin "so that compatible land uses can be formulated in the Project site vicinity."

Noise impacts are discussed in IM 3.10/D Exposure of Proposed Residential Development to Noise from Future Military Training Activities at Parks Reserve Forces Training Area (Camp Parks RFTA) and the County Jail. The exposure of residential development within 6,000 feet of Camp Parks RFTA is considered a potentially significant impact. As a mitigation measure, MM 3.10/3 requires that an acoustical study be performed prior to development "to determine if future noise impacts from Parks RFTA or the County Jail will be within acceptable limits." The DEIR states that these impacts may remain potentially significant since reduction of noise may not be feasible at all locations. Vibration is typically not a concern for a project near a military base unless there is high intensity use of large ordnance (i.e., weapons).

22-12 **Comment: Chang Su-O Lin Property.** Figure 3.1-C shows the Chang Su-O Lin ownership extending north of the county line into Contra Costa County. This is correct. Are there unique implications of cancellation in Alameda County on the remainder contract in Contra Costa County? Will this area be considered as Project buffer and permanent open space.

Response to Comment 22-12. The land use plan for the Project site does not include lands beyond the Alameda County line in Contra Costa County. The future land use of that portion of the Chang Su-O Lin property that lies within Contra Costa County will presumably be determined by Contra Costa County. As stated in Comment 22-10 above, however, it seems advisable for both the City of Dublin and Contra Costa County to coordinate their land use planning efforts along their shared boundary.

22-13 **Comment: Tri-Valley Wastewater Authority (TWA) Wastewater Disposal.** This project seems to be based on TWA transport of wastewater to the north along Contra Costa County owned property. The Board of Supervisors has made no decision on availability of that right-of-way for TWA proposed. The DEIR needs to describe how the Project could be downsized should that export option be unfeasible. The presumption of that r-o-w alternative may not be reasonable. Mitigation measures MM 3.5/111.0 is not sufficient to handle this concern.

Response to Comment 22-13. The author references MM 3.5/111.0. There is no such number. We assume the author is referring to MM 3.5/11.0, which recommends support of TWA in its current efforts to implement a new wastewater export pipeline system, which would also serve Eastern Dublin. If the right-of-way is not available for the northerly TWA route, TWA has several other alternate alignments that it could use for an export pipeline, as

noted in the TWA Subsequent EIR. MM 3.5/11.0 does not specify which alternative TWA should use, but supports final implementation of a TWA solution to export disposal. DSRSD, in its October 15, 1992 letter commenting on the Draft Specific Plan and General Plan Amendment for Eastern Dublin, notes that, "The facilities planned by the members of the Tri-Valley Wastewater Authority (TWA) are therefore essential to the development proposed by the Specific Plan and General Plan Amendment.

22-14 **Comment: IM 3.7/D San Joaquin Kit Fox.** The discussion of San Joaquin Kit Fox mitigation does not seem to be consistent with U.S. Fish and Wildlife mitigation criteria. Have they changed from their 3-1 mitigation criteria. This issue requires more discussion of existing State and Federal regulatory policies for that species.

Response to Comment 22-14. [TO BE INSERTED LATER]

Community
Development
Department

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

Phone: 6-2035

Contra
Costa
County



Harvey E. Bragdon
Director of Community Development

RECEIVED

OCT 29 1992

DUBLIN PLANNING

October 28, 1992

City of Dublin Planning Commission
c/o City of Dublin Planning Department
100 Civic Plaza
Dublin, CA 94568

Gentlemen,

Thank you for the opportunity to review the Draft EIR on the Eastern Dublin General Plan. While the document covers many issues of concern to this county, there are other areas which will require a more in depth analysis.

The project description on page 2-4 clearly indicates that the DEIR covers the adoption of a general plan amendment and a specific plan. It does not appear to cover rezoning or follow up subdivision applications. It is presumed that since these items are not referenced as projects under this document that follow up environmental impact reports shall be prepared to cover the site specific details, should the general plan be amended.

22-1

The land use summary tables found in chapter two discuss specific numbers of units, yet no subdivision maps are included to show how they could be sighted in the area. Presumably, this is a worst case analysis and the actual number of units that could be approved fall within a range which could be substantially less than shown on Table 2.0-1. A table showing the range of each plan category would be helpful.

22-2

On page 2-10 it states that the city general plan "generally does not support the cancellation of Williamson Act contracts, unless some compelling public interest would be served." This is consistent with the required finding for cancellation of Agricultural Preserve contracts. I strongly disagree that cancellation of over 50% of the areas contracts is not a significant environmental impact especially given state law on the purpose of agricultural preserves. The DEIR fails to analyze the state required findings as they might relate to public need for these contracts-it should.

22-3

Over the past few months the City of Dublin has been participating in the review of Dougherty Valley proposals for both the City of San Ramon and the County. This includes general plan amendment and specific plan proposals and a DEIR. None-the-less, the writers of the EIR have written their report without considering this project as reasonably foreseeable in terms of analysis. Chapter 3 dealing with population, housing and employment is totally different in this regard and needs to be updated to reflect 11,000 units in the Dougherty Valley. All analytical assumptions, especially regarding transportation need to be updated based on inclusion of the Dougherty Valley Specific Plan proposal. The Tassajara Valley Property Owners Association (TVPOA) proposal is less far along and is appropriately discussed in the regional planning section as you have done. The reference on page 3.1-21 does not discuss TVPOA and casually references Dougherty Valley; it is not clear these were integrated into the analysis.

22-4

The following comments focus on the Traffic and Circulation section of the DEIR:

- * Levels of service (LOS) analysis for the road segments examine only Average Daily Trips (ADT), irrespective of am/pm traffic conditions. AM/PM LOS analysis considers peak hour directions during congested periods (7-9 am and 4-6 pm). Page 3.3-3 stated that ". . . higher levels of congestion occur during peak periods." To obtain a relatively clear understanding of traffic impacts that the project could have on the surrounding transportation network am/pm LOS analysis is logical for congestion management purposes.
- * In the same vein as above, intersection LOS examines only pm peak period traffic conditions. Since there are am and pm peak periods, the LOS analysis should also include am traffic conditions as well. This analytical approach could also demonstrate that additional mitigations are necessary for the various scenarios.
- * Considering the above comments, am/pm traffic generation, distribution, and assignment conditions should also be illustrated in the overall traffic analysis -- not just pm peak conditions. Having both am/pm peak (commute)

22-5

22-6

22-7

traffic conditions illustrated, without and with mitigations, would provide an enhanced assessment of project impacts and mitigation measures.

22-7 contd

- * The general approach of the traffic analysis for determining the segment and intersection LOS, without and with mitigation measures, makes reviewing the GPA/Specific Plan EIR difficult; there were a number of mitigation measures forwarded, and they appeared to have remedied the project impacts -- based on the ADT LOS for road segments and pm traffic conditions for intersection LOS. However, because the authors employed this approach, instead of using am/pm directional volume for the road segments and am/pm intersection LOS, am/pm congested conditions were inadequately analyzed. Hence, the project mitigations are spurious for both 2010 and cumulative buildout with project.
- * Impacts on I-580 and I-680/ Hacienda Drive would exceed LOS E. It was proposed that TDM efforts would alleviate some of the impacts as part of the Specific Plan mitigation measures. Since this is a major undertaking, who will assume monitoring responsibility for this endeavor?

22-8

22-9

Figure 2-E and 2-F both show suburban densities extending to the edge of the county boundary. Most planning criteria call for a physical separation between communities, whether or not this land in Contra Costa County develops, a buffer between Alameda and Contra Costa should be provided for. I have attached a copy of the TVPOA proposal for your use so that the issue of buffers can be addressed by both our agencies. Several hundred foot buffers would appear reasonable. The developers of the TVPOA and the County would disagree with the statement on page 3-1-13 that they would should provide Dublin's buffer.

22-10

The Draft EIR does not discuss the potential of noise, vibration and generally conflicting goals of the Camp Parks Reserve Training Facility and the residential projects especially near Tassajara Road: it should.

22-11

Figure 3-1-C shows the Chang-Su-O-Lin ownership extending north of the County line into Contra Costa County, this is correct. Are there unique implications of cancellation in Alameda County on the remainder contract in Contra Costa County. Will this area be considered as project buffer and permanent open space?

22-12

Page 4
October 28, 1992

This project seems to be based on TWA transport of wastewater to the north along Contra Costa County owned property. The Board of Supervisors has made no decision on availability of that right of way for TWA proposed. The DEIR needs to describe how the project could be downsized should that export option be unfeasible. The presumption of that r-o-w alternative may not be reasonable. Mitigation measures MM 3.5 111.0 is not sufficient to handle this concern. 22-13

The discussion San Joaquin Kit Fox mitigation does not seem to consistent with U.S. Fish and Wildlife mitigation criteria. Have they changed from their 3 to 1 mitigation criteria. This issue requires more discussion of existing State and Federal regulatory policies for that species. 22-14

I look forward to reviewing the FEIR. Additionally I feel that a coordination meeting should be held between our agencies to deal with the interface issues discussed in the DEIR and in this letter. Let's set something up.

