City of San Ramon

Northwest Specific Plan/ Faria Preserve Community

EIR Response to Comments

EDAW

October 2006

Response to Comments
For the
City of San Ramon Northwest Specific Plan/
Faria Preserve Community
Environmental Impact Report

SCH#2003022102

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City of San Ramon
Department of Planning Services
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October 27, 2006

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1. INTRODUCTION

On July 21, 2006, the City of San Ramon (City) distributed to public agencies and the general public a Draft Environmental Impact Report (DEIR) that evaluated the potential environmental impacts of two different but related projects: the City of San Ramon Northwest Specific Plan (NWSP) and the Faria Preserve Community (Faria Preserve), a mixed residential and community facilities project proposed for that portion of the NWSP Area east of Bollinger Canyon Road. The DEIR was prepared, pursuant to the requirements of the California Environmental Quality Act (CEQA), to inform decision-makers of the potential environmental impacts related to the NWSP and Faria Preserve. The City is the lead agency for the environmental review of the NWSP and Faria Preserve and has the principal responsibility for approving the projects.

The NWSP provides a policy framework and implementation measures to guide future development of 354.1 acres within the City's Urban Growth Boundary. The NWSP provides a policy framework for the development of residential neighborhoods and community-serving facilities, as well as preservation of and access to natural resources and open space, in accordance with the City of San Ramon 2020 General Plan (General Plan). The NWSP does not propose specific development projects and, for this reason, the assessment of environmental consequences in the DEIR was performed at a programmatic level for the NWSP.

A Vesting Tentative Map (VTM 8891) for the Faria Preserve Community was filed with the City of San Ramon in advance of the preparation of the DEIR. A project-level analysis was conducted for the Faria Preserve. The Faria Preserve is proposed on 290.6 of the 354.1 acres within the NWSP area, and would include a total of 786 residential units comprised of single-family homes, town homes, condominiums, and senior housing units within four neighborhoods and 25 percent affordable housing. Public and community facilities include a community park, educational facility, house of worship and memorial rose garden.

As mentioned above, the City circulated a DEIR for the NWSP and Faria Preserve for public review and comment in accordance with CEQA. The DEIR is intended to inform decision-makers and the public of the possible environmental impacts of the project, to determine whether these impacts could be significant, to identify methods whereby significant impacts could be reduced to less-than-significant levels, and to discuss possible alternatives to the proposed project. CEQA Guidelines specify that the FEIR shall consist of the following:

- The DEIR or a revision of that draft
- Comments and recommendations received on the DEIR
- A list of persons, organizations, and public agencies commenting on the DEIR
- The response of the lead agency to significant environmental points raised in the review and consultation process
- Any other information added by the lead agency

All comments received during the public review period for the DEIR and responses thereto are presented in this document. . In addition, this document lists text changes to the DEIR as a result of the CEQA review process. This response to comments, together with the DEIR, constitutes the

Final Environmental Impact Report (FEIR) for the NWSP and Project. To that end, the DEIR is hereby incorporated by reference into this report.

1.1 PUBLIC COMMENT PERIOD

The City has satisfied the CEQA public review period requirements, in accordance with Public Resources Code Section 21091 and State CEQA Guidelines Section 15087. The DEIR was published on July 21, 2006 and circulated for the 45 day comment period. The DEIR was available for public review at the Planning Division's public counter, on the City's website, and at the City Clerk's office, Senior Center, Community Centers and libraries. A public meeting to receive comments on the DEIR was held on September 5, 2006 at San Ramon City Hall. A Notice of Availability (NOA) for the DEIR was sent to all property owners and occupants within 1,000 feet of the subject property, a contact person in each of the surrounding Homeowners Associations, the San Ramon Valley Times, and anyone who had requested to be on the mailing list for the project. The NOA was also posted in all public facilities and on the City's website. Copies of the DEIR, along with the NOA, were provided to responsible and interested federal, state and local agencies, as well as City of San Ramon Planning Commissioners and City Council Members.

Comment letters were received from 31 agencies, organizations and individuals, and 85 verbal comments were made at the public hearing. Copies of all comment letters are provided in Chapter 4 of this Response to Comments document. The Response to Comments document will be circulated as described in Section 1.3.

1.2 ORGANIZATION OF RESPONSE TO COMMENTS

This Response to Comments document is organized into the following chapters:

Chapter 1 Introduction gives background information on the program and DEIR and describes the organization of the document.

Chapter 2 Comments Received on the DEIR contains a list of public agencies, organizations and persons commenting on the DEIR by written comment or verbally at the public hearing, along with a Comment Index indicating the number assigned to each comment, the commenter/agency that prepared the letter or presented the comment, and the number of the Master Response that addresses the comment. It also provides a copy of each comment letter received during the DEIR public review period, coded with an identifier for each comment.

Chapter 3 Responses to Comments provides "master responses" to address issues that were raised in a number of different comments or that required a lengthy response.

Chapter 4 DEIR Revisions presents changes to the text of the DEIR made in response to a comment or to otherwise clarify the DEIR text. The changes are presented in the form of a reproduction of portions of the DEIR with text revisions. Textual deletions are indicated by strikeout (~~strikeout~~) and additions are indicated by double-underlined text (<u>underline</u>).

Chapter 5 New Appendices and References includes appendices and references for information introduced in the FEIR.

1.3 Distribution of Response to Comments

The City has provided a copy of this Response to Comments document to all public agencies and individuals that commented on the DEIR, allowing for a minimum of 10 days prior to certification of the EIR by the San Ramon City Council. Copies of this Response to Comments document have also been provided to individuals and organizations that requested copies. This Response to Comments document is also available for review at the City of San Ramon Department of Planning Services, 2226 Camino Ramon, San Ramon, California, the San Ramon public libraries, community centers, and senior center. It is also posted on the City's website.

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2. COMMENTS RECEIVED ON THE DEIR

At the end of the comment period, the City received a total of 20 written comment letters, 10 form letters, 1 petition and 85 verbal comments at the public hearing, submitted by organizations, government agencies, and individuals. All the written comments have been assigned codes starting with the letters "SA" for all state agencies, "LA" for all local agencies, "O" for organizations and groups, "I" for individuals, "FL" for individuals submitting form letters, and "P" for petition. No letters from a federal agency were received. Each written comment letter is assigned a number, and specific comments within each comment letter are individually marked. For example, comments from a state agency are coded SA 1-1, SA 1-2, and so forth. With respect to verbal comments made at the public hearing, all comments are marked with the letter "PH" followed by a number identifying the commenter, and a letter identifying the specific comment in the transcript. Verbal comments, therefore, are coded PH 1-A, PH 1-B, and so forth. Below each of the comment codes is a master response code (MR) that directs the reader to the appropriate master response related to the comment.

The comments are available for public inspection by request at the City of San Ramon Planning / Community Development Department.

All attachments and enclosures to the written communications were reviewed and all environmental issues are responded to in the master responses, included in Chapter 3, Responses to Comments.

A list of all commenters is presented in Section 2.1, below. A cross-referenced index of the comments by commenter, comment number and master response is provided in Section 2.2. This index is included to assist the commenter in determining where the response to her or his specific comment is located in Chapter 3. Section 2.3 contains the full text of each written communication and the full September 5, 2005 hearing transcript.

2.1 LIST OF PUBLIC AGENCIES, ORGANIZATIONS AND PERSONS COMMENTING ON THE DEIR BY WRITTEN COMMENT OR AT THE PUBLIC HEARING:

1. California Department of Transportation (Letter dated September 1, 2006)
2. California Regional Water Quality Control Board (Letter dated September 11, 2006)
3. Contra Costa County Community Development Department (Letter dated August 31, 2006)
4. Contra Costa County Flood Control & Water Conservation District (Letters dated August 10 and August 29, 2006)
5. Contra Costa Local Agency Formation Commission (Letter dated September 4, 2006)

6. East Bay Municipal Utility District (Letter dated August 30, 2006)
7. East Bay Regional Park District (Letter dated September 6, 2006)
8. San Ramon Valley Fire Protection District (Letter dated September 6, 2006)
9. San Ramon Valley Unified School District (Letter dated September 5, 2006)
10. California Native Plant Society (Letter dated September 7, 2006)
11. Greenbelt Alliance (Letter dated September 7, 2006)
12. Ohlone Audubon Society, Inc. (Letter dated September 6, 2006)
13. Sierra Club (Letters dated September 6 and September 7, 2006)
14. Paul and Janis Desmarais (Letter dated July 25, 2006)
15. Michael Jones (Letter dated September 7, 2006)
16. Robert Klinger (Letter dated September 7, 2006)
17. Meredith Kummell (Letter dated September 5, 2006)
18. George Swallow (Letter dated July 26, 2006)
19. Bryan Henderson, et al. (Letters dated August 31 through September 5, 2006) (10 letters total)
20. Eileen M_____ (Letter received by City of San Ramon on September 6, 2006)
21. Community of Neighborhood Affected by the Northwest Specific Plan (Letter dated August 31, 2006)
22. Debbie Chamberlain, Planning Services Manager (Commenter 1 at Public Hearing of September 5, 2006)
23. Jim Blickenstaff, 2410 Talavera Drive, San Ramon (Commenter 2 at Public Hearing of September 5, 2006)
24. Robert Klinger, 102 Claremont Crest Ct., San Ramon (Commenters 3 and 6 at Public Hearing of September 5, 2006)
25. Michael Jones (Commenter 4 at Public Hearing of September 5, 2006)
26. Zen Sabena, Housing Advisory Committee liaison for the Planning Commission (Commenter 5 Public Hearing of September 5, 2006)
27. Leslie Mague, 128 Claremont Crest, San Ramon (Commenter 7 at Public Hearing of September 5, 2006)

28. Beverly Lane, Director East Bay Regional Park District (Commenter 8 at Public Hearing of September 5, 2006)

29. Ben Mendoza, 1918 South Forest Hill, Danville (Commenter 9 at Public Hearing of September 5, 2006)

30. Lech Naumovich, California Native Plan Society (Commenter 10 at Public Hearing of September 5, 2006)

31. John Ordway, 708 Daisy Lane, California, Sunridge (Commenter 10 at Public Hearing of September 5, 2006)

2.2 COMMENT INDEX

All comments received during the comment period have been assigned numbers, as noted on the copies of comment letters contained in Section D below. Each comment is listed in the chart below. The commenter is directed to all Master Responses and Individual Responses (Master Response 15), which respond to all significant environmental points raised in the review and consultation process. Master Responses with special relevance to the specific issues raised in a comment are listed in the chart below.

COMMENTS KEY:

Written:

"**SA**" for all state agencies,
"**LA**" for all local agencies,
"**O**" for organizations and groups, and
"**I**" for individuals.
"**FL**" for form letters.
"**P**" for Petitions.

Each written comment letter is assigned a number, and specific comments within each comment letter are individually marked. Therefore, individual comments are coded I-1, I-2, and so forth.

Oral:

With respect to verbal comments at the public hearing (the September 5, 2006, Planning Commission Hearing on Northwest Specific Plan and Faria Preserve Draft EIR), all comments are marked with the letter "**PH**" followed by a number identifying the commenter, and a letter identifying the specific comment in the transcript. To further distinguish these verbal comments from the first public hearing from the written ones, they are coded PH 1-A, PH 1-B, and so forth.

COMMENTERS	COMMENT NO.	MASTER RESPONSE
CALIFORNIA DEPARTMENT OF TRANSPORTATION		
	SA 1-1	10 C
	SA 1-2	10 C
REGIONAL WATER QUALITY CONTROL BOARD		
	SA 2-0	15
	SA 2-1	14 B
	SA 2-2	14 B
	SA 2-3	3 C
	SA 2-4	13 D
	SA 2-5	13 D
	SA 2-6	3 C
	SA 2-7	3 C
	SA 2-8	3 C
	SA 2-9	3 C
	SA 2-10	3 C
	SA 2-11	3 B
	SA 2-12	3 E
	SA 2-13	3 B
	SA 2-14	7 A
	SA 2-15	7 A
	SA 2-16	3 F
	SA 2-17	13 A
	SA 2-18	13 B
	SA 2-19	13 B
	SA 2-20	3 C
	SA 2-21	3 F
	SA 2-22	7 A
	SA 2-23	14 A
CONTRA COSTA COUNTY COMMUNITY DEVELOPMENT DEPARTMENT		
	LA 1-1	8 G
	LA 1-2	8 A
	LA 1-3	8 G
	LA 1-4	10 F
CONTRA COSTA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT		
(August 10, 2006)	LA 2-1	7 A
(August 10, 2006)	LA 2-2	7 B
(August 29, 2006)	LA 2-3	5 D
(August 29, 2006)	LA 2-4	7 B
(August 29, 2006)	LA 2-5	7 B
(August 29, 2006)	LA 2-6	7 B
(August 29, 2006)	LA 2-7	7 B
(August 29, 2006)	LA 2-8	7 A
(August 29, 2006)	LA 2-9	7 B

COMMENTERS	COMMENT NO.	MASTER RESPONSE
CONTRA COSTA COUNTY LAFCO		
	LA 3-1	8 G
	LA 3-2	3 D
	LA 3-3	8 F
	LA 3-4	3 F
	LA 3-5	11 A
	LA 3-6	8 G
	LA 3-7	8 G
	LA 3-8	8 G
	LA 3-9	11 F
EAST BAY MUNICIPAL UTILITY DISTRICT		
	LA 4-1	11 B
	LA 4-2	11 B
	LA 4-3	11 A
	LA 4-4	11 B
	LA 4-5	1 A
	LA 4-6	1 A
	LA 4-7	11 A
	LA 4-8	11 B
	LA 4-9	11 A
	LA 4-10	11 B
	LA 4-11	11 B
	LA 4-12	5 D
	LA 4-13	5 D
	LA 4-14	5 D
	LA 4-15	11 B
	LA 4-16	15
	LA 4-17	11 B
	LA 4-18	5 D
	LA 4-19	14 A
EAST BAY REGIONAL PARK DISTRICT		
	LA 5-1	8 A
	LA 5-2	8 D
	LA 5-3	3 C
	LA 5-4	13 C
	LA 5-5	13 C
	LA 5-6	8 D
	LA 5-7	3 F
	LA 5-8	11 C
	LA 5-9	11 C
	LA 5-10	11 C
	LA 5-11	3 E
	LA 5-12	3 A

COMMENTERS	COMMENT NO.	MASTER RESPONSE
	LA 5-13	3 A
	LA 5-14	3 C
	LA 5-15	3 C
	LA 5-16	1 C
	LA 5-17	8 C
	LA 5-18	3 C
	LA 5-19	8 A
	LA 5-20	8 F
	LA 5-21	8 C
SAN RAMON VALLEY FIRE DISTRICT		
	LA 6-1	6
	LA 6-2	6
SAN RAMON VALLEY UNIFIED SCHOOL DISTRICT		
	LA 7-1	11 D
	LA 7-2	10 C
	LA 7-3	10 G
	LA 7-4	11 D
CALIFORNIA NATIVE PLANT SOCIETY		
	O 1-1	8 C
	O 1-2	3 C
	O 1-3	3 E
	O 1-4	3 E
	O 1-5	3 E
	O 1-6	1 A
GREENBELT ALLIANCE		
	O 2-1	13 B
	O 2-2	10 F
	O 2-3	13 C
	O 2-4	8 C
	O 2-5	3 E
OHLONE AUDUBON SOCIETY, INC.		
	O 3-1	5 D
	O 3-1A	3 C, 3 D, 5 B
	O 3-2	3 D
	O 3-3	6
	O 3-4	3 C
	O 3-5	5 C
	O 3-6	3 F
SIERRA CLUB		
	O 4-1	14 B
	O 4-2	7 A
	O 4-3	10 C

COMMENTERS	COMMENT NO.	MASTER RESPONSE
	O 4-4	10 C
	O 4-5	10 C
	O 4-6	5 A, 5 C
	O 4-7	1 A
	O 4-8	1 A
	O 4-9	1 A
	O 4-10	8 C
	O 4-11	3 C, 14 B
	O 4-12	3 C
	O 4-13	3 C
	O 4-14	3 C
	O 4-14A	15
	O 4-15	8 C
	O 4-16	3 C
	O 4-17	3 C
	O 4-18	3 E
	O 4-19	3 E
	O 4-20	1 A
PAUL and JANIS DESMARAIS		
	I 1-1	8 C
	I 1-2	8 A
	I 1-3	3 D
	I 1-4	8 D
	I 1-5	11 C
	I 1-6	8 I
	I 1-7	3 C
	I 1-8	8 F
MICHAEL JONES		
	I 2-1	13 B
	I 2-2	2 A
	I 2-3	3 E
	I 2-4	3 E
	I 2-5	8 C
	I 2-6	8 A
	I 2-7	11 D
	I 2-8	9 B
	I 2-9	9 A, 9 B
	I 2-10	9 B
	I 2-11	10 C
	I 2-12	10 C
	I 2-13	10 C
	I 2-14	15
	I 2-15	10 E
	I 2-16	10 E

COMMENTERS	COMMENT NO.	MASTER RESPONSE
	I 2-17	10 F
	I 2-18	10 A
	I 2-19	11 A, 11 E
	I 2-20	11 E
	I 2-21	11 E
	I 2-22	13 B
ROBERT KLINGER		
	I 3-1	10 C
	I 3-2	10 C
	I 3-3	10 C
	I 3-4	10 C
	I 3-5	10 C
	I 3-6	10 C
	I 3-7	10 C
MEREDITH KUMMELL		
	I 4-1	14 A
	I 4-2	1 B
	I 4-3	9 A
	I 4-4	1 B
GEORGE SWALLOW		
	I 5-1	10 E
BRYAN HENDERSON, ET AL.		
	FL 1-1	9 A
	FL 1-2	13 B
EILEEN [M____]		
	FL 1-3	10 B
COMMUNITY OF NEIGHBORHOOD AFFECTED BY NWSP		
	P 1-1	13 B
	P 1-2	8 C
	P 1-3	13 C
	P 1-4	8 D
	P 1-5	11 D
	P 1-6	10 C
	P 1-7	10 E
	P 1-8	11 D
	P 1-9	11 A, 11 E
	P 1-10	10 A
	P 1-11	8 B
	P 1-12	8 B
	P 1-13	8 B
	P 1-14	9 A
	P 1-15	9 A

COMMENTERS	COMMENT NO.	MASTER RESPONSE
	P 1-16	8 C
	P 1-17	8 B
	P 1-18	8 B
	P 1-19	8 F
	P 1-20	10 F
DEBBIE CHAMBERLAIN, CITY STAFF		
	PH 1-A	14 B
JIM BLICKENSTAFF		
	PH 2-A	14 B
	PH 2-B	1 A
	PH 2-C	8 E
	PH 2-D	1 A
	PH 2-E	8 C
	PH 2-F	3 C
	PH 2-G	10 C
	PH 2-H	3 C
ROBERT KLINGER		
	PH 3-A	14 A
MICHAEL JONES		
	PH 4-A	14 A
	PH 4-B	14 A
	PH 4-C	8 A
	PH 4-D	13 B
	PH 4-E	14 A, 15
	PH 4-F	13 B, 15
	PH 4-G	10 A
	PH 4-H	8 B
	PH 4-I	13 B
	PH 4-J	11 D
	PH 4-K	14 B
	PH 4-L	8 B
	PH 4-M	8 F
	PH 4-N	10 F
	PH 4-O	8 C
	PH 4-P	8 C
	PH 4-Q	8 C
	PH 4-R	1 A
	PH 4-S	5 A
	PH 4-T	1 A
	PH 4-U	8 C
	PH 4-V	2 A
	PH 4-W	9 B
	PH 4-X	2 B

COMMENTERS	COMMENT NO.	MASTER RESPONSE
	PH 4-Y	3 E
	PH 4-Z	8 C
	PH 4-AA	11 C
	PH 4-BB	11 D
	PH 4-CC	10 C
	PH 4-DD	10 B, 10 D
	PH 4-EE	10 E
	PH 4-FF	10 A
	PH 4-GG	10 E
	PH 4-HH	15
	PH 4-II	11 E
	PH 4-JJ	10 A
	PH 4-KK	10 A
	PH 4-LL	10 A
	PH 4-MM	10 A
	PH 4-NN	10 G
	PH 4-OO	9 A
	PH 4-PP	14 B
	PH 4-QQ	11 D
	PH 4-RR	8 B
	PH 4-SS	8 F
	PH 4-TT	10 F
	PH 4-UU	13 B
ZEN SABENA, Housing Advisory Committee liaison to the Planning Commission		
	PH 5-A	8 F
ROBERT KLINGER, 102 Claremont Crest Ct.		
	PH 6-A	10 C
LESLIE MAGUE, 128 Claremont Crest Ct.		
	PH 7-A	13 B
	PH 7-B	15
BEVERLY LANE, EAST BAY REGIONAL PARK DISTRICT DIRECTOR)		
	PH 8-A	--
	PH 8-B	8 A
	PH 8-C	8 C
	PH 8-D	8 A
	PH 8-E	8 C
BEN MENDOZA, 1918 South Forest Hill, Danville		
	PH 9-A	1 B
	PH 9-B	9 A
	PH 9-C	3 E
LECH NAUMOVICH, California Native Plant Society		
	PH 10-A	8 C

COMMENTERS	COMMENT NO.	MASTER RESPONSE
	PH 10-B	3 E
	PH 10-C	3 C
	PH 10-D	1 B
	PH 10-E	14 A
JOHN ORDWAY, 708 Daisy Lane, Sunridge, California		
	PH 11-A	3 E
	PH 11-B	1 B

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2.3 Full Text of Written Comments and Transcript of September 5, 2006, Planning Commission Hearing on Draft EIR

The full text of each written communication, including the petition, and the full September 5, 2005 hearing transcript are presented in the following pages.

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SA 1-1

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5505
FAX (510) 286-5559
TTY (800) 735-2929

Flex your power!
Be energy efficient!

September 1, 2006

CC680565
CC-680-R4.18
SCH2004062064

Ms. Debbie Chamberlain
Planning Department
City of San Ramon
P.O. Box 5148
San Ramon, CA 94583

Dear Ms. Chamberlain:

Northwest Specific Plan and Faria Preserve Community – Draft Environmental Impact Report (DEIR)

Thank you for including the California Department of Transportation (Department) in the environmental review process for the Northwest Specific Plan and Faria Preserve Community Project. We have reviewed the Draft Environmental Impact Report (DEIR) and have the following comments to offer:

SA 1-1
MR 10C

Highway Operations
On page 4.10-5, the Existing Traffic Volumes on Roadways states that Interstate 680 (I-680) carries 139,000 vehicles per day. The correct volume is nearly 170,000 vehicles per day. We recommend that the report be reanalyzed using the 170,000 vehicles per day data.

The proposed project would increase the number of vehicle trips on I-680. There is no discussion of the state highway mainline in this report. The project's trip generation and cumulative plus the project's vehicle trips should be analyzed for the freeway mainline. The project's mitigation measures should be identified and addressed in the Final EIR.

SA 1-2
MR 10C

Should you require further information or have any questions regarding this letter, please call Christian Bushong of my staff at (510) 286-5606.

Sincerely,

TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

c: State Clearinghouse

SA 2

California Regional Water Quality Control Board
San Francisco Bay Region

Linda S. Adams
Secretary for
Environmental Protection

1515 Clay Street, Suite 1400, Oakland, California 94612
(510) 622-2300 • Fax (510) 622-2460
http://www.waterboards.ca.gov/sanfranciscobay

Arnold Schwarzenegger
Governor

Date: September 11, 2006
File No. 2188.03 (/KRH/JLB)

Ms. Debbie Chamberlain
Planning Services Manager
City of San Ramon
2222 Camino Ramon
San Ramon, CA 94583

Subject: Northwest Specific Plan/Faria Preserve Community Draft Environmental Impact Report SCH No. 2003022102

Dear Ms. Chamberlain:

San Francisco Bay Regional Water Quality Control Board (Water Board) staff have reviewed the Northwest Specific Plan/Faria Preserve Community Draft Environmental Impact Report (DEIR). We have serious concerns about the nature and extent of this plan and the proposed Faria project that comprises the majority of the development within the Northwest Specific Plan area (NWSP). The proposed Faria project would fill almost a mile of creeks that are tributary to San Ramon Creek. In addition, the wetlands and riparian areas in the vicinity of these creeks would also be filled, resulting in the permanent loss of creek and wetland function and wildlife habitat that is essentially irreplaceable. These creeks support significant areas of riparian vegetation, and also contain pools that support aquatic habitat into the late summer during some years. We do not agree with the DEIR finding that the loss of these locally significant habitats is "less than significant" after mitigation. The impacts associated with the permanent loss of this aquatic ecosystem have not been adequately analyzed or described in the DEIR, and the proposed mitigation does not provide compensation for the as yet inadequately quantified impacts. Further, it is critical to acknowledge that compensatory mitigation for the permanent burial of streams such as that proposed on the Faria project site is extremely difficult, if not impossible to find and implement.

SA 2-0

MR 15

The DEIR evaluates the potential environmental impacts of the two different, but related, items. The first, the City of San Ramon NWSP, is the planning document that provides the framework for development of this 354-acre portion of the City of San Ramon. Under the NWSP up to 830 single- and multi-family homes may be constructed along with related community facilities, such as parks and schools. The NWSP also provides guidance on implementation of elements of the City of San Ramon General Plan related to housing development including density and

affordability, preservation of open space, and provision of public services and community facilities. The second component of the DEIR is an evaluation of the potential environmental impact of the Faria Preserve Planned Community, which comprises the overwhelming majority of the land area within the NWSP. The 290-acre Faria Preserve site is proposed for development of 786 homes and attendant community facilities. A second parcel, known as the Western Plan Area, consisting of 63.5 acres (near, but not contiguous with the Faria site), would involve construction of about 44 homes. The comments in this letter are focused primarily on those portions of the DEIR that evaluate the Faria Preserve project and are based both on review of the DEIR and a visit to the Faria Preserve project site on August 7, 2006.

SA 2-0

MR 15

Comment 1. Western Plan Area

The DEIR is intended to evaluate the NWSP and the Faria Preserve. It is not entirely clear from the document as it is currently written, but it appears that it is also intended to cover future development of the Western Plan Area, since that site is also within the NWSP. However, given the lack of detail for the project in the Western Plan Area (for example a jurisdictional delineation for wetlands has not even been conducted in this area), it is not possible to evaluate the potential impacts to waters of the State on that site. Any comments that are provided here pertaining to such things as stormwater treatment, mitigation requirements, and creek setbacks apply to the Western Plan Area in a general way, but the Water Board would need to see specific, detailed plans in order to properly consider the affects of development in this area.

SA 2-1

MR 14B

One specific comment that we do have regarding the Western Plan Area is that development of the site would require construction of a bridge over Bollinger Creek. The current bridge design would not provide for the attachment of water and sewer lines to the structure. Instead, the DEIR indicates that these pipelines may be buried beneath the creek. If the bridge design could not be altered to accommodate the sewer and water lines, then the Water Board would require that these pipelines be installed below grade at sufficient depth to ensure that they do not encroach on the bed of Bollinger Creek during any reasonably anticipated incision of the creek. Further, the bridge itself should be designed such that any necessary support structures are high enough and sufficiently separated from the creek channel to maintain their integrity in spite of vertical or lateral movement of the creek.

SA 2-2

MR 14B

Comment 2. The Faria Preserve Planned Community

One of the Water Board's main concerns with the Faria Preserve project is the proposed extensive fill of natural streams and seasonal wetlands at the project site. Nearly a mile of creeks (5,055 linear feet) and at least 0.39 acres of wetlands will be filled under the preferred design. The DEIR rates the loss of these locally significant habitats as "less than significant" after mitigation. The mitigation for the project is far from adequate compensation for the impacts the project will cause and does not merit rating the project's impacts as less than significant. The Water Board wishes to stress that the water resources found at the Faria site provide important functions and habitats that are becoming increasingly rare locally as well as around the State. While the General Plan and the NWSP may call for construction of additional housing in this

SA 2-3

MR 3C

part of San Ramon, it is imperative to make every effort to protect these high quality waters and water-related habitats, and their associated species. This effort shall include a greater emphasis on other options, such as higher density development, more in-fill projects, or using additional sites to meet housing goals. The costs and inconvenience associated with such alternatives need to be weighed against the losses of the invaluable resources such as those found at the Faria Project site. SA 2-3 MR 3C

Under the provisions of the Clean Water Act (CWA) and the *San Francisco Bay Basin Water Quality Control Plan* (Basin Plan), a Project Sponsor is required to avoid impacts to waters of the U.S. and waters of the State in conformance with the U.S. Environmental Protection Agency's (EPA) CWA 404(b)(1) Guidelines (Guidelines). The policy of the State with respect to the environmental impacts to water resources is to require – in ranked order – first, avoidance, and second, where impacts are unavoidable, to minimize such impacts and last, to mitigate impacts that cannot be either avoided or fully minimized as a last resort. This means that no discharge of fill shall be permitted if there is a practicable alternative to the proposed discharge that would have less adverse impacts on the aquatic ecosystem. The Project Sponsor has not demonstrated that the proposed project constitutes the least damaging practicable alternative (LEDPA) as specified in the Guidelines. SA 2-4 MR 13D

The information presented in the DEIR implies that fill of wetlands at the site cannot be avoided in order to meet the goals of providing additional housing as specified in the General Plan, and as identified by the California Department of Housing and Community Development as critical components of the Housing Element. According to the DEIR, avoidance of such fill would be both too expensive (due to off-haul costs), would result in eliminating housing called for in the Housing Element (including affordable housing units), and would fail to provide many of the major public facilities called for in the General Plan. However, these stated reasons do not provide sufficient justification for a failure to avoid the fill of wetlands under the CWA. If the rationale in the DEIR were correct, almost any wetland could be filled, as long as the housing placed over the filled wetland were determined to be necessary according to a General Plan, and/or if it could be marketed as affordable. Such a justification is clearly not consistent with the requirements of the CWA, as it is not clear that other options with fewer impacts are not available for construction of new housing. SA 2-5 MR 13D

Comment 3. Chapter 8 – Appendices, Conceptual Biological Mitigation/Enhancement Plan for the Faria Preserve Planned Community

The proposed mitigation would include the creation of a roughly 8.9 acre riparian corridor that would be comprised of a drainage swale, seasonal wetlands, and riparian vegetation. This riparian corridor would be created on top of engineered fill in the valley where the westerly creek on the project site is located. The proposed mitigation also includes the preservation of about of land to the west of the project site on the opposite side of Bollinger Canyon Road. This area includes several creek drainages that would be fenced to control grazing impacts. SA 2-6 MR 3C

The proposed mitigation for the Faria Preserve project is unsatisfactory in several ways: First, it is not clear how the proposed swale within the riparian corridor would compensate for the loss of almost a mile of natural creek channel on the site. Is this swale intended to function as a creek, thus compensating for the lost functions associated with the filled creeks? The DEIR states that urban stormwater will be used to provide water to the riparian corridor, and that the aquatic features within the mitigation area would serve as treatment of stormwater from the newly created development. This is unacceptable. Mitigation areas cannot be used as stormwater treatment because as such, they are subject to urban runoff that could include pollutants such as petroleum products, fertilizers, or pesticides that are associated with homes and streets. These pollutants could substantially degrade water quality in the creek and wetlands, making them unsuitable as habitat for native plants and wildlife. In addition, under well-established Water Board policy double-counting (using a single area to fulfill more than requirement where mitigation is one of the purposes) is simply not allowed.

SA 2-6

MR 3C

Second, the Water Board does not support the notion of creating a creek on top of engineered fill material as mitigation for impacts. Such a practice would be experimental, with a high risk of failure to provide the stream and wetland functions necessary to compensate for impacts. Creation of water features on top of engineered fill would likely require a substantial amount of rock in the design to provide stability, and would not likely receive groundwater inflow as the natural creek does at present, as the engineered fill would be artificially drained.

SA 2-7

MR 3C

Another issue with the mitigation plan as currently proposed is that it relies primarily on creating an 8.9 acre riparian corridor with three small ponds/pools at intervals along its course. These ponds do not fully mitigate for the loss of the seasonal wetlands observed during my site visit because the newly created ponds are out-of-kind. New seasonal wetlands would have to be established – or preferably preserved on-site – at a minimum ratio of 2:1 (replaced to lost) depending on such factors as the lapse of time between loss and creation and whether the mitigation areas are located in the same watershed. Out-of-kind mitigation, which is only acceptable as a last resort, must be made at substantially higher ratios.

SA 2-8

MR 3C

As noted above, the benefits of the biological and chemical contribution to downstream waters (San Ramon Creek, Walnut Creek, and Suisun Bay) from the onsite tributary streams have not been adequately detailed and acknowledged. Such benefits are largely difficult to quantify, and as such the impacts also would be difficult to quantify. In order to compensate for such an un-quantified loss, any mitigation plan is likely to be a compromise. However, such mitigation would have to include substantial on the ground creek restoration and enhancement in the watershed where the impacts occur. Ideally, such mitigation would occur on-site. Considering that there may be limited opportunities for on-site creek restoration, then off-site creek restoration would be considered with a higher ratio of restoration required for the losses. The Faria Project Sponsor should also evaluate the cost and feasibility of providing substantial, on-the-ground mitigation to compensate for the creeks filled on the project site. Suitable creeks that

SA 2-9

MR 3C

would qualify for such work within the area are limited in number and it may be difficult to obtain the rights to carry out the amount and degree of restoration required for mitigation.

SA 2-9
MR 3C

Furthermore, currently proposed riparian corridor is planned to cover some 8.9 acres and appears to be comprised of several components. However, the figures for these components are confusing and do not appear total 8.9 acres. At a minimum, in order to determine the suitability of mitigation areas proposed in the future, we need to see a direct, clear explanation of precisely how many acres of each type of aquatic feature and habitat, including riparian vegetation will be lost compared to how much of each type will be created. The text of the final EIR could easily summarize this in a readily comprehensible table.

SA 2-10
MR 3C

Comment 4. Jurisdictional Delineation for Wetlands and Waters of the U.S. & the State: As indicated by a site visit, there are several areas that are likely waters of the State and the ACOE and thus under the jurisdiction of the Water Board (see Comment 6) that were not included in the Project Sponsor's calculations of the extent of impacts and corresponding amount of required mitigation. A final resolution of the full extent of wetlands present at the site has not yet been reached and may, in fact, require either resubmittal of a new draft environmental impact report or a supplemental environmental impact report that more accurately characterizes the presence of wetlands on the Faria site and provides a mitigation plan that is more closely approaches what would be required given the magnitude of the project's impacts.

SA 2-11
MR 3B

Comment 5. Assessment for California Red Legged Frog: During the site visit, tadpoles were observed in small pools on the main drainage found on the Faria Preserve site. Given the presence of these as-yet unidentified amphibians, the Water Board expects to see a reevaluation of the area as possible habitat for the California red-legged frog (*Rana aurora draytonii*) (CRLF). This is particularly important because of the close proximity of CRLF which is found in nearby Bollinger Creek and given the pressure that development in this part of Contra Costa County is placing on this federally listed species. The information provided in the DEIR and other project documents does not provide adequate support for the conclusion that the proposed Faria project will not adversely affect the CRLF.

SA 2-12
MR 3E

Comment 6. Chapter 4 Environmental Evaluation, Section 4.7: Hydrology/Water Quality, Regulatory Framework (page 4.7-7 to 4.7-10):
This section of the DEIR explains which agencies of the State are involved in regulation of water resources in their various forms. This portion of the text properly acknowledges the authority of the Water Board to regulate water quality under section 401 of the Clean Water Act (CWA) through issuance of water quality certifications in conjunction with the U.S. Army Corps of Engineers (ACOE) and the Water Board's jurisdiction with respect to countywide National Pollution Discharge Elimination Permits (NPDES). However, the text in this section fails to recognize the authority granted to the Water Board under the State's Porter-Cologne Water Quality Control Act (California Water Code, Division 7) to regulate projects with impacts to

SA 2-13
MR 3B

waters of the State, such as isolated wetlands, vernal pools, or stream banks above the ordinary high water mark.

This is particularly relevant to the Faria Preserve project because the jurisdictional delineation is currently being re-evaluated as a result of observations made during the above noted site visit. This reassessment is likely to result in recognition of several additional areas at the project site as within ACOE jurisdiction and may also result in identification of areas that are waters of the State but not Corps jurisdictional. Text in this section of the final EIR, should be revised to include discussion of the regulatory role of the Water Board in waters that lie outside of ACOE jurisdiction. Further, it should be noted that the Water Board's jurisdiction extends to include not only isolated waters, but to stream bed and banks, riparian zones and includes both current and potential beneficial uses of such waters, such as habitat values, as well.

SA 2-13

MR 3B

Comment 7. Chapter 4 Environmental Evaluation, Section 4.7.3, Environmental Evaluation, Mitigation Measures Hydrology 1a .1b, and 1c (pages 4.7-14 to4.7-17).
These two short sections of the DEIR address the requirements for compliance with NPDES permits and preparation of a Stormwater Pollution Prevention Plan (SWPPP). The Water Board would like to stress that for new residential development, stormwater management should be provided to the maximum extent possible through landscape based treatment techniques such as biofilters and vegetated swales. Because a landscape-based strategy for stormwater treatment requires allocation of land for proper implementation, especially related to appropriate sizing of such features, it is important to incorporate such measures, with specific consideration given to sizing, in the earliest possible design phases. These sections are very general and, other than the brief mention of a detention basin and other "treatment features," provide no discussion of proper sizing or few clear indications of specific steps that will be taken to control and treat runoff from the proposed Faria Preserve's homes and related facilities.

SA 2-14

MR 7A

Under the NPDES permit, post-construction stormwater best management practices (BMPs) are required to provide treatment that meets the maximum extent practicable (MEP) treatment standard in the Clean Water Act (CWA). To meet the MEP standard, treatment BMPs are to be constructed that incorporate, at a minimum, the following hydraulic sizing design criteria to treat stormwater runoff. As appropriate for each criterion, local rainfall data are to be used or appropriately analyzed for the design of BMPs.

SA 2-15

MR 7A

Volume Hydraulic Design Basis: Treatment BMPs whose primary mode of action depends on volume capacity, such as detention/retention units or infiltration structures, shall be designed to treat stormwater runoff equal to:

1. the maximized stormwater quality capture volume for the area, based on historical rainfall records, determined using the formula and volume capture coefficients set forth in *Urban Runoff Quality Management, WEF Manual of Practice No. 23/ ASCE*

Manual of Practice No. 87, (1998), pages 175-178 (e.g., approximately the 85th percentile 24-hour storm runoff event); or

2. the volume of annual runoff required to achieve 80 percent or more capture, determined in accordance with the methodology set forth in Appendix D of the *California Stormwater Best Management Practices Handbook*, (1993), using local rainfall data.

SA 21-5

MR 7A

Flow Hydraulic Design Basis: Treatment BMPs whose primary mode of action depends on flow capacity, such as swales, sand filters, or wetlands, shall be sized to treat:

1. 10% of the 50-year peak flow rate;

2. or the flow of runoff produced by a rain event equal to at least two times the 85th percentile hourly rainfall intensity for the applicable area, based on historical records of hourly rainfall depths; or

3. the flow of runoff resulting from a rain event equal to at least 0.2 inches per hour intensity.

The purpose of an Environmental Impact Report prepared under the guidelines of the California Environmental Quality Act (CEQA) is to evaluate all of the reasonable anticipated environmental impacts of a project and their mitigation. On this basis, it clear that the text in this section must be expanded to provide sufficient information to assess if the measures proposed for landscape-based treatment of stormwater are both effective and adequate.

Comment 8. Chapter 4 – Environmental Evaluation, Section 4.7, Hydrology/Water Quality, Mitigation Measure Hydrology – 5 (page 4.7-20). This section states that the NWSP and Faria project would not affect groundwater quality, substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table. Because the Faria site's aquatic features do receive flows from groundwater at the site, we are concerned that implementation of the project as proposed, or a modified project with a smaller development footprint, could result in impacts to wetlands and water features outside the development footprint. Groundwater connections do appear to be a source of hydrology for the site's aquatic features, and could be critical for maintenance of the riparian ecosystem. Mass grading of the site, and installation of subdrain systems are likely to result in modification to groundwater hydrology. This concern has not been addressed in the DEIR. Evaluation of this impact should be included as part of the final document.

SA 2-16

MR 3F

Comment 9. Chapter 7 – Alternatives. We find that the discussion regarding alternatives presented in the DEIR does not provide sufficiently detailed description and discussion to adequately assess both on- and off-site options. Although the housing need in California, and in the San Francisco Bay area specifically, may be real and of some urgency, it has not been demonstrated that the permanent loss of creeks and wetlands on the Faria project site are necessary in order to accommodate provision of new housing units. More detail on each of the off-site options for housing, and other amenities should be included in the DEIR, along with detailed descriptions and characterization of the aquatic resources on each site.

SA 2-17

MR 13A

The cut and fill aspects of each of the on-site alternatives must be substantiated as part of the Alternatives Analysis review of the project under the 401 certification program. The Project Sponsor has not demonstrated that a less damaging practicable alternative does not exist for development of housing at the site. The discussions and maps that depict Alternatives for the project are very general in nature and do not provide the degree of detail needed to support the elimination of the alternatives from further consideration. Specific discussion regarding the cut-and-fill options for each alternative should be provided. For example, why has the cut-and-fill configuration for each alternative been established in the manner shown? Are there other ways that the site could be graded without generating such large quantities of excess soil?

Further, it is interesting to note that the ridgeline development prohibition of the General Plan for the City of San Ramon dictates to a large degree the type of development allowed to occur on the various parcels throughout the city. It would be useful to know what kinds of development options with fewer impacts to water resources would be available at the site without adherence to this prohibition. For example, how could Alternatives 1, 2, 3, and 4 be modified to accommodate project needs if the ridgeline prohibition were not incorporated into the General Plan? We recognize that the City of San Ramon has a responsibility to follow the General Plan requirements. However, there appear to be competing and/or conflicting interests at stake with the desire for unimpaired view sheds on the one hand, and the need for protection of State waters on the other. The General Plan requirements for protection of the view shed does not override the need to protect aquatic resources. In our view, it may be that this area within the City of San Ramon is built-out, and that housing and other community needs will need to be accommodated elsewhere in the City at higher densities. The goals of a local plan do not supersede state and federal policy regarding fill of wetlands and streams.

SA 2-18

MR 13B

The NWSP only offers guidelines for building up to 830 homes, but does not mandate that exactly 830 homes must be built. The Faria Preserve is not the only site available for meeting the need for housing in the City of San Ramon area. Some of the alternative options were rejected as too expensive, based primarily on the cost associated with disposal of earthen material resulting from the widespread re-grading called for in the preferred design option. The Project Sponsor must consider the economic viability of a project with smaller footprint.

SA 2-19

MR 13B

Comment 10. Chapter 2 – Summary, Section 2.2 – Areas of Controversy/Issues to be Resolved.

While this list is merely an attempt to summarize the most significant issues raised in public meeting with the NWSP and the Faria Preserve Planned Community, it is an important indicator for many reviewers – particularly among those among public – of the major expected environmental impacts that are associated with the project under review. The Faria Preserve will substantially impact waters of the U.S. and the State through extensive fill of the seasonal wetlands and creeks on the site. This is a major impact that should be acknowledged as one of the most important environmentally significant aspects of the project. The text in this section should be revised to reflect this fact.

SA 2-20

MR 3C

Comment 11. General comment on Maps and Figures.

In general, a number of the maps included as part of the DEIR are difficult to interpret, poorly labeled, and at a scale that is of little use in actually improving understanding of which resources occur where – especially relative to the proposed Faria Preserve Community's building plan. For example, Figure 3-3, the map titled *Natural Setting*, does not mark and identify any seasonal wetlands, or the creek that are on the site. In fact, the only waters of any type it labels is Bollinger Creek – which is not within the Faria Preserve area that is targeted for the majority of development. This is misleading since only a select set of the natural features present in the area are shown; this omission is difficult to understand since, at a minimum the presence of water resources already identified (and shown in Figure 4.3-3) by a wetland delineation could easily be added. Also, the maps in Figures 4.3-1 and 4.3-2, which depict biological resources and do indicate where some seasonal wetlands are found, are at a different scale than the maps illustrating development related to the project. This makes it difficult to compare the drawings for assessment of resources that may be lost as a result of construction of the project as currently proposed.

SA 2-21

MR 3F

Summary & Conclusion

Water Board and State policy require avoidance of wetlands and creek habitat to the maximum extent feasible. Projects which do not adequately demonstrate avoidance and minimization of impacts to wetlands and other waters of the State may result in our inability to issue required water quality certification and/or waste discharge requirements for the project as proposed.

SA 2-22

MR 7A

The State Water Resources Control Board has adopted a policy directing Water Board staff to promote a Low Impact Development (LID) approach to land development per our policies and site specific regulatory actions. The LID approach:

- Maintains natural waters, drainage paths, landscape features and other water-holding areas to promote stormwater retention and groundwater recharge;
- Preserves the amenity and other values of natural waters;
- Minimizes generation of urban pollutants;

- Designs communities and landscaping to minimize stormwater generation, runoff, and concentration, and
- Promotes water conservation.

SA 2-22

MR 7A

As currently proposed, the Faria project does not comply with this stated policy.

SA 2-23

MR 14A

In closing, we question why the water quality permitting process for the Faria project was initiated by the Project Sponsor prior to the completion of the environmental review process. The Water Board received a Clean Water Act Section 401 water quality certification application for the Faria project earlier this year. The fact that the 401 application was submitted prior to the completion of the environmental review process for the specific plan area suggests that the Project Sponsor does not take seriously the water quality and wetland issues that need to be addressed during the environmental review process.

Thank you for the opportunity to comment on this project. If you have any questions, please contact me at (510) 622-2356, or via e-mail at KHart@waterboards.ca.gov.

Sincerely,

Kathryn R. Hart
Water Resource Engineer

cc:

SWRQB-DWQ, Attn: Oscar Balaguer
Tyson Eckerly, U.S. Army Corps of Engineers
Marcia Grefsrud, CDFG, Yountville
United States Fish & Wildlife Service, Attention: Kim Squires, 2800 Cottage Way, Room W2605, Sacramento, CA 95825
Richard Loeke, Urban & Environmental Planning, 55 Oak Trail Ct., Alamo, CA 94507 (Certified Mail)
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County

Dennis M. Barry, AICP
Community Development Directo

LA 1

RECEIVED
SEP 5 - 2006
CITY OF SAN RAMON
PLANNING SERVICES

August 31, 2006

Ms. Debbie Chamberlain
City of San Ramon
Planning Services Department
2226 Camino Ramon
San Ramon, CA 94583

Subject: Draft Northwest Specific Plan and accompanying Draft Environmental Impact Report (2003022102)

Dear Ms. Chamberlain:

Contra Costa County has received and reviewed the Draft Northwest Specific Plan and the accompanying Draft Environmental Impact Report (2003022102). We offer the following comments on both documents:

LA 1-1

MR 8H

1. Both the Specific Plan and the Draft Environmental Impact Report should more thoroughly address how the Specific Plan area will be annexed into the City of San Ramon. This should include a discussion of the timeline and process for annexation, and how the review and approval of subsequent development applications (e.g. Claremont Homes' proposal for the Faria property) will correspond with the annexation schedule.

LA 1-2

MR 8A

2. Both the Specific Plan and the Draft Environmental Impact Report should describe and explain Contra Costa County's existing land use policies and regulations for the Specific Plan area. For example, at page 4.8-1 in the Draft EIR, under Existing Setting, in the paragraph discussing Contra Costa County's Urban Limit Line, it is inaccurately stated that .... "However, the County General Plan does not specify a land use designation for the NWSP, and it is not within an adopted Area Plan". This statement leaves the reader with the impression that there are no current County land use policies or regulations for this unincorporated area. The subject land area is, in fact, designated under the County's General Plan Land Use Element as Agricultural Lands (AL). Additionally, the Faria property is zoned under the County's A-2: General Agricultural District, and the draft Specific Plan's Western Plan Area is zoned under the County's A-4: Agricultural Preserve District. Reviewers of both documents would gain a better understanding that the proposed actions, which

include the adoption of the Specific Plan and subsequent development approvals, would clearly result in the conversion of agricultural lands (non-urban uses) under County land use policies and regulations to urban uses under the City's Specific Plan.

LA 1-2

MR 8A

3. The Draft Environmental Impact Report does not provide enough information to the reviewer to understand the full extent and limits of grading for development on the Faria property. It is unclear if all the grading on the Faria property is to occur only within the proposed area in the Specific Plan to be annexed to San Ramon. Is any of the grading proposed to be done in the unincorporated area after annexation? If grading is to done within the unincorporated area it will be subject to the County's grading ordinance and other policies as described in the County General Plan, and this would mean that the County should be listed as Responsible Agency for CEQA purposes.

LA 1-3

MR 8H

4. Figure 4.10-6, "Existing and Planned Bicycle Facilities", Draft Environmental Impact Report, appears to show Class II bicycle lanes planned for the County's portion of Bollinger Canyon Road. The adopted Contra Costa Countywide Bicycle Plan identifies a Class I facility on this portion of Bollinger Canyon Road. A Class I facility would provide increased bicyclist and pedestrians access to Las Trampas Regional Park, and should be considered for the Specific Plan.

LA 1-4

MR 10F

As a final matter, the Contra Costa County Flood Control District will be submitting more focused comments on impacts related to hydrology, drainage, and water quality. The City of San Ramon is urged to incorporate the Flood Control District's suggestions and recommendations regarding hydrology, drainage, and water quality into the Specific Plan.

Thank you for the opportunity to review and comment the Draft Northwest Specific Plan and the accompanying Draft Environmental Impact Report.

Sincerely yours,

Patrick Roche

Patrick Roche
Principal Planner
Advance Planning Division

CC: chron file
J. Pulliam, CCC-PWD
J. LaRocque, CCC-Flood Control

Contra Costa County
FLOOD CONTROL
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Maurice M. Shiu
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LA 2

August 10, 2006

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AUG 14 2006
CITY OF SAN RAMON
PLANNING SERVICES

Debbie Chamberlain, Senior Planner
City of San Ramon
Planning Services Department
2226 Camino Ramon
San Ramon, CA 94583

Our File: 060-19 City of San Ramon
"Northwest Specific Plan," 3081-00
X-Ref: 1002-8891

Dear Ms. Chamberlain:

We received the notice that the City of San Ramon's draft Northwest Specific Plan report was available for public review on July 20, 2006. We reviewed the draft report dated July 2006 and submit the following comments:

1. We commented in our November 2003 letter to the City of San Ramon (City) for this project and in our February 16, 2006, letter to the City for Subdivision 8891 (The Faria Preserve) that the District requests an opportunity to review the project's Drainage Master Plan. The District is available to provide technical assistance in reviewing Drainage Master Plans under our fee-for-service program. LA 2-1 MR 7A

2. The developers within this project area should be required to comply with the current National Pollutant Discharge Elimination System (NPDES) requirements under the City Stormwater Management and Discharge Control Ordinances and the C.3 Guidebook. We support the State's goal of providing best management practices to achieve the permanent reduction or elimination of storm water pollutants and downstream erosion from new development. The District is available to provide technical assistance for meeting these requirements under our fee-for-service program.

3. This project is in the San Ramon Creek watershed. We recommend that all developments in the San Ramon Creek Watershed be required to mitigate their adverse drainage impact upon the natural creeks. Toward that end, the following should be added to the conditions of approval for the applications: LA 2-2 MR 7B

   - Mitigate the impact of additional stormwater runoff from those developments on San Ramon Creek by either of the following methods:

     Remove 1 cubic yard of channel excavation material from the inadequate portion of San Ramon Creek near Livorna Road for each 50 square feet of new impervious

surface area created by the development. All excavated material shall be disposed of offsite by the developer at his own cost. The site selection, land rights, and construction staking will be performed by the Flood Control District.

LA 2-2

MR 7B

OR, upon written request by the developer:

- Provide for a cash payment in lieu of actual excavation and removal of material from the inadequate portion of San Ramon Creek near Livorna Road. The cash payment will be calculated at a rate of $0.10 per square foot of new impervious surface area created by the development. The added impervious surface area created by the development will be based on the Flood Control District's standard impervious surface area ordinance. The Flood Control District will use these funds to work on San Ramon Creek annually.

We appreciate the opportunity to be included in the Northwest Specific Plan process and welcome continued coordination. Should you have any questions, please call me at (925) 313-2315 or Tim Jensen at (925) 313-2396.

Sincerely,

Jocelyn LaRocque
Staff Engineer
Flood Control Engineering

JL:TJ:kg
G:\FldCtl\CurDev\CITIES\San Ramon\Northwest Specific Plan\Draft specific plan (ltr 2).doc

c: Greg Connaughton, Flood Control
Bob Faraone, Flood Control
Tim Jensen, Flood Control

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LA 2

August 29, 2006

RECEIVED
SEP 5 - 2006
CITY OF SAN RAMON
PLANNING SERVICES

Debbie Chamberlain
City of San Ramon
Planning Services Department
2226 Camino Ramon
San Ramon, CA 94583

Our File: 060-19 City of San Ramon
"Northwest Specific Plan," 3081-00
X-Ref: 1002-8891

Dear Ms. Chamberlain:

We received the notice of availability for the Draft Environmental Impact Report (EIR) dated July 2006, for the City of San Ramon's Northwest Specific Plan on July 24, 2006. We reviewed the report and submit the following comments:

1. Our comments below are similar to our comments in our August 15, 2006, letter to the City of San Ramon (City) about the draft Northwest Specific Plan (NWSP) report dated July 2006.

LA 2-3

MR 5D

Chapter 4.5: Geology/Soils

2. Section 4.5.3, Environmental Evaluation – This section mentions that construction will be in accordance with approved plans, details, and recommendations contained in the geological and geotechnical investigations. It also mentions that a detailed geotechnical analysis shall be conducted for the Western Plan Area and improvements shall be within the recommendations found in the "Geologic Hazards Evaluations and Preliminary Geotechnical Engineering Study" conducted for the Faria Preserve Project Site. We understand that detention basins will be constructed to mitigate for the increased peak flows both from the Faria Preserve Project Site and Western Plan Area. We recommend that developers be required to submit a separate geotechnical/soils report specifically addressing the basin design. This report should address the allowable safe basin slopes with respect to liquefaction, rapid drawdown, wave action, anticipated sedimentation, allowable bearing pressure where structures are to be placed, water table and the effects of basin excavation on the water table, etc.

Chapter 4.7: Hydrology/Water Quality:

3. This section mentions the Northwest Specific Plan Master Plan Hydrology report prepared by Kimley-Horn and Associates and the Hydrology Study for the Faria Preserve conducted by Bellecci and Associates. The District is interested in having an opportunity to review the Master Plan under our fee-for-service program as stated in our August 10, 2006, letter to the City.

LA 2-4

MR 7B

4. Section 4.7.1, Existing Setting – The "Watersheds" discussion portion mentions Bollinger Creek and Walnut Creek. Bollinger Creek drains to San Ramon Creek before draining to Walnut Creek. We stated in our August 10, 2006, letter to the City that developments in the NWSP are in the San Ramon Creek watershed. We recommend that all developments in the San Ramon Creek Watershed be required to mitigate their adverse drainage impact upon the natural creeks. Toward that end, the following should be added to the conditions of approval for the applications: LA 2-5 MR 7B

   - Mitigate the impact of additional stormwater runoff from those developments on San Ramon Creek by either of the following methods:

     Remove 1 cubic yard of channel excavation material from the inadequate portion of San Ramon Creek near Livorna Road for each 50 square feet of new impervious surface area created by the development. All excavated material shall be disposed of offsite by the developer at his own cost. The site selection, land rights, and construction staking will be performed by the Flood Control District. LA 2-6 MR 7B

     OR, upon written request by the developer:

   - Provide for a cash payment in lieu of actual excavation and removal of material from the inadequate portion of San Ramon Creek near Livorna Road. The cash payment will be calculated at a rate of $0.10 per square foot of new impervious surface area created by the development. The added impervious surface area created by the development will be based on the Flood Control District's standard impervious surface area ordinance. The Flood Control District will use these funds to work on San Ramon Creek annually.

   We recommend that this section also mention San Ramon Creek and the mitigation information above.

5. Section 4.7.1, Existing Setting – This section mentions that the new development will be required to provide for perpetual funding and ongoing maintenance of the detention basins to address Impact 4.13-d relating to the potential increase in stormwater runoff. We recommend that the new development be required to submit an Operations and Maintenance Manual in addition to proving the funding mechanism. We recommend that the manual discuss the following items: LA 2-7 MR 7B
   - Introduction – background, and monitoring and maintenance goals
   - Overview of basin design and function - basin features (water-quality features, stormwater detention features, etc.),
   - Monitoring and maintenance elements - (drawdown time, inlet and outlet structures, sediment accumulation, vegetation control, access, fencing, vector control, coarse debris accumulation, etc.),
   - Monitoring maintenance schedule – routine and non-routine maintenance
   - Reporting and documentation
   - Operation and maintenance costs

We also recommend that the manual contain the following figures:

- Locations map
- Plan view of the basins
- Plans of the structures
- Suggested monitoring and maintenance forms

LA 2-7

MR 7B

6. Section 4.7.3, Environmental Evaluation – We understand that the developers within the NWSP will be required to comply with the current National Pollutant Discharge Elimination System (NPDES) requirements under the City and/or County Stormwater Management and Discharge Control Ordinances and the C.3 Guidebook. We support the State's goal of providing best management practices to achieve the permanent reduction or elimination of storm water pollutants and downstream erosion from new development. The District is available to provide technical assistance for meeting these requirements under our fee-for-service program as stated in our August 10, 2006, letter to the City.

LA 2-8

MR 7A

7. Section 4.7.3, Environmental Evaluation – We understand that detention basins will be constructed to mitigate for the increased peak flows both from the Faria Preserve Project Site and Western Plan Area. The District is available to provide assistance in reviewing the adequacy of detention basins. The District has developed "Detention Basin Guidelines" dated February 1991, that may assist the City in their planning and review of the detention basins.

SA 2-9

MR 7B

We appreciate the opportunity to be included in the Northwest Specific Plan process and welcome continued coordination. Should you have any questions, please call me at (925) 313-2315 or Tim Jensen at (925) 313-2396.

Sincerely,

J. LaRocque

Jocelyn LaRocque
Civil Engineer
Flood Control Engineering

JL:TJ:kg
G:\FldCtl\CurDev\CITIES\San Ramon\Northwest Specific Plan\EIR Draft.doc

c: Greg Connaughton, Flood Control
Bob Faraone, Flood Control
Tim Jensen, Flood Control
Pat Roche, Community Development

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
651 Pine Street, Sixth Floor • Martinez, CA 94553-1229
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(925) 335-1094 • (925) 646-1228 FAX

LA 3

RECEIVED
SEP 6 - 2006
CITY OF SAN RAMON
PLANNING SERVICES

September 4, 2006

Debbie Chamberlain
Planning Services Manager
City of San Ramon
2222 Camino Ramon
San Ramon, CA 94583

SUBJECT: Draft Environmental Impact Report
Northwest Specific Plan and Faria Preserve Community

Dear Ms. Chamberlain:

Thank you for the opportunity to comment on City's Draft EIR for the Northwest Specific Plan. As a Responsible Agency pursuant to the CEQA, LAFCO will need to rely on the City's environmental document in the consideration of any subsequent reorganization application relating to this project. LA 3-1 MR 8H

LAFCO is required to consider a variety of factors when evaluating a project, including, but not limited to the proposed project's potential impacts upon agricultural land and open space, the provision of public services, including the timely and available supply of water, adequate and proximate affordable housing, etc. In consideration of these factors, we offer specific as well as general comments below.

Specific Comments

1. We recommend that the EIR address impacts associated with the transfer of blue oak woodlands from the County to the City upon annexation pursuant to SB 1334 (Kuehl, Ch. 732, Stats. of 2004). Specifically, compare levels of protection and mitigation under the County with those under the City. LA 3-2 MR 3D

2. With regard to affordable housing, we recommend that Table 2-12 be revised to be more project specific. In addition, it appears that the City requires that 25% of the units on this site be affordable housing; it also appears that the City assumes a per unit price of approximately $1 million. Please clarify. LA 3-3 MR 8F

3. We recommend that the EIR include more specific data regarding the level of grazing activity (e.g., number of head per acre) pursuant to Government Code §56064 (c), (d) and (e). LA 3-4 MR 3F

4. We recommend that the discussion regarding the timely and available supply of water address potential adverse impacts, if any, in more detail. LA 3-5 MR 11A

5. We are unclear as to whether the project site is wholly or partially within the Central Contra Costa Sanitary District's Sphere of Influence (SOI). If an SOI amendment is needed, this action should be included in the project description, and impacts identified and evaluated. LA 3-6 MR 8H

6. We recommend that the EIR provide additional information, clarification, and possible mitigation measures to address the wet weather sewage flows. It appears that these flows will exceed the capacity of the infrastructure, which will be used to support the project at least over the short term. However, potential impacts are not evaluated because of a proposed future capital improvement. The future capital improvement project is not described, not currently scheduled, and has not been subject to environmental review. We recommend that the EIR provide a description of the project, a location, and potential types of impacts, (e.g., how much sewage overflow over what period will be expected). LA 3-9 MR 11F

General Factors

Pursuant to Government Code §56668, LAFCO is required to consider a number of factors in reviewing a change of organization or reorganization as shown on the attached. We encourage you to reference these factors as appropriate, in your environmental document(s). This will help facilitate the LAFCO application process. LA 3-7 MR 8H

Thank you for your consideration of these comments. Please contact the LAFCO office if you have any questions.

Sincerely,

Lou Ann Texeira
Executive Officer

Attachment
c: Barbara Graichen, LAFCO Planner

56668. Factors to be considered in the review of a proposal shall include, but not be limited to, all of the following:

(a) Population, population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas during the next 10 years.

LA 3-8

MR 8H

(b) Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion of alternate courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services", as used in this subdivision, refers to governmental services whether or not the services are those which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

(c) The effect of the proposed action and of alternative actions on adjacent areas, on mutual social and economic interests, and on the local government structure of the county.

(d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development; and the policies and priorities set forth in Government Code §56377.

(e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Government Code §56016.

(f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

(g) Consistency with city or county general and specific plans.

(h) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.

(i) The comments of any affected local agency.

(j) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for such services following the proposed boundary change.

(k) Timely availability of water supplies adequate for projected needs including, but not limited to, the projected needs as specified in §65352.5.

(l) The extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs as determined by the appropriate council of governments.

(m) Any information or comments from the land owners or owners.

(n) Any information relating to existing land use designations.

LA 4

EAST BAY
MUNICIPAL UTILITY DISTRICT

August 30, 2006

RECEIVED
SEP 6 - 2006
CITY OF SAN RAMON
PLANNING SERVICES

Debbie Chamberlain, Planning Services Manager
City of San Ramon
2226 Camino Ramon
San Ramon, CA 94583

Re: Draft Environmental Impact Report - Northwest Specific Plan and Faria Preserve Community, San Ramon

Dear Ms. Chamberlain:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the City of San Ramon's Northwest Specific Plan (NWSP) and Draft Environmental Impact Report (EIR) for the Northwest Specific Plan and Faria Preserve Community (Preserve) formerly entitled the Faria Preserve Development Project. EBMUD's comments on the Draft EIR include references to the NWSP where applicable, but generally focus on the description, discussion and analysis of issues specific to the proposed new EBMUD water system facilities required to serve the development project, as well as improvements to existing facilities necessitated by the Preserve Project.

LA 4-1

MR 11B

GENERAL COMMENTS ON THE DRAFT EIR

As stated in EBMUD's June 30, 2006 response to the Administrative Draft EIR, the project description, impacts, mitigation measures and alternatives analysis for EBMUD's preferred tank site location are adequately addressed in the Draft EIR. EBMUD also acknowledges that the Draft EIR correctly identifies EBMUD's preferred site for the new partially buried pumping plant as being a location near the valve pit structure at EBMUD's existing San Ramon Reservoir site rather than the location near the Purdue Road entrance which is actually the alternative pumping plant site. The Draft EIR also notes that the development of Neighborhood D will trigger a need to relocate the existing access road and pipeline between Deerwood Road and San Ramon Reservoir. Page 4.1-28 of the Draft EIR describes a new alignment for the access road but to date EBMUD and the project sponsor have not agreed on a mutually acceptable alignment for either the access road or the inlet/outlet (I/O) pipeline for the San Ramon Reservoir. These impacts to EBMUD's facilities still need to be addressed and resolved prior to certification of the Final EIR.

LA 4-2

MR 11B

As noted on pages 1-7 and 3-32 of the Draft EIR, EBMUD intends to rely on this EIR for EBMUD Board of Directors to approve design and construction of the new pressure zone facilities. EBMUD's review and comments therefore also focus on the extent to which the Draft EIR analysis will facilitate this goal. Equally important to EBMUD is the fact that this EIR will also be used by Local Agency Formation Commission (LAFCO) to approve annexation of the

Recycled Paper

NWSP area into EBMUD's current service area, a precursor required for EBMUD to provide water service to the NWSP and Faria Preserve.

LA 4-2

MR 11B

EBMUD notes that with the exception of Geology and Aesthetics, the Draft EIR does not explicitly address impacts associated with construction of the proposed new EBMUD water service facilities. Please verify that the Draft EIR does in fact assess all of the environmental impacts related to construction and operation of the major water service facilities required to serve the NWSP/Faria Preserve, as well pipeline and access improvements for the existing San Ramon Reservoir.

COMMENTS ON SPECIFIC SECTIONS OF THE DRAFT EIR

Chapter 3 - Project Description

LA 4-3

MR 11A

Public and Community Facilities, page 3-25 - The Draft EIR states that the Preserve will include a community park, rose garden, and master park plan with soccer and baseball facilities and large grass areas. These elements provide an opportunity for EBMUD, the City and project sponsor to collaborate on implementing exterior water conservation measures, in furtherance of EBMUD water supply/conservation policies, state water conservation mandates, and the City of San Ramon's Water Conservation and Landscape Ordinance No. 218. Water Conservation issues, policies and strategies to off-set potable water demand are addressed in more detail under impacts to Water Supply, as noted on subsequent pages of this response.

LA 4-4

MR 11B

Infrastructure and Public Services, page 3-27 - The Draft EIR describes two 70-foot diameter EBMUD tanks. Four design configurations for the tanks are described in the Alternatives chapter, and it is noted that EBMUD's preferred tank alternative is a buried/bermed tank configuration (A4). The Draft EIR also acknowledges that EBMUD's preferred pumping plant alternative is near the valve pit structure at the existing San Ramon Reservoir. The Draft EIR further states, without analysis, that "a new access road connecting the existing San Ramon Reservoir to Purdue Road is also proposed, as is realignment of the existing pipeline from the San Ramon Reservoir to Deerwood Road", and that "Potential impacts of these components of the water infrastructure program are considered along with the remainder of the water delivery system throughout this EIR". Please indicate where these impacts are assessed in the Draft EIR.

LA 4-5

MR 1A

Chapter 4: Environmental Evaluation.

Aesthetics

Impact Aesthetic - 4, page 4.1-19 - The Draft EIR notes that implementation of the Faria Preserve, including roads, tanks and buildings, would result in conversion of a naturalistic landscape similar to other developments in the area. For purposes of inclusiveness, EBMUD requests that the Draft EIR impact text be modified to include the pumping plant. The Draft EIR determines that the Preserve is consistent with Northwest Specific Plan policies which would reduce potential impacts to existing scenic vista and visual character to a less than significant impact, because the Plan

would preserve major ridgelines and prominent portions of the NWSP area in a natural state. Further discussion notes that the EBMUD tanks would interrupt existing horizons no more than an existing home in the foreground. The Draft EIR concludes that the EBMUD tanks are not visible simulations from any viewpoints and based on the visual simulations shown, and EBMUD concurs with this assessment. LA 4-5 MR 1A

On page 4.1-28, the Draft EIR text states that from Viewpoint 6 (from San Ramon Valley Boulevard near Purdue Road) the profile of the proposed pump station would be lower than surrounding residential neighborhoods and be designed to be consistent with architectural finishes of the surrounding community. A conceptual alignment for the proposed new San Ramon Reservoir access road is also described (cut across the slope beneath the existing water tank, ascending from north to south, and then cutting back north to loop in front of the water tank), but no impact assessment is provided. EBMUD has the following concerns. First, as previously stated, the proposed San Ramon Reservoir access road realignment does not seem feasible, is difficult to visualize, and does not reflect the most recent discussions with the project sponsor concerning alignments that would be acceptable to EBMUD. Second, please clarify that the Less Than Significant Aesthetic Impact assessment on page 4.1-19 also applies to the proposed pumping plant, realigned access road to the existing reservoir and new pipeline alignments (these alignments may be combined or separate, depending on topographical/grading factors). EBMUD specifically requests that the impact analysis for the proposed new pumping plant be elaborated further in the Draft EIR. LA 4-6 MR 1A

Utilities/Service Systems

Existing Water Provision, page 4.11-1 - The Draft EIR notes that the Water Supply Assessment prepared for the Plan and Preserve concluded that increased water demand associated with the NWSP and Preserve is accounted for in EBMUD's most recent Urban Water Management Plan. EBMUD concurs with this statement. LA 4-7 MR 11A

Page 4.11-3 - The Draft EIR states that in conjunction with the new pressure zone infrastructure, an existing underground pipeline connecting Deerwood Road to the existing San Ramon Reservoir will be relocated within the area being graded to accommodate Neighborhood C and D, and that the Preserve includes as part of its planned roadway system an access road to serve the existing (San Ramon) tank from Neighborhood D, and that these components will be completed during grading operations to allow continuing maintenance of the existing San Ramon Reservoir. As noted herein above, EBMUD and the project sponsor need to agree to a mutually acceptable realignment and reduce or minimize the impacts to the existing pipeline and access road to San Ramon Reservoir. EBMUD also wishes to state for the record that all existing and proposed access roads to its facilities will be used continuously for operations and maintenance purposes. LA 4-8 MR 11B

Impact Utilities 1, Water Supply, page 4.11-13 - The Draft EIR notes that the NWSP and Preserve would increase the demand for water but that this increase is anticipated in EBMUD's water demand projections through 2030 and thus impacts to EBMUD water supply would be less LA 4-9 MR 11A

than significant. EBMUD concurs with this conclusion. The discussion further notes that implementation of General Plan policies that require new developments to be equipped with water conservation devices will collectively ensure that the demand for potable water is reduced by continuing to implement and enforce provisions of the City of San Ramon Water Conservation and Landscape Ordinance No 218, supporting the application of reclaimed water and encouraging and promoting water reclamation projects in the City of San Ramon. Further, the Draft EIR states that the Faria Preserve project sponsor has proposed to sub-meter multi-family and senior housing as well as include water conservation measures in the development of the project. EBMUD concurs with the combination of water conservation approaches identified in the Draft EIR. LA 4-9 MR 11A

Geotechnical/Soils

Figure 3-8, page 3-23 - The tank sites shown on this figure are not in the "preferred envelope" of Earth Systems Consultants of Northern California (ESCNC), March 2005, as required in Mitigation Measure Geo-4c. As such, the tank sites shown in this figure are not in an acceptable location. Please clarify or amend the figure to reflect the "preferred envelope". LA 4-10 MR 11B

Infrastructure and Public Services, page 3-27 – The Draft EIR states that the water tank envelope and the alternative configurations and precise locations are described more fully in Chapter 7. Please note that the alternative tank sites referred to in Chapter 7, tank sites A2 and A3, are not in the "preferred envelope" of ESCNC March 2005, as required in Mitigation Measure Geo-4c. As such, tank sites A2 and A3 are not acceptable alternatives. Further, the water tank envelope is not described in Chapter 7 and should be included. LA 4-11 MR 11B

Mitigation Measure Geo-2c, page 4.5-25 – The Draft states that the project sponsor has conducted a detailed geotechnical study of the EBMUD water tank site(s) with respect to structural design of the tank foundations and the tanks to ensure minimization of ridgetop accelerations effects on the tanks. Please note that the project sponsor's geotechnical study (ESCNC, March 2005) was a preliminary geotechnical feasibility study, which did not provide recommendations with respect to the structural design of the tank. Moreover, the cover letter of the ESCNC (March 2005) report indicates that ESCNC's services "...did not include the preparation of geotechnical recommendations pertaining to development of the tank site..." As such, there are no recommendations that can be followed. Therefore, the project sponsor should be required to conduct a design-level geotechnical study of the tank site(s), as stated Mitigation Measures Geo-4c and Geo-7a. LA 4-12 MR 5D

Impact Geo-3, page 4.5-25 - The Draft EIR states that there is a high potential for liquefaction to occur in a loose sand deposit at a depth of 19.5 to 24.5 feet at one boring site within the Faria Preserve, located roughly to the northeast of the proposed EBMUD tank site (ESCNC 2004). Please clarify that the boring (#B8), is approximately 700 feet northeast of the tank site and should not affect the tank. LA 4-13 MR 5D

Mitigation Measure Geo-7a, page 4.5-32 - EBMUD concurs with this mitigation measure as approximately 50 percent of the area proposed for the tank sites (ESCNC, March 2005 Figure A-10) is underlain by the expansive Orinda Formation Claystone. LA 4-14 MR 5D

Section 7.7 and Figure 7-5, pages 7-41 to 7-45 – Please note that tank site A4 is the only tank site within the "preferred envelope" of ESCNC, March 2005, as required in Mitigation Measure Geo-4c, and as such is the only tank site that is acceptable. Tank sites A2 and A3 are not in the "preferred envelope" of ESCNC, March 2005, and as such are not acceptable alternatives. LA 4-15 MR 11B

Section 7.7, page 7-41, first paragraph – The Draft EIR refers to "Figure 3-9" which is not included. It appears that the reference should be to Figure 3-8. Please confirm. LA 4-16 MR 15

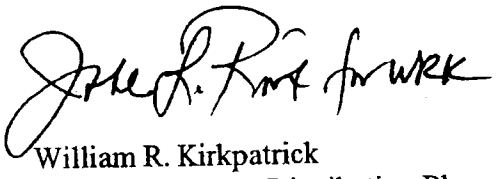
Section 7.7, page 7.45 - The Draft EIR notes that tank site A4 is the EBMUD preferred alternative (a buried alternative) that will be located along the ridgeline peak, but recessed into the ground with a height of two feet above ridgeline grade. Revised viewpoints 7-6 (Bollinger at Crow Canyon) and 7-7 (Norris near Bollinger Canyon) show no tank visibility from these intersections. EBMUD concurs with the assessment that tank site A4 is the environmentally preferred alternative for the tank. LA 4-17 MR 11B

The Draft EIR does not assess Geotechnical/Soils impacts for the proposed new pumping plant and pipelines and the new alignments for the San Ramon Reservoir access road and I/O pipeline. Please clarify whether and where this assessment can be located in the Draft EIR and also confirm that mitigation measures Geo-1c and Geo-6b apply globally to all utilities required for the Faria Preserve Project. LA 4-18 MR 5D

For ease of efficiency and retrieval, EBMUD encourages the City to use a Master Response approach in addressing EBMUD comments raised in this letter. LA 4-19 MR 14A

If you have any questions concerning this response, please contact Harvey P Hanoian, Senior Engineering Planner, at (510) 287-1064.

Sincerely,



William R. Kirkpatrick
Manager of Water Distribution Planning

WRK:GAA:djr
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cc: Thomas Baldacci, Castle Companies
Mathew Gray, Bingham McCutchen LLP
Nathan Lorenzini, Claremont Homes
Frank C. Bellecci, Bellecci & Associates, Inc.
Dennis Hommel, Bellecci & Associates

bcc: X. Irias
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D. Lee/S. Lakhani
R. Harris/S. Sommerfeld
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LA 5

East Bay Regional Park District
2950 Peralta Oaks Court
P. O. Box 5381
Oakland, CA 94605-0381
Phone - 510/635-0135
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FAX

TO: Ms. Debbie Chamberlin

AGENCY: City of San Ramon

FAX#: 925-806-0118

FROM: Brad Olson

DATE: 09/07/2006

RE: Comments on DEIR and Northwest Specific Plan

Total number of pages being faxed (including cover sheet): 10

Original will X Original will NOT _____ be mailed.

X FOR YOUR INFORMATION

X PLEASE REVIEW AND COMMENT

_____ PLEASE CALL ME

_____ AT YOUR REQUEST

_____ AS WE DISCUSSED

_____ OTHER

COMMENTS:

IF THERE ARE ANY PROBLEMS WITH THE TRANSMITTAL OF THIS MESSAGE, PLEASE CALL Amanda AT (510) 544-2650. THANK YOU.

LA 5

EAST BAY REGIONAL PARKS PARK DISTRICT

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General Manager

September 6, 2006

Ms. Debbie Chamberlin
City of San Ramon
Planning Division
2222 Camino Ramon
San Ramon, CA 94583

Subject: Comments on DEIR and Northwest Specific Plan
Las Trampas Regional Wilderness/Calaveras Ridge Trail

Dear Ms. Chamberlin,

Thank you for providing the East Bay Regional Park District ("District") with a copy of the draft Environmental Impact Report (DEIR) for the Northwest Specific Plan in San Ramon. The Specific Plan area is located just south of a land bank portion of Las Trampas Regional Wilderness. The Calaveras Ridge Trail is also planned to run through this area to eventually connect Bishop Ranch Regional Park to Las Trampas. The following are the Districts comments on the DEIR and Specific Plan.

LA 5-1

MR 8A

1. **Comments on the lack of consistency with the dwelling unit limit of the General Plan**

The proposed Northwest Specific Plan including the proposed Faria Preserve (together referred to as the proposed project) is not consistent with the San Ramon General Plan. The proposed project (238 affordable units, 830 total dwelling units) is not consistent with the dwelling unit limit of the General Plan (238 affordable units and 804 total dwelling units). An analysis of the proposed Northwest Specific Plan and Faria project compared to the San Ramon General Plan Dwelling Unit Limit is attached to this letter

2950 Peralta Oaks Court P.O. Box 5381 Oakland, CA 94605-0381
Tel 510 635-0135 Fax 510 569-4319 TDD 510 633-0460 www.ebparks.org

and is part of the Park District's comments on the DEIR and Specific Plan. The proposed project is also not consistent with several other policies of the General Plan regarding the preservation of open space, scenic ridgelines, and wildlife corridors as identified in other sections of this letter.

LA 5-1

MR 8A

The City should reject the proposed project and stop further processing of the Specific Plan and DEIR because the proposed project is not consistent with the General Plan. As an alternative, the City could stop further processing until the developer submits a complete application for a general Plan Amendment and a new EIR is prepared to fully address the impacts from the new project.

2. Comments on Draft EIR

a. Public Open Space

LA 5-2

MR 8D

The proposed "Trails and Open Space System" depicted on Figure 3-7 of the DEIR shows a number of open space areas and potential trail connections around and through the proposed 786-unit Faria Preserve development. This pattern of development unnecessarily fragments and disrupts a large area of private open space that could otherwise be set aside as contiguous public open space.

LA 5-3

MR 3C

The proposed development of the 200-unit Neighborhood A calls for the existing riparian area (which drains through the center of Neighborhood A) to be destroyed and relocated to the west. Such a proposal will impact a significant amount of wildlife habitat, will degrade downstream water quality and will fragment open space. We believe it would be better if this drainage were not impacted and instead proposed development of Neighborhood A be eliminated (a 25% reduction in units) or consolidated into Neighborhoods B and C south of the unnamed arterial road through the development area. This alternative would still accomplish the objectives of the proposed project, would eliminate impacts to a riparian area, and would provide for a much larger, contiguous public open space area abutting Las Trampas Regional Wilderness and the proposed "Faria Offsite Preservation Area" depicted on Figure 3-4 of the DEIR. A secondary benefit of this larger open space would be a larger mitigation area for impacts to biological resources within the development footprint.

LA 5-4

MR 13C

If Neighborhood A cannot be eliminated or relocated, then there should be no development in Neighborhood A west of the relocated riparian area. The 70 proposed units in this area could be eliminated (a 9% reduction in units) or replaced elsewhere within the development by increasing densities. This alternative would also eliminate the grading and water quality impacts associated with proposed streets in this area, which are Via Saccone, Via Veneto, Milano Court, Como Court, and Veneto Court. It would eliminate Via Veneto crossing the northern end of the relocated riparian area and it would increase connectivity to wildlife habitats, public open space areas and mitigation lands west and north of the relocated riparian area. Eliminating the 70 units and associated roadways will also serve to mitigate some of the significant visual impacts to prominent ridgelines (and Las Trampas), as described on page 7-29 of the DEIR.

LA 5-5

MR 13C

Private properties which abut the public open space should be permanently fenced to prevent encroachment, vandalism or illegal dumping. Private gates into the open space should be prohibited. There should also be a managed buffer area between the proposed open space and private residences to prevent wildfires spreading from the open space into residential areas, or structural fires spreading into the open space. Table 2-1 notes that this buffer area should be disked on an annual basis. We have found that disking promotes the growth of non-native weeds, such as star thistle. We suggest instead that the buffer be mowed or grazed. To provide effective grazing it is important to provide watering facilities within the open space.

LA 5-6

MR 8D

Adequate funding must be provided to enforce home-owner restrictions, manage buffer areas, mitigation areas, and open space areas. The above measures and funding mechanism should also be contained in the proposed "Open Space Management Plan", as described on page 1-5 of the DEIR, and "biological Mitigation/Enhancement Monitoring Plan", as described on page 3-28 of the DEIR.

LA 5-7

MR 3F

b. Public Trails

The proposed trail system shown on Figure 3-7 of the DEIR does not show an adequate level of detail. The Specific Plan on page 5-10 states that the trails will be "developed and improved per EBRPD standards." How will the trails accommodate emergency and

LA 5-8

MR 11C

maintenance vehicles? Will there also be local single track trails to access the proposed open space? How will the trails be maintained? This kind of information needs to be provided in the EIR.

LA 5-8
MR 11C

We request that the proposed connector between the Faria Wilderness Community and Las Trampas Regional Wilderness be constructed to District standards to accommodate emergency and maintenance vehicles. It should allow for hikers, equestrians and mountain bikers. Local connectors from the proposed neighborhoods should be clearly marked and adequate on-street parking should be provided.

LA 5-9
MR 11C

We could not determine from the DEIR how maintenance of trails in the open space area would be funded. There are a number of options discussed in the Specific Plan (page 5-7), including implementation of an Open Space Management Plan funded through a Geological Hazard Abatement District or some other mechanism. The criteria for developing the Management Plan and forming an assessment district should be included in the EIR.

LA 5-10
MR 11C

c. Biological Resource Impacts

The Specific Plan area is quite diverse and provides an abundance of plant communities and wildlife habitats. These include coast live oak woodland, oak-bay riparian, mixed chaparral, non-native annual grassland, hillside seeps and riparian areas. There is abundant habitat for the State and federally-threatened Alameda whipsnake along the flanks of Las Trampas ridge. The federally-threatened California red legged frog may use riparian areas, hillside seeps and stock ponds that are scattered along the ridge and flanks. Golden eagles, red tail hawks and other protected raptors forage in the grassland habitats along this ridge. Potential habitat for several special status plants, including Mt. Diablo sunflower, Oakland star tulip and Mt. Diablo globe Lilly are known from several locations along Las Trampas Ridge.

LA 5-11
MR 3E

Perhaps the greatest biological significance of the Specific Plan area is that it is part of Las Trampas Ridge, which is known to provide an important north-south migratory corridor for larger mammals, including deer, bobcat and mountain lion. Impacts to these significant natural resources should be addressed and fully mitigated in the EIR.

LA 5-12
MR 3A

As previously noted under public open space comments above, contiguous open space is critical for minimizing the fragmentation and isolation of open space from adjacent areas. The same applies for wildlife that depends upon large, undisturbed habitats with linkages to wildlife corridors for migration and dispersal of young. Such corridors include ridgelines, woodlands and riparian areas. The DEIR alleges that on page 4.3-58, the riparian area to be destroyed in Neighborhood A is considered "degraded" as a result of cattle grazing and non-native vegetation, and therefore, the riparian corridor is of little value to wildlife. The DEIR provides no information to substantiate this claim.

LA 5-13

MR 3A

We have found that proper management of livestock grazing and simple weed control measures can restore degraded areas to substantially better function and higher values for wildlife. Even in its degraded condition, this riparian area still provides cover and habitat for both resident and migratory wildlife species. The DEIR fails to adequately consider the value of the riparian area as a wildlife corridor. It also inappropriately assumes that such an area can be "replaced" at another location, yet it provides inadequate information to substantiate such a claim.

LA 5-14

MR 3C

The Biological Assessment in Appendix A of the Specific Plan provides a schematic drawing of how the replacement riparian area might appear. However, there is no information in this report (or in the DEIR) that explains how it would be designed or constructed, nor does it provide any performance or success criteria. The DEIR cannot conclude that this impact can be fully mitigated without some means to measure success.

LA 5-15

MR 3C

d. Visual Impacts

As noted in several previous letters from the District to the City of San Ramon, we remain concerned about the visual impacts of the proposed development, as seen from the proposed public open space and adjacent Las Trampas Regional Wilderness. Massive grading associated with development of Neighborhood A will be highly visible from Las Trampas for many years until these areas can be successfully revegetated. Grading in this area is also inconsistent with San Ramon's General Plan policies 4.8-I-8,

LA 5-16

MR 1C

8.3-I-3, 8.4-I-5 and 8.4-I-13, which call for preservation of open space and scenic ridgelines. Elimination of Neighborhood A would greatly reduce this impact.

SA 5-16

MR 1C

3. **Comments on Specific Plan**

The Northwest Specific Plan includes the proposed Faria Preserve plan as a segment of the Specific Plan. Elements of the Plan are not consistent with several General Plan policies.

Under Ordinance 197 major and minor ridgeline protection zones are established for the Northwest Specific Plan Area. Figure 8-3 in the General Plan illustrates these ridgeline protection zones and the areas that may be altered by grading within the Northwest Specific Plan. Both the Figure 1-5 in the Northwest Specific Plan and Figure 3-3 in the DEIR designate the Ridgeline Protections Zones in more detail. Overlaying Northwest Specific Plan Figure 3-8, the Faria Preserve Vesting Tentative Map over either of Figure 1-5 or Figure 3-3 and lining up the contour lines, it is clear that there is grading and development within those ridgeline protection zones. See the attached map with the red outlining the protection zones and the yellow highlighting the graded and development areas within the protection zones. These areas are portions of Milano and Vento Courts, portions of open space parcel "J" in the vicinity of Neighborhoods "A" and "B", east of Faria Preserve Parkway. This is inconsistent with the General Plan. The impacts have not been addressed in the DEIR.

LA 5-17

MR 8C

On page 5-8 of the Specific Plan under the Open Space and Resource Protection Areas, it says the Land Use Plan delineates the corridor "in the western portion of the Faria property as an area that should be protected, and maintained as a riparian corridor". It goes on about the attributes of the proposed corridor on the Faria property. However, the Specific Plan does not discuss protection or enhancement of the existing riparian corridor that will be filled by

LA 5-18

MR 3C

thousands of cubic yards of earth. This section is not consistent with the General Plan implementing policy 8.3-I-5, "Provide wildlife corridors to allow movement of animals and minimize wildlife-urban conflicts." The implementing policy states that "Successful wildlife corridors... do not have physical or psychological barriers." It expands on the influencing factors such as smell, noise and terrain. "Wildlife tends to feel more secure...with little human activity." The proposed riparian corridor is lined by residential lots, which does not minimize the wildlife-urban conflict.

LA 5-18

MR 3C

Measure G Open Space and Preservation Action Plan's Implementing Polices establishes priorities and criteria for open space preservation and acquisition (8.4-I-5 and 8.4-I-10). Criteria established under section 8.4-I-10, 5th bullet includes "Lands that are contiguous to existing open space properties and that provide continuity with current uses and buffers, land supporting ecosystems or land that compliment existing open space, or land that abuts existing public land;". The northwest layout of the Faria Preserve project, neighborhood A, is not consistent with this element of the Action Plan, since the lot pattern brings houses within feet of the East Bay Regional Park District land to the north, while fragmenting the open space within the Faria Preserve.

LA 5-19

MR 8A

The District appreciates the opportunity to review and comment on the DEIR for the Northwest Specific Plan and the Faria Preserve Community. The District continues to follow this proposal. If you have questions please call Brad Olson at (510) 544-2622 or Linda Chavez at (510) 544-2624.

Very truly yours,

Brad Olson

Brad Olson

	[A] GP Develop. Limit	[B] 25% Minimum Required Afford. Units	[C] Proposed Afford. Units	[D] Excess Proposed Afford. Units	[E] GP Limit With Excess Afford. Units	[F] Proposed Dwelling Units	[G] Dwelling Units Not Consist. With GP
[1] East of Bollinger	715 du	179 aff. units	226 aff. units	47 excess aff. units	762 du	786 du	24 du
[2] West of Bollinger	40 du	10 aff. units	12 aff. units	2 excess aff. units	42 du	44 du	2 du
TOTAL	755 du	189 aff. units	238 aff. units	49 excess aff. units	804 du	830 du	26 du

Proposed NWSP and Faria Project vs. San Ramon General Plan Dwelling Unit Limit

As an additional incentive for workforce housing, the development limit set in the land use program may be exceeded by up to 10 percent in order to accommodate an additional housing unit for each additional affordable unit provided in excess of the minimum requirement. (General Plan Section 4.7-I-1)

LA 5-20

MR 8F

A. The land use program provides for development east of Bollinger Canyon Road of up to 715 housing units. [See A-1, column A, row 1, in Table].

In the area west of Bollinger Canyon Road, up to 40 units may be developed. [A-2].

B. At least 25 percent of all units within the Northwest Specific Plan area are required to be affordable. [B-1: 715 X 25% = 179 affordable units] [B-2: 40 X 25% = 10 affordable units].

C. Proposed affordable units: [C-1: 226 proposed affordable units East of Bollinger] [C-2: 12 proposed affordable units West of Bollinger] [C-TOTAL: 226 + 12 = 238 proposed affordable units].

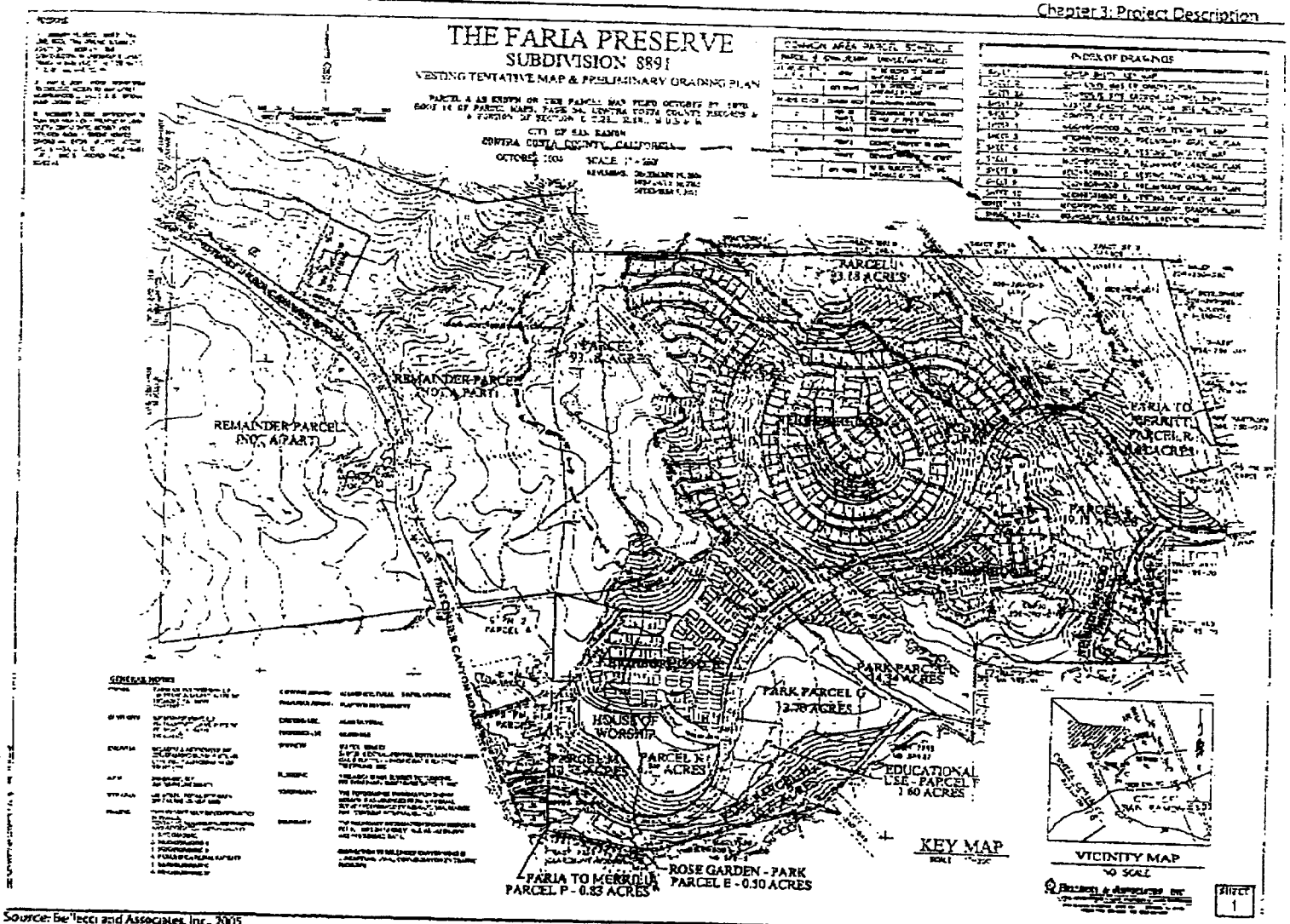
D. Proposed affordable units in excess of minimum required affordable units: [D-1: 226 proposed – 179 required = 47 excess affordable units.] [D-2: 12 proposed – 10 required = 2 excess affordable units.]

E. General Plan Dwelling Unit Limit: [E-1: 715 + 47 excess affordable units = 762 Dwelling Unit Limit] [E-2: 40 + 2 excess affordable units = 42 Dwelling Unit Limit] [E-TOTAL: 762 + 42 = 804 dwelling unit limit].

F. Proposed Dwelling Units [F-1: 786 proposed dwelling units East of Bollinger] [F-2: 44 proposed dwelling units West of Bollinger] [F-TOTAL: 786 + 44 = 830 proposed dwelling units].

G. Dwelling Units Not Consistent With General Plan [G-1: 786 proposed – 762 limit = 24 dwelling units over the General Plan limit] [G-2: 44 proposed – 42 limit = 2 dwelling units over the General Plan limit] [Total: 830 proposed – 804 limit = 26 dwelling units over the General Plan limit]. The proposed Northwest Specific Plan project is not consistent with the dwelling unit limit of the General Plan.

Figure 3-8: Faria Preserve Vesting Tentative Map



Source: Bellecci and Associates, Inc., 2005

LA
5-21
MR 8C

SAN RAMON VALLEY
FIRE PROTECTION DISTRICT

LA 6

Administration
Phone: 925-838-6600
Fax: 925-838-6629
www.srvfpd.dst.ca.us

1500 Bollinger Canyon Road
San Ramon, California 94583

Fire Prevention
Phone: 925-838-6600
Fax: 925-838-6696

RECEIVED
SEP - 7 2006
CITY OF SAN RAMON
PLANNING SERVICES

September 6, 2006

Ms. Debbie Chamberlain,
Planning Services Manager
City of San Ramon
2222 Camino Ramon
San Ramon, CA 94583

Re: District Comments on Northwest Specific Plan and the Faria Preserve Community Draft Environmental Impact Report, SCH2003022102

Dear Ms. Chamberlain:

This communication sets forth the present comments of the San Ramon Valley Fire Protection District ("District") on the Northwest Specific Plan and the Faria Preserve Community Draft Environmental Impact Report ("DEIR"), SCH2003022102.

LA 6-1

MR 6

The District acknowledges that the impact of the project was not found to be significant with respect to the extension of public services, specifically fire protection.

The District concerns on the project, nonetheless are that the development which it has authorized should be indicated to comply with all applicable regulations and development standards of the District, specifically those associated with the fire flow and water pressure.

Additionally, both the Specific Plan and any discussion of the project with the City General Plan should ensure that it is consistent with implementing policies which would minimize risk to life and property and fire hazards.

LA 6-2

MR 6

Among those policies are the following:

> 9.4-I-1. Require site design features and fire retardant building materials to reduce the risk of fire within the City.

9.4-I-2. Require the completion of fire modeling for new development adjacent to high risk fire areas in order to determine which mitigation measures are appropriate to minimize fire hazard.

9.4-I-3. Work with the Fire Protection District on planning for a new training facility at an appropriate location where neighborhood impacts would be mitigated.

LA 6-2

MR 6

9.4-I-4. Require sprinklers in new homes located more than 1.5-miles from a fire station.

9.4-I-5 Require sprinklers in all mixed use development to protect residential uses from non-residential uses, which typically pose a higher fire risk.

Thank you for your review of this matter.

The District appreciates notice and the opportunity to review and comment these documents and continues to request timely notice of proceedings with respect to the project consistent with Government Code section 65010 and Public Resources Code section 21092.2.

Very truly yours,

Michael Mentink, Deputy Fire Marshal
San Ramon Valley Fire Protection District

MM

LA 7

SAN RAMON VALLEY UNIFIED SCHOOL DISTRICT
2430 Camino Ramon, Suite 240, San Ramon, CA 94583
FACILITIES DEVELOPMENT
Office (925) 552-5986 FAX (925) 328-0560

Above & Beyond

September 5, 2006

Debbie Chamberlain, Planning Services Manager
City of San Ramon
2222 Camino Ramon
San Ramon, CA 94583

RE: Northwest Specific Plan and Faria Preserve Community
Draft Environmental Impact Report

Dear Ms. Chamberlain,

Thank you for providing us the opportunity to respond to the Northwest Specific Plan and Faria Preserve Community Draft Environmental Impact Report.

LA 7-1

MR 11D

The Northwest Specific Plan project is located within the San Ramon Valley Unified School District. The resident schools for this project are Twin Creeks Elementary, Iron Horse Middle and California High Schools. It is anticipated that the Northwest Specific Plan project will generate approximately 234 - K through 5th grade students, 80 - 6th through 8th grade students and 76 - 9th through 12th grade students as shown on Table 1. The District believes that it will be able to accommodate students generated by this project in our existing schools or through expansion of the existing facilities using Level 1, 2, or 3 fees imposed on this project. If in the future demographics change causing overcrowding, per Board policy the students residing in this subdivision may be diverted to other schools with available seats.

LA 7-2 MR 10 C

LA 7-3
MR 10G

The District has concerns about safe routes of travel for students from the Faria Ranch development to school and back home again. The District requests that the Developer or the City of San Ramon provide adequate sidewalks, crosswalks, signalization, etc. as necessary and funding for crossing guards at locations to be determined to ensure student safety to and from school. Coordination of all efforts should be between the City of San Ramon, the Developer, and the District.

LA 7-4

MR 11D

Additionally, the District has provided public comment about the need for a minimum 10 acre site for an Education Service Center, which houses offices and operations. The District is requesting a reservation of 10 acres of land for this purpose if the proposed zoning within the Faria Ranch development would permit this type of land use.

Should you have any questions, please call Tina Perault at 925-552-2969.

Sincerely,

Margaret E. Brown
Assistant Superintendent, Facilities Development

Northwest and Crow Canyon Specific Plans

Students Generated by Developments

School Facilities Needs Analysis 2006 Study

Jurisdiction	PA	Elementary	Middle	High	Total Unit	K-5	6-8	9-12
Faria Ranch-SFD (NWSP)	903	Twin Creeks	Iron Horse	Cal High	400	160	58	66
Faria Ranch-TH (NWSP)	903	Twin Creeks	Iron Horse	Cal High	84	19	5	5
Faria Ranch-Condo (NWSP)	903	Twin Creeks	Iron Horse	Cal High	216	37	13	9
Chu Property-SFD (NWSP)	902	Twin Creeks	Iron Horse	Cal High	44	18	6	6
Senior Housing	902	Twin Creeks	Iron Horse	Cal High	86	0	0	0
Sub-Total					***830***	***234***	***80***	***76***
Crow Canyon Specific Plan-Purdue MF	905	Twin Creeks	Iron Horse	Cal High	155	26	9	6
Crow Canyon Specific Plan-Core MF	905	Twin Creeks	Iron Horse	Cal High	580	99	35	23
Sub-Total					***735***	***125***	***44***	***29***
Total both Specific Plans					***1565***	***359***	***124***	***105***

School Facilities Needs Analysis 2006 Study

Housing Type	K-5	6-8	9-12
Single-Family Detached	0.40	0.14	0.14
Single-Family Attached	0.23	0.06	0.06
Multi-Family	0.17	0.06	0.04

Enrollment projections	2006	2007	2008	2009	2010	Capacity	2010 over/under
Armstrong	474	482	491	507	509	540	31
Bollinger	499	478	450	443	425	540	115
Twin Creeks	514	515	559	609	667	540	-127
Disney	455	428	417	401	370	540	170
Montevideo	512	500	485	475	453	540	87
Country Club	612	614	586	583	560	600*	40
Enrollment Sub-Total	**3066**	**3017**	**2988**	**3018**	**2984**	**3300**	316
Single-Family Detached			20	28	48	120*	
Single-Family Attached			5	5	5	Capacity	
Multi-Family			10	21	27	added	
Enrollment Total	**3066**	**3017**	**3022**	**3072**	**3064**	**3420**	

*Country Club scheduled for 720 students with Measure A

O 1

California Native Plant Society

East Bay Chapter P O Box 5597, Elmwood Station, Berkeley, CA 94705

September 7, 2006

Ms. Debbie Chamberlain
Planning Services Manager
City of San Ramon
2222 Camino Ramon
San Ramon, CA 94583
(925) 973 - 2560

RE: Northwest Specific Plan Draft Environmental Impact Report – City of San Ramon

Dear Ms. Chamberlain:

The East Bay Chapter of the California Native Plant Society (EBCNPS) greatly appreciates the opportunity to comment on the *Northwest Specific Plan Draft Environmental Impact Report (NWSP DEIR).* The California Native Plant Society (CNPS) is a non-profit organization of more than 10,000 laypersons, professional, and academic botanists organized into 32 chapters throughout California. The mission of the CNPS is to increase the understanding and appreciation of California's native plants and to preserve them in their natural habitat through scientific activities, education, and conservation.

O 1-1

MR 8C

Pursuant to the mission of protecting California's native flora and vegetation, CNPS submits the following comments to the DEIR:

EBCNPS is concerned with the development of ridgelines and known areas of botanical richness. The NWSP DEIR clearly states that there will be a less than significant impact on development of ridgelines if the City of San Ramon follows a list of distinct provisions detailed in the NWSP (NWSP DEIR Section 4.1-13). EBCNPS highlights these two factors, noting that the City is out of compliance with their General Plan, based on non-compliance with these two provisions:

> *General Plan Section 8.4-I-15*: With voter approval, allow exemptions from the provisions of Ordinance 197, specifically, the prohibitions of development on or adjacent to Major and Minor ridgelines, only where: The area to be preserved as permanent open space includes upper ridges and visible hillsides with a total area that is at least four times the area to be developed. A portion of this 80 percent open space commitment, not to exceed five percent of the total site area, may be provided by dedication of permanent open space off-site on a 2:1 basis (two acres of off-site open space = one acre of on-site open space). Only land that is within one-half mile of the area for which the exemption is sought, is designated as a Ridgeline Protection Zone by Ordinance 197, or is on a hillside visible from Central Park would meet the City's standards for a Specialized Recreation Area and quality as off-site open space under this provision;
>
> and

First, the development of ridgelines triggers the need to preserve a minimum of 75% of the project site as open space. The City will fail to preserve the stated minimum nor even come close to the required percentage. The plan develops 291 acres of the 354 acres within the project site. Yet, another section of the DEIR confuses development with Open Space and states that 210 of the 354 acres will be preserved as open space. The calculations and manipulated numbers are unclear and mislead the reader to believe that a total of 210 acres will be open space, whereas the majority of the DEIR states that 291 acres will be developed. These numbers need to be calculated correctly and represented accurately to the reviewer and public. The current designation of "open space" and "development footprint" are unclear and misleading.

O 1-1

MR 8C

Assuming the first figure of 291 acres of development, the following questions are posed. The allowable developed acres should be maximized at 25% of the site, or 88 acres. Therefore, the remaining 203 acres to be developed need to be mitigated off-site at a "requirement of 2:1", thus requiring a total of about 400 acres to be preserved, in total, both on and off-site. The NWSP DEIR only plans for 143 acres off site, which falls approximately 200 acres short of what is required. If this exclusion is allowed, EBCNPS would like to know why this project is of such importance that it doesn't need to abide by approved city ordinances. Why is an additional 200 acres not being preserved off site, as mandated by the City General Plan?

Secondly, EBCNPS finds that the proposed plan needs to be approved by voters, but we argue that more importantly, *Habitat protection for sensitive species is assured* has **NOT** been met from this independent organization of botanists. In arid environments, such as the San Ramon area, riparian corridors are indispensable areas that provide water and habitat to species uniquely adapted to our Mediterranean climate. The filling of the riparian corridor in this plan is unacceptable. Consider that in 1992, it was reported that less than 1% of our riparian woodlands in California remain intact[1], thus denoting them as sensitive. Alternatives that do not fill this channel would be the only acceptable action considerable for this project. By filling this integral, functioning channel, the sensitive association of species supported therein WILL BE IMPACTED.

O 1-2

MR 3C

Thirdly, two CEQA-protected plants of interest, distributed near or on the project site need to be further evaluated before EBCNPS would claim that "habitat for sensitive species is assured". A third plant Congdon's tarplant requires resurvey for proper CEQA and natural resource trustee agency survey protocol compliance:

O 1-3

MR 3E

A. Diablo helianthella (*Helianthella castanea*) [note correct spelling with two l's], a CEQA protected plant as it is a CNPS List 1B species, has been observed in the vicinity of the project site, but was described as "unlikely" for the project site. Chaparral and Oak woodland occur on this site as well as hundreds of acres of Valley grassland, which is an accepted, appropriate habitat[2,3]. In fact, a large percentage of documented occurrences are located around Las Trampas Ridge[3], which is immediately adjacent to the project site. Conservation of this species is imperiled, currently observed in only three counties in the US. Any development and further fragmentation of habitat for this rare member of the sunflower family will have negative

[1] Schoenherr, A.A. **1992**. A natural history of California. Berkeley: University of California Press, CA.
[2] Calflora: Information on California plants for education, research and conservation. **2006**. Berkeley, California: The Calflora Database-Helianthella castanea. Available: http://www.calflora.org/. (Accessed: Sep 01, 2006)
[3] CDFG. **2003**. RareFind – CA Natural Diversity Database – *Helianthella castenea*. Accessed 9/1/06. Sacramento, CA.

effects on its conservation. EBCNPS requests additional, appropriately timed surveys for this plant.

O 1-3
MR 3E

B. Bent-flowered fiddleneck (*Amsinckia lunaris*), a CEQA protected plant as it is a CNPS List 1B species, is listed as "possible" on the survey site. This species is only distributed in within the Bay Area and a portion of the North Coast ranges, however an early collection of this taxon was made by Willis Jepson, an instrumental figure in California floristics, in 1899[4] on"Las Trampas Ridge". Since this taxon is known to be supported by grassland habitats, most of the site is appropriate for this plant. EBCNPS requests additional, appropriate surveys for this plant.

O 1-4
MR 3E

C. Congdon's tarplant (*Centromadia parryi* spp. *congdonii*), a CNPS List 1B species, is a member of the tarweed tribe. To properly identify this species reproductive structures are necessary to determine the number of pappus scales and length of the phyllaries. CEQA and natural resource trustee agency survey protocol compliance requires properly timed surveys to determine the presence or absence of this species on site and EBCNPS asserts that surveying for this species, as reported in the NWSP DEIR, is inadequate and in violation of CEQA.

O 1-5
MR 3E

Finally, EBCNPS requests photo point for aesthetic impacts to be located somewhere other than "low points" in a landscape. The concentration of photo points addressing aesthetics issues do not adequately present impact to residents and properties which reside high on a hill with a greater viewshed. If these additional photo points are included, EBCNPS believes that the visual impact of this project will be Significant and Unavoidable.

O 1-6
MR 1A

Thank you for your consideration of the above comments. Please do not hesitate to contact me with questions at (510) 734 0335.

Sincerely,

Lech Naumovich
Conservation Analyst
California Native Plant Society
East Bay Chapter
conservation@ebcnps.org

[4] CDFG. 2003. RareFind – CA Natural Diversity Database – *Amsinckia lunaris*. Accessed 9/1/06. Sacramento, CA.

Greenbelt Alliance

PROTECTING OPEN SPACE AND PROMOTING LIVABLE COMMUNITIES

September 7, 2006

Ms. Debbie Chamberlain
Planning Services Manager
City of San Ramon
2222 Camino Ramon
San Ramon, CA 94583
(925) 973 - 2560

RE: Northwest Specific Plan Draft Environmental Impact Report – City of San Ramon

Dear Ms. Chamberlain:

Greenbelt Alliance greatly appreciates the opportunity to comment on the Northwest Specific Plan Draft Environmental Impact Report (DEIR). Greenbelt Alliance is a non-profit organization serving 4,500 members in the San Francisco Bay Area.

O 2-1

MR 13B

Pursuant to the mission of making the Bay Area a better place to live by protecting open space and promoting the livability of citites and towns, Greenbelt Alliance submits the following comments to the DEIR. The conclusion of these comments is that the DEIR is inadequate in that it fails to analyze feasible alternatives and mitigation measures, to identify significant unmitigated impacts, and to analyze feasible alternatives to the project that would meet the project's goals. In all, Greenbelt Alliance respectfully suggests that the EIR provide additional information and analysis, including:

1. An additional alternative that would reduce the project's overall footprint, maintain the same or a very similar number of units (including affordable units);
2. Analysis of mitigation measures to reduce vehicle trip generation and air quality impacts through provision of transit shuttles, improved bicycle and pedestrian connections, transit and taxi vouchers, and other means; O 2-2/MR 10F
3. An alternative that would avoid the impacts to visual resources through preservation of key hillsides (regardless of status) O 2-3/MR 13C
4. Information regarding compliance with the general plan, especially as regards the policy requiring off-site land dedication at a 2:1 ratio for development of open space greater than 20% of the site (General Plan Policy 8.4-I-15); and O 2-4/MR 8C
5. Improve the habitat mitigation policy to ensure that sensitive species are indeed protected as required by California and federal law. O 2-5

MR 3E

Please feel free to contact me with any questions related to these and other issues.

Sincerely,

David Reid
East Bay Field Representative

MAIN OFFICE • 631 Howard Street, Suite 510, San Francisco, CA 94105 • (415) 543-6771 • Fax (415) 543-6781
SOLANO/NAPA OFFICE • 1652 West Texas Street, Suite 163 Fairfield, CA 94533 • (707) 427-2308 • Fax (707) 427-2315
SOUTH BAY OFFICE • 1922 The Alameda, Suite 213, San Jose, CA 95126 • (408) 983-0856 • Fax (408) 983-1001
EAST BAY OFFICE • 1601 North Main Street, Suite 105, Walnut Creek, CA 94596 • (925) 932-7776 • Fax (925) 932-1970
SONOMA/MARIN OFFICE • 555 5th Street, Suite 300B, Santa Rosa, CA 95401 • (707) 575-3661 • Fax (707) 575-4275
info@greenbelt.org • www.greenbelt.org

O 3

Ohlone Audubon Society, Inc.

A Chapter of the National Audubon Society
Southern Alameda County, California

September 6, 2006

Ms. Debbie Chamberlain
Planning Services Manager
City of San Ramon
2222 Camino Ramon
San Ramon, California 94583

Via Fax

Subject: Northwest Specific Plan And The Faria Preserve
Community Draft Environmental Impact Report

Dear Ms. Chamberlain:

The Ohlone Audubon Society (Society) has concerns with the subject project development site due to the extensive grading of the site, filling of canyons and waterways, and the destruction of hardwood forests.

O 3-1A
MR 3C, 3D, 5B

If the Faria Ranch project is to go forward, the grading should be in stepped phases. The graded portions should be re-vegetated to demonstrate that the restoration plan is functioning before another phase of grading occurs. There is concern that re-vegetated hillside oak tree plantings may fail due to soil conditions and location of plantings. Are heritage trees being preserved? The Society is concerned that dead or dying oak trees that are planned for removal do provide nesting habitats for a number of bird species.

O 3-1
MR 5D

O 3-2
MR 3D

OPEN SPACE VISION Page 11 indicates a 30 foot firebreak to protect the residential dwelling. Consideration should be given to the growth of the tree canopy and any other vegetation in the riparian corridor. The defensible space should be widened to 100 feet for fire protection. On Page 15. the defensible space for fire protection is almost non existent. Plans for fire protection should be modified now to correct the inadequate space.

O 3-3
MR 6

Ms. Debbie Chamberlain
City of San Ramon
September 6, 2006
Page 2.

The riparian and wildlife corridor located between two major roads and 41 houses should have a wider buffer to protect the corridor. More thought should be given to the steep stream bottom structure since the corridor and stream are on fill material that can erode severely. Is this another Torogas Creek Project? O 3-4 MR 3C

The development site is a known slide-prone area and crossed by known fault traces. With this documented information in mind, is it wise for the City of San Ramon to expose homeowners to these potential hazards? O 3-5 MR 5C

In the past bales of straw have been used for sediment control during construction. These bales notoriously contain and spread the seeds of yellow star thistle and other noxious weed seeds. Please refrain from using straw bales. O 3-6 MR 3F

The Ohlone Society appreciates this opportunity to comment on the Faria Ranch project.

Sincerely yours,

Frank Delfino Janice Delfino

Frank and Janice Delfino
Ohlone Audubon Society
Conservation Section
18673 Reamer Road
Castro Valley, California 94546
Phone: 510-537-2387

O 4

RECEIVED
SEP - 7 2006
CITY OF SAN RAMON
PLANNING SERVICES

September 6, 2006

Ms. Debbie Chamberlain
Planning Services Manager
City of San Ramon
Department of Planning Services
2222 Camino Ramon
San Ramon, CA 94583

Re: Northwest Specific Plan/Faria Preserve Community - Draft Environmental Impact Report

Dear Ms. Chamberlain,

We would like the following comments to become part of the public record for the proposed DEIR of the Northwest Specific Plan/Faria Preserve Community.

O 4-1

MR 14B

The Western Plan Area
The DEIR is extremely deficient in CEQA required study and evaluation in several categories; Biological/geological, hydrology/visual aesthetics; sewage pipelines, bridge impacts, ect.

It should be made clear that this current document offers only a minimal degree of Program EIR evaluation and that a supplemental or project specific EIR will be necessary when a more detailed plan for the area is forthcoming.

Hydrology/Water Quality
The project area currently has four main surface drainages that flow into Bollinger Creek. Any project activity will adversely affect the water quality in Bollinger Creek, terminating in Suisun Bay near Martinez. Site activity will result in increased sedimentation and runoff from fertilizer and pesticide use. This will have a harmful effect on the surrounding vegetation and wildlife. Use of drought tolerant/California native plant material will require less irrigation and fertilizer/herbicide use. Minimal use of lawn areas should also be a consideration. Lawn maintenance requires heavy use of irrigation and fertilizer/herbicides which creates chemical runoff into the surrounding drainages, groundwater and creeks. Detention basin design should be contoured and vegetated as to blend naturally into the surrounding landscape. Additional mitigations relating to specific maintenance practices and funding sources of proposed drainages and detention basins need to be addressed.

O 4-2

MR 7A

Traffic and Circulation

The baseline traffic studies performed in 2001/2002 are outdated and do not account for current traffic patterns. In addition, inadequate traffic analysis has been performed for Bollinger Canyon Road between San Ramon Valley Blvd. and Crow Canyon Road. There is no data on daily vehicles per day in this area at all. Updated and more thorough traffic studies must be performed.

O 4-3

MR 10C

This project will create an additional 8000 daily vehicle trips to the surrounding roads and freeways. Concurrently, the Crow Canyon Specific Plan, which is the neighboring project to the East along San Ramon Valley Blvd., will also create an estimated 8000 additional daily vehicle trips. This brings the total to an additional 16,000 daily vehicle trips to feeder roads such as San Ramon Valley Blvd., Crow Canyon Road, Bollinger Canyon Road, Deerwood Road, I-680 and all of the surrounding neighborhood streets. Many of these roads are already significantly impacted by increasing traffic.

O 4-4

MR 10C

Bollinger Canyon Road, between San Ramon Valley Blvd and Crow Canyon Road contains two Elementary Schools, a developed park facility and a proposed park site, as well as bicycle lanes frequently used for walking, biking and running by children and adults of all ages. Mitigation for this area also needs to be addressed. The widening of roadways and installing additional traffic lights will only aid in controlling increased traffic flow. Mitigation measures relating to pedestrian/bicycle safety and vehicle speed control must be thoroughly addressed.

O 4-5

MR 10C

Geology/Soils

Inherent site hazards include an active fault zone, unstable soils, soil erosion on steeper slopes, and expansive clay soils – all of which can lead to damage to structures and potentially injure people. This project has significant impacts outlined as surface fault rupture, seismic event, liquefaction, landslides, erosion, project facilities located on an unstable geologic unit, and soil surface expansion. Mitigation measures put in place will only be as effective as nature dictates. One cannot predict the nature of earthquakes and how weather can effect soil erosion and landslides.

O 4-6

MR 5A/5C

Visual Impacts

Visual impacts remain significant. Silhouetting of buildings atop a "minor" ridge is very significant. The EIR needs to aggressively and creatively confront this issue. There needs to be mitigation suggestions that neutralize and otherwise bring into blended harmony the afore mentioned problem.

O 4-7

MR 1A

Looking north while moving along Bollinger Canyon Road toward the project site, we see at a relatively constant elevation, a roadway and housing development cut which runs east to west above a current housing development. It is significant in its intrusive nature on the currently naturally vegetated and uninterrupted sloping hillside above Deerwood Drive. Again, an aggressive mitigation proposal needs to be brought forward to neutralize these unnatural intrusive qualities.

O 4-8

MR 1A

Two additional viewpoints should be noted for visual impacts. One occurs west of Bollinger Canyon on Crow Canyon Road on the elevated grade heading toward the Alameda County line. Traffic coming into San Ramon will apparently have a clear view of most of the project area as they descend eastward. The other viewpoint should noted which occurs further north along San Ramon Valley Blvd near the border of Danville.

O 4-9

MR 1A

These viewshed evaluations could add to our understanding of overall visual impacts, and the kind of mitigations necessary to reduce them to insignificant.

Ordinance 197

The Project is currently in significant conflict with voter approved "Save Our Hills" Ordinance #197. The FEIR should make as definitive statement as possible as to how this will be addressed.

O 4-10

MR 8C

Ordinance #197 requires a project not in compliance to go to the voters for resolution. The General Plan reiterates this tenant on page 8-15.

Biology

The current Riparian/seasonal drainage/wildlife corridor is to be filled and built over, according to this proposal. The mitigation proposed is a vegetated corridor between two streets lined with housing sited with their backyards located to the edge of the corridor. Total width of this corridor reduces to about 100′ wide at one point.

O 4-11

MR 3C/14B

In addition, both ends of the corridor will have bridges, which by their very nature, reduce a 200′ plus or minus width to a more problematic 30′ plus or minus.

O 4-12

MR 3C

Mitigations for Riparian habitat and wetland loss should be evaluated as to their track record of success. Specifically, when significant fill material is added and a drainage corridor is moved away from its historic setting takes place.

O 4-13

MR 3C

It appears at this stage, a manmade drainage corridor surrounded by roads and houses will fail to compensate for the loss of the current Riparian and Wetland habitat.

O 4-14

MR 3C

In conclusion, this project has many significant impacts that have been addressed in one form or another. This DEIR attempts to reduce these impacts to a level of less than significant. Upon careful examination, the mitigation measures proposed are adequate in some cases and inadequate in others. As outlined in this letter, more research needs to be performed which will result in stronger mitigation measures that satisfy the requirements of CEQA, the FEIR, and the confidence of the public.

Respectfully submitted,

Jim Blickenstaff
Sierra Club

Susan Friedman
San Ramon resident

O 4

Chamberlain, Debbie

From: Norman LaForce [norman.laforce@zurichna.com]
Sent: Thursday, September 07, 2006 2:14 PM
To: Chamberlain, Debbie
Subject: Northwest Specif Plan DEIR

September 7, 2006
Ms. Debbie Chamberlain

Planning Services Manager

City of San Ramon

2222 Camino Ramon

San Ramon, CA 94583

(925) 973 - 2560

RE: Northwest Specific Plan Draft Environmental Impact Report – City of San Ramon

Dear Ms. Chamberlain:

The Sierra Club greatly appreciates the opportunity to comment on the Northwest Specific Plan Draft Environmental Impact Report (NWSP DEIR).

Sierra Club is concerned with the development of ridgelines and known areas of botanical richness. The NWSP DEIR clearly states that there will be a less than significant impact on development of ridgelines if the City of San Ramon follows a list of distinct provisions detailed in the NWSP (NWSP DEIR Section 4.1-13). EBCNPS highlights these two factors, noting that the City is out of compliance with their General Plan, based on non-compliance with these two provisions:

O 4-15

MR 8C

> General Plan Section 8.4-I-15: With voter approval, allow exemptions from the provisions of Ordinance 197, specifically, the prohibitions of development on or adjacent to Major and Minor ridgelines, only where: The area to be preserved as permanent open space includes upper ridges and visible hillsides with a total area that is at least four times the area to be developed. A portion of this 80 percent open space commitment, not to exceed five percent of the total site area, may be provided by dedication of permanent open space off-site on a 2:1 basis (two acres of off-site open space = one acre of on-site open space). Only land that is within one-half mile of the area for which the exemption is sought, is designated as a Ridgeline Protection Zone by Ordinance 197, or is on a hillside visible from Central Park would meet the City's standards for a Specialized

Recreation Area and quality as off-site open space under this provision;

and

Habitat protection for sensitive species is assured;

First, the development of ridgelines triggers the need to preserve a minimum of 75% of the project site as open space. The City will fail to preserve the stated minimum nor even come close to the required percentage.
The plan develops 291 acres of the 354 acres within the project site. Yet, another section of the DEIR confuses development with Open Space and states that 210 of the 354 acres will be preserved as open space. The calculations and manipulated numbers are unclear and mislead the reader to believe that a total of 210 acres will be open space, whereas the majority of the DEIR states that 291 acres will be developed. These numbers need to be calculated correctly and represented accurately to the reviewer and public. The current designation of "open space" and "development footprint" are unclear and misleading.

O 4-15

MR 8C

Assuming the first figure of 291 acres of development, the following questions are posed. The allowable developed acres should be maximized at 25% of the site, or 88 acres. Therefore, the remaining 203 acres to be developed need to be mitigated off-site at a "requirement of 2:1", thus requiring a total of about 400 acres to be preserved, in total, both on and off-site. The NWSP DEIR only plans for 143 acres off site, which falls approximately 200 acres short of what is required. If this exclusion is allowed, Sierra Club would like to know why this project is of such importance that it doesn't need to abide by approved city ordinances. Why is an additional 200 acres not being preserved off site, as mandated by the City General Plan?

Secondly, Sierra Club finds that the proposed plan needs to be approved by voters, but we argue that more importantly, Habitat protection for sensitive species is assured has NOT been met from this independent organization of botanists. In arid environments, such as the San Ramon area, riparian corridors are indispensable areas that provide water and habitat to species uniquely adapted to our Mediterranean climate. The filling of the riparian corridor in this plan is unacceptable. Consider that in 1992, it was reported that less than 1% of our riparian woodlands in California remain intact Schoenherr, A.A. 1992. A natural history of California. Berkeley: University of California Press, CA., thus denoting them as sensitive. Alternatives that do not fill this channel would be the only acceptable action considerable for this project. By filling this integral, functioning channel, the sensitive association of species supported therein WILL BE IMPACTED.

O 4-16

MR 3C

Thirdly, two CEQA-protected plants of interest, distributed near or on the project site need to be further evaluated before EBCNPS would claim that "habitat for sensitive species is assured". A third plant Congdon's tarplant requires resurvey for proper CEQA and natural resource trustee agency survey protocol compliance:

O 4-17

MR 3C

A. Diablo helianthella (Helianthella castanea) [note correct spelling with two l's], a CEQA protected plant as it is a California Native Plant Society List 1B species, has been observed in the vicinity of the project site, but was described as "unlikely" for the project site. Chaparral and Oak woodland occur on this site as well as hundreds of acres of Valley grassland, which is an accepted, appropriate habitat Calflora: Information on California plants for education, research and conservation. 2006.
Berkeley, California: The Calflora Database-Helianthella castanea.
Available: http://www.calflora.org/. (Accessed: Sep 01, 2006),3. In fact, a large percentage of documented occurrences are located around Las Trampas Ridge CDFG. 2003.
RareFind - CA Natural Diversity Database - Helianthella castenea. Accessed 9/1/06.
Sacramento, CA., which is immediately adjacent to the project site. Conservation of this species is imperiled, currently observed in only three counties in the US. Any development and further fragmentation of habitat for this rare member of the sunflower family will have negative effects on its conservation. Sierra Club requests additional, appropriately timed surveys for this plant.

B. Bent-flowered fiddleneck (Amsinckia lunaris), a CEQA protected plant as it is a CNPS List 1B species, is listed as "possible" on the survey site. This species is only distributed in within the Bay Area and a portion of the North Coast ranges, however an early collection of this taxon was made by Willis Jepson, an instrumental figure in

O 4-18
MR 3E

California floristics, in 1899 CDFG. 2003. RareFind - CA Natural Diversity Database - Amsinckia lunaris. Accessed 9/1/06. Sacramento, CA. on"Las Trampas Ridge". Since this taxon is known to be supported by grassland habitats, most of the site is appropriate for this plant. Sierra Club requests additional, appropriate surveys for this plant. O 4-18 MR 3E

C. Congdon's tarplant (Centromadia parryi spp. congdonii), a CNPS List 1B species, is a member of the tarweed tribe. To properly identify this species reproductive structures are necessary to determine the number of pappus scales and length of the phyllaries. CEQA and natural resource trustee agency survey protocol compliance requires properly timed surveys to determine the presence or absence of this species on site and EBCNPS asserts that surveying for this species, as reported in the NWSP DEIR, is inadequate and in violation of CEQA. O 4-19 MR 3E

Finally, SierraClub requests photo point for aesthetic impacts to be located somewhere other than "low points" in a landscape. The concentration of photo points addressing aesthetics issues do not adequately present impact to residents and properties which reside high on a hill with a greater viewshed. If these additional photo points are included, EBCNPS believes that the visual impact of this project will be Significant and Unavoidable. O 4-20 MR 1A

The Sierra Club also joins in the comments of the East Bay Regional Park District.

Thank you for your consideration of the above comments. Please do not hesitate to contact me with questions at 510-526-4362

Sincerely,

Norman La Force, Chair Sierra Club
East Bay Public Lands Committee

********** PLEASE NOTE ********** This E-Mail/telefax message and any documents accompanying this transmission may contain privileged and/or confidential information and is intended solely for the addressee(s) named above. If you are not the intended addressee/recipient, you are hereby notified that any use of, disclosure, copying, distribution, or reliance on the contents of this E-Mail/telefax information is strictly prohibited and may result in legal action against you. Please reply to the sender advising of the error in transmission and immediately delete/destroy the message and any accompanying documents. Thank you.

I 1

July 25, 2006

Architectual Review Board
City of San Ramon
Sanjiv Bhandari, George Thomas, Natalie Bokum, Richard Mangum, Joe McHale

Re: Faria Preserve/Open Space Vision, January, 2006
Northwest Specific Plan

We have been residents of the City of San Ramon for over eighteen years and, are writing to you to show support for the outstanding plan prepared by the Planning Team in January 2006 for the Faria Preserve Open Space Vision. I 1-1 MR 8C

We strongly encourage you to stay within the elements that make up this plan. These include:

- Open Space and Conservation Vision – Over 80% Open Space Preservation Plan
- Voter Approved General Plan Density of 715 units with 10% density bonus for additional Affordable Housing for an Overall density of 786 units. I 1-2 MR 8A
- Natural Open Space System – Replacement of lost trees I 1-3/MR 3D
- Parks – Three Parks and an Educational Facility I 1-4/MR 8D
- Community Trail System and East Bay Regional Park District Trail Connection I 1-5/MR 11C
- Enhancing the Environmental Vision – Preserved Historic House I 1-6/MR 8I
- Riparian Habitat & Retention Basins I 1-7/MR3C
- 20% of Entire Community (157 Units) out of 786 units are to be affordable Housing with some Senior Units. I 1-8 MR 8F

We are looking forward to you implementing the plan that has been designed by a professional planning team in January 2006 and, the voter-approved General Plan.

Sincerely,

Paul & Janis Desmarais

Paul and Janis Desmarais
114 Medinah Place
San Ramon

P.S. Copies to Planning Commission & City Council Clerk

I 2

September 7, 2006

Debbie Chamberlain
City of San Ramon
Planning Services Department
2226 Camino Ramon
San Ramon, CA 94583

Dear Ms. Chamberlain:

In reference to the Draft Environmental Impact Report (DEIR) dated July, 2006, for the City of San Ramon's Northwest Specific Plan, the comments below are representative for all 130 residents who signed the petition which was handed in at the Planning Commission meeting on September 5, 2006, by myself, Michael Jones.

I 2-1

MR 13B

Comments on Environmental Evaluation (Section 4):

4.1 Aesthetics
Aesthetics will be significantly impacted if two major ridgelines are graded. One of the premier view sheds of San Ramon will be irrevocably scarred. Ordinance 197 and the RCOD have protections firmly in place to prevent this from occurring, but an obscure passage in the General Plan 2020 (within Figure 8.3) has opened the door for these ridgelines to be completely removed. An application to seek an amendment to the General Plan 2020 to remove the single mention allowing this grading will be filed with the Planning Commission ASAP.

4.2 Air Quality
The DEIR clearly states that there will be significant and unavoidable long-term impacts to air quality.

I 2-2

MR 2A

- The NWSP does not meet the standards and has been deemed inconsistent with the 2005 Ozone Strategy. Due to this, the DEIR is would appear to be incomplete.
- The NWSP would exceed allowable threshold of emissions.
- There would be grave health concerns for vulnerable residents (seniors, infants, asthma sufferers)
    - high clusters of asthma exist in San Ramon (Allergy and Asthma Medical Group)
- How can any development, no matter the size, be worth jeopardizing the health and overall quality of life of the citizens of San Ramon?

4.3 Biological Resources
The following Special Status species were listed as most likely not being present due to a lack of ground squirrel borrows. However, in both cases, these species also

I 2-3

MR 3E

habitat in Botta's Pocket Gopher burrows and it is believed that both species are present in areas of the NWSP.

- Burrowing Owls
- Tiger Salamander

I 2-3

MR 3E

In additional, the cumulative impact of mitigation to both the habitat and foraging habitat on the following list of Special Status species would be overwhelming and therefore should not be undertaken:

- Golden Eagles
- Burrowing Owls (habitat in Botta's Pocket Gopher burrows)
- White-tailed Kite
- Cooper's Hawk
- Sharp-shinned Hawk
- Northern Harrier
- Tiger Salamander (habitat in Botta's Pocket Gopher burrows)
- Prairie Falcon
- Peregrine Falcon
- California Horned Lark
- Loggerhead Shrike

I 2-4

MR 3E

4.8 Land Use Plan and Policy Consistency

- Open Space requirements are not being met as required by the General Plan 2020. Only 5% of offsite property may be utilized to meet the 80%/20% requirement (exchanged on a 2:1 basis). However, the Faria property is requiring an offsite easement that is roughly 10 times larger than allowable just to reach the 80% requirement.
- Park Land requirements are not being met as required by the General Plan 2020.
    - Neighborhood Parks require 4.5 acres per 1000 residents within a ½ mile radius. The proposed park is 2.0 acres. A very conservative estimate would place the required size of this park at 3.5 acres.
    - Community Parks require 2.0 acres per 1000 residents within a 3 mile radius. The proposed park is 12.7 acres, plus an additional 0.5 acres for a Community Rose Garden, for a net total of 13.2 acres. A very conservative estimate would place the required size of this park at 40.0 acres.
    - Although not specified, it is suggested that the number of residents be estimated based on the projected population at total build out in 2020, otherwise any park land created would not be sufficient to meet the needs of the community in only a few short years.
- School site requirements are not being met as required by the General Plan 2020. An "educational facility" site is being proposed for only 1.6 acres with no mention of it being converted back to open space or park land if a <u>school</u> is not constructed. The General Plan 2020 requires a minimum school site size

I 2-5

MR 8C

I 2-6

MR 8A

I 2-7

MR 11D

of 15 – 20 acres. The General Plan also requires that any new schools that are built must also be built at School Parks. I 2-7 MR 11D

4.9 Noise

- The impact of sounds echoing back off of the surrounding hills has not be taken into account when determining acceptable levels I 2-8 MR 9B
- The constant high levels of noise over a prolonged period of time (greater than 24 months) will have a cumulative long-term effect on residents, particularly those who are typically at home during daytime construction hours (stay at home parents, home-schooled children, telecommuters). I 2-9 MR 9A/9B
- The DEIR fails to address exactly what specific measures will be taken to mitigate the noise due to the construction and to the increased traffic. The DEIR fails to show the level of noise that will be generated by the East-West arterial road of the NWSP and how specifically the noise will be mitigated to an acceptable level. I 2-10 MR 9B

4.10 Traffic and Circulation

Traffic Congestion:

- The Draft Environmental Impact Report (DEIR), even though very voluminous, fails to assess the true impact of the NWSP on the traffic burden it will bring to the surrounding community in a complete and accurate manner. I 2-11 MR 10C
- In some of the cross-sections in the affected area, the traffic will be expected to be at least quadrupled or more. Such traffic congestion will result in not only inconvenience but significant increase in the frequency of traffic accidents.
- DEIR states it is still discussing future development in plan area reviewing comprehensive calming measures. What exactly does this mean? I 2-12 MR 10C
- NWSP Main Artery- Road will run from Bollinger to Purdue- this is a 60 foot wide road with an 18 foot median. Each side will be 21/22 feet wide with parking. This proposed road will be larger than Crow Canyon Road. Road could be expanded reducing median in future. I 2-13 MR 10C

Overcrowding in local retail centers

- Parking is already becoming an issue at shopping centers I 2-14 MR 15
- The addition of thousands of residents in the surrounding area will stress the infrastructure beyond capacity
- It must be remembered that residents from Southern Danville utilize many of the same retail centers
- No retail districts in Windemere which further adds to the lack of sustainability

Parking

- School parking and House of Worship will most likely be overflow lots for Neighborhood B – no space for visitors, let alone resident SUV's I 2-15 MR 10E
- Town Homes in Neighborhood C have no described parking solution
    - Private roads and deeded street parking?? Is that the mystery answer? I 2-16 MR 10E

- No Parking should be allowed on spine road behind existing residents homes for safety reasons.
- No parking Buses, RV's, Boats or Trucks on any EVA point proposed street.

I 2-16
MR 10E

Lack of connections to Mass Transit

- Communities B & C are set up like housing next to mass transit centers – but there are NO mass transit connections. Therefore, all adult residents in these communities will most likely have vehicles – adding to traffic congestion, pollution, parking issues
- Senior residences are being built on a hillside which will add limitations to pedestrian mobility for these residents. Without mass transit, they too will need vehicles gain access to the surrounding communities
- Housing continues to be built, but roads are not being improved. If mass transit isn't a component of further development, then what is the plan for sustainability?

I 2-17
MR 10F

Ease of access within planned communities for emergency services

- Proper access to mid-high density areas looks precarious – *at Best!*
- Narrow alleys and overcrowded parking will present constant challenges in Neighborhood B
- Private Roads and street only parking in Neighborhood C – are emergency access regulations being subverted or compromised?
- Garbage pickup, deliveries, moving trucks??? -- only add to the congestion, safety and access challenges

I 2-18
MR 10A

4.11 Utilities / Service Systems

Water supply / water pressure

- Water Pressure – the water pressure for Deerwood Ridge & Deerwood Highlands is already marginal and artificially sustained through the use of water pressure pumps in a large portion of the homes How can adding 8 times as many living units to the area have anything but a negative impact on the existing homes?
- What is the plan for adequate water pressure for new homes at higher elevations? Even more pumps??
- Since the cost of water is impacted by elevation, how much more will it cost the NWSP residents to receive service? Will any current residents have to bare these costs??

I 2-19
MR
11A/11E

I 2-20
MR 11E

I 2-21
MR 11E

Comments on Alternatives (Section 7):

7.0 Alternatives

The alternatives presented to the proposed NWSP would seem to be designed to fail as each one leaves out at least one required element of the General Plan 2020. An alternative that simultaneously scales down each of the required elements, while maintaining the required relative percentages to each of the other required elements, would seem to be a viable alternative (such as at a level of total dwelling units around 300). However, no alternatives utilizing this methodology were proposed.

I 2-22
MR 13B

We appreciate the opportunity to be included in the Northwest Specific Plan process and welcome continued coordination. Should you have any questions, please feel free to contact me at your earliest convenience.

I 2-22

MR 13B

Respectfully,

Michael Jones
124 Claremont Crest Ct.
San Ramon, CA 94583
925-552-5322

I 3

Chamberlain, Debbie

From: Robert Klingner [rksrca@hotmail.com]
Sent: Thursday, September 07, 2006 4:25 PM
To: Chamberlain, Debbie

Debbie,

This information regarding the Draft Environmental Impact Report (DEIR) for the Northwest Specific Plan and the Faria Preserve Community is provided on Sept. 7, 2006 at 4:24 P.M. which is before the 5 P.M. cutoff time for comments on the DEIR. I 3-1 MR 10C

I request that the above DEIR be enhanced to cover traffic flow patterns for Purdue, the streets that connect to Purdue, San Ramon Valley Road, Crow Canyon, Deerwood Road, Deerwood Drive, Claremont Crest Way, Porter Drive, and Bollinger Canyon.

The traffic flow patterns should state total vehicle trips into, out of, and around the streets listed above. The vehicle trips should state traffic flow for morning and evening commute hours; non-commute hours; house of worship hours; and park hours for major events including such things as soccer, basketball, football, baseball etc. activities. I 3-2 MR 10C

Additionally, the DEIR should be enhanced to cover traffic flow patterns for Deerwood Drive. Deerwood Drive has a set of very unique characteristics. It features many blind spots. It is wide which prevents safe crossing for residents. The average speed, though posted at 25 mph, is actually 50 mph during commute hours. In short, Deerwood Drive is a substitute for Crow Canyon for vehicles going to San Ramon Valley Blvd. and Hwy 680. I 3-3 MR 10C

The DEIR can contact me at (925) 362-9949 to discuss the situation with Deerwood Drive in more detail. Additionally, I will assemble 5 people to meet with the DEIR on Deerwood Drive to demonstrate visually the concern. It is critical that the DEIR be revised to take into consideration the unique characteristics of Deerwood Drive and the impact the NWS Plan will have on it. I 3-4 MR 10C

With regard to the above, the DEIR should state how long the backups will be during morning and evening commute hours for accessing San Ramon Valley Blvd at Purdue; accessing Crow Canyon from each and every arterial road that exists today between Bollinger Canyon and San Ramon Valley Blvd; and accessing Crow Canyon from Bollinger Canyon. I 3-5 MR 10C

The above information should be provided understanding that 830 homes are proposed; that about 2000 new cars will be parked in this area; that vehicle trips may average between 2 to 3 times each day; that about 300 to 400 cars will use the house of worship multiple times each week; and that hundreds of cars will enter and leave the area to use the park facilities. I 3-6 MR 10C

The additional information that I am asking to be included in the revised DEIR should be the type of information that is easily understood by local residents. As an example, it should say 600 cars will be using Purdue road; the backup will be for 20 minutes to access hwy 680 during commute hours; etc. I want to know the impact of the traffic on this community. I 3-7 MR 10C

Thank you for including this document as input from San Ramon residents to the DEIR.

Robert Klingner

I 4

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SEP 5 - 2006
CITY OF SAN RAMON
PLANNING SERVICES

City of San Ramon
2222 Camino Ramon
San Ramon, CA 94583

Planning Department:

I am writing to **oppose** the Northwest Specific Plan now being proposed to the Planning Commission. I 4-1 MR 14A

I currently own in California Sunridge, living right below the beautiful hilltop and water tower, where I awake every morning to the cows and wild turkey. I 4-2 MR 1B

My understanding is that the construction will likely make my home almost un-livable for 18+ months. Currently, we live with quiet and all the windows open. The noise, the dirt and the impact of the mice, rats, snakes and other wildlife that will be beaten out of the hills should not be inflicted upon us. I 4-3 MR 9A

One of the reasons I chose to stay in San Ramon (my childhood home) is that the hilltops are free of buildings. San Ramon is very different the town I knew 30 years ago. I would like to keep the flavor of San Ramon intact, with our beautiful golden hills viewable from the lower parts of the valley. I 4-4 MR 1B

Please support the local residents in changing the plan to reduce the number of homes and **preserve the ridges of San Ramon**.

Kindest regards,

Meredith

Meredith Kummell
1007 Radiant Lane
San Ramon, CA 94583
925-831-3350

July 26, 2006

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AUG - 4 2006
CITY OF SAN RAMON
PLANNING SERVICES

GEORGE SWALLOW
A.I.A. AND ASSOCIATES, INC.
ARCHITECTS

2570 SAN RAMON VALLEY BLVD.
SUITE A 204
SAN RAMON, CA 94583
(925) 830-9956
FAX (925) 830-9991

I 5

Memorandum to:

PHIL WONG Planning Director
City of San Ramon

Ref: Joint City Council and Planning Commission Meeting 7/24/06
Staff Report page 14

Zoning and Development Standards

Just a note after reading this page I found a glaring error of design.
I recommend after 50 years of practice in this field Don't ever do this.
Make a townhouse setback only 5' In Neighborhood C, that is what is called for.
Make it 20' always.
At the bottom of the page it says "all parking will be on the street.". Big mistake.

I 5-1

MR 10E

1. The lot width is 21' with driveways that close together it means there are no street parking places. The entire street is a driveway.
2. Townhouses have garages full of non-auto related materials
3. With driveway parking, the streets will be free for travel..

I speak from experience. I lived on Kinross Dr in Walnut Creek for many years. Go take a look..

Kindest regards Phil

George Swallow

FL 1

City of San Ramon
2222 Camino Ramon
San Ramon, CA 94583

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CITY OF SAN RAMON
PLANNING SERVICES

Mayor
City Council
Planning Commission
Planning Department

My family lives in the area near the Northwest Specific Plan. We oppose the current plan which features the grading of the 2 largest ridges and the construction of 786 homes.

FL 1-1

MR 9A

Our neighborhood will not be livable for the 18 months it will take to do the grading. We are fearful of the impacts the grading will have on our homes. The noise, the dirt, and the impact of rats, mice, raccoons, snakes and other pests should not be inflicted on us. This is not smart development!

The number of homes to be built in the area should be substantially reduced. The local streets will be flooded with over 3000 + vehicle trips per day. This will make driving during rush hour virtually impossible. Also, the local shopping centers are already overcrowded. Adding such a large number of homes to our community will make it a terrible place to live.

FL 1-2

MR 13B

Please support the local residents by requiring the applicant to submit a revised plan that will preserve the ridges and reduce the number of homes to be built in the Northwest Specific Plan area. Thank you!

Respectfully,

Bryan Henderson
150 Shadowhill Circle
San Ramon, CA 94583
Tel.-(925) 820 2716

FL 1

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2222 Camino Ramon
San Ramon, CA 94583

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Respectfully,

Joe Sordini

FL 1

City of San Ramon
2222 Camino Ramon
San Ramon, CA 94583

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Respectfully,

Bhupendra C. Shah
Urvashi B. Shah

112 CLAREMONT CREST CT.
SAN RAMON, CA 94583
PHONE: 925-314-9001

FL 1

Aug 31, 2006

City of San Ramon
2222 Camino Ramon
San Ramon, CA 94583

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PLANNING SERVICES

Mayor
City Council
Planning Commission
Planning Department

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Respectfully,

Lenka & Hossein Bagherian
208 North Hill Ct.
San Ramon, CA 94583

FL 1

City of San Ramon
2222 Camino Ramon
San Ramon, CA 94583

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PLANNING SERVICES

Mayor
City Council
Planning Commission
Planning Department

Sept. 2, 2006

My family lives in the area near the Northwest Specific Plan. We oppose the current plan which features the grading of the 2 largest ridges and the construction of 786 homes.

FL 1-1

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Respectfully,

Jamie & Lisa

503 Destiny Lane
San Ramon

FL 1

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City of San Ramon
2222 Camino Ramon
San Ramon, CA 94583

Mayor
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CITY OF SAN RAMON
PLANNING SERVICES

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Respectfully,

Marc Levin
304 Daybreak Ct
SR, CA 94583
925-820-4433

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2222 Camino Ramon
San Ramon, CA 94583

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Respectfully,

Phil Barr
303 Daybreak Ct.
362-4697

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FL 1

City of San Ramon
2222 Camino Ramon
San Ramon, CA 94583

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City Council
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Planning Department

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MR 13B

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Respectfully,
Pam Gustabend

145 Shadowhill Circle
San Ramon, CA 94583

FL 1

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SEP - 6 2006

City of San Ramon
2222 Camino Ramon
San Ramon, CA 94583

Mayor
City Council
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MR 13B

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Respectfully,

Daniel Nguyen & Cecilia Nguyen
118 Woodcrest DR
San Ramon CA 94583

FL 1

City of San Ramon
2222 Camino Ramon
San Ramon, CA 94583

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SEP 6 - 2006
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MR 13B

Please support the local residents by requiring the applicant to submit a revised plan that will preserve the ridges and reduce the number of homes to be built in the Northwest Specific Plan area. Thank you!

Respectfully,

This proposal will destroy the very reason that people want to live here! The addition of Windemere has already made it bad enough - please do not make it worse. Traffic and crowds are already unbearable as is.

FL 1-3
MR 10B

P 1

Petition for the Revision of Northwest Specific Plan

To: The City Council for the City of San Ramon, CA
The Planning Commission for the City of San Ramon, CA

From: The Community of Neighborhood Affected by the Northwest Specific Plan

Date: August 31, 2006

We the undersigned present this petition to the City Council and the Planning Commission for the city of San Ramon in the state of California. With this petition we urge the City Council and the Planning Commission to direct the applicant of the Northwest Specific Plan (NWSP) to revise their plan.

P 1-1

MR 13B

We the signatories of this petition believe the following issues and concerns have to be answered and resolved prior to any consideration of the approval of the Northwest Specific Plan.

Primary Concern:

- Building density is excessive when considering the guidelines of the General Plan, the space and topography constraints of the NWSP area as well as the strain that will be put upon the environment and infrastructure in the surrounding areas
  - 830 dwelling units is well beyond a reasonable amount and far too high for sustainability
  - Greatly reducing the total number of dwelling units will have a positive impact when addressing **EACH** of the areas of concern listed below:
    - Grading of ridgelines (Ordinance 197) P 1-2/MR 8C
    - Environmental impacts such as air quality (asthma), noise, wildlife and vegetation disturbance P 1-3/MR 13C
    - Open space requirements within the NWSP area P 1-4//MR 8D
    - Overcrowding in schools P 1-5/MR 11D
    - Traffic congestion P 1-6/MR 10C
    - Parking P 1-7/MR 10E
    - Overcrowding in local retail centers P 1-8/MR 11D
    - Water supply / water pressure P 1-9/MR 11A/11E
    - Ease of access within planned communities for emergency services P 1-10/MR 10A
    - Relocating the spine road away from the existing neighborhoods P 1-11/MR 8B
    - Relocating the proposed parking lot for Merrill Gardens P 1-12/MR 8B
    - Safety / security issues for existing neighborhoods P 1-13/MR 8B
    - Duration of construction project P 1-14/MR 9A
    - General quality of life for new and existing residents P 1-15/MR 9A

Additional Concerns:

- Western Plan area not being included with Eastern Plan area in calculation of total open space as a percentage of the entire NWSP area P 1-16/MR 8C
- School site size and uses P 1-17/MR 8B
- House of Worship and Community Facility size, location and uses P 1-18/MR 8B
- Second units as part of the Affordable Housing Component P 1-19/MR 8B
- Lack of connections to Mass Transit P 1-20/MR 10F

Residents of San Ramon

Petition against NWSP

Name	Address	Phone Number	Signature
KAMYAR-FARHANG	139 WOODCREST	925 831 3858	
Bernard Hung	141 Woodcrest DR		
Oliver Chen	142 Deerhill Dr		
Jonah Pickens	144 Woodcrest Dr	925-984-6891	Jonah Pickens
Tat Fong	145 Woodcrest Dr.	925-362-0872	
Kevin Meng	140 Woodcrest Dr.	925-314-0918	
Keller	136 Woodcrest	925-838-2637	
P. Re	132 Woodcrest Dr.	925-820-7171	Denise Re
Lyn Jones	130 Woodcrest Dr	925 743 8715	
Gail Etcha	135 Woodcrest	925-838 9645	
Larry Cassidy	134 Woodcrest Dr	362-9224	
[illegible]	434 DEERHILL DR	314-0585	
Mark De Oliveira	416 Deerhill Dr	288-1188	
Pamela Davis	411 Deerhill Dr	838-5570	Pamela L Davis
Rico Sciarri	502 Deer Terrace Ct	743-0146	
Mark Kim	404 Deerhill Dr.	820-3418	
John Cummins	121 Woodcrest Dr	743-4115	
Aniket Patil	124 Woodcrest	552-5937	Aniket Patil

(46)

Name	Address	Phone Number	Signature
Leslie Mague	128 Claremont Crest Ct	552-9798	Lw Mague
Brian S. Mague	128 CLAREMONT CREST CT	552-9798	Brian S. Mague
Elaine Gill	133 CLAREMONT CREST CT	855-1494	[illegible]
Sunley Gill	131 " "	" "	"
Delia Jackson	132 "	831-3062	Delia Y Jackson
Kristin Meyer	215 Forest Creek Ln	7430523	[illegible]
[illegible]	5240 Portillo Valley Dr	8297630	[illegible]
Marcie Smith	84 Tumbleweed	525-0361	[illegible]
[illegible]	124 Claremont Crest CT	552-5322	[illegible]
Vicki Poynter	118 Claremont Crest Ct	208-1400	Vicki Poynter
Efferem Poynter	118 Claremont Crest Ct	208-1400	[illegible]
Stephanie Beard	122 Claremont Crest Ct	837-7135	Stephanie Beard
SUNITA KANAGASABAI	126 Claremont Crest Ct	831-1973	[illegible]
[illegible]	134 Claremont Crest Ct	855-9817	[illegible]
[illegible]	134 Claremont Crest Ct	855-9817	[illegible]
Chris Emmanuel	126 Claremont Crest Ct	831-1973	[illegible]
Ronald Jackson	132 Claremont Crest Ct	831-3062	Ronald Jackson
CHRIS JOHNSON	135 CLAREMONT CREST CT	743-1793	[illegible]
Alexis Johnson	135 Claremont Crest Ct.	743-1793	[illegible]
Karen Linde	137 Claremont Crest Ct	820-2474	Karen Linde
Peter Linde	137 Claremont Crest Ct	820-2474	[illegible]
Chris Cavalier	131 Claremont Crest Ct	552-6605	Christyl Cavalier
Lisa Ward	127 Claremont Crest	362-0921	[illegible]
Dan Ward	127 Claremont Crest	362-0921	Dan Ward
Christine Pierce	125 Claremont Crest	362-9871	Christine Pierce
Carolyn Engsby	123 Claremont Crest Ct	837-5417	[illegible]
[illegible]	123 Claremont Crest	837-5417	[illegible]
JeFF Beard	122 Claremont Crest	837-7135	Jeffrey R Beard
MICHAEL A JONES	124 CLAREMONT CREST	552-5322	[illegible]
Nanjam Rafey	120 Claremont Crest Ct	362-9866	[illegible]
(31) Rafey Khan	120 Claremont Crest Ct	362-9866	Rafey Khan

Name	Address	Phone Number	Signature
FRANK KUDELKA	204 NorthHill CT	743 1373	[illegible]
HOSSEIN BAGHERIAN	208 NORTHHILL CT	820 1436	[illegible]
MOSTAFA VAHABZAD	209 NORTH HILL	820-1298	[illegible]
JENNIFER JALLO	105 Woodcrest Dr	831-9538	[illegible]
CHRISTIE MEHTA	109 WOODCREST DR.	314-0587	[illegible]
Souad Maghribi	111 Woodcrest Dr	838-3810	[illegible]
VIKAS SHARMA	115 WOODCREST DR	351-5951	[illegible]
Daniel Coleman	116 Woodcrest Dr	552-7370	[illegible]
John R Sessions	302 Hillcrest CT	9257431887	[illegible]
Nilgun Sessions	302 Hillcrest Ct	925 743 1887	[illegible]
[illegible]	9891 Broadmoor DR S.R.	925-7872326	[illegible]
MARGARET HASKINS	531 MIKADO PL	925-743-[illegible]	[illegible]
[illegible]	940 [illegible]	925/830-0459	[illegible]
Krissa Nelson	1311 Canyon Village	925-362-0895	[illegible]
KENT HERMANSON	1311 CANYON VILLAGE	925-362-0895	[illegible]
JING Fang Hu	306 Hillcrest CT	(925) 855-9178	[illegible]
Mandi Lucas	307 Hillcrest Ct	(408) 647-1330	[illegible]
Robert Lucas	307 Hillcrest Ct	(408) 647-1330	[illegible]
Kathy Plena	126 Woodcrest Dr.	855-4643	Kathy Plena
Joe Plena	126 Woodcrest Dr.	855-4643	[illegible]
Nitin Patil	124 Woodcrest Dr	552-5937	[illegible]
Greg O'Brien	408 Deerhill Dr.	855-4554	[illegible]
Joan O'Brien	408 Deerhill Dr.	855-4554	[illegible]
James Rebro	410 Deerhill Dr	743-9395	[illegible]

24

Name	Address	Phone Number	Signature
Diane Giansante	104 Claremont CC	208-1290	Diane Giansante
Tom Giansante	" "	" "	
Youngmi Suh	106 Claremont CC	314-9137	
Soowan Suh	106 "	314-9137	
Bhupendra Shah	112 CLAIREMONT CREST CT	314-9001	
URVASHI B. SHAH	112 CLAIRMONT CREST CT	314-9001	
Charlie Perez	125 Claremont Crest Ct	362-9871	
SONG SUK KIM	101 Claremont Crest Ct	743-[illegible]	
ROBERT KLINGNER	102 CLAREMONT CREST CT	362-9949	Robert Klingner
Shahrzad Klingner	102 Claremont Crest Court	362-9949	Shahrzad Klingner
MATTHEW MORSE	14 STARFLOWER TERRACE	743-9939	
Julie Morse	" "	"	Julie Morse
ROBERT ZWAIG	20 STARFLOWER TERRACE	208-1581	
Joyce Chiu	22 STARFLOWER TER	820 8908	
JEREMY POBLETE	30 STARFLOWER TER	858-3655	
JUSTINE PAWLAK	34 STARFLOWER TER	552-8130	
David Griffiths	36 Starflower Ter	895-1188	
Matt Connelly	38 Starflower Terr	8204308	
Wendy Connelly	38 Starflower Terr	8204308	
Mary Li	8 Rosewalk Ln	365 1188	
Nancy Dean	2 Rosewalk Ln	820-8795	
Zack Dean	" " "	" "	
Briene Dean	" " "	" "	
Brian Henderson	152 Shadowhill Circle	827-2716	
ORlynn PEREZ	" " "	" "	
Gerry Dancyk	140 Shadowhill Circle	552-8206	
Bryan Wright	139 Shadowhill Circle	~~925-3456~~ 314-9496	
Angela Steinhart	153 Shadowhill Circle	3149823	
John Donofrio	155 Shadowhill Circle	925 820 [illegible]	
Veronica Kobrese	155 Shadowhill Cir	925 361-4843	

Name	Address	Phone Number	Signature
Wendy Cooper	146 Shadowhill Circ	820-1892	Wendy Cooper
Anthony Cooper	146 Shadowhill Circle	820-1896	Anthony Cooper
Julie Carlberg	116 Shadowhill Cir	X	Julie Carlberg
Mario Meyer	112 Shadowhill Cir	X	[illegible]
CARA RANDALL	110 SHADOWHILL Circle	819 0327	[illegible]
Alex Drucker	170 Shadowhill Cir	362 9093	A Drucker
Ellie Rezmik	170 Shadowhill Cir	362 9093	Ellie Rezmik
[illegible]	165 Shadowhill Cir	743 3930	[illegible]
Lisa Jordan	165 Shadowhill Circle	743 3930	Lisa Jordan
Colleen Evans	111 Shadowhill Circle	457-5115	Colleen Evans
Rod Evans	111 Shadowhill Cir.	457 0938	[illegible]
Rob Peterson	173 Shadow Hill	838-2502	[illegible]
Terry Mitchell	173 Shadow Hill	838-2502	[illegible]
Rachel Ide	119 Shadowhill	923 3821	[illegible]
Bridget Scott	123 Shadowhill Cir	787.1335	[illegible]

Name	Address	Phone Number	Signature
Sung C. Lee	130 Claremont Crest Ct. San Ramon, CA 94583	(925) 855-9768	
Hee J. Lee	"	"	Heejoo Lee
Hannah Y. Lee	"	"	
Sawan Suh	106 Claremont Crest Ct.	925-314-9137	
Youngmi Suh	San Ramon, CA 94583 "	"	
Jeong H Kim	San Ramon CA 94583	925-362-1415	
Sun Goo Park	105 Claremont Crest Ct.	"	
Myeong Joon Kang	139 Claremont crest ct	925-314-0540	
Hyesuk Kang	San Ramon CA 94583	"	

CITY OF SAN RAMON PLANNING COMMISSION

- - -

CERTIFIED COPY

CITY OF SAN RAMON PLANNING MEETING

SAN RAMON, CALIFORNIA

SEPTEMBER 5, 2006

TRANSCRIPT OF PROCEEDINGS, taken at 2222 Camino Ramon, San Ramon, California, commencing at 7:34 p.m., Tuesday, September 5, 2006, before Joanne Balboni, CSR No. 10206.

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A P P E A R A N C E S:

SARA BUIZER, Associate Planner

BOB SAXE, Acting City Attorney

HARRY SACHS, Planning Commission

ROBERT PATRINO, Planning Commission

DONNA KERGER, Chair, Planning Commission

DENNIS VIERS, Vice-Chair, Planning Commission

PHIL O'LOANE, Planning Commission

PHIL WONG, Planning Director

DEBBIE CHAMBERLAIN, Planning Services Manager

LUISA WILLNECKER, Recording Secretary

PROCEEDINGS

MS. CHAMBERLAIN: In accordance with the California Environmental Quality Act of 1970, as amended, this public hearing is to receive public testimony regarding the accuracy and adequacy of the Draft Environmental Impact Report for the proposed Northwest Specific plan and Faria Preserve community. No decision concerning the project or project applications will be made at this meeting.

EDAW, Inc., environmental consultants and author of the DEIR will present to the Commission a summary of the CEQA process and EIR for the project. To illustrate the thresholds of significant impacts and mitigation, EDAW will provide detail on select chapters of the DEIR. EDAW will also be prepared to respond to any questions the Planning Commission might have about the way in which the EIR's analysis was conducted and the conclusions in the DEIR.

Ms. Allsep?

MS. ALLSEP: Good evening, Madam Chair and Members of the Commission. I am Jayni Allsep, EDAW Environmental Consultants, and also the EIR will present to the commission of San Ramon the CEQA process and the EIR for the project. EDAW will also be available to respond to any questions the Planning Commission might

1 have tonight.

2 As part of the process, the Commission will

3 hear public testimony only regarding the accuracy and

4 adequacy of the EIR. The commission may wish to hear

5 whether the EIR adequately identifies and analyzes the

6 potential impact to the new environment and ways the

7 significant effects of the project might be mitigated.

8 We are based in San Francisco, and we were

9 asked by the lead agency, in this case the City of San

10 Ramon, to prepare the draft EIR on the projects that

11 will be discussed this evening.

12 With me is Josh Hohn. He is an environmental

13 planner in the San Francisco office as well and the

14 project manager for the preparation of the draft EIR.

15 The staff has asked us to provide an overview of the

16 CEQA process, the California Environmental Quality Act,

17 as well as highlight some of the items discussed and

18 analyzed in the draft EIR prepared for the Northwest

19 Specific Plan, the Faria Preserve.

20 It's a lot of information to cover in a short

21 amount of time. So we prepared a PowerPoint. We are

22 not going to read every word on the slide, but I see

23 that staff was kind enough to provide copies of the

24 PowerPoint here in the back next to the other staff

25 reports.

We'll try to make sure we hit on the main points. Like I said, it's a lot of information to cover. It may be new to some and a repeat to others, but we'll do our best to get you acquainted with some of the terminology that's important in terms of the things that are discussed in the draft EIR.

With that, our presentation is going to be in two parts. I'm going to be doing the first part, which is an overview of CEQA, and then I'll turn it over to Josh Hohn who will be focusing on the draft EIR that's prepared for the Northwest Specific Plan for Faria Preserve.

CEQA stands for the California Environmental Quality Act. It's the state law, state environmental law for the State of California. It's intended to inform government decision-makers and the public about potentially significant environmental impacts of proposed activities. The word "potentially significant" or the phrase "potentially significant" really is the key phrase there.

It's also intended to identify ways that environmental impacts can be avoided or significantly reduced when considering proposed activities.

Another important purpose of CEQA is to prevent significant unavoidable damage to the environment by

1 requiring changes in the project through the use of
2 alternatives or mitigation measures, two important
3 components that we'll be discussing in a bit more
4 detail, as we get through to our presentation.
5 It's also intended to disclose to the public
6 the reason that an agency may approve a project,
7 notwithstanding its environmental impacts. So the key
8 phrase "significant effect on the environment," I know
9 that this is a bit long, but it's really important
10 because there are certain terms in CEQA that do have a
11 specific definition that's important to keep in mind.
12 I'm going to read through it quickly. "A
13 significant effect on the environment is defined as:
14 Substantial, or potentially substantial, adverse change
15 in any of the physical conditions within the area
16 affected by the project, including land, air, water,
17 minerals, flora, fauna, ambient noise, and objects of
18 historic or aesthetic significance."
19 For CEQA purposes, a social or economic change
20 by itself shall not be considered a significant effect
21 on the environment -- and I'm going to add to that --
22 unless it's associated with the physical change as well.
23 For those of you that are familiar with the
24 federal environmental law, that's where the two laws are
25 different between federal and state. So if you are

1 interested in more of that topic, I'll be happy to talk
2 about it in greater detail after the meeting.
3 One of the key documents that you hear a lot
4 about and you'll hear about tonight is an environmental
5 impact report, an EIR. An EIR is required when a
6 project may have a significant effect on the
7 environment, keeping in mind that special definition.
8 Even changes to the project, such as mitigation
9 measures, may not reduce the impact to less than
10 significant.
11 You might be wondering why we prepare the EIR,
12 who prepares them, and how we use them. In this case,
13 the City of San Ramon is designated as the lead agency
14 for the applications that have been submitted that are
15 the subject of the EIR. We, as the environmental
16 consultants, are under contract with the lead agency,
17 the City of San Ramon, to prepare the document.
18 The document, regardless of who prepares it,
19 reflects the lead agency's -- in this case, the City of
20 San Ramon -- independent judgment. The lead agency's
21 decision-making body cannot delegate its decision-making
22 authority under CEQA. So they get to make all the good
23 decisions, tough decisions sometimes.
24 There are responsible agencies as well. Those
25 are agencies that have some discretionary approval power

1 over a project, but they are not the lead agency. In
2 this area, state agencies, such as the EBMUD and the
3 California Department of Fish and Game, are two examples
4 of what we refer to as responsible agencies.
5 Responsible agencies also use the environmental impact
6 report and consider the information before they review
7 the project or issue any type of permits on the project.
8 There is a whole section in the state
9 guidelines, which is sort of the CEQA bible here, about
10 different types of EIRs. I just kind of pointed out two
11 that are germane to the application and the draft EIR
12 that we'll be talking about this evening. Those are
13 just two. They are different kinds that I haven't
14 gotten into great detail in this presentation.
15 The project EIR is probably the most common
16 EIR. It is a document that examines the environmental
17 impact of a specific development project. A program EIR
18 is a little bit more broad and general in nature.
19 Rather than a specific development proposal or project,
20 it is often prepared for policies or plans that really
21 constitute a series of actions that can be characterized
22 as one large project at some point. Usually, in its
23 early stages.
24 So just to kind of bring it home a little bit
25 closer and maybe to provide some clarity on the

1 difference, the Faria Preserve would be an example of a
2 project, you know, a project level EIR. A program EIR
3 is often done for a specific plan or a general plan or
4 some series of actions that may have more than one phase
5 or more than one step.
6 Some of the highlights in terms of the process
7 for CEQA -- this is really geared toward the process for
8 an environmental impact report since that's what we are
9 here to discuss this evening.
10 It starts out with what we call a notice of
11 preparation, NOP. It goes out early on just notifying
12 interested agencies and citizens that an EIR will be
13 prepared and soliciting comments on the scope and the
14 topics that should be covered in the EIR, and that has
15 happened in this case. Josh is going to go through the
16 steps that are germane to this particular EIR on these
17 projects.
18 So meetings often are held in order to address
19 certain issues, especially if state agencies are
20 involved. Then the next step is to complete the
21 environmental studies necessary in the different
22 technical areas and prepare the draft EIR, which we've
23 done in this case.
24 Then there is a notice of completion and a
25 notice of availability to start a 45-day public review

1 of the draft EIR. We are at that stage now with the
2 Northwest specific plan and the Faria Preserve EIR.
3 Public hearings are held on the draft EIR in most
4 communities, such as in San Ramon, although they are not
5 really required by state law, to hold a public hearing.
6 Then as Ms. Chamberlain alluded to in her
7 presentation of what was contained in the staff report,
8 all of the comments that are received on the draft EIR
9 relative to the accuracy and completeness of the EIR,
10 we, as the environmental consultants, the EIR
11 consultants, prepare responses to each and every one of
12 those comments, distinct comments.
13 They are prepared in a written form. They are
14 included in the final EIR response to comments document
15 and available to public agencies who commented ten days
16 prior to certification, and it generally coincides with
17 a public hearing that's held on the final EIR on any of
18 the projects that are going on with that.
19 You'll hear the term "EIR certification." That
20 is the first step that usually occurs as part of any
21 entitlement package. The EIR is required to be
22 certified before any actual action on the project can be
23 taken in terms of any kind of approval and entitlements.
24 There are CEQA findings that are made and
25 possibly a statement of overriding considerations for

1 projects that cannot be mitigated and would be deemed
2 significant and unavoidable. We'll get more into that
3 when we get into some specific aspects of this draft
4 EIR.
5 Finally, there is a notice that's filed with
6 either the county clerk and/or the state clearing house,
7 just filing the petition that was made by the agency.
8 This is a not so good flow chart. I apologize
9 for its size. So I apologize. It is included in the
10 CEQA guidelines. That's where this particular flow
11 chart was taken from. It basically outlines the key
12 points in the process for the entire CEQA review that
13 I've just outlined. So I think I covered the main
14 points in previous slides. I didn't realize it wasn't
15 going to come up much better at this scale.
16 Getting into what is included in an EIR, the
17 state law does identify certain items that need to be
18 included. This represents the mandatory sections and
19 the mandatory elements of an EIR.
20 The summary section is a pretty good way to get
21 a good overview rather quickly because it includes
22 usually a table that identifies impacts and mitigation
23 measures. It's a pretty good way of getting a preview
24 and then finding out the areas that you want to explore
25 in more detail. So I'm not going to go through that

1 entire list other than to say that this is really the
2 mandatory sections, and you'll find these sections in
3 the EIR that we prepared.
4 This next slide gives the array of
5 environmental topics that can be addressed in an EIR.
6 It is not always the case that each and every one of
7 these impacts is addressed in every EIR that is
8 prepared, but it is determined on a case-by-case basis.
9 This is -- again, just to reiterate, at this
10 stage, we are at the draft EIR stage. We are here to
11 listen and get comments on the adequacy and completeness
12 of the draft EIR. The next step in terms of the EIR
13 process will be to prepare the final EIR that includes
14 any revisions to the draft and responses to the comments
15 that are submitted during the 45-day public review
16 period.
17 Just a note, certification of a final EIR does
18 not constitute approval of anything other than the lead
19 agency is required to certify the EIR in accordance with
20 the findings required by CEQA. Certification of the EIR
21 in and of itself does not approve a project. They are
22 two separate actions. It's usually the first action,
23 and it actually needs to be the first action before any
24 project can be approved. In and of itself, it does not
25 constitute approval of a project.

I know I went through a lot of information very, very quickly. We are going to be repeating some of the same topics that I covered in a more general discussion in this next phase.

I would like to hand it over to John Hohn who will provide his part of the presentation on the elements and topics specific to the draft EIR that was prepared for the Northwest Specific Plan and the Faria Preserve Community.

MR. HOHN: Good evening. As Jayni said, my job right now is to bring what she just presented in sort of the global process of CEQA and tie it into the process we've been engulfed in for a few years now in efforts to produce this EIR.

The draft EIR was published on July 21st, 2006. We are coming close to the end of the 45-day period. By published, that means it was sent to the State of California and it was released for public review here in San Ramon. The notice of availability was mailed to a number of people. There is a process here in San Ramon.

You can see all property owners and occupants, anyone within 1,000 foot radius of the subject property, people who requested to be included in the mailing list, homeowners associations, San Ramon Valley Times. It was posted in all public facilities and on the city website.

A copy of the actual document, along with the notice of availability, goes to responsible and interested agencies, Planning Commissioners, City Council members. As you know, copies of the draft EIR are available for public review on the city website and at senior centers, community centers, and libraries.

We are in the public comment period now. Again, the 45-day public comment period, and it's closing this Thursday, September 7th at 5:00 p.m. You have a limited amount of time to finish your reading.

The environmental potential impact is the essence of the EIR. Scaling down a bit, the process we worked on a specific EIR is to identify the issues that require examining for the specific project. Here we had 11 resource areas that we looked at, and these are identified as being areas that have significant and potentially significant impacts before they are mitigated. So those were aesthetics, air quality, biological resources, cultural resources, geology hazards, hydrology, land use, noise, traffic, and utilities.

Air quality was one resource that had a significant and unavoidable impact. What does that means, to have a significant unavoidable impact with regard to this project? What it means in this case is

1 that there was no consistency with Bay Area Air Quality
2 Management District 2005 ozone strategy. That was
3 previously known as the basin plan, the regional plan
4 for air quality.
5 What we determined was the existing population
6 and projected population of San Ramon are greater than
7 those used for the regional clean air plan. It was
8 determined that's an inconsistency between the clean air
9 plan and the general plan.
10 Increase in average annual growth in peak hour
11 vehicle miles traveled in San Ramon is 2.0% greater than
12 that assumed by the BAAQMD, Air Quality. The second
13 reason it was significant and unavoidable, long-term
14 emissions of criteria air pollutants. That means that
15 the emissions of reactive organic gases and nitrogen
16 oxides would exceed again the regional thresholds of 80
17 pounds per day, per project.
18 It's important to know that neither the
19 Northwest Specific Plan nor the Faria Preserve can be
20 developed without exceeding the air quality management
21 district per project threshold. It's likely that no
22 project of substance like this would be able to do that
23 in this part of the Bay Area.
24 Given we've gone over the one significant
25 unavoidable impact, and we do have a few minutes, I do

1 want to quickly familiarize you with the other parts of
2 this document.
3 Now, we could have picked any three or four
4 other subject areas. We didn't highlight these for any
5 particular reason other than that they are sort of easy
6 subjects, quick to go through. They serve as a nice
7 sort of round introduction to what actually goes on in
8 an EIR and this one in particular.
9 Biological resources, each one of these
10 resource areas are significant and potentially
11 significant impacts that can be mitigated to less than
12 significant levels. So these are basically the impacts
13 we examined and studied and determined that with
14 mitigation, their area of impact would be less than
15 significant. The graphic there, as you see by the
16 arrow, that's one of the graphics from the document
17 showing what land we have looked at.
18 The geology and soils, the same thing.
19 Resource areas or aspects of geology and geotechnical
20 areas that we are able to mitigate to less than
21 significant levels as spelled out in detail in the
22 document. The graphic there is showing seismic events.
23 It accounts for studies, the fault lines that run
24 through the area, the entire region actually, and uses
25 that to dictate the setback and other issues like that.

1 Traffic and circulation, there will be a
2 decrease in level of service due to traffic. That's
3 what traffic engineers do, is to produce graphics like
4 that. That shows the increase in intersection traffic
5 that would happen at the project level and cumulative
6 level, meaning taking other projects into account. It
7 also touches on pedestrian, bicycle, and transit
8 traffic. These were found to be reduced to less than
9 significant levels in this document.
10 Finally, we are going to a little bit of detail
11 because aesthetic is a real important subject.
12 Aesthetics mean a lot of things to a lot of people.
13 What one person finds beautiful, some can find ugly, et
14 cetera, and vice versa.
15 What we have to do in this type of analysis is,
16 just as Jayni held up the CEQA guidelines book, the
17 yellow book, we have to rely on the definition so that
18 we can have a common understanding. So we look at the
19 area of scenic resources, scenic vista and existing
20 visual character, increased light and glare.
21 For this analysis, we focused on the first
22 three resources, scenic resources, scenic vista, and
23 existing visual character. What you have to do with
24 these is identify those resources and go through and
25 determine whether or not a proposed project would impose

1 an impact to those resources.

2 To do so, we picked key observations points,

3 KOP. You can see we picked six from throughout the

4 surrounding area. They are picked with those resources

5 in mind, scenic resources and individual character, but

6 also to represent that geographically. We picked three

7 of those six to show you quickly tonight.

8 Scenic resources, those include the natural and

9 cultural features of the environment that can

10 potentially be viewed. In that graphic there, the

11 scenic resources, you can see they are two photos of the

12 same view. One is the existing photo. On the bottom is

13 a simulated view.

14 The scenic resources identified is a rock

15 outcropping and a minor ridgeline. Now, it should be

16 noted that because this project comes on the heels of

17 the 2020 general plan, many of the policies in that

18 plan, and therefore, the northwest plan, mitigate for

19 impacts for the visual resources. This way they do

20 that. They protect important ridgelines. They

21 concentrate development. Development on the site

22 concentrated in 25 percent of the area. 75 percent is

23 open space. Oak woodland that are not within the

24 development zone are protected. So these are scenic

25 resources.

1 We are able to use that as a starting point to
2 determine -- because of the policies in the Northwest
3 Specific Plan, many of these impacts would be less than
4 significant. This goes into greater detail.
5 So with the simulation, you see that despite
6 the development of that minor ridgeline, the resources,
7 which is the hill and this view, and I'll get into
8 visual character, too, are on balance maintained.
9 The scenic vista, here we have an important
10 ridgeline. This is viewed from scenic highway
11 Interstate 680. You'll notice in the bottom picture of
12 the simulated view, that major ridgeline remains intact.
13 Integrity and intactness are important issues in
14 examining aesthetics and aesthetic impacts.
15 Finally, visual character. The patterns, form,
16 line, color compose a visual landscape. The view of the
17 proposed project from here does not break into the
18 skyline. Even though it comes across on the lower parts
19 of that ridge, it doesn't break into the top of that
20 hill. With the existing development, you can see in the
21 existing photo, it does manage to sort of split the
22 difference in existing character and balance between
23 more or less undisturbed ridgelines and residential
24 growth in the bottom of the foothills.
25 The last thing to go through, and this is an

1 important part of what CEQA requires, is to examine
2 alternatives to the project. They are required to
3 examine a no-project alternative. Alternatives must
4 produce the intensity of impacts in some way, shape, or
5 form.
6 The no-project alternative here is to reduce
7 intensity of impacts in all areas except for geology and
8 soils. That's because some of the grading would not
9 take care of some existing danger from landslides, and
10 it would not be consistent with the land use plan
11 policy. That's because the general plan envisions the
12 Northwest Specific Plan as an area for development.
13 Because of that, it would not meet the project
14 objectives. That's a key component in evaluating
15 alternatives.
16 We examined four other development
17 alternatives, and there are a variety of schemes here.
18 Alternative 2 is to reduce development footprint with
19 limited fill of the riparian corridor to accommodate
20 connector roads.
21 What you have to do in examining alternatives
22 is to try to balance the project goals while also trying
23 to reduce the impact to see if you can find a project
24 that would meet the goals of the city and of the project
25 sponsor while reducing the impacts.

This one, for example, would reduce the intensity of impacts in all areas, and it would not meet the project objectives, again, due to air quality, geology, soils, land use, and noise.

Alternative three, that's an alternative access without fill of riparian corridor maintaining original project densities. This would also reduce the same four areas, but not meet the project objectives. You begin to see the pattern in these loop internal access. So it's interesting to examine all these. This one would reduce the least amount of resource areas.

The balanced cut/fill, single-family residential reduced footprint, this was the best development alternative of the five alternatives we looked at. It would reduce impacts in all areas except air quality, geology, soils, and land use. You can see the lower number there.

What you can look at in the draft EIR to get more detail is table 7.2, which actually compares what each of these alternatives would do relative to what we found for the proposed project. That's how we make our determination. This is what we had to present tonight.

At this point, Ms. Chamberlain, we remain available to answer any questions and to listen.

MS. KERGER: Does anyone have any questions of

PH 1-A

MR 14B

the consultant? I do. Explain to me, and possibly the audience, where the location -- this is one of the first few times we have seen Chang and the Panetta property visually on here and standing out.

We don't have an application, do we?

MS. CHAMBERLAIN: That's correct.

MS. KERGER: Tell me why that is on this EIR.

MS. CHAMBERLAIN: Okay.

MS. KERGER: I'm just confused.

MS. CHAMBERLAIN: That's okay. The Chang property, which was the Chu property when we undertook this venture, those are the two primary properties of the three which participate. At the time, Mr. Panetta chose not to participate in the planning process.

So today the plan has moved forward, including all three properties, but recognizing that only two of the owners are active participants. To date, the Faria Preserve communities, they have a vesting tentative map and a plan review.

The Chang property, which sold last year, is not that far into the process yet. When they do come in to file a tentative map application development plan and require entitlement, they'll be required to go through a supplemental entitlement review process to examine the specific impacts on the property.

PH 1-A

MR 14B

MS. KERGER: So they are separate --

MS. CHAMBERLAIN: A separate process entirely.

MS. KERGER: I just wanted to understand that. So it won't happen at that time. It will happen. It will be reviewed again.

MS. CHAMBERLAIN: Exactly. And the same thing for Mr. Panetta. He will be required to go through the same process as the Faria Preserve Plan, but at a much later date. It's a completely separate individual process.

MS. KERGER: Supplemental?

MS. CHAMBERLAIN: Yes.

MS. KERGER: Something I wanted to understand. Okay. Thank you.

MR. HOHN: Thank you.

MS. KERGER: Okay. I only have one speaker card for 9.1.

Is there anyone else that wishes to speak besides Jim Blickenstaff? Jim, where are you?

MS. CHAMBERLAIN: I want to clarify that the items to speak on tonight are for the Faria Preserve, and --

MS. KERGER: Absolutely. We are not making any decisions tonight. We are only taking comments.

UNIDENTIFIED SPEAKER: This is 9.1.

PH 1-A

MR 14B

MS. KERGER: Part of the presentation, part of the EIR --

UNIDENTIFIED SPEAKER: I thought it was 8.2.

MS. KERGER: Well, it can be 8.2 or 9.1. Since you guys changed the draft, it would make more sense to do it during 9.1.

MS. CHAMBERLAIN: If I might, 9.1 is only focused on the accuracy and adequacy of the EIR. It's not on the project.

MS. KERGER: We need to do it under 8.2.

MS. BUIZER: So most of our slides are on the EIR. So we'd like to present it at this time.

MS. KERGER: Okay. There's two speakers. I'm sorry. Fill out a speaker card, and I'll let you do that.

MR. BLICKENSTAFF: I am Jim Blickenstaff. I live at 2410 Talavera Drive, San Ramon.

On the EIR, I wanted to reiterate something you said, Donna, about some confusion that arises when you combine the environmental review of the Chang property with -- Ferrari?

MS. KERGER: Faria.

MR. BLICKENSTAFF: Faria. I keep wanting to say that car, Ferrari.

At best, the EIR for the Chang property is like

PH 2-A

MR 14 B

a weak program, EIR. It's not a project EIR. They are kind of combined, and it seems kind of confusing. I think the Planning Commission and certainly the City Council make it very clear that there is a project EIR for the northwest specific plan without Chang.

MS. KERGER: Absolutely.

MR. BLICKENSTAFF: And then there will be -- I think the word supplemental came up, and that's a good word -- a supplemental EIR, really. I think there's such a biology situation in that creek corridor where the Chang property is, you really need to look at it in detail, which we don't have with this EIR.

MS. KERGER: That was my reason for bringing it up. Thank you.

MR. BLICKENSTAFF: I apologize. So we agree on that. With the visual impact, some of the demonstrations in the EIR are revealing. I disagree with the EIR when they say less than significant. I think the visual impacts are significant. I think there is a possibility they can be reduced to less than significant, but they aren't yet.

For example, the visual sight from San Ramon Boulevard facing east, you showed the senior housing. I believe it is up on the ridge. So it's with the sky in the background. This is something that is a visual

PH 2-A

MR 14 B

PH 2-B

MR 1A

impact to me. It's reminiscent of the county, what they used to do. They didn't really care about San Ramon.

I think we have to get more creative with mitigation measures than perhaps this draft EIR is demonstrating at this point. There could be berming. There could be recessing. There could be more aggressive landscaping and planning to interfere with that harshness of the horizontal and vertical lines of buildings situated on the hilltop of what you'd call minor/major. It's still quite an impact as there is right now.

PH 2-B

MR 1A

I'd like us to get extra creative to solve these problems because I see an opportunity with these projects to serve a successful migration of city development into open space with permanent preservation of the main open space through urban growth boundaries and things that can be protected from sprawling through this integration and secure the urban growth boundary. I think that can happen. That was fast.

PH 2-C

MR 8E

Can I continue?

MS. KERGER: Very quickly. I probably took a little bit of your time.

PH 2-D

MR 1A

MR. BLICKENSTAFF: So there is a cut horizontally, east to west. You see from Bollinger Canyon, it looks significant. It's above the houses

that are already there. It looks a little linear, and it looks artificial compared to the natural contours.

PH 2-D
MR 1A

I believe Ordinance 197 takes effect here. I think the general plan recognizes that on page 815. The paragraph there mentions that it requires voter approval when you deviate from 197, and it mentions some characteristics of this plan.

PH 2-E
MR 8C

I'd like to see a successful demonstration of filling of the creek corridor as a mitigation where you raise the elevation of the creek and you actually succeed in doing that. I think that the back yards here are a little tight on this corridor. That can be addressed.

PH 2-F
MR 3C

Also, to coordinate traffic studies for the Crow Canyon Specific Plan because you are talking 14 to 15,000 daily car trips on Crow Canyon, specifically by this project. That's a lot of car trips on Crow Canyon. So I don't want to do one northwest plan and the Crow Canyon plan in isolation of one another in terms of traffic. It's going to be huge, and it will be hard to address the impact with traffic. So that was my last minute.

PH 2-G
MR 10C

MS. KERGER: Jim, did you say the filling of the creek corridor? Is that the word you used, "filling"?

MR. BLICKENSTAFF: Well, they are asking us now to fill the creek corridor and then do a riparian fix, so to speak, on filled areas. That gets difficult. I'd like to see a demonstration of how that has worked in the past and see efforts to improve that, to come out successfully.

Their mitigation proposal can work, but I just don't see in the EIR where they have demonstrated a background of success with that kind of mitigation.

PH 2-H

MR 3C

MR. PATRINO: Let me clarify. Jim, I think I heard you. I want to be sure I heard you right. I know what they are proposing is to relocate the riparian corridor, and I would need to know if that can be successfully done, as you said. I mean, will the little critters go where we think they should go? That's the bottom line.

The second thing is, the impression I got from what you said was, the same thing, to relocate a creek. You know, go in, fill it, and reestablish it. Again, that's a mystery to me. It's never been done before. So I will need to --

MR. BLICKENSTAFF: I would like to see that demonstration can be done successful.

MR. PATRINO: The riparian thing concerns me. Any time you mess around with our critters, that really

concerns me.

MR. BLICKENSTAFF: I'd like to believe that can be done, but I'd like more proof.

MR. PATRINO: Okay.

MR. O'LOANE: They've moved around a few times over the years.

MR. BLICKENSTAFF: Thank you.

MS. KERGER: Did you have any more comments? Yes, sir. Do you wish to --

MR. KLUNGREN: My name is Robert Klungren. I just want to point out that when many of the folks showed up today, we tried to get the agenda. Apparently, they ran out of comments. As people were filling out the cards, a lot of us put down environmental impact as an abbreviation or Northwest Specific Plan.

Most of the people that are here, as I look in the audience, have been preparing for the past few weeks for this meeting. They had serious concerns of the environmental impact and wanted to have the opportunity to speak tonight. It's difficult not getting an agenda. We didn't put down the right number.

MS. KERGER: Okay. I think Leslie has addressed that.

Correct, Leslie?

PH 2-H

MR 3C

PH 3-A

MR 14A

MS. MAGUE: Just for one speaker. Oh, no. What you have here for tonight. I'm not sure about anybody else.

MS. KERGER: I have Jim. Is there anyone else that wishes -- I see Mike Jones.

MR. JONES: Yes. I believe I wrote down Northwest Specific plan as the subject matter, but there is definitely many comments on the EIR.

MS. KERGER: Okay. Is this the PowerPoint?

MR. JONES: Yes.

MS. KERGER: Okay. Keep in mind ten minutes max, ten minutes. While you are setting up, the commissioners would like a short break. Okay. So we'll take a couple of minutes. Everybody can fill out a speaker card.

MS. MAGUE: He represents all of us.

MS. KERGER: All right.

(Recess.)

MS. KERGER: Let me tell you what we are going to do. We have a PowerPoint presentation by citizens that live in that area.

MS. MAGUE: No. Everywhere.

MS. KERGER: Well, I don't think it's everywhere --

MS. MAGUE: Many --

PH 3-A

MR 14A

1 MS. KERGER: Now, if we are going to start this
2 dialogue, we are going to start the dialogue right.
3 Otherwise, we are going to get real firm. I'm willing
4 to let Mr. Jones do the whole thing, but I'm not going
5 to have an hour presentation.
6 I'm hoping that the people in your community
7 that want to support this part of your public comment
8 are going to get up and say their name and say they
9 agree rather than each person coming up and talking for
10 ten or 15 minutes. Otherwise, I'll cut every public
11 comment to one minute.
12 This is not the only time you are going to have
13 an opportunity, and I wish that I would have known about
14 this earlier rather than right before I came to this
15 meeting and opened it up. I did not know that it was
16 going to be this long. We would have had some dialogue.
17 So please go ahead.
18 MR. JONES: Thank you. And just to make the
19 points, I'm here representing approximately 130 people
20 who signed up the petition. All the points on that
21 petition, we will review. I will try to be quick and
22 brief and to the point. The purpose of this is so we
23 can bring clarity to the issues, bring efficiency to the
24 process, and actually save time at the end so that 130
25 people don't have to stand up for even one minute at a

time.

MS. KERGER: Good. It starts with --

MR. JONES: Yeah. That is the same replication.

MS. KERGER: All right. Michael, please tell us where you are from.

MR. JONES: I live in what I believe some people have written in as Claremont Woods. I live in the Deerwood Ridge area.

MS. KERGER: Okay.

MR. JONES: One thing we want to bring up, and before we got to any of the points, we wanted to discuss the process, what we are going through.

We have been going through this for years as everyone has. One of the problems we keep running into is, we ask questions, and we are not getting answers. Tonight is a perfect example. We went to the meeting approximately six weeks ago. We made a lot of comments. We come to the next meeting. We are asked to make comments as soon as we walked into the meeting, but we've had no answers except for what I picked up tonight as answers to the comments that we made six weeks ago. So we are asked to make comments again before we have any further information, before our educational process has proceeded any further. It's very difficult for

PH 4-A

MR 14A

1 everyone to proceed through this in that manner.

2 MS. KERGER: Can I explain something to you?

3 The process is: There are three public hearings. The

4 three public hearings are to get comments from the

5 public. We will not respond to those until the final

6 and third public hearing.

7 We are to be getting information from the

8 public, and that's whole purpose of having three public

9 hearings. It's to find out what the community is really

10 trying to find out, or what they have concerns about.

11 We are not asking you to comment and make comments about

12 the same thing at every single meeting, no. What we

13 want are to make sure that we get everybody's questions,

14 not multiple of the same questions.

15 MR. JONES: Which can be an issue. One thing

16 we are finding as we've gone through this is that we

17 believe that the committees are not getting the emphasis

18 on some of the issues because it's encouraged that

19 people ask just once. People are asked to just bring up

20 an issue one time.

21 If someone says, "We need more houses," if

22 someone says, "This project is too large," the

23 committees are not able to judge where the emphasis is

24 on those two items.

25 MS. KERGER: Okay. Then, again, I wish that

PH 4-A

MR 14A

perhaps someone from your group would have contacted me. We could have had some dialogue about what your concerns are, and how we can expedite it because that isn't what I'm hearing. I mean, I'm glad to sit down and meet with all 130 people on this petition.

MR. JONES: We'd love to meet with you.

MS. KERGER: You know what?

MR. PATRINO: Let's set up a meeting.

MS. KERGER: I'll be glad to.

(Simultaneous audience speaking.)

MS. KERGER: This is not comment from the general public right now. This is dialogue between Mr. Jones and me. I'll be happy to do that. Okay?

MR. JONES: Yes. That would be very appreciated.

MS. KERGER: We'll talk afterwards.

MR. JONES: Great. I'll try to keep pushing the right button.

MR. PATRINO: A point of order for half a second. Don't get me wrong. I'm looking through this, and it's not until about the 25th page where you even mention the EIR, which is what we are talking about right now. So I think as a point of order, the rest of this presentation can be easily presented when we talk about the actual project and not the EIR.

Do you understand the difference?

MR. JONES: Yes.

MR. PATRINO: So if we can just cut to the part specifically where you start talking about environmental impact, traffic congestion, noise, and let's not talk about process. You know, we are not listening to that kind of stuff because that's not part of the EIR. Okay?

MR. JONES: Sure it is.

MS. KERGER: Part of this stuff, I can go through pages three and four right here, and those are part of the EIR.

MR. PATRINO: Okay. But --

MS. KERGER: So let us do this presentation.

MR. JONES: I apologize in that it intermixes.

MS. KERGER: I know.

MR. JONES: As lay people, we viewed it as one large issue at the last meeting we were at, we had all kind of combined at the same time.

MS. KERGER: I know. Go ahead.

MR. JONES: Okay. I'll try to go quickly. Outreach versus outcry, there has been a lot of talk about how much outreach has been done on this project. Unprecedented amounts is what I've heard, and there has been. The applicants have tried to reach out and get feedback. There's also feedback being given and what's

PH 4-B

MR 14A

being heard, a lot of what our major concerns are are not being represented, are not being followed up on. The emphasis, again, is not being understood.

We are feeling at the point of, we have outcry, and our outcry is not being heard, and yet there is congratulations for outreach. There is a disconnect. We want to bring clarity to the issue and make sure everybody is on the same page.

PH 4-B

MR 14A

The next couple of pages just go through some examples -- I won't read each one -- of what was heard, and what we've actually been saying.

Mostly the project is too large. Ordinance 197 is being violated, maintaining quality of life.

MS. KERGER: All of that is in our handout so we can read it?

MR. JONES: Yes.

MS. KERGER: Thank you.

PH 4-C

MR 8A

MR. JONES: This is a subject that a lot of us felt it was important to bring up because we feel like we've been clobbered over the head at this point. It's even been said by the council or people who represent the council that 77 percent of the people have voted for this.

Now, we are not going here to bash the democratic process. We understand that four people

showed up. Three said yes. One said no. That's how it works. We understand, but let's make sure we really understand who those 77 percent are, what that means. You know, it was a very small turnout. Very few people have voted for this.

As the population continues to grow, that amount of people comes with a smaller and smaller minority of the total population who are being affected by this, most of whom don't even know that this is occurring. They'll just find out at the end.

Lastly, when we get to total build-out. The total number of people who said yes to this will probably be about one in 20 residents, although 70 percent, 77 percent of the voters who voted for this said yes.

Let me go through a couple of pages, just talking about the requirements of the general plan, what needs to be in a specific plan, the different aspects of it.

One point that we like to make when we talk about the alternatives, the EIR talks about needing several alternatives to go through. The approach that we saw for a lot of the alternatives were almost designed to lose. Instead of trying to scale back all aspects of the project, often what we found was one

PH 4-C

MR 8A

PH 4-D

MR 13B

1 major part was just completely removed. Therefore, it
2 could not be acceptable to the general plan because it
3 did not meet the guidelines. That just did not seem
4 like an approach that should be taken. It didn't seem
5 like a balance was trying to be struck as people were
6 trying to look for alternatives here.
7 There are a lot of us, when we started this,
8 you know, our instinct is, "Don't build." We've come a
9 long way, and we are trying to accept change and
10 progress. You know, we are trying to work with this
11 process. We understand that things need to grow.
12 Things need to change, but it doesn't mean that it has
13 to be everything or nothing.
14 If those are the guidelines we have to live
15 under, I guess we choose nothing. We are willing to
16 work with everyone to reach a balance, to find what
17 works in all aspects, and to be open-minded about it,
18 what works for everyone. The applicants, the city, the
19 residents, the future residents, the environment,
20 everyone.
21 The main point we have is that given this
22 space, given the challenges that we are faced with the
23 topography, the area, 830 units is too much. It's way
24 too much. To achieve 830 units, heaven and earth
25 literally needs to be moved in this project to make that

PH 4-D

MR 13B

happen. That doesn't seem like something we really all want.

PH 4-D

MR 13B

Removing ridges to fill in valleys that create leveled areas so we can, you know, plop down housing units as close together as possible doesn't seem reasonable. It doesn't seem sustainable. We are not seeing enough other infrastructure within the town, especially given all the other projects that are either underway, in the planning process, or are coming down the road in the future potentially, given this 2020 plan, this is going to be sustainable. We are not seeing mitigating factors in other areas that are going to make quality of life for everyone, including the new people, be worthy of what we think this town should be.

PH 4-E

MR 14A, MR 15

This slide gives an overview of what is on the petition that you have in your hand. The main point here where we've talked about the number of units is excessive and need to be greatly reduced, then it has multiple subpoints, all of which would be affected by reducing the number of units.

PH 4-F

MR 13B, MR 15

If you reduce the number of units, each one of those will have a positive impact. It's all tied together. It's all interlaced. None of those can be separated out on their own. If you reduce the number of units, each one of these grading ridgelines maybe

doesn't have to happen.

Environmental impact would be much better. Mitigated open space requirements easier to achieve. Overcrowding of schools still an issue, but not as much. Traffic, parking, both of those could be alleviated. I'm not saying completely gone, but at least made better. Retail centers, they are starting to get crowded already. Water supply and water pressure, I know where we live, we have a lot of issues to begin with. Adding eight times as many homes into the area, it's making us nervous.

PH 4-F

MR 13B, MR 15

Access for emergency services, there's so many parts of this plan where the density is so high and so packed in, we are having a tough time understanding how a fire truck is going to get through, how an ambulance is going to get by. It needs to be considered.

PH 4-G

MR 10A

Relocating the spine road, this is something that has been coming from the comments of this group for quite a while. If the number of units was reduced, there would be more room to more easily move the spine road. You'll have a lot more flexibility in the plan if you weren't trying to jam in so many houses.

PH 4-H

MR 8B

Safety and security issues, again, bringing less traffic, moving things farther away from the existing neighborhoods, that can help to mitigate a lot

PH 4-I

MR 13B

of this. The duration of the project, right now we are looking at five years of a nightmare for people living there, five years.

MS. KERGER: Keep going.

MR. JONES: So, again, reduce the number of houses. Five years probably isn't the time frame we'll be looking at. Just generally, the quality of life for everybody. The people who already live there. The people who will be moving in.

People who live by Twin Creeks Elementary and have no idea that this is taking place, and yet some day they might find out that their kid has to be bussed all the way across town because their school has already filled up even though they live next door to Twin Creeks. There's a lot of people who would have their quality of life reduced by this.

Then we have additional concerns. These are ones that are not directly tied into all the rest or tied into the number of units being developed. This first one was touched on already tonight. The western plan area is not being included with the eastern plan area.

It's been very confusing for us to understand how these open space requirements are going to be handled when we are not seeing that part talked about.

PH 4-I

MR 13B

PH 4J

MR 11D

PH 4-K

MR 14B

1 You are looking at calculations of advantages and a
2 major piece of it is missing. So it's very tough for us
3 to get the picture on how the requirements are being met
4 when the pieces are being left out.
5 MS. KERGER: Is the eastern plan the Crow
6 Canyon Specific Plan?
7 MR. JONES: No.
8 MS. KERGER: What are you talking about?
9 MR. JONES: The Northwest Specific Plan, as
10 it's identified in the general plan, has basically the
11 part that's on the eastern side of Bollinger, which is
12 the Faria property. That's the eastern plan. Then the
13 Chu property and the Panetta property is the western
14 plan.
15 MS. KERGER: All right. Thank you.
16 MR. JONES: The school site, size, and uses,
17 this has been bouncing all around the board. There are
18 certainly requirements in the general plan, and then
19 we've seen the evolution through the specific plan. I
20 don't believe that they are any longer consistent with
21 each other.
22 The house of worship and the community
23 facility, I understand some of this might be changing.
24 As of the last time we all met, we were looking at
25 pretty much a church with a pool. We just don't see how

PH 4-K
MR 14B

PH 4-L
MR 8B

it's going to work.

MS. KERGER: A church with a pool?

MR. JONES: Yeah. We think there is a lot more can be worked on that one. A lot of alternatives can be brought up. Things that may be better to meet the needs of the entire community.

PH 4-L

MR 8B

Second units as part of the affordable housing component, this one is something that's kind of slipping in there. I can't really pin down the details on this one. It seems that there are a lot of plans, varying in number, for having second units. You know, in-law houses in your back yard. I can't tell if those are being included in the total number of dwelling units. I can't tell if they are being included in the affordable housing. I can't tell if they are being included as part of workforce housing.

PH 4-M

MR 8F

I'm the biggest proponent of our teachers, cops, and firemen should all live in the town that they work in. I'm just not sure that we are all thinking that they are also going to live in our back yards. You know, where is it going with this?

It seems there is a great potential for the numbers of these second units to escalate, and I'm not sure that's being counted as part of the total number of dwelling units. For each one of those that goes in,

PH 4-M

MR 8F

crowded schools, more traffic, parking problems, air quality. You see how it escalates from there.

Then lack of connections to mass transit. A lot of pieces of this plan are designed like you might see built around the BART station, but it's not a BART station. So although you have this high density, and you might have the idea that a lot of these people maybe want to have cars, or don't have so many cars -- they are living on the side of a hill. Mass transit is no closer to them than it's been. It's still down Crow Canyon, San Ramon Valley Boulevard. They are not going to walk. They are going to drive everywhere they go. Since a lot of them are living in high-density places, and they have to have cars, parking is tough. Traffic is tough. I think the only time they are going to walk is if their car is double-parked in, or they are afraid to give up their spot. It needs to be worked on.

PH 4-N

MR 10F

If we continue to plan communities like this and we continue to build like this and we are not tied into mass transit, a lot of the dominos are going to start falling here. It doesn't make sense.

So this is the overview. We can start walking through each one of these. I will try to go fast. I'll try to delve a little bit more here and there.

MS. KERGER: Can I just give kind of like a

heads-up of what I'm hearing are your problems or your concerns?

MR. JONES: Concerns.

MS. KERGER: All right. Let me just go through. Number one: Too many units?

MR. JONES: M-hm.

MS. KERGER: Grading is a problem. Mass transit problems, school size, church size, water pressure availability, access of emergency services, relocation of the spine road. Duration of the project, too long. Lack of notice to other parts of the community.

You named the Twin Creeks school, but I have to tell you I live around Twin Creeks. I got three notices about the Northwestern Pacific Plan. Believe me, they all weren't addressed to Donna Kerger, Planning Commissioner, and my neighbors got them.

So let me just say that I live in that area. So if they are not paying attention, there is a problem.

The emergency plan is an issue. There is not enough. Secondary units, which is inclusionary housing. I think that was it.

Is that kind of like --

MR. JONES: We have the EIR issues, environmental impacts.

1 MS. KERGER: Well, okay. We are going to go to
2 those next. Okay?
3 MR. JONES: Yes.
4 Would you like me to go in order or skip
5 around?
6 MS. KERGER: I want you to do it in the best
7 way you know how to do it, and I leave that up to you.
8 MR. JONES: So I will go in order. Next up we
9 are going to discuss Ordinance 197, the grading of the
10 ridgelines. I do apologize everyone. I'm a lay person.
11 I've done my best to read between the lines, to read the
12 lines between the lines --
13 MS. KERGER: I know.
14 MR. JONES: -- to get a good understanding.
15 MS. KERGER: It's not a really good plan,
16 right? It's difficult to understand.
17 MR. JONES: Well, it also depends what document
18 you are reading, when the document was published, who
19 wrote the document, and if everything was actually
20 included in that document. So you need to do a lot of
21 reading, a lot of cross-referencing and good
22 memorization --
23 MS. KERGER: Yes.
24 MR. JONES: -- and try to put it all together.
25 MS. KERGER: Okay.

PH 4-O

MR 8C

MR. JONES: You know, as we've gone through this -- you know, as you read the general plan, it goes over and over talking about preserving ridgelines, preserving open space. It gets in such detail that you almost feel at the end, you know, it's your duty to jump in front of a bulldozer if someone is trying to grade a ridgeline. It goes to the Nth degree, and yet you are seeing this.

These higher ridgelines are being wiped away. If there is Ordinance 197, and you have the -- what is it? -- RCOD and you have all of these regulations, how is this being done? It's very confusing.

It just feels that -- you know, if Ordinance 197 was voted in and here is something of a major ridgeline that you can see. As soon as you get on to 680 from 580, you can start seeing that. This is just not in the spirit of what the voters intended when they voted in 197.

So the general plan goes on to talk about how there is an exemption process. Okay? So somebody wrote a loophole. Great. You know, I've tried my best to understand that. I've gone through the loophole. I understand how it works. I also understand that there needs to be voter approval if an exemption is requested. Got it. Okay.

PH 4-O

MR 8C

Then we go through talking about, you know, the major view sheds, and how this is such prime space. With the exemption, you can swap out land from another area contiguous or meets some other requirements. You know, one of the things we are thinking about. I don't know if anyone here has even driven past the other part, the Faria easement property. If you even know where it is, you probably don't even realize you are going past it.

I'm very uncertain what this town is going to get out of it. I don't know what this town is going to do with it. It's not part of the town. That's an issue. Yes, there will be a permanent easement so there will be no building.

I read through the general plan. From what it says, they probably are not going to build there anyway. If they did, it would be very limited. If you build, then that would open up other space within the Bollinger Canyon area that's never been built on. So I'm feeling that building there is not really going to happen based on the general plan, if that doesn't get changed, if the lines don't get moved again.

So it's just confusing how we are going to pass up having pristine ridgelines that we went to the Nth degree in the general plan to say it's so valuable, and

PH 4-P

MR 8C

1 we are going to trade them in for some land that most
2 people will never see, will never know is there. They
3 probably won't even be able to do anything with it.
4 I don't see it being a park. I don't know
5 where it's going to go. I'm just not sure why we want
6 to do it. It's not part of the town. So the town would
7 have to worry about that as well.
8 So here is a look at the three ridgelines, and
9 the areas in yellow are the areas that are going to be
10 graded. They are going to be obliterated. They are
11 going to be removed. All that dirt is going to be
12 pulled out. It's going to fill in all the valleys.
13 It's going to make nice flat areas so we can plop 830
14 units. This is a major, major part of the area. This
15 isn't one. It is not a minor ridgeline. These are
16 major ridgelines. It is right in the middle of the plan
17 area, and it takes up a tremendous part of the area.
18 Everybody can see it from the rest of the town.
19 You know, I've started to worry that as cars
20 are going up to 680, people are not only going to be
21 looking at this for years. That's what we've talked
22 about. They see our hill size, and it's part of San
23 Ramon. It's part of what people think about us.
24 After two years, people are going to think that
25 we are into strip-mining. It's going to be horrendous,

PH 4-P
MR 8C

PH 4-Q
MR 8C

PH 4-R
MR 1A

and it's going to be two years of grading before the project of building things even starts. It's two years to denude this area of valuable ridgelines. Yet, the Northwest Specific Plan keeps talking about how it's doing so much to preserve two major ridgelines. I don't get how that's preserving. That certainly doesn't seem what Ordinance 197 was looking for. I don't think that this is what people who voted for this thought they were getting. That's the democratic process, but I don't think they knew this is the boat they jumped in.

PH 4-R

MR 1A

Well, grading sometimes has problems. This is the view from where I live. This is Thomas Ranch. Those are people sweating down there thinking about the rainy season coming up. I'm going to be living at the bottom of some other ridgelines getting graded. I'm going to be worried that land that went through an EIR, that had everything mitigated, that all of this was deemed reasonable by the consulting firms, a couple of years later, it's going to be sliding into my back yard.

PH 4-S

MR 5A

You know, we talk about demand for houses and values of homes. I bet all the people whose back yard looks at that right now are sitting there thinking "Who is going to want to buy my house? There is a landslide coming my way, and that might be us next." That's not a good thing. This shouldn't be done lightly, you know,

grading ridgelines, removing topsoil that is there that, you know, holds the earth, that absorbs the water. You can see what happens. You know, this isn't some photo I pulled out of some file I found somewhere. I took the shot yesterday from out in our street.

PH 4-S

MR 5A

MS. KERGER: All right. Michael, we'll talk about that after.

MR. JONES: It's a concern. I believe in Pittsburg, they are having the same issues where they've graded, and now they are having slides.

MS. KERGER: You live in the State of California, and I don't know what's causing that and neither do you because neither one of us are professionals. Perhaps there is a professional that can at some point tell us what could be happening to that. I mean --

MR. JONES: I know they are showing a lot of views of the plan area, and how it's not going to look too bad. You know, the houses are going to be so small, you aren't going to see much. Every person that drives on Crow Canyon now sees this. So think about what people might be seeing in the future.

PH 4-T

MR 1A

We have the RCOD, and clearly it's spelled out very specifically as slope density building. There seems to be a lot of protection built in here. Again,

PH 4-U

MR 8C

1 we are dealing with this plan where it seems that they
2 are able to get past all of this, and it's confusing to
3 people. They can't understand if so much time and
4 effort was put in to making sure that this was put in
5 place to prevent things like this happening, how do we
6 find ourselves in a situation where this is happening?
7 When you look at the topography of the site,
8 and you take in the RCOD requirements, you think about
9 how many units can be put in there based on the slope
10 densities, you are talking about 200 units. To get to
11 830, you've got to chop off entire ridgelines, turn it
12 over, fill it in, level it out. That's how you do it.
13 That is not what RCOD was thinking. It's not what
14 Ordinance 197 was thinking.
15 If I can for a moment, if you don't mind, I'd
16 like to go back one slide.
17 MS. KERGER: No. I'm kidding.
18 MR. JONES: I apologize for this, again. I'm a
19 lay person, and I've done my best to read through the
20 lines. Sometimes the light bulb goes on when I'm in the
21 shower, and I've already sent my presentation in. I
22 tried and I tried to understand how this project doesn't
23 need to have voter approval for this exception.
24 Ordinance 197 clearly spells out, here is the
25 ordinance, don't build within 100 feet of a major

PH 4-U

MR 8C

1 ridgeline. But if something like that is going to
2 happen, here is the process of getting an exception.
3 Here is how much land you can mitigate with from an
4 outside property. Yet, this plan doesn't seem to need
5 that, and I couldn't understand why.
6 I went all through the general plan two or
7 three times. I need to get better reading material. I
8 know that. You are talking about 250 pages, and not
9 once does it ever talk about grading these ridgelines.
10 Not once, not in the text. Remember, this is what was
11 voted in. 77 percent of the people who showed up that
12 day and said yes, voted yes for the general plan 2020,
13 which apparently says we can grade those ridgelines.
14 I finally figured it out just before I came to
15 the meeting. There is one diagram. In 250 pages of the
16 general plan, there is one diagram. I apologize. The
17 important verbiage you need on here is the fine print
18 below the fine print, below the fine print in about
19 three-point font.
20 If you look very, very closely, there is this
21 tiny, little spec over here that's red. There is a
22 little tiny legend over here that basically says that
23 area can be graded. That's it. That's it. That's the
24 general plan. 250 pages do not mention one single time,
25 but this is it on this little diagram. That opens the

PH 4-U

MR 8C

door. That has opened the floodgate.

What has happened because of this, this Northwest Specific Plan part doesn't have to apply for exemption. The exemption has already been voted in, but nobody knows they even did it.

Now, I'm thinking that this is probably just an oversight. I'm thinking that, you know, there is no way this town would have snuck that in, and someone would, you know, have tried to get one over on the voters. I'm thinking that -- you know, why would people be deceived this way, and it's probably just something where they didn't realize this was on this one map.

So I'm thinking what we should do is start the process to put an amendment into the general plan to remove this diagram that says those ridgelines can be graded. And then if a specific plan applicant wishes to apply for an exemption, they can follow the process to apply for an exemption, which would then have to be voter approved, and we would all go into it with eyes wide open. I do not think one single person in this room, and you guys are scrambling looking at what you are reading, you even know that's there.

MR. VIERS: I know it's there.

MS. KERGER: We all know it's there.

MR. VIERS: We'll be glad to listen to you, but

PH 4-U

MR 8C

1 don't assume we don't know the land. We've worked on it
2 for years. So we know.
3 MS. KERGER: We know.
4 MR. JONES: Well, I'm sorry to upset you, and I
5 know this isn't a dialogue part.
6 MS. KERGER: No.
7 MR. JONES: I'm just curious why it wasn't
8 described in the textual part. When you read through
9 it, and especially since the general plan does go
10 through the different specific plan areas, it's
11 confusing to a lay person why this is not specifically
12 described. We went back and looked at what the voters
13 were given. We looked at the pamphlets. There is
14 nothing, nothing about this at all, in what the voters
15 were given when they were making their decisions on what
16 they were going to vote for.
17 MS. KERGER: There will be a response to all of
18 your questions. Go ahead.
19 MR. JONES: So --
20 MR. O'LOANE: Can we get a little time check?
21 How we are doing in terms of your sense where we are?
22 MR. JONES: I think that was the big one.
23 MS. KERGER: He is asking you how much more
24 time do you think you'll be spending?
25 MR. JONES: We can roll through it in 30

PH 4-U

MR 8C

minutes.

MS. KERGER: I gave you a whole hour of which you've already taken 30.

MR. JONES: Yes.

MS. KERGER: We talked about not having it for an hour.

MR. JONES: I have 130 people who would sign a card and stand up here. These are important issues, and they --

MS. KERGER: That's exactly why you are getting the time.

MR. JONES: How about this? I will make the pledge to go as fast as I can. I really will. We'll start cruising through, but there are some important EIR issues. There are obviously aspects that I've touched on already in case we got to this point. So I tried to highlight them a bit.

MR. O'LOANE: I appreciate that. We are trying to listen. If you can hit the points, it's just easier to listen. That's all.

MR. JONES: Sure.

MR. O'LOANE: That's all I'm trying to say.

MR. JONES: Okay. The next part talks about some of the EIR issues, some of which have already been talked about tonight.

The ozone standards, the testing wasn't even done. They knew right off the bat that the requirements could never be met. We have to wonder, is the EIR complete if the testing can't even be done? It seems to be a major hang-up point. There is no way to mitigate around it.

PH 4-V

MR 2A

There are obviously air quality issues. You are talking about an area where you are going to have more and more seniors. You are talking about building senior housing. There is already existing senior housing. You are talking about new development. Often that means infants, other people who are already challenged with some of their breathing capacity, things of that nature, and we have to wonder with these many issues that are significant and unavoidable, should development go forward, or what can be done to try to mitigate this?

Again, some of these can't be mitigated at all. So it seems, again, these are tied to the number of dwelling units. Reduce the number of dwelling units, try to positively affect a lot of these issues since they are all tied together.

Noise, obviously I would think you are well aware noise will be an issue. The EIR did not think it would be a problem. One thing that we noticed where we

PH 4-W

MR 9B

1 live, because we are on the hillside, there is a lot of
2 reverberation from sound. Cars drive up from Crow
3 Canyon, motorcycles, trucks. The sound just echoes
4 around. So there is one thing about decibel levels, but
5 when you have this hillside, and the sound is bouncing,
6 it really gets accentuated. I think the issue is a lot
7 larger that it was represented in the EIR.

PH 4-W

MR 9B

8 Also, there are a lot of people who are
9 concerned about when construction would actually be
10 taking place, the hours of construction, how to mitigate
11 some of the dust issues. You know, five years of
12 grading, our houses are going to be a mess. There is a
13 lot that could be done, and we are certainly willing to
14 talk to the council about it on plans and alternatives
15 and try to make that better.

PH 4-X

MR 2B

16 Wildlife is a big part of the EIR. There are
17 certainly a lot of special status species in the area.
18 One of the highlights here is that we have a lack of
19 ground squirrels. We have a lack of ground squirrels
20 because we have eagles, hawks, falcons. We also have a
21 lack of pigeons -- it's really nice -- because we have a
22 lot of eagles, hawks, falcons. When the building goes
23 in, I know we are going to have the pigeons because they
24 are not going to fear for their life anymore.

PH 4-Y

MR 3E

25 So one of the important points here is, in the

1 EIR, the assumption was made that since there wasn't a
2 large presence of ground squirrels -- I know there are
3 some, but there's not many because I guess they are
4 really tasty. Then probably there are no burrowing owls
5 or tiger salamanders due to a lack of ground squirrels'
6 burrows not being available.
7 So as we've gone through this -- and we realize
8 that, man, I think I've seen burrowing owls now that I
9 know what they are, and I looked it up. Tiger
10 salamanders, you know, we've seen them, if you spent a
11 lot of time. I'm not saying they are all over the
12 place. These are special status species.
13 So we did our research. It turns out that
14 these things live in gopher holes. Gopher holes, we
15 got. I can't throw a stick without hitting gopher
16 holes. We've got gophers everywhere. Burrowing owls
17 are sometimes called gopher owls. It's not because they
18 eat gophers. I wish they did. Apparently, they love
19 them. It's because they live in gopher holes.
20 So I think the EIR needs to spend a little bit
21 more time looking at some of these special status
22 species, not making narrow assumptions, and --
23 MS. KERGER: I don't understand what your
24 concern is with the wildlife. Either we don't have it,
25 or you think that the EIR should mention --

PH 4-Y

MR 3E

MR. JONES: Each of these, the EIR, except for the tiger salamander and the burrowing owl, has set as a special status species in our area. Special status species should mitigate, and I think it needs to be weighed how much mitigation should be done.

PH 4-Y

MR 3E

It sounds like we are moving creeks. We are moving trees. You know, how much are we going to move? Some of these, they like their preferred habitat of open pasture land, which we'll be doing away with, at least in that area.

Open space requirements, I will try not to spend too much time on this. A lot of this is tied up to Ordinance 197. The ridgeline, et cetera.

Again, to a lot of people, it was confusing how these open space requirements were being met. They realize there is the easement area. They realize the 7525 rule. They realize that if you get an exemption, you need to get 80 percent. I think I touched on a lot of this before. I think an amendment would require re-looking at a lot of this. I'm not going to spend too much time on this now for all of your sake.

PH 4-Z

MR 8D

Here is a good representation though, and I want to point out that I altered this slide. I want to make sure everybody realizes that. The orange areas, that's the house of worship and the school. I changed

them from white to orange because I wanted people to focus on white areas.

Also, the Panetta property was green. Just for everyone's knowledge, a lot of times the Panetta property is misrepresented as a park or parkland. I think just through confusion, they are late into the process. A lot of times you see that as green. It looks like a park.

There is a talk of a two-acre neighborhood park in the western plan area. That's not it. I made it white because my assumption is that as a private property, it would not be open space. You know, there might be one dwelling on it, but I don't think the rest of the 2.5 acres would be considered open space.

So the visual process here was to just look at the white parts of this. That's the build-out, and really just kind of eyeball it yourself and say, "Is that 25 percent?" It's tough to get a real read on this. To me, it looks like more. You know, I know that there is the easement areas that help make the 80/20 part. There is also the exemption process, and there is the specifics how you deal with the exemption process, which really only allows us 5 percent outside of the plan area.

One of the major questions we have is roads.

PH 4-Z

MR 8C

1 I've seen that San Ramon county roads, they assume that
2 roads are 15 percent of a lot size. Well, there's a lot
3 of additional roads that are not part of the
4 communities. We have a big spine road that is as wide
5 as Crow Canyon. That's a lot of property. We'd like to
6 get clarifications when you answer. Are roads
7 considered open space? Are they considered build-out?
8 I would think it's build-out. Otherwise, I would think
9 it's open space, and I'm not thinking that. We'd like
10 to get clarification on that.
11 Then we look at the 25 percent. As you have a
12 major spine road rolling through there, how does that
13 factor into that 25 percent?
14 Now, I did this really just for everyone's
15 benefit. Everyone who has copy of this, maybe this will
16 help them understand Ordinance 197, the requirements for
17 open space, the exemption process.
18 The basic point here when everyone looks at
19 it -- I just tried to simplify it down -- here is a
20 100-acre property in fiction land. Hopefully, the math
21 helps people understand. The main point here at the end
22 is, if only this 5 percent piece will come in from the
23 easement, why is the Faria easement almost 50 percent
24 the size of the Faria property? Why does it seem
25 necessary to come up to that 80 percent guideline? That

PH 4-Z

MR 8C

is a bit confusing, and I think that needs to be addressed.

MS. KERGER: You are talking about the 5 percent?

MR. JONES: Excuse me?

MS. KERGER: You are talking about the 5 percent?

MR. JONES: Yes. Five percent is what you are allowed to pull from outside, which of course you make it two for one. So it's 10 percent outside, but it counts as 5 percent inside. I see the piece of property is 15 percent the size of the Faria property. So it's ten times as much.

We just want to make sure that everybody understands how it works, and it will probably make sense if we all just, you know, sharpen our pencils and make sure we consult the numbers and we agree on it.

Now, after all that, we looked at the open space requirements. Then I got into digging into parks and talking about what the general plan has said are the requirements for park space, acreage for park space, and how that details out for residents.

Then it breaks it down further into neighborhood parks and community parks. This plan has one each. We have a neighborhood park and a community

PH 4-Z

MR 8C

PH 4-AA

MR 11C

park. Now, keep in mind, a neighborhood park needs to be a minimum two acres. So there is a two-acre neighborhood park that's being planned in the western area, but that also has a requirement of 4.5 acres per 1,000 residents within a half mile radius. So I apologize to everybody about my really bad PowerPoint-ism in drawing my arrows and trying to make radiuses, and I realize it's rough.

MS. KERGER: No. I think you did a good job.

MR. JONES: But I tried to eyeball it. I tried -- sitting here, I was scratching the numbers. I came up out with an extremely conservative estimate, that 800 people would be within that neighborhood park. So 800 people would be, you know, fourth-fifths of the 4.5 acres requirement. So that park would need to be at least 3.5 acres. So that park is a little too small, and it just looks like adding park size to make them up to spec for what's in the general plan, it puts a little more stress on these open space requirements.

Then we get to the community park. The community park looks at a radius of three miles. And if we are looking at the general plan build-out for 96,000 residents by 2020 and three miles -- I mean, I drove over here from that area. It wasn't even two miles. So it's a pretty big area. I'm trying not to include

PH 4-AA

MR 11C

Danville. I assume that's not included, even though they are right there.

At a conservative estimate, 20,000 people would live in that zone. So 20,000 people at two acres per 1,000 residents comes out to a 40-acre park. That's kind of big. This is a 12.7 acre park, plus there is a half acre rose garden a little farther down the line.

MR. O'LOANE: Central park --

MR. JONES: Central park gets covered by this, but that is the definition of a community park.

MR. O'LOANE: It's additive, isn't it, to --

MR. PATRINO: It's part of how you view that particular ratio.

MR. JONES: If there are clarifications that anyone can provide in your responses, that would be very and greatly appreciated.

MS. KERGER: They are marking them all down.

MR. JONES: Just for the record, it also mentions in the general plan that going forward, all schools that are built would also be school parks. So any school site would also have to have a park feature added into it.

Okay. School, at our last meeting, someone very articulate from the San Ramon Board gave a lot of math, which is nice to finally hear math. They went

PH 4-AA

MR 11C

PH 4-BB

MR 11D

through all their numbers. At the end of the day, they talked about capacity and the Northwest Specific Plan and the Crow Canyon Plan, any other thing that's being built.

They looked at the schools they already had. Although the general plan said that there is a great need for a school in this area, and it would most likely be an elementary school, San Ramon doesn't want a school. They've said that they feel comfortable that they don't need a school because they have an under-capacity of five. It's kind of a mysterious thing to me, five.

You know, thousands of people moving and doing all sorts of math problems, they forgot how many of them will have kids and how many of them will go to our schools. At the end of the day, they make it five. It was a little worrisome.

I know that my daughter when she went to Twin Creeks last year, there was a waiting list for kindergarten. That's before we put in 1,500 homes between this plan and the Crow Canyon plan. So it's something to be concerned about.

MS. KERGER: We need to bring them to the table, and we've said it for years. So we agree with you.

PH 4-BB

MR 11D

MR. JONES: Okay. Thank you for that response and commentary.

MR. SACHS: They need to bring us to the table on that. Your plan of schools is very good. You said San Ramon doesn't need the school, and maybe someone would infer from that that the city council or the decision-makers within the City of San Ramon don't want that school. I would hope that you will be clear on this issue, that this is the San Ramon Valley Unified School District's decision. They tend to make those decisions within their confines of their district office. I've talked to people on the city staff and city council members, including the mayor. They don't bring in individuals from the city. They need to get us at the table as well.

PH 4-BB

MR 11D

MR. JONES: We definitely have gotten that impression. You know, it certainly seems like San Ramon -- the council is looking for a school. They feel there is a need, and it seems a lot of eyes popped open when they were told, you know, "We don't need one." I know even the applicant, they are ready to make a school.

MR. SACHS: Look what they did to Dougherty Valley. That's all you need to know. I apologize.

MS. KERGER: All right. Can we go to traffic?

PH 4-CC

MR 10C

MR. JONES: Traffic congestion, I think you get the point. I even saw there was something put in a commentary tonight some of the projections they were incorrect in the EIR. They need to be pumped up.

PH 4-CC

MR 10C

We don't see road improvements occurring in the area. I know it talks about -- you know, there's some measures that are going to be put into effect. We are not sure what they are. We are not sure how calm that's going to be, but we do feel like there is going to be an awful lot of car trips down that hill and past our houses and adding into the rest of the area, which is already getting congested more and more every day.

PH 4-DD

MR 10B, MR 10D

Parking, now obviously it's something that the general plan stresses quite a bit. There's a lot of guidelines for how much parking per dwelling unit based on the zoning. How many covered units? How many other units outside, et cetera. You know, it looks like the general plan is trying to do a good job on covering that. The Northwest Specific Plan has tried to meet the guidelines in a lot of areas, but in some areas it seemed a little mysterious.

PH 4-EE

MR 10E

MS. KERGER: Such as?

MR. JONES: Such as neighborhood C, particularly the townhomes.

MR. PATRINO: Who?

MS. KERGER: Okay.

MR. JONES: To date, I cannot find any plan for parking. I have seen one document saying that it seems like they've met the requirements, and it's okay. We don't need to talk about it more. I looked at the map. I don't see garages. I looked at the architecture plan. There's no garages. There is no underground parking.

PH 4-EE

MR 10E

MS. KERGER: Do point bullets on this because it's getting -- the real reason why we didn't want this to last for an hour is, you are not the only one, and this is the only other item.

The longer we talk, the later it gets in the evening, the less concentration we have to really do our job and do it well. And as I explained to you earlier, this isn't the last hearing on this issue. So if you would give us your bullet points on your areas, that would be really, really helpful. I mean, to have the dialogue isn't going to make it easier.

MR. JONES: Okay.

MS. KERGER: Okay?

MR. JONES: So just to breeze through this park, Neighborhood B seems a concern. The density is so high and the parking seems so limited. Neighborhood C, again, maybe the mystery has been cracked, but it looks like they are all going to be private roads. So we are

wondering if they are all going to be deeded spaces out on the street.

Again, a lot of this ties into the number of units. If the number of units were decreased, and a lot of these could at least be mitigated to some degree, I think you can even see how that plan can tie into emergency access, which is one of our points. If there's going to be cars everywhere, how is an ambulance going to get through or a fire truck.

Garage sizes is one last point. I see that's already been brought up as part of the process, and some of that needs to be re-worked. I live in a neighborhood myself where we have smaller garages than we were supposed to. The end result is more cars are on the street. Since there are no parks, the kids play in the street. Cars are everywhere. It's getting pretty ugly.

Retail centers, again, all of this is tying in. The congestion, the traffic, the parking. We are not seeing additional build-out in the retail space. Stores seem to have no retail aspect to it. So all of that is going to come over to someone's way. A lot of that is going to start coming our way and then stressing the infrastructure.

Keep in mind, the proximity of Danville, it's closer for people in the southern end of Danville to

PH 4-EE
MR 10E

PH 4-FF
MR 10 A

PH 4-GG
MR 10E

PH 4-HH
MR 15

1 come to San Ramon than it is to go to downtown Danville.
2 So a lot of those people will be coming this way as
3 well. It's started to get a little crowded. It's good
4 for the shops owners, but eventually may be bad for the
5 shoppers.
6 Water pressure, again, in our area, we already
7 have difficulties. A lot of the houses have water pumps
8 to artificially improve the water pressure. I
9 understand that there will need to be an entire new
10 elevation put in a separate part of the system.
11 It's still concerning to us looking at eight
12 times as many homes going up there.
13 MS. KERGER: New pressure zone.
14 MR. JONES: New pressure zone. You have to
15 wonder, you know, a lot of times -- as I understand it,
16 your water bill is basically determined by the elevation
17 you are at. The higher they pump it, the more it costs.
18 Do these people realize it's going to cost them a lot
19 more for water than it does for the people right next to
20 them.
21 Will some people in this room possibly, maybe
22 as they go over Deerwood, would they be included into
23 that new pressure zone, and will their bill go up? It's
24 something to think about.
25 Emergency access, again, it's too tight in some

PH 4-HH

MR 15

PH-4-II

MR 11E

PH 4-JJ
MR 10A

1 of these spots. You know, I know there are certain fire
2 regulations and things will have to be -- you know, make
3 sure that they adhere to what side of the street you can
4 park on. Things of that nature. I think we do have to
5 worry about, again, that mystery area in Neighborhood C.
6 You know, if there is a private road, are the
7 regulations different? Is this a way to get around the
8 regulations? If everybody is parked on the street, do
9 we have to worry more about people double parking,
10 parking all over the place, delivery trucks, et cetera?
11 When you look at those maps and you think about
12 a ladder trying to wind its way all the way to the back
13 there, it might not be able to do it. So it's
14 something to think about.
15 Of course, you know, garbage is even an issue.
16 Some of these plans particularly in Neighborhood B,
17 which is not auto-dominated in the front, you are not
18 even sure where the garbage trucks are going, where the
19 trash cans are being stored. It gets a little
20 confusing. It's just not spelled out.
21 Relocating the spine road, for the people in
22 the existing neighborhoods, it feels like the spine road
23 has a lot of issues that come with it. Obviously, the
24 pollution, the noise, but also parking along the spine
25 road. Additional safety concerns of granting much

PH 4-JJ
MR 10A

PH 4-KK
MR 10A

PH 4-LL
MR 10A

1 greater access to our back yards. You know, today we
2 have cows in our back yards, which is very comforting.
3 It just seems that if the number of homes were
4 reduced, there would be a lot more flexibility in the
5 plan. Obviously, the end of the spine road already is
6 going through an area that is not part of the Northwest
7 Specific plan. So it may even be that we can find a
8 route that goes farther to the north and stays within
9 the plan or even possibly stays within that easement
10 area since it seems that it's available.
11 The parking lot for Merrill Gardens, this one
12 sort of popped in on us.
13 MS. KERGER: Well, we are going to go through
14 this pop real quick, right?
15 MR. JONES: We'll go through it real fast. It
16 wasn't there before, it's there now, and it's right in
17 some people's back yards. Again, reduce the number of
18 homes. I think if this parking is really needed, you
19 can probably move this parking lot right along
20 Bollinger, maybe even on the other side of Bollinger.
21 There is space there.
22 What we are hearing from Merrill, they probably
23 don't need the parking. In fact, they had a parking lot
24 and filled it in to build another building. So where is
25 this new need coming for another parking lot again?

PH 4-LL

MR 10A

PH 4-MM

MR 10A

PH 4-NN

MR 10G

So it seems a little egregious that, you know, it was suddenly designed right into someone's back yard practically with a little access driveway right outside their fence. We just don't think it needs to be there. There's a lot of alternatives that can be worked on that one. Here are some views of the proximity of Merrill Gardens.

PH 4-NN

MR 10G

Safety and security, again, a lot of this -- they intermix. The farther --

MS. KERGER: Go ahead.

MR. JONES: The farther things are moved away from the existing neighborhoods, the better it will be for everybody involved. If the traffic is really high, if there is that much more congestion, if we are having parking all along there, then there's a lot more concerns for the people who are living in those existing neighborhoods that they don't have today.

PH 4-OO

MR 9A

Duration, it's a five-year plan, five years. Brick number one doesn't get laid until two years of grading. It will drive people insane, especially looking right out their windows.

Dougherty Valley was bad enough. But when they started, no one lived there. Now, you are talking about five years right out your window every single day hearing it. Every single day feeling it. When they

1 built that extra building on Merrill Gardens, we went
2 nuts for three months hearing the trucks backing up,
3 beeping all over the place, not to mention the wildlife
4 that came into our back yards. Rats, snakes, and
5 everything else. It was pretty tough.
6 Now, we understand growth needs to occur. We
7 understand, you know, balance can be found. We think
8 five years is too long. Two years, which is long, is
9 probably about all everybody could really withstand. If
10 you greatly reduce the number of homes, maybe two years
11 could be reached. If you don't take out the entire
12 ridgelines, maybe two years can be reached. So it's
13 something to think about.
14 When we think about five years, you know, think
15 about kids that are not even born yet. For five years,
16 all they'll know is the noise of the trucks and the view
17 and the sound and the smell. They will be six before
18 they -- "What's that"? "That's silence." It will be
19 strange to them. Think about that.
20 General quality of life, again, all of this
21 intertwines. All of this interrelates. The more units
22 you build, the lower the quality of life becomes for the
23 people who already live there, and frankly for the
24 people who will move into there. You'll be cramming
25 people into a spot. You won't have an area that can

PH 4-OO

MR 9A

sustain the new building, and it will be better for everyone if it's just reduced in size, this project.

Again, the time frames, I mean, just as an example, five years ago, there was no 9-11. It didn't even happen yet. No one even knew about it. There was nothing. Five years. That's a long time. Five years from when this project starts, there will be two more summer Olympics. I mean, that's a long time.

MR. O'LOANE: There will be one in 2008. Just kidding.

PH 4-OO

MR 9A

MR. JONES: Let's get through the additional concerns. This part will go fast.

The western plan area, it's already been touched on tonight. It's confusing to us why it's not being included in the calculation. Why that's not part of what's being discussed. We need to bring that up to speed, and we need to make sure when the western --

PH 4-PP

MR 14B

MS. KERGER: You've already covered the western side. So let's go on to the school size.

MR. JONES: School size and uses, the general plan says the site for a school -- and it specifically says school -- needs to be 15 to 20 acres at a minimum.

The Northwest Specific Plan started at 15 and 20 acres. By the way, the requirement is that if a school is not built, it reverts to open space or

PH 4-QQ

MR 11D

parkland. Eventually, the specific plan grew to where it was only eight acres and still said that it would revert back to open space if a school wasn't built.

Now, it's being called an educational facility. It's 1.6 acres, and there is no longer any mention of anything reverting back. I'm scratching my head how we lost 15 to 20 acres, and I'm scratching my head how an outreach facility could equal a school.

PH 4-QQ

MR 11D

Certainly, we've all heard from the school board where they are sitting there thinking, "Boy, we need a bus barn. We need a maintenance facility." I don't think we are all thinking that we are going to grade our ridgelines and then line up a bunch of buses in our bus parking lot up on our hillside. So let's think about what's going on here. The general plan said 15 to 20 acres for a school. If no school, it becomes open space.

House of worship and the community facility, again, I understand some of this might be changing. As of the last meeting, we were looking at a mixed use area, maybe the way to say it, where it would be a house of worship and also some amenities, such as a swimming pool and maybe a day-care and community center.

PH 4-RR

MR 8B

It seems very confusing how the two harmoniously coexist. I'm not sure that we'd be looking

1 for a house of worship to be running a public pool or
2 even a private pool. The issue gets a little too
3 confusing. I think they are better off not being mixed
4 in that way.
5 Those are great amenities to have, but I think
6 more work needs to be done. Better alternatives can be
7 brought up. One alternative I'd like to throw out
8 there, especially -- since we are looking at not maybe
9 building a school, although we thought there would be a
10 school, maybe a house of worship is not the best way to
11 go to best meet the needs of all the residents.
12 We are looking at an area where there will be
13 senior centers on either end. You are looking at
14 demographics where there is probably going to be
15 increasing senior population. At present, the only
16 senior center in town is far opposite on the other side
17 of town as you can get.
18 I think more can be done to find some uses that
19 would be universally appreciated by residents and
20 possibly not put into an environment that might be
21 exclusionary, whether it's a private pool, whether it's
22 a house of worship that really is only useful to the
23 people who are members of that congregation.
24 I think if we are looking at this type of
25 public land, there is a lot that can be done. One thing

PH 4-RR

MR 8B

1 to think about the house of worship, we might go through
2 all the rigamarole to iron this out, and it still might
3 not get built. We might end up with wasted land. That
4 would be a shame, especially if we are grading our
5 ridgelines to get there.
6 I think if we all sat down and talk about it,
7 maybe there is something better that can be done for
8 everybody. You know, let's think about San Ramon in
9 2020. What are we going to need in 14 years? Not maybe
10 what do we need today?
11 The affordable housing component, again, it
12 gets confusing. Exactly what is being considered
13 affordable housing. I know there's various levels.
14 There are various distinctions. From what I have
15 understood, the senior housing is all affordable
16 housing, I think. I'm not sure a lot of people are
17 realizing that.
18 The apartments, the townhomes, I think most of
19 that is in different levels of affordable housing, low
20 income housing, et cetera, but it's never really spelled
21 out. We talk about it all the time.
22 MS. KERGER: So you want it spelled out?
23 That's one point?
24 MR. JONES: We want specifics. We talk about
25 it all the time.

PH 4-RR
MR 8B

PH 4-SS
MR 8F

MS. KERGER: We've gone over an hour.

MR. JONES: That needs to be in there, but who qualifies? Who decides who qualifies? What units are we actually talking about? Then there is the whole issue of these secondary units. I think you had a better name for it.

PH 4-SS

MR 8F

MS. KERGER: Inclusionary housing.

MR. JONES: Inclusionary housing. How is that going to be handled? Is that part of affordable housing? Is it part of workforce housing? How is it going to be regulated?

If I bought a house that had inclusionary housing in my back yard, do I have to rent it out, and do I have to rent it out at below market value? How is that handled? I think we need to look at that a lot more closely.

PH 4-TT

MR 10F

Lastly, lack of mass transit connections. I touched on this before. If we are going to be building like this, we need to come up with some better plans.

These people are on a hill, and we have a lot of seniors. Maybe we'll have a lot of young parents with children. These are people who are not going to be walking up and down the hill. Even though we are putting a lot of pathways, trails, et cetera, a lot of the people living there are not going to utilize them to

1 the fullest. They'll need transportation, and we are
2 not to do anything additional to help on the mass
3 transit.
4 So to conclude, what we are trying to find is
5 some sort of balance for growth. We are trying to find
6 a happy medium. Something that meeds the requirements
7 of the general plan. Something that helps the town of
8 San Ramon. Something that promotes growth.
9 You may be hearing that the only way this can
10 get done is that only 130 units are built. Maybe that's
11 the only way this project can be profitable. You know,
12 obviously, you have to spend some to make some. You
13 know, the single-family homes will be trying to make up
14 for the lower income housing. That's understandable.
15 But if the only way this can be done is to
16 built all 830 units, to get rid of ridgelines, to hurt
17 the environment, to lower the quality of life for
18 everyone, if that is the only way that can be done, and
19 it becomes black and white, then I think the answer is
20 maybe this is one that shouldn't be done. That's it.
21 Thank very much for your time. I see a relief
22 on your face.
23 MS. KERGER: No. Let me explain -- excuse
24 me -- something to you. It's not relief. I want you to
25 be able to tell us what you want. I think you've done a

PH 4-TT
MR 10F

PH 4-UU
MR 13C

marvelous job here, but I'm going to ask you to take it one step further. I see a lot of negative. "We don't, we don't, we don't want." I think that a lot of energy has been expanded in saying what won't work.

I want you to come back and tell me how you think this project could work to benefit the whole part of the community. I think you've taken it and you really looked into it very, very well. I think some of your comments are a little misguided and not all to the truth, but that will come another day, when we'll talk about those.

I think in the big picture, and this is what we need to look at, the big, huge picture, you tell me how you think a project -- I don't care what size. You know, you are talking about moving the spine road. You are talking about parking. You are talking about schools. You've made some really good points here. That's what it's all about, but tell me what you think would work. I think it would be helpful. It's the only way for us to work is to work together and say, "I think maybe we can try this."

That's what they are trying to do. That's why we have three public hearings. Sometimes on some issues, if you want to go back to the Crow Canyon specific plan, we had a heck of a lot more than that.

The general plan review, we had 120 meetings.

You know, you are saying people don't know about it. People didn't know what they voted for. You know what? Shame on them. Shame on them if they didn't look into it. They knew it was going to be on there. If they didn't attend 120 meetings, that's not my fault, and that's nobody's fault here, either on the Planning Commission or the city council. Everybody is responsible. Now that it's in my back yard --

This project was one of the first. Claremont came to us first when we were doing the general plan when I was the chair of the general plan and said, "Okay, all the people with open space want to build. Tell us what you want to do with your property." They were the first ones that came. Mr. Faria was the very first one and said he would work with us. It's a shame Mr. Faria is not here anymore. It really is.

But to talk about this, I would really like your input. Tell me what you think we can do. That's what we are here for. We are here to listen, not only about how this is all screwed up, but let's talk about how we together can make it go forward at any level.

That being said, do any of the other commissioners have anything they would like to say? They want a five-minute break. Okay. A five-minute

break.

(Recess.)

MS. KERGER: Now I'll tell you what we are doing in the second half of this. The second half is the same as the first half. Only public comments. We will not hear from the applicants tonight as previously planned. We are going to finish with the draft EIR and get that taken care of, and then we are going to hear public comment on the project.

So anybody who wishes to speak can talk. You can't talk for an hour. You can maybe talk for a few minutes, but we want to hear you. If what you've got to say is anything that Michael already did, we don't want to hear it again because we already have that written down. So give us something new to write down.

Jim, you always have something new. So you can sit and wait a minute.

MR. ORDWAY: But I want to leave.

MS. KERGER: Guess what? You sit, baby.

MR. PATRINO: If we've got to be here, you've got to be here.

MS. KERGER: All right. So public comment. State your name.

MS. SABANA: Hi. My name is Zen Sabana, and I'm the planning commission -- the Housing Advisory

PH 5-A

MR 8F

1 Committee liaison of the Planning Commission. For those
2 of you who I might not have yet met, welcome to the
3 Planning Commission.
4 The housing advisory committee is tasked with
5 the job of reviewing projects with housing components to
6 ensure that there is hopefully enough housing for all
7 income levels in our community. To that end, we report
8 back to the Planning Commission and the City Council to
9 give our opinion on projects as they come before our
10 committee, before they hit their commission.
11 To give you a little bit of background, we
12 first saw the Northwest Specific Plan quite a few months
13 ago. There was a notice of meeting regarding
14 development of housing in the Northwest Specific Plan
15 area. There was a presentation by the developer
16 regarding the types and location of housing units.
17 There was a discussion for multiple hours for regarding
18 where housing was going to be located and the kinds of
19 units that were going to be made available through this
20 specific development plan.
21 The housing advisory committee is currently
22 developing, and it's actually in final form at this
23 point, an inclusionary housing coordinates which is
24 consistent with the city's general plan and housing
25 element that's standard for development of affordable

PH 5-A

MR 8F

1 housing in the city.

2 In the interim, staff in the planning

3 department and in the economic development department

4 actually work with each individual developer to set the

5 number of affordable units that will be in any given

6 development project.

7 In this particular project, the developer is

8 going to do 25 percent affordable units as-built. It's

9 actually a little more than 25 percent as built. From a

10 housing standpoint, the housing advisory commission

11 could not have been more pleased.

12 We strongly support this project, and we

13 support it because it offers a mix of housing options.

14 It offers them in a large area with open space, and it

15 offers them housing at affordable levels that we don't

16 really have much of at this point in the community.

17 For that reason, we actually drafted a

18 resolution, which I understand will be a part of the

19 staff report at your next public hearing on this issue.

20 I am strongly supporting and recommending approval of

21 the Northwest Specific Plan Project.

22 To the extent that you have questions that I

23 can answer about the housing advisory committee's review

24 of the Northwest Specific Plan, I'll be happy to do so.

25 Otherwise, I will leave you with those thoughts. You

PH 5-A

MR 8F

PH 5-A
MR 8F

1 will have our recommendation.

2 MS. KERGER: Does anyone have any comments?

3 Okay. Thank you.

4 MR. VIERS: Thank you.

5 MS. KERGER: There were a couple of other

6 people that wanted to talk on 9.1. Kristen Dunn and

7 Kathy Palpa, are they here? They are against.

8 Nitin Patil --

9 MR. PATIL: I'm here.

10 MS. KERGER: -- are you still here? Do you

11 wish to speak?

12 MR. PATIL: No.

13 MS. KERGER: Mr. Klungren, are you still here?

14 Do you wish to speak?

15 MR. KLUNGREN: Yes, I do.

16 MS. KERGER: Please come up to the microphone.

17 MR. KLUNGREN: Good evening. My name is Robert

18 Klungren. I live at 102 Claremont Crest Court, and it's

19 a pleasure and an honor to speak before the commission

20 tonight.

21 The comment I want to make now at this point

22 has to do with the environmental impact. I read the

23 report, and the part that I think does not provide

24 useful information for the Planning Commission is on

25 transportation.

PH 6-A
MR 10C

So if you look at those sections, they have some studies that were done. They reach a conclusion that they can mitigate the addition. When you built 830 homes, you can mitigate a lot of the impact on traffic in San Ramon.

My recommendation is that the environmental impact report should be redone, and no sections that have to do with transportation. It's nice that folks who are engineers and have been around city planning for many years put together something. It's nice that they do that, but it's not helpful for the general public. It's not helpful for the Planning Commission.

What we need is, if you build 830 homes, or if you build one of these alternatives, and there is a lesser amount of homes, how many cars does that mean will be added to the community? How many vehicle trips? Which locations those cars will go at different times in the day? What impact will that have on local streets?

So if they had a section, 10 or 15 pages long, and showed us the traffic flow, it would be helpful for the local community and the Planning Commission. Why I raise the objection is, if you built that many homes, and you say that you can mitigate the impact on local traffic, I do not believe that. I do not believe that. I live in an Ramon. I travel on Crow Canyon. I live on

PH 6-A

MR 10C

San Ramon Valley Boulevard.

We all want to have -- and you had mentioned let's have a spirit of cooperation, and a lot of the neighbors that have cooperation. What they are looking for is a good plan. What they want is, they want to get access to 680 in the morning at peak times, and they want to come home at night. They don't want to be involved in giant traffic jams every night.

So if the environmental impact report can come up with something that ordinary citizens can read and react to and the Planning Commission can look at, you know, it gives a better feeling for what this plan means. So those are my comments.

MS. KERGER: Thank you, Mr. Klungren.

MR. KLUNGREN: Thank you.

MS. KERGER: Pam Wallace? Are you still here? She is against for the development of the hillsides and feels the Faria Project is in conflict with Ordinance 197.

Leslie, do you want to talk now, or do you want to --

MS. MAGUE: I have two things to say on this, and I'm done for the evening.

MS. KERGER: Do you want to talk now?

MS. MAGUE: Yes.

PH 6-A

MR 10C

My name is Leslie. I live at 128 Claremont Crest Court. Mine are just a couple of things.

You had mentioned that what would work, and since Claremont Homes might be going back and reconsidering things after tonight, I would like to make a suggestion in a positive manner.

The alternative plans in chapter 7 in the EIR really weren't alternatives, and we discussed that. Under the California Government Code, to the extent possible, the alternative should be developed with implementation measures in mind. This will help to ensure the feasibility of the basic policies of each alternative.

I think from the alternatives that were in the EIR, the feasibility wasn't there and the implementation. Because the general plan had some requirements. Those are the school, the church, and the park. All the other alternatives, with the exception of no-build one, that couldn't be allowed. It wasn't possible based on reducing the numbers of dwellings.

So I'd like for the homes to be considered with the reduction of the homes and keeping with the general plan proposed and/or required. If you look at it, this would be my positive proposal. It might be realistic or unrealistic, but I'd love to see 75 homes in Village A

PH 7-A

MR 13B

and 75 homes in Village B, 170 homes in Village C to accommodate all levels of income, 80 homes in Village D, which brings it down to about 400. I think that's reasonable. I was a no-build proponent, but to be fair, we had to look at every angle of our community and keep it safe and do the right thing.

PH 7-A

MR 13B

Phil asked me if I would have moved to my home if I would have voted against where I've lived. I said I probably would have lived someplace else knowing that they would have been doing all this type of build-out to my community.

Now having kids and having the community that I really enjoy living in, I think I am more of a proponent to say let's do it the right way. Not everyone can read all this EIR. It's taken a lot of time for anybody in this room to do that outside of their own profession, and I think that means a lot to the city, to do something like that. We should really look at that big picture and not a big day.

The other thing I wanted to share with you, just for some corrections, I had just gone into the office today to pick up the notes from the last meeting, the minutes from the special joint planning meeting.

PH 7-B

MR 15

I just want to make sure that those get adopted by the City Planning and the Planning Commission. These

weren't adopted yet. These were just found today. So they weren't anywhere on the internet. So I think Pat said Debbie would look into making sure that you guys --

MS. KERGER: We have it. We do have it.

MS. MAGUE: The only other corrections real quick is, in the notes for today's meeting, it says, Claremont Woods or something? Claremont -- I'm sorry. I lost it. Deerwood Ridge was the component that had a lot of concerns that you guys were answering questions on the staff report, and it has the wrong residences. It's Claremont Woods, and it's Deerwood Ridge.

I'd just like to give you this information on the Pittsburg landslide, and also a copy of the voter pamphlet. There was never opposition on that, and I don't know why. It was a lot different than what people voted for and what we received today.

MS. KERGER: Thanks.

MS. MAGUE: Thanks.

MS. KERGER: Okay. Now, I've got about eight other speaker cards. Is there anyone that wishes to speak on the EIR?

Beverly, do you want to talk about the project or the draft EIR?

MS. LANE: The EIR, really.

MS. KERGER: Okay.

PH 7-B

MR 15

MS. LANE: Thank you and good evening.

MS. KERGER: Good evening.

MS. LANE: Another long meeting. I'm Beverly Lane. I'm the director for the East Bay Regional Park District. I look at this project from the vantage point of the regional parks with my interest in Las Trampas, which is a fabulous 5,000 acres park just northwest of San Ramon.

PH 8-A

MR 15

Our goal is, of course, to provide the Calaveras ridge trail as an amenity and not an afterthought and to take a look at those ridges that come down from Las Trampas.

I would hope that the Park Planning Commission and the Council would understand that this is San Ramon's northwest gateway. It is visible from the west and the east and the south from many areas, and it's a gateway that San Ramon residents deserve to be proud of.

In looking at the EIR, our park staff is analyzing it, focusing on the EIR in general and the natural resources in particular. So you'll be getting their response to the EIR by the deadline this week.

According to our staff's calculation, the proposed Northwest Specific Plan and the Faria Project are not consistent with the development limits and excess affordable units established in the general plan.

PH 8-B

MR 8A

1 Of course, any specific plan has to conform with the
2 general plan, as you know.
3 At this number of dwelling units, the developer
4 will need to process a general plan amendment and full
5 EIR on that general plan amendment before further
6 process can take place by the San Ramon staff. When our
7 materials come on Thursday, you'll see the details of
8 those calculations.
9 There are several ways that this project can be
10 mitigated. One, of course, is by not grading the two
11 ridgelines. In your requested report on 197, I was
12 pleased that they said the extent of the grading is
13 within the discretion of the Planning Commission and the
14 City Council. So there is not a requirement for
15 grading, though there is the option according to your
16 legal report. It may well require a vote. Everybody
17 knows more about this ordinance than I do. I think also
18 it can be mitigated by keeping in mind that the number
19 of housing units in the Northwest Specific Plan and
20 general plan are maximum. They are not requirements.
21 It seems to me when I'm talking to people, they
22 talk as if these are the required numbers. Indeed what
23 it says in the plan is, it's up to a certain number. It
24 does not say that it must be this number.
25 I'd like you to take a look at the lessons of

PH 8-B
MR 8A

PH 8-C
MR 8C

PH 8-D
MR 8A

PH 8-E
MR 8C

1 Schaffer Ranch in Dublin and Montenero and Coruna,
2 particularly when you look at creek design. They had
3 proposals which were turned down by the regulatory
4 agencies. It took them well over a decade to develop.
5 They ended up with 302 and 245 dwelling units
6 respectively and quite a bit of grading.
7 As I have indicated a couple of times, it might
8 be good to look at what is really going to be realistic
9 if you want to have this project move in a timely way.
10 I think that the proposals for grading here are not
11 realistic.
12 Then finally, I just to want say that there is
13 no doubt that in the years that I've lived here, it's a
14 lot easier to have growth and development on the valley
15 floors. We've seen that. You know, ranches have turned
16 over, and they have been developed on the valley floor.
17 Today what we are looking at in our development is very,
18 very much more challenging areas. There is no doubt
19 that this Faria property is one of those very
20 challenging areas.
21 I ask that you take into account the very
22 visible and significant ridges which are on this
23 property and which San Ramon citizens deserve to have as
24 their community's beautiful northwest gateway. Thank
25 you.

PH 8-E

MR 8C

MS. KERGER: Any questions?

MS. LANE: Thank you.

MS. KERGER: Okay. I think that's the last person. All right. Ben, you want to talk on the EIR?

MR. MENDOZA: Yes.

MS. KERGER: Well it's 8.2.

MR. MENDOZA: Right. I know. That's why I brought it up earlier.

MS. KERGER: It's okay.

MR. MENDOZA: My name is Ben Mendoza. I live at 1918 South Forest Hill in Danville. I live at the Danville Ranch Community. I live north and east of the property in question, and I'm concerned about two things.

Number one is, the report seems to take into consideration these key observation points. It seems to me that they might be incomplete because all the observation points that are pointed out on our PowerPoint presentation, all came from San Ramon. I didn't see any from my key observation point. So it seems, like I said, the EIR seems incomplete. I don't know. Maybe it just wasn't in there because you didn't expect anybody from Danville to be here.

Our subdivision is pretty close. In the last Faria meeting, the development was, I thought,

PH 9-A

MR 1B

dismissibly our development -- dismissingly it was referred to as a standard subdivision while there was great deference paid toward the Deerwood residences, which I certainly would expect.

PH 9-A

MR 1B

I respectfully request that the commission would at least take a look at the visual aesthetic impacts that the project would have on our key observation point. We'd really appreciate that.

The second thing is kind of related to the first. If that's ignored, I'm wondering about the other things that might be ignored, like the noise that would be coming from there. We are a wind channel right there. Lots of wind comes over that hill into our back yards. We hear the cows I don't know from how far away at nighttime. Putting in beeping trucks and dust, I can just imagine the dust piling up in our neighborhood just over that hill. That's kind of scary.

PH 9-B

MR 9A

My wife has asthma. My five-month-old son -- I don't know. Maybe he has asthma. We don't know yet. That kind of worries me.

There's a lot of changes being proposed there, and we are downhill from it. There's things like hydrology issues, geological stuff. I can see the landslide that's taken place above the hill from us already. Hopefully, it's far enough away that nothing

PH 9-B
MR 9B

PH 9-C

MR 3E

will happen.

There's natural springs in there. There's a creek up there. Where is it going to go to? Is it going to be rolling down my back yard or our neighborhood? It's something to consider. We already have a menagerie of animals that wander in and out of our space there. I'm sure we'll have even more. I do like to see the wild turkeys on occasion, but I don't know if I want to see them every day. That might be troublesome.

So I guess my bottom line is that I just didn't see our perspective being taken into account. Maybe we don't count. I don't know. I hope that we do.

MS. KERGER: You count because you are here. You don't count --

MR. MENDOZA: Right.

MS. KERGER: No, no. The bottom line is, they are looking at the EIR from the City of San Ramon. We don't hop over city lines to look. We try to mitigate impacts, if you come to us. Danville doesn't come to San Ramon when they are building right up along our city lines. They don't. Everybody is given an opportunity to make comments, and that's what happens. The cities make their comments as does everyone feels. But if you would like to tell me where you think your key

observation site is in your community, I would be happy to go up there and look.

MR. MENDOZA: Okay. I will do that.

MS. KERGER: Okay. Thank you.

MR. MENDOZA: Thank you.

MS. KERGER: Okay. I saw another hand in the back of the room. Your name?

MR. NAUMOVICH: Lech Naumovich.

MS. KERGER: You live on Dover Street?

MR. NAUMOVICH: Yes.

MS. KERGER: In Oakland?

MR. NAUMOVICH: You got it.

MS. KERGER: California Native Plant Society?

MS. NAUMOVICH: Yes.

MS. KERGER: Okay. Thank you.

MR. NAUMOVICH: Good evening, Planning Commission. Thank you for this opportunity to speak. My name is Lech Naumovich. I live on 5718 Dover Street in Oakland, California, and I'm representing the California Native Plant Society. We are a nonprofit of over 10,000 members and over 1,200 in the East Bay area where our chapter is.

First of all, notably chapter 4, which has the biological impacts. I think you should have copies of the DEIR here so people can view it so people can look

at them.

I believe the DEIR is inadequate in calculating open space. Why? Because in one portion, they talk about 192 acres removed from a total of 354 on the Faria ranch property. Now, if you consider this calculation, this is much higher than the allowed 25 percent under Ordinance 197.

Then what happens is the DEIR, they mix it up and say only 144 acres are being developed. So there are a number of issues here with the calculations. Respectfully, they are not very clear.

It's very difficult to count open space area that is cut and filled. So if you take a hillside and you are pulling it down and you are putting it on top of a river, you are putting material there. It's not soil. You don't have soil organisms in there. What you are doing is you are essentially creating a parking lot, that's essentially what's being counted into the open space calculation.

MS. KERGER: Could you repeat that again?

MR. NAUMOVICH: The idea is that open space calculation --

MS. KERGER: You are saying when you cut a ridge --

MR. NAUMOVICH: That's correct. So there is

PH 10-A

MR 8C

1 going to be some ridges that are going to be cut, and
2 what's going to happen, how do you make flat areas?
3 Well, you take it from the high spaces and you fill it
4 from the lower spaces because material is really
5 expensive to pull off the site. So the easiest thing
6 for a developer to do is to take material that's on site
7 and just move it around and flatten it out.
8 What kind of material are you moving around?
9 Well, typically it's not the topsoil. What they do is
10 they take a big bulldozer, and they push soil from the
11 high spots to the low spots. Some of that area is going
12 to be turned into a developed area where other portions
13 of that will turn into what they are considering open
14 space. That's not the traditional definition of open
15 space by any stretch of the imagination. I want you to
16 consider that, if you will, as your definition of open
17 space. There is open space in an area where material
18 has been moved from one area to the other. Okay.
19 The ordinance asked for two to one offsite.
20 Ordinance 197 asked for two to one offsite mitigation.
21 Your mitigation ratio, due to the fact that the
22 calculations are strange, don't add up. You have 144
23 acres of offsite, but that's further than the required
24 half mile for that ordinance. So I think this has to be
25 reconciled, and I think there is a real need to look at

PH 10-A

MR 8C

those numbers, again, for the open space calculations.

Finally, there are a number of protected species. EDAW talks about that in their biological series. They say, for instance, the tarplant. It's a protected species. There is no way you can identify tarplants vegetatively unless -- there is very limited success with that. So that needs to be completed in order for the EIR to be considered.

Finally, we are really concerned about destroying the riparian area. Planning Commissioner Patrino brought this up. Stream creation is very difficult. Tearing out a riparian area and digging a whole new riparian is very difficult. What happens to the species in between? Do we put them in a bag and put them in a bathtub and hope they stay warm and move them back out? That doesn't usually work for special status species. In redoing a riparian, traditionally you have all the special status species lost unless you put them offsite. So that's an impact that I think has to be considered.

Therefore, C&PS would like to say the impact on the biological resources are significant and unaffordable. Removing a riparian area is significant. Trying to move it 20 feet, 40 feet, whatever you do, it is very significant.

PH 10-A
MR 8C

PH 10-B
MR 3E

PH 10-C
MR 3C

Number two, its impact on aesthetics are significant and unavoidable. If you look where the aesthetic pictures were taken, they are all taken in low spaces. All the view is low. Why don't you take an aesthetic view particularly from subdivisions that are higher up? So we think that there could be a little bit further analysis on that.

PH 10-D

MR 1B

Finally, the conclusion is, there is a need to release a new DEIR. There is enough information here, and there is enough dispute over the information in this draft DEIR that we would like for the Planning Commission to consider re-releasing a new draft DEIR, which it's done on a number of projects, such as when DEIRs are considered to be incomplete.

PH 10-E

MR 14A

Thank you very much.

MS. KERGER: Anyone else that wishes to speak on the EIR?

MR. ORDWAY: Just real briefly, if I could.

MS. KERGER: Yes, sir.

MR. ORDWAY: John Ordway. I live on 708 Daisy Lane, California, Sunridge. I'm not sure if there is anyone else here from Sunridge.

PH 11-A

MR 3E

UNANIMOUS RESPONSE: Here.

MR. ORDWAY: We live right below that water tower. You know, I personally spent the night in my car

to get that unit when it was built, you know, right below that hill. So we are looking up, you know, on that hill. I don't know if we can consider cows wildlife, but we enjoy them. We've got the cows, deer, the coyotes, quails. You know, lots of great wildlife up there. I don't see how that's going to be there if this is all, you know, paved in.

PH 11-A

MR 3E

You know, those hills -- again, like the last gentleman said -- their views from that area, I didn't see any views taken from Sunridge or, you know, from the other folks that live along there. I don't think that the ridgeline should be graded, or that 800 units in that small of an area is reasonable. That's all I have to say. Thanks.

PH 11-B

MR 1B

MS. KERGER: Thank you. Anyone else on the draft DEIR? Okay. It's closed. The public hearing is closed. I have to wake people up in the back. Okay.

Now, we come to --

MS. CHAMBERLAIN: Do we have a motion on the closing of the public hearing, or --

MS. KERGER: That's what we are going to do right now, aren't we?

MR. SACHS: I move that we accept all written and oral comments regarding the Northwest Specific Plan and Faria Preserve community and environmental impact

report received to date and direct staff and the city's consultant to prepare the response to comment document.

In closing the public hearing regarding the said draft environmental impact report and send written comments until 5:00 p.m. on September 7, 2006.

MS. KERGER: Is there a second?

MR. PATRINO: I'll second.

MS. KERGER: Any further discussion?

MR. VIERS: No.

MS. KERGER: All in favor?

UNANIMOUS RESPONSE: Aye.

MS. KERGER: Thank you. Okay. Now we have 8.2. Do you want to go with the staff report on this, or should we go into public comment on it? What is staff's pleasure?

MS. CHAMBERLAIN: I would recommend that, first of all, the commission hear 8.2 and 8.3 together since they are one item. If one changes, the other changes.

MS. KERGER: We'll do that tonight?

MS. CHAMBERLAIN: Yes, tonight.

MS. KERGER: Okay.

MS. CHAMBERLAIN: And that I don't need to do a presentation. We can continue to accept comments, and we'll return our recommendations October 3rd to the Planning Commission.

MS. KERGER: All right. That being said, are there public comments on 8.2 and 8.3. I'm opening 8.2 and 8.3 respectively.

Stephen Tange, okay. He is against.

Hostafa, he's also against.

Sung Lee?

MR. LEE: I'm here. Good evening. My name is Sung Lee. My family lives at 130 Claremont Crest Court, San Ramon. My family will be probably 20 or 30 yards away from the proposed Merrill Gardens parking lot if it goes through. I consider that a parking lot can become a staging area for a lot of possibly criminal activities, such as criminals staging a robbery or any burglary or all kind of activities, and also the parking area can become an area for under-age people drinking and drug dealing and all kind of things because the parking area is proposed to be connected to the artery called the spine road, east, west.

So, you know, it's a free country where people can develop or an applicant can trade .8 acres of the Faria preserve or .8 acres for the Merrill Gardens. That's quite fine, but I don't think it should be so free to build a parking lot 20, 30 yards away from where families are living, and people could or criminals could use that as a staging area. So I'd like the Planning

1 Commission to take that into consideration.

2 The second point I'd like to tell you about is

3 that my personal perspective, that my family, as well as

4 other families in my immediate neighborhood will be

5 approximately 80 yards away from the spine artery road

6 where we think there will be 4- or 5,000 vehicle trips a

7 day -- Mike Jones presented this road -- only 80 yards

8 away from my back yard, from our back yard, from our

9 community. It will have 4- to 5,000 vehicles traveling

10 day and night. Okay?

11 Thirdly -- this is my last point -- our

12 community will be zero distance away in terms of air

13 pollution, noise, and landslides. I don't know whether

14 the Planning Commission members have seen this article

15 in the Contra Costa Times, two days ago, Sunday edition.

16 It did talk about the landslides in Pittsburg,

17 California, and this gentleman --

18 MS. KERGER: We have a copy of it.

19 MR. LEE: Right. But let me just say

20 specifically here, Ray Wilson, geologist emeritus, with

21 the U.S. Geological Survey said, "While Contra Costa

22 County is not generally as steep as others in the Bay

23 Area, it is for all borne natural occurring landslide

24 deposits." I think whether it's a 15 percent grading or

25 a 40 percent grading, percent grading is not the real

1 issue. The composition of the soil, the quality of the
2 soil, even if you have a 5 percent grading, sand will
3 possibly deposit. This geologist is saying that quality
4 or what the soil is made of is a huge issue.
5 My community will be zero distance away from
6 that landslide if you allow it to happen. That's all I
7 wanted to say. Thank you.
8 MS. KERGER: Jim Gibbons?
9 MR. GIBBONS: Finally.
10 MS. KERGER: I'm sorry. You got lost in the
11 shuffle.
12 MR. GIBBONS: My name is Jim Gibbons, and good
13 evening. I have written statements that was included in
14 the staff report. So I won't go over a lot of detail.
15 I basically wanted to say that the general plan
16 for 2020 has a loophole in it that allows for an
17 exception to 197. Through that loophole, the Faria
18 property steps, not just in small increments or small
19 ways, but it steps in major ways. It basically
20 allows, whoever designed this Faria project, to
21 disregard all of the slopes in determining the density.
22 For example, if there is a slope of 20 percent,
23 you get one unit every 300 acres. You know, that's
24 obvious, that piece of property, the 300 acres. There
25 is a whole section of it where the slopes are or where

1 the ridges are. That would yield something like five
2 units.
3 So one of the loopholes is that you can
4 disregard that. You take all of the property, including
5 the Chang property, for every property and property
6 that's not in the Faria property, and yet average it all
7 out. You come up with 830 units.
8 Well, if you did that, under 197, the Faria
9 property would get about 30 or 40 units. The Chang
10 property would get about 105 units, and the Faria
11 property would get about 200 units. But under the 197
12 exception, you can disregard the allocation based on
13 slope density. That's exactly what happened through the
14 agreement that the Faria property was submitted for the
15 EIR. They basically got all the units that are allowed
16 for that whole subdivision. So that's one step.
17 The other step is that under 197 -- and it
18 claims to follow 197 when we are talking about the
19 offsite property. The offsite property under 197
20 basically says that it has to meet certain criteria in
21 order to qualify as offsite substitution for that 5
22 percent.
23 I won't go into a lot of details. One of the
24 things is that it has to be ridgeline, and it has to be
25 preservable. Preserving, preservable. It's all written

1 in the general plan that way. Under the exemption rule,
2 you can disregard 197 and just allocate it as offsite,
3 even though it's down by the roadway. Under 197, it
4 doesn't qualify as offsite.
5 If you look at 197 and the general plan, you
6 will see that it's just the opposite. You want to
7 utilize the low land property in order to save the upper
8 ridges. Using the exemption, it was managed to
9 flip-flop it.
10 MS. KERGER: Is that where you are saying the
11 loophole is?
12 MR. GIBBONS: Yeah, that's where the loophole
13 is. It even states it in the staff report that this
14 project complies with 197's -- not in quotes --
15 exception, which is I don't have to comply with 197 at
16 all. So it says it complies with it by exemption, which
17 means that we can throw all the units on the property,
18 and we can justify the exemption by taking the 144 acres
19 and saying that that is the qualifier for allowing the
20 building on the other parcel except it doesn't qualify.
21 It doesn't because it doesn't meet the standard of the
22 general plan in terms of those four items that's
23 required. It's all written in here. I won't go into
24 any more detail.
25 Then I'll say this, the last thing, and that is

1 that I represent Joe Panetta. Not in the statement that
2 I made, but I represent him because I've been trying to
3 develop his property.
4 Under the general plan, this proposal, the
5 specific plan has left one unit because the Faria
6 property gets all the rest of them. Under 197, you get
7 about 35 units in there because it's basically flat, and
8 they allow -- I think it's ten units an acre for flat
9 land. All of that allocation is being eaten up by this
10 other development.
11 MS. KERGER: He is north of the Chang property,
12 correct?
13 MR. GIBBONS: South, yeah, on the corner there.
14 The Chang property is, like I said, about 100, 110
15 units. They are pretty happy with 44 units, but the
16 rest of those units -- that 60 units are sitting on the
17 other property, and it doesn't deserve it. That's it.
18 Thank you.
19 MS. KERGER: Thanks, Jim. A nice segue into
20 Joe Panetta. He doesn't want to talk?
21 MR. PANETTA: I'm okay.
22 MS. KERGER: I thought you wanted to talk.
23 MR. PANETTA: Talk, I'll try.
24 MS. KERGER: Okay.
25 MR. PANETTA: Good evening. I am Joe Panetta.

1 I live at 124 Canyon Lakes Way in San Ramon. I own a
2 piece of property on the Northwest Specific Plan. I
3 would like to ask the commission to delay the Faria
4 project so I can bring in my plans, which they are
5 almost drawn. I went today to see Debbie Chamberlain.
6 She said I do not have all the plans together. I
7 believe her because I'm not an expert on those things.
8 So I would like to ask the commission to give
9 me a little time to get my plans together so I can
10 submit my application, pay my fee as a regular citizen,
11 and that will be greatly appreciated. Thank you.
12 MS. KERGER: Thank you, Mr. Panetta. The last
13 speaker card is Roz. I'm sorry.
14 MR. PATRINO: What a trooper.
15 MS. KERGER: Well, she had to wait.
16 MS. ROGOFF: I think there have been some very
17 good comments. My concern is, and I said this at the
18 last city council meeting, too, is that you've got this
19 big project here with the 810 housing units. You just
20 finished or made the recommendations, which are still
21 going through the process, on the Crow Canyon specific
22 plan, which potentially has 735 housing units, and there
23 is no shopping -- you know, there is no supermarket or a
24 place for the people to shop on these supposed something
25 like 1,600 possible housing units with potentially 3,000

more people.

The school district said they are not going to build a school. There is no supermarket there. Presumably there will be some sort of retail in the Crow Canyon specific plan area, but we don't know what it's going to be. The design is going to be this mixed use housing, and typically you don't have mixed use housing with a supermarket. So people are going to shop at the Wendell farms? Where are they going to go? This does not seems to be well thought out to me.

This project seems to be like it's isolated as if there is no other city or part of San Ramon or Danville or anything else around it. It's fine if it's just sitting by itself. It's all a little, you know, cocoon, and there is nobody else living there. There is no other traffic. There is no other community. It does not seem to be hooked up to anything. That's all I want to say.

MS. KERGER: Thanks, Roz. Mr. Klungren?

MR. KLUNGREN: I have two cards there. I have one for environmental impact, and I specifically separated out the comments.

MS. KERGER: I know. All right. Come on, Mr. Klungren. I thought you were going to let me get a free one on that, but you caught me.

MR. KLUNGREN: Thank you.

My name, again, is Robert Klungren. I want to present a few comments regarding our neighborhoods and the people that live there.

So the last three weeks --

MS. KERGER: Talk to me about how relevant it is to this project.

MR. KLUNGREN: Well, it's relevant to the comment that you made before that you'd like to have people be constructive, and I wanted to give you some feedback on what the people are thinking for three weeks.

MS. KERGER: Don't you love it?

MR. KLUNGREN: For three weeks, all my free time has been out in the community in the northwest area. I talked to literally 100 people. So I know all their names. They know me, and I have all their phone numbers. I spent some time, from 10 or 15 minutes to over an hour. On the weekends, I was out in front of Safeway in San Ramon.

So why did I do that? Because I've been coming to these meetings for three years. I know you folks really well. You've encouraged all these persons to come over here. My basic premise is that if the community gets on board with the Planning Commission,

1 the Planning Commission gets on board with the applicant
2 and we all cooperate, we are going to get a good plan.
3 The people that couldn't speak tonight, they
4 had their names in. A lot of people were here. I think
5 they left early. Their viewpoint is to come over here
6 and be positive. I should be paid like a public affairs
7 fee from you folks because I speak so highly of this
8 process literally. Why I try to do that is if people
9 come over here with good ideas, everybody benefits.
10 MS. KERGER: You are right.
11 MR. KLUNGREN: I wanted you to understand how
12 much people love San Ramon. They love the Northwest
13 Specific Plan. They agree with this process. A lot of
14 them couldn't come. So I talked to these 100 people.
15 93 percent approximately had some serious
16 concerns in three areas. The road is too close to their
17 homes, and there is a safety thing. Also, too much
18 noise. The grading is a huge concern. Because if you
19 do the grading, folks know, because they read the
20 papers, that there is a problem. When you do grading,
21 rodents -- your houses can be impacted with mice and
22 rats and these animals that live up in the area.
23 So they read the papers, and there's a lot of
24 concerns. They are afraid that what will happen is that
25 this development goes forward and it takes even two or

1 three years, it's going to have a serious impact. They
2 feel at that point that the city has abandoned them.
3 Because once it's a done deal, they are sort of out
4 there, and now there is a problem, and no one will come
5 to their relief.
6 So my suggestion to those folks -- and a lot of
7 them are writing letters. All of you folks should be
8 receiving letters. The letters just say, "Let's have a
9 good plan. We want to blend the two communities
10 together." If we work very hard, we can do that. If
11 you solve this issue with regard to the grading --
12 because nobody wants the dirt and the noise, if you
13 solve the issue with the number of homes so you can
14 mitigate or lessen the impact it will have on the roads,
15 people will be very, very happy.
16 So it's a spirit of cooperation. No one ever
17 has been negative in three weeks of talking to people on
18 the Northwest Specific Plan. No one has said a bad word
19 about this process, and I wanted you folks to know that.
20 Thank you.
21 MS. KERGER: Thanks, Mr. Klungren. We are
22 going to send you on to other parts in the community. I
23 am not kidding. He could have that job.
24 That being said, we did get some letters. I
25 would like the communications to be put into the record.

We have a letter from Ravi Madhok. I think it's North Hill Court in San Ramon. They want to revise plans. Meredith Kummell, reducing the number of homes.

Quen Chan is concerned about the grading and especially the two large ridges and the construction of 786 homes and how their home won't be livable for 18 months of grading.

What we've heard tonight are all real issues. They are all valid issues. I'm not here to say they don't mean anything because they do mean something. But we have a project before us, and it is our job up here to take a look at what can be done to not only improve the community, maybe give them something different.

Everybody keeps saying, "We don't need any more houses. We don't need any more houses." Yet, the state keeps telling us, "You build, you build, you build. You build. You are not building enough. There aren't enough homes to go around."

So it should be very interesting, I have to say, in the next 12 months on whether our housing element is certified again, and what Big Bother is going to tell us about our housing element.

You know, we don't want to build house on top of house on top of houses unless there is a real reason for it. So we want to work with the community. We want

to work with you. We want to listen to you. I think we've done a really good job on listening to you tonight, and I think that this is additional dialogue that needs to get done. I wasn't being flippant when I said I'd like people to come back with suggestions.

That's how we got the Crow Canyon specific plan to a project that the people in that community appreciated the time and effort that the Planning Commission took to go through it.

Sometimes projects don't always go three months. This project has been going on for six years. Six years. It didn't happen overnight. It isn't going to get finished overnight.

You know, I understand what you are saying about having houses being built for the next five years around you. I've worked with people that live in Orinda and Lafayette, and they have had in their own communities development for the last four or five years. So we are not alone.

Dougherty Valley is not some anomaly. It's happening all over the State of California and doesn't always have to take four or five years. Sometimes it does. Sometimes it's longer. So it depends on the weather. It depends on a whole bunch of things. We don't want it to last that long.

What we want is we want to hear from you. We want to be able to come back and give you the answers that you need to hear. We need to give you the facts.

Nobody came up with a general plan to fool people. I have to say that, yeah, I take it real personally because I worked on it for 18 months. We tried to be as fair as we could to every single human being that lived in the City of San Ramon. We did things that were very, very unique to general plans.

People all over the state, when I told them that we had 32 people in our general plan review commission, thought that we were absolutely nuts. We did it because we took 32 people from different parts of our community.

So when you say that there is something wrong with that, 32 people came from all parts of San Ramon to do what was fair and equitable for everyone.

So that's my comment for tonight. I really do appreciate everyone. I don't know if I can wake up the rest of my commissioners and some of the people in the audience. If anyone has any comments, I would love to hear from you. Keep in mind --

Do you want to talk? I have to. Please come on, Mr. Wilson.

MR. WILSON: I just wanted to say thank you to

1 all the residents coming out.

2 MS. KERGER: No. You have to go up there, and

3 you should be addressing the commission.

4 MR. WILSON: There is a reason for that.

5 This is as process. I want to thank everyone

6 for coming out. We do listen. That's why we pride

7 ourselves in being San Ramon. It's imperative that you

8 go and talk to your neighbors so that we can get the

9 positive feedback so that we can have a quality of

10 product. So thank you -- this gentleman, thank you for

11 going out --

12 MS. KERGER: Mr. Klungren.

13 MR. WILSON: Mr. Klungren, yes. I'm going to

14 get to know you.

15 -- in the community because we look at the

16 general plan, and we look at all the plans. It's not

17 this document, which just happened. There were

18 residents that came together. There is no secret

19 handshake. There is nothing. We had that document

20 because we care. We care about San Ramon.

21 We need your feedback. We need your positive

22 feedback. I will be quite candid with this. Danville

23 never listened to us, but we listen to them because they

24 are no voters. We count on each other. So it's

25 imperative we look at this as San Ramon Valley. We

1 value. Please come up. I look forward to -- what? We
2 have a couple of months before it comes before the
3 council?
4 MS. KERGER: With any luck, you can get it real
5 soon.
6 MR. WILSON: -- to be able to give an opinion.
7 Again, I'm here to listen like everyone else so we can
8 make intelligent decisions.
9 Please remember, we are residents just like you
10 are. We are no different. You know where we live. We
11 live next to you. You are our boss, but we are public
12 servants, not public doormats. We live in this
13 community, and we plan to live in this community. We
14 care about this community. We do this because we care.
15 The only way that we can get a quality project
16 out of this is working together. No hidden agendas.
17 Just quality. That's what San Ramon is all about.
18 So thank you to the commission and everyone for
19 showing up tonight and putting up with all of us.
20 MS. KERGER: I appreciate it. It's awfully
21 nice when the council comes and visits. Okay.
22 Is there anything else that anyone would like
23 to talk about? Any liaison meetings? Otherwise, this
24 item is closed. Motion to continue --
25 MR. PATRINO: The motion is to continue to

1 October 3rd.

2 MS. KERGER: October 3rd. We'll hear this on

3 October 3rd. In the meantime, people that I've talked

4 to, we need to have some dialogue in the next couple of

5 weeks. Anything else? Otherwise, it's adjourned.

6 Okay.

7 (Time noted: 10:53 p.m.)

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1 REPORTER'S CERTIFICATE

2

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4 I, JOANNE BALBONI, CSR No. 10206, Certified

5 Shorthand Reporter, certify;

6 That the foregoing proceedings were taken before

7 me at the time and place therein set forth, at which

8 time the witness was put under oath by me;

9 That the statements made at the time of the

10 proceedings were recorded stenographically by me and

11 were thereafter transcribed;

12 That the foregoing is a true and correct

13 transcript of my shorthand notes so taken.

14 I further certify that I am not a relative or

15 employee of any attorney of the parties, not financially

16 interested in the action.

17 I declare under penalty of perjury under the laws

18 of California that the foregoing is true and correct.

19 Dated this day of , 2006.

20

21

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JOANNE BALBONI, C.S.R. No. 10206

22

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REPORTER'S CERTIFICATION OF CERTIFIED COPY

I, JOANNE BALBONI, CSR No. 10206, a Certified Shorthand Reporter in the State of California, certify that the foregoing pages through , constitute a true and correct copy of the original proceedings taken on , 2006.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated this day of , 2006.

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JOANNE BALBONI, C.S.R. NO. 10206

REPORTER'S CERTIFICATE

I, JOANNE BALBONI, CSR No. 10206, Certified Shorthand Reporter, certify;

That the foregoing proceedings were taken before me at the time and place therein set forth, at which time the witness was put under oath by me;

That the testimony of the witness, the questions propounded, and all objections and statements made at the time of the examination were recorded stenographically by me and were thereafter transcribed;

That the foregoing is a true and correct transcript of my shorthand notes so taken.

I further certify that I am not a relative or employee of any attorney of the parties, not financially interested in the action.

I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Dated this 11th day of September, 2006.

Joanne Balboni

JOANNE BALBONI, C.S.R. No. 10206

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I, JOANNE BALBONI, CSR No. 10206, a Certified Shorthand Reporter in the State of California, certify that the foregoing pages 1 through 124, constitute a true and correct copy of the original deposition of PUBLIC HEARING taken on September 5, 2005.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated this 11th day of September, 2006.

Joanne Balboni

JOANNE BALBONI, C.S.R. NO. 10206

3. RESPONSES TO COMMENTS

Multiple comments were received with respect to key issues analyzed in the DEIR. In recognition of the need to provide agencies and the general public with comprehensive responses to the issues and concerns raised on the DEIR, the City decided to prepare master responses to address all substantive comments for each resource area. To provide the appropriate context and clearly distinguish which comments are being addressed, the comments that the response addresses are identified at the beginning of each response section and the general themes of the comments are summarized. Following this summary, each of the master responses provides some background regarding the specific issue, how the issue was dealt with in the DEIR, and additional explanation as appropriate in response to the concerns raised in the comments. Master responses to individual comments are presented according to the following outline.

Aesthetics

- 1.A Long Range Views of the Faria Preserve Project
- 1.B Views of the Faria Preserve Project from Existing Neighborhoods
- 1.C Views of the Faria Preserve Project from Existing and Proposed East Bay Regional Park District Parklands

Air Quality

- 2.A Consistency With BAAQMD Plans (Significant and Unavoidable Impact)
- 2.B Construction Period Emissions

Biological Resources

- 3.A Wildlife Corridors / Habitat Fragmentation
- 3.B Quantification of Drainage and Wetland Impacts
- 3.C Riparian Corridor Mitigation
- 3.D Impacts to Vegetation Communities; Oak Tree Mitigation Plan
- 3.E Impacts to Other Species
- 3.F Other Concerns

Cultural Resources

Geology/Soils

- 5.A Soil Stability
- 5.B Scale of Grading & Proposed Fill
- 5.C Earthquake Hazards
- 5.D Other Concerns

Hazards (Wildland Fires and Fire Protection)

Hydrology/Water Quality
- 7.A Downstream Pollution from Site Runoff
- 7.B Site Drainage, Detention Basins and Maintenance/Funding Issues

Land Use Plan and Policy Consistency
- 8.A General Plan Consistency
- 8.B Faria Site Design Issues
- 8.C Ordinance 197 Compliance/ Ridgeline Protection
- 8.D Adequacy of Open Space Protection
- 8.E Urban Growth Boundary
- 8.F Affordable Housing
- 8.G Maintenance and Other Financial/Operational Responsibilities
- 8.H Annexation Issues
- 8.I Other Concerns

Noise
- 9.A Construction Period Noise
- 9.B Noise Impacts on Adjacent Neighborhoods

Traffic and Circulation
- 10.A Project Access and Circulation
- 10.B Existing Traffic Problems
- 10.C Traffic Analysis and Scope of Study
- 10.D Funding and Implementation of Improvements
- 10.E Adequacy of Parking
- 10.F Mass Transit / Alternative Transportation
- 10.G Other Concerns

Utilities/Service Systems
- 11.A Water Supply Availability
- 11.B Water Supply Infrastructure
- 11.C Park and Recreation Facilities
- 11.D Need for Schools / Capacity
- 11.E Adequacy of Water Pressure
- 11.F Wet Weather Wastewater Flows

Cumulative Impacts
- 12.A Ridgeline Impacts
- 12.B Impacts to Creeks

Alternatives
- 13.A Generally
- 13.B Reduced Density or Unit Count Alternative
- 13.C Specific Reduced Project Alternatives
- 13.D Relation to the Corps' 404(b)(1) Alternatives Analysis
- 13.E Relocated Neighborhood D Alternative

Other Issues

14.A CEQA Process (Notices, etc.), Responses to Comments, and Merits of the Project

14.B Western Plan Area Evaluation

Individual Comments not Addressed in Master Responses

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3.1 AESTHETICS

This master response is referenced in response to comment numbers LA 4-5, LA 4-6, LA 5-16, O 1-6, O 4-7, O 4-8, O 4-9, O 4-20, I 4-2, I 4-4, PH 2-B, PH 2-D, PH 4-R, PH 4-T, PH 9-A, PH 10-D, and PH 11-B.

1.A Long-Range Views of the Faria Preserve Project

Comments:

Commenters (PH 4-T, O 1-6, O 4-7, O 4-8, O 4-9, O 4-20, PH 11-B and PH 4-R) expressed concern over the Faria Preserve project's impact on long-range views and the ability of the project to blend in with the surrounding natural landscape. Commenters questioned the analysis of visual impacts from viewpoints characterized as "low points" in the landscape (PH 10-D). Several commenters also stated the opinion that visual impacts would be significant, and that further mitigation should be provided. One commenter (PH 2-D) questioned the appearance of grading and home placement, as viewed from Bollinger Canyon Road (DEIR, Figure 4.1-12: Viewpoint 5). It was noted that some of the houses in the project may be visible below the ridgeline in the background, but above the existing homes in the foreground, which the commenter suggested would result in a somewhat "artificial" appearance. Another commenter (PH 2-B) expressed concern over the Faria Preserve project's senior housing Neighborhood D impact on long-range views from San Ramon Valley Boulevard looking to the east. The suggestion was made to consider additional mitigation, such as "berming," "recessing," or "more aggressive landscaping" to soften the perceived visibility of buildings as seen from San Ramon Valley Boulevard (DEIR, Figure 4.1-13: Viewpoint 6). EBMUD (LA 4-5, LA 4-6) also requested confirmation that the analysis and significance conclusions in the DEIR included visual impacts from the proposed pumping plant, realigned access road to the existing reservoir and new pipeline alignments.

Response:

The DEIR acknowledged that the assessment of visual impacts is highly subjective (p. 4.1-10). The DEIR also recognized that the significance of visual impacts can be measured in part by the number of observers, and that the largest numbers of viewers of the Faria Preserve Project Site would be in vehicles passing the site, particularly on I-680 (DEIR, p. 4.1-9).

The vantage points chosen for the visual simulations were selected in order to present views of the project site from representative locations within the City of San Ramon, particularly locations regularly accessed by substantial numbers of the general public. These include views from I-680 (a designated State Scenic Highway) and views from several nearby roadways, as well as a local viewpoint immediately adjacent to the project site (Viewpoint 3). The heights of the views were based on the vantage point of a typical viewer, either from a car or as a pedestrian. This approach reasonably depicts the aesthetics of the project from the standpoint of most likely viewers.

Six vantage points were analyzed using computerized visual simulations. In addition to the six specific computer simulations, the DEIR textually describes views to and from the project site throughout the San Ramon area (DEIR, pp. 4.1-2 through 4.1-10).

The simulation of the view from the first viewpoint (DEIR, Figure 4.1-8), from San Ramon Valley Blvd., demonstrates that most of the development would be blocked by the existing eucalyptus trees (DEIR, p. 4.1-20). From the second viewpoint (DEIR, Figure 4.1-9) originating at Bollinger Canyon Road, the project would appear compatible with the existing development in the surrounding area. Although proposed grading would alter a portion of the hill form, it would not alter the adjoining ridgeline, and over time, these alterations would appear as a continuation of the existing development. The proposed EBMUD water tank would also be visible from this viewpoint. However, the tank would not substantially disrupt the existing scenic vista any more than the existing home that is already located there.

Viewpoint 3 (DEIR, Figure 4.1-10), from Deerwood Road at Deerwood Drive, shows a portion of the site's hillform that would be removed. This hill form is well below and separated from the major protected ridgeline. These changes to the hill form therefore would be seen within the context of existing residential development and hillside landscaping and thus would not be highly noticeable (DEIR, p. 4.1-27). Viewpoint 4 (DEIR, Figure 4.1-11) is an existing view of the project while traveling north on I-680. A portion of landform inside of the protected ridgelines would be eliminated. The introduction of new residential development in Neighborhood C and a portion of Neighborhood A would be noticeable from this vantage point. However, a considerable amount of open undeveloped hillside and ridgeline would continue to be visible from this location. Given the brief duration of this view and the fact that the proposed development is outside motorists' primary cone of vision, the visual effect would be considered less than significant. This same conclusion applies to most other views of the project from nearby roads, including views from Crow Canyon Road from the west of Bollinger Canyon, where viewing times are brief given the mobility of the viewer.

Viewpoint 5 (DEIR, Figure 4.1-12) is from a location on Bollinger Canyon Road approximately one mile to the south. As seen from this distant perspective, a portion of the homes in Neighborhood B (along with portions of the House of Worship and the Senior Center, if relocated) would be discernable immediately above the existing development in the foreground. These homes and other structures, however, would be situated well below the protected ridgeline which extends north from Neighborhood B into the adjoining Las Trampas range. Detailing of these structures at a distance of one mile would not be visible to the naked eye. Further, these buildings would be substantially screened over time as planned landscape improvements and oak woodland revegetation situated between the Faria Preserve Parkway and the proposed development matures. Also visible in the post-development simulation provided in Figure 4.1-12 is a small portion of Neighborhood A situated just above the existing neighborhood north of Deerwood Drive (in the foreground), and just below the protected easterly ridgeline which silhouettes against the skyline. Those homes within the southerly portion of Neighborhood A visible in this simulation would be over one mile away. They appear as an extension of existing visible urban development below and to the west of the existing EBMUD water storage tank (on the right-hand side of the picture). Formal landscape improvements in the rear yards of homes in Neighborhood A, together with riparian forestation within the westerly drainage corridor located between Viewpoint 5 and the Neighborhood A homes, would, when mature, further screen these homes from public view. It should be noted that the scale of visible development reflected in the long-range simulation from Viewpoint 5 is very small in scale. The relationship of the visible structures, below the dominant ridgelines and adjoining existing urban development, would result in a relatively minor effect on the viewshed.

The final viewpoint, Viewpoint 6 (DEIR, Figure 4.1-13), is a close-range "before" and an "after" view of the project, as seen from San Ramon Valley Boulevard, opposite Purdue Road. Proposed grading would remove a portion of the existing landform, as seen from this viewpoint. Commenters have made reference to the visibility of Neighborhood D (the senior housing component); however, existing vegetation and buildings block visibility of Neighborhood D, which is situated at an elevation well below the existing EBMUD water tank visible on the left-hand side of the simulation. Conversely, several of the Neighborhood C residential buildings would appear along the skyline, and portions of Neighborhood A homes would be visible on the skyline on the right. While these buildings would alter the landscape from this view, any visual impact would decrease over time as hillside trees mature and provide additional screening (DEIR, pp. 4.1-27 through 4.1-28). In addition, the proposed Faria Preserve project includes both formal landscaping within the developing portions of the site, as well as a native oak woodland revegetation program in open space areas. The foreground in the simulation from Viewpoint 6 does not reflect the visual screening benefits of these proposed landscape and habitat restoration programs. The silhouette of homes depicted above the commercial buildings in Figure 4.1-13 would actually become substantially screened, as landscape improvements and re-forestation of the open space area below Neighborhoods A and C occurs.

The evaluation of the visual impacts of the proposed project, as described above and contained in the DEIR, satisfies the requirements of CEQA. Nonetheless, an additional visual simulation (Figure A) has been prepared as discussed in response 1.B below, and is included in the Final EIR.

The significance determinations provided in the DEIR are supported by mitigating policies approved by the voters to minimize adverse visual impacts associated with build out of the City's 2020 General Plan. The DEIR also describes 2020 General Plan policies and 2020 General Plan EIR mitigation measures, which would guide the architectural and other design features of the project in a way that would ensure that significant effects are avoided. Based on these policies and measures, the 2020 General Plan EIR concludes that aesthetics impacts of development under the General Plan, including in the NWSP area, would be less than significant. The Faria Preserve project is consistent with the analysis in the 2020 General Plan EIR and the conclusion that aesthetics impacts would be less than significant remains valid. Finally, the DEIR describes the NWSP policies that would reduce aesthetics impacts from the project consistent with the General Plan (DEIR, p. 4.1-16).

It is recognized that sensitivities and opinions regarding aesthetics are subjective and can vary, and that some members of the public may object to the proposed changes in the visual landscape. However, under CEQA criteria, a significant aesthetics impact only occurs where the adverse effects are "substantial." The conclusion that aesthetics impacts from the project would be less than significant is adequately supported by the information presented.

In response to EBMUD's question about the consideration of the visual impacts of the water infrastructure facilities, the significance conclusions in the DEIR do take into account the aesthetics impacts of those facilities.

1.B Views of the Faria Preserve Project from Existing Neighborhoods

Comments:

One commenter at the September 5 public hearing on the DEIR (Comment PH 9-A), and several commenters at the public hearing on the NWSP held July 24 expressed concerns regarding views from particular vantage points of interest to them, generally the location of their residences. These included views from residences that would be in the vicinity of proposed Neighborhood D, as well as views from the Claremont Crest neighborhood.

Response:

The DEIR acknowledged that the selected viewpoints were only representative, and that the project could be viewed from additional locations. For example, page 4.1-2 of the DEIR recognizes that one home in Danville would have a partial view of the eastern portion of the NWSP Area. Generally, limited private views are not considered significant under CEQA criteria, since they are not accessible to the general public (or, if accessible, they are not visited by substantial numbers of viewers).

In order to respond to the concerns of the Claremont Crest residents, an additional visual simulation (Figure A) was prepared for the Final EIR. It is included at the end of this master response. Figure A depicts the view from the Claremont Crest neighborhood located immediately adjacent to the southern boundary of the Faria Preserve near the southeast corner of the project site. These neighbors expressed concerns about the proximity of the spine roadway (Faria Preserve Parkway), which is shielded by a berm, as well as the house of worship site. This vantage point reflects a more close-in view than the simulations that were prepared for the DEIR. It is designed principally to show how the berming and landscaping would be anticipated to affect this northward view from the row of houses abutting the project boundary along the southeast corner. As can be seen from this simulation, the principal view from the location would be of the landscaped berm, with some institutional and residential development being visible a moderate distance away on the top of the berm.

As can be seen from the DEIR and Final EIR simulations, the general visual character and quality of the project is consistent with that of the adjacent areas of the City. Although the visual character and quality of the project site would change from these viewpoints as a result of project development, under CEQA criteria these changes would be less than substantial and not represent a significant impact.

The Final EIR also includes an additional alternative (Alternative 6 - Relocated Neighborhood D) that would move proposed Neighborhood D to a more central location on the Faria Preserve Project Site. This alternative, in turn, would reduce the visual effects of the project from immediately adjacent areas to the southeast, further reducing the less than significant impacts. For additional discussion of this Alternative, please see Response 13.E below.

1.C Views of the Faria Preserve Project from Existing and Proposed East Bay Regional Park District Parklands

Comments:

One commenter (LA 5-16) expressed concern about the visual impacts of the Faria Preserve project as seen from the proposed public open space including the proposed trail that would connect to East Bay Regional Park District (EBRPD) lands to the north, as well as effects on views from Las Trampas Regional Wilderness. The commenter is also concerned that the grading associated with developing Neighborhood A would be visible from Las Trampas until these areas can be successfully revegetated.

Response:

The DEIR textually describes the views anticipated from the proposed trail. As hikers using the proposed trail that would connect to the EBRPD trail ascend the project's westerly ridgeline, existing water tanks would dominate the foreground of views to the northwest until they reach approximately one-third of the way from the ridgeline's peak. At that point, proposed grading of the proposed tanks would begin to obstruct views of the tanks from the trail. Once hikers reach the peak, the tanks would be visible in views to the southwest. However, from the ridgeline's peak, the tanks would be mostly obstructed by grading along the slope and, where visible, would be in the lower portions of viewers' lines of site (DEIR, p. 4.1-28). From the vantage of this new trail, the Faria Preserve project site also would generally be visible to the east, for a distance of approximately one-third mile, after which the project would slowly recede into the distance. It should be noted that neither the new trail on the Faria Preserve, nor any potential future trail segments to the north, are currently accessible to the public. As a result, the project would increase public access to scenic areas to the north, which would indirectly result in a beneficial aesthetics impact by increasing the availability of natural landscapes for public enjoyment. In addition, the specific trail alignment, as shown in DEIR Figure 3-7, has been aligned on the crest of the westerly ridgeline situated above the project site. A minor adjustment of this alignment to the west of the ridgeline crest, within the boundary of the project site, would lessen visibility of the interior developed portions of the project site, as seen from the proposed trail.

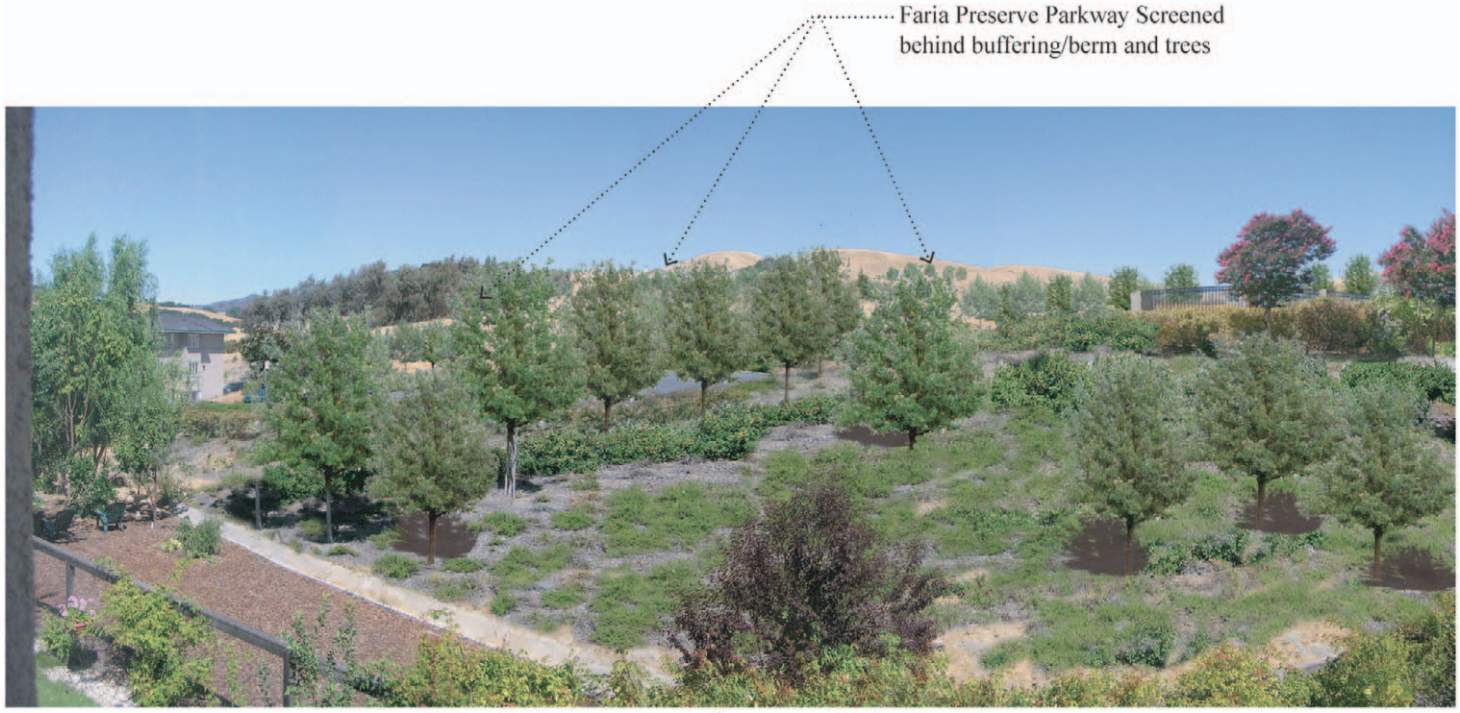
The simulation in Figure B (included at the end of this master response), depicts the view from a location approximately one-third of a mile to the north of the Faria Preserve site boundary, along the general alignment of the proposed future EBRPD trail. From this location, the view is primarily of the undeveloped foreground, with the protected open space of the remainder parcel creating a visual connection to the relatively undeveloped hillsides to the southwest. At this distance up the proposed trail, a portion of the Faria Preserve development would be visible, but it would have already begun to recede into the distance as the hiker proceeds, as discussed above.

The closest accessible location in Las Trampas Regional Wilderness is the junction of Elderberry and Upper Trails, at the southeast corner of the current regional park. From this vantage point, the predominant views are of the open ridgeline of Rocky Ridge, with oak woodlands on either side. At this location, the project site is approximately 3 miles in the distance, and is viewed across Bollinger Canyon. Presently, significant portions of the already developed areas of San Ramon can be seen in the distance. With the project, some portions of Neighborhood A, as well as the public amenities in the southwest corner of the Faria Preserve Project Site, would also be viewed in the distance.

However, views of most of the project site would be blocked by intervening terrain. Again, given the one to three story height of the proposed structures, and the distance from this vantage point, visual effects would be minor, and consist primarily of a slight enlargement and nearing of the developed area of San Ramon. It should be noted that by preserving the approximately 144-acre offsite remainder parcel which are closer to the Las Trampas Regional Wilderness, these nearer range views from the regional park vantage point would be preserved in perpetuity. Because of the distance to the proposed development from this location, and the relatively small size of the proposed development in comparison to the overall landscape, no simulation was considered necessary from this vantage point.

In sum, the conclusions of the DEIR that aesthetics impacts are less than significant remain valid and well supported, and the new vantage points recommended by the commenters do not demonstrate a substantial adverse impact to the area's visual character or quality.

Existing View From Second Story of
128 Claremont Crest Court



Visual Simulation of proposed Project From
Second Story of 128 Claremont Crest Court

This is a photo simulation of what the Faria Preserve Parkway and slope adjacent to the Deerwood neighbors would look like between 4 to 7 years of growth.

Source: Gates + Associates, 2006

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Existing View From Trail Approx. One-Third Mile North of Faria Preserve Project Site

Visual Simulation From Trail Approx. One-Third Mile North of Faria Preserve Project Site

This is a photo simulation of what the Faria Preserve would look like between 4 to 7 years of growth.

Source: Gates + Associates, 2006

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3.2 AIR QUALITY

This master response is referenced in response to comment numbers I 2-2 , PH 4-V, and PH 4-X.

2.A Consistency With BAAQMD Plans (Significant and Unavoidable Impact)

Comment:

One commenter (I 2-2 and PH 4-V) noted that the NWSP is inconsistent with the 2005 Ozone Strategy and that it would exceed the threshold of emissions recommended to be considered significant in the Bay Area Air Quality Management District's (BAAQMD) CEQA Guidelines. The commenter asserts that this would pose health concerns for vulnerable residents, including seniors and infants.

Response:

As identified on p. 4.2-12 of the DEIR, the City of San Ramon 2020 General Plan EIR identified a significant and unavoidable air quality impact as a result of growth in San Ramon. This determination is based on the premise that the BAAQMD's air quality plan assumed population projections less than those contemplated by the General Plan. The City adopted a statement of overriding considerations in connection with the adoption of the General Plan in light of this situation. The significance conclusion in the General Plan EIR followed the recommendation of the BAAQMD CEQA Guidelines that general plans of cities and counties be evaluated for consistency with the applicable air quality management plan, and that in order for a local plan to be considered consistent with the regional air quality plan it must include population growth rates that do not exceed the values included in the current air quality plan, as well as a rate of increase in vehicle miles traveled (VMT) that is equal to or lower than the rate of increase assumed in the current BAAQMD plan. The 2020 General Plan would accommodate population growth at a rate somewhat higher than that set forth in the BAAQMD plan, which had been based on forecasts by the Association of Bay Area Governments that were available at the time of the most recent BAAQMD plan update, but which predated the adoption of the 2020 General Plan (DEIR, p. 4.2-24). As expected, the project would result in a portion of that additional population growth under the General Plan; therefore the DEIR concluded that it would contribute to this significant and unavoidable impact.

The NWSP is consistent with the BAAQMD air quality plan in all other respects, particularly with regard to transportation control measures (TCMs), consistency with the General Plan, and includes additional policies, specific to the NWSP area, to improve TCMs, e.g., pedestrian and bicycle friendly design standards (DEIR, p. 4.2-25).

The BAAQMD CEQA Guidelines also recommend that the operational emissions of projects such as the Faria Preserve be evaluated in relation to quantitative thresholds of 80 pounds per day for each pollutant, and that emissions in excess of those levels be considered significant. As set forth in Table 4.2-3 of the DEIR, operational emissions of the project are estimated to range from 61.1 pounds per day to 95.99 pounds per day, depending on the season and the pollutant, with emissions greater than 80 pounds per day found to be significant and unavoidable. The DEIR also conservatively assumed

that all of the direct and indirect emissions from the project would be new and reflect an overall increase in regional emissions, even though some of the vehicular trips and other sources of emissions would simply shift from other possible development locations in the region. The DEIR included mitigation measures to reduce these emissions to the extent feasible, and the City would consult with the BAAQMD to identify applicable mitigation measures to help reduce emissions (DEIR, p. 4.2-27).

These conclusions do not mean that the project would result in a violation of the health-based air quality standards in San Ramon. Instead, they mean that the project would contribute to regional ozone levels similar to any other project that would accommodate growth in the greater Bay Area. As discussed in the DEIR, presently the Bay Area is only marginally exceeding the air quality standards at a few locations (that do not include San Ramon), and improving air pollution controls are predicted to reduce pollution levels substantially over the next decade (page 21 of BAAQMD 2005 Ozone Strategy). For example, Year 2005 the Bay Area of ozone-creating pollutant emissions were estimated to total 400 tons per day for reactive organic gases and 538 tons per day for oxides of nitrogen in the summer months (page 16 of BAAQMD 2005 Ozone Strategy). In comparison, the Faria Project's contribution to these regional emissions would be less than .05 tons per day. Thus, while the Faria Preserve Project would contribute to regional ozone levels, it is not anticipated to result in a localized violation of the health-based air quality standards.

2.B Construction Period Emissions

Comment:

Commenters expressed concern regarding construction period emissions, particularly dust. Specifically, commenters were concerned about the impacts of grading and other construction related activities and how to mitigate impacts on air quality (PH 4-X).

Response:

The DEIR identified construction-related air quality impacts as less than significant with the inclusion of mitigation measures recommended by BAAQMD. Pursuant to BAAQMD Guidelines, a number of feasible control measures can be implemented to significantly reduce construction period PM_{10} emissions. The project would implement those measures as follows: all construction sites would implement BAAQMD basic measures; sites larger than four acres would implement BAAQMD enhanced measures; and, if deemed necessary by the city or BAAQMD, additional optional measures would be implemented (DEIR, pages 4.2-21 and 4.2-22). Additionally, the City requires its contractors working in the City to consult with the BAAQMD to develop a list of dust abatement measures prior to beginning any project (DEIR, p. 4.2-22). Under the BAAQMD CEQA Guidelines, adoption of these measures is considered to reduce short-term construction emissions to a less than significant level, as reflected in the DEIR.

3.3 BIOLOGICAL RESOURCES

This master response is referenced in response to comment numbers SA 2-0, SA 2-3, SA 2-6, SA 2-7, SA 2-8, SA 2-9, SA 2-10, SA 2-11, SA 2-12, SA 2-13, SA 2-16, SA 2-20, SA 2-21, LA 3-2, LA 3-4, LA 5-3, LA 5-7, LA 5-11, LA 5-12, LA 5-13, LA 5-14, LA 5-15, LA 5-18, O 1-2, O 1-3, O 1-4, O 1-5, O 2-5, O 3-2, O 3-4, O3-6, O 4-11, O 4-12, O 4-13, O 4-14, O 4-16, O 4-17, O 4-18, O 4-19, I 1-3, I 2-3, I 2-4, PH 2-F, PH 2-H, PH 4-Y, PH 9-C, PH 10-B, PH 10-C and PH 11-A.

3.A Wildlife Corridors/Habitat Fragmentation

Comments:

Commenters (LA 5-12, LA 5-13, LA 5-18) expressed concern with the Faria Preserve's impact on a potential migratory corridor for animals, particularly along Las Trampas Ridge. One commenter was concerned with minimizing fragmentation of open space (LA 5-13). One comment expressed concern that the DEIR did not adequately consider the value of the riparian areas as a wildlife corridor (LA 5-14). One commenter (LA 5-18) framed this issue as an inconsistency with the General Plan's implementing policy 8.3-1-5, to "Provide wildlife corridors to allow movement of animals and minimize wildlife-urban conflicts."

Response:

The DEIR acknowledged that implementing the NWSP would result in the minor fragmentation of existing wildlife corridors (DEIR, p. 4.3-70). However, while the Faria Preserve project area currently accommodates the movement of wildlife within the site, particularly from the northwest corner down along the riparian drainages, most of the project area does not function as an important corridor between larger open space wildlife areas. Instead, the proposed Faria development area would be an extension of the urban fringe. As a result, this would be a less than significant impact in both the Faria Preserve and Western Plan Area as such fragmentation would not affect a substantial portion of the range or substantially restrict the movement of any species.

There are three components of the Faria Preserve project that maintain habitat connectivity. First, the protected off-site open space areas would provide an open space corridor between the developed areas of the Faria Preserve project site and the rural conservation uses further to the northwest within Bollinger Canyon. Second, a riparian corridor of approximately 8.9 acres, located along the existing central drainage swale, would meander through Neighborhood A. The restored riparian corridor would include a riparian drainage swale and a series of small wetland habitat areas and connecting ponds. The riparian corridor would be protected by fencing, which would be an improved condition from the current cattle grazing. Third, the easterly ridgeline and associated drainage would largely be preserved, maintaining connectivity within those areas.

In addition, to address wildlife movement concerns within the Faria Preserve site, the two roadways proposed as part of the Faria Preserve project would span the corridor with a soft-bottom culvert that would maintain connectivity. Under DEIR Mitigation Measure Biology-6b, the culvert would be required to maintain clearance for wildlife passage during periods of high flood flows (e.g., 50-year flood events), would consist of native vegetation/habitat cover, and would have at least ten feet of

vertical clearance (this is an increase from the six feet specified in the project sponsor's proposed conceptual mitigation plan). Presently this drainage empties into a pipe under the currently developed area of San Ramon, so the current condition provides minimal connectivity value and that value would be unaffected with the proposed mitigation.

Off site, Bollinger Creek is an important wildlife corridor that connects wildlife corridors north of the area with important wildlife corridors to the south, such as San Ramon Creek. Substantial development in Bollinger Creek is not anticipated and it is expected that the project design in those areas would avoid substantial impediments to those corridors.

The Faria Preserve project site is surrounded on the south and east by fully developed areas of San Ramon, and to the north by lower density residential development in Danville. The site is not in an area with high connectivity values, and those values are being preserved in the project design.

Given the existing degraded condition of the riparian corridor as a result of usage by cattle and the presence of exotic species, the habitat values and functions of the drainages are reasonably anticipated to be improved as compared to existing conditions with the implementation of Mitigation Measure Biology - 6b. Since the impacts of the project are expected to be fully offset through creation of the riparian and wildlife corridor, additional or off-site mitigation is not expected to be necessary to compensate for project impacts on migration corridors.

Since the project would not result in substantial impediment to wildlife corridors, there is no inconsistency with the referenced General Plan Policy 8.3 - 1-5.

3.B Quantification of Drainage and Wetland Impacts

Comments:

One commenter (the RWQCB) expressed concern with the project sponsor's calculation of wetlands in the Faria Preserve and the degree of project impacts on such wetlands (SA 2-11, SA 2-13). Specifically, the RWQCB requested further investigation of the wetlands on the site. Generally, the RWQCB (SA 2-11) asserted that several areas beyond the Corps verified wetlands are potential waters of the State and must be included in the calculations of project impacts and mitigation requirements.

Response:

As stated in the DEIR, a wetlands delineation report with a delineation map verified by the U.S. Army Corps of Engineers is included in Appendix F of the DEIR, and the letter conveying a minor amendment to the wetlands delineation is attached as Appendix G (DEIR, p. 4.3-20). Figure 4.3-3 of the DEIR depicts delineated wetlands within the Faria Preserve and Figure 4.3-6 depicts impacts to wetlands and Waters of the United States on the Faria Preserve. This delineation, and the on-site mitigation identified in the DEIR, are summarized in Table A.

Table A: Verified Wetland Delineation and On-Site Mitigation Presented in the DEIR

Verified Wetland Delineation Acreages			On-Site Mitigation Presented in the DEIR	
Habitat Type	Total Verified Jurisdictional Area (acres)	Impacted (acres)	Creation On-Site (acres)	Preservation On-Site (acres)
Wetlands/ Fresh Emergent Marsh	0.23	0.17	1.02	0.07
Intermittent Drainages	0.26 (5,748 linear feet)	0.23 (5055 linear feet)	0.13(1,133 linear feet)	0.03 (693 linear feet)
Totals	0.49 (5,748 linear feet)	0.40 (5055 linear feet)	1.15 (1,133 linear feet)	0.1(693 linear feet)

To determine the extent of wetlands at the Faria Preserve project site, criteria set forth in the 1987 "Corps Wetlands Delineation Manual" (1987 Manual) were used to determine the extent of wetlands at the site, which include: (a) the presence of inundated or saturated soil conditions resulting from permanent or periodic inundation by ground water or surface water; and (b) a prevalence of vegetation typically adapted for life in saturated soil conditions (i.e., hydrophytic vegetation) (DEIR, p. 4.3-20).

The 1987 Manual is also relied upon by the RWQCB, as stated in the Basin Plan: "The Regional Board would, in general, rely on the federal manual for wetlands delineation in this region for Section 404 permits (U.S. Army Corps of Engineers Wetlands Delineation Manual, 1987)" (Basin Plan, Chapter 2). This is consistent with the August 23, 1993 "California Wetlands Conservation Policy" incorporated into the Basin Plan. ("[T]he State would work toward the adoption of a single definition [of wetlands] for regulatory purposes. The definition would, to the greatest extent possible, be consistent with the definition and wetlands delineation manual used by the Federal government.") (Wetlands Conservation Policy, page 3). The Basin Plan also states that: "It should be noted that while the Fish & Wildlife [Cowardin] wetlands classification system is a useful tool for helping to establish beneficial uses for a wetland site, it is not suggested that this system be used to identify or delineate wetlands" (Basin Plan, Chapter 4).

During an August 7, 2006 site visit, RWQCB staff requested that additional study be performed on certain portions of the site to confirm, or potentially modify, the Corps-approved wetland delineation. Following the site visit on August 7, Huffman-Broadway Group (HBG) performed additional work on the site to reevaluate the jurisdictional status of the several areas that RWQCB staff requested be considered further. This additional work included a wetland delineation performed in accordance with the U.S. Army Corps of Engineers 1987 Wetland Delineation Manual, and a photographic record of drainages that were not considered Waters of the United States but that may be considered Waters of the State.

The past two years have resulted in above normal rainfall that has also been concentrated in relatively large storms late in the season. The Corps' 1987 wetland delineation manual indicates that the evaluation of wetland hydrology should be based on an average year, defined as a level of

precipitation that would occur on average in at least 50 out of 100 years. U.S. Army Corps of Engineers, August 1986; Clarification of "Normal Circumstances" in the Wetland Definition, Regulatory Guidance Letter No. 86-9; 33 CFR 323.2(c); 1987 Corps Manual at 80. HBG performed the original site investigations in November of 2002 during earlier, more representative, years that resulted in the Corps-verified delineation that has served as the basis for both the 404 application, and the DEIR.

This past rainy season included two large storm series at the end of December and during April, which deposited substantial amounts of water on the site. This both affected the site hydrology and caused a number of landslide events. The landslide events in some cases interrupted groundwater flows, reducing ground moisture in some areas of the Faria Preserve project site. In other areas, particularly in one area adjacent to the central drainage, the landslides exposed groundwater flows and modified the site topography such that ground moisture was increased. The net result is that, preliminarily, an additional 1.13 acres of potential wetlands and another 0.006 acres of potential intermittent drainages have been identified on the site, as summarized in Table B.

The genesis of these additional potential wetlands complicates the formal jurisdictional delineation process, since that delineation is required to be based on the "normal circumstances" of the site. To the extent that wetland characteristics on the site are a result of the significant storms of the past winter and the greater than normal rainfall of the past season, they do not reflect the site's normal circumstances. However, to the extent that permanent physical changes to the site (such as from the landslide events) have changed the site's wetland characteristics, they may reflect a change in the normal circumstances of the site that can be considered in the formal delineation process.

A technical meeting was conducted between HBG and RWQCB staff to discuss the results of this additional site work in the context of the applicable protocols for evaluating the geographic scope of the wetlands and the geographic extent of the drainages on the site. Upon review of the preliminary delineation map, RWQCB staff indicated that an additional site visit would be required to verify the 1.13 acres of potential wetlands and 0.006 acres of potential waters mapped. Additionally, RWQCB staff reviewed the photographic record of drainages but was unable to make a determination as to whether or not the drainages met the definition of a Water of the State.

Table B outlines the newly formed features that may be considered Waters of the United States and/or Waters of the State but have not yet been verified by either the Corps or the RWQCB.

Table B: Newly Formed Features that may be Considered Wetlands and Other Waters of the U.S. and State Potentially Subject to Regulation

Habitat Type	Total (acres)	Total Impacted (acres)	Total Preserved On-Site (acres)
Wetlands/Fresh Emergent Marsh	1.13	0.59	0.54
Intermittent Drainages	0.006 (127 linear feet)	0.006 (127 linear feet)	0.0

Although the formal status of these additional areas has not yet been determined by the regulatory agencies, for purposes of the FEIR they are assumed to reflect potential additional jurisdictional

wetlands that would be mitigated on at least a 1:1 ratio. Accordingly, Mitigation Measure Biology-1a (DEIR, pp. 4.3-57 through 4.3-58) would be modified to include an additional bullet, as follows:

- In the event that additional wetlands or other aquatic habitats are included in a verified delineation for the site, the mitigation areas set forth above shall be increased such that the additional areas are mitigated on at least a 1:1 acre-for-acre and value-for-value basis.

There are sufficient opportunities for such mitigation on the Faria Ranch property, as discussed in Response 3.C below, to ensure that this impact would continue to be fully mitigated. Review of the proposed mitigation by the Corps of Engineers and RWQCB under Sections 404 and 401 of the Clean Water Act would further ensure that no significant impacts to aquatic habitats would occur. The project will not be able to proceed until the permit requirements of the U.S. Army Corps of Engineers and RWQCB are met.

3.C Riparian Corridor Mitigation

Comments:

A number of commenters generally expressed the view that the filling of seasonal tributary creeks and seasonal wetlands on the site would result in significant impacts and questioned the ability of the proposed mitigation for the Faria Preserve project to fully address those impacts. Specifically, commenters expressed concern with the adequacy of the proposed 8.9-acre riparian corridor as mitigation for the Faria Preserve's impact on wildlife habitat and water resources, including seasonal wetlands and beneficial contributions from on-site tributary streams to downstream waters. These concerns were expressed in comments SA 2-3, SA 2-6, SA 2-7, SA 2-8, SA 2-9, SA 2-10, SA 2-16, SA 2-20, LA 5-3, LA 5-14, LA 5-15, LA 5-18, O 1-2, O 3-1A, O 3-4, I 1-7, O 4-11, O 4-12, O 4-13, O 4-14, O 4-16, O 4-17, PH 2-F, PH 10-C, and PH 2-H. Commenters generally questioned the assumption that the existing Riparian Corridor can be replaced at another location or that the impact on the riparian corridor would be less than significant after mitigation. Specific issues raised included: clarification of the mitigation proposal; valuation of the existing baseline habitat conditions on the site: reliability of the proposed riparian corridor mitigation; consideration of additional on-site and off-site mitigation opportunities; and overall adequacy of the mitigation proposal and support for the conclusion of less than significant impacts.

Response:

Summary of the Mitigation Plan Proposed in the DEIR. As outlined in the DEIR (pp. 4.3-57 through 4.3-58), the project sponsor for the Faria Preserve project site has developed an extensive program referred to as the Faria Preserve Biological Mitigation/Enhancement and Monitoring Plan for the creation and enhancement of riparian and wetland habitat and the full mitigation of potential biological impacts. The project sponsor's plan includes the following riparian corridor mitigation/enhancement measures as well as other related measures:

- Set aside 144 acres of a remainder parcel into an open space preserve subject to a conservation easement and managed by a third party. This area is referred to as the Adjacent Faria Off-site Preservation Area.

- Set aside an 8.9-acre Riparian and Wildlife Corridor with an average width of 200 feet that would allow creation of wetland and riparian habitats to compensate for habitat loss resulting from the project. This area would be preserved by conservation easements and managed by a third party. Preserve 0.09 acres of wetlands and riverine intermittent streambed and 6.91 acres of valley foothill hardwood habitat not impacted by the proposed project.

- Create 1.15 acres of palustrine emergent and palustrine scrub-shrub wetland habitat along the Riparian and Wildlife Corridor.

- Create 6.06 acres of valley foothill riparian habitat along the Riparian and Wildlife Corridor. This includes 4.91 acres of forested habitat beyond the 1.15 acres of jurisdictional wetlands. The riparian vegetation would consist of willows and California bay trees near the creek and coast live oak and valley oaks further up the riparian area slopes.

- Develop a vegetated buffer within the 8.9-acre riparian corridor to maintain and enhance aquatic functions in the wetland mitigation/preservation area. The vegetated buffer would include a 4.91-acre planted riparian corridor adjacent to the stream and wetlands, and a 2.82-acre, 30-foot wide area around the perimeter of the riparian canopy and beyond the rear of homes that would not be planted with trees, and would remain as a mowed or disked grassland area that would serve as a firebreak.

- Create approximately 45 acres of valley foothill hardwood habitat within designated mitigation sites at various undisturbed locations within the property through planting of coast live oak and valley oak trees.

- Plant coast live oak and valley oak trees within the 45 acres of tree replacement mitigation area to compensate for the 514 trees removed by construction of the project. Replacement trees would be primarily coast live oak and valley oak and would total 1,606 trees (accounts for expected survival of 80 percent of plantings).

- Provide for long-term "in perpetuity" habitat/species protection through a conservation easement and funding of a long term protection program over approximately 152.9 acres (144 acres off-site and 8.9 acres on site). Similar riparian corridor mitigation measures have been successfully implemented elsewhere

As discussed in Response 3.B above, a new bullet would be added to this mitigation measure to respond to any newly delineated jurisdictional areas on the project site and to help ensure that implementation of the mitigation measure would address the permit requirements of the U.S. Army Corps of Engineers and RWQCB:

- In the event that additional wetlands or other aquatic habitats are included in a verified delineation for the site, the mitigation areas set forth above shall be increased such that the additional areas are mitigated on at least a 1:1 acre-for-acre and value-for-value basis.

In addition, Mitigation Measure Biology-4a requires that the project sponsor, prior to issuance of a grading permit, provide written evidence that approvals from the U.S. Army Corps of Engineers and RWQCB, under Sections 404 and 401 of the Clean Water Act, respectively. Mitigation Measure Biology 4-b requires the project sponsor to mitigate and monitor wetlands as required by the Section 404 permit. As a result, the biological mitigation plan described in the DEIR effectively sets minimum requirements for the Faria Preserve project that may be increased in connection with those other regulatory processes.

The proposed riparian corridor has been designed by the Huffman-Broadway Group (HBG), at the direction of the Faria Preserve's project sponsor, and is an integral component of the project. Generally, the Biological Mitigation/Enhancement and Monitoring Plan, as currently proposed, would provide for the creation and maintenance of wetland and intermittent drainage features having a combined surface area of over 1.15 acres, which would replace the 0.40 acres of impacted Corps verified jurisdictional areas on approximately a 3:1 basis. These features are intended to provide for wildlife movement, as well as to enhance the proposed storm water filtration system.

The on-site portion of the riparian and wetland mitigation is focused within the 8.9-acre Riparian and Wildlife Corridor in the general location of the existing western drainage through the site. The mitigation corridor would measure a 200-foot average width in the central drainage and would include several detention basins designed to hold runoff and simultaneously remove sediment from surface water prior to release to the main channel of the stream. The riparian corridor design includes rock energy dissipaters, stream bank restoration, vegetation planting, and three wetland areas. These combined measures would reduce in-stream velocity, promote settling of suspended solids, and reduce sediment and nutrient transport to downstream locations. As designed, the restored riparian corridor would support conditions conducive to wetland formation and the creation of riparian habitat.

The restored riparian corridor would connect on- and off-site open space areas to the north of the Faria Preserve project with the community park and additional open space to the south, as well as existing Mill Creek Hollow Park further to the south. A mix of riparian vegetation, including California bays, willows and oak trees and associated shrubs and groundcover would be planted throughout the corridor, and the enhanced drainage course would be designed to support wetland features while eliminating the presently occurring erosion. The 8.9-acre riparian corridor and the approximately 144-acre remainder parcel would be protected in perpetuity through conservation easements.

Additional information was requested in the comments concerning the details of the proposed stream channel, to be located within the restored riparian corridor, including how the beginning and end of the stream would be integrated into the areas up and down stream of the mitigation area, and the degree to which rock would be used to enhance stability. As described in the mitigation plan, substantial use of rock in the riparian corridor is not anticipated to be necessary given the relatively low slope across the majority of the reach of this feature. The beginning and end of the stream drainage would consist of ungrouted natural rock densely planted with willows in combination with willow wattles in order to dissipate flow energy. Small groupings of natural rock planted densely with willows and willow wattles would be located at elevation transition points and high energy bank locations to provide physical interaction during high flow periods sufficient to dissipate stream energy. In addition, a system of pools and adjacent wetlands would be created along the riparian

corridor to provide additional stormwater treatment through biological processes during low flow periods.

Existing Baseline Conditions on the Project Site. Several of the commenters characterized the existing habitat conditions of the site as providing substantial values for wildlife. Specifically, the EBRPD (LA 5-13) questioned the statement in the DEIR that the riparian area to be destroyed is considered "degraded" as a result of cattle grazing and non-native vegetation, and therefore, is of little value to wildlife.

As discussed in the DEIR and as recognized in several of the comments, the current habitat values of the on-site waters are degraded. These waters are biologically isolated to a substantial degree from downstream watercourses where they enter underground culverts that are part of the storm sewer system of the City of San Ramon. This isolation, as well as the steep profile and intermittent flows, preclude the site from having any value as fish habitat, and the watercourses have been subjected to cattle grazing for nearly a century. As a result of cattle grazing higher levels of sediment and nutrients are released into the drainage; in addition, existing riparian shrubs are heavily grazed and the ability for new growth of riparian species is significantly impacted. As a result, only a few of the beneficial uses more generally served by wetlands and headwater tributaries are provided by the existing waters on the site.

As recognized in the DEIR, the site does provide limited wildlife and warm water habitat for common species, such as terrestrial mammals and amphibians such as tree frogs, but even those functions are limited by the degraded condition of the site. Waterfowl have not been documented as utilizing the project site. No known fish spawning or migration occurs on the project site, and is precluded by the existing stream channels entering the City of San Ramon storm sewer system. The streams on the project site support some wetland and riparian vegetation, amphibians, and aquatic insects, but there is no evidence of fishes (see Biological Assessment, Faria Preserve project, December 2005, Huffman-Broadway Group, Inc.). Losses of these limited beneficial uses would be offset by on- and off-site mitigation measures, including on-site creation of the riparian corridor, and preservation of these resources on the 144-acre remainder parcel.

One of the factors limiting habitat quality is the existing water quality of the on-site drainage corridors. Nitrates, biochemical oxygen demand (BOD), coliform, and sediment are all current water quality concerns in the project site drainages. While no water quality data for these contaminants have been collected, it is reasonable to conclude that they are present within the Project area based on existing land uses and site visits. There are several areas in the easternmost and central drainages where the creek beds appear to be incised and the hillsides are eroding. These generally occur on the steepest slopes. These observations imply that cattle grazing has caused substantial erosion and sediment delivery to San Ramon Creek. In addition, grazing can cause elevated nitrate, BOD, and coliform concentrations in receiving waters, particularly when riparian buffers have not been established to prevent direct fecal deposition in stream beds or to reduce surface runoff and erosion. Groundwater contamination by nitrate from cattle grazing is also a concern in areas such as San Ramon, where groundwater is used for municipal and domestic water supply. Thus, the current water quality of the site has been compromised, and without development would continue to be compromised.

The RWQCB (SA 2-3) indicates that the water resources on the site provide important functions and habitats that are becoming increasingly rare locally as well as around the State. This concern over past cumulative losses of aquatic resources was also reflected in other comments. The San Ramon 2020 General Plan EIR evaluated these impacts in Section 4.12, specifically recognizing the aquatic habitats in the San Ramon Planning Area on page 4-131, and evaluating the impacts to those habitats from regional development. Generally, since all projects affecting Waters of the United States require permits from the Corps of Engineers and RWQCB, which in turn require mitigation on at least a 1:1 acre-for-acre and value-for-value basis, cumulative impacts are not anticipated to be significant. Furthermore, the mitigation program for the Faria Preserve would ensure that its contribution to these impacts would not be cumulatively considerable.

Reliability of the Proposed Mitigation. As described in the DEIR, the proposed Faria Preserve Project includes several measures that would enhance habitat values and improve water quality runoff from open space areas. These include the above-described restored riparian corridor.

The effectiveness of creating the riparian mitigation area on engineered fill was questioned by several commenters (SA 2-6 and 2-7; O 3-4, 4-11, 4-12; PH 2-F). The RWQCB asserted that the practice is experimental and not supported by the agency. The RWQCB further asserted that the creation of water features on top of engineered fill would likely require a substantial amount of rock in the design to provide stability, and would not likely receive groundwater inflow as the existing drainage does at present. Commenters asked for examples of how the proposed mitigation has worked in the past.

In a July letter, the RWQCB clarified that it does not object to the creation of channels on fill, "providing that the design is stable, and will not result in violation of water quality standards." The project sponsor has developed a project mitigation design where the created drainage and wetland habitat are fed by pre-treated stormwater runoff generated during the annual rainy season from pretreated stormwater, from upslope undisturbed grassland areas and from groundwater sources. Depending on the year, water flows within the created drainage and wetlands would be intermittent to permanent. In addition, seasonal wetlands would occur within the margins of some of the created wetland and creek drainages. Flow down slope would move through a series of linear drainage runs situated in stair step fashion as the drainage progresses down slope in order to minimize erosion. As described above, high flow energy points along the drainage would be treated with natural materials to include rock and vegetation to dissipate high energy flows.

The restored riparian corridor also would support conditions conducive to wetland development and creation of riparian habitats. Although the mitigation wetlands would be created on fill, the substrate would consist of soils of a similar nature transported from elsewhere on the site. Wetland hydrology would be supplied from pre-treated stormwater runoff. The planned topography of the new corridor with a central stream channel, soils, and a restricted outflow would allow surface inundation and/or soil saturation throughout the year and a subsequent predominance of hydrophytic riparian vegetation along the drainage corridor. The proposed enhancement area would include three wetland pools within the stream that would create hydrologic conditions conducive to the development of additional vegetated wetland habitat. The creation of an average 200-foot-wide vegetated buffer around the wetlands would maintain and provide protection of their aquatic functions from indirect impacts.

For these reasons, the compensatory wetland mitigation plan is expected to be successful. The project sponsor would continue to work with regulatory agencies to ensure that the mitigation plan is adequate. Permits would not be issued until all agency requirements are met.

Creation of wetland habitat situated along a man-made drainage is not a new or experimental concept nor is the planting of riparian shrubs and tree species. This is a relatively common practice for urban areas where riparian drainages have been expanded or created to extend or relocate existing drainages. The formation of riparian shrub and tree dominated wetland habitat on soils that were not previously associated with drainage, although typically inadvertently, also is a quite common association with man-made irrigation and drainage ditches. Specific examples of the successful creation of creek/riparian habitat in the project vicinity are provided in Table C.

Table C: Examples of Successful Creek/Riparian Habitat Creation

Project Name	Location	Name of Impacted Drainage	Commencement Date of Riparian Creation	Length of Creek/Riparian Habitat Created (feet)
West Branch Alamo Creek Restoration Project	San Ramon, CA	West Branch Alamo Creek	1988	2000 feet
East Branch Alamo Creek Restoration Project	Contra Costa County, CA	East Branch Alamo Creek	2000	3000 feet

A wetland scientist with substantial experience and expertise in wetlands mitigation would supervise the site preparation to ensure that the site is adequately graded to support wetland plants along the new stream corridor. Based on similar revegetation efforts conducted by the Huffman-Broadway Group, it is anticipated that the revegetation would show quick progress toward established success criteria. If the criteria are not met, seed would be collected from adjacent wetland areas and spread over the mitigation site. Follow-up inspections would be made on an as-necessary basis to ensure proper plant growth. As a result, the proposed mitigation program provides for reliable achievement of the success criteria set forth in the mitigation plan. The riparian corridor would be designed to use pre-treated stormwater runoff from the site, which would serve as a reliable source of irrigation. If necessary, additional measures such as the piping of roof runoff into the corridor after appropriate water quality treatment may also be considered. The soils to be used are the existing on-site soils and natural vegetation from the Faria Preserve project site, and are anticipated to support successful completion of the mitigation program.

The mitigation measures described above would all be monitored in accordance with a monitoring and reporting program acceptable to the Army Corps of Engineers and RWQCB. The proposed monitoring and reporting program is set forth in Sections 5 and 6 of the conceptual mitigation program, Appendix B to the DEIR. Should the mitigation program fail to meet the established success criteria, remedial measures would be undertaken in accordance with the contingency plan contained in Section 7.3 of the conceptual mitigation program, Appendix B to the DEIR.

The RWQCB has also suggested that the use of urban stormwater to provide water to the riparian corridor, and the use of the aquatic features within the mitigation area for treatment of stormwater might be problematic, since pollutants in urban runoff could degrade water quality in the creek and wetlands, making them potentially unsuitable as habitat for native plants and wildlife. However, stormwater runoff from hard surfaces within the development would be treated to a level consistent with the County's "C.3" NPDES Municipal stormwater permit "Low Impact Design" (LID) requirements, which include multiple on-site "natural" water detention, infiltration, and treatment features (DEIR, p. 4.7-18, Mitigation Measure Hydrology 2d). This would include consideration of methods to reduce impervious surfaces in the developed areas of the site. As revisions to the development plan may occur, flows and related BMP design/sizing are intended to be performed at an appropriate time. The project sponsor intends to have its consultant ENGEO work collaboratively with the RWQCB to determine appropriate modeling and sizing to accomplish water treatment objectives for the project, and to ensure that the quality of the stormwater adequately serves mitigation purposes.

Consideration of Additional On-site and Off-site Mitigation Opportunities. Several commenters, in particular the RWQCB, requested additional consideration of on-site mitigation (including additional avoidance) and also consideration of off-site mitigation opportunities in the proposed Adjacent Faria Off-site Preservation Area and elsewhere downstream of the site. In response to this request, the project sponsor has considered several additional options for enhancing the mitigation program, as described below.

The project sponsor has undertaken additional engineering review of the potential for increasing the degree to which filling of the riparian corridors can be avoided on the site. Substantial filling of the central drainage is generally dictated by the site's topography, while avoidance of the riparian corridors in the eastern drainage would require complex and potentially expensive engineering solutions (i.e., retaining walls up to 50 feet in height). Therefore, the avoidance of filling does not appear to be feasible.

However, additional on-site and off-site mitigation opportunities have been identified. On-site mitigation opportunities may include the creation of additional riparian corridors and the enhancement of existing wetlands within the Faria Preserve project area. Up to 1,000 linear feet of riparian corridor could be created along the upstream end of the northeastern Water of the United States. Creation of a riparian corridor would involve the excavation of a defined channel, planting of riparian vegetation and placement of fencing to prevent cattle and people from entering the created riparian corridor. The newly created riparian corridor would enhance the connectivity between the Faria Preserve project area and the wildlife areas north of the project boundary thus creating a wildlife corridor between the two areas. Wetland enhancement opportunities could include the excavation of existing seasonally saturated wetlands to create deeper vegetated pools that could provide additional habitat for wetland plant species, invertebrates and foraging habitat for migrating avian species. In addition, wetland habitat within the upstream end of the northeastern Water of the United States could be enhanced by constructing earth berms to capture storm water and create deeper pools and potentially create perennial wetlands within the created riparian corridor.

As indicated on page 3-1 of the DEIR, the Faria Preserve project sponsor also owns a significant amount of land immediately to the west of the Faria Preserve but outside of the development area. As an amenity of the Faria Preserve, and to advance the City's open space and resource conservation

goals, 144 acres of this property, called the Adjacent Faria Off-site Preservation Area, is proposed to be permanently preserved in its natural state through conservation easements. At the time that the Corps Alternatives Analysis was submitted, and the DEIR released, it was not contemplated that there would be a need for additional mitigation on the Adjacent Faria Off-site Preservation Area, since as described in the DEIR sufficient mitigation was being offered through the on-site program which met the RWQCB's Basin Plan policy of "no net loss of wetland acreage and no net loss of wetland value when a project and any proposed mitigation are evaluated together." (RWQCB Basin Plan, Chapter 4) However, the project sponsor is now in the process of evaluating possible off-site mitigation options in this proposed preservation area, was well as the other on-site mitigation options, in an effort to expedite the permitting process and to compensate for any additional verified jurisdictional areas.

Huffman-Broadway Group has evaluated the proposed 144-acre preservation parcel and has determined that it contains up to 6,500 feet of existing or previously existing riparian corridors. Most of these corridors have been severely degraded by cattle grazing and although some riparian habitat values are present, significant opportunities for restoration are evident. A substantial percentage of these areas could be restored to recreate at least a portion of the previously existing riparian values. In addition, there appear to be approximately ½ acre of wetlands on the remainder parcel, which could be expanded and/or enhanced as part of the mitigation program.

Mitigation opportunities on the preservation parcel may include a conservation program that could restore previously existing riparian corridors and enhance existing riparian corridors, stabilize head-cutting and erosion within and adjacent to existing drainages, enhance wildlife corridors and connectivity between adjacent properties, create and enhance wetlands and implement a grazing management plan. Restoration of previously existing riparian corridors and enhancement along existing riparian corridors would involve the planting of riparian vegetation and placement of fencing along restored and enhanced riparian corridors. The planting of riparian vegetation would create riparian habitat and reduce head-cutting and erosion along drainages and fencing along restored and enhanced riparian corridors would prevent cattle from entering and grazing along these areas. Restored and enhanced riparian corridors would significantly improve the connectivity and wildlife corridors between adjacent properties and Bollinger Canyon Creek. In addition to the restoration and enhancement of riparian corridors, the conservation program could include the creation and enhancement of wetlands. Wetlands could be created by constructing earth berms to capture stormwater and/or excavation to create depressional areas that would hold water for long durations. A grazing management plan could be implemented consistent with existing wildlife activities.

All created, restored and enhanced riparian corridors and created and enhanced wetlands off site and on site would be preserved through a conservation easement and/or fee title transfer to an appropriate governmental agency and/or held in trust by an appropriate third party. Together with adequate funding to successfully manage such lands in perpetuity, these actions would be beneficial to the long term protection and enhancement of the quality and diversity of habitat.

The RWQCB (SA 2-9) also requested consideration of creek restoration and enhancement downstream in the watershed, suggesting that given limited opportunities for on-site creek restoration, the costs and feasibility off-site creek restoration should be evaluated. However, suitable creeks that would qualify for such work within the area are limited in number and it may be difficult to obtain the rights to carry out the mitigation. Another option would be for the City of San Ramon

to use its regulatory authority to require improvements to downstream creeks. Possible options include: creek and riparian zone set backs; prohibitions regarding filling creek drainages; and development incentives for restoring creek and riparian zones.

As discussed above, however, the proposed mitigation program, including potential enhancements, is anticipated to ensure that significant impacts would not result from the project. As a result, while the City would continue to evaluate these broader programmatic suggestions of the RWQCB, they do not appear to be necessary to compensate for the impacts of the NWSP, including the Faria Preserve Project.

Overall Adequacy of the Mitigation Proposal and Support for the Conclusion of Less Than Significant Impacts. General comments regarding the adequacy of the proposed mitigation program for the Faria Preserve project were raised by several commenters, but the most detailed comments on the subject were raised by the RWQCB. As discussed, the RWQCB has regulatory authority over the project under Section 401 of the Clean Water Act, which generally requires consideration of water quality impacts in the context of the applicable Basin Plan.

The Basin Plan for this region requires that, at minimum, habitat values be compensated on an 1:1 acre-for-acre and value-for-value basis. In the RWQCB's July 2006 letter to the Army Corps of Engineers, the RWQCB indicated that it would be seeking a minimum mitigation ratio for in-kind mitigation of 2:1, which would exceed the minimum requirements of the Basin Plan. In any event, the mitigation proposal in the DEIR provides for mitigation in excess of a 2:1 ratio, satisfying these requirements. Additional mitigation on the remainder parcel may also be possible, further increasing the mitigation benefit as discussed above.

The RWQCB also objected to using a single area to fulfill more than one requirement (i.e. stormwater quality control and wetland mitigation) (SA 2-6). However, one of the functions of wetlands is stormwater quality control. Consideration of the multiple benefits of the wetland mitigation program is appropriate. The restored creek drainage and wetlands would not be used for water quality treatment. Stormwater runoff from hard surfaces within the development could be treated to C.3 standards in treatment areas prior to release into created creek drainage and wetland habitats. Treatment levels under the C.3 standard are set as a standard so as to avoid substantial degradation of water quality in the created creek drainage and wetlands. Once water has been treated it would be allowed to flow into the restored creek drainage and wetland habitats.

The RWQCB also indicated that the created ponds within the riparian habitat corridor mitigation area would not fully mitigate for the loss of the seasonal wetlands because the newly created ponds are "out-of-kind" SA 2-8). The RWQCB indicated that new seasonal wetlands would have to be established or preserved on site at a minimum ratio of 2:1, while out-of-kind mitigation, acceptable as a "last resort," would require "substantially higher ratios." However, the proposed created wetlands are not ponds, but depressional wetlands that would be dominated with the same type of vegetation which occurs in the wetland areas associated with the margin of the creek drainage and seasonal wetlands. This would be accomplished through slope gradation and associated elevation variation when the wetlands are constructed adjacent to the created creek channel. This is common practice in wetland creation and restoration and results in a hydrologic gradient where semi-permanently wet and seasonal wetlands can occur.

The RWQCB also suggests that the Faria Preserve project should mitigate the impacts to the drainage corridor on a linear foot as compared to acreage basis. The use of an acreage measure in the DEIR was based in part on the Basin Plan's reference to maintaining wetland "acreages and values." The restored riparian corridor would be approximately 1,800 feet in length, and approximately 700 feet of the on-site riparian corridors would be retained and preserved. In addition, design changes to the onsite riparian corridor to increase the meander of the channel and/or add braided channels could also increase the linear foot metric. As discussed above, the applicant's initial estimate of the potential length of riparian corridors in the 144-acre preservation parcel is up to 6,500 feet, which can be created, restored or enhanced and preserved. As a result, the Faria Preserve project likely would be able to achieve a net benefit in functioning stream habitat on a linear foot basis, as well as on an acreage basis.

For CEQA purposes, the Faria Preserve mitigation program proposed in the DEIR is anticipated to reduce all impacts to a less-than-significant level. It is also recognized that the Corps of Engineers the and RWQCB would be reviewing the mitigation proposal and that enhancements to the mitigation program may be included in the project as a result of those processes, further reducing the impacts of the project and ensuring that those impacts would remain less-than-significant, and possibly have a net benefit on such resources.

3.D Impacts to Vegetation Communities; Oak Tree Mitigation Plan

Comments:

Several commenters (LA 3-2, O 3-2, I 1-3, O 3-1A) expressed concern with the NWSP's impacts on the oak woodlands present in the area and whether there would be adequate mitigation for tree loss. Specifically, commenters (O 3-2) expressed concern that revegetated hillside oak tree plantings on the Faria Preserve project site may fail due to soil conditions and location of plantings. The commenters also asked about the preservation of heritage trees and whether the project would remove dead or dying oak trees that provide bird nesting habitats. Another commenter questioned the effect of transferring blue oak woodlands from Contra Costa County to the City upon annexation (LA 3-2). The RWQCB requested an accounting of the impacts and mitigation relating to these vegetation communities.

Response:

As discussed in the DEIR (p. 4.3-57), site grading would affect a number of oak trees on the Faria Preserve site. A total of 514 trees would be removed, and at least 190 trees would be retained (see DEIR Figure 4.3-4). A substantial number of trees consisting of valley oaks, coast live oaks, and California buckeye would be removed in association with cut and fill grading required to prepare for residential development. To mitigate for this removal, a total of 1,606 trees would be planted (assuming an expected survival rate of 80% for the plantings with a net replacement ratio of 2.5:1), as discussed in the Faria Preserve Biological Mitigation/Enhancement and Monitoring Plan. The project sponsor's plan, incorporated into the DEIR as Mitigation Measure Biology-1a (DEIR, p. 4.3-58) includes the following tree mitigation measures:

- Create 6.06 acres of valley foothill riparian habitat along the Riparian and Wildlife Corridor. This includes 4.91 acres of forested habitat beyond the 1.15 acres of jurisdictional wetlands

and 0.28 acres of intermittent drainage. The riparian vegetation would consist of willows and California bay trees near the creek and coast live oak and valley oaks further up the riparian area slopes.

- Create approximately 45 acres of valley foothill hardwood habitat within designated mitigation sites at various undisturbed locations within the property through planting of coast live oak and valley oak trees; and

- Plant coast live oak and valley oak trees within the 45 acres of tree replacement mitigation area to compensate for the 514 trees removed by construction of the project. Replacement trees would be primarily coast live oak and valley oak and would total 1,606 trees (accounts for expected survival of 80 percent of plantings).

Currently, the project site is used for cattle grazing, which is preventing the growth of any new trees on the site (all of the existing trees are old). When the project is completed, cattle grazing would cease, benefiting the oak woodland habitat. The planting locations for the new trees have been selected in order to maximize the likelihood of their survival; all plantings would be on natural soil rather that on cut or fill slopes or other graded areas within the project. The oak tree mitigation plan is a preliminary plan at this time, and an arborist would review the final plan to ensure that the plan meets the standards set forth in the DEIR mitigation measures. The final location of plantings would take into consideration the fact that oaks would do better on the north and east slopes; some plantings may be on the 144-acre preservation parcel to accommodate the large number of planted trees.

Dead and dying trees within the vicinity of the development site would be removed for purposes of public health and safety, and these trees are included in the tree loss calculations. In other areas where oak woodland habitats would remain after construction of the project (e.g., many oak trees in the eastern drainage would not be affected), and particularly in areas outside of the development footprint, the forest would go through a normal cycle of regeneration and death and decomposition, and it is expected that some dead trees would remain to be used by cavity-nesting birds and other wildlife as appropriate.

As proposed and detailed in the project description, annexation of the project site to the City of San Ramon would be required as a condition of approval of development projects within the NWSP Area. The oak woodlands mitigation contained in the DEIR (pp. 4.3-57 through 4.3-59) would reduce impacts to oak woodlands to less than significant levels and complies with City of San Ramon policies.

The RWQCB requested a table depicting how many acres of each type of aquatic feature and habitat, including riparian vegetation that would be impacted and created as a result of the Faria Preserve project (SA 2-10). Tables A and B above quantify impacts to wetlands and intermittent drainages and the proposed mitigation for such impacts. The following table (Table D) summarizes the acreage of impacts to each type of vegetation community and the proposed acreage of on-site mitigation which includes creation/restoration and preservation of habitat within the Faria Preserve project site.

Table D: Vegetation Communities Impacted by the Development Footprint and On-Site Mitigation				
Habitat Type	Impacted (acres)	Creation/Restoration On-Site (acres)	Preservation On-Site (acres)	Total Created/Restored/ Preserved On-Site (Acres)
Annual Grassland	176.18	2.82	[1]46.32	49.14
Chaparral	0.08	0.0	0.0	0
Eucalyptus	0.46	0.0	0.63	.63
Valley Foothill Hardwood	11.06	45	6.91	51.91
Valley Foothill Riparian	4.20	4.91	.06	4.97

[1] 91.32 acres of annual grassland would not be impacted by development; however, 45 of the 91.32 acres would be converted to Valley Foothill Hardwood habitat

3.E Impacts to Other Species

Comments:

Several commenters (LA 5-11, I 2-3, I 2-4, O 4-18, O 4-19, PH 4-Y, PH 9-C, PH 10-B, PH 11-A, SA 2-12, O 2-5) were concerned with the NWSP's impact on a variety of plant and animal species known to occur in this area. Commenters asserted that the NWSP area is diverse and provides an abundance and variety of plant communities (coast live oak woodland, oak-bay riparian, mixed chapparal, non-native annual grassland, etc.) and wildlife habitats, including federally-threatened species, such as the Alameda whipsnake and California red legged frog, as well as golden eagles, red tail hawks and other protected raptors. Two commenters (O 1-4, O 1-5; O 4-18, O 4-19) specifically requested additional surveys of the following plant species on the Faria Preserve project site: Bent-flowered fiddleneck (*Amsinckia lunaris*); A. Diablo heliantehlla (*Helianthella castanea*); and c. Congdon's tarplant (*Centromadia parryi spp. congdonii)*.

Response:

As stated in the DEIR, rare, endangered, or threatened species are protected by the Federal Endangered Species Act of 1973 (as updated in 50 CFR § 17.11 and 17.12, January, 1982), the California Native Plant Protection Act of 1977, and the California Endangered Species Act of 1970 (California Administrative Code Title 14, Section 670.2 and 670.51) (DEIR, p. 4.3-21). The California Environmental Quality Act (CEQA) (January, 1984) provides additional protection for unlisted species that meet the "rare" or "endangered" criteria defined in Section 15380 (DEIR, p. 4.3-21).

The California Department of Fish and Game (CDFG) maintain records for the distribution and known occurrences of sensitive species and habitats in the California Natural Diversity Database (CNDDB). Sensitive species include those species listed by the federal and state governments as endangered, threatened, or rare or candidate species for these lists. The CNDDB is organized into map areas based on 7.5-minute topographic maps produced by the U.S. Geological Survey.

All known occurrences of sensitive species and important natural communities are mapped onto the quadrangle map. The database gives further detailed information on each occurrence, including specific location of the individual, population, or habitat (if possible) and the presumed current state of the population or habitat.

The NWSP Area is located in the Diablo 7.5-minute quadrangle. A search of the CNDDB conducted for records of occurrence of special-status animals and plants and natural communities within this quadrangle indicated that no special-status species or natural communities are known to occur in the NWSP Area itself. However, the absence of a special animal, plant or natural community from the report does not necessarily mean that they are absent from the area in question, only that no occurrence data are currently entered in the CNDDB inventory as recognized in the DEIR. The occurrence of special-status species of plants and animals in the vicinity of the NWSP Area may be an indication that they also could occur in the NWSP Area. Table 4.3-4 in the DEIR presents a list of special-status animals and plants that have been reported in the NWSP Area vicinity (i.e., Diablo 7.5-minute quadrangle map and several nearby quadrangles: Las Trampas Ridge, Dublin and Hayward).

A list of special-status plants with potential to occur within the NWSP Area was developed from the California Department of Fish and Game's Natural Diversity Data Base (CNDDB, 2004), the U.S. Fish and Wildlife Service (USFWS) Endangered Species Office, the California Native Plant Society (CNPS), and field knowledge of the individual investigators. A complete list of special-status plant species occurring in the vicinity of the NWSP Area is included in Table 4.3-4 in the DEIR.

The Faria Preserve Project Site does not represent high-quality habitat for special-status plants (DEIR, p. 4.3-32, citing Virginia Dains surveys, March 2003). Heavy continuous cattle grazing over a long period of time appears to have altered habitats making them less likely to support rare species. In addition, non-native species may compete with localized native plants.

All of the potentially present special status species were evaluated on the Faria Project site during appropriately timed and scoped surveys as cited in the DEIR. Specific species mentioned in the comments are discussed further below.

California Red-Legged Frog. The RWQCB (SA 2-12) suggested that the DEIR and other documents regarding the Faria Preserve project do not provide adequate support for the conclusion that the project would not adversely affect the California red-legged frog (CRLF) and has requested a reevaluation of the area as possible habitat for this species.

The finding in the DEIR that the habitat at the Faria Preserve site was not suitable to support the federally-listed threatened CRLF was based on a Phase 1 Habitat Assessment prepared according to USFWS protocol by wildlife biologist Gary Beeman of Beeman & Associates in October of 2002. To further substantiate the nature of the habitat at the site with respect to CRLF, an additional Phase 1 Habitat Assessment was recently conducted by Dr. Mark Jennings, noted herpetologist with the firm of Rana Resources. Dr. Jennings visited the development site and the Faria remainder parcel on September 18, 2006 for purposes of completing the site assessment, and a letter report of his findings is included as Appendix A.

Dr. Jennings found that although the Faria study area has springs, seeps, intermittent drainages, and one drainage area with a 100-foot stretch of channel containing pools, the entire site has no suitable California red-legged frog habitat. This finding is based on the intermittent nature of vast majority of the drainages, the large amount of sediment in the seeps and springs, the extensive grazing of riparian vegetation, and the lack of deep (>2-feet) pools of water in the spring fed areas.

The 144-acre preservation parcel was found to contain suitable habitat for CRLF only along the riparian corridor of Bollinger Canyon Creek. Dr. Jennings found CRLF habitat in the creek to be marginal, but suggested that the area probably functions as a movement corridor for juvenile and adult CRLF. This existing dispersal corridor would remain to be protected as open space into perpetuity under the proposed conservation easement.

Burrowing Owls. Several commenters (I 2-3 and 2-4) suggested that because ground squirrels and Botta's pocket gophers are present on the Faria Preserve project site, it creates a potential of burrowing owls being present. However, burrowing owls were found not to be present within the development site for the Faria Preserve. As the commenters point out from indications in the DEIR, this finding was based in part on the finding that burrows for California ground squirrel, used almost exclusively by burrowing owls in this part of California, were all but non-existent at the site. The finding that burrowing owl is not present at the site is also based on field reviews conducted by wildlife biologists with HBG who conducted field surveys at the site at times consistent with CDFG protocol for both winter and nesting surveys, with negative results (DEIR, p. 4.3-42).

California Tiger Salamander. Commenters also suggested that the presence of ground squirrels and pocket gophers could also lead to the presence of federally-listed threatened California tiger salamander (CTS). In addition to conducting the habitat assessment for CRLF, Beeman & Associates conducted a habitat assessment for the CTS in October of 2002. The nearest known location of CTS in the vicinity of the Faria Preserve is approximately three miles away near San Ramon Creek in Danville. Although some burrows for Botta's pocket gopher are present as noted by the comments, the habitat assessment conducted in 2002 revealed that breeding ponds were not present at the Faria Preserve site and that estivation sites were not present due to lack of ground squirrel burrows and a very limited number of other open rodent burrows. During his review of the site on September 18, 2006, Dr. Jennings noted that because CTS were not known to have colonized the hills in the vicinity of the Faria Preserve and that known breeding populations were too far away to use the site for estivation, it can be conclusively stated that CTS also do not occur at the Faria Preserve site. (Dr. Mark R. Jennings, personal communication with Gary Deghi, Huffman-Broadway Group, September 18, 2006).

Raptors. Commenters suggest that significant impacts could result to habitat for a number of special status species of raptors due to site development. The species mentioned, golden eagle, white-tailed kite, Cooper's hawk, sharp-shinned hawk, northern harrier, prairie falcon and peregrine falcon, are all species that could occur on the site. In fact, HBG documented white-tailed kite, northern harrier, prairie falcon and peregrine falcon as having used the site during field reviews. Although peregrine falcon, a state-listed endangered species, was observed foraging at the site during the nesting season, this species is well-known as a nesting species in the Diablo Range and occasional use of the site is not surprising. Sufficient open space to accommodate foraging by this species exists north of the project area, including the proposed 144-acre preservation site. Nesting by species such as white-tailed kite, Cooper's hawk or sharp-shinned hawk is certainly possible, but raptor nesting

surveys conducted by HBG wildlife biologists in the spring and summer of 2003 found red-tailed hawk as the only nesting raptor at the site. Further, Mitigation Measure Biology-3b of the DEIR (p. 4.3-65) would require a preconstruction raptor nesting surveys to determine if any of these raptor species are actively nesting during the construction year and buffering of active nests if they are found, as to ensure that any impacts to nesting raptors would be mitigated to levels of insignificance. The raptor species mentioned are designated species of either state or federal concern that could winter in the project area. Winter use by these wide-ranging species is expected in any such mixed grassland/woodland site in this part of the state, and incidental use of the project site could occur. However, the development of the site as planned would not result in substantial reductions in the numbers or the range of these raptor species, and the DEIR appropriately lists this impact as one that would be considered less than significant.

Other species of concern mentioned by the commenters included California horned lark and loggerhead shrike. Nesting by California horned lark (a California species of special concern) was documented in grasslands on the property, and loggerhead shrike (a species of both state and federal concern) was observed in a riparian canyon during the nesting season. The DEIR recognizes that direct impacts to nesting populations of these species of concern could occur through removal of habitat during construction, and recommends preconstruction surveys to ensure that impacts to either species do not occur during the nesting season. The presence of nests of either species could require delay of construction until young have fledged.

Alameda Whipsnake. No comments specifically addressed the Alameda whipsnake. As indicated in the DEIR, portions of the NWSP were proposed as critical habitat for the whipsnake at the time the DEIR was issued.

The DEIR also recognized that the site had been designated as critical habitat previously and that the USFWS had issued a pending proposal to redesignate the site as critical habitat as of the date that the DEIR was circulated. The final designation issued by the USFWS on October 2, 2006 adopted this proposal without change.

The potential impacts of the project on the Alameda whipsnake and its critical habitat are the subject of a pending consultation proceeding before USFWS that would further ensure that no significant impacts on the Alameda whipsnake or its habitat would occur.

Wild Turkeys and Other Species. Other commenters registered concerns regarding wildlife including wild turkeys (PH 9-C), and lamented the loss of species like crows, deer, coyotes and quail (PH 11-A). Wild turkeys are expanding their range within oak woodlands in places like the Diablo Range. Wild turkeys occur in the project area, and, in fact, a small flock of about eight birds inhabits the oak woodland in the eastern drainage of the Faria Preserve project site. As at least portions of this woodland would be preserved by the project, the turkeys at this location may continue to inhabit this area after implementation of the project. Some areas of oak woodland are slated to be preserved on the site, other locations within the both the development site and the remainder parcel are proposed to be planted with oaks as part of the oak mitigation plan, and other areas of existing oak woodland within the remainder parcel would be preserved. It is therefore expected that wild turkeys, though considered a pest species by some, may continue to inhabit the project area after construction of the project.

Other wildlife species deemed desirable by the commenter such as crows, deer, coyotes and quail may be temporarily displaced by construction but all except the most sensitive species are likely to occur within the development footprint. Of the species mentioned, crows, deer and quail would be expected within the completed development, especially within the Riparian and Wildlife Corridor and other open areas of the site, and all species found at the Faria Ranch development site currently would be expected to occur now and in the future within the remainder parcel.

Rare Plant Surveys. Commenters recommended additional surveys for three special status species of plants, all included on CNPS list 1B, which are plants considered Rare, Threatened or Endangered in California or elsewhere. These plants, Diablo helianthella, Congdon's tarplant and bent-flowered fiddleneck, are all recognized as potential special status species of concern for the project area as they are listed in Table 4.3-4 of the DEIR. Special status species surveys conducted by botanist Virginia Dains during March, May and June of 2003 considered these species, were conducted at times that encompass the flowering periods of the three species mentioned, and resulted in a negative finding for these species and all others listed in Table 4.3-4. The text of the DEIR would be revised to acknowledge that systematic rare plant surveys were conducted in May and June of 2003, as well as those conducted in March of that year.

3.F Other Concerns

Several other concerns were raised regarding the biological resources section, as addressed below:

Map Detail. One commenter stated that a number of the maps in the DEIR are vague and difficult to interpret (SA 2-21). Examples given include the lack of mapping of wetlands on Figure 3-3; and the maps in Figures 4.3-1 and 4.3-2 which depict biological resources and do indicate where some seasonal wetlands are found and are at a different scale than the maps illustrating development related to the project. However, Figure 3-3 is included in the Project Description chapter to provide an overview of natural phenomena related to the project area such as major creeks and woodlands as well as ridgelines and the 100-year floodplain, and is not intended to provide the kind of detail related to ecological constraints in the project area that are noted in figures contained within the biological resources section of the DEIR. Note also that Figure 4.3-1 is intended to show vegetation communities by habitat type according to established classification schemes that do not necessarily provide the kind of detail required for evaluation of wetland resources. An analogous figure is included in Figure 4.3-5 showing the project development footprint, with an indication of the acreage of impacts to the various habitat types, including the sensitive oak woodland and riparian communities. Wetland constraints are shown in Figure 4.3-3 which displays the jurisdictional wetlands and waters of the U.S., and the analogous Figure 4.3-6 shows how these resources would be impacted by the development footprint. These maps are at a level of detail adequate for the EIR. Additional maps would be prepared as requested by the RWQCB to support the 401 certification process.

Identity of Conservation Easement Holder. Although not raised in the formal comment period, concerns have been raised regarding who would hold and manage the conservation easement proposed by the Faria Preserve project sponsors. The specific entities that would hold the conservation easements associated with the Faria Preserve have not yet been determined. It is anticipated that these entities would be identified during further development and review of the Faria

Preserve and conservation easement agreements would be consummated with the selected entities. State law requires that these easement holders either be a governmental entity or non-profit corporation. Regardless of the entity that would be responsible for maintenance of the easement areas, adequate funding would be provided for such maintenance.

Maintenance Funding and Responsibilities. One commenter at the September 5 hearing expressed concern about providing adequate funding to enforce homeowner restrictions and to manage buffer, mitigation and open space areas (LA 5-7). Maintenance of detention basins within the NWSP Area is proposed to be handled by a special assessment zone of a landscape and lighting district, homeowners' association, or other special district, including a Geologic Hazard Abatement District (GHAD). The entity would be funded by assessments against properties included in the district or entity. This maintenance responsibility would also likely include the buffer, mitigation and open space areas. Regardless of the entity that would be responsible for maintenance of the easement areas, adequate funding would be provided for such maintenance.

Level of Grazing. Another commenter (LA 3-4) requested more specific data regarding the level of grazing under Government Code Sections 56064 (c)-(e). One commenter (LA 3-4) recommends that the EIR include more specific data regarding the level of grazing activity (e g., number of head per acre) pursuant to Government Code §56064 (c), (d) and (e). The site has been used for annual livestock grazing for generations. In recent years the site has been leased for grazing. The lessee places approximately 100 cows and calves on the site annually. Annual gross revenues from the grazing leases average $6,500 dollars per year (net revenues are below this level, and may be negative). Lands that are to be conserved as part of the project mitigation plan would be grazed as necessary in such a manner to promote suitable forage, reduce fuel load for fire control purposes and prevent erosion of the steep hill side terrain. Where practicable grazing would be eliminated within the drainage corridors through fencing to support regrowth of native riparian shrub and tree species. Appropriate methods described in the July 1967 United States Department of Agriculture National Handbook on Range and Related Grazing Lands shall be used to determine the numbers of livestock allowed to graze on a per acre basis.

Invasive Species. Another commenter (O 3-6) suggests that since hay bales used for sediment control during construction may contain and spread the seeds of yellow star thistle and other noxious weed seeds, these should not be used. The applicant intends to use 12- to 24-inch straw wattles in combination with loose straw or loose straw in combination with a tacifiber or biodegradable matting for erosion control purposes. It would be ensured by the applicant that weed-free sterile straw would be used in these applications. Hay bales would be used only if such bales were sterile, and assured not to have seeds of noxious weeds as mentioned in the comment.

Off-site Impacts to Groundwater. The RWQCB (SA 2-16) points out that the aquatic features of the site receive flows from groundwater and questions the DEIR's statement that the project would not affect groundwater quality, substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table. The RWQCB also registers concern that mass grading and installation of subdrains could result in impacts to wetlands and water features outside the development footprint. Ground water would still move through the site. Groundwater at existing grade elevations above the construction site would be directed to the created creek and wetlands habitats. Groundwater flows generated below this point received from unimpacted ground water sources

adjacent to graded and filled project areas would also be directed toward the created creek and wetlands habitats which would be constructed in similar geographical alignment with existing creek and wetlands habitat. Groundwater from filled areas would also be directed toward the created creek and wetlands habitats. All groundwater directed to the wetlands and creek would leave the site at the base of the drainage below the created stream and wetlands habitats at the same location where drainage currently flows to. Given that down slope wetlands are primarily the result of rainy season stormwater runoff, impacts to wetlands and water features outside the development footprint would be insignificant.

3.4 CULTURAL RESOURCES

No public comments on the DEIR were received regarding cultural resources.

No response is necessary since no public comments were received on this topic. Cultural resources issues are addressed on pages 4.4-1 to 4.4-10 in the DEIR.

3.5 GEOLOGY/SOILS

This master response is referenced in response to comment numbers LA 2-3, LA 4-12, LA 4-13, LA 4-14, LA 4-18, O 3-1, O 3-5, O 4-6, and PH 4-S..

5.A Soil Stability

Comments:

Commenters (PH 4-S, O 4-6) were concerned with hazards relating to soil stability, such as the presence of an active fault zone, soil erosion, surface soil expansion, liquefaction, and the placement of project facilities on unstable geologic units.

Response:

The DEIR reflects evaluation by several different expert geotechnical consultants of several relevant sources of current information regarding geologic conditions within the NWSP Area, including geology, soils and seismicity. Earthsystems Consultants Northern California (ESCNC) reviewed information from the 2020 San Ramon General Plan relating to these geologic issues, as well as from the Environmental Impact Report prepared and certified by the City in connection with that document. ESCNC also conducted a detailed geologic and geotechnical study of the Faria Preserve Project site (*Geologic Hazards Evaluation and Preliminary Geotechnical Engineering Study (2002 & 2004)* as well as a detailed March 2005 *Preliminary Geotechnical Feasibility Study - Faria Preserve Proposed Tank Site (2005)* specifically addressing the geologic suitability of the location for the proposed EBMUD water tanks. In addition, ESCNC conducted a report entitled *Supplemental Fault Investigation Fault A/Calaveras Fault Western Traces* based on additional trenching to further define westerly splays of the Calaveras Fault and related geotechnical conditions.

The geotechnical work by ESCNC was independently peer reviewed by expert geotechnical consultants -- Treadwell & Rollo, Inc. and Gilpin Geosciences, Inc. -- working on behalf of the City. Treadwell & Rollo advised the City further on the suitability of proposed mitigation and the ultimate DEIR conclusions that geotechnical impacts would be reduced to less-than-significant levels following the proposed mitigation. Gilpin Geosciences reviewed and commented on the supplemental fault investigation work and related mitigation. Gilpin Geosciences also assisted in defining the scope of final fault investigation work to be performed at the time grading occurs, allowing for further refinement owing to greater access to deep soils.

In addition to the peer review conducted in conjunction with the DEIR, ENGEO, Inc., has reviewed the geotechnical work performed by ESCNC and provided additional context for inclusion in this Final EIR relating to issues raised by commenters, including the size and scope of the planned grading operations for the project, as summarized below in Table E.

This geotechnical analysis and peer review of seismicity, soil erosion risk, expansive soils, and liquefaction led to development of several mitigation measures designed to minimize risks associated with soil instability (including from the fault, erosion, expansive soils, and liquefaction). These include removal and replacement of soils susceptible to seismic ground failure in accordance with

recommendations of ESCNC's *Geologic Hazards Evaluation and Preliminary Geotechnical Engineering Study* (Mitigation Measure Geo 2-d) as well as technologies to address landslide potential, which may include buttressing or encapsulization of landslides by planned valley fills, corrective grading of and recompaction with engineered fill, installation of catchment basins, and installation of additional buttress fill at the toe of the large deep-seated landslide in the northwestern portion of the Faria Preserve (Mitigation Measure Geo 4-b). As explained on pages 4.5-28 through 4.5-29 of the DEIR, to minimize risks from erosion, the DEIR would require that water be removed before it daylights on the slope face during grading activities to minimize risks associated with erosion in accordance with methods recommended in the peer-reviewed *Geologic Hazards Evaluation and Preliminary Geotechnical Engineering Study* (Mitigation Measure Geo 5-d). As explained on pages 4.5-32 through 4.5-33 of the DEIR, the risks associated with surface soil expansion are addressed through implementation of mitigation measures that would include corrective grading procedures. These procedures include placing expansion soils in deeper portions of engineered fills and slope faces, corrective slope grading procedures for drainage ditches, setback requirements from slopes in accordance with the Uniform Building Code, and removal of expansive soil and replacement with engineered fill, among others (Mitigation Measure Geo-7). Methods for implementation of such measures are to be in accordance with the peer-reviewed *Geologic Hazards Evaluation and Preliminary Geotechnical Engineering Study*.

The DEIR evaluated the risks associated with the placement of project facilities on soil that is unstable and could suffer lateral spreading, subsidence, or liquefaction. The DEIR identified mitigation measures on pages 4.5-31 and 4.5-32 derived from the recommendations of the peer-reviewed *Geologic Hazards Evaluation and Preliminary Geotechnical Engineering Study*.

Detailed geologic and geotechnical investigations similar to that performed by ESCNC in its reviewed *Geologic Hazards Evaluation and Preliminary Geotechnical Engineering Study* for the Faria Preserve would be required to be performed in the Western Plan Area once development applications for that portion of the Plan Area are submitted. Such detailed study would result in development of a site-specific list of recommendations which would be required to be implemented by the mitigation measures identified in the DEIR, including Mitigation Measures Geo-2a, Geo-4a, Geo-6a, and Geo-7a. These measures would ensure that potential geology and soils impacts are reduced to a less-than-significant level.

5.B Scale of Grading & Proposed Fill

Comments:

A commenter expressed concern over the scale of the proposed grading for the Faria Preserve (O 3-1A). In addition, though not raised during the formal comment period, several commenters at the July 24, 2006 hearing on the NWSP expressed concern about the length of the construction period, and the associated noise, dust and traffic. Specific questions were raised about the depth and layout of the fill, and how the scale of the Faria Preserve compares to other projects in the vicinity of San Ramon. Comments related to the stability of the proposed fill were also raised, as addressed in response 5.A above.

Response:

As provided in the voter-approved 2020 General Plan, two of the three ridgelines on the property are proposed to be graded, with the resulting material used to fill portions of two drainages on the Faria Preserve project site. As indicated on page 4.2-21 of the DEIR and elsewhere, the maximum depth of the fill is anticipated to be 110 feet. The average fill depths would be approximately 40-60 feet. The grading is necessary to address slope stability issues on the site, and to provide the appropriate contours for the Faria Preserve. The eastern ridgeline and much of the western ridgeline on the property provide visual separation and would be retained.

The grading plans for the Faria Preserve were designed to balance safety concerns (landslide repair and stabilization, compaction, liquefaction related failures, and settlement) with competing environmental issues (the need to protect biotic features, drainages and riparian areas, and visual quality). Recommendations of the peer-reviewed *Geologic Hazards Evaluation and Preliminary Geotechnical Engineering Study* for the Faria Preserve, which are implemented through mitigation measures described throughout Chapter 4.5 of the DEIR, are designed to stabilize slopes and ensure minimization of risks associated with landslides, subsidence, erosion, liquefaction or any other geologic condition on the site. Similarly, mitigation measures identified in this chapter require that a geotechnical review similar in scope be prepared for the Western Plan Area at the time development applications are submitted for that area. In addition, development of the grading plans for the Faria Preserve was also influenced by the desire to route storm water into the detention basin for both water quality enhancement (reduced velocity of runoff translated into less erosion) and mitigation of flooding potential.

Another important objective in developing the grading plan for the Faria Preserve was to balance cut and fill onsite. This measure is designed to avoid the import or export of cut or fill material on or off the site, which avoids the need for regular earth-moving truck traffic on area streets for the duration of project grading and construction, which avoids contributions to potential traffic, noise, and air quality impacts that may otherwise affect residents of surrounding areas.

Table E provides a comparison of the total amount of grading -- calculated on a cubic yards per residential unit basis -- of the Faria Preserve project as compared to other recent development projects in surrounding areas. It indicates that the scale of grading for the Faria Preserve project is actually significantly less than was required on a per unit basis for many other recent projects, despite the objectives of balancing cut and fill on-site so as to avoid impacts associated with off-haul as well as the extensive plans for slope stabilization and engineering on the site as described in the peer-reviewed *Geologic Hazards Evaluation and Preliminary Geotechnical Engineering Study*.

Table E : Grading in Comparison to Other Projects

Project	Jurisdiction	Grading Volume (approx., million cu.yd.)	TOTAL DU's	APPROX VOLUME/DU
1. Tassajara Lane	Danville	1.0	22	45,455
2. Schaefer Ranch	Dublin	10.5	302	34,768
3. Gateway Valley	Orinda	8.0	245	32,653
4. Wiedemann Ranch	San Ramon	6.0	365	16,438
5. Tunbridge	Danville	0.4	27	14,815
6. Intervening Properties	Contra Costa County	5.0	377	13,263
7. Bridges at Gale Ranch	Contra Costa County	15.0	1,216	12,336
8. Fallon Village	Dublin	12.0	1,043	11,505
9. Bettencourt Ranch	Danville	5.2	470	11,064
10. Henry Ranch	San Ramon	1.1	100	11,000
11. Alamo Creek	Contra Costa County	9.9	927	10,680
12. Diablo Highlands	Danville	3.1	297	10,438
13. Windemere	Contra Costa County	51.0	5,170	9,865
14. Peters Ranch	Danville	3.2	330	9,697
15. Campbell Place	Danville	0.2	20	7,500
16. Gale Ranch	Contra Costa County	32.0	4,614	6,935
17. Faria Preserve	San Ramon	5.3	786	6,743
18. West Branch	San Ramon	3.9	703	5,548
19. Canyon Lakes	San Ramon	14.0	3,000	4,667
20. Blackhawk	Contra Costa County	10.5	2,400	4,375

Source: ENGEO, Inc.

5.C Earthquake Hazards

Comments:

Several comments (O 4-6, O 3-5) expressed concerns with hazards associated with earthquakes, including potential impacts from the location of project facilities on a potentially unstable geologic unit and from the existence of a fault zone and fault traces within the slide-prone NWSP Area.

Response:

The Calaveras Fault traverses the eastern portion of the Faria Preserve as it does much of currently developed San Ramon (see Chapter 4.5 of the DEIR). The location of the fault and the study area for fault hazards are shown in the maps on pages 4.5-5 and 4.5-15 of the DEIR. All buildings would be set back from the fault consistent with the requirements set forth in Chapter 4.5, including the mitigation measures identified therein.

The Calaveras Fault is located within a State of California Special Studies Zone. California law requires that any development within a special studies zone undergo a thorough geologic hazards evaluation. An extensive fault investigation has been performed by Earth Systems Consultants Northern California (ESCNC). Exploratory trenches were excavated across the mapped traces of the fault. The trenches extended approximately 200 feet beyond the mapped traces. The fault locations were identified in these trenches and the fault locations were surveyed to determine their precise location on the property. The trench excavations and subsequent reports were reviewed by an outside geological consultant (Gilpin Geosciences, Inc.) working for the City. In addition, the project sponsor, Claremont Homes, hired an independent third party review consultant (ENGEO) to observe the trenches. Fault rupture usually occurs along lines of previous movement. A 50 foot setback from the point of previous rupture has been established to provide a buffer between the identified fault and proposed development. No habitable structures are proposed to be developed

within this setback zone. The 50-foot setback zone is standard geological practice in the State of California. The fault investigation would also be submitted to the California Geological Survey.

A comprehensive geological evaluation of the overall Faria Preserve property was undertaken by ESCNC in addition to the fault evaluation. Landslides present on the site were mapped. Sources of this mapping included published literature, mapping by previous consultants on the property, aerial photograph interpretation, field reconnaissance by a Certified Engineering Geologist licensed in the State of California, and subsurface exploration. These mapped landslides were evaluated in relationship to the proposed tentative map and grading scheme. Recommendations for remediating the landslide hazards were presented in the ESCNC report *"Geologic Hazards Evaluation and Preliminary Geotechnical Engineering Study"* dated October 29, 2004. This report was peer reviewed by Gilpin Geosciences, Inc. and geotechnical consultants Treadwell & Rollo on behalf of the City of San Ramon.

Additional analyses and recommendations are expected to be made during the grading operations on the property and prior to construction of structures. These would include final replotting of Calaveras Fault data from the *Supplemental Fault Investigation, Fault A/Calaveras Fault Western* Traces (as contemplated by Mitigation Measure Geo-1a), as well as follow-up mapping of the Fault A trace to confirm again the location of the setback zone relative to lots 60, 61, 62, and 83 of the Faria Preserve (as contemplated by Mitigation Measure Geo-1f). Such detailed follow-up analysis would take advantage of more readily available access to soils at depth during the grading operation so as to ensure accuracy of conclusions identified in the DEIR, including setback locations. The findings, conclusions and determinations would be reviewed with the City of San Ramon during grading operations. As grading continues, subsurface conditions would be observed by the geotechnical consultant who would verify that the subsurface conditions are consistent with the conditions exposed in the subsurface exploration program and assumed in the preliminary geological engineering analyses. He would also verify that the remedial grading recommendations are being properly carried out by the grading contractor. The geotechnical consultant would also provide supplemental analyses and recommendations in the event that subsurface conditions are encountered that were not anticipated.

The current standard of practice in the San Francisco Bay Area calls for a detailed evaluation by the geotechnical engineer, and peer review by the City Building Department, particularly for a project of this magnitude and complexity. As described in this master response and in Master Response 5.A, the underlying geologic evaluation and peer review of geologic conclusions performed for this EIR exceed what is required to be performed, and that is customarily performed, at this stage of the development process on most projects of this type. The purpose of these detailed studies and reviews is to protect the health and safety of the public. These measures would ensure that seismic impacts are less-than-significant.

5.D Other Concerns

Comments:

Commenters were concerned with the design of the detention basins to mitigate for the increased peak flows both from the Faria Preserve project site and the Western Plan Area (LA 2-3). One commenter was concerned with the structural design of the tank and requested a design-level

geotechnical study of the tank site(s), as stated in Mitigation Measures Geo-4c and Geo-7a of the DEIR (LA 4-12). Further, this commenter requested a clarification that Boring B8 is approximately 700 feet northeast of the tank site and should not affect the tank (LA 4-13). One commenter was concerned with whether the DEIR assessed the geotechnical/soils impacts for the proposed new pumping plant and pipelines and the new alignments for the San Ramon Reservoir access road and I/O pipeline (LA 4-18). Another commenter requested that the grading be done in stepped phases and revegetated accordingly before another phase of grading occurs (O 3-1).

Response:

Mitigation Measure Geo-2c (Faria Preserve) describes the March 2005 *Preliminary Geotechnical Feasibility Study -- Faria Preserve Proposed Tank Site.* A design level geotechnical study of the proposed tank site has not been performed to date. The purpose of the March 2005 *"Preliminary Geotechnical Feasibility Study"* by ESCNC was to characterize the geology and subsurface conditions at the three tank sites under consideration at the time. ESCNC recommended that once the layout details of the tank site(s) have been finalized, a design level geotechnical study be performed. As described in Mitigation Measure Geo-4c, a design level geotechnical study would be performed at the appropriate time that would satisfy the requirements of EBMUD.

It is currently proposed that the tank site would be located on the elevation 998.7 knoll on the west side of the property, with an anticipated tank base elevation on the order of 940 feet. A potentially liquefiable layer of soil was encountered in Boring B8 at a depth of 19.5 to 24.5 feet by ESCNC as reported in their October 2004 *Geologic Hazards Evaluation and Preliminary Geotechnical Engineering Study Report*. The geologic mapping of ESCNC identifies the subsurface conditions at the tank site as non-marine sedimentary rocks including the Orinda Formation. Boring B8 is located approximately 750 feet northeast of the proposed tank site at a ground surface elevation of approximately 800. The near surface geology of the area is mapped as Qal/Qc, Quaternary alluvium and colluvium. The western edge of this deposit is approximately 350 feet from the tank site. This colluvium and alluvium is tentatively scheduled to be subexcavated and recompacted to mitigate the settlement potential of these soils. The tank site is to be located on a bedrock site more than 350 feet from the nearest alluvial deposit and would not be adversely affected by potential liquefaction.

The geotechnical analysis and evaluation described in Chapter 4.5 of the DEIR includes required information and mitigation to ensure that any geologic or soil-related impacts associated with the provision of utility infrastructure, including the proposed water pressure infrastructure (i.e. new pumping plant proposed to be located near the existing valve pit structure, relocated I/O line, and relocated access road), are reduced to less-than-significant levels. EBMUD's preferred location for the new pump station is within the grading footprint for the project adjacent to the existing San Ramon Reservoir tank site in the southeastern corner of the Faria Preserve. Detailed, design-level geotechnical investigation would be performed in cooperation with EBMUD to precisely determine the location of pump station. In addition, as described on page 4.5-23 of the DEIR, proposed mitigation addresses the potential for geotechnical impacts from the relocation of the I/O line and the access road to the existing San Ramon Reservoir. In particular, Mitigation Measure Geo-1c requires that utilities that cross the Calaveras Fault, including both the I/O line and the relocated access road, are required to include protective features to reduce damage associated with fault rupture, including flexible and easily repairable connections to minimize the loss of service if utilities are disrupted by fault displacement. This measure would also require that any other new line that

would cross the fault) be equipped with shut-off valves on each side of the fault crossing as deemed necessary by EBMUD. However, EBMUD must still evaluate if the issues of non-conformity with standardized criteria are acceptable in light of the benefits afforded by the proposed alignment. The DEIR concludes that these measures would reduce impacts associated with geologic or seismic risks to utility infrastructure to a less-than-significant level.

Similarly, other mitigation measures designed to minimize impacts relating to geologic conditions on the site extend to locations where all improvements are proposed, including water supply infrastructure, so as to ensure minimization of impacts to EBMUD's proposed facilities. For example, Mitigation Measure Geo-2d provides that the project sponsor shall "remove and replace soils that are susceptible to seismic-related ground failure (e.g. with engineered fill where proposed improvements would be located), in accordance with the recommendations of the *Geologic Hazards Evaluation and Preliminary Geotechnical Engineering Study* conducted for the site."

The project sponsor and EBMUD have jointly investigated a range of alternative alignments for the relocated pipeline and access roadway that would allow implementation of both the mitigation measures identified above as well as the results of design-level geotechnical observations that are expected to occur during grading. The project sponsor has identified an alignment along the southwesterly side of Neighborhood D that can be constructed in substantial accordance with EBMUD criteria. EBMUD must still evaluate, however, if the issues of non-conformity with standardized criteria are acceptable in light of the benefits afforded by the proposed alignment.

The Applicant has identified a project alternative -- the Relocated Neighborhood D Alternative -- that would eliminate the need for any relocation of either the existing EBMUD I/O line or the access road. Should this alternative be adopted, there would be no potential for the project to create an impact relating to geology or soils from the I/O line or the access road and thus the mitigation identified above would not be required to be implemented as to either the I/O line or the access road.

As discussed in the DEIR on pages 3-15 through 3-22, the Faria Preserve consists of four separate residential neighborhoods, along with a community park, educational use and other public and semi-public facilities. However, none of these facilities may be developed until site grading and pad certifications have been completed. Site grading would involved cut and fill operations, which are specifically designed to "balance" on-site. A number of landslides and locally unstable soil conditions would require remediation as part of the balanced on-site grading operations (as discussed in DEIR Chapter 4.5). The DEIR identifies these operations as extending over a period of 24 months; however grading operations must be suspended during the winter wet season. In accordance with City ordinances and requirements of the Regional Water Quality Control Board and other agencies, all disturbed slopes must be prepared for "winterization" prior to the onset of seasonal rains, and a detailed Storm Water Pollution Prevention Plan must be prepared and maintained on the job site throughout all phases of site grading and improvement. As planned, the oak woodland revegetation program would be initiated and completed concurrently with the subsequent development of public and private facilities. Satisfactory performance of slope stabilization and erosion control measures is mandated by the City and other regulatory agencies prior to the onset of seasonal rains. Verification is completed through the inspection process, and any remedial work is further assured through the posting of performance bonds. Given the need to

grate the site in a unitary operation, it would be infeasible to undertake that operation in stepped phases. The revegetation of the site would reliably be successful and such a measure is unnecessary.

3.6 HAZARDS (WILDLAND FIRES & FIRE PROTECTION)

This master response is referenced in response to comment numbers LA 6-1, LA 6-2, and O 3-3..

Comments:

The San Ramon Valley Fire District (SRVFD) stated that the discussion of the consistency of the Project with the General Plan should ensure that it is consistent with implementing policies which would minimize risk to life and property and fire hazards. The District also acknowledged that the impact of the project was not found to be significant with respect to the extension of fire protection services. (LA 6-1, LA 6-2). Another commenter requested consideration of the growth of the tree canopy and any other vegetation in the riparian corridor, and asked that the defensible space be widened to 100 feet for fire protection. (O 3-3).

Response:

Fire protection, in particular the risk of wildland fires, is addressed in Chapter 4.6 of the DEIR. As required by Mitigation Measure Hazard-1, wildfire risks would be mitigated through development of an Open Space Fire Management Plan subject to the approval of the San Ramon Valley Fire Protection District (see DEIR, p. 4.6-6). The Project is required to comply with all applicable regulations and development standards of the San Ramon Valley Fire Protection District. General Plan policies 9.4-I-1 through 9.4-I-5, including those referencing fire modeling, would be implemented for the open space area, as applicable, during preparation and approval of the Open Space Fire Management Plan. The modeling is required to include consideration of specific measures to reduce potential fire hazards, including construction of buffers between the homes, and regular maintenance and disking of the property lines. This would also include an evaluation of setbacks and vegetation maintenance in the riparian corridor. Implementation of this planning, modeling and review process would ensure that wildland fire risks would be reduced to a less-than-significant level.

With respect to areas other than open space, these General Plan policies would be imposed as conditions of the tentative map, and either implemented during the engineering and design process typically conducted in connection with preparation of a final subdivision map, or imposed as bonded obligations of a subdivision improvement agreement. All proposed residential units within the NWSP are located within a 1.5 mile radius of the existing SRVFPD station located at the intersection of Bollinger Canyon Road and Crow Canyon Road. There are no mixed use neighborhoods or buildings proposed within the NWSP and thus the increased fire risks associated with combination of such uses (per General Plan Policy 9.4-I-5) are not present. The City would require as a condition of approval of development within the NWSP that an Open Space Fire Management Plan be prepared, which would include the fire modeling required by General Plan Policy 9.4-I-2. The City continues to cooperate, as contemplated by General Plan Policy 9.4-I-3 with the SRVFPD on planning for a new training facility at an appropriate neighborhood location. The NWSP does not include a suitable site. Finally, the City would require building and design features consistent with current UBC standards for reduction of risk of fires within the City, consistent with General Plan Policy 9.4-I-1.

The tree canopy in the riparian corridor would have a nearby water source, and would pose no greater fire risk than trees and vegetation typically found to surround the homes. In addition, the

riparian corridor would be the subject of the Open Space Fire Management Plan, and therefore fire protection practices would be subject to the standards for that plan and subject to approval of the fire district.

Pages 11 and 15 of Appendix B to the DEIR do not exhaustively address fire protection in the riparian corridor, because Appendix B is a conceptual biological mitigation/enhancement and monitoring plan that addresses biological resources and is appended to the biological resources section of the DEIR. The evaluation of fire hazards is addressed in section 4.6 of the DEIR, "Hazards," not in section 4.3, "Biological Resources."

3.7 HYDROLOGY/WATER QUALITY

This master response is referenced in response to comment numbers SA 2-14, SA 2-15, SA 2-22, LA 2-1, LA 2-2, LA 2-4, LA 2-5, LA 2-6, LA 2-7, LA 2-8, LA 2-9, and O 4-2.

7.A Downstream Pollution from Site Runoff

Comments:

Commenters expressed concern with managing waste and stormwater discharges from the NWSP and the Faria Preserve project site. Specifically, commenters were concerned with the four main surface drainages that flow into Bollinger Creek and any project activities affecting the creek's water quality, such as lawn maintenance (O 4-2). One commenter was specifically concerned with the project sponsor's compliance with the current National Pollutant Discharge Elimination System (NPDES) requirements under the City's storm water management plan, discharge control ordinances and the C.3 Guidelines (LA 2-1). Another commenter was concerned with the stormwater management through landscape based treatment techniques such as biofilters and vegetated swales (SA 2-14), post-construction best management practices (SA 2-15) and project compliance with the State Water Resources Control Board's Low Impact Development approach (SA 2-22).

Response:

As stated in 4.17-14 of the DEIR, construction-related water quality impacts would be regulated under a Construction Activity NPDES Permit. Such permit would require completing a Stormwater Pollution Prevention Plan, which plan must implement Best Management Practices (BMPs) that prevent or reduce pollution into surface waters during construction at sites that disturb more than one acre or more (DEIR, p. 4.7-15). The project sponsor proposes to implement BMPs which include use of water filters over storm drains; construction or installation of sediment retention or erosion control structures such as straw wattles, coconut fiber rolls, geofabric, and sand gravel bags; reseeding of areas where vegetation has been removed or new sediment has been used as fill; stockpiling of topsoil removed during construction; minimization and clear marking of grading and designated construction areas to prevent equipment and vehicles from causing unnecessary disturbance; and wetting of dry and dusty surfaces to prevent fugitive dust emissions (DEIR, p. 4.7-15, outlining Mitigation Measure Hydro-1a).

The measures described in the C.3 in the Countywide NPDES municipal stormwater permit would generally be applied, including submittal and approval of a stormwater control plan and a hydromodification plan, implementation of "Low Impact Design" (LID) features with multiple onsite "natural" water detention, infiltration, and treatment features, as well as inclusion of methods to reduce impervious surfaces in the developed areas of the site. As set forth under Mitigation Measure Hydrology-2d in the DEIR, the following LID features would be included in the street, residential, and landscape design, and would include but not be limited to:

- grassy swales, vegetated filter strips, and infiltration trenches along sidewalk alignments, in parking lots and parking lot drainages, and in divided road medians;

- pervious pavement and asphalt in parking lots, driveways, sidewalks, and other hard outdoor surfaces (necessary impervious surfaces should be disconnected from other impervious surfaces by open ground areas for infiltration); and

- depressed curbs alongside roadways and in parking lots to allow water to run directly to swales and other LID features.

The DEIR and underlying hydrology studies on which its conclusions are based identify the level of detail regarding components of the detention and filtration system appropriate at this stage of project development to ensure compliance with the BMPs to treat storm runoff to the maximum extent practicable, to implement Low Impact Development ("LID") principles, and to avoid significant impacts to Bollinger Creek from the drainages through the NWSP Area. Among the design components that would help the project meet certain requirements, such as those set forth by the Regional Water Quality Control Board, are water quality measures and features to address the potential for increases in sedimentation, fertilizers, and pesticides leaving the project boundaries. For example, fertilizer, herbicide and pesticide use by residents within the NWSP Area would be limited to the dry season (April 1 - October 1) (DEIR, p. 4.7-17). For the Faria Preserve and Western Plan areas, a pesticide and fertilizer application program would be prepared for all public space and open space areas, which would limit the types and amounts of chemicals allowed on the project site. *Id.*

As described in the DEIR (p. 3-17), the Faria Preserve project would be served by a system of storm water filtration, collection and detention facilities located on site. This system would be integrated into the open space and park system designs, as well as designs for enhancement of the riparian area along the central drainage channel on the Faria Preserve project site.

The stormwater runoff and detention system is described in Chapter 4.7 of the DEIR, with the proposed detention basins shown in the map on page 4.7-5 and is described more fully below in Master Response 7.B.

Also, the recommendations of the *Geologic Hazards Evaluation and Preliminary Geotechnical Engineering Study* for the Faria Preserve, which were reviewed by the City's consultants and are implemented through the mitigation measures described throughout Chapter 4.5 of the DEIR, are designed to stabilize slopes and ensure minimization of risks associated with landslides, subsidence, and erosion, which would reduce sediment load in the downstream creeks.

In addition, proposed wetland construction within the enhanced and recreated riparian corridor within the Faria Preserve project site would improve the quality of stormwater runoff from the surrounding developed area. These detention/filtration features described above are anticipated to remove or retain nutrients, process organic wastes, and reduce sediment loads. Surface water flowing through the constructed mitigation area would be intercepted and slowed down, allowing sediment particles and other contaminants to filter or settle out from the stormwater. Wetland plants would be expected to play a role in nutrient removal and transformation. Soils used in the corridor would encourage biological and chemical activity that supports degradation and transformation of contaminants in the water. All of these processes are expected to work together to improve the quality of stormwater before flowing off-site to downstream receiving waters. Additionally, following completion of the Faria Preserve project, cattle grazing would cease. The current

commercial cattle grazing presently adds nitrates and suspended materials to the watercourse and with the Faria Preserve project this pollutant loading would be eliminated.

As refinements to the final development plan may occur, specific design-level work relating to flows and BMP design/sizing would be performed at the later design phase to ensure effectiveness and conformity with ultimate project design. In conjunction with NPDES permitting, stormwater quality control features may be altered prior to project approval, as this plan is intended to be conceptual. These technical factors can, and most likely would, be refined as the design process continues.

The City, and the project sponsor's consultant, ENGEO, would work collaboratively with the RWQCB to determine appropriate modeling and sizing to accomplish water treatment objectives for the subject property. It is anticipated that additional evaluation would be performed as final designs are developed for the Faria Preserve project site. Incorporating these features would reduce scouring flows and pollutant loads (from residential and developed areas) into receiving water bodies. LID features would also serve to reduce peak flow volumes and rates and would help to ensure that runoff from the project site does not increase due to implementation of the Faria Preserve project.

The City and the Applicant's geotechnical consultants concur with the recommendation that design-level geotechnical investigation is appropriate at a later time – i.e. at the final design stage, once grading on the site has commenced – to support design and construction of the proposed detention basins. In addition, more detailed, design-level analysis relating to sizing of the detention basins as well as a hydromodification study to assist in the design of these facilities to mimic predevelopment flow rates would be completed at the design phase as well. An Operations and Maintenance Manual (OMM) is commonly prepared for detention basin facilities and related improvements. An OMM would be prepared at the appropriate time once design-level details of the detention basins have been completed. Because implementation of the detention and filtration system would control peak runoff flows to pre-development levels, excavation of existing material within San Ramon Creek is not required mitigate impacts from the project by increasing creek flow capacity.

7.B Site Drainage, Detention Basins and Maintenance/Funding Issues

Comments:

Several commenters were concerned with site drainage and detention basins in the NWSP and the Faria Preserve (LA 2-2, LA 2-6). Specifically, commenters were concerned with mitigating adverse drainage impacts upon natural creeks (LA 2-2) and impacts from additional stormwater runoff (LA 2-6). Commenters were also concerned with the adequacy, operation, maintenance and funding of the detention basins relating to the potential increase in stormwater runoff (LA 2-7, LA 2-9).

One commenter, the County Flood Control and Water Conservation District, offered assistance in reviewing the NWSP Master Plan Hydrology report (LA 2-4) and its suggestions for conditions of approval to mitigate adverse drainage impact on natural creeks, particularly the San Ramon Creek Watershed, are noted. (LA 2-5).

Response:

The stormwater runoff and detention system is described in Chapter 4.7 of the DEIR, with the proposed detention basins shown in the map on page 4.7-5 in the DEIR. Mitigation measures for reducing impacts of additional surface stormwater runoff is also discussed at length in Response 5.A.

As described on page 4.7-7 in the DEIR, nutrients, biochemical oxygen demand (BOD), coliform, and sediment are all current water quality concerns in the project site drainages. While no water quality data for these contaminants have been collected, it is reasonable to assume that these constituents may be present within the Project area based on the existing cattle grazing use and site visits. There are several areas in the easternmost and central drainages where the creek beds appear to be incised and the hillsides have eroded. These generally occurred on the steepest slopes. These observations imply that cattle grazing has caused substantial erosion and sediment delivery to San Ramon Creek. In addition, grazing can cause elevated nutrient, BOD, and coliform concentrations in receiving waters, particularly when riparian buffers have not been established to prevent direct fecal deposition in stream beds or to reduce surface runoff and erosion. Groundwater contamination by nitrate from cattle grazing is also a concern in areas such as San Ramon, where groundwater is used for municipal and domestic water supply. Thus, the current water quality of the site is compromised, as characterized in the DEIR.

The proposed Faria Preserve project includes several measures that would improve water quality runoff from open space areas. These include a riparian corridor of 200-foot average width in the central drainage and several detention basins designed to hold runoff and simultaneously remove sediment from surface water. The riparian corridor design includes rock energy dissipaters, stream bank restoration, vegetation planting, and three wetland areas. These combined measures would reduce in-stream velocity, promote settling of suspended solids, and reduce sediment and nutrient transport to the stream. For these reasons, and for those identified in Master Response 5.B above, runoff water quality from the central drainage is likely to improve with respect to sediment and nutrients.

DEIR Figure 4.7-2 depicts the onsite drainage system. The on-site storm water filtration, collection and detention facilities are identified on page 3-17 of the DEIR. This system would be integrated into the open space and park system designs, as well as designs for enhancement of the riparian area along the central drainage channel on the Faria Preserve project site. The system is proposed to include a series of bio swales, open riparian corridors, retention ponds, street filter strips, offline bioretention, and detention basins. Stormwater runoff generated from the Faria Preserve may flow through bio swales and be conveyed through drainage channels and piped storm drain systems to three detention basins. These basins would include an existing pond east of the community park and two ponds upstream of an existing intermittent drainage swale located near Purdue Road. The completed facilities would reduce peak storm water discharge from the developed site to less than that experienced under current pre-development conditions.

Maintenance of detention basins within the NWSP Area is proposed to be handled by a special assessment zone of a landscape and lighting district, homeowners' association, or other special district, including a Geologic Hazard Abatement District (GHAD). The entity would be funded by assessments against properties included in the district or entity.

DEIR Figure 4.7-2 illustrates the offsite connections of the detention/filtration system to Bollinger and San Ramon Creeks. Some of the outfalls along the southern boundary of the site enter residential storm drains that discharge to San Ramon Creek. There are however, two tributaries of San Ramon Creek that also accept site drainage. There is also some discharge into Bollinger Creek both in the existing and proposed conditions from a small portion of the southwestern corner of the property.

3.8 LAND USE

This master response is referenced in response to comment numbers LA 1-1, LA 1-2, LA 1-3, LA 3-1, LA 3-3, LA 3-6, LA 3-7, LA 3-8, LA 5-1, LA 5-2, LA 5-6, LA 5-17, LA 5-19, LA 5-20, LA 5-21, O 1-1, O 2-4, O 4-10, O 4-15, I 1-1, I 1-2, I 1-4, I 1-6, I 1-8, I 2-5, I 2-6, P 1-2, P 1-4, P 1-11, P 1-12, P 1-13, P 1-16, P 1-17, P 1-18, P 1-19, PH 2-C, PH 2-E, PH 4-C, PH 4-L, PH 4-M, PH 4-O, PH 4-P, PH 4-Q, PH 4-U, PH 4-Z, PH 4-RR, PH 4-SS, PH 5-A, PH 8-B, PH 8-C, PH 8-D, PH 8-E, and PH 10-A.

8.A General Plan Consistency

Comments:

Several commenters were concerned with the NWSP's consistency with the City's General Plan. Specifically, some commenters are concerned with the NWSP's conversion of agricultural land to suburban and open space uses with respect to the City's General Plan and Contra Costa County's existing land use policies in the unincorporated areas (LA 5-1, LA 1-2). Comment LA 5-18 is specifically concerned with the NWSP's consistency with the City's General Plan implementing policy 8.3-1-5, "Provide wildlife corridors to allow movement of animals and minimize wildlife-urban conflicts." Comment LA 5-19 is concerned with the northwest layout of the Faria Preserve and its consistency with Measure G's Open Space and Preservation Action Plan. Another comment (I 2-6) is concerned with the NWSP's consistency with the General Plan regarding park land requirements. Comment I 1-2 addressed the density bonus under the voter-approved General Plan. Other comments were concerned with the NWSP and Faria Preserve's development goals, including affordable housing (PH 8-B, PH 8-D, PH 4-C).

Response:

The NWSP and Faria Preserve projects are consistent with applicable General Plan policies as evaluated throughout the DEIR.

The California Planning and Zoning Law recognizes that it is not possible for a project to support all General Plan goals and policies to the same degree. For example, the City cannot preserve all remaining open space while concurrently creating housing opportunities to meet existing and projected housing needs as stated in the Housing Element of the General Plan. The reconciliation of competing policies is within the legislative discretion of the City Council. When evaluating the NWSP's consistency with the General Plan, the DEIR did not merely determine whether the NWSP achieves one or two identified General Plan goals to the fullest extent possible. Rather, the preparers included information that allows decision-makers to determine if the NWSP is consistent with the General Plan as a whole.

Contra Costa County Agricultural Land Designations

As noted by Contra Costa County, the County has identified land use designations for the Plan Area in its 2005 Contra Costa County General Plan designates the entirety of the Plan Area as Agricultural Lands (AL). Pursuant to Contra Costa County's zoning ordinance, the Faria Preserve Project Site is

zoned A-2 (General Agricultural District) and the Western Plan Area is zoned A-2 (Agricultural Preserve). As noted by other commenters, cattle currently graze the Plan Area to manage grasses and suppress fire hazard on the site.

Development of the Plan Area, including development of the Faria Preserve Community, is proposed pursuant to -- and consistent with -- the City of San Ramon's 2002 voter-approved General Plan. The entirety of the Plan Area is proposed to be annexed to the City of San Ramon prior to development. Indeed, approval of development by the City of San Ramon within the Plan Area (including the Faria Preserve Vesting Tentative Map) would be conditioned upon annexation of the relevant area to the City, thus ensuring consistency of any development with applicable general plan and zoning designations.

As explained above and at DEIR 1-3, none of the Plan Area is designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Nor is any of the Plan Area encumbered by a Williamson Act contract. The City's 2020 General Plan designated the Plan Area for development with the uses and at the intensities proposed by the NWSP (i.e. up to 830 residential units [including density bonus], community park, house of worship, educational use). In addition, consistent with the Environmental Impact Report prepared for the 2020 General Plan, grazing land is not considered important farmland. In addition, the City's voter-approved Urban Growth Boundary alleviates pressures to develop more valuable open space and agricultural lands to the northwest of the Plan Area in Bollinger Canyon. In describing the Bollinger Canyon Planning Area, the 2020 General Plan specifically described development of the NWSP in accordance with specific policies set forth by the General Plan and then noted that the "remaining areas of Bollinger Canyon are to remain rural in character and subject to new zoning for Rural Conservation." The proposal by the Faria Preserve to dedicate approximately 144 acres immediately adjacent to and outside of the Urban Growth Boundary to be permanently protected as open space subject to a conservation easement further implements and reinforces this General Plan policy by ensuring that a change in the UGB or in the Rural Conservation zoning could not result in development of this area at the entrance of Bollinger Canyon.

Northwest Specific Plan Unit Count (Market Rate & Affordable)

The number of units proposed for the NWSP, as well as the number of affordable housing units (830 total units, with 238 units of affordable housing), are consistent with the General Plan land use program. Policy 4.7-I-1 of the General Plan provides that the NWSP shall include a workforce housing program providing that at least 25% of all units within the NWSP are affordable to Very Low, Low, and Moderate income households. It also provides that as an incentive to provide such housing, the maximum number of units set in the land use program may be exceeded by up to 10% in order to accommodate an additional housing unit for each additional workforce unit provided in excess of the minimum requirement. As a further incentive to establish workforce housing, Policy 4.7-I-1 states that the development limit set forth in the land use program may be exceeded by up to 10% in order to accommodate an additional housing unit for each additional workforce unit in excess of the minimum requirement. Therefore, assuming at least 189 of the 755 base units are affordable to Very Low, Low, and Moderate Income households (755 x 25% = 188.75, rounded in favor of affordability to 189), a 10% bonus of 75 additional residential units are available as a result of the allowed density bonus (755 base units x. 10% = 75.5 units, conservatively rounded to 75 units). Of these 75 density bonus units available, one unit must be affordable to Very Low, Low, and

Moderate Income households for every market rate unit that is allowed. Therefore, of these 75 density bonus units, 38 units (75 x 0.5 = 37.5, conservatively rounded in favor of affordability to 38 affordable units) must be affordable units. The total number of affordable residential units within the NWSP that must be affordable to Very Low, Low, and Moderate Income households to fully realize the 10% density bonus is 227 (189 + 38 = 227).

The NWSP would provide 238 residential units affordable to Very Low, Low, and Moderate Income households, above the number of affordable units actually required by the General Plan for full realization of the General Plan density bonus.

Measure G Open Space & Preservation Action Plan

Policy 8.4-I-5 of the San Ramon General Plan provides for the establishment of priorities for open space preservation and acquisition based on an evaluation of several factors, including ridgelines and viewsheds, wildlife habitats, creek environments, and land suitable for agricultural production. Against the backdrop of these broad objectives, San Ramon voters also approved through the General Plan a specific land use program and set of priorities for the NWSP. These included development of 830 residential units (a total number that includes a density bonus) in "compact urban neighborhoods offering a mix of housing types, including workforce housing, public and semipublic uses, and significant park and open space areas." (General Plan Policy 4.7-I-1). Voters also established specific open space policies for the NWSP requiring an "open space and trails program, including designation of at least 75 percent of the site for schools, parks, common and public open space uses, ownership and maintenance of public and private open space, and design of open space amenities, such as staging areas, trails, and connections, etc." (General Plan Policy 4.7-I-1).

The Faria Preserve accommodates the land use program set forth by voters for the NWSP Area, including the requirement for a mix of housing types and provision of significant park and open space areas. The Faria Preserve also implements the General Plan open space policies applicable to the NWSP by clustering and sizing residential development such that at least 75% of the Plan Area be dedicated for public facilities and open space. In addition, the Faria Preserve incorporates features designed to avoid fragmentation of open space and create wildlife corridors. The Faria Preserve proposes creation of a 200-foot-average-width riparian corridor within Neighborhood A that will provide habitat connectivity between open space lands to the north of the Plan Area and existing riparian habitats along the southern portion of the Plan Area. The features of this riparian corridor, including the nature of the habitat it will accommodate, are described in Chapter 4.3 (Biological Resources) and Chapter 4.7 (Hydrology) of the DEIR. Finally, the developer of the Faria Preserve project site proposes to permanently dedicate as protected open space an approximately 144-acre site immediately adjacent to the Faria Preserve project site, which will establish a permanent open space buffer serving to protect the Bollinger Canyon corridor to the northwest of the City.

Parkland Dedication Policies

General Plan policies provide guidance for long range planning and improvement of park facilities, based on future growth within the City. Chapter 6.1 of the City's General Plan notes that since incorporation the City has successfully pursued an ambitious program of park development throughout the community. Chapter 6.2 of the San Ramon General Plan provides standards for

"classification" of neighborhood and community park facilities to meet the long range needs of the community. Chapter 6.2 of the General Plan establishes a goal of providing neighborhood parks of at least two acres in size to serve the needs of citizens living within a one-half mile radius of the park. It also provides that neighborhood parks be sized based on a standard of 4.5 acres per 1,000 residents served. Similarly, Chapter 6.2 classifies community parks as public facilities of between 10 and 60 acres in size in order to meet the needs of residents living or working within a three-mile radius, and establishes a standard of 2.0 acres per 1,000 residents served. The City of San Ramon utilizes these standards in the preparation and updating of its Parks Master Plan, and in refining the local planning requirements for individual neighborhoods.

General Plan Policy 6.5 originally anticipated the reservation of a site totaling 17.0 acres for a combined school and park on the Faria property. This policy was based on the expectation that the developer would be required to provide an elementary school site in tandem with a City park. However, based the School District's determination not to include an additional public school facility on Faria Preserve project site, 3.8 acres were converted into a separate educational use facility and additional adjoining open space uses. The current Faria Preserve plan allocates 13.2 acres of usable space to the community park; this figure includes approximately 12.7 acres of active park facilities and a 0.5 acre rose garden. Together these facilities are designed to accommodate a range of active and passive recreational uses. A master park plan has been prepared to delineate proposed facility improvements which will include soccer and baseball facilities, large grassy areas, a community services/maintenance building, and supporting parking facilities. The project also includes a community swimming pool, dispersed tot lots and public trail improvements which are in addition to the 13.2-acre usable park site figure.

General Plan Implementing Policy 6.5-I-1 calls for a combined total of 6.5 acres of parkland per 1,000 residents, based on "usable acreage". City Code Section C5-143 provides the specific formula for computing residential population to be used in determining the size of needed park facilities. As shown in Table F, application of this formula to the mix of housing units in the Faria Preserve project results in a minimum ordinance requirement for 5.99 acres, and a desired parkland yield of 12.99 acres.

Table F: Mix of Housing Units in the Faria Preserve

Unit Type	Average Persons Per Unit	Number of Units	Parkland Required Per Code at 3.0 acres / 1,000 population	Desired Parkland at 6.5 acres / 1,000 population
SF Detached	3.30	200	1.98	4.29
SF Attached	2.25	200	1.35	2.93
Multi-Family	2.30	386	2.66	5.77
Total:		**786**	**5.99**	**12.99**

In summary, the Faria Preserve plan provides 13.2 acres of useable parkland and other additional public recreational facilities, or more than either the applicable City Code or specific General Plan policy requirements needed to serve the project population. As noted above, the City's parkland dedication requirement would call for approximately two acres of parkland to accommodate

approximately 200 residential, detached units. With only 43 single-family residential units proposed on the Chang property, it is proposed that an additional neighborhood-serving park of at least one-half acre will be required.

Wildlife Corridors & Fragmentation

As described in Chapter 4.3 of the DEIR and in Master Response 3.A above, several components of the Faria Preserve project work to maintain habitat value and connectivity. As a result, the NWSP is consistent with the City's General Plan Implementing Policy 8.3-I-5.

8.B Faria Site Design Issues

Comments:

Several commenters were concerned about the Faria Preserve's project design. Specifically, commenters proposed relocating the spine road and the proposed parking lot for Merrill Gardens and commented on sizes for the school site, house of worship and community facility (Comments P 1-11, P 1-12, PH 4-H). Other comments were concerned with the NWSP's impact on safety in existing neighborhoods, school site size and uses and the size of other public amenities and uses including the house of worship and community facilities (Comments P 1-13, P 1-17, P 1-18, PH 4-L, PH 4-RR).

Response:

Each of the components of the Faria Preserve design that was raised by commenters is addressed separately below.

House of Worship & Community Pool

General Plan Policy 4.7-I-1 directs the inclusion of up to 786 housing units (including a 10% density bonus for inclusion of a defined affordable housing element), a school or park facility and a house of worship. As explained in response to previous comments, the School District's determination not to include a school facility has led to inclusion of an expanded community park, an educational use facility and additional public amenities. A master park plan has been prepared to delineate proposed park facility improvements, which will include soccer and baseball facilities, large grassy areas, a community services/maintenance building, and supporting parking facilities, along with a memorial rose garden. The project also includes a proposed community swimming pool, dispersed tot lots and public trail improvements.

A proposed design refinement has been prepared in response to comments from members of the Planning Commission and City Council to address a possible relocation of Senior Housing Neighborhood D (see Master Response 13.E – Relocated Neighborhood D Alternative). This option provides for down-scaling of the house of worship facility, in order to accommodate the relocation of the Senior Center from the southeast corner of the project site to a location west of the house of worship. A community swimming pool would be constructed between the house of worship and Senior Center, providing additional recreational opportunities for residents of the project as well as the adjoining neighborhood. Adequate parking facilities would be provided on this mixed use site south of Neighborhood B, with cross-easements to provide for joint use.

In addition, the foregoing design refinement would provide for relocation of the educational use facility to the site of the former Senior Center, at the southeast corner of the project site. This modification would be accompanied by a further expansion of the community park and improvement of additional recreational facilities as detailed in the alternative park master plan.

As explained in response to the preceding comments, the San Ramon 2020 General Plan specifically calls for inclusion of a site for a house of worship within the Faria Preserve project site. As identified in Master Response 13.E, the applicant has identified a revised design alternative, under which the house of worship would be reduced in size in order to accommodate relocation of the 86-unit Senior Housing component (Neighborhood D) to a more central location immediately west of the house of worship. This change is intended to improve accessibility of public and private recreational and cultural amenities to seniors in the project. The alternative moves the Senior Housing facility further away from the existing residential uses immediately south of the originally planned Neighborhood D site, and replaces it with the proposed educational facility, which is smaller in size.

The community swimming pool would be situated between the house of worship and the Senior Center, north of the Faria Preserve Parkway and immediately south of Neighborhood B. The pool would be served by parking facilities some of which could be shared with the senior center and house of worship in order to more efficiently address the peak demand needs of each. The community pool would be managed as a member-supported private facility, accessible to Faria Preserve residents, as well as residents of the adjoining Deerwood neighborhoods. It would be conveniently accessible to all project neighborhoods, and connected to the existing Deerwood neighborhoods via a public park and trail system.

School Site

The San Ramon Valley School District has confirmed that it will be able to accommodate students generated by the Project in existing schools or through expansion of existing facilities using school fees imposed on the Project. (Letter LA 7). Accordingly, there is no overcrowding projected.

The General Plan provides, in Policy 4.7-I-1, that the NWSP shall include, "15-20 acres of land for a school site (to revert to parkland or permanent open space if a school is not provided)" Policy 4.7-I-1 further states that 75% of the site is to be designated for a combination of schools, public uses and open space. The San Ramon Valley Unified School District, which has jurisdiction over determinations whether schools are needed and which is identified in the General Plan as the agency that determines the school need, has determined that a school is not needed in this area. The Project accordingly includes more than 20 acres of open space, as part of the 75% of the site designated for public uses and open space. There is no requirement of the General Plan that a site be designated for school use even if a school is not going to be provided because of existing excess capacity. Accordingly, this EIR evaluates the impacts of the Project as proposed, which includes open space rather than a 15-20 acre school site.

The request of the School District to reserve a site for an Education Service Center addresses the merits of the Project, and not its impacts on the physical environment. That request will be presented to decision-makers for their consideration. The Project includes a site of approximately 1.6 acres for an educational facility, located immediately southwest of the community park site. Under Alternative 6 (See Master Response 13.E), this use would be moved to the southeast corner of

the site in the location of currently proposed Neighborhood D. That site is intended to accommodate an educational museum, educational outreach use, or similar facility intended to serve the residents of the Project and the surrounding community.

Spine Road & Merrill Gardens Parking Lot

The San Ramon 2020 General Plan calls for an east-west connector roadway to traverse the Plan Area. Accordingly, the Faria Preserve Parkway is proposed to connect Bollinger Canyon Road at the west and Purdue Road in the East, serving the residential neighborhoods within the Plan Area and providing access for the surrounding community to the public facilities to be provided within the Plan Area, including the community park, rose garden, and educational facility site. The alignment of the connector roadway – proposed to be called the Faria Preserve Parkway – has been dictated by the existing topography, the grading requirements to make way for the land use program set forth for the Northwest Specific Plan in the City's 2020 General Plan, and the concerns of neighbors in the Deerwood neighborhoods located immediately to the south of the Plan Area along the western end of the Faria Preserve Project Site.

A small number of parking spaces are currently planned to be relocated from the north to the east side of the existing Merrill Gardens facility, as part of planned parking lot modifications to accommodate the extension of the Faria Preserve Parkway. An area of approximately 75 acres consisting of the community park as well as substantial passive open space areas on either side of the park serve as an open space buffer between the neighborhoods to the south and both the proposed Faria Preserve Parkway and the proposed Merrill Gardens relocated parking lot, thus reducing potential impacts associated with noise, glare or visual impacts to existing neighbors.

If it is determined that the proposed Faria Preserve Parkway can be accommodated without relocation of the existing parking spaces, then the parking lot modifications would not be necessary. Figure A contains a supplemental visual simulation that the project sponsor presented at the October 3, 2006, Planning Commission meeting, which has been peer reviewed by City staff.. This simulation shows the relationship between existing neighborhoods to the south and the proposed parking lot modifications, should they be required. It is proposed that final landscaping plans would incorporate earth berming and massing of trees and shrubbery within the open space area between the homes and the Merrill Gardens parking area, in order to achieve screening as the landscape improvements mature. These measures would result in less than significant visual impacts.

8.C. Ordinance 197 Compliance/ Ridgeline Protection

Comments:

Numerous comments expressed concern regarding grading, the NWSP's compliance with the City's Ordinance 197 and protecting certain ridgelines and hills (Comments O 1-1, P 1-2, O 4-11-10, PH 2-E, PH 4-O, PH 4-P, PH 4-U, PH 8-C, PH 8-E). Specifically, commenters were concerned with maintaining the 80% open space commitment under the General Plan and addressing this issue in the DEIR (Comments O 2-4, I 2-5, I 1-1, O 4-15, PH 4-Z, PH 10-A). In addition, one commenter was concerned with the visual impact on the rest of the City of grading ridgelines within the Plan Area (PH 4-Q).

Commenters requested additional information regarding the project's compliance with the General Plan given the proposed grading scheme and the how the NWSP will comply with the 80/20 open space policy. Other commenters were concerned with grading and development within the ridgeline protection zones and the impact of grading two ridgelines on San Ramon's viewsheds (Comments LA 5-17, LA 5-21, I 2-1). One commenter (Comment P 1-16) specifically commented on the Western Plan area being included in calculating the total open space as a percentage of the entire NWSP area.

Response:

This response provides general background regarding open space issues, including open space maintenance and management, ridgeline protection, and hillside development.

Ordinance 197 and Resource Conservation Overlay District

Ordinance 197 was adopted by the City Council in 1990 and amended the City's prior General Plan (which had been approved in 1986) to incorporate various hillside protection policies and development standards. As explained in the DEIR (p. 4.8-16), the fundamental purpose of Ordinance 197 was to permit residential development and growth in hill areas of San Ramon while preserving and protecting natural amenities.

As explained in the DEIR, San Ramon voters carried forward several Ordinance 197 policies and incorporated them into their voter-approved 2020 General Plan. These policies include a prohibition on structures on lands with a natural slope in excess of 20%, on crests of major and minor ridges, within 100 vertical feet of a major ridgeline, or within 100 feet of a protected creek or stream. In addition, Ordinance 197 included certain development standards relevant to areas in excess of 500 feet in elevation. These include a slope density restriction allowing 1 unit per 5 acres on slopes between 15-20% and 1 unit/1 acre on slopes between 10-15%. On slopes less than 10%, the slope-density formula permits densities consistent with the underlying zoning and General Plan designations applicable to a site. Alterations to existing grade and land forms are to be minimized. Street grades are to be kept to twelve (12) percent or less, and buildings in excess of 32 feet in height are prohibited absent a vote approving an exemption.

In 2002, San Ramon voters approved the City's 2020 General Plan. The 2020 General Plan identified a specific land use program for the NWSP as well as certain site-specific policies to allow the program to be implemented in the NWSP Area. This land use program provided for the development of up to 830 residential units (with a substantial workforce housing component), substantial community-serving facilities, including a park, house of worship, and school. (As described above in Master Response 8.B, in the event the school site is not needed, as has been determined by the San Ramon Valley Unified School District, the school site acreage shall revert to open space. Also required is a spine road connecting Bollinger Canyon Road and Purdue Road. The 2020 General Plan's land use program for the NWSP also discussed "exemptions required from Ordinance 197, which will need voter approval." However, voter approval for an exemption from Ordinance 197 would only be required if that exemption is not provided for in the voter-approved 2020 General Plan.

Figure 8-2 to the 2020 General Plan identifies those creeks subject to protection by the 100-foot creek setback requirement carried forward from Ordinance 197 into the 2020 General Plan.

Bollinger Creek is the only creek identified as protected in Figure 8-2. The NWSP, as proposed, requires a 100-foot setback from Bollinger Creek consistent with these policies as carried forward by the voters in the 2020 General Plan.

Figure 8-3 of the General Plan identifies two major ridgelines within the Plan Area that may be altered by grading to make way for development of the NWSP land use program set forth in the voter approved 2020 General Plan. Voter approval of grading on two of the major ridgelines within the NWSP and of the land use program set forth in the 2020 General Plan constitutes a site-specific exemption to Ordinance 197 policies relating to development on those ridgelines (including policies relating to crests of those ridges, 20% slopes surrounding them, and 100 foot vertical setbacks from those ridges). As illustrated in Figure 8.3, the remaining Ridgeline Protection Zones on the northerly portion of the westerly ridgeline and the easterly ridgeline are to remain protected from grading within the Faria Preserve project site.

In a memorandum explaining the relationship between Ordinance 197 and the 2020 General Plan, the City Attorney noted that a general plan amendment (or a new general plan) is an appropriate vehicle for exempting certain sites from some or all of the provisions of Ordinance 197 so long as the amendment (or new general plan) was approved by the voters. The 2020 General Plan, including the site-specific provisions of Figures 8-2 and 8-3 described above, was approved by San Ramon voters. The General Plan Land Use Map, Policy 4.7-I-1, and Figures 8-2 and 8-3 provide standards for development in the NWSP that do not require voter approval. As proposed, the NWSP implements these General Plan standards and the other standards in Ordinance 197 as carried forward in the General Plan 2020.

As explained in the DEIR (pp. 4.8-23 through 4.8-24) consistency with the slope-density formula carried forward from Ordinance 197 to the 2020 General Plan was determined by requiring the applicant to prepare a grid analysis pursuant to a City-mandated methodology. That methodology requires application of a grid of 200'x 200' squares across the property as parallel as possible to the natural grade contour lines of the site. For each square on the resulting grid, the slope density formula described above was applied (i.e. 1 unit per 5 acres for slopes of 15-20%; 1 unit per acre for slopes of 10-15%; and 10.6 units per acre – an amount equivalent to the average underlying allowable density on the site – for slopes under 10%). Once these densities were applied to each square of the grid, the resulting maximum allowable unit count was calculated by determining the sum of the allowable densities for the Faria Preserve and the Chang Properties. The maximum allowable number of units permitted on the Faria Preserve pursuant to the City-mandated methodology for calculating allowable slope density pursuant to Ordinance 197 was 910 units. For the Chang Property, it was 53 units. These maximum allowable numbers are greater than those proposed by the NWSP. Once the provision of Figure 8-3 is applied to allow grading to make way for development of the land use program set forth in the General Plan for the NWSP Area, other development standards of Ordinance 197 such as maximum 12 foot street grade and rounding and shaping of natural contours altered by grading are incorporated into design of the NWSP and the Faria Preserve to the extent they still apply in light of the site-specific policies set forth in the General Plan, including in Figures 8-2 and 8-3.

As currently proposed, multi-family buildings within the Faria Preserve (which includes the senior apartments of Neighborhood D and the apartments of Neighborhood C) have been proposed with a flat-roof design that satisfies the 32-feet height limit set forth in Ordinance 197. The Applicant has

also submitted alternate designs for these multi-family buildings that includes a pitched roof but slightly exceeds 32 feet in height. Should the Applicant and the City determine that the pitched-roof design is preferable, an exemption to the 32-feet height requirement otherwise applicable to the Faria Preserve could be sought from voters to allow construction of the peaked-roof design. Voter approval would be required for an exemption to the 32-feet height requirements because no program, policy, or diagram of the voter-approved 2020 General Plan provided for exceeding this height restriction.

Chapter 4.8 of this Final EIR reflects certain revisions to Table 4.8-1 of the DEIR.

Open Space Requirements & Ratios

There are two distinct policies relating to the amount of residential development relative to open space and public facilities uses discussed in the DEIR. One is the policy set forth in the voter-approved General Plan to guide development in the NWSP. The other may be relevant in the event the applicant determines it will seek voter approval of an exemption to the 32' height limitation established by Ordinance 197.

The first of these policies -- as discussed on page 3-18 of the DEIR -- is a requirement that the NWSP include an open space and trails system, including designation of at least 75 percent of the site for schools, parks, common and public open space uses, ownership and maintenance of public and private open space, and design of open space amenities such as staging areas, trails, and connections. In accordance with this policy and as explained in the DEIR at p. 4.8-22, approximately 217.6 acres within the Faria Preserve project site itself would be allocated to open space, park and public facility or community uses, and trails and connections serving those uses. Residential housing uses are limited to the remaining 25 percent of the site (or approximately 72.36 acres). Note that in the event the Relocated Neighborhood D alternative were selected by the City, the number of acres of public facilities would be increased and the acreage of residential development decreased, resulting in an even higher ratio of open space and public facilities than required in the General Plan.

The second policy relating to residential development and open space applies only in the event the applicant determines it will pursue construction of Neighborhood C or D with peaked roofs in excess of the 32' height limitation. The City Attorney provided a memorandum to the Planning Commission dated October 12, 2006, in which it is explained that a separate exemption to Ordinance 197 is not required where the contemplated development issue has affirmatively been addressed in the voter-approved General Plan: "Section 1(I) of Ordinance 197 expressly provides that a General Plan amendment approved by the voters overrides conflicting provisions in Ordinance 197 and General Plan 2020 was adopted by the voters subsequent to Ordinance 197." The Ordinance 197 development standards which limit the height of buildings located within the Resource Conservation Overlay District (RCOD) were not, however, amended by the General Plan. Consequently, since the subject property is located within the Resource Conservation Overlay District (RCOD), any building with a defined height of more than 32 feet would require an "exemption" from Ordinance 197.

In the event that the applicant determines it will pursue building heights in excess of the 32-foot limitation as established under Ordinance 197, then an exemption to the provisions of Ordinance 197 would be required, in accordance with the General Plan. The General Plan's Northwest Specific Plan Area Policy 4.7-I-1 requires that 75% of the planning area be set aside for "schools, parks,

common and public open space uses, ownership and maintenance of public and private open space, and design of open space amenities, such as staging areas, trails and connections, etc." The General Plan's Measure G Open Space Preservation Action Plan Policy 8.4-I-15 provides that this standard for open space preservation must be expanded from 75% to 80%, where an exemption from Ordinance 197 is sought. Policy 8.4-I-15 goes on to clarify that: "A portion of this 80 percent open space commitment, not to exceed five percent of the total site area, may be provided by dedication of permanent open space off-site on a 2:1 basis (two acres of off-site open space = one acre of on-site open space)."

In order to meet this higher standard of open space preservation to support an exemption under Ordinance 197, the Developer may provide for the commitment of additional land resources as permanent open space. In the case of the Faria Preserve, an additional 144 acres of land within the Faria Remainder Parcel has been proposed for protection under a conservation easement, using 2 acres of off-site open space to count as 1 additional acre of on-site open space. This arrangement provides 144 gross acres of contiguous off-site open space, which is calculated in accordance with Policy 8.4-I-14 as 72 additional acres of project open space, for a total of 289.56 acres of total open space (217.56 + 72.00 = 289.56 open space acres). The corresponding ratio of total open space to residential development area would concurrently increase from 75% to 80% (289.92 total open space acres + 72.0 residential acres = 361.92 total acres; 289.56 total open space acres / 361.92 total acres = 80.0% ratio).

The additional off-site open space needed to achieve the 80/20 ratio identified in the San Ramon General Plan would be permanently protected through recordation of a conservation easement. Although outside the City's adopted Urban Growth Boundary, this 144-acre conservation easement area is located within the San Ramon Sphere of Influence. The San Ramon General Plan has classified this area as Rural Conservation. As required by General Plan Policy 8.4-I-15, the 144-acre off-site open space area contains both Major and Minor Ridgeline Protection Zones, as identified in General Plan Figure 8-3. Additionally, the off-site open space area is contiguous to the Faria Preserve's westerly project boundary, and is within one-half mile of the project's proposed residential development area.

Ridgeline Protection / Hillside Development / Visual Character

The City of San Ramon's General Plan Open Space and Conservation Element, along with the City's Resource Conservation Overlay District (RCOD), contains policies and ordinance standards for the protection of Major and Minor Ridgelines, and limit where grading and development may take place within the planning area. According to the City's voter-approved General Plan, the entirety of the Faria Preserve project area is located within the RCOD, requiring the protection of ridgelines through the limiting of grading and development within 100 vertical feet of major ridgelines and 50 feet of a minor ridge.

The ridgeline protection requirements of the City's current General Plan are illustrated in Figure 3.3 of the DEIR, on page 3-7. The General Plan recognizes that there are three major ridgelines that pass through the site, but similarly recognizes that avoiding grading on all of these ridgelines would preclude any feasible development of the site. As a result, as illustrated in DEIR Figure 3.3, two of the three major ridgelines within the site are permitted to be graded to make way for development. Both the central ridgeline and a significant part of the westernmost ridgeline may be graded

consistent with policies set forth in the General Plan. All of the easterly ridgeline and much of the westerly ridgeline are protected from grading or other alterations.

The General Plan's protection of the outer ridgeline areas (i.e. all of the eastern and much of the western ridgelines) serves to significantly shield the area that is proposed for development within the Faria Preserve project site, thus minimizing the visual impact on existing residents of San Ramon. Both Chapter 4.1 of the DEIR and earlier passages in this master response describe the manner in which the protected ridges allow for development within the Faria Preserve to be concentrated in the shielded area and in which significant visual impacts are thereby avoided.

Grading in Vicinity of Ridgeline Protection Zone

General Plan Figure 8-3 identifies the location of Major Ridgeline Protection Zones which extend along the east and west sides of the Faria Preserve project site. Figure 8-3 also delineates both a central ridgeline and southerly extension of the Protected Ridgeline on the west side of the site where grading may specifically be authorized pursuant to the Northwest Specific Plan. The Land Use Map of the General Plan includes a corresponding policy authorization to accommodate housing, public facilities, and a spine roadway within the Faria Preserve portion of the specific plan area. General Plan Policy 4.7-I-1 establishes a requirement for inclusion of up to 786 housing units, together with a school or park facility and a house of worship on this site.

The two local cul-de-sac streets referenced by the commenter are situated on the interior "bowl" side of the westerly Protected Ridgeline, and are shown in the project grading plan as being developed at or near the base elevation of the valley floor in these areas. The location of these streets and their associated grading is consistent with the protection zones identified in Figure 8-3 and the development footprint identified in the Draft Northwest Specific Plan. As discussed in Chapters 3 (Project Description) and 4.8 (Land Use Plan and Policy Consistency) of the Draft EIR, implementation of the project requires over 5 million cubic yards of balanced earthwork. The Draft Northwest Specific Plan authorizes this earthwork within the central portion of the project site, between the east and west Protected Ridgelines, including grading on the central ridgeline as shown in General Plan Figure 8-3 in order to implement the land use, public facilities and housing policies of the General Plan.

Draft EIR Figure 3-3 (Natural Setting) provides a conceptual depiction of these ridgelines with reference to the Faria Preserve project boundaries. However, the topography as shown on the Vesting Tentative Map for the Faria Preserve has been prepared at a considerably greater level of detail, accurately revealing the centerlines of the Protected Ridgelines and the extent of grading which may be authorized on the central ridgeline.

A small amount of additional grading work, beyond the boundary of the Ridgeline Protection Zone, is identified within the open space parcel referenced by the commenter immediately to the north of Neighborhood B. That grading which extends into the Ridgeline Protection Zone in this area is, however, exclusively associated with implementation of the Equestrian-Pedestrian Trail which has been offered to the City of San Ramon as a public improvement. Such public facilities may be approved within the Ridgeline Protection Zone, where appropriate. In this instance, the minor grading work needed to accommodate the trail is necessary in order to maintain adequate grade on

the trail surface, consistent with City standards. The grading work in question could be avoided if the trail alignment were adjusted slightly to the west of the centerline of the ridge.

8.D Adequacy of Open Space Protection

Comments:

Several commenters were concerned with protecting and preserving the open space in the NWSP (P 1-4). Two primary themes of the comments regarding open space preservation are (1) the DEIR does not commit to an effective, enforceable and perpetual mitigation program; and (2) the DEIR does not set forth mechanisms to ensure permanent protection of the proposed Open Space. Additional comments were concerned with open space fragmentation (LA 5-2) and parks (I 1-4). A specific concern was raised about protecting private properties that abut the public open space, including a managed buffer area between these two areas to prevent wildfires from spreading to residential areas (LA 5-6).

Response:

The DEIR does commit to an effective, enforceable and perpetual mitigation program. In addition to the size and strategic location of the open space, it is important to note that the net long-term habitat value of the preserved open space also is discussed in the DEIR. The Faria Preserve is consistent with the General Plan regarding the maintenance of habitat value over the long term. This policy anticipates maintaining net habitat value through creation of habitat reserves that include major habitat types within the planning area and protect habitat supporting listed and selected planning species and can be effectively managed.

As described in the DEIR pp. 4.3-57 through 4.3-58, 3), the project sponsor for the Faria Preserve project site has developed an extensive program referred to as the Faria Preserve Biological Mitigation/Enhancement and Monitoring Plan for the creation and enhancement of riparian and wetland habitat and the full mitigation of biological impacts. The features of this mitigation and enhancement plan are described in detail in the DEIR (pp. 4.3-57 through 4.3-58). They are further described in Master Response 3.C.

The creation and enhancement of riparian and wetland habitat within the Faria Preserve project site will occur in areas that will be dedicated to permanent open space preservation through recordation of conservation easements pursuant to California Civil Code § 815 et seq. Such conservation easements may be granted in favor of either the City of San Ramon, a city-controlled special district such as a Geologic Hazard Abatement District (GHAD), or qualified non-profit corporation. Such conservation easement will require maintenance of the open space areas to preserve their natural features and their habitat value. As described more fully in Master Response 8.G, an entity will be formed and funded for maintenance of passive open space areas. Where there are geologic conditions to be monitored, a GHAD is proposed to physically maintain most passive open space areas within the Faria Preserve Project Site as well as the 144-acre Adjacent Offsite Faria Preservation Area. Funding of the GHAD and requirements for preparation of open space management plans are described more fully in Master Response 8.G below.

The land use plan proposed in the NWSP implements several voter-approved General Plan open space policies, including the Urban Growth Boundary. General Plan policy 8.4-I-7 calls for the use of open space in new developments to create greenbelts that delineate the edge of urban areas. Policy 8.4-I-6 provides that urban growth boundaries and specific plans, among other things, shall be used to shape the development of the City, including by buffering important open space, preventing urban sprawl, and promoting infill development within the urban growth boundaries.

The residential land uses as public facilities proposed by the NWSP are all located within the voter-approved Urban Growth Boundary, thus helping to reduce development pressures on those higher-value open spaces that the City has determined should remain outside of the Urban Growth Boundary. In addition, through proposed dedication of the 144-acre Adjacent Faria Offsite Preservation Area, which lies immediately outside of the Urban Growth Boundary, and placement of a permanent conservation easement on this property, the Urban Growth Boundary will be reinforced through permanent protection of a large amount of open space at the mouth of Bollinger Canyon.

The potential visual impacts associated with development of the land use program set forth in the NWSP are described in Chapter 4.1 of the DEIR and are represented visually in a series of visual simulations included in the DEIR at pp. 4.1-23 to 4.1-35. In addition, in response to questions regarding closer-in views of the project from immediately adjacent neighborhoods along Deerwood Road and from future trail areas between the Plan Area and the Las Trampas Regional Wilderness, two additional visual simulations have been prepared and included in this Final EIR as Figures A and B. The full set of visual simulations establish that the NWSP will implement a land use program that was identified in the City's voter-approved 2020 General Plan. Visual impacts from development of that land use program were evaluated in the City's 2002 Environmental Impact Report for the 2020 General Plan and were found to be less than significant with mitigation. With incorporation of such mitigation measures in the design of the project, and implementation of other 2020 General Plan policies and objectives, the NWSP ensures that visual impacts from development consistent with the NWSP land use program will remain less than significant.

Fencing of Private Property Adjacent to Open Space Areas

As discussed in the Draft EIR, the Faria Preserve will preserve at least 75% of the entire project site for public, quasi-public and open space uses. Alternative mechanisms have been identified for ownership and maintenance of the open space preserve areas. The proposed project identifies placement of open wire fences along the boundaries of lots which adjoin these major open space parcels. Management of the open space will be implemented through a combination of a homeowners association, a geologic hazard abatement district and/or dedication to the City or other acceptable alternative public entity. Section 4.6.1 of the Draft EIR identifies applicable General Plan policies designed to minimize the risks associated with fire hazards, and establishes a set of comprehensive mitigation measures to implement these policies.

8.E Urban Growth Boundary

Comments:

One commenter (PH 2-C) was concerned with developing in certain open space and permanently preserving open space through urban growth boundaries to contain development.

Response:

As explained at DEIR 3-18, the NWSP provides for the development of only 25% of the Plan Area with residential uses. The balance of the Plan Area is to be retained as permanently protected open space as well as public facilities including a community park, a rose garden, and an educational facility site. As illustrated in Figure 3-7 of the DEIR, substantial amounts of the open space to be permanently preserved within the Plan Area are located along the northern and western portions of the Faria Preserve Project site and immediately adjacent to lands that are beyond the City's Urban Growth Boundary and are not expected to develop with intense residential uses. Indeed, a substantial amount of the open space to be permanently protected through implementation of the NWSP is immediately adjacent to the 144-acre Adjacent Offsite Faria Preservation Area, which is proposed to be dedicated to the City or another entity identified by the City such as the Geologic Hazard Abatement District (GHAD). As described more fully in Master Response 8.G, below, both the 144-acre Adjacent Offsite Faria Preservation Area as well as the open space areas located within the Faria Preserve Project site will be subject to conservation easements to protect the open space character from development and from uses incompatible with preservation of the natural character of the land.

8.F Affordable Housing

Comments:

Several comments addressed the affordable housing component of the Faria Preserve (I 1-8, PH 4-M, PH 4-SS). Concerns were raised that the NWSP is not consistent with the dwelling unit count of the General Plan because of the proposed affordable housing (LA 5-20). Specific concerns were raised about including second units as part of the affordable housing (P 1-19). One comment recommended Table 2-12 of the DEIR be more project specific and address the City's requirement (LA 3-3).

Response:

This response includes information regarding the number, location and affordability of the affordable units in the Faria Preserve. Among the 830 units proposed on the Faria Preserve project site, there are 238 affordable units proposed for very low, low and moderate income residents.

Affordable Housing Policy For the Northwest Specific Plan

Table G, below, shows the number of affordable housing units at various income levels that are proposed by the NWSP.

Table G: Allocation of Affordable Units

	Total Housing Supply	Total Affordable Units	Very Low Income	Low Income	Moderate Income
Faria Property	786	226	75	82	69
Chang Property	43	12	4	5	3
Panetta Property	1	0	0	0	0
Total Units:	**830**	**238**	**79**	**87**	**72**

The foregoing allocation of affordable housing units is consistent with the General Plan's requirement for Northwest Specific Plan, that a minimum of 25% of the units in the Plan area be affordable. The breakdown of affordable units by housing type, as reflected in the Northwest Specific Plan Inclusionary Housing Program, is as follows:

Potential For Second Units on Faria Property. On the Faria Property, it is anticipated that twenty eight of (28) of the two hundred (200) single family homes in Neighborhood A would be Primary Units that also include Second Units. Of these 28 Second Units, 15 will be affordable to Very Low Income Households and 13 will be affordable to Low Income Households. In the event it becomes necessary to secure financing for the multi-family apartment building in Neighborhood C, the Applicant retains the option of replacing these 28 Second Units with an additional 28 affordable units (15 Very Low and 13 Low) in Neighborhood C beyond the number currently proposed and described below. (To ensure that environmental impacts are fully identified, for purposes of evaluating environmental impacts, including the potential for traffic impacts, the DEIR assumed that up to fifty (50) of the Primary Units may at some point accommodate Second Units.)

Rental Apartments on Faria Property. One hundred twelve (112) rental apartments among the three hundred (300) residential units within Neighborhood C will be Inclusionary Units, with 43 being affordable to Very Low Income Households and 69 being affordable to Moderate Income Households.

Senior Apartments on Faria Property. Eighty-six Senior Apartments located in the Multi-Family Senior Housing in Neighborhood D will be Inclusionary Units, with 17 of them being affordable to Very Low Income Households and 69 of them being affordable to Low Income Households.

Second Units on Chang Property. On the Chang Property, at least 12 of the 43 single family homes in Neighborhood E will be Primary Units that also include Second Units. Of these 12 Second Units, four (4) will be affordable to Very Low Income Households, five (5) will be affordable to Low Income Households, and three (3) will be affordable to Moderate Income Households.

The affordability factor for units in the project is based on the median income level for Contra Costa County, adjusted for household size, as periodically published in Title 25 California Code of Regulations at Section 6932. The market value or sale price of the units is not a determining factor for rents charged in connection with the affordability program.

Proposed Second Units on Faria & Chang Properties

On the Faria Property, it is anticipated that at least fifteen (28) of the two hundred (200) single family homes in Neighborhood A will be Primary Units that also include Second Units. Of these 28 Second Units, 15 will be affordable to Very Low Income Households and 13 will be affordable to Low Income Households. On the Chang Property, at least 12 of the 43 single family homes in Neighborhood E will be Primary Units that also include Second Units. Of these 12 Second Units, four (4) will be affordable to Very Low Income Households, five (5) will be affordable to Low Income Households, and three (3) will be affordable to Moderate Income Households.

Affordable "second" units are regulated by the State of California and by City Ordinance. A Second Unit is an auxiliary housing unit attached to or incorporated into the Primary Unit on the same parcel with separate entry. A Second Unit constitutes a residential second unit in compliance with

Government Code Section 65852.2 and constitutes an Inclusionary Unit under the Northwest Specific Plan Inclusionary Housing Program.

As noted above, in the event it becomes necessary to secure financing for the multi-family apartment building in Neighborhood C, the Applicant retains the option of replacing the 28 proposed Second Units with an additional 28 affordable units (15 Very Low and 13 Low) in Neighborhood C beyond the 112 affordable units already proposed for Neighborhood C.

8.G Maintenance and Other Financial/Operational Responsibilities

Comments:

Though not raised during the formal comment period for the DEIR, some commenters who spoke on the Northwest Specific Plan at the July 24, 2006 public hearing on that document were concerned with the maintenance and management of open space areas and other public amenities provided under the NWSP.

Response:

It is proposed that both the open space parcels located within the 291-acre Faria Preserve Project Site as well as the 144-acre Adjacent Offsite Faria Preservation Area will be permanently preserved pursuant to conservation easements. The project sponsor has proposed formation of a City-controlled special district, such as a Geologic Hazard Abatement District (GHAD), to manage and protect open space areas established by the NWSP. The entity would be funded by assessments against properties included in the district, which is anticipated to include all residential units within the Plan Area. As required under California law, the proposal for a GHAD or other such entity would be accompanied by a Plan of Control prepared by a certified engineering geologist that describes in detail the criteria to ensure proper maintenance activities and intervals to ensure the detention basins would function as designed and do not contribute to any future geologic hazards. All open space areas, including both those within the Faria Preserve Project Site as well as the Adjacent Offsite Faria Preservation Area will be subject to conservation easements in favor of the City or a public agency or non-profit organization qualified pursuant to California Civil Code § 815 et seq. so as to ensure protection of the natural character and open space value of the land.

The community park proposed within the Plan Area will be owned and maintained by the City for the benefit of not just residents within the Plan Area but residents in surrounding neighborhoods as well.

8.H Annexation Issues

Comments:

Commenters noted that the DEIR and NWSP should address how the NWSP will be annexed into the City more thoroughly, including a discussion of the timeline and process for annexation and how the review and approval of subsequent development schedules will correspond with the annexation schedule (Comment LA 1-1). A specific concern was raised about the NWSP is located partially or wholly within the Central Contra Costa Sanitary District's Sphere of Influence and if a Sphere of

Influence amendment is needed (Comment LA 3-6). Another concern was raised about grading in the unincorporated area under Contra Costa County's grading ordinance (Comment LA 1-3).

LAFCO requested that the FEIR specifically reference factors under Government Code Section 56668 in reviewing a change of organization to facilitate the LAFCO application process (Comments LA 3-7, LA 3-8).

Response:

Process for Annexation of the Specific Plan Area

As discussed in Section 3.5 of the Draft EIR, implementation of the Specific Plan project contemplates application to and approval by the Contra Costa Local Agency Formation Commission (LAFCO) of a boundary reorganization application. This application would entail concurrent annexation of the entire Specific Plan Area to the City of San Ramon, the East Bay Municipal Utility District (EBMUD) and the Central Contra Costa Sanitary District (CCCSD). The Draft EIR has been prepared as a program-level document with respect to the Northwest Specific Plan, and project-level document with respect to the Faria Preserve project. A Vesting Tentative Map (VTM) and related applications have been filed with the City of San Ramon for concurrent review and processing with the Specific Plan. The City plans to initiate the boundary reorganization application following certification of the EIR and approval of the Specific Plan and VTM. The Faria Preserve Vesting Tentative Map, if approved prior to annexation, will be conditioned on annexation of the property to the city within a period of time to be determined by the City Council and will not become effective until annexation is complete. No construction or final map recordation may occur for any of the Specific Plan properties until the boundary reorganization is certified as complete.

Relationship of the Specific Plan Area to Sanitary District Sphere of Influence

As described in the DEIR at p. 4.11-4, a part of the Plan Area is presently within CCCSD's SOI and CCCSD boundaries; a part is within the SOI, but outside the boundaries; and the remainder is outside both the SOI and the boundaries. Therefore, at the time it processes the application for a boundary reorganization described above, the applicant will also request an amendment of the Sphere of Influence (SOI) of the Central Contra Costa Sanitary District (CCCSD) to include all of the Plan Area.

CCCSD has confirmed its agreement with the DEIR's conclusions regarding sewage treatment and capacity. No direct impacts would result from amending CCCSD's SOI to include the entire Plan Area and annexing the Plan Area to CCCSD. The necessary amendment and annexation are continuous and compact in relation to the existing SOI and CCCSD boundaries. Secondly, the action would remove constraints to development and obtaining wastewater service, but also help implement the San Ramon General Plan land use objectives for the Plan Area. Wastewater service impacts and mitigation measures relating to such impacts are described in the DEIR at Section 4.11.

CCCSD has confirmed that it has sufficient capacity to accommodate dry and wet weather sewer flows from the proposed project and other cumulative development over the next several decades. No sewage overflows are expected. CCCSD confirms that deficiencies in the existing system during extreme rain events are not expected to occur until CCCSD's ultimate buildout horizon, which is anticipated to occur in 2035. CCCSD has certified a an EIR for collection system improvements to

address this potential for deficiencies to occur at full system buildout. In recognition of the fact that these deficiencies are not anticipated to occur until full CCCSD buildout which is not anticipated to occur until 2035, construction of these improvements has been planned for between 2016 and 2021.

Limit of Grading Within the Faria Preserve

Figure 3-8 of the Draft EIR is a copy of the Vesting Tentative Map (VTM) for the Faria Preserve. Consistent with the discussion of Grading in Section 3.2.2 of the Draft EIR, the project VTM identifies the limits of cut and fill operations for the Faria Preserve. All such grading is contained within the project boundaries (and the Urban Growth Boundary). As shown in Draft EIR Figure 3-2, the Specific Plan boundary includes the Faria Preserve, as well as the Chang and Panetta properties located on the west side of Bollinger Canyon Road. Several other smaller properties situated between the Faria Preserve and the Chang/Panetta properties (on both sides of Bollinger Canyon Road) are currently within the City of San Ramon boundaries. These include the Merrill Gardens property, through which an easement has been provided to facilitate extension of the Faria Preserve Parkway. Following annexation, some grading work associated with the Faria Preserve Parkway will occur outside of the Faria Preserve, but will remain within the City boundaries.

Section 56668

Government Code section 56668 sets forth factors to be considered in the review of a proposal for a change of organization or reorganization. Such factors include:

(a) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

(b) Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probably future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

(c) The effect of the proposed action and of alternative actions, on adjacent area, on mutual social and economic interests, and on the local governmental structure of the county.

(d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377.

(e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

(f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

(g) Consistency with city or county general and specific plans.

(h) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.

(i) The comments of any affected local agency.

(j) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

(k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.

(l) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.

(m) Any information or comments from the landowner or owners.

(n) Any information relating to existing land use designations.

Population and population density within the Plan Area as well as proposed land uses for various portions of the Plan Area are identified in the DEIR at pp. 4.8-7 to 4.8-8. The land use program set forth in the NWSP is consistent with that established for the Plan Area in the City's voter-approved 2020 General Plan. As described in the DEIR at pp. 4.8-1 to 4.8-2, the Plan Area is immediately adjacent to developed residential neighborhoods located to the south and the northeast. The Plan Area is adjacent to industrial, office, and commercial uses to the east. The northern and western boundaries of the Faria Preserve project site within the Plan Area are coterminus with the City's voter-approved Urban Growth Boundary. Lands beyond this boundary are outside both the City's UGB and the County's Urban Limit Line. Thus, it is not anticipated that significant residential development will occur beyond the Plan Area during the next ten (10) years.

Community services will be provided by the City of San Ramon. Water service will be provided by EBMUD and wastewater services will be provided by Central Contra Costa Sanitary District. As described more fully in Appendix B, EBMUD has determined that there is sufficient water supply to provide water to the land uses proposed within the NWSP without affecting its ability to continue to provide reliable service. As noted above in Master Response 8H, Central Contra Costa Sanitary District concludes that it has sufficient capacity to accommodate dry and wet weather sewer flows from the proposed project and other cumulative development over the next several decades. Deficiencies in capacity would not be expected to occur until CCCSD buildout in 2035 and improvements to avoid such deficiencies have been environmentally reviewed and planned for construction between 2016 and 2021. The City of San Ramon has completed a draft Fiscal Analysis

to compare revenue expected to be generated by development of the Plan Area against anticipated costs for City services and maintenance of certain facilities. The City's Fiscal Study reserves the right to require formation of a community facilities district in order to avoid affecting the quality of City services to existing residents in the event a more refined comparison of expected revenues to expenses demonstrates a shortfall in revenue.

Annexation and development of the Plan Area is consistent with principles of planned, orderly, and efficient patterns of urban development. The Plan Area falls entirely within the City's voter-approved Urban Growth Boundary and is immediately adjacent to substantial existing residential development (some of it multi-family) to the south of the Plan Area, low density residential development to the north, and light industrial and commercial development to the east. Development consistent with the UGB makes possible the protection of areas designated to remain as open space beyond such UGB. In addition, by proposing to place a permanent conservation easement over approximately 144 acres immediately adjacent to the Faria Preserve project site -- and located outside of the City's UGB -- the Faria Preserve project reinforces the voter-approved UGB. In addition, as described in the DEIR at pp. 1-3, there is no important farmland within the Plan Area. Cattle grazing currently occurs on the property to control growth of wild grasses and reduce the risk of wildland fires. The Plan Area does not qualify as important farmland

As described throughout Chapter 4.8 of the DEIR, the NWSP as proposed is consistent with the General Plan. Annexation of the Plan Area to the City, to EBMUD, and to Central Contra Costa Sanitary District (CCCSD) would not result in any unincorporated islands or corridors. (For a discussion of the amendment to CCCSD's Sphere of Influence, see Master Response 8H above.)

Finally, The NWSP, as proposed, would include 238 units affordable to moderate, low, and very-low income households. The City of San Ramon has relied on identification of the Faria and Chang properties as opportunity sites in demonstrating how the City proposes to provide housing affordable to moderate, low, and very-low income households in the amounts required under California law. The City of San Ramon has not met required objectives for provision of units affordable to very-low income households. The proposal for creation of very low income units in the NWSP is critical to the City's ability to provide the required number of units at this level of affordability.

Comments by all local agencies, including Contra Costa LAFCO, have been considered in the preparation of this Final EIR.

8.I Other Concerns

Comments:

A concern was raised about preserving the historic house and enhancing the environmental vision (I 1-6).

Response:

The old ranch house referenced by the commenter is located within the Faria Remainder Parcel, outside the San Ramon Urban Growth Boundary. No development is proposed in this area in conjunction with the NWSP or the Faria Preserve project. The ranch house would remain

unaffected by development of the Faria Preserve, which all occurs within the City's Urban Growth Boundary. As noted in response to Comment 8.C above, 144 acres of this Remainder Parcel are proposed to be encumbered by a permanent conservation easement.

3.9 NOISE

This master response is referenced in response to comment numbers I 2-8, I 2-9, I 2-10, I 4-3, FL 1-1, P 1-14, P 1-15, PH 4-W, PH 4-OO, and PH 9-B.

9.A Construction Period Noise

Comments:

Several commenters (I 4-3, FL 1-1, P 1-14, P 1-15, PH 4-OO, and PH 9-B) expressed concern about construction period noise impacts and the ability of the mitigation measures to reduce these impacts. These commenters were concerned with higher levels of noise over a period of time and the cumulative effect this would have on residents, particularly those who are at home during daytime construction hours (I 2-9). Specifically, commenters were concerned with the duration of the construction project and the quality of life for residents during this period.

Response:

The DEIR identified construction operations as resulting in potentially significant noise impact, due to noise generated by site grading, clearing, and excavation associated with the site preparation phase, as well as paving, building construction, and other miscellaneous construction operations (DEIR, p. 4.9-10). In addition, because the elevation of the project site is higher than the existing adjacent developments, the DEIR recognized that construction noise may be audible across long distances. Furthermore, it was acknowledged that construction operations occurring during the evening and nighttime hours may result in annoyance and/or sleep disruption to occupants of the nearby residential dwellings.

The analysis in the DEIR follows the approach suggested by Appendix G of the CEQA Guidelines, by looking to local noise standards to guide the significance determination. The City of San Ramon Municipal Code exempts noise generated by construction operations that occur between the hours of 7:30 a.m. and 7:00 p.m. on weekdays (excluding federal holidays), and between 9:00 a.m. and 6:00 p.m. on weekend days from the applicable noise standards.

However, if construction operations were to occur outside of the hours allowed by the City the applicable noise standards could potentially be exceeded at residential dwellings near the NWSP Area. This would particularly be the case for residents of the single-family homes in the existing neighborhood located north of Deerwood Drive during construction of Neighborhood B, the house of worship, community park, and educational facility. Further, the DEIR recognized that construction operations occurring during the evening and nighttime hours may result in annoyance and/or sleep disruption to occupants of the nearby residential dwellings. Thus, if construction operations are not limited to the hours permitted by the San Ramon Municipal Code, the temporary construction noise associated with onsite equipment could potentially expose sensitive receptors to noise levels in excess of the standards established in the City of San Ramon Noise Element and/or result in significant ambient noise levels (DEIR, p. 4.9-16).

The DEIR provides various methods of mitigating construction noise. To begin with, the City would require prime contractors to implement certain measures to mitigate the impact of construction noise, including but not limited to, restricting construction operations to the hours between 7:30 a.m. to 7 p.m. on weekdays, and 9 a.m. to 6 p.m. on weekend days, and prohibited on federal holidays. Additionally, the City would require all construction vehicles or equipment to be equipped with properly operating and maintained mufflers and acoustical shields or shrouds; arrange construction equipment and truck routes to minimize travel adjacent to occupied residences; designate a disturbance coordinator who would receive all public complaints about construction-related noise and shall be responsible for determining the cause of the complaint, and implement any feasible measures to alleviate the problem. The DEIR's proposed mitigation measures would ensure that nearby sensitive receptors are not exposed to construction noise during the more sensitive evening and nighttime hours (DEIR, pp. 4.9-16 and 4.9-17).

Also, while anticipated to occur over a period of approximately five years, the construction of the project would not be continuous, and only a portion of the construction activity would be in locations proximate to existing residences. For example, no grading would occur during the winter months. Grading of the East-West collector road would occur only during the initial phases of construction, which would help block local effects from noise, visual and other construction impacts during the subsequent construction activities.

9.B Noise Impacts on Adjacent Neighborhoods

Comments:

Commenters (PH 9-B, I 2-8, I 2-9, I 2-10, and PH 4-W) also expressed concerned with operational period noise impacts on adjacent neighborhoods resulting from increased traffic and mitigating that increased noise to an acceptable level. Specific comments were raised regarding the noise generated by the East-West collector road of the NWSP and how the effects of reverberation from the hillsides of the NWSP area had been considered in the analysis.

Response:

The DEIR acknowledges that new development proposed under the NWSP would result in population increases and additional motor vehicle trips on area roadways. Increased traffic volumes would be the most noticeable on the access routes that directly serve the NWSP Area. The existing noise environment within the NWSP Area is influenced small propeller-driven aircraft, generally on flight paths parallel to I-680, and noise generated by light industrial sources (DEIR, p. 4.9-9). The primary noise, however, is caused by vehicle traffic on local roadways and freeway traffic on I-680, which is the greatest contributor to noise in the San Ramon Planning Area (DEIR, p. 4.9-7). Because intervening terrain and buildings located along San Ramon Boulevard and in the Crow Canyon Industrial Area obstruct a direct line of site to/from the freeway, noise levels at many areas of the project sites are anticipated to be lower than indicated by the noise contours in the Noise Element of the General Plan.

An established noise model, the FWHA Traffic Noise Prediction Model, was used to evaluate long term operational traffic noise from buildout of the NWSP. This analysis included traffic on all affected roadways. At no location would traffic noise increases exceed 1.8 dB (less than the 3 dB

standard of significance applied in the DEIR) and at most locations the increase would be 0.5 dB or less. Although the FHWA Traffic Noise Prediction Model does not specifically consider "reverberation" effects as requested by the commenter, it reflects an established methodology for determining traffic noise levels. Consideration of complex terrain in traffic noise models can either increase or decrease the results depending upon the particular situation. However, given that the impacts predicted from the FHWA model are substantially below the significance threshold, it is not anticipated that use of a different model would have produced a materially different result. In addition, the acoustic reflection effects of the elevated terrain on the Faria Ranch already exist, as reflected in the comment. The grading plan would continue to include retention of the eastern ridgeline, which would continue to serve as a noise barrier between I-680 and developed areas. Finally, if new Alternative 6 is selected and the senior apartments moved further away from I-680, the potential impact of the existing freeway noise on the new senior apartments would be reduced as compared to the analysis in the DEIR.

3.10 TRAFFIC AND CIRCULATION

This master response is referenced in response to comment numbers SA 1-1, SA 1-2, LA 1-4, LA 7-2, LA 7-3, O 2-2, O 4-3, O 4-4, O 4-5, I 2-11, I 2-12, I 2-13, I 2-15, I 2-16, I 2-17, I 2-18, I 3-1, I 3-2, I 3-3, I 3-4, I 3-5, I 3-6, I 3-7, I 5-1, P 1-6; P 1-7, P 1-10, P 1-20, PH 2-G, PH 4-G, PH 4-H, PH 4-N, PH 4-CC, PH 4-DD, PH 4-EE, PH 4-FF, PH 4-GG, PH 4-JJ, PH 4-KK, PH 4-LL, PH 4-MM, PH 4-NN, PH 4-TT, and PH 6-A.

10.A Project Access and Circulation

Comments:

Several commenters were concerned with the ease of access within planned communities for emergency (I 2-18, P 1-10, PH 4-G, PH 4-FF, PH 4-JJ) and garbage services (PH 4-KK) and the location of the spine road (PH 4-LL, PH 4-MM).

Response:

These comments address issues internal to the Project. As noted in the significance thresholds on page 4.10-30 of the DEIR, impacts related to these issues could cause significant impacts. However, impacts would result only if these internal aspects of the Project cause effects on the existing or future physical environment outside the Project. The EIR therefore determined whether internal circulation, safety and access issues would result in physical impacts that extend beyond those that would be experienced within the Project itself.

The proposed circulation system for the Northwest Specific Plan is presented in Chapter 3 of the Plan, and evaluated in Chapter 4.10 of the DEIR. The San Ramon Valley Fire Protection District (SRVFPD) was consulted by the Specific Plan and EIR authors to determine the appropriateness of roadway widths in relationship to parking accommodations, the placement of buildings and special emergency access needs.

The Faria Preserve Parkway (spine road) has been designed with a typical cross section which provides two 12-foot wide travel lanes, a raised center median with 11- to 12-foot turn lanes at intersections, two 4-foot bicycle lanes, and 8-foot bulb-outs for frontage parking in the vicinity of residential neighborhoods and public facilities. Final street design will be reviewed and approved by the City of San Ramon and SRVFPD. Each of the residential neighborhoods served by the Parkway is provided with at least two points of access and a looping internal circulation system. In addition, the Parkway itself provides a continuous street connection, as called for in the General Plan, between Bollinger Canyon Road on the west and Purdue Road on the east. A gated emergency vehicle access (EVA) connection is provided at Claremont Crest Way and at Deerwood Road. As discussed in Chapter 3 of the Specific Plan, these EVA access points would be improved to accommodate a fire truck or other emergency equipment, but would be gated to permit pedestrian movement without regular vehicular traffic.

Neighborhood A is to be served by public streets with on-street parking adjoining developed lots, as well as garage and driveway parking for each home. It would meet standard, public street requirements, which are designed to accommodate emergency, garbage and other services.

Neighborhoods B and D include public roads, as detailed on page 3-29 of the DEIR. Neighborhoods B, C and D incorporate privately maintained roadways., Detailed specifications and cross-sections for each of the roadways in the Faria Preserve project are included in Chapter 3 of the Specific Plan. As detailed in the Faria Preserve Vesting Tentative Map (DEIR Figure 3-8), internal circulation and roadway widths for Neighborhoods B, C and D provide for looped access and turning movement dimensions which comply with Fire District and City standards. Although not required to comply with City standards, private streets will be designed with standard 11- and 12-foot wide travel lanes and do not permit on-street parking. Intersection curb return radii are 15 feet. Parking bays (with perpendicular parking stalls) will be provided on private streets. These design dimensions are adequate for emergency vehicle and utility vehicle access and circulation. It is common practice for a Homeowners Association to ensure enforcement of parking restrictions on private streets. Additionally, on-street parking is allowed on the public streets that serve each neighborhood. Public streets are designed to city standards and meet requirements for emergency and large vehicle access.

The Plan requires that Neighborhood E (located in the Western Plan Area) provide at least one public street emergency access point and, if only one public street entry is provided, an EVA access from either Bollinger Canyon Road or Crow Canyon Road. These requirements are sufficient to ensure adequate access to the relatively small number of homes proposed in that area.

In summary, the daily and emergency access needs of the Faria Preserve project would be satisfied based on the foregoing detailed design standards, parking provisions and circulation system elements. Consequently, there is no indication that these aspects of the Project would trigger impacts external to the Project, and therefore no need to consider the elimination of housing units. The traffic analysis did not analyze the possibility of relocating the internal spine road because that road is internal to the Project, and would not affect the impacts of the Project on the physical environment.

10.B Existing Traffic Problems

Comments:

Though not raised during the formal comment period, one speaker at the July 24, 2006 hearing on the Northwest Specific Plan noted that many of the roads, such as San Ramon Valley Blvd, Crow Canyon Road, Bollinger Canyon Road, Deerwood Road, I-680 and all the surrounding neighborhood streets are already significantly impacted by increased traffic. Comments (PH-4-DD, FL 1-3) also referenced existing traffic.

Response:

The DEIR explains in detail what the existing level of service is at the study intersections, and reveals the average daily trips on the area road system and the peak hour intersection level of service at the 24 study intersections. For example, see Figures 4.10-2 through 4.10-4 and Tables 4.10-4 and 4.10-7. As the DEIR notes (Table 4.10-4 and page 4.10-25), some intersections currently operate at Level of

Service (LOS) D, but most of the intersections operate at LOS A through C. This information is factored into the traffic analysis. The impacts of the Project were assessed against this background. The existing traffic circumstances are factored into the evaluation of the Project in the Existing Plus Project analysis.

10.C Traffic Analysis and Scope of Study

Comments:

Several commenters (I 2-11, I 3-1, P 1-6, I 2-11, PH 2-G, PH 4-CC,) were concerned with traffic congestion and the DEIR's analysis of the project's impact on increasing vehicle trips on neighborhood streets surrounding the project. Some comments (SA 1-1, SA 1-2, O 4-4) were specifically concerned with the increased number of vehicle trips on freeways, including I-680. Some commenters (O 4-3, O 4-4, SA 1-2) claimed baseline traffic studies are outdated or additional traffic flow patterns should be addressed to cover additional streets and intersections (I 3-2, I 3-3, I 3-4, I 3-5, I 3-6, I 3-7, PH 6-A). One comment was concerned with the NWSP Main Artery Road running from Bollinger to Purdue (I-2-13). One comment asked for clarification regarding comprehensive calming measures, as stated in the DEIR (I 2-12). One comment (O 4-5) asked for mitigation of impacts to bicycle and pedestrian safety on Bollinger Canyon Road. Comments were raised regarding safe travel routes for students to and from the Faria Preserve to school and the implementation of adequate sidewalks, crosswalks, signalization and funding for crossing guards to ensure student safety (LA 7-2, LA 7-3).

Response:

An extensive and comprehensive traffic analysis was undertaken for the EIR. Computer modeling was used to project how Project traffic would affect the existing and cumulative scenarios.

A computer model was developed to address Project-specific impacts. Modeling of the project impacts was performed in several steps. The first step used the Contra Costa Transportation Authority's (CCTA) regional travel demand forecasting model to determine the spatial distribution of project traffic. The CCTA model forecasts the origins and destinations of project traffic. The distribution forecast by the CCTA model is shown in Figure 4.10-8 and in Table 4.10-6 in the Draft EIR. The second step in the process determines how much traffic would be generated by development of the project. The primary source of information for this step was trip generation rates published by the Institute of Transportation Engineers (ITE) in its Trip Generation Manual (7th Edition). ITE's trip generation rates are nationally accepted sources of land use traffic generation. For unique land uses within the project the source of trip generation rates is from local studies as referenced in Table 4.10-5. The third step in the modeling process assigns project traffic to the study intersections and calculates intersection delay and level of service. Assignment of project traffic was based on the shortest route between origins and destinations. Cumulative background traffic (representing growth in traffic to the year 2020 without the project) was based on traffic projections used in the City's General Plan 2020. Project traffic was then added to the 2020 background traffic to reflect future cumulative conditions. The General Plan 2020 traffic projections were derived from the CCTA's regional travel demand forecasting model for the preparation of the General Plan environmental assessment.

The traffic engineers selected 24 intersections to study based upon discussions with City staff and identification of critical intersections on the routes determined to be utilized by project traffic. Most of the study intersections are consistent with the intersections studied in the General Plan and include additional intersections used to access the project. The analysis did not study other intersections because it was determined that project traffic would contribute a negligible amount of traffic to the intersection. The study focused on intersections, rather than traffic volume on roadway segments, because intersections are the most critical points of conflict within the transportation system and the cause of traffic congestion and delay on roadways. Additionally, the City's transportation performance measures and criteria for determining significant impacts are based on intersection delay and level of service. There was no need to conduct a unique study of Deerwood because the roadway is constructed to City standards and meets all of the City's criteria for safety including appropriate sight distance, design speed, and pedestrian crossings. Additionally, if an existing speeding problem is identified the City has a standard process to implement residential traffic calming measures and police enforcement to mitigate speeding and other traffic impacts in residential areas of the city. See DEIR, p. 4.10-28.

Additional modeling was not conducted for mainline I-680 because there was no need to repeat the analysis conducted for the General Plan EIR. The General Plan EIR evaluated the impact of buildout of the entire General Plan on I-680 in the vicinity of San Ramon. It compared the impacts of buildout to the existing 2000 traffic, and measured those impacts against the thresholds established by the Tri-Valley Transportation Plan and the Contra Costa Congestion Management Program. The General Plan EIR concluded:

> The traffic conditions on I-680 in the San Ramon General Plan Planning Area are projected to meet the TSO established by the *Tri-Valley Transportation Plan* and the *Contra Cost County Congestion Management Program*. No impact is therefore identified for freeway conditions. The maintenance of acceptable Levels of Service (under the Congestion Management Program) and Transportation Service Objectives (under Measure C) are regional goals that depend on the combined efforts of each jurisdiction within the Tri-Valley area as well as the greater Bay Area. The City of San Ramon's travel demand management programs, collection of the Tri-Valley Transportation Development Fee, and pursuit of balanced jobs and housing all contribute to achieving the goals of managing congestion on I-680 and other regional facilities. (General Plan DEIR, page 4-50)

The NWSP is projected to produce a small amount of trips in excess of those studied in the General Plan EIR; however, the difference is not substantial enough to change the conclusions regarding traffic on I-680. As explained in the DEIR, the NWSP would result in 332 more a.m. peak period trips, and 329 more p.m. peak period trips, than were studied in the General Plan EIR. Of these trips, only 23% would reach I-680 north of the Project, and 22% would reach I-680 south of the Project. In other words, 44% of these additional trips would end up on I-680 during peak periods. The Project would add less than 150 trips during peak commute hours, which is not enough to make a statistically significant difference in the traffic volume on I-680 and in the measures used to measure freeway performance. Accordingly, the conclusions of the General Plan EIR remain valid, and there is no evidence triggering a need for supplemental review. Also, because the Project, in combination with all other cumulative, General Plan buildout, is not projected to result in

exceedance of the traffic thresholds, the Project by itself could not cause significant impacts on mainline I-680. Caltrans is currently constructing auxiliary lanes on I-680 from Diablo Road to Sycamore Road and from Crow Canyon Road to Bollinger Canyon Road. Construction will be completed in 2007.

The modeling conducted for the EIR traffic analysis did include a study of Bollinger Canyon Road between San Ramon Valley Boulevard and Crow Canyon Road. Traffic counts for this area were factored into the analysis. The existing counts are reflected in Figure 4.10-2. In addition, the study intersections included study of intersections of Bollinger/San Ramon Valley Boulevard (intersection 22), Bollinger/Norris Canyon Boulevard (Intersection 20), located in the middle of this segment of Bollinger Canyon Road, and Bollinger/ Crow Canyon Road (intersection 9) (see DEIR Figure 4.10-1). Intermediate intersections along Bollinger Canyon Road were not studied because the traffic volumes on Bollinger Canyon Road at intersections with local residential streets are very low and operate at high levels of service. The addition of project traffic on Bollinger Canyon Road would have a negligible effect on level of service at the local street intersections.

The traffic study used reasonably available data to determine existing traffic. As explained in the DEIR, the study used data from the City's 2000 Citywide Traffic Monitoring Study and supplemental counts, which were taken in 2000, 2001 and 2002, to determine base data for City roads. The average daily traffic of between 132,000 and 139,000 trips on I-680 in the vicinity of San Ramon is from Caltrans 2000 data to be consistent with the time period for the City data. The I-680 daily traffic data was used for informational purposes and was not used in any analysis of the freeway. Regardless, the use of year 2000 data published by Caltrans is considered reasonable for a project in which the Notice of Preparation was circulated in 2004. In addition, the 2000 data for I-680 is consistent with the 2001 and 2002 daily traffic counts used for city streets, as well as consistent with the baseline data used in the evaluation of the General Plan.

It would not have been reasonable to use the 170,000 average daily traffic count for I-680, since that number is from Caltrans 2005 data. That data post-dates the date of the 2004 NOP used to determine baseline. Also, using 2005 data from Caltrans, while using 2000 and 2002 date for City streets would not have been reasonable because it would be inconsistent with the range of dates (2000 to 2002) used to establish the baseline for analysis.

Once baseline traffic circumstances were established and projected by the model, data was input to represent Project traffic. The amount of vehicle trips the Project is excepted to generate was determined by applying trip generation rates, which were based upon a detailed assessment of data published by the Institute of Transportation Engineers (7th Edition of the Trip Generation Manual) and actual traffic counts obtained from similar facilities in Contra Costa County, to the land uses proposed in the NWSP. The distribution of Project trips on the roadway system was determined with the use of the Contra Costa Transportation Authority's (CCTA) regional travel demand forecasting model. These trip distributions, which reveal how much Project traffic is projected to use individual roadways and what direction the trips take, are reflected in Table 4.10-6 and on Figure 4.10-8. The trip distribution percentages are projected to apply throughout the day. For example, 23% of Project traffic is expected to be on I-680 north of Greenbrook in both the am and pm peak hours. Applying a uniform trip distribution for both the a.m. and p.m. peak hours is reasonable because the CCTA model trip distribution shows an almost identical pattern between the morning and afternoon peak hours and factors in the trip generation rates account for the directional change

between the morning and afternoon peak hours (i.e., higher level of outbound travel in the a.m. and higher level of inbound travel in the p.m. peak hour).

These Project trips were then added to the existing traffic scenario, and the model was used to project what impacts the Project would have. The results were compared to the thresholds set forth in Section 4.10.2 of the DEIR. The City's General Plan establishes intersection level of service thresholds in both the traffic and circulation element and the growth management element. The traffic and circulation element establishes a policy of maintaining a LOS D during no more than three peak periods of the day (a.m., p.m., and noon peaks) on Page 5-2. The growth management element further addresses the specific conditions under which LOS D is accepted, consistent with the requirements of the County's Measure C. Measure C traffic standards are linked to types of land use ranging from rural to urban and Central Business District. The City of San Ramon further expresses the Measure C standards by roadway classification (arterial, collector and local streets). Tables 3.3-1 and 3.3-2 and Policy 3.3-I-2 of the growth management element describe level of service thresholds based on San Ramon's roadway classifications. The policies allow a LOS D (volume to capacity ratio of 0.85-0. 90) during the a.m. and p.m. peak hours on roadways classified as arterials or collectors.

Further, Measure C standards allow higher volume to capacity ratios on Routes of Regional Significance. Specifically,

- San Ramon Valley Boulevard (Standard: LOS D with V/C ratio $\leq$ 0.91)
- Crow Canyon Road (Standard: LOS D with V/C ratio $\leq$ 0.91)

However, since the General Plan does not incorporate the Measure C standards for Routes of Regional Significance the NWSP DEIR only presents these standards for information.

The above volume-to-capacity ratio thresholds apply only to signalized intersections. The LOS for stop-controlled intersections are not measured by volume to capacity ratio but by average delay. However, the LOS D standard is applied to stop-controlled intersections evaluated in the NWSP DEIR (as measured in terms of average delay). Thresholds of significance for stop-controlled intersections are discussed below.

These thresholds incorporate an analysis of the delay motorists are projected to experience. LOS criteria are industry standards, as the amount of capacity traffic occupies at an intersection or movement is directly correlated to how long a motorist is projected to take to travel through an intersection. For example, LOS D embodies tolerable delays, and acknowledges that drivers may have to wait though more than one red signal. Queues may develop but dissipate rapidly (see DEIR Table 4.10-1). The acceptability of the Level of Service, and therefore the level of delays, was determined when the voters approved General Plan 2020. Additional study of the specific delays motorists may encounter during commute hours is not necessary to reach reasonable conclusions regarding impacts because delay is already accounted for in the LOS criteria. The three hour requirements and the two hour requirement in the Bishop Ranch agreement were applied to the study intersections under Existing Plus Project and Cumulative Plus Project conditions to identify significant impacts. If the project caused a signalized intersection's volume-to-capacity ratio to exceed the upper threshold of 0.90, or the project contributed traffic to an intersection that exceeded the threshold without the project, then it was considered a significant impact. At stop-controlled

intersections, if the project caused the level of service (based on average delay) to exceed the City's level of service threshold of LOS D for arterials and collectors it would be considered a significant impact. The determination of a significant impact at a stop-controlled intersection takes into account more than level of service. The City uses guidelines from the Manual of Uniform Traffic Control Devices (MUTCD) for determining whether a traffic signal should be considered for installation, called "warrants." These warrants include criteria such as traffic volume, pedestrian volume, presence of school children, and accident history. Typically, two or more warrants are met before a signal is considered. Warrant #3 is for Peak Hour Volumes. An intersection meets Warrant #3 when peak hourly volumes on the major street and the minor street exceed specified values for any one peak hour of an average day. When an intersection meets Warrant #3, there is a strong indication that a detailed signal warrant analysis covering all possible warrants is appropriate, as described in the 2003 MUTCD and the California supplement to the 2003 MUTCD. Many of the warrants cannot be estimated or projected into the future and therefore require monitoring of actual conditions.

Traffic signals are used to provide an orderly flow of traffic through an intersection. Many times they are needed to offer side street traffic an opportunity to access a major road where high volumes and/or high vehicle speeds block crossing or turning movements. Signals do not, however, increase the capacity of an intersection. In fact, they often slightly reduce the number of total vehicles that can pass through an intersection in a given period of time. Signals can also cause an increase in traffic accidents if installed at inappropriate locations.

It is common that an unsignalized intersection would not meet signal warrants, even though one or more movements may experience LOS E or F operations. Although vehicles stopped on minor streets may experience delays of one minute or more, there would not be an overall benefit if the higher numbers of vehicles on the major street were stopped in favor of the few vehicles on the minor street. The signal warrant analysis balances major street and minor street delays, and may indicate that there is overall benefit if drivers for some turn movements from the minor street continue to experience long (LOS E or F) delays.

Therefore the City assess the circumstances of each individual stop-controlled intersection to determine if a signal is warranted or in determining a significant impact. For example, while the intersection of San Ramon Valley Road/Hooper does not meet the signalization warrant that can be projected into the future (Warrant #3 – Peak Hour Volumes), it is located on a high-speed, multi-lane arterial street with a downgrade approaching the intersection from both San Ramon Valley Boulevard and Hooper Drive. The circumstances of this intersection may meet other warrants for signalization such as eight hour volume or accident warrants requiring monitoring over time. Therefore, the circumstances of the intersection in combination with the level of service impact, was deemed to be significant even though the intersection did not meet one of the warrants for installation of a traffic signal.

The Bishop Ranch agreement references roadway segments and is interpreted as the LOS for the intersections on the referenced roadway segments since the City measures roadway performance in terms of intersection performance. The NWSP DEIR evaluated intersections on the roadway segments identified in the Bishop Ranch agreement where project traffic would have potentially significant impacts. The listing of impacts includes all the circumstances under which traffic is projected to exceed these thresholds. The intersection of San Ramon Valley Blvd./Purdue Road was found to be exceed the level of service threshold under Existing Plus Project and cumulative

conditions and met warrants for the installation of a traffic signal. With installation of a traffic signal the intersection meets the thresholds requiring LOS C, with LOS D only at one hour each morning, noon and evening commute hours. The mitigation measures require installation of a signal by the City, but each project that contributes toward the need for the signal, including the NWSP, would fund its fair share.

The cumulative scenario was studied using the results of the traffic modeling conducted for the 2020 General Plan. That traffic analysis already included the impacts of development projected for the Crow Canyon Specific Plan, as well as all other growth projected in the General Plan. It is not standard practice, and would be arbitrary, to assess the impacts of NWSP in combination with only the Crow Canyon Specific Plan, because it is only one of the other projects that contribute towards cumulative impacts. Instead, the EIR assessed cumulative impacts by relying upon the development projected for General Plan buildout. This constitutes an approach that is more likely to overstate cumulative impacts, since not all projects projected in the General Plan have reached the stage of processing. Accordingly, had the EIR limited its analysis only to the impacts of the NWSP and the Crow Canyon Specific Plan, it would not have presented a comprehensive picture of the cumulative scenario. Neither the NWSP nor the Crow Canyon Specific Plan were studied in isolation; each project was studied against the existing background traffic, and in the context of cumulative, general plan buildout traffic.

The NWSP cumulative traffic analysis then assessed the impacts of the additional development proposed for the NWSP that had not been considered in the General Plan traffic modeling. The analysis revealed that the additional development proposed in the NWSP would generate 332 more am peak period trips, and 329 more pm peak period trips, than were studied in the General Plan EIR traffic analysis. These additional trips were distributed to the road system based upon the same factors used for the project-specific analysis, resulting in the same distribution of trips. These distributed trips were then added to the trips identified during the prior General Plan EIR process.

The resulting traffic was measured against the traffic thresholds listed on page 4.10-30 of the DEIR. The DEIR explains that, when this cumulative traffic is added to the existing, baseline scenario, the impacts would not exceed the thresholds except for three intersections, identified in page 4.10-41: San Ramon Valley Boulevard/Hooper Drive, San Ramon Valley Boulevard/Purdue Road and Bollinger Canyon Road/Norris Canyon Road. To be conservative, the traffic analysis projected that *any* contribution the Project makes towards any of these three significant cumulative impacts is deemed cumulatively considerable (see DEIR, p. 4.10-30).

The results are listed in Table 4.10-8, which show very large delays at intersection 3, at San Ramon Valley Blvd. And Purdue Road. The portrayal of delay presented in Table 4.10-8 is based on theoretical computations. When traffic volumes greatly exceed an intersections' capacity the intersection reaches a point of "instability", meaning that the intersection would breakdown and vehicle queuing is severe. This instability is reflected in the delay computations showing exponential increases in delay. In actuality such delays would not occur because drivers would not tolerate these conditions and find other routes. However, the large theoretical delays are indicative of the degree of impact experienced at the intersection. The impacts of a lesser amount of homes, in both the project and the cumulative context, is presented in the study of alternatives. Please see Master Response 13. Traffic counts are not provided for each alternative because alternatives are not evaluated at the same level of specificity as the Project. The discussion of alternatives indicates

whether the traffic impacts would result in any more significant impacts than the Project. This information indicates whether there would be a worse level of service than is determined acceptable in the General Plan and therefore a worse delay.

The traffic analysis also accounted for pedestrian and bicycle safety on roadways that would experience the traffic increases resulting from the Project and from cumulative development. The DEIR further explains, at page 4.10-40, that, though the Plan would increase traffic volumes on roadways, the roadways would continue to accommodate both bicyclists and motorists, resulting in a less than significant impact on bicycle travel. The mitigation measures the EIR identifies consist only of signalization, and not widening of roads. Widening of roads was not found to be required to mitigate impacts. Signalization improves pedestrian and bicycle safety, and therefore would not have an adverse impact on pedestrian or bicycle safety.

Students walking to and from the Faria Preserve would have safe passage along sidewalks and at intersections constructed to City safety standards. While some streets within the study have gaps in the sidewalk system (including portions of Hooper, one segment of Old Crow Canyon, east side of San Ramon Valley Blvd and along most portions of Bollinger Canyon Road north of Crow Canyon Road) there are reasonable alternatives for pedestrians (i.e., sidewalks on the other side of the street). Additionally, the lack of sidewalks does not force pedestrians into the traveled way as the streets have shoulders (both paved and unpaved) that pedestrians can travel on.

Moreover, there are existing facilities leading up to the Project boundaries that provide a safe passage route to schools. Should it be determined that the elementary school serving the project is Twin Creeks Elementary School on Marsh Drive, it would be accessed along a number of routes:: From Neighborhoods A through D, pedestrians use the off-street path parallel to the spine road to access Bollinger Canyon Road. The off-street path directs pedestrians directly to a sidewalk on Bollinger Canyon Road. Alternatively, pedestrians may use the pedestrian link from the spine road to Claremont Crest Way to Deerwood Drive to Bollinger Canyon Road (all served by sidewalks). Pedestrians follow the sidewalk on Bollinger Canyon Road to a signalized crossing of Crow Canyon Road. Pedestrians follow sidewalks on Bollinger Canyon Road to Marsh Drive and the school. Yellow marked school crossings exist per state standards along the school route. At no time would a pedestrian be required to leave a standard pedestrian facility when walking to the school.

Accordingly, crossing guards are not necessary to mitigate significant impacts of the Project. Project-specific funding of crossing guards is also not feasible, since there is no program by which funding of the Project's fair share of any desired crossing guards could be combined with other funding to result in the desired operations. The San Ramon Valley School District, if needed would provide crossing guard services. The students generated by the Project can be accommodated on the existing pedestrian network, without impact safety of students from existing homes walking along existing routes.

This analysis was comprehensive and complete, and accords with or exceeds industry standards, standard San Ramon traffic methodologies, General Plan requirements, and standard CMA methodologies. The impacts reveal whether the Project is projected to cause an exceedence of traffic standards, which is the threshold used to determine environmental impacts. What constitutes the "true impact" of the Project apart from application of these thresholds is a question relating to the merits of the Project beyond the scope of an environmental evaluation, and is a matter of subjective

judgment. Likewise, the projections regarding the ability of the proposed mitigation measures to bring traffic back to an acceptable LOS is based upon this complex computer modeling. The projections are as accurate as current science and methodologies allow, though no projection of future circumstances can possibly be judged completely accurate or "true," as some commenters request.

10.D Funding and Implementation of Improvements

Comment:

One comment (PH 4-DD) questioned whether improvements would be constructed, , and what those improvements would be.

Response:

The traffic analysis was based upon a projection that all improvements identified in the City's Capital Improvement Program, which are listed on page 4.10-20 of the DEIR, would be built. These improvements were projected to be implemented because they are part of an approved program. The program identifies specific improvements in sufficient detail to plan for them and estimate costs. The program also assures funding through collection of traffic fees and fair share contributions by developers.

10.E Adequacy of Parking

Comment:

Concerns were raised regarding on-street parking and some of the other parking configurations proposed in the Faria Preserve project. One comment (I 5-1) questioned the adequacy of parking as set forth in NWSP development standards.

Response:

The NWSP proposes specific parking standards for development of the project area. The proposed standards are consistent with parking standards elsewhere in the City. Due to the 25% residential development envelope, 54 guest parking spaces for Neighborhood C are provided on the spine road, and 30% compact parking will be allowed. To further affordable housing objectives and ensure the potential for independent use of second units, parking for second units within Neighborhood A will be permitted within the front yard setback on a permeable surface

In response to concerns regarding parking associated with trail usage, the project proponent is proposing to include "No Parking" signs in cul-de-sacs to discourage trail users from parking within the neighborhoods.

10.F Mass Transit/ Alternative Transportation

Comments:

A few commenters (LA 1-4, I 2-17, P 1-20, PH 4-N, PH 4-TT) expressed concern over the NWSP's lack of connections to mass transit. One comment (O 2-2) was specifically concerned with mitigation measures to reduce vehicle trip generation through the use of bicycle, pedestrian connections, transit and taxi vouchers and other means.

Response:

Chapter 4-10 of the DEIR includes a detailed analysis of public transit (bus) service, commuter rail service, bicycle and pedestrian facilities, parking facilities, and transportation demand management strategies in place to address the needs of the project. Specifically, the analysis concludes that additional transit ridership would be generated by the project, but that the existing transit agency bus service system currently in place has adequate capacity to meet this new demand.

The City is already implementing city-wide programs to encourage use of mass transit and alternative transportation measures. It is not practicable to mandate the use of bicycles or mass transit or taxi use in a single residential project. Moreover, the traffic analysis projected that the residential units would generate trips according to established data, without deductions for extensive use of alternative transportation. The traffic analysis determined that the significant traffic impacts would be reduced to levels less than significant through signalization. Comprehensive traffic modeling documented that the signalization would feasibly avoid significant impacts. Accordingly, measures such as vouchers and additional pedestrian connections, are not necessary to reduce traffic impacts to a level less than significant. Measures such as bicycle lanes on Bollinger Canyon Road are likewise not necessary to reduce the significant impacts of the Project. Please see Master Response 2 regarding the relevance of transportation control measures to air quality impacts.

Other comments regarding access to mass transit concern the merits of the Project rather than its impacts on the physical environment. These comments will be presented to decision makers for their consideration in determining the merits of the Project.

10.G Other Parking-related Concerns

Comment:

Another concerns was raised about the parking lot for Merrill Gardens as it relates to the perceived visibility of the parking. (PH-4-NN).

Response:

A small number of parking spaces are currently planned to be relocated from the north to the east side of the existing Merrill Gardens facility, as part of planned parking lot modifications to accommodate the extension of the Faria Preserve Parkway. If it is determined that the proposed Faria Preserve Parkway can be accommodated without relocation of the existing parking spaces, then the parking lot modifications would not be necessary. Figure A contains a supplemental visual simulation that the project sponsor presented at the October 3, 2006, Planning Commission meeting, which has been peer reviewed by City staff. This simulation shows the relationship between existing

neighborhoods to the south and the proposed parking lot modifications, should they be required. It is proposed that final landscaping plans would incorporate earth berming and massing of trees and shrubbery within the open space area between the homes and the Merrill Gardens parking area, in order to achieve screening as the landscape improvements mature. These measures would result in less than significant visual impacts.

3.11 UTILITIES/SERVICE SYSTEMS

This master response is referenced in response to comment numbers LA 3-5, LA 3-9, LA 4-1, LA 4-2, LA 4-3, LA 4-4, LA 4-7, LA 4-8, LA 4-9, LA 4-10, LA 4-11, LA 4-15, LA 4-17, LA 5-8, LA 5-9, LA 5-10, LA 7-1, LA 7-4, I 1-5, I 2-7, I 2-19, I 2-20, I 2-21, P 1-5, P 1-8, P 1-9, PH 4-J, PH 4-AA, PH 4-BB, PH 4-II, and PH 4-QQ.

11.A Water Supply Availability

Comments:

Several comments questioned the adequacy of water supplies for the development contemplated under the NWSP in addition to raising other water supply issues (LA 3-5, LA 4-9, LA 4-7, LA 4-3, P 1-9, I 2-19).

An executed copy of the Water Supply Assessment from the East Bay Municipal Utility District, with enclosures, is included in this Final EIR as Appendix B. EBMUD agrees that the water demands of the NWSP are accounted for in EBMUD's Urban Water Management Plan. EBMUD confirms that its entire service area would, in the future, require a supplemental supply. EBMUD has already adopted a program to obtain supplemental water through several projects, including its Freeport Regional Water Project, and development of groundwater storage. These programs are underway. More detailed information is provided on pages 4.11-1 through 4.1-3, and 4.11-13 through 4.11-14 in the DEIR. The Project would not affect the water demand or supply projections of EBMUD's Urban Water Management Plan, nor would it affect the efforts EBMUD is undertaking to obtain supplemental supplies. EBMUD agrees that the water supply impact of the Project would be less than significant.

Additionally, the City implements numerous policies to ensure the adequacy of water quality, quantity and distribution. The General Plan contains several implementing policies regarding water conservation. These policies apply to the Project. Implementation of these policies would ensure that the Project's impacts to water supply would be less than significant. The project proponent has proposed the implementation of yet additional conservation measures, and anticipates working with EBMUD in identifying and implementing further feasible measures. Further, EBMUD concurred with the water conservation approaches identified in the DEIR (LA 4-9).

11.B Water Supply Infrastructure

Comments:

Commenters questioned the location, operation and impacts of the project's water supply infrastructure. (LA 4-1, LA 4-2, LA 4-4, LA 4-8, LA 4-10, LA 4-11, LA 4-15, LA 4-17)

Response:

The impacts of the new access road connecting the existing San Ramon Reservoir to Purdue Road, realignment of the existing pipeline from the San Ramon Reservoir to Deerwood Road, and all other

water service facilities, were evaluated as part of the projects studied in the DEIR. The access road is included as part of the Faria Preserve's planned roadway system, and the relocation of the pipe would occur beneath the development footprint of the Faria Preserve, in an area already proposed for grading to accommodate Neighborhoods C and D.

Other water supply facilities are likewise proposed within the grading footprint of the Faria Preserve. The impacts of construction and operation of water service facilities are addressed in the appropriate impact section of the DEIR. For example, the biological impacts of these facilities are included in the impacts of the Project discussed in the biology section. The EIR did not specifically identify which impacts would be caused by these particular components of the Project because it would not be practicable to identify impacts on a building-by-building or facility-by-facility basis, and attempting to do so would risk failing to identify impacts of the Project as a whole.

All water supply infrastructure would be approved by EBMUD in conformance with EBMUD standards, and EIR mitigation measures, to ensure adequate flow capacity and pressure.

The project sponsor and EBMUD have jointly investigated several alternative alignments for the relocated pipeline and access roadway, but EMBUD has not yet agreed on an acceptable alignment for either the access road or the pipeline. It is proposed that the alignment would be within the grading footprint of the Faria Preserve that has already been studied in the DEIR. It is acknowledged that EBMUD must still evaluate whether an alignment is acceptable in light of its benefits. The precise alignment need not be resolved prior to certification of the Final EIR, since the EIR addresses the impacts of these aspects of the Project on the physical environment, as noted above. As noted by EBMUD, water supply infrastructure is also proposed to include a water pump station. EBMUD's preferred location for the pump station is near the San Ramon Reservoir (the existing 5 million gallon above-ground tank on the Faria Preserve site. As discussed in the DEIR (p. 4.1-37), adherence to design-related General Plan policies and guidelines would ensure consistency with existing urban form and encourage the planting of vegetation around the site of the proposed pump station, as well as along the new access road to the existing water tank to reduce the visual contrast of each by screening them from nearby vantage points. As described in Master Response 5.D, detailed design-level geotechnical investigation would be performed in cooperation with EBMUD to precisely determine the location of the pump station. Mitigation identified in the DEIR (Mitigation Measure Geo-1c, p. 4.5-23) addresses the potential for geotechnical impacts from relocation of EBMUD water supply facilities.

The Final EIR also explores Alternative 6, which would relocate the Senior Facility from Neighborhood D to the area westerly of Neighborhood B on a portion of the House of Worship site (see Master Response 13.E.) The proposed use and grading under Alternative 6 would not impact the access to the San Ramon Reservoir and would not require the relocation of the existing I/O pipeline. There are no impacts to EBMUD's existing operations at the San Ramon Reservoir resulting from Alternative 6.

The water tank site shown on Figure 3-8, the Faria Preserve Vesting Tentative Map, on page 3-23 of the DEIR reflects the proposed site of the tanks, as it was originally conceived before detailed study was undertaken and it was determined that the site as originally proposed was not suitable. Alternative sites were also proposed and studied in the Draft EIR. Figure 7-5 depicts sites A4 and A4 (buried) as they were studied in the Draft EIR. However, Figure 7-5 contains a clerical error in

that it incorrectly reflects sites A2 and A3. Figure 7-5A, included in Chapter 4 of this FEIR, shows the locations of sites A2 and A3 as those sites were studied by ESCNC. Sites A2 and A3 are located within the building envelope determined by ESCNC. Mitigation Measure Geo-4c requires that the tanks be sited within the building envelope delineated in the Preliminary Geotechnical Feasibility Study prepared by Earth Systems Consultants of Northern California, March 2005. The Project, or any Alternative Project selected, would be mitigated by ensuring that the location of the water tanks is in the building envelope in the ESCNC report. That building envelope is within the development footprint studied in the EIR. EBMUD concurs that site A4 is the environmentally preferred alternative, and that it is located within the building envelope described by ESCNC.

The cost of water service does not affect the physical environment and is therefore outside the scope of environmental review. While homeowners may be charged on-going assessment fees to pay for costs of maintaining common open areas and facilities associated with the new development, the DEIR explains that approval of a proposed project is in part based on the developer's ability to fund the improvements that would directly mitigate the impact of the new development. In addition to direct project costs, the City requires developers to pay citywide fees for a variety of services and infrastructure based on the concept that future residents would directly benefit from those improvements.

11.C Park and Recreation Facilities

Comment:

One commenter questioned whether the parks proposed in the Project meet General Plan requirements. (PH 4-AA). Several commenters (LA 5-8, LA 5-9, LA 5-10, I 1-5) were concerned with the precise design, funding and maintenance of and access to the Project's proposed trail system and how to accommodate emergency and maintenance vehicles. Comment LA 5-10 specifically requested that the criteria for developing the trail management plan and forming an assessment district be included in the FEIR.

Response:

The General Plan includes the following park standards: 4.5 acres of Neighborhood Park per 1,000 residents to serve the recreational needs of those living within a half mile radius; and 2.0 acres of Community Park per 1,000 residents to serve the recreational needs of those living or working within a three mile radius. As the DEIR explains, at pages I-4 and I-5, the parkland proposed by the Project would be located within one-half mile of all homes in the NWSP, and would meet or exceed the park requirements of the General Plan. There is no requirement that the parks proposed in the Project accommodate existing residents, or residents of other, proposed projects contemplated by the General Plan, within any radius. The parkland needs of existing residents or residents of other projects contemplated in the General Plan are not an impact of the Project.

Chapter 5 of the Specific Plan addresses the design and location of proposed public trail improvements, and the connection points for these new trails with existing facilities. DEIR Chapter 3 provides a corresponding analysis of these proposed facilities, and the remaining chapters of the DEIR analyze the potential environmental effects of developing and using these facilities as part of the integrated project impact analysis. As discussed in Chapter 3 of the Specific plan, trails within the

project have been designed to facilitate connections between individual neighborhoods, internal public facilities, existing City parks and adjoining neighborhoods, while also providing linkages to regional trail and open space facilities owned or operated by the EBRPD. The Specific Plan and DEIR have contemplated a variety of alternatives for ownership and maintenance of this hierarchy of trail improvements (and open space elements), including the City of San Ramon and/or other special districts and funding sources, including establishment of a Geologic Hazard Abatement District (GHAD), a homeowners association (HOA), a special assessment district, or through a partnership with the EBRPD. The Implementation Chapter of the Specific Plan (Chapter 7) provides additional details of these contemplated alternatives.

Trails that extend northerly from Claremont Crest Way and connect to Deerwood Road via the existing road, to be used by EBMUD to access its existing water tank, would accommodate emergency and maintenance vehicles. The rest of the trails would not accommodate motor vehicles. There would be trails that link to open space, as depicted in Figure 5-1 in the NWSP. However, the Project does not propose to construct trails beyond Project boundaries or otherwise develop within existing regional open space lands. The public trail system within the NWSP would be developed to EBRPD standards. Fire protection would be assured through development and implementation of the Open Space Fire Management Plan applicable to all the open space in the Project. Maintenance sufficient to ensure that the Project trails would not cause impacts to the physical environment outside the Project would be assured through funding provided by one of the mechanisms identified above.

Other comments regarding the desirability of certain uses, signage and engineering of trails concern the merits of the Project rather than its impacts on the physical environment. These comments will be presented to decision makers for their consideration in determining the merits of the Project.

11.D Need for Schools/Capacity

Comments:

Several commenters were concerned about the NWSP's impact on student populations in existing schools (P I-5, PH 4-J, PH 4-BB). Another commenter stated that the school site requirements are not being met as required by the City's General Plan (I 2-7). Another commenter (P 1-5, P 1-8) was concerned that the NWSP would result in overcrowded schools.

Response:

The Planning and Zoning Law provides that payment of statutory school impact fees must be deemed full and complete mitigation of impacts on the need for school facilities, and that a project cannot be denied based upon the adequacy or inadequacy of school facilities. (Gov't Code sections 65995-65998.) Accordingly, all impacts of the Project on the need for school facilities are mitigated to a level less than significant through payment of school impact fees.

The San Ramon Valley School District has confirmed that it would be able to accommodate students generated by the Project in existing schools or through expansion of existing facilities using school fees imposed on the Project. (Letter LA-7). Accordingly, there is no overcrowding projected.

The General Plan provides, in Policy 4.7-I-1, that the NWSP shall include, "15-20 acres of land for a school site (to revert to parkland or permanent open space if a school is not provided)." Policy 4.7-I-1 further states that 75% of the site is to be designated for a combination of schools, public uses and open space. The San Ramon Valley Unified School District, which has jurisdiction over determinations whether schools are needed and which is identified in the General Plan as the agency that determines the school need, has determined that a school is not needed in this area. The Project accordingly includes more than 20 acres of open space, as part of the 75% of the site designated for public uses and open space. There is no requirement of the General Plan that a site be designated for school use even if a school is not going to be provided because of existing excess capacity. Accordingly, this EIR evaluates the impacts of the Project as proposed, which includes open space rather than a 15-20 acre school site.

The request of the School District to reserve a site for an Education Service Center addresses the merits of the Project, and not its impacts on the physical environment. That request will be presented to decision-makers for their consideration. The Project includes a site of approximately 1.6 acres for an educational facility, located immediately southwest of the community park site. Under Alternative 6 (See Master Response 13.E), this use would be moved to the southeast corner of the site in the location of currently proposed Neighborhood D. That site is intended to accommodate an educational museum, educational outreach use, or similar facility intended to serve the residents of the Project and the surrounding community.

11.E Adequacy of Water Pressure

Comments:

Commenters expressed concern with the NWSP's impact on water pressure (I 2-19, I 2-20, I 2-21, P 1-9, PH 4-11).

Response:

The Project falls within two EBMUD pressure zones. Neighborhood D is the only portion of the proposed project located in the lower pressure zone. The lower pressure zone is served by the same facilities as both the Deerwood Ridge and Deerwood Highlands developments. The balance of the project is located in a pressure zone above these two existing communities and would be serviced from entirely new and separate water storage, supply, and delivery facilities, in a new pressure zone. The water pressure for existing residences would not be affected by the creation of this new and separate zone.

Water supply and delivery are under the jurisdiction of EBMUD. EBMUD would perform the appropriate water system modeling to assess system capabilities as they relate to existing and proposed facilities and customers. System master planning and system analysis performed by EBMUD indicates no adverse impacts associated with the development of proposed Neighborhood D. EBMUD also determines the cost of providing water service, given the elevation, which is not an environmental issue and therefore outside the scope of an EIR.

11.F Wet Weather Wastewater Flows

Comments:

One comment (LA 3-9) recommended that the EIR provide additional information, including mitigation measures, to address wet weather sewage flows.

Response:

Central Contra Costa Sanitary District (CCCSD) facilities have sufficient capacity to accommodate dry and wet weather sewer flows from the proposed project and other cumulative development over the next several decades. This is stated in a letter to the City of San Ramon from Russell B. Leavitt, of CCCSD, dated October 10, 2006. This letter is included in this FEIR as Appendix C. The letter specifies that CCCSD agrees with the DEIR's conclusions regarding sewage treatment and capacity. Further, reference in the DEIR to the possibility of future sewer system deficiency is clarified as referring to CCCSD's ultimate buildout, ultimate sewer deterioration scenario (allowing maximum domestic flow and maximum groundwater and wet weather infiltration). This is anticipated to occur in the year 2035, and CCCSD's Board of Directors has already certified an EIR for the largest of the anticipated collection system improvements, construction of which is expected to take place between 2016 and 2021.

3.12 CUMULATIVE IMPACTS

No comments specifically addressed the cumulative impacts analysis in the DEIR.

12.A Ridgeline Impacts

Comment:

While no comments specifically addressed the cumulative impacts analysis in the DEIRr, several commenters generally expressed concern with the overall impacts on open space and ridgelines resulting from the Faria Preserve project and other similar projects in San Ramon.

Response:

Cumulative impacts on open space and ridgelines have been minimized through the City's General Plan as explained on page 4-16 of the City of San Ramon General Plan DEIR, which establishes, among other things, an Urban Growth Boundary that limits urban development and services within the San Ramon Planning Area (page 4.5-I-1 of the General Plan), expansion of the ridgeline and hillside open space system through local interagency coordination (page 8.4-G-1 of the General Plan) and a secure funding source for open space acquisition and management sufficient to enable acquisition and preservation of a ridgeline and hillside open space system (General Plan DEIR, pp. 4-16 through 4-18, 4-22 through 4-24, and 4-52 through 4-60. The General Plan DEIR concluded that the purpose of General Plan policies 8.4-G-1, 8.4-I-1 to 8.4-I-15 is to plan for the acquisition of ridgeline lands contiguous to the City as open space in perpetuity and that these policies would minimize the impact of loss of ridgelines due to new development. By implementing these General Plan policies, the General Plan DEIR concluded that cumulative impacts to ridgelines resulting from development within the City are less than significant (General Plan DEIR, p. 4-60).

As provided in the City's voter-approved 2020 General Plan, two of the three ridgelines on the Faria Preserve property are proposed to be graded, with the resulting material used to fill portions of two drainages on the Faria Preserve project site. As indicated on page 4.2-21 of the DEIR and elsewhere, the maximum depth of the fill is anticipated to be 110 feet. The average fill depths would be approximately 40-60 feet. The grading is necessary to address slope stability issues on the site, and to provide the appropriate contours for the Faria Preserve project. All of the eastern ridgeline and much of the western ridgeline on the property provide visual separation of the Faria Preserve from the surrounding community and would be retained.

The Faria Preserve also satisfies several other General Plan policies designed to concentrate development in areas with maximum environmental carrying capacity while preserving visually sensitive ridgelines and open space areas. Most notably, the Faria Preserve proposes to permanently preserve through transfer and dedication of a conservation easement approximately 144 acres of land immediately adjacent to and west of the Faria Preserve along Bollinger Canyon Road. This Adjacent Faria Offsite Conservation Area is within the City's Bollinger Canyon Planning Subarea and its permanent protection would both serve to implement General Plan policies calling for preservation of the Bollinger Canyon area in a relatively rural character as well as General Plan Policy 8.4-G-1 and

8.4-I-1 et seq., providing for the acquisition and protection of hillside areas such as the Adjacent Faria Offsite Conservation Area.

The Faria Preserve also proposes trail connections to existing and planned trails, habitat protection for sensitive species (including through creation of an enhanced riparian corridor), and provision of affordable housing in amounts greater than what is required by the San Ramon General Plan. Each of these policies likewise ensures that development opportunities identified in the General Plan, including for the NWSP Area, are being maximized such that development pressures are lightened on those areas identified for protection by the General Plan, including highly visible protected major ridgelines (General Plan DEIR, p. 4-24, explaining General Plan policy 8.4-I-15).

In evaluating cumulative impacts, including on resources such as ridgelines, the General Plan EIR assumed a land use program consistent with what is proposed by the NWSP and would be implemented by the Faria Preserve -- i.e. 830 residential units in the NWSP Area with a mix of housing types as well as significant community facilities, including a community park, house of worship, and educational facility. In addition, pursuant to the General Plan and the General Plan EIR, it was contemplated that portions of two of the three major ridgelines within the NWSP Area could be altered by grading to accommodate this land use program and that compliance with other General Plan policies would ensure that resulting impacts would be reduced to less-than-significant levels. The General Plan DEIR concluded that, with implementation of the General Plan's policies, less than significant impacts to visual resources would result from buildout consistent with the General Plan, including development as proposed by the NWSP and the Faria Preserve. Additionally, as analyzed in Section 4.1 of the DEIR, the aesthetics impacts of the NWSP and the Faria Preserve would not be considered significant, and would not make a cumulatively considerable contribution to ridgeline impacts.

12.B Impacts to Creeks

Comment:

No comments specifically addressed the cumulative impacts analysis in the DEIR. However, the RWQCB generally expressed concern with the overall impacts on creeks in San Ramon and the region resulting from the Faria Preserve project and other similar projects in San Ramon.

Response:

As set forth on page 4-152 of the General Plan DEIR, new development under the General Plan would have a less than significant impact on offsite creeks or stream channels. General Plan policies to mitigate the impact of development on the City's creeks, include, among others, the City's continued participation in the Contra Costa Clean Water Program (General Plan policy 8.7-I-6). This program focuses on reducing stormwater pollution and protecting the water quality of the City's waterways. Further, the General Plan requires project sponsors of any new development to prepare hydrologic studies to assess storm runoff impacts on local and subregional creek corridors. General Plan policies 8.3-I-3 and 8.3-I-4 require reserving significant creek corridors as open space (General Plan DEIR, p. 4-152).

In addition to complying with the General Plan policies set forth above, the Faria Preserve project proposes additional mitigation measures on the Adjacent Faria Offsite Preservation Area, which may include a conservation program that could restore previously existing riparian corridors and enhance existing riparian corridors, stabilize head-cutting and erosion within and adjacent to existing drainages, enhance wildlife corridors and connectivity between adjacent properties, create and enhance wetlands and implement a grazing management plan. Restoration of previously existing riparian corridors and enhancement along existing riparian corridors would involve the planting of riparian vegetation and placement of fencing along restored and enhanced riparian corridors. Restored and enhanced riparian corridors would significantly improve the connectivity and wildlife corridors between adjacent properties and Bollinger Creek. In addition to the restoration and enhancement of riparian corridors, the conservation program could include the creation and enhancement of wetlands. Wetlands could be created by constructing reinforced earth berms to capture stormwater and/or excavation to create depressional areas that would hold water for long durations. A grazing management plan could be implemented consistent with existing wildlife activities.

All created, restored and enhanced riparian corridors and created and enhanced wetlands offsite and onsite would be preserved through a conservation easement and/or fee title transfer to an appropriate governmental agency and/or held in trust by an appropriate third party. Together with adequate funding to successfully manage such lands in perpetuity, these actions would be beneficial to the long term protection and enhancement of the quality and diversity of habitat, and would avoid a cumulatively considerable contribution of the project on impacts to creeks.

The RWQCB (SA 2-9) also requested consideration of creek restoration and enhancement downstream in the watershed, suggesting that given limited opportunities for on-site restoration of drainages, the costs and feasibility off-site creek restoration should be evaluated. However, suitable creeks that would qualify for such work within the area are limited in number and it may be difficult to obtain the rights to carry out the mitigation.

As discussed above, however, the proposed mitigation program, including potential enhancements, is anticipated to ensure that significant cumulative impacts to creeks would not result from the project, and that the project's contribution to any such impacts would not be cumulatively considerable. As a result, while the City would continue to evaluate these broader programmatic suggestions of the RWQCB, they do not appear to be necessary to compensate for the impacts of the NWSP, including the Faria Preserve project.

3.13 ALTERNATIVES

This master response is referenced in response to comment numbers SA 2-4, SA 2-5, SA 2-17, SA 2-18, SA 2-19, LA 5-4, LA 5-5, O 2-1, O 2-3, I 2-1, I 2-22, FL 1-2, P 1-1, P 1-3, PH 4-D, PH 4-F, PH 4-I, PH 4-UU, and PH 7-A.

13.A General Comments on Alternatives

Comments:

One commenter (SA 2-17) asserted that the DEIR did not provide sufficient detail regarding offsite and onsite options to meet the project's objectives including satisfaction of regional housing needs. The comment also asserts that the DEIR did not sufficiently demonstrate that the permanent loss of creeks and wetlands on the Faria Preserve are necessary to accommodate new housing (including affordable housing). The same commenter was concerned that the alternatives discussion and maps used to depict alternatives for the Faria Preserve project site were general in nature and did not provide the degree of detail needed to eliminate consideration of other alternatives.

Response:

These comments were made by the California Regional Water Quality Control Board (RWQCB), which is recognized to have several roles in connection with the project. For purposes of the CEQA process, the RWQCB is a responsible agency, and participates in the public review of the DEIR as described in CEQA Guidelines Sections 15086(c) and (d).[1] In addition to this role under CEQA, the RWQCB has a role in the United States Army Corps of Engineers' (Corps) permitting program under Section 404 of the Clean Water Act (CWA). Under Section 401 of the CWA, the RWQCB is responsible for certifying that water quality impacts of a proposed project are consistent with state water quality requirements, primarily as measured by the applicable Basin Plan.

The CWA process has been proceeding in parallel with the CEQA process, and many of the issues raised in the RWQCB's CEQA comments are also being addressed in the CWA process. Specifically, an application to the Corps for a Section 404 permit was filed on December 28, 2005, and an application to the RWQCB for a Section 401 certification was filed on January 24, 2006. A detailed

1 These Guidelines state:

(c) A responsible agency or other public agency shall only make substantive comments regarding those activities involved in the project that are within an area of expertise of the agency or which are required to be carried out or approved by the responsible agency. Those comments shall be supported by specific documentation.

(d) Prior to the close of the public review period, a responsible agency or trustee agency which has identified what that agency considers to be significant environmental effects shall advise the lead agency of those effects. As to those effects relevant to its decision, if any, on the project, the responsible or trustee agency shall either submit to the lead agency complete and detailed performance objectives for mitigation measures addressing those effects or refer the lead agency to appropriate, readily available guidelines or reference documents concerning mitigation measures. If the responsible or trustee agency is not aware of mitigation measures that address identified effects, the responsible or trustee agency shall so state.

Note: The City's ability to address the RWQCB's concerns has been limited somewhat by the lack of more specific information and recommendations in their letter.

alternatives analysis was submitted to the Corps and the RWQCB in June 2006 (Corps Alternative Analysis). The RWQCB commented on the issues raised in the CWA process in a letter dated July 7, 2006, to which the applicant responded on September 6, 2006. Copies of these letters are attached as Appendix D and Appendix E, respectively, and are incorporated by reference.

Project objectives. The seven major project objectives for the Faria Preserve project are described on page 3-31 of the DEIR. As reflected in the comment, the first of these objectives is the provision of a range of housing available to mixed incomes, including a 25 percent affordable housing component. Additional objectives include the prevention of urban sprawl by developing within the City's Urban Growth Boundary; the provision of community facilities, including a community park, public trail system, and house of worship, consistent with the General Plan; development of a safe, reliable and adequate circulation and utilities system; restoration of habitat areas; provision of open space and public uses; and provision of geologic stability using a balanced (cuts to fills) onsite grading plan. These objectives reflect the reasonable goals of the City and of the applicant, and many of them are required by terms of the General Plan. The analysis in the DEIR is not based solely on the first objective of satisfying housing needs as implied in the comment.

Scope of the offsite and onsite alternatives. As cited in CEQA Guidelines Section 15126.6, "There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason." Generally speaking, a reasonable range of feasible alternatives must be considered, with an emphasis on alternatives that could reduce or eliminate the significant environmental impacts of the project as proposed.

Alternatives can either be onsite or offsite. An explanation of why no offsite alternatives were evaluated in detail is presented on pages 7-39 through 7-41 of the DEIR. The principal reason for this is that there are no available parcels or groups of parcels not already slated for development that could feasibly satisfy the objectives of the project, and meet the requirements of the General Plan. This includes not only the ability to produce housing resources comparable to those offered by the proposed project, but also the ability to provide other critically needed community amenities such as additional community parklands. Also, since the one significant and unavoidable impact of the project (air quality) is directly related to the overall size of the project, there are no offsite alternatives that could reduce or avoid this impact while still achieving the overall project objectives.

The five onsite alternatives analyzed in detail in the DEIR reflect a reasonable range as required by CEQA. All of the potential alternatives are subject to a number of feasibility constraints, including three constraints that are particularly important.

First, the site has a relatively rugged topography, and has unstable slopes with numerous existing slide areas. In order to provide adequately flat slopes and site stability, the central ridgeline and a portion of the westerly ridgeline on the site need to be lowered and flattened. This in turn would produce a large volume of excavated soil material that either would need to be hauled away from the site, or deposited in the lower areas of the site. As evaluated in the DEIR, all variations of the first option would unavoidably result in substantial construction period impacts from the hauling of over 3 million cubic yards of material through the City of San Ramon to an offsite disposal location. The first option (hauling the excavated material offsite rather than using it onsite as fill) would also reduce the number of developable parcels in the filled areas since the resulting buildable area would be less. As evaluated in Alternative 5, reducing the grading even further to provide a balanced grading plan

that avoids the riparian corridor on the site would reduce the net developable acreage from 95 acres in the project as proposed to 38 acres. A maximum 38 acre buildable footprint is a fixed feature of all potential variations of Alternative 5, since it is dictated by the topography of the site and the resulting grading options.

Second, the development program needs to fit within the net development footprint. If the available acreage is reduced, there is a corresponding reduction in the number of units that can be developed, and an unavoidable reduction or elimination of the public facilities such as the proposed community park, educational facility, affordable housing and house of worship.

Third, the development program needs to be economically feasible. The applicant has evaluated the development costs of the various alternatives. Table 4 in the Corps Alternatives Analysis illustrates these costs and the resulting effects on economic feasibility. The fixed costs of the proposed Project and DEIR Alternative 5 (which is considered as Alternative 6 in the Corps Alternatives Analysis), including land acquisition, site development, financing and construction, are essentially the same ($131.4 million as compared to $130.1 million). However, while the proposed Project would spread these costs over 786 units, for an average cost per unit of $167,299, CEQA Alternative 5 spreads these costs over just 255 units, for an average cost of $510,118. The total market value of these finished lots is $150.7 million for the proposed Project, but just $60 million for CEQA Alternative 5. The proposed Project therefore has a net profit of $19.2 million as compared to a net loss of $70.1 million for CEQA Alternative 5. The return on investment for the proposed Project of 15% is at the lower margin of economic feasibility for this industry. A project such as CEQA Alternative 5 that pencils out at a substantial loss would be economically infeasible.

As explained in greater detail in the applicant's September 6 letter to the RWQCB, according to the information provided by the applicant there are no variations of CEQA Alternative 5 that are economically viable. This issue is discussed further under Response 13.B, below.

These principal constraints serve as the backdrop for the evaluation of specific alternatives addressed in the comments below. Given these constraints, the applicant has indicated that there are no other feasible reduced development alternatives.

Level of Detail. As cited in CEQA Guidelines, Section 15126.6(d), the evaluation of alternatives need only include "sufficient information about each alternative to allow meaningful evaluation, analysis and comparison with the proposed project." The discussion of the alternatives can be "in less detail than the significant effects of the project as proposed." Id. The alternatives analysis in the DEIR satisfies these requirements.

Substantial additional information about the alternatives is included in the Corps Alternatives Analysis and related correspondence as described above. It is recognized that the requirements for an alternatives analysis under CEQA differ in several respects from those for an alternatives analysis under the CWA 404 permit program. This topic is discussed further in Response 13.D, below.

13.B Reduced Density or Unit Count Alternatives

Comments:

Several commenters were concerned with the overall size of the Faria Preserve project and requested that an additional alternative be considered that reduced the Faria Preserve's overall project footprint (O 2-1, I 2-22, FL 1-2, P 1-1, SA 2-19, PH 4-D, PH 7-A, PH 4-F). Several of these comments described the project as having excessive "density" from the commenter's standpoint, but most of these comments actually request that alternatives be considered with a reduced number of units and a smaller development footprint. Several specific unit count alternatives were suggested, including alternatives with 300 and 400 units, respectively. Generally, these commenters (FL 1-2, I 2-1, I 2-22, PH 4-I, PH 4-UU) asserted that the reduction in the number of units in turn would lessen the project effects on traffic, construction-related issues, and perceived over-crowding of local retail facilities.

Response:

The DEIR did consider several reduced unit count alternatives, including alternatives 2 and 5, and concluded that none of the alternatives could feasibly satisfy the project objectives, would not reduce the significant impacts of the project as proposed, would lead to new environmental impacts, and/or would be infeasible.

Under Alternative 2, the resulting number of units was reduced on the Faria Preserve from 786 to 609, and the number of affordable units was reduced by 57 units. The analysis of Alternative 2 showed the potential for grading quantity reduction; however, these savings were only possible if the spine roadway were not extended between Bollinger Canyon Road and Purdue Road. Consequently, this alternative is dependent on completing a full street into the existing neighborhood to the south. This alternative was found to lead to potentially significant and unavoidable new traffic impacts, as well as the significant loss of both conventional and affordable housing, contrary to adopted General Plan policy.

DEIR Alternative 5 evaluates a balanced cuts to fills grading plan that generally avoids the existing riparian corridor, and assumes construction of a single family product on the site with a total of 255 units. The development footprint under this alternative would be approximately 38 acres, as compared to approximately 95 acres for the Project as proposed. The alternative eliminates all of the various public amenities from the Project, including the park, house of worship, and educational facility. All possible development alternatives that would simultaneously avoid the riparian corridor on the site while still balancing the grading plan would need to fit within this 38 acre footprint. In other words, the 38 acre alternative grading plan optimizes the resulting acreage within these assumed constraints.

Since detached single family housing products offer the highest sales prices among all of the potential housing products that could be considered for the alternative, and therefore maximize project revenues while minimizing costs, a lower-density single family product was selected for analysis in this alternative. Nonetheless, the economics of this alternative fall far short of being practicable, given the cost constraints described in the Corps Alternatives Analysis and summarized below.

All of the potential reduced unit count alternatives suffer from the common problems of being economically infeasible and unable to satisfy the project objectives.

It has been suggested that a higher density alternative might improve the situation, thereby rendering a variation of this reduced development alternative cost-effective. Generally, though, higher density products have significantly lower sales prices, minimizing this effect. Given the substantial shortfall in necessary revenues for CEQA Alternative 5, and the minimal (if any) incremental economic benefit of shifting to a higher density product mix, there are no variations of CEQA Alternative 5 that would be practicable.

Specifically, as evaluated in the Corps Alternatives Analysis, the lot value for the proposed town home units is just $125,000 as compared to the $350,000 value for the "Neighborhood A" units assumed in CEQA Alternative 5. In order to produce the same revenues, the number of town home units would need to be nearly triple the number of the single family units, or 714 units, just to catch up with the values of the single family product under Alternative 5. In order to match the revenues of the proposed Project, over 1,200 units would be required. Given the substantially smaller footprint of any balanced grading alternative that avoids the riparian corridor, this would require densities of approximately 32 units per acre. However, this is well above the feasible density for town home units, which generally is considered to be approximately 21 units per acre. At that density, only 798 town home units could be built, with an aggregate lot value of $99.75 million, which in turn would result in a loss of $30.35 million, according to the applicant's figures. As a result, the maximum practicable number of town home units on a reduced footprint alternative would not produce sufficient revenues to make the alternative viable. Such a change would also require a voter-approved amendment to the General Plan, which would be extremely unlikely or impossible to obtain.

These calculations also assume the elimination of all of the public amenities from the proposed Project, such as the park, educational facility, and house of worship, which total approximately 21 acres, or more than half of the available footprint under CEQA Alternative 5. These amenities are mandated by the local General Plan, and could only be eliminated if approved by a four-fifths vote of the City Council after a recommendation in favor of such amendment is made by four-fifths of the Planning Commission, based on findings that the proposed amendment is consistent with the principles and objectives of the General Plan. Given the importance of these public amenities to the voter-approved General Plan land use program, such a change would not likely be supported. Absent such a change, the available footprint under this alternative could be less than 20 acres, which in turn would require densities of 60 units per acre or more. This product would be above the high end of an acceptable density for condominium or apartment units, which themselves have a per-unit value only a fraction of the town home units. As a result, a practicable alternative would remain well out of reach for a reduced footprint alternative regardless of the assumed product mix.

In addition to being economically infeasible, any reduction in the total unit count on the project site would eliminate planned housing resources that have been identified by California Department of Housing and Community Development as critical components of the City's state-mandated regional fair share housing obligation, including for affordable housing, as identified in the Housing Element of the City's General Plan. As described in the Corps Alternatives Analysis, modifying the General Plan to shift this development elsewhere would be infeasible, and would simply shift environmental impacts to other locations.

In accordance with the CEQA Guidelines, a series of four separate alternatives to the proposed project (in addition to the No Project alternative) were developed and evaluated. Other localized

alternatives to the proposed EBMUD water tank facility design were also evaluated. Neither the "No Project" or any of the four design alternatives were found to meet the project objectives. These objectives, as outlined in the Draft EIR, include economic feasibility and consistency with the voter-approved San Ramon General Plan. The grading, aesthetics, noise, traffic and circulation and utility system effects of each of the project alternatives were examined to the extent possible consistent with CEQA and engineering design constraints. The analysis in Chapter 7 presents a reasoned and sufficiently detailed analysis of the design concepts, to permit analysis and conclusions as to feasibility and comparative levels of potentially significant effects.

There are no variations of the project that substantially reduce the development footprint that would remain economically feasible and permit the project to satisfy the project objectives. Under CEQA Guidelines Section 15126.6(c): "The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project . . . ." As cited in CEQA Guidelines Section 15126.6(a), the EIR need only consider "a reasonable range of potentially feasible alternatives that would foster informed decision making and public participation." The addition of infeasible alternatives to the analysis would not serve this purpose.

13.C Specific Reduced Project Alternatives

Comments:

Several of the commenters had specific suggestions about how they would like to see a reduced project alternative configured. One commenter requested that proposed development in Neighborhood A in the Faria Preserve be eliminated, reduced or consolidated into Neighborhoods B and C to avoid impacts to the riparian area and to provide for a much larger, contiguous public open space (LA 5-4, LA 5-5, P I-3). Another commenter (O 2-3) recommended an alternative that would avoid impacts to visual resources through preserving key hillsides (regardless of status).

Response:

As discussed in response 13.B above, all of the reduced project alternatives would be uneconomic and fail to achieve the project objectives. In addition, none of the concerns raised in these specific comments relate to significant impact of the project as proposed. The East Bay Regional Park District requested in its comment that development closest to existing EBRPD properties be eliminated for open space purposes. However, given the distance between the EBRPD parklands to the north and the project site, and the contribution of the project to meeting the need for parks, the project as proposed would not have any significant impacts in this regard. Likewise, the Greenbelt Alliance requested that further consideration of the preservation of hillsides be considered, but this consideration does not relate to a significant effect identified in the DEIR. Specific consideration was given to project aesthetic effects, and it was found that neither the Northwest Specific Plan nor the alternatives would result in any significant impacts.

As a result, these two alternatives meet neither of the preconditions for inclusion as an alternative in the EIR (feasibility and ability to reduce significant impacts).

13.D Relation to the Corps' 404(b)(1) Alternatives Analysis

Comments:

One commenter (the RWQCB) asserted that the DEIR did not adequately demonstrate compliance with the Clean Water Act. Specifically, the commenter was concerned that the DEIR did not adequately demonstrate that the Faria Preserve project constitutes the least environmentally damaging practicable alternative as specified in the U.S. EPA's CWA 404(b)(1) Guidelines, or that the applicant provided enough justification for a failure to avoid filling wetlands under the Clean Water Act (SA 2-4, SA 2-5, SA 2-18).

Response:

As discussed above, the RWQCB has a dual role in relation to the project, being a responsible agency for CEQA purposes, and having responsibility for water quality certification under Section 401 of the Clean Water Act. The DEIR evaluated alternatives to the project in the manner directed by the CEQA Guidelines, which differ in several respects from the approach taken under the CWA. As a result, the DEIR's alternatives analysis was not intended to comprise the alternatives analysis for purposes of Section 404 of the CWA. Instead, the Corps Alternatives Analysis is intended too serve that purpose, and was prepared as required by the US EPA's 404(b)(1) guidelines that govern the consideration of alternatives under the CWA.

The RWQCB has incorporated the US EPA's 404(b)(1) guidelines by reference into the applicable Basin Plan. As a result, we understand that the RWQCB considers the 404(b)(1) guidelines in the water quality certification process under Section 401, although the guidelines address numerous issues in addition to water quality. Generally, the 404(b)(1) Guidelines require the preparation of an alternatives analysis to determine the Least Environmentally Damaging Practicable Alternative (LEDPA) for a project design. (Chapter 4 of Basin Plan).[2]

The applicant's June 2006 Corps Alternatives Analysis, and September 6, 2006 letter to the RWQCB, explain the reasons why the proposed project is considered to be the "LEDPA." Those materials are incorporated by reference into this response.

The following discussion highlights the principal issues raised by the RWQCB regarding the 404(b)(1) alternatives analysis. Mitigation Measure Biology-4a requires that the applicant provide

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2 Like the "rule of reason" under CEQA, regulatory agencies are directed to implement EPA's 404(b)(1) guidelines at a level commensurate with project impacts. The regulations include a provision entitled "Adaptability," which states that:

> agencies responsible for implementing the Guidelines, must recognize the different levels of effort that should be associated with varying degrees of impact and require or prepare commensurate documentation. The level of documentation should reflect the significance and complexity of the discharge activity.

33 CFR 230.6(b). This guidance includes limiting the request for information and "conducting further evaluation only as needed." 33 CFR 230.6(c).

CEQA and 404 also generally share the requirement that alternatives be feasible and be able to satisfy the project objectives, although the 404 process uses somewhat different terms for these considerations (considering the "practicability" of the alternative rather than the "feasibility" and evaluating the "project purpose" as compared to the "objectives").

evidence of approvals under CWA Sections 404 and 401 prior to issuance of a grading permit, and it is therefore anticipated that these issues would be more fully addressed in that context. Compliance with this obligation to obtain the require permits would ensure that these impacts remain less than significant.

Cost Impracticability. For both CEQA and CWA purposes, the principal problem with CEQA Alternative 5, or any variation, is that the reduced number of units and/or reduced value of the units would not allow the alternative to be feasible from a cost standpoint. According to the 404(b)(1) Guidelines, if an alternative is "unreasonably expensive to the applicant, the alternative is not 'practicable.'" (Guidelines Preamble, "Economic Factors", 45 Fed. Reg. 85343, December 24, 1980). There are very few specific guidelines as to how to develop an appropriate cost analysis, but the costs must place the particular project applicant in a uniquely burdensome situation in order to be considered impracticable.

As discussed in Responses 13.A and 13.B above, there are a variety of costs associated with the Project that grow exponentially per unit as the number of units decreases, primarily basic site development and infrastructure costs, rendering the alternative impracticable.

Ability to Meet State Mandated Housing Obligations. The 404(b)(1) Guidelines require that an alternative be "logistically" practicable before being considered the LEDPA. One of these logistical constraints is the City of San Ramon's obligation to meet regional housing needs. By State mandate, the Association of Bay Area Governments (ABAG) is charged with quantifying housing needs that are generated by the region as a whole. These regional housing needs are then estimated for each jurisdiction in the Bay Area. Housing needs are based primarily on projected growth in households and jobs. For the period of January, 1999-June 2006, San Ramon's share of the regional housing need is currently estimated to be 3,389 units, according to the recently updated Housing Element of the San Ramon 2020 General Plan (City of San Ramon, 2004). The Housing Element identifies quantified objectives for housing development for the Project area during the timeframe of the Housing Element. The Housing Element provides an estimate of the City's production objectives by year 2006 based on a realistic pace of development, level of funding resources available, and other resources. The Housing Element identifies the project site at its full development potential (715 units, not counting the density bonus of 71 additional units) in identifying the project site as an "Opportunity Site." It is through identification of these Opportunity Sites, including the Faria Preserve Project, that the City demonstrates its ability to provide adequate sites to facilitate and encourage housing development that meets the City's share of the regional housing needs. Accordingly, any reduction in the number of units at the Project site would need to be compensated through an increase elsewhere. This represents a logistical constraint on any of the alternatives.

Effect of Protected Ridgelines on the Consideration of Alternatives. The RWQCB's comments also suggest that the City's ridgeline protection requirements have in effect forced development to lower elevations, thereby increasing impacts on watercourses.

The protected ridgelines generally have steep slopes that would require substantial grading before they could be developed. As with the areas of the site currently being proposed for grading and development, this grading would produce substantial quantities of fill that would either need to be placed on-site, or off-hauled. Thus, directing housing to ridgelines instead of away from them would increase the quantity of fill generated, potentially resulting in increased filling of the riparian corridors

on the site.. As a result, eliminating the City's ridgeline protection provisions would not materially affect the available alternatives, and could actually increase impacts to watercourses.

It is not within the scope of the project objectives to consider an alternative to the proposed project which would seek to amend the General Plan by facilitating development on Major Protected Ridgelines. Whereas such an alternative could add value to the homes, it is also likely to introduce new significant and unavoidable aesthetics, soils, and related impacts.

The City of San Ramon has an extensive set of regulations restricting development on ridgelines, which were first promulgated through an initiative ordinance amending the City's prior General Plan. Several of these policies were carried forward in the City's 2020 General Plan and certain voter-approved exemptions were included, allowing grading (see Master Response 8.C). As required by Ordinance 197, a public vote would be required before the remaining protected ridgelines on the site could be graded. Given the critical importance of ridgeline protection to the citizens of San Ramon and elected officials, such a proposal would not be supported. As a result, the ridgeline protection provisions of the General Plan are a practicability constraint on the 404(b)(1) alternatives analysis.

13.E Relocated Neighborhood D Alternative

Comments:

Several commenters at the public hearing on July 24, 2006 expressed concerns with the location of the senior housing proposed for Neighborhood D, in particular visual impacts on adjacent existing neighborhoods. Several members of the Planning Commission and City Council expressed an interest at that hearing in the consideration of an alternative that would relocate Neighborhood D.

Response:

The applicant has analyzed the opportunities for relocating Neighborhood D, and determined that it would be possible to move the senior apartments to the house of worship/community center area. This change would help create a "Core Community Center," enhance the community park, and expand the concept of a neighborhood green. The Core Community Center would become a key component of supporting the entire plan, as well as its adjacent single-family-detached neighborhood by including together the senior apartments, the community pool and cabana, and the house of worship, with all of this being directly across the street from a community park. The approach would also refine the "Neighborhood Green" concept by adding tennis courts and more community-related picnic areas and the like to the community park. In order to make this change, the site for the educational facility would be moved to where the senior apartments had previously been located.

Given the substantial interest in this alternative and its apparent feasibility, it is being added to the final EIR as an additional alternative for consideration by the City. This alternative is labeled: "Alternative 6: Relocated Neighborhood D Alternative". An evaluation of Alternative 6, in comparison to the proposed project, is hereby included in the EIR, as presented in this FEIR in Chapter 4, DEIR Revisions. As with the proposed project, this alternative would permit a balanced grading plan. The principal change in comparison to the proposed project is that the senior apartments of Neighborhood D would be relocated to a portion of the house of worship site, thereby making the house of worship facility smaller. The educational facility site would be moved

to the location of currently proposed Neighborhood D in the southeastern portion of the Faria Preserve Project site. The educational facility is assumed to be a two story structure of up to 25,000 sq. ft. Implementation of Project Alternative 6 for the Faria Preserve community would fully satisfy the project objectives.

3.14 OTHER ISSUES

This master response is referenced in response to comment numbers SA 2-1, SA 2-2, SA 2-23, LA 4-19, O 4-1, I 4-1, FL 1-3, PH 1-A, PH 2-A, PH 3-A, PH 4-A, PH 4-B, PH 4-E, PH 4-K, PH 4-PP, and PH 10-E..

14.A CEQA Process (Notices, etc.), Responses To Comments, and Merits of the Project.

Comments:

Comments were raised about the CEQA process, particularly public comments and responses (PH 4-A, PH 4-B), and recirculation (PH 10-E). One commenter questioned why the water quality permitting process for the Faria Preserve project was initiated prior to completing this CEQA process (SA 2-23). Another commenter requested master responses (LA 4-19). One concern was raised at the public hearing about commenters not receiving the agenda (PH-3-A). Others questioned whether their comments were being considered appropriately, whether their "outcry" was being heard, and addressing the merits of the Project. (PH 4-B, I 4-1, PH 4-E)

Response:

The DEIR was published on July 21, 2006 and circulated for the 45 day comment period. The DEIR was available for public review at the Planning Division's public counter, on the City's website, and at the City Clerk's office, Senior Center, Community Centers and libraries. The City held a public hearing on September 5, 2006. As required by open meetings law, the agendas were published and posted on August 30, 2006, and posted in the City's normal locations for posting notices. Copies were also made available at the hearing itself. All persons who wished to submit oral comments on the EIR at that hearing were heard, regardless of whether they spoke on an agenda item referencing the EIR or not. Their comments are addressed in this Response to Comments.

The City is unaware of any person who wished to comment who was prevented from doing so by the agenda or any other matters. All persons were free to submit written comments in any event.

The EIR authors and City staff have given careful attention to each comment submitted, and ensured that this document responds to the environmental issues raised in all comments submitted during the comment period. There are no comments that were not considered. The responses do not contain significant new information that would trigger a need for recirculation. The information provided in response to comments merely clarifies, amplifies and makes insignificant modifications to the adequate DEIR.

Many comments were submitted concerning the merits of the Project, and whether the Project should be approved or denied. These comments do not affect the impacts of the Project on the physical environment, and therefore are outside the scope of an EIR. However, all comments submitted on the EIR, including these comments regarding the merits of the Project, are included in this Response to Comment document, which will be presented to decision makers for their review when they consider the merits of the Project.

An application can be submitted to any agency before environmental review is complete. The application for water quality certification, as well as the applications presented to the City for the Project, are the basis for the respective agency to whom the application is submitted to conduct environmental review. The Section 401 certification cannot be issued absent environmental review. It is anticipated that the San Francisco Regional Water Quality Control Board (RWQCB) will act as a responsible agency reviewing this EIR, after it is completed and certified by the City, when the Regional Board considers whether to issue a water quality certification. See Master Responses 13.A and 13.D.

14.B Western Plan Area Evaluation

Comment:

Several commenters referenced the DEIR's analysis of impacts of developing the Western Plan Area, and asked how development applications might be processed in the future for that area (SA 2-1, SA 2-2, O 4-1, PH 1-A, PH 2-A, PH 4-K, PH 4-PP). Specifically, the RWQCB stated that given the lack of detail regarding projects in the Western Plan Area, it is not possible to evaluate potential impacts to waters of the State on this site (SA 2-1).

Response:

The NWSP includes both the Faria Preserve, and the Western Plan Area, so that both areas may be planned in a unified and compatible manner. Developing a specific plan for the entire NWSP area avoids ad hoc, uncoordinated development in the area. Because the NWSP covers both the Faria Preserve and the Western Plan Area, this EIR evaluates the impacts of development of both areas. The impacts of the Faria Preserve are studied at a project level, and no further environmental review of the Faria Preserve will be required unless circumstances or the project change, or information that could not have been discovered earlier is revealed, which shows a new or more significant impact than is studied in this EIR. This is the case regardless of whether or not any development is pursued in the Western Plan Area.

The Western Plan Area is analyzed at a level appropriate to the degree of specificity provided in the NWSP for that area. Because the NWSP includes only a general description of development for the Western Plan Area, this EIR provides only a program level of analysis for the Western Area. A project-level environmental analysis was not performed because the NWSP does not contain a detailed, project-level description of proposed development in the Western Plan Area. A supplemental or subsequent EIR will be required when project-level applications for development approvals (such as an application for a tentative subdivision map) are presented for the Western Area.

The creek and drainage area within the Western Area will likely be considered waters of the U.S. They will also likely be considered waters of the State, subject to RWQCB jurisdiction. The RWQCB will exercise its jurisdiction over waters of the State when a water quality certification or other approval is sought.

As noted in the DEIR (p. 4.3-21), a delineation of wetlands has not been completed for the Western Plan Area. That delineation, and consultation with the Regional Water Quality Control Board

regarding waters of the State, will occur in connection with evaluation of any project-level development applications for the Western Plan Area. Specified, detailed development plans must be submitted at that point. The design of the bridge across Bollinger Creek required to serve the Western Plan Area, avoidance of encroachment on the creek bed from the burying of utilities, and structural integrity of the bridge in spite of movement of the creek will be addressed at the time detailed development plans are submitted for the Western Plan Area.

The amount of open space required in the Western Plan Area must meet the requirements of the General Plan, and the NWSP. The NWSP provides for a ratio of 75% non-residential uses (schools, parks, common and public open space uses and open amenities such as staging areas, trails and connections), and includes a Land Use Program that includes approximately 88 acres of residential development and 265-acres of non-residential development and permanent open space (page 5-1 of the NWSP). It includes a policy (Policy 1 under Objective B of the Parks and Open Space Chapter) that reflects the General Plan policy to ensure that at least a 75% ratio is maintained.

The general contours of the land uses depicted in the NWSP for the Western Plan Area comply with these principles. As explained on page 3-18 of the DEIR: "Proposed development of up to 44 homes and local street improvements on the Western Plan Area would provide for the permanent preservation of at least 75 percent of the 63.5 acres west of Bollinger Canyon Road for open space related uses." Compliance of the precise details of the development plan will be reviewed when a project-level application, such as a subdivision map, is presented.

3.15 INDIVIDUAL COMMENTS AND RESPONSES

This master response is referenced in response to comment numbers SA 2-0, LA 4-16, O 3-1A, O 4-14A, I 2-14, PH 4-E, PH 4-F, PH 4-HH, and PH 7-B.

A few of the comments on the DEIR are not included within the comments addressed in the master responses above, and/or raise issues that include several separate areas addressed in the master responses. Individual responses to these comments are included below.

Comment SA 2-0: This introductory portion of RWQCB's comment letter briefly refers to certain comments that are then discussed in more detail later in the letter. It also summarizes the proposed NWSP and Faria Preserve.

Response to Comment SA 2-0: RWQCB's substantive comments, including the comments introduced here, are addressed in Master Responses 3 B, 3 C, 3 E, 3 F, 7 A, 13 A, 13 B, and 13 D.

Comment LA 4-16: Section 7.7, page 7-41, first paragraph - The DEIR refers to "Figure 3-9" which is not included. It appears that the reference should be to Figure 3-8. Please confirm.

Response to Comment LA 4-16: The commenter is correct, and the reference should be to Figure 3-8. The water tanks site may be easier to see on Figure 3-7, on page 3-19 of the DEIR.

Comment I 2-14: Overcrowding in local retail centers

- Parking is already becoming an issue at shopping centers.
- The addition of thousands of residents in the surrounding area will stress the infrastructure beyond capacity.
- It must be remembered that residents from Southern Danville utilize many of the same retail centers.
- No retail districts in Windemere which further adds to the lack of sustainability.

Response to Comment I 2-14: Implementation of the specific plan would introduce up to 830 new dwelling units in a City whose buildout population will nearly double to 34,280 units, according to the 2020 General Plan analysis. These new specific plan units are already planned for as part of long-term General Plan land use policy. The Land Use Element of the General Plan identifies areas where new, remodeled and expanded commercial facilities may be provided, at a ratio determined acceptable by the voters when they approved the 2020 General Plan. One such location is directly adjoining the project site, within the Crow Canyon Specific Plan Area. There is no indication that the Project would cause degradation or other physical impacts on existing retail centers, or on the infrastructure that serves local retail centers. Overcrowding of retail centers, the sufficiency of parking at existing retail locations, and the travel patterns to retail centers from existing development in Danville, are not related to impacts of the Project on the physical environment, and are therefore outside the scope of an EIR.

Comment O 4-14A: In conclusion, this project has many significant impacts that have been addressed in one form or another. This DEIR attempts to reduce these impacts to a level of less than significant. Upon careful examination, the mitigation measures proposed are adequate in some

cases and inadequate in others. As outlined in this letter, more research needs to be performed which will result in stronger mitigation measures that satisfy the requirements of CEQA, the FEIR, and the confidence of the public.

Response to Comment O 4-14A: The EIR comprehensively addresses impacts and mitigation measures, and demonstrates the adequacy of the measures to reduce impacts to levels less than significant. To the extent the commenter has provided more detailed information about the claimed inadequacies, those comments have been addressed in the master responses set forth above. Please see those master responses.

Comment PH 4-E: Removing ridges to fill in valleys that create leveled areas so we can, you know, plop down housing units as close together as possible doesn't seem reasonable. It doesn't seem sustainable. We are not seeing enough other infrastructure within the town, especially given all the other projects that are either underway, in the planning process, or are coming down the road in the future potentially, given this 2020 plan, this is going to be sustainable. We are not seeing mitigating factors in other areas that are going to make quality of life for everyone, including the new people, be worthy of what we think this town should be.

Response To Comment PH 4-E: Please see Master Responses 3, 5.B, 8.D and 8.E. Other than the subject matters addressed in these master responses, the subject matters addressed by this comment pertain either to the merits of this Project, or to offsite development proposals. These issues are not relevant to the impacts of the Project on the physical environment. These comments will be presented to decision makers for their consideration in determining the merits of the Project.

Comment PH 4-F: This slide gives an overview of what is on the petition that you have in your hand. The main point here where we've talked about the number of units is excessive and need to be greatly reduced, then it has multiple subpoints, all of which would be affected by reducing the number of units.

If you reduce the number of units, each one of those will have a positive impact. It's all tied together. It's all interlaced. None of those can be separated out on their own. If you reduce the number of units, each one of these grading ridgelines maybe doesn't have to happen.

Environmental impact would be much better. Mitigated open space requirements easier to achieve. Overcrowding of schools still an issue, but not as much. Traffic, parking, both of those could be alleviated. I'm not saying completely gone, but at least made better-. Retail centers, they are starting to get crowded already. Water supply and water pressure, I know where we live, we have a lot of issues to begin with. Adding eight times as many homes into the area, it's making us nervous.

Response to Comment PH 4-F: Please see Master Responses 13 (Alternatives), 8 (Land Use Plan and Policy Consistency), and 11 (Utilities/Service Systems). Please also see response to comment I-2-14.

Comment PH 4-HH: Retail centers, again, all of this is tying in. The congestion, the traffic, the parking. We are not seeing additional build-out in the retail space. Stores seem to have no retail aspect to it. So all of that is going to come over to someone's way. A lot of that is going to start coming our way and then stressing the infrastructure.

Keep in mind, the proximity of Danville, it's closer for people in the southern end of Danville to come to San Ramon than it is to go to downtown Danville. So a lot of those people will be coming this way as well. It's started to get a little crowded. It's good for the shops owners, but eventually may be bad for the shoppers.

Response to Comment PH 4-HH: Please see response to comment I 2-14 above.

Comment PH 7-B: The other thing I wanted to share with you, just for some corrections, I had just gone into the office today to pick up the notes from the last meeting, the minutes from the special joint planning meeting.

I just want to make sure that those get adopted by the City Planning and the Planning Commission. These weren't adopted yet. These were just found today. they weren't anywhere on the internet. So I think Pat said Debbie would look into making sure that you guys --

MS. KERGER: We have it. We do have it.

MS. MAGUE: The only other corrections real quick is, in the notes for today's meeting, it says, Claremont Woods or something? Claremont -- I'm sorry. I lost it. Deerwood Ridge was the component that had a lot of concerns that you guys were answering questions on the staff report, and it has the wrong residences. It's Claremont Woods, and it's Deerwood Ridge.

I'd just like to give you this information on the Pittsburg landslide, and also a copy of the voter pamphlet. There was never opposition on that, and I don't know why. It was a lot different than what people voted for and what we received today.

Response to Comment PH 7-B: The comments regarding street names referenced in the staff report are noted. This information, and the materials on a slide in Pittsburg and the voter pamphlet, do not affect the analysis of the impacts of the Project on the physical environment. Engineers conducting peer review on the San Marco slide confirmed that there were several circumstances that contributed to the San Marco slide, and that the situation is not comparable to circumstances of the Project site.

4. DEIR REVISIONS

In some cases, responses to comments on the DEIR warrant changes to the text of the DEIR. Also, changes in the DEIR may result from discovery of editorial errors during preparation of the Final EIR. Revisions to the DEIR text are shown in Section 4.1, DEIR Text Changes, in the order they appear in the DEIR. Text double-underlined (underlined) represents language that has been added to the EIR's text. Words with strikeout (~~strikeout~~) indicate text has been deleted from the EIR.

Table 2-1 of the DEIR, Executive Summary, is reproduced in its entirety in Section 4.2 and contains all underlined and strikeout changes, additions, revisions, and corrections.

4.1 DEIR TEXT CHANGES

DEIR Chapter 1: Introduction

There are no revisions to Chapter 1 of the DEIR.

DEIR Chapter 2: Summary

Page 2-4 of DEIR, the second sentence under Section 2.5 (Summary Table) is revised as follows:

> The level of significance - significant (SIG), significant and unavoidable (SU), potentially significant (PS) or less than significant (LTS) - for each impact provided…

(Note: Changes to Table 2.1 in the DEIR are provided in section 4.2 of this document)

DEIR Chapter 3: Project Description

Page 3-28, after the first full paragraph, the following clarification is added as follows:

> Maintenance of detention basins within the NWSP Area is proposed to be handled by a special assessment zone of a landscape and lighting district, homeowners' association, or other special district, including a Geologic Hazard Abatement District (GHAD). The entity would be formed to address issues relating to geotechnical stability, including how such stability relates to stormwater runoff and the operation of the stormwater detention basins. The entity would be funded by assessments against properties included in the district, which is anticipated to include all residential units within the NWSP Area. As required under California law, the proposal for a GHAD, or other such entity, would be accompanied by a Plan of Control prepared by a certified engineering geologist that describes in detail the criteria to ensure proper maintenance activities and intervals to ensure the detention basins would function as designed and do not contribute to any future geologic hazards.

Page 3-32 of DEIR, sixth bullet point, delete second parenthetical as follows:

> Central Contra Costa Sanitary District (CCCSD) annexation ~~(project is currently within District's Ultimate Service Boundary)~~ and permits to connect to current District facilities for discharge of wastewater effluent.

DEIR Chapter 4.1: Aesthetics

There are no revisions to Chapter 4.1 of the DEIR.

DEIR Chapter 4.2: Air Quality

There are no revisions to Chapter 4.2 of the DEIR.

DEIR Chapter 4.3: Biological Resources

Page 4.3-2 of DEIR**.** The following sentence is added at the end of the last paragraph on this page:

> Systematic rare plant surveys were conducted in May and June of 2003, as well as those conducted in March of that year.

Page 4.3-53, Impact Biology-1, the second sentence of impact statement is revised as follows:

> **Impact Biology-1: Loss of Sensitive Habitats.** Implementation of the Northwest Specific Plan would result in the loss of sensitive habitats. The Faria Preserve would impact 11.06 acres of valley foothill hardwood, 4.20 acres of valley foothill riparian, and 0.17 ~~0.16~~ acre of fresh emergent marsh.

Page 4.3-58 of DEIR, Mitigation Measure Biology-1a is revised to include an additional bullet, as follows (see last new bullet, below):

> **Mitigation Measure Biology-1a (The Faria Preserve Biological Mitigation/Enhancement and Monitoring Plan):** The project sponsor for the Faria Preserve Project Site has developed an extensive program referred to as the Faria Preserve Biological Mitigation/Enhancement and Monitoring Plan for the creation and enhancement of riparian and wetland habitat and the full mitigation of potential biological impacts. The project sponsor shall implement this plan, which includes the following:
>
> - Set aside 144 acres of a remainder parcel into an open space preserve subject to a conservation easement and managed by a third party. This area is referred to in the Project Description as the Adjacent Faria Offsite Preservation Area.
> - Set aside an 8.9 acre Riparian and Wildlife Corridor with an average width of 200 feet that will allow creation of wetland and riparian habitats to compensate for habitat loss resulting from the project. This area would be preserved by conservation easements and managed by a third party.

- Preserve 0.09 acres of wetlands and riverine intermittent streambed and 6.91 acres of valley foothill hardwood habitat not impacted by the proposed project.
- Create 1.15 acres of palustrine emergent and palustrine scrub-shrub wetland habitat along the Riparian and Wildlife Corridor.
- Create 6.06 acres of valley foothill riparian habitat along the Riparian and Wildlife Corridor. This includes 4.91 acres of forested habitat beyond the 1.15 acres of jurisdictional wetlands. The riparian vegetation would consist of willows and California bay trees near the creek and coast live oak and valley oaks further up the riparian area slopes.
- Develop a vegetated buffer within the 8.9 acre riparian corridor to maintain and enhance aquatic functions in the wetland mitigation/preservation area. The vegetated buffer would include a 4.91 acre planted riparian corridor adjacent to the stream and wetlands, and a 2.82 acre, 30-foot wide area around the perimeter of the riparian canopy and beyond the rear of homes that would not be planted with trees, and would remain as a mowed or disked grassland area that would serve as a firebreak.
- Create approximately 45 acres of valley foothill hardwood habitat within designated mitigation sites at various undisturbed locations within the property through planting of coast live oak and valley oak trees.
- Plant coast live oak and valley oak trees within the 45 acres of tree replacement mitigation area to compensate for the 514 trees removed by construction of the project. Replacement trees would be primarily coast live oak and valley oak and would total 1,606 trees (accounts for expected survival of 80 percent of plantings).
- Provide for long-term "in perpetuity" habitat/species protection through a conservation easement and funding of a long term protection program over approximately 152.9 acres (144 acres off-site and 8.9 acres on-site).
- <u>In the event that additional wetlands or other aquatic habitats are included in a verified delineation for the site, the mitigation areas set forth above shall be increased such that the additional areas are mitigated on at least a 1:1 acre-for-acre and value-for-value basis.</u>

Similar riparian corridor mitigation measures have been successfully implemented elsewhere. Given the existing degraded condition of the riparian corridor as a result of usage by cattle and the presence of exotic species, the habitat values and functions of the drainages are reasonably anticipated to be improved as compared to existing conditions with the implementation of this mitigation measure. Since the impacts of the project are expected to be fully compensated through creation of the Riparian and Wildlife Corridor, additional or offsite mitigation is not expected to be necessary to compensate for project impacts.

DEIR Chapter 4.4: Cultural Resources

There are no revisions to Chapter 4.4 of the DEIR.

DEIR Chapter 4.5: Geology/Soils

Page 4.5-24 of DEIR, Mitigation Measure Geo 1-f contains a typo and is revised as follows:

> **Mitigation Measure Geo-1f (Faria Preserve):** The licensed geologist retained for the purposes described in Mitigation Measure Geo-1e shall also map the Fault A feature~~d~~, and if necessary, conduct exploratory excavations to precisely locate the trace of Fault A on the as-built plans. At the time of the grading, the setback zone location and width shall be considered with respect to Lots 60, 61, 62, and 83 in Neighborhood A.

Page 4.5-30, Impact Geo-6, is revised as follows:

> The project facilities would ~~could~~ be located on a geologic unit or soil that is unstable and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.

DEIR Chapter 4.6: Hazards

There are no revisions to Chapter 4.6 of the DEIR.

DEIR Chapter 4.7: Hydrology/Water Quality

Page 4.7-16, Impact Hydrology-2, the impact statement is revised as follows:

> **Impact Hydrology-2: Water Quality.** Once implemented, the Northwest Specific Plan and Faria Preserve could ~~would~~ introduce pollutants into the surface water or groundwater that could violate water quality standards or discharge requirements, or otherwise substantially degrade water quality (including sediment and other pollutants). .

DEIR Chapter 4.8: Land Use

Page 4.8-1, last paragraph is revised as follows:

> ~~However, the County General Plan does not specify a land use designation for the NWSP Area, and it is not within an adopted area Plan.~~ The County has indicated that its 2005 General Plan designates the entirety of the NWSP Area as Agricultural Lands (AL). Pursuant to Contra Costa County Zoning Ordinance, the Faria Preserve project site is zoned A-2 (General Agricultural District) and the Western Plan Area is zoned A-4 (Agricultural Preserve District).

Page 4.8-15, introduction to Policy 8.4-I-15 is revised as follows:

> With voter approval, allow exemptions from the provisions of Ordinance 197, ~~specifically, the prohibitions of developer on or adjacent to Major and Minor ridgelines,~~ only where:

Page 4.8-25, Table 4.8-1 is revised as follows:

Provision of RCOD & Ordinance 197	NWSP Consistency
A. Structures shall be prohibited in the following areas: 1. Land with an existing natural slope in excess of 20% with a minimum elevation differential of 40 feet and a minimum contiguous area of 3 acres	Consistent, in accordance with vote on the City of San Ramon's General Plan (March 2002).
2. Crests of Major and Minor Ridges	Consistent, ~~no exception required.~~ in accordance with vote on City of San Ramon's General Plan (March 2002).
3. Within 100 feet, measured vertically of the centerline of a major ridge, or within 50 feet, measured vertically, of the centerline of a minor ridge	Consistent, ~~no exception required.~~ in accordance with vote on City of San Ramon's General Plan (March 2002).
4. Within 100 feet of the centerline of a creek or stream channel identified on the RCPZ map	Consistent, ~~no exception required.~~ in accordance with vote on City of San Ramon's General Plan (March 2002).
B. Density of lands on which structures may be built shall be limited to a maximum of 1 dwelling unit/5 acres on slopes between 15-20%, and 1 unit/1 acre on slopes between 10-15%. Within these density ranges, units may be transferred so as to create a relatively even density gradient from higher density on 10% slopes to lower density on 20% slopes, without increasing the total number of units. Areas on which structures are prohibited shall be credited with a density of 1 unit/320 acres, which density may be exercised only upon transfer to a developable area.	Consistent, no exception required.
C. Where structures are proposed within 1000 feet of a major ridge, the building pad shall be graded and buildings designed and built so that the structure maintains a low profile appearance and conforms to the natural grade of the hillside.	Consistent ~~no exception required.~~ where still applicable following application of grading provision of Fig. 8-3 of voter-approved 2020 General Plan to create buildable site.~~,~~
D. Alterations of existing natural or artificial contours of land shall be minimized. Any natural contour altered by grading shall be rounded and shaped, and revegetated to simulate natural terrain, unless on an individual site where this would diminish open space or significant natural features of the site. Grading shall follow the natural topographic contours as much as possible.	Consistent, ~~no exception required.~~ where still applicable after application of grading provision of Fig. 8-3 of voter-approved 2020 General Plan to create buildable site

Provision of RCOD & Ordinance 197	NWSP Consistency
E. Structures within areas subject to this section of the Conservation Element shall be limited to a maximum height of 32 feet from the lowest to the highest points of the structure which are above ground.	~~Exception required (dependent on the design of the housing units in Neighborhood C)~~ Consistent as currently proposed, no exception required for buildings not exceeding 32 feet; will require a vote if buildings are proposed in excess of 32 feet (in Neighborhoods C or D).
F. Maximum street grades shall be 12%, and maximum driveway grades shall be 15%. Special streets such as one-way streets, split-level streets, and dead-end streets, and minor variations from the grade standard may be acceptable when their use is justified by detailed engineering and traffic studies, upon finding that such streets and minor variations are necessary to achieve the purposes of this chapter.	Consistent ~~no exception required.~~ where still applicable after application of grading provision of Fig. 8-3 of voter-approved 2020 General Plan to create buildable site.
G. Building designs shall conform to the natural land form and enhance the character of the site, and should use the following techniques: 1. The use of multi-level foundations (floor levels separated by a minimum of 4 feet) shall be permitted as a design for residential structures located on hillsides with slopes of 15-20%. 2. Rooflines shall relate to the slope and topography, and shall be as inconspicuous as possible. Flat roofs may be used. 3. Second story levels of structures, if any, shall incorporate a variety of bays, recesses, overhangs, or setbacks, on the downhill side of the structure, so that the appearance of vertical mass and the visual impact on the surrounding area are reduced.	Consistent~~. Project consistency to be demonstrated through the development review process.~~ where still applicable after application of grading provision of Fig. 8-3 of voter-approved 2020 General Plan to create buildable site.
H. Where natural building pads do not exist on a parcel, limited grading shall be used to create building pads so that structures are low in profile and do not require retaining walls or support structures. Exterior structural supports and undersides of floors and decks shall not exceed 12 feet in height, and shall only be used where the Planning Commission finds that (1) no alternative type of construction is feasible; (2) grading to eliminate the need for such support structures would result in severe environmental damage and (3) no building area exists on the property which would eliminate or reduce the need for such supports. Where such support structures are used, the dwelling unit shall be limited to one standard story in height, above the support structure.	Consistent~~. Project consistency to be demonstrated through the development review process.~~ where still applicable after application of grading provision of Fig. 803 of voter-approved 2020 General Plan to create buildable site.

DEIR Chapter 4.9: Noise

There are no revisions to Chapter 4.9 of the DEIR.

DEIR Chapter 4.10: Traffic

Page 4.10-21 of the DEIR, on Figure 4.10-7, the text box at the bottom center of figure is revised as follows:

> ~~Planned~~ Alcosta Boulevard Interchange Reconstruction completed.

Page 4.10-35, Impact Traffic-1, the last sentence of the first paragraph under impact statement is revised as follows:

> However, because it would operate at LOS E, the impact is considered significant ~~and unavoidable~~ until the intersection of San Ramon Valley Boulevard/Hooper Drive meets the traffic signal warrants and a signal is installed.

DEIR Chapter 4.11: Utilities/Service Systems

Page 7-41 of the DEIR, under Section 7.7, the first two paragraphs are revised as follows

> The Faria Preserve Vesting Tentative Map (VTM) identifies a ~~proposed~~ conceptual location ~~(Tank Site A3)~~ for a new East Bay Municipal Utility District (EBMUD) reservoir, which would consist of the two water tanks required to provide water to the homes on the upper elevations of the Faria Preserve Project Site). Located on the western (Bollinger Canyon-facing) slope of the ridgeline on the western edge of the Faria Preserve Project Site, these two above-ground, steel tanks would extend approximately 30 feet above grade, to an elevation of approximately 980 feet (see Figure 3-9 for water tank location proposed by Faria Preserve VTM). The environmental impacts of the proposed water tank location, as shown on the Faria Preserve VTM, were assessed in the Chapter 4 as part of the Faria Preserve Subdivision.
>
> Alternate ~~Three other~~ tank sites (Tank Site A2, A3, ~~and Site~~ A4, and ~~Tank Site~~ A4 (Buried)) have been identified as alternate locations for construction of water tanks. Tank sites A2 and A3 are depicted on Figure 7-5A and sites A4 and A4 (Buried) are depicted on revised Figure 7-5. ~~These alternate tank sites, and the tank site proposed with the Faria VTM, are depicted on Figure 7-5.~~

Page 7-43 of the DEIR, Figure 7-5 is replaced with the revised Figure 7-5, included in this chapter, and Figure 7-5A, also included in this chapter, is hereby added to the DEIR

There are no other revisions to Chapter 4.11 of the DEIR. However, it should be noted that with respect to water supply availability, an executed copy of the Water Supply Assessment from the East Bay Municipal Utility District, with enclosures, is included in this Final EIR as Appendix B.

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Source: Bellecci and Associates, Inc., 2005

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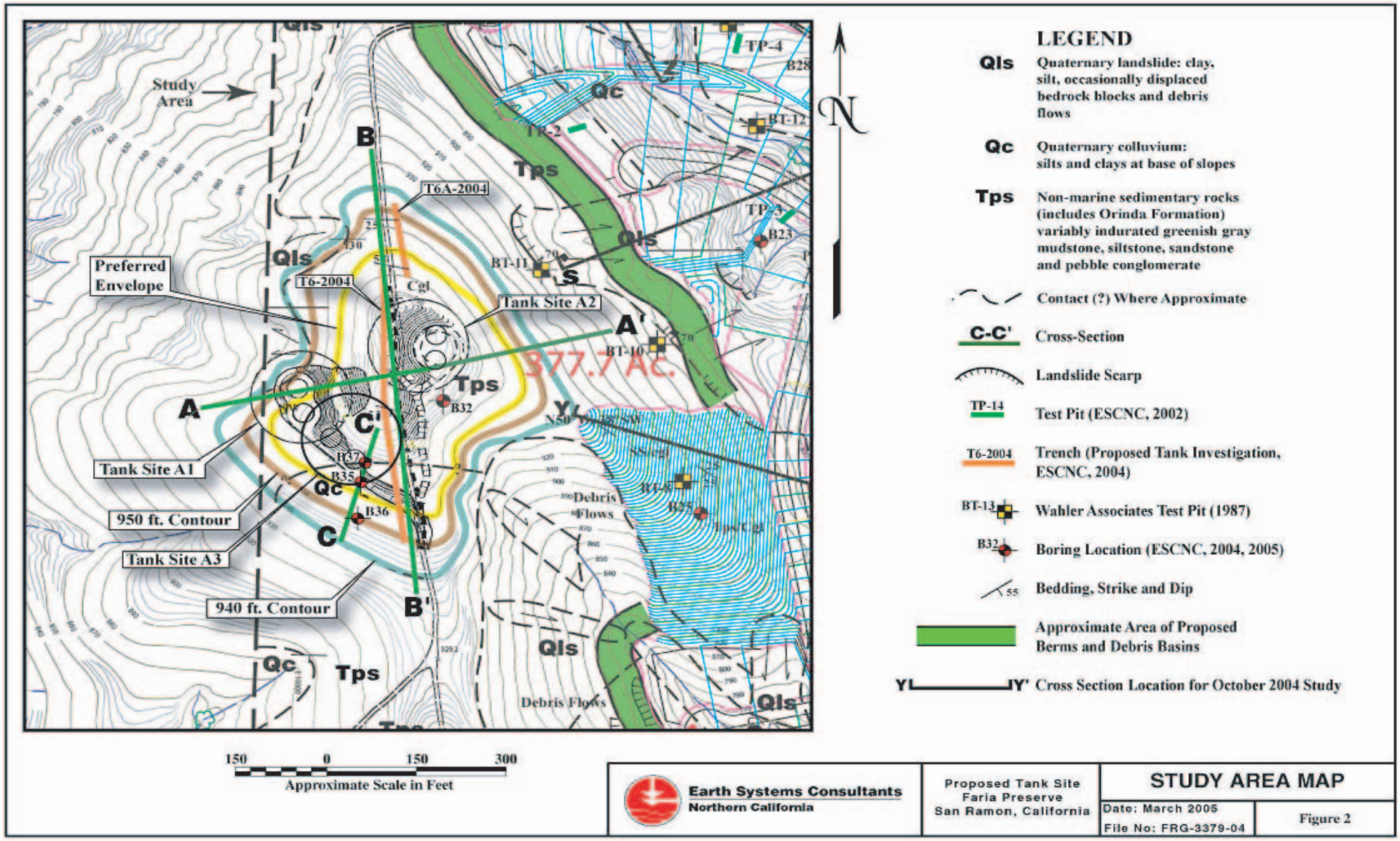

Source: Earth Systems Consultants, 2005

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DEIR Chapter 5: Cumulative Impacts

There are no revisions to Chapter 5 of the DEIR.

DEIR Chapter 6: Other CEQA-Required Discussions

There are no revisions to Chapter 6 of the DEIR.

DEIR Chapter 7: Alternatives

Page 7-1 of DEIR, the last sentence in second paragraph is revised as follows:

> ~~With the exception of Impact Noise-8, t~~The consideration of alternative sites for the proposed development would not avoid the significant unavoidable impacts (Air Quality) that would result from the project.

Page 7-1 of DEIR, the first line of the fifth paragraph is revised as follows:

> The implementation of the proposed NWSP and Faria Preserve would result in significant impacts related to air quality ~~and noise~~.

Page 7-1, last paragraph, and page 7-2 of DEIR are revised to include reference to an additional alternative, Alternative 6: Relocated Neighborhood D Alternative, as follows:

> The six ~~five~~ alternatives that are discussed in this chapter are:
>
> - Alternative 6: Relocated Neighborhood D

Page 7-38 of DEIR, an additional alternative, Alternative 6: Relocated Neighborhood D Alternative, is included as follows:

7.6 Relocated Neighborhood D Alternative

> Under Alternative 6, the "Relocated Neighborhood D Alternative", the number of units on the Faria Preserve Project Site (Neighborhoods A-D) would remain unchanged at 786. The alternative is illustrated in Figures C through E. As with the proposed project, this alternative would permit a balanced grading plan that would occur entirely within the development envelope analyzed as part of the Faria Preserve. The principal change in comparison to the proposed project is that the senior apartments of Neighborhood D would be relocated to a portion of the house of worship site, thereby making the house of worship facility smaller. The educational facility site would be moved to the location of currently proposed Neighborhood D in the southeastern portion of the Faria Preserve Project site. The educational facility is assumed to be a two story structure of up to 25,000 sq. ft. (DEIR, p. 3-26), in comparison to the proposed three-story 83,550 sq. ft. senior apartment building (DEIR, p. 3-25).

7.6.1 Aesthetics

Neither the project nor Alternative 6 would result in significant unavoidable impacts with respect to aesthetics. The project could have impacts related to a scenic vista and the visual character and quality of the site and its surroundings, but implementation of General Plan policies would ensure that these impacts are less than significant. The NWSP could affect views from I-680, a State Scenic Highway, but the preservation of major ridge lines and prominent portions of the area in a natural state would ensure that these impacts are less than significant. Alternative 6 would shift a portion of the development from the southeastern periphery of the site to a more central location where it would not be as visible from neighboring residences, reducing this less than significant impact.

7.6.2 Air Quality

The project could result in significant and unavoidable air quality impacts due to vehicular emissions of NOx that could exceed levels recommended by the BAAQMD to be considered significant for CEQA purposes. Since Alternative 6 would have the same unit count and generally comparable traffic, this impact would remain unchanged, and would be significant and unavoidable for Alternative 6.

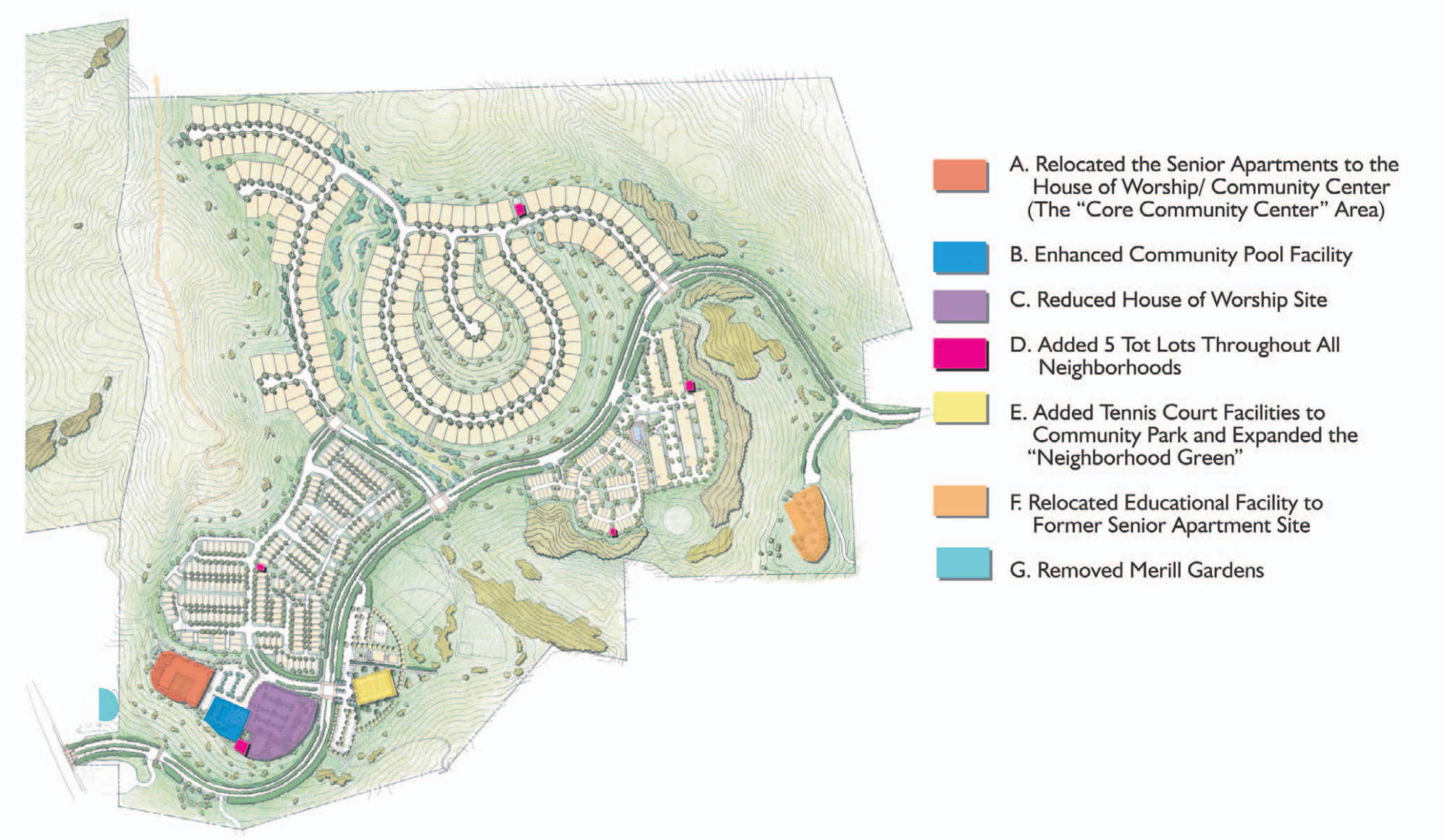
7.6.3 Biological Resources

Neither the project nor Alternative 6 would result in significant unavoidable impacts with respect to biological resources. Both the project and Alternative 6 could result in less than significant impacts related to conversion of sensitive habitats to developed uses, impacts to special-status plant species, impacts to special-status animal species, impacts to wildlife corridors, colonization from invasive species used in landscaping, and impacts to jurisdictional waters of the United States and riparian habitat. Alternative 6 would involve the same total amount of development on the project site, so these impacts would be the same as with the project as proposed.

7.6.4 Cultural Resources

Neither the project nor Alternative 6 would result in significant unavoidable impacts with respect to cultural resources. Alternative 6 would involve the same grading and filling of the site. As a result, the potential for encountering unanticipated cultural resources would be the same as with the project as proposed, and this impact would remain less than significant.

FIGURE C: Relocated Neighborhood D Alternative - Revised Conceptual Site Plan



Source: Gates + Associates, 2006

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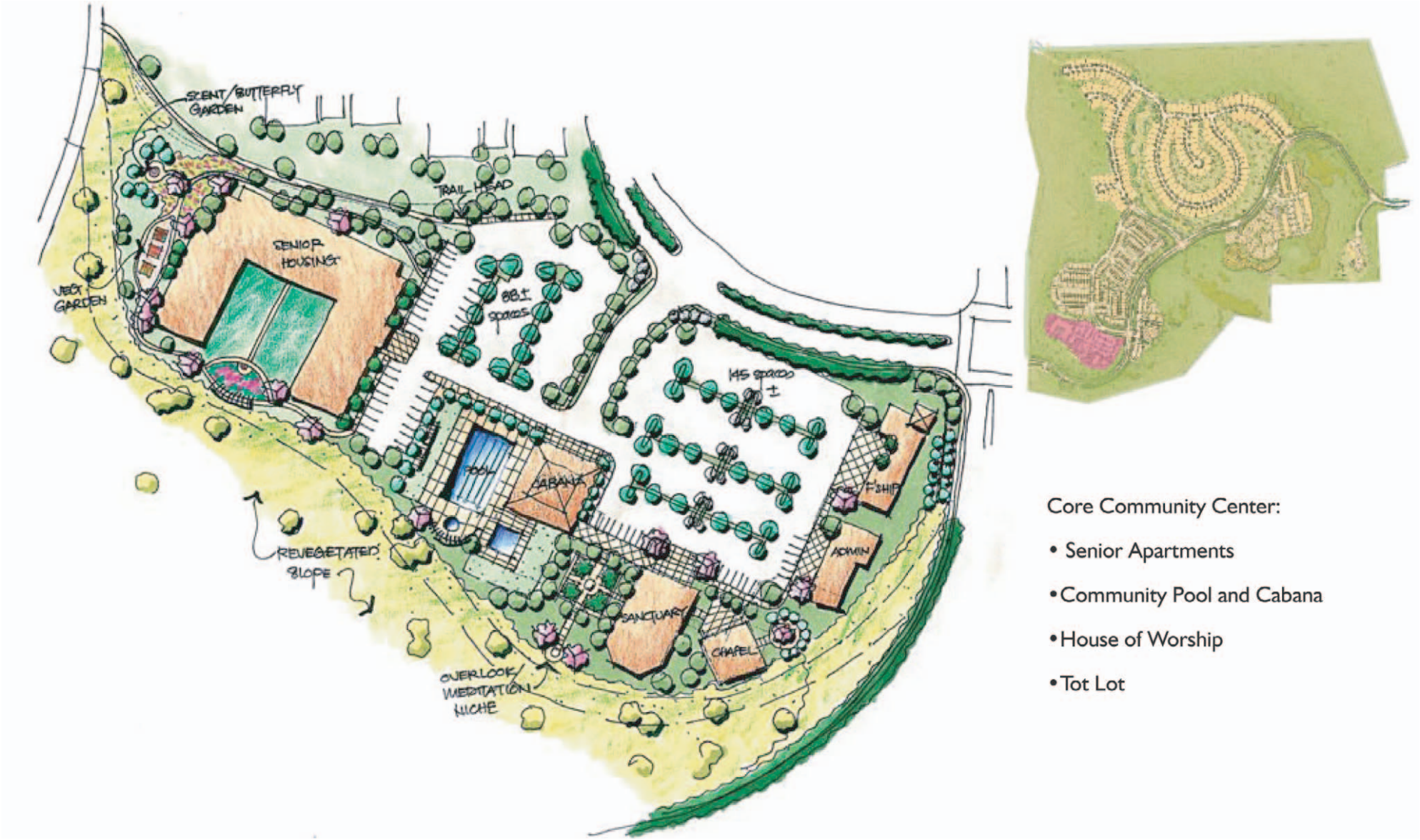
FIGURE D: Relocated Neighborhood D Alternative - Core Community Center



Source: Gates + Associates, 2006

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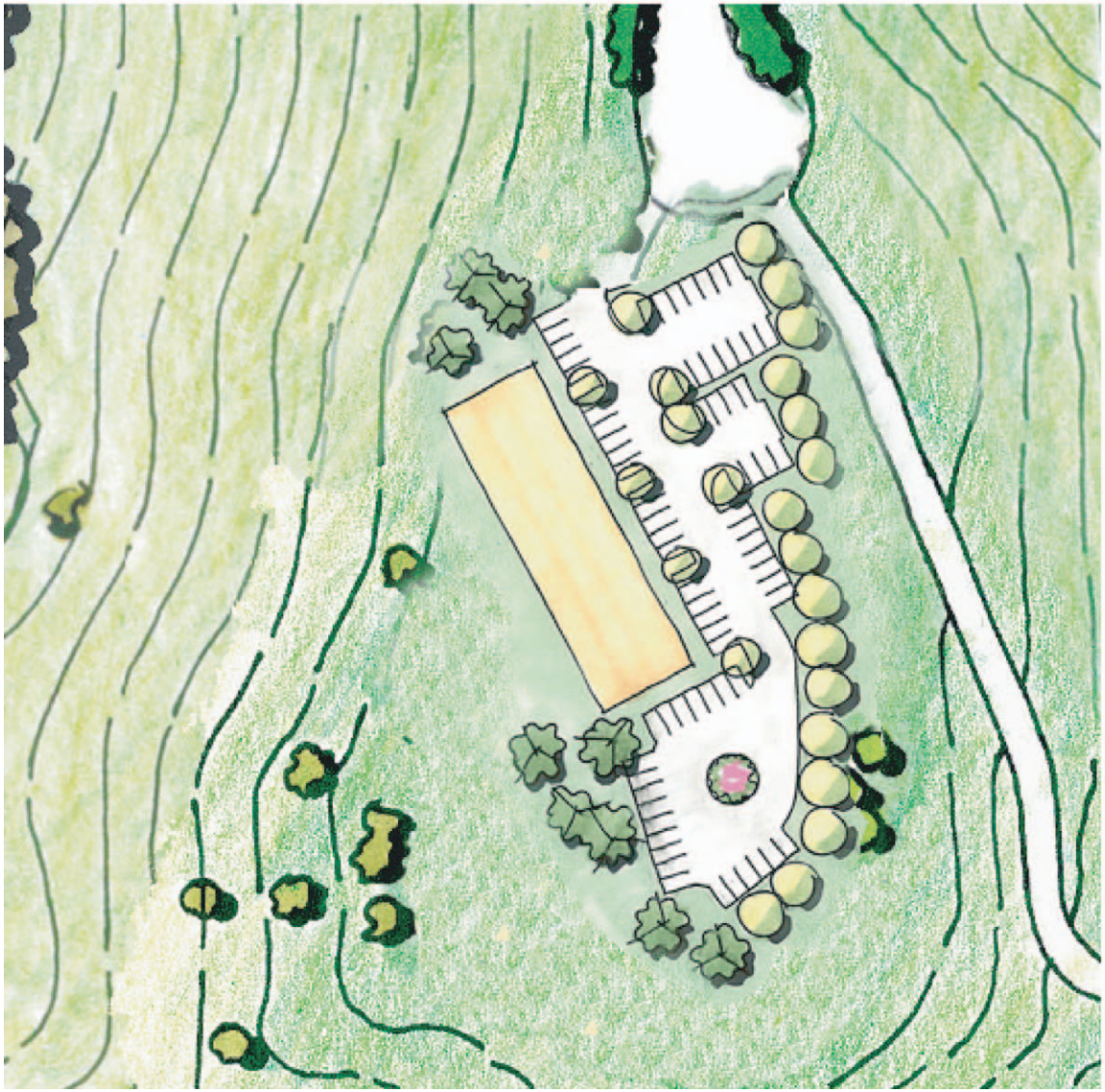
FIGURE E: Relocated Neighborhood D Alternative - Educational Facility



Educational Facility would be an institute similar to the Gilder Lehrman Institute of American History.
(See www.gilderlehrman.org)

Source: Gates + Associates, 2006

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7.6.5 Geology/Soils

Neither the project nor Alternative 6 would result in significant unavoidable impacts with regard to geologic and soils resources. Because of the proximity to possible seismic events on the Calaveras Fault, regional seismic events, settlement, expansive soils, landslides and the erosion or loss of topsoil, the project could result in human exposure to these events or loss of property due to these events. After mitigation, this is considered less than significant. Alternative 6 would simply relocate development within the project site, and these impacts would be comparable to the project as proposed. Since the proposed development in the vicinity of the Calaveras Fault would be reduced in scale and would no longer include residential uses, potential seismic issues (and the associated design constraints) would be reduced.

7.6.6 Hazards

Neither the project nor Alternative 6 would result in significant unavoidable impacts with regard to hazards issues. Construction of the project in an area with flammable brush and grass could result in potentially significant impacts related to increased risk of fire, which would be reduced to a less than significant level through the adoption and implementation of an Open Space Management Plan including specific measures to reduce potential fire hazards, such as buffers between homes. Alternative 6 would involve the same total amount of development on the project site. As a result, the potential for increasing exposure to fire hazards would be the same as with the proposed project.

7.6.7 Hydrology/Water Quality

Neither the project nor Alternative 6 would result in significant unavoidable impacts with respect to hydrology. Compliance with the construction-related NPDES discharge permit, including preparation and implementation of a stormwater pollution prevention plan, the design and construction of appropriately sized detention basins, streambed protection and other design measures, would reduce these impacts to less than significant levels for both the project and Alternative 6. Alternative 6 would involve the same total amount of development on the project site. As a result, the potential for hydrology impacts would be the same as with the project as proposed.

7.6.8 Land Use Plan and Policy Consistency

The project would not result in significant unavoidable impacts with respect to land use plan and policy consistency. Alternative 6 would involve the same total amount of development on the project site. Impacts relating to land use plan and policy consistency would therefore be the same as with the project as proposed.

7.6.9 Noise

Neither the project nor Alternative 6 would result in significant unavoidable impacts with respect to noise, including from exposure of existing noise-sensitive land uses to short-term

construction noise, exposure of existing off-site noise-sensitive land uses to new stationary- and area-noise sources, increased noise generated by project-related traffic, exposure of existing land uses to noise levels in excess of normally acceptable standards, increased noise levels due to increased daily traffic volumes, and exposure of on-site land uses to noise levels generated by off-site commercial and industrial sources. Limitations on the hours of construction and noise reduction features in the project design such as setbacks, noise barriers, and sound-reducing construction techniques would reduce these remaining impacts to a less than significant level for both the project and Alternative 6. Moving the senior apartments further away from I-680 would also reduce the acoustic design issues associated with that residential use.

7.6.10 Traffic and Circulation

Neither the project nor Alternative 6 would result in significant and unavoidable impacts with respect to traffic and circulation. Both the project and Alternative 6 would have less than significant impacts to traffic and circulation after mitigation, since otherwise unacceptable levels of service at certain unsignalized intersections would be mitigated through traffic improvements (primarily the construction of signals) under both the project and Alternative 6. This alternative would involve the same development level and product mix, which would have the same traffic generation characteristics as the project as proposed. The senior apartments are anticipated to generate only a small percentage of project traffic, contributing only 31 AM peak hour trips out of a total of 759 total AM peak hour trips, and 35 PM peak hour trips out of a total of 833 total PM peak hour trips. DEIR 4.10-5, Table 4.10-5. The educational facility itself is anticipated to produce 10 AM peak hour trips and 20 PM peak hour trips, so the net effect of shifting the two uses would be 21 AM peak hour trips and 15 PM peak hour trips. Id. This traffic component will be moved from the southeasterly portion of the site to a central portion of the site, shifting the distribution of traffic somewhat. None of these changes will cause any of the affected intersections to experience a new significant impact as a result of the change.

7.6.11 Utilities/Service Systems

Neither the project nor Alternative 6 would result in significant unavoidable impacts with respect to utilities and service systems. The project would result in less than significant impacts related to increased demand for water supply, wastewater treatment, and solid waste disposal, which would be mitigated by implementation of water conservation measures, contributions to necessary wastewater infrastructure, and a recycling plan, respectively. Alternative 6 would involve the same total amount of development on the project site. Impacts relating to utilities and service systems would therefore be the same as with the project as proposed.

Ability of Alternative 6 to Satisfy the Project Purpose

Implementation of Project Alternative 6 for the Faria Preserve community would fully satisfy the project objectives.

Page 7-43 of DEIR, Figure 7-5. This figure in the DEIR is revised and augmented by Figure 7-5A as presented earlier in this chapter, under DEIR Chapter 4.11.

4.1.1 Revised Executive Summary Table

Pages 2-39 through 2-45, Table 2-3 is revised to be consistent with text changes to impact statements and mitigation measures, as described above. Note: the only revisions to this table relate to Impact Biology-1, Mitigation Measure Geo-1f, Impact Geology-6 and Impact Hydrology-1. However the table is reproduced in its entirety on the following pages.

Table 2-1 Summary of Environmental Impacts

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
AIR QUALITY					
X	X	**Impact Air Quality-1: Short-Term Construction Emissions.** Construction, grading, and excavation associated with new development under the Northwest Specific Plan could generate substantial amounts of fine particulate matter (PM_{10}).	SIG	**Mitigation Measure Air Quality-1 (Faria Preserve and Western Plan Area):** The BAAQMD has identified a set of feasible PM_{10} control measures for construction activities. These measures are divided into three separate tiers: Basic Control Measures, Enhanced Measures, and Optional Measures. The following Basic Control Measures, as discussed in Section 4.2.3 shall be implemented at all construction sites in the Faria Preserve and Western Plan Area, regardless of size. For construction sites greater than 4 acres, enhanced measures shall be implemented, as discussed in Section 4.2.3. Additional "Optional Measures," as discussed in Section 4.2.3 shall be implemented if further emission reductions are deemed necessary by the City and/or the BAAQMD. The BAAQMD requirements could change between the time that this EIR is certified and the time when construction of the proposed project begins. Therefore, the City shall require its contractors to consult with the BAAQMD to develop a list of appropriate dust abatement measures prior to beginning any construction project.	LTS

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
X	X	**Impact Air Quality-2: Consistency with the 2005 Ozone Strategy.** The population and VMT projections used in the proposed Northwest Specific Plan are inconsistent with those of the 2005 Ozone Strategy.	SU	Since the existing population and projected population for San Ramon are both greater than those used for the 2000 CAP, which were based on 1998 ABAG projections, the General Plan is inconsistent with the CAP (City of San Ramon 2001). The 2005 Ozone Strategy superseded the CAP. Also, average peak hour VMT growth in San Ramon, with an annual increase of about 2.0 percent, is greater than the 1.4 percent annual growth rate assumed for the entire Bay Area by the Clean Air Plan (City of San Ramon 2001). Thus, vehicle emissions resulting from development under the NWSP would be inconsistent with vehicle emissions projected by the 2005 Ozone Strategy. No additional feasible mitigation measures have been identified because development of the NWSP Area would contribute to the exceedance of the population assumptions of the 2005 Ozone Strategy. The annual rate of increase in population growth and VMT increase would exceed the assumptions of this most recent Clean Air Plan.	SU
X	X	**Impact Air Quality-3: Long-Term Emissions of Criteria Air Pollutants.** Development under the Northwest Specific Plan would result in increased emissions of criteria air pollutants. Operational emissions of ROG and NO_X would exceed the BAAQMD threshold of 80 pounds per day.	SU	**Mitigation Measure Air Quality-3 (Faria Preserve and Western Plan Area):** During project review, the City shall consult with the BAAQMD for determination of applicable mitigation measures to be incorporated for future projects associated with implementation of the NWSP, including the Faria Preserve. Such measures may include, but are not limited to, the following measures recommended by the BAAQMD, which were obtained from the most current BAAQMD CEQA Guidelines (BAAQMD, 1999), as	SU

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
				discussed in Section 4.2.3. Though these measures would help reduce emissions, their implementation would not reduce long-term emissions to a less-than-significant level. Due to the peripheral location of the NWSP Area, neither the proposed NWSP nor the Faria Preserve could be feasibly implemented without an increase in air emissions, particularly from mobile-sources, that exceeds the significance thresholds of 80 pounds per day for ROG and NO_X.	
BIOLOGICAL RESOURCES					
X	X	**Impact Biology-1: Loss of Sensitive Habitats.** Implementation of the Northwest Specific Plan would result in the loss of sensitive habitats. The Faria Preserve would impact 11.06 acres of valley foothill hardwood, 4.20 acres of valley foothill riparian, and 0.17 ~~0.16~~ acre of fresh emergent marsh.	PS	**Mitigation Measure Biology-1a (The Faria Preserve Biological Mitigation/Enhancement and Monitoring Plan):** The project sponsor for the Faria Preserve Project Site has developed an extensive program referred to as the Faria Preserve Biological Mitigation/Enhancement and Monitoring Plan for the creation and enhancement of riparian and wetland habitat and the full mitigation of potential biological impacts, which the project sponsor shall implement, as discussed in Section 4.3 of the FEIR. **Mitigation Measure Biology-1b** (Western Plan Area): The following actions shall be implemented by developers of the Western Plan Area to ensure adequate protection of trees. These measures implement mitigation in the Western Plan Area that is the same in scope to what is set forth in the Biological Mitigation/Enhancement and Monitoring Plan for the Faria Preserve Project Site.	LTS

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
				Mitigation Measure Biology-1c (Faria Preserve and Western Plan Area): Actions shall be implemented by developers to prevent pollution of streams and drainages, including wetlands, during construction. **Mitigation Measure Biology-1d (Western Plan Area):** Developers within the Western Plan Area to address impacts to sensitive habitats.	
	X	**Impact Biology-2: Special-Status Plant Species.** The Western Plan Area may contain special-status species that were not detected in field surveys and loss of such species in association with development could occur.	PS	**Mitigation Measure Biology-2 (Western Plan Area):** The developers on the Western Plan Area shall implement measures, as described in Section 4.3.3 to ensure that impacts to special-status plant species are avoided. If any special-status plant species are identified, their quantity and significance of the impact shall be assessed for review by the City of San Ramon and CDFG. Depending on the legal protection afforded the particular species, identified plants would either a) be fenced off by a biologist and avoided by construction activities; b) be salvaged and relocated on-site following consultation with CDFG; or c) be removed without further consequence, if so allowed by CDFG.	LTS

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
X		**Impact Biology-3(a) (Faria Preserve): Special-Status Animal Species.** Implementation of the Faria Preserve would result in a less than substantial reduction in the numbers and range of rare, endangered or threatened species.	LTS	**Mitigation Measure Biology-3a (Faria Preserve and Western Plan Area):** The following actions shall be implemented by developers of both the Faria Preserve and the Western Plan Area to further ensure that impacts to Alameda whipsnake are less than significant. **Mitigation Measure Biology-3b (Faria Preserve and Western Plan Area):** The developers of both the Faria Preserve and the Western Plan Area shall implement measures, as discussed in Section 4.3.3, to further ensure that impacts to nesting raptors and other special-status birds (e.g., horned lark, loggerhead shrike, yellow warbler) are less than significant:	LTS
	X	**Impact Biology-3(b)(Western Plan Area): Special-Status Animal Species.** Implementation of the Western Plan has the potential to result in the loss of habitat for special-status animal species that may reside or forage in the Western Plan Area, potentially resulting in a more than substantial reduction in the numbers and range of rare, endangered or threatened species.	PS	**See Mitigation Measure Biology 3a, above.** This measures applies to both the Faria Preserve and the Western Plan area in Section 4.3, but is listed separately here for ease of reference. **See Mitigation Measure Biology 3b, above.** This measures applies to both the Faria Preserve and the Western Plan area in Section 4.3, but is listed separately here for ease of reference. **Mitigation Measure Biology-3c (Western Plan Area):** The developer of the Western Plan Area shall implement measures, as discussed in Section 4.3.3 to ensure that potentially significant impacts to California red-legged frogs do not occur:	LTS

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
X		**Impact Biology-4: Jurisdictional Waters of the United States and Riparian Habitat.** Development of the Faria Preserve Project Site would result in the filling and replacement of 0.40 acre of wetlands and waters of the U.S.	SIG	**Mitigation Measure Biology-4a (Faria Preserve):** The Faria Preserve developer shall be responsible for mitigation of impacts to wetlands and jurisdictional waters, pursuant to a Mitigation and Monitoring Plan approved by the Corps. Further, prior to issuance of a grading permit, the developer shall provide written evidence that the following approvals have been received: • A Clean Water Act Section 404 permit by the U.S. Army Corps of Engineers. • A Section 401 Water Quality Certification from the Regional Water Quality Control Board. **Mitigation Measure Biology-4b (Faria Preserve):** Wetlands shall be mitigated and monitored as required by the Clean Water Act Section 404 permit. **Mitigation Measure Biology-4c (Faria Preserve):** During construction and prior to any clearing, grading, or construction activities, temporary barriers shall be placed around all wetlands and riverine intermittent drainages that are to be avoided by the development plan. These barricades shall create at least a 20-foot buffer area around drainages and shall be consistent with the Best Management Practices implemented as part of a Stormwater Pollution Prevention Plan (see Mitigation Measure Hydrology-1b). No clearing, operation of heavy equipment, or storage of construction materials shall be permitted within this area.	LTS

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
	X	**Impact Biology-5: Jurisdictional Waters of the United States and Riparian Habitat.** Development of the Western Plan Area could result in the filling and replacement of wetlands and/or waters of the U.S.	SIG	**Mitigation Measure Biology-5a (Western Plan Area)**: Developers of the Western Plan Area shall be responsible for conducting an on-site evaluation to determine whether any portion of the creek or drainage areas within the Western Plan Area would be subject to Corps jurisdiction as either wetlands or other "waters of the U.S." **Mitigation Measure Biology-5b (Western Plan Area):** If wetlands and/or waters of the U.S. under Corps jurisdiction are determined to be present within the Western Plan Area, the developer shall be responsible for mitigation of impacts to wetlands and/or jurisdictional waters, pursuant to a Mitigation and Monitoring Plan approved by the Corps. Further, prior to the issuance of a grading permit, the developer shall provide written evidence that the following approvals have been received: • A Clean Water Act Section 404 permit by the U.S. Army Corps of Engineers. • A Section 401 Water Quality Certification from the Regional Water Quality Control Board. **Mitigation Measure Biology-5c (Western Plan Area):** Wetlands shall be mitigated and monitored as required by the Clean Water Act Section 404 permit. **Mitigation Measure Biology-5d (Western Plan Area):** During construction and prior to any clearing, grading, or construction activities, temporary barriers shall be placed around all wetlands and riverine intermittent drainages that are to be avoided by the development plan. These barricades shall create at least a 20-foot buffer area around drainages and shall be consistent with the Best Management	LTS

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
				Practices implemented as part of a Stormwater Pollution Prevention Plan (see Mitigation Measure Hydrology-1b). No clearing, operation of heavy equipment, or storage of construction materials shall be permitted within this area.	
X	X	**Impact Biology-7: Colonization by Invasive Species.** Invasive non-native plants used in Faria Preserve Project Site and Western Plan Area landscaping could be dispersed from development areas where they are to be planted and eventually displace native plants within natural and created wildlife habitat areas.	PS	**Mitigation Measure Biology-7 (Faria Preserve and Western Plan Area):** In order to ensure integrity of the restored riparian zone on the Faria Preserve and to reduce impacts in the Western Plan Area to less than significant, the following mitigation measure will be implemented by developers of the Faria Preserve and Western Plan Area: • Landscape plans and plant selections for any portion of the Plan Area shall ***not*** include any invasive exotic plants listed by the California Invasive Plant Council (Cal-IPC) in their Invasive Plant Inventory (Cal-IPC, 2006).	LTS
CULTURAL RESOURCES					
X	X	**Impact Cultural-1: Cultural Resources.** Implementation of the Northwest Specific Plan could adversely affect unidentified, potentially significant subsurface cultural resources in the NWSP Area as a result of project specific ground-disturbing construction activities.	PS	**Mitigation Measure Cultural-1a (Western Plan Area):** Prior to any project-related ground disturbing activities, the Western Plan Area shall be re-inventoried. This survey shall incorporate a pedestrian survey of the site and a thorough recording and assessment of the sites presently known to exist within the area, in conformance with CEQA guidelines. Implementation of this mitigation measure would identify known cultural resources and ensure that they would be avoided.	LTS

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
				Mitigation Measure Cultural-1b (Western Plan Area and Faria Preserve): The City of San Ramon shall require implementation of a monitoring and response procedure during construction of any proposed project within the NWSP Area in order to avoid adverse effects on potentially significant archaeological resources, as discussed in Section 4.4.3.	
GEOLOGY/SOILS					
X		**Impact Geo-1: Surface Fault Rupture.** People or structures would be exposed to an increased risk of substantial adverse effects, including the risk of loss, injury or death as a result of surface fault rupture.	SIG	**Mitigation Measure Geo-1a (Faria Preserve):** The project sponsor shall require its geotechnical consultant to replot the Calaveras fault in the *Final Supplemental Fault Investigation, Fault A/Calaveras Fault Western Traces* based on its trenching data and reassess the setback distance between habitable structures in Neighborhoods A and D (lots 67 to 74 and 86 units) and the Calaveras fault. In the geotechnical consultant's consideration of the western limit of the Calaveras fault setback zone below lots 67 and 74, the geotechnical consultant shall extend the western limit of the Calaveras fault setback zone in this area to coincide with the eastern ends of the exploratory trenches T7 and T9.	LTS
				Mitigation Measure Geo-1b (Faria Preserve): The project sponsor shall ensure the 50-foot setback separating all habitable structures from the known Calaveras fault zone would be incorporated in the Final Development Plan. Implementation of this mitigation measure is required to reduce the level of risk associated with potential damage to structures or harm (risk of loss, injury or death) to people from fault rupture to an acceptable level. **Mitigation Measure Geo-1c (Faria Preserve):** The	

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
				project sponsor shall design utilities and road facilities that cross the Calaveras Fault to include additional protective features to reduce damage associated with fault rupture, as discussed in Section 4.5.3. **Mitigation Measure Geo-1d (Faria Preserve):** The project sponsor shall implement a minimum 25-foot setback separating all habitable structures (in lots 60, 61, 62, and 83) from Fault A. Implementation of this mitigation measure is required to reduce the level of risk associated with potential damage to structures or harm (risk of loss, injury or death) to people from fault rupture to an acceptable level.	
				Mitigation Measure Geo-1e (Faria Preserve): The project sponsor shall retain a licensed geologist on-site during grading activities. The licensed geologist shall map the landslide deposits along the western edge of the Calaveras Fault setback zone to more precisely locate the disturbed deposits and to assess the character of the shearing logged in two trenches. These features shall be shown on the as-built plans. Any changes in the nature of the shearing that might indicate they are related to active features of the Calaveras fault shall be addressed by the licensed geologist. Any changes made during grading to the precise location of active fault related features, the accompanying setback zone, or to the location of the residential units shall be updated in the Final Development Plan. **Mitigation Measure Geo-1f (Faria Preserve):** The licensed geologist retained for the purposes described in Mitigation Measure Geo-1e shall also map the Fault A	

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
				featured, and if necessary, conduct exploratory excavations to precisely locate the trace of Fault A on the as-built plans. At the time of the grading, the setback zone location and width shall be considered with respect to Lots 60, 61, 62, and 83 in Neighborhood A.	
X	X	**Impact Geo-2: Seismic Event**. People or structures would be exposed to an increased risk of substantial adverse effects, including the risk of loss, injury or death as a result of ground shaking associated with a seismic event.	SIG	**Mitigation Measure Geo-2a (Western Plan Area and Faria Preserve):** The project sponsors shall implement seismic design standards of the most recent Uniform Building Code (UBC) to reduce damage to structures and harm to people associated with groundshaking. Structures shall be designed to accommodate seismic vibrations. The project design engineer shall evaluate the adequacy of the seismic design criteria of the current UBC for the proposed development. **Mitigation Measure Geo-2b (Western Plan Area and Faria Preserve):** The project sponsor shall ensure that construction is in strict accordance with approved plans and details, and recommendations contained in the geologic and geotechnical investigations. **Mitigation Measure Geo-2c (Faria Preserve):** The project sponsor has conducted a detailed geotechnical study of the EBMUD water tank site(s).. Recommendations of the geotechnical study shall be followed with respect to structural design of the tank foundations and the tanks to ensure minimization of ridgetop acceleration effects on the tanks. **Mitigation Measure Geo-2d (Faria Preserve):** The project sponsor shall remove and replace soils that are susceptible to seismic-related ground failure (e.g., with	LTS

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
				engineered fill where proposed improvements would be located), in accordance with the recommendations of the *Geologic Hazards Evaluation and Preliminary Geotechnical Engineering Study* conducted for the site, as well as those identified for Mitigation Measures Geo-4b and Geo-6b, below.	
				Mitigation Measure Geo-2e (Western Plan Area): The project sponsor shall, prior to development, conduct a geologic hazards evaluation and preliminary geotechnical engineering study for the Western Plan Area. Removal and replacement of soils that are susceptible to seismic-related ground failure (e.g., with engineered fill where proposed improvements would be located), shall be conducted in accordance with the recommendations in the study.	
X	X	**Impact Geo-3: People or structures could be exposed to substantial effects, including the risk of loss, injury or death involving liquefaction.**	SIG	**Mitigation Measure Geo-3a (Western Plan Area and Faria Preserve):** The project sponsor shall implement Mitigation Measure Geo-6b. In addition to the overburden pressure resulting from this fill, liquefaction potential would be mitigated by measures intended to mitigate soil that is unstable and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse (see Mitigation Measure Geo-6b). Such measures would reduce soil settlement and mitigate liquefaction potential to less-than-significant levels.	LTS

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
X	X	**Impact Geo-4: Landslides.** People or structures would be exposed to an increased risk of substantial adverse effects, including the risk of loss, injury or death as a result of landslides and/or rock falls and slides.	SIG	**Mitigation Measure Geo-4a (Western Plan Area):** The project sponsor shall conduct a detailed geotechnical analysis (See Mitigation Measure Geo-2e), which shall include additional borings and deep trenches, for landslides identified in the Western Plan Area, as further described in Section 4.5.3. Analyses shall also include investigations of static and dynamic slope stability and identify specific mitigation to address the potential for landslide. Methods to reduce landslide hazards shall be consistent with the recommendations of the detailed geotechnical studies and include, but are not limited to the recommendations set forth in Section 4.5.3. The northern landslide west of Bollinger Creek would require grading beyond the NWSP Area for stabilization. For those landslides in areas upslope or outside of proposed developments in the Western Plan Area, it is likely that grading would be required beyond the areas proposed to be developed in order to stabilize the landslide. In such an instance, mitigation measures shall include catchment and diversion structures to prevent landslides from entering developed areas. **Mitigation Measure Geo-4b (Faria Preserve):** The project sponsor shall implement specific mitigation techniques to address landslide potential, which shall be in accordance with the recommendations of the *Geologic Hazards Evaluation and Preliminary Geotechnical Engineering Study* conducted for the site, as set forth in Section 4.5.3.	LTS

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
				Mitigation Measure Geo-4c (Faria Preserve): The EBMUD water tank site(s) shall be selected within the building envelope as delineated in the Preliminary Geotechnical Feasibility Study prepared for the proposed water tanks by ESCNC, March 2005. The building envelope was determined based on various factors, including the lack of landslides. The project sponsor shall conduct a design-level geotechnical study for the tank site(s) once details of the site(s) have been finalized. Recommendations of the geotechnical study shall be implemented to ensure minimization of landslide potential. Methods to reduce landslide potential include the techniques identified in Mitigation Measure Geo-4a, above. **Mitigation Measure Geo-4d (Faria Preserve):** To address rock slide hazards associated with unfavorably-oriented bedrock dip slopes (which are prone to landslides), the project sponsor shall construct retaining structures to hold bedrock slopes in place. Retaining structures could include retaining walls, rock bolts, and/or soil nailing.	
X	X	**Impact Geo-5: Erosion.** Excavation and earthmoving activities would increase the risk of erosion or loss of topsoil.	SIG	**Mitigation Measure Geo-5a (Western Plan Area):** The project sponsor shall require protection of the toe of the stream bank from future stream erosion by setting back development beyond a 2:1 (horizontal: vertical) line extending up from the toe of the bank (or gully). If the banks cannot be protected, a wider set back zone shall be maintained to allow for future erosion based on soil type and vegetation. Set back zones shall be determined after a detailed geologic and geotechnical site investigation is performed at the site	LTS

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
				Mitigation Measure Geo-5b (Western Plan Area): During repair of the existing landslide in the Western Plan Area, the project sponsor shall install subdrains beneath and upslope of the repaired landslide to collect groundwater and prevent it from saturating the engineered fill. **Mitigation Measure Geo-5c (Faria Preserve):** The project sponsor shall implement best management practices for erosion control as specified on the Faria Preserve Vesting Tentative Map. **Mitigation Measure Geo-5d (Faria Preserve):** Within the Faria Preserve Project Site, the project sponsor shall collect groundwater within the slope and remove it before the water daylights on the slope face. Methods to collect and remove the water shall be in accordance with the recommendations of the *Geologic Hazards Evaluation and Preliminary Geotechnical Engineering Study* conducted for the site, and could include any of the following: installation of finger drains, hydraugers, or gallery drains. As necessary, pumping or dewatering shall be implemented during grading activities. Please also refer to Mitigation Measure Hydrology-1b (see Section 4.7).	
X	X	**Impact Geo-6: Project Facilities Located on an Unstable Geologic Unit.** The project facilities would ~~could~~ be located on a geologic unit or soil that is unstable and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.	SIG	**Mitigation Measure Geo-6a (Western Plan Area):** For the Western Plan Area, detailed geologic and geotechnical investigations (including laboratory testing) shall be conducted to assess the strength and compressibility of colluvial and alluvial deposits. In addition, onsite artificial fill shall be assessed for quality and surface and subsurface	LTS

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
				drainage details shall be verified. Methods to reduce the potential for settlement are described in Section 4.5.3. **Mitigation Measure Geo-6b (Faria Preserve):** For the Faria Preserve Project Site, the project sponsor shall implement mitigation measures that would reduce settlement. Methods shall be in accordance with the recommendations of the *Geologic Hazards Evaluation and Preliminary Geotechnical Engineering Study* conducted for the site, as set forth in Section 4.5.3.	
X	X	**Impact Geo-7: Surface Soil Expansion.** Structures could be damaged from expansion of the near surface soils.	SIG	**Mitigation Measure Geo-7a (Western Plan Area and Faria Preserve):** For the Western Plan Area and the water tank sites, the project sponsor shall conduct detailed geologic and geotechnical investigations (including laboratory testing) to assess the soils underlying the proposed structures. Mitigation measures that would reduce adverse effects resulting from expansive soils within the NWSP Area (including the Faria Preserve Project Site) are described in Section 4.5.3. Methods implemented at the Faria Preserve Project Site shall be in accordance with the recommendations of the *Geologic Hazards Evaluation and Preliminary Geotechnical Engineering Study* conducted for the site.	LTS
HAZARDS & HAZARDOUS MATERIALS					
X	X	**Impact Hazard-1: Construction of the 830 homes proposed for the NWSP Area would increase the risk of fire hazards since the proposed project is in an area with flammable brush and grass.**	SIG	**Mitigation Measure Hazard-1 (Western Plan Area and Faria Preserve):** An Open Space Management Plan shall be submitted to and approved by the San Ramon Valley Fire Protection District prior to filing the first final map for the Western Plan Area and the Faria Preserve. The Open Space Fire Management Plan shall be based on the fire	LTS

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
				modeling required by General Plan Policy 9.4-I-2, and shall propose specific measures to reduce potential fire hazards, including construction of buffers between the homes, and regular maintenance and disking of the property lines.	
HYDROLOGY/WATER QUALITY					
X	X`	**Impact Hydrology-1: Construction-related water quality impacts.** Implementation of the Northwest Specific Plan and Faria Preserve could introduce pollutants (namely suspended sediments, along with fuels, oils, lead solder, solvents and glues) to surface water or groundwater that could violate water quality standards or discharge requirements, or otherwise substantially degrade water quality (including sediment and other pollutants). These activities will be regulated under a Construction Activity NPDES Permit.	SIG	**Mitigation Measure Hydrology-1a (Western Plan Area and Faria Preserve): Construction Related NPDES Discharge Permit.** The San Francisco Regional Water Quality Control Board requires that any project with a combined disturbance area of over one acre acquire an NPDES Construction Activity Stormwater Permit. Discharge of surface runoff from the construction site to Bollinger Creek shall be subject to this permit. Monitoring of the effluent and creek flow shall be required to ensure that water quality standards are not broken, and annual reports shall be prepared and submitted to the San Francisco Regional Water Quality Control Board. While compliance with the NPDES Construction Activity Stormwater Permit would be required and is therefore assumed, it is nonetheless included here as a mitigation measure to ensure there is a mechanism for City monitoring of compliance.	LTS

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
				Mitigation Measure Hydrology-1b (Western Plan Area and Faria Preserve): Stormwater Pollution Prevention Plan. The NPDES Construction Activity Stormwater Permit shall also require the completion of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall require dischargers to implement Best Management Practices (BMPs) that prevent or reduce pollution into surface waters during construction at sites that disturb one acre or more. Types of BMPs include schedules of activities, prohibition of practices, maintenance procedures, management practices, or engineering controls, as further described in Section 4.7.3. **Mitigation Measure Hydrology-1c (Western Plan Area and Faria Preserve): Detention Basins.** Construction of the on-site detention basins shall occur prior to all other major construction activities such that these structures can be used to retain stormwater runoff and water from dewatering activities during the construction period. This would help to reduce sediment in surface runoff leaving the site.	

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
X	X	**Impact Hydrology-2: Water Quality.** Once implemented, the Northwest Specific Plan and Faria Preserve could ~~would~~ introduce pollutants into the surface water or groundwater that could violate water quality standards or discharge requirements, or otherwise substantially degrade water quality (including sediment and other pollutants).	SIG	**Mitigation Measure Hydrology-2a (Faria Preserve): Streambank Protection.** A streambank protection corridor, similar to the riparian corridor designed for the central watershed on the Faria Preserve shall be implemented in the easterly watershed of the Faria Preserve property. This would improve both water quality and wildlife habitat in this drainage. Fencing shall be installed approximately 100 feet from either side of the stream, and any major reparations (or re-seeding) to the stream bank shall be made to reduce sediment load. Well-maintained vegetated streambank corridors have the capacity to reduce sediment load in runoff up to 75 percent or more (NRCS 2004). These buffer strips intercept surface and subsurface flow while stabilizing streambank sediment material. Native riparian tree and shrub species shall be planted on 8-foot centers throughout the streambank protection corridor creating a dense riparian corridor.	LTS
				Mitigation Measure Hydrology-2b (Western Plan Area and Faria Preserve): Fertilizer and Pesticide limitations. Fertilizer, herbicide, and pesticide applications within the NWSP Area shall be limited to the dry season (April 1 – October 1). Residents shall be notified of these restrictions. A pesticide and fertilizer application program shall be prepared for all public open space and landscaped areas. This program shall include limitations on the types and amounts of chemicals allowed on the site. The program shall be designed to minimize chemical and fertilizer use throughout the project site.	

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
				Mitigation Measure Hydrology-2c (Western Plan Area): Creek Crossings. Per Policy 8.1 N of the General Plan, creeks shall not be culverted or channelized where they cross roads. Rather, a wildlife sensitive open/natural channel design shall be implemented where the project roads cross Bollinger Creek. This would serve to maintain the integrity of the creek, reduce erosion often associated with culvert outlets, and create a contiguous wildlife corridor across the property.	
				Mitigation Measure Hydrology-2d (Western Plan Area and Faria Preserve): Low Impact Design. In order to meet the new requirements of Provision "C.3" in the Countywide NPDES Municipal stormwater permit, "Low Impact Design" (LID) features with multiple on-site "natural" water detention, infiltration, and treatment features shall be incorporated to reduce scouring flows in the receiving water bodies, and to reduce pollutant loads entering those water bodies from residential and developed areas. LID features shall be included in the street, residential, and landscape design, as further described in Section 4.7.3. Utilization of the LID features as part of the implementation of the Faria Preserve may reduce the size of the detention. Prior to implementation of the Faria Preserve, the required size of the detention basins shall be recalculated to account for the flood retention and reduction capacity of the LID features. Such redesign would be expected only to decrease the size of the detention basins. The Contra Costa Clean Water Program has recently	

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
				released the *Stormwater C.3 Guidebook* (Contra Costa Clean Water Program, 2005) to aid developers in meeting the RWQCB C.3 requirements (see Section 4.7.2 Regulatory Framework)	
X	X	**Impact Hydrology-3: Flooding.** Implementation of the Northwest Specific Plan and the Faria Preserve would alter existing drainage patterns within the NWSP Area and create/contribute runoff water such that flooding could occur or the capacity of existing or planned stormwater drainage systems could be exceeded.	PS	**Mitigation Measure Hydrology-3a (Faria Preserve): Detention Basin Storage.** In order to reduce the peak outflows under project conditions and have no net increase in flows, detention basins shall be provided within the Faria Preserve Project Site. The design and storage volumes of the detention basins shall be consistent with the design parameters contained in the drainage studies prepared by Bellecci and Associates (2005) and Kimley-Horn (2005a), and the recommendations contained in the Kimley-Horn (2005b). **Mitigation Measure Hydrology-3b (Western Plan Area): Detention Basin Storage.** In order to reduce the peak outflows under project conditions, stormwater detention facilities shall be provided within the Western Plan Area. Retention requirements necessary to detain the volume associated with the difference in runoff volume between pre- and post-Project conditions is estimated to be a minimum 0.4 acre feet, based on preliminary lot layouts developed for the Western Plan Area Kimley-Horn (2005a). More detailed hydrology studies shall be required at the time a development application for the Western Plan Area is filed to ensure that water quality, retention requirements and flood control objectives are met.	LTS

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
				Mitigation Measure Hydrology-3c (Western Plan Area and Faria Preserve): Maintain Watershed Boundaries and Area. The existing watershed boundaries and area shall be maintained. Watershed areas shall not be altered and all existing discharge points shall be maintained as closely as possible. Stormwater drainage from all developed areas shall be carefully designed such that runoff from streets, housing, and other impervious surfaces drains to the appropriate watershed based on pre-project drainage patterns (The Faria Preserve Project Site, as detailed in the Vesting Tentative Map, would do so). New developments are required under the Contra Costa Countywide NPDES Municipal Stormwater Permit, Provision C.3.f, to manage impacts from changes to the volume and velocity of stormwater runoff from new development and significant redevelopment projects, where these changes can cause excessive erosion damage to downstream watercourses. The LID actions proposed under Mitigation Measure Hydrology-2d would be considered as BMP's designed to manage hydrograph modification impacts.	
	X	**Impact Hydrology-4: Flood Zones.** The proposed development within the Western Plan area could place within a 100-year flood hazard area structures which could impede or redirect flood flows.	PS	**Mitigation Measure Hydrology-4 (Western Plan Area): Low Impact Bridge Design.** The proposed bridge crossing Bollinger Creek shall be designed to avoid the 100-year flood hazard zone, or shall be engineered so as not to impede or redirect flows in Bollinger Creek.	LTS

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
NOISE					
X	X	**Impact Noise-1: Short-Term Construction Noise.** Development under the NWSP, including the Faria Preserve, would expose existing noise-sensitive land uses to construction related noise. Ambient noise levels in areas near the NWSP Area may temporarily increase.	SIG	**Mitigation Measure Noise-1 (Faria Preserve and Western Plan Area): Short-Term Construction Noise.** The City shall require prime contractors to implement measures to reduce temporary construction noise as described in Section 4.9.3. By requiring that project construction would comply with Chapter V, Article 2, B6-100 of the San Ramon Municipal Code, Mitigation Measure Noise-1 would ensure that nearby sensitive receptors are not exposed to construction noise during the more sensitive evening and nighttime hours. Implementation of Mitigation Measure Noise-1 would also reduce the level of noise exposure at sensitive receptors during daytime construction activity.	LTS
X	X	**Impact Noise-2: Stationary- and Area-Noise Sources.** Noise levels generated by new stationary- and area-noise sources developed under the NWSP, including the Faria Preserve, would not exceed the city's "normally acceptable" land use compatibility standards at off-site sensitive receptors. Single event noise levels generated by garbage dumpster collection at some of the proposed land uses could result in increased sleep disruption and interference to nearby off-site sensitive receptors.	PS	**Mitigation Measure Noise-2:** The City shall ensure implementation of mitigation measures in the design and operation of the Faria Preserve to reduce exposure of nearby existing off-site sensitive receptors and proposed onsite receptors to noise levels that could potentially result in nighttime sleep disturbance, as discussed in Section 4.9.3. Implementation of Mitigation Measures Noise-2 would prevent nighttime sleep disruption at nearby existing and proposed on-site residential land uses by limiting garbage collection to daytime hours. Noise levels generated by garbage collection activity during daytime hours would also be reduced due to effective orientation of dumpster locations and on-site buildings. As a result, this impact would be reduced to a less-than-significant level.	LTS

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
X	X	**Impact Noise-4: Land Use Compatibility with Onsite Noise Levels.** Residential land uses developed under the NWSP, including the Faria Preserve, could be exposed to traffic noise levels that exceed both the City of San Ramon's "normally acceptable" land use compatibility exterior noise standard of 60 CNEL/L_{dn} and the Title 24 interior noise level standard of 45 CNEL/L_{dn}. In addition, some residential land uses proposed by the NWSP could be exposed to single-event noise levels generated by offsite commercial and industrial sources that result in sleep disturbance.	PS	**Mitigation Measure Noise-4 (Faria Preserve):** The City shall implement measures to reduce the exposure of sensitive receptors to significant noise associated with traffic from I-680 and local roadways and nearby commercial/industrial activities as described in Section 4.9.3.	LTS
TRANSPORTATION/TRAFFIC					
X		**Impact Traffic-1: Decrease in LOS due to Traffic.** Traffic generated by buildout of the NWSP would increase traffic volumes and delays at area intersections, and would result in the City's LOS standards being exceeded at three unsignalized intersections during peak hours. The three intersections are: San Ramon Valley Boulevard/Hooper Drive, San Ramon Valley Boulevard/Purdue Road and Bollinger Canyon Road/Norris Canyon Road.	SIG	**Mitigation Measure Traffic-1a (Faria Preserve):** Traffic signal at the intersection of San Ramon Valley Boulevard/Hooper Drive when warranted. The City shall monitor the intersection of San Ramon Valley Boulevard/Hooper Drive to determine if it meets signalization warrants other than peak hour warrants (e.g. based on accident experience and daily traffic volumes) and install a signal at this intersection when it meets one of the warrants. **Mitigation Measure Traffic-1b (Faria Preserve):** Traffic signal at the intersection of San Ramon Valley Boulevard/Purdue Road. The City shall install a traffic signal at the intersection of San Ramon Valley Boulevard/Purdue Road.	LTS

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
				Mitigation Measure Traffic-1c (Faria Preserve): Install a traffic signal at the intersection of Bollinger Canyon Road/Norris Canyon Road. The City shall monitor the intersection of Bollinger Canyon Road/Norris Canyon Road to determine if it meets signalization warrants other than peak hour warrants (e.g. based on accident experience and daily traffic volumes) and install a signal at this intersection when it meets one of the warrants.	
X	X	**Impact Traffic-3 (Cumulative): Decrease in LOS due to Traffic.** Under the Cumulative-plus-Project Scenario, traffic generated by buildout of the NWSP, when combined with traffic generated by buildout of the General Plan, would increase traffic volumes and delays at area intersections, and would result in the City's LOS standards being exceeded at four unsignalized intersections during peak hours. The four intersections are: San Ramon Valley Boulevard/Hooper Drive, San Ramon Valley Boulevard/ Purdue Road, Bollinger Canyon Road/Norris Canyon Road and Omega Road/Old Crow Canyon Road.	SIG	**Mitigation Measure Traffic-3a (Faria Preserve):** Implement Mitigation Measure Traffic-1a. The City shall implement Mitigation Measure Traffic-1a, which requires the City to monitor and install a signal at the intersection of San Ramon Valley Boulevard/Hooper Drive. **Mitigation Measure Traffic-3b (Faria Preserve):** Implement Mitigation Measure Traffic-1b. The City shall implement Mitigation Measure Traffic-1b, which requires the City to install a traffic signal at the intersection of San Ramon Valley Boulevard/Purdue Road.	LTS
				Mitigation Measure Traffic-3c (Faria Preserve): Implement Mitigation Measure Traffic-1c. The City shall implement Mitigation Measure Traffic-1c, which requires the City to monitor the intersection of Bollinger Canyon Road/Norris Canyon Road to determine if it meets signalization warrants other than peak hour warrants (e.g. based on accident experience and daily traffic volumes) and install a signal at this intersection when it meets one of the warrants.	

Table 2-1 Summary of Environmental Impacts (Continued)

FARIA PRESERVE	WESTERN PLAN AREA	IMPACT	SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURE	SIGNIFICANCE AFTER MITIGATION
				Mitigation Measure Traffic-3d (Faria Preserve): Install a traffic signal at the intersection of Old Crow Canyon Road/Deerwood Road/Omega Road. The City shall monitor the intersection of Old Crow Canyon Road/Deerwood Road/Omega Road to determine if it meets signalization warrants other than peak hour warrants (e.g. based on accident experience and daily traffic volumes) and install a signal at this intersection when it meets one of the warrants.	

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5. NEW APPENDICES AND REFERENCES

5.1 APPENDICES

The following appendices have been added to the EIR for the purpose of responding to comments or to update the DEIR.

Appendix A: Letter from Mark R. Jennings (Rana Resources) to Gary Deghi (Huffman and Associates), dated September 19, 2006, regarding California red-legged frog habitat

Appendix B: Executed Water Supply Assessment; letter from William Kirkpatrick (East Bay Municipal Utility District) to Debbie Chamberlain (City of San Ramon), dated October 12, 2004

Appendix C: Letter from Russell B. Leavitt (Central Contra Costa Sanitary District) to Deborah J. Chamberlain (City of San Ramon), dated October 10, 2006, regarding LAFCO's comments on the Draft Environmental Impact Report (DEIR) for the Northwest Specific Plan and Faria Preserve Project.

Appendix D: Letter from Dale Bowyer (San Francisco Regional Water Quality Control Board) to Mike Conley (Claremont Homes, Inc.), dated July 7, 2006, regarding Notice of Incomplete 401 Water Quality Certification Application – Faria Ranch Project, Unincorporated Contra Costa County

Appendix E: Letter from Michael W. Conley (Claremont Homes, Inc.) to Dale Bowyer (San Francisco Regional Water Quality Control Board), dated September 6, 2006, regarding supplemental information in support of water quality certification and alternatives analysis, Faria Preserve project, Corps Public Notice 29678S

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Appendix A

Letter from Mark R. Jennings (Rana Resources) to Gary Deghi (Huffman and Associates), dated September 19, 2006, regarding California red-legged frog habitat

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RANA RESOURCES
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#12,169a
September 19, 2006

Mr. Gary Deghi
Huffman and Associates, Inc.
828 Mission Avenue
San Rafael, CA 94901-3209

Dear Gary:

After our meeting in the field earlier today, I examined the Faria Ranch project site on foot for potential California red-legged frog (*Rana draytonii*) habitat. I also examined the adjacent open space west of Bollinger Canyon Road and Bollinger Creek for frog habitat as well. The following is a summary of my observations.

Although the Faria Ranch project site has springs, seeps, intermittent drainages, and one drainage area (central drainage) with a 100-foot stretch of channel containing pools, the entire site has no suitable California red-legged frog habitat. This is due to the intermittent nature of the vast majority of the drainages, the large amount of sediment in the seeps and springs, the effects of the current extensive grazing of riparian vegetation by the cattle on the site, and the lack of deep (>2-feet) pools of water in the spring fed areas. The only pools of water observed on the entire site (other than artificial stock tanks) were in the lower portion of the central drainage through the development site. They were composed of 7, small (e.g., 2 feet x 3 feet), pools of water that contained Pacific treefrog (*Hyla regilla*) juveniles and larvae, as well as the larvae of rough-skinned newts (*Taricha torosa torosa*). Raccoon (*Procyon lotor*) tracks were also present along the drainage where these pools of water were present. Because all of these pools of water were less than 2-feet deep, they could easily be foraged by raccoons.

In examining the part of the central drainage described above that contained the pools of water, it is my impression that during most years, these pools would dry up during the summer months. However, this year due to well above average rainfall, they continue to hold water into the fall. The area is heavily grazed by livestock and the activities of these animals have resulted in erosion and bank slumping that silted in most pools of water except in a 100-foot stretch of the drainage where the gradient is significant and there are large willow (*Salix* sp.) limbs, root wads, and logs in the stream channel. However, the depth of the pools is insufficient to prevent drying during years of average rainfall and they are certainly used by foraging raccoons. Given these observations and the 2,200-foot distance from the nearest potential California red-legged frog habitat in Bollinger Creek, it is my professional opinion that there is no frog habitat on the portion of the site located east of Bollinger Canyon Road.

As for the adjacent open space to the west of Bollinger Canyon Road, it too contains no suitable California red-legged frog habitat, expect along the riparian corridor for Bollinger Creek. Frog habitat in Bollinger Creek itself is marginal, due to low water levels during the summer and fall months, but the area probably functions as a movement corridor for juvenile and adult frogs from up- and down-stream areas.

Thus, in summary, there is no suitable California red-legged frog habitat on the Faria Ranch property proposed for development. However, there is potential frog habitat and a suitable frog movement corridor along Bollinger Creek in the proposed open space.

Thanks for allowing me to be involved with this project. Please let me know if you have any questions on the above.

Sincerely,

Mark R. Jennings

Mark R. Jennings
President and
Herpetologist/Fisheries Biologist

Appendix B

Executed Water Supply Assessment; letter from William Kirkpatrick (East Bay Municipal Utility District) to Debbie Chamberlain (City of San Ramon), dated October 12, 2004

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EAST BAY
MUNICIPAL UTILITY DISTRICT

October 12, 2004

Debbie Chamberlain, Senior Planner
City of San Ramon Planning
2222 Camino Ramon
San Ramon, CA 94583

Dear Ms. Chamberlain:

RE: Water Supply Assessment – Northwest Specific Plan Area

This letter responds to your request of July 29, 2004 for water agency consultation concerning the Northwest Specific Plan Area (Enclosure 1). The East Bay Municipal Utility District (EBMUD) appreciates the opportunity to provide this response.

Pursuant to Sections 10910-10915 (SB-610) of the California Water Code, the project meets the threshold requirement for an assessment of water supply availability based on the amount of water this project would require, which would be greater than the amount required by a 500 dwelling unit project.

Please note that this assessment addresses the issue of water supply only and is not a guarantee of service, and future water service is subject to rates and regulations in effect at the time.

Project Demand

The water demands for the Northwest Specific Plan Area are accounted for in EBMUD's water demand projections as published in EBMUD's 2000 Urban Water Management Plan (UWMP/Enclosure 2). EBMUD's water demand projections account for anticipated future water demands within EBMUD's service boundaries and for variations in demand-attributed changes in development patterns. There is no current water demand for the existing land uses in the Northwest Specific Plan Area. The projected demand, based on the projected water consumption by the applicant for the project area, is estimated to be 345,000 gallons per day and is consistent with EBMUD's demand projections that indicate densification of these types of land uses.

Project Area

The Northwest Specific Plan Area is situated outside the current San Ramon City limits, within the City's Sphere of Influence and planning area boundaries. The Northwest Specific

Plan Area is located in southern Contra Costa County, west of Interstate 680, and immediately south of the Town of Danville. The 354-acre plan area includes up to 830 residential units, community parks, a house of worship, and an education use site.

EBMUD Water Demand Projections

The water consumption of EBMUD customers has remained relatively level in recent years in spite of population and account growth. Between 1987 and the present, consumption has ranged from a high of approximately 220 million gallons per day (mgd) in 1987 to a low of 170 mgd in 1989. Based on extensive forecasting in EBMUD's Water Supply Management Program (WSMP) and recent land use based demand forecasting, the WSMP forecast for 2020 water demand of 277 mgd can be reduced to 229 mgd with successful water recycling and conservation programs that are in place. The Northwest Specific Plan Area will not change the EBMUD 2020 demand projection.

EBMUD Water Supply and Water Rights

EBMUD has water rights and facilities to divert up to a maximum of 325 mgd from the Mokelumne River, subject to the availability of Mokelumne River runoff and the prior water rights of other users. EBMUD's position in the hierarchy of Mokelumne River water users is determined by a variety of agreements between Mokelumne River water right holders, the appropriative water rights permits and licenses that have been issued by the State, pre-1914 rights and riparian rights. Conditions that restrict EBMUD's ability to use its 325 mgd entitlement include:

- Upstream water use by prior right holders.
- Downstream water use by riparian and senior appropriators and other downstream obligations, including protection of public trust resources.
- Drought, or less than normal rainfall for more than a year.
- Emergency outage.

During periods of drought, runoff from the Mokelumne River is insufficient to supply the 325 mgd entitlement. EBMUD studies indicate that, with its current water supply and the water demands expected in 2020, deficiencies in supply of up to 67 percent could occur during droughts.

EBMUD UWMP

The UWMP, adopted by the Board of Directors in Resolution No. 33242-01, includes planning level analyses at the County- and EBMUD-wide levels for existing and projected water demand. A summary of EBMUD's demand and supply projections in five-year

increments is provided in a table (Enclosure 3) from the UWMP. The data reflects the latest actual and forecast values.

EBMUD's evaluation of water supply availability accounts for the diversions of both upstream and downstream water right holders and fishery releases. Fishery releases are based on the requirements of a 1998 Joint Settlement Agreement (JSA) between EBMUD and State and Federal wildlife agencies. The JSA requires EBMUD to make minimum flow releases from its reservoirs to the lower Mokelumne River to benefit the fishery. As this water is released downriver, it is, therefore, not available for use by EBMUD's customers.

The available supply shown in the table (Enclosure 3) in years 1, 2 and 3 of a multiple-year drought was determined by EBMUD's hydrologic model with the following assumptions:

- EBMUD Drought Planning Sequence is used for 1976, 1977 and 1978.
- Total system storage is depleted by the end of the third year of the drought.
- The diversions by Amador and Calaveras Counties upstream of Pardee Reservoir increase over time.
- Releases are made to meet the requirements of senior downstream water right holders and fishery releases are made according to the JSA.

As discussed under the Drought Management Program section in Chapter 3 of the UWMP, EBMUD's system storage generally allows it to continue serving its customers during dry-year events. EBMUD imposes rationing based on the projected storage at the end of September. By imposing rationing in the first dry year of potential drought, EBMUD attempts to minimize rationing in subsequent years if a drought persists while continuing to meet its current and subsequent-year fishery flow release requirements and obligations to downstream agencies. Table 3-1 in the UWMP summarizes the guidelines for consumer water reduction goals based on system storage.

In the table (Enclosure 3), a "Single Dry" year (or Year 1 of "Multiple Dry Years") is determined to be a year that EBMUD would implement Drought Management Program elements at the "moderate" stage with the goal of achieving between 0 to 15 percent reduction in customer demand. Year 2 of Multiple Dry Years is determined to be a year that EBMUD would implement Drought Management Program elements at the "severe" stage with the goal of achieving 15 to 25 percent reduction in customer demand. In Year 3 of the multiple-year drought, deficiencies from about 48 percent in year 2005 to about 67 percent in year 2020 are forecast to occur. Therefore, a supplemental supply is needed, which is defined by EBMUD as the additional amount of water necessary to limit customer deficiency to 25 percent in a multiple-year drought while continuing to meet the requirements of senior downstream water right holders and the provisions of the 1998 JSA.

Supplemental Water Supply and Demand Management

The goals of meeting projected water needs and increased water reliability rely on three components: supplemental supply, water conservation and recycled water.

Chapter 2 of the UWMP describes EBMUD's supplemental water supply project alternatives to meet its long-term water demand. To address the need for a supplemental water supply during droughts, EBMUD signed a contract in 1970 with the Federal government for a supplemental supply from the Central Valley Project (CVP). In 2001, EBMUD certified the environmental documentation amending its CVP contract 14-06-200-5183A, reducing EBMUD's contract from 150,000 acre-feet (AF)/year to an annual entitlement not to exceed 133,000 AF. In 2002, EBMUD signed a Memorandum of Agreement with the City of Sacramento, the County of Sacramento and the U.S. Bureau of Reclamation to study a joint regional water project on the Sacramento River near Freeport. The Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) of the Freeport Regional Water Project identifies several regulatory permits and approvals required for the implementation of the project alternatives. These are listed in Table 2-6 of the Freeport Regional Water Project Draft EIR/EIS, July 2003.

Chapter 2 of the UWMP also describes other supplemental water projects, including the development of groundwater storage within EBMUD's service area. EBMUD is studying the environmental impacts of these proposed projects. Specific capital outlay and financing information for these projects are included in EBMUD's FY02-03 Capital Improvement Program and Five-Year Plan. The Freeport project would also allow for a future groundwater conjunctive use component and, along with the proposed local groundwater projects, emergency interties and planned water recycling and conservation efforts, would ensure a reliable water supply to meet projected demands for current and future EBMUD customers within the current service area. Without a supplemental water supply source, continued conservation efforts and further use of recycled water, deficiencies in supply are projected as noted above.

The Northwest Specific Plan Area presents an opportunity to incorporate many water conservation measures. EBMUD requests that the conditions of approval for the implementation of the Northwest Specific Plan Area have a requirement that the project comply with the City of San Ramon's Landscape Ordinance No. 218. EBMUD also requests the opportunity to meet with staff to discuss water conservation programs and best management practices applicable to the project area. A key objective of this discussion will be to explore timely opportunities to expand conservation via early consideration of EBMUD's conservation programs and best management practices applicable to the project.

Annexation into the District's current service area will be required, which will occur after the project completes several land use and service provider approval steps in the City and with the Contra Costa County Local Agency Formation Commission before it becomes eligible for water service.

The project sponsor should contact David J. Rehnstrom, Senior Civil Engineer, at (510) 287-1365 for further information.

Sincerely,

WILLIAM R. KIRKPATRICK
Manager of Water Distribution Planning Division

WRK:DJR:sb
sb04_320a.doc

Enclosures:
1. Letter of Request for Water Supply Assessment dated July 29, 2004
2. EBMUD's 2000 Urban Water Management Plan Area
3. EBMUD's Projected Demand and Available Supply Table

cc: Board of Directors w/o Enclosure 2

Enclosure 1

RECEIVED
JUL 30 2004
WATER SERVICE PLANNING

CITY OF SAN RAMON

2222 Camino Ramon
P.O. Box 5148
San Ramon, California 94583
Phone: (925) 973-2500
Web Site: www.sanramon.ca.gov

July 29, 2004

William R. Kirkpatrick
Manager of Water Distribution Planning
East Bay Municipal Utility District
375 Eleventh Street
Oakland, CA 94607

Re: Request for Water Supply Assessment for San Ramon's Northwest Specific Plan Area

Dear Mr. Kirkpatrick:

I write to request that EBMUD prepare a Water Supply Assessment pursuant to Section 15083.5 of the California Environmental Quality Act Guidelines and Section 10910-10915 of the California Water Code for the Northwest Specific Plan Area (NWSP) in San Ramon.

Below is a summary of the uses currently anticipated for the NWSP Area and estimates of the landscape acreages corresponding to various uses. While I understand from your letter that, upon receipt of this request, you will be contacting the developer for information regarding water demand, the City hopes these figures and estimates will be of help in starting the WSA process.

Residential Uses
Neighborhood A: 200 Single Family Detached Homes (on minimum 5,500 square foot lots), 129 of which will have second units of approx. 400-500 sq. ft.
Neighborhood B: 200 Single Family Detached Homes (with density of approximately 12.1 units/acre)
Neighborhood C: 300 Multi-Family Units
Neighborhood D: 86 Attached Senior Housing Units
Neighborhood E: Up to 44 Large Lot (approx. ½ acre) Single Family Detached Homes

Other Uses
Community Parks (13.2 acres)
House of Worship (approx. 100,000 sq. ft. on 6.1 acres)
Educational Use Site (25,000 sq. ft. on 1.6 acres)

Estimated Landscape Acreages (excluding Community Parks, which are already identified above)
Neighborhood A = 3.44 total landscaped acres
Neighborhood B = 3.52 total landscaped acres
Neighborhoods C & D = 2.88 total landscaped acres
House of Worship = 1.53 acres
Educational Use Site = 0.52 acres

There are an additional 80 acres of graded open space or wildlife/riparian space areas that will require irrigation for three to five years to establish trees and other initial landscaping, but will be designed not to require water once established. Also, additional information regarding the landscape acreages for medians, rights of way, and Neighborhood E is being collected by the project sponsors and will be available once the WSA process is underway.

The City and the Developers are working on estimated water demand calculations for each of the uses and landscape acreages identified above and will forward them to EBMUD once complete. If you need any additional information from the City of San Ramon, please don't hesitate to contact me.

Sincerely,

Debbie Chamberlain

Debbie Chamberlain
Senior Planner

C04.092

Enclosure 3

PROJECTED DEMAND AND AVAILABLE SUPPLY
EAST BAY MUNICIPAL UTILITY DISTRICT
(million gallons per day - mgd)

	2000	2005	2010	2015	2020
Customer Demand[1]	230	242	257	267	277
Adjusted for Conservation[2]	(8)	(14)	(20)	(27)	(34)
Adjusted for Recycled Water[3]	(6)	(9)	(11)	(12)	(14)
Planning Level of Demand	216	219	226	228	229
Available Supply & Need for Supplemental Supply					
Normal Year	>216	>219	>226	>228	>229
Supplemental Supply Need	*0*	*0*	*0*	*0*	*0*
Single Dry Year (Multiple Dry Years - Year 1) Moderate Stage (approximately 7% deficiency)[4]	200	203	210	212	213
Supplemental Supply Need	*0*	*0*	*0*	*0*	*0*
Multiple Dry Years - Year 2 Severe Stage (approximately 25% deficiency)[4]	162	164	169	171	172
Supplemental Supply Need	*0*	*0*	*0*	*0*	*0*
Multiple Dry Years - Year 3					
Available Supply	125	114	95	84	77
Deficiency	42%	48%	58%	63%	67%
Supplemental Supply Need[5] (to limit deficiency to 25%)	*87*	*102*	*128*	*142*	*154*

1. *Demand taken from the 2000 Demand Study.*
2. *Conservation water savings goals from the WCMP 1999 Annual Report, 2 mgd in 1999 and 34 mgd for year 2020, linearly interpolated into five-year increments.*
3. *Chapter 5 of UWMP.*
   Note: Conservation and Reclamation savings reported are those attributed to programs which are a part of the 1993 WSMP. Reference Chapter 6 of UWMP.
4. *Drought conditions per Table 3-1, UWMP.*
5. *The supplemental supply need is calculated from modeling studies and is the amount of water needed to limit customer deficiency to 25 percent and to implement all provisions of the 1998 Joint Settlement Agreement.*

Appendix C

Letter from Russell B. Leavitt (Central Contra Costa Sanitary District) to Deborah J. Chamberlain (City of San Ramon), dated October 10, 2006, regarding LAFCO's comments on the Draft Environmental Impact Report (DEIR) for the Northwest Specific Plan and Faria Preserve Project.

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Central Contra Costa Sanitary District

5019 Imhoff Place, Martinez, CA 94553-4392 (925) 228-9500 • www.centralsan.org

FAX: (925) 228-4624

JAMES M. KELLY
General Manager

KENTON L. ALM
Counsel for the District
(510) 808-2000

ELAINE R. BOEHME
Secretary of the District

October 10, 2006

Ms. Deborah J. Chamberlain
Planning Services Manager
City of San Ramon
2222 Camino Ramon
San Ramon, CA 94583

Dear Ms. Chamberlain:

LAFCO'S COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE NORTHWEST SPECIFIC PLAN AND FARIA PRESERVE PROJECT

Thank you for providing a copy of LAFCO's comment letter on the DEIR for the Northwest Specific Plan and the Faria Preserve Project (Project). I am offering the following information in response to LAFCO's comments regarding CCCSD's jurisdiction and system capacity in the Project area.

As described on DEIR page 4.11-4, a part of the Project is within Central Contra Costa County Sanitary District's (CCCSD) Sphere of Influence (SOI) and CCCSD boundaries; a part is within the SOI, but outside the boundaries; and the remainder is outside both the SOI and the boundaries. There is one clerical error in the DEIR at page 3-32. CCCSD does not use the term, "Ultimate Service Boundary," and instead relies upon the LAFCO-adopted SOI. I suggest that the DEIR text at 3-32 and 3-33 be corrected as follows.

- Central Contra Costa Sanitary District (CCCSD) annexation ~~(project is currently within EBMUD Ultimate Service Area)~~ and permits to connect to current District facilities for discharge of wastewater effluent. (CCCSD will not be taking action on the annexation if LAFCO processes a boundary reorganization for the project.)

- Contra Costa Local Agency Formation Commission (LAFCO) approval of <u>a Sphere of Influence amendment for CCCSD and a</u> boundary reorganization, involving annexation to the City of San Ramon, EBMUD and CCCSