

FINAL
ENVIRONMENTAL IMPACT REPORT
EASTERN DUBLIN GENERAL PLAN AMENDMENT
AND
SPECIFIC PLAN

RESPONSES TO COMMENTS ON THE DEIR

Part II

(For Planning Commission Review)

December 21, 1992

CITY OF DUBLIN - LOAN COPY - PLEASE RETURN

Response to Letter 24: Deborah Stein, Acting Assistant Planning Director, Alameda County Planning Department

- 24-1 **Comment: Sphere-of-Influence.** To properly assess the present and probable need for public facilities and services in an area proposed for inclusion in Dublin's SOI, LAFCO staff needs clarification of the anticipated timing of development of the area outside the present SOI. The Draft *Specific Plan* fiscal analysis uses a 17-year development phasing to assess the ability of the plan to support necessary infrastructure costs, yet statement in other parts of the *Specific Plan* indicate that, based on market factors, the *Specific Plan* area will not reach buildout for 30 or 40 years. No estimates are given for the likely timing of development within the proposed SOI expansion area. Its location to the east of the *Specific Plan* area and statements in the *Specific Plan* that infrastructure phasing will proceed from west to east appear to indicate that this area will be the last to develop. Does the City have any estimates as to when the proposed SOI expansion might develop if it were within the City of Dublin?

Response to Comment 24-1: No estimates have been made as to when development might occur in the SOI expansion area, although it is correct to assume that this area will develop after the development of most of the *Specific Plan* area has occurred. The City's plan is to annex the *Specific Plan* area first, and then annex the GPA Increment Area when that area is ready to develop. The City is unlikely to pursue annexation of the GPA Increment Area until it is possible to extend infrastructure into it.

Given the recession the country has experienced over the last few years, it is very difficult to know precisely what will happen over the next 5, 10, or 15 years. The market may continue to slow down or it may begin to pick up and continue an upward curve. Based upon the rate of absorption in the fiscal analysis, about half of the residential component of the *Specific Plan* is projected to be built out by the year 2004, and about three-fourths of it by 2007. A rough estimate might therefore assume development in the GPA Increment Area 12 to 15 years from now.

- 24-2 **Comment: Annexation.** In reviewing proposals for annexation, LAFCO is required to consider numerous factors, many of which are similar to the factors LAFCO must consider in reviewing sphere-of-influence changes (Govt.Code 56481). As discussed above regarding the contemplated expansion of the City's sphere-of-influence, the DEIR should provide additional information to enable LAFCO to competently assess these factors. Govt. Code 56481 requires LAFCO to consider whether proposed annexations will promote planned, orderly and efficient patterns of urban development. Additional information regarding the probable phasing of development is needed to make this determination.

Response to Comment 24-2: While a phasing plan has not been proposed for the *Specific Plan*, it is anticipated that infrastructure development, along with market demand and ownership patterns, will contribute to a logical and efficient pattern of development. Because of the substantial cost involved in extending sewer, water, storm drainage, and roads into the planning area, it is anticipated that development will begin where it involves the least amount of up front capital expenditures. The potential for "leap frog" type development patterns is not expected to be high.

All connections into existing and proposed infrastructure systems, including sewer, water and roadways, are located in the southwest corner of the Project Area. Extension of these systems will occur first in a west to east direction along the Dublin Boulevard extension, and secondarily from south to north along Tassajara Boulevard. Given the ownership patterns, the large holdings by a few landowners (see Figure 2-D), and the preparedness of these

landowners to pursue development, it is likely that the initial "phase" of development could encompass most of the area west of the Fallon Road extension (four land owners: Alameda County, Chang Su O Lin, Pao Lin, and Dublin Land Company, control the vast majority of this area). Within this area, availability of access and infrastructure will result in development beginning near the intersections of Dublin Boulevard with Hacienda Drive and Tassajara Road, and then expanding along Dublin Boulevard between the two interchanges and north along Tassajara Road to Gleason Road. Shortly there after, it is anticipated that development would begin to extend eastward along Dublin Boulevard to Fallon Road and northward along Tassajara (particularly the east side) to the Community Park site.

Cost of infrastructure extensions and market demand are expected to result in the areas east of Fallon Road and at the north end of Tassajara Road being developed in a second phase. Phasing of development outside the Specific Plan area would continue in a west-to-east and south-to-north fashion, since infrastructure would again extend first along Dublin Boulevard (from Fallon Road to Doolan Road), and then north along Doolan Road. Development of Doolan Canyon would occur as a single phase because of the need to provide secondary vehicular access to the area. Once sewer and water is available to Doolan Canyon, any significant development in the area would require the completion of the Doolan extension to Tassajara Road.

- 24-3 **Comment: IM 3.1/D Loss of Farmlands of Local Importance.** The Cortese/Knox Act requires that LAFCO consider conversion of open space lands, including lands considered prime, as defined by Govt.Code 56064. The DEIR incorrectly relies on the Agricultural Suitability Map prepared by the SCS in determining whether or not there are prime agricultural lands in the area. According to the USDA Soil Survey (1961), a large area within the site is rated Class I or II, one of the definitions of "prime agricultural land" included in Govt.Code 56064. This acreage should be mapped and the Final EIR should include a discussion of whether conversion of this acreage to urban use is consistent with policies and priorities regarding conversion of open space lands as outlined in the Cortese/Knox Act (Govt.Code 56377).

Response to Comment 24-3: The Draft EIR used the State Important Farmlands Inventory as the basis for assessing impacts to farmlands. While not "incorrect", it is true that the use of this single source is not enough to satisfy the requirements of the Cortese/Knox Act which governs LAFCO's considerations. In order to address LAFCO's needs in consideration of Dublin's request for expansion of the City's Sphere of Influence, the text of the Draft EIR on page 3.1-8, second paragraph, is revised as follows:

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.~~ According to the State Important Farmlands Inventory, the site does not contain any "prime" farmland. However, the Cortese/Knox Act, which governs LAFCO's actions, requires LAFCO to use a much more stringent definition of "prime" farmland when considering the conversion of open space lands to urban uses, than is used by the State in its inventory of important farmlands.

Based on the criteria established by the Cortese/Knox Act (Section 56064), the Project area does contain some land that is considered "prime" agricultural land. Under the Cortese/Knox Act, soils which have a Class I or Class II land use capability rating by the Soil Conservation Service are considered prime agricultural land as long as they have not been developed with non-agricultural uses. There are approximately 375 acres of Class I and Class II soil in the Project area. These soils are all located within the City's current sphere of influence, in the low-lying areas along I-580. No prime

agricultural soils are located in the GPA Increment area. The attached Soil Types Map delineates the location of these soils.

The westernmost portion of Class I and II soils (approximately 175 acres), the majority of which lies west of Tassajara Road, does not qualify as "prime" agricultural land under Cortese/Knox because all but a small portion of the area has been previously developed for other uses, specifically the former Naval Hospital and Santa Rita Rehabilitation Center and the Tassajara Road/I-580 interchange. The remaining 200 acres do qualify as "prime" agricultural land under the Cortese/Knox Act.

In reviewing requests for conversion of open space lands, Cortese/Knox requires LAFCO to consider the request's consistency with two policies:

- 1) development should be guided away from prime agricultural lands unless such action would not promote the planned, orderly, efficient development of the area; and
- 2) existing vacant or non-prime agricultural lands within the existing sphere of influence should be developed before any proposal is approved which would allow for the development of open space lands outside the existing sphere of influence.

The proposed project is not in conflict with either of these policies. While the project would result in the conversion of prime agricultural lands, to prohibit development in this area would deter the orderly and efficient expansion of the urban area. The planned extension of Dublin Boulevard, which is seen as an important subregional reliever route for I-580, would bisect the area of prime agricultural land in an east-west direction, and Fallon Road and the Fallon/I-580 interchange would bisect it in a north-south direction. Secondly, the area of prime farmland is already within the City's sphere of influence so would not require the expansion of the City's sphere or threaten conversion of other open space lands.

The proposed project would result in the loss of all 200 acres of prime agricultural land within the Project area. However, given 1) that the area of prime farmland comprises a relatively small portion (less than 3%) of a much larger area of non-prime farmland; 2) that maintaining this land in agricultural uses would deter the orderly and efficient development of the area; 3) that the area's conversion would not threaten any other prime farmland with urbanization; 4) that none of the three affected landowners have any intention of farming the land; and 5) that the area of prime agricultural soils already lie within the City's sphere of influence; the loss of prime agricultural land is considered to be an unavoidable, but not a significant impact. No measures would be necessary to mitigate the loss of this "prime" agricultural land.

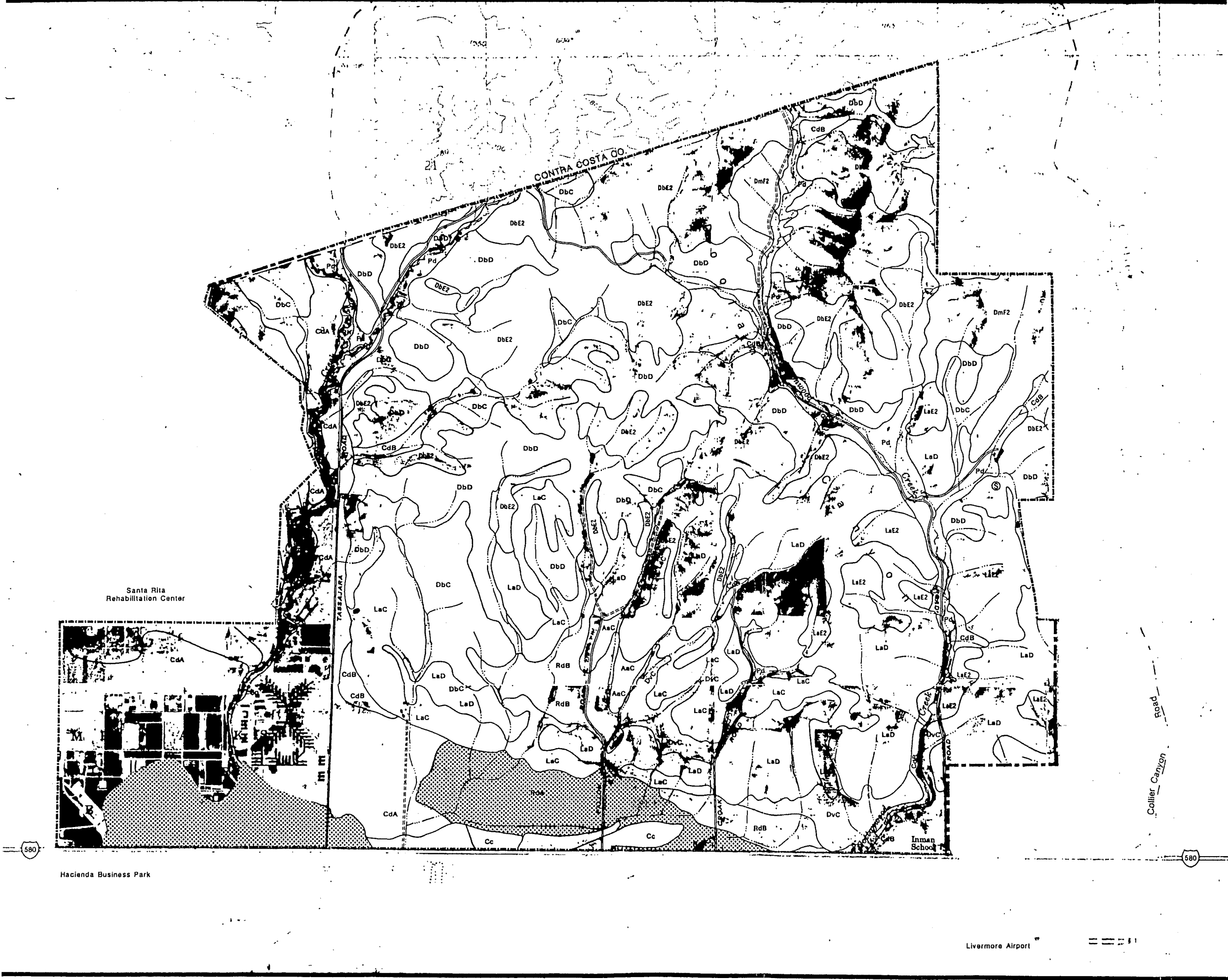
Mitigation Measures of the EIR

No mitigation is required for an insignificant impact.

Agricultural Soil

Legend

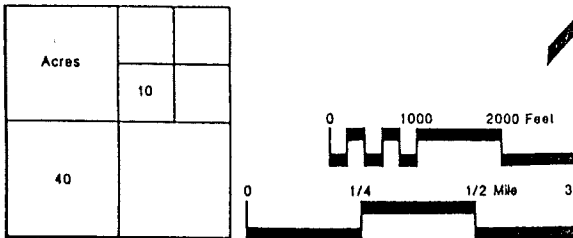
- General Plan Amendment Area
- Specific Plan Area
- Class I and II Land Use Capability Classification



Source: Soil Conservation Service (USDA, 1966)

EASTERN DUBLIN
GPA • SP • EIR

Wallace Roberts & Todd Figure 3.6 - D



ALAMEDA COUNTY PLANNING DEPARTMENT

• Development Planning • Housing & Community Development • Policy Planning & Research • Zoning Administration & Enforcement

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October 29, 1992

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OCT 29 1992

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

DUBLIN PLANNING

Dear Planning Commissioners,

In our role as environmental staff to LAFCO, we have reviewed the DEIR for the Eastern Dublin General Plan Amendment and Specific Plan and offer the following comments on LAFCO staff's behalf. While the documents are generally thorough and well-written, there are several clarifications that need to be made so that the final EIR can be used by LAFCO, as a responsible agency, in considering the actions that will be necessary in order to implement the General Plan Amendment and Specific Plan. Specifically, LAFCO will need to consider: (1) annexation of the subject property to the City of Dublin; (2) annexation of the subject property to the Dublin-San Ramon Services District; (3) sphere of influence modifications; and (4) detachment from the Livermore Area Recreation and Park District.

Sphere of Influence

As noted above, implementation of the GPA would require expansion of the City of Dublin's existing sphere of influence. In evaluating sphere of influence changes, LAFCO is required to consider: (1) the present and planned land uses in the area, including agricultural and open space lands; (2) the present and probable need for public facilities and services in the area; (3) the present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide; and (4) the existence of any social or economic communities of interest in the area if the LAFCO determines that they are relevant to that agency. (Govt. Code §56425.)

To properly assess the present and probable need for public facilities and services in an area proposed for inclusion in Dublin's SOI, LAFCO staff needs clarification of the anticipated timing of development of the area outside the present SOI. The draft Specific Plan fiscal analysis uses a 17-year development phasing to assess the ability of the plan to support necessary infrastructure costs, yet statements in other parts of the Specific Plan indicate that, based on market factors, the Specific Plan area will not reach buildout for 30 or 40 years. No estimates are given for the likely timing of development within the proposed SOI expansion area. Its location to the east of the Specific Plan area and statements in the Specific Plan that infrastructure phasing will proceed from west to east appear to indicate that this area will be the last to develop. Does the City have any estimates as to when the proposed SOI expansion area might develop if it were within the City of Dublin?

24-1

East Dublin
Page 2.

Annexation

In reviewing proposals for annexation, LAFCO is required to consider numerous factors, many of which are similar to the factors LAFCO must consider in reviewing sphere of influence changes (Govt. Code §56481). As discussed above regarding the contemplated expansion of the City's sphere of influence, the DEIR should provide additional information to enable LAFCO to competently assess these factors. Govt. Code §56841 requires LAFCO to consider whether proposed annexations will promote planned, orderly and efficient patterns of urban development. Additional information regarding the probable phasing of development is needed to make this determination.

24-2

The Cortese/Knox Act requires that LAFCO consider conversion of open space lands, including lands considered prime, as defined by Govt. Code §56064. The DEIR incorrectly relies on the Agricultural Suitability Map prepared by the SCS in determining whether or not there are prime agricultural lands in the area. According to the USDA Soil Survey (1961), a large area within the site is rated Class I or II, one of the definitions of "prime agricultural land" included in Govt. Code §56064. This acreage should be mapped and the Final EIR should include a discussion of whether conversion of this acreage to urban use is consistent with policies and priorities regarding conversion of open space lands as outlined in the Cortese/Knox Act (Govt. Code §56377).

24-3

We appreciate the opportunity to offer these comments.

Sincerely,



Deborah Stein
Acting Assistant Planning Director

cc: Crystal Hishida LAFCO staff

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Response to Letter 25: Eric Parfrey, Senior Planner, San Joaquin County Community Development Department

- 25-1 **Comment:** The project descriptions for the Specific Plan and the General Plan Amendment land use scenarios fail to indicate when the planned job growth is anticipated to build out, although the project description does note that the General Plan Amendment land uses "will take at least 30-40 years" for buildout.

The impacts sections of the DEIR seem to suggest that buildout of all the Specific Plan housing and employment (12,500 housing units and 28,300 jobs) would occur by 2010, although this assumption is never justified by any analysis. The buildout assumptions for the two scenarios seem inconsistent, since the text states the General Plan Amendment land uses "will take at least 30-40 years" for buildout, yet the Specific Plan commercial land uses differ from the GPA uses by only a small amount (1,200 jobs), and the housing varies by about 5,500 units.

This makes no sense unless the difference in buildout applies only to housing unit absorption, not jobs. To add to the confusion, the transportation analysis appears to be based on a 2010 "buildout" that is constrained by the ABAG projections, which is inconsistent with either of the "buildout" assumptions.) Please clarify in the Final EIR.

Response to Comment 25-1: Based on the rate of absorption detailed in ERA's fiscal analyses, all housing units and commercial space in the Project area would be absorbed by 2017, or within 25 years (refer to the Eastern Dublin fiscal analyses for details). This level of absorption is with development trends over the past 20 years. Depending on the future health of the economy, buildout could occur slightly sooner or later. The General Plan Amendment statement that the Project will take 30-40 years to build out is not consistent with the fiscal analysis in the Specific Plan, and should be changed. The GPA would be more consistent with the absorption rate projected in the fiscal analyses if the time frame for buildout were said to be 20 to 30 years. The last sentence of the sixth paragraph on page 2-6 of the DEIR has been revised as follows:

Market projections estimate that buildout of the planning area will take ~~at least 30-40~~ **approximately 20-30** years from the start of construction.

- 25-2 **Comment:** The Final EIR and Specific Plan/General Plan Amendment text should be augmented to include discussion about the anticipated phasing of growth, and to clarify in the project description section the expected or proposed jobs and housing phasing schedule, perhaps by five year interval. The FEIR should also include discussion of how specific impacts and mitigation measures could be tied to phasing of residential or commercial/industrial growth.

Response to Comment 25-2: The Financing Element in the Specific Plan details an annual phasing schedule of improvements on Table 10-2 with corresponding assumptions regarding annual absorption of housing units and commercial space. Also, see responses to Comments 24-1 and 24-2 for further discussion of anticipated phasing of growth.

- 25-3 **Comment:** Related to the phasing and buildout issue is the DEIR's lack of discussion of the market feasibility of the two separate land use scenarios (Specific Plan versus development of the larger General Plan Amendment area). Has, or will, the City require that market studies be prepared to test the viability of the proposed land uses? Specifically, has the City yet tested the financial and market feasibility of absorbing

commercial and industrial park development in the Eastern Dublin area ranging between 9.85 and 10.57 million square feet of space?

Response to Comment 25-3: Market studies were conducted in preparing the fiscal impact analyses. However, as market conditions change continually, additional project-by-project feasibility studies will be needed to secure financing. If market conditions cannot support the proposed development, the development would likely not proceed.

- 25-4 **Comment:** Given the slowdown in the national and State economy, and the historically slow absorption rates of prime business park space at the Hacienda Business Park, and given the immense amounts of additional industrial and business park space that is either built and unoccupied, or already planned, in the Tri-Valley area, is it reasonable to assume that another 10 or 11 million square feet of space could be absorbed in the Eastern Dublin area by the year 2010?

Response to Comment 25-4: It is difficult to know precisely what will happen five, ten, or fifteen years from now. The market may continue to slow down or it may also pick up with the new administration in the White House. At worst, if absorption is slower than projected, then development would also be slower, including infrastructure investment. Market conditions will determine the feasibility of proposed projects. If the market does not exist, then development will not proceed. The City could require fiscal impact analysis on a phase-by-phase basis to avoid negative impacts resulting from slower absorption of industrial and business park space.

- 25-5 **Comment:** The FEIR should analyze a likely buildout schedule for the planned non-residential uses for both the Specific Plan area and the larger General Plan Amendment area, utilizing recent historic absorption rates for the Tri-Valley area. The analysis should also take into account competition from the other major development projects planned for the area (e.g., Dougherty Valley, Tassajara Valley, North Livermore, Mountain House and City of Tracy).

Response to Comment 25-5: Recent historic absorption rates for the Tri-Valley area is not necessarily relevant in projecting market conditions ten and twenty years from now. The Tri-Valley area could become a hub of growth, outstripping historical rate of absorption of non-residential uses, once infrastructure and other improvements are developed.

- 25-6 **Comment:** Because market feasibility is not discussed or analyzed in the DEIR, no "market-demand" job phasing schedule was developed and tested. Because there is no identification of a realistic, "market-demand" job growth land use alternative, "worst case" impacts (especially transportation impacts) which could occur under less than full build-out of planned commercial/ industrial land uses may not have been adequately analyzed in the DEIR. (It is not clear what land use inputs were used for the transportation analysis.)

The FEIR should discuss whether this "market demand" scenario would differ significantly from the "project" assumption that all 28,300 of the planned jobs would be created by 2010.

Response to Comment 25-6: The Fiscal Analysis for Eastern Dublin contains assumptions regarding phasing and job growth on an annual basis based on a market analysis conducted by ERA. A new "market demand" scenario would not necessarily differ from the assumptions contained in the Fiscal Analysis.

The transportation analysis evaluates a worst-case scenario by assuming that the entire project area would be built out by the year 2010. This was done to ensure that impacts were not underestimated. There is little possibility that build out of the Project could occur this quickly. If it were to occur significantly slower, it would postpone the occurrence of projected impacts.

25-7

Comment: The Final EIR also should clarify in each section, especially in the transportation section, whether the impacts and mitigation measures would be substantially different if the anticipated amount of job growth did not occur by the year 2010.

Response to Comment 25-7: Retail land uses would account for 47 percent of the daily traffic generation within the Eastern Dublin General Plan area at buildout. Other non-residential land uses (office, industrial, etc...) would contribute another 19 percent of daily traffic generation. If the anticipated amount of job growth did not occur by the year 2010, traffic impacts would be substantially reduced compared to those presented in the DEIR.

25-8

Comment: The text of the transportation analysis (pages 3.3-8 through 12) is quite confusing regarding the land use inputs to the transportation model. According to the project description (pages 2-6 through 2-9), the Specific Plan calls for "buildout" of 12,448 housing units and 28,288 jobs, and the larger General Plan Amendment area projects "buildout" of 17,970 units and 29,540 jobs. Yet, the transportation analysis seems to be based upon separate 2010 and "buildout" land use projections that are entirely different, in part based upon ABAG Projections '90.

Response to Comment 25-8: The transportation analysis assumes Year 2010 development levels in all areas except the Eastern Dublin project area, based on ABAG Projections '90. Within Eastern Dublin, transportation impacts were evaluated without any development in Eastern Dublin, and then with full buildout of Eastern Dublin, in order to fully assess the impacts of all potential development in Eastern Dublin. Table 3.3-5 on page 3.3-10 indicates the approximate level of 2010 development in Eastern Dublin based on ABAG projections, for informational purposes only. These 2010 ABAG levels of partial buildout in Eastern Dublin were not used in the transportation analysis, as they would not serve to identify the full potential impacts of Eastern Dublin development.

25-9

Comment: Table 3.3-5 (page 3.3-10) seems to indicate that the transportation analysis used a 2010 land use input for the Eastern Dublin area of 13,900 households (or approximately 14,500 units) and 13,300 jobs, based upon ABAG Projections '90. These numbers do not correspond with either the General Plan Amendment or the Specific Plan "project." The footnote to the table is also unclear.

Response to Comment 25-9: See response to Comment 25-8.

25-10

Comment: The problem is that the DEIR text is indiscriminate throughout the document in its confusing use of the word "buildout". The text in the transportation section conflicts from page to page. Page 3.3-11, first paragraph, states that Year 2010 projections were matched to the ABAG projections by census tract, yet the previous page 3.3-9 states that "year 2010 with project" analysis includes "full buildout development of the Eastern Dublin General Plan Amendment and Specific Plan." Was partial buildout of the Specific Plan and/or the GPA area assumed for 2010? If so, then the full impacts of the "project" have not yet been analyzed.

If the true "full buildout" number for both the Specific Plan and the GPA was used for the year 2010 (17,970 units and 29,540 jobs), then the analysis may be flawed, since the combined land uses are not expected by the year 2010.

This criticism may be applied to other sections of the DEIR. I strongly suggest that you rethink the use of the land use assumptions, and start by separating out the impacts that result from the Specific Plan versus those impacts that result from the General Plan Amendment. By mixing both together, and then confusing "buildout" or "2010" assumptions, you obfuscate the analysis throughout the DEIR.

Response to Comment 25-10: The term "buildout" is used consistently throughout the DEIR transportation analysis to refer to development of all land area consistent with current or planned zoning. Although it is not known for certain whether all land uses in Eastern Dublin will be built by the Year 2010, full buildout of Eastern Dublin was assumed for the transportation analysis in order to fully assess the potential impacts of all Eastern Dublin development. If ABAG Year 2010 projections were used for Eastern Dublin, the transportation impacts would be reduced compared to those presented in the DEIR.

25-11 **Comment:** The DEIR should more clearly document what portion of the total projected trips for would be "internal" trips, i.e., residents of the area commuting to jobs within the area. Please clarify whether fewer jobs by 2010 would translate into larger traffic volumes on adjacent freeways and arterials. If the planned jobs do not occur, how do you mitigate for the lopsided "jobs/housing" balance?

Slower than planned job creation may be a critical, and undocumented impact that is not addressed in the DEIR.

For example, we have found in our analysis of the Mountain House "new town" project (Mountain House General Plan Amendment FEIR, SCH # 90020776) that there are greater impacts (more trips) added to the regional transportation network if fewer jobs than projected by the full buildout of the "project" occurs by some point (say, by the year 2010). The greater transportation impacts may occur because, with fewer jobs created in relationship to the housing that is built, the "jobs/housing" balance is worse, there are fewer "internal trips" that stay within the project, and there is more out-commuting to job opportunities elsewhere in the region.

Response to Comment 25-11: Table 3.3-8, page 3.3-16 in the DEIR, indicates that 20 percent of Eastern Dublin residents are projected to work in Eastern Dublin. If fewer jobs occur by the Year 2010, a greater percentage of Eastern Dublin residents would be expected to commute elsewhere. A reduction of jobs would also reduce traffic to and from non-residential land uses. Since non-residential land uses would account for two-thirds of Eastern Dublin traffic generation, it is reasonable to assume that reductions in non-residential land use would decrease overall traffic generation more than they would increase residential out-commute traffic. The Eastern Dublin project is significantly different than Mountain House in terms of traffic distribution. A significant portion of the traffic generation in Eastern Dublin would be made up of retail land uses which would attract trips from other areas. The Mountain House plan is intended to provide a relative balance of housing and employment, and does not have as significant a regional retail component. Residential commuters would represent a much more significant proportion of traffic for Mountain House than for Eastern Dublin.

- 25-12 **Comment:** The DEIR appears to significantly understate the potential impacts of local plus cumulative regional growth on the mainline I-580 facility. A major deficiency of the DEIR is that it does not adequately analyze the cumulative impacts of planned growth in the region, including cumulative growth impacts due to development in southwestern San Joaquin County.

The cumulative impacts discussion of growth assumptions for "outside the Tri-Valley" (page 3.3-12) should be augmented to discuss exactly what land use inputs were used for our County. This discussion should also specifically list the New Jerusalem, Tracy Hills, and Mountain House "new town" projects as "cumulative projects" within proximity of the Eastern Dublin area (within 15-20 miles).

Response to Comment 25-12: The growth assumptions used for I-580 over the Altamont Pass were based on the San Joaquin General Plan, which included the proposed "new towns."

- 25-13 **Comment:** The DEIR contains future traffic projections for 2010 for the I-580 facility which are significantly lower than similar 2010 traffic projections that have been documented in the FEIR and SEIR for the Mountain House General Plan Amendment (SCH # 90020776) and for the updated San Joaquin County General Plan (SCH # 01012072).

Response to Comment 25-13: Traffic volumes on I-580 cannot be directly compared between the Eastern Dublin EIR and the EIR's for Mountain House and the San Joaquin County General Plan. The Mountain House and San Joaquin studies indicate volumes at Vasco Road and at the Altamont Pass, while the Eastern Dublin EIR identifies traffic volumes several interchanges to the west at Airway Boulevard. The Mountain House and San Joaquin traffic projections are based on the San Joaquin County traffic model. The San Joaquin County traffic model has a very skeletal road network outside of San Joaquin County and does not include important facilities which parallel I-580 such as the Dublin Boulevard extension and new roads associated with North Livermore development.

- 25-14 **Comment:** The Eastern Dublin DEIR estimates that 2010 average daily two-way trips on I-580 east of the Airway Blvd. interchange will be about 155,000 average daily trips, with the project. However, the Mountain House FEIR projects 2010 ADT volumes of 227,000 trips on I-580 west of Vasco and 186,000 daily trips at the Altamont Pass for the "worst case" Market Constraint scenario. The recently issued Mountain House Supplemental EIR contains slightly lower 2010 traffic projections, 204,600 ADT west of Vasco and 191,000 ADT at the Altamont.

Thus, the City's DEIR seems to underestimate future traffic levels by at least 50,000 to 70,000 trips between Vasco Road and Airway Blvd. The difference between the two sets of 2010 traffic projections is 30% to 50%! Similar large discrepancies in 2010 projected traffic volumes for I-580 in the North Livermore and Dougherty Valley DEIR's, as compared to our San Joaquin County projections, have been noted in the recent memo that I handed out to the Tri-Valley Transportation Council (see attached).

Response to Comment 25-14: See response to Comment 25-13.

- 25-15 **Comment:** We question whether the DEIR mitigation measures related to sewer export and water supply issues truly "reduce the identified impacts to a level of insignificance."

The DEIR correctly notes that the lack of wastewater current disposal capacity is a

significant impact (page 3.5-8). Yet, the only substantive mitigation measure offered to rectify this impact, other than recycling wastewater, is: "Support TWA in its current efforts to implement a new wastewater export pipeline system, which would also serve eastern Dublin" (MM 3.5/11.0).

How can simply voicing support for an agency that may or may not find a regional solution to the export problem serve to "reduce this impact to a level of insignificance?" Why doesn't the mitigation measure at least call for the project developer to participate financially in a solution? What is the timeline for the TWA to implement a solution? The "impact" text should be amended to discuss this.

We suggest that this regional problem has not yet been solved, and until it is, the impact of the "lack of disposal capacity" should be described as "significant and unmitigated at this time."

Response to Comment 25-15: Support of the TWA project is critical to the completion of Eastern Dublin. DSRSD, in its October 15, 1992 letter commenting on the Draft Specific Plan and General Plan Amendment for Eastern Dublin, stated that,

"The facilities planned by the members of Tri-Valley Wastewater Authority (TWA) are therefore essential to the development proposed by the Specific Plan and the General Plan Amendment."

The TWA facilities must be constructed with adequate capacity for Eastern Dublin. Without TWA capacity for Eastern Dublin, the Eastern Dublin Project cannot proceed. TWA has examined three development scenarios and three alternative alignments. One of these development scenarios, "Prospective General Plans," does include the Eastern Dublin Project. TWA has recommended Alternative North 3, which would collect untreated wastewater from the service area and export it north to CCCSD for treatment and disposal. Therefore, MM 3.5/11.0, once implemented, is an appropriate mitigation measure to IM 3.5/G.

Financing for the TWA project is discussed in the TWA Subsequent EIR.

A timeline for TWA to implement a solution has not been completed. However, the TWA Subsequent EIR has noted that the capacity of the existing export pipeline and treatment plants will be exceeded in the late 1990's or in the first decade of the next century.

As for the comment stating that this "regional problem has not yet been solved," this is true. However, the TWA Subsequent EIR, which was certified on October 22, 1992, is a significant step towards the planning, design and construction of a TWA project. In order to strengthen the mitigation relating to disposal capacity, a mitigation measure has been added (see Response to Comment 32-22) that requires a "will-serve" letter from DSRSD prior to any development, and such letters will only be issued if adequate treatment and disposal capacity are available. The implementation of this measure in addition to Mitigation Measures 3.5/7.0 through 3.5/14.0 will reduce the impact to an insignificant level.

- 25-16 **Comment:** Likewise, the DEIR correctly notes that the lack of a verifiable water supply from Zone 7 for the project is a significant impact (page 3.5-14 through 19), but the only substantive mitigation measure, other than water conservation and recycling, is a reference to three water plans prepared by the Zone 7 district office (MM 3.5/28.0, page 3.5-18).

The measure as currently phrased is not a mitigation for a lack of water supply for the Specific Plan area. The FEIR should contain further information regarding whether Zone 7 intends to serve the project site, if it finds additional water supplies. A timeline for finding these water supplies should be analyzed, based upon the most recent discussion with staff.

Without additional information and a conditional commitment from the Zone 7 board to serve the site, the DEIR is not justified in stating that the measures will "reduce this impact to a level of insignificance."

Response to Comment 25-16: The EIR authors disagree with these comments. The mitigation measures presented in the Specific Plan and DEIR are appropriate and will reduce the impact to the level of insignificance. In addition, DSRSD has made a strong commitment to secure additional water supplies for new developments.

In its October 15, 1992 letter commenting on the Draft Specific Plan and General Plan Amendment for Eastern Dublin, DSRSD had the following comments on the availability of potable water:

"The Eastern Dublin Planning Area is within the wholesale water supply area of Zone 7. Accordingly, DSRSD's first choice to acquire supplies for Eastern Dublin development will be directly from Zone 7. Accordingly, the Board of Directors passed Resolution 5-92 in February, 1992. This Resolution established the District's policy on securing additional water supplies for existing and future customers. The Resolution states that it is the District's policy to:

- First and foremost secure water to meet the needs of existing customers.
- Pursue acquisition of additional water supplies to meet the needs of new developments being planned by the land use planning agencies.
- Cooperate with Zone 7 to obtain new water but to take the necessary steps to acquire this water from sources other than Zone 7, if that is what is required.
- That ultimate beneficiaries of the new water equitably participate in funding of the planning, engineering, acquisition, and delivery of that water, to our service area.

"DSRSD is now undertaking a Water Resources Acquisition Study, the goal of which is to acquire or develop new water resources to both stabilize the existing water supply and to provide long term firm deliveries to new areas. To date, this work is being funded in its entirety by development interests in Western Dublin and Dougherty Valley. District staff has had preliminary discussions with development interests in Eastern Dublin to ensure equitable funding for the search for water for Eastern Dublin. To date, DSRSD has tentatively examined a number of potential water suppliers and has targeted three potential search supplies for consideration.

"In order to meet future demand, DSRSD is also pursuing other sources of water that will include the use of recycled water from its treatment plant as well as water conservation through the implementation of 'Best Management Practices' for Urban Water conservation."

25-17 **Comment:** The impact discussion regarding the San Joaquin kit fox may be deficient. The DEIR notes that impacts from new development could adversely impact kit fox dens and habitat. The document states that "one potential kit fox track and 41 potential dens" were found in the GPA area (page 3.7-4 and Figure 3.7-C).

The impact discussion should be augmented by contacting representatives of the U.S. Fish and Wildlife Service directly to determine whether the agency would recommend that a comprehensive San Joaquin kit fox survey, according to protocol adopted by Region 4, should be conducted. Based upon the evidence presented in the DEIR discussion, there seems little doubt that the Federal government will require more extensive surveys and, quite possibly, the preparation of a Habitat Conservation Plan.

Response to Comment 25-17: The Draft EIR does indicate (see page APP-D/26) that on June 16, 1989, a set of tracks were found at a scent station in the northeastern portion of the general plan area (T. 2S R. 1E, NW $\frac{1}{4}$ of Section 25). The size, shape and overall configuration of the toes and heel pad resembled known reference tracks from kit fox collected in the western San Joaquin Valley. However, the Draft EIR also indicates (page APP-E/2) that the only confirmed occurrence of a kit fox and den in the Project vicinity (along Collier Canyon Road) is 20 years old. Potential dens are a habitat feature that relate to potential habitat suitability and quality, and do not indicate the presence of kit fox (see page APP-E/1).

Focused surveys for kit fox (see page APP-D/8 and page APP-E/1) were conducted by BioSystems in 1989, following survey methods suggested by Orloff (1992) and incorporated several additional procedures. The Eastern Dublin survey predated California Department of Fish and Game Region 4 protocol (CDFG 1990). However, CDFG survey guidelines were essentially adopted from the procedures established by Orloff (1992). Harvey and Associates (1991) conducted standardized surveys (CDFG Region 4) for kit fox in portions of the Eastern Dublin Specific Plan Area (see page APP-E/2).

USFWS did not respond to the DEIR. USFWS personnel have been contacted on numerous occasions over the past five years and concur with us that additional surveys are not going to clarify kit fox issues in the Eastern Dublin project area (Kohl pers. comm. 1990, Simons pers. comm. 1992, and Laymon pers. comm. 1992). USFWS personnel have not indicated that they will require Section 10A permit for the Eastern Dublin project area (see response to comment 22-14).

- 25-18 **Comment:** The FEIR should include further discussion of the process under Section 10 (a) or Section 7 of the U.S. Endangered Species Act, through which the project proponent may be required to consult with the Service and/or to prepare a Habitat Conservation Plan. The FEIR should discuss whether other species of concern could or should be included in any conservation plan that is prepared. Most importantly, the FEIR should include additional mitigation measures which specify exactly when during the Specific Plan and General Plan Amendment process such a plan or consultation should be required.

Response to Comment 25-18: If it is determined by pre-construction surveys (during buildout of the project) that a proposed development will cause the incidental "take" of a species listed or proposed for listing as threatened or endangered under the federal Endangered Species Act (ESA), and there is no federal involvement in the development, then a Section 10A permit is required for the incidental "take" as specified in Section 9 of the Act.

- 25-19 **Comment:** The FEIR should also discuss other kit fox mitigation programs in the area (eastern Contra Costa County, western San Joaquin County). In addition, mitigation measure MM 3.7/18.0 should be augmented to summarize the specific measures that are recommended in the BioSystems Kit Fox Protection Plan (Appendix E). Without further information and justification included in the FEIR, and without concurrence from the federal government, the two DEIR mitigation measures for the kit fox that are included

(page 3.7-13) fail to justify a finding that the measures will "reduce impacts to an insignificant level."

Response to Comment 25-19: Kit fox mitigation programs in Alameda County, eastern Contra Costa County and western San Joaquin County differ from project to project depending on several factors including, results from kit fox surveys, the type, reliability and age of existing information of kit fox sightings, the type, extent, and quality of kit fox habitat impacted by a proposed project, and the location of the project in relation to occupied fox habitat. For recent projects in eastern Contra Costa County and western San Joaquin County that occur within occupied kit fox habitat, USFWS has required in-kind habitat protection of 3 acres for every 1 acre lost (e.g., Los Vaqueros Reservoir Project, Mountain House New Town, Safeway Distribution Center, etc.). Some habitat types with agricultural land use (e.g., dry land cultivation, etc.) falling within the USFWS distance criteria are being compensated at a lower (i.e., 1:1 or less) ratios based on their suitability to kit fox. Mitigation programs for these projects also include measures to reduce the potential for incidental take. USFWS has not officially responded to the Eastern Dublin DEIR.

Appendix E and the mitigation measures that are recommended are part of the DEIR. One of the primary objectives of the mitigation measures for kit fox is to minimize the potential for "take" of the fox as a result of development activities within the Project area. Mitigation also includes actions to offset habitat loss through enhancement and rehabilitation actions, and still others incorporated through land use planning and project design.

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OCT 29 1992

DUBLIN PLANNING



SAN JOAQUIN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

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October 29, 1992

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

Dear Planning Commissioners:

These comments are in response to the Eastern Dublin Draft EIR (DEIR).

Briefly, we have comments regarding five aspects of the DEIR analysis:

- o The document fails to address the market feasibility of the amount of planned commercial/industrial growth, and number of jobs projected under both the Specific Plan and General Plan Amendment scenarios, and fails to identify a realistic phasing schedule. The "jobs/housing" analysis is deficient, since it simply assumes that all of the planned jobs will occur by the year 2010, with no analytic justification.
- o Related to the above comment, because no "market-demand" job phasing schedule was developed, the DEIR may have failed to identify and analyze some of the "worst case" impacts, especially in terms of impacts to the regional transportation system.
- o The DEIR does not appear to accurately analyze cumulative impacts of growth in the region for the year 2010, including southwestern San Joaquin County, and thus may significantly understate the potential impacts of local plus cumulative regional growth on the mainline I-580 facility.
- o We question whether the DEIR mitigation measures related to sewer export and water supply issues truly "reduce the identified impacts to a level of insignificance."
- o The impact discussion and mitigation program for the San Joaquin kit fox may be deficient.

Our specific comments follow.

Letter to Dublin Planning Commission
October 29, 1992

1. The project descriptions for the Specific Plan and the General Plan Amendment land use scenarios fail to indicate when the planned job growth is anticipated to build out, although the project description does note that the General Plan Amendment land uses "will take at least 30-40 years" for buildout.

The impacts sections of the DEIR seem to suggest that buildout of all the Specific Plan housing and employment (12,500 housing units and 28,300 jobs) would occur by 2010, although this assumption is never justified by any analysis. The buildout assumptions for the two scenarios seem inconsistent, since the text states the General Plan Amendment land uses "will take at least 30-40 years" for buildout, yet the Specific Plan commercial land uses differ from the GPA uses by only a small amount (1,200 jobs), and the housing varies by about 5,500 units. 25-1

This makes no sense unless the difference in buildout applies only to housing unit absorption, not jobs. To add to the confusion, the transportation analysis appears to be based on a 2010 "buildout" that is constrained by the ABAG projections, which is inconsistent with either of the "buildout" assumptions.) Please clarify in the Final EIR.

The Final EIR and Specific Plan/General Plan Amendment text should be augmented to include discussion about the anticipated phasing of growth, and to clarify in the project description section the expected or proposed jobs and housing phasing schedule, perhaps by five year interval. The FEIR should also include discussion of how specific impacts and mitigation measures could be tied to phasing of residential or commercial/industrial growth. 25-2

2. Related to the phasing and buildout issue is the DEIR's lack of discussion of the market feasibility of the two separate land use scenarios (Specific Plan versus development of the larger General Plan Amendment area). Has, or will, the City require that market studies be prepared to test the viability of the proposed land uses? Specifically, has the City yet tested the financial and market feasibility of absorbing commercial and industrial park development in the Eastern Dublin area ranging between 9.85 and 10.57 million square feet of space? 25-3

Given the slowdown in the national and State economy, and the historically slow absorption rates of prime business park space at the Hacienda Business Park, and given the immense amounts of additional industrial and business park space that 25-4

Letter to Dublin Planning Commission
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is either built and unoccupied, or already planned, in the Tri-Valley area, is it reasonable to assume that another 10 or 11 million square feet of space could be absorbed in the Eastern Dublin area by the year 2010? 25-4 contd.

The FEIR should analyze a likely buildout schedule for the planned non-residential uses for both the Specific Plan area and the larger General Plan Amendment area, utilizing recent historic absorption rates for the Tri-Valley area. The analysis should also take into account competition from the other major development projects planned for the area (e.g., Dougherty Valley, Tassajara Valley, North Livermore, Mountain House and City of Tracy). 25-5

3. Because market feasibility is not discussed or analyzed in the DEIR, no "market-demand" job phasing schedule was developed and tested. Because there is no identification of a realistic, "market-demand" job growth land use alternative, "worst case" impacts (especially transportation impacts) which could occur under less than full build-out of planned commercial/industrial land uses may not have been adequately analyzed in the DEIR. (It is not clear what land use inputs were used for the transportation analysis. See comment (4) below.) 25-6

The FEIR should discuss whether this "market demand" scenario would differ significantly from the "project" assumption that all 28,300 of the planned jobs would be created by 2010.

The Final EIR also should clarify in each section, especially in the transportation section, whether the impacts and mitigation measures would be substantially different if the anticipated amount of job growth did not occur by the year 2010. 25-7

4. The text of the transportation analysis (pages 3.3-8 through 12) is quite confusing regarding the land use inputs to the transportation model. According to the project description (pages 2-6 through 2-9), the Specific Plan calls for "buildout" of 12,448 housing units and 28,288 jobs, and the larger General Plan Amendment area projects "buildout" of 17,970 units and 29,540 jobs. Yet, the transportation analysis seems to be based upon separate 2010 and "buildout" land use projections that are entirely different, in part based upon ABAG Projections '90. 25-8

Table 3.3-5 (page 3.3-10) seems to indicate that the transportation analysis used a 2010 land use input for the 25-9

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Eastern Dublin area of 13,900 households (or approximately 14,500 units) and 13,300 jobs, based upon ABAG Projections 190. These numbers do not correspond with either the General Plan Amendment or the Specific Plan "project." The footnote to the table is also unclear. 25-9 contd.

The problem is that the DEIR text is indiscriminate throughout the document in its confusing use of the word "buildout". The text in the transportation section conflicts from page to page. Page 3.3-11, first paragraph, states that Year 2010 projections were matched to the ABAG projections by census tract, yet the previous page 3.3-9 states that "year 2010 with project" analysis includes "full buildout development of the Eastern Dublin General Plan Amendment and Specific Plan." Was partial buildout of the Specific Plan and/or the GPA area assumed for 2010? If so, then the full impacts of the "project" have not yet been analyzed. 25-10

If the true "full buildout" number for both the Specific Plan and the GPA was used for the year 2010 (17,970 units and 29,540 jobs), then the analysis may be flawed, since the combined land uses are not expected by the year 2010.

This criticism may be applied to other sections of the DEIR. I strongly suggest that you rethink the use of the land use assumptions, and start by separating out the impacts that result from the Specific Plan versus those impacts that result from the General Plan Amendment. By mixing both together, and then confusing "buildout" or "2010" assumptions, you obfuscate the analysis throughout the DEIR.

5. The DEIR should more clearly document what portion of the total projected trips for would be "internal" trips, i.e., residents of the area commuting to jobs within the area. Please clarify whether fewer jobs by 2010 would translate into larger traffic volumes on adjacent freeways and arterials. If the planned jobs do not occur, how do you mitigate for the lopsided "jobs/housing" balance?

Slower than planned job creation may be a critical, and undocumented impact that is not addressed in the DEIR. 25-11

For example, we have found in our analysis of the Mountain House "new town" project (Mountain House General Plan Amendment FEIR, SCH # 90020776) that there are greater impacts (more trips) added to the regional transportation network if fewer jobs than projected by the full buildout of the "project" occurs by some point (say, by the year 2010). The

Letter to Dublin Planning Commission
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greater transportation impacts may occur because, with fewer jobs created in relationship to the housing that is built, the "jobs/housing" balance is worse, there are fewer "internal trips" that stay within the project, and there is more out-commuting to job opportunities elsewhere in the region. 25-11 contd

6. The DEIR appears to significantly understate the potential impacts of local plus cumulative regional growth on the mainline I-580 facility. A major deficiency of the DEIR is that it does not adequately analyze the cumulative impacts of planned growth in the region, including cumulative growth impacts due to development in southwestern San Joaquin County. 25-12

The cumulative impacts discussion of growth assumptions for "outside the Tri-Valley" (page 3.3-12) should be augmented to discuss exactly what land use inputs were used for our County. This discussion should also specifically list the New Jerusalem, Tracy Hills, and Mountain House "new town" projects as "cumulative projects" within proximity of the Eastern Dublin area (within 15-20 miles).

The DEIR contains future traffic projections for 2010 for the I-580 facility which are significantly lower than similar 2010 traffic projections that have been documented in the FEIR and SEIR for the Mountain House General Plan Amendment (SCH # 90020776) and for the updated San Joaquin County General Plan (SCH # 01012072). 25-13

The Eastern Dublin DEIR estimates that 2010 average daily two-way trips on I-580 east of the Airway Blvd. interchange will be about 155,000 average daily trips, with the project. However, the Mountain House FEIR projects 2010 ADT volumes of 227,000 trips on I-580 west of Vasco and 186,000 daily trips at the Altamont Pass for the "worst case" Market Constraint scenario. The recently issued Mountain House Supplemental EIR contains slightly lower 2010 traffic projections, 204,600 ADT west of Vasco and 191,000 ADT at the Altamont. 25-14

Thus, the City's DEIR seems to underestimate future traffic levels by at least 50,000 to 70,000 trips between Vasco Road and Airway Blvd. The difference between the two sets of 2010 traffic projections is 30% to 50%! Similar large discrepancies in 2010 projected traffic volumes for I-580 in the North Livermore and Dougherty Valley DEIR's, as compared to our San Joaquin County projections, have been noted in the recent memo that I handed out to the Tri-Valley Transportation Council (see attached).

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Please discuss and reconcile these differences in the FEIR.

7. We question whether the DEIR mitigation measures related to sewer export and water supply issues truly "reduce the identified impacts to a level of insignificance."

The DEIR correctly notes that the lack of wastewater current disposal capacity is a significant impact (page 3.5-8). Yet, the only substantive mitigation measure offered to rectify this impact, other than recycling wastewater, is: "Support TWA in its current efforts to implement a new wastewater export pipeline system, which would also serve eastern Dublin" (MM 3.5/11.0).

25-15

How can simply voicing support for an agency that may or may not find a regional solution to the export problem serve to "reduce this impact to a level of insignificance?" Why doesn't the mitigation measure at least call for the project developer to participate financially in a solution? What is the timeline for the TWA to implement a solution? The "impact" text should be amended to discuss this.

We suggest that this regional problem has not yet been solved, and until it is, the impact of the "lack of disposal capacity" should be described as "significant and unmitigated at this time."

Likewise, the DEIR correctly notes that the lack of a verifiable water supply from Zone 7 for the project is a significant impact (page 3.5-14 through 19), but the only substantive mitigation measure, other than water conservation and recycling, is a reference to three water plans prepared by the Zone 7 district office (MM 3.5/28.0, page 3.5-18).

The measure as currently phrased is not a mitigation for a lack of water supply for the Specific Plan area. The FEIR should contain further information regarding whether Zone 7 intends to serve the project site, if it finds additional water supplies. A timeline for finding these water supplies should be analyzed, based upon the most recent discussion with staff.

25-16

Without additional information and a conditional commitment from the Zone 7 board to serve the site, the DEIR is not justified in stating that the measures will "reduce this impact to a level of insignificance."

Letter to Dublin Planning Commission
October 29, 1992

8. The impact discussion regarding the San Joaquin kit fox may be deficient. The DEIR notes that impacts from new development could adversely impact kit fox dens and habitat. The document states that "one potential kit fox track and 41 potential dens" were found in the GPA area (page 3.7-4 and Figure 3.7-C).

The impact discussion should be augmented by contacting representatives of the U.S. Fish and Wildlife Service directly to determine whether the agency would recommend that a comprehensive San Joaquin kit fox survey, according to protocol adopted by Region 4, should be conducted. Based upon the evidence presented in the DEIR discussion, there seems little doubt that the Federal government will require more extensive surveys and, quite possibly, the preparation of a Habitat Conservation Plan.

25-17

The FEIR should include further discussion of the process under Section 10 (a) or Section 7 of the U.S. Endangered Species Act, through which the project proponent may be required to consult with the Service and/or to prepare a Habitat Conservation Plan. The FEIR should discuss whether other species of concern could or should be included in any conservation plan that is prepared. Most importantly, the FEIR should include additional mitigation measures which specify exactly when during the Specific Plan and General Plan Amendment process such a plan or consultation should be required.

25-18

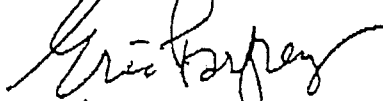
The FEIR should also discuss other kit fox mitigation programs in the area (eastern Contra Costa County, western San Joaquin County). In addition, mitigation measure MM 3.7/18.0 should be augmented to summarize the specific measures that are recommended in the BioSystems Kit Fox Protection Plan (Appendix E). Without further information and justification included in the FEIR, and without concurrence from the federal government, the two DEIR mitigation measures for the kit fox that are included (page 3.7-13) fail to justify a finding that the measures will "reduce impacts to an insignificant level."

25-19

If you should have any questions regarding these comments, or need further clarification, please feel free to contact me at (209) 468-3153.

Letter to Dublin Planning Commission
October 29, 1992

Sincerely,



Eric Parfrey,
SENIOR PLANNER

EP/ep

File: EIR-OA 92-

cc: Henry Hirata, SJ County Public Works
Andy Chesley, SJ County Council of Governments
Caltrans, Districts 10 and 4
Adolph Martinelli, Alameda County Planning
Dennis Fay, Alameda County Congestion Management Agency
Bill van Gelder, City of Pleasanton
Bob Brown, City of Livermore
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**SAN JOAQUIN COUNTY
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October 19, 1992

MEMORANDUM:

TO: Tri-Valley Transportation Council

FROM: Eric Parfrey, Senior Planner

SUBJECT: Differences in 2010 traffic projections for
I-580 corridor

As we see from the comparison of recently published EIR's, the various Tri-Valley 2010 traffic projections are consistently lower than San Joaquin County's projections, by a factor of 30% to 60%.

The San Joaquin County regional travel demand model includes land use data for a 15+ county area in Northern California. The model incorporates 2010 MTC "auto person trip ends" (based upon ABAG's Projections '90), plus Council of Governments 2010 housing and job projections for the Sacramento metro region; for Stanislaus and San Joaquin Counties; and for the foothill counties (Amador, Calaveras, etc.).

The model results for the Mountain House project FEIR and the updated Supplemental EIR show 2010 projected volumes for the I-580 corridor at the Altamont Pass of 186,000 to 191,000 ADT. This translates into a volume/capacity ratio of about 1.32 (32% over capacity). Adding one more lane in each direction (perhaps a truck-climbing lane), plus a 5% reduction in trips due to TDM measures, would drop the v/c ratio to about 1.14.

Although the zonal structure of the SJ County model becomes much less detailed in the Tri-Valley area, the model does indicate 2010 traffic volumes near Vasco Road that are approximately 31% to 46% higher than the Eastern Dublin DEIR projections for I-580 west of Vasco Road. The projections in the Dougherty Valley DEIR are closer to the SJ County projections, only 14% to 27% lower. However, the 2010 projections in the North Livermore DEIR are absurdly low, up to 60% below the San Joaquin County volumes.

Projected I-580 ADT volumes from Recent EIR's
for year 2010 and Buildout

<u>EIR</u>	<u>Location</u>	<u>Volume</u>	<u>Land Use Assumptions</u>
No. Livermore	e/o Collier	141,900	2010 ABAG w/ 10,000 pop. project (same)
	e/o Vasco	109,800	
Dougherty Valley	e/o Tassaj.	176,300	2010 ABAG w/o Do. Vly.
	e/o Tassaj.	179,900	2010 ABAG w/ Do. Vly.
	e/o Tassaj.	187,300	Buildout w/ Do. Vly.
East Dublin	e/o Airway	141,000	2010 ABAG w/o E.Dublin
	e/o Airway	155,000	2010 ABAG w/ E. Dublin
	e/o Airway	179,000	Buildout w/ E. Dublin

Mountain House	w/o Vasco	227,000	2010 MTC inputs, Sacto COG, SJ Co. w/ "market constraint" project & 4 other "new towns" (SJC pop. of 865,000) (same)
	Altmnt Pass	186,000	
Mountain House ASEIR	w/o Vasco	204,000	same as above w/ full buildout of 19,000 jobs, 2 "new towns"
	Altmnt Pass	191,000	(same)
=====			

EIR's cited: North Livermore General Plan Amendment (Jan., 1992),
analysis by TJKM; Dougherty Valley GPA (June, 1992),
analysis by TJKM; Eastern Dublin GPA (August, 1992),
analysis by DKS; Mountain House GPA (March, 1992)
analysis by DKS; Mountain House GPA Supplemental
(October, 1992) analysis by DKS.

Response to Letter 26: Heather Anne Bovat, Assistant Planner, City of San Ramon

- 26-1 **Comment:** Overall, while thorough, the DEIR is difficult to read. Many of the sections are fragmented, in particular, sections throughout Chapter 3, Environmental Setting, Impacts, and Mitigation Measures. There are also several typographical errors and it is suggested that you run a spell check throughout the document.

Response to Comment 26-1: Comment acknowledged.

- 26-2 **Comment:** In our opinion, many of the Tables should be examined for accuracy and consistency with the text. Several of the tables are numerous pages in length, yet categorical headings are often found at the end of the page while information is continued to the following page without its appropriate heading. For an example, see Chapter 3, Section 3.1, Table 3.1-4, page 3.1-31. Footers should be used and cited appropriately, for example, see Table 2.0-2 on page 2-9.

Response to Comments 26-2: Comment acknowledged.

- 26-3 **Comment: Dwelling Unit Counts, Page SM-5** - The number of dwelling units projected in the project summary, 12,458, is not consistent with Table 2.0-2 on page 2-9 projecting 12,448 dwelling units. This should be clarified.

Response to Comment 26-3: Table 2.0-2 is correct, the total number of dwelling units is 12,448. The first full paragraph on page SM-5 of the Draft EIR has been revised as follows:

At buildout, the Specific Plan is projected to provide ~~12,548~~ **12,448** new housing units (70% of the Project) and Dublin's population will increase by 27,794 new residents.

- 26-4 **Comment: Commercial Space.** The project summary states that 10,928 million square feet (MSF) of new commercial space will be developed by the project. However, in Table 2.0-2, page 2-8, the project's yield is 9.854 MSF of commercial space and 1.074 MSF of public/semi-public space, which total 10,928 MSF of combined commercial and public/semi-public space. This is misleading and should be clarified.

Response to Comment 26-4: The 10,928 MSF of commercial uses identified in the summary includes the 1.074 MSF of public/semi-public uses.

- 26-5 **Comment: Land Use, Page 3.1-11.** Upon referring to land use in the project site vicinity, the DEIR identifies major business parks throughout the Tri-Valley, yet neglects to discuss the proximity of Bishop Ranch in San Ramon relative to the proposed project. Given the obvious subregional jobs/housing relationship between San Ramon and Dublin, this appears to be a significant omission. Please clarify.

Response to Comment 26-5: The purpose of the discussion on page 3.1-11 is to identify land uses adjacent to the Project site in order to discuss the potential for land use compatibility conflicts. The presence of Bishop Ranch and its importance as an employment center is discussed on page 3.2-4 of the DEIR.

- 26-6 **Comment: Dougherty Valley, Page 3.1 - 20.** Contra Costa County's (CCC's) Specific Plan for the Dougherty Valley encompasses 6,010 acres, not 6,000. The County's planning effort does not "parallel" the City of San Ramon's planning efforts.

Response to Comment 26-6: Comments noted. The fourth paragraph on page 3.1-20 under the heading *Dougherty Valley Specific Plan* is revised as follows:

Contra Costa County proposes 11,000 residential units on ~~6,000~~ **6,010** acres in Dougherty Valley. **The County's plan also proposes a range of non-residential development from 380,000 square feet to 680,000 square feet.** This planning effort ~~parallels covers the same geographic area previously planned for by~~ the City of San Ramon ~~for the same area~~ (refer to *City of San Ramon* below.)

- 26-7 **Comment: Page 3.1 - 21.** The City of San Ramon's draft specific plan for the Dougherty Valley proposes a total of 9,000 dwelling units and approximately 300,000 MSF of non-residential development.

Response to Comment 26-7: Comments acknowledged. The fourth full paragraph on page 3.1-21 under the heading *Dougherty Valley Growth Management and Specific Plan* is revised as follows:

This plan proposes ~~11,000~~ **9,000** residential units and ~~313,000~~ **300,000** square feet of non-residential space on the Windemere and Shapell properties.

- 26-8 **Comment:** The County's Specific Plan proposes a range of non-residential development from 380,000 square feet to 680,000 square feet.

Response to Comment 26-8: Comment acknowledged. See response to Comment 26-6.

- 26-9 **Comment: Jurisdictional Boundaries, Figure 3.1 E** - The jurisdictional boundary depicted for the City of San Ramon in this figure is not accurate. The City of Dublin should refer to San Ramon's General Plan Map for accurate Sphere of Influence boundaries for San Ramon.

Response to Comment 26-9: Comment acknowledged. Figure 3.1-E has been revised to reflect the current sphere of influence boundaries for the City of San Ramon.

- 26-10 **Comment: Employment, Page 3.2-4** - The City of San Ramon estimates Bishop Ranch to presently consist of 5.9 MSF with a buildout figure of approximately 9.4 MSF of office and light industrial space. In addition, the City of San Ramon anticipates that Bishop Ranch will employ 29,000 individuals at buildout. These figures are not accurately depicted in the DEIR and should be revised.

Response to Comment 26-10: Comments acknowledged. The sixth paragraph on page 3.2-4 is revised as follows:

Bishop Ranch in the City of San Ramon contains approximately ~~5.1~~ **5.9** million square feet of industrial and office space and employs approximately 14,000 people. At buildout in 1996, Bishop Ranch is anticipated to have 9.4 million square feet of ~~commercial/office~~ **and light industrial** space and approximately ~~26,000~~ **29,000** employees.

- 26-11 **Comment: Population Factor.** As a general rule, the City of San Ramon has used 2.71 persons per dwelling unit in order to generate population projections. The DEIR projects population factors ranging from 2 persons per dwelling unit to 3.2 persons per dwelling unit. Please clarify.

Response to Comment 26-11: The generation factors used in the Plan and Draft EIR reflect actual conditions in Dublin based on data from the 1990 Census.

- 26-12 **Comment: Population and Employment Generation, Table 3.2-5, Page 3.2-7** - There are several errors in this table which need to be adjusted, such as the person per dwelling unit factor of 23.2.

Response to Comment 26-12: Correction previously noted. See response to Comment 3-7.

- 26-13 **Comment: Roadway Segments, Page 3.3-3** - In the assessment of levels-of-service (LOS) for roadway segments, maximum daily traffic volumes have been utilized for analyzing impacts. Utilization of peak hour directional traffic volumes and capacities would more accurately assess peak period project impacts on the existing and future street network. Please clarify.

Response to Comment 26-13: See response to Comment 22-5. The level of traffic analysis in the DEIR is consistent with the level of analysis used in studies of long-range development and city general plans.

- 26-14 **Comment: Intersection Operations, Pages 3, 3-4, 3.3-5** - The LOS analysis for existing intersections included only five signalized and four unsignalized intersections. With such a limited perspective, it is unlikely that all project impacts have been identified. No San Ramon intersections have been identified for analysis. Please clarify.

Response to Comment 26-14: The analysis of project impacts and mitigations includes 18 intersections. These intersections represent locations where Eastern Dublin traffic impacts would be significant. Eastern Dublin traffic which passes through San Ramon intersections would primarily have an origin or destination at a San Ramon land use. The traffic impacts associated with San Ramon land uses have been evaluated concurrent with the environmental analyses of the San Ramon General Plan and other subsequent studies. The City of Dublin will continue to participate, together with the other jurisdictions in the Tri-Valley Transportation Council including the City of San Ramon, in regional transportation studies and subsequent regional improvement and funding programs.

- 26-15 **Comment:** Also, the LOS analysis evaluated the P.M. peak hour, however, the A.M. peak hour analysis has been excluded from the evaluation process.

Response to Comment 26-14: See responses to Comments 12-1 and 12-6.

- 26-16 **Comment:** The existing LOS uses the operations methodology from the 1985 Highway Capacity Manual (HCM) for evaluating signalized intersections. In Table 3.3-4, the unsignalized intersections are shown with LOS A and the statement that "average vehicle delays are not applicable for unsignalized intersections." It is not clear as to the LOS methodology utilized for the unsignalized locations. LOS for unsignalized intersections relies on a different methodology (Chapter 10, 1985 HCM) than signalized intersections. LOS for unsignalized intersections evaluates each individual turning movement and assigns a LOS based upon the ease for accomplishing a conflicting turning movement. Please clarify.

Response to Comment 26-16: The analysis of unsignalized intersections followed the procedure from the 1985 Highway Capacity Manual, Chapter 10, for the intersections at Fallon and El Charro Roads. The intersections at Airway Boulevard have been converted to all-way stop-control, so the methodology from Transportation Research Board Circular

described in the 1985 *Highway Capacity Manual*. See response to Comment 26-14.

- 26-24 **Comment: Appendix, Part II.** In consideration of all the appendices included (Appendices A-I), why was the traffic LOS analysis excluded from the EIR Technical Appendix?

Response to Comment 26-24: The detailed intersection calculations were not considered to be of general interest. These calculations are available at the City of Dublin.

- 26-25 **Comment: Police Services, Page 3.4-1** - The DEIR states that the California Highway Patrol would be responsible to ensure road safety and enforce traffic and circulation laws within the proposed Specific Plan and General Plan Amendment areas. However, no narrative is provided to assure the reader that the California Highway Patrol has the fiscal capability to extend service to this area. The DEIR should analyze the impacts of this project on the California Highway Patrol and if found significant should provide adequate mitigation measures and funding mechanisms.

Response to Comment 26-25: The DEIR does not say that the CHP will be responsible for ensuring road safety and enforcing traffic and circulation laws within the Project. The referenced text describes existing conditions. Currently the CHP and the Sheriff's Department share law enforcement responsibilities in the unincorporated area. The CHP's specific responsibility is to ensure road safety and enforce traffic laws. Once the area is incorporated, these duties would generally be handled by the Dublin Police Department.

- 26-26 **Comment: Fire Protection, Page 3.4-6** - Language should be added to mitigation measure 3.4/12.0 to include the appropriate Park District in any preparation of a wildfire management plan for the project area.

Response to Comment 26-26: Comment acknowledged. The following text has been inserted after the third bullet in MM 3.4/12.0 on page 3.4-6:

- Any park districts and/or open space agencies with ownership or management responsibilities within the Project area shall be requested to participate in and/or provide input to the preparation of the wildfire management plan for the project area.

- 26-27 **Comment: Schools, Page 3.4-7** - The setting discussion implies that AB 2926 developer fees may sometimes be adequate to cover costs of acquiring land and constructing school facilities. The text should be modified to more accurately reflect the difficulty of securing funds for new school construction. The text should also highlight the shortfall between AB 2926 fees and projected construction costs, the lack of any local funding measures and the likelihood that the State will not be able to cover any funding shortfalls.

Response to Comment 26-27: The referenced text does not discuss school financing. However, it was certainly not the intent to imply that State funding would be adequate to cover the cost of new schools. In fact, IM 3.4/J (page 3.4-13) specifically identifies school financing as a potentially significant impact because of the shortage of both State and local funding for new schools. It is for this reason that Specific Plan Policy 8-3 was included as a mitigation measure (MM 3.4/17.0) in the DEIR. MM 3.4/17.0 requires new development in eastern Dublin to fully mitigate the impact of growth in eastern Dublin on school facilities.

- 26-28 **Comment: Parks and Recreation, Page 3.4-18** - A mitigation measure should be added to require that the City of Dublin, the City of San Ramon, Alameda County, Contra Costa

County and the East Bay Regional Park District participate in a cooperative planning process to ensure trail linkages between the East Dublin Planning Area and the Dougherty Valley Planning Area.

Response to Comment 26-28: The EIR cannot require other jurisdictions to participate in cooperative planning. However, the intent of the suggested mitigation is already addressed in MM 3.4/32.0 on page 3.4-19 of the DEIR. This mitigation measure establishes as City policy the need to establish a trail system within eastern Dublin that connects with planned regional and subregional trail systems.

- 26-29 **Comment: Solid Waste, Page 3.4-20** - The DEIR states that the Altamont Landfill has less than eight years of capacity remaining and also identifies this sight [sic] as providing future capacity. The text should be expanded to include analysis if this sight [sic] is not expanded and if Alameda County residents do not recycle and compost at current rates.

Response to Comment 26-29: As is stated in the DEIR, the landfill owners are currently pursuing a major expansion of the existing facility. If no expansion occurs, it is likely that development could be slowed or halted until a new site was identified or additional capacity was obtained. The *California Integrated Waste Management Act* requires jurisdictions to reduce waste flows. If jurisdictions do not meet the required reductions in waste flows they will be subject to substantial fines from the State.

- 26-30 **Comment: Visual Resources,** Mitigation measures described in this section suggest that Dublin will conduct visual surveys to identify scenic routes as well as conduct a visual analysis to adequately assess the impacts of the proposed project on the Tri-Valley. These studies and analyses should be completed due to the magnitude of the project with additional mitigation measures to ensure the protection of visual resources.

Response to Comment 26-30: Comment noted. In addition to requiring individual projects to undertake visual analyses to avoid adverse impacts, the Plan and EIR also provide a range of visual resource policies to guide the City in their review of future development.

- 26-31 **Comment: Cultural Resources,** The DEIR fails to identify funding mechanisms for the mitigation measures proposed. The DEIR should also identify how the mitigations will be paid.

Response to Comment 26-31: Responsibility for mitigating impacts to cultural resources belongs to the proponents of the project causing the impact.

- 26-32 **Comment: Noise,** The noise section of the DEIR should be reanalyzed to reflect the adjustment to the traffic section called for within this letter. In addition the DEIR should analyze and mitigate any noise impacts to residents along the I-680 corridor and proposed development in the Dougherty Valley. Any improvements necessary in San Ramon or the Dougherty Valley should conform to all applicable San Ramon regulations and should be coordinated through the San Ramon Community Development Department.

Response to Comment 26-32: Noise impact analysis along I-680 and along roadways within San Ramon are beyond the scope of this EIR. Traffic from eastern Dublin will comprise a relatively small proportion of future traffic in these areas, and is not expected to have a noticeable affect on noise levels. As indicated by the Draft EIR, noise volumes along I-580 are projected to increase by 1 dB or less, a change considered insignificant. I-680, which will receive a much lower volume of Project traffic than I-580, would not

experience significant increases in noise levels. Effects on surface streets within San Ramon are expected to be similarly insignificant, but recent noise analyses in the EIRs for the Dougherty Valley project should be referred to for such local impacts.

- 26-33 Comment: Air Quality Relative to New Commercial Facilities and Employee Trip Generation, IM 3.11/7.0 This mitigation measure states that transportation demand management techniques will be used to reduce mobile source emissions. This mitigation measure should be expanded to include a transportation management coordinator in order to insure implementation of appropriate mobile source emission controls at appropriate levels. Please expand and clarify.

Response to Comment 26-33: A plan or program level EIR is not the appropriate vehicle to identify the specifics of any given TDM program. Clearly, identification of a transportation coordinator as suggested is a necessary component of any successful trip reduction program for employment-related trip reduction. "Expand and clarify" will be a function of subsequent project level environmental documentation that will optimize a variety of TDM options for any specific or cumulative developments.

- 26-34 Alternative Analysis, The California Environmental Quality Act (section 15126) states that an DEIR shall discuss a "range of reasonable alternatives to the project, or to this location of the project, which could feasibly attain the basic objectives of the project". The DEIR should include the Dougherty Valley as a potential off-site alternative. At a minimum, the DEIR should provide narrative why this alternative was not selected for analysis.

Response to Comment 26-34: Given that the Project is a General Plan Amendment that plans for the long-term expansion of the City of Dublin, it would make little sense to explore an alternative site, particularly if the site is not contiguous to the City. Further, because the site is in a different county, the City of Dublin could not annex it. Also, given that both the City of San Ramon and Contra Costa County have proposals for intensive development of the Dougherty Valley, it seems unlikely that there is much additional development potential or political opportunity for Dublin in that area. (See page 4-20 of the DEIR for rationale for rejecting Western Dublin as an alternative site.)

373 was used. This explanatory text was inadvertently omitted from the DEIR. Since no individual movement exceeded level of service "A", Table 3.3-4 uses a single level of service "A" to characterize existing operations at the intersection. Projected traffic volumes will exceed Caltrans peak hour volume warrants for signalization at each of these intersections, and the analysis of future project impacts assumes that all study intersections will be signalized. The following text has been added after the first paragraph on page 3.3-5:

Unsignalized all-way stop controlled intersections were analyzed using a recently developed methodology which considers the average delays at an all-way stop for given traffic flows (Transportation research Board Circular 373). This method calculates LOS for each approach based on average vehicle stopped delay, and then a weighted average LOS for the entire intersection.

The unsignalized one or two-way stop or yield sign controlled intersections were analyzed using the methodology specified in the 1985 Highway Capacity Manual (Transportation Research Board Special Report 209). At these intersections, each turning movement that yields to an opposing movement is evaluated separately and assigned a level of service. The level of service is based on the relative ability of turning traffic to find adequate gaps in conflicting traffic flows. This method does not provide for calculation of an overall average LOS for the entire intersection, and therefore results for unsignalized intersections cannot be directly compared to LOS results for signalized intersections. All movements at the Fallon Road/I-580 ramps and El Charro Road/I-580 ramps currently operate at LOS A.

- 26-17 **Comment:** The unsignalized intersections utilized 1988 traffic counts for evaluating existing LOS. Are four year old counts representative of existing traffic conditions at the unsignalized locations?

Response to Comment 26-17: There have been few changes in traffic activity adjacent to the unsignalized intersections since 1988. The Fallon/El Charro freeway ramps continue to serve primarily quarry traffic, as they did in 1988. At Airway Boulevard, a gas station and hotel have been constructed, but there has been no major development at the Triad Business Park or adjacent to the Livermore Airport. Visual inspection of traffic conditions in 1992 also indicated no significant change in traffic operations, except that the ramp intersections at Airway Boulevard had been converted to all-way stop control.

- 26-18 **Comment: Existing Transit, Figure 3.3-C** - The BART Express Bus route in San Ramon indicates only the weekday route. The weekend route follows the Central Contra Costa Transit Authority (CCCTA) Route 121 bus route which operates during weekdays. The CCCTA Route 121 connects San Ramon to Walnut Creek BART and to the Stoneridge Shopping Center in Pleasanton.

Response to Comment 26-18: Weekend service through San Ramon is different than weekday service, as noted. The DEIR transportation analysis focuses on weekday conditions, as traffic impacts for residential and employment land uses are more significant on weekdays.

- 26-19 **Comment: Analysis and Methodology, Page 3.3-8** - The transportation conditions were evaluated for four scenarios. The only cumulative scenario for the analysis included buildout with the project. To more accurately identify project impacts, the analysis should include a cumulative buildout without the project for comparison purposes.

Response to Comment 26-19: The Year 2010 ABAG land use projections were used as a regionally accepted basis for evaluating traffic conditions without and with the Eastern Dublin project. Project impacts and mitigations were based on this Year 2010 scenario. Development beyond Year 2010 is considered highly speculative. The cumulative buildout scenario was included in the DEIR to provide information on traffic conditions with full buildout of all potential land uses in the Tri-Valley.

- 26-20 **Comment: Traffic Generation Assumptions, Page 3.3-12** - The discussion of the trip generation rates indicates the rates had been adjusted, "particularly for the P.M. peak hour," based on local conditions, however, Table 3.3-6 only includes P.M. peak hour rates. Why was the A.M. peak hour analysis excluded?

Response to Comment 26-20: See responses to Comments 12-1 and 12-6.

- 26-21 **Comment: Impacts and Mitigation Measures (2010 with Project), Page 3.3-22.** The DEIR indicates year 2010 with the project would cause freeway volumes to exceed LOS E on I-680 north of the I-580 interchange. Mitigation Measure 3.3/4.0 states the project should contribute to planned improvements at the I-580/I-680 interchange and the associated mitigation on adjacent local streets. Please clarify. However, the DEIR does not specify specific mitigations and locations on the local street network.

Since the report has stated I-680 freeway volumes would exceed capacity, it is likely that freeway interchanges would also be impacted. As a result, the San Ramon interchanges along I-680 should also be included in the impact analysis. These are at Alcosta Boulevard, Bollinger Canyon Road, and Crow Canyon Road.

Response to Comment 26-21: The planned ultimate configuration of the I-580/I-680 interchange would eliminate access to I-680 from Dougherty Road/Hopyard Road and from Foothill/San Ramon Roads. To replace this access capacity, Caltrans is currently considering alternatives for mitigation to adjacent local streets which would include ramps to and from I-680 within Dublin. The costs of these local ramp and street improvements would be included as part of the costs of the interchange project.

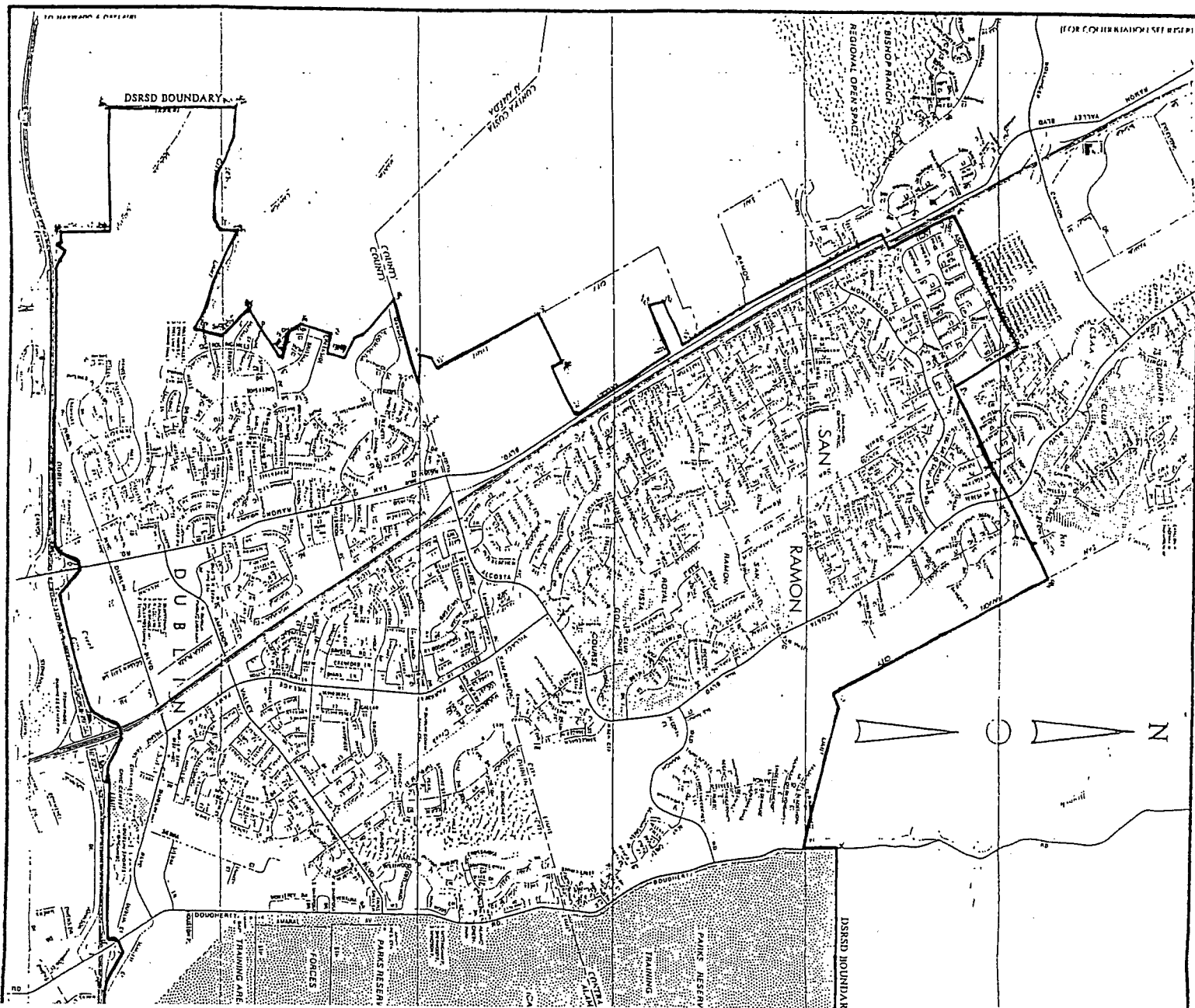
The Eastern Dublin project would not significantly impact I-680 interchanges in San Ramon beyond those impacts identified in recent traffic studies of development within San Ramon. See Response to Comment 26-14.

- 26-22 **Comment: Impacts and Mitigation Measures: Peak Hour Intersection Operation, Table 3.3-10** - The identified intersections included in Table 3.3-10 should be shown on an appropriate map with a graphical representation of the LOS results to convey the locational impacts from the project.

Response to Comment 26-22: Level of service results are shown in Table 3.3-10 on page 3.3-24, to allow direct comparison between scenarios. Intersections where significant impacts and mitigations were identified are shown graphically in Figure 3.3-F.

- 26-23 **Comment:** How was the average vehicle delay derived for future forecast years? The report does not indicate the LOS methodology for future forecast years. Although the report identifies employment centers in San Ramon to be utilized by project area residents, there are no San Ramon interchanges (along I-680) or local street intersections included in the assessment of project impacts.

Response to Comment 26-22: Vehicle delay was calculated according to the methodology





RECEIVED

OCT 29 1992

DUBLIN PLANNING

CITY OF SAN RAMON

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October 29, 1992

HAND DELIVERED

Ms. Brenda Gillarde
Project Manager
City of Dublin
100 Civic Drive
Dublin, CA 94568

Subject: Comments Regarding the Eastern Dublin Draft Environmental Impact Report (DEIR)

Dear Ms. Gillarde:

The City of San Ramon is pleased to submit the following comments regarding the Draft Environmental Impact Report (DEIR) for the Eastern Dublin General Plan Amendment and Specific Plan.

The City has identified several concerns regarding the analysis contained in the DEIR including:

- The population projections for the project at build-out;
- The impacts of an additional 17,970 dwelling units proposed by the project on the San Ramon and Amador Valley housing/jobs ratio;
- The effects of an additional 10+ million square feet of commercial and office space in the Tri-Valley area;
- The potential impacts on traffic and circulation in the Tri-Valley area;
- The need to attain appropriate mitigation measures in an effort to acquire and maintain open space contiguous with proposed development adjacent to Eastern Dublin;
- The potential aesthetic and visual impacts of the proposed project; and
- Impacts on air quality as a direct result of projected development in Eastern Dublin, in addition to the cumulative impacts of development on air quality.

Detailed comments regarding the aforementioned and the document in general are provided on the following pages.

Overall, while thorough, the DEIR is difficult to read. Many of the sections are fragmented, in particular, sections throughout Chapter 3, Environmental Setting, Impacts, and Mitigation Measures. There are also several typographical errors and it is suggested that you run a spell check throughout the document. 26-1

In our opinion, many of the Tables should be examined for accuracy and consistency with the text. Several of the tables are numerous pages in length, yet categorical headings are often found at the end of the page while information is continued to the following page without its appropriate heading. For an example, see Chapter 3, Section 3.1, Table 3.1-4, page 3.1-31. Footers should be used and cited appropriately, for example, see Table 2.0-2 on page 2-9. 26-2

CHAPTER 1, PROJECT SUMMARY

Dwelling Unit Counts, Page SM-5 - The number of dwelling units projected in the project summary, 12,458, is not consistent with Table 2.0-2 on page 2-9 projecting 12,448 dwelling units. This should be clarified. 26-3

Commercial Space, The project summary states that 10,928 million square feet (MSF) of new commercial space will be developed by the project. However, in Table 2.0-2, page 2-8, the project's yield is 9.854 MSF of commercial space and 1.074 MSF of public/semi-public space, which total 10,928 MSF of combined commercial and public/semi-public space. This is misleading and should be clarified. 26-4

CHAPTER 3, ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

SECTION 3.1 LAND USE

Land Use, Page 3.1-11 - Upon referring to land use in the project site vicinity, the DEIR identifies major business parks throughout the Tri-Valley, yet neglects to discuss the proximity of Bishop Ranch in San Ramon relative to the proposed project. Given the obvious subregional jobs/housing relationship between San Ramon and Dublin, this appears to be a significant omission. Please clarify. 26-5

Dougherty Valley, Page 3.1 - 20 - Contra Costa County's (CCC's) Specific Plan for the Dougherty Valley encompasses 6,010 acres, not 6,000. The County's planning effort does not "parallel" the City of San Ramon's planning efforts. 26-6

Page 3.1 - 21 - The City of San Ramon's draft specific plan for the Dougherty Valley proposes a total of 9,000 dwelling units and approximately 300,000 MSF of non-residential development. 26-7

The County's Specific Plan proposes a range of non-residential development from 380,000 square feet to 680,000 square feet. 26-8

Jurisdictional Boundaries, Figure 3.1 E - The jurisdictional boundary depicted for the City of San Ramon in this figure is not accurate. The City of Dublin should refer to San Ramon's General Plan Map for accurate Sphere of Influence boundaries for San Ramon. 26-9

SECTION 3.2 POPULATION, HOUSING, AND EMPLOYMENT

Employment, Page 3.2-4 - The City of San Ramon estimates Bishop Ranch to presently consist of 5.9 MSF with a buildout figure of approximately 9.4 MSF of office and light industrial space. In addition, the City of San Ramon anticipates that Bishop Ranch will employ 29,000 individuals at buildout. These figures are not accurately depicted in the DEIR and should be revised. 26-10

Population Factor, As a general rule, the City of San Ramon has used 2.71 persons per dwelling unit in order to generate population projections. The DEIR projects population factors ranging from 2 persons per dwelling unit to 3.2 persons per dwelling unit. Please clarify. 26-11

Population and Employment Generation, Table 3.2-5, Page 3.2-7 - There are several errors in this table which need to be adjusted, such as the person per dwelling unit factor of 23.2. 26-12

SECTION 3.3 TRAFFIC AND CIRCULATION

Roadway Segments, Page 3.3-3 - In the assessment of levels-of-service (LOS) for roadway segments, maximum daily traffic volumes been utilized for analyzing impacts. Utilization of peak hour directional traffic volumes and capacities would more accurately assess peak period project impacts on the existing and future street network. Please clarify. 26-13

Intersection Operations, Pages 3, 3-4, 3.3-5 - The LOS analysis for existing intersections included only five signalized and four unsignalized intersections. With such a limited perspective, it is unlikely that all project impacts have been identified. No San Ramon intersections have been identified for analysis. Please clarify. 26-14

Also, the LOS analysis evaluated the P.M. peak hour, however, the A.M. peak hour analysis has been excluded from the evaluation process. 26-15

The existing LOS uses the operations methodology from the 1985 Highway Capacity Manual (HCM) for evaluating signalized intersections. In Table 3.3-4, the unsignalized intersections are shown with LOS A and the statement that "average vehicle delays are not applicable for unsignalized intersections." It is not clear as to the LOS methodology utilized for the unsignalized locations. LOS for unsignalized intersections relies on a different methodology (Chapter 10, 1985 HCM) than signalized intersections. LOS for unsignalized intersections evaluates each individual turning movement and assigns a LOS based upon the ease for accomplishing a conflicting turning movement. Please clarify. 26-16

The unsignalized intersections utilized 1988 traffic counts for evaluating existing LOS. Are four year old counts representative of existing traffic conditions at the unsignalized locations? 26-17

Existing Transit, Figure 3.3-C - The BART Express Bus route in San Ramon indicates only the weekday route. The weekend route follows the Central Contra Costa Transit Authority (CCCTA) Route 121 bus route which operates during weekdays. The CCCTA Route 121 connects San Ramon to Walnut Creek BART and to the Stoneridge Shopping Center in Pleasanton. 26-18

Analysis and Methodology, Page 3.3-8 - The transportation conditions were evaluated for four scenarios. The only cumulative scenario for the analysis included buildout with the project. To more accurately identify project impacts, the analysis should include a cumulative buildout without the project for comparison purposes. 26-19

Traffic Generation Assumptions, Page 3.3-12 - The discussion of the trip generation rates indicates the rates had been adjusted, "particularly for the P.M. peak hour," based on local conditions, however, Table 3.3-6 only includes P.M. peak hour rates. Why was the A.M. peak hour analysis excluded? 26-20

Impacts and Mitigation Measures (2010 with Project), Page 3.3-22 - The DEIR indicates year 2010 with the project would cause freeway volumes to exceed LOS E on I-680 north of the I-580 interchange. Mitigation Measure 3.3/4.0 states the project should contribute to planned improvements at the I-580/I-680 interchange and the associated mitigation on adjacent local streets. Please clarify. However, the DEIR does not specify specific mitigations and locations on the local street network. 26-21

Since the report has stated I-680 freeway volumes would exceed capacity, it is likely that freeway interchanges would also be impacted. As a result, the San Ramon interchanges along I-680 should also be included in the impact analysis. These are at Alcosta Boulevard, Bollinger Canyon Road, and Crow Canyon Road.

Impacts and Mitigation Measures: Peak Hour Intersection Operation, Table 3.3-10 - The identified intersections included in Table 3.3-10 should be shown on an appropriate map with a graphical representation of the LOS results to convey the locational impacts from the project. 26-22

How was the average vehicle delay derived for future forecast years? The report does not indicate the LOS methodology for future forecast years. Although the report identifies employment centers in San Ramon to be utilized by project area residents, there are no San Ramon interchanges (along I-680) or local street intersections included in the assessment of project impacts. 26-23

Appendix, Part II. In consideration of all the appendices included (Appendices A-I), why was the traffic LOS analysis excluded from the EIR Technical Appendix? 26-24

SECTION 3.4 - COMMUNITY SERVICES AND FACILITIES

Police Services, Page 3.4-1 - The DEIR states that the California Highway Patrol would be responsible to ensure road safety and enforce traffic and circulation laws within the proposed Specific Plan and General Plan Amendment areas. However, no narrative is provided to assure the reader that the California Highway Patrol has the fiscal capability to extend service to this area. The DEIR should analyze the impacts of this project on the California Highway Patrol and if found significant should provide adequate mitigation measures and funding mechanisms. 26-25

Fire Protection, Page 3.4-6 - Language should be added to mitigation measure 3.4/12.0 to include the appropriate Park District in any preparation of a wildfire management plan for the project area. 26-26

Schools, Page 3.4-7 - The setting discussion implies that AB 2926 developer fees may sometimes be adequate to cover costs of acquiring land and constructing school facilities. The text should be modified to more accurately reflect the difficulty of securing funds for new school construction. The text should also highlight the shortfall between AB 2926 fees and projected construction costs, the lack of any local funding measures and the likelihood that the State will not be able to cover any funding shortfalls. 26-27

Parks and Recreation, Page 3.4-18 - A mitigation measure should be added to require that the City of Dublin, the City of San Ramon, Alameda County, Contra Costa County and the East Bay Regional Park District participate in a cooperative planning process to ensure trail linkages between the East Dublin Planning Area and the Dougherty Valley Planning Area. 26-28

Solid Waste, Page 3.4-20 - The DEIR states that the Altamont Landfill has less than eight years of capacity remaining and also identifies this sight as providing future capacity. The text should be expanded to include analysis if this sight is not expanded and if Alameda County residents do not recycle and compost at current rates. 26-29

SECTION 3.8 - VISUAL RESOURCES

Visual Resources, Mitigation measures described in this section suggest that Dublin will conduct visual surveys to identify scenic routes as well as conduct a visual analysis to adequately assess the impacts of the proposed project on the Tri-Valley. These studies and analyses should be completed due to the magnitude of the project with additional mitigation measures to ensure the protection of visual resources. 26-30

SECTION 3.9 - CULTURAL RESOURCES

Cultural Resources, The DEIR fails to identify funding mechanisms for the mitigation measures proposed. The DEIR should also identify how the mitigations will be paid. 26-31

SECTION 3.10 - NOISE

Noise, The noise section of the DEIR should be reanalyzed to reflect the adjustment to the traffic section called for within this letter. In addition the DEIR should analyze and mitigate any noise impacts to residents along the I-680 corridor and proposed development in the Dougherty Valley. Any improvements necessary in San Ramon or the Dougherty Valley should conform to all applicable San Ramon regulations and should be coordinated through the San Ramon Community Development Department. 26-32

SECTION 3.11 - AIR QUALITY

Air Quality Relative to New Commercial Facilities and Employee Trip Generation, IM 3.11/7.0 This mitigation measure states that transportation demand management techniques will be used to reduce mobile source emissions. This mitigation measure should be expanded to include a transportation management coordinator in order to insure implementation of appropriate mobile source emission controls at appropriate levels. Please expand and clarify. 26-33

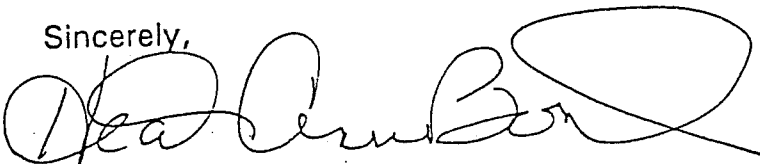
Ms. Brenda Gillarde
October 29, 1992
Page 8 of 8

SECTION 4.0 - ALTERNATIVE ANALYSIS

Alternative Analysis, The California Environmental Quality Act (section 15126) states that an DEIR shall discuss a "range of reasonable alternatives to the project, or to this location of the project, which could feasibly attain the basic objectives of the project". 26-34 The DEIR should include the Dougherty Valley as a potential off-site alternative. At a minimum, the DEIR should provide narrative why this alternative was not selected for analysis.

Should you have any questions regarding the aforementioned comments please feel free to call me at (510) 275-2251.

Sincerely,



Heather Anne Bovat
Assistant Planner

cc: Larry Tong, Planning Director

Response to Letter 27: Kevin Gaily, Chief of Planning, Town of Danville

- 27-1 **Comment: Page SM-4** The estimates of 2.23 persons per household appears to be too low - even factoring in a high percentage of multiple family residential units. ABAG's Projections 92 anticipates 2.8 to 2.9 persons per household for Dublin through the year 2010. That would put the total project population up to 35,500±, which is over 7,700 residents - or 28%± - more than stated in the EIR. Are the student generation rates, the traffic generation rates, the park needs, etc. all "off" as well due to this under counting of project population?

Response to Comment 27-1: The population projections for the Project (3.2 persons/sf du and 2.0 persons/mf du) are based 1990 Census data on household size for the City of Dublin. The average household size for the Project based on these figures is 2.38, not 2.23. The EIR authors do not agree that there has been an "under counting", particularly given the variety of densities and housing types being proposed. Besides which, traffic, schools, and other infrastructure needs are all projected based on dwelling units rather than population, so if the population has been underestimated these factors will not be adversely affected.

- 27-2 **Comment:** The revised DEIR needs to rectify the project population figures with ABAG's Projections 92 numbers. Any discrepancies in projections found elsewhere in the DEIR due to understating the project population need to be identified and changed.

Response to Comment 27-2: Unfortunately, *Projections '92* was not available when the Plan and EIR were prepared. The population projections contained in this document, while containing more recent projections of growth over the next 17 years, would not significantly alter the findings of the DEIR or result in any impacts that have not been identified. The rate of growth in Dublin and surrounding communities may affect the rate of absorption within the Project, but would not reduce or increase the level of projected impact.

- 27-3 **Comment: Page SM-4** The DEIR indicates that the City of Dublin will consider how the Project fulfills a variety of objectives, including an objective to maintain a jobs/housing balance. Looking at figures generated by ABAG for Dublin in Projections 92, Dublin did not have a jobs/housing balance in 1990. According to ABAG, Dublin had 2,250± more jobs than employed residents. Using Dublin's 1.61 employed residents/household figures of 1990 (per Projections 92), there needed to be 1,350± more residential units than existed in 1990 to reach the theoretical balance between total jobs and total employed residents.

The Specific Plan should carry forward an obligation of creating the extra 1,350 "deficit" residential units to allow the stated objective to be met. Instead of providing for these "deficit" units, the Specific Plan aggravates the problem by providing 12,458 units - which would house 20,680± employed residents (using the year 2010 ratio of employed residents to households) - while calling for enough commercial space for 28,288 jobs.

Response to Comment 27-3: Maintaining a balance between jobs and housing is not an issue that can be meaningfully discussed on a project level, even when the project is of the scale of eastern Dublin. However, given the absence of regional planning along these lines, the best that can be done is for each city to strive to maintain a balance within its jurisdiction. As shown in Table 3.2-7 on page 3.2-11, the City would still have more housing than jobs, even with buildout of eastern Dublin. Table 3.2-7 shows there being 4,239 more employed residents than jobs in Dublin at buildout of eastern and western

Dublin. Assuming Dublin did have 2,250 more jobs than employed residents in 1992, then buildout of eastern Dublin would still result in there being 1,989 more employed residents than jobs in the City of Dublin.

- 27-4 **Comment:** The 10.928 million square feet of new commercial space proposed represents a 27% (or 2.939 million square feet) "overbuilding" of new commercial space beyond what would be called for if a jobs/housing balance objective was to be met by the Specific Plan. Carrying the 1,350 residential unit "deficit" forward from 1990 would mean that an additional 0.870± million square feet should taken out of the Specific Plan - reducing the overall new commercial space to 7.119 million square feet if the jobs/housing balance objective sought is to be met. If the residential units in the GPA (i.e., outside the Specific Plan) are going to be depended upon to achieve the "balance", then the commercial space should be held back from developing on a proportional level.

Response to Comment 27-4: See Response to Comment 27-3.

- 27-5 **Comment:** Page 2-16 Table 2.0-3 ("*Potentially Applicable Permits and Plans by Agency*") should acknowledge that Dublin has a role/obligation through a joint exercise of powers agreement with the Tri-Valley Transportation Council and also has a role/obligation through State legislation to participate in the preparation of bi-annual congestion management plans.

Response to Comment 27-5: Comment acknowledged. Neither the Tri-Valley Transportation Council or the State have permit powers related to Project transportation, but Table 2.0-3 has been revised to indicate their potential interest in the EIR and the project as it develops.

- 27-6 **Comment:** GP 2.1.1.A The provision of a "full range" of housing types and prices falls short of the general plan mandate to "encourage housing of varied types, sizes, and price to meet (emphasis added) current and future needs of all residents". To meet the intent of this policy, the DEIR should provide a thorough analysis of the job types envisioned to be created and their corresponding income levels. With that information, the GPA and the Specific Plan should include directives to have housing created that better aligns with the "...current and future needs of all residents".

Response to Comment 27-6: First of all, the general plan mandate to encourage a variety of housing applies to the Project area. The policy's inclusion in the General Plan makes it unnecessary to also include it in the Specific Plan or GPA. In addition, housing development in the Project area will be governed by the City of Dublin's housing policies which are included in the City's recently updated Housing Element. The Housing Element includes quantitative goals and objectives for the provision of housing for the entire income range. Secondly, the Specific Plan and GPA are policy documents that provide a framework for future development. They are not specific development plans, and do not determine the specific types of jobs that will be permitted, other than through the General Plan land use designations. It therefore would be entirely speculative to attempt an analysis of projected job types and income levels that will result from implementation of the plan.

- 27-7 **Comment:** GP 2.1.4.A Without provision of a slope density analysis map (indicating slope categories like 0% - 10%, 10% - 20%, 20% - 30% and >30%), without a definition or quantification of what are "moderate slopes" or "flatter slopes", the reader of the DEIR has no way of knowing whether compliance with this general plan policy will be achieved by the GPA and Specific Plan. The Revised DEIR should include a slope density analysis

map, should define / quantify what is meant by "moderate slopes" and "flatter slopes" and should critically analyze whether changes are necessary to the proposed land uses to achieve compliance with the general plan policy.

Response to Comment 27-7: Slope maps were prepared for the Project site early in the planning process, and the data from these maps were key determinants in the allocation of land uses and densities. The slope map identified areas in the following slope categories: 0-15%, 15-25%, 25-30% and 30% and greater. Any areas which consisted primarily of slopes over 30% were eliminated from consideration for future development. Only a few small (usually less than 3 acres), isolated areas with slopes of 30% or greater were permitted within designated development areas. In general, these islands of slopes over 30% are quite scattered, with one or two islands at most within any one development area. The one area where there is a greater concentration is the Fallon Enterprises property in the GPA Increment Area (#32 in Figure 2-D in the DEIR), where developable areas are flanked by steep side slopes. The potential developability of any of these steeper areas will still need to be determined at the development review stage, when more detailed topographic and grading maps are available. The Specific Plan, GPA and EIR provide enough policies and mitigation measures to ensure that these smaller areas will not be developed if the City determines such development to be unsafe or inconsistent with the City's aesthetic goals.

The Slopes map was not included in the DEIR because reduction of the map to report scale would make the graphic impossible to read. This map is available for review at the City of Dublin Planning Department.

- 27-8 **Comment: IP 2.2.4.D** This implementing policy calls for the designation of sufficient land for housing in "reasonable relationship" to existing and future jobs being proposed. The Specific Plan strengthens the jobs/housing balance directive by deleting this policy and establishing policies calling for the maintenance of a balance of residential growth and employment generating uses - and directive that the balance be maintained as the area develops (implies coordinated phasing of the delivery of jobs and housing). Since there isn't balance now (see earlier comment regarding a housing "deficit") and the Specific Plan aggravates the problem (i.e., substantial increase in the oversupply of jobs) - there is a general plan conflict that is inadequately addressed. The Revised DEIR should indicate that a mitigation measure for this area of general plan non-conformance would be the reduction in the amount of new employee generating uses. That should be supplemented with measures in the project's mitigation monitoring program to assure ongoing regular review of the phasing of the delivery of jobs and housing and the success of matching housing type and density to the income levels of the jobs actually created (i.e., put teeth into Program 4K).

Response to Comment 27-8: See Response to Comment 27-3. The DEIR does not identify any "non-conformance" with IP 2.2.4.D, so no further mitigation is necessary. As the commentor notes, the Specific Plan, in fact, strengthens the City's position regarding the maintenance of a jobs/housing balance. The balance proposed in the Project includes the entire Project area, not just the Specific Plan area. The commentor is correct however, that if development were not to occur in the GPA Increment area, there would be substantially more jobs than residents in the City of Dublin. If LAFCO determines that the City should not expand its sphere of influence per the Project, the City should review the land use mix to determine consistency with the "reasonable relationship" criteria set forth in existing Implementing Policy 2.2.4.D.

- 27-9 **Comment: GP 3.1.B** There should be quantification of the amount of area greater than 30% slope that would be allowed to be developed. Does the acreage in question mean there

will not be compliance with this general plan policy?

Response to Comment 27-9: There are roughly 20 acres of land with slopes over 30% that are located within designated development areas of the Specific Plan (not including Rural Residential areas). This acreage is divided between 16 different areas. There are roughly 50 acres of land with slopes over 30% within the designated development areas of the GPA Increment Area. At least half of this acreage is located within the Fallon Enterprises property (#32 on Figure 2-D).

The intent of GP 3.1.B is, as much as possible, to preserve steep hillside areas as open space. The Plan is consistent with this intent, although it does allow for the potential development of some small areas with slopes over 30%. Policy 6-42 of the Specific Plan was specifically added to place clear limitations on the amount of such land that could be developed. It should be pointed out, that in its review of the Draft Plan, the Planning Commission has recommended some changes to Policy 6-42 that would even more clearly define those instances when slopes over 30% could be developed.

- 27-10 **Comment: IP 4.1.B** A decision to amend the existing implementing policy and the SP Program is appropriate but falls far short of being adequate to assure full mitigation of the impacts to schools. The revisions to the pertinent general plan policies and implementing policies should make it clear that any shortfalls in school district and / or State construction funding for new school facilities made necessary by project development shall be the full responsibility of the developer(s).

Response to Comment 27-10: See Response to Comment 26-27.

- 27-11 **Comment: GP 5.1.A** To assure compliance with the general plan policy of improving freeway access, SP Policy 5-9 should be expanded to not only call for the addition of lanes on I-580 but to specify the "who", the "how" and the "when" that this mitigation would be supplied.

Response to Comment 27-11: Improvements to the I-580 mainline would be under Caltrans jurisdiction. Mitigation measure 3.3/3.0 specifies that the Eastern Dublin Project shall contribute to the construction of additional lanes. The timing of this improvement would be dependent on the rate of development in Dublin and other jurisdictions, and should be based on monitoring of traffic conditions such as the monitoring conducted for the Alameda County Congestion Management Plan.

- 27-12 **Comment: GP 5.2.B** "Supporting" improved local transit, as called for by this general plan policy, requires a more aggressive set of Specific Plan Policies than contained in SP Policies 5-10 through 5-14. The Revised DEIR should recommend as mitigation measures - to assure compliance with the referenced general plan policy - the implementation of additional specific plan policies that call for developer / future resident underwriting of the start-up costs and ongoing operational costs of an adequate bus transit service to serve the project area.

Response to Comment 27-12: Mitigation measures 3.3/15.0-15.3 specify transit service standards and specify that the Eastern Dublin Project shall contribute to the capital and operating costs of service extensions.

- 27-13 **Comment: IP 7.2.F** This implementing policy calls for "restriction" of development on slopes over a 30% gradient. How is the fact that the Specific Plan allows "limited development" in these areas reconciled with the referenced general plan implementing

policy? Where is the quantification of the amount of land over 30% that is proposed to be allowed to be developed?

Response to Comment 27-13: See Response to Comment 27-9.

27-14

Comment: The DEIR jumps too quickly to the conclusion that urban pressures and higher property tax rates will make agricultural uses go away in the Study Area. Given a multi-decade build-out for the Plan Area, there needs to be a way established to keep the lands slated for later development in productive agricultural use for an interim basis. Due to the fragmented ownership, there needs to be a consciously laid out development phasing plan that includes a mechanism to keep the undeveloped portions of the Plan Area from laying fallow and unproductive.

Response to Comment 27-14: It does not seem premature to conclude that agricultural uses in the Project area are in decline, when it is known that landowners for at least 82% of the Specific Plan area have intentions to develop their land in the near term. It is also important to remember that there is a relatively minor amount of agricultural activity in the area at this point. The concept of preventing the area from lying "fallow and unproductive" in anticipation of future development ignores the fact that this is a fairly accurate description of existing conditions in much of the area, and it assumes the City has more power than it does, to influence the use of private land.

Although a formal phasing plan has not been proposed, the combination of infrastructure development, ownership patterns, and market demand are expected to result in a de facto phasing that moves from west to east and south to north (see the Response to Comment 24-2). Areas in the eastern half of the Project area, where the potential for on-going agricultural activity is highest, are unlikely to experience development pressures for many years, and will continue in agricultural uses (see Response to Comment 24-1).

27-15

Comment: The phasing plan for the Plan Area should establish the necessary funding mechanisms to assure continued, coordinated agricultural production of the outlying portions of the Plan Area. Retaining as much of the farmlands "of local importance" in production as reasonably possible is an appropriate, achievable project mitigation measure.

Response to Comment 27-15: Establishing "funding mechanisms" to subsidize agriculture on lands with marginal agricultural value would be an extreme measure, which is out of proportion to the affect of the Project on existing agricultural activities.

27-16

Comment: The DEIR states that the future Army activities at the Camp Parks RFTA cannot be determined at this time and that, while potential conflicts between the Specific Plan and Camp Parks land use activities may constitute a potentially significant impact, they should be mitigated simply by "coordinating planning activities" with the Army. This coordination seems to assume all give from the Army's side. The Specific Plan is now in the "planning" stage. What specific changes and/or refinements to the land use designations in the draft plan have been made to accommodate the existing and future needs of the Army? If the Army has a draft Camp Parks Master Plan available, is it compatible to Dublin's draft Specific Plan? The Army seems to feel it isn't, as evidenced by their response to the Notice of Preparation, but the reader of the DEIR is left to speculate why and to what extent there may be incompatibility between the two draft plans.

The Revised DEIR should provide more detailed analysis of the Army's current plans for Camp Parks RFTA and should detail the steps being taken by both parties to clearly

identify areas of potential conflict and how they will be eliminated or minimized. Dublin is in the planning stage now - the coordination between the two should be happening now. With adoption of the Specific Plan, the Army will be put into a position of unilateral "coordination" (i.e., their options will be gone because Dublin's Specific Plan will already be adopted).

Response to Comment 27-16: The Army has a draft master plan prepared, but has not released it to the public. The Army is not sure the plan still accurately reflects the base's future needs given the closure of military bases around the country. For this reason, it is not possible to provide an analysis of the Army's plans and how they may impact eastern Dublin. As stated in the DEIR, there is no known completion date for Camp Parks' revised Master Plan. The DEIR included MM 3.1/1.0 (page 3.1-8) specifically to address potential for impacts provided by the current uncertainties.

The DEIR does not assume that the Army will be the only party to "give" in the coordination of planning activities that is recommended in MM 3.1/1.0. What is "assumed" is that because of the unknowns regarding future activities at Camp Parks, that the Army and the City must continue to communicate their long term plans in order to avoid potential land use compatibility impacts that could adversely affect either residents of eastern Dublin or the operation of Camp Parks (The City has met regularly with the Army on a long-term basis to coordinate planning, so this measure simply formalizes an activity that has already begun). If it turns out that future Camp Parks activities would adversely impact adjacent uses in eastern Dublin, the City could choose to change, reduce or eliminate land uses in certain areas by amendment of its general plan and the specific plan.

- 27-17 **Comment:** The Revised DEIR should acknowledge the status of the Tassajara Valley Property Owners' Association planning effort.

Response to Comment 27-17: See responses to Letter 13 from the Tassajara Valley Property Owners' Association.

- 27-18 **Comment:** Instead of just regurgitating ABAG's numbers, there should be critical analysis of how the Specific Plan fits into the housing and jobs picture outlined for the entire Tri-Valley area. Projections 92 indicates that the Tri-Valley area (Alamo-Blackhawk, Danville, San Ramon, Dublin, Pleasanton and Livermore) will see over 56,000 new households by the year 2010 which will be accompanied by over 107,000 new jobs. If these two projections are met, and ABAG's 2010 projected average ratio of employed-residents-per-household for the Tri-Valley region is correct (i.e., 1.55 employed residents per household), then there will be an excess of 21,026 jobs created in the same time frame. ABAG's Projections 92 is an important starting point from which to initiate the critical discussion of just how many jobs, and what type of jobs (i.e., income type), can be absorbed in the Tri-Valley area through the year 2010.

Response to Comment 27-18: While the EIR authors agree that achieving a regional jobs/housing balance is an important objective, it is not the responsibility of the eastern Dublin project to ensure that such a regional balance occurs. It is important, however, that eastern Dublin not cause a significant imbalance. However, as addressed in the Response to Comment 27-3, while the Project would generate a substantial number of new jobs, buildout of eastern Dublin would maintain a citywide balance with slightly more housing than employment (0.91:1.00).

- 27-19 **Comment:** The Revised DEIR should utilize population, household, income and employment data from Projections 92 rather than from Projections 90. The Revised DEIR

should outline the mitigation measures that will be utilized to assure every effort to limit the new jobs created in the Plan Area to the number of employed residents that occupy the residential portion of the project and to match the job types and/or housing product type to best align with one another. Simply matching the number of new jobs to the number of new employed residents will not suffice to mitigate impacts on regional circulation. There is an ability - and a need as a traffic mitigation measure - to attempt to assure that the new jobs align correctly with the income levels of the new residents.

Response to Comment 27-19: Again, the EIR authors agree that maintaining a jobs/housing balance is only effective as a mitigation measure if there is a reasonable match between jobs types, income levels, and housing opportunities. For this reason, Programs 4H and 4K (pages 3.2-10 and 11), which require monitoring of residential and employment-generating uses, have been included in the plan to provide decision-makers with the data needed to make informed decisions regarding the types of jobs and housing the encourage and approve. There does not, however, appear to be any practical means, in a free market economy, of implementing the commentor's suggestion, that the exact number and type of jobs and dwelling units be dictated by the City.

- 27-20 **Comment:** When discussing 12,458 new dwelling units and 10.928 million square feet of new commercial space proposed by the Specific Plan, the resultant vehicle trip distribution assumptions are of paramount importance. Table 3.3-8 outlines the assumptions utilized for the traffic model prepared for the project. The trip generation assumptions should be verified against current distribution patterns for Dublin's employed residents. One source for verification would be the job trip location data that will be available in January, 1993 from ABAG through the 1990 Census effort.

Response to Comment 27-20: Verification of assumed trip distribution patterns against surveyed trip distribution patterns would be a useful check. However, the Year 2010 trip distribution patterns in the Tri-Valley area would be significantly different than the existing trip distribution patterns. Trip distribution patterns have already changed significantly in the Tri-Valley area in the past ten years, due to the development of employment centers. The development of the Eastern Dublin project, which would be on the same scale as the existing cities of San Ramon or Livermore, would also significantly modify existing trip distribution patterns by creating an entirely new source of trip origins and destinations.

- 27-21 **Comment:** The Revised DEIR should supply the basis for the trip distribution assumptions utilized in the project's traffic model. If adjustments to the assumptions are necessary, changes to the traffic section impacts and mitigation should be made. Given the 30-40 year build-out period anticipated for the entire General Plan Amendment area, the mitigation monitoring program established should provide regular opportunities to check the trip generation and distribution rates that actually are occurring and provide the opportunity for "mid-course corrections" in the form of slowing or halting development and/or modifying the densities or type of residential or commercial development to assure the best possible alignment of jobs and housing numbers and types.

Response to Comment 27-21: Further information on the trip distribution analysis can be made available at the City of Dublin. A mitigation monitoring program is always advisable when impacts and mitigation measures are based on long-range speculative assumptions regarding future development.

- 27-22 **Comment: Mitigation Monitoring Program.** A generalized comment on the make-up of the DEIR is that the mitigation measures throughout should be restructured to become part

of the project's mitigation monitoring program. Comments as to the recommended format of the Mitigation Monitoring Program are included in the commentor's letter.

Response to Comment 27-22: Comments acknowledged. The City will prepare a mitigation monitoring program for the Eastern Dublin Specific Plan and GPA EIR prior to City Council adoption of the Project.



RECEIVED

OCT 29 1992

DUBLIN PLANNING

October 29, 1992

Brenda A. Gillarde, Project Coordinator
City of Dublin Planning Department
100 Civic Plaza
Dublin, Ca 94568

Re: Draft EIR for Eastern Dublin General Plan Amendment and Specific Plan

Dear Ms. Gillarde:

The Town of Danville appreciates the opportunity to review and comment on the Draft Environmental Impact Report for the Eastern Dublin General Plan Amendment and Specific Plan. Our concerns regarding the project are outlined in detail in the attached memorandum.

Should you have any questions regarding these comments, please feel free to contact me at 820-1080 at your convenience.

Sincerely,

Kevin J. Gailey
Chief of Planning

enc: Town of Danville comments

TOWN OF DANVILLE COMMENTS
DEIR EASTERN DUBLIN GENERAL PLAN AMENDMENT AND SPECIFIC PLAN
October 29, 1992

Page SM-4

The estimates of 2.23 persons per household appears to be too low - even factoring in a high percentage of multiple family residential units. ABAG's Projections 92 anticipates 2.8 to 2.9 persons per household for Dublin through the year 2010. That would put the total project population up to 35,500±, which is over 7,700 residents - or 28%± - more than stated in the EIR. Are the student generation rates, the traffic generation rates, the park needs, etc. all "off" as well due to this under counting of project population?

27-1

The revised DEIR needs to rectify the project population figures with ABAG's Projections 92 numbers. Any discrepancies in projections found elsewhere in the DEIR due to understating the project population need to be identified and changed.

27-2

Page SM-4

The DEIR indicates that the City of Dublin will consider how the Project fulfills a variety of objectives, including an objective to maintain a jobs/housing balance. Looking at figures generated by ABAG for Dublin in Projections 92, Dublin did not have a jobs/housing balance in 1990. According to ABAG, Dublin had 2,250± more jobs than employed residents. Using Dublin's 1.61 employed residents/household figures of 1990 (per Projections 92), there needed to be 1,350± more residential units than existed in 1990 to reach the theoretical balance between total jobs and total employed residents.

27-3

The Specific Plan should carry forward an obligation of creating the extra 1,350 "deficit" residential units to allow the stated objective to be met. Instead of providing for these "deficit" units, the Specific Plan aggravates the problem by providing 12,458 units - which would house 20,680± employed residents (using the year 2010 ratio of employed residents to households) - while calling for enough commercial space for 28,288 jobs.

The 10.928 million square feet of new commercial space proposed represents a 27% (or 2.939 million square feet) "overbuilding" of new commercial space beyond what would be called for if a jobs/housing balance objective was to be met by the Specific Plan. Carrying the 1,350 residential unit "deficit" forward from 1990 would mean that an additional 0.870± million square feet should taken out of the Specific Plan - reducing the overall new commercial space to 7.119 million square feet if the jobs/housing balance objective sought is to be met. If the residential units in the GPA (i.e., outside the Specific Plan) are going to be depended upon to achieve the "balance", then the commercial space should be held back from developing on a proportional level.

27-4

Page 2-16

Table 2.0-3 ("Potentially Applicable Permits and Plans by Agency") should acknowledge that Dublin has a role / obligation through a joint exercise of powers agreement with the Tri-Valley Transportation Council and also has a role / obligation through State legislation to participate in the preparation of bi-annual congestion management plans.

27-5

TOWN OF DANVILLE COMMENTS
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Table 3.1-4

There are a number of apparent General Plan conflicts created by the proposed General Plan Amendment and the Specific Plan, including the following;

- o GP 2.1.1.A The provision of a "full range" of housing types and prices falls short of the general plan mandate to "encourage housing of varied types, sizes, and price to meet (emphasis added) current and future needs of all residents". *To meet the intent of this policy, the DEIR should provide a thorough analysis of the job types envisioned to be created and their corresponding income levels. With that information, the GPA and the Specific Plan should include directives to have housing created that better aligns with the "...current and future needs of all residents".* 27-6
- o GP 2.1.4.A Without provision of a slope density analysis map (indicating slope categories like 0% - 10%, 10% - 20%, 20% - 30% and >30%), without a definition or quantification of what are "moderate slopes" or "flatter slopes", the reader of the DEIR has no way of knowing whether compliance with this general plan policy will be achieved by the GPA and Specific Plan. *The Revised DEIR should include a slope density analysis map, should define / quantify what is meant by "moderate slopes" and "flatter slopes" and should critically analyze whether changes are necessary to the proposed land uses to achieve compliance with the general plan policy.* 27-7
- o IP 2.2.4.D This implementing policy calls for the designation of sufficient land for housing in "reasonable relationship" to existing and future jobs being proposed. The Specific Plan strengthens the jobs/housing balance directive by deleting this policy and establishing policies calling for the maintenance of a balance of residential growth and employment generating uses - and directive that the balance be maintained as the area develops (implies coordinated phasing of the delivery of jobs and housing). Since there isn't balance now (see earlier comment regarding a housing "deficit") and the Specific Plan aggravates the problem (i.e., substantial increase in the oversupply of jobs) - there is a general plan conflict that is inadequately addressed. *The Revised DEIR should indicate that a mitigation measure for this area of general plan non-conformance would be the reduction in the amount of new employee generating uses. That should be supplemented with measures in the project's mitigation monitoring program to assure ongoing regular review of the phasing of the delivery of jobs and housing and the success of matching housing type and density to the income levels of the jobs actually created (i.e., put teeth into Program 4K).* 27-8

TOWN OF DANVILLE COMMENTS
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- GP 3.2.A *There should be quantification of the amount of area greater than 30% slope that would be allowed to be developed. Does the acreage in question mean there will not be compliance with this general plan policy?* 27-9
- IP 4.1.B *A decision to amend the existing implementing policy and the SP Program is appropriate but falls far short of being adequate to assure full mitigation of the impacts to schools. The revisions to the pertinent general plan policies and implementing policies should make it clear that any shortfalls in school district and / or State construction funding for new school facilities made necessary by project development shall be the full responsibility of the developer(s).* 27-10
- GP 5.1.A *To assure compliance with the general plan policy of improving freeway access, SP Policy 5-9 should be expanded to not only call for the addition of lanes on I-580 but to specify the "who", the "how" and the "when" that this mitigation would be supplied.* 27-11
- GP 5.2.B *"Supporting" improved local transit, as called for by this general plan policy, requires a more aggressive set of Specific Plan Policies than contained in SP Policies 5-10 through 5-14. The Revised DEIR should recommend as mitigation measures - to assure compliance with the referenced general plan policy - the implementation of additional specific plan policies that call for developer / future resident underwriting of the start-up costs and ongoing operational costs of an adequate bus transit service to serve the project area.* 27-12
- IP 7.2.F *This implementing policy calls for "restriction" of development on slopes over a 30% gradient. How is the fact that the Specific Plan allows "limited development" in these areas reconciled with the referenced general plan implementing policy? Where is the quantification of the amount of land over 30% that is proposed to be allowed to be developed?* 27-13

Page 3.1-8

The DEIR jumps too quickly to the conclusion that urban pressures and higher property tax rates will make agricultural uses go away in the Study Area. Given a multi-decade build-out for the Plan Area, there needs to be a way established to keep the lands slated for later development in productive agricultural use for an interim basis. Due to the fragmented ownership, there needs to be a consciously laid out development phasing plan that includes a mechanism to keep the undeveloped portions of the Plan Area from laying fallow and unproductive. 27-14

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The phasing plan for the Plan Area should establish the necessary funding mechanisms to assure continued, coordinated agricultural production of the outlying portions of the Plan Area. Retaining as much of the farmlands "of local importance" in production as reasonably possible is an appropriate, achievable project mitigation measure.

Page 3.1-13

The DEIR states that the future Army activities at the Camp Parks RFTA cannot be determined at this time and that, while potential conflicts between the Specific Plan and Camp Parks land use activities may constitute a potentially significant impact, they should be mitigated simply by "coordinating planning activities" with the Army. This coordination seems to assume all give from the Army's side. The Specific Plan is now in the "planning" stage. What specific changes and/or refinements to the land use designations in the draft plan have been made to accommodate the existing and future needs of the Army? If the Army has a draft Camp Parks Master Plan available, is it compatible to Dublin's draft Specific Plan? The Army seems to feel it isn't, as evidenced by their response to the Notice of Preparation, but the reader of the DEIR is left to speculate why and to what extent there may be incompatibility between the two draft plans.

The Revised DEIR should provide more detailed analysis of the Army's current plans for Camp Parks RFTA and should detail the steps being taken by both parties to clearly identify areas of potential conflict and how they will be eliminated or minimized. Dublin is in the planning stage now - the coordination between the two should be happening now. With adoption of the Specific Plan, the Army will be put into a position of unilateral "coordination" (i.e., their options will be gone because Dublin's Specific Plan will already be adopted).

Page 3.1-20

The Revised DEIR should acknowledge the status of the Tassajara Valley Property Owners' Association planning effort.

Page 3.2-1

Instead of just regurgitating ABAG's numbers, there should be critical analysis of how the Specific Plan fits into the housing and jobs picture outlined for the entire Tri-Valley area. Projections 92 indicates that the Tri-Valley area (Alamo-Blackhawk, Danville, San Ramon, Dublin, Pleasanton and Livermore) will see over 56,000 new households by the year 2010 which will be accompanied by over 107,000 new jobs. If these two projections are met, and ABAG's 2010 projected average ratio of employed-residents-per-household for the Tri-Valley region is correct (i.e., 1.55 employed residents per household), then there will be an excess of 21,026 jobs created in the same time frame.

TOWN OF DANVILLE COMMENTS
DEIR EASTERN DUBLIN GENERAL PLAN AMENDMENT AND SPECIFIC PLAN
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ABAG's Projections 92 is an important starting point from which to initiate the critical discussion of just how many jobs, and what type of jobs (i.e., income type), can be absorbed in the Tri-Valley area through the year 2010.

The Revised DEIR should utilize population, household, income and employment data from Projections 92 rather than from Projections 90. The Revised DEIR should outline the mitigation measures that will be utilized to assure every effort to limit the new jobs created in the Plan Area to the number of employed residents that occupy the residential portion of the project and to match the job types and/or housing product type to best align with one another. Simply matching the number of new jobs to the number of new employed residents will not suffice to mitigate impacts on regional circulation. There is an ability - and a need as a traffic mitigation measure - to attempt to assure that the new jobs align correctly with the income levels of the new residents.

Page 3.3-16

When discussing 12,458 new dwelling units and 10.928 million square feet of new commercial space proposed by the Specific Plan, the resultant vehicle trip distribution assumptions are of paramount importance. Table 3.3-8 outlines the assumptions utilized for the traffic model prepared for the project. The trip generation assumptions should be verified against current distribution patterns for Dublin's employed residents. One source for verification would be the job trip location data that will be available in January, 1993 from ABAG through the 1990 Census effort.

The Revised DEIR should supply the basis for the trip distribution assumptions utilized in the project's traffic model. If adjustments to the assumptions are necessary, changes to the traffic section impacts and mitigation should be made. Given the 30-40 year build-out period anticipated for the entire General Plan Amendment area, the mitigation monitoring program established should provide regular opportunities to check the trip generation and distribution rates that actually are occurring and provide the opportunity for "mid-course corrections" in the form of slowing or halting development and/or modifying the densities or type of residential or commercial development to assure the best possible alignment of jobs and housing numbers and types.

Mitigation Monitoring Program

A generalized comment on the make-up of the DEIR is that the mitigation measures throughout should be restructured to become part of the project's mitigation monitoring program. Comments as to the recommended format of the Mitigation Monitoring Program are as follows:

TOWN OF DANVILLE COMMENTS
DEIR EASTERN DUBLIN GENERAL PLAN AMENDMENT AND SPECIFIC PLAN
October 29, 1992

- o To assure that the mitigation measures are effective, they should be structured to address the following;
 - Why: Objective of the mitigation measure and why it is recommended.
 - What: Explain specifics of the measure and how it will be designed and implemented.
 - measurable performance standards by which the mitigation measure can be measured
 - provide contingent mitigation measure if monitoring reveals that the success standards are not satisfied
 - Who: Identify agency, organization or individual responsible for implementing the mitigation measure.
 - Where: Identify the specific location of the mitigation measure.
 - When: Indicate when the mitigation measure should be implemented.
- o Assembly Bill 3180 reinforced the requirement that mitigation measures be specific, tangible actions. CEQA guidelines define mitigation measures as actions that either avoid, minimize, rectify, or compensate for significant impacts. Each mitigation measure should be structured
- o Focus should be on mitigation measure success rather than on implementation monitoring (i.e., how well the mitigation measure worked rather than simply whether it was implemented).
- o Program categories for each mitigation measure:
 - Description of mitigation measure
 - Impacts mitigated
 - Mitigation level
 - Lead agency
 - Funding source
 - Implementing agency
 - Monitoring agency
 - Timing (both initiation and completion of mitigation)
 - Monitoring record

27-22 contd.

Response to Letter 28: Adolph Martinelli, ALUC Administrative Officer, Airport Land Use Commission of Alameda County.

- 28-1 **Comment: Airport Noise Contour Data.** In reviewing the noise section of the Draft EIR, we found that it correctly states that existing 60 CNEL noise contours do not extend onto the project site. The Draft EIR also states that future 60 CNEL noise contours (based upon the projected 1995 contours found in the ALUC Policy Plan, adopted July 16, 1986) do not extend onto the project site and therefore, there are no significant impacts resulting from aircraft noise. More recent airport noise data has been submitted to the Airport Land Use Commission (in the report "Supporting Documentation and Background Information for Airport Protection Area," June 22, 1992) that provides projected 60 CNEL noise contours for the year 2011. This data shows 60 CNEL contours extending onto the project site. Assumptions on which this contour is based include data on recent conditions and projections of aircraft operations in excess of what is stated in the ALUC policy plan. In addition, projected future operations as forecasted in the City of Livermore's report are well in excess of what is stated in the ALUC Policy Plan.

When the year 2011 60 CNEL noise contour is correlated with land uses proposed in the Eastern Dublin General Plan Amendment and Specific Plan, there are approximately 5-10 acres of medium density residential land uses that lie within the 60 CNEL noise contour. This potential noise impact and proposed mitigation measures should be fully discussed in the FEIR.

Response to Comment 28-1: Comment acknowledged. See response to Comment 2-6.

- 28-2 **Comment: Airport Protection Area.** The ALUC is currently considering an application to amend the Alameda County Airport Land Use Policy Plan to designate an Airport Protection Zone (APA), a zone around the Livermore Municipal Airport where new residential development would be prohibited. The purpose of the APA would be to protect the airport from encroachment and to forestall complaints from future residents about aircraft noise. 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. As staff to ALUC, we are concerned with the potential inconsistency between the proposed Eastern Dublin General Plan Amendment and Specific Plan and the proposed APA.

Response to Comment 28-2: Comment acknowledged. See Response to Comment 2-1.

- 28-3 **Comment: Airport Protection Area.** The only mention of the proposed APA in the Eastern Dublin Draft EIR is in the last paragraph on page 3.1-10, which concludes that the proposed APA restrictions are not applicable at this time. While it is true that the ALUC has not yet taken action regarding the proposed APA, the ALUC, as a responsible agency under CEQA, believes that the proposed APA should be evaluated in this Draft EIR since it is an application for which information is publicly available and which is currently undergoing environmental review.

Based on discussions with City of Dublin staff, we understand that the proposed APA would affect about 150 acres of proposed residential land including about 1,000 homes and a portion of an elementary school site. The extent of this potential inconsistency between the APA and the Eastern Dublin General Plan Amendment and Specific Plan should be identified and discussed in the Final EIR. Further, the document should present and discuss potential alternatives which could seek to balance and fulfill two significant regional objectives: long-

term protection of the airport and provision of well-located and affordable housing.

Response to Comment 28-3: For additional discussion of the proposed APA and its implications for eastern Dublin, see the responses to Letter 2 from Pilots to Protect the Livermore Airport.

In general, it should be reiterated that analysis of the environmental impacts associated with the expansion of airport activities projected under the proposed APA is beyond the scope of this EIR. The City of Dublin has indicated to ALUC that it believes ALUC should prepare an EIR on the proposed APA. ALUC, on the other hand, has recommended a Negative Declaration on the proposed APA, which would seem to suggest that the expanded operations for which the APA is proposed are not anticipated to have any adverse impacts.

AIRPORT LAND USE COMMISSION OF ALAMEDA COUNTY

399 ELMHURST STREET
HAYWARD, CA 94544
510/670-5400

October 29, 1992

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

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OCT 29 1992

DUBLIN PLANNING

Dear Planning Commissioners:

Thank you for the opportunity to review and comment on the proposed Draft Eastern Dublin General Plan Amendment and Specific Plan and Draft EIR. As you know, the Alameda County Airport Land Use Commission (ALUC) is responsible for ensuring the compatibility between local land use plans and the Alameda County Airport Land Use Policy Plan.

NOISE CONTOUR DATA

In reviewing the noise section of the Draft EIR, we found that it correctly states that existing 60 CNEL noise contours do not extend onto the project site. The Draft EIR also states that future 60 CNEL noise contours (based upon the projected 1995 contours found in the ALUC Policy Plan, adopted July 16, 1986) do not extend onto the project site and therefore, there are no significant impacts resulting from aircraft noise. More recent noise data has been submitted to the Airport Land Use Commission (in the report "Supporting Documentation and Background Information for Airport Protection Area," June 22, 1992) that provides projected 60 CNEL noise contours for the year 2011. This data shows 60 CNEL contours extending onto the project site. Assumptions on which this contour is based 28-1 include data on recent conditions and projections of aircraft operations in excess of what is stated in the ALUC policy plan. In addition, projected future operations as forecasted in the City of Livermore's report are well in excess of what is stated in the ALUC Policy Plan.

When the 2011 60 CNEL noise contour is correlated with land uses proposed in the Eastern Dublin General Plan Amendment and Specific Plan, there are approximately 5-10 acres of medium density residential land uses that lie within the 60 CNEL noise contour. This potential noise impact and proposed mitigation measures should be fully discussed in the FEIR.

AIRPORT PROTECTION AREA

The ALUC is currently considering an application to amend the Alameda County Airport Land Use Policy Plan to designate an Airport Protection Zone (APA), a zone around the 28-2

Eastern Dublin DEIR
October 29, 1992
Page 2

Livermore Municipal Airport where new residential development would be prohibited. The purpose of the APA would be to protect the airport from encroachment and to forestall complaints from future residents about aircraft noise. 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. As staff to ALUC, we are concerned with the potential inconsistency between the proposed Eastern Dublin General Plan Amendment and Specific Plan and the proposed APA. 28-2 contd.

The only mention of the proposed APA in the Eastern Dublin Draft EIR is in the last paragraph on page 3.1-10, which concludes that the proposed APA restrictions are not applicable at this time. While it is true that the ALUC has not yet taken action regarding the proposed APA, the ALUC, as a responsible agency under CEQA, believes that the proposed APA should be evaluated in this Draft EIR since it is an application for which information is publicly available and which is currently undergoing environmental review. 28-3

Based on discussions with City of Dublin staff, we understand that the proposed APA would affect about 150 acres of proposed residential land including about 1,000 homes and a portion of an elementary school site. The extent of this potential inconsistency between the APA and the Eastern Dublin General Plan Amendment and Specific Plan should be identified and discussed in the Final EIR. Further, the document should present and discuss potential alternatives which could seek to balance and fulfill two significant regional objectives: long-term protection of the airport and provision of well-located and affordable housing.

Thank you for the opportunity to respond to the Draft Eastern Dublin General Plan Amendment and Specific Plan and Draft EIR.

Sincerely,

Deborah Stein

for
Adolph Martinelli
ALUC Administrative Officer

cc: ALUC Commissioners
City of Livermore
City of Pleasanton

(cwl\dublin.eir)

Response to Letter 29: Cameron Bauer, Planner, Bay Area Rapid Transit District.

- 29-1 Comment: Page SM-12, IM 3.3/O. While the area is not "currently" served by public transit, construction of the BART Dublin/Pleasanton Extension (DPX) is underway and should be operating by 1995, well before the specific plan area begins impacting the area.

Response to Comment 29-1: Comment acknowledged. The BART Dublin/Pleasanton extension will provide transit service to the general area, but since nearly all of the Project site will be more than one-quarter mile away from the BART station, BART will not provide transit service in conformance with the standards described by LAVTA and the Alameda County Congestion Management Plan. Therefore, additional transit service will be required.

- 29-2 Comment: Page 3.1-22, BART Extension Plans. You may also wish to note that the DPX service is expected to be operational by 1995.

Response to Comment 29-2: On page 3.1-22, the following has been added to the end of the first paragraph under *BART Extension Plans*:

The BART Dublin/Pleasanton Extension (DPX) is expected to be operational by 1995.

- 29-3 Comment: Page 3.3-7, BART Dublin-Pleasanton Extension. The extension should be referred to as the future extension rather than the "proposed" extension. You may also wish to note that the east station would be located above the SP right-of-way, a possible light rail corridor.

Expanding the discussion of the BART service would better represent the role of transit in the project. You may wish to note BART service to the area will operate on 4.5 minute headways during peak hours providing a travel capacity of over 12,000 trips per hour to and from the station. The extension will provide rail access to all areas currently served by BART plus SFO, Warm Springs, and West Pittsburg.

Although no funding currently exists for the project, reference should be made in the DEIR to the BART Livermore extension as a potential corridor.

Response to Comment 29-3: Comments noted. On page 3.3-7, the paragraph entitled "BART Dublin-Pleasanton Extension" has been revised as follows:

The BART board has adopted a policy for the ~~proposed~~ **future** extension of BART rail service to Dublin and Pleasanton. Current BART policy would build a BART extension to three new stations, one in Castro Valley, a West Dublin/Pleasanton station in the median of I-580 between San Ramon Road/Foothill Boulevard and I-680, and an East Dublin/Pleasanton station in the I-580 median between Dougherty Road and Hacienda Drive. **The East Dublin/Pleasanton station will be located above the existing Southern Pacific railroad right-of-way, which has been considered as a possible light rail corridor.** All three of the stations, including the Castro Valley station and the two Dublin/Pleasanton stations, will be constructed using BART and/or other public and private financing.

Future BART service to the Project area is projected to operate on 4.5 minute headways during peak hours, providing a travel capacity of over 12,000 trips per hour to and from the East Dublin/Pleasanton station. The extension will provide rail access to all areas currently served by BART plus planned new stations at the San Francisco

Airport, Warm Springs, and West Pittsburg. Although not currently funded, BART also has preliminary plans to ultimately extend the service to Livermore.

- 29-4 Comment: Page 3.3-18, Traffic Assignment Assumptions. This appears to say that transit services were not included as links in the travel model. This omission will likely overstate the traffic impacts of the project. The discussion states that "... as congestion increases ... drivers may switch to alternative routes." The same is true for alternative modes. The future transit capacity will not likely go unused if roadway and intersection levels of service approach capacity. The model would present a more accurate projection of traffic impacts if it were revised to include transit links.

Response to Comment 29-4: As described on pages 3.3-11 to 3.3-12 in the DEIR, the effects of BART ridership were included in the Eastern Dublin traffic projections, using information from the DEIR for the BART Dublin/Pleasanton Extension Project. Corresponding automobile traffic volumes were reduced on the regional road system to account for the effects of diversion to BART. The BART station parking lot was included in the traffic projections as an origin and destination for vehicle trips. This methodology ensures consistency with previous studies by BART, as opposed to re-estimating BART travel patterns by adding transit links into this Eastern Dublin traffic model.

- 29-5 Comment: Page 3.3-28, MM 3.3/15.3. This section implies that the specific plan area will occur prior to the BART service. The reverse is likely more probable.

Response to Comment 29-5: Comment acknowledged. Although BART service will be provided to Dublin and Pleasanton well before the completion of all development in the Eastern Dublin Specific Plan and General Plan Amendment, it is likely that some initial development will occur in the Specific Plan area before the commencement of BART service in 1995.

OCT-29-92 THU 10:16

P. 07



BAY AREA RAPID TRANSIT DISTRICT
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OCT 29 1992

DUBLIN PLANNING

October 5, 1992

Brenda A Gillarde
City of Dublin
100 Civic Plaza
Dublin, California 94568

WILFRED T. USSERY
PRESIDENT

NELLO BIANCO
VICE-PRESIDENT

FRANK J. WILSON
GENERAL MANAGER

Subject: Eastern Dublin General Plan Amendment and Specific Plan
Draft Environmental Impact Report (DEIR)

DIRECTORS

JOE FITZPATRICK
1ST DISTRICT

NELLO BIANCO
2ND DISTRICT

SUE HONE
3RD DISTRICT

MARGARET K. PRYOR
4TH DISTRICT

ERLENE DeMARCUS
5TH DISTRICT

JOHN GLENN
6TH DISTRICT

WILFRED T. USSERY
7TH DISTRICT

JAMES FANG
8TH DISTRICT

MICHAEL BERNICK
9TH DISTRICT

Dear Ms. Gillarde:

Thank you for the opportunity to review and comment on the above referenced document. This letter comprises our comments on the document.

<u>Page</u>	<u>Comment</u>
SM-12	IM 3.3/0: While the area is not "currently" served by public transit, construction of the BART Dublin/Pleasanton Extension (DPX) is underway and should be operating by 1995, well before the specific plan area begins impacting the area. 29-1
3.1-22	"BART Extension Plans": You may also wish to note that the DPX service is expected to be operational by 1995. 29-2
3.3-7	"BART Dublin-Pleasanton Extension": The extension should be referred to as the future extension rather than the "proposed" extension. You may also wish to note that the east station would be located above the SP right of way, a possible light rail corridor. 29-3
	Expanding the discussion of the BART service would better represent the role of transit in the project. You may wish to note BART service to the area will operate on 4.5 minute headways during peak hours providing a travel capacity of over 12,000 trips per hour to and from the area. The extension will provide rail access to all areas currently served by BART plus SFO, Warm Springs, and West Pittsburg.

Page 2

Although no funding currently exists for the project, reference should be made in the DEIR to the BART Livermore extension as a potential corridor. 29-3 contd.

3.3-18 Traffic Assignment Assumptions: This appears to say that transit services were not included as links in the travel model. This omission will likely overstate the traffic impacts of the project. The discussion states that "... as congestion increases ... drivers may switch to alternative routes." The same is true for alternative modes. The future transit capacity will not likely go unused if roadway and intersection levels of service approach capacity. The model would present a more accurate projection of traffic impacts if it were revised to include transit links. 29-4

3.3-28 MM 3.3/15.3: This section implies that the specific plan area will occur prior the to BART service. The reverse is likely more probable. 29-5

If you have any questions on these comments or if there are any ways we can provide additional information on the DPX extension, please do not hesitate to contact me at 287-4894.

Sincerely,

Cameron Bauer
Planner

T. Dunn
J. Ordway

Response to Letter 30: John H. Rennels, Jr., Senior Real Estate Officer, Bay Area Rapid Transit District.

- 30-1 **Comment: Page SM-4, 2.4 Project Concept.** The fifth line of the paragraph should also incorporate a reference to locating higher density housing adjacent to any future transit stations (East Dublin BART Station).

Response to Comment 30-1: Comment noted. While the plan is in agreement with the concept of locating higher density housing adjacent to transit stations. The recommended revision will not be made because the plan does not locate higher density housing adjacent to the East Dublin BART Station. The future BART station is not within or immediately adjacent to the Project. It should be noted however, that the Specific Plan does designate higher density residential uses along the length of the "transit spine" that connects to the future BART station.

- 30-2 **Comment: Page 2-4, 2.4 Project Concept.** The sixth line of the first paragraph should be consistent with the preceding item and include a reference to locating high density housing adjacent to the transit corridor and the future East Dublin BART station.

Response to Comment 30-2: Comment acknowledged. The sentence is revised to read as follows:

Higher density housing has been located **near the future BART station and along a key transit corridor.** Higher densities have also been located close to commercial centers where the concentration of population will contribute to that center's social and economic vitality.

- 30-3 **Comment: Page 2-5, 2.4 Project Concept.** The last line of the third paragraph, which references the choices for a preferred mode of transportation, should be modified to place a stronger emphasis on utilizing alternative transportation services including BART.

Response to Comment 30-3: The emphasis on alternative modes of transportation is made elsewhere in the DEIR. No change is needed in this section.

- 30-4 **Comment: Page 2-12, Traffic and Circulation.** Top paragraph - if the Specific Plan area was expanded to incorporate the East Dublin BART station, then the 4 proposed park-and-ride lots adjacent to the freeway interchanges could possibly be reduced to 1 or 2. As an alternative, additional land could be provided adjacent to the parking lot at the East Dublin BART station. This planning action would encourage commuters to use mass transit and thus further reduce the necessity of vehicle activity.

Response to Comment 30-4: Park-and-ride lots will be required in locations other than the BART station in order to provide meeting places for carpools and vanpools, and to provide convenient access to potential transit services other than BART which could serve additional areas not served directly by BART (Santa Clara County, Walnut Creek/Concord, etc...).

- 30-5 **Comment: Page 2-13, Other Community Services and Facilities.** An additional paragraph should be added to include a reference to the East Dublin BART Station with intermodal and kiss-and-ride capabilities. Because, when the station becomes operational in late 1995, the station and the transit system will have a significant impact upon the specific plan area and its residents.

Response to Comment 30-5: The East Dublin BART station is not a public facility that is within the project area or proposed by the project, so inclusion of a discussion of the future facility in the Project Description section is not appropriate.

- 30-6 **Comment: Figure 2-E, General Plan Amendment Area Land Use.** Since the map is referencing public/semi-public facilities, the East Dublin BART station should also be included.

Response to Comment 30-6: The map shows only those uses within the General Plan Amendment Area. The location of the East Dublin BART station would actually be just off the page.

- 30-7 **Comment: Page 3.1-9, Camp Parks (Public/Semi-Public).** The fifth line of the paragraph should reference the fact that Camp Parks adjacent to I-580 at the abandoned Southern Pacific Railroad (SPRR) underpass is where the East Dublin BART station parking lot will be located.

Response to Comment 30-7: Comment acknowledged. The referenced paragraph has been revised as follows:

Camp Parks (Public/Semi-Public). The U.S. Army's Parks Reserve Forces Training Center (Camp Parks) is located directly west of the planning area within the City of Dublin. Camp Parks covers 2,884 acres and is the largest single land use in the vicinity of the planning area. The portion of Camp Parks adjacent to I-580 is the most highly developed, with barracks, training areas, classrooms, and administration buildings. **Adjacent to I-580, at the abandoned Southern Pacific Railroad (SPRR) underpass, is the future location for the East Dublin BART station parking lot.** The base is also used by a number of Bay Area

- 30-8 **Comment: Page 3.1-13, IM 3.1/G Potential Conflicts with Land Uses to the West.** The same comment as the preceding should be incorporated within this paragraph.

Response to Comment 30-8: The first paragraph has been revised as follows:

Proposed Specific Plan land uses adjacent to Camp Parks are Open Space with two pockets of Single Family residential land use. There is the possibility that the Army will substantially increase the level of activity on the base and in the Tassajara Park area. There is also the possibility that the southern part of Camp Parks may become surplus land in which case it may be sold and not developed by the Army. **The southernmost area adjacent to the SPRR right-of-way will be the site of the parking lot for the future East Dublin BART station.**

- 30-9 **Comment: Page 3.1-22, BART Extension Plans.** On the 6th line of the first paragraph the correct description is "(adjacent to Stoneridge Mall on Pleasanton side and Golden Gate Drive on Dublin side) and East Dublin/Pleasanton (adjacent to Hacienda Business Park at lower SPRR right-of-way on the Pleasanton side and Scarlett Court on the Dublin side)". Second paragraph, 3rd line, "was" should be changed to "is". Also, passenger service is expected to begin by late 1995.

Response to Comment 30-9: The referenced paragraphs have been revised as follows:

New BART stations will be located in Castro Valley, West Dublin/Pleasanton (adjacent to Stoneridge Mall on the Pleasanton side and Golden Gate Drive on the

Dublin side) and East Dublin/Pleasanton (adjacent to Hacienda Business Park at lower SPRR right-of-way on the Pleasanton side and Scarlett Court on the Dublin side).

As of April 1992, the public participation phase of the station design process had been completed and station designs and engineering were being finalized to reflect public input. Construction of the West Dublin/Pleasanton station ~~was~~ is expected to begin in May 1993 and East Dublin/Pleasanton construction would commence a few months later in Fall 1993. **Passenger service to the new stations is expected to begin by late 1995.**

- 30-10 Comment: Page 3.1-28, Land Use Table 3.1-4, GP 5.2.B. Reference should also be made to include regional mass transit.

Response to Comment 30-10. The table analyses consistency with existing General Plan policy. Guiding Policy 5.2.B does not address regional transit. This table is not the proper place to amend existing General Plan policy.

- 30-11 Comment: Page 3.1-29, GP 6.3.C. Consideration should be given to the accessibility of housing to the transit corridor and to the BART station (transit station).

Response to Comment 30-11: See response to Comment 30-10.

- 30-12 Comment: Figure 3.1.F. The East Dublin BART station should be moved slightly to the west to correspond with the crossing of I-580 and the SPRR right-of-way.

Response to Comment 30-12: Figure 3.1-F is from the existing Dublin General Plan, and has not been altered to reflect changes that may have occurred since it was prepared.

- 30-13 Comment: Page 3.2-5. A fifth bullet should be added to reference to East Dublin BART station and its impact on both housing and employment in the area.

Response to Comment 30-13: As stated on page 3.2-4 of the DEIR, the four policies identified are existing General Plan policies that address employment-generating uses in the Project area. This discussion of existing policy is not the place to introduce new policies.

- 30-14 Comment: Page 3.2-8, Policy 4-4. The third line should include a reference to encouraging pedestrian access to the BART station.

Response to Comment 30-14: Not all the Campus Office development will be located near the BART station, so inclusion of this reference would not be appropriate. Design guidelines in the Specific Plan (7.4.4 Hacienda Gateway, page 103) requires pedestrian and bicycle paths that provide direct routes to the BART station.

- 30-15 Comment: Page 3.3-1, Dublin Boulevard. The fifth line should reflect that at the end of Scarlett Court and the SPRR right-of-way is where the East Dublin BART parking lot will be located.

Response to Comment 30-15: Comment noted. The following sentence has been added to the end of the referenced paragraph:

The parking lot and access for the future East Dublin BART station will be located where Dublin Boulevard crosses the SPRR right-of-way.

- 30-16 Comment: Page 3.3-2, Hacienda Drive. You may want to reference that this interchange will be the main access off I-580 to the East Dublin BART station.

Response to Comment 30-16: Comment noted. The addition does not appear essential to the description of Hacienda Drive.

- 30-17 Comment: Page 3.3-7, BART Dublin-Pleasanton Extension. See October 5, 1992 letter from Cameron Bauer (BART Planner) to Brenda Gillarde (City of Dublin).

Response to Comment 30-17: See Response to Comment 29-3.

- 30-18 Comment: Page 3.3-15, Trip Distribution Assumptions. Within the trip distribution assumptions, was consideration given to trips originating from within as well as outside the specific plan to the East Dublin BART station for further commute to work, school (Hayward State, U.C. Berkeley, S.F. State, etc.) or other activity?

Response to Comment 30-18: See response to Comment 29-4. By using travel information directly from the BART extension studies, travel patterns to areas outside the Specific Plan area were implicitly included.

- 30-19 Comment: Page 3.3-18, Traffic Assignment Assumptions. See October 5, 1992 letter.

Response to Comment 30-19: See Response to Comment 29-4.

- 30-20 Comment: Page 3.3-27, IM 3.3/M Cumulative Impacts on Dublin Boulevard. Has proper consideration been given to the traffic activity on Dublin Boulevard that will occur as a result of commuters going to/from the East Dublin BART station?

Response to Comment 30-20: See response to Comment 29-4. By including the BART station as a traffic generator, the Eastern Dublin traffic projections included traffic movements to and from the BART station on Dublin Boulevard.

- 30-21 Comment: Page 3.3-28, MM 3.3/15.3. See October 5, 1992 letter.

Response to Comment 30-21: See Response to 29-5.

- 30-22 Comment: Page 3.3-29, Impacts and Mitigation Measures for Pedestrians and Bicycles. Reference should also be made to encourage residents/employees-commuters to walk or ride to/from the East Dublin BART station.

Response to Comment 30-22: The discussion in this section relates to pedestrian and bicycle safety issues resulting from the need to cross major roadways. Insertion of a measure to encourage commuters to walk and bicycle to BART would not be relevant at this place in the document.

- 30-23 Comment: Figure 3.3-D, Future Transit Improvements. The East Dublin BART station should be moved to the east to align with the proposed light rail system that would utilize the old SPRR right-of-way.

Response to Comment 30-23: Comment noted. The referenced DEIR for the BART Dublin/Pleasanton Extension provides more detailed information on BART alignments and station locations.

- 30-24 **Comment: Page 5.0-2, Cumulative Projects.** A reference to the East Dublin BART station should be included as an additional cumulative impact.

Response to Comment 30-24: The discussion in Section 5.1 is cumulative impacts. Those projects that are addressed in this section are those projects whose impacts "when considered together, are considerable, or which compound or increase other environmental impacts" (CEQA Guidelines, Section 15355). The BART station, while important to the region, will not contribute to cumulative impacts, and therefore has not been included in the discussion. If anything, the BART station can be viewed as a mitigation measure that will reduce cumulative impacts associated with the proposed projects.

- 30-25 **Comment: Figure 5-A, Subregional Land Use Planning and Development.** The East and West Dublin BART stations should be included by reference on the map. Given the fact that by reference in 3.1-12 "Tri-Valley Land Use Planning and Development Projects," the subject map is referenced as a means to show "numerous land use and development projects in the Project site vicinity."

Response to Comment 30-25: See Response to Comment 30-23 and 30-24.



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DUBLIN PLANNING

FINAL DOCUMENT

October 29, 1992 (REVISED)

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

WILFRED T. USSERY
PRESIDENT

NELLO BIANCO
VICE-PRESIDENT

FRANK J. WILSON
GENERAL MANAGER

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

DIRECTORS

JOE FITZPATRICK
1ST DISTRICT

NELLO BIANCO
2ND DISTRICT

SUE HONE
3RD DISTRICT

MARGARET K. PRYOR
4TH DISTRICT

ERLENE DeMARCOUS
5TH DISTRICT

JOHN GLENN
6TH DISTRICT

WILFRED T. USSERY
7TH DISTRICT

JAMES FANG
8TH DISTRICT

MICHAEL BERNICK
9TH DISTRICT

Dear Ms. Gillarde:

Thank you for allowing us to review and comment on the subject documents.
For simplicity of review, the comments will follow the subject order of the
document.

Please note that for your convenience, changes from the original document
have been highlighted. If the Plan calls for mixed-use development, clearly
the Specific Plan area should be expanded to include the land around the
East Dublin BART station. What better way to promote density/mixed-use
development than to incorporate the fixed rail station into the Plan. This will
promote pedestrian oriented activity throughout the Plan area.

Page: Comments:

- | | | |
|------|--|------|
| SM-4 | 2.4 Project Concept: The 5th line of the paragraph should also incorporate a reference to locating higher density housing adjacent to any future transit stations (East Dublin BART Station). | 30-1 |
| 2-4 | 2.4 Project Concept: The 6th line of the first paragraph should be consistent with SM-4 and include a reference to locating high density housing adjacent to the transit corridor and the future East Dublin BART Station. | 30-2 |
| 2-5 | 2.4 Project Concept: The last line of the third paragraph, which references the choices for a preferred mode of transportation, should be modified to place a stronger emphasis on utilizing alternative transportation services including BART. | 30-3 |

FINAL DOCUMENT

Brenda A. Gillarde
October 29, 1992

Page 2

- 2-12 Traffic and Circulation: Top paragraph - if the Specific Plan area was expanded to incorporate the East Dublin BART station, then the 4 proposed park-and-ride lots adjacent to the freeway interchanges could possibly be reduced to 1 or 2. As an alternative, additional land could be provided adjacent to the parking lot at the East Dublin BART station. This planning action would encourage commuters to use mass transit and thus further reduce the necessity of vehicle activity. 30-4
- 2-13 Other Community Services and Facilities: An additional paragraph should be added to include a reference to the East Dublin BART Station with intermodal and kiss and ride capabilities. Because, when the station becomes operational in late 1995, the station and the transit system will have a significant impact upon the specific plan area and its residents. 30-5
- FIG 2-E General Plan Amendment Area Land Use: Since the map is referencing public/semi public facilities, the East Dublin BART station should also be included. 30-6
- 3.1-9 Camp Parks (Public/Semi-Public): The 5th line of the paragraph should reference the fact that Camp Parks adjacent to I-580 at the abandoned Southern Pacific Railroad (SPRR) underpass is where the East Dublin BART station parking lot will be located. 30-7
- 3.1-13 IM 3.1/G Potential Conflicts with Land Uses to the West: The same comment as the preceding should be incorporated within this paragraph. 30-8
- 3.1-22 BART Extension Plans: On the 6th line of the first paragraph the correct description is "(adjacent to Stoneridge Mall Road on Pleasanton side and Golden Gate Drive on Dublin side) and East Dublin/Pleasanton (adjacent to Hacienda Business Park at lower SPRR right of way on the Pleasanton side and Scarlett Court on the Dublin side)". 30-9

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- Second paragraph, 3rd line, "was" should be changed to "is". 30-9 contd.
Also, passenger service is expected to begin by late 1995.]
- 3.1-28 Land Use Table 3.1-4 GP 5.2.B: Reference should also be made to 30-10
include regional mass transit.]
- 3.1-29 GP 6.3.C: Consideration should be given to the accessibility of]
housing to the transit corridor and to the BART station (transit 30-11
station).]
- FIG3.1F The East Dublin BART station should be moved slightly to the west 30-12
to correspond with the crossing of I-580 and the SPRR right of way.]
- 3.2-5 A 5th bullet should be added to reference to East Dublin BART 30-13
station and its impact on both housing and employment in the area.]
- 3.2-8 Policy 4-4: The 3rd line should include a reference to encouraging 30-14
pedestrian access to the BART station.]
- 3.3-1 Dublin Boulevard: The 5th line should reflect that at the end of]
Scarlett Court and the SPRR right of way is where the East Dublin 30-15
BART parking lot will be located.]
- 3.3-2 Hacienda Drive: You may want to reference that this inter-change 30-16
will be the main access off I-580 to the East Dublin BART station.]
- 3.3-7 BART Dublin-Pleasanton Extension: See October 5, 1992 letter]
from Cameron Bauer (BART Planner) to Brenda Gillarde (City of 30-17
Dublin).]

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- 3.3-15 Trip Distribution Assumptions: Within the trip distribution assumptions, was consideration given to trips originating from within as well as outside the specific plan to the East Dublin BART station for further commute to work, school (Hayward State, U.C. Berkeley, S.F. State, etc.) or other activity? 30-18
- 3.3-18 Traffic Assignment Assumptions: See October 5, 1992 letter. 30-19
- 3.3-27 IM 3.3/M Cumulative Impacts on Dublin Boulevard: Has proper consideration been given to the traffic activity on Dublin Boulevard that will occur as a result of commuters going to/from the East Dublin BART station? 30-20
- 3.3-28 MM 3.3/15.3: See October 5, 1992 letter. 30-21
- 3.3-29 Impacts and Mitigation Measures: Pedestrians and Bicycles: Reference should also be made to encourage residents/employees-commuters to walk or ride to/from the East Dublin BART station. 30-22
- 3.3-D Future Transit Improvements: The East Dublin BART station should be moved to the east to align with the proposed light rail system that would utilize the old SPRR right of way. 30-23
- 5.0-2 List of Cumulative Projects: A reference to the East Dublin BART station should be included as an additional cumulative impact. 30-24
- FIG5-A Subregional Land Use Planning and Development: The East and West Dublin BART stations should be included by reference on the map. Given the fact that by reference in 3.1-12 "Tri Valley Land Use Planning and Development Projects," the subject map is referenced as a means to show "numerous land use and development projects in the Project site vicinity." 30-25

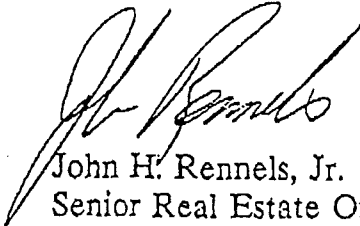
FINAL DOCUMENT

Brenda A. Gillarde
October 29, 1992

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Should you have any questions or comments regarding the preceding, please
contact me at (510) 464-6893

Sincerely,

A handwritten signature in black ink, appearing to read "John H. Rennels, Jr.", written over the typed name.

John H. Rennels, Jr.
Senior Real Estate Officer

JHR:jhr

Enclosures

G:\JOHN\DubEIR.lt2

Response to Letter 31: Mildred Greenberg, Chair, Tri-Valley Transportation Council.

- 31-1 Comment: Defer Plan Approval. The Tri-Valley Transportation Council would prefer that Dublin defer approval of the Eastern Dublin General Plan pending completion of the Tri-Valley Transportation Plan. However, if the City chooses to proceed at this time, please consider and thoroughly respond to the following comments as part of the final EIR.

Response to Comment 31-1: Comment noted.

- 31-2 Comment: Tri-Valley Transportation Model. The Tri-Valley Transportation Model will be available for projecting future traffic volumes and impacts and should be utilized in any future review and certification process.

Response to Comment 31-2: The City of Dublin will ensure that future review of individual developments within the Eastern Dublin Specific Plan and General Plan Amendment will be based on traffic analysis consistent with review of other development projects in the Tri-Valley area. The Tri-Valley Transportation Model will be used as appropriate, as determined by the City of Dublin in coordination with the Tri-Valley Transportation Council.

- 31-3 Comment: Financing Plan. A financing plan for transportation improvements assumed in the future roadway network, including planned improvements within Eastern Dublin and mitigation measures off site should be developed. Each transportation related improvement and mitigation measure should include:

- A. A phasing plan specifying when the improvement or mitigation measure will be constructed.
- B. Preliminary cost estimates for transportation mitigating measures.
- C. A financing plan specifying who will pay for the improvement and how much.

Response to Comment 31-3: The DEIR describes the incremental impacts and mitigation measures attributable to the Eastern Dublin Project. Full evaluation of a mitigation program for all development in the Tri-Valley area is beyond the scope of this Program EIR. The City of Dublin will continue to participate actively in the studies and findings of the current regional transportation study by the Tri-Valley Transportation Council, which is intended to provide information on recommended transportation improvements, costs, phasing and funding sources.

- 31-4 Comment: Mitigation Monitoring Program. A mitigation monitoring program for impacts associated with the project should be developed. The plan should specify who will be responsible for monitoring impacted roadway infrastructure, what types of monitoring will be conducted, how often the monitoring will take place, and how the results will be reported. The relationship of this mitigation monitoring program conducted by individual jurisdictions or the Congestion Management Agency should be specified. The DEIR presents "mitigated intersection results that will not result in acceptable traffic operations." Mitigation measures should be based upon generally accepted traffic engineering principles, including limitations on left turn storage, ramp capacity, etc. It is suggested that if acceptable mitigation cannot be achieved then deficiency plans for impacted CMP Network Routes as defined in current CMP legislation should be used.

Response to Comment 31-4: The City of Dublin will create a mitigation monitoring program for development within the Eastern Dublin area. Traffic studies for future development within the Eastern Dublin Specific Plan and General Plan Amendment will conform to the requirements of the Alameda County Congestion Management Plan, including the preparation of deficiency plans as required.

- 31-5 **Comment: Off-site Mitigation Measures.** Many of the suggested mitigating measures located offsite in other cities have been rejected by those cities. Alternative mitigation measures acceptable to those cities should be developed.

Response to Comment 31-5: The text describing several of the mitigation measures has been revised in response to comments by the individual cities. The revised text is included as an attachment to this Final EIR.

- 31-6 **Comment: Effects of Freeway Congestion on Parallel Routes.** Consideration should be given to impacts of peak hour freeway overloads on parallel arterial roadways, and should include analysis of the portion of the freeway overload traffic that will utilize parallel surface arterial streets, documenting the impacts and mitigation measures associated with this diversion. It is recommended that the Eastern Dublin Plan in conjunction with the North Livermore Plan and the Dougherty Valley Plan consider the construction of a major intercity arterial route connecting North Livermore through Eastern Dublin and the Dougherty Valley serving the Bishop Ranch area. This intercity arterial would address the unmitigated impacts on Dublin Boulevard and I-580 documented in the EIR.

Response to Comment 31-6: The traffic projections used in the DEIR considered the effects of diversion from congested routes, by taking a percentage of the daily traffic volumes comparable to the peak hour volumes, comparing these volumes to hourly road capacities, recalculating travel times including the effects of congestion, and reassigning traffic to alternative parallel routes which could provide a travel time savings. The Eastern Dublin Project will provide several improved regional arterial routes, including the extension of Dublin Boulevard, the extension of Fallon Road to the Contra Costa County line, and improvements to Tassajara Road. The City of Dublin will continue to participate actively in the studies and findings of the current regional transportation study by the Tri-Valley Transportation Council, which is intended to evaluate potential transportation improvements, such as a new major intercity arterial route.

- 31-7 **Comment: Compliance with Congestion Management Plans.** The refinement of the specific plan should assess the project's impacts on the ability of adjacent jurisdiction to achieve compliance with Congestion Management Plans for Alameda and Contra Costa Counties. Impacts on CMP routes should be explicitly evaluated. Inability to meet CMP standards will jeopardize local jurisdictions gas tax subventions.

Response to Comment 31-7: See response to Comment 9-1.

- 31-8 **Comment: Fair Share Participation.** The DEIR should clearly commit the Eastern Dublin Project to a fair share participation in any subsequently adopted or approved regional traffic impact fees and/or other mitigation programs.

Response to Comment 31-8: The text describing mitigation measures has been revised in response to comments from several agencies. The revised text is included as an attachment to this Final EIR.

- 31-9 Comment: Reduced Land Use Intensities. The final EIR should continue to consider and evaluate reduced land use intensities as a regional traffic mitigation measure.

Response to Comment 31-9: The Alternatives section of the DEIR, Chapter 4, includes evaluation of four alternatives which would result in reduced land use intensities.

- 31-10 Comment: 2010 Peak-Hour Intersection Analysis. The final EIR should include the year 2010 peak hour intersection analysis of those critical intersections and street segments impacted by the Eastern Dublin Project. This level of output will be available from the Tri-valley traffic Model. Any intersection which is not capable of handling the problem should have the impact of this lack of capacity discussed in relation to impact on the proposed Eastern Dublin development and upon the adjacent transportation system. Would such congestion produced spill over into adjacent intersections?

Response to Comment 31-10: The DEIR includes analysis of all intersections and road segments which were identified as locations where the Eastern Dublin Project may create significant traffic impacts beyond traffic impacts created by other future development projects. The City of Dublin will continue to participate actively in the current regional transportation study by the Tri-Valley Transportation Council. The City of Dublin will participate in regional mitigation programs together with all other jurisdictions in the Tri-Valley Transportation Council (cities of Dublin, Pleasanton, Livermore, San Ramon, Danville, plus Alameda County and Contra Costa County) based on regional studies which may identify additional improvement needs related to development in Eastern Dublin.

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OCT 29 1992

DUBLIN PLANNING

TRI-VALLEY TRANSPORTATION COUNCIL

Traffic Engineering

P. O. Box 520 - 200 Old Bernal Avenue

Pleasanton, CA 94566

October 29, 1992 (510) 484-8041

Millie Greenberg,
Councilmember
Danville, CA
837-3231

City of Dublin
Planning Department
Brenda A. Gillarde
100 Civic Plaza
Dublin, Ca 94568

Ben Tarver,
Vice Mayor
Pleasanton, CA
(W) 671-3169
(H) 846-8456

Dear Ms. Gillarde:

Re: Draft EIR for Eastern Dublin General Plan Amendments
and Specific Plan

Ed Campbell,
Supervisor
Alameda County
(W) 272-6691
(H) 656-7640

The Tri-Valley Transportation Council has reviewed the transportation aspects of the Eastern Dublin EIR. We appreciate your DKS Consultant, Mike Aranson, giving us a brief presentation of the transportation aspects of the EIR.

Paul Moffatt,
Councilmember
Dublin, CA
(W) 829-5111
(H) 828-0936

The Tri-Valley Transportation Council was formed in 1991 to coordinate transportation planning within the Tri-Valley area, including Alameda, Contra Costa Counties, the Town of Danville, and the Cities of Dublin, Livermore, Pleasanton, and San Ramon. The joint powers agreement signed by all these agencies specifies that the Tri-Valley Transportation Council (TVTC) "shall review and provide comments regarding any proposed new freeway, expressway, arterial, transit project or major intersection of regional importance or subregional importance to be located in the Tri-Valley." The TVTC is also responsible for preparing the Tri-Valley Transportation Plan/Action Plans for Routes of Regional Significance.

Mary Lou Oliver
Mayor
San Ramon, CA
837-8803

Tom Reitter,
Councilmember
Livermore, CA
(W) 422-1468
(H) 443-3326

Robert Schroder,
Supervisor
Contra Costa County
(W) 820-8683
(H) 934-6789

The Tri-Valley Transportation Council would prefer that Dublin defer approval of the Eastern Dublin General Plan pending completion of the Tri-Valley Transportation Plan. However, if the City chooses to proceed at this time, please consider and thoroughly respond to the following comments as part of the final EIR.

1. The Tri-Valley Transportation Model will be available for projecting future traffic volumes and impacts and should be utilized in any future review and certification process.

2. A financing plan for transportation improvements assumed in the future roadway network, including planned improvements within

Eastern Dublin and mitigation measures off site should be developed. Each transportation related improvement and mitigation measure should include:

- A. A phasing plan specifying when the improvement or mitigation measure will be constructed. 31-3 contd.
 - B. Preliminary cost estimates for transportation mitigating measures.
 - C. A financing plan specifying who will pay for the improvement and how much.
3. A mitigation monitoring program for impacts associated with the project should be developed. The plan should specify who will be responsible for monitoring impacted roadway infrastructure, what types of monitoring will be conducted, how often the monitoring will take place, and how the results will be reported. The relationship of this mitigation monitoring program conducted by individual jurisdictions or the Congestion Management Agency should be specified. The DEIR 31-4 presents "mitigated intersection results that will not result in acceptable traffic operations." Mitigation measures should be based upon generally accepted traffic engineering principles, including limitations on left turn storage, ramp capacity, etc. It is suggested that if acceptable mitigation cannot be achieved then deficiency plans for impacted CMP Network Routes as defined in current CMP legislation should be used.
4. Many of the suggested mitigating measures located offsite in other cities have been rejected by those cities. Alternative mitigation measures acceptable to those cities should be developed. 31-5
5. Consideration should be given to impacts of peak hour freeway overloads on parallel arterial roadways, and should include analysis of the portion of the freeway overload traffic that will utilize parallel surface arterial streets, documenting the impacts and mitigation measures associated with this diversion. It is recommended that the Eastern Dublin Plan in 31-6

conjunction with the North Livermore Plan and the Dougherty Valley Plan consider the construction of a major intercity arterial route connecting North Livermore through Eastern Dublin and the Dougherty Valley serving the Bishop Ranch area. This intercity arterials would address the unmitigated impacts on Dublin Boulevard and I-580 documented in the EIR. 31-6 contd.

6. The refinement of the specific plan should assess the project's impacts on the ability of adjacent jurisdiction to achieve compliance with Congestion Management Plans for Alameda and Contra Costa Counties. Impacts on CMP routes should be explicitly evaluated. Inability to meet CMP standards will jeopardize local jurisdictions gas tax subventions. 31-7
7. The DEIR should clearly commit the Eastern Dublin Project to a fair share participation in any subsequently adopted or approved regional traffic impact fees and/or other mitigation programs. 31-8
8. The final EIR should continue to consider and evaluate reduced land use intensities as a regional traffic mitigation measure. 31-9
9. The final EIR should include the year 2010 peak hour intersection analysis of those critical intersections and street segments impacted by the Eastern Dublin Project. This level of output will be available from the Tri-Valley traffic Model. Any intersection which is not capable of handling the problem should have the impact of this lack of capacity discussed in relation to impact on the proposed Eastern Dublin development and upon the adjacent transportation system. Would such congestion produced spill over into adjacent intersections? 31-10

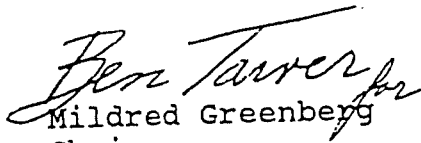
We appreciate the opportunity to review your plan at a formulative time and having presentations by your consultant and Dennis Carrington of your Planning Staff.

Ms. Gillarde
October 29, 1992
Page. 4

If there are specific questions regarding these comments,
please feel free to contact Bill van Gelder, who chairs our
Technical Advisory Committee, (510) 484-8257.

Very truly yours,

Tri-Valley Transportation Council


Mildred Greenberg
Chair

Letters\Gillarde.WVG.ms

Response to Letter 32: Bert Michalczyk, Technical Services Manager, Dublin San Ramon Services District

- 32-1 Comment: Page 2-6 - The second paragraph from the bottom states, "Market projections estimate that build-out of the planning area will take at least 30-40 years from the start of construction". It should be noted that the General Plan Amendment projects build-out in 30-40 years from today. As the rate of build-out strongly influences the need for services, DSRSD requests clarification of the build-out period.

Response to Comment 32-1: The 30-40 time period referenced needs to be revised since it may overstate the period it will take for buildout. Given the rate of absorption in the fiscal analysis, the Project is projected to buildout around the year 2017, or 25 years from today. The rate of absorption in this analysis is based on trends over the past 20 years. Depending on one's opinion of how the economy is going to respond in the future, buildout could occur somewhat faster or slower. It would probably be more accurate to project buildout within a 20-30 year time period. The last sentence in the sixth paragraph on page 2-6 has been revised as follows:

Market projections estimate that buildout of the planning area will take ~~at least 30-40~~
approximately 20-30 years from the start of construction.

- 32-2 Comment: Page 2-13 - The paragraph entitled "Water Supply and Facilities" should be changed to state that the sphere of influence of DSRSD will need to be adjusted along with the boundary. It should also note that the use of recycled water will be an important component of the total water supply for Eastern Dublin.

Response to Comment 32-2: Comment acknowledged. The referenced paragraph has been revised as follows:

Water Supply and Facilities: Water service to the Specific Plan area will be provided by the Dublin San Ramon Services District (DSRSD) with water supplies from the Alameda County Flood Control and Water Conservation District (Zone 7). Development of the Specific Plan area will require an adjustment of current DSRSD boundaries, **an expansion of the current DSRSD sphere of influence**, and an expansion of existing facilities to ensure adequate water delivery. Water conservation will be emphasized in planning for new development, **and the use of recycled water will be an important component of the total water supply for eastern Dublin.**

- 32-3 Comment: Page 2-16 - The entry on Table 2.0-3 for DSRSD should be expanded for completeness sake to include the Water, Sewer, and Recycled Water Master Plan (1990), the Urban Water Management Plan Amendment (1992), the Water Supply Policy (Res. 5-92), the Service Policy (Res. 38-92), the Recycled Water Policy (Res. 42-92), the Standard Procedures and Specifications (1988), and the District Code. Permits may be issued by DSRSD under authority of the Recycled Water Policy or the District Code. The Recycled Water Policy may further evolve because of the work of the Tri-Valley Water Recycling Task Force. The District is required to obtain a permit for all discharges of treated wastewater. The correct citation for all of these should be EIR Chapter 3.5 Sewer, Water and Storm Drainage.

Response to Comment 32-3: Comments acknowledged and incorporated by this reference.

CHAPTER 3 - ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

Section 3.1 - Land Use

- 32-4 **Comment: Page 3.1-16 - Other Special Districts** - The text should note that an adjustment to the DSRSD sphere of influence will also be required in addition to boundary adjustments to serve the entire General Plan area.

Response to Comment 32-4: Comment acknowledged. The last paragraph on page 3.1-16 has been revised as follows:

Expansion of the Dublin San Ramon Services District sphere of influence and Annexation of the Project site into the Dublin San Ramon Services District to provide water and sewer service, and annexation/detachment from other special district boundary adjustments would require approval by Alameda County LAFCO.

- 32-5 **Comment: Page 3.1-27 - General Plan Policy (GP 4.3.A)** - The potential inconsistency is negated by changes to Policies 9-4 and 9-6 suggested by DSRSD's comments on the General Plan Amendment and specific Plan, and by changes requested to Impacts 3.5/D and /E and their mitigation measures elsewhere in these comments.

Response to Comment 32-5: Comment acknowledged.

- 32-6 **Comment: Figure 3.1-E** - While it is recognized that this figure identifies only jurisdictional boundaries associated with City and County governments, DSRSD has a defined boundary line and sphere of influence in Alameda as well as Contra Costa County. The attached map identifies the correct location of DSRSD's sphere of influence and boundaries.

Response to Comment 32-6: Comment acknowledged and map is incorporated by this reference.

Section 3.5 - Sewer, Water and Storm Drainage

- 32-7 **Comment:** DSRSD has recently adopted Resolution 38-92, Extension of Utility Services to New Areas, which establishes the policy of DSRSD for service to new areas within and outside DSRSD's sphere of influence. A copy is enclosed as Attachment B. As applied to Eastern Dublin, the policy states that the District will consider annexing the territory and extending utility services when it is requested to do so by the owners of the property or by public agencies having land use planning jurisdiction (e.g. the City of Dublin). The annexations must be economically sound and must not place the burden on constituents currently served by the District. The policy goes on to state that the District will undertake the planning necessary to provide utility service to the areas considered for service directly by District staff and their consultants and only commit to provide service to development projects at time of annexation and under terms and conditions specified in the Conducting Authority annexation ordinance as approved by DSRSD. The District shall recover costs including staff time and direct costs such as consultants for the advanced planning work from those who directly benefit by entering into standard planning period agreements with the owners of the property or their representatives.

Response to Comment 32-7: Comment acknowledged and incorporated by this reference.

- 32-8 **Comment: Page 3.5-1** - It is stated that DSRSD jointly (emphasis added) owns a wastewater treatment plant with the City of Pleasanton, with the plant operated by DSRSD. This is not true; the entire plant is owned as well as operated solely by DSRSD. DSRSD provides wastewater treatment service to the City of Pleasanton under contract.

Response to Comment 32-8: Comment acknowledged. The beginning of the third paragraph on page 3.5-1 has been revised as follows:

DSRSD owns and operates a collection system that serves all of City of Dublin and the southern portion of the City of San Ramon. DSRSD also ~~jointly owns and operates~~ a wastewater treatment plant ~~with City of Pleasanton, with the plant operated by DSRSD.~~ **The District is currently under contract to provide wastewater treatment to the City of Pleasanton from this plant.** The majority of the lands....

- 32-9 **Comment: Page 3.5-1** - The third paragraph states in part that the collection system within the Santa Rita Jail facilities is currently served by DSRSD. This is true; however, it is important to note that DSRSD only treats the sewage from that facility. The collection system is not owned or operated by DSRSD. It is owned and operated by Alameda County.

Response to Comment 32-9: Comment acknowledged and is incorporated by this reference.

- 32-10 **Comment: Page 3.5-1** - The fourth paragraph states that LAVWMA and TWA are "wastewater disposal agencies". This is not true. They technically are joint powers agencies consisting of a number of public agencies as members. It is true that currently their prime focus is wastewater disposal.

Response to Comment 32-10: Comment acknowledged. The last sentence of the fourth paragraph on page 3.5-1 has been revised as follows:

DSRSD is a member of two existing **joint powers agencies whose prime focus is** wastewater disposal ~~agencies~~ in the Valley: the Livermore Amador Valley Water Management Agency (LAVWMA) and the Tri-Valley Wastewater Authority (TWA).

- 32-11 **Comment: Page 3.5-2** - For the record - as of September 30, 1992 DSRSD has 2,805 DUE's available for purchase.

Response to Comment 32-11: Comment acknowledged and is incorporated by this reference.

- 32-12 **Comment: Page 3.5-2** - The fourth paragraph states that "DSRSD staff have indicated that there may actually be slightly more capacity available due to water conservation in homes which appears to be yielding wastewater flows less than 220 gpd/DUE". We have queried our staff and reviewed our files and must now conclude that any statements made along this line previously by District staff should be viewed only as preliminary. We have no firm evidence that this flow reduction has occurred.

Response to Comment 32-12: Comment acknowledged and is incorporated by this reference.

- 32-13 **Comment: Page 3.5-3** - In the section entitled "Planned Wastewater Collection System Improvements", it states that the planning completed by DSRSD in March, 1991 was exclusive of Doolan Canyon; in fact, it included the upper part of Doolan Canyon and not the lower part of Doolan Canyon.

Response to Comment 32-13: Comment acknowledged and is incorporated by this reference.

- 32-14 **Comment: Page 3.5-3** - The bottom paragraph should be modified slightly to read as follows: "DSRSD has been collecting the required funds for future plant expansion or construction of TWA disposal facilities through its connection fees".

Response to Comment 32-14: The first sentence of the last paragraph on page 3.5-3 has been revised as follows:

DSRSD has been collecting the required funds for future plant expansion or construction of TWA disposal facilities through its connection fees.

- 32-15 **Comment: Page 3.5-3** - The planned staged expansion schedule for the DSRSD wastewater treatment plant is correct; however, it may be misleading because implementation of the preferred TWA North 3 disposal project, which involves exporting raw wastewater to CCCSD, would be in lieu of the planned expansion schedule at DSRSD's treatment facilities. If an alternate TWA disposal project is approved which would require treatment within the Valley, the treatment plant expansions will be staged as shown. In any event, funding has been planned for the most expensive wastewater treatment/disposal option identified at this time.

Response to Comment 32-15: Comment acknowledged and is incorporated by this reference.

- 32-16 **Comment: Page 3.5-4** - Recycled water should be viewed as a separate utility from potable water and wastewater. It should therefore be the subject of a separate section with a setting, impacts and mitigation measures to reflect the true importance of providing this utility. Such direction was requested in our response to your Notice of Preparation dated November 18, 1991.

Response to Comment 32-16: The comment is acknowledged. The DEIR and Specific Plan do discuss recycled water in detail. Recycled water is both a partial solution to wastewater disposal and a partial solution to new water supply sources. We agree that recycled water should be viewed as a separate utility. However, in our review of your 18 November 1991 response to the Notice of Preparation, we found no mention of making recycled water a separate section. Since wastewater disposal is such a major concern for Eastern Dublin, recycled water was included within the section on wastewater, since recycled water is a partial solution to wastewater disposal.

- 32-17 **Comment: Page 3.5-5** - In the Setting Section, the following should be added to Onsite Wastewater Storage - if TWA approves the North 3 option for wastewater disposal (export of raw wastewater to CCCSD) within the Valley storage of raw wastewater during storm events will be required. The storage is over and above the emergency TWA storage already identified in the document. It is based on 4.4 mgd of wastewater generated in Eastern Dublin; approximately 5.8 mg of storage would be required. The District is currently analyzing the most optimal configuration for this storage whether it be centrally located at the TWA pump stations or separate storage within the project area. In any event, it is anticipated that the storage would be underground storage with odor control facilities.

Response to Comment 32-17: Comment acknowledged. The following text has been inserted after the second paragraph on page 3.5-4:

Onsite Wastewater Storage

If TWA approves the North 3 option for wastewater disposal (export of raw wastewater to CCCSD) within the Valley, storage of raw wastewater during storm events will be required. The storage is over and above the emergency TWA storage already identified in the document. It is based on 4.4 mgd of wastewater generated in Eastern Dublin; approximately 5.8 mg of storage would be required. The District is currently analyzing the most optimal configuration for this storage whether it be centrally located at the TWA pump stations or separate storage within the project area. In any event, it is anticipated that the storage would be underground storage with odor control facilities.

- 32-18 Comment: Page 3.5-5 - IM 3.5/A - This impact is a different approach than all others in the water and wastewater section, which identify an impact and propose a mitigation measure, instead of identifying no impact due to a project feature. For consistency the document should identify the impact as significant, and list annexation to DSRSD as a mitigation measure.

Response to Comment 32-18: Comment acknowledged. Policy 9-4 of the Specific Plan addresses the need for DSRSD to expand its service boundaries to include the Specific Plan, but a mitigation measure should be added to the EIR to clarify the assumption that all of the Project area will be annexed by DSRSD. The Draft EIR (page 3.5-5, IM 3.5/A) has been revised as follows:

IM 3.5/A Indirect Impacts Resulting from the Lack of a Wastewater Service Provider to the Project Site.

Development of the scale proposed by the Project would not be possible without a provider of wastewater service. Specific Plan Policy 9-4 (page 127) calls for expansion of DSRSD's service boundaries to include the Specific Plan area, but the need to further expand DSRSD's service area to include the GPA Increment Area needs to be clarified to avoid indirect impacts resulting from non-coordinated efforts by future developers to secure wastewater services. The absence of a service provider would be a potentially significant impact.

Mitigation Measures of the EIR

MM 3.5/1.0a Require that the Project area be annexed into DSRSD's service area in order to ensure the coordinated provision of wastewater services to eastern Dublin.

Implementation of MM 3.5/1.0a would reduce the potential for significant impact related to the absence of a service provider to a level of insignificance.

~~The Project assumes annexation of the Project site to the DSRSD which will provide wastewater service. No indirect impacts resulting the lack of a wastewater service provider are identified.~~

~~No mitigation is required.~~

- 32-19 Comment: Page 3.5-6 - MM 3.5/1.0 (Program 9P) should be revised to read in part as follows, "Exceptions to this requirement will only be allowed on case-by-case basis on written approval from the Alameda County Health Department and DSRSD". This language would

be consistent with DSRSD's current code.

Response to Comment 32-19: Comment acknowledged. The referenced mitigation measure has been revised as follows:

*MM 3.5/1.0 (Program 9P). Connection to Public Sewers. Require that all development in the Specific Plan area be connected to public sewers. Exceptions to this requirement, ~~in particular septic tank systems,~~ will only be allowed **on a case-by-case basis** upon receipt of written approval from the Alameda County Environmental Health Department and DSRSD.*

- 32-20 **Comment: Page 3.5-6 - MM 3.5/2.0 (Program 9I)** should be revised in part to read, required development to pay for a design level wastewater collection system master plan computer model reflecting a proposed Specific Plan area land use as to verify the conceptual proposed wastewater collection system presented in Figure 3.5-B. Such language would be consistent with the District's current service policy requiring development to fully pay all costs associated with the service in a real time fashion.

Response to Comment 32-20: Comment acknowledged. The referenced mitigation measure has been revised as follows:

*MM 3.5/2.0 (Program 9I). Wastewater Collection System Master Plan. Request that DSRSD update its wastewater collection system master plan computer model reflecting the proposed Specific Plan area land uses to verify the conceptual proposed wastewater collection system presented in Figure 3.5-B. **Consistent with DSRSD's current policy, it is assumed that proposed development within the Project area will be responsible for the costs of preparing a design level wastewater collection system master plan computer model.***

- 32-21. **Comment: Page 3.5-7 -** It is recommended that IM 3.5/D be retitled as follows: "Allocation of DSRSD Treatment and Disposal Capacity". The text of the impact should read as follows: "There is a limited available capacity at the DSRSD treatment plant. This available capacity is reflected in the available sewer permits DSRSD has to sell to developers. DSRSD's current policy is to sell capacity on a first-come, first-serve basis. If sewer permits are not carefully allocated, the project would be adversely affected. It is very unlikely that any of the remaining DUE's will be available for the Eastern Dublin area."

Response to Comment 32-21: Comment acknowledged. The referenced text has been revised as follows:

IM 3.5/D Allocation of DSRSD Treatment and Disposal Capacity Current Limited Treatment Plant Capacity.

There is a limited available ~~treatment~~ capacity at the DSRSD Wastewater Treatment Plant. ~~Available export capacity limits wastewater treatment plant expansion.~~ This available capacity is reflected in the available sewer permits DSRSD has to sell to developers. **DSRSD's current policy is to sell capacity on a first-come, first-serve basis.** ~~Thorough calculation of estimated wastewater flows is critical to efficient use of remaining sewer permits.~~ **If sewer permits are not carefully allocated, the project would be adversely affected. It is very unlikely that any of the remaining DUE' will be available for the Eastern Dublin area.** ~~available for purchase, this would adversely~~

~~affect the Project and could halt development.~~ This is a significant impact.

- 32-22 **Comment: Page 3.5-7** - A mitigation measure should be added to the EIR for IM 3.5/D to not allow the issuance of a grading permit without a "will-serve" letter from DSRSD, which under current policy will only be issued if capacity is available either at the treatment plant or through the TWA project. If capacity is not available, no "will-serve" letter will be issued by this agency.

Response to Comment 32-22: Comment acknowledged. The following mitigation measure has been inserted and the text has been revised as follows:

Mitigation Measures of the EIR

~~None.~~

MM 3.5/7.1 *Require developers to obtain a wastewater "will-serve" letter from DSRSD prior to the issuance a grading permit. A "will-serve" letter will only be issued if capacity is available, either at the treatment plant or through the TWA project. If capacity is not available, no "will-serve" letter will be issued by DSRSD.*

MM 3.5/7.0 is applicable to the total Project site. Implementation of ~~this~~ these mitigation measures will reduce this impact to a level of insignificance.

- 32-23 **Comment: Page 3.5-8:** The expansions listed in MM 3.5/9.0 are technically accurate, but will be required only if TWA approves a project that does not involve export of raw wastewater to CCCSD. Such a statement should be added to the mitigation measure.

Response to Comment 32-23: MM 3.5/9.0 on page 3.5-8 has been revised to read as follows:

MM3.5/9.0 *In order to meet projected wastewater flow rates, DSRSD has prepared a master plan for wastewater treatment plant expansion as follows:*

<i>DSRSD WWTP</i>	
<i>Staged</i>	<i>Total Planned</i>
<i><u>Expansion</u></i>	<i><u>Plant Capacity</u></i>
<i>Stage 4</i>	<i>14.7 MGD-ADWF</i>
<i>Stage 4B</i>	<i>18.3 MGD-ADWF</i>
<i>Stage 5</i>	<i>22.0 MGD-ADWF</i>
<i>Stage 6</i>	<i>36.0 MGD-ADWF</i>

DSRSD has the funds available to design and construct wastewater treatment plant expansions once export capacity is available. Such expansions would be required only if TWA approves a project that does not involve export of raw wastewater to CCCSD.

- 32-24 **Comment: Page 3.5-8 - MM 3.5/10.0** should be modified as in the comment above.

Response to Comment 32-24: MM 3.5/10.0 on page 3.5-8 has been revised to read as follows:

MM 3.5/10.0 Expansion of the DSRSD WWTP should include the use of energy efficient treatment systems. The expanded plant should be operated to take advantage of off peak energy. Such expansions would be required only if TWA approves a project that does not involve export of raw wastewater to CCCSD.

- 32-25 Comment: Page 3.5-9 - MM 3.5/12.0 should be revised as follows, "Require recycled water use or landscape irrigation in accordance with DSRSD's Recycled Water Policy".

Response to Comment 32-25: Comment acknowledged. MM 3.5/12.0 has been revised as follows:

*MM 3.5/12.0 (Policy 9-5). **Require recycled water use or landscape irrigation in accordance with DSRSD's Recycled Water Policy.** ~~Promote recycled water use for landscape irrigation in eastern Dublin through upgrading of treatment as required at the DSRSD Wastewater Treatment Plant and construction of a recycled water distribution and storage system in eastern Dublin.~~*

- 32-26 Comment: Page 3.5-9 - MM 3.5/13.0 should be revised as follows, "Require development to fund a recycled water distribution system computer model...."

Response to Comment 32-26: Comment acknowledged. MM 3.5/13.0 has been revised as follows:

*MM 3.5/13.0 (Program 9J). Recycled Water Distribution System. ~~Request DSRSD to update its proposed~~ **Require development within the Project to fund a** recycled water distribution system computer model reflecting the proposed Specific Plan land uses and verify the conceptual backbone recycled water distribution system presented on Figure 3.5-C.*

- 32-27 Comment: Page 3.5-9 - MM 3.5/14.0 should be revised as follows, "Support the efforts of the Tri-Valley Water Recycling Task Force, DSRSD, and Zone 7 to encourage wastewater recycling...."

Response to Comment 32-27: Comment acknowledged. MM 3.5/14.0 has been revised as follows:

*MM3.5/14.0 (Program 9K). Wastewater Recycling and Reuse. ~~Support the efforts of the Tri-Valley Water Recycling Task Force Study, DSRSD, and through Zone 7, encouraging~~ **to encourage** wastewater recycling and reuse for landscape irrigation within the Eastern Dublin Specific Plan area.*

- 32-28 Comment: Page 3.5-10 - IM 3.5/I, J, K - These impacts are addressed in the Final Subsequent EIR for TWA's Long Range Wastewater Management Plan, and are identified therein as less than significant due to required design features of such facilities such as emergency power, overflow storage, and odor control facilities.

Mitigation Measures 3.5/17, 18, and 19 do not actually propose any mitigation. We suggest that because the design and construction of TWA facilities is addressed in the TWA SEIR, that these impacts be identified as insignificant and/or beyond the scope of the Eastern

Dublin EIR. (The TWA SEIR was certified on October 22, 1992.)

Response to Comment 32-28: Comment acknowledged. Based on the findings of the TWA SEIR, Impacts 3.5/I, J, and K are all identified as insignificant impacts.

- 32-29 **Comment:** Equalization storage required to implement TWA Alternative North 3 may be built near the proposed Interceptor Pump Station or may be sited within each development within the Eastern Dublin area. No environmental siting analysis was performed for this storage within the TWA SEIR. If sited within each development, further environmental review will be required as each development which includes equalization storage is approved. As noted in DSRSD's reply to the NOP dated November 18, 1991, the EIR should discuss the need for and impact of equalization storage. Approximately 5 to 8 million gallons of storage for the Eastern Dublin Plan area will be required. It is anticipated this storage will be located underground with seismic design for lateral force resistance and odor control facilities.

Response to Comment 32-29: The comment is acknowledged and has been incorporated as follows:

On page 3.5-4, insert the following text after the paragraph entitled, "Tri-Valley Wastewater Authority (TWA)":

DSRSD

If TWA Alternative North 3 is approved, DSRSD will have to provide for in-valley storage of raw wastewater during storm events. This storage is in addition to the emergency storage to be provided by TWA. As shown on Table 3.5-1 of the DEIR, the estimated wastewater flow for the Specific Plan area is 4.2 MGD (slightly revised from the 4.4 MGD value presented in the Specific Plan -- mainly due to some minor land use changes). DSRSD has noted that approximately 5 to 8 million gallons of storage will be required for the Eastern Dublin Specific Plan area. It is anticipated that this storage will be located underground with seismic design for lateral force resistance and odor control facilities. DSRSD is currently analyzing the most cost effective configuration for this storage, whether it be centrally located at the TWA pump stations or be separate storage within each project area.

- 32-30 **Comment:** Page 3.5-12 - IM 3.5/N - The description of the impact states that the loss of system pressure could require increased demands on potable water for backup irrigation to prevent loss of vegetation from lack of irrigation water. DSRSD's policy on recycled water will apply. Backup supplies for irrigation are not proposed. The recycled water system will be designed to sustain standards of operation similar to the potable water system and will be operated by DSRSD on a self-sustaining enterprise utility basis. A copy of the Recycled Water Policy, Resolution 42-92, is enclosed as Attachment C.

Response to Comment 32-30: The comment is acknowledged. On page 3.5-12, the first paragraph under IM 3.5/N has been revised as follows:

Loss of pressures in the proposed recycled water distribution systems could result in the system being unable to meet peak irrigation demand. **DSRSD does not propose to supply potable water as a backup to the recycled water irrigation system. Loss of recycled water irrigation system pressures could** ~~This could require increased demands on potable water for backup irrigation and potentially result in loss of vegetation through lack of irrigation water. This is a potentially significant impact.~~

- 32-31 **Comment: Page 3.5-12 - MM 3.5/22.0** states that emergency power generation at each recycled water pump station with an automatic transfer switch would be installed. This is not in accordance with current DSRSD potable water facility standards. The current practice for potable water pump station operations uses a portable emergency generator, generator receptacle on the outside of the station, and a kirk-key interlock to allow power feed from the portable generator or P.G.& E. This type of system will also be imposed for any future recycled water pump stations.

Response to Comment 32-31: Comment acknowledged. MM3.5/22.0 on page 3.5-12 has been revised as follows:

MM 3.5/22.0 Require the proposed recycled water pump stations to meet all the applicable standards of DSRSD ~~and include emergency power generation at each pump station with an automatic transfer switch to run the pumps in the event of a power failure.~~

- 32-32 **Comment: Page 3.5-13** - The second paragraph states that DSRSD does not have a policy requiring all developments to connect to its water distribution system. Thus, developments are free to explore other options for water supply -- such as groundwater wells. This is not exactly true. DSRSD does not require connection to its water distribution system, however, groundwater wells are only allowed 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.

Response to Comment 32-32: Comment acknowledged. See Response to Comment 32-42.

- 32-33 **Comment: Page 3.5-13** - Throughout this Section, Zone 7's facilities should be correctly identified as Del Valle (emphasis added).

Response to Comment 32-33: Correction noted and incorporated by this reference.

- 32-34 **Comment: Page 3.5-13** - The second paragraph from the bottom should be modified slightly as follows: "Zone 7, as the only current water supplier to DSRSD.

Response to Comment 32-35: Comment acknowledged. The first sentence of the second paragraph from the bottom has been modified as follows:

Zone 7, as the only current water supplier to DSRSD, owns and operates water treatment facilities that provide a safe and potable water to DSRSD.

- 32-35 **Comment: Page 3.5-14** - The EIR quotes Zone 7's February, 1992 Water Supply Update as using an overall community consumption rate of 210 gallons per capita per day (gpcd) and using that figure extrapolates to the potential population that the Valley's water supply could support. It should be noted that this is a Valley-wide average and using this number to extrapolate a water consumption in Eastern Dublin requires assuming the same mix of commercial/residential/industrial land uses in Eastern Dublin, now and in the future. It should be noted that the peak DSRSD water consumption rate for all land uses occurred in 1990 and was 170 gpcd. Using any per capita consumption rate that is reasonable, one still concludes that the Valley water supply will be short when compared to its prospective general plans. However, the degree of the shortage is not as great as Zone 7's analysis would indicate and the time to reach such a shortage will be longer. In addition, the Zone 7 report is based on TWA data indicating a potential population of 274,000, but the TWA prospective plan data is based on land use concepts that are approximately two years old. The recent trend has been for a reduction in projected population increases from amended

general plans.

Response to Comment 32-35: Comments acknowledged.

- 32-36 **Comment: Page 3.5-15** - A sub-section should be added to the section entitled, Planned Water Supply Improvements.

Response to Comment 32.36: Comment acknowledged. The following text has been added to page 3.5-15 after the second paragraph:

DSRSD Water Resources Acquisition Study

In February, 1992 the District adopted Resolution 5-92, which is the Water Supply Policy. This resolution established the District's policy on securing additional water supplies for existing and future customers. The Resolution states that it is the District's policy to:

- First and foremost secure water to meet the needs of existing customers.
- Pursue acquisition of additional water supplies to meet the needs of new development being planned by the land use planning agencies.
- Cooperate with Zone 7 to obtain new water but to take the necessary steps to acquire this water from sources other than Zone 7 if that is what is required.
- The ultimate beneficiaries of the new water equitably participate in funding of the planning, engineering, acquisition, delivery of that water and to our service area.

The District is currently undertaking the Water Resources Acquisition Study, the goal of which is to acquire or develop new water resources to both stabilize its supply deficiency that our existing customers are now experiencing and provide long term firm deliveries to new areas such as Eastern Dublin. This work is being funded in its entirety by development interests in Western Dublin and the Dougherty Valley. District staff has begun preliminary discussions with development interests in Eastern Dublin to ensure equitable funding of the search for water for Eastern Dublin as well. The District has tentatively examined a number of potential water supplies and has targeted three of these water supplies for further consideration.

- 32-37 **Comment: Page 3.5-15** - The next to the last sentence in the section on groundwater wells should be rewritten to simply state that the addition of wells would give DSRSD additional flexibility in meeting peak water demands in summer months. This fact is not merely the opinion of District staff.

Response to Comment 32-37: Comment acknowledged. The referenced text has been revised as follows:

~~DSRSD staff feels that~~ The addition of wells would give DSRSD additional flexibility in meeting peak water demands in summer months. Also, the wells would serve as a backup, should the Zone 7 distribution system fail.

- 32-38 **Comment: Page 3.5-15** - The section on Conservation should be expanded by adding a section entitled, "DSRSD Urban Water Conservation Efforts". DSRSD is a signatory to the

Memorandum of Understanding Regarding Urban Water Conservation in California along with one other Valley retailer, California Water Services Company. A copy of the MOU signed by DSRSD was previously submitted with our comments on the Specific Plan, dated October 15, 1992. DSRSD is implementing the Best Management Practices (BMP) identified therein to achieve savings in water conservation. Compliance with the BMP's is strongly encouraged by the California Department of Water Resources and will help to ensure that the existing water resources of the DSRSD service area are not adversely affected by the Bay Delta Water Rights currently ongoing in Sacramento.

Response to Comment 32-38: The comment is acknowledged. On page 3.5-15, the following text has been added at the bottom of the page as follows:

DSRSD Urban Water Conservation Efforts

DSRSD is a signatory to the Memorandum of Understanding Regarding Urban Water Conservation in California along with one other Valley retailer, California Water Service Company. DSRSD is implementing the Best Management Practices (BMP) identified therein to achieve savings in water conservation. Compliance with the BMP's is strongly encouraged by the California Department of Water Resources and will help to ensure that the existing water resources of the DSRSD service area are not adversely affected by the Bay Delta Water Rights currently ongoing in Sacramento.

- 32-39 **Comment: Page 3.5-16** - A paragraph should be added which addresses DSRSD's April, 1992 Urban Water Management Plan Update, Water Shortage Contingency Plan. This plan addresses measures which may be necessary in the event of continued water shortages in the next three years as required by AB 11. It shows that with the planned supply augmentation afforded by the new Pleasanton/DSRSD well, worst case water shortages will be under 10% in all months of the 3-year study.

Response to Comment 32-39: The comment is acknowledged. The following paragraph has been added on page 3.5-16 after the first paragraph:

DSRSD Urban Water Management Plan Update

In April 1992, DSRSD prepared an Urban Water Management Plan Update. This plan addresses measures which may be necessary in the event of continued water shortages in the next three years as required by AB 11. It shows that with the planned supply augmentation afforded by the new Pleasanton/DSRSD well, worst case water shortages will be under 10% in all months of the 3-year study.

- 32-40 **Comment: Page 3.5-16** - The bottom paragraph on this page states in part that DSRSD's water system master plan excluded the Doolan Canyon area. The only area that was excluded was the area that is now known as lower Doolan Canyon.

Response to Comment 32-40: Comment acknowledged.

- 32-41 **Comment: Page 3.5-16** - The last sentence in the bottom paragraph should state that the system was modeled under the assumption that a portion of the demand in Dougherty Valley will be provided through Eastern Dublin. The fact that the system was modeled that way does not constitute a commitment to serve the Dougherty Valley. It was simply prudent planning for the District to do so in the event the District is called upon to be service provider in the Dougherty Valley and water is acquired to provide it. We have

attempted to identify the size of the lines needed. If those two events do not occur, the pipes in Eastern Dublin will be sized so as to only serve development in Eastern Dublin. If the above two items occur after Eastern Dublin development has started, parallel facilities would have to be installed. Any such paralleling of facilities would be subject to a new environmental review process.

Response to Comment 32-41: The comment is acknowledged. On page 3.5-16, the last sentence of the last paragraph has been revised and the following text added:

Also, the system was ~~planned~~ **modeled** under the assumption that a portion of the demand in Dougherty Valley ~~must~~ will be provided through Eastern Dublin. According to DSRSD, the fact that the system was modeled that way does not constitute a commitment to serve the Dougherty Valley. It was simply prudent planning for DSRSD to do so in the event DSRSD is called upon to be service provider in the Dougherty Valley and water is acquired to provide it. DSRSD attempted to identify the size of the lines needed. If those two events do not occur, the pipes in Eastern Dublin will be sized so as to only serve development in Eastern Dublin. If the above two items occur after Eastern Dublin development has started, parallel facilities would have to be installed. Any such paralleling of facilities would be subject to a new environmental review process.

- 32-42 **Comment: Page 3.5-17 - IM 3.5/P** - As noted elsewhere, DSRSD's policy regarding connection to the water distribution system is that a well serving one parcel may not provide water to another parcel across a property line. DSRSD currently does not have a specific policy regarding connection to its water distribution system. The County Department of Health should be contacted in this regard, however.

Response to Comment 32-42: The comment is acknowledged. On page 3.5-17, under IM 3.5/P in the first paragraph after the third sentence ending, "...to its water distribution system," add the following text:

If the Project site is not annexed to the DSRSD, Project-related development may need to drill wells in the planning area to obtain water supplies. Because existing groundwater resources are limited, wells could cause an overdraft of existing groundwater supplies. Even if the Project is annexed to DSRSD, DSRSD does not have a policy requiring all developments to connect to its water distribution system. Thus, developments are still free to explore other options for water supply -- such as groundwater wells. **Even though DSRSD has a policy that prohibits a well serving one parcel from providing water to another parcel across a property line, this is a potentially significant impact.**

- 32-43 **Comment: Page 3.5-18 - MM 3.5/26.0** should be expanded to include all Best Management Practices which are called for under the Memorandum of Understanding for Urban Water Conservation in California in addition to those listed here. (The title of the document referenced in the second bullet should properly be, "DSRSD Urban Water Management Plan Amendment".)

Response to Comment 32-43: Comment acknowledged. MM3.5/26.0 on page 3.5-18 has been revised as follows:

MM3.5/26.0 (Program 9A). Water Conservation. Require the following as conditions of project approval in eastern Dublin:

- Use of water-conserving devices such as low-flow shower heads, faucets, and toilets.
- Support implementation of the DSRSD ~~Water Use Reduction Plan~~ **Urban Water Management Plan Amendment** where appropriate.
- **Require all developments to meet the Best Management Practices (BMPs) of the Memorandum of Understanding Regarding Urban Water Conservation in California, of which DSRSD is a signatory.**
- Water efficient irrigation systems within public rights-of-way, median islands, public parks, recreation areas and golf course areas (see Program 9B on Water Recycling).
- Drought resistant plant palettes within public rights-of-way, median islands, public parks, recreation areas and golf course areas.

32-44 **Comment:** Page 3.5-18 - MM 3.5/27.0 - DSRSD is anticipating providing water service to the Eastern Dublin area. It is a level of water service to Eastern Dublin area that reflects extensive use of recycled water throughout the service area. The use of recycled water will be mandated in accordance with DSRSD's Recycled Water Policy referred in comment 23 above. It is anticipated that the Eastern Dublin area will be defined as a water recycling zone in accordance with the District Policy IIA and B, if DSRSD confirms the economic feasibility of doing so.

Response to Comment 32-44: Comment acknowledged and is incorporated by this reference.

Section 3.8 - Visual Resources

32-45 **Comment:** Page 3.8-6,7 - IM 3.8/D,E - Several water or recycled water tank sites identified on Figures 3.5-C and D are located within visually sensitive ridgelines shown on Figure 3.8-H. DSRSD agrees with the mitigation measures proposed for IM 3.8/D. However, one tank site would be located in the "No Development" zone addressed by IM 3.8/E. This tank site may be relocated to a similar elevation outside the restricted area, or may require special screening or other measures. Reservoir siting design and construction will require supplementary environmental review regardless of location or elevation. At the time of subsequent environmental review, DSRSD will tier from this program EIR and incorporate additional visual screening mitigation for visible sites which may lie within the sensitive areas shown on Figure 3.8-11. However, this should not imply that sites outside the visually sensitive areas noted will not require subsequent environmental review nor that sites outside these areas will not require visual impact mitigation.

Response to Comment 32-45: Comment acknowledged and incorporated by this reference.

Section 3.12 - Fiscal Considerations

32-46 **Comment:** It is strongly recommended that a Phasing Plan be prepared to analyze the fiscal impact on all public agencies for each phase of the Project and to ensure that each phase is self-sufficient. Only in this way can the agencies fully protect their existing ratepayers. As noted in our comments to the Specific Plan, the 17-years financing plan proposed by Table 10-2 of the Specific Plan.

Response to Comment 32-46: A more detailed phasing plan will need to be drawn up as the Project proceeds (refer to Response to Comment 11-4). Each phase should be self-sufficient; this requires that each project within each phase must also be self-sufficient. If an individual development cannot meet all necessary costs as defined in the development agreement, it will not proceed.

- 32-47 **Comment: Page 3.12-2 - IM 3.12/B** states that \$235 million will be required for onsite and offsite water and sewage treatment and storage facilities. The breakdown provided by Table 10-1 of the Specific Plan should be referenced as the source for this information. The source document of calculations for the costs should also be cited. It is furthermore not clear if this amount includes recycled water facilities which DSRSD anticipates will be required.

Response to Comment 32-47: Table A-13 in the Specific Plan is the source of the \$235 million found in Table 10-1 of the Specific Plan. This \$235 million does include recycled water facilities.

- 32-48 **Comment: Page 3.12-2 - IM 3.12/B** - Major portions of the \$235 million estimated for onsite and offsite water, sewer, and recycled water facilities will be funded through assessments or other charges levied by DSRSD or other agencies other than the City. Therefore, a mitigation measure must be included which requires a coordinated approach between agencies to financing of infrastructure, to ensure that the assessment burden of the land is not maximized by any one agency or infrastructure need. The capacity of the land to carry these assessments must be properly apportioned among the agencies expected to provide the services.

Response to Comment 32-48: Comment acknowledged. The following mitigation measure has been added after MM 3.12/8.0 on page 3.12-4:

MM 3.12/9.0 Bonding Capacity. The City of Dublin and its bond counsel will coordinate with all affected agencies to develop a method of financing infrastructure that will fairly apportion the assessment burden among the agencies expected to provide services, and not allow the bonding capacity to be maximized by any one agency or infrastructure need.

- 32-49 **Comment: Page 3.12-3** - A more detailed discussion of capital facilities financing and phasing is supplied by Chapter 10 of the Specific Plan, not Chapter 11 as stated.

Response to Comment 32-49: Comment acknowledged.

CHAPTER 4 - ALTERNATIVES ANALYSIS

- 32-50 **Comment:** The quantities listed in Table 4.0-2 are somewhat higher than flow estimates currently being developed by DSRSD. As such, we believe these numbers to be more than adequate in assessing the potential environmental impacts of the project. DSRSD also believes that ultimately, the estimated water demand will be lowered significantly by the use of recycled water in the Eastern Dublin service area. It appears the estimated volume of potable water in the table has not been reduced by recycled water. Therefore, the first column for potable water use should be reduced by the amount of recycled water shown.

Response to Comment 32-50: See Response to Comment 32-52 below.

32-51 Comment: Page 4-12 - Table 4.0-3 - comment #1 above.

Response to Comment 32-51: See Response to Comment 32-52 below.

32-52 Comment: Page 4-17 - Table 4.0-4 - see comment #1 above.

Response to Comment 32-52: The comments are true -- the estimated recycled water demands were not deducted from the estimated average water demand in Tables 4.0-2, 4.0-3 and 4.0-4. The reason this was done was to present the full impact of the water demand, should water recycling not occur. However, in light of DSRSD's strong position that water recycling must occur in Eastern Dublin, revised estimates have been made of potable water demands including a reduction for use of recycled water for landscape irrigation, and Tables 4.0-2, 4.0-3 and 4.0-4 have been modified as shown below. It should be noted that all estimates are based on DSRSD potable water use factors and recycled water use factors as described in the 4 March 1991 DSRSD letter to Mr. Larry Tong, Planning Director, City of Dublin (This informational letter from DSRSD is contained in the project files at the City Planning Department).

In order to separate the recycled water demand from the potable water demand, certain water use factors from the 4 March 1991 letter need to be discussed. The applicable factors from this letter are a park/golf water use factor of 1,130 gpd/acre and a recycled water average annual irrigation factor of 3.3 feet per acre per year, or 2,950 gpd/acre. Obviously, the rate of irrigation DSRSD uses for parks and golf courses is considerably less than that used for recycled water demands. This reflects an effort at conserving the level of irrigation water when potable water is used, versus maximizing the rate of irrigation water when recycled water is used. Therefore, in order to revise the potable water demand using recycled water for irrigation, irrigation water demands at the lower rate of 1,130 gpd/acre were deducted from the estimated average daily water demand for potable water. This yields a potable water demand without potable water used for irrigation, but rather recycled water used for irrigation. Basically, the irrigation demands using potable water for irrigation are lower than using recycled water for irrigation for two reasons: (1) Recycled water used for irrigation is at a higher rate (2,950 gpd/acre) than for potable water used for irrigation (1,130 gpd/acre); and (2) recycled water is used over a greater land area which includes open space corridors. Such open space corridors would not normally be irrigated with potable water due to water conservation. It is advantageous to irrigate these open space corridors with recycled water to maximize its use and increase it as a means of increasing wastewater disposal capacity.

On page 4-6, delete Table 4.0-2 and insert the following new Table 4.0-2:

TABLE 4.0-2
ALTERNATIVE 1: *NO PROJECT*

WATER, SEWER AND RECYCLED WATER IMPACTS
COMPARED TO THE PROJECT AND THE SPECIFIC PLAN

Item	Estimated Average Daily Water Demand (w/o Recycled Water for Irrigation) (MGD)	Estimated Average Daily Water Demand (w/ Recycled Water for Irrigation) (MGD)	Estimated Average Daily Wastewater Flow (MGD)	Estimated Average Daily Recycled Water Irrigation Demand (MGD)
The Project (General Plan Amendment Area)	7.7	6.3	5.6	4.5
Specific Plan	5.8	5.0	4.2	2.7
Alternative 1: No Project	1.1	1.0	0.9	0.4

On page 4-12, delete Table 4.0-3 and insert the following new Table 4.0-3:

TABLE 4.0-3
ALTERNATIVE 2: *REDUCED PLANNING AREA*

WATER, SEWER AND RECYCLED WATER IMPACTS
COMPARED TO THE PROJECT AND THE SPECIFIC PLAN

Item	Estimated Average Daily Water Demand (w/o Recycled Water for Irrigation) (MGD)	Estimated Average Daily Water Demand (w/ Recycled Water for Irrigation) (MGD)	Estimated Average Daily Wastewater Flow (MGD)	Estimated Average Daily Recycled Water Irrigation Demand (MGD)
The Project (General Plan Amendment Area)	7.7	6.3	5.6	4.5
Specific Plan	5.8	5.0	4.2	2.7
Alternative 2: Reduced Planning Area	6.4	5.5	4.6	3.1

On page 4-17, delete Table 4.0-4 and insert the following new Table 4.0-4:

TABLE 4.0-4
ALTERNATIVE 3: *REDUCED LAND USE INTENSITIES*

WATER, SEWER AND RECYCLED WATER IMPACTS
COMPARED TO THE PROJECT AND THE SPECIFIC PLAN

Item	Estimated Average Daily Water Demand (w/o Recycled Water for Irrigation) (MGD)	Estimated Average Daily Water Demand (w/ Recycled Water for Irrigation) (MGD)	Estimated Average Daily Wastewater Flow (MGD)	Estimated Average Daily Recycled Water Irrigation Demand (MGD)
The Project (General Plan Amendment Area)	7.7	6.3	5.6	4.5
Specific Plan	5.8	5.0	4.2	2.7
Alternative 3: Reduced Land Use Intensities	6.5	5.1	4.5	4.5

CHAPTER 5 - CEQA - MANDATED CONSIDERATIONS

32-53

Comment: Page 5.0-6 - Mitigation measure for IM 3.4/D should be revised to state that wastewater treatment facilities will only be needed to meet future developments in Eastern Dublin should a TWA option be selected that does not involve export of raw wastewater to the Central Contra Costa Sanitary District.

Response to Comment 32-53: The comment is acknowledged. On page 5.0-6, under IM 3.4/D, the following text has been inserted after the fourth sentence ending, "...proposed GPA and Specific Plan":

DSRSD has also prepared a Master Plan for wastewater treatment plant expansion. However, expanded treatment plant facilities will be required to meet future developments in Eastern Dublin only if the TWA option selected does not involve export of raw wastewater to the Central Contra Costa Sanitary District for treatment and disposal.

32-54

Comment: Page 5.0-8 - The top paragraph of the text states, "Pleasanton and DSRSD are planning a new well, and Zone 7 is currently drilling another well. These wells are planned for the purpose of alleviating water constraints during times of peak demand." The text implies that the presence of these new wells will contribute to recent groundwater overdrafts. The Pleasanton/DSRSD well would be operated within the limits of the independent quota established in both agencies' contracts with Zone 7. It is important to note that the sum of the independent quotas of all the Valley retailers is equal to the long term safe yield of the groundwater basin. The well that Zone 7 is drilling will enable water to be drawn out of the groundwater

basin at a faster rate in the peak summer months. No additional water would be drawn out of the basin over a given year's total.

Response to Comment 32-54: Comment acknowledged.

32-55

Comment: Page 5.0-15 - Impact 3.5/T states that the water distribution system infrastructure has been sized in anticipation of growth beyond the Project site and as such will facilitate development within the total Project site as well. As noted in earlier comments, the water distribution system which should properly be the subject of this Environmental Impact Report should be limited to the size as necessary to serve Eastern Dublin. Barring any additional environmental review and project approval by either the City of Dublin or other agencies, the water distribution system actually installed will be limited to that needed to serve Eastern Dublin.

Response to Comment 32-55: The comment is acknowledged. On page 5.0-15, under IM 3.5/T, the following text has been inserted after the first paragraph:

The water system was modeled under the assumption that a portion of the demand in Dougherty Valley will be provided through Eastern Dublin. According to DSRSD, the fact that the system was modeled that way does not constitute a commitment to serve the Dougherty Valley. It was simply prudent planning for DSRSD to do so in the event that DSRSD is called upon to be service provider in the Dougherty Valley and water is acquired to provide it. DSRSD attempted to identify the size of the lines needed. If those two events do not occur, the pipes in Eastern Dublin will be sized so as to only serve development in Eastern Dublin. If the above two items occur after Eastern Dublin development has started, parallel facilities would have to be installed. Any such paralleling of facilities would be subject to a new environmental review process. Thus, the water distribution system pipes for Eastern Dublin will be ultimately sized only for Eastern Dublin. If Dougherty Valley was to be served, parallel lines would be constructed.

DUBLIN
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October 29, 1992

RECEIVED

OCT 29 1992

DUBLIN PLANNING

Chairman George Zika and Members
City of Dublin Planning Commission
c/o Ms. Brenda Gillarde
P. O. Box 2340
Dublin, CA 94568

Subject: Comments on the Draft Environmental Impact Report for the Eastern Dublin
General Plan Amendment and Specific Plan

Ladies and Gentlemen:

The comments of the Dublin San Ramon Services District (DSRSD) on the Draft Environmental Impact Report for the Eastern Dublin General Plan Amendment and Specific Plan of August 28, 1992 are included in this letter and its attachment. DSRSD has worked with and will continue to work very closely with the City staff and consultants to provide the necessary information related to utility services.

The Environmental Impact Report is an examination of the impacts of the project identified in the Specific Plan and General Plan Amendment. As a responsible agency for this project, DSRSD will use the environmental documentation prepared by the City to support the discretionary actions we will take to provide service. As such, the Environmental Impact Report should address the impact of water and wastewater services at a level that is sufficient for our Board of Directors to make informed decisions on this project.

It is our analysis that the Draft Environmental Impact Report generally presents a thorough analysis of the impacts of the project on water and wastewater services. Specific comments are included in the attachment and reflect our desire to help the City generate a complete and accurate record on the environmental impacts of the project.

Chairman George Zika & Members
October 29, 1992
Page 2

We appreciate the opportunity to continue to participate in the planning of this and other major development projects being considered by the City of Dublin. If you have any questions about the attached material, please feel free to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bert Michalczyk". The signature is fluid and cursive, with a large, stylized "B" and "M".

BERT MICHALCZYK
Technical Services Manager

BLM:sjc

Attachment

**COMMENTS ON THE
DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE
EASTERN DUBLIN GENERAL PLAN AMENDMENT AND
SPECIFIC PLAN OF AUGUST 28, 1992**

SUMMARY

The Summary should be revised in conformance with any revisions made to the remainder of the document pursuant to the comments below.

CHAPTER 1 - INTRODUCTION

No Comments

CHAPTER 2 - PROJECT DESCRIPTION

1. Page 2-6 - The second paragraph from the bottom states, "Market projections estimate that build-out of the planning area will take at least 30-40 years from the start of construction". It should be noted that the General Plan Amendment projects build-out in 30-40 years from today. As the rate of build-out strongly influences the need for services, DSRSD requests clarification of the build-out period. 32-1
2. Page 2-13 - The paragraph entitled "Water Supply and Facilities" should be changed to state that the sphere of influence of DSRSD will need to be adjusted along with the boundary. It should also note that the use of recycled water will be an important component of the total water supply for Eastern Dublin. 32-2
3. Page 2-16 - The entry on Table 2.0-3 for DSRSD should be expanded for completeness sake to include the Water, Sewer, and Recycled Water Master Plan (1990), the Urban Water Management Plan Amendment (1992), the Water Supply Policy (Res. 5-92), the Service Policy (Res. 38-92), the Recycled Water Policy (Res. 42-92), the Standard Procedures and Specifications (1988), and the District Code. Permits may be issued by DSRSD under authority of the Recycled Water Policy or the District Code. The Recycled Water Policy may further evolve because of the work of the Tri-Valley Water Recycling Task Force. The District is required to obtain a permit for all discharges of treated wastewater. The correct citation for all of these should be EIR Chapter 3.5 Sewer, Water and Storm Drainage. 32-3

CHAPTER 3 - ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

Section 3.1 - Land Use

1. Page 3.1-16 - Other Special Districts - The text should note that an adjustment to the DSRSD sphere of influence will also be required in addition to boundary adjustments to serve the entire General Plan area. 32-4
2. Page 3.1-27 - General Plan Policy (GP 4.3.A) - The potential inconsistency is negated by changes to Policies 9-4 and 9-6 suggested by DSRSD's comments on the General Plan Amendment and specific Plan, and by changes requested to Impacts 3.5/D and /E and their mitigation measures elsewhere in these comments. 32-5
3. Figure 3.1-E - While it is recognized that this figure identifies only jurisdictional boundaries associated with City and County governments, DSRSD has a defined boundary line and sphere of influence in Alameda as well as Contra Costa County. Attachment A to these comments identifies the correct location of DSRSD's sphere of influence and boundaries. 32-6

Section 3.2 - Population, Housing & Employment

No Comments

Section 3.3 - Traffic and Circulation

No Comments

Section 3.4 - Community Services and Facilities

No Comments

Section 3.5 - Sewer, Water and Storm Drainage

1. DSRSD has recently adopted Resolution 38-92, Extension of Utility Services to New Areas, which establishes the policy of DSRSD for service to new areas within and outside DSRSD's sphere of influence. A copy is enclosed as Attachment B. As applied to Eastern Dublin, the policy states that the District will consider annexing the territory and extending utility services when it is requested to do so by the owners of the property or by public agencies having land use planning jurisdiction (e.g. the City of Dublin). The annexations must be economically sound and must not place the burden on constituents currently served by the District. The policy goes on to state that the District will undertake the planning necessary to provide utility service to the areas considered for service directly by District staff and their consultants and only 32-7

- commit to provide service to development projects at time of annexation and under terms and conditions specified in the Conducting Authority annexation ordinance as approved by DSRSD. The District shall recover costs including staff time and direct costs such as consultants for the advanced planning work from those who directly benefit by entering into standard planning period agreements with the owners of the property or their representatives. 32-7 contd.
2. Page 3.5-1 - It is stated that DSRSD jointly (emphasis added) owns a wastewater treatment plant with the City of Pleasanton, with the plant operated by DSRSD. This is not true; the entire plant is owned as well as operated solely by DSRSD. DSRSD provides wastewater treatment service to the City of Pleasanton under contract. 32-8
3. Page 3.5-1 - The third paragraph states in part that the collection system within the Santa Rita Jail facilities is currently served by DSRSD. This is true; however, it is important to note that DSRSD only treats the sewage from that facility. The collection system is not owned or operated by DSRSD. It is owned and operated by Alameda County. 32-9
4. Page 3.5-1 - The fourth paragraph states that LAVWMA and TWA are "wastewater disposal agencies". This is not true. They technically are joint powers agencies consisting of a number of public agencies as members. It is true that currently their prime focus is wastewater disposal. 32-10
4. Page 3.5-2 - For the record - as of September 30, 1992 DSRSD has 2,805 DUE's available for purchase. 32-11
5. Page 3.5-2 - The fourth paragraph states that "DSRSD staff have indicated that there may actually be slightly more capacity available due to water conservation in homes which appears to be yielding wastewater flows less than 220 gpd/DUE". We have queried our staff and reviewed our files and must now conclude that any statements made along this line previously by District staff should be viewed only as preliminary. We have no firm evidence that this flow reduction has occurred. 32-12
6. Page 3.5-3 - In the section entitled "Planned Wastewater Collection System Improvements", it states that the planning completed by DSRSD in March, 1991 was exclusive of Doolan Canyon; in fact, it included the upper part of Doolan Canyon and not the lower part of Doolan Canyon. 32-13
7. Page 3.5-3 - The bottom paragraph should be modified slightly to read as follows: "DSRSD has been collecting the required funds for future plant expansion or construction of TWA disposal facilities through its connection fees". 32-14

8. Page 3.5-3 - The planned staged expansion schedule for the DSRSD wastewater treatment plant is correct; however, it may be misleading because implementation of the preferred TWA North 3 disposal project, which involves exporting raw wastewater to CCCSD, would be in lieu of the planned expansion schedule at DSRSD's treatment facilities. If an alternate TWA disposal project is approved which would require treatment within the Valley, the treatment plant expansions will be staged as shown. In any event, funding has been planned for the most expensive wastewater treatment/disposal option identified at this time. 32-15
9. Page 3.5-4 - Recycled water should be viewed as a separate utility from potable water and wastewater. It should therefore be the subject of a separate section with a setting, impacts and mitigation measures to reflect the true importance of providing this utility. Such direction was requested in our response to your Notice of Preparation dated November 18, 1991. 32-16
10. Page 3.5-5 - In the Setting Section, the following should be added to Onsite Wastewater Storage - if TWA approves the North 3 option for wastewater disposal (export of raw wastewater to CCCSD) within the Valley storage of raw wastewater during storm events will be required. The storage is over and above the emergency TWA storage already identified in the document. It is based on 4.4 mgd of wastewater generated in Eastern Dublin; approximately 5.8 mg of storage would be required. The District is currently analyzing the most optimal configuration for this storage whether it be centrally located at the TWA pump stations or separate storage within the project area. In any event, it is anticipated that the storage would be underground storage with odor control facilities. 32-17
11. Page 3.5-5 - IM 3.5/A - This impact is a different approach than all others in the water and wastewater section, which identify an impact and propose a mitigation measure, instead of identifying no impact due to a project feature. For consistency the document should identify the impact as significant, and list annexation to DSRSD as a mitigation measure. 32-18
12. Page 3.5-6 - MM 3.5/1.0 (Program 9P) should be revised to read in part as follows, "Exceptions to this requirement will only be allowed on case-by-case basis on written approval from the Alameda County Health Department and DSRSD". This language would be consistent with DSRSD's current code. 32-19
13. Page 3.5-6 - MM 3.5/2.0 (Program 9I) should be revised in part to read, required development to pay for a design level wastewater collection system master plan computer model reflecting a proposed Specific Plan area land use as to verify the conceptual proposed wastewater collection system presented in Figure 3.5-B. Such language would be consistent with the District's current service policy requiring development to fully pay all costs associated with the service in a real time fashion. 32-20

14. Page 3.5-7 - It is recommended that IM 3.5/D be retitled as follows: "Allocation of DSRSD Treatment and Disposal Capacity". The text of the impact should read as follows: "There is a limited available capacity at the DSRSD treatment plant. This available capacity is reflected in the available sewer permits DSRSD has to sell to developers. DSRSD's current policy is to sell capacity on a first-come, first-serve basis if sewer permits are not carefully allocated, the project would be adversely affected. It is very unlikely that any of the remaining DUE's will be available for the Eastern Dublin area." 32-21
15. Page 3.5-7 - A mitigation measure should be added to the EIR for IM 3.5/D to not allow the issuance of a grading permit without a "will-serve" letter from DSRSD, which under current policy will only be issued if capacity is available either at the treatment plant or through the TWA project. If capacity is not available, no "will-serve" letter will be issued by this agency. 32-22
16. Page 3.5-8 - The expansions listed in MM 3.5/9.0 are technically accurate, but will be required only if TWA approves a project that does not involve export of raw wastewater to CCCSD. Such a statement should be added to the mitigation measure. 32-23
17. Page 3.5-8 - MM 3.5/10.0 should be modified as in the comment above. 32-24
18. Page 3.5-9 - MM 3.5/12.0 should be revised as follows, "Require recycled water use or landscape irrigation in accordance with DSRSD's Recycled Water Policy". 32-25
19. Page 3.5-9 - MM 3.5/13.0 should be revised as follows, "Require development to fund a recycled water distribution system computer model...." 32-26
20. Page 3.5-9 - MM 3.5/14.0 should be revised as follows, "Support the efforts of the Tri-Valley Water Recycling Task Force, DSRSD, and Zone 7 to encourage wastewater recycling...." 32-27
21. Page 3.5-10 - IM 3.5/I, J, K - These impacts are addressed in the Final Subsequent EIR for TWA's Long Range Wastewater Management Plan, and are identified therein as less than significant due to required design features of such facilities such as emergency power, overflow storage, and odor control facilities. 32-27 contd.
- Mitigation Measures 3.5/17, 18, and 19 do not actually propose any mitigation. We suggest that because the design and construction of TWA facilities is addressed in the TWA SEIR, that these impacts be identified as insignificant and/or beyond the scope of the Eastern Dublin EIR. (The TWA SEIR was certified on October 22, 1992.) 32-28
22. Equalization storage required to implement TWA Alternative North 3 may be built near the proposed Interceptor Pump Station or may be sited within each development 32-29

within the Eastern Dublin area. No environmental siting analysis was performed for this storage within the TWA SEIR. If sited within each development, further environmental review will be required as each development which includes equalization storage is approved. As noted in DSRSD's reply to the NOP dated November 18, 1991, the EIR should discuss the need for and impact of equalization storage. Approximately 5 to 8 million gallons of storage for the Eastern Dublin Plan area will be required. It is anticipated this storage will be located underground with seismic design for lateral force resistance and odor control facilities.

32-29 contd

23. Page 3.5-12 - IM 3.5/N - The description of the impact states that the loss of system pressure could require increased demands on potable water for backup irrigation to prevent loss of vegetation from lack of irrigation water. DSRSD's policy on recycled water will apply. Backup supplies for irrigation are not proposed. The recycled water system will be designed to sustain standards of operation similar to the potable water system and will be operated by DSRSD on a self-sustaining enterprise utility basis. A copy of the Recycled Water Policy, Resolution 42-92, is enclosed as Attachment C.

32-30

24. Page 3.5-12 - MM 3.5/22.0 states that emergency power generation at each recycled water pump station with an automatic transfer switch would be installed. This is not in accordance with current DSRSD potable water facility standards. The current practice for potable water pump station operations uses a portable emergency generator, generator receptacle on the outside of the station, and a kirk-key interlock to allow power feed from the portable generator or P.G. & E. This type of system will also be imposed for any future recycled water pump stations.

32-31

25. Page 3.5-13 - The second paragraph states that DSRSD does not have a policy requiring all developments to connect to its water distribution system. Thus, developments are free to explore other options for water supply -- such as groundwater wells. This is not exactly true. DSRSD does not require connection to its water distribution system, however, groundwater wells are only allowed 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.

32-32

26. Page 3.5-13 - Throughout this Section, Zone 7's facilities should be correctly identified as Del Valle (emphasis added).

32-33

27. Page 3.5-13 - The second paragraph from the bottom should be modified slightly as follows: "Zone 7, as the only current water supplier to DSRSD."

32-34

28. Page 3.5-14 - The EIR quotes Zone 7's February, 1992 Water Supply Update as using an overall community consumption rate of 210 gallons per capita per day (gpcd) and using that figure extrapolates to the potential population that the Valley's water

32-35

supply could support. It should be noted that this is a Valley-wide average and using this number to extrapolate a water consumption in Eastern Dublin requires assuming the same mix of commercial/residential/industrial land uses in Eastern Dublin, now and in the future. It should be noted that the peak DSRSD water consumption rate for all land uses occurred in 1990 and was 170 gpcd. Using any per capita consumption rate that is reasonable, one still concludes that the Valley water supply will be short when compared to its prospective general plans. However, the degree of the shortage is not as great as Zone 7's analysis would indicate and the time to reach such a shortage will be longer. In addition, the Zone 7 report is based on TWA data indicating a potential population of 274,000, but the TWA prospective plan data is based on land use concepts that are approximately two years old. The recent trend has been for a reduction in projected population increases from amended general plans.

32-35 contd.

29. Page 3.5-15 - A sub-section should be added to the section entitled, Planned Water Supply Improvements. The new sub-section should be entitled, "DSRSD Water Resources Acquisition Study". In February, 1992 the District adopted Resolution 5-92, which is the Water Supply Policy (a copy is included as Attachment D to these comments). This resolution established the District's policy on securing additional water supplies for existing and future customers. The Resolution states that it is the District's policy to:

- First and foremost secure water to meet the needs of existing customers.
- Pursue acquisition of additional water supplies to meet the needs of new development being planned by the land use planning agencies.
- Cooperate with Zone 7 to obtain new water but to take the necessary steps to acquire this water from sources other than Zone 7 if that is what is required.
- The ultimate beneficiaries of the new water equitably participate in funding of the planning, engineering, acquisition, delivery of that water and to our service area.

32-36

The District is currently undertaking the Water Resources Acquisition Study, the goal of which is to acquire or develop new water resources to both stabilize its supply deficiency that our existing customers are now experiencing and provide long term firm deliveries to new areas such as Eastern Dublin. This work is being funded in its entirety by development interests in Western Dublin and the Dougherty Valley. District staff has begun preliminary discussions with development interests in Eastern Dublin to ensure equitable funding of the search for water for Eastern Dublin as well. The District has tentatively examined a number of potential water supplies and has targeted three of these water supplies for further consideration.

30. Page 3.5-15 - The next to the last sentence in the section on groundwater wells should be rewritten to simply state that the addition of wells would give DSRSD additional flexibility in meeting peak water demands in summer months. This fact is not merely the opinion of District staff. 32-37
31. Page 3.5-15 - The section on Conservation should be expanded by adding a section entitled, "DSRSD Urban Water Conservation Efforts". DSRSD is a signatory to the Memorandum of Understanding Regarding Urban Water Conservation in California along with one other Valley retailer, California Water Services Company. A copy of the MOU signed by DSRSD was previously submitted with our comments on the Specific Plan, dated October 15, 1992. DSRSD is implementing the Best Management Practices (BMP) identified therein to achieve savings in water conservation. Compliance with the BMP's is strongly encouraged by the California Department of Water Resources and will help to ensure that the existing water resources of the DSRSD service area are not adversely affected by the Bay Delta Water Rights currently ongoing in Sacramento. 32-38
32. Page 3.5-16 - A paragraph should be added which addresses DSRSD's April, 1992 Urban Water Management Plan Update, Water Shortage Contingency Plan. This plan addresses measures which may be necessary in the event of continued water shortages in the next three years as required by AB 11. It shows that with the planned supply augmentation afforded by the new Pleasanton/DSRSD well, worst case water shortages will be under 10% in all months of the 3-year study. 32-39
33. Page 3.5-16 - The bottom paragraph on this page states in part that DSRSD's water system master plan excluded the Doolan Canyon area. The only area that was excluded was the area that is now known as lower Doolan Canyon. 32-40
34. Page 3.5-16 - The last sentence in the bottom paragraph should state that the system was modeled under the assumption that a portion of the demand in Dougherty Valley will be provided through Eastern Dublin. The fact that the system was modeled that way does not constitute a commitment to serve the Dougherty Valley. It was simply prudent planning for the District to do so in the event the District is called upon to be service provider in the Dougherty Valley and water is acquired to provide it. We have attempted to identify the size of the lines needed. If those two events do not occur, the pipes in Eastern Dublin will be sized so as to only serve development in Eastern Dublin. If the above two items occur after Eastern Dublin development has started, parallel facilities would have to be installed. Any such paralleling of facilities would be subject to a new environmental review process. 32-41
35. Page 3.5-17 - IM 3.5/P - As noted elsewhere, DSRSD's policy regarding connection to the water distribution system is that a well serving one parcel may not provide water to another parcel across a property line. DSRSD currently does not have a 32-42

specific policy regarding connection to its water distribution system. The County Department of Health should be contacted in this regard, however.

32-42 contd.

36. Page 3.5-18 - MM 3.5/26.0 should be expanded to include all Best Management Practices which are called for under the Memorandum of Understanding for Urban Water Conservation in California in addition to those listed here. (The title of the document referenced in the second bullet should properly be, "DSRSD Urban Water Management Plan Amendment".)

32-43

37. Page 3.5-18 - MM 3.5/27.0 - DSRSD is anticipating providing water service to the Eastern Dublin area. It is a level of water service to Eastern Dublin area that reflects extensive use of recycled water throughout the service area. The use of recycled water will be mandated in accordance with DSRSD's Recycled Water Policy referred in comment 23 above. It is anticipated that the Eastern Dublin area will be defined as a water recycling zone in accordance with the District Policy IIA and B, if DSRSD confirms the economic feasibility of doing so.

32-44

Section 3.6 - Soils, Geology and Seismicity

No Comments

Section 3.7 - Biological Resources

No Comments

Section 3.8 - Visual Resources

Page 3.8-6.7 - IM 3.8/D,E - Several water or recycled water tank sites identified on Figures 3.5-C and D are located within visually sensitive ridgelands shown on Figure 3.8-H. DSRSD agrees with the mitigation measures proposed for IM 3.8/D. However, one tank site would be located in the "No Development" zone addressed by IM 3.8/E. This tank site may be relocated to a similar elevation outside the restricted area, or may require special screening or other measures. Reservoir siting design and construction will require supplementary environmental review regardless of location or elevation. At the time of subsequent environmental review, DSRSD will tier from this program EIR and incorporate additional visual screening mitigation for visible sites which may lie within the sensitive areas shown on Figure 3.8-11. However, this should not imply that sites outside the visually sensitive areas noted will not require subsequent environmental review nor that sites outside these areas will not require visual impact mitigation.

32-45

Section 3.9 - Cultural Resources

No Comments

Section 3.10 - Noise

No Comments

Section 3.11 - Air Quality

No Comments

Section 3.12 - Fiscal Considerations

1. It is strongly recommended that a Phasing Plan be prepared to analyze the fiscal impact on all public agencies for each phase of the Project and to ensure that each phase is self-sufficient. Only in this way can the agencies fully protect their existing ratepayers. As noted in our comments to the Specific Plan, the 17-years financing plan proposed by Table 10-2 of the Specific Plan. 32-46
2. Page 3.12-2 - IM 3.12/B states that \$235 million will be required for onsite and offsite water and sewage treatment and storage facilities. The breakdown provided by Table 10-1 of the Specific Plan should be referenced as the source for this information. The source document of calculations for the costs should also be cited. It is furthermore not clear if this amount includes recycled water facilities which DSRSD anticipates will be required. 32-47
3. Page 3.12-2 - IM 3.12/B - Major portions of the \$235 million estimated for onsite and offsite water, sewer, and recycled water facilities will be funded through assessments or other charges levied by DSRSD or other agencies other than the City. Therefore, a mitigation measure must be included which requires a coordinated approach between agencies to financing of infrastructure, to ensure that the assessment burden of the land is not maximized by any one agency or infrastructure need. The capacity of the land to carry these assessments must be properly apportioned among the agencies expected to provide the services. 32-48
4. Page 3.12-3 - A more detailed discussion of capital facilities financing and phasing is supplied by Chapter 10 of the Specific Plan, not Chapter 11 as stated. 32-49

CHAPTER 4 - ALTERNATIVES ANALYSIS

1. The quantities listed in Table 4.0-2 are somewhat higher than flow estimates currently 32-50

being developed by DSRSD. As such, we believe these numbers to be more than adequate in assessing the potential environmental impacts of the project. DSRSD also believes that ultimately, the estimated water demand will be lowered significantly by the use of recycled water in the Eastern Dublin service area. It appears the estimated volume of potable water in the table has not been reduced by recycled water. Therefore, the first column for potable water use should be reduced by the amount of recycled water shown.

32-50 contd.

2. Page 4-12 - Table 4.0-3 - comment #1 above.

32-51

3. Page 4-17 - Table 4.0-4 - see comment #1 above.

32-52

CHAPTER 5 - CEQA - MANDATED CONSIDERATIONS

1. Page 5.0-6 - Mitigation measure for IM 3.4/D should be revised to state that wastewater treatment facilities will only be needed to meet future developments in Eastern Dublin should a TWA option be selected that does not involve export of raw wastewater to the Central Contra Costa Sanitary District.

32-53

2. Page 5.0-8 - The top paragraph of the text states, "Pleasanton and DSRSD are planning a new well, and Zone 7 is currently drilling another well. These wells are planned for the purpose of alleviating water constraints during times of peak demand." The text implies that the presence of these new wells will contribute to recent groundwater overdrafts. The Pleasanton/DSRSD well would be operated within the limits of the independent quota established in both agencies' contracts with Zone 7. It is important to note that the sum of the independent quotas of all the Valley retailers is equal to the long term safe yield of the groundwater basin. The well that Zone 7 is drilling will enable water to be drawn out of the groundwater basin at a faster rate in the peak summer months. No additional water would be drawn out of the basin over a given year's total.

32-54

3. Page 5.0-15 - Impact 3.5/T states that the water distribution system infrastructure has been sized in anticipation of growth beyond the Project site and as such will facilitate development within the total Project site as well. As noted in earlier comments, the water distribution system which should properly be the subject of this Environmental Impact Report should be limited to the size as necessary to serve Eastern Dublin. Barring any additional environmental review and project approval by either the City of Dublin or other agencies, the water distribution system actually installed will be limited to that needed to serve Eastern Dublin.

32-55

Page 12

CHAPTER 6 - REFERENCES

No Comments

APPENDICES

No Comments

Response to Letter 33: Jeffrey S. Holmwood, AICP, Bissell & Karn (for Johnson/Himsel Partnership).

- 33-1 Comment: Page SM-3, Project Boundaries. Western boundary was noted as "Parks". Should this be Camp Parks?

Response to Comment 33-1: The western boundary is defined by "Parks Reserve Forces Training Center", which is the official name of the military base commonly referred to as "Camp Parks".

- 33-2 Comment: Page SM-5, Regional Circulation System. This section emphasizes the proposed circulation system connecting eastern and western Dublin but ignores the need to discuss the regional impacts of connecting to Contra Costa County, Pleasanton and Livermore.

Response to Comment 33-2: The reference on page SM-5 summarizes the proposed amendments to the Dublin General Plan. It is not a discussion of impacts. The proposed General Plan amendments do provide for improved north-south circulation, but it is true that more emphasis is placed on creating links with the existing city and with proposed transit.

- 33-3 Comment: Page SM-9, Land Use Assumptions. Section 3.3--Are the land uses consistent with ABAG--Projections '92?

Response to Comment 33-3: The Year 2010 land use projections are based on ABAG Projections '90, the most recent available information at the time of the study. The Cumulative Buildout land use projections are based on specific development proposals and development allowable under existing general plans.

- 33-4 Comment: Page SM-10, Consistency with MTC Planning. IM 3.3/E - Our major concern with the traffic impacts that are not mitigable is getting these improvements environmentally cleared through the MTC given the present AIR Quality legislation. How can the document for General Plan Amendment impose a situation that is not mitigable knowing that the required transportation improvements could not be cleared by MTC?

Response to Comment 33-4: The City of Dublin will ensure that future detailed studies for individual transportation improvements will conform to all federal, state, and local requirements, including appropriate analysis of air quality impacts as determined by MTC and other agencies.

- 33-5 Comment: Page SM-38, Proposed Tassajara Road Width. IM 3.3/M - The document states that Tassajara Road should be 6 lanes but the preference is to keep it at its existing width of 4 lanes due to aesthetic concerns; consequently it is an unavoidable adverse impact. I would question how prudent this is given that this will be one of the few major connector roads between Contra Costa and Alameda Counties in the area.

Response to Comment 33-5: See response to Comment 5-2. The Specific Plan designates four lanes on Tassajara Road between Dublin Boulevard and Gleason Road not strictly for aesthetic reasons, but also because a four lane road provides improved pedestrian and vehicle access (turns in and out of driveways, weaving across lanes) to fronting properties compared to a six-lane road.

- 33-6 Comment: Page 2.3, Existing Road System. The discussion of north-south roads should include Hacienda Drive.

Response to Comment 33-6: Hacienda Drive is currently primarily a local-serving route as opposed to a major route serving regional traffic. Page 3.3-2 of the DEIR includes a description of Hacienda Drive as part of the existing circulation system.

- 33-7 **Comment: Page 2.10, Circulation and Scenic Highway.** Perhaps there should be a third point to this policy which would require coordination with the adjacent jurisdictions of Pleasanton, Dublin, and Contra Costa County to improve regional transportation.

Response to Comment 33-7: This Project Description section provides an overview of the Project and is not proposing policies. Policies recommending coordination with other agencies and jurisdictions to improve regional transportation are included in Section 3.3 Traffic and Circulation.

- 33-8 **Comment: Figure 2D/E, Santa Rita Freeway Ramps.** Show Santa Rita on-ramps in the northwest and southeast quadrants.

Response to Comment 33-8: Figure 2D/E will be revised to show on-ramps.

- 33-9 **Comment: Page 3.1-22, BART Improvements Schedule.** Note the completion date of late 1995 or early 1996 for the eastern Dublin BART station. Also the eventual extension of BART to Livermore/eastern Dublin should be noted with the appropriate disclaimers.

Response to Comment 33-9: Comment acknowledged. See Responses to Comments 29-1 through 29-3.

- 33-10 **Comment: Page 3.3-2, El Charro Road.** 3,600 ADT and 60% trucks seems low compared to previous discussions we have had with the quarry operators.

Response to Comment 33-10: The traffic count referenced on page 3.3-2 of the DEIR was conducted in September, 1988, and factored up based on regional traffic growth to represent 1992 conditions. The traffic count on El Charro Road would be expected to fluctuate significantly from month to month depending on current activity at the quarries.

- 33-11 **Comment: Page 3.3-5, Future Road Improvements.** The Stoneridge Drive Specific Plan shows the eventual extension of Stoneridge Drive to El Charro Road. The residential, commercial and industrial uses in the Specific Plan area will use El Charro Road for freeway access. Additionally, the industrial uses designated on the Livermore General Plan for the Johnson/Himsl parcel will also use El Charro Road for freeway access. Are these projects reflected in the traffic model? Is the connection of Stoneridge Drive to El Charro Road included in the model? Does the EIR incorrectly assume only truck traffic will be using El Charro Road south of I-580? The El Charro interchange improvements must be coordinated both north and south of the freeway.

Response to Comment 33-11: The traffic projections include the proposed extension of Stoneridge Drive to El Charro Road, as shown in Figure 3.3-B. All land uses allowable under the current Pleasanton, Livermore and Alameda County general plans were included in the traffic projections.

- 33-12 **Comment: Page 3.3-6, I-580/I-680 Connector.** The Alameda county Transportation Authority Direct Connector Project will reduce eastbound I-580 to 3 lanes east of I-680 before the flyover joins it. Was this considered in the traffic modeling? If not, the traffic projections could look better than they really are. As a minimum, this should be noted in the document. Also the time frame for construction is 1996-8, instead of 1996-7.

Response to Comment 33-12: The plans for the Direct Connector Project at the I-580/-680 interchange have not been finalized. The three lanes on I-580 described in the comment plus the two lanes provided on the flyover would provide a total of five lanes of capacity in that section, consistent with the assumptions used in the DEIR.

- 33-13 **Comment: Page 3.3-7, BART.** Again (refer to Comment 33-9), I recommend there should be some discussion on the eventual BART extension to Livermore.

Response to Comment 33-13: BART service to Livermore has been identified in several studies as a potential future extension. There are no current plans or funding sources for this BART extension. The Eastern Dublin Specific Plan and General Plan Amendment would not preclude future extensions of BART service along I-580 or other corridors.

- 33-14 **Comment: Page 3.3-12, Projected I-580 Traffic.** Are the projected traffic volumes on I-580 to the east of the plan area consistent with the 1992 ABAG projections? As noted previously, I-580 will not be 8 lanes; eastbound I-580 will be only 3 lanes east of I-680.

Response to Comment 33-14: See responses to Comments 33-3 and 33-12.

- 33-15 **Comment: Page 3.3-18, I-580 Overcrossings.** This is the first mention we have heard of new overcrossings on I-580 between Hacienda and Santa Rita, and between Tassajara and Fallon. This is a major impact to Hacienda Business Park and to proposed developments in the vicinity of El Charro Road. Is this consistent with Pleasanton's Stoneridge Drive Specific Plan?

Response to Comment 33-15: See response to Comment 7-6. The Stoneridge Drive Specific Plan prepared by the City of Pleasanton does not include an additional overcrossing of I-580 between Santa Rita Road and El Charro Road.

- 33-16 **Comment: Page 5.0-1, Cumulative Impacts.** Is the Johnson/Himsl parcel included in the list of cumulative projects? Both Alameda County and the City of Livermore General Plan designate the parcel for industrial development. Inclusion of the Johnson/Himsl parcel will affect the traffic volumes at the I-580/El Charro Road interchange. This, in turn, could affect the design and magnitude of improvements required at the I-580/El Charro Road interchange.

Response to Comment 33-16: See response to Comment 33-11.

A Greiner Engineering Company

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OCT 29 1992

DUBLIN PLANNING

October 29, 1992

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

Subject: Environmental Impact Report - Eastern Dublin
General Plan Amendment and Specific Plan

Dear Planning Commission Members:

We represent the Johnson/Himsl Partnership, the owners of the 198-acre parcel at the southeast corner of El Charro Road and I-580. We wish to submit the following comments related to the adequacy of the Environmental Impact Report for the East Dublin General Plan Amendment and Specific Plan. Each comment is preceded by the EIR page number and section number for reference purposes.

- | | | |
|-------|---|------|
| SM-3 | Western boundary was noted as "Parks". Should this be Camp Parks? | 33-1 |
| SM-5 | This section emphasizes the proposed circulation system connecting eastern and western Dublin but ignores the need to discuss the regional impacts of connecting to Contra Costa County, Pleasanton and Livermore. | 33-2 |
| SM-9 | Section 3.3 - Are the land uses consistent with ABAG -Projections 1992? | 33-3 |
| SM-10 | IM 3.3/E - Our major concern with the traffic impacts that are not mitigable is getting these improvements environmentally cleared through the MTC given the present Air Quality legislation. How can the document for General Plan Amendment impose a situation that is not mitigable knowing that the required transportation improvements could not be cleared by MTC? | 33-4 |
| SM-38 | IM 3.3/M - The document states that Tassajara Road should be 6 lanes but the preference is to keep at its existing width of 4 lanes due to aesthetic concerns; consequently it is an unavoidable adverse impact. I would question how prudent this is given that this will be one of the few major connector roads between Contra Costa and Alameda Counties in the area. | 33-5 |

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- 2.3 Existing Road System - The discussion of north-south roads should include Hacienda Drive. 33-6
- 2.10 Circulation and Scenic Highway - Perhaps there should be a third point to this policy which would require coordination with the adjacent jurisdictions of Pleasanton, Dublin, and Contra Costa County to improve regional transportation. 33-7
- Fig 2D/E Show Santa Rita on ramps in the northwest and southeast quadrants. 33-8
- 3.1-22 BART - Note the completion date of late 1995 or early 1996. Also the eventual extension of BART to Livermore/eastern Dublin should be noted with the appropriate disclaimers. 33-9
- 3.3-2 El Charro Road - 3,600 ADT and 60% trucks seems low compared to previous discussions we have had with the quarry operators. 33-10
- 3.3-5 Future Road Improvements - The Stoneridge Drive Specific Plan shows the eventual extension of Stoneridge Drive to El Charro Road. The residential, commercial and industrial uses in the Specific Plan area will use El Charro Road for freeway access. Additionally, the industrial uses designated on the Livermore General Plan for the Johnson/Himsl parcel will also use El Charro Road for freeway access. Are these projects reflected in the traffic model? Is the connection of Stoneridge Drive to El Charro Road included in the model? Does the EIR incorrectly assumes only truck traffic will be using El Charro Road south of I-580? The El Charro interchange improvements must be coordinated both north and south of the freeway. 33-11
- 3.3-6 I-580/680 I/C - The Alameda County Transportation Authority Direct Connector Project will reduce eastbound I-580 to 3 lanes east of I-680 before the flyover joins it. Was this considered in the traffic modeling? If not, the traffic projections could look better than they really are. As a minimum, this should be noted in the document. Also the time frame for construction is 1996-8, instead of 1996-7. 33-12

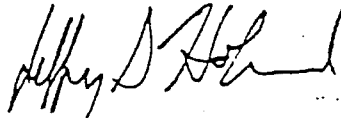
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- 3.3-7 Again, I recommend there should be some discussion on the eventual BART extension to Livermore. 33-13
- 3.3-12 Are the projected traffic volumes on I-580 to the east of the plan area consistent with the 1992 ABAG projections? As noted previously, I-580 will not be 8 lanes; eastbound I-580 will be only 3 lanes east of I-680. 33-14
- 3.3-18 I-580 Overcrossings - This is the first mention we have heard of new overcrossings on I-580 between Hacienda and Santa Rita, and between Tassajara and Fallon. This is a major impact to Hacienda Business Park and to proposed developments in the vicinity of El Charro Road. Is this consistent with Pleasanton's Stoneridge Drive Specific Plan? 33-15
- 5.0-1 Cumulative Impacts - Is the Johnson/Himsl parcel included in the list of cumulative projects? Both Alameda County and the City of Livermore General Plan designate the parcel for industrial development. Inclusion of the Johnson/Himsl parcel will affect the traffic volumes at the I-580/El Charro Road interchange. This, in turn, could affect the design and magnitude of improvements required at the I-580/El Charro Road interchange. 33-16

Thank you for the opportunity to comment on the EIR. We look forward to having our concerns addressed in the Response to Comments and Final EIR.

Sincerely,

BISSELL & KARN, INC.



Jeffrey S. Holmwood, AICP
Project Manager

JSH:lmk

cc: Joe Callahan
Charlotte Himsl
Jack Smith

Response to Letter 34: Mark Evanoff, Field Representative, Greenbelt Alliance

- 34-1 **Comment:** The EIR's conclusion that substantial alteration to existing land use is an insignificant impact (IM 3/A), is not supported by the data.

Response to Comment 34-1: See Response to Comment 1-2.

- 34-2 **Comment:** Lands within the Project area are prime agricultural land as defined by the Cortese/Knox Reorganization Act. The EIR must discuss the impact of losing prime agricultural lands.

Section 56064 of the Cortese Knox Reorganization Act states, "'Prime agricultural land' means an area of land, whether a single parcel or contiguous parcels, which has not been developed for a use other than an agricultural use and which meets any of the following qualifications:...(e) Land which has returned from the production of unprocessed agricultural plant products an annual gross value of not less than two hundred dollars per acre for three of the previous five calendar years. (f) Land which is used to maintain livestock for commercial purposes."

Section 56016 defines "agricultural land" as, "land currently used for the purpose of producing an agricultural commodity for commercial purposes, land left fallow under a crop rotation program, and land enrolled in an agricultural subsidy or set-aside program."

Response to Comment 34-2: See response to similar question from LAFCO (Comment 24-3), which must assess the proposed Sphere of Influence expansion pursuant to the Cortese Knox Reorganization Act. In addition, the office of the Alameda County Agricultural Commissioner has indicated that the land in the Eastern Dublin vicinity can generate no more than \$100-120/acre/year for non-irrigated (i.e., dry land) grazing and farming (e.g., land can produce about 2 tons/acre of alfalfa at a value of \$50/ton/year). The land also does not support enough livestock to constitute viable commercial operations. It takes approximately 10 acres to support one head of cattle, which translates into a value of approximately \$32/acre/year.

- 34-3 **Comment:** Several parcels within the Project have active Williamson Act Contracts, indicating a desire by landowners to remain in agriculture. The EIR has not evaluated the impact of the Project on farmers wishing to remain in agriculture. The EIR has not evaluated how the imposition of Mello Roos Districts and development fees will impact agricultural lands and a landowner who is committed to remaining in farming.

Response to Comment 34-3: See responses to Letter 10 from the State Department of Conservation. The City fully supports those land owners who wish to continue to pursue agricultural activities, although as noted above the value of area for agriculture is not particularly high. Mello Roos and other assessment districts do not have to include all properties from the very beginning. In fact, given the length of projected buildout, it is assumed that a number of districts will be established over time, in response to development intentions. In the near term, districts can be established which specifically exclude those properties that are committed to agriculture. As shown in Figure 3.1-C, there is no reason that lands with Williamson contracts still in full force (i.e., no non-renewal requested) would need to be included in an assessment district in the near term. None of the properties with Williamson Act agreements in full force are located such that the continuation of agriculture would disrupt development of the other portions of the Project area.

- 34-4 **Comment:** The EIR identifies active Williamson Act contracts north of and east of the Project. The EIR has presented no documentation to support the conclusion that there are no land use conflicts to the east and to the north of the Project (IM 3.1/I and J).

Response to Comment 34-4: As indicated on the GPA Land Use Map (Figure 2-E), most of the areas to the north and east are buffered from proposed development by rural residential/agricultural land within the GPA area. In the few areas where urban designations extend to the Project boundaries, the adjoining areas are all open lands that have little, if any agricultural activity occurring on them. There is no apparent use that would be in conflict with proposed uses. As projects are proposed in these areas along the perimeter of the Project, the City will individually review each one to ensure that no land use conflicts would result. If, at that time, there appears to be the potential for conflicts, the City can require that open space buffers/setbacks be incorporated into the proposed development.

It is important to note that the lands to the north and east are very hilly grasslands, and have very limited agricultural potential, except for grazing. As grazing land the area has the potential to support roughly one head of cattle per 10 acres, hardly an intensive agricultural use.

- 34-5 **Comment:** The Project will put at least 40,000 people in close proximity to agricultural lands. Impacts could include youth riding motor-cycles on ranchlands, domestic dogs killing livestock, vandalism, and shooting and theft of livestock. Potential conflicts between agriculture and housing could occur with spraying and operation of farm equipment.

Response to Comment 34-5: As noted above in the response to Comment 34-4, the potential for conflicts with agriculture is not considered significant given the levels of agricultural activity. The dry-land farming/grazing being pursued or likely to be pursued does not involve spraying, and only very limited use of farm equipment. The potential increase in illegal activities would increase with the increase in population, and unfortunately is unavoidable. Such activities would have to be dealt with by local law enforcement, as they currently are in fringe areas of the City. In addition, if the rural residential areas are dedicated to public open space as recommended in the EIR and Specific Plan (see Letter 14), these open space areas would have an additional agency (e.g., EBRPD) overseeing protection and maintenance of the activities within its boundaries.

- 34-6 **Comment:** The EIR has identified a variety of animal species, including special status species, and wide diversity of plant life in the area (IM 3.7/A-R). The habitat will be lost if the Project is built.

Response to Comment 34: Comment acknowledged. The DEIR does identify a diversity of plant and wildlife species that are known and could potentially occur in the Eastern Dublin Project area. Conversion of habitat presently occurring in the Project area will result in more favorable conditions for some species and less favorable circumstances for others. Direct loss of habitat is mitigated (see MM 3.7-1 through -28) to a level of insignificance through avoiding habitat conversions that might be detrimental to special status species; through careful planning and protection, enhancing, restoring, protecting, and modifying resource management (i.e., livestock management practices, rodent control, vegetation alteration, etc.) on the remaining open space and agriculture rural residential land use designations.

- 34-7 **Comment:** Proposed mitigation measures to avoid San Joaquin kit fox dens does not provide sufficient mitigation to protect habitat.

Response to Comment 34-7: See response to comment 22-14.

- 34-8 **Comment:** The EIR must document why the Project should not be required to purchase conservation easements on land suitable for kit fox habitat that is three times larger than the habitat lost to the Project, as required in San Joaquin County by the Safeway Distribution Center.

Response to Comment 34-8: See response to comment 22-14. The Project cannot require dedication of conservation easements because such required dedication would violate State law (Civil Code 8815.3.)

- 34-9 **Comment:** The EIR has not evaluated the cumulative impact on conversion of land use presented by this Project, west Dublin, North Livermore, Dougherty Valley, west San Ramon, and Tassajara, Projects in total that could convert more than 31,000 acres of open space -- an area almost the size of San Francisco.

The cumulative impact of loss of agricultural lands, wildlife habitat, and alterations of hillsides, warrant identifying the land use changes created by the Project as a significant impact and measures must be identified to mitigate that impact.

Response to Comment 34-9: The cumulative impacts to wildlife habitat are addressed in IM 3.7/A and IM 3.7/C (page 5.0-11), and cumulative impacts related to hillside alterations are addressed in IM 3.6/D (page 5.0-10) and IM 3.8/B (page 5.0-12). The cumulative loss of agricultural and open space lands was not directly addressed. The following has been added to the end of the first paragraph on page 3.1-9 and the end of the first paragraph on page 5.0-13:

IM3.1/F Cumulative Loss of Agricultural and Open Space Lands

Agricultural grazing land and open space in Alameda and Contra Costa counties will be converted to urban uses by proposed projects such as Dougherty Valley, Tassajara Valley, North Livermore, and Eastern Dublin. The proposed Project would result in the urbanization of a large area of open space, and would contribute to the cumulative loss of agricultural land and open space in the Tri-Valley area. This is considered a significant unavoidable cumulative impact.

Mitigation Measures of the EIR

No mitigation measures are available to reduce this impact to a less-than significant level.

- 34-10 **Comment:** The EIR has identified significant impacts and cumulative impacts on the freeway system (IM 3.3/A-N).

The EIR fails to mention that the Project will exceed the levels of service for I-580, identified in the Alameda County Congestion Management Program. Under provisions of state law, Dublin must consider an alternative in land use to mitigate the impact. Evaluating a Greenbelt Alternative in the EIR could provide a means to meet this section of the law.

Response to Comment 34-10: Chapter 4 of the DEIR, Alternatives, evaluates four alternatives with reduced land use intensities which would reduce traffic impacts on I-580.

- 34-11 **Comment:** The EIR identifies several freeway widening Projects and interchange improvements to mitigate the Project. The EIR has not demonstrated that these Projects can be funded entirely from building fees collected from the East Dublin Project. The EIR has

not identified the public funds that can be allocated to supplement East Dublin's contribution, and the EIR has not demonstrated that the highway projects meet state and federal air quality guidelines. Until these points can be demonstrated, the impacts of the Project are not mitigated.

Response to Comment 34-11: It is not intended that the Eastern Dublin project will fully finance all regional highway improvements. The mitigations in the DEIR specify that Eastern Dublin development will pay a proportionate share of the costs of transportation improvements. As stated on page 3.3-13, development in Eastern Dublin would represent about 23 percent of Tri-Valley traffic growth by the Year 2010. Development projects in other jurisdictions would be expected to contribute additional proportionate shares, as determined by the participation of Dublin and other jurisdictions in regional studies such as the current study by the Tri-Valley Transportation Council. The DEIR does not assume that public funding will be required to construct improvements. The level of improvements discussed in the DEIR is consistent with the level of road improvements financed by previous development in the Tri-Valley area (such as by the North Pleasanton Improvement District).

The City of Dublin will ensure that future detailed studies for individual transportation improvements will conform to all federal, state, and local requirements, including appropriate analysis of air quality impacts as determined by MTC and other agencies.

- 34-12 Comment:** The EIR must demonstrate that the proposed freeway and interchange improvements are consistent with the Congestion Management Program, the Regional Transportation Plan, the Regional Transportation Improvement Program, the State Transportation Improvement Program, the State Implementation Plan for air quality, and the federal Transportation Improvement Program for air quality.

Response to Comment 34-12: The mitigation measures in the DEIR are not inconsistent with the referenced policy documents. In particular, the Caltrans Route Concept Report for I-580 designates the ultimate width of I-580 east of I-680 as ten lanes.

- 34-13 Comment:** The EIR determined that the Project will generate nearly 500,000 trips a day. (Table 3.3-7) The EIR should expand its discussion on air quality impacts and document why this Project does not violate state and federal air quality guidelines. The EIR must discuss the penalties the state and federal governments are required to impose for air quality violations.

Response to Comment 34-13: There are no specific state and federal guidelines on the number of trips generated in a region. The air pollution emissions from this volume of growth is identified as having a significant individual and cumulative air quality impact. That same impact will result from the same level of growth in Dublin or in any other community in the air basin. The implication in this comment that penalties or sanctions will be invoked if this plan is approved suggests that the penalties or sanctions would not occur for the no-project alternative, which is incorrect. It is highly likely that the same level of growth would occur in another community if not in Dublin, such that one can not fairly assign responsibility for sanctions or penalties solely to this discretionary approval action.

- 34-14 Comment:** The EIR must determine the amount of federal and state funds that could be lost in Alameda County and in the Bay Area for violating air quality standards. The EIR must also identify regional and county transportation Projects that could lose funding if air quality guidelines are violated.

Response to Comment 34-14: See Response 34-13. The economic implications of air quality non-attainment are discussed in the '91 CAP and supporting ABAG and/or MTC air quality

documents, and any possible future penalties are not ascribable to any individual project.

- 34-15 **Comment:** Is it correct to assume that the cumulative impact of Dougherty Valley, Tassajara, West Dublin, and North Livermore will generate an additional 900,000 trips a day in addition to the 482,900 daily trips identified in the Project? These other Projects collectively have more than twice the housing units of East Dublin. What is the cumulative air quality impacts of these Projects?

Response to Comment 34-15: The cumulative air quality impact of all such development occurs generally in direct proportion to the number of trips generated. Development farther on the urban fringe creates somewhat longer commuting trips, but the bulk of a trip's emissions occur within the first few miles of travel (i.e., before the car's engine has warmed up). Trip generation is thus a good indicator of air quality impact. With trip generation twice as high as the Eastern Dublin Specific Plan (EDSP), the identified cumulative growth will have an air quality impact twice as high as that resulting from EDSP. While the EDSP will contribute 0.6 - 1.4 percent of the regional pollution burden, the other projects' share will be in the 1.2 to 2.8 percent range. Combined, Tri-Valley growth will generate 2 - 4 percent of the air basin pollution burden. As noted in other responses, this impact is significant, but would occur elsewhere in the region if not in the Dublin vicinity with identical air quality impacts.

- 34-16 **Comment:** Generating the revenue needed to pay for police and fire services is based upon unrealistic assumptions on property tax revenue and sales tax revenue. The EIR must recalculate the ability to mitigate impact on services using a realistic assumption on revenue generation.

Response to Comment 34-16: Property tax and sales tax revenue in the fiscal analysis are based on reasonable assumptions. Sales tax projections are based on surveys of retail centers conducted by the Urban Land Institute (i.e., \$300 total annual sales per square foot for a regional center and \$200 total annual sales per square foot for a neighborhood retail center). Property tax revenue was calculated based on the August 1992 City of Dublin/County of Alameda Annexation Agreement (approved by Alameda County) which gives the City 25.4 percent total property tax revenues. Despite the September 1992 State legislation which shifts 9 percent of the City of Dublin's property tax revenues to school districts, the City of Dublin is still projected to generate sufficient revenues to cover costs.

- 34-17 **Comment:** The City is currently not generating sufficient revenue to meet state recommendations for police level of service.

Response to Comment 34-17: The Fiscal Analysis projected that the Dublin development would require police service cost of \$98 (in 1990 dollars) per resident equivalent (population plus 1/4 employment). This is comparable to expenditures currently made by other Bay Area cities of similar size. In the current economic climate, it is probably easier to identify cities that are not generating sufficient revenues to meet state recommended police level of service, than cities that are.

- 34-18 **Comment:** Under the new state budget, local governments are retaining less than 25 percent of property tax revenues. Actual property tax revenues in Dublin in 1990-1991 were \$3.6 million. The EIR on the Project Projects property tax revenue will be \$7.5. A new revenue generation Projection must be made that reflects the lost property tax revenue to the state.

Response to Comment 34-18: According to the Alameda County Auditors Office, Dublin received \$3.8 million in property tax in 1991-92. To clarify the EIR projections, \$7.5 million

is projected by year 2010 (in 1990 dollars). Senate Bills 846 and 617 were passed in September 1992 and will shift city, county, and special district property tax revenues to school districts. Nine percent of the City of Dublin's property tax revenues (based on prior year's assessed values) will be affected. For instance, rather than receiving \$7.5 million, Dublin's property tax revenue will be \$6.9 million. This reduction will not change the current projections that over time, the City of Dublin will generate sufficient revenues to cover costs and in fact, accrue annual fiscal surplus as the project matures.

- 34-19 **Comment:** Projected sales tax revenues of \$10.3 million a year at buildout are not consistent with revenues received by Pleasanton, Livermore, and neighboring jurisdictions. The EIR must document why sales tax revenues for East Dublin are reasonable when Pleasanton received \$8.6 million in 1990. Is the EIR assuming that people will choose to shop in East Dublin rather than North Livermore, Dougherty Valley, San Ramon or Pleasanton?

Response to Comment: Please see response to Comment 34-16. The North Livermore, Pleasanton, San Ramon and Dublin markets overlap. The DEIR assumes that an eastern Dublin regional retail center will compete for its share of the retail market and sales taxes.

- 34-20 **Comment:** Is the financial success of the East Dublin Plan dependent upon neighboring jurisdictions losing sales tax revenue to East Dublin?

Response to Comment: See response to Comment 34-19.

- 34-21 **Comment:** The EIR must evaluate how levels of service for police and fire will degrade if the Projected sales tax and property tax revenues don't occur for East Dublin.

Response to Comment 34-21: If buildings are not developed and property taxes not generated, then additional services would not be required. Levels of service should not be impacted since over time, the project generates sufficient revenues to cover costs. Early shortfalls could be covered by drawing against future revenues, including drawing down existing city reserves which are then replenished with interest in the future. If this approach to shortfalls is unacceptable to the City, then the City could enter into a development agreements requiring developers to pay for early shortfalls to provide services. This mitigation measure is contained in the EIR: MM3.12/1.0.

- 34-22 **Comment:** The EIR must discuss how levels of service will be impacted in the period of time before the Project generates sufficient revenue to finance services.

Response to Comment 34-22: The plan and EIR require that developers provide necessary facilities (sewer, water, storm drainage, fire, and police) prior to occupation of new development in eastern Dublin. The financing plan for the project will determine how to cover initial service costs, such as salaries for additional police and fire officers, prior to the actual generation of Project area revenues.

- 34-23 **Comment:** The EIR identified significant impacts on library services, yet no documentation is provided that the impact can be mitigated. Mitigation Measure 3.4/40.0 proposes to expand the system, but there is no discussion on the cost of expanding the system, and the ability of Alameda County or the East Dublin Planning Area to assess fees to expand the system.

No local sales tax or property tax revenues are identified for expanding library services, and no documentation is provided that the county has the funds to expand the library system.

The county library system has not been replacing personnel that resign and significant

cutbacks are Projected for 1993.

Response to Comment 34-23: Partial funding for library services is included in the City's "Culture and Leisure" budget, which ERA estimated to require \$42 per resident equivalent (please refer to Eastern Dublin Fiscal Analyses). The County will receive property tax revenues from the new development (as outlined in the August 1992 Annexation Agreement) and can set a portion of this revenue to fund the expansion of services. If these funding sources are not adequate, the City and the County could include the cost of expanding library services in a development agreement or create a library impact fee.

- 34-24 **Comment:** The EIR identifies lack of wastewater disposal capacity as a significant impact. (IM 3.5/G) Supporting TWA in its efforts to implement a new wastewater export pipe system (MM 3.5/11.0) does not mitigate the impact of the Project.

Response to Comment 34-24: Support of the TWA project is critical to the completion of Eastern Dublin. DSRSD, in its 15 October 1992 letter commenting on the Draft Specific Plan and General Plan Amendment for Eastern Dublin, stated that, "The facilities planned by the members of Tri-Valley Wastewater Authority (TWA) are therefore essential to the development proposed by the Specific Plan and the General Plan Amendment." The TWA facilities must be constructed with adequate capacity for Eastern Dublin. Without TWA capacity for Eastern Dublin, the Eastern Dublin Project cannot proceed. TWA has examined three development scenarios and three alternative alignments. One of these development scenarios, "Prospective General Plans," does include the Eastern Dublin Project. TWA has recommended Alternative North 3, which would collect untreated wastewater from the service area and export it north to CCCSD for treatment and disposal. Therefore, MM 3.5/11.0, once implemented, is an appropriate mitigation measure to IM 3.5G.

- 34-25 **Comment:** Major expansion of the wastewater treatment facility in Martinez will be needed to accommodate wastewater flow from the Project. The Central Contra Costa Sanitary must also obtain a permit from the San Francisco Regional Water Quality Control Board, to increase its discharge to accommodate East Dublin and other Projects served by the Tri Valley Wastewater Authority.

The EIR has not evaluated the impact of increased wastewater discharge into the Carquinez Straits generated by the Project. The EIR has provided no discussion on how and if wastewater discharge from Martinez can be mitigated to meet San Francisco Water Quality Control Board guidelines. The EIR must demonstrate that TWA's discharge into Suisun Bay will not disrupt ambient water quality.

Response to Comment 34-25: These impacts are discussed in the TWA Subsequent EIR.

- 34-26 **Comment:** The finance plan for the Project identifies the need for \$122.9 million for wastewater treatment and collection. The fee will be paid for by the developer impact fees (Specific Plan, Table 10-1, page 150). The EIR should evaluate how and if this amount of money can be raised to mitigate the impact of the Project.

Response to Comment 34-26: The money required to improve waste water treatment and collection could be raised in various ways, including through Mello-Roos bond financing. Most of the money, however, is expected to be provided through connection fees (development fees). If proposed development projects cannot pay these costs given market conditions at the time, the projects will not proceed. There is no environmental impact under CEQA.

- 34-27 **Comment:** Will a Mello Roos District created by the Dublin San Ramon Services District be required to finance the Project? If there is a default on the bond by any of the parcels, how will that impact providing other services? Will there be a sufficient revenue stream to pay for other city services?

Response to Comment 34-27: DSRSD is not required to finance the project through a Mello-Roos District, but is likely to do so. Mello Roos bonds are backed by the value of properties and are not an obligation of the City. Even if a problem arises with debt servicing, there is no environmental impact under CEQA.

- 34-28 **Comment:** If the Dublin San Ramon Services District does not issue a bond for a sewer expansion, will the individual land owners be required to come up with \$122,910 million to finance the sewer? Is the East Dublin plan depending on Alameda County to finance sewage expansion? Could Alameda County be required to pay \$122.9 million for sewer expansion in advance and be reimbursed by other landowners as they develop?

Response to Comment 34-28: See Response to Comment 34-26. The Eastern Dublin Project does not depend on Alameda County to finance the entire cost of sewage expansion, will look to Alameda County for its proportionate share.

- 34-29 **Comment:** The EIR should also evaluate the impact of an earthquake breaking the main TWA sewer trunkline.

Response to Comment 34-29: These impacts are discussed in the TWA Subsequent EIR.

- 34-30 **Comment:** The Dublin San Ramon Services District could be providing wastewater services to Dougherty Valley and Tassajara Valley. The EIR should identify if any wastewater trunklines from these Projects will cross into the East Dublin Planning Area.

Response to Comment 34-30: Comment acknowledged. However, there has not been any detailed planning on sewer trunkline alignments. If DSRSD were to serve these areas, a sewer trunkline would more than likely follow an alignment down Tassajara Road, connecting to the conceptual backbone wastewater collection system for Eastern Dublin (Figure 3.5-B) at some strategic location to allow for gravity flow and to avoid the use of pump stations.

- 34-31 **Comment:** The EIR has determined the Project will require the construction of new utility lines across open space lands and that the impact is significant (IM 3.4/Q).

The EIR should identify on a map where new utility lines will be located and notify the land owners that East Dublin will require extending utility lines across their property. An alternative should be evaluated to underground all utilities to mitigate the impact of the Project.

Response to Comment 34-31: IM 3.4/Q, Demand for Utility Extensions, states that there will be a required extension of gas and electrical services onto undeveloped lands currently in agricultural and open space uses. This is considered a significant growth-inducing impact and an unavoidable adverse impact. Extension of these utility lines are necessary if the Project is to be approved and built. As noted in the DEIR, there is no mitigation to this impact and it remains an unavoidable adverse impact. The Section 8.5.1 of the Specific Plan identified in a general sense the major electric, natural gas and telephone services that would be required for the Project. Appropriate agencies providing these services were identified. At this stage of planning, it is not possible to locate these major utilities. Most, if not all, would be underground, and would use the street right-of-way for alignments.

- 34-32 **Comment:** The EIR must evaluate the feasibility and cost of providing fresh water to the Project and determine if new water supplies will be available as the Project is built.

Response to Comment 34-32: These items are addressed in the Specific Plan. DSRSD also addresses certain of these issues in its 15 October 1992 letter commenting on the Draft Specific Plan and General Plan Amendment for Eastern Dublin (Letter 5 in the Staff Report to the November 16, 1992 Planning Commission meeting).

- 34-33 **Comment:** Mitigation Measure 3.5/28.0, identifies the need for Zone 7 to complete certain improvements to expand the water supply. Discussion in this section must be expanded to determine if the Zone 7 improvements can be completed to meet the building timeline for East Dublin.

Response to Comment 34-33: Appendix A of the Specific Plan presented the planned phasing of Zone 7 water supply improvements. These improvements are scheduled to be completed by 1995, which will be well before the completion of the Eastern Dublin project.

- 34-34 **Comment:** Additional financial work is needed to determine if water-hook up fees as assumed in the EIR will generate the revenue needed to finance the new water supply, treatment of new water supply, delivery of new water supply, and cost of treating water for recycling. The finance plan assumed existing hook-up fees rather than determining if existing fees would be sufficient to pay for Zone 7's services.

Response to Comment 34-34: Refer to Section 3.12 in the DEIR and Chapter 10 of the Specific Plan for the financing analysis. It is true that the financial analysis did appropriately assume existing hook-up fees. DSRSD historically passes on the current "Zone 7 Water Service Connection Fee" to developers along with its own DSRSD Water Service Connection Fee. Thus, DSRSD charges developers the connection fees that Zone 7 determines are sufficient for its operations.

- 34-35 **Comment:** Zone 7's published reports state that new water supplies will be more expensive than existing supplies. The policy also states that the Zone will not approve deliveries of water above the sustainable supply. The EIR should discuss what will happen if the water is not available.

Response to Comment 34-35: As the water supplier to Dublin, DSRSD has also recently committed to locating additional water supplies (Refer to Response to Comment 32-36). DSRSD, like Zone 7, will not approve deliveries of water above sustainable supply. DSRSD Resolution 38-92 indicates that the District will not annex new service areas if it would "place a burden on constituents currently served by the District." Not having an adequate sustainable supply certainly falls within the category of placing a burden on existing constituents.

- 34-36 **Comment:** Zone 7's Draft Policy Statement on Actions When Demand Exceeds Supply, states, "When the expected demand for water equals the sustainable supply, Zone 7 will not approve deliveries of water above the sustainable supply...It is expected that future supplies will cost substantially more than existing supplies; therefore, Zone 7 may enter separate contracts for future water supplies.

Response to Comment 34-36: Comment acknowledged.

- 34-37 **Comment:** Several of the impacts identified in the EIR require extensive funding to pay for expanding services to mitigate the Projects. However the EIR has not demonstrated that sufficient funds can be raised to implement all the stated mitigations. And the EIR has not

determined what the impact will be if the fees are not raised.

The finance plan for the East Dublin Specific Plan states, "The general guideline is that total annual assessments, which include regular property taxes as well as special taxes or assessments, should not exceed 2.0 percent of the value of the home. Because 1.0 percent of it is already accounted for in regular property taxes, only 1.0 percent remains available for special taxes or special assessments..." (p. 148)

That means that all special annual assessments for libraries, schools, water, and wastewater must not exceed one percent of the value of the home. These assessments are needed to mitigate the impact of the Project.

Response to Comment 34-37: See Response to Comment 34-39.

- 34-38 **Comment:** The financing plan identified \$225 million in special assessments that would be paid for by Mello Roos Districts (Table 10-1). The financing plan concludes, "Once all the bonds have been issued, the annual infrastructure debt service, on average, would equal 0.8 percent of the value of the homes and residential lots." (p. 148)

That means if Dublin adheres to its 2 percent assessment and property tax rule, and other special annual assessments must not exceed .2 percent of the value of the homes. That .2 percent fee must cover libraries and potentially developer funded impact fees.

Response to Comment 34-38: See Response to Comment 34-39.

- 34-39 **Comment:** Major Capital Improvements Costs and Sources of Funding, Table 10-1, Eastern Dublin Specific Plan, identifies \$181 million in water and sewer fees that must be paid for through Developer Impact Fees. If these fees are collected through a Mello Roos District of assessment created by Dublin San Ramon Services District, the annual assessment ceiling will be exceeded.

Response to Comment 34-39: Once the financial capacity of individual homeowners is reached, (defined generally as 2 percent of home value) other mitigations (e.g., impact fees) must be capitalized into the sales price of the units (i.e. part of the developer pro forma). If the development cannot support its costs given market conditions at the time, it will not go forward.

- 34-40 **Comment:** How are Developer Impact Fees funds to be generated? Is this Project dependent upon the County of Alameda issuing a bond on behalf of the entire county to cover the infrastructure costs of East Dublin? Will the Alameda County be required to use Alameda County funds to pay for water and sewer improvements up front? If Alameda County cannot pay the fee, how will the impact on sewers be unmitigated?

Response to Comment 34-40: Developer impact fees are to be funded by developers. No, the project is not dependent upon the County of Alameda issuing a bond. The City of Dublin may issue Mello-Roos or other assessment bonds which would be backed by property values. The County is not required to use County funds to pay for water and sewer improvements. The Tri-Valley Wastewater Authority will be responsible in securing financing for water and sewer improvements, most likely backed by future connection fees and service charges.

- 34-41 **Comment:** Due to limits on bonded indebtedness, how is it possible to fund expanding library services? Will the Project's impact on libraries remain a significant and unmitigated impact?

Response to Comment 34-41: Refer to Response to Comment 34-23.

- 34-42 **Comment:** How will services be financed during the years that the Project is not generating sufficient revenue to pay for services?

Response to Comment 34-42: Over time, the project will generate surplus revenues. Early shortfalls could be covered by drawing against future revenues, including drawing down existing city reserves which are then replenished with interest in the future. If this approach to shortfalls is unacceptable to the City, then the City could draw up a development agreement requiring developers to pay for early shortfalls to provide services. This mitigation measure is contained in the EIR: MM3.12/1.0.

- 34-43 **Comment:** A Greenbelt Alternative should be developed that: does not require creation of the Tri Valley Wastewater Authority pipeline treatment facilities; can be phased to coincide with and finance potential freshwater expansion by Zone 7; keeps development confined to an area less than the size of the Specific Plan area; creates a permanent urban boundary that is recognized by Pleasanton, Alameda County, and Livermore.

The Greenbelt Alternative should configure development to enable residents to walk to local shopping and be served by a bus shuttle to BART. The alternative should assume that additional housing development will occur at Hacienda Business Park, and that transit oriented housing development will occur in North Livermore.

Land between Santa Rita and North Livermore should remain in open space for agriculture and habitat for San Joaquin kit fox and other special species identified in the EIR.

The alternative should include a component for sharing sales tax revenue between jurisdictions.

The alternative should also assume that San Joaquin cities and San Joaquin County enact a joint agreement not to create any new towns.

Response to Comment 34-43: 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.



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October 29, 1992

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

Re: East Dublin General Plan Amendment and Specific Plan Draft EIR

Dear Planning Commissioners:

Greenbelt Alliance is committed to establishing a permanent Greenbelt for the Bay Area and increasing the livability of the cities through compact, and transit oriented development.

Thank you for the opportunity to comment on the Draft EIR for East Dublin. Greenbelt Alliance has three basic areas of concern:

- 1) The project substantially alters existing land uses and the impact is significant. The Draft EIR has not provided the documentation to support the conclusion that the impact of the Project is insignificant.
- 2) The Draft EIR identifies a number of significant service and traffic impacts created by the Project. The proposed mitigation measures are dependent upon funding mechanisms that don't exist and are unlikely to be created. Several of the proposed mitigation measures could create significant environmental impacts.
- 3) A Greenbelt Alternative should be identified that creates a plan that doesn't require construction of major new infrastructure; minimizes the amount of urbanized land; seeks a cooperative arrangement with the Alameda County Board of Supervisors, Livermore, and Pleasanton to maintain urban boundaries, share existing infrastructure capacity, and share sales tax revenues.

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SOUTH BAY OFFICE ♦ 1922 The Alameda Suite 213, San Jose CA 95126 ♦ (408) 983-0539

The Project will substantially alter existing land use:

The EIR's conclusion that substantial alteration to existing land use is an insignificant impact (IM 3/A), is not supported by the data.

34-1

Lands within the project area are prime agricultural land as defined by the Cortese/Knox Reorganization Act. The EIR must discuss the impact of losing prime agricultural lands.

Section 56064 of the Cortese Knox Reorganization Act states, "'Prime agricultural land' means an area of land, whether a single parcel or contiguous parcels, which has not been developed for a use other than an agricultural use and which meets any of the following qualifications: . . . (e) Land which has returned from the production of unprocessed agricultural plant products an annual gross value of not less than two hundred dollars per acre for three of the previous five calendar years. (f) Land which is used to maintain livestock for commercial purposes."

34-2

Section 56016 defines "agricultural land" as, "land currently used for the purpose of producing an agricultural commodity for commercial purposes, land left fallow under a crop rotation program, and land enrolled in an agricultural subsidy or set-aside program."

Several parcels within the project have active Williamson Act Contracts, indicating a desire by landowners to remain in agriculture. The EIR has not evaluated the impact of the project on farmers wishing to remain in agriculture. The EIR has not evaluated how the imposition of Mello Roos Districts and development fees will impact agricultural lands and a landowner who is committed to remaining in farming.

34-3

The EIR identifies active Williamson Act contracts north of and east of the project. The EIR has presented no documentation to support the conclusion that there are no land use conflicts to the east and to the north of the project (IM 3.1/I and J).

34-4

The project will put at least 40,000 people in close proximity to agricultural lands. Impacts could include youth riding motor-cycles on ranchlands, domestic dogs killing livestock, vandalism, and shooting and theft of livestock. Potential conflicts between agriculture and housing could occur with spraying and operation of farm equipment.

34-5

The EIR has identified a variety of animal species, including special status species, and wide diversity of plant life in the area (IM 3.7 A - R). The habitat will be lost if the project is built.

34-6

Proposed mitigation measures to avoid San Joaquin kit fox dens does not provide sufficient mitigation to protect habitat.

34-7

The EIR must document why the Project should not be required to purchase conservation easements on land suitable for kit fox habitat that his three times larger than the habitat lost to the Project, as required in San Joaquin County by the Safeway Distribution Center.

34-8

The EIR has not evaluated the cumulative impact on conversion of land use presented by this project, west Dublin, North Livermore, Dougherty Valley, west San Ramon, and Tassajara, projects in total that could convert more than 31,000 acres of open space -- an area almost the size of San Francisco.

34-9

The cumulative impact of loss of agricultural lands, wildlife habitat, and alterations of hillsides, warrant identifying the land use changes created by the project as a significant impact and measures must be identified to mitigate that impact.

Traffic Impact:

The EIR has identified significant impacts and cumulative impacts on the freeway system (IM 3.3 A - N).

The EIR fails to mention that the project will exceed the levels of service for I-580, identified in the Alameda County Congestion Management Program. Under provisions of state law, Dublin must consider an alternative in land use to mitigate the impact. Evaluating a Greenbelt Alternative in the EIR could provide a means to meet this section of the law.

34-10

The EIR identifies several freeway widening projects and interchange improvements to mitigate the project. The EIR has not demonstrated that these projects can be funded entirely from building fees collected from the East Dublin Project. The EIR has not identified the public funds that can be allocated to supplement East Dublin's contribution, and the EIR has not demonstrated that the highway projects meet state and federal air quality guidelines. Until these points can be demonstrated, the impacts of the Project are not mitigated.

34-11

The EIR must demonstrate that the proposed freeway and interchange improvements are consistent with the Congestion Management Program, the Regional Transportation Plan, the Regional Transportation Improvement Program, the State Transportation Improvement Program, the State Implementation Plan for air quality, and the federal Transportation Improvement Program for air quality.

34-12

The EIR determined that the project will generate nearly 500,000 trips a day. (Table 3.3-7) The EIR should expand its discussion on air quality impacts and document why this project does not violate state and federal air quality guidelines. The EIR must discuss the penalties the state and federal governments are required to impose for air quality violations.

34-13

The EIR must determine the amount of federal and state funds that could be lost in Alameda County and in the Bay Area for violating air quality standards. The EIR must also identify regional and county transportation projects that could lose funding if air quality guidelines are violated.

34-14

Is it correct to assume that the cumulative impact of Dougherty Valley, Tassajara, West Dublin and North Livermore will generate an additional 900,000 trips a day in addition to the 482,900 daily trips identified in the project? These other projects collectively have more than twice the housing units of East Dublin. What is the cumulative air quality impacts of these projects?

34-15

Impact on Police and Fire Services:

Generating the revenue needed to pay for police and fire services is based upon unrealistic assumptions on property tax revenue and sales tax revenue. The EIR must recalculate the ability to mitigate impact on services using a realistic assumption on revenue generation.

34-16

The city is currently not generating sufficient revenue to meet state recommendations for police level of service.

34-17

Under the new state budget, local governments are retaining less than 25 percent of property tax revenues. Actual property tax revenues in Dublin in 1990-1991 were \$3.6 million. The EIR on the Project projects property tax revenue will be \$7.5. A new revenue generation projection must be made that reflects the lost property tax revenue to the state.

34-18

Projected sales tax revenues of \$10.3 million a year at buildout are not consistent with revenues received by Pleasanton, Livermore, and neighboring jurisdictions. The EIR must document why sales tax revenues for East Dublin are reasonable when Pleasanton received \$8.6 million in 1990. Is the EIR assuming that people will choose to shop in East Dublin rather than North Livermore, Dougherty Valley, San Ramon, or Pleasanton?

34-19

Is the financial success of the East Dublin Plan dependent upon neighboring jurisdictions losing sales tax revenue to East Dublin?

34-20

The EIR must evaluate how levels of service for police and fire will degrade if the projected sales tax and property tax revenues don't occur for East Dublin.

34-21

The EIR must discuss how levels of service will be impacted in the period of time before the project generates sufficient revenue to finance services.

34-22

Impact on Library Services:

The EIR identified significant impacts on library services, yet no documentation is provided that the impact can be mitigated. Mitigation Measure 3.4/50.0 proposes to expand the system, but there is no discussion on the cost of expanding the system, and the ability of Alameda County or the East Dublin Planning Area to assess fees to expand the system.

34-23

No local sales tax or property tax revenues are identified for expanding library services, and no documentation is provided that the county has the funds to expand the library system.

34-23 contd.

The county library system has not been replacing personnel that resign and significant cutbacks are projected for 1993.

Wastewater:

The EIR identifies lack of wastewater disposal capacity as a significant impact. (IM 3.5/G) Supporting TWA in its efforts to implement a new wastewater export pipe system (MM 3.5/11.0) does not mitigate the impact of the project.

34-24

Major expansion of the wastewater treatment facility in Martinez will be needed to accommodate wastewater flow from the project. The Central Contra Costa Sanitary must also obtain a permit from the San Francisco Regional Water Quality Control Board, to increase its discharge to accommodate East Dublin and other projects served by the Tri Valley Wastewater Authority.

34-25

The EIR has not evaluated the impact of increased wastewater discharge into the Carquinez Straits generated by the Project. The EIR has provided no discussion on how and if wastewater discharge from Martinez can be mitigated to meet San Francisco Water Quality Control Board guidelines. The EIR must demonstrate that TWA's discharge into Suisun Bay will not disrupt ambient water quality.

The finance plan for the project identifies the need for \$122.9 million for wastewater treatment and collection. The fee will be paid for by developer impact fees (Specific Plan, Table 10-1, page 150). The EIR should evaluate how and if this amount of money can be raised to mitigate the impact of the project.

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Will a Mello Roos District created by the Dublin San Ramon Services District be required to finance the project? If there is a default on the bond by any of the parcels, how will that impact providing other services? Will there be a sufficient revenue stream to pay for other city services?

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24-28

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34-36

Financing:

Several of the impacts identified in the EIR require extensive funding to pay for expanding services to mitigate the Project. However the EIR has not demonstrated that sufficient funds can be raised to implement all the stated mitigations. And the EIR has not determined what the impact will be if the fees are not raised.

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That means that all special annual assessments for libraries, schools, water, and wastewater must not exceed one percent of the value of the home. These assessments are needed to mitigate the impact of the Project.

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How will services be financed during the years that the Project is not generating sufficient revenue to pay for services? 34-42

Greenbelt Alternative:

A Greenbelt Alternative should be developed that: does not require creation of the Tri Valley Wastewater Authority pipeline treatment facilities; can be phased to coincide with and finance potential freshwater expansion by Zone 7; keeps development confined to an area less than the size of the Specific Plan area; creates a permanent urban boundary that is recognized by Pleasanton, Alameda County, and Livermore.

The Greenbelt Alternative should configure development to enable residents to walk to local shopping and be served by a bus shuttle to BART. The alternative should assume that additional housing development will occur at Hacienda Business Park, and that transit oriented housing development will occur in North Livermore.

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The alternative should include a component for sharing sales tax revenue between jurisdictions.

The alternative should also assume that San Joaquin cities and San Joaquin County enact a joint agreement not to create any new towns.

34-43

Sincerely,



Mark Evanoff
Field Representative

Response to Letter 35: Zach Cowan, Attorney for Doolan Residents

- 35-1 **Comment:** The DEIR states that the "project concept" includes balancing residential and employment uses to "enable residents to live near work." The DEIR should acknowledge that mere proximity of employment and residential areas is insufficient to meet the stated project concept. If the price of the housing does not match the salary structure of the employment to which it is proximate, employees will not live in that housing. The DEIR should clarify this relationship.

Response to Comment 35-1: Comment acknowledged. The DEIR and the Specific Plan recognize the nexus between housing costs/availability and residents living near where they work. Refer to 3.2-9 through 3.2-11 for discussion of this issue and policies proposed to address it.

- 35-2 **Comment:** What is a "full complement of regional office and retail land uses"? What implications does the creation of a "full complement of regional office... land uses" have on jobs/housing balance, as described in the "project concept"?

Response to Comment 35-2: The complete sentence (on page 2-5) that is referenced says: "The Project provides a full complement of regional office and retail land uses located near freeway interchanges, local-serving neighborhood shopping areas, and community-serving commercial centers." The intent of the sentence is to emphasize the concept of providing commercial uses that 1) serve the needs of the project and surrounding area and not just go after regional employment, and 2) to provide a range of job opportunities that are not all high-income or low-income in character.

- 35-3 **Comment:** One stated project objective is to "ensure the responsible and environmentally-sensitive development of the planning area from both a local and regional perspective." Given sub regional constraints on infrastructure (road capacity, water, sewer), continuing disinvestment in existing central cities, and (to name a few) the project's impacts on traffic congestion and air quality, the project appears to be contrary to its stated objective. The DEIR should explain what it means by "responsible and environmentally-sensitive development" from "a local and regional perspective." Absent some explanation of the meaning of these terms, the DEIR's uncritical use of them is quite misleading.

Response to Comment 35-3: It does not follow from the stated objective that the Project will have no impacts. The EIR clearly identifies what those impacts will be. The objective is to ensure that what development does occur is sensitive to the environment. From a regional perspective, the intent of the Project is to respond to continued pressures for growth by providing development opportunities adjacent to existing urban areas rather than forcing new growth into the Central Valley or other rural areas, to provide a balance of employment and housing opportunities that encourage living and working in the same community, and to develop higher densities of new jobs and housing near regional transit in order to provide a feasible alternative to our already congested freeways.

From a local perspective, the intent of the plan is to permit expansion of the City of Dublin while protecting valuable scenic, biotic, cultural, and open space resources.

- 35-4 **Comment:** Another stated project objective is to "maintain a balance of employment and housing opportunities in the planning area in terms of both quantity and economic

characteristics". The DEIR should evaluate whether the project meets this objective. As explained on pages 3.2-9 & ff., to the extent that the project meets this objective, it runs counter to the stated need in the Tri-Valley area to provide housing affordable to the very large number of new employees projected to be employed in the Tri-Valley area. How does this relate to development which is "responsible and environmentally-sensitive development" from "a regional perspective"? It would seem just the opposite.

Response to Comment 35-4: Without specific development plans, it is impossible to evaluate the balance of employment and housing opportunities. It is for this reason that Policies 4-26 and 4-27 and Programs 4H and 4K have been included in the Specific Plan (See pages 3.2-10 and 3.2-11). Specific Plan Policies 4-1 through 4-10 and Programs 4F, G, and I all provide support for the development of affordable housing for all new residents.

35-5

Comment: The DEIR stresses that land designated rural residential is intended to be used as open space (although it does not explain how that intention is to be implemented), and later stresses that grazing will be allowed on such lands. DEIR, pp. 2-6 & 3.1-7. This is misleading. First, state law defines "open space land" as "...any parcel or area of land... which is essentially unimproved and devoted to an open-space use as defined in this section..." Gov. Code §65560 (b)(1)-(4). The statute then defines four types of open space, none of which include any residential use. Either the land is residential or it is not. Second, it is exceedingly doubtful that any grazing actually will occur, or will even be feasible once the land is divided into 100-acre parcels. There is no evidence that future residential owners would agree to grazing. Moreover, once the land is divided, a potential rancher would need to assemble grazing rights on numerous contiguous parcels in order for grazing to be feasible. Even assuming willing owners, the expense and difficulty of such an enterprise make its success extremely unlikely. Finally, much of the rural residential land is surrounded by more intense residential and other land uses. Conflicts with these uses would also militate against that land being used for grazing.

For these reasons, proposed mitigation measure IM 3.1/D will be ineffective. At a minimum, it cannot be assumed to be effective absent any evidence in the EIR that it might be, or that similar mitigation measures have been successful under similar circumstances.

Response to Comment 35-5: The Rural Residential designation is essentially an agricultural designation, which is an open space use (see Government Code Section 65560(b)(1)). The designation has all the same characteristics as the County's current agricultural designation, including the ability to develop the land with one dwelling unit per 100 acres. There is no intent or reason to assume that development of this land under the Rural Residential designation would be any different in character than it currently is.

Refer to responses to Comments 34-4 and 34-5 for discussion of compatibility issues.

IM 3.1/D is an impact, not a mitigation measure. The EIR identifies it as an insignificant impact that requires no mitigation.

35-6

Comment: We also note that Figure 2-E defines the single-family residential land use designation as permitting 0.0 to 6.0 units per acre, thereby establishing no minimum density (*i.e.*, no maximum parcel size). However this appears to be incorrect, since

the proposed General Plan Amendment (GPA) defines that category as establishing a minimum permissible density of 0.9 units per acre, or a maximum lot size of 1.1 acres. GPA, p. 7. This is a significant difference which should be clarified.

Response to Comment 35-6: Comment acknowledged. The legend in Figure 2-E is incorrect. Densities permitted in the Single Family designation range from 0.9 to 6.0 dwelling units per acre. Figure 2-E has been revised accordingly.

35-7

Comment: The DEIR makes a number of dubious statements about the project's potential impacts on agricultural lands and resources. *See*, pp. 3.1-7 & 8. It opines that the number of Williamson Act non-renewals in the project indicates that the agricultural resources will be lost regardless of the project. This is a self-fulfilling assumption which is unsupported by any evidence, information or analysis. It is also counter-intuitive: rather it is much more probable is that non-renewals by speculative land owners reflect their expectations of obtaining development approvals under the project. On the evidence presented in the DEIR, it is more reasonable to believe (assuming rational economic behavior by landowners) that if the project is not adopted and the area remains designated for agricultural and open space uses, the Williamson Act contracts will be renewed, or new contracts signed.

In any case, however, if the project is not approved, the agricultural resource will not be lost. It may not be utilized, if the owners decide to leave the land fallow, but the land's potential for agricultural productivity will not be impaired as it would if it were developed according to the project. The DEIR states that agricultural activity "may" be lost even if the project is not approved. To the extent this statement means anything at all, it establishes a false premise for evaluation of project impacts and comparison of the project to alternatives, by implying that the agricultural resource will be lost in any case. There is no basis for this assumption given existing and proposed plans for the area by other jurisdictions.

For these reasons, the conclusion that the indirect impacts of the non-renewal of Williamson Act contracts (IM3.1/E) would be insignificant is unjustified. The current level of non-renewals, as well as of future non-renewals, is directly related to the project. If the project is not carried out, the non-renewals will have no environmental impact. If it is carried out, they will. The DEIR should recognize this significant effect of the project.

Response to Comment 35-7: It is probable that the landowner's non-renewal of Williamson Act contracts has been done for speculative purposes, but not strictly because of this project. Almost 60 percent of the Williamson Contract land in the Specific Plan area was in non-renewal before the Specific Plan process began (refer to Table 3.1-1), so the statement that non-renewal may occur without the project is not without basis.

It is important to reiterate IM 3.1/E (page 3.1-8), which states that: "The non-renewal of Williamson Act contracts is not an environmental impact defined under CEQA. Non-renewal is, however, a planning concern of this EIR particularly if the Project is considered a factor which accelerates the non-renewal process." Because the City feels strongly about not encouraging the conversion of agricultural and open space lands to urban uses, the Planning Commission is recommending that General Plan Policy 3.2.A (see page 19 of the Eastern Dublin GPA) be revised to reflect this resolve (see response to Comment 10-1).

35-8

Comment: The DEIR is also misleading in dismissing the conversion of the project area from agricultural to developed uses as having an insignificant impact. It relies for this conclusion on two premises: that the loss of non-prime land is insignificant, and that the change would be consistent with the proposed GPA. Both are fallacious.

First, the designation of land as "prime" refers to its suitability for certain types of crops. It is not an indication of its agricultural or economic value as grazing land (virtually no grazing land is "prime") or other agricultural uses (many productive vineyards are "on non-prime" land). In a nutshell, the fact that land is not considered "prime" does not mean that its loss is necessarily insignificant. Additionally, the agricultural land in the project area may well be significant in the context of the regional or subregional agricultural economy. The DEIR fails to address this issue.

Second, consistency with a (proposed) general plan does not render an impact insignificant:

...there is no indication in CEQA that mere conformity with the general plan will justify a finding that the project has no significant environmental effect. Certainly, general plan conformity alone does not effectively 'mitigate' significant environmental impacts of a project.

(City of Antioch v. City of Pittsburg (1986) 187 Cal.App.3d 1325, 1331-32.)

Response to Comment 35-8: Refer to responses to comments 24-3 and 34-2 for discussion of the loss of prime agricultural land. The EIR does not depend upon general plan consistency as the only factor to determine a lack of significant impact. The finding of insignificance is based on the absence of any significant existing agricultural production on site, and the lack of significant agricultural potential (according to the Agricultural Commissioner's office; see response to Comment 34-2), combined with the fact that the General Plan designates all of the identified "prime" agricultural land for urban uses.

35-9

Comment: Discussing potential conflicts with adjacent land uses, the DEIR acknowledges the existence of rural residential and open space lands to the east of the project site, but does not acknowledge the possibility of any conflict with them. Pg. 3.1-14.

Response to Comment 35-9: See Response to Comment 34-4.

35-10

Comment: In discussing potential land use conflicts to the north, the DEIR ignores all lands to the north except for the new Santa Rita Rehabilitation Center. There are other lands and land uses to the north of the project site which should be acknowledged in this context.

Response to Comment 35-10: Comment acknowledged. Other land uses to the north of the Project area are discussed on page 3.1-12. The Project does not present the potential for significant land use conflicts with the rural lands located north of the Project area in Contra Costa County. For additional discussion refer to responses to comments 22-10 and 34-4.

35-11

Comment: The DEIR identifies a "significant planning concern" relating to the contrary ambitions of Dublin and Livermore relating to the eastern part of the project site. Pg. 3.1-16. What is the nature of this concern? Why is it a concern from a

"planning" perspective? What are optimal, or even possible, solutions? If this DEIR is to be used by LAFCo (DEIR p. 2-14), some guidance on these questions is essential. In particular, the DEIR should shed some light on whether conditions are different now than they were when LAFCo deleted part of the project area from Dublin's SOI, and if so, why and how.

Response to Comment 35-11: The fact that two different jurisdictions (Dublin and Livermore), with conflicting visions of what should occur in Doolan Canyon, are both planning for the ultimate disposition of the area is a concern, since both cannot happen. LAFCo has agreed to review the plans of the two cities in early 1993 to make a determination to which jurisdiction's sphere of influence the Doolan Canyon area should be allocated. The Eastern Dublin planning process has provided considerable documentation for LAFCo to consider in making its determination. In addition to the Project, the DEIR provides evaluation of the environmental consequences of two alternatives: 1) the Reduced Planning Area Alternative which would leave the area as it is, and 2) the Reduced Land Use Alternative which would reduce residential densities in the area. In addition to these scenarios, Livermore will also be presenting its plan for the Doolan Canyon area with accompanying environmental assessment.

On September 20, 1990, LAFCo removed the northern portion of Doolan Canyon from the City of Dublin's sphere of influence. This action was taken in response to the conflicting planning that was underway for the area, and LAFCo's desire to plan logically for the entire Doolan Canyon area. No significant changes in conditions in Doolan Canyon are known to have occurred since that time.

35-12 **Comment:** With respect to the project's consistency with the existing Dublin General Plan, the DEIR states that it cannot evaluate the consistency of the GPA with the existing Dublin General Plan because the GPA does not include a specific development proposal yet. Pg. 3.1-18. This is incorrect. The DEIR can compare the existing General Plan and GPA: it just may not do so at the same level of detail as it purports to with respect to the Specific Plan. For instance, the DEIR can compare policies contained in the GPA with those in the existing General Plan. Indeed, staff has already done so to some extent outside the EIR process. See, Agenda Statement, Planning Commission Meeting of 21 October 1992. Such analysis should be conducted in the DEIR.

Response to Comment 35-12: The commentator appears to have misread the DEIR. The DEIR does contain a complete consistency evaluation of the GPA and Specific Plan with the existing General Plan (see Table 3.1-4). The DEIR also does not state that it cannot evaluate the GPA's consistency with the current General Plan. It says (page 3.1-18) that in some instances the consistency of the GPA with current General Plan policies cannot be evaluated because of the absence of specificity.

35-13 **Comment:** The DEIR is also quite misleading in its reliance on the terms "potentially consistent" and "potentially inconsistent". The Specific Plan (SP) and GPA contains land uses and policies which can be measured against those in the existing General Plan. Either they are consistent as proposed or not. That the development which may ultimately occur under the SP and/or GPA may be consistent with the existing General Plan does not make the SP or GPA potentially consistent, it makes that future development potentially consistent. The fact remains, that if the SP and/or GPA might permit development which is inconsistent with the existing General Plan, they are inconsistent with it.

Response to Comment 35-13: Under *Project Consistency with the City of Dublin General Plan* on page 3.1-18, the DEIR discusses the meaning and use of the terms "potentially consistent" and "potentially inconsistent". As explained there, these terms were used because the "final finding of consistency would be made by the City decision makers during the Specific Plan and General Plan Amendment public hearings and may be subject to change.

35-14

Comment: 2.1.4.A., Table 3.1-4 (page 3.1-23). It appears that the Specific Plan (SP) might be potentially consistent with this policy, but under the rubric of "policy reconciliation" the DEIR indicates that the SP falls short as a result of the "to the extent feasible" language. In addition, it appears that the GPA is not consistent with this policy. In general, the DEIR's analysis of this policy is entirely lacking in specifics.

Response to Comment 35-14: The Specific Plan and GPA are fully consistent with the intent of the existing GP policy. As can be seen from the land use map (Figures 2E and 2F), higher densities have been concentrated in the flat valley lands in the south end of the planning area and the level areas around the two Village Centers. The "Policy Reconciliation" (page 3.1-23, DEIR) does not indicate an inconsistency, but instead that policies have been added through the GPA and the Specific Plan that add protection for sloping topography and natural systems that is far beyond any that currently exists in the General Plan.

35-15

Comment: 2.1.4.C, Table 3.1-4 (page 3.1-24). Without an explanation of the measures contained in the SP to "protect the ridgelands", there is no basis for a conclusion that the SP is consistent with a policy which prohibits them from being "disfigured". Specifically, the mitigation measures identified (IM 3.8/D) are all subject to qualifiers such as "to the extent feasible". For instance, they encourage "sensitive engineering practices" without defining what those are or why they would prevent any disfiguration of the ridgelands. The term "sensitive engineering practices" means one thing to an engineer and another to a planner. What does it mean in this case?

Response to Comment 35-15: The existing General Plan is unclear about what it intends by the phrase "disfigure the ridgelands". Neither "disfigure" or "ridgelands" are defined, so it has been left up to the Specific Plan to interpret the intent of this policy. The Specific Plan goes to considerable length to clarify the intent of this policy by defining types of ridgelands by degree of sensitivity and developing policies that provide detailed guidance for protecting ridgelines and ridgelands (Specific Plan page 69-70). The DEIR authors believe the proposed policies are fully consistent with existing GP policy 2.1.4.C, however, final determination of consistency will be determined by the City Council.

35-16

Comment: 3.1.A, Table 3.1-4 (page 3.1-25). Despite the DEIR's disclaimer, the SP is clearly inconsistent with this policy because it permits destruction of resources that are protected under the existing General Plan. Its protection of "high value" habitat areas" does not eliminate this inconsistency, as implied by the DEIR. In particular, the SP does not call for comparable protection of woodlands.

Response to Comment 35-16: The current General Plan policy states that oak woodlands, riparian vegetation and natural creeks should be preserved as open space for their natural resource value. This policy stands unchanged by the proposed Project, so protection is still provided under the General Plan. However, while the

current policy is clear in its intent, it remains vague in its implementation. The policy does not indicate what should be permitted if these elements have limited resource value, or if preservation would prevent logical and safe planning.

In staff's opinion, the Specific Plan is consistent with the intent of existing GP policy, in that it attempts to preserve all creeks, woodlands, and riparian vegetation. The qualifier "whenever possible" in Policy 6-9 was added to allow for the possibility that riparian vegetation could be lost due to necessary drainage, flood control, and erosion control improvements. The potential adverse effect of such an occurrence is more than offset by the requirement of 3:1 in-kind replacement of lost habitat (Policy 6-10).

The DEIR has been revised to reflect consistency between existing Policy 3.1.A and the Specific Plan and GPA. The "Project Consistency Evaluation" column in Table 3.1-4 has been revised to read as follows:

Potentially ~~consistent inconsistent for the SP~~. While SP policies 6-9, 6-10, 6-11 and 6-12 call for protection of natural areas, **and the land use plan includes most of the important habitat areas in rural, open space areas. Although the proposed policies modify existing policy by inserting the qualifier "wherever possible", any potential loss is mitigated by policy requiring 3:1 in-kind replacement of lost habitat.** ~~"wherever possible", preservation of these natural areas as open space is not always achieved and some development is allowed.~~

In the third column, "Policy Reconciliation", the table indicates that similar policies as those proposed for the Specific Plan area are needed for the GPA Increment Area. The DEIR addresses this need on page 3.7-12 where it indicates that MM 3.7/6.0 - 17.0 are all applicable to the entire Project area.

35-17

Comment: 3.2.A Based on the facts--rather than the DEIR's characterization-- the SP appears to be inconsistent with the General Plan. The DEIR's contention that the SP requires consistency with the existing General Plan is not supported by the SP program or policies cited. In addition, as noted above, the DEIR should evaluate the GPA for consistency with this policy. It appears to be inconsistent, but the DEIR should "go on record" on this issue.

Response to Comment 35-17: The Draft EIR acknowledges that the Specific Plan policies may be inconsistent with existing Policy 3.1.B in that they permit grading in areas with slopes over 30 percent that are larger than could reasonably be characterized as "humps and hollows". In response to this inconsistency, the Planning Commission is recommending revisions to existing GP Policy 3.1.B that would permit some grading in areas over 30%, but would restrict such practices more than the policy contained in the Draft Specific Plan. The revised Policy reads as follows:

Consider development in areas over 30 percent slope, if the area to be developed:
1) is less than three acres in size; 2) is less than 20% of a larger developable area;
and 3) is surrounded by slopes less than 30 percent slope. ~~Maintain slopes predominantly over thirty percent (disregarding minor surface humps or hollows) as permanent open space for public health and safety.~~

In addition, Specific Plan Policy 6-42 has been revised as follows:

Policy 6-42: Development is generally not permitted in areas with slopes of 30 percent of greater. Limited grading and repair of landslides will be permitted in

areas with slopes of 30 percent or more when:

- the area involved is less than 3 acres, **is less than 20% of a larger developable area**, and is surrounded by topography which is predominantly less than 30 percent; and
- it is necessary to create effective buildable areas or access to areas with slopes predominantly less than 30 percent.

35-18

Comment: The DEIR's summary of the applicable Alameda County general plan documents seems to indicate that the project is generally inconsistent with county policies, but the DEIR does not provide any evaluation or conclusion on this issue. Pp. 3.1-19 to 3.1-20. It should.

Response to Comment 35-18: Comment acknowledged. As is typical of General Plan Amendment programs that are expanding not only the urban boundaries of a city, but also expanding their sphere of influence, the proposed urban designations are not consistent with the historic land use designations in the unincorporated areas. It is the purpose of the GPA to remedy this inconsistency. The current County designation (Agriculture/Open Space) would be revised per the land use map (Figure 2-E). As indicated on page 3.1-19, the County Open Space Element identifies the importance of preserving open space resources, particularly the hill areas. The Element emphasizes the "preservation of ridgelines, canyons, significant stands of trees, and watercourses" as being of "paramount importance". Although open space areas would be diminished by the Project, the policies of the Eastern Dublin Specific Plan (see Chapter 6) and GPA (see Chapter 3) are consistent with these existing County policies. The County Open Space Element also suggests that Doolan Canyon become a major park and recreation preserve area. The Project is clearly not consistent with this policy. It should be reiterated (see page 3.1-19) however, that the County is currently in the process of updating and revising the County General Plan in the Project vicinity to reflect the changes that are proposed and have occurred since the 1977 plan was written. It is not known at this point what the *East County Area Plan* will propose for the Doolan Canyon area.

35-19

Comment: Given the regional and subregional need for a net increase in housing, why does the project propose to increase employment to a degree that will absorb any housing that is built as part of the project?

Response to Comment 35-19: Given the post-Proposition 13 fiscal environment, it is imperative that cities maintain a balance between residential and revenue-generating non-residential uses. Residential uses typically require more in services than they generate revenue to support. If the city is to maintain its fiscal health, it is essential to accommodate commercial uses that can generate tax revenues that will supplement the residential tax base. Severe fiscal difficulties could result for Dublin if the City had to provide housing for employment generated by its neighbors.

35-20

Comment: Given the identified market conditions, is it prudent planning to assume adequate absorption for the proposed employment generating land uses?

Response to Comment 35-20: The absorption for commercial uses is based on development patterns/rates over the past 20 years. It is acknowledged that absorption could occur faster or slower than this depending on what happens in the local and national economies in the future. The plan is not dependent on a specific rate of

growth. It is fully assumed that the rate of absorption will vary over the Project buildout period.

- 35-21 **Comment:** The DEIR has already admitted that conflicts with plans proposed by Livermore are a "significant planning concern". Pg. 3.1-16. One has to wonder why the DEIR proposes no measures by which to address these significant concerns which directly affect land use, air quality, energy use, transportation, etc.

Response to Comment 35-21: See response to Comment 35-11.

- 35-22 **Comment:** In a nutshell, it appears that the project is inconsistent with its own "concept". Another way to put it is that the project has been misdescribed to begin with. The DEIR must clarify this issue; it must point out respects in which the project "in fact" differs from the project "in concept".

Response to Comment 35-22: The EIR authors do not agree with the commentor's opinion that the Project is somehow different "in fact" than it is in "concept". No further response is necessary because the commentor fails to identify how the Project is "in fact" different from its concept.

- 35-23 **Comment:** We also note that "Projections '90" is not ABAG's most recent forecast. Pg. 3.2-1. Since the project is expected to have a 30+ year buildout, the most recent ABAG projections are essential. How do the changes in "Projections '92" affect the DEIR's analysis?

Response to Comment 35-23: See Response to Comment 27-2.

- 35-24 **Comment:** With respect to IM 3.7/A, the DEIR provides no basis for the conclusion that the mitigation measures identified will reduce the impact to insignificance. The areas that will developed-- which are not quantified-- will still be eliminated as habitat. Not developing other areas that are not to be developed in any case does not reduce this impact. MM 3.7/1.0. Measures MM 3.7/2.0 and 3.0 likewise do not reduce the impact of destroying large areas of habitat. The DEIR recognizes (p. 4-13) that absent permanent protection of areas designated "open space" their existence does not mitigate impacts. Yet it does not describe how or whether these areas will be permanently protected. See, MM 3.7/3.0 & 25.0.

Response to Comment 35-24: Direct loss of habitat is mitigated to a level of insignificance through avoiding habitat conversions that might be detrimental to special status species; through careful planning and protection (MM 3.7/1.0), enhancing, restoring, protecting, and modifying resource management (i.e., livestock management practices, rodent control, vegetation alteration, etc.) on the remaining open space and rural residential land use designations (MM 3.7/2.0-4.0, MM 3.7/5.0-19.0, MM 3.7/21.0-25.0, and MM 3.7/27.0).

- 35-25 **Comment:** The DEIR provides no factual basis for concluding that protection of riparian areas (MM 3.7/6.0) "wherever possible" will mitigate impacts on those that are not protected. In plain English, it will always be possible to protect riparian areas; but clearly this is not what the project contemplates. So what do the SP and DEIR mean by "wherever possible"? The word "should" in MM 3.7/8.0 renders it ineffective. See also, IM 3.7/P.

Response to Comment 35-25: The Specific Plan attempts to preserve all creeks, woodlands, and riparian vegetation. The qualifier "whenever possible" in Policy 6-9 (MM 3.7/6.0) was added to allow for the very likely possibility that riparian vegetation could be lost due to necessary/required drainage improvements and erosion control. The potential adverse affect of such an occurrence is more than offset by the requirement of 3:1 in-kind replacement of lost habitat (Policy 6-10).

Comment regarding MM 3.7/8.0 is acknowledged. The mitigation measure has been revised to read as follows:

MM3.7/8.0 (Policy 6-11). All stream corridors ~~should~~ shall be revegetated with native plant species to enhance their natural appearance and improve habitat values....

35-26 **Comment:** MM 3.7/20.0 is not a mitigation but a study. It is ineffective. *See also*, IM 3.7/M & N. The same applies to MM 3.7/ 28.0.

Response to Comment 35-26: Mitigation measures 3.7/20.0, 3.7/28, and other proposed surveys are components of an effective mitigation program. This action is designed to identify specific spatial constraints relative to a particular project plan, and is entirely appropriate site-specific environmental assessment to be required by a program EIR of subsequent development proposals.

35-27 **Comment:** MM 3.7/21.0 is ineffective because it relies on ineffective mitigation measures, as described above.

Response to Comment 35-27: See responses to comments 35-24 through 35-26.

35-28 **Comment:** With respect to impacts on the Golden Eagle nesting site, the DEIR and Appendix contain no information regarding proposed mitigation upon which to base the conclusion of insignificance. Appendix D omits part 5 of the biological survey, which discusses mitigation.

Response to Comment 35-28: There are no standard mitigation techniques for protection of golden eagle nests. The mitigation (MM 3.7/23.0 and 24.0) provided in the DEIR and supporting documentation in Appendix D are based on available information and our best professional judgement.

Part 5 of the biological survey included possible approaches to mitigating biological impacts that were prepared in advance of the plan. These approaches were used as guidance in the development of the plan. They are not included in the EIR in order to avoid confusion, since they have been superseded by the more specific mitigation measures incorporated in the EIR.

35-29 **Comment:** MM 3.7/25.0 is deficient because it assumes, in essence, that not developing the entire foraging area will mitigate developing part of it. There is no basis for this assumption. Since the DEIR relies on a specific number of acres as an adequate foraging area, it must provide some quantitative analysis and proof that this number of acres is adequate. It must also provide evidence that this acreage will in fact be protected as foraging area over the long term. *See also*, IM 3.7/O.

Response to Comment 35-29: The DEIR does not rely on a specific number of acres as adequate foraging area. The DEIR does state that the primary spatial protection

zone (i.e., for the nest) should contain **at least** 200 acres (MM 3.7/23.0). Foraging habitat for these wide ranging birds is not expected to be the primary factor defining or restricting the distribution of nesting golden eagles in the Eastern Dublin Project area. Foraging habitat and prey availability are not expected to be the predominant factor limiting the distribution and abundance of prairie falcons, northern harriers or black-shouldered kites in the Eastern Dublin Project area.

- 35-30 **Comment:** In sum, the DEIR does not provide an adequate basis for its numerous conclusions that impacts on biological resources will be insignificant.

Response to Comment 35-30: See responses to commentor's individual comments in Comments 35-24 through 35-29.

- 35-31 **Comment:** The DEIR is deficient for failing to include photomontages of the project site as developed. Even given the various contingencies involved in predicting the details of development, there is no excuse for this appalling omission of the single most useful and meaningful means of communicating the project's visual impacts to the public. In this respect the DEIR is far below the standard in the Bay Area.

Response to Comment 35-31: Given the very general nature of the land use program, it would be speculative at best to attempt to simulate what the visual character of future development might look like. It is for this reason that MM3.8/8.1 requires future projects that could impact views from scenic corridors, to submit detailed visual analysis including graphic simulations and/or sections of typical views. Photomontages are an appropriate tool in project EIRs, but is rarely used in a program EIR that addresses general plan-level planning.

- 35-32 **Comment:** MM 3.8/1.0 is not a mitigation measure but an aspiration which is utterly unenforceable. It is the intended--hoped for--result, but not an enforceable guide to govern development as it occurs. The same applies to MM 3.8/3.0. These may be nice statements of policy, but they are subject to interpretation, and do not provide the public a measure against which development proposals can be reviewed. They are not, therefore, mitigation measures which can be relied upon under CEQA to assert that certain visual impacts will be rendered insignificant. MM 3.8/4.0 through 4.5 are all so heavily qualified and so open to interpretation that the same applies to them.

Response to Comment 35-32: It is correct that MM3.8/1.0 and MM 3.8/3.0 are not specific measurable actions, but as goals and policies of the Specific Plan they are standards by which the City of Dublin will evaluate all future development in eastern Dublin. These goals and policies are reasonable mitigation measures for a Program EIR such as this, but they are not relied on as the only mitigation. They are complemented by a whole range of more concrete actions (Policies and programs in Section 6.3.4 of the Specific Plan) that support and amplify the concepts in MM 3.8/1.0 and 3.0. MM 3.8/4.0 through 4.5 are necessarily general in nature because they need to cover a whole range of conditions that occur within the almost 7,000 acre Project area. Together though, these measures provide clear support for protecting the character of Project area hillsides. The "qualifiers" identified by the commentor are included to provide decision-makers with a reasonable amount of flexibility when reviewing future projects.

- 35-33 **Comment:** Merely designating the more distant and undevelopable ridges as the only ones with "scenic" qualities does not render destruction of others insignificant. What is the basis for this definitional sleight of hand? If the DEIR has determined that some

highly visible foreground ridges are not "scenic", it should state why. The SP's mere say so is not sufficient for purposes of environmental analysis. Again, the DEIR confuses what is being destroyed with what is being left alone, and asserts that the former "mitigates" the other to a level of insignificance. See, MM 3.8/5.0-5.2.

Response to Comment 35-33: The alteration of the lower foreground ridgelines and hill areas has been identified as a potentially significant impact, that will be reduced to a level of insignificance with proposed mitigation (see MM 3.8/4.0-5.2). The DEIR does not indicate that the alteration of these ridgeland areas is not an impact. The impact of development on these ridgeland areas is less because the taller ridgeland areas behind them provide a visual backdrop that tends to "absorb" the change. Protection of the taller background ridges is emphasized because they are the area's most sensitive scenic resource in that they are the most prominent and least able to absorb change. These taller ridges form the horizon line from the various scenic corridors in the planning area vicinity, and any change to their contours would be highly visible. The DEIR does not assume that what is being preserved mitigates what is "destroyed". Rather it recognizes and preserves the most critical scenic elements and attempts to minimize the change in character of those ridgeland areas that are modified.

- 35-34 **Comment:** With respect to IM 3.8/I, preserving views (from where?) of "designated" open space areas is less than insufficient. Who designates the "open space areas"? On what basis? That the City may decide as a matter of policy or politics that certain views may be preserved, to some extent, does not address the visual impacts that will in fact be caused. Even less so does a subsequent survey of view sheds and scenic vistas. Without some objective, enforceable standards based on mitigating identified impacts, these are not mitigation measures. The DEIR needs to deal with environmental impacts, not to rely on future policy decisions.

Response to Comment 35-34: The entire EIR and its adopted mitigation measures is a statement of City policy. It is nonsensical to say that the EIR should not rely on the City's policy decisions. The Plan and EIR do establish objective enforceable standards that need to be met. Mitigation measures MM 3.8/4.0-5.2 all establish criteria by which future projects are to be evaluated (e.g., no development on scenically sensitive ridgeland areas, no buildings extending above scenic ridgeline, cut and fill slopes 3:1 or less, graded slopes re-contoured to resemble existing landforms, etc.)

- 35-35 **Comment:** The DEIR should disclose the market assumptions upon which its fiscal analysis is based. These would include, in particular, expected absorption rate for housing and employment uses.

Response to Comment 35-35: Please refer to eastern Dublin Fiscal Impact Analysis for pricing and absorption. Essentially, given long run market absorption projections by ABAG for the Tri-Valley Market, ERA projected a maximum absorption of approximately 1,000 housing units per year throughout the 7,000-acre area, after seven years of slower absorption.

- 35-36 **Comment:** "No Project" Alternative. The DEIR states that the "no project" alternative could have significant growth-inducing impacts because it would require the extension of infrastructure to the area shown on Figure 4-A, and this extension might induce further growth nearby. That is, the "no project" alternative might have a significant impact because it could facilitate what is already proposed by the SP under consideration. In order to avoid being misleading, the DEIR must explain three things:

1. This potential "significant impact" of the "no project" alternative is still less than the actual impact of the project under consideration;
2. This potentially "significant impact" can be fully avoided by the City of Dublin and other affected jurisdictions by adopting new (in the case of Dublin) or maintaining existing (in the case of Alameda County and Livermore) policies which would not permit further growth in the area in question; and
3. To the extent that project impacts are mitigated, so would be the impacts of any growth which might be induced by the "no project" alternative.

Response to Comment 35-36: Comments on points #1 and #3 are acknowledged. As discussed in the DEIR's evaluation of the individual environmental factors, the No Project alternative would generally result in impacts of less magnitude than those generated by the Project. To the extent that a plan of similar detail to the proposed Eastern Dublin Specific Plan was developed around the No Project alternative, many of the impacts could be mitigated.

With respect to point #2, if the City and County were to adopt new policies that prohibited additional growth in the Project area, it would be a completely different scenario than is being evaluated in the No Project alternative (see description of No Project alternative on page 4-1. Point #2 describes the No Development alternative described on page 4-19.

The No Project scenario is specifically addressed in the DEIR because it represents the current physical and policy conditions in the planning area. While it is true that the City can change its policies and re-plan for the area, it is also true that land owners can now (in the absence of the current planning program) develop their land under the current designations without any more regulation than is imposed by the current General Plan and zoning.

- 35-37 **Comment:** The DEIR must also point out that the adverse jobs/housing balance impact of the "no project" alternative could be mitigated (according to the DEIR) either by the growth that it might induce (see above) or by the City, simply by changing the mix of land uses in the Eastern Extended Planning Area.

Response to Comment 35-37: Again this is true, but if the City changed the land use designations then it would be a different plan and different alternative than is being analyzed in the No Project alternative. See the response to Comment 35-36.

- 35-38 **Comment:** Likewise, visual impacts of the "no project" alternative can be mitigated at least to the same degree as the visual impacts of the proposed project, and very probably to a much greater degree. All that is required is that the City decide to adopt equally stringent visual protection policies.

Response to Comment 35-38: See responses to Comments 35-36 and 35-37.

- 35-39 **Comment:** "Reduced Planning Area". After the no development and "no project" alternatives, the DEIR states that this is the environmentally superior alternative. We would point out that the potentially adverse impact on jobs/housing balance could be eliminated by adjustment of housing densities and/or employment intensities.

Response to Comment 35-39: Comment acknowledged.

- 35-40 Comment: As noted in the discussion of MM 3.7/3.0 & 25.0, (p. 7, above) there is no stated basis on which to conclude that the proposed project's designation of areas as open space will be any more permanent than the same designation in the reduced planning area alternative. Thus, because the reduced planning area alternative includes (or could include) equally effective "mitigation" measures while affecting much less area, it will clearly have far fewer and less severe impacts than the proposed project. In particular, since this alternative would not connect Doolan and Tassajara Roads, there would be no direct impact on the golden eagles that nest near the proposed connection.

Response to Comment 35-40: Comment acknowledged.

- 35-41 Comment: "Reduced Land Use Intensities." This alternative is better than the proposed project from a regional and sub regional jobs/housing balance point of view. However, its primary significance is to point out the DEIR's failure to consider (or even to reject without consideration in the DEIR) its more reasonable opposite: an alternative that meets the identified project objectives by calling for development within the existing city limits or as close as possible to them. An informed observer could perhaps infer that such an alternative would meet the project objectives, but would be confused by its omission from the DEIR; and in any case would not benefit from a clear elaboration of what that alternative might entail, what it would look like (in terms of the SP), or whether it would be feasible. These are all critical issues if the public is to be adequately informed. Finally, and perhaps most importantly, exclusion of this alternative allows the decision maker to ignore it when making findings under CEQA.

Response to Comment 35-41: CEQA does not require evaluation of all possible alternatives to a project, just a "range of reasonable" alternatives. See Response to Comment 23-13.

- 35-42 Comment: Certain aspects of this section of the DEIR have been discussed above (See footnote 7 in full text of letter). We note that the DEIR fails to mention the potential growth-inducing impacts of transportation impacts/mitigation measures, and the project's incremental destruction of the agricultural economy. Indeed, this latter is not even mentioned as a cumulative impact. It should have been, especially in light of IM 3.5/T.

Response to Comment 35-42: Circulation improvements have not been identified as a growth inducing impact, because, in general, the recommended off-site circulation improvements are only those needed to meet the minimum acceptable service standards (i.e., Project related improvements have not been designed to accommodate substantial additional growth).

See responses to Comments 34-2 and 34-9 for discussion of Project's affect on agriculture.

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29 October 1992

Lawrence Tong
Planning Director
City of Dublin
P.O. Box 2340
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RECEIVED

OCT 29 1992

DUBLIN PLANNING

Re: Eastern Dublin General Plan Amendment and Specific Plan Draft EIR
SCH #91103064

Dear Mr. Tong:

This office represents a number of residents within the East Dublin General Plan Amendment area, including the Morgans, Ogelvies and Foscalinas of Doolan Canyon Road. We submit the following comments on the above Draft EIR (DEIR) on their behalf. Also attached are comments on the DEIR from Dan Marks, AICP.

Project Concept/Objectives

A core purpose of the DEIR is to permit an informed and meaningful evaluation of the project *vis a vis* alternatives to it. Absent a consistent and meaningful description of the project's objectives (and "concept") the public can not compare the benefits and costs of alternatives, and the City Council will have no basis for principled decision making. The following comments are directed at obtaining clarification of the DEIR's description of the project "concept" and objectives.

The DEIR states that the "project concept" includes balancing residential and employment uses to "enable residents to live near work." The DEIR should acknowledge that mere proximity of employment and residential areas is insufficient to meet the stated project concept. If the price of the housing does not match the salary structure of the employment to which it is proximate, employees will not live in that housing. The DEIR should clarify this relationship.

What is a "full complement of regional office and retail land uses"? What implications does the creation of a "full complement of regional office... land uses" have on jobs/housing balance, as described in the "project concept"?

One stated project objective is to "ensure the responsible and environmentally-sensitive development of the planning area from both a local and regional perspective." Given sub regional constraints on infrastructure (road capacity, water, sewer), continuing disinvestment in existing central cities, and (to name a few) the project's impacts on traffic congestion and air quality, the project appears to be contrary to its stated

objective. The DEIR should explain what it means by "responsible and environmentally-sensitive development" from "a local and regional perspective." Absent some explanation of the meaning of these terms, the DEIR's uncritical use of them is quite misleading. 35-3 contd.

Another stated project objective is to "maintain a balance of employment and housing opportunities in the planning area in terms of both quantity and economic characteristics". The DEIR should evaluate whether the project meets this objective. As explained on pages 3.2-9 & ff., to the extent that the project meets this objective, it runs counter to the stated need in the Tri-Valley area to provide housing affordable to the very large number of new employees projected to be employed in the Tri-Valley area. How does this relate to development which is "responsible and environmentally-sensitive development" from "a regional perspective"? It would seem just the opposite. 35-4

Project Description

The DEIR stresses that land designated rural residential is intended to be used as open space (although it does not explain how that intention is to be implemented), and later stresses that grazing will be allowed on such lands. DEIR, pp. 2-6 & 3.1-7. This is misleading. First, state law defines "open space land" as "...any parcel or area of land... which is essentially unimproved and devoted to an open-space use as defined in this section..." Gov. Code §65560 (b)(1)-(4). The statute then defines four types of open space, none of which include any residential use. Either the land is residential or it is not. Second, it is exceedingly doubtful that any grazing actually will occur, or will even be feasible once the land is divided into 100-acre parcels. There is no evidence that future residential owners would agree to grazing. Moreover, once the land is divided, a potential rancher would need to assemble grazing rights on numerous contiguous parcels in order for grazing to be feasible. Even assuming willing owners, the expense and difficulty of such an enterprise make its success extremely unlikely. Finally, much of the rural residential land is surrounded by more intense residential and other land uses. Conflicts with these uses would also militate against that land being used for grazing. 35-5

We also note that Figure 2-E defines the single-family residential land use designation as permitting 0.0 to 6.0 units per acre, thereby establishing no minimum density (i.e., no maximum parcel size). However this appears to be incorrect, since the proposed General Plan Amendment (GPA) defines that category as establishing a minimum permissible density of 0.9 units per acre, or a maximum lot size of 1.1 acres. GPA, p. 7. This is a significant difference which should be clarified. 35-6

¹ For these reasons, proposed mitigation measure IM 3.1/D will be ineffective. At a minimum, it cannot be assumed to be effective absent any evidence in the EIR that it might be, or that similar mitigation measures have been successful under similar circumstances.

Land Use Impacts

The DEIR makes a number of dubious statements about the project's potential impacts on agricultural lands and resources. See, pp. 3.1-7 & 8. It opines that the number of Williamson Act non-renewals in the project indicates that the agricultural resources will be lost regardless of the project. This is a self-fulfilling assumption which is unsupported by any evidence, information or analysis. It is also counter-intuitive: rather it is much more probable is that non-renewals by speculative land owners reflect their expectations of obtaining development approvals under the project.² On the evidence presented in the DEIR, it is more reasonable to believe (assuming rational economic behavior by landowners) that if the project is not adopted and the area remains designated for agricultural and open space uses, the Williamson Act contracts will be renewed, or new contracts signed.

In any case, however, if the project is not approved, the agricultural resource will not be lost. It may not be utilized, if the owners decide to leave the land fallow, but the land's potential for agricultural productivity will not be impaired as it would if it were developed according to the project. The DEIR states that agricultural activity "may" be lost even if the project is not approved. To the extent this statement means anything at all,³ it establishes a false premise for evaluation of project impacts and comparison of the project to alternatives, by implying that the agricultural resource will be lost in any case. There is no basis for this assumption given existing and proposed plans for the area by other jurisdictions. 35-7

For these reasons, the conclusion that the indirect impacts of the non-renewal of Williamson Act contracts (IM3.1/E) would be insignificant is unjustified.⁴ The current level of non-renewals, as well as of future non-renewals, is directly related to the project. If the project is not carried out, the non-renewals will have no environmental

² In fact, the DEIR eventually acknowledges this, when it admits that by designating certain areas under Williamson Act contract as open space/agriculture, the Reduced Planning Area alternative could reduce growth inducing impacts on those properties. Pg. 4-10. Why does the DEIR not make the same acknowledgment here?

³ To say that the agricultural uses "may" disappear in any case implies much but says little. Any number of things "may" happen. For instance, to cite one example of a "may" that the DEIR assiduously avoids, the project may find no market, thereby causing the residents of Dublin to pick up the tab for the bonds which will be floated for the project's infrastructure. But it is the job of the DEIR to state, based on evidence and analysis presented in it, what is likely to happen, so that readers may make up their own minds.

⁴ This comment applies equally to impacts designated "IM3.1/C" through "IM3.1/E".

impact. If it is carried out, they will. The DEIR should recognize this significant effect 35-7 contd.
of the project.

The DEIR is also misleading in dismissing the conversion of the project area from agricultural to developed uses as having an insignificant impact. It relies for this conclusion on two premises: that the loss of non-prime land is insignificant, and that the change would be consistent with the proposed GPA. Both are fallacious.

First, the designation of land as "prime" refers to its suitability for certain types of crops. It is not an indication of its agricultural or economic value as grazing land (virtually no grazing land is "prime") or other agricultural uses (many productive vineyards are "on non-prime" land). In a nutshell, the fact that land is not considered "prime" does not mean that its loss is necessarily insignificant.⁵ Additionally, the agricultural land in the project area may well be significant in the context of the 35-8 regional or sub regional agricultural economy. The DEIR fails to address this issue.

Second, consistency with a (proposed) general plan does not render an impact insignificant:

...there is no indication in CEQA that mere conformity with the general plan will justify a finding that the project has no significant environmental effect. Certainly, general plan conformity alone does not effectively 'mitigate' significant environmental impacts of a project.

City of Antioch v. City of Pittsburg (1986) 187 Cal.App.3d 1325, 1331-32.

Discussing potential conflicts with adjacent land uses, the DEIR acknowledges the existence of rural residential and open space lands to the east of the project site, but 35-9 does not acknowledge the possibility of any conflict with them. Pg. 3.1-14.

In discussing potential land use conflicts to the north, the DEIR ignores all lands to the north except for the new Santa Rita Rehabilitation Center. There are other lands and land uses to the north of the project site which should be acknowledged in this 35-10 context.

The DEIR identifies a "significant planning concern" relating to the contrary ambitions of Dublin and Livermore relating to the eastern part of the project site. Pg. 3.1-16. What is the nature of this concern? Why is it a concern from a "planning" perspective? 35-11 What are optimal, or even possible, solutions? If this DEIR is to be used by LAFCo (DEIR p. 2-14), some guidance on these questions is essential. In particular, the DEIR

⁵ As noted in the DEIR, the CEQA Guidelines define the loss of prime land as *per se* significant; but this does not mean that the loss of non-prime land is necessarily insignificant. This determination must be made based on the facts of the situation. This is what the DEIR fails to do.

should shed some light on whether conditions are different now than they were when LAFCo deleted part of the project area from Dublin's SOI, and if so, why and how. 35-11 contd.

With respect to the project's consistency with the existing Dublin General Plan, the DEIR states that it cannot evaluate the consistency of the GPA with the existing Dublin General Plan because the GPA does not include a specific development proposal yet. Pg. 3.1-18. This is incorrect. The DEIR can compare the existing General Plan and GPA: it just may not do so at the same level of detail as it purports to with respect to the Specific Plan. For instance, the DEIR can compare policies contained in the GPA with those in the existing General Plan. Indeed, staff has already done so to some extent outside the EIR process. See, Agenda Statement, Planning Commission Meeting of 21 October 1992. Such analysis should be conducted in the DEIR. 35-12

The DEIR is also quite misleading in its reliance on the terms "potentially consistent" and "potentially inconsistent". The Specific Plan (SP) and GPA contains land uses and policies which can be measured against those in the existing General Plan. Either they are consistent as proposed or not. That the development which may ultimately occur under the SP and/or GPA may be consistent with the existing General Plan does not make the SP or GPA potentially consistent, it makes that future development potentially consistent. The fact remains, that if the SP and/or GPA might permit development which is inconsistent with the existing General Plan, they are inconsistent with it. 35-13

The DEIR's analysis of consistency in Table 3.1-4 is also deficient in a number of respects described below:

Policy	Comment
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2.1.4.A.	It appears that the Specific Plan (SP) might be potentially consistent with this policy, but under the rubric of "policy reconciliation" the DEIR indicates that the SP falls short as a result of the "to the extent feasible" language. In addition, it appears that the GPA is not consistent with this policy. In general, the DEIR's analysis of this policy is entirely lacking in specifics. 35-14
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2.1.4.C	Without an explanation of the measures contained in the SP to "protect the ridgelands", there is no basis for a conclusion that the SP is consistent with a policy which prohibits them from being "disfigured". Specifically, the mitigation measures identified (IM 3.8/D) are all subject to qualifiers such as "to the extent feasible". For instance, they encourage "sensitive engineering practices" without defining what those are or why they would prevent any disfiguration of the ridgelands. The term "sensitive engineering practices" means one thing to an engineer and another to a planner. What does it mean in this case? 35-15
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3.1.A. Despite the DEIR's disclaimer, the SP is clearly inconsistent with this policy because it permits destruction of resources that are protected under the existing General Plan. Its protection of "high value" habitat areas" does not eliminate this inconsistency, as implied by the DEIR. In particular, the SP does not call for comparable protection of woodlands. 35-16

3.2.A. Based on the facts--rather than the DEIR's characterization-- the SP appears to be inconsistent with the General Plan. The DEIR's contention that the SP requires consistency with the existing General Plan is not supported by the SP program or policies cited. 35-17
In addition, as noted above, the DEIR should evaluate the GPA for consistency with this policy. It appears to be inconsistent, but the DEIR should "go on record" on this issue.

The DEIR's summary of the applicable Alameda County general plan documents seems to indicate that the project is generally inconsistent with county policies, but the DEIR does not provide any evaluation or conclusion on this issue. Pp. 3.1-19 to 3.1-20. It should. 35-18

Population, Housing and Employment

"The DEIR chapter on "Population, Housing, & and Employment" makes a number of relevant points:

- The Bay Area Region and the Tri-Valley sub region both have a surplus of jobs over housing, which is projected to worsen.
- This imbalance results in hardship for those with lower paying jobs, as well as increased air pollution and traffic congestion caused by longer commutes to affordable housing.
- Local governments compete for fiscally beneficial land uses, and do not coordinate their planning with each other.

Against this background, the project concept is to "ensure the responsible and environmentally-sensitive development of the planning area from both a local and regional perspective." Some questions spring to mind.

- Given the regional and sub regional need for a net increase in housing, why does the project propose to increase employment to a degree that will absorb any housing that is built as part of the project? 35-19
- Given the identified market conditions, is it prudent planning to assume adequate absorption for the proposed employment generating land uses? 35-20

- The DEIR has already admitted that conflicts with plans proposed by Livermore are a "significant planning concern". Pg. 3.1-16. One has to wonder why the DEIR proposes no measures by which to address these significant concerns which directly affect land use, air quality, energy use, transportation, etc. 35-21
- In a nutshell, it appears that the project is inconsistent with its own "concept". Another way to put it is that the project has been misdescribed to begin with. The DEIR must clarify this issue; it must point out respects in which the project "in fact" differs from the project "in concept". 35-22

We also note that "Projections '90" is not ABAG's most recent forecast. Pg. 3.2-1. Since the project is expected to have a 30+ year buildout, the most recent ABAG projections are essential. How do the changes in "Projections '92" affect the DEIR's analysis? 35-23

Biological Resources

With respect to IM 3.7/A, the DEIR provides no basis for the conclusion that the mitigation measures identified will reduce the impact to insignificance. The areas that will developed-- which are not quantified-- will still be eliminated as habitat. Not developing other areas that are not to be developed in any case⁶ does not reduce this impact. MM 3.7/1.0. Measures MM 3.7/2.0 and 3.0 likewise do not reduce the impact of destroying large areas of habitat. The DEIR recognizes (p. 4-13) that absent permanent protection of areas designated "open space" their existence does not mitigate impacts. Yet it does not describe how or whether these areas will be permanently protected. *See*, MM 3.7/3.0 & 25.0. 35-24

The DEIR provides no factual basis for concluding that protection of riparian areas (MM 3.7/6.0) "wherever possible" will mitigate impacts on those that are not protected. In plain English, it will always be possible to protect riparian areas; but clearly this is not what the project contemplates. So what do the SP and DEIR mean by "wherever possible"? The word "should" in MM 3.7/8.0 renders it ineffective. *See also*, IM 3.7/P. 35-25

MM 3.7/20.0 is not a mitigation but a study. It is ineffective. *See also*, IM 3.7/M & N. The same applies to MM 3.7/ 28.0. 35-26

6. Why any significant amount of such areas would be graded in the first place is obscure.

MM 3.7/21.0 is ineffective because it relies on ineffective mitigation measures, as described above. 35-27

With respect to impacts on the Golden Eagle nesting site, the DEIR and Appendix contain no information regarding proposed mitigation upon which to base the conclusion of insignificance. Appendix D omits part 5 of the biological survey, which discusses mitigation. 35-28

MM 3.7/25.0 is deficient because it assumes, in essence, that not developing the entire foraging area will mitigate developing part of it. There is no basis for this assumption. Since the DEIR relies on a specific number of acres as an adequate foraging area, it must provide some quantitative analysis and proof that this number of acres is adequate. It must also provide evidence that this acreage will in fact be protected as foraging area over the long term. *See also*, IM 3.7/O. 35-29

In sum, the DEIR does not provide an adequate basis for its numerous conclusions that impacts on biological resources will be insignificant. 35-30

Visual Resources

The DEIR is deficient for failing to include photomontages of the project site as developed. Even given the various contingencies involved in predicting the details of development, there is no excuse for this appalling omission of the single most useful and meaningful means of communicating the project's visual impacts to the public. In this respect the DEIR is far below the standard in the Bay Area. 35-31

MM 3.8/1.0 is not a mitigation measure but an aspiration which is utterly unenforceable. It is the intended-- hoped for-- result, but not an enforceable guide to govern development as it occurs. The same applies to MM 3.8/3.0. These may be nice statements of policy, but they are subject to interpretation, and do not provide the public a measure against which development proposals can be reviewed. They are not, therefore, mitigation measures which can be relied upon under CEQA to assert that certain visual impacts will be rendered insignificant. MM 3.8/4.0 through 4.5 are all so heavily qualified and so open to interpretation that the same applies to them. 35-32

Merely designating the more distant and undevelopable ridges as the only ones with "scenic" qualities does not render destruction of others insignificant. What is the basis for this definitional sleight of hand? If the DEIR has determined that some highly visible foreground ridges are not "scenic", it should state why. The SP's mere say so is not sufficient for purposes of environmental analysis. Again, the DEIR confuses what is being destroyed with what is being left alone, and asserts that the former "mitigates" the other to a level of insignificance. *See*, MM 3.8/5.0-5.2. 35-33

With respect to IM 3.8/I, preserving views (from where?) of "designated" open space areas is less than insufficient. Who designates the "open space areas"? On what basis? 35-34

That the City may decide as a matter of policy or politics that certain views may be preserved, to some extent, does not address the visual impacts that will in fact be caused. Even less so does a subsequent survey of view sheds and scenic vistas. Without some objective, enforceable standards based on mitigating identified impacts, these are not mitigation measures. The DEIR needs to deal with environmental impacts, not to rely on future policy decisions. 35-34 contd.

Fiscal Considerations

The DEIR should disclose the market assumptions upon which its fiscal analysis is based. These would include, in particular, expected absorption rate for housing and employment uses. 35-35

Alternatives

"No Project"

The DEIR states that the "no project" alternative could have significant growth-inducing impacts because it would require the extension of infrastructure to the area shown on Figure 4-A, and this extension might induce further growth nearby. That is, the "no project" alternative might have a significant impact because it could facilitate what is already proposed by the SP under consideration. In order to avoid being misleading, the DEIR must explain three things:

1. This potential "significant impact" of the "no project" alternative is still less than the actual impact of the project under consideration; 35-36
2. This potentially "significant impact" can be fully avoided by the City of Dublin and other affected jurisdictions by adopting new (in the case of Dublin) or maintaining existing (in the case of Alameda County and Livermore) policies which would not permit further growth in the area in question⁷; and
3. To the extent that project impacts are mitigated, so would be the impacts of any growth which might be induced by the "no project" alternative.

The DEIR must also point out that the adverse jobs/housing balance impact of the "no project" alternative could be mitigated (according to the DEIR) either by the growth

⁷ While the DEIR states that the "no project" alternative would have a significant growth-inducing impact, it then turns around and asserts that the proposed project would not, because such impacts could be eliminated. Pg. 5.0-15, IM 3.5/C. Necessarily, the same applies to the "no project" alternative. Whatever its position and reasoning on this question, the DEIR should be consistent. 35-37

that it might induce (see above) or by the City, simply by changing the mix of land uses 35-37 contd.
in the Eastern Extended Planning Area.

Likewise, visual impacts of the "no project" alternative can be mitigated at least to the
same degree as the visual impacts of the proposed project, and very probably to a much
greater degree. All that is required is that the City decide to adopt equally stringent
visual protection policies.⁸ 35-38

Reduced Planning Area

After the no development and "no project" alternatives, the DEIR states that this is the
environmentally superior alternative. We would point out that the potentially adverse
impact on jobs/housing balance could be eliminated by adjustment of housing densities
and/or employment intensities. 35-39

As noted in the discussion of MM 3.7/3.0 & 25.0, (p. 7, above) there is no stated basis
on which to conclude that the proposed project's designation of areas as open space
will be any more permanent than the same designation in the reduced planning area
alternative. Thus, because the reduced planning area alternative includes (or could
include) equally effective "mitigation" measures while affecting much less area, it will
clearly have far fewer and less severe impacts than the proposed project. In particular,
since this alternative would not connect Doolan and Tassajara Roads, there would be
no direct impact on the golden eagles that nest near the proposed connection. 35-40

Reduced Land Use Intensities

This alternative is better than the proposed project from a regional and sub regional
jobs/housing balance point of view. However, it's primary significance is to point out
the DEIR's failure to consider (or even to reject without consideration in the DEIR)
its more reasonable opposite: an alternative that meets the identified project objectives
by calling for development within the existing city limits or as close as possible to them.
An informed observer could perhaps infer that such an alternative would meet the
project objectives, but would be confused by its omission from the DEIR; and in any
case would not benefit from a clear elaboration of what that alternative might entail,
what it would look like (in terms of the SP), or whether it would be feasible. These are
all critical issues if the public is to be adequately informed. Finally, and perhaps most
importantly, exclusion of this alternative allows the decision maker to ignore it when
making findings under CEQA. 35-41

⁸ We do not believe that the policies proposed will be sufficient to avoid significant
impacts; however their effectiveness will not be reduced by the "no project"
alternative. Indeed, to any objective observer, it would seem obvious that the "no
project" alternative would inevitably have less significant visual impacts than the
proposed project if only as a result of many fewer units. The DEIR's failure to
acknowledge or confirm this fact confuses the issue, and thus misleads the public.

Growth-Inducing Impacts

Certain aspects of this section of the DEIR have been discussed above. See, footnote 7. We note that the DEIR fails to mention the potential growth-inducing impacts of transportation impacts/mitigation measures, and the project's incremental destruction of the agricultural economy. Indeed, this latter is not even mentioned as a cumulative impact. It should have been, especially in light of IM 3.5/T.] 35-42

Conclusion

The DEIR is inadequate as it stands. It should be withdrawn and significantly revised.

Very truly yours,



Zach Cowan
Attorney for Doolan Road Residents

Response to Letter 36: Ann Stevens Associates, Oakland, CA

- 36-1 **Comment:** A program EIR provides an opportunity to anticipate and prepare guidelines and contingencies for developments to be implemented over a long period of time. This DEIR does not take advantage of that opportunity. The DEIR fails to consider uncertainty, phasing of development and attending impacts, and phasing and financing of mitigation measures.

Response to Comment 36-1: The level of transportation analysis in the DEIR is consistent with standard practice for a Program EIR on a long-range development project. Conservative assumptions were used to ensure a worst-case analysis of future conditions, given that there is a great deal of uncertainty about which developments will occur when over the next 20 years. Section 1.7 on page 1-6 describes the future environmental analysis which will resolve phasing and financing issues.

- 36-2 **Comment:** The analysis of transportation impacts in the Eastern Dublin DEIR does not fulfill the expectations of a program EIR. The Transportation and Circulation analysis (Section 3.3) does not discuss what might be an appropriate scope or level of detail for the analysis, or discuss the role of the program EIR in setting guidelines for future development. There is also no discussion of what kinds of mitigation are appropriate for this document; inconsistencies in the scope of analysis and in the character of mitigation proposed result. Guidance for future environmental analyses is conspicuously absent. There is no consideration of the fact that this development, its mitigation measures, "future roadway projects", and other projects in the vicinity will occur over time, and that impacts to the transportation system must be analyzed and addressed as time passes, before the project and cumulative buildout. There is no discussion of prediction uncertainty, or of uncertainty associated with the project configuration, mitigation measures, "future conditions" roadway modifications, or other development. Without revision, the analysis and set of mitigation measures in the DEIR provide no basis to guide future development. Project EIRs for subsequent development will be required to "start from scratch" and will likely find significant impacts for which no mitigation will then be practical.

Response to Comment 36-2: See response to Comment 36-1.

- 36-3 **Comment:** The DEIR fails to identify and analyze important transportation impacts even at a crude level or qualitative level and to propose mitigation or mitigation strategies. The Transportation and Circulation analysis fails to consider at all whether that the project as configured in the DEIR will be likely to operate in a manner consistent with Specific Plan policies cited in the project description as guiding design principles. In some cases the results of the transportation analysis suggest that the predicted transportation operations are directly in conflict with design goals.

Response to Comment 36-3: The DEIR adequately identifies transportation impacts which would be in conflict with level of service standards or Specific Plan policies as significant impacts, or in some cases, as significant unavoidable impacts.

- 36-4 **Comment:** A program EIR should be comprehensive and specific in its identification of impacts of proposed development. Levels of impacts need not be estimated with precision, but all important impacts should be identified, their magnitude estimated, and possibilities for mitigation explored.

Response to Comment 36-4: Comment noted. Section 1.3 on page 1-2 describes the role of the Program EIR.

- 36-5 **Comment:** The Eastern Dublin DEIR analyzes impacts over a geographic area not much more extensive than the GPA area. The scope of this analysis is far too narrow: the extent of project impacts on traffic and transportation can be expected to be over a far wider geographic area than analyzed in the DEIR. No rationale for the definition of the impacted area is presented.

Response to Comment 36-5: See response to Comment 31-¹~~4~~.

- 36-6 **Comment:** All impacts identified in the Traffic and Circulation Section concern the impact of development on traffic level of service, that is, how delay to traffic on (a few selected) roads and at (a few selected) intersections will change. Analysis of the project's other transportation related impacts is omitted. For instance, traffic associated with the project can be expected to intrude on neighborhoods in the vicinity. No documentation is presented to assess where this might occur and how serious it might be, or what can be done about it, in spite of the fact that minimizing intrusion of traffic into neighborhoods is part of the (1985) Dublin General Plan (IP 5.1.I) and of the Specific Plan that is the subject of review here (SP policy 5-8, page 3.1-28)

Response to Comment 36-6: The Eastern Dublin Specific Plan includes policies and a circulation system designed to minimize traffic intrusion into residential neighborhoods. No existing residential neighborhood are located in such a way that traffic to and from Eastern Dublin would intrude into those neighborhoods, unless the traffic had a destination within those neighborhoods.

- 36-7 **Comment:** Analysis of the public transportation operations as they relate to the project is also completely omitted. It too is part of the General Plan ("support improved local transit as essential to a quality urban environment", page 3.1-28), and of the Specific Plan (policies 5-10 through 5-14). Indeed, the project description states that "the Specific Plan encourages the use of alternate modes of transportation as a means of improving community character and reducing environmental impacts. Specific Plan policies encourage a balance orientation toward pedestrian, bicycle, transit, and automobile circulation." (page 2-11). These alternate modes are not mentioned in the analysis of transportation impacts. Other than this statement there is no evidence that they were considered. Improving transit service is, however, presented as a measure mitigating project impacts.

Response to Comment 36-7: The Specific Plan includes policies related to transit service, pedestrians and bicycles. Pages 3.3-28 to 3.3-29 of the DEIR describe impacts and mitigation measures associated with transit, pedestrians and bicycles.

- 36-8 **Comment:** Program level EIR analysis offers the opportunity to test the project's general design against these policies and to suggest alternative general designs and design policies more consistent with the goal of a mode-balanced development, if that is what is deemed desirable. Methods of analyzing shares of trips that are likely to be captured by each transportation mode (described generically, in terms of time and cost rather than exact route structure, if necessary) are available. Choice modeling is one of the more reliable and tested transportation modeling techniques, more reliable than other methods used in Section 3.3 of the DEIR.

Response to Comment 36-8: The DEIR assumes existing areawide levels of transit and automobile use, as this provides the most conservative analysis of potential traffic impacts. Any increases in transit use induced by the policies of the Specific Plan will help to improve transportation conditions compared to those presented in the DEIR.

- 36-9 **Comment:** No analysis of internal circulation is presented, at any level of detail. The project description states that "the Specific Plan provides for a circulation system that is convenient and efficient", and "the road system is designed to maximize the free flow of traffic by creating a highly interconnected system that disperses traffic over numerous roadways rather than concentrating it on a few." (page 2-11). No analysis is presented documenting that the configuration of development proposed under the Specific Plan will achieve these (vague) specifications. The poor levels of service predicted for intersections and road segments proximate to the site suggest that circulation, at least at the periphery, will be anything but convenient and efficient.

Response to Comment 36-9: A full analysis of internal Eastern Dublin roads was conducted during the preparation of the Specific Plan. The DEIR describes only those locations where significant traffic impacts were identified, particularly those on routes which affect regional traffic. The circulation system has been designed to provide traffic operations at all other locations which meet stated level of service standards. Additional details of the traffic analysis of internal roadways can be made available at the City of Dublin.

- 36-10 **Comment:** Of the few impacts identified and analyzed, some are analyzed at a level of detail inappropriate for a program EIR of a 20-year project.

For example, Figure 3.3-F presents lane configurations for interchanges in the project vicinity. Design at this level of detail is inconsistent with the quality of the traffic volume predictions, and with the high level of uncertainty associated with every step of the transportation analysis, and with the uncertain configuration of land uses comprising the project. It is also wildly inconsistent with the level of detail at which other impacts are analyzed and with which mitigation measures are discussed.

Response to Comment 36-10: Intersection analyses at the freeway interchanges were provided in response to requests by Caltrans, and also to be consistent with other recent traffic studies of major developments in the area. The analysis is intended to provide an estimate of the ultimate level of improvements needed to mitigate the full buildout of the Project, and to ensure right-of-way preservation for future widening.

- 36-11 **Comment:** Both AM and PM peak traffic conditions should be analyzed, as freeway/ramp operations and some intersection operations differ significantly depending on time of day.

Response to Comment 36-11: See response to Comment 12-6.

- 36-12 **Comment:** The DEIR Transportation and Circulation Section should be revised to include a discussion of the appropriate nature and level of detail at which project impacts should be predicted and mitigation measures presented, taking into consideration uncertainty of timing and precision of estimates. All impact predictions should be made consistent with these guidelines.

All important transportation impacts, internal and external to the project, should be identified and analyzed at the appropriate level of detail. Important transportation impacts include all of those mentioned in the Specific Plan or as design guidelines or goals for the

project. Specific Plan policies and design goals should not be addressed through mitigation measures.

Response to Comment 36-12: See response to Comment 36-1.

- 36-13 Comment: Measures proposed to mitigate the few impacts analyzed do not appear to be effective, feasible, and enforceable; some mitigation measures would themselves require environmental analysis.

Mitigation measures wholly or partly beyond the control of the Eastern Dublin General and Specific plans and of developers of individual Eastern Dublin projects are offered. There is no discussion of the likelihood that these measures will be implemented or of their possible timing, or of designing processes to bring them about.

Response to Comment 36-13: The City of Dublin will be responsible for future review of individual developments and ensuring implementation of mitigation measures, including measures implemented by other agencies such as Caltrans. Revised transportation text is included as an attachment to the Errata section of this Response document which clarifies these roles.

- 36-14 Comment: A number of mitigation measures are of significant enough scope and influence that they will almost certainly require environmental analysis. All mitigation measures will affect traffic and transportation operations, and should be analyzed at an appropriate level of detail.

Response to Comment 36-14: Environmental analysis of interchange improvements and other mitigation measures will be conducted at the time that those construction projects are proposed for implementation.

- 36-15 Comment: Mitigation measures are merely proposed. No mitigation measure is analyzed, at any level of detail. No discussion is presented as to whether any mitigation measure can or will be effective in reducing the impact it addresses.

Response to Comment 36-15: The DEIR text describes the effectiveness of each mitigation measure where the effectiveness can be quantified using standard procedures. Where the effectiveness cannot be quantified, the text indicates that the impact will remain significant.

- 36-16 Comment: The fact that impacts, mitigation, other planned modifications to transportation facilities will develop over time is not discussed. Measures to mitigate significant impacts which will occur before the completion of the proposed development are not offered.

Response to Comment 36-16: This Program EIR presents a conservative assessment of transportation conditions upon Project buildout. Section 1.7 on page 1-6 describes how future environmental analysis of individual development projects can be used to assess interim mitigation measures which may be required.

- 36-17 Comment: "Caltrans,..., could construct auxiliary lanes in I-580 between Tassajara Road and Fallon Road." (MM3.3/10, page 3.3-21). That this measure would be implemented is speculative, that it would reduce the impact to insignificance if implemented as stated on page 3.3-21 is not demonstrated. There is no discussion of who would finance the action, nor of its timing relative to development or other projects.

Response to Comment 36-17: Impact IM 3.3/A refers to an impact which would occur without any development in Eastern Dublin. The City of Dublin would not be responsible for mitigation of this impact caused by development in other jurisdictions if no development occurred in Eastern Dublin. Impact IM 3.3/C describes how this section of freeway would also be impacted by Project traffic. Mitigation measure 3.3/3.0 (see revised transportation text in the Errata section) specifies that, if development occurs in Eastern Dublin, the City of Dublin shall take responsibility for implementing freeway widening with financing to be provided by development in Eastern Dublin and other development areas.

- 36-18 **Comment:** Measure 3.3/2.0, which would require businesses located within the General Plan Amendment area to participate in a TSM program, is proposed to mitigate a LOS E condition on I-580 near the project site. It is stated that the program would reduce the impact, but this is purely speculative as presented. No evidence as to the feasibility of likely effectiveness of TSM programs is presented, no analysis as to the magnitude of participation and reduction in traffic levels offered. No discussion of funding, timing, monitoring or enforcement is included.

Response to Comment 36-18: The DEIR states that Impact IM 3.3/B would remain significant. The Alameda County Congestion Management Plan and the proposed Bay Area Air Quality Management District trip reduction rules both specify employer-based travel demand management strategies as key components of a program to reduce congestion and air quality impacts created by vehicle traffic.

- 36-19 **Comment:** The proposed light rail line (Figure 3.3-D) will require a separate and extensive environmental review, and will likely change traffic and transportation operations sufficiently to require that re-analysis of the traffic impacts of the Eastern Dublin project. The line is proposed to traverse a grade steeper than light rail technology is normally capable of climbing (Bollinger Canyon west of Alcosta).

Response to Comment 36-19: The Eastern Dublin Specific Plan and General Plan Amendment do not propose or assume a light rail transit service. Light rail lines serving the Tri-Valley area have been proposed at various times, but such lines have not been included in any state or regional transportation plans.

- 36-20 **Comment:** The discussion of mitigation measures 3.3/1 through 3.3/16.1 (pages 3.3-19 through 3.3-29) should be revised so that effectiveness, feasibility, enforceability, financing, and timing of mitigation measures is discussed. Effectiveness should be estimated at a level of detail appropriate for a program EIR. For mitigation measures wholly or partly under the control of other agencies, the discussion should include an assessment of the likelihood of the measure being implemented, and the implications should the action fail to come about.

Response to Comment 36-20: See response to Comment 36-1. Also see revised transportation text included in the Errata section of this response document.

- 36-21 **Comment:** MM 3.3/15.0 through 15.3 propose to mitigate impacts of the project by providing transit service, as specified in Specific Plan policies 5-10 and 5-11. (page 3.3-28) These policies are part of the project description and should not be offered as mitigation (a project cannot mitigate itself). Adequacy, and effectiveness of transit service as specified should be analyzed.

Response to Comment 36-21: The City of Dublin will ensure that individual

developments within the Specific Plan area conform to the guidelines in the Specific Plan. Transit service performs two functions. First, it provides transportation service and mobility to those who do not have access to a private vehicle or choose not to drive. Second, transit provides an alternative to driving, and can help to reduce vehicle traffic and traffic impacts. The DEIR mitigation measures for providing and funding transit service will mitigate the impacts of inadequate transit service in developing areas which are not currently served by transit. The DEIR does not claim that transit service will mitigate any of the stated traffic impacts to a level of insignificance.

36-22

Comment: The Traffic Analysis Methodology is incompletely and poorly documented. Confidence in traffic impact predictions is limited by the nature of data and analysis tools available. The DEIR does not acknowledge these limitations.

A number of assumptions, approximations and shortcuts make estimation of traffic impacts associated with development projects tractable. These are part of the analysis and should be documented.

Results must be expressed with precision consistent with the least precise datum used in a calculation. Results must be interpreted with a level of confidence consistent with assumptions and approximations.

Analysis of uncertainty and expression of predictions as ranges rather than single numbers is essential for a project of this size to be implemented over a long time period. CEQA requires uncertainty affecting mitigation measures to be discussed.

Response to Comment 36-22: The levels of analysis and precision presented in the transportation analysis in the DEIR are consistent with standard practice for transportation analyses of long-range development projects in California.

36-23

Comment: If there are systematic differences between the average ITE trip rates used in Section 3.3 (page 3.3-13) and the trip rates of residents, employees, and other users of the proposed development, the predictions of traffic volumes associated with the project and the effects of these trips on traffic operations could differ significantly from the values reported in the EIR.

Predictions of trips to be generated by the proposed development will differ from the single-number estimate reported in the DEIR (page 3.3-13) if any of the following hold.

Systematic differences between the number of daily trips ITE predicts for a particular land use and the number of trips made by travelers associated with corresponding land uses in the Eastern Dublin development. As reported in the ITE manual and in other sources, there is little variation in trip rates among developments in some land use categories: residential developments with similar densities and similar income levels tend to have similar average daily trip rates per household, and relatively narrow trip rate ranges. However, rates for other uses included in the Eastern Dublin development, hotels and some commercial uses, for example, have trip rates which vary widely, making prediction difficult.

Systematic differences between the timing of trips reported in ITE and the timing of trips by residents, employees, and visitors to the Eastern Dublin development. The DEIR reports the portion of daily trips occurring in the (PM) peak hour based on ITE data. The distribution of traffic in time varies, sometimes widely, among developments in the same ITE land use category. This variation depends on characteristics of travelers, timing of

variation in traffic on the roadway network, and operating policies of the land use.

Instability in trip rates over the nearly twenty years to completion of the Eastern Dublin development. The number of trips associated with a unit of development (a household or a square foot of office space, for example) could change over time, as a result of changes in the behavior of individual travelers, or of changes in the character of land uses (changes in household sizes, number of vehicles per household, number of employees per square foot).

Response to Comment 36-23: The trip generation rates used in the DEIR are based on the best available information. The trip rates and the peaking percentages have been verified based on existing land uses and traffic counts. It is reasonable to assume that the types of land uses which will be built in Eastern Dublin will have similar traffic-generating characteristics as existing land uses in the area. The future environmental analyses of individual developments, as described on page 1-6 of the DEIR, will provide opportunities to adjust the travel forecasts and mitigation program in response to any future changes in trip generation rates or travel patterns.

- 36-24 **Comment:** It is not possible to predict with high confidence trip rates for a vaguely described project nearly twenty years in advance of completion. The possibility that numbers and timing of trips may differ significantly from calculated averages should be addressed in a program EIR for a project expected to produce nearly 500,000 daily trips with a time horizon of nearly twenty years. Rather than report a single number of daily trips expected at each impacted location, a range should be reported. The implications of the lower and upper bounds on roadway and intersection impacts and required mitigation should be discussed. Where analytical methods do not permit precision, approximate or qualitative discussion is preferable to omission of the possibility of variation from the reported value.

Response to Comment 36-24: See responses to Comments 36-22 and 36-23.

- 36-25 **Comment:** Design of traffic facilities, such as the intersection geometrics depicted in Figure 3.3-F, should not be based on gross estimates such as those produced by the DEIR traffic analysis. Design decisions must consider that traffic volumes vary over time and that above-average trip rates for many uses may coincide to produce much higher than average volumes on certain days; designs are usually chosen to produce a reasonable (peak hour, usually) level-of-service on most days. Facilities designed for average conditions will be inadequate half of the time, an unacceptable standard in most engineering applications.

Response to Comment 36-25: It is standard practice to use average traffic generation rates for environmental analyses of traffic impacts. Because facilities are designed to accommodate peak hour traffic, it is likely that the facilities will be adequate for the other 18 to 22 non-peak hours of each day. There is still a probability that traffic demand will exceed capacities during some of the hours of each year. However, this possibility is considered when standard methodologies and level of service standards are adopted.

- 36-26 **Comment:** The directional distribution of trips to and from a project will change if travel times on the transportation network change significantly, or if activities that are "sources" and "sinks" of travelers change; trip distribution methodologies should show that travel changes in response to travel time and land use changes, that is they should be sensitive to transportation and land use changes. The friction factors and propensities to travel given travel time described in the DEIR (page 3.3-15) are not sufficient for a trip

generation analysis.

Response to Comment 36-26: The trip distribution analysis on the DEIR is intended to represent conditions at the time that all land uses in Eastern Dublin are built out. Environmental analyses of individual development projects within Eastern Dublin can be used to assess changes in travel patterns and the resultant changes in phasing of mitigation measures.

- 36-27 **Comment:** The discussion of the trip distribution analysis (page 3.3-15) is vague, incomplete, and contains imprecise language which may mask imprecise grasp of concepts. The trip distribution procedures, input data, and results should be documented in detail. The analysis should discuss the fact that gravity models have not been highly reliable in replicating known travel patterns, and should discuss the implications of this fact for the project.

Response to Comment 36-27: The DEIR includes information on the trip distribution process and those results which are considered most relevant to the analysis of the transportation impacts of the Project. Additional technical information, consisting of computer model input and output files (TRANPLAN format), can be made available at the City of Dublin. Gravity models have been used to evaluate trip distribution in most transportation studies in the Bay Area. All predictive models such as the gravity model have a certain amount of error associated with their forecasts. The authors are unaware of any documented studies which indicate that other trip distribution methodologies are available which provide superior estimates of existing or future trip distribution in the Bay Area compared to the gravity model.

- 36-28 **Comment:** Mitigation measures proposed in Section 3.3 will significantly change travel times for some trips. All steps in the modeling chain including and subsequent to trip distribution will be affected. The model chain should be rerun to analyze mitigation plans (collections of mitigation measures phased in time), and any mitigation plans generated to mitigate the mitigations.

Response to Comment 36-28: Recommended mitigation measures such as freeway widening could change travel times for some trips. The likely effect would be some diversion of traffic away from congested arterial roads and onto the widened freeway sections. This diversion was not assumed in the analysis to ensure that local roads would be designed to adequate widths to accommodate traffic in the event that freeway widening is delayed.

- 36-29 **Comment:** The traffic assignment procedure use in the DEIR is virtually undocumented. The DEIR should be revised to more fully document the traffic assignment method, and should modify the method if necessary. Conclusions should reflect the level of approximation present in the traffic assignment process.

Response to Comment 36-29: The traffic assignment procedure uses an "incremental assignment" with the "BASE NETWORK" and "ADJUST 100" features available in the TRANPLAN software. The peak hour trips are split into ten increments of ten percent each. Each increment is assigned to the shortest paths available following the previous increment. After each increment, volumes on each link are temporarily factored upward as if all 100 percent of the traffic had been assigned. Congested speeds are calculated on each link based on average capacities for each facility type and number of lanes, and speed versus volume/capacity ratio curves derived from information presented in the 1985 Highway Capacity Manual. These congested speeds are used to calculate zone-to-zone

travel times for the next increment. Trips are accumulated on each link and turning movement until all trips have been assigned.

- 36-30 **Comment:** The Traffic Assignment discussion refers to validation for existing conditions, factoring of future intersection volumes to relate forecasts to existing conditions, and other adjustments. The discussion should be revised to fully document these procedures.

Response to Comment 36-30: Additional technical details of the travel modeling process can be made available at the City of Dublin.

- 36-31 **Comment:** Traffic volumes on roadways surrounding the project may change significantly as land use plans become more detailed, and proposed mitigation measures may become inappropriate. The DEIR does not admit or prepare for this possibility, and should be revised to do so.

Response to Comment 36-31: See response to Comment 36-26.

- 36-32 **Comment:** It is stated that the 1985 Highway Capacity Manual method is used. (page 3.3-4). The manual presents two intersection capacity analysis methods, each appropriate for different situations, and each requiring input data and producing estimates at a different level of detail. The DEIR should state which method is used and document assumptions regarding input data.

Response to Comment 36-32: The intersection analysis in the DEIR uses the Operations Method from the 1985 Highway Capacity Manual. As Alameda County has not yet adopted a methodology for intersection analysis under the Congestion Management Plan, specific default assumptions have been adapted from the technical procedures used for the Santa Clara County Congestion Management Plan. These assumptions include saturation flows of 1900 per lane for through lanes and 1750 per lane for turn lanes, and lost time of three seconds for each major stage. Signal timing is set to balance saturation between critical movements, with available excess green time allocated to non-critical movements (assumes actuated operation with dual-ring controllers, consistent with existing signal operations). Details of these calculations are available at the City of Dublin.

- 36-33 **Comment:** It is known that there are wide discrepancies between measured v/c ratios measured at intersections and the values calculated using the DEIR method. They are at best highly approximate, this should be considered in the analysis.

Response to Comment 36-33: Volume-to-capacity ratios were not used in the determination of intersection level of service in the DEIR. The DEIR analysis uses average delay per vehicle as the measure of level of service, as recommended by the 1985 Highway Capacity Manual. It is not possible to measure future intersection volume/capacity ratios or delays. It is possible to compare observed existing conditions to calculations for existing conditions. The calculations of existing level of service in the DEIR were verified through field observations of peak hour intersection operations. It is standard practice for traffic analysis in environmental impact reports to use a standard methodology for estimating future intersection operations, and then comparing this estimated level of service to the appropriate level of service standards.

- 36-34 **Comment:** Intersection and freeway analysis methodologies should take into consideration the fact that general purpose analysis techniques are not practical for highly congested (oversaturated) conditions. More appropriate procedures should be used. Analysis of intersections as isolated may also be inappropriate depending on signal control and

interconnection.

Response to Comment 36-34: It is beyond the scope of this Program EIR to provide a full operational analysis of freeway operations (such as a FREQ analysis) or analyses of signal interconnections. Future studies of individual developments and/or road improvements can be used to provide this more detailed information.

36-35

Comment: The traffic impact analysis methodology contains no procedures for studying modes of travel to and from and within the project area, despite the fact that such procedures are available. The project description describes the project as promoting "balanced" transportation, but the potential for use of alternate modes is not analyzed.

Response to Comment 36-35: See response to Comment 36-8.

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OCT 29 1992

DUBLIN PLANNING

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MEMORANDUM

October 29, 1992

To: Zach Cowan

From: Ann Stevens

Re: Comments on Transportation-related sections of the Eastern Dublin General Plan Amendment and Specific Plan Draft Environmental Impact Report

The Eastern Dublin General Plan Amendment and Specific Plan Draft Environmental Impact Report "evaluates the expected individual and cumulative impacts of the ultimate environmental changes resulting from development taking place in conformance with the Specific Plan and General Plan Amendment. It also identifies means of minimizing potential adverse impacts and evaluates reasonable alternatives to the proposed project, including the required 'no project' alternative." (DEIR page 1-1)

The General Plan Amendment (GPA) would set development policy for a 6,920 acre parcel in eastern Alameda County, on a site bounded by the City of Dublin on the east, the Contra Costa County line on the north, Camp Parks on the west, and Interstate 580 on the south. The Specific Plan is a more detailed plan for development of a 3,328 acre portion of the GPA site, sharing boundaries with the GPA area on the north, south and west, but terminating at Tassajara Road on the east. The GPA site is now used primarily for agriculture, with a few scattered single family dwellings. Two abandoned facilities on the site, the old Santa Rita jail and the U.S. Naval Hospital, are to be demolished.

On completion, the development proposed in the Eastern Dublin area will add nearly 18,000 residential units, nearly 43,000 more residents, over 10 million square feet of commercial and industrial space, 27,700 jobs, 12 schools, parks, and nearly 500,000 more daily trips to the Tri-Valley area. (DEIR, Section 2 and Section 3, page 3.3-11)

The proposed development would require amendment to the General Plan, adoption of the proposed Specific Plan, adjustment of the Sphere of Influence of and annexation to the City of Dublin, and new zoning. The Draft EIR is a program EIR for the General Plan and the Specific Plan.

As requested, I have reviewed the Traffic and Circulation section of the Draft EIR (Section 3.3), and other sections which include information related to transportation. This memorandum is my assessment of the DEIR study design and methodology for analyzing impacts of the project on transportation, results and conclusions, and generation and analysis of measures to mitigate predicted impacts.

My overall assessment of this DEIR is that it falls far short of what I would consider an adequate basis for informed decisions about the proposed project's impacts on transportation. A program EIR provides an opportunity to anticipate and prepare guidelines and contingencies for developments to be implemented over a long period of time. This DEIR does not take advantage of that opportunity, a serious and overriding defect. The DEIR fails to consider uncertainty, phasing of development and attending impacts. The DEIR fails to identify and analyze important transportation impacts even at a crude or qualitative level, and to propose mitigation actions or mitigation strategies. Of the few impacts identified and analyzed, some are analyzed at a level of detail inappropriate for a program EIR of a 20-year project. The Transportation and Circulation analysis fails to consider whether the project as configured in the DEIR will be likely to operate in a manner consistent with Specific Plan policies cited in the project description to be guiding design principles. In some cases the results of the transportation analysis suggest that the predicted transportation operations are directly in conflict with design goals. Measures proposed to mitigate the few impacts analyzed do not appear to be effective, feasible, and enforceable; some mitigation measures would themselves require environmental analysis.

Detailed comments on each topic follow.

A program EIR provides an opportunity to anticipate and prepare guidelines and contingencies for developments to be implemented over a long period of time. This DEIR does not take advantage of that opportunity.

The DEIR fails to consider uncertainty, phasing of development and attending impacts, and phasing and financing of mitigation measures.

36-1

A program EIR provides the opportunity to anticipate and to prepare for conditions which will be the result of a series of independently considered projects. Subsequent, more detailed project EIRs will present a piecemeal approach to planning -- although they will consider cumulative impacts of foreseeable projects many conditions created by cumulative development are beyond the scope of conditions that can or will be imposed on individual developers. Environmental analyses for individual developments will take other developments as given, and will identify significant impacts of cumulative development, but will generally be powerless to mitigate the most serious impacts. It is only at the program level that the consequences of long-term cumulative development can be realistically considered, and controlled.

The nature of the opportunity a program EIR provides is recognized in CEQA guidelines:

"A program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible". (CEQA Guidelines, section 15168 subd. (c)(5).)

"The program EIR provides the following advantages: it provides an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action; it ensures consideration of cumulative impacts that might be slighted in a case-by-case analysis; it avoids duplicative reconsideration of basic policy considerations; it allows the lead agency to consider broad policy alternatives and programwide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems of cumulative impacts; and it allows reduction of paperwork. (CEQA Guidelines, section 15168, subd. (b).)

The program EIR also offers the opportunity to streamline the preparation and approval of subsequent project EIRs by serving as an information base, and by anticipating contingencies and offering policy guidelines to meet them.

It is therefore critical that a program EIR consider phasing, uncertainty, financing, and monitoring as development progresses, and suggest policy controls to guide development as it unfolds.

Eastern Dublin General Plan Amendment and Specific Plan:
Comments on Analysis of Transportation Impacts

Mitigation measures in a program EIR for policy documents and processes should be adjustments to policy, establishment of monitoring plans, financing mechanisms, contingency plans.

The analysis of transportation impacts in the Eastern Dublin DEIR does not fulfill the expectations of a program EIR. The Transportation and Circulation analysis (Section 3.3) does not discuss what might be an appropriate scope or level of detail for the analysis, or discuss the role of the program EIR in setting guidelines for future development. There is also no discussion of what kinds of mitigation are appropriate for this document; inconsistencies in the scope of analysis and in the character of mitigation proposed result. Guidance for future environmental analyses is conspicuously absent. There is no consideration of the fact that this development, its mitigation measures, "future roadway projects", and other projects in the vicinity will occur over time, and that impacts to the transportation system must be analyzed and addressed as time passes, before the project and cumulative buildout. There is no discussion of prediction uncertainty, or of uncertainty associated with the project configuration, mitigation measures, "future conditions" roadway modifications, or other development. Without revision, the analysis and set of mitigation measures in the DEIR provide no basis to guide future development. Project EIRs for subsequent development will be required to "start from scratch" and will likely find significant impacts for which no mitigation will then be practical. 36-2

The DEIR fails to identify and analyze important transportation impacts even at a crude level or qualitative level and to propose mitigation or mitigation strategies.

The Transportation and Circulation analysis fails to consider at all whether that the project as configured in the DEIR will be likely to operate in a manner consistent with Specific Plan policies cited in the project description as guiding design principles. In some cases the results of the transportation analysis suggest that the predicted transportation operations are directly in conflict with design goals. 36-3

A program EIR should be comprehensive and specific in its identification of impacts of proposed development. Levels of impacts need not be estimated with precision, but all important impacts should be identified, their magnitude estimated, and possibilities for mitigation explored. 36-4

The Eastern Dublin DEIR analyzes impacts over a geographic area not much more extensive than the GPA area. The scope of this analysis is far too narrow: the extent of project impacts on traffic and transportation can be expected to be over a far wider geographic area than analyzed in the DEIR. No rationale for the definition of the impacted area is presented. 36-5

All impacts identified in the Traffic and Circulation Section concern the impact of development on traffic level of service, that is, how delay to traffic on (a few selected) roads and at (a few selected) intersections will change. Analysis of the project's other transportation related impacts is omitted. For instance, traffic associated with the project can be expected to intrude on neighborhoods in the vicinity. No documentation is presented to assess where this might occur and how serious it might be, or what can be done about it, in spite of the fact that minimizing intrusion of traffic into neighborhoods is part of the (1985) Dublin General Plan (IP 5.1.1) and of the Specific Plan that is the subject of review here (SP policy 5-8, page 3.1-28) 36-6

Analysis of the public transportation operations as they relate to the project is also completely omitted. It too is part of the General Plan ("support improved local transit as essential to a quality urban environment", page 3.1-28), and of the Specific Plan (policies 5-10 through 5-14). Indeed, the project description states that "the Specific Plan encourages the use of alternate modes of transportation as a means of improving community character and reducing environmental impacts. Specific Plan policies encourage a balance orientation toward pedestrian, bicycle, transit, and automobile circulation." (page 2-11). These alternate modes are not mentioned in the analysis of transportation impacts, other than this statement there is no evidence that they were considered. Improving transit service is, however, presented as a measure mitigating project impacts. 36-7

Program level EIR analysis offers the opportunity to test the project's general design against these policies and to suggest alternative general designs and design policies more consistent with the goal of a mode-balanced development, if that is what is deemed desirable. Methods of analyzing shares of trips that are likely to be captured by each transportation mode (described generically, in terms of time and cost rather than exact route structure, if necessary) are available. Choice modeling is one of the more reliable and tested transportation modeling techniques, more reliable than other methods used in Section 3.3 of the DEIR. 36-8

No analysis of internal circulation is presented, at any level of detail. The project description states that "the Specific Plan provides for a circulation system that is convenient and efficient", and "the road system is designed to maximize the free flow of traffic by creating a highly interconnected system that disperses traffic over numerous roadways rather than concentrating it on a few." (page 2-11). No analysis is presented documenting that the configuration of development proposed under the Specific Plan will achieve these (vague) specifications. The poor levels of service predicted for intersections and road segments proximate to the site suggest that circulation, at least at the periphery, will be anything but convenient and efficient. 36-9

Of the few impacts identified and analyzed, some are analyzed at a level of detail inappropriate for a program EIR of a 20-year project.

For example, Figure 3.3-F presents lane configurations for interchanges in the project vicinity. Design at this level of detail is inconsistent with the quality of the traffic volume predictions, and with the high level of uncertainty associated with every step of the transportation analysis, and with the uncertain configuration of land uses comprising the project. It is also wildly inconsistent with the level of detail at which other impacts are analyzed and with which mitigation measures are discussed. 36-10

Both AM and PM peak traffic conditions should be analyzed, as freeway/ramp operations and some intersection operations differ significantly depending on time of day. 36-11

The DEIR Transportation and Circulation Section should be revised to include a discussion of the appropriate nature and level of detail at which project impacts should be predicted and mitigation measures presented, taking into consideration uncertainty of timing and precision of estimates. All impact predictions should be made consistent with these guidelines. 36-12

All important transportation impacts, internal and external to the project, should be identified and analyzed at the appropriate level of detail. Important transportation impacts include all of those mentioned in the Specific Plan or as design guidelines or goals for the project. Specific Plan policies and design goals should not be addressed through mitigation measures.

Measures proposed to mitigate the few impacts analyzed do not appear to be effective, feasible, and enforceable; some mitigation measures would themselves require environmental analysis.

Mitigation measures wholly or partly beyond the control of the Eastern Dublin General and Specific plans and of developers of individual Eastern Dublin projects are offered. There is no discussion of the likelihood that these measures will be implemented or of their possible timing, or of designing processes to bring them about. 36-13

A number of mitigation measures are of significant enough scope and influence that they will almost certainly require environmental analysis. All mitigation measures will affect traffic and transportation operations, and should be analyzed at an appropriate level of detail. 36-14

Mitigation measures are merely proposed. No mitigation measure is analyzed, at any level of detail. No discussion is presented as to whether any mitigation measure can or will be effective in reducing the impact it addresses. 36-15

The fact that impacts, mitigation, other planned modifications to transportation facilities will develop over time is not discussed. Measures to mitigate significant impacts which will occur before the completion of the proposed development are not offered. 36-16

For examples, three mitigation measures are discussed below in light of these considerations

"Caltrans,..., could construct auxiliary lanes in I-580 between Tassajara Road and Fallon Road." (MM3.3/10, page 3.3-21). That this measure would be implemented is speculative, that it would reduce the impact to insignificance if implemented as stated on page 3.3-21 is not demonstrated. There is no discussion of who would finance the action, nor of its timing relative to development or other projects. 36-17

Measure 3.3/2.0, which would require businesses located within the General Plan Amendment area to participate in a TSM program, is proposed to mitigate a LOS E condition on I-580 near the project site. It is stated that the program would reduce the impact, but this is purely speculative as presented. No evidence as to the feasibility of likely effectiveness of TSM programs is presented, no analysis as to the magnitude of participation and reduction in traffic levels offered. No discussion of funding, timing, monitoring or enforcement is included. 36-18

The proposed light rail line (Figure 3.3-D) will require a separate an extensive environmental review, and will likely change traffic and transportation operations sufficiently to require that re-analysis of the traffic impacts of the Eastern Dublin project. The line is proposed to traverse a grade steeper than light rail technology is normally capable of climbing (Bollinger Canyon west of Alcosta). 36-19

The discussion of mitigation measures 3.3/1 through 3.3/16.1 (pages 3.3-19 through 3.3-29) should be revised so that effectiveness, feasibility, enforceability, financing, and timing of mitigation measures is discussed. Effectiveness should be estimated at a level of detail appropriate for a program EIR. For mitigation measures wholly or partly under the control of other agencies, the discussion should include an assessment of the likelihood of the measure being implemented, and the implications should the action fail to come about. 36-20

Specific Plan Policies are Offered as Mitigation Measures

MM 3.3/15.0 through 15.3 propose to mitigate impacts of the project by providing transit service, as specified in Specific Plan policies 5-10 and 5-11. (page 3.3-28) These policies are part of the project description and should not be offered as mitigation (a project cannot mitigate itself). Adequacy, and effectiveness of transit service as specified should be analyzed. 36-21

The Traffic Analysis Methodology is incompletely and poorly documented. Confidence in traffic impact predictions is limited by the nature of data and analysis tools available. The DEIR does not acknowledge these limitations.

A number of assumptions, approximations and shortcuts make estimation of traffic impacts associated with development projects tractable. These are part of the analysis and should be documented. 36-22

Results must be expressed with precision consistent with the least precise datum used in a calculation. Results must be interpreted with a level of confidence consistent with assumptions and approximations.

Analysis of uncertainty and expression of predictions as ranges rather than single numbers is essential for a project of this size to be implemented over a long time period. CEQA requires uncertainty affecting mitigation measures to be discussed.

Trip Generation

Trip generation is the process of estimating the number of trips entering and leaving the proposed project, and estimating what times of day these trips would occur. Most traffic impact analyses, including this one, rely on a compilation of trip rates published as the Institute of Transportation Engineers Trip Generation Manual. The manual presents average daily trip rates for a number of land uses, and statistics summarizing variation in trip rates for the developments included in the ITE land use category. However, the manual cautions that its published trip rates and peaking factors be interpreted and applied with care: limited data are available for many land uses, land uses for which summary statistics are available may differ significantly from uses for which predictions are sought, and many data included in the manual are derived from dated studies. Use of locally collected data is recommended where possible.

If there are systematic differences between the average ITE trip rates used in Section 3.3 (page 3.3-13) and the trip rates of residents, employees, and other users of the proposed development, the predictions of traffic volumes 36-23

associated with the project and the effects of these trips on traffic operations could differ significantly from the values reported in the EIR.

Predictions of trips to be generated by the proposed development will differ from the single-number estimate reported in the DEIR (page 3.3-13) if any of the following hold.

Systematic differences between the number of daily trips ITE predicts for a particular land use and the number of trips made by travelers associated with corresponding land uses in the Eastern Dublin development. As reported in the ITE manual and in other sources, there is little variation in trip rates among developments in some land use categories: residential developments with similar densities and similar income levels tend to have similar average daily trip rates per household, and relatively narrow trip rate ranges. However, rates for other uses included in the Eastern Dublin development, hotels and some commercial uses, for example, have trip rates which vary widely, making prediction difficult.

36-23 contd.

Systematic differences between the timing of trips reported in ITE and the timing of trips by residents, employees, and visitors to the Eastern Dublin development. The DEIR reports the portion of daily trips occurring in the (PM) peak hour based on ITE data. The distribution of traffic in time varies, sometimes widely, among developments in the same ITE land use category. This variation depends on characteristics of travelers, timing of variation in traffic on the roadway network, and operating policies of the land use.

Instability in trip rates over the nearly twenty years to completion of the Eastern Dublin development. The number of trips associated with a unit of development (a household or a square foot of office space, for example) could change over time, as a result of changes in the behavior of individual travelers, or of changes in the character of land uses (changes in household sizes, number of vehicles per household, number of employees per square foot).

It is not possible to predict with high confidence trip rates for a vaguely described project nearly twenty years in advance of completion. The possibility that numbers and timing of trips may differ significantly from calculated averages should be addressed in a program EIR for a project expected to produce nearly 500,000 daily trips with a time horizon of nearly twenty years. Rather than report a single number of daily trips expected at each impacted location, a range should be reported. The implications of the lower and upper bounds on roadway and intersection impacts and required mitigation should be discussed. Where analytical methods do not permit precision, approximate or qualitative

36-24

discussion is preferable to omission of the possibility of variation from the reported value. 36-24 contd.

Design of traffic facilities, such as the intersection geometrics depicted in Figure 3.3-F, should not be based on gross estimates such as those produced by the DEIR traffic analysis. Design decisions must consider that traffic volumes vary over time and that above-average trip rates for many uses may coincide to produce much higher than average volumes on certain days; designs are usually chosen to produce a reasonable (peak hour, usually) level-of-service on most days. Facilities designed for average conditions will be inadequate half of the time, an unacceptable standard in most engineering applications. 36-25

Trip Distribution

The purpose of the trip distribution portion of the traffic impact analysis process is to determine where each trip entering the proposed project would be likely to have come from, and where each trip leaving would be likely to terminate. This determination is made based on the types of activities accommodated by the proposed project, the locations of activities from which travelers to the proposed project would come, and the time involved in traveling from place to place. For instance, estimating trip distribution for potential employees of proposed commercial establishments would involve considering where people likely to fill particular jobs live and how long it will take them to travel. A trip distribution analysis of hotel guests might focus more on airport locations, likelihood of arriving at a particular airport, and travel times between airports and the hotel. The directional distribution of trips to and from a project will change if travel times on the transportation network change significantly, or if activities that are "sources" and "sinks" of travelers change; trip distribution methodologies should show that travel changes in response to travel time and land use changes, that is they should be sensitive to transportation and land use changes. The friction factors and propensities to travel given travel time described in the DEIR (page 3.3-15) are not sufficient for a trip generation analysis. 36-26

Trip distribution is the portion of travel demand modeling process acknowledged by modelers to be the most problematic and therefore requires particularly sensitive treatment. It is data-intensive, and when tested often produces results bearing less resemblance to measured values than other demand modeling procedures. Errors in the trip distribution analysis are passed directly to the traffic assignment and intersection level-of-service calculations.

The discussion of the trip distribution analysis (page 3.3-15) is vague, incomplete, and contains imprecise language which may mask imprecise grasp of concepts. The trip distribution procedures, input data, and results should be documented in detail. The analysis should discuss the fact that gravity models 36-27

have not been highly reliable in replicating known travel patterns, and should discuss the implications of this fact for the project. 36-27 contd.

Mitigation measures proposed in Section 3.3 will significantly change travel times for some trips. All steps in the modeling chain including and subsequent to trip distribution will be affected. The model chain should be rerun to analyze mitigation plans (collections of mitigation measures phased in time), and any mitigation plans generated to mitigate the mitigations.

Traffic Assignment

Traffic assignment involves estimating on which routes trips will take between the origins and destinations determined in the trip distribution phase. The fundamental assumption on which traffic assignment must be predicated is that travelers change routes to take the fastest perceived route among those available. Traffic assignment procedures usually take as input descriptions of roadway networks, and volumes of traffic from place to place (background and project related), they output the number of vehicles on each street and turning at each intersection. Traffic assignment procedures should be sensitive to changes in street networks and in traffic volumes.

The traffic assignment procedure use in the DEIR is virtually undocumented. The DEIR should be revised to more fully document the traffic assignment method, and should modify the method if necessary. Conclusions should reflect the level of approximation present in the traffic assignment process.

The Traffic Assignment discussion refers to validation for existing conditions, factoring of future intersection volumes to relate forecasts to existing conditions, and other adjustments. The discussion should be revised to fully document these procedures.

Traffic volumes on roadways surrounding the project may change significantly as land use plans become more detailed, and proposed mitigation measures may become inappropriate. The DEIR does not admit or prepare for this possibility, and should be revised to do so.

Intersection Level-of-Service Calculations

The final step in calculating impacts of the proposed project on intersections is to determine how additional traffic through an intersection will affect its performance. The DEIR uses one of many available "canned" methods to calculate delay and level-of-service for each intersection.

It is stated that the 1985 Highway Capacity Manual method is used. (page 3.3-4). The manual presents two intersection capacity analysis methods, each appropriate for different situations, and each requiring input data and producing estimates at a different level of detail. The DEIR should state which method is used and document assumptions regarding input data. 36-32

It is known that there are wide discrepancies between measured v/c ratios measured at intersections and the values calculated using the DEIR method. They are at best highly approximate, this should be considered in the analysis. 36-33

Intersection and freeway analysis methodologies should take into consideration the fact that general purpose analysis techniques are not practical for highly congested (oversaturated) conditions. More appropriate procedures should be used. Analysis of intersections as isolated may also be inappropriate depending on signal control and interconnection. 36-34

Modal Split Analysis

The traffic impact analysis methodology contains no procedures for studying modes of travel to and from and within the project area, despite the fact that such procedures are available. The project description describes the project as promoting "balanced" transportation, but the potential for use of alternate modes is not analyzed. 36-35

Response to Letter 37: Dan Marks, AICP, Planning Consultant Services, Piedmont, CA

- 37-1 **Comment:** On page 3.1-6, the DEIR states that the CEQA guidelines include four criteria for determining significant impacts in relation to land use. The DEIR claims that Appendix G, found in the CEQA Guidelines, provides a list of those issues which are considered significant impacts under CEQA. The DEIR, in several locations, uses Appendix G to limit its assessment of impacts, and to define what constitutes a significant impact. This premise is completely incorrect. The Guidelines state that "some examples of consequences which may be deemed to be a significant effect on the environment are contained in Appendix G." (Guidelines, Section 15064, emphasis added). The list in "Supplementary Document G" is not intended to limit the scope of analysis to only those listed issues, or to limit the definition of what constitutes a significant impact to exactly those words (such as "prime agricultural land," discussed below) found in this list. The DEIR can certainly use this list as a point of departure, but cannot and should not use this list to limit its analysis to only those issues or those land use concerns included on it.

However, even beginning with the limited and incorrect premise of the DEIR that limits the discussion to those items listed in Appendix G, the DEIR provides insufficient evidence to support its conclusions, as discussed below.

Response to Comment 37-1: Comment acknowledged. Refer responses to following comments for response to specific issues.

- 37-2 **Comment:** In regards to agricultural impacts, the DEIR claims that the loss of agricultural lands "is 'significant' if the affected agricultural lands are classified as prime." (DEIR, page 3.1-8) It supports this claim with the item found in the CEQA Guidelines, Appendix G where an example of a significant impact is provided:

Convert prime agricultural land to non-agricultural land or impair the productivity of prime agricultural land.

As noted above, this is an incorrect reading of CEQA and Appendix G which is not intended to limit the range of what might be considered a significant impact.

Response to Comment 37-2: Comment acknowledged. For further discussion of agricultural impacts, refer to responses to Comments 24-3 and 34-2.

- 37-3 **Comment:** Based on this incorrect premise, it states that because the "agricultural lands on the Project site are not "prime", their loss is considered to be an insignificant impact of the project. However, this area is identified in the DEIR as "Locally Important Farmland," as defined by the State. This is strong evidence in support of an assumption that this agricultural area has important value, regardless of whether it meets some undefined criteria as to what constitutes "prime land" (much premium grape growing land is not "prime" agricultural land). Its loss -- and especially its premature loss -- may be significant

Response to Comment 37-3: For further discussion of agricultural impacts, refer to responses to Comments 24-3 and 34-2. Also, there is nothing to indicate that the loss of agricultural land resulting from the Project would be "premature".

- 37-4 **Comment:** However, even if one accepts the incorrect premise, even the finding of "non-prime" land is not supported in the DEIR. The report includes no definition of "prime agricultural land," and no map showing SCS soils classifications in this area. SCS Class I and

If soils are generally considered prime agricultural land. At minimum, the DEIR should provide appropriate definitions and include sufficient evidence to support its conclusion.

Response to Comment 37-4: Refer to Comments 24-3 and 34-2.

37-5 **Comment:** The DEIR also concludes that discontinuation of agricultural use is "not a significant impact". This conclusion is based on the fact (page 3-1-8) that "non-renewal of [the property owners] Williamson Act contracts seem to indicate that the loss of agricultural activity in these areas may be a foregone conclusion with or without the Project." This is an unsupported opinion by the EIR authors and should be deleted. The non-renewal of Williamson Act contracts is exactly the kind of property-owner response that would be expected from the highly premature actions by the City of Dublin to annex distant areas such as Doolan Canyon. It is exactly to prevent this kind of premature loss of agricultural productivity that LAFCo's were created and that cities were discouraged from sprawling. The premature loss of agricultural land (in regards to Doolan Canyon the potential loss of productivity would occur some 30 years prior to any projected need for that land) is clearly a significant impact of the General Plan amendment and should be identified as such in the EIR.

Response to Comment 37-5: See Response to Comment 35-7 regarding non-renewal of Williamson Act contracts. Regarding the "premature" loss of agricultural land in Doolan Canyon, the adoption of revised general plan land use designations does not mean agricultural activities must immediately cease. In fact, landowners can continue agricultural activities for as long as they wish, no matter how their land is designated. Further, no new development would occur in Doolan Canyon until infrastructure is extended to the area. Given the substantial costs of such extensions, it is unlikely that such extensions will occur before there is a clear market demand for the designated residential development.

37-6 **Comment:** Finally, the DEIR ignores the final measure it identifies (from the incorrectly cited Appendix G) of what constitutes a significant land use impact: "conflict with adopted environmental plans and goals of the community . . ." The adopted environmental plan for the Doolan Canyon area is the County's General Plan which calls for continued agricultural, recreational and open space use. Some members of the Doolan Canyon "community" have previously voiced a strong desire to remain a rural community and not be included in the City of Dublin (see Doolan Road/Croak Road Sphere of Influence Study and EIR, February 28, 1990). The fact that the City of Dublin would like to change the character of the community does not change the terms of the impact discussion which is on the existing community. This change in character is a significant environmental impact of the project and the EIR discussion should be modified accordingly, based on its own criteria.

Response to Comment 37-6: The EIR does not ignore the change in land use character that will occur or Project conflicts with adopted plans and community goals. Refer to IM 3.1/A on page 3.1-6 for discussion of the impact associated with conversion from rural to urban uses. See Response to Comment 35-18 for additional discussion of the Project's conflict with existing County policy for Doolan Canyon. It is also worthy of note, that no change of character would result from the Project until the Doolan Canyon area is annexed, which could be many years from now.

It is acknowledged that "some" landowners in Doolan Canyon are in opposition to the proposed Project, just as some are in support of it. The "community" goals, however, consist of more than just the desires of landowners in Doolan Canyon. If the area is to be part of the City of Dublin, as proposed by the Project, the community goals are those of the entire Dublin community, which in the case of land use are set forth in the City General Plan. The DEIR

also acknowledges that there is conflict in the broader community over the disposition of Doolan Canyon. It is for this reason that LAFCO will be required to review the proposals of Dublin, Livermore, and the County to determine the direction for this area and in whose jurisdiction it will ultimately be.

- 37-7 **Comment:** On page 3.1-13, the DEIR concludes that the impacts on surrounding lands is insignificant because, "most of the Project's Rural Residential and Open Space lands are located on the Project site perimeter . . . provid[ing] a buffer between the Project and adjoining agricultural lands." This statement is both inaccurate and short-sighted. First, the development map (and much previous discussion) has found significant proposed development on land in every valley leading to or out of the project area. Unfortunately, the report does not document the location of proposed nearby projects or other development adjacent to the proposed project which could be influenced by the project. As noted in later sections, there is no policy in the Specific Plan for the permanent maintenance of rural residential designations, implying continuing development pressure on any "rural residential" lands in the project area. Finally, any city which proposes to plan for the development of land which may will not be absorbed for 32 years encourages and promotes speculation and sprawl on all surrounding land in the vicinity of the city. Such planning, by its nature, is a significant growth inducing impact of the project and should be identified as such in the EIR.

Response to Comment 37-7: Other than agricultural land the only known project in the vicinity of the Project is the proposed Tassajara Valley project to the north in Contra Costa County (see Letter 13 from the Tassajara Valley Property Owners Association). See Response to Comment 22-10 regarding buffers between the Project and Tassajara Valley. See Response to Comment 34-4 regarding potential conflicts with adjoining agricultural lands.

- 37-8 **Comment:** A proposed mitigation that all land designated for rural residential include permanent deed restrictions and conservation easements on undeveloped portions of the property should be included in the land use section to reduce somewhat (but not completely) the very significant impacts on surrounding agricultural areas and the growth inducing impacts of this project.

Response to Comment 37-8: See Response to Comment 14-3 regarding the transition of rural residential areas to public open space.

- 37-9 **Comment: Consistency With Relevant Land Use Plans and Policies.** This section, beginning on page 3.1-17 should discuss the consistency of the project with Alameda County LAFCo policies and State law. Those policies include LAFCo's adopted policies on the preservation of agricultural land, and State law which states that the purpose of a LAFCo is to discourages sprawl. The DEIR should conclude that the proposed project is inconsistent and contrary to LAFCo policies and State law which governs LAFCo.

Response to Comment 37-9: See responses to LAFCO's letter on the DEIR (Comments 24-1 through 24-3).

- 37-10 **Comment: 3.1-20 Consistency with Alameda County General Plan.** The section (page 3.1-20) on consistency with the Alameda County General Plan notes that the current County Plan calls for Doolan Canyon to remain in open space. However, the DEIR fails to indicate that the proposed designation of Doolan Canyon for development, as shown in the draft General Plan amendment, is inconsistent with the Alameda County General Plan. This should be clearly indicated.

Response to Comment 37-10: See Response to Comment 35-18.

37-11 **Comment: Consistency with General Plan Law.** Because the proposed project is a General Plan amendment, it is relevant for the DEIR to assess the proposed amendment for its conformance with General Plan law. General Plan law states that the provision of infrastructure, including sewers, water and other facilities, must all be correlated with the land use element (see General Plan law in regards to the requirements of a Circulation Element). In other words, a city must be able to demonstrate that it can provide adequate infrastructure to serve its planned development. The DEIR clearly shows that Dublin and its relevant service agencies cannot demonstrate an ability to provide adequate sewage treatment capacity, water supply or roads to serve the Doolan Canyon area (as described in later comments). The DEIR should therefore find lack of consistency with applicable State law in regards to this proposed General Plan amendment.

Response to Comment 37-11: The Plan and EIR clearly identify the infrastructure requirements necessary to serve the Project (see Chapters 8 and 9 in the Specific Plan). This infrastructure is not all in place or fully planned at this point, but the correlation between proposed growth and the necessary infrastructure that general plan law requires has been established. The Plan and EIR have also tied future development to the availability of adequate service to ensure that growth will not result in future service impacts.

37-12 **Comment: Consistency with Service Agency Plans.** Although various service agency plans are cited and discussed in other sections, they are not addressed in this section. The DEIR should discuss the existing plans of the various service agencies, including DSRSD, TWA, Zone 7 and others, and the consistency of the proposed project with those plans. Do current plans foresee providing services to the whole project area? Do current plans of these service agencies include plans to provide services for the level of growth identified in the plan area? Do these agencies have policies or service standards which apply to the Plan area? These issues should be addressed or cited in this section.

Response to Comment 37-12: The referenced section (*Consistency with Relevant Land Use Plans and Policies*) specifically addresses land use plans. Refer to Chapter 9 of the Specific Plan, Section 3.5 of the DEIR, and Letter 32 from DSRSD for the requested information. It should be noted that TWA and Zone 7 are not direct service agencies, but provide services to DSRSD which is the service provider for Eastern Dublin.

37-13 **Comment:** For reasons not explained in the DEIR, it uses a 2 person per household assumption for its estimate of population growth in regards to high, medium high and medium density housing. This is used despite the average household size in Dublin in 1990 of 2.86 (ABAG, Projections '92). While a lower than average household size would be expected in smaller, higher density units, two persons per household is very low. Information is available for average household size by type of unit from the State Department of Finance. Moreover, information from the Census can be extracted to arrive at reasonable estimates of average household size. This issue is critical because estimates of many impacts are based on population: estimates of sewage generation, school impacts, water use, and a variety of others are based on the number of people.

A DEIR should err on the conservative side (in this instance, higher average sizes) -- unless there is strong evidence to support an alternative -- in order not to underestimate the impacts of the project. The much lower average household size used in the report for the medium and higher density housing must be substantiated.

Response to Comment 37-13: See Response to 27-1.

- 37-14 **Comment:** For reasons unexplained in the DEIR, the evaluation of impacts on freeways extends only to the year 2010. This may be because all of the freeways are already at level of service E (congested) or have exceeded their design capacity long in advance of the project reaching build-out. Build-out assessments -- both for the full General Plan amendment area, and the build-out cumulative impact which includes Tri-Valley development -- must be provided to assess the impacts of the full project (including annexation of Doolan Canyon) on existing freeways.

Response to Comment 37-14: The evaluation of freeway impacts, as described on pages 3.3-19 to 3.3-22 and in Table 3.3-9, includes impacts from Cumulative Buildout of all proposed projects outside of Eastern Dublin as well as the projected Year 2010 levels of development. Both Year 2010 and Cumulative Buildout conditions were evaluated with full buildout of all development within the Eastern Dublin Specific Plan and General Plan Amendment.

- 37-15 **Comment:** The DEIR correctly notes that both existing freeways serving the project area will exceed their design capacity (Level of Service F) by the year 2010, and that at least one freeway cannot be widened to meet expected need. It also correctly notes that proposed transportation demand management programs (TDM) cannot mitigate these impacts.

In its mitigation discussion, the DEIR proposes that CALTRANS "could construct auxiliary lanes on I-580 . . ." This is not a satisfactory mitigation because there is no indication that the mitigation can be implemented. This proposed mitigation is equivalent to a statement that a plan will be developed for mitigating an impact. This is not permitted under CEQA. Until appropriate mitigation can be identified showing how the project can mitigate its impacts, the impact should be considered significant. The point of a General Plan is to ensure that cities can address their infrastructure needs (as discussed under the previous comments). Creating later "plans" for addressing significant impacts is not permitted under either General Plan law or CEQA.

Response to Comment 37-15: The referenced mitigation refers to Year 2010 conditions without the Eastern Dublin project. The City of Dublin cannot take responsibility for mitigating impacts caused exclusively by development in other jurisdictions. Implementation of all mitigations required by Project impacts are attributed directly to the Project and/or the City of Dublin. Additional clarification of this wording is included in the revised EIR text for transportation impacts and mitigations, included as an attachment to this Final EIR.

- 37-16 **Comment:** The analysis of impacts on non-freeway roads uses a 2010 analysis for some roads and a "cumulative build-out analysis" for others. The reasoning for the different analysis, and for the use of a less-than-build-out analysis for any road, is not explained. The analysis should be revised so that all project-level analysis is consistent and done for the build-out scenario, and all cumulative analysis is done for the build-out plus cumulative scenario.

Response to Comment 37-16: All impacts on freeways and local road intersections are consistently evaluated for both Year 2010 and Cumulative Buildout conditions, as shown in Tables 3.3-9 and 3.3-10. Impacts and mitigation measures are described in detail only if the impact is identified as significant.

- 37-17 **Comment:** The mitigation proposed for the project impacts on police and fire services (pages 3.4-2, and 3.4-4) is, essentially, that a plan will be prepared to meet expected need. Preparing a plan to mitigate an impact is unacceptable under CEQA. How the City intends to meet police and fire service needs must be specifically described in the Specific Plan or in the DEIR for the Specific Plan area, and in the DEIR for the expanded eastern plan area (including Doolan Canyon).

Response to Comment 37-17: The Plan and EIR identify service standards and the approximate number of police and fire officers that will be needed to serve the Project at buildout (DEIR, page 3.4-2); the number, timing, and general location of fire stations (Specific Plan, page 121); and the police patrol system to be used (Specific Plan, page 120). More specific information, such as the type of equipment that will be needed, will be dependent on the type of development that actually occurs in the Project area and its timing.

- 37-18 **Comment:** In regards to wildfire management, the EIR states that the City "shall prepare a wildfire management plan for the project area." This is not sufficient. The DEIR must describe how wildfire impacts shall be mitigated. The proposal for very low density uses and low density development adjacent to grassland areas and hills is an obvious wildfire problem. Many alternative means for protecting against wildfire would require either considerable modification of the landscape, or significant increases in the use of water, both of which would have their own significant environmental impacts.

Response to Comment 37-18: The Plan and EIR provide numerous measures (MM3.4/6.0-12.0) to mitigate potential impacts related to wildfires. Again, the specifics of how the area will be serviced will depend upon the timing and design of individual projects, and cannot be established at the program EIR level.

- 37-19 **Comment:** CEQA requires that the probable impacts of a land use plan be considered before adoption. If there is some potential that the proposed project cannot be implemented due to serious wildfire impacts or unacceptable environmental affects of mitigation, then that issue should be addressed now. It is unsupported speculation that the proposed "plan" can reduce the impact to a level of insignificance as claimed on page 3.4-7. This finding should be deleted until the plan is fully identified and its impacts assessed.

Response to Comment 37-19: At the level of detail proposed in the Specific Plan and GPA, there has been no indication from DFRA, the responsible service agency, or any other source that the threat of wildfires cannot be mitigated to a level of insignificance. The fact that development is routinely approved in similar settings throughout the Tri-Valley further supports this finding.

- 37-20 **Comment:** In this section, the DEIR continues to seek to limit the determination of what constitutes significant impacts on sewer, water and other infrastructure elements to those items found in Appendix G. For example, the DEIR claims that "CEQA Guidelines: Appendix G defines significant effects of a project on the environment." (page 3.5-17 emphasis added; similar language on page 3.5-25). As discussed above, Appendix G includes only examples of significant impacts and does not define significant impacts. To the degree that this DEIR has limited its analysis of impacts and determination of significance under the mistaken assumption that only those found in Appendix G are significant, it has failed to accomplish the most basic requirement of CEQA which is to undertake an independent analysis of significant affects based on a particular environmental situation. Although it is difficult to determine how this assumption has pervaded this document, it is possible that this is a fatal flaw in the DEIR.

Response to Comment 37-20: The EIR has not limited itself to the examples in Appendix G of the CEQA Guidelines as the only definition of significant impacts. Significance criteria for each environmental factor are identified at the beginning of each "Impacts and Mitigation Measures" section. In the only instance where this criteria was determined to be too narrow (regarding impacts to "prime" farmland), the analysis was revised (see Response to Comment 24-3).

37-21 **Comment:** The DEIR discusses three scenarios for the ultimate capacity of the TWA system (page 3.5-3) which is to provide wastewater disposal for the plan area and for much of the growth planned for the Tri-Valley area. Each scenario assumes some level of development in the Tri-Valley area. The DEIR should state if the Specific Plan and expanded planning area are included in all of the scenarios for the TWA wastewater system.

Response to Comment 37-21: According to the TWA Subsequent EIR, the Prospective General Plan Scenario does include the Eastern Dublin Specific Plan and General Plan Amendment.

37-22 **Comment:** The DEIR asserts on page 3.50-9 that the TWA wastewater export line has capacity for the whole eastern Dublin area, including Doolan Canyon. It is my understanding that this is not the case. In fact, the DEIR states on page 3.5-32 that "the most recent DSRSD planning was completed in March 1991 . . . exclusive of Doolan Canyon." The DEIR should therefore provide support for its finding of potential sufficient capacity for Doolan Canyon and the expanded Eastern Planning area. No determination can be made regarding the impacts of this project until this information is included. If TWA planning has not included the whole plan area, then this project further exacerbates an already significant wastewater disposal problem.

Response to Comment 37-22: The TWA Subsequent EIR has examined three development scenarios and three alternative alignments. One of these development scenarios, "Prospective General Plans," does include the Eastern Dublin General Plan Amendment area, which does include the Doolan Canyon area. Thus, TWA has included the Doolan Canyon area in its planning.

The statement on page 3.5-3, regarding Doolan Canyon, states that DSRSD did not include Doolan Canyon when designing its collection system, because DSRSD wanted to avoid oversizing facilities should development not proceed there. In fact, as noted in Comment 32-13, DSRSD did include the upper part of Doolan Canyon in its calculations, but not the lower part of Doolan Canyon (This was based on the fact that upper Doolan Canyon was previously within Dublin's sphere of influence, and lower Doolan Canyon was not). At this time, only the Specific Plan area has had a preliminary collection system designed for it. Similar planning would be completed for the GPA Increment area along with future land use planning for the area. Depending on the ultimate level of development proposed for Doolan Canyon, the only change in the proposed collection system might be the need to upgrade the section of 12" collection main on Dublin Boulevard to 18".

37-23 **Comment:** The TWA project is still in the planning stages. Several of the scenarios would not allow for full development of the plan area. The DEIR fails to note the possibility that the final approved TWA project may not have sufficient capacity. Lack of sufficient wastewater disposal capacity would clearly be a significant potential impact. Any other finding is highly speculative. Given the lack of an approved TWA project, and the draft nature of the analysis at this time, virtually all of the sections regarding TWA (page 3.5-9 -3.5-12) are speculative at best. The analysis should find that the impacts of this project are potentially significant. Moreover, as noted in many instances in these comments, a "plan" for mitigation is not mitigation. At this time, there is not even an approved plan, and there is certainly no mitigation in the project for its impacts.

Response to Comment 37-23: DSRSD, in its 15 October 1992 letter commenting on the Draft Specific Plan and General Plan Amendment for Eastern Dublin, stated that, "The facilities planned by the members of Tri-Valley Wastewater Authority (TWA) are therefore essential to the development proposed by the Specific Plan and the General Plan Amendment." The

TWA facilities must be constructed with adequate capacity for Eastern Dublin. Without TWA capacity for Eastern Dublin, the Eastern Dublin Project cannot proceed. TWA has examined three development scenarios and three alternative alignments. One of these development scenarios, "Prospective General Plans," does include the Eastern Dublin Project. TWA has recommended Alternative North 3, which would collect untreated wastewater from the service area and export it north to CCCSD for treatment and disposal. Therefore, MM 3.5/11.0, once implemented, is an appropriate mitigation measure to IM 3.5G.

- 37-24 **Comment:** The EIR should include an assessment of the cumulative demands on the TWA system from all development likely to use the system (as identified in the Cumulative Plus Build-out scenario identified for traffic analysis).

Response to Comment 37-24: Cumulative demands on the TWA system are discussed in the TWA Subsequent EIR.

- 37-25 **Comment:** The DEIR finds on page 3.5-14 that there is insufficient committed water sources to support the build-out population of existing Tri-Valley city General Plans, not including the proposed Eastern Dublin area. Once again, the DEIR fails to note whether the Doolan Canyon area is included in any of the Zone 7 water plan scenarios ("prospective General Plans," as noted on page 3.5-14). It is my understanding that development in Doolan Canyon as proposed in the Dublin General Plan amendment is not part of any current plan for the Zone 7 system. Evidence is required to indicate what portions of the Doolan Canyon area are being included in Zone 7 planning, and what amount of development in the plan area is under consideration in those plans.

Response to Comment 37-25: Zone 7 in its February 1992 Water Supply Update cited population data on "prospective" General Plans from TWA studies. TWA's definition of "prospective" General Plans does include the Eastern Dublin General Plan Amendment area, which does include the Doolan Canyon area. Therefore, Zone 7 is including the Doolan Canyon area in its current plan. The degree of development of Doolan Canyon under consideration in the Zone 7 plan would be that identified in the Eastern Dublin General Plan Amendment.

- 37-26 **Comment:** Despite the lack of any committed source for water, the DEIR concludes that because there is an undefined and unexplained "plan" and some "potential sources" to possibly meet water demand, the impacts of this additional demand is an insignificant impact. This finding is speculative and unsupported, given the lack of any committed water source or definitive commitment from Zone 7 to supply water to this area. That Zone 7 has made some unspecified analysis of its needs and requirements to meet future supply needs (mitigation 3.5/28.0) is different from identifying how Zone 7 will actually ensure an adequate supply of water for the project area. Zone 7's "plan" to supply water is not mitigation of the impacts of the project; a "plan" is not a mitigation measure under CEQA. An analysis of need is also inadequate provision for infrastructure as required by General Plan law.

Response to Comment 37-26: DSRSD has recognized that unlimited supplies of water may not be available from Zone 7 in the future. Accordingly, DSRSD passed Resolution 5-92 in February 1992 that established the District's policy on securing additional water supplies for existing and future customers. The Resolution states that it is the District's policy to:

- First and foremost secure water to meet the needs of existing customers.
- Pursue acquisition of additional water supplies to meet the needs of new developments being planned by the land use planning agencies.
- Cooperate with Zone 7 to obtain new water but to take the necessary steps to acquire

this water from sources other than Zone 7, if that is what is required.

- That ultimate beneficiaries of the new water equitably participate in funding of the planning, engineering, acquisition, and delivery of that water, to our service area.

- 37-27 **Comment:** Each increment of new demand increases the potential impacts on an insufficient supply, and the potential impacts on existing customers if the "plan" for water supply cannot be implemented. The demand created by the project, and especially by the Expanded planning area, should be identified as a significant unmitigated impact.

Response to Comment 37-27: The mitigation measures identified in the EIR combined with DSRSD Resolution 5-92, as noted in Comment #37-26, will provide sufficient mitigation for the Project.

- 37-28 **Comment:** The DEIR should conduct a cumulative impact assessment that examines all water demand expected from the project, plus cumulative impact in the areas likely to demand water (the Build-out plus cumulative growth scenario identified in the traffic section) and compare that demand to committed Zone 7 supplies. The shortfall should be identified and water sources identified and information submitted indicating an ability to commit that water.

Response to Comment 37-28: Such an analysis has been completed by Zone 7 in its February 1992 Water Supply Update and is summarized on page 3.5-14 in the DEIR.

- 37-29 **Comment:** Throughout this DEIR, the DEIR continues to state that plans and some later analysis will mitigate impacts to levels of insignificance. This occurs once again in regards to the lack of a water distribution system. Mitigation measure 3.5/34.0, 3.5/35.0 and 3.5/36.0 (DEIR page 3.5-20) are all related to future analysis and planning. It is unclear why the DEIR or the background analysis for the Specific plan and General Plan amendment have not conducted the required analysis to determine the impacts and feasibility of proposed mitigations. For example, in regards to MM 3.5/35.0, the mitigation states that analysis is needed to verify "the conceptual backbone water distribution system." Given that the proposed system has obviously not been analyzed, it is unclear how the DEIR can come to any conclusion regarding the level of impact. Given a lack of analysis, it is unclear how the DEIR could arrive at the conclusion that the impacts would be reduced by the project to an insignificant level.

Response to Comment 37-29: The only way to mitigate the lack of a water distribution system for the Eastern Dublin area will be to plan, design and construct a water distribution system, adequately sized to meet the water demands of the Project. Mitigation Measures MM 3.5/34.0 through MM 3.5/38.0 will accomplish this.

In regard to the need to verify the conceptual backbone water distribution system in MM 3.5/35.0, refer to Page A6-5 of the Specific Plan. There it is stated that this conceptual water distribution plan is based on an earlier water distribution system proposed by DSRSD. This earlier DSRSD system was computer modeled, and was based on earlier proposed road alignments and land uses. In consultation with DSRSD, Kennedy/Jenks made appropriate modifications to pipe sizes and alignments using "engineering judgement" to reflect current proposed land uses and street alignments. This type of analysis is common at this level of planning. DSRSD will have to verify these changes in their computer model. At the worst, computer model verification may determine a few pipe diameters have to be changed.

- 37-30 **Comment:** On page 3.11-2, the DEIR asserts that ABAG included the project area (including Doolan Canyon) in its Bay Area Clean Air Plan. I do not believe the CAP includes the level of development foreseen in the project area, and nowhere near the level of development in

Doolan Canyon as identified in this DEIR. The DEIR should specify the degree to which the CAP has taken into account the development levels now proposed for the project area. Second, the plan should indicate the consistency of the proposed project with the CAP.

Response to Comment 37-30: The '91 CAP does not contain a specific development scenario for any incorporated and unincorporated parcel of land within the air basin. If the phasing and intensity of a specific major project are known, they are explicitly incorporated into the regional trip origin and destination tables used to calculate air emissions. Less specifically known future development is forecast to occur at locations based on historical patterns and on general plan designations. Proportionate fractions are allocated to available land based on the overall forecast regional growth of a given activity category. Whether or not the '91 CAP anticipates "nowhere near the level of development in Doolan Canyon as identified in this DEIR" is speculative. The important air quality planning aspect of this proposed plan is stated in MM3.11/6.0 which requires maintenance of consistency between specific development plans and the regional transportation improvement and growth forecast plans.

- 37-31 **Comment:** In its discussion of mobile source emissions, the air quality analysis should consider the cumulative impacts of all projects in the basin, as identified for the traffic analysis. It is not clear why the traffic analysis includes a build-out cumulative impact assessment, and the air quality impacts do not reflect that assessment, especially since the DEIR notes that the project "will impact air quality primarily through transportation-related vehicular exhaust emissions.

Response to Comment 37-31: Cumulative air pollution emissions of all Bay Area Air Basin activities are shown in Table 3.11-2 for the three primary vehicular emissions. The East Dublin Specific Plan contribution is seen to range from 0.64 to 1.40 percent. Project emissions are identified as contributing to potentially significant cumulative air quality impacts (IM 3.11/A, B, C, and E).

- 37-32 **Comment:** Although not necessarily required by CEQA, the DEIR has chosen to include a "Fiscal Considerations" section. Included in the analysis are only those impacts on the City of Dublin budget. However, the DEIR claims to also consider issues which may require "the City's existing residents to pay for infrastructure which benefits only the new development. . ." (DEIR, page 3.12-2). While the City does not provide sewage treatment or disposal, water, parks, fire services or schools, the City's residents pay for these services and infrastructure. To have a full picture of the impacts on City residents, the analysis should examine the costs of providing the infrastructure and on-going maintenance of these other facilities relative to the income expected from fees and taxes.

Response to Comment 37-32: ERA treated these issues in detail in the Financing Plan Element contained in the Specific Plan (the EIR contains a reference to it). Ongoing cost of water and sewage treatment will be paid for by user fees. Fire service and school service provision are treated in the Eastern Dublin Fiscal Analysis.

- 37-33 **Comment:** For example, the maximum school impact fee permitted under State law does not pay for the costs of new schools. Under recent court decisions, additional fees may only be charged if specifically assessed as mitigation to the impacts of this General Plan amendment. No such mitigations or fees are identified in the Specific Plan. The impacts on schools of this proposed project will be significant, and the proposed mitigations related to "working with the district" or later establishment of a funding mechanism does not address the impact.

Response to Comment 37-33: Estimates of infrastructure costs with area wide benefits were part of the Financing Plan Element contained in the Specific Plan and referred to in the EIR.

The Financing Plan also provided an example of how a combination of existing, user fees, developer impact fees, and Mello-Roos bonds financing could fund the project without placing undue burden on new property owners.

37-34 Comment: Significant improvements are also needed for such infrastructure elements as water treatment (page 3.5-19) and sewage treatment. As with too many of the impacts of this project, the DEIR notes mitigations which amount to no more than some unspecified "plan" to possibly address these costs. Most of the mitigations relate to some unspecified "coordination" between the City and the agencies which must build the projects. Unless the costs of improvements with area-wide benefits are fully assessed as part of this specific plan, and appropriate fees, programs and mitigations included in the plan itself, the fiscal impacts on current residents could be significant. Any other conclusion is speculation.

Because the costs of all project infrastructure components have not been estimated, and because no financing plan is included with the Specific Plan, and because the impacts related to the expanded planning area are not included in any analysis, there is no basis upon which to conclude that the fiscal impacts are insignificant.

Response to Comment 37-34: The Fiscal analysis in the plan was provided to ensure that costs of the Project could be absorbed by the Project and not result in fiscal impacts on existing residents. That analysis shows that Project costs are within an acceptable range to be handled through available funding mechanisms. CEQA does not require the preparation of a financing plan prior to adoption of the plan or certification of the EIR. In fact, CEQA does not require EIR analysis of economic factors at all.

Estimated costs for sewer, water, and storm drainage are included in Appendix 6 of the Specific Plan.

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RECEIVED

OCT 29 1992

DUBLIN PLANNING

Zach Cowan, Attorney at Law
655 Sutter Street, Suite 200
San Francisco, CA 94102

RE: EASTERN DUBLIN GENERAL PLAN AMENDMENT AND EIR

Dear Zach:

I have reviewed the Eastern Dublin General Plan Amendment and Draft Environmental Impact Report in relation to the proposed inclusion of Doolan Canyon within the future development area of the City of Dublin. The City of Dublin, currently with a population of 23,200, wishes to add land area to its boundaries to increase its population by an additional 51,000 people. The Eastern Dublin area alone would more than triple the number of housing units of the existing city from 7,000 to 25,000.

Not only is the City expanding to both the east and west, but it has chosen to try and include land far from its existing boundaries. At the average projected growth for the City of Dublin (ABAG, Projections '92) of 858 units per year, the City of Dublin will not absorb the 28,228 units of its east and west expansion for 32 years. In other words, the City is engaged in a highly premature effort to grab land far in excess of any identifiable need. Moreover, the DEIR conclusively shows that Dublin and its various service agencies have no ability to provide sufficient services or adequate infrastructure for the proposed Specific Plan area, much less the expanded planning area which includes Doolan Canyon.

Dublin's premature actions have already led to speculation on viable agricultural land and the temporary or potentially permanent loss of productive land, as documented in the DEIR. This kind of land grab is clearly in opposition to General Plan law, the guidelines set forth by the legislature governing how and when cities should seek to expand, and Alameda County's General Plan.

Although Dublin's actions will have many negative consequences on Doolan Canyon, it is not within the power of the City of Dublin to incorporate this area without first making a persuasive case for the appropriateness of that action to the independent Local Agency Formation Commission (LAFCo). The DEIR clearly shows that the proposed land grab is both premature and ill considered. My comments below relate specifically to deficiencies and inadequacies in the Draft EIR.

LAND USE

On page 3.1-6, the DEIR states that the CEQA guidelines include four criteria for determining significant impacts in relation to land use. The DEIR claims that Appendix G, found in the CEQA Guidelines, provides a list of those issues which are considered significant impacts under CEQA. The DEIR, in several locations, uses Appendix G to limit its assessment of impacts, and to define what constitutes a significant impact. This premise is completely incorrect. The Guidelines state that "some examples of consequences which may be deemed to be a significant effect on the environment are contained in Appendix G." (Guidelines, Section 15064, emphasis added). The list in "Supplementary Document G" is not intended to limit the scope of analysis to only those listed issues, or to limit the definition of what constitutes a significant impact to exactly those words (such as "prime agricultural land," discussed below) found in this list. The DEIR can certainly use this list as a point of departure, but cannot and should not use this list to limit its analysis to only those issues or those land use concerns included on it.

37-1

However, even beginning with the limited and incorrect premise of the DEIR that limits the discussion to those

items listed in Appendix G, the DEIR provides insufficient evidence to support its conclusions, as discussed below. 37-1 contd.

In regards to agricultural impacts, the DEIR claims that the loss of agricultural lands "is 'significant' if the affected agricultural lands are classified as prime." (DEIR, page 3.1-8) It supports this claim with the item found in the CEQA Guidelines, Appendix G where an example of a significant impact is provided:

Convert prime agricultural land to non-agricultural land or impair the productivity of prime agricultural land. 37-2

As noted above, this is an incorrect reading of CEQA and Appendix G, which is not intended to limit the range of what might be considered a significant impact.

Based on this incorrect premise, it states that because the 'agricultural lands on the Project site are not 'prime', their loss is considered to be an insignificant impact of the project. However, this area is identified in the DEIR as "Locally Important Farmland," as defined by the State. This is strong evidence in support of an assumption that this agricultural area has important value, regardless of whether it meets some undefined criteria as to what constitutes "prime land" (much premium grape growing land is not "prime" agricultural land). Its loss -- and especially its premature loss -- may be significant 37-3

However, even if one accepts the incorrect premise, the finding of "non-prime" land is not supported in the DEIR. The report includes no definition of "prime agricultural land," and no map showing SCS soils classifications in this area. SCS Class I and II soils are generally considered prime agricultural land. At minimum, the DEIR should provide appropriate definitions and include sufficient evidence to support its conclusion. 37-4

The DEIR also concludes that discontinuation of agricultural use is "not a significant impact". This conclusion is based on the fact (page 3-1-8) that "non-renewal of [the property owners] Williamson Act contracts seem to indicate that the loss of agricultural activity in these areas may be a foregone conclusion with or without the Project." This is an unsupported opinion by the EIR authors and should be deleted. The non-renewal of Williamson Act contracts is exactly the kind of property-owner response that would be expected from the highly premature actions by the City of Dublin to annex distant areas such as Doolan Canyon. It is to prevent this kind of premature loss of agricultural productivity that LAFCo's were created and that cities were discouraged from sprawling. The premature loss of agricultural land (in regards to Doolan Canyon the potential loss of productivity would occur some 30 years prior to any projected need for that land) is clearly a significant impact of the General Plan amendment and should be identified as such in the EIR. 37-5

Finally, the DEIR ignores the final measure it identifies (from the incorrectly cited Appendix G) of what constitutes a significant land use impact: "conflict with adopted environmental plans and goals of the community . . ." The adopted environmental plan for the Doolan Canyon area is the County's General Plan which calls for continued agricultural, recreational and open space use. Some members of the Doolan Canyon "community" have previously voiced a strong desire to remain a rural community and not be included in the City of Dublin (see Doolan Road/Croak Road Sphere of Influence Study and EIR, February 28, 1990). The fact that the City of Dublin would like to change the character of the community does not change the terms of the impact discussion which is on the existing community. This change in character is a significant environmental impact of the project and the EIR discussion should be modified accordingly, based on its own criteria. 37-6

On page 3.1-13, the DEIR concludes that the impacts on surrounding lands is insignificant because, "most of the Project's Rural Residential and Open Space lands are located on the Project site perimeter . . . provid[ing] a buffer between the Project and adjoining agricultural lands." This statement is both inaccurate and short-sighted. First, the development map (and much previous discussion) has found significant proposed development on land in every valley leading to or out of the project area. Unfortunately, the report does not document the location of proposed 37-7

nearby projects or other development adjacent to the proposed project which could be influenced by the project. As noted in later sections, there is no policy in the Specific Plan for the permanent maintenance of rural residential designations, implying continuing development pressure on any "rural residential" lands in the project area. Finally, any city which proposes to plan for the development of land which will not be absorbed for 32 years encourages and promotes speculation and sprawl on all surrounding land in the vicinity of the city. Such planning, by its nature, is a significant growth inducing impact of the project and should be identified as such in the EIR.

37-7 contd.

A proposed mitigation that all land designated for rural residential include permanent deed restrictions and conservation easements on undeveloped portions of the property should be included in the land use section to reduce somewhat (but not completely) the very significant impacts on surrounding agricultural areas and the growth inducing impacts of this project.

37-8

Consistency With Relevant Land Use Plans and Policies

This section, beginning on page 3.1-17 should discuss the consistency of the project with Alameda County LAFCo policies and State law. Those policies include LAFCo's adopted policies on the preservation of agricultural land, and State law which states that the purpose of a LAFCo is to discourage sprawl. The DEIR should conclude that the proposed project is inconsistent and contrary to LAFCo policies and State law which governs LAFCo.

37-9

3.1-20 Consistency with Alameda County General Plan

The section (page 3.1-20) on consistency with the Alameda County General Plan notes that the current County Plan calls for Doolan Canyon to remain in open space. However, the DEIR fails to indicate that the proposed designation of Doolan Canyon for development, as shown in the draft General Plan amendment, is inconsistent with the Alameda County General Plan. This should be clearly indicated.

37-10

Consistency with General Plan law

Because the proposed project is a General Plan amendment, it is relevant for the DEIR to assess the proposed amendment for its conformance with General Plan law. General Plan law states that the provision of infrastructure, including sewers, water and other facilities, must all be correlated with the land use element (see General Plan law in regards to the requirements of a Circulation Element). In other words, a city must be able to demonstrate that it can provide adequate infrastructure to serve its planned development. The DEIR clearly shows that Dublin and its relevant service agencies cannot demonstrate an ability to provide adequate sewage treatment capacity, water supply or roads to serve the Doolan Canyon area (as described in later comments). The DEIR should therefore find lack of consistency with applicable State law in regards to this proposed General Plan amendment.

37-11

Consistency with Service Agency Plans

Although various service agency plans are cited and discussed in other sections, they are not addressed in this section. The DEIR should discuss the existing plans of the various service agencies, including DSRSD, TWA, Zone 7 and others, and the consistency of the proposed project with those plans. Do current plans foresee providing services to the whole project area? Do current plans of these service agencies include plans to provide services for the level of growth identified in the plan area? Do these agencies have policies or service standards which apply to the Plan area? These issues should be addressed or cited in this section.

37-12

POPULATION, HOUSING AND EMPLOYMENT

For reasons not explained in the DEIR, it uses a 2 person per household assumption for its estimate of population growth in regards to high, medium high and medium density housing. This is used despite the average household size in Dublin in 1990 of 2.86 (ABAG, Projections '92). While a lower than average household size would be expected in smaller, higher density units, two persons per household is very low. Information is available for average household size by type of unit from the State Department of Finance. Moreover, information from the Census can be extracted to arrive at reasonable estimates of average household size. This issue is critical because estimates of many impacts are based on population: estimates of sewage generation, school impacts, water use, and a variety of others are based on the number of people. 37-13

A DEIR should err on the conservative side (in this instance, higher average sizes) -- unless there is strong evidence to support an alternative -- in order not to underestimate the impacts of the project. The much lower average household size used in the report for the medium and higher density housing must be substantiated.

TRAFFIC IMPACTS

For reasons unexplained in the DEIR, the evaluation of impacts on freeways extends only to the year 2010. This may be because all of the freeways are already at level of service E (congested) or have exceeded their design capacity long in advance of the project reaching build-out. Build-out assessments -- both for the full General Plan amendment area, and the build-out cumulative impact which includes Tri-Valley development -- must be provided to assess the impacts of the full project (including annexation of Doolan Canyon) on existing freeways. 37-14

The DEIR correctly notes that both existing freeways serving the project area will exceed their design capacity (Level of Service F) by the year 2010, and that at least one freeway cannot be widened to meet expected need. It also correctly notes that proposed transportation demand management programs (TDM) cannot mitigate these impacts.

In its mitigation discussion, the DEIR proposes that CALTRANS "could construct auxiliary lanes on I-580 . . ." 37-15
This is not a satisfactory mitigation because there is no indication that the mitigation can be implemented. This proposed mitigation is equivalent to a statement that a plan will be developed for mitigating an impact. This is not permitted under CEQA. Until appropriate mitigations can be identified showing how the project can mitigate its impacts, the impact should be considered significant. The point of a General Plan is to ensure that cities can address their infrastructure needs (as discussed under the previous comments). Creating later "plans" for addressing significant impacts is not permitted under either General Plan law or CEQA.

The analysis of impacts on non-freeway roads uses a 2010 analysis for some roads and a "cumulative build-out analysis" for others. The reasoning for the different analysis, and for the use of a less-than-build-out analysis for any road, is not explained. The analysis should be revised so that all project-level analysis is consistent and done for the build-out scenario, and all cumulative analysis is done for the build-out plus cumulative scenario. 37-16

COMMUNITY SERVICES

Police and Fire

The mitigation proposed for the project impacts on police and fire services (pages 3.4-2, and 3.4-4) is, essentially, that a plan will be prepared to meet expected need. Preparing a plan to mitigate an impact is unacceptable under CEQA. How the City intends to meet police and fire service needs must be specifically described in the Specific Plan or in the DEIR for the Specific Plan area, and in the DEIR for the expanded eastern plan area (including Doolan Canyon). 37-17

In regards to wildfire management, the EIR states that the City "shall prepare a wildfire management plan for the project area." This is not sufficient. The DEIR must describe how wildfire impacts shall be mitigated. The proposal for very low density uses and low density development adjacent to grassland areas and hills is an obvious wildfire problem. Many alternative means for protecting against wildfire would require either considerable modification of the landscape, or significant increases in the use of water, both of which would have their own significant environmental impacts.

37-18

CEQA requires that the probable impacts of a land use plan be considered before adoption. If there is some potential that the proposed project cannot be implemented due to serious wildfire impacts or unacceptable environmental affects of mitigation, then that issue should be addressed now. It is unsupported speculation that the proposed "plan" can reduce the impact to a level of insignificance as claimed on page 3.4-7. This finding should be deleted until the plan is fully identified and its impacts assessed.

37-19

SEWER, WATER AND STORM DRAINAGE

In this section, the DEIR continues to seek to limit the determination of what constitutes significant impacts on sewer, water and other infrastructure elements to those items found in Appendix G. For example, the DEIR claims that "CEQA Guidelines: Appendix G defines significant effects of a project on the environment." (page 3.5-17 emphasis added; similar language on page 3.5-25). As discussed above, Appendix G includes only examples of significant impacts and does not define significant impacts. To the degree that this DEIR has limited its analysis of impacts and determination of significance under the mistaken assumption that only those found in Appendix G are significant, it has failed to accomplish the most basic requirement of CEQA which is to undertake an independent analysis of significant affects based on a particular environmental situation. Although it is difficult to determine how this assumption has pervaded this document, it is possible that this is a fatal flaw in the DEIR.

37-20

Wastewater Collection and Treatment

The DEIR discusses three scenarios for the ultimate capacity of the TWA system (page 3.5-3) which is to provide wastewater disposal for the plan area and for much of the growth planned for the Tri-Valley area. Each scenario assumes some level of development in the Tri-Valley area. The DEIR should state if the Specific Plan and expanded planning area are included in all of the scenarios for the TWA wastewater system.

37-21

The DEIR asserts on page 3.50-9 that the TWA wastewater export line has capacity for the whole eastern Dublin area, including Doolan Canyon. It is my understanding that this is not the case. In fact, the DEIR states on page 3.5-32 that "the most recent DSRSD planning was completed in March 1991 . . . exclusive of Doolan Canyon."

37-22

The DEIR should therefore provide support for its finding of potential sufficient capacity for Doolan Canyon and the expanded Eastern Planning area. No determination can be made regarding the impacts of this project until this information is included. If TWA planning has not included the whole plan area, then this project further exacerbates an already significant wastewater disposal problem.

The TWA project is still in the planning stages. Several of the scenarios would not allow for full development of the plan area. The DEIR fails to note the possibility that the final approved TWA project may not have sufficient capacity. Lack of sufficient wastewater disposal capacity would clearly be a significant potential impact. Any other finding is highly speculative. Given the lack of an approved TWA project, and the draft nature of the analysis at this time, virtually all of the sections regarding TWA (page 3.5-9 - 3.5-12) are speculative at best. The analysis should find that the impacts of this project are potentially significant. Moreover, as noted in many instances in these comments, a "plan" for mitigation is not mitigation. At this time, there is not even an approved plan, and there is certainly no mitigation in the project for its impacts.

37-23

The EIR should include an assessment of the cumulative demands on the TWA system from all development likely

37-24

to use the system (as identified in the Cumulative Plus Build-out scenario identified for traffic analysis).

Increase in Demand for Water

The DEIR finds on page 3.5-14 that there is insufficient committed water sources to support the build-out population of existing Tri-Valley city General Plans, not including the proposed Eastern Dublin area. Once again, the DEIR fails to note whether the Doolan Canyon area is included in any of the Zone 7 water plan scenarios ("prospective General Plans," as noted on page 3.5-14). It is my understanding that development in Doolan Canyon as proposed in the Dublin General Plan amendment is not part of any current plan for the Zone 7 system. Evidence is required to indicate what portions of the Doolan Canyon area are being included in Zone 7 planning, and what amount of development in the plan area is under consideration in those plans.

37-25

Despite the lack of any committed source for water, the DEIR concludes that because there is an undefined and unexplained "plan" and some "potential sources" to possibly meet water demand, the impacts of this additional demand is an insignificant impact. This finding is speculative and unsupported, given the lack of any committed water source or definitive commitment from Zone 7 to supply water to this area. That Zone 7 has made some unspecified analysis of its needs and requirements to meet future supply needs (mitigation 3.5/28.0) is different from identifying how Zone 7 will actually ensure an adequate supply of water for the project area. Zone 7's "plan" to supply water is not mitigation of the impacts of the project; a "plan" is not a mitigation measure under CEQA. An analysis of need is also inadequate provision for infrastructure as required by General Plan law.

37-26

Each increment of new demand increases the potential impacts on an insufficient supply, and the potential impacts on existing customers if the "plan" for water supply cannot be implemented. The demand created by the project, and especially by the Expanded planning area, should be identified as a significant unmitigated impact.

37-27

The DEIR should conduct a cumulative impact assessment that examines all water demand expected from the project, plus cumulative impact in the areas likely to demand water (the Build-out plus cumulative growth scenario identified in the traffic section) and compare that demand to committed Zone 7 supplies. The shortfall should be identified and water sources identified and information submitted indicating an ability to commit that water.

37-28

Water Distribution System

Throughout this DEIR, the DEIR continues to state that plans and some later analysis will mitigate impacts to levels of insignificance. This occurs once again in regards to the lack of a water distribution system. Mitigation measure 3.5/34.0, 3.5/35.0 and 3.5/36.0 (DEIR page 3.5-20) are all related to future analysis and planning. It is unclear why the DEIR or the background analysis for the Specific plan and General Plan amendment have not conducted the required analysis to determine the impacts and feasibility of proposed mitigations. For example, in regards to MM 3.5/35.0, the mitigation states that analysis is needed to verify "the conceptual backbone water distribution system." Given that the proposed system has obviously not been analyzed, it is unclear how the DEIR can come to any conclusion regarding the level of impact. Given a lack of analysis, it is unclear how the DEIR could arrive at the conclusion that the impacts would be reduced by the project to an insignificant level.

37-29

AIR QUALITY IMPACTS

On page 3.11-2, the DEIR asserts that ABAG included the project area (including Doolan Canyon) in its Bay Area Clean Air Plan. I do not believe the CAP includes the level of development foreseen in the project area, and nowhere near the level of development in Doolan Canyon as identified in this DEIR. The DEIR should specify the degree to which the CAP has taken into account the development levels now proposed for the project area. Second, the plan should indicate the consistency of the proposed project with the CAP.

37-30

In its discussion of mobile source emissions, the air quality analysis should consider the cumulative impacts of all

37-31

projects in the basin, as identified for the traffic analysis. It is not clear why the traffic analysis includes a build-out cumulative impact assessment, and the air quality impacts do not reflect that assessment, especially since the DEIR notes that the project "will impact air quality primarily through transportation-related vehicular exhaust emissions." 37-31 contd.

FISCAL CONSIDERATIONS

Although not necessarily required by CEQA, the DEIR has chosen to include a "Fiscal Considerations" section. Included in the analysis are only those impacts on the City of Dublin budget. However, the DEIR claims to also consider issues which may require "the City's existing residents to pay for infrastructure which benefits only the new development. . ." (DEIR, page 3.12-2). While the City does not provide sewage treatment or disposal, water, parks, fire services or schools, the City's residents pay for these services and infrastructure. To have a full picture of the impacts on City residents, the analysis should examine the costs of providing the infrastructure and on-going maintenance of these other facilities relative to the income expected from fees and taxes. 37-32

For example, the maximum school impact fee permitted under State law does not pay for the costs of new schools. Under recent court decisions, additional fees may only be charged if specifically assessed as mitigation to the impacts of this General Plan amendment. No such mitigations or fees are identified in the Specific Plan. The impacts on schools of this proposed project will be significant, and the proposed mitigations related to "working with the district" or later establishment of a funding mechanism does not address the impact. 37-33

Significant improvements are also needed for such infrastructure elements as water treatment (page 3.5-19) and sewage treatment. As with too many of the impacts of this project, the DEIR notes mitigations which amount to some unspecified "plan" to possibly address these costs. Most of the mitigations relate to some unspecified "coordination" between the City and the agencies which must build the projects. Unless the costs of improvements with area-wide benefits are fully assessed as part of this specific plan, and appropriate fees, programs and mitigations included in the plan itself, the fiscal impacts on current residents could be significant. Any other conclusion is speculation. 37-34

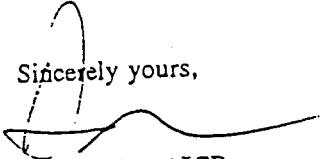
Because the costs of all project infrastructure components have not been estimated, and because no financing plan is included with the Specific Plan, and because the impacts related to the expanded planning area are not included in any analysis, there is no basis upon which to conclude that the fiscal impacts are insignificant.

In conclusion, the DEIR begins with and uses an incorrect premise in regards to its measure of significant impacts. Its conclusions in regards to most infrastructure impacts are speculation unsupported by the analysis in the document or in cited documents. Several of its analytical sections do not assess cumulative impacts of the project plus reasonably foreseeable projects in the area. In some instances the DEIR neglects to assess the impacts of full build out of the proposed project. Many of its proposed mitigations call for unspecified "plans" at which time a true mitigation will actually be identified and its impacts assessed.

Overall, this DEIR is clearly inadequate and should be revised and recirculated.

Thank you for the opportunity to comment. I hope these remarks are useful.

Sincerely yours,


Dan Marks, AICP

Response to Letter 38: Marjorie LaBar, Preserve Area Ridglands Committee

- 38-1 **Comment:** The EIR recommends adding additional lanes to I-580 between Tassajara Road and Airway Blvd. to mitigate traffic impacts in M/M 3.3/3.0. However, no funding mechanism is included. Without an estimate of costs and means to provide that funding it is impossible to determine the feasibility of this mitigation.

This particular measure is not on the funding priority lists for state or federal funds and is not part of the Alameda County Congestion Management Plan. If this suggestion is to be considered a feasible mitigation some estimate of the cost and a funding mechanism must be considered as part of the EIR process.

Response to Comment 38-1: Funding for widening of I-580 will come from future development, including development in Eastern Dublin. The proposed widening is consistent with the ultimate configuration for I-580 described in the Caltrans Route Concept Report for I-580.

- 38-2 **Comment:** The assumption that the City of Pleasanton would be willing to give up traffic capacity designated to mitigate impacts within Pleasanton paid for by Pleasanton development in order to mitigate Dublin traffic impacts is at best highly questionable as witnessed by the response from the Pleasanton Traffic Engineer. Mitigation measure 3.3/9.0 should be dropped and the cost of adding new lanes and the means for funding should be included as part of the EIR.

Response to Comment 38-2: Mitigation measure MM 3.3/9.0 has been revised to specify widening of the off-ramp rather than restriping. See response to Comment 7-11 and the revised transportation text included as an attachment to this Final EIR.

- 38-3 **Comment:** The EIR economic studies for this project fail to consider the loss of sales tax revenues as experienced in the last three years. What is the actual amount of sales tax revenue needed to fund city services? What assumptions were used to anticipate revenues? It is impossible to determine the adequacy of funding measures without estimates of how revenue will be raised. It has been suggested that over 280 million dollars for community facilities and improvements be funded by the use of the Mello-Roos bonds. What type of density will be required to raise sufficient amounts of money without burdening the properties with more than 2% of its value as recommended by prudent bonding practice? What is the minimum amount of development which must be absorbed for each year in order to raise sufficient funds? As the loss of financial stability by the City of Dublin would be a significant impact on all citizens of the community, these questions should be explored in greater depth in the EIR.

Response to Comment 38-3: The Eastern Dublin Fiscal Analysis describes assumptions and sources of revenues, including other revenue sources besides sales taxes (Table III-9 in the Fiscal Analysis). Density is not as critical as value in calculating cost burden. Densities assumed in the fiscal analyses are outlined in the General Plan/Specific Plan Land Use descriptions. The amount of development which must be absorbed varies yearly, as shown in the Financing Plan, Table 10-2. The important point is that if absorption slows down, capital investment will slow down also.

- 38-4 **Comment:** The impacts of probable increases in fees by other agencies which must expand facilities and capacity are not included in the financial analysis. That is the financing mechanism contemplated by the Tri-Valley Wastewater Authority to fund the new sewer lines

and capacity through Contra Costa County? If this agency is contemplating Mello Roos bonds and/or expanded developer fees these factors must be addressed to accurately assess the financial and economic impacts of the proposed expansion.

Response to Comment 38-4: TWA will set up its own financing system, probably resulting in connection fees and service charges to new property owners.

- 38-5 **Comment:** No mention is made of a probable increase in water hook-up fees to fund new sources of supply. It is unrealistic to assume that the current fee structure will remain if new development will actually be required to pay for expansion. These ancillary issues have a direct impact on the feasibility of the Specific Plan and must be addressed. Simply listing known methods of funding without determining how those methods would function for this proposal does not adequately address fiscal impacts.

Response to Comment 38-5: As with TWA, DSRSD will set up its own financing system, probably resulting in connection fees and service charges to new property owners.

- 38-6 **Comment:** The alternative analysis does not contain any development alternative which can be fully mitigated. The current alternatives do not address the massive impacts of this project which cannot be mitigated. The alternatives analysis should include an environmentally superior alternative which also addresses the fiscal impacts of the favored alternative. Members of the community have suggested a project alternative which covers a smaller area and changes land uses to address the Airport Protection Area. The EIR should include an alternative which does not include development in the environmentally sensitive northern and northeastern portions of the Specific Plan area. This alternative should also include an analysis of the use of reclaimed water for all public and semi-public landscaping including lawns, playing fields, water features, and habitat enhancement. A comparison of the costs of treating water for unrestricted use and the costs if the TWA sewer expansion and new water sources should be conducted. It should be determined whether reverse osmosis will be required to maintain water quality in the ground water basin. The remaining area should be zoned to encourage commercial and industrial uses in the Airport Protection Area and pedestrian scaled residential areas around the town center. A comparison of the anticipated tax revenue and costs of expanded services for this alternative and the favored alternative should be included. The new alternative should strive to maintain a jobs/housing balance. The inclusion of such an alternative will allow for a more accurate assessment of the costs of urban sprawl.

Response to Comment 38-6: See Response to Comment 23-13 regarding the analysis of alternatives. CEQA does not require the development of an alternative that fully mitigates all impacts. Also, see responses to Letter 2 from the Pilots to Protect the Livermore Airport and Letter 28 regarding airport issues.

- 38-7 **Comment:** The EIR fails to address the Airport Protection Area proposed by the Alameda County Airport Land Use Commission. General aviation airports are being lost at an alarming rate throughout California due to urban sprawl. The fact the City of Dublin does not approve of the proposed zone does not entitle the City to ignore this impact. An airport protection zone of some kind will be enacted soon. Therefore, it is incumbent on the City of Dublin to address this issue. The airport is an economic asset to the region which will increase with time. The protection zone does not preclude development in the area specified as a protection zone. The object is to limit residential uses which are sensitive to noise. The EIR should examine how relocating residential uses might be accomplished.

Response to Comment 38-7: See responses to Letter 2 from the Pilots to Protect the Livermore Airport and Letter 28.

- 38-8 Comment: The EIR fails to address the geologic hazards found by the California Department of Mines and Geology survey published in 1991. The City of Dublin was informed of this new information in a response to the Notice of Preparation submitted by Carolyn Morgan and was repeatedly requested during public hearings. The planning area contains many geologic hazards. Failure to fully address those hazards could leave the City liable for damages should problems occur after development. The 1991 surveys should be included as part of the re-circulated EIR. Any mitigation measures for geologic hazards which recommend mass grading should include an analysis of the impacts of the proposed repair and new land use on the surrounding area.

Response to Comment 38-8: The EIR addresses slope stability issues (landslide hazard) in a more detailed manner than the referenced CDMG publication. See response to Comment 17-18.

- 38-9 Comment: Studies conducted for the presence of the endangered San Joaquin Kit Fox are inadequate and outdated. Reported sightings of the fox near Dougherty Road and other sightings in southern Contra Costa County and San Joaquin County indicate a northern expansion of Kit Fox range. The current data is insufficient to substantiate claims that the Kit Fox is not present in the area. If this creature is detected after development begins delays to ongoing projects could be substantial. New studies should include expanded use of photo stations as required by the U.S. Department of Fish and Wildlife. Recent surveys have required six nights with four stations per square mile which is far beyond the minimal search techniques used in East Dublin. A plan for mitigation of lost habitat should be a part of the EIR. The City of Dublin has unique opportunity to work jointly with Livermore, San Ramon, Contra Costa County, and the Contra Costa County Water District to provide habitat mitigation for the Kit Fox and other rare or endangered species and provide open space for its residents. This possibility should explored as part of the EIR.

Response to Comment 38-9: The general distribution and known locations for the San Joaquin kit fox are discussed in the document (see DEIR, APP/D and APP/E) (also see response to comments, #20-3, #20-4, #20-5, and #22-14).

Focused surveys for kit fox were conducted by BioSystems in 1989, following survey methods suggested by Orloff (1992) and incorporated several additional procedures (see page APP-D/8 and page APP-E/1). The Eastern Dublin survey predated California Department of Fish and Game Region 4 protocol (CDFG 1990). However, CDFG survey guidelines were essentially adopted from the procedures established by Orloff (1992). Harvey and Associates (1991) conducted standardized surveys (CDFG Region 4) for kit fox in portions of the Eastern Dublin Specific Plan Area (see page APP-E/2).

USFWS has not responded to the DEIR. USFWS personnel have been contacted on several occasions over the past five years and have indicated that a Section 10A permit will probably not be requested for the Eastern Dublin project area, assuming that no new evidence of kit fox presence is revealed (Kohl pers. comm. 1990, Simons pers. comm. 1992, and Laymon pers. comm. 1992) (also see response to comment 22-14).

Field survey protocol to detect the presence and distribution of wildlife species are and should always be, evaluated and revised in response to how well they their meet goals and objectives. Generally, USFWS and CDFG personnel concur with our conclusions that additional surveys are not going to clarify kit fox issues in the Eastern Dublin Project area

(Kohl and Simons, pers. comm. 1992, and Wilcox, pers. comm. 1992).

- 38-10 **Comment:** The Tiger Salamander is present in the study area and has been documented by homeowners in the area. The amphibian is currently listed as a Species of Special Concern and may soon be listed as rare or endangered due to loss of habitat. No plan has been presented to preserve the estivation sites and migration routes to wetland areas needed for breeding. Full studies to locate salamander breeding sites, estivation sites, and migration routes should be included in the re-circulated document. Mitigation plans for the preservation of these important habitat areas need to be addressed in the EIR.

Response to Comment 38-10: California Tiger Salamander are known from the vicinity of the Project area and are addressed in the DEIR (see page 3.7-5, MM 3.7/6.0-15.0, MM 3.7/20.0-22.0, APP/D-19-20 and 29), (also see response to comments, #20-3, and #20-7). One resident of Doolan Canyon that was interviewed reported what may have been a tiger salamander in a water meter box next to her house (Morgan pers. comm. 1988). This report cannot be independently substantiated. If there are other confirmed observations please contact the California Department of Fish and Game, Natural Diversity Data Base and the City of Dublin.

- 38-11 **Comment:** The expanded studies should not be done until substantial rainfall has occurred. Six years of drought and recent more intensive cattle ranching and rodent poisoning have severely degraded the area. Biotic studies should consider what the habitat value of the area would be if human intrusions were limited. Of special concern should be the wetland areas which have survived drought. It should be noted that in the past, several landowners have threatened to destroy impoundments to prevent classification as wetland. This behavior can not be tolerated as many of those sources were developed from naturally occurring water sources which pre-date human occupation of the area. Please note the destruction of a tree favored by the resident Golden Eagle has already occurred which gives us cause for concern of other important habitat resources. The open space preservation element of the Specific Plan relies on agricultural zoning to provide open space protection. This practice will not meet the needs of habitat protection. No permanent protection of critical habitat areas is provided by public ownership, easement, or deed restriction.

Response to Comment 38-11: The amount of rainfall and livestock grazing are certainly important factors influencing the pattern and condition of the natural resources in the Eastern Dublin Project area. We address and discuss this issue several times in section 3.7 and Appendix D. To ensure that the presence of special status species has not been missed because of adverse conditions, the EIR (MM 3.7/20.0) requires pre-construction surveys 60 days prior to habitat modification.

The DEIR and plan identify four types of "open space" areas that provide wildlife habitat in the Eastern Dublin Project area. The extent of each of these habitats are shown in Table 3.7-3 (see response to Comment 20-1). In addition, see responses to comments 20-2 through 20-5.

Chapter 6.2.4 of the Specific Plan discusses the concept of securing more of the privately held Rural Residential land as public open space in order to provide more protection for these areas (see Response to Comment 14-3). The exact mechanisms for accomplishing this will have to be worked out by the City once the Plan has been adopted. The Planning Commission in its review of the Plan has recommended that the City support the concept of Transfer of Development Rights (TDR's) as a means of removing the limited development potential from the Rural Residential areas. This would provide greater protection for these areas, but would also be a logical first step toward securing them as permanent open space.

- 38-12 **Comment:** The EIR fails to address the impact of tens of thousands of new people using the current regional park resources such as Del Valle Reservoir, Shadow Cliffs, Pleasanton Ridgeland, and Morgan Territory Parks. The EIR should include mitigation measures such as the dedication of land for a new regional resource or the expansion of existing resources. The provision of neighborhood parks and playing fields does not address the impact on regional resources. As mentioned earlier, agricultural zoning for private open space does not mitigate for the impact of thousands of new residents on current resources.

Response to Comment 38-12: See Response to Comment 14-2.

- 38-13 **Comment:** Discussions of the Extended Planning Area fail to address provisions of the Cortese/Knox Reorganization Act which do not allow for conversion of agricultural land while other land is still available. As construction in the Specific Plan Area has not begun much less approached build-out, discussion of the urbanization of the Extended Area is premature. Please note while the area does not contain prime agricultural soils, it is still considered an important agricultural resource in terms of the law because of commercial cattle grazing.

Response to Comment 38-13: See responses to Letter 24 from Alameda County LAFCO.

- 38-15 **Comment:** It is hoped that the re-circulation of the EIR will not occur with the undue haste of this draft. It was stated that this action was forced by a time line imposed by the Alameda County LAFCO. Further investigation of this allegation have found that such is not the case. The only deadline imposed by LAFCO is that all material must be presented two months before a hearing date for staff purposes. The only enforced time limit appears to be in the minds of the Dublin City Council. We hope that Dublin will enter into an agreement with the city of Livermore to delay bringing any sphere of influence change before LAFCO for six months after the re-circulation of the EIR as requested during the public hearings. Due to reluctance of city officials to discuss an extension of the planning process, Dublin residents have contacted the Livermore Planning Department and requested that no plan for the contested area be transmitted to LAFCO until adequate time had been allowed to assess the impacts of the Dublin plan. The Planning Director seemed more than willing to discuss a delay. It is also hoped that new hearings be scheduled with expanded noticing to the public. A specific Plan of this size and scope and with such massive regional impact requires a much greater depth of preparation than has been demonstrated by the EIR.

Response to Comment 38-15: Comment acknowledged.

Marjorie LaBar
11707 Juarez Lane
Dublin, CA 94568
510-829-6096

RECEIVED
OCT 29 1992
DUBLIN PLANNING

October 29, 1992

Dear Planning Commissioners:

The following comments are being submitted on behalf of Preserve Area Ridgeland Committee. The Environmental Impact Report for the East Dublin Specific Plan and General Plan Amendment is inadequate and should have further studies done in the following areas:

- * The recommended freeway congestion mitigation contains no mention of costs or any method of financing such improvements as the mitigation measures are not currently amongst those considered for state or federal funding.
- * The feasibility of requiring the City of Pleasanton to relinquish a portion of its capacity on the Santa Rita Road interchange to mitigate for Dublin traffic impacts is highly questionable.
- * Economic studies which discuss the amount of sales tax revenue required to fund the expansion of city services are lacking.
- * No economic analysis is included to demonstrate the required density to maintain a 2% maximum for bonded indebtedness for community facilities and other improvements required by most reputable bonding agents.
- * No project alternative is discussed which allows development which can be fully mitigated.
- * The EIR fails to adequately address the proposed Airport Protection Area.
- * The EIR fails to address the geologic hazards found by the latest California Department of Mines and Geology survey even though the City of Dublin was made aware of the availability of the most recent maps at the Notice of Preparation for the EIR.
- * The biotic studies for the presence of the San Joaquin Kit Fox are inadequate given nearby sightings and the evidence of a northern expansion of its range.

- * No mitigation is recommended for the tiger salamander which is currently listed as a Species of Special Concern and has very specialized habitat requirements.
- * No mitigation of the impacts of a massive influx of population on current regional park facilities is included.
- * The EIR fails to address section 56377 of the Cortese\Knox Reorganization Act which requires the conversion of all lands within a city sphere before planning expansion in into new areas currently in use for commercial agricultural purposes.

We hereby request that the above mentioned studies be completed as explained below and the new document be recirculated for at least ninety days to allow the impacted agencies, jurisdictions, and citizens adequate time for response.

TRAFFIC

The EIR recommends adding additional lanes to I-580 between Tassajara Road and Airway Blvd. to mitigate traffic impacts in M/M 3.3/3.0. However, no funding mechanism is included. Without an estimate of costs and means to provide that funding it is impossible to determine the feasibility of the this mitigation.

This particular measure is not on the funding priority lists for state or federal funds and is not part of the Alameda County Congestion Management Plan. If this suggestion is to considered a feasible mitigation some estimate of the cost and a funding mechanism must be considered as part of the EIR process.

The assumption that City of Pleasanton would be willing to give up traffic capacity designed to mitigate impacts within Pleasanton paid for by Pleasanton development in order to mitigate Dublin traffic impacts is at best highly questionable as witnessed by the response from the Pleasanton Traffic Engineer. Mitigation measure 3.3/9.0 should be dropped and the cost of adding new lanes and the means for funding should be included as part of the EIR.

ECONOMICS AND INFRASTRUCTURE FUNDING

The EIR economic studies for this project fail to consider the loss of sales tax revenues as experienced in the last three years. What is the actual amount of sales tax revenue needed to fund city services? What assumptions were used to anticipate revenues? It is impossible to determine the adequacy of funding measures without estimates of how revenue will be raised. It has been suggested that over 280 million dollars for community facilities and improvements be funded by the use of Mello-Roos bonds. What type of density will be required to raise sufficient amounts of money without burdening the properties with more than 2 % of it value as recommended by

prudent bonding practice? What is the minimum amount of development which must be absorbed for each year in order raise sufficient funds? As the loss of financial stability by the City of Dublin would be a significant impact on all citizens of the community, these questions should be explored in greater depth in the EIR. 38-4 contd.

The impacts of probable increases in fees by other agencies which must expand facilities and capacity are not included in the financial analysis. What is the financing mechanism contemplated by the Tri-Valley Wastewater Authority to fund the new sewer lines and capacity through Contra Costa County? If this agency is contemplating Mello Roos bonds and/or expanded developer fees these factors must be addressed to accurately assess the financial and economic impacts of the proposed expansion. 38-5

No mention is made of a probable increase in water hook-up fees to fund new sources of supply. It is unrealistic to assume that the current fee structure will remain if new development will actually be required to pay for expansion. These ancillary issues have a direct impact on the feasibility of the Specific Plan and must be addressed. Simply listing known methods of funding without determining how those methods would function for this proposal does not adequately address fiscal impacts. 38-6

PROJECT ALTERNATIVES

The alternatives analysis does not contain any development alternative which can be fully mitigated. The current alternatives do not address the massive impacts of this projects which cannot be mitigated. The alternatives analysis should include an environmentally superior alternative which also addresses the fiscal impacts of the favored alternative. Members of the community have suggested a project alternative which covers a smaller area and changes land uses to address the Airport Protection Area. The EIR should include an alternative which does not include development in the environmentally sensitive northern and northeastern portions of the Specific Plan area. This alternative should also include an analysis of the use of reclaimed water for all public and semi-public landscaping including lawns, playing fields, water features, and habitat enhancement. A comparison of the costs of treating water for unrestricted use and the costs of the TWA sewer expansion and new water sources should be conducted. It should be determined whether reverse osmosis will be required to maintain water quality in the ground water basin. The remaining area should be zoned to encourage commercial and industrial uses in the Airport Protection Area and pedestrian scaled residential areas around the town center. A comparison of the anticipated tax revenue and costs of expanded services for this alternative and the favored alternative should be included. The new alternative should strive to maintain a jobs/hosing balance. The inclusion of such an alternative will allow for a more accurate assessment of the costs of urban sprawl. 38-7

AIRPORT PROTECTION ZONE

The EIR fails to address the Airport Protection Area proposed by the Alameda County Airport Land Use Commission. General aviation airports are being lost at an alarming rate throughout California due to urban sprawl. The fact the City of Dublin does not approve of the proposed zone does not entitle the city to ignore this impact. An airport protection zone of some kind will be enacted soon. Therefore, it is incumbent on the City of Dublin to address this issue. The airport is an economic asset to the region which will increase with time. The protection zone does not preclude development in the area specified as a protection zone. The object is to limit residential uses which are sensitive to noise. The EIR should examine how relocating residential uses might be accomplished. 38-8

GEOLOGIC HAZARDS

The EIR fails to address the geologic hazards found by the California Department of Mines and Geology survey published in 1991. The City of Dublin was informed of this new information in a response to the Notice of Preparation submitted by Carolyn Morgan and was repeatedly requested during public hearings. The planning area contains many geologic hazards. Failure to fully address those hazards could leave the City liable for damages should problems occur after development. The 1991 surveys should be included as part of the re-circulated EIR. Any mitigation measures for geologic hazards which recommend mass grading should include an analysis of the impacts of the proposed repair and new land use on the surrounding area. 38-9

BIOTIC CONSIDERATIONS

Studies conducted for the presence of the endangered San Joaquin Kit Fox are inadequate and outdated. Reported sightings of the fox near Dougherty Road and other sightings in southern Contra Costa County and San Joaquin County indicate a northern expansion of Kit Fox range. The current data is insufficient to substantiate claims that the Kit Fox is not present in the area. If the this creature is detected after development begins delays to ongoing projects could be substantial. New studies should include expanded use of photo stations as required by the U.S. Department of Fish and Wildlife. Recent surveys have required six nights with four stations per square mile which is far beyond the minimal search techniques used in East Dublin. A plan for mitigation of lost habitat should be a part of the EIR. The City of Dublin has unique opportunity to work jointly with Livermore, San Ramon, Contra Costa County, and the Contra Costa County Water District to provide habitat mitigation for the Kit Fox and other rare or endangered species and provide open space for its residents. This possibility should be explored as part of the EIR. 38-10

The Tiger Salamander is present in the study area and has been documented by homeowners in the area. This amphibian is currently listed as a Species of Special Concern and may soon be listed as rare or endangered due to loss of habitat. No plan has been presented to preserve the estivation sites and migration routes to wetland areas needed for breeding. Full studies to locate salamander breeding sites, estivation sites, and migration routes should be included in the re-circulated document. Mitigation plans for the preservation of these important habitat areas need to be addressed in the EIR. 38-11

The expanded studies should not be done until substantial rainfall has occurred. Six years of drought and recent more intensive cattle ranching and rodent poisoning have severely degraded the area. Biotic studies should consider what the habitat value of the area would be if human intrusions were limited. Of special concern should be the wetland areas which have survived drought. It should be noted that in the past several landowners have threatened to destroy impoundments to prevent classification as wetland. This behavior can not be tolerated as many of those sources were developed from naturally occurring water sources which pre-date human occupation of the area. Please note the destruction of a tree favored by the resident Golden Eagle has already occurred which gives us cause for concern for other important habitat resources. The open space preservation element of the Specific plan relies on agricultural zoning to provide open space protection. This practice will not meet the needs of habitat protection. No permanent protection of critical habitat areas is provided by public ownership, easement, or deed restriction. 38-12

IMPACTS ON REGIONAL OPEN SPACE RESOURCES

The EIR fails to address the impact of tens of thousands of new people using the current regional park resources such as Del Valle Reservoir, Shadow Cliffs, Pleasanton Ridglands, and Morgan Territory Parks. The EIR should include mitigation measures such as the dedication of land for a new regional resource or the expansion of existing resources. The provision of neighborhood parks and playing fields does not address the impact on regional resources. As mentioned earlier, agricultural zoning for private open space does not mitigate for the impact of thousands of new residents on current resources. 38-13

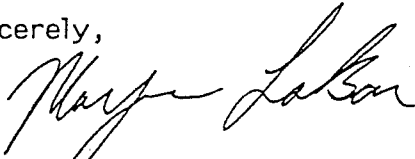
ANNEXATION CONSIDERATIONS

Discussions of the Extended Planning Area fail to address provisions of the Cortese/Knox Reorganization Act which do not allow for conversion of agricultural land while other land is still available. As construction in the Specific Plan Area has not begun much less approached build out, discussion of the urbanization of the Extended Area is premature. Please note while the area does not contain prime agricultural soils, it is still considered an important agricultural resource in terms of the law because of commercial cattle grazing. 38-14

CONCLUSION

It is hoped that the re-circulation of the EIR will not occur with the undue haste of this draft. It was stated that this action was forced by a time line imposed by the Alameda County LAFCO. Further investigation of this allegation have found that such is not the case. The only deadline imposed by LAFCO is that all material must be presented two months before a hearing date for staff purposes. The only enforced time limit appears to be in the minds of the Dublin City Council. We hope that Dublin will enter into an agreement with the City of Livermore to delay bringing any sphere of influence change before LAFCO for six months after the re-circulation of the EIR as requested during the public hearings. Due to reluctance of city officials to discuss an extension of the planning process, Dublin residents have contacted the Livermore Planning Department and requested that no plan for the contested area be transmitted to LAFCO until adequate time had been allowed to assess the impacts of the Dublin plan. The Planning Director seemed more than willing to discuss a delay. It is also hoped that new hearings be scheduled with expanded noticing to the public. A Specific Plan of this size and scope and with such massive regional impact requires a much greater depth of preparation than has been demonstrated by the EIR. 38-15

Sincerely,



Marjorie LaBar

In consultation for Preserve Area Ridgeland Committee

CC: U. S. Army Corps of Engineers
U. S. Fish and Wildlife Service
California Department of Fish and Game
East Bay Regional Park District
Alameda County Planning Department
Alameda County Airport Land Use Commission
East Bay Chapter, Sierra Club
Greenbelt Alliance

Response to Letter 39, James P. Royce, Conservation Committee, Sierra Club, San Francisco Bay Chapter

- 39-1 **Comment:** There are so many areas where the DEIR Fails to present adequate mitigation of well documented impacts that the report as whole is Fatally Flawed.

We hereby call for a rewrite. The issues presented below must be addressed, but even these represent only a partial list. We were not given enough time to present a full analysis. If the Council will permit us, we will submit a more complete list of concerns within another month. Less than 30 days time was given to respond to this huge proposal, and we feel that at least another 30 days is necessary.

Response to Comment 39-1: The public review period for the DEIR was 60 days, 15 days longer than required by CEQA.

- 39-2 **Comment:** There were once two nesting pairs of Golden Eagles. Now there is one. Soon there will be none. The best way to evict Golden Eagles is to cut their trees. This is exactly what was done. There will not be Golden Eagles in this area if this project is built. Already one tree containing a nesting pair has been destroyed without permission. The other could be mysteriously removed and there will then be no "Golden Eagle Problem" to deal with in a DEIR.

With no Golden Eagles to protect what is the purpose of an Eagle Protection Zone? Golden Eagles do not return to areas after they have been evicted. When they are gone they are gone, and the words in this DEIR will be long forgotten! It is precisely this sort of wildlife management that the DEIR promotes. What findings can the council make to justify this SIGNIFICANT IRREVERSIBLE CHANGE to use the language of the DEIR?

Response to Comment 39-2: There is not documented evidence that in the past five or six years there was more than one pair of golden eagles nesting in the project area. The number of nesting pairs in the area has probably fluctuated over time. The EIR authors have not tracked the progress or do we have any first hand knowledge regarding the status of the nest site, that we documented in 1989 (see page APP/D-21). There have been rumors that some landowners have threatened to destroy or degrade some of the sensitive habitats in the Project area, but there is no documentation that the golden eagle nest was cut down or otherwise destroyed. The Sierra Club is advised to contact the USFWS if there is any evidence to substantiate these claims. There are also unsubstantiated reports that the eucalyptus tree in which the nest was located froze in 1990-1991 and has subsequently died.

- 39-3 **Comment:** Protection for the Red-Legged Frogs, the Western Pond Turtles, the California Tiger Salamanders, the Golden Eagles, the San Joaquin Kit Fox, etc., does not exist in this DEIR. If this project is built their habitat is gone. These fragile creatures do not just wait for construction to finish and then come back to an area after habitat has been disturbed. When they are gone they are gone: in the words of the DEIR there is no mitigation. What findings can the council make to justify this SIGNIFICANT IRREVERSIBLE CHANGE?

There is no mitigation of habitat loss. Again, to use the words of the DEIR, there will only be SIGNIFICANT IRREVERSIBLE CHANGE.

Response to Comment 39-3: There are a number of mitigation actions proposed that will help to avoid and minimize direct loss of special status wildlife species and the habitats that they require (MM 3.7/6.0-28.0). Specific measures are proposed to monitor species occurrence and

patterns in the project area (also see response to comment #20-1).

- 39-4 **Comment:** The San Joaquin Kit Fox has been sighted near Dougherty Road. Other sightings in Southern Contra Costa and San Joaquin County indicate a northern expansion of Fox range. The DEIR must address the presence of this species.

A plan for mitigation of lost habitat should be a part of the DEIR. The City of Dublin has a unique opportunity to work jointly with Livermore, San Ramon, Contra Costa County, and the Contra Costa County Water District to provide habitat for the Fox and other rare or endangered species and to provide open space for its residents. This possibility needs exploring as part of the DEIR.

Response to Comment 39-4: The general distribution and known locations for the San Joaquin kit fox are discussed in the document (see DEIR, APP/D and APP/E) (also see response to comments, #20-3, #20-4, #20-5, and #22-14).

- 39-5 **Comment:** We have seen the Tiger Salamander in the area and will be happy to point it out to the City of Dublin. This Species of Special Concern could be an endangered species after this project is built. The DEIR does not provide a plan for preserving the estivation and migration routes to wetland areas needed for breeding. The DEIR must provide a mitigation plan for this impact. The DEIR drafters have not done their job with regard to the Tiger Salamander.

Response to Comment 39-5: California Tiger Salamander are known from the vicinity of the Project area and are addressed in the DEIR (see page 3.7-5, MM 3.7/6.0-15.0, MM 3.7/20.0-22.0, APP/D-19-20 and 29), (also see response to comments, #20-3, #20-7 and #38-11).

- 39-6 **Comment:** Nowhere does the DEIR address the geologic hazards published in 1991 by the California Department of Mines and Geology. The DEIR must analyze for the City of Dublin the geologic hazards addressed in this report. The DEIR does not even mention the report. If the City of Dublin ignores this report it leaves itself open for liability damages should any occur after development. Is the City of Dublin ready to undertake this liability? It would be better to address these hazards and to mitigate their impact. Where is this done?

Response to Comment 39-6: See responses to Comments 17-18 and 38-9.

- 39-7 **Comment:** The DEIR states: "As stated in Section 5.1: Cumulative Impacts, grading and excavation of the Project site will permanently change the existing physical condition of the Project site. Once the landscape is graded to create safe and stable building sites, it is highly unlikely that it will revert at some future time to its natural condition. This impact, IM 3.6/D, is a significant irreversible change. (5.0-18)

Another development in Alameda County, the area above Fairview Avenue in the Hayward Hills, was contoured for development, only to currently stand scarred and idle with no building plans for the immediate future.

We strongly urge the City of Dublin to refrain from any approval of any part of this EIR until full funding for the entire project is secure. Full funding is not secure at present, and if the developers jump the gun there will be rolling hills in Dublin filled with empty lots waiting for homes with no homes in sight.

Response to Comment 39-7: Comment acknowledged. There is no basis in CEQA to hold up certification of the EIR based on economic factors. The Specific Plan (Section 11.2.13)

requires preparation of detailed financial plans as part of the Development Agreement, which would precede project approval (and grading).

- 39-8 **Comment:** There currently exists no infrastructure for handling water distribution to 30,000 new residents. Nor is there any guarantee that an adequate sewage system will materialize. We hear about theories of future action, but proposals to develop new water supply and sewage infrastructure are mired in controversy and court action. If this project is approved without prior approval of sewer, water and storm drainage infrastructure the City of Dublin leaves itself open to an unmitigated financial disaster. Does the City of Dublin have the capacity to absorb a problem of this magnitude?

The first EIR regarding the proposed Tri-Valley Sewer Line was declared inadequate by a Monterey County Superior Court judge. This time supporters say that the EIR is "impervious to the suits threatened by its numerous detractors." (Robert Butler, Tri-Valley Authority Director).

There is no project approved or funded by the TWA. If this sewer line is not built, this project will have no sewage capacity. What does the City of Dublin propose to do with sewage from its new 30,000 residents? Again we have a situation where the EIR assumes too much.

City Councils that approve projects for which there is inadequate existing water and sewage capacity are acting irresponsibly. Currently there is nowhere to put the sewage for this additional 30,000 people.

Time and time again we see a pattern where city councils approve projects for which inadequate infrastructure exists. Then after the project is built a scramble must be made which inevitably ends up costing the taxpayers many extra dollars which they do not have. Schools suffer, parks suffer, libraries suffer, the whole community suffers.

The Dublin City Council can show forward thinking by delaying this project until they are sure adequate infrastructure will exist to take care of the huge population increase.

Response to Comment 39-8: Comment acknowledged. DSRSD, the service agency responsible for sewer and water, has indicated that no service will be approved without adequate service capacity being available. No grading permits will be approved for any project without a water and sewer "will serve" letter from DSRSD (MM3.5/38.0 and MM3.5/7.1 as revised in Response to Comment 32-22). If the proposed TWA project or other feasible alternatives are not developed to provide adequate capacity, and if adequate sources of water supply are not secured, the Project will not be developed as proposed. Based on Project mitigation, there is no legal way any physical alterations in preparation for development could take place without adequate sewer and water being available.

- 39-9 **Comment:** A recent study indicated that of all the areas of the San Francisco Bay Area the one with the worst air pollution problem is the Livermore Valley area.

The DEIR states: Motor vehicles associated with the Project would contribute to regional ozone emissions. Given the region's existing non-compliance with air-quality standard, and regulatory requirements to reduce ozone emissions, this would be a significant unavoidable adverse impact. Mitigation measure in the EIR would not reduce this impact to an insignificant level.

There now exists in the Livermore Valley area where this project is to be built an unacceptable air pollution problem. This problem is well documented by anyone who has the misfortune to have to breathe the air in that area. The under-signed can frequently get a good visual fix on the air he breathes. This EIR states glumly that this is a SIGNIFICANT UNAVOIDABLE ADVERSE IMPACT and dismisses it with a double negative.

This project should be put on hold until we can be assured that air pollution will be at an acceptable level. The emissions from automobiles associated with an extra 30,000 population, probably around 10,000 cars, will cause terrible brown air to be added to the already unacceptable levels. This issue is inadequately addressed in the DEIR.

We feel that the quality of life and the quality of air are too closely linked for this issue to be overlooked. It is unfair to the citizens of Dublin to ignore this issue and to even consider adding so much air pollution to an already saturated inversion layer.

The Dublin City Council needs to take a long hard look at the air this winter and ask themselves whether or not another 10,000 cars is a good idea. It is the position of the Sierra Club that it is not.

Response to Comment 39-9: Given the fact that air pollution respects no political boundaries, the unavoidable, adverse, significant air quality impact from the vehicular sources associated with this project results from growth within the air basin and not uniquely within Dublin and its sphere of influence. That same regional impact will result if one tenth of the Specific Plan growth occurs in ten communities or it all occurs in Dublin. Localized impacts were shown to be within acceptable limits as long as the inter- and intra-Dublin transportation system can satisfactorily serve the anticipated level of growth.

- 39-10 Comment: The DEIR states: "Stationary source emissions may create a potentially significant impact etc...This impact will remain a significant cumulative impact of the Project."

This impact is unavoidable and unmitigated. It is but another example of an environmental impact that will make life for the people in the Livermore Valley miserable. 30,000 more people will burn a lot of wood during the cold season. That combined with heat from homes and other sources of pollution will make for many cold brown days in the Livermore Valley.

We here again choose to quote the striking statement on page SM-6 of the project: "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.'"

Response to Comment 39-10: Smoke from wood combustion is not a common problem in suburban Bay Area communities. Few homes use wood for warming purposes during the early morning hours when smoke is a problem in rural communities with more available wood supplies. Fireplaces are used mainly in evenings in suburban environments, and even then only by a small percentage of homes. Gas heat used in most homes creates very few particulate emissions. Natural gas combustion is shown in Table 3.11-4 to generate 346.0 pounds of NO_x per day. Because freshly generated NO_x is comprised mainly of NO which does have a brown tinge, it will add to already existing degraded visibility. The impact from stationary source emissions is identified as a significant air quality impact.

- 39-11 Comment: The DEIR states: "Mobile source emission may result in regional impact through emissions of ozone emissions of ozone precursor pollutants. This impact is, therefore, a potentially significant cumulative impact."

The Sierra Club is not in the habit of being repetitious, but we cannot help noticing that this project has an awful lot of significant impacts that are unmitigated, unavoidable, irreversible, adverse or cumulative. Perhaps it would be a good idea to rethink this entire project.

The proposed mitigation for mobile source emissions is as follows:

"Near-term programs to reduce cumulative impacts of growth that are expected to be developed include a mandatory TSM program for major employers and a vehicular emissions reduction program from all major traffic generators (called "indirect sources".) Because of the degree of possible controversy over many candidate emission reduction measures that affect mobility, lifestyle and/or cost, adoption of the more controversial measures is expected to be gradual after much additional analysis and evaluation.

"Implementation of all these mitigation measures, however, will not reduce this impact to a level of insignificance. This will remain a potentially significant cumulative impact."

Is the City of Dublin prepared to pursue "legislative authority needed for market-based measures, such as "smog-based" vehicle registration fees, gas taxes, and parking fees?"

The Sierra Club would like to see the City of Dublin implement some of these programs before approval of this EIR - not after. We only fear that after the City of Dublin approves this EIR they will simply forget this language.

In fact we are asking who is being kidded here? By proposing this project to be built at the confluence of two major freeways to use of more automobiles, the increase of smog, the increase of trash, sewage, pollution, and all the urban problems that come with great increases in population is guaranteed.

Response to Comment 39-11: There are two aspects to the mobile source emissions reduction program proposed in conjunction with approval of the East Dublin Specific Plan. The DEIR outlines the framework of the plan to achieve this reduction. The second aspect, noted in this comment, is that an implementation program is needed to carry out this plan. An implementation program would detail specific transportation demand management (TDM) and transportation system management (TSM) actions to be taken in conjunction with individual developments within the Specific Plan area. It is premature to identify such specific actions because the potential effectiveness of their implementation will depend on the precise mix and intensity of land uses. Such actions also can not be taken in a vacuum because programs in Dublin such as gas taxes or freeway tolls during rush hour will affect economic and driving patterns in surrounding communities. Growth could even be shifted to the San Joaquin Valley Air Basin into the Tracy area with longer commuting distances and thus defeat TDM/TSM programs - certainly within Dublin and even within the entire Bay Area Air Basin. Adoption of a precise implementation program to accompany the mobile source emissions reduction plan is therefore not feasible at this point in time.

39-12 Comment: The Del Valle Reservoir is practically empty. Morgan Territory, Pleasanton Ridgeland, and Shadow Cliffs parks are over utilized and understaffed. What is the environmental impact of an additional population of 30,000 people on these resources. Where is this addressed in the DEIR?

The answer is that it is not addressed. No mention is made of the impacts of an additional 30,000 population of fragile park systems. This is but another example of where the DEIR ignores an important environmental impact.

Response to Comment 39-12: See Response to Comment 14-2 regarding potential impacts on regional parklands. See Response to Comment 14-5 regarding water levels in Lake Del Valle.

- 39-13 **Comment:** 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. 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 proposed to make up for the signification damage to the environment that this project will cause.

Response to Comment 39-13: See Response to Comment 1-2.

- 39-14 **Comment:** 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 beyond 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 39-14: See response to Comments 22-10, 34-4, and 34-5.

- 39-15 **Comment:** 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.

Response to Comment 39-15: See responses to Comments 24-3, 34-2, and 37-5.

- 39-16 **Comment:** 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 39-16: See responses to Comments 24-3, 34-2, and 37-5.

- 39-17 **Comment:** 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, increased water usage, strained existing fire and police services, and increased traffic put a severe strain on schools and local government. The land to the east has many of the same problems. These existing environmental problems must be dealt with and solved before a project of this size and impact is allowed to develop.

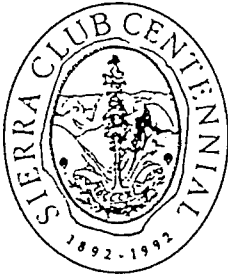
Response to Comment 39-17: See Response to Comment 1-5.

- 39-18 **Comment:** 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) Inadequate information is available to make such a blanket assumption.

Response to Comment 39-18: Seismic conditions with respect to the Project site are thoroughly discussed in the EIR (pages 3.6-1 to 3.6-3), and Appendix C (page APP-C/4). The inferred "Parks" fault is shown along the east-northeast trending hill front in the southern portion of the Project site, on a recent CDMG (1991) map (Plate C1C2). This map is a compilation of previous work by others, and does not provide any new information. In our judgement, the available data indicates that "No known active or potentially active faults traverse the Project site..." (page 3.6-2). A finding of "insignificant impact" is, in our judgement, justified and appropriate. Detailed site- and project-specific design-level geotechnical investigations will provide a further opportunity to investigate inferred faults on the Project site in light of any new data available at the time.

- 39-19 **Comment:** 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 39-19: See Response to Comment 1-7.



SIERRA CLUB SAN FRANCISCO BAY CHAPTER

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ALAMEDA COUNTY • CONTRA COSTA • MARIN • SAN FRANCISCO

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OCT 29 1992

DUBLIN PLANNING

October 29, 1992

Dublin City Council
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 Dublin City Council:

There are so many areas where the DEIR fails to present adequate mitigation of well documented impacts that the report as whole is Fatally Flawed.

We hereby call for a rewrite. The issues presented below must be addressed, 39-1 but even these represent only a partial list. We were not given enough time to present a full analysis. If the council will permit us we will submit a more complete list of concerns within another month. Less than 30 days time was given to respond to this huge proposal, and we feel that at least another 30 days is necessary.

A short summary of our exceptions is identified below. Please accept this as a partial list only, with the full list to follow should the council permit a more detailed response.

The DEIR states: "In developed portions of the Project site, direct habitat loss (IM 3.7/A) will be total and permanent. This represents a significant irreversible change to those portions of the General Plan Amendment area. This loss of habitat would also cause the reduction or elimination of dependent wildlife, including some special status species. (5.0-18)

GOLDEN EAGLE: ELIMINATION OF FORAGING HABITAT

There were once two nesting pairs of Golden Eagles. Now there is one. Soon there will be none. The best way to evict Golden Eagles is to cut their trees. This is exactly what was done. There will be no Golden Eagles in this area if this project is built. Already one tree containing a nesting pair has been destroyed without permission. The other could be mysteriously removed and there will then be no "Golden Eagle Problem" to deal with in a DEIR.

With no Golden Eagles to protect what is the purpose of an Eagle Protection Zone? Golden Eagles do not return to areas after they have been evicted. When they are gone they are gone, and the words in this DEIR will be long forgotten! It is precisely this sort of wildlife management that the DEIR promotes. What findings can the council make to justify this SIGNIFICANT IRREVERSIBLE CHANGE to use the language of the DEIR?

39-2

HABITAT LOSS AND SPECIES OF SPECIAL CONCERN

Protection for the Red-Legged Frogs, the Western Pond Turtles, the California Tiger Salamanders, the Golden Eagles, the San Joaquin Kit Fox, etc., does not exist in this DEIR. If this project is built their habitat is gone. These fragile creatures do not just wait for construction to finish and then come back to an area after habitat has been disturbed. When they are gone they are gone: in the words of the DEIR there is no mitigation. What findings can the council make to justify this SIGNIFICANT IRREVERSIBLE CHANGE? 39-3

There is no mitigation of habitat loss. Again, to use the words of the DEIR, there will only be SIGNIFICANT IRREVERSIBLE CHANGE. 39-4

The San Joaquin Kit Fox has been sighted near Dougherty Road. Other sightings in Southern Contra Costa County and San Joaquin County indicate a northern expansion of Fox range. The DEIR must address the presence of this species. 39-5

A plan for mitigation of lost habitat should be a part of the DEIR. The City of Dublin has a unique opportunity to work jointly with Livermore, San Ramon, Contra Costa County, and the Contra Costa County Water District to provide habitat for the Fox and other rare or endangered species and to provide open space for its residents. This possibility needs exploring as part of the DEIR. 39-6

We have seen the Tiger Salamander in the area and will be happy to point it out to The City of Dublin. This Species of Special Concern could be an endangered species after this project is built. The DEIR does not provide a plan for preserving the estivation and migration routes to wetland areas needed for breeding. The DEIR must provide a mitigation plan for this impact. The DEIR drafters have not done their job with regard to the Tiger Salamander. 39-7

GEOLOGIC HAZARDS

Nowhere does the DEIR address the geologic hazards published in 1991 by the California Department of Mines and Geology. The DEIR must analyze for the City of Dublin the geologic hazards addressed in this report. The DEIR does not even mention the report. If the City of Dublin ignores this report it leaves itself open for liability for damages should any occur after development. Is the City of Dublin ready to undertake this liability? It would be better to address these hazards and to mitigate their impact. Where is this done? 39-8

The DEIR states: "As stated in Section 5.1: Cumulative Impacts, grading and excavation of the Project site will permanently change the existing physical condition of the Project site. Once the landscape is graded to create safe and stable building sites, it is highly unlikely that it will revert at some future time to its natural condition. This impact, IM 3.6/D, is a significant irreversible change. (5.0-18) 39-9

Another development in Alameda County, the area above Fairview Avenue in the Hayward Hills, was contoured for development, only to currently stand scarred and idle with no building plans for the immediate future.

We strongly urge the City of Dublin to refrain from any approval of any part of this EIR until full funding for the entire project is secure. Full funding is not secure at present, and if the developers jump the gun there will be rolling hills in Dublin filled with empty lots waiting for homes with no homes in sight. 39-10

SEWER, WATER AND STORM DRAINAGE

The DEIR states: "Development of the Project will increase demand for non-renewable fuel sources, including fossil fuels for electricity. More specifically, waste water treatment including 1) pumping of raw waste water to the Contra Costa County Sanitary District for treatment under the TWA-proposed project; and/or 2) operation of an advanced treatment and distribution system for recycled water will require increased energy use. This is a potentially significant irreversible change caused by the Project.

There currently exists no infrastructure for handling water distribution to 30,000 new residents. Nor is there any guarantee that an adequate sewage system will materialize. We hear about theories of future action, but proposals to develop new water supply and sewage infrastructure are mired in controversy and court action. If this project is approved without prior approval of sewer, water and storm drainage infrastructure the City of Dublin leaves itself open to an unmitigated financial disaster. Does the City of Dublin have the capacity to absorb a problem of this magnitude?

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The Dublin City Council can show forward thinking by delaying this project until they are sure adequate infrastructure will exist to take care of the huge population increase.

AIR QUALITY

A recent study indicated that of all the areas of the San Francisco Bay Area the one with the worst air pollution problem is the Livermore Valley area.

The DEIR states: Motor vehicles associated with the Project would contribute to regional ozone emissions. Given the region's existing non-compliance with air quality standard, and regulatory requirements to reduce ozone emissions, this would be a significant unavoidable adverse impact. Mitigation measure in the EIR would not reduce this impact to an insignificant level. 39-9

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We feel that the quality of life and the quality of air are too closely linked for this issue to be overlooked. It is unfair to the citizens of Dublin to ignore this issue and to even consider adding so much air pollution to an already saturated inversion layer.

The Dublin City Council needs to take a long hard look at the air this winter and ask themselves whether or not another 10,000 cars is a good idea. It is the position of the Sierra Club that it is not.

STATIONARY SOURCE EMISSIONS

The DEIR states: "Stationary source emissions may create a potentially significant impact etc...This impact will remain a significant cumulative impact of the Project.

This impact is unavoidable and unmitigated. It is but another example of an environmental impact that will make life for the people in the Livermore Valley miserable. 30,000 more people will burn a lot of wood during the cold season. That combined with heat from homes and other sources of pollution will make for many cold brown days in the Livermore Valley.

We here again choose to quote the striking statement on page SM-6 of the project:

"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.'"

MOBILE SOURCE EMISSIONS: ROG AND NOX

The DEIR states: "Mobile source emission may result in regional impact through emissions of ozone emissions of ozone precursor pollutants. This impact is, therefore, a potentially significant cumulative impact."

The Sierra Club is not in the habit of being repetitious, but we cannot help noticing that this project has an awful lot of significant impacts that are unmitigated, unavoidable, irreversible, adverse, and cumulative. Perhaps it would be a good idea to rethink this entire project.

39-9
contd.

39-10

39-11

The proposed mitigation for mobile source emissions is as follows:

"Near-term programs to reduce cumulative impacts of growth that are expected to be developed include a mandatory TSM program for major employers and a vehicular emissions reduction program from all major traffic generators (called "indirect" sources".) Because of the degree of possible controversy over many candidate emissions reduction measures that affect mobility, lifestyle and/or cost, adoption of the more controversial measures is expected to be gradual after much additional analysis and evaluation.

"Implementation of all these mitigation measures, however, will not reduce this impact to a level of insignificance. This will remain a potentially significant cumulative impact."

39-11
contd.

Is the city of Dublin prepared to pursue "legislative authority needed for market-based measures, such as "smog-based" vehicle registration fees, gas taxes, and parking fees?"

The Sierra Club would like to see the City of Dublin implement some of these programs before approval of this EIR - not after. We only fear that after the City of Dublin approves this EIR they will simply forget this language.

In fact we are asking who is being kidded here? By proposing this project to be built at the confluence of two major freeways the use of more automobiles, the increase of smog, the increase of trash, sewage, pollution, and all the urban problems that come with great increases in population is guaranteed.

IMPACTS ON OPEN SPACE RESOURCES

The Del Valle Reservoir is practically empty. Morgan Territory, Pleasanton Ridgeland, and Shadow Cliffs parks are over utilized and understaffed. What is the environmental impact of an additional population of 30,000 people on these resources. Where is this addressed in the DEIR?

39-12

The answer is that it is not addressed. No mention is made of the impacts of an additional 30,000 population on fragile park systems. This is but another example of where the DEIR ignores an important environmental impact.

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. 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 proposed to make up for the significant damage to the environment that this project will cause.

39-13

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.

39-14

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 beyond 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.

39-14
contd.

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.

39-15

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.

39-16

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, increased water usage, strained existing fire and police services, and increased traffic put a severe strain on schools and local government. The land to the east has many of the same problems. These existing environmental problems must be dealt with and solved before a project of this size and impact is allowed to develop.

39-17

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.) Inadequate information is available to make such a blanket assumption.

39-18

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.

39-19

We repeat that the DEIR is fatally flawed and needs to be entirely rewritten.

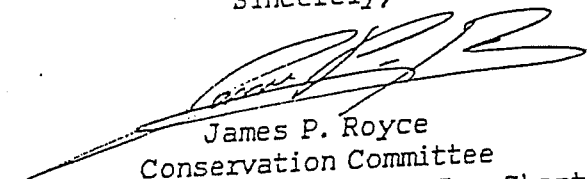
We urge the City of Dublin to reject this document and we further urge the City of Dublin to urge the writers to work with interested parties to develop a plan that takes into consideration the various overall planning documents that cover the Livermore Valley such as the South Livermore Plan.

The Sierra Club stands ready and willing to assist the City of Dublin in preparing an alternative plan and we look forward to hearing from you in this regard.

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

Response to Letter 40, H. Lawrence McKague

- 40-1 **Comment:** The draft EIR noted the earthquake swarms that occurred in the Alamo and Danville regions (p. 36-2), however, the earthquake swarm that occurred north of Livermore in the summer of 1991 was not included. These earthquakes, not associated with the trace of a known fault, may be indicative of a blind fault such as the one responsible for the Coalinga earthquake (M=6.7, May 2, 1983, Clark et al., 1984). Because California has entered a period of increased earthquake activity in the last 8-10 years all evidence of faulting must be examined and assessed.

Response to Comment 40-1: The referenced earthquake swarm is the one that occurred on March 10, 1991, and was located on the Greenville fault zone. Eleven earthquakes occurred on that date with a magnitude greater than M1. The largest magnitude earthquake in the swarm was a M3.8, which was the largest earthquake on the Greenville fault zone in 1991. We know of no references or on-going research that indicates that there are "blind" faults (seismogenic sources without surface fault expression) in the Project site area, and the EIR process is not the appropriate place for basic research in microseismicity. With respect to seismicity, the controlling and significant seismogenic sources are those which are capable of generating large magnitude earthquakes that will result in the strongest ground motions at the Project site. These sources are those that are discussed in the EIR (Page 3.6-2, and Table 3.6-1, Earthquake Parameters).

- 40-2 **Comment:** The scale of this figure is too small to determine the distribution of earthquakes in and around the proposed project. In addition the low magnitude earthquakes, i.e. magnitude <4, which can be indicative of the distribution of active faults, are not shown on Fig. 3.6-B.

Response to Comment 40-2: A new Figure 3.6-B has been prepared which shows the distribution of earthquakes greater than M3.0 from 1808 through 1987 (Goter, 1988; updated to show the 1989 Loma Prieta earthquake). Including earthquakes less than M3.0 would render the figure unusable, and such plots are not generally available. See response to Comment 40-1. The Goter publication should be added to the Bibliography on page 3.6-9.

Goter, 1988, Seismicity of California, 1908-1987: U.S. Geological Survey, National Earthquake Information Center, Open-File Report 88-286.

- 40-3 **Comment:** The draft EIR neglects to mention the active Las Positas Fault located approximately five miles southeast of the project (DMG, 1991). In addition the Mocho Fault that is immediately NE of the project area and runs along the break in slope between the Livermore Valley and the Tassajara Hills is not adequately considered. The draft EIR (p. 3.6-2, ¶ 1) states "These faults are not shown on a more recent CDWR map (CDMG, 1979 (sic))", however, the fault is shown on Plate 21C2 (DMG, 1991) issued 12 years later.

Response to Comment 40-3: The Los Positas fault is shown, but not labeled, on Figure 3.6-A. It is one of the many named, potentially active faults in the Project site area. It is not considered a significant seismogenic source with respect to site seismicity. The fault shown on the referenced CDMG (1991) map is the inferred "Parks" fault, not the "Mocho" fault. See response to Comment 39-18.

- 40-4 **Comment:** The draft EIR indicates the majority of landslides are dormant, however, DMG, 1991, plate 21 A2-text) indicates that much of this area is "most susceptible" to landslides. In addition "landslides that are currently stable can become mobilized by human activity"

(DMG, 1991). USGS Professional Paper 944 (Nilsen et al., 1979), Plate 3 rates the slope stability of most of the area within the Tassajara Hills as Category 5. Category 5 areas "...have undergone landsliding in the past and are generally very susceptible to future landsliding, especially if the slopes are cut and filled." Considering the region has been in drought conditions for the last 6 years and landslide activity is in part climate dependent, assessment of landslide activity should consider the potential effects of wetter years on the slope stability.

Response to Comment 40-4: The EIR (page 3.6-5, paragraph on "Landslides [Qls]") states that the "...majority of the large debris slides and mud flows are dormant." It does not indicate that "...the majority of landslides are dormant", which is clear from the remainder of the paragraph. The EIR authors are thoroughly familiar with the referenced Nilsen and others (1979), USGS Professional Paper, the EIR geotechnical consultant is a co-author of the paper. The paper was for regional planning, and was meant to be superseded by subsequent, more detailed studies such as was done for this EIR. The critical role of water with respect to slope stability is an inherent assumption in the EIR, and is reflected in several impacts (IM 3.6-C, 3.6-F, 3.6-H, and 3.6-I), and mitigation measures (MM 3.6/2.0, MM 3.6/4.0, MM 3.6/7.0, MM 3.6/11.0, MM 3.6/12.0, MM 3.6/15.0, and MM 3.6/19.0). The EIR does not assume drought conditions as baseline condition for slope stability and related impacts and mitigations. See responses to Comments 17-18 and 38-9). The *Nilsen et al.* publication should be added to the Bibliography on page 3.6-9.

Nilsen, T. H., R. H. Wright, T.C. Vlastic, and W. E. Spangle, 1979, Relative Slope Stability and Land-use Planning in the San Francisco Bay Region, California: U.S. Geological Survey Professional Paper 944, 96 p.

- 40-5 **Comment:** Landslides indicated as inactive could become active in wetter years. Draft EIR may underestimate the potential activity of the slide areas.

Response to Comment 40-5: See response to Comment 40-4.

- 40-6 **Comment:** The call for minimal grading plans is in conflict with MM3.6/3.0 that states hillside development may require substantial development.

Response to Comment 40-6: We disagree that MM 3.6/3.0 and MM 3.6/9.0 are in conflict.

- 40-7 **Comment:** MM3.6/11.0 Installation of piezometers for one year during a draught cycle would be inadequate to characterize groundwater levels and variations during cycles of high rainfall, when the effects of shallow groundwater problems could be more serious.

Response to Comment: See response to Comment 15-41.

- 40-8 **Comment:** MM3.6/9.0 calls for minimal grading plans, but IM 3.6-J, Cut and Fill Slope Stability, calls for unretained slopes not to exceed 3:1 (18.4%) (MM 3.6-22.0). In the Livermore draft EIR (ESA, 1992) Fig. 22 shows most of the Tassajara Hills area has 15% or greater slopes. A 3:1 cut would have a large effect on the topography in these areas, especially those slopes more than 30%. On pages APP-C/1 and APP-C/2 it is indicated, in categories 3,4 and 5, that slopes up to and steeper than 50% could be developed on natural slopes that are 2 to 1 or steeper could result in extensive modifications of the natural topography.

Response to Comment 40-8: As stated in Appendix C, page APP-C/5, under Cut and Fill Stability/Foundations, "Shallower cut slopes do result in a larger area of ground disturbance which may not be desirable from a visual and vegetation standpoint..." The EIR addresses the potentially significant alteration of Project site landforms due to grading (IM 3.6/D), and

provides a number of mitigation measures to reduce required grading (MM 3.6/9.0, 3.6/10.0, MM 3.6/19, MM 3.6/20.00, MM 3.6/22.0, and MM 3.6/24.0). The cross referenced "(see MM 3.6/12)" in MM 3.6/9.0, should be (MM 3.6/20.0).

- 40-9 **Comment:** There is no Table 3.6-2 in Appendix B. A referenced table of soil properties is missing (See comment APP-C/2 ¶ 3).

Response to Comment 40-9: Table 3.6-2, Soil Classification and Estimated Pertinent Physical Properties, was included (unlabeled) in the Administrative Draft as the last page of Appendix B. It was incorrectly referenced as Table 3.6-3 in both the Administrative Draft (page B-2), and Draft (page APP-C/2), and was inadvertently omitted from the Draft. It has been included in the Errata section of this response document.

- 40-10 **Comment:** Table 3.6-3 does not exist. Without this table, or Table 3.6-2, the impact of the physical properties of the soils can not be assessed. Much of the proposed project is underlain by expansive soils (ESA, 1992, Fig. 25). Proper assessment of the physical properties of these soils is important to determining the impact of the proposed project.

Response to Comment 40-10: See response to Comment 40-9. The referenced Earth Sciences Associates EIR, prepared after the subject EIR, uses the same source for soils data (USDA, 1966). Soils in the Project site are thoroughly discussed in the EIR (pages 3.6-11 and 3.6-12), and Appendix C (pages APP-C/2 and APP-C/3).

- 40-11 **Comment:** Consideration of the cumulative effects of geology, soils, and slope conditions could result in more constraining conditions in some areas.

Response to Comment 40-11: Sentence six of the first paragraph of Appendix C (page APP-C/1), has been revised as follows for clarification:

The zoning reflects the highest constraining condition in an area ~~and does not to~~ account for the **possible** cumulative effects of two or more coinciding constraining conditions.

- 40-12 **Comment:** There is a complex relationship between climate, expansive soils, topography and slope stability. The relationship between expansive soils and slope stability is covered in IM 3.6-J and IM 3.6-H, while the relationships between topography and the slope stability are handled separately in IM 3.6-I, but the interrelationship of all factors is not considered. This raises several questions: Are all landslide areas underlain by expansive soils? If so are landslide areas underlain by expansive soils? What evidence exists that proposed engineering fixes will be adequate in periods of higher rainfall?

In a letter report (McClure, 1957) it is noted that "Bentonite material causes a serious sloughing and breakdown of sandstone when saturated by water. Although the amount of bentonite mineral present has not been determined, the material actively disintegrates in water." This suggests the normal stability of the bedrock can not be depended on in cycles of higher rainfall, if excessive water reaches the bentonite bearing bedrock. The deeper penetrating landslides (Map 3.6-C) suggest the involvement of bedrock in the landsliding process.

In summary the draft EIR does not address the critical problem of increased instability of areas underlain by both active and passive landslides and expansive soils and/or bentonite-bearing sandstones the in periods (years) of significantly increased rainfall.

Response to Comment 40-12: The EIR authors disagree with the entire comment. The first paragraph of the comment seems to reflect a lack of knowledge of pedologic (soil) processes. Soil formation is a process of weathering of parent materials at the surface. A landslide deposit will have whatever soils were present on the parent materials prior to movement, but is unlikely to be "underlain" by soils except where the landslide deposit has moved out and over preexisting soils, thus burying them. The question of drought vs. normal or above normal rainfall is answered in response to Comment 40-4. The EIR does not propose specific "engineering fixes"; this is properly done as part of a site- and project-specific design-level geotechnical investigation. The general mitigation measures in the EIR include those that, where appropriately designed, implemented (constructed), and maintained, have performed adequately during past periods of normal and above normal rainfall.

Potentially expansive claystone units locally occur in both the Tassajara Formation (Qtt), and, particularly, the Orinda Formation (Tps), in the Project site, and are addressed in impact IM 3.6/H and mitigation measures MM 3.6-14 through 3.6-19 (pages 3.6-11 and 3.6-12). Bedrock landslides occur on the Project, as noted in the EIR under "Slope Stability" (page 3.6-6).

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OCT 29 1992

DUBLIN PLANNING

10/28/92

To: Carolyn Morgan
From: H. Lawrence McKague
Subject: Review of the Eastern Dublin Draft EIR

A review of the Eastern Dublin Environmental Impact Statement Section 3.6 (Soils, Geology, and Seismicity) and Appendix C (Soils, Geology, and Seismicity: Summary of Opportunities and Constraints) raises the following questions and issues.

SECTION 3.6

Page 3.6-1

The draft EIR noted the earthquake swarms that occurred in the Alamo and Danville regions (p. 36-2), however, the earthquake swarm that occurred north of Livermore in the summer of 1991 was not included. These earthquakes, not associated with the trace of a known fault, may be indicative of a blind fault such as the one responsible for the Coalinga earthquake (M=6.7, May 2, 1983, Clark et al., 1984). Because California has entered a period of increased earthquake activity in the last 8-10 years all evidence of faulting must be examined and assessed.

40-1

Figure 3.6-B

The scale of this figure is too small to determine the distribution of earthquakes in and around the proposed project. In addition the low magnitude earthquakes, i. e., magnitude <4, which can be indicative of the distribution of active faults, are not shown on Fig. 3.6-B.

40-2

Page 3.6-2

The draft EIR neglects to mention the active Las Positas Fault located approximately five miles southeast of the project (DMG, 1991). In addition the Mocho Fault that is immediately NE of the project area and runs along the break in slope between the Livermore Valley and the Tassajara Hills is not adequately considered. The draft EIR (p. 3.6-2, ¶ 1) states "These faults are not shown on a more recent CDWR map (CDMG, 1979 {sic})", however, the fault is shown on Plate 21C2 (DMG, 1991) issued 12 years later.

40-3

Page 3.6-5, ¶ 3.

The draft EIR indicates the majority on landslides are dormant, however, DMG, 1991, (plate 21A2-text) indicates that much of the this area is "most susceptible" to landslides. In addition "landslides that are currently stable can become mobilized by human activity" (DMG, 1991). USGS Professional Paper 944 (Nilsen et al., 1979), Plate 3 rates the

40-4

slope stability of most of the area within the Tassajara Hills as Category 5. Category 5 areas "... have undergone landsliding in the past and are generally very susceptible to future landsliding, especially if the slopes are cut and filled." Considering the region has been in drought conditions for the last 6 years and landslide activity is in part climate dependent, assessment of landslide activity should consider the potential effects of wetter years on the slope stability.

40-4 contd

Map 3-6-C

Landslides indicated as inactive could become active in wetter years. Draft EIR may under estimate the potential activity of the slide areas.

40-5

Page 3.6-9

MM3.6/9.0 The call for minimal grading plans is in conflict with MM3.6/3.0 that states hillside development may require substantial development.

40-6

Page 3.6-10

MM3.6/11.0 Installation of piezometers for one year during a draught cycle would be inadequate to characterize groundwater levels and variations during cycles of high rainfall, when the effects of shallow groundwater problems could be more serious.

40-7

Page 3.6-9

MM3.6/9.0 calls for minimal grading plans, but IM 3.6-J, Cut and Fill Slope Stability, calls for unretained slopes not to exceed 3:1 (18.4%) (MM 3.6-22.0). In the Livermore draft EIR (ESA, 1992) Fig. 22 shows most of the Tassajara Hills area has 15% or greater slopes. A 3:1 cut would have a large effect on the topography in these areas, especially those slopes more than 30%. On pages APP-C/1 and APP-C/2 it is indicated, in categories 3, 4, and 5, that slopes up to and steeper than 50% could be developed. Man-made slopes with 3 to 1 slopes may be necessary to achieve long-term stability according to the first paragraph under Cut and Fill Slope Stability/Foundations (AAP-C/5, ¶ 5). Depending upon their size such man-made slopes developed on natural slopes that are 2 to 1 or steeper could result in extensive modifications of the natural topography.

40-8

Map 3.6-D

There is no Table 3.6-2 in Appendix B. A referenced table of soil properties is missing (See comment APP-C/2 ¶ 3).

40-9

Appendix

APP-C/2, ¶ 3

Table 36-3 does not exist. Without this table, or Table 3.6-2, the impact of the physical properties of the soils can not be assessed. Much of the proposed project is underlain by expansive soils (ESA, 1992, Fig. 25). Proper assessment of the physical properties of these soils is important to determining the impact of the proposed project.

40-10

APP-C/1, ¶ 1, line 8

Consideration the cumulative effects of geology, soils, and slope conditions could result in more constraining conditions in some areas.

40-11

Summary

There is a complex relationship between climate, expansive soils, topography and slope stability. The relationship between expansive soils and slope stability is covered in IM 3.6-j and IM 3.6-H, while the relationships between topography and the slope stability are handled separately in IM 3.6-I, but the interrelationship of all factors is not considered. This raises several questions: Are all landslide areas underlain by expansive soils? If so are landslide areas underlain by expansive soils suitable for any kind of development? How stable would such areas be after two or three years of above normal rainfall? How stable are man made slopes with any suggested horizontal to vertical ratio in landslide areas underlain by expansive soils? What evidence exists that proposed engineering fixes will be adequate in periods of higher rainfall?

40-12

In a letter report (McClure, 1957) it is noted that "Bentonite material causes a serious sloughing and breakdown of sandstone when saturated by water. Although the amount of bentonite mineral present has not been determined, the material actively disintegrates in water." This suggests the normal stability of the bedrock can not be depended on in cycles of higher rainfall, if excessive water reaches the bentonite bearing bedrock. The deeper penetrating landslides (Map 3.6-C) suggest the involvement of bedrock in the landsliding process.

In summary the draft EIR does not address the critical problem of increased instability of areas underlain by both active and passive landslides and expansive soils and/or bentonite-bearing sandstones the in periods (years) of significantly increased rainfall.

References

Clark, M. M., Harms, K. K., Lienkaemper, J. J., Perkins, J. A., Rymer, M. J., and Sharp, R. V., (1984) The Search for Surface Faulting after the May 2, in Coalinga, California, Earthquake of May 2, 1983; eds. R. E. and J. L. Stratta, Earthquake Engineering Research Institute Report No. 84-03, p.54-56.

DMG, (1991) Landslide hazards in the Livermore and Contra Costa Counties, California, Landslide Hazard Identification Map no 21; California. Dept. of Conservation, Div. of Mines and Geology, Open File Report 91-2.

ESA, (1992) North Livermore General Plan Amendment Environmental Impact Report; Environmental Science Associates.

McClure, C. N., (1957) Letter report to H. Greydanus regarding Doolan Canyon Dam Site Investigation, July 22, 1957, CDWR.

Nilsen, T. H., Wright, R. H., Vlastic, T. C., and Spangle, W. E., (1979) Relative Slope Stability and Land-use Planning in the San Francisco Bay Region, California; U. S. Geol. Surv. Prof. Paper 944, pp 96.

Response to Letter 41: Carolyn Morgan, Doolan Canyon Residents

- 41-1 Comment: 2.3 Project Implementation. Sphere-of-influence boundary change is inconsistent with the Cortese Knox Reorganization Act, section 56377

Response to Comment 41-1: See Response to Comments 24-1, -2, and -3.

- 41-2 Comment: Table 2.0-3 Since permits may be required from the: US Dept. of Army, Corps of Engineers - US Environmental Protection Agency - US Dept. of the Interior, Advisory Council of Historic Preservation, why were these agencies not sent Notices of Preparation (appendix A) in 1988 or 1991?

Response to Comment 41-2: The Corps of Engineers and EPA were sent the Notice of Preparation. The US Dept. of the Interior, Advisory Council of Historic Preservation was not included because it seemed unlikely that there would be any resources in the area of national significance.

- 41-3 Comment: Figure 2-D Parcel 26 is listed as 14 acres while parcel 24, which is much smaller, is listed as 39.8 acres. Parcel 12 is listed at 1 acre while 18, which is about the same size, is 80.14 acres. Errors? Ownership on some parcels are listed under the wrong names.

Response to Comment 41-3: The errors in the table have been corrected. See Response to Comment 3-3.

- 41-4 Comment: Page 3.1-2 Even if no land in the Project Area is considered "prime farm land" it is considered "prime agricultural land" by definition of the Cortese Knox Reorganization Act, section 56064 (F).

Response to Comment 41-4: See Response to Comment 24-3.

- 41-5 Comment: Table 3.1-1 The table has the number of acres for Doolan Ranch (East) property inconsistent with amounts listed on Figure 3.1-C (31 & 44). There is a 66.86 acre difference. Explain?

Response to Comment 41-5: The map in Figure 3.1-C is in error in showing all of Parcel 31 as being under Williamson Act contract. The 75.24 acres in the southwest corner of that parcel (APN 99B-3286-4) was never under contract. The map has been revised to show this correction. The acreages shown in Table 3.1-1 are correct as shown in the DEIR. The acreage shown in the legend in Figure 3.1-C for Doolan Ranch East is also correct. It should be noted however, that the legend shows total acreages, not just acreages under Williamson Act contract. As with the legend in Figure 2-D, there are other acreage errors that have been corrected. See Response to Comment 3-3.

- 41-6 Comment: Page 3.1-5 Previous Development and Improvement Proposal For The Project Site: Stated "a number of proposals and plans for projects within the GPA were submitted to the City of Dublin".

- 1) How many proposals and plans?
- 2) When were they submitted?
- 3) Where are they located within the GPA area?
- 4) Do the size and location of these projects warrant the enormous size of the GPA area?

Response to Comment 41-6: See page 3.1-6 of the DEIR for a listing of development proposals that were submitted to the City. The fact that these, and other less advanced development plans (e.g., Doolan Ranch properties), were large and dispersed over much of the planning area suggested the need to consider the current Project area as a whole.

- 41-7 Comment: IM 3.1/A Why is Rural Residential not considered urban use? Why is there only 158.7 (approx. 4 1/2%) out of 3592 acres designated as open space in the GPA increment area? Slopes over 30% have not been designated as open space. The SP does allow some development in areas of 30% slopes and the rest of the area is rural residential. (See Table 3.1-4 items GP 3.2.A, IP 7.7.B, IP 7.2.F)

Response to Comment 41-7: The Rural Residential designation is simply a different name for the County's current Agricultural designation. It allows the same uses as are currently permitted, which is rural, not urban, in character. The 158.7 acres of designated Open Space is therefore augmented by 2,262.9 acres of Rural Residential land. Together the Rural Residential and Open Space areas comprise 67% of the GPA Increment Area. With the exception of a couple of pockets (less than 3 acres in size), areas with slopes over 30% have been included in the Rural Residential areas.

- 41-8 Comment: IM 3.1/B Land use incompatibility has not been avoided and potential land use conflicts will occur. Wouldn't putting medium-high density (14-25 du/ac) and medium density (6-14 du/ac) abutting land designated as open space or rural residential be a potential land use conflict? (See Figure 2-E)

Response to Comment 41-8: Land use conflict is usually interpreted to mean that the activities characteristic of one use somehow impinge upon and limit the activities of an adjoining use. The density of residential uses does not make them any more incompatible with adjacent open space than current residential uses in the area are incompatible with surrounding open space.

- 41-9 Comment: IM 3.1/C Why is it assumed the agriculture will disappear do to urban pressures and higher property taxes?
Who is causing the urban pressure? How many existing houses are on the market in the Valley?
What is the average cost and length of time a house is on the market in the Valley?
Would taxes on agricultural land be higher if the land remained under Williamson Act contracts?
Is it not reasonable to assume that if "no project" occurred that property owners would continue to use there land for agricultural activities?
Loss of agricultural and open space land is a significant impact.

Response to Comment 41-9: See responses to Comments 35-7 and 37-5 regarding conversion of agricultural lands and Williamson Act contracts. See responses to Comment 24-3 and 34-2 regarding loss of agricultural land. The questions regarding market and growth pressures are beyond the scope of the EIR.

- 41-10 Comment: IM 3.1/D See definition of "prime" in the Cortese Knox Reorganization Act, section 56064 (F). Mitigation is needed.

Response to Comment 41-10: See Response to Comment 24-3.

- 41-11 Comment: Page 3.1-12 Agricultural/Rural Residential: The statement that a "majority of the owners in the Collier Canyon Road vicinity have filed for non-renewal" is incorrect.

(See Figure 3.1-E) Only parcels 48, 44, 43, and 31 have filed for non-renewal. Parcels 39, 40, and 41 are listed in error.(See Table 3.1-1)

Response to Comment 41-11: Comments acknowledged. Figure 3.1-E has been revised to omit parcels 39, 40, and 41 from non-renewal status. The first paragraph on page 3.1-12 has been revised as follows:

Agricultural/Rural Residential. East of the Project site, most of the lands are used for grazing. Much of this land is in Williamson Act contract. (see Figure 3.1-C), with the exception of those fronting on I-580 and smaller lots along lower Collier Canyon Road. ~~A majority of the owners in the Collier Canyon Road vicinity have filed for non-renewal.~~ These lands are included in the North Livermore General Plan Amendment Area....

41-12 **Comment:** IM 3.1/H Since development in part of East Dublin will be in conflict with the proposed Airport Protection Area, isn't mitigation required?

Response to Comment 41-12: See responses to Letter 2 from Pilots to Protect the Livermore Airport and Letter 28 from the County ALUC.

41-13 **Comment:** Page 3.2-15 Sphere of Influence: Isn't a request to enlarge Dublin's sphere of influence inconsistent with the Cortese Knox Reorganization Act, section 56377?

Response to Comment 41-13: No. See Response to Comment 24-3.

41-14 **Comment: Page 3.2-5** Is the County's 600 acres at Santa Rita still to be designated business park?

Response to Comment 41-14: No, the County's Santa Rita property will be redesignated as shown in the GPA and Specific Plan land use maps.

41-15 **Comment: Page 3.3-2** Doolan Road: There are 16 existing residences on Doolan Road. In order for there to be 600 vehicles a day on the road each house would have to generate 37 1/2 trips. Error?

Response to Comment 41-15: The daily traffic volume reported for Doolan Road was based on direct turn movement counts conducted from 7:00 to 9:00 A.M. and from 4:00 to 6:00 P.M. The daily volume was estimated from these peak period counts using standard factors derived from other count locations (daily traffic is generally about 10 times the peak hour volume). Approximately 50 vehicles were observed entering or exiting Doolan Canyon Road during the P.M. peak hour, resulting in an estimate of about 500 daily vehicles. It is quite possible that standard peaking factors are not appropriate for Doolan Canyon Road. This estimate of existing volume was not used in the analysis of future traffic impacts on Doolan Canyon Road. The future traffic projections were based on the projected number of housing units on Doolan Canyon Road and the standard trip generation rates, consistent with the analysis of all other development in the area.

41-16 **Comment: Table 3.3-4** There must be an error in the LOS for Airway Blvd and I 580 off ramps both WB and EB. Before the start of classes at Las Positas College both the EB and WB off ramps can be backed-up onto I-580 and long delays occur. When classes are released the traffic is not as bad but long delays still occur when exiting I-580.

Response to Comment 41-16: Comment noted. These conditions were observed during field studies and described on page 113 of the East Dublin Environmental Setting report (November 29, 1988). This text was omitted from the DEIR. The level of service analysis is based on standard procedures for evaluating conditions throughout the full peak hour. It is possible to have an acceptable LOS for the full peak hour and still have congestion during portions of the peak hour.

- 41-17 **Comment: MM 3.3/1.0** Does Caltrans have plans to build auxiliary lanes on I-580? What local jurisdictions does the mitigation refer to? If cooperation between local jurisdictions does not occur how will auxiliary lanes be funded?

Response to Comment 41-17: Caltrans has not programmed the construction of auxiliary lanes east of Tassajara Road. However, the proposed 10 lane section on I-580 is consistent with the ultimate configuration designated in the Caltrans Route Concept Report for I-580. The construction of auxiliary lanes will require funding from development in all the various jurisdictions which are projected to add traffic to I-580 and require adequate traffic operations on I-580 in order to provide access to their developments.

- 41-18 **Comment: IM 3.3/B** Could this "unavoidable adverse impact" be mitigated by simply not building the Project or building it smaller?

Response to Comment 41-18: Chapter 4 of the DEIR, Alternatives, discusses impacts which would be reduced by each of the Project alternatives.

- 41-19 **Comment: MM 3.3/3.0** Who will pay the difference between the actual cost of constructing auxiliary lanes and the amount the project contributes?

Response to Comment 41-19: See response to Comment 34-11.

- 41-20 **Comment: MM 3.3/4.0** What is the Projects proportionate share and who pays the rest? If no other contributions are found how will this significant impact be mitigated?

Response to Comment 41-20: The Project's proportionate share of improvement costs will be determined through a regional study such as the current study by the Tri-Valley Transportation Council. If development in other jurisdictions does not occur, funding may not be available, but many of the impacts identified as significant will be reduced and may not require mitigation.

- 41-21 **Comment: IM 3.3/E** Same question as for IM 3.3/B.

Response to Comment 41-21: Chapter 4 of the DEIR, Alternatives, discusses impacts which would be reduced by each of the Project alternatives.

- 41-22 **Comment: IM 3.3/A to 3.3/E** If these impacts "exceed" level of service E at what level of service are they? Is level of service E acceptable in Dublin's General Plan? What level of service is acceptable to other cities in the area, the County and State agencies?

Response to Comment 41-22: Road sections which exceed level of service E would be at level of service F. The City of Dublin considers LOS D to be acceptable for intersections. The cities of Pleasanton, Livermore and San Ramon have also identified LOS D as the

acceptable threshold for intersection operations, although each city uses slightly different calculation procedures and numerical cutoffs to define LOS D. The Alameda County Congestion Management Plan has designated LOS E as the maximum acceptable level of service on the CMP designated road system, including the I-580 and I-680 freeways.

41-23 Comment: MM 3.3/6.0 Same question as for MM 3.3/4.0.

Response to Comment 41-23: See Response to Comment 41-20.

41-24 Comment: MM 3.3/7.0 What would be the impact on Pleasanton to have one of their right-turn lanes removed?
If Pleasanton does not agree to this mitigation how will this "significant impact" be mitigated?

Response to Comment 41-24: The mitigation measure has been revised based on comments by the City of Pleasanton. See response to Comment 7-11.

41-25 Comment: MM 3.3/8.0 Same question as for MM 3.3/4.0.

Response to Comment 41-25: See Response to Comment 41-20.

41-26 Comment: MM 3.3/9.0 Why is it assumed that Pleasanton would cooperate to mitigate impacts created by the Project?
How will businesses on Pimlico Drive be compensated for lost revenues caused by this mitigation?
Wouldn't prohibiting left turns onto Pimlico Drive create a significant impact on Pleasanton and its residents?

Response to Comment 41-26: Pleasanton has contributed significantly to regional traffic mitigation programs and will continue to be involved through its participation in the Tri-Valley Transportation Council. The City of Pleasanton has an interest in providing adequate traffic operations within its jurisdiction. In their comments on the Eastern Dublin DEIR, the City of Pleasanton indicated that a peak period left-turn prohibition for southbound left turns to Pimlico Drive would not be acceptable. Mitigation measure MM 3.3/9.0 has been revised to exclude a left-turn prohibition, as shown in the revised transportation text included as an attachment to this Final EIR.

41-27 Comment: MM 3.3/12.0 Same question as for MM 3.3/4.0.

Response to Comment 41-27: See Response to Comment 41-20.

41-28 Comment: MM 3.3/14.0 Is accepting level of service F compatible with Dublin's General Plan?

Why is the widening of Tassajara Road not compatible with the Project?
Will accepting level of service F impede emergency services (police, fire and ambulance) on Tassajara Road? If so, at what cost?

Response to Comment 41-28: The City of Dublin policy is that level of service D should be the maximum acceptable level of service at intersections. A four-lane Tassajara Road within the Town Center would provide improved pedestrian and vehicle access to commercial properties fronting on Tassajara Road compared to a six-lane section. A street operating at a level of service F would impede emergency services. Mitigation measure MM 3.3/14.0 has been revised to allow for the possibility of widening Tassajara Road if

needed, as shown in the revised transportation text included in the Errata section of this response document.

- 41-29 **Comment: MM 3.3/15.2** Same question as for 3.3/4.0. There is no mention of impacts caused by the Project on existing roads in Dublin except Dougherty Road. Why not, what are they and who pays to mitigate them?

Response to Comment 41-29: See Response to Comment 41-20. The DEIR includes analysis of all intersections and road segments which were identified, by the City of Dublin, as locations where the Eastern Dublin project may create significant traffic impacts beyond traffic impacts created by other future development projects. The City of Dublin is responsible for ensuring acceptable traffic operations on city streets through city actions or through developer requirements.

- 41-30 **Comment: Figure 3.3-E** Buildout with Project: 52,000 cars disappear off Santa Rita Road between I-580 and Gleason Road. They are not shown as turning onto Dublin Blvd. So what happened to them?

Response to Comment 41-30: As shown in Table 3.3-7 on page 3.3-14, nearly half of the daily traffic generation in the General Plan Amendment area would be attributable to retail development, and about two-thirds of daily traffic generation would be attributable to all types of non-residential development. As shown in figures 2-E and 2-F, nearly all of the commercial development would be located south of Gleason road, with the majority of the highest generating uses located between Dublin Boulevard and the I-580 freeway. Therefore, significant traffic volumes are projected to travel between the I-580 freeway and commercial access via Dublin Boulevard. Very high turn volumes are projected between Dublin Boulevard and the sections of Hacienda Drive, Tassajara Road and Fallon Road south of Dublin Boulevard. Much smaller quantities of traffic would continue north of Dublin Boulevard to reach the lower-generating residential land uses.

- 41-31 **Comment: IM 3.4/A** If Dublin continues to staff their police department below State standards would this have significant impacts on the Project upon buildout?

Response to Comment 41-31: See responses to Comments 3-11 and 34-17.

- 41-32 **Comment: IM 3.4/D** What will be the standard response area for DRFA? How will firefighting service be provided to areas outside the Districts standard response area? What will be the response time?

Response to Comment 41-32: The EIR has assumed that the current 1.5 mile/5 minute response time would be in effect. DRFA will need to determine if additional stations are needed or different station locations are needed as the project builds out (MM 3.4/6.0, 8.0, and 13.0). DRFA must maintain the current standard if it wants to maintain its current ISO insurance rating.

- 41-33 **Comment: Table 3.4-5** Park facilities in the GPA Increment area are totally inadequate and needs mitigation. The Specific Plan area has approximately 115 people per acre of parks/community centers versus approximately 325 people per acre in the GPA Increment area. The Specific Plan area has approximately 67 people per acre of open space versus approximately 93 people per acre in the GPA Increment area. Why the difference? With the number of people (14,895) proposed for this area is this not a potentially significant impact?

Response to Comment 41-33: While it is true that the major community and city parks have been located central to the largest concentration of population, the GPA Increment Area is provided with four neighborhood parks connected by the Cottonwood Creek open space corridor. The park locations for the plan have been developed in consultation with the development of the draft Parks Master Plan for Dublin, and are considered more than adequate to address the needs of the proposed development.

- 41-34 Comment: MM 3.4/36.0 There are no mechanisms in the General Plan Amendment that require developers to dedicate trail easements or open space along ridges. Mitigation is inadequate.

Response to Comment 41-34: As stated on page 3.4-19, MM 3.4/32-3.4/36.0 are applicable to the entire Project area. The requirement in MM 3.4/36.0 that developers dedicate public access easements along ridgetops and stream corridors will therefore also apply to the GPA Increment area.

- 41-35 Comment: Page 3.5-3 Why was Doolan Canyon not included in DSRSD's wastewater planning?

Response to Comment 41-35: In the March 1991 water and wastewater collection system analysis, DSRSD included the upper part of Doolan Canyon (which had previously been within the Dublin sphere of influence) and not the lower portion of Doolan Canyon (which is outside the sphere). This was done at DSRSD's request in order to avoid oversizing of facilities should development not proceed there. This does not alter the fact that TWA has included Doolan Canyon in its projections, so the base capacity will be there if/when the TWA project is constructed.

- 41-36 MM 3.5/D Why would the DSRSD treatment plant need to be expanded if TWA, as proposed, is transporting untreated wastewater?

Response to Comment 41-36: The DSRSD treatment will need to be expanded as water recycling programs are put in place. DSRSD has stated that significant portions of Eastern Dublin will use recycled water. Recycled water is a part of an overall solution to wastewater disposal which will include the existing LAVWMA export pipeline. LAVWMA will continue to export treated wastewater. TWA, as currently proposed, will export untreated wastewater. Expansion at the DSRSD treatment plant would include some level of the staged expansion shown in MM 3.5/9.0, plus required advanced treatment facilities for recycled water.

- 41-37 Comment: MM 3.5/9.0 Same question as for IM 3.5/3.0.

Response to Comment 41-37: See Comment #41-36.

- 41-38 Comment: MM 3.5/11.0 There are "significant impacts" and "significant cumulative impacts" that need to be addressed in this section.
- 1) Would TWA be growth inducing?
 - 2) What is the total cost of TWA?
 - 3) What level of treatment will sewage be given in Martinez?
 - 4) Cost of treating TWA's sewage in Martinez?
 - 5) Cost of buying capacity in the Central Contra Costa Sanitary District (CCCSD) sewer line?
 - 6) Capacity remaining is the CCCSD sewer line?
 - 7) When capacity in CCCSD sewer line is used up how will the problem be mitigated? Who

pays? How much?

8) When capacity in the Martinez treatment is used up how will the problem be mitigated?
Who pays? How much?

Response to Comment 41-38: For these comments, refer to TWA Subsequent EIR.

41-39 **Comment: MM 3.5/2.0** To what level will recycled water be treated?

Response to Comment 41-39: The recycled water will be treated to meet the requirements of Title 22, Division 4, of the California Administrative Code for landscape irrigation with reclaimed water. Under these requirements, the recycled water will be oxidized, coagulated, clarified, filtered and disinfected to meet the following standards:

	<u>Average</u>	<u>Maximum</u>
Coliform levels (MPN/100 ml)	2.2	23
Turbidity (NTU)	2	5

Note: MPN/100 ml: Most Probable Number per 100 milliliters
NTU: Nephelometric Turbidity Units

There have been concerns over the need for demineralization of recycled water due to potential salt buildups in the groundwater basin. However, DSRSD has noted in its 15 October 1992 review of the DEIR and GPA that a recent Zone 7 study on recycled water has identified Eastern Dublin as being a fringe basin not requiring demineralized water for irrigation.

41-40 **Comment: IM 3.5/L** Is reverse osmosis being considered?
Could reverse osmosis eliminate the need for TWA?
What is the cost comparison between reverse osmosis and the final cost of TWA?

Response to Comment 41-40: Reverse osmosis was considered in the Specific Plan and DEIR. However, DSRSD has noted in its 15 October 1992 review of the Specific Plan and GPA that a recent Zone 7 study on recycled water has identified Eastern Dublin as being a fringe basin not requiring demineralized water for irrigation.

The question was asked whether reverse osmosis could eliminate the need for TWA. As noted in Comment #41-40 above, it now appears that reverse osmosis will not be required for recycled water in Eastern Dublin. As far as recycled water eliminating the need for TWA, there is not enough of a recycled water demand to offset all the wastewater flows projected for Eastern Dublin. Recycled water demands have been estimated at an average of 2.5 MGD, while wastewater flows have been estimated at 4.4 MGD average dry weather flows. This would leave about 1.9 MGD of wastewater on the average for disposal. DSRSD has noted that it is unlikely that any LAVWMA capacity will be committed to the Plan Area. Therefore, some form of a TWA project will be required to dispose of the portion of the wastewater flows that cannot be recycled.

An estimated cost of wastewater service with maximum export through a proposed TWA system is presented in Table A-9 of the Specific Plan. An estimated cost of wastewater service with maximum reclamation and reuse, including a reduced share of TWA, is presented in Table A-10 of the Specific Plan.

41-41 Comment: Page 3.5-16 Why was Doolan Canyon not included in DSRSD's water system master plan?

Response to Comment 41-41: See Comment #41-35.

41-42 Comment IM 3.5/P Mitigations in this section fail to prevent the overdrafting of the groundwater basin. Overdrafting of the groundwater basin will have a significant impact on East Dublin and a cumulative impact on the existing residents of the Valley. Mitigation measures such as mandatory water rationing, new water sources, banning new developments and mandatory recharge to the groundwater basin needs to be addressed. Costs for finding and securing new water sources needs to be addressed also.

Response to Comment 41-42: The mitigation measures presented under IM 3.5/P are intended to only mitigate the overdrafting of the local "fringe basin" that underlies Eastern Dublin. Measures to prevent overdrafting of the larger Central Basin are dealt with under mitigation measures for IM 3.5/Q, Increase in Demand for Water.

41-43 Comment: IM 3.5/Q Mitigations in this section fail to address the issue. Where is a long term sustainable water source going to come from?

Response to Comment 41-43: If the mitigation measures are implemented, the impact will be reduced to a level of insignificance. DSRSD has recognized that unlimited supplies of water may not be available from Zone 7 in the future. Accordingly, DSRSD passed Resolution 5-92 in February 1992 that established the District's policy on securing additional water supplies for existing and future customers. The Resolution states that it is the District's policy to:

- First and foremost secure water to meet the needs of existing customers.
- Pursue acquisition of additional water supplies to meet the needs of new developments being planned by the land use planning agencies.
- Cooperate with Zone 7 to obtain new water but to take the necessary steps to acquire this water from sources other than Zone 7, if that is what is required.
- That ultimate beneficiaries of the new water equitably participate in funding of the planning, engineering, acquisition, and delivery of that water, to our service area.

41-44 Comment: MM 3.5/31.0 Won't this mitigation promote overdrafting of the groundwater basin?

Response to Comment 41-44: Under MM 3.5/31.0, the new well that DSRSD and Pleasanton are constructing will not pump any additional water beyond the current DSRSD Independent Quota of 640 acre-feet per year. The new well will basically improve DSRSD's system reliability to meet current and future demands.

41-45 Comment: IM 3.5/S The statement "there is no water service to the Project Area" is incorrect. Livermore does provide water to a part of the Project Area.

Response to Comment 41-45: The comment is acknowledged.

41-46 Comment: IM 3.5/T How much water will be provided to the Dougherty Valley development? Is DSRSD considering supplying water to developments in the southern Tassajara Valley in Contra Costa County? If so, how much? Is DSRSD planning to provide wastewater service to these areas?

Section 3.5 is completely lacking any discussion on who pays, how much and how financed. Why?

Response to Comment 41-46: The amount of water required for the Dougherty Valley development is still under consideration.

At this time, DSRSD has only considered supplying water to Dougherty Valley.

DSRSD is considering providing wastewater service to the Dougherty Valley.

Cost estimates for water, wastewater and storm drain infrastructure are presented in Appendix 6 of the Specific Plan. A financing analysis is presented in Chapter 10 of the Specific Plan. A section of fiscal considerations is presented in Section 31.12 of the DEIR.

41-47 **Comment: Page 3.6-2** Why is there no mention of the strong earthquakes to hit this area in 1980 and the damage they caused?

Response to Comment 41-47: The Greenville fault zone is noted in the EIR (page 3.6-2) as source of earthquakes, and is listed in Table 3.6-1, Earthquake Parameters (page 3.6-3), as one of the significant seismogenic sources with respect to site seismicity. The earthquake referenced was a M5.8 that occurred on January 27, 1980.

41-48 **Comment: Page 3.6-4** Why is Cottonwood creek considered intermittent when it has water in it year round even after 6 years of drought?

Response to Comment 41-48: Intermittent refers to the designation shown on the USGS Livermore 7.5-minute Topographic Quadrangle.

41-49 **Comment: IM 3.6/A** Have the most recent maps from the California Department of Mines and Geology (1991) been examined for possible faults in the Project Area?

Response to Comment 41-49: Yes. See response to Comment 39-18.

41-50 **Comment: 3.6/2.0** Is it possible to place development off (setback from) unstable and potentially unstable landforms in the Cottonwood Creek area considering Doolan Canyon is narrow and steep sided?

Response to Comment 41-50: Yes. As stated in the EIR, "...it is generally preferable to avoid potentially adverse effects of impacts where possible by proper structure siting during the planning process" (page 3.6-8), and a number of mitigation measures include setbacks (e.g. MM 3.6/2.0 along Cottonwood Creek).

41-51 **Comment: MM 3.6/3.0** To completely remove unstable and potentially unstable materials to allow development in parts of the Project area would removing entire hills and ridges be considered?

It is stated that implementation of MM's 3.6/2.0 to 8.0 "should" reduce secondary effects. Does this mean that there is a probability of a potentially significant impact remaining? Is this acceptable?

Response to Comment 41-51: If a project was allowed in a hillside area where complete removal of unstable and potentially unstable materials was the only viable mitigation measure, the removal of a hill/ridge may or may not be necessary, depending on site and

project specific conditions/considerations. Whether such a project is allowed is a planning decision.

Significance criteria are discussed on page 3.6-6 and 3.6-7.

- 41-52 **Comment: MM 3.6/9.0** Are permanent landform changes in hill areas unavoidable 3.6/9.0 if development is restricted to the south-western portion of the Project area? MM 3.6/9.0 uses the word "minimal grading" and MM 3.6/30 uses the words "substantial grading" Aren't these two mitigation measures inconsistent with each other? MM 3.6/9.0 says to see MM 3.6/12 but we fail to see how the two have anything in common.

Response to Comment 41-52: If development is restricted to the broad plain in the southwestern portion of the Project site, permanent landform changes should not occur in the hillside areas of the Project site.

No, there is no inconsistency between MM 3.6/9.0 and MM 3.6/3.0. MM 3.6/9.0 addresses the normal level of grading that should be planned for, while MM 3.6/3.0 addresses situations in which unstable areas need to be stabilized.

See response to Comment 40-8.

- 41-53 **Comment: MM 3.6/10.0** Says to see MM 3.6/10.0. Error?

Response to Comment 41-53: Yes. The cross referenced "(see MM 3.6/10)" in MM 3.6/10.0, should be (MM 3.6/18.0).

- 41-54 **Comment: MM 3.6/11.0** Would locating and characterizing groundwater conditions during a drought be reliable information?

Response to Comment 41-54: See responses to Comments 15-41 and 40-4.

- 41-55 **Comment: MM 3.6/11.0** Is "should reduce" considered a sufficient mitigation?

Response to Comment 41-55: Yes.

- 41-56 **Comment: MM 3.6/17.0 - 19.0** States "should reduce natural slope instability impacts to a level of insignificance". What level of insignificance is acceptable?

Response to Comment 41-56: See response (3) to Comment 41-51.

- 41-57 **Comment: MM 3.6/20.0** Same question as for MM 3.6/11.0-13.0.

Response to Comment 41-57: Yes.

- 41-58 **Comment:** Section 3.6 indicates that the hills in the Project area very unstable and should not be considered for development. Two questions have not been addressed. Who will take responsibility for loss of life, property and infrastructure when mitigation measures fail? Who will pay to have property and infrastructure replaced? There should also be a mitigation measure that states that the City shall hire their own geotechnical consultant to review plans and not depend on geotechnical consultants hired by developers.

Response to Comment 41-58: The comment mischaracterizes Section 3.6. It does not indicate "...that the hills in the Project area are very unstable and should not be considered for development".

Generally, the owner/developer and/or the design professionals, are responsible for the design and construction of a project to the standards applicable at the time of construction.

Independent review is provided for in the Mitigation Monitoring Plan of the EIR.

- 41-59 **Comment: APP C/1** Why isn't there a map showing the location of the 6 zones in the Project area? Zone 0 is the only zone that doesn't use the words "possible costly" or "costly" engineering designs. Zones 0 and 1 do not use the words "residual risk". Where are these two zones located in the Project area?

Response to Comment 41-59: See response to Comment 17-18.

- 41-60 **Comment: MM 3.7/1.0 - 4.0** How will implementation of these mitigation measures reduce impacts to a level of insignificance? The only way to mitigate the loss of 3700 acres of habitat is to replace it with 3700 acres in the same area or by not building the Project at all.

Response to Comment 41-60: Please refer page 3.7-8, DEIR for CEQA Guideline definitions of significant effects. Mitigation is defined according to the Council of Environmental Quality (CEQ) regulations published in the Code of Federal Regulations (CFR). This definition distinguishes five stages of mitigation: 1) avoidance; 2) minimization of effects during construction; 3) minimization of effects during operation; 4) restoration of the affected environment; and 5) compensation. Proposed mitigation measures operate at all these levels except for compensation. Please recognize that implementation of even the best mitigation measures results in a net loss of options available to species and thus represents a compromise.

- 41-61 **Comment: APP E/1** How could wildlife biologists have followed kit fox survey methods suggested by Orloff (1992) when Bio Systems conducted their surveys in 1989?

Is the biological assessment that was done for the GPA area considered adequate? The assessment was done during the second year of the drought. Changes in ranching techniques in the area have become apparent. Up until a few years ago, cattle were removed from pastures in June and not returned until October or November. Now cattle remain in pasture year around. Also the ground squirrel population has been diligently eradicated. Combining these three elements (6 years of drought, year-round grazing, and rodent eradication) was wildlife habitat meant to survive? There has also been numerous sightings of the Kit Fox and Tiger Salamander in Doolan Canyon.

Response to Comment 41-61: The date on Orloff (1992) refers to the publication date, not the survey techniques. The Eastern Dublin survey predated California Department of Fish and Game Region 4 protocol (CDFG 1990). However, CDFG survey guidelines were essentially adopted from the procedures established by Orloff (1992).

Surveys for the biological assessment of the Eastern Dublin Project area were conducted in 1988 and 1989. Factors including the amount of rainfall, land use practices, rodent control, and many unknown or poorly understood relationships will affect the outcome of all surveys and the resulting assessment. We recognize these environmental uncertainties and their potential significance on any short term sampling scheme. Keep in mind that

the exact location and relative abundance of specific resources are expected to change in response to many "natural" and human-induced factors. For CEQA applications we believe that the Eastern Dublin Project environmental assessment is adequate.

We are not aware of major changes in livestock management practices or new efforts to exterminate ground squirrels that are mentioned in the comment. Interviews with local residents, including those in Doolan Canyon, were conducted and their observations were incorporated into the biological assessment (see Appendix D, response to comment 38-11 and 38-12).

- 41-62 **Comment: IM 3.8/F** How is this impact a "trade-off"? Slopes, hillsides and ridgelines are NOT being preserved. See MM 3.8/5.0, MM 3.8/4.4, MM 3.8/4.3, MM 3.8/4.2. Aren't all the above mitigation measures designed to permit building on slopes, hillsides and ridgelines and not preserving them?

Response to Comment 41-62: The plan has set aside 3,243.4 acres of open space and Rural Residential land for little or no development. The majority of this area was set aside because of visual or geotechnical sensitivity.

- 41-63 **Comment: MM 3.9/7.0** Isn't it impossible to do an in-depth archival research on historic resources when they are already being destroyed?

Response to Comment 41-63: As the policy states, this research should be conducted "prior to any alteration."

- 41-64 **Comment: IM 3.10/C** The expansion of East Dublin to include 43,000 people and 10+ million sq.ft. of commercial/industrial space will generate more flights at the regional airport. Businesses located at Hacienda Business Park have used the airport for corporate flights. There is no reason to assume businesses locating in East Dublin will not do the same thing considering the close proximity of the airport to East Dublin. Residents living under airport flight paths have historically complained about noise. The proposed Airport Protection Area was designed to help eliminate the impact of airport noise on proposed new residential development. See "Supporting Documentation and Background Information For Airport Protection Area" prepared by McClintock, Becker and Associates, June 22, 1992. Placing residential development near the airport will have a significant impact and needs mitigation.

Response to Comment 41-64: See response to Comment 2-6.

- 41-64 **Comment: 3.12/D** Hasn't the State just taken some of the property tax revenues that normally would go to cities? How much? Is it wise to assume the City will receive a 25% share of property taxes? Who pays for service to the Project area during the early years of shortfalls? If the City does not receive a 25% share of the property tax revenues would there still be sufficient funds to cover Project-generated costs? If not who pays? If enough development is not applied for to cover the up front cost to city streets and infrastructure how will they be paid for?

Response to Comment 41-64: Yes, Senate Bill 846 and 617 will shift some of the City's property tax revenues to school districts. According to the County Auditors Office, 9 percent of the City's property tax revenues (based on prior year assessed valuation) will be affected. However, this reduction in Dublin's property tax revenues will not affect the project's ability to generate sufficient revenues to cover costs over time. Please see answer to question 34-42 on how to deal with early shortfalls. The 1992 City of Dublin/County

of Alameda Annexation Agreement allocates 25.4 percent of total property tax revenues to the City.

- 41-65 **Comment: Page 4-4** Population, Housing and Employment: Would the "No Project" alternative produce 8995 new jobs considering the County is not going to use all their property for business park?

Response to Comment 41-65: The assumption under the No Project alternative is that the County property would develop as designated for business park. The projection of 8,995 new jobs is based on this assumption.

- 41-66 **Comment: Page 4-5 & 4-6** Sewer, Water and Storm Drainage: Would a new wastewater collection system be required under the "No Project" alternative? Hasn't the County already purchased sewer capacity from DSRSD which has not been used? If so, how much? Wouldn't it be prudent to construct a recycled water distribution system to accommodate existing uses in the DSRSD area especially if the drought continues?

Response to Comment 41-66: Yes, a new wastewater collection system would be required under the "No Project" Alternative. Refer to Figure 4-A in the DEIR for land use under the "No Project" Alternative. As can be seen from Figure 4, the "No Project" Alternative still allows for a certain level of business parks/industrial development in accordance with the 1985 Dublin General Plan and the Alameda County General Plan (in revision of May 1992). This level of development would require the construction of a wastewater collection system.

DSRSD has reserved 100,000 gpd of wastewater treatment plant capacity for Alameda County for industrial and non-retail commercial uses to be used at the discretion of Alameda County on Alameda County owned properties within DSRSD annexed territories and within Alameda County. This reserved capacity still must be purchased in the form of sewer permits at the time of development. This 100,000 gpd capacity was reserved under an agreement with DSRSD wherein Alameda County contributed funds to free up bottlenecks at the DSRSD wastewater treatment plant. It was not a purchase of capacity, but rather a reservation of capacity for future purchase.

DSRSD is currently planning for recycled water to serve significant portions of Eastern Dublin.

- 41-67 **Comment: Page 4-10** Williamson Act Lands: Why would agricultural activities on the Moller, Fallon and Croak properties come under development pressure with Alternative 2? Wouldn't the same or greater pressure be there under Alternative 3 and the Project itself?

Response to Comment 41-67: It is true that each of the alternatives could result in development pressures on those lands designated with urban uses. The intent of the discussion on page 4-10 was to distinguish between those lands that would be susceptible to development pressures and those that would not, given the reduction in the size of the project area.

- 41-68 **Comment: Relevant Plans and Policies:** With the exception of Alternatives 1 and 4 are any of the alternatives (including the Project) consistent with the Alameda County General Plan?

Response to Comment 41-68: Alternative 2 would also be consistent. See Response to Comment 35-18 for discussion of consistency with County General Plan.

- 41-69 Comment: Has the Draft EIR addressed any constraints in conjunction with the Airport Protection Area? What alternatives are being considered to land uses after the APA is in place?

Response to Comment 41-69: See responses to Letter 2 from Pilots to Protect the Livermore Airport and Letter 28 from the County ALUC.

- 41-70 Comment: Population, Housing and Employment: Couldn't a more favorable jobs/housing balance be achieved in the RPA alternative by using the option of housing in the Campus Office area?

Response to Comment 41-70: Yes, but then it would be a different alternative.

- 41-71 Comment: Page 4-11 Community Services and Facilities: Under the RPA alternative open space in Dublin would decrease by 128 acres but wouldn't open space in the valley increase by 2743.9 acres?

Response to Comment 41-71: Yes, relative to the Project.

- 41-72 Comment: A few people have asked for another alternative to be considered. East Dublin could be developed on the flatter portion of the area east to Fallon Road. The properties include Alameda County (16), USA (17), Dublin Land Company (18), Pao-Lin (19), the south half of Chang Su-O-Lin (1), Casterson (15), and part or all of Kollers (14). Fallon Road could be brought north and west to connect in the area of the Koller (14) property. This would encompass about 1800 acres. There are many benefits to building a Project of this size. A jobs/housing balance could be achieved easily. Traffic and circulation impacts could be mitigated. Community services and facilities would be less. Sewer, water and storm drainage would be less costly and easier to finance. Sewage could possibly be treated by reverse osmosis and TWA would not be needed. Along with reverse osmosis existing water sources might be adequate. Without development in the hillside areas the significant impacts encountered in these areas would not need to be mitigated. Impacts to wildlife and vegetation would not be greatly impacted. Views of the hillsides and ridges would be left undisturbed. Noise from the airport would be avoided. A project this size would be easier to finance. This alternative would fulfill Dublin's desire to grow and would probably not be as likely to be challenged by other jurisdictions, agencies and citizens. See attached map.

Response to Comment 41-72: Comment acknowledged. An EIR must consider a reasonable range of alternatives, but not all possible alternatives.

- 41-73 Comment: Page 5.0-2 Traffic and Circulation: There isn't any discussion on cumulative impacts caused by the Projects traffic to existing city streets in Dublin, Livermore, Pleasanton or Contra Costa County. This needs to be done for:
Dublin Blvd between San Ramon Rd. & Dougherty Rd.
Amador Valley Blvd between San Ramon Rd & Dougherty Rd.
Alcosta Blvd between San Ramon Rd & Village Pkwy.
Village Pkwy between Alcosta Blvd & Dublin Blvd.
Dougherty Rd between I-580 & Camino Tassajara Rd.
Tassajara Rd between I-580 & Danville
Santa Rita Rd between Dublin Blvd & Down Town Pleasanton.

Hacienda Dr between Dublin Blvd & Las Positas Blvd.
Airway Blvd between Dublin Blvd & Portola Ave.

Response to Comment 41-73: See Response to comment 31-11.

- 41-74 Comment: Page 5.0-4 IM 3.3/N Why wasn't changing the proposed land use of the Project discussed as a mitigation to this impact?

Response to Comment 41-74: Chapter 4 of the DEIR, Alternatives, discusses impacts which would be reduced by each of the Project alternatives.

- 41-75 Comment: Page 5.0-6 IM 3.5/G Why wasn't reverse osmosis fully discussed as a way to mitigate the lack of wastewater disposal?

Response to Comment 41-75: A reverse osmosis demineralization system was discussed in the Specific Plan. Cost estimates for a reverse osmosis demineralization system were also presented in the Specific Plan. However, DSRSD has noted in its 15 October 1992 letter reviewing the Specific Plan and GPA that a recent Zone 7 study on recycled water has identified Eastern Dublin as being a fringe basin not requiring demineralized water for reuse. Thus, reuse of recycled water for landscape irrigation may be possible in Eastern Dublin without demineralization by reverse osmosis, or some other demineralization technology.

- 41-76 Comment: Page 5.0-7 IM 3.5/Q Mitigation measures are insufficient. Only water conservation and ways to further deplete the groundwater basin are mentioned here. There aren't any mitigation measures to assure a sustainable source of water for existing or future residents.

Response to Comment 41-76: The mitigation measures proposed in the Specific Plan and DEIR, if properly implemented, will provide proper mitigation. Mitigation measures such as water conservation and water recycling are now the standard goals of waterworks industries throughout California. Both Zone 7 and DSRSD have had a historic commitment to responsible groundwater management and providing a reliable delivery of supply to their customers.

Recently, DSRSD passed Resolution 5-92 in February 1992 which states that it is the District's policy to:

- First and foremost secure water to meet the needs of existing customers.
- Pursue acquisition of additional water supplies to meet the needs of new developments being planned by the land use planning agencies.
- Cooperate with Zone 7 to obtain new water but to take the necessary steps to acquire this water from sources other than Zone 7, if that is what is required.
- That ultimate beneficiaries of the new water equitably participate in funding of the planning, engineering, acquisition, and delivery of that water, to our service area.

In a 15 October 1992 letter reviewing the Eastern Dublin Specific Plan and GPA, DSRSD stated:

"DSRSD is now undertaking a Water Resources Acquisition Study, the goal of which is to acquire or develop new water resources to both stabilize the existing water supply and to provide long term firm deliveries to new areas. To date, this work is being funded in its entirety by development interests in Western Dublin and Dougherty Valley. District staff

has had preliminary discussions with development interests in Eastern Dublin to ensure equitable funding for the search for water for Eastern Dublin. To date, DSRSD has tentatively examined a number of potential water suppliers and has targeted three potential search supplies for consideration.

"In order to meet future demand, DSRSD is also pursuing other sources of water that will include the use of recycled water from its treatment plant as well as water conservation through the implementation of 'Best Management Practices' for Urban Water conservation."

- 41-77 **Comment: Page 5.0-10 IM 3.7/A** Mitigation measures insufficient. Why wasn't Transfer of Development Credits (TDC) considered as a way to prevent landform alterations to hillsides and ridglands?

Response to Comment 41-77: Hillsides and ridglands that have been designated for development are suitable for development. With the implementation of the proposed mitigation measures, the alteration of existing landforms will not result in a significant impact.

- 41-78 **Comment: Page 5.0-11 IM 3.7/A** Mitigation measures insufficient. Why wasn't the use of TDC's considered as a way to mitigate habitat loss?

Response to Comment 41-78: The plan generally directs development away from the highest value habitat, but any development will result in the loss of some habitat. TDC (or TDR's) are still an option open to the City, but there are no immediately apparent receptor sites in the city to which to transfer development credits from the Project area. See Response to Comment 38-11 for additional discussion of transferring development rights.

- 41-79 **Comment: Page 5.0-15 IM 3.5/C** Mitigation measure insufficient. Wouldn't additional capacity to serve the Project also allow for capacity to later urbanize the proposed rural residential areas?

Response to Comment 41-79: The infrastructure system has been sized to accommodate the level of growth projected by the plan. It does not include extra capacity for future development. In addition, the stated policy in the plan is clearly to protect the Rural Residential areas as an open space resource, and not permit its future development.

- 41-80 **Comment: Page 5.0-15 IM 3.5/T** If DSRSD has sized the water distribution infrastructure system to serve anticipated growth beyond the Project site then why not sewage infrastructure? Is DSRSD's service area for water the same as their service area for sewage? Will DSRSD serve the Dougherty Valley with sewage service?

Response to Comment 41-80: The water system was modeled under the assumption that a portion of the demand in Dougherty Valley will be provided through Eastern Dublin. According to DSRSD, the fact that the system was modeled that way does not constitute a commitment to serve the Dougherty Valley. It was simply prudent planning for DSRSD to do so in the event that DSRSD is called upon to be service provider in the Dougherty Valley and water is acquired to provide it. DSRSD attempted to identify the size of the lines needed. If those two events do not occur, the pipes in Eastern Dublin will be sized so as to only serve development in Eastern Dublin. If the above two items occur after Eastern Dublin development has started, parallel facilities would have to be installed. Any such paralleling of facilities would be subject to a new environmental review process.

Thus, the water distribution system pipes for Eastern Dublin will be ultimately sized only for Eastern Dublin. If Dougherty Valley was to be served, parallel lines would be constructed.

The sewage collection system has been sized only to serve Eastern Dublin.

The DSRSD sewer service area is larger than the water service area, since the sewer service area includes roughly the southern half of the City of San Ramon. The Eastern Dublin Project would receive both sewer and water service from DSRSD.

DSRSD is considering providing wastewater service to the Dougherty Valley.

October 29, 1992

RECEIVED

OCT 29 1992

DUBLIN PLANNING

From: Doolan Canyon Residents
5184 Doolan Road
Livermore, Ca.
94550

To: City of 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

2.3	Project Implementation! Sphere-of-influence boundary change is inconsistent with the Cortese Knox Reorganization Act, section 56377	4
Table 2.0-3	Since permits may be required from the: US Dept. of Army, Corps of Engineers - US Environmental Protection Agency - US Dept. of the Interior, Advisory Council of Historic Preservation, why were these agencies not sent Notices of Preparation (appendix A) in 1988 or 1991?	41-2
Figure 2-D	Parcel 26 is listed as 14 acres while parcel 24, which is much smaller, is listed as 39.8 acres. Parcel 12 is listed at 1 acre while 18, which is about the same size, is 80.14 acres. Errors? Ownership on some parcels are listed under the wrong names.	41-3
Page 3.1-2	Even if none of the land in the Project Area is considered "prime farm land" it is considered "prime agricultural land" by definition of the Cortese Knox Reorganization Act, section 56064 (F).	
Table 3.1-1	The table has the number of acres for Doolan Ranch (East) property inconsistent with amounts listed on Figure 3.1-C (31 & 44). There is a 66.86 acre difference. Explain?	41-5
Page 3.1-5	Previous Development and Improvement Proposal For The Project Site: Stated "a number of proposals and plans for projects within the GPA were submitted to the City of Dublin". 1) How many proposals and plans? 2) When were they submitted? 3) Where are they located within the GPA area? 4) Do the size and location of these projects warrant the enormous size of the GPA area?	41-6
IM 3.1/A	Why is Rural Residential not considered urban use? Why is there only 158.7 (approx. 4 1/2%) out of 3592 acres designated as open space in the GPA increment area? Slopes over 30% have not been designated as open space. The SP does allow some development in areas of 30% slopes and the rest of the area is rural residential. (See Table 3.1-4 items GP 3.2.A, IP 7.7.B, IP 7.2.F)	41

IM 3.1/B	Land use incompatibility has not been avoided and potential land use conflicts will occur. Wouldn't putting medium-high density (14-25 du/ac) and medium density (6-14 du/ac) abutting land designated as open space or rural residential be a potential land use conflict? (See Figure 2-E)	41-8
IM 3.1/C	Why is it assumed the agriculture will disappear due to urban pressures and higher property taxes? Who is causing the urban pressure? How many existing houses are on the market in the Valley? What is the average cost and length of time a house is on the market in the Valley? Would taxes on agricultural land be higher if the land remained under Williamson Act contracts? Is it not reasonable to assume that if "no project" occurred that property owners would continue to use their land for agricultural activities? Loss of agricultural and open space land is a significant impact.	41-9
IM 3.1/D	See definition of "prime" in the Cortese Knox Reorganization Act, section 56064 (F). Mitigation is needed.	41-10
Page 3.1-12	Agricultural/Rural Residential: The statement that a "majority of the owners in the Collier Canyon Road vicinity have filed for non-renewal" is incorrect. (See Figure 3.1-E) Only parcels 48, 44, 43, and 31 have filed for non-renewal. Parcels 39, 40, and 41 are listed in error. (See Table 3.1-1)	41-11
IM 3.1/H	Since development in part of East Dublin will be in conflict with the proposed Airport Protection Area, isn't mitigation required?	41-12
Page 3.2-15	Sphere of Influence: Isn't a request to enlarge Dublin's sphere of influence inconsistent with the Cortese Knox Reorganization Act, section 56377?	41-13
Page 3.2-5	Is the County's 600 acres at Santa Rita still to be designated business park?	41-14
Page 3.3-2	Doolan Road: There are 16 existing residences on Doolan Road. In order for there to be 600 vehicles a day on the road each house would have to generate 37 1/2 trips. Error?	41-15

Table
3.3-4

There must be an error in the LOS for Airway Blvd and I 580 off ramps both WB and EB. Before the start of classes at Las Positas College both the EB and WB off ramps can be backed-up onto I-580 and long delays occur. When classes are released the traffic is not as bad but long delays still occur when exiting I-580.

MM
3.3/1.0

Does Caltrans have plans to build auxiliary lanes on I-580? What local jurisdictions does the mitigation refer to? If cooperation between local jurisdictions does not occur how will auxiliary lanes be funded?

IM
3.3/B

Could this "unavoidable adverse impact" be mitigated by simply not building the Project or building it smaller?

MM
3.3/3.0

Who will pay the difference between the actual cost of constructing auxiliary lanes and the amount the project contributes?

MM
3.3/4.0

What is the Project's proportionate share and who pays the rest? If no other contributions are found how will this significant impact be mitigated?

IM
3.3/E

Same question as for IM 3.3/B.

IM
3.3/A to
3.3/E

If these impacts "exceed" level of service E at what level of service are they?
Is level of service E acceptable in Dublin's General Plan?
What level of service is acceptable to other cities in the area, the County and State agencies?

MM
3.3/6.0

Same question as for MM 3.3/4.0.

MM
3.3/7.0

What would be the impact on Pleasanton to have one of their right-turn lanes removed?
If Pleasanton does not agree to this mitigation how will this "significant impact" be mitigated?

MM
3.3/8.0

Same question as for MM 3.3/4.0.

MM 3.3/9.0	Why is it assumed that Pleasanton would cooperate to mitigate impacts created by the Project? How will businesses on Pimlico Drive be compensated for lost revenues caused by this mitigation? Wouldn't prohibiting left turns onto Pimlico Drive create a significant impact on Pleasanton and its residents?	41-1
MM 3.3/12.0	Same question as for MM 3.3/4.0.	41-2
MM 3.3/14.0	Is accepting level of service F compatible with Dublin's General Plan? Why is the widening of Tassajara Road not compatible with the Project? Will accepting level of service F impede emergency services (police, fire and ambulance) on Tassajara Road? If so, at what cost?	41-2
MM 3.3/15.2	Same question as for 3.3/4.0. There is no mention of impacts caused by the Project on existing roads in Dublin except Dougherty Road. Why not, what are they and who pays to mitigate them?	41-2
Figure 3.3-E	Buildout with Project: 52,000 cars disappear off Santa Rita Road between I-580 and Gleason Road. They are not shown as turning onto Dublin Blvd. so what happened to them?	41-30
IM 3.4/A	If Dublin continues to staff their police department below State standards would this have significant impacts on the Project upon buildout?	41-31
IM 3.4/D	What will be the standard response area for DRFA? How will firefighting service be provided to areas outside the Districts standard response area? What will be the response time?	41-32
Table 3.4-5	Park facilities in the GPA Increment area are totally inadequate and needs mitigation. The Specific Plan area has approximately 115 people per acre of parks/community centers versus approximately 325 people per acre in the GPA Increment area. The Specific Plan area has approximately 67 people per acre of open space versus approximately 93 people per acre in the GPA Increment area. Why the difference? With the number of people (14,895) proposed for this area is this not a potentially significant impact?	41-33

MM 3.4/36.0	There are no mechanisms in the General Plan Amendment that require developers to dedicate trail easements or open space along ridges. Mitigation is inadequate.	41-34
Page 3.5-3	Why was Doolan Canyon not included in DSRSD's wastewater planning?	41-35
MM 3.5/D	Why would the DSRSD treatment plant need to be expanded if TWA, as proposed, is transporting untreated wastewater?	41-36
MM 3.5/9.0	Same question as for IM 3.5/3.0.	41-37
MM 3.5/11.0	There are "significant impacts" and "significant cumulative impacts" that need to be addressed in this section. 1) Would TWA be growth inducing? 2) What is the total cost of TWA? 3) What level of treatment will sewage be given in Martinez? 4) Cost of treating TWA's sewage in Martinez? 5) Cost of buying capacity in the Central Contra Costa Sanitary District (CCCSD) sewer line? 6) Capacity remaining in the CCCSD sewer line? 7) When capacity in CCCSD sewer line is used up how will the problem be mitigated? Who pays? How much? 8) When capacity in the Martinez treatment is used up how will the problem be mitigated? Who pays? How much?	41-38
MM 3.5/2.0	To what level will recycled water be treated?	41-39
IM 3.5/L	Is reverse osmosis being considered? Could reverse osmosis eliminate the need for TWA? What is the cost comparison between reverse osmosis and the final cost of TWA?	41-40
Page 3.5-16	Why was Doolan Canyon not included in DSRSD's water system master plan?	41-41
IM 3.5/P	Mitigations in this section fail to prevent the overdrafting of the groundwater basin. Overdrafting of the groundwater basin will have a significant impact on East Dublin and a cumulative impact on the existing residents of the Valley. Mitigation measures such as mandatory water rationing, new water sources, banning new developments and mandatory recharge to the groundwater basin needs to be addressed. Costs for finding and securing new water sources needs to be addressed also.	41-42

IM 3.5/Q	Mitigations in this section fail to address the issue. Where is a long term sustainable water source going to come from?	41-43
MM 3.5/31.0	Won't this mitigation promote overdrafting of the groundwater basin?	41-44
IM 3.5/S	The statement "there is no water service to the Project Area" is incorrect. Livermore does provide water to a part of the Project Area.	41-45
IM 3.5/T	How much water will be provided to the Dougherty Valley development? Is DSRSD considering supplying water to developments in the southern Tassajara Valley in Contra Costa County? If so, how much? Is DSRSD planning to provide wastewater service to these areas?	41-46
	Section 3.5 is completely lacking any discussion on who pays, how much and how financed. Why?	
Page 3.6-2	Why is there no mention of the strong earthquakes to hit this area in 1980 and the damage they caused?	41-47
Page 3.6-4	Why is Cottonwood creek considered intermittent when it has water in it year round even after 6 years of drought?	41-48
IM 3.6/A	Have the most recent maps from the California Department of Mines and Geology (1991) been examined for possible faults in the Project Area?	41-49
MM 3.6/2.0	Is it possible to place development off (setback from) unstable and potentially unstable landforms in the Cottonwood Creek area considering Doolan Canyon is narrow and steep sided?	41-50
MM 3.6/3.0	To completely remove unstable and potentially unstable materials to allow development in parts of the Project area would removing entire hills and ridges be considered?	41-51
	It is stated that implementation of MM's 3.6/2.0 to 8.0 "should" reduce secondary effects. Does this mean that there is a probability of a potentially significant impact remaining? Is this acceptable?	

MM
3.6/9.0

Are permanent landform changes in hill areas unavoidable if development is restricted to the south-western portion of the Project area?
MM 3.6/9.0 uses the word "minimal grading" and MM 3.6/12.0 uses the words "substantial grading". Aren't these two mitigation measures inconsistent with each other?
MM 3.6/9.0 says to see MM 3.6/12 but we fail to see how the two have anything in common.

MM
3.6/10.0

Says to see MM 3.6/10.0. Error?

MM
3.6/11.0

Would locating and characterizing groundwater conditions during a drought be reliable information?

MM
3.6/11.0-
13.0

Is "should reduce" considered a sufficient mitigation?

MM
3.6/17.0-
19.0

States "should reduce natural slope instability impacts to a level of insignificance". What level of insignificance is acceptable?

MM
3.6/20.0-
28.0

Same question as for MM 3.6/11.0-13.0.

Section 3.6 indicates that the hills in the Project area are very unstable and should not be considered for development. Two questions have not been addressed. Who will take responsibility for loss of life, property and infrastructure when mitigation measures fail? Who will pay to have property and infrastructure replaced? There should also be a mitigation measure that states that the City shall hire their own geotechnical consultant to review plans and not depend on geotechnical consultants hired by developers.

APP
C/1

Why isn't there a map showing the location of the 6 zones in the Project area? Zone 0 is the only zone that doesn't use the words "possible costly" or "costly" engineering designs. Zones 0 and 1 do not use the words "residual risk". Where are these two zones located in the Project area?

MM
3.7/1.0-
4.0

How will implementation of these mitigation measures reduce impacts to a level of insignificance? The only way to mitigate the loss of 3700 acres of habitat is to replace it with 3700 acres in the same area or by not building the Project at all.

APP
E/1

How could wildlife biologists have followed kit fox survey methods suggested by Orloff (1992) when Bio Systems conducted their surveys in 1989?

Is the biological assessment that was done for the GPA area considered adequate? The assessment was done during the second year of the drought.

Changes in ranching techniques in the area have become apparent. Up until a few years ago, cattle were removed from pastures in June and not returned until October or November. Now cattle remain in pasture year around. Also the ground squirrel population has been deligently eradicated. Combining these three elements (6 years of drought, year-round grazing, and rodent eradication) was wildlife habitat meant to survive? There has also been numerous sightings of the Kit Fox and Tiger Salamander in Doolan Canyon.

IM
3.8/F

How is this impact a "trade-off"? Slopes, hillsides and ridelines are NOT being preserved. See MM 3.8/5.0, MM 3.8/4.4, MM 3.8/4.3, MM 3.8/4.2. Aren't all the above mitigation measures designed to premit building on slopes, hillsides and ridgelines and not preserving them?

MM
3.9/7.0

Isn't it impossible to do an in-depth archival reserch on historic resources when they are already being destroyed?

IM
3.10/C

The expansion of East Dublin to include 43,000 people and 10+ million sq.ft. of commercial/industrial space will generate more flights at the regional airport. Businesses located at Hacienda Business Park have used the airport for corporate flights. There is no reason to assume businesses locating in East Dublin will not do the same thing considering the close proximity of the airport to East Dublin. Residents living under airport flight paths have historically complained about noise. The proposed Airport Protection Area was designed to help elimiate the impact of airport noise on proposed new residential development. See "Supporting Documentation and Background Information For Airport Protection Area" prepared by McCintock, Becker and Associates, June 22, 1992. Placing residential development near the airport will have a significant impact and needs mitigation.

IM
3.12/D

Hasn't the State just taken some of the property tax revenues that normally would go to cities? How much? Is it wise to assume the City will receive a 25% share of property taxes?

Who pays for service to the Project area during the early years of shortfalls?

If the City does not receive a 25% share of the property tax revenues would there still be sufficient funds to cover Project-generated costs? If not who pays?

IM
3.12/B

If enough development is not applied for to cover the up-front cost for city streets and infrastructure how will they be paid for?

Page
4-4

Population, Housing and Employment: Would the "No Project" alternative produce 8995 new jobs considering the County is not going to use all their property for business park?

Page
4-5 &
4-6

Sewer, Water and Storm Drainage: Would a new wastewater collection system be required under the "No Project" alternative?

Hasn't the County already purchased sewer capacity from DSRSD which has not been used? If so, how much?

Wouldn't it be prudent to construct a recycled water distribution system to accommodate existing uses in the DSRSD area especially if the drought continues?

Page
4-10

Williamson Act Lands: Why would agricultural activities on the Moller, Fallon and Croak properties come under development pressure with Alternative 2? Wouldn't the same or greater pressure be there under Alternative 3 and the Project itself?

Relevant Plans and Policies: With the exception of Alternatives 1 and 4 are any of the alternatives (including the Project) consistent with the Alameda County General Plan?

Has the Draft EIR addressed any constraints in conjunction with the Airport Protection Area? What alternatives are being considered for land uses after the APA is in place?

Population, Housing and Employment: Couldn't a more favorable jobs/housing balance be achieved in the RPA alternative by using the option of housing in the Campus Office area?

Community Services and Facilities: Under the RPA alternative open space in Dublin would decrease by 128 acres but wouldn't open space in the valley increase by 2743.9 acres?

41-

An alternative proposal has been made to the Planning Commission. East Dublin could be developed on the flatter portion of the area east to Fallon Road. The properties include Alameda County (16), USA (17), Dublin Land Company (18), Pao-Lin (19), the south half of Chang Su-O-Lin (1), Casterson (15), and part or all of Kollers (14). Fallon Road could be brought north and west to connect in the area of the Koller (14) property. This would encompass about 1800 acres. There are many benefits to building a Project of this size. A jobs/housing balance could be achieved easily. Traffic and circulation impacts could be mitigated. Community services and facilities would be less. Sewer, water and storm drainage would be less costly and easier to finance. Sewage could possibly be treated by reverse osmosis and TWA would not be needed. Along with reverse osmosis existing water sources might be adequate. Without development in the hillside areas the significant impacts encountered in these areas would not need to be mitigated. Impacts to wildlife and vegetation would not be greatly impacted. Views of the hillsides and ridges would be left undisturbed. Noise from the airport would be avoided. A project this size would be easier to finance. This alternative would fulfill Dublins desire to grow and would probably not be as likely to be challenged by other jurisdictions, agencies and citizens. See attached map.

41-7

DISCUSSION ON CUMULATIVE IMPACTS

Traffic and Circulation: There isn't any discussion on cumulative impacts caused by the Projects traffic to existing city streets in Dublin, Livermore, Pleasanton or Contra Costa County. This needs to be done for:
Dublin Blvd between San Ramon Rd. & Dougherty Rd.
Amador Valley Blvd between San Ramon Rd & Dougherty Rd.
Alcosta Blvd between San Ramon Rd & Village Pkwy.
Village Pkwy between Alcosta Blvd & Dublin Blvd.
Dougerty Rd between I-580 & Camino Tassajara Rd.
Tassajara Rd between I-580 & Danville
Santa Rita Rd between Dublin Blvd & Down Town Pleasanton.
Hacienda Dr between Dublin Blvd & Las Positas Blvd.
Airway Blvd between Dublin Blvd & Portola Ave.

41-7

Page 5.0-4 IM 3.3/N	Why wasn't changing the proposed land use of the Project discussed as a mitigation to this impact?	41-76]
Page 5.0-6 IM 3.5/G	Why wasn't reverse osmosis fully discussed as a way to mitigate the lack of wastewater disposal?	41-77]
Page 5.0-7 IM 3.5/Q	Mitigation measures are insufficient. Only water conservation and ways to further deplete the groundwater basin are mentioned here. There aren't any mitigation measures to assure a sustainable source of water for existing or future residents.	41-78]
Page 5.0-10 IM 3.6/D	Mitigation measures insufficient. Why wasn't Transfer of Development Credits (TDC) considered as a way to prevent landform alterations to hillsides and ridgeland?	41-79]
Page 5.0-11 IM 3.7/A	Mitigation measures insufficient. Why wasn't the use of TDC's considered as a way to mitigate habitat loss?	41-80]
Page 5.0-15 IM 3.5/C	Mitigation measure insufficient. Wouldn't additional capacity to serve the Project also allow for capacity to later urbanize the proposed rural residential areas?	41-81]
Page 5.0-15 IM 3.5/T	If DSRSD has sized the water distribution infrastructure system to serve anticipated growth beyond the Project site then why not sewage infrastructure? Is DSRSD's service area for water the same as their service area for sewage? Will DSRSD serve the Dougherty Valley with sewage service?	41-82]

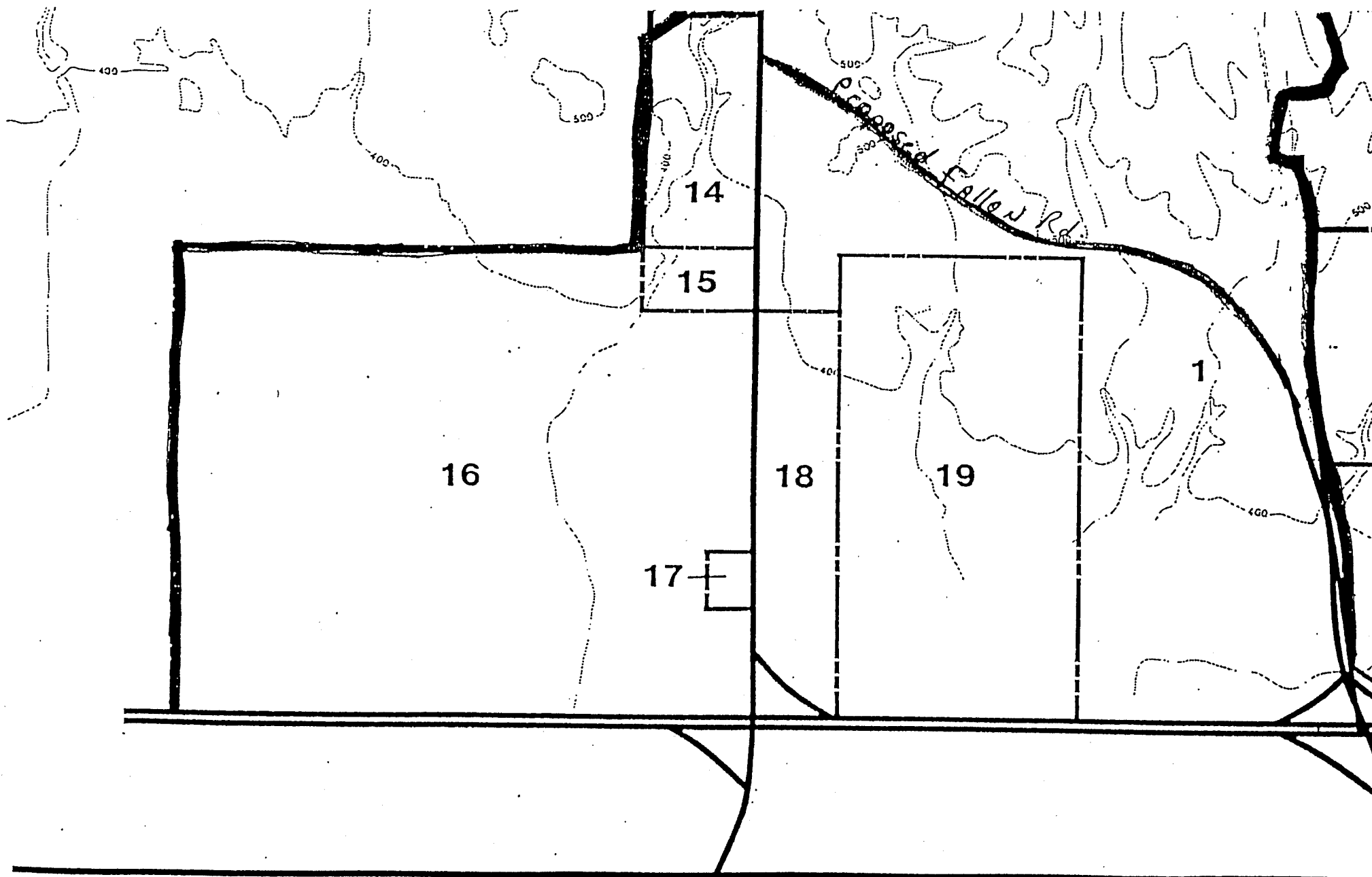
We have found this Draft EIR to be totally insufficient. Some impacts are merely brushed over and many are not even addressed. Mitigation measures are completely inadequate. Alternatives to this Project were not seriously considered.

Given the fact that the Project is one of the least environmentally desirable alternatives and this Draft EIR is inadequate, we believe that the document should be redone and circulated for comments again in a draft form. We would like to see more alternatives considered so that the Dublin City Council and citizens will have more desirable alternatives to choose from.

Thank you for giving us this chance to comment.

Doolan Canyon Residents

Trevor Patterson
Cassie Patterson
Frank & Lois Gilman
Barbara Gilman
Mike O'Brien
Py my
Don D. Hoys
Robert S. Gilman
Donna J. Gilman
Candyn Morgan
Helen Morgan
Mr. & Mrs. James Pestana



Response to Letter 42: Lowell Tunison, Senior Civil Engineer, Public Works Department, Contra Costa County.

- 42-1 **Comment: Cumulative Impacts on Contra Costa Roadways.** In general, the DEIR has only considered impacts and mitigations for freeways and local roads in the vicinity of the proposed project, while neglecting the cumulative impacts on affected roadways in Contra Costa County.

Response to Comment 42-1: See Response to Comment 31-¹~~41~~.

- 42-2 **Comment: Project Trip Distribution.** The project trip distribution Table 3.3-8 on page 3.3-16 focuses only on the employment/residential trip attractions for potential East Dublin residents/employees to and from Contra Costa County. We feel that with the completion of the planned local road network in this region, trip attraction factors other than the above factors, could significantly increase the cumulative impacts from the East Dublin project on roadways in Contra Costa County. For example, the DEIR has not considered the potential usage of an improved Dougherty Road as a viable alternative route to freeway travel. An improved Tassajara Road would also provide similar attractions for project traffic.

Response to Comment 42-2: As described on pages 3.3-17 to 3.3-18, improvements to Dougherty Road and Tassajara Road were considered in the traffic analysis, consistent with the pending General Plan amendments for each development area.

- 42-3 **Comment: Contributions toward Future Improvements.** The potential impacts would extend beyond the local roadways and intersections to include the freeway interchanges. The DEIR should recommend mitigations in the form of contributions toward planned local roadways and freeway structures improvements.

Response to Comment 42-3: Mitigation measures MM 3.3/2.1, 3.0, 4.0, 7.0, 8.0, 9.0, 11.0, and 12.0 specify that the Project shall contribute to the costs of improvements on the freeway and at freeway interchanges.

- 42-4 **Comment: Jobs/Housing Balance Effect on Traffic.** We realize that the project concept visualizes a balance between project housing and employment. However, the possibility exists that market forces may force the buildout of one component well in advance of the other component. The County is particularly concerned as the occurrence of such an initial imbalance between housing and employment may well have a direct adverse impact on the local roadway network. This possibility should be considered in the DEIR and provision made for mitigation of impacts resulting from such an imbalance in the project.

Response to Comment 42-4: The City of Dublin will implement a mitigation monitoring program which will be used to review individual development projects within the Specific Plan and General Plan Amendment areas, and to ensure that level of service standards are not exceeded during interim development phases.

- 42-5 **Comment: Regional Transit System Coordination.** We are in agreement that there is a need for substantial expansion of existing transit systems. Planned developments in the Dougherty Valley and Tassajara Valley areas are considering the formation of transit systems/districts, and we would suggest that the DEIR discuss the possibilities for transit system coordination between the various planned developments in the region.

Response to Comment 42-5: The DEIR specifies that the Project should coordinate transit service through LAVTA, which is the current transit service provider for the City of Dublin. If the City of Dublin and/or LAVTA participate in the formation of a multi-county transit system or district, the Project would participate to the extent required to provide transit service within Eastern Dublin to meet service standards.

- 42-6 **Comment: Light Rail as Viable Transit Alternative.** As indicated in the DEIR, a number of studies have been completed on the feasibility of light rail transit in the Tri-Valley area. We feel that light rail is a truly viable alternative mode of travel, and we would suggest that the DEIR discuss and recommend some form of active concurrence by new developments on the need for light rail transit as an alternative transportation mode.

Response to Comment 42-6: Mitigation measures MM 3.3/15.0-15.3 require Project contributions to the costs of transit service, and do not specify whether this service shall be provided by bus or rail systems. If light rail transit is determined to be an efficient and cost-effective mode of transit service within the Tri-Valley, the mitigation measures in the DEIR allow for funding participation by developments within the Eastern Dublin Specific Plan and GPA areas.

Contra
Costa
County

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DUBLIN PLANNING

October 29, 1992

J. Michael Walford
Public Works Director

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Deputy - Operations

Maurice M. Shiu
Deputy - Transportation

S. Clifford Hansen
Deputy - Administration

Ms. Brenda A. Gillarde
City of Dublin Planning Commission
c/o City of Dublin Planning Department
100 Civic Plaza
Dublin, CA 94568

MP: Review:Dublin

Dear Ms. Gillarde:

We have reviewed the East Dublin General Plan Amendment and Specific Plan Draft Environmental Report (DEIR), and have the following comments:

1. In general, the DEIR has only considered impacts and mitigations for freeways and local roads in the vicinity of the proposed project, while neglecting the cumulative impacts on affected roadways in Contra Costa County.

42-1

The project trip distribution Table 3.3-8 on page 3.3-16 focuses only on the employment/residential trip attractions for potential East Dublin residents/employees to and from Contra Costa County. We feel that with the completion of the planned local road network in this region, trip attraction factors other than the above factors, could significantly increase the cumulative impacts from the East Dublin project on roadways in Contra Costa County. For example, the DEIR has not considered the potential usage of an improved Dougherty Road as a viable alternative route to freeway travel. An improved Tassajara Road would also provide similar attractions for project traffic.

42-2

The potential impacts would extend beyond the local roadways and intersections to include the freeway interchanges. The DEIR should recommend mitigations in the form of contributions toward planned local roadways and freeway structures improvements.

42-3

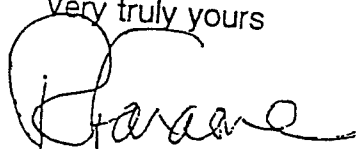
We realize that the project concept visualizes a balance between project housing and employment. However, the possibility exists that market forces may force the buildout of one component well in advance of the other component. The County is particularly concerned as the occurrence of such an initial imbalance between housing and employment may well have a direct adverse impact on the local roadway network. This possibility should be considered in the DEIR and provision made for mitigation of impacts resulting from such an imbalance in the project.

42-4

Ms. Brenda Gillarde
October 29, 1992
Page 2

2. We are in agreement that there is a need for substantial expansion of existing transit systems. Planned developments in the Dougherty Valley and Tassajara Valley areas are considering the formation of transit systems/districts, and we would suggest that the DEIR discuss the possibilities for transit system coordination between the various planned developments in the region.
3. As indicated in the DEIR, a number of studies have been completed on the feasibility of light rail transit in the Tri-Valley area. We feel that light rail is a truly viable alternative mode of travel, and we would suggest that the DEIR discuss and recommend some form of active concurrence by new developments on the need for light rail transit as an alternative transportation mode.

Very truly yours


for Lowell Tunison
Senior Civil Engineer
Major Projects Division

LT:fl:pe
c:EastDubl.t10

cc: M. Shiu, Deputy PW Director
F. Lee, Major Projects

Response to Letter 43, Daniel J. Pulon, Transportation Planner, Community Development Department, Martinez, California

- 43-1 **Comment:** I-580 (pg. 3.3-1) The Draft EIR does not indicate that Caltrans has designated I-580 as a future ten lane facility between I-680 and Route 84 or Vasco Road according to their Route Concept Report. Cumulative traffic will necessitate the future widening of I-580 with or without the Project.

Response to Comment 43-1: Comment noted. The revised text included as an attachment to this Final EIR indicates that recommended widenings of I-580 to ten lanes are consistent with the Route Concept Report.

- 43-2 **Comment:** Road Segment (p. 3.3-3) The assumed hourly capacity of the auxiliary lanes is stated as 1,500 vehicles per hour per lane. This is higher than the 1,000 v/h/l capacity used in the Dougherty Valley study and the I-680 Corridor Study.

Response to Comment 43-2: Comment noted. A complete analysis of capacity for auxiliary lanes and weaving sections would require evaluation of individual hourly ramp flows and weaving distances for each freeway segment. An average value of 1,500 vehicles per lane was assumed based on information on freeway and weaving segments presented in the Highway Capacity Manual and the long minimum weaving distance of 2000 feet between on and off ramps at I-580 interchanges. If a value of 1,000 vehicles per hour on auxiliary lanes was assumed, it would indicate level of service F conditions on some freeway segments which are projected to operate at LOS E in the DEIR.

- 43-3 **Comment:** I-580/I-680 (p. 3.3-6) the new freeway connector at this interchange is planned to start in 1996 with completion in 1998. Unresolved design and funding issues with the City of Dublin regarding hook ramps to and from I-680 may cause further delays.

Response to Comment 43-3: Comment noted. It is reasonable to anticipate that the freeway connector will be completed by the 2010 analysis year.

- 43-4 **Comment:** State Route 84 (p. 3.3-6) The Measure B contribution to the improvement of Route 84 is not current. The previous Measure B project is for a 2 lane facility connecting Vallecitos Road with I-580. The current project now planned will connect with neither Vallecitos nor I-580. The traffic forecasts on I-580 near the Project may be too low if this facility was assumed to be improved to 4 lanes as stated. Please reconcile the EIR assumption for Route 84 with the Measure B project and verify the travel forecast for this facility.

Response to Comment 43-4: See response to Comment 15-14. The assumption of eventual completion of State Route 84 as a four-lane facility is consistent with the Caltrans Route Concept Report for SR 84 and the Livermore General Plan.

- 43-5 **Comment:** Year 2010 Land Use (p. 3.3-11). The Tri-Valley land use projections from ABAG Projections '90 were reviewed and adopted for use by the local agencies and the Contra Costa Transportation Authority on June 5, 1992. For consistency between the various transportation evaluations, this information should be used in the impact study.

Response to Comment 43-5: ABAG Projections '90 were used for the Year 2010 forecasts presented in the Eastern Dublin DEIR.

- 43-6 **Comment:** Trip Distribution Assumptions (p. 3.3-15) The work trip distribution for East Dublin residents in Table 3.3-8 shows 77 percent finding employment in the Tri-Valley in 2010 scenario. In contrast, the Dougherty Valley Specific Plan Traffic Study (TJKM, 1992) showed 55 percent for the same trips for Dougherty Valley residents. Documentation is needed to explain why these findings should differ so greatly for 2010.

Documentation of the Dougherty Valley EIR methodology for trip distribution is in the EIR's appendix. Please provide a comparative description of the distribution methodology for the Eastern Dublin EIR and explain differences between the two.

Response to Comment 43-6: The Eastern Dublin DEIR assumes full buildout of the Project in the Year 2010 for traffic analysis purposes. This buildout includes 28,288 employees in Eastern Dublin (Table 3.2-5, page 3.2-7, in the Traffic and Circulation Section presents a slightly different employment number based on more specific assumptions of employment densities for certain land uses. The transportation analysis was based directly on land use quantities, and did not use these employment estimates). The Dougherty Valley EIR assumes 11,406 employees in Eastern Dublin in 2010. The Eastern Dublin DEIR projects that more residents will work within the Tri-Valley area because more nearby employment opportunities are assumed to be available.

The trip distribution methodology used in the two studies is very similar in terms of process (gravity model) and factors (friction factors based on MTC travel surveys). The Dougherty Valley EIR trip distribution analysis considered congested travel times when forecasting trip distribution, which implies that people will avoid congested routes (such as the I-580 and I-680 freeways) when selecting their destinations for work and other travel. The Eastern Dublin DEIR estimates trip distribution demand based on uncongested travel times, to indicate where the demand for travel would be if congestion were to be mitigated. The methodology used in the Eastern Dublin DEIR is intended to provide a more conservative evaluation of traffic impacts on congested routes.

- 43-7 **Comment:** Trip Distribution Assumptions (p. 3.3-15) According to Table 3.3-8, 17 percent of the East Dublin work trips would travel to and from the north with many on I-680. The limits of the I-680 study area should be extended north to at least the Crow Canyon Road interchange since this would include Bishop Ranch, the major employment center north of the project.

Response to Comment 43-7: The study area for the travel forecasting used in the DEIR incorporated all of the Tri-Valley area, including Danville and San Ramon. Traffic studies for Bishop Ranch and other developments in Contra Costa County have always considered the impacts of traffic with origins and destinations in Eastern Dublin and other areas in Alameda County. See response to Comment 31-11.

- 43-8 **Comment:** I-580 Overcrossings (p. 3.3-18) Two new overcrossings of I-580 are described, one west of Tassajara Road and one east of Tassajara Road. Both would require connections to major facilities in Pleasanton, neither of which are planned or are likely to be buildable due to existing development.

Response to Comment 43-8: See response to Comment 7-6.

- 43-9 **Comment:** I-580 Freeway, I-680 Hacienda (p. 3.3-21) The unmitigable impact calls for TSM improvements and participation in the regional programs currently under development by the Tri-Valley Transportation Council. In addition, a Deficiency Plan will need to be developed and adopted with the Alameda Congestion Management Agency as the lead agency in order

to maintain compliance with the Congestion Management Program and ensure receipt of gas tax subvention funds.

Response to Comment 43-9: Comment noted. The decision to prepare a deficiency plan for I-580 under the Alameda Congestion Management Plan can consider the provisions in the state law which allow exclusion of interregional travel, trips generated by low income housing, and trips originating in counties other than Alameda County.

- 43-10 **Comment:** I-680/I-580 Freeway mitigations (p. 3.3-22) 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. It would be more appropriate for the Project to contribute to any regional mitigation fees that are adopted by the Tri-Valley Transportation Council to pay the pro-rata share of unfunded system improvements. In this case that would be the local match share for the I-580/I-680 interchange.

Response to Comment 43-10: The DEIR recommends Project contributions towards the costs of the planned ultimate improvements at the I-580/I-680 interchange, not towards the current Measure B direct connector project.

- 43-11 **Comment:** Dougherty Road, general. The DEIR discloses no information about project impacts on Dougherty Road, other than motorist delay information at three intersections. The reader of the DEIR has no information as to the impact that the project will have on Dougherty Road, and other key existing roads such as Dublin Boulevard between the Project and San Ramon Road.

Response to Comment 43-11: See response to Comment 31-¹11.

- 43-12 **Comment:** Mitigation Measures, general. There is no corresponding table or calculation work sheets for Table 3.3-10 that shows the intersection LOS results after mitigation measures are implemented.

Response to Comment 43-12: The LOS results for each intersection after mitigation are described within the text for each mitigation measure.

- 43-13 **Comment:** Transit Spine. What is the level of transit service assumed for the transit spine, and what effect, if any, would there be in project impacts if the transit spine is not built?

Response to Comment 43-13: A level of transit service would be provided on the Transit Spine consistent with LAVTA service standards and the transit service standards in the Alameda County Congestion Management Plan. If the Transit Spine were not built, principal east-west transit service would instead be provided on Dublin Boulevard and/or Gleason Road. However, the Transit Spine would also be an important part of the vehicle circulation system. Without the Transit Spine to provide vehicular access to properties between Dublin Boulevard and Gleason Road, there would be poor access to these properties and increased congestion on Dublin Boulevard and Gleason Road.

- 43-14 **Comment:** Future Daily Traffic Volumes (Figure 3.3-E) All major arterials leading to I-580 are forecasted to be at or above daily capacities for a six-lane arterial. There is no statement as to the capacity of the recommended eight-lane arterial. At buildout, Tassajara Road and Hacienda Drive will have extremely high volumes, 89,700 and 87,400 respectively. Can these volumes be served by an eight-lane roadway? If these are so high, what is the forecasted ADT on Dougherty Road?

Response to Comment 43-14: The City of Dublin does not have a standard capacity for eight-lane arterials. From the information provided, it can be inferred that the capacity for an eight-lane arterial roadway would be about 72,000 daily vehicles. The capacities of these particular segments of Hacienda Drive and Tassajara Road would be higher than average due to the additional turn lanes and free-moving right-turn movements which would be provided on the approaches to the freeway interchanges and Dublin Boulevard. The projected daily traffic volumes for the Year 2010 With Project scenario would be approximately at the capacity of these segments. The peak hour intersection analysis for this scenario indicates that level of service D operations could be provided with mitigation. Additional development outside of Eastern Dublin (the Cumulative Buildout scenario) would generate higher traffic volumes, which would exceed the normal capacities of an eight-lane roadway, but could be within the capacities of these segments between Dublin Boulevard and I-580 due to the additional turn lanes.

The EIR for the Dougherty Valley Specific Plan (Contra Costa County, June 1992) reports a projected volume of 44,800 daily vehicles on Dougherty Road north of I-580 for the "Build-out With Project" scenario.

- 43-15 **Comment:** Study Area, general. A project that is to generate approximately 482,000 daily trips with over 270,000 trips off-site (per Table 3.3-8) should not stop the study intersections and roadways at the north Alameda County Line. The magnitude of the East Dublin project trips is 3 to 4 times greater than the proposed Dougherty Valley Specific Plan, and the study area should be expanded further north to assess the project's impacts on Contra Cost County roadways and freeways. Tassajara Road and Camino Tassajara, among many others, have been adopted as Routes of Regional Significance by the Tri-Valley Transportation Council, and the impacts to these Regional Routes should be evaluated throughout their length. This is the prime objective of cooperative sub-regional transportation planning and the clear directive of the Contra Costa Growth Management Program.

Response to Comment 43-15: See response to Comment 31-11.

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Contra
Costa
County

Harvey E. Bragdon
Director of Community Development

October 29, 1992

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DUBLIN PLANNING

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

Gentlemen,

The Contra Costa County Transportation Planning Division has reviewed the Eastern Dublin General Plan Amendment and Specific Plan, and is forwarding the following additional County Comments for your consideration:

1. I-580 (pg. 3.3-1) The Draft EIR does not indicate that Caltrans has designated I-580 as a future ten lane facility between I-680 and Route 84 or Vasco Road according to their Route Concept Report,. Cumulative traffic will necessitate the future widening of I-580 with or without the Project. 43-1
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5. Year 2010 Land Use (p. 3.3-11) The Tri-Valley land use projections from ABAG Projections '90 were reviewed and adopted for use by the local agencies and the Contra Costa Transportation Authority on June 5, 1992. For consistency between the various transportation evaluations, this information should be used in the impact study. 43-5
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Page Four
October 29, 1992

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I look forward to seeing the final document.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Daniel J. Pulon".

Daniel J. Pulon
Transportation Planner

DP:kdd
trans:dancom.ltr