Sincerely yours,

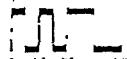


James W. Cutler
Assistant Director of
Comprehensive Planning

JWC:kd
lmissckd/cofdubx.4ltr

TASSAJARA VALLEY

**A PROJECT OF T.V.P.O.A., INC.
CONTRA COSTA COUNTY, CALIFORNIA**



2001

ANSWERING QUESTIONS

VICINITY MAP

ACREAGE & UNIT COUNT		BLDG SQU	BLDG SQU	BLDG SQU
LAND ACRES	BLDG SQU			
57	7.5	0	0	0
54	20.4	26.0	19	26.0
54	100.4	175.4	13	207.0
54	16.1	19.1	18	26.6
54	11.9	20.9	26	26.6
54	27.4	46.9	32.9	46.6
54	29.2	62.9	32	46.6

PARK ACREAGE

**PUBLIC SERVICE & VILLAGE CENTER ACROSS
KODIAK ISLAND**

TYPE A FROM TAN 11

DATA DATE 6/19/96
DATA SOURCE TO WHOM THIS PLAN WAS PRESENTED
11-1-5003

LEGEND

SV	RESIDENTIAL NEIGHBORHOOD- SINGLE FAMILY VERY LOW: 0.2-0.9 DU/AC
SL	RESIDENTIAL NEIGHBORHOOD- SINGLE FAMILY LOW: 1.0-2.9 DU/AC
SM	RESIDENTIAL NEIGHBORHOOD- SINGLE FAMILY MEDIUM: 3.0-4.9 DU/AC
SH	RESIDENTIAL NEIGHBORHOOD- SINGLE FAMILY HIGH: 5.0-7.2 DU/AC
ML	RESIDENTIAL NEIGHBORHOOD- MULTI-FAMILY LOW: 7.3-11.9 DU/AC
MM	RESIDENTIAL NEIGHBORHOOD- MULTI-FAMILY MEDIUM: 12.0-20.0 DU/AC

- MIXED USE: 3.0-6.0 DU/AC
- VILLAGE CENTER
- LINEAR PARK/
OVERFLOW CHANNEL
- RIPARIAN/WILDLIFE CORRIDOR
- PUBLIC SERVICES

PARK

5. OPEN SPACE
(a) GOLF COURSE
(b) DETENTION AREA

CONCEPTUAL
LAND USE PLAN

CONCEPTUAL LAND USE PLAN

卷之三

Response to Letter 23: Marian Breitbart, County of Alameda

23-1 **Comment:** Page 3.1-9: The paragraph on Camp Parks incorrectly states that the "portion of Camp Parks adjacent to I-580 is the most highly developed". In fact, the portion of Camp Parks adjacent to I-580 is currently vacant. The developed portion of the Camp Parks facility is located a minimum of 2,500 feet north of I-580. This may explain the curious absence of any real discussion of the likely impacts that development of Eastern Dublin will have on the overall physical structure of the City of Dublin .

Response to Comment 23-1: Comment acknowledged. The area immediately adjacent to the freeway is not developed. The developed portion of Camp Parks occupies the southern half of the base. The major concentration of development is roughly 2,500 feet north of I-580, but a network of roads has been laid out within 1,200 feet of the freeway.

The "curious absence" of a discussion of impacts associated with the absence of development immediately adjacent to the freeway is a result of not identifying any "impacts".

23-2 **Comment:** Implicit in the DEIR, draft Specific Plan and General Plan Amendment is the notion that this area will be a part of the existing City of Dublin. Yet all three documents ignore a fundamental physical fact that the "project" will be visually and physically separated from the rest of the developed portion of Dublin by the presence of Camp Parks, linked only by Dublin Boulevard. As currently planned, Dublin Boulevard will, for almost a half-mile, pass through a virtual no-man's land, from the former Southern Pacific right-of-way to Alameda County's Santa Rita property. Even with the completion of the new East Dublin BART station, there will be over a quarter mile of vacant Camp Parks land separating the Eastern Dublin Specific Plan area from the station. This land will also be physically separated from the rest of the Camp Parks facility by Dublin Boulevard and a portion of the Transit Spine, making it of little use to the Army.

Response to Comment 23-2: The DEIR, Specific Plan, and GPA do not speculate on the ultimate jurisdiction over the land between eastern Dublin and the main portion of the City, because it is beyond the scope of the present study. This potential gap in the urban fabric of the City is not a result of the current Project. The potential for a break in the pattern of development has existed for many years, dating from the time the County's Santa Rita property was annexed into the City.

It is true, that the planning for eastern Dublin did assume that the BART station, once built, would not be left surrounded by undeveloped land. This assumption was based in part upon the fact that the County has been negotiating with Camp Parks to acquire this land for future development. In addition, BART and current planning practice both strongly support the concept of higher intensity development around transit stations as a means of encouraging transit ridership.

23-3 **Comment:** Ignoring the continued presence of Camp Parks between the project and the rest of Dublin has led to incorrect statements regarding land use planning in the area. For instance, on page 30 of the draft Specific Plan, it is stated that the Plan designates the area adjacent to the proposed BART station as a major, high intensity employment center in order to minimize the number and length of work-related automobile trips. Yet, as noted above, Camp Parks will separate the BART station from any development, high intensity or otherwise, by at least a quarter mile. It should be noted that a quarter mile is the normally accepted distance that people will walk to use transit. Distances further than this encourage people to drive instead.

Response to Comment 23-3: Comment acknowledged. The text of the Specific Plan would be more accurate if it stated that the plan designates the area nearest, rather than "adjacent", to the proposed BART station as a major, high intensity employment center. (The Specific Plan will need to be revised to reflect this change.) Admittedly, the proposed development pattern on the Santa Rita property assumes that the land between eastern Dublin and the BART station will not remain vacant. However, even if it does, it is still the intent of the Specific Plan to encourage transit use by placing higher density employment and residential uses near the BART station.

23-4 **Comment:** As noted on page 3.1-13, the southern part of Camp Parks may become surplus land, in which case it may be sold and not developed by the Army. Given the extension of Dublin Boulevard, this is not only possible, but likely. The City should recognize, and encourage, this likely change in land use resulting from the project by including, as a mitigation measure, an amendment to the City General Plan to designate this portion of Camp Parks for urban land uses compatible with the BART station and the Santa Rita property, and to encourage the Army to trade or sell this portion of Camp Parks so that it can be developed. While we are well aware of the difficulties and time required to complete a successful transfer of federal government land, a transfer will be required anyway to complete the proposed circulation improvements, since both Dublin Boulevard and the transit spine are shown entering the Camp Parks facility, although the road right-of-way through Camp Parks is only wide enough for one road alignment (Dublin Boulevard).

Response to Comment 23-4: Comment acknowledged. Developing policies for adjacent properties is beyond the scope of this response document.

23-5 **Comment: Page 3.3-18:** New I-580 overcrossings are mentioned in passing as being needed, based on "preliminary analysis of the Cumulative Buildout scenario," between Hacienda Drive and Tassajara Road, and between Tassajara Road and Fallon Road, yet no specifics are given as to the nature of these overcrossings, other than they would have no freeway access. The overcrossings do not appear on any map, including Figure 3.3-B of the DEIR (Future Road Improvements), and Figure 5.1 (Road System) of the draft Specific Plan, even though the latter map should show all major streets in the area.

Since these improvements are assumed as part of the Specific Plan improvements, they need to be described in more detail. How many lanes would be provided by these overcrossings? Could an overcrossing between Hacienda Drive and Tassajara be constructed, given the existing land use patterns to the south, in Pleasanton? Would such an overcrossing need to intersect with Dublin Boulevard to the north? How far away from existing interchanges would Caltrans require the overcrossing to be? Since these overcrossings would be built to mitigate cumulative conditions, would they be paid for by the total Project? How much would these overcrossings cost?

Response to Comment 23-5: The circulation network for the Eastern Dublin Specific Plan and General Plan Amendment does not include additional overcrossings of I-580. Traffic would operate at acceptable levels of service with full buildout of Eastern Dublin along with regionally accepted projections of Year 2010 development in areas outside of Eastern Dublin. Additional overcrossings of I-580 were identified as a potential mitigation measure for traffic impacts caused by additional cumulative development outside of Eastern Dublin. See response to Comment 7-6.

23-6 **Comment:** These overcrossing are apparently only necessary for cumulative traffic impacts. Yet the two improvements that would improve cumulative traffic conditions (widening Tassajara Road and Dublin Boulevard intersections) are rejected as infeasible because of

incompatibility with planned land uses. Why were overcrossings accepted as "compatible" when they may be infeasible due to existing land uses to the south and planned land uses to the north?

Response to Comment 23-6: The DEIR makes no statements as to the feasibility or acceptability of additional overcrossings of I-580. See response to Comment 7-6.

23-7 **Comment:** MM 3.3/4.0 (page 3.3-22) states that the Project should contribute a proportionate share to planned improvements at the I-580/I-680 interchange. What would the "proportionate share" be for Eastern Dublin? Does the amount specified in the Specific Plan fiscal analysis for freeway improvements (Table 10-1) include these contributions? Table 10-1 of the Fiscal Analysis indicates that only 60% of identified freeway improvements would be paid for by Eastern Dublin development. Where would the rest of the necessary funding come from? When would this additional funding be available?

Response to Comment 23-7: Proportionate shares of funding for regional transportation improvements should be determined based on a regional study, such as the current study by the Tri-Valley Transportation Council. The fiscal analysis for the Eastern Dublin Specific Plan assumes a 60 percent share of the cost of freeway improvements for general fiscal analysis purposes only. This preliminary estimate was based on a preliminary analysis of traffic contributions from Eastern Dublin versus contributions from planned development in Pleasanton, Livermore and Contra Costa County. The actual proportionate shares would need to be negotiated based on traffic contributions from each jurisdiction as well as prior contributions to regional road improvements.

It should be noted that the Year 2010 traffic projections used in the DEIR assume significant development in jurisdictions other than Dublin (see Table 3.3-5, page 3.3-10). All jurisdictions participating in the Tri-Valley Transportation Council would be expected to ensure that development projects in all jurisdictions will participate in the implementation and funding of regional road improvements. If this development does not occur, the need for regional road improvements would be decreased. See responses to Comments 12-5 and 15-8.

23-8 **Comment:** MM 3.3/4.0 (page 3.3-22) states that the Project shall contribute to the construction of auxiliary lanes on I-580 between Tassajara Road and Airway Boulevard, and that this mitigation measure "is applicable to the total Project site." It should be noted that the County has already contributed substantially for freeway improvements that front the portion of Eastern Dublin between Dougherty Road and Tassajara Road, including the new Hacienda interchange and auxiliary lanes. No contributions were made by other Eastern Dublin property owners for these improvements, although they are essential for traffic circulation when this area is developed. These improvements should be calculated into the total freeway improvement costs for Eastern Dublin, and the County properly credited. Alternatively, the County should not be required to contribute to the cost of freeway improvements to the east of Tassajara Road.

Response to Comment 23-8: Contributions to regional road improvements should consider the relative traffic contribution of each development area as well as prior contributions to regional road improvements.

23-9 **Comment:** Page 3.10-4: Impact 3.10/D states that residential development could be exposed to noise impacts from gunshots and helicopter overflights. Yet MM 3.10/3.0 requires that an acoustical study be completed prior to future adjacent development. Since the impact would apparently affect only residential development, the mitigation should be consistent and require the necessary acoustical studies for residential development in the named sub-areas.

It is unclear from the mitigation measure what the outcome would be if the required studies determined that "future noise levels will exceed the acceptable levels as defined by the City and Army". Would it preclude residential development in these areas? If so, it could have a major impact on the proposed Plan.

Response to Comment 23-9: It is anticipated that noise generated by activities at Camp Parks would be potentially significant only for residential uses. However, without knowing what Camp Parks' master plan is going to call for, it is not possible to say with certainty that other uses would not be affected. For this reason MM 3.10/3.0 should remain unchanged.

It remains uncertain what the exact implications for development would be if noise generated by Camp Parks exceeded acceptable levels for proposed uses. It is for this reason that mitigation measure *MM 3.1/1.0* has been included in the DEIR. This measure (page 3.1-13) calls for ongoing coordination between the Army and the City of Dublin "so that compatible land uses can be formulated in the Project site vicinity", and future conflicts and land use incompatibilities can be resolved (see Comment 22-11). Appropriate mitigation would need to be worked out between the City, Camp Parks, and the development proponents.

23-10 **Comment: Section 3.12- Fiscal Considerations:** While this section touches on some of the major financial issues that will have to be addressed for the successful implementation of the project, other major issues are left unstated. Of critical importance is how costs for major infrastructure will be distributed among the properties. This is unspecified in the draft Specific Plan and the DEIR, yet must be decided prior to any development of the project. Because of the long-term nature of this project, which is stated in the draft Specific Plan as occurring over a 30-40 year period, an infrastructure phasing plan will need to be developed to accurately assess how best to distribute costs among the various property owners.

Response to Comment 23-10: Table 11-4 in the Financing Element of the Specific Plan shows how costs could be allocated amongst different land uses. Financial impact on individual property owners is not an environmental impact under CEQA. Ownership may change before development is complete and different owners will have different abilities to finance development costs.

23-11 **Comment: Page 3.12-3:** MM 3.12/1.0 states that a development agreement be prepared for "each project" in the Planning Area. While we have no quarrel with use of development agreements, "project" should be more clearly defined, or should be changed to "property" to reflect the relatively large property holdings in the Plan Area. As currently written, this could be interpreted to mean that a development agreement will be required for each separate development project on a particular property, which would be a waste of everyone's time.

Response to Comment 23-11: Comment acknowledged. Mitigation measure MM 3.12/1.0 has been revised as follows:

Development Agreements. For each ~~project~~ **property** in the Planning Area, prepare and adopt a development agreement that spells out the precise financial responsibilities of the developer.

23-12 **Comment: Chapter 4, Alternatives:** CEQA Guidelines require that an EIR examine feasible alternatives to the project that would reduce or eliminate significant impacts. The No Development Alternative discussed on page 4-19 is infeasible because a portion of the Project site is within the City of Dublin and, under the terms of the annexation agreement with Alameda County, must be permitted to develop. This "alternative" should therefore not be considered in the analysis.

Response to Comment 23-12: The No Development Alternative is feasible, if not probable. If the City determines that the No Development Alternative is the best solution for the City, it could potentially de-annex the Santa Rita property, or seek to renegotiate the annexation agreement with the County.

23-13 **Comment:** A feasible alternative that was not considered, but should be, would be to limit the Project to the area currently within the City of Dublin, with development per the draft Specific Plan land uses for this area. Areas currently outside of the city limits would remain under Alameda County jurisdiction.

This "Dublin Incorporated Alternative" would be environmentally superior to all other feasible alternatives considered in the DEIR (See letter for full discussion of this alternative).

Response to Comment 23-13: Comment acknowledged. CEQA requires an EIR to describe a range of reasonable alternatives to the proposed project that could feasibly attain the project's basic objectives. The alternatives selected for study are the alternatives considered to attain the project's objectives (see DEIR, page 2-5), but are not the only alternatives that are possible. CEQA does not, however, require that every possible alternative between the project and the "no development" alternative be analyzed.



C O U N T Y A D M I N I S T R A T O R

October 29, 1992

STEVEN C. SZALAY
COUNTY ADMINISTRATOR

SUSAN S. MURANISHI
ASSISTANT COUNTY ADMINISTRATOR

Larry Tong, Planning Director
City of Dublin
P.O. Box 2340
Dublin, CA 94568

Dear Mr. Tong:

R E C E I V E D

OCT 29 1992

DUBLIN PLANNING
Subject: East Dublin Draft EIR

The Alameda County Surplus Property Authority, which owns approximately 600 acres within the Specific Plan Area, thanks you for the opportunity to review the draft EIR for the proposed Eastern Dublin General Plan Amendment/Specific Plan. While we generally found the document to be thorough and well written, we offer the following constructive comments regarding issues that need to be clarified or addressed to make this a legally adequate EIR. The comments are presented in the order that the issues appear in the document.

Page 3.1-9: The paragraph on Camp Parks incorrectly states that the "portion of Camp Parks adjacent to I-580 is the most highly developed". In fact, the portion of Camp Parks adjacent to I-580 is currently vacant. The developed portion of the Camp Parks facility is located a minimum of 2,500 feet north of I-580. This may explain the curious absence of any real discussion of the likely impacts that development of Eastern Dublin will have on the overall physical structure of the City of Dublin.

Implicit in the DEIR, draft Specific Plan and General Plan Amendment is the notion that this area will be a part of the existing City of Dublin. Yet all three documents ignore a fundamental physical fact that the "project" will be visually and physically separated from the rest of the developed portion of Dublin by the presence of Camp Parks, linked only by Dublin Boulevard. As currently planned, Dublin Boulevard will, for almost a half-mile, pass through a virtual no-man's land, from the former Southern Pacific right-of-way to Alameda County's Santa Rita property. Even with the completion of the new East Dublin BART station, there will be over a quarter mile of vacant Camp Parks land separating the Eastern Dublin Specific Plan area from the station. This land will also be physically separated from the rest of the Camp Parks facility by Dublin Boulevard and a portion of the Transit Spine, making it of little use to the Army.

Ignoring the continued presence of Camp Parks between the project and the rest of Dublin has led to incorrect statements regarding land use planning in the area. For instance, on page 30 of the draft Specific Plan, it is stated that the Plan designates the area adjacent to the proposed BART station as a major, high intensity employment center in order to minimize the number and length of work-related automobile trips. Yet, as noted above, Camp Parks will separate the BART station from any development, high intensity or otherwise, by at least a quarter mile. It

23-1

23-2

23-3

should be noted that a quarter mile is the normally accepted distance that people will walk to use transit. Distances further than this encourage people to drive instead.

23-3 contd

As noted on page 3.1-13, the southern part of Camp Parks may become surplus land, in which case it may be sold and not developed by the Army. Given the extension of Dublin Boulevard, this is not only possible, but likely. The City should recognize, and encourage, this likely change in land use resulting from the project by including, as a mitigation measure, an amendment to the City General Plan to designate this portion of Camp Parks for urban land uses compatible with the BART station and the Santa Rita property, and to encourage the Army to trade or sell this portion of Camp Parks so that it can be developed. While we are well aware of the difficulties and time required to complete a successful transfer of federal government land, a transfer will be required anyway to complete the proposed circulation improvements, since both Dublin Boulevard and the transit spine are shown entering the Camp Parks facility, although the road right-of-way through Camp Parks is only wide enough for one road alignment (Dublin Boulevard).

23-4

Page 3.3-18: New I-580 overcrossings are mentioned in passing as being needed, based on "preliminary analysis of the Cumulative Buildout scenario," between Hacienda Drive and Tassajara Road, and between Tassajara Road and Fallon Road, yet no specifics are given as to the nature of these overcrossings, other than they would have no freeway access. The overcrossings do not appear on any map, including Figure 3.3-B of the DEIR (Future Road Improvements), and Figure 5.1 (Road System) of the draft Specific Plan, even though the latter map should show all major streets in the area.

23-5

Since these improvements are assumed as part of the Specific Plan improvements, they need to be described in more detail. How many lanes would be provided by these overcrossings? Could an overcrossing between Hacienda Drive and Tassajara be constructed, given the existing land use patterns to the south, in Pleasanton? Would such an overcrossing need to intersect with Dublin Boulevard to the north? How far away from existing interchanges would Caltrans require the overcrossing to be? Since these

overcrossings would be built to mitigate cumulative conditions, would they be paid for by the total Project? How much would these overcrossings cost?

These overcrossing are apparently only necessary for cumulative traffic impacts. Yet the two improvements that would improve cumulative traffic conditions (widening Tassajara Road and Dublin Boulevard intersections) are rejected as infeasible because of incompatibility with planned land uses. Why were overcrossings accepted as "compatible" when they may be infeasible due to existing land uses to the south and planned land uses to the north?

23-6

MM 3.3/4.0 (page 3.3-22) states that the Project should contribute a proportionate share to planned improvements at the I-580/I-680 interchange. What would the "proportionate share" be for Eastern Dublin? Does the amount specified in the Specific Plan fiscal analysis for freeway improvements (Table 10-1) include these contributions? Table 10-1 of the Fiscal Analysis indicates that only 60% of identified freeway improvements would be paid for by Eastern Dublin

23-7

development. Where would the rest of the necessary funding come from? When would this additional funding be available? 23-7 contd

MM 3.3/4.0 (page 3.3-22) states that the Project shall contribute to the construction of auxiliary lanes on I-580 between Tassajara Road and Airway Boulevard, and that this mitigation measure "is applicable to the total Project site." It should be noted that the County has already contributed substantially for freeway improvements that front the portion of Eastern Dublin between Dougherty Road and Tassajara Road, including the new Hacienda interchange and auxiliary lanes. No contributions were made by other Eastern Dublin property owners for these improvements, although they are essential for traffic circulation when this area is developed. These improvements should be calculated into the total freeway improvement costs for Eastern Dublin, and the County properly credited. Alternatively, the County should not be required to contribute to the cost of freeway improvements to the east of Tassajara Road. 23-8

Page 3.10-4: Impact 3.10/D states that residential development could be exposed to noise impacts from gunshots and helicopter overflights. Yet MM 3.10/3.0 requires that an acoustical study be completed prior to future adjacent development. Since the impact would apparently affect only residential development, the mitigation should be consistent and require the necessary acoustical studies for residential development in the named sub-areas. 23-9

It is unclear from the mitigation measure what the outcome would be if the required studies determined that "future noise levels will exceed the acceptable levels as defined by the City and Army". Would it preclude residential development in these areas? If so, it could have a major impact on the proposed Plan.

Section 3.12- Fiscal Considerations: While this section touches on some of the major financial issues that will have to be addressed for the successful implementation of the project, other major issues are left unstated. Of critical importance is how costs for major infrastructure will be distributed among the properties. This is unspecified in the draft Specific Plan and the DEIR, yet must be decided prior to any development of the project. Because of the long-term nature of this project, which is stated in the draft Specific Plan as occurring over a 30-40 year period, an infrastructure phasing plan will need to be developed to accurately assess how best to distribute costs among the various property owners. 23-10

Page 3.12-3: MM 3.12/1.0 states that a development agreement be prepared for "each project" in the Planning Area. While we have no quarrel with use of development agreements, "project" should be more clearly designed, or should be changed to "property" to reflect the relatively large property holdings in the Plan Area. As currently written, this could be interpreted to mean that a development agreement will be required for each separate development project on a particular property, which would be a waste of everyone's time. 23-11

Chapter 4, Alternatives: CEQA Guidelines require that an EIR examine feasible alternatives to the project that would reduce or eliminate significant impacts. The No Development Alternative discussed on page 4-19 is infeasible because a portion of the Project site is within the City of Dublin and, under the terms of the annexation agreement with Alameda County, must be permitted to develop. This "alternative" should therefore not be considered in the analysis. 23-12

A feasible alternative that was not considered, but should be, would be to limit the Project to the area currently within the City of Dublin, with development per the draft Specific Plan land uses for this area. Areas currently outside of the city limits would remain under Alameda County jurisdiction.

This "Dublin Incorporated Alternative" would be environmentally superior to all other feasible alternatives considered in the DEIR. Compared to the Project, this alternative would significantly reduce land use impacts. Disruption of the existing rural residential areas on Tassajara and Doolan Canyon Road would not occur, and existing agricultural activities could continue. Since urban infrastructure would be limited to areas that have been previously developed (the Santa Rita property), there would be no growth-inducing impacts resulting from providing services to agricultural and rural areas.

Unlike the No Project Alternative described in the DEIR, the Dublin Incorporated Alternative would result in a more closely balanced jobs/housing ratio for the entire City of Dublin, especially when the almost completely residential Western Dublin area is included in the calculation. Furthermore, this alternative would significantly add to the City's affordable housing mix by providing a large number of higher density units, with a relatively small number of new single-family detached homes.

The Dublin Incorporated Alternative would have similar traffic impacts to the No Project Alternative discussed in the DEIR, with the added advantages of providing transit-oriented development and housing in close proximity to employment centers. On-site road improvements contemplated for this portion of the Specific Plan area would be adequate for the increased traffic generated by this alternative, and further freeway improvements would not be necessary. Community services and facilities would be improved by the Dublin Incorporated Alternative. Police, fire, school and park facilities would be built per the draft Specific Plan for this area, including a new 56 acre City park, although from the perspective of increased demand, this alternative will have significantly reduced impacts on community services and facilities than the Project.

23-13

Sewer, water and storm drainage impacts would be similar to the No Project Alternative, and would be significantly less than the Project. An added advantage of the Dublin Incorporated Alternative is that the provision of parks and schools would permit increased demand for recycled water, allowing use of a recycled water distribution system.

Impacts resulting from soils, geology and seismicity would be similar to the No Project Alternative, and significantly less than the Project. It should be noted that soils on the County property generally have a low to moderate expansion potential, as correctly stated on page 3.6-6. Erosion potential is very low, given the flat topography.

Biological impacts identified for the Project would be eliminated by this alternative, since development would be limited to the Santa Rita property, which has minimal habitat value. Draft Specific Plan policies for the protection of Tassajara Creek in this area would enhance habitat values over the No Project Alternative.

With no potential development east of Tassajara Road and the coordinated re-development of the Santa Rita property per the Specific Plan, the Dublin Incorporated Alternative would have fewer potential visual impacts than the No Project Alternative, and significantly less visual impacts than the Project. In addition, this alternative would provide a benefit, visually, by replacing the crumbling existing structures on the Santa Rita site with a well-landscaped coordinated mix of new development that would be accessible to the public.

Impacts to cultural resources due to development under the Dublin Incorporated Alternative would be the same as the No Project Alternative, and significantly less than the Project. Noise impacts would also be similar. Identified DEIR noise mitigation measures for the Santa Rita property could eliminate potential noise impacts, while potential conflicts to new residents to the north due to Camp Parks would be significantly reduced relative to the Project.

Unlike the No Project Alternative, the Dublin Incorporated Alternative would permit the Santa Rita property to be developed per the Specific Plan design concepts of reducing dependence on the automobile and more closely achieving a jobs/housing balance for the entire City of Dublin. Vehicular air emissions, due to the decreased number of trips, would be significantly less than the Project.

23-13 contd.

This Alternative would also have positive fiscal impacts on the City of Dublin, due to the new commercial and office space allowed under the Specific Plan on the Santa Rita property. Furthermore, the cost of implementing this alternative would be far less than the Project, since necessary street and freeway improvements, community facilities, and infrastructure would be greatly reduced. The net result could be lower average costs per acre of new development compared to the Project, permitting more competitive marketing of commercial and office space and more affordable housing prices. Unlike the No Project Alternative, this alternative would not be growth-inducing, because it would provide on-site affordable housing that would largely off-set potential increases in employment, resulting in a relatively balanced jobs/housing ratio for the entire City of Dublin.

As detailed in the analysis above, a Dublin Incorporated Alternative would result in a project that would reduce or eliminate all identified "unavoidable significant impacts" of the Project, listed on page 5.0-16 of the DEIR. Furthermore, this alternative would have fewer impacts than any of the feasible alternatives discussed in the DEIR, including the No Project Alternative. Under CEQA, this makes the Dublin Incorporated Alternative the "environmentally superior alternative".

This alternative would clearly meet all of the Project Objectives listed on page 2-5 of the DEIR. We therefore strongly urge that the City incorporate the Dublin Incorporated Alternative into the FEIR and consider it when deliberating the future of the eastern Dublin area. We look forward to reviewing the FEIR when it becomes available.

Specific Plan Comments:

We have the following comments on the draft Specific Plan:

Larry Tong

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October 29, 1992

Page 33: High Density housing suggests that "with careful design, densities of up to 100 units per acre can be achieved without exceeding four stories". We believe that four story buildings would limit densities to about half this density. Can you provide examples of projects that use four stories with 100 units per acre?

Page 33: (Campus Officer) The 37 acre parcel is not adjacent to the existing Dublin BART station.

Page 73: (Figure 6.1) The "parks" and "rural residential" designations should be reversed.

Page 77: (Figure 6.3) The area designated within the 100 year floodplain on the Santa Rita property does not accurately reflect the FEMA maps for this area.

Page 80: (Parking) Does the last paragraph, which would not allow parking lots to take up more than one half the street frontage along arterial streets, or more than one third of the frontage along the Transit Spine, apply on a per-lot basis or in total? It would appear that the illustrative Town Center Concept Plan (Figure 7.1, page 83) shows more than half the Tassajara Road frontage as parking lot.

Page 88: (Building Height and Type) Does the half level of above-grade parking count toward the maximum four story height permitted for high density residential development?

Page 103: (Hacienda Gateway Building Siting) Given the width of the parcels between Dublin Boulevard and I-580, it may be impossible to have all buildings front Dublin Boulevard, especially if the uses are freeway-oriented.

Page 103: (Parking) Multiple entries for retail establishments may not be possible due to security concerns.

Page 108: (Cross-sections) Why is no cross section for Hacienda Drive shown?

Page A4-4: Alameda County acreage should total 600 acres. This table, and perhaps Appendix 3 as well, needs to be corrected to accurately reflect acreages of land use on the County property.

Very truly yours,

Marian Breitbart
Administrative Analyst

cc: Steven C. Szalay
Real Property Task Force

Post-It™ brand fax transmittal memo 7671		# of pages >
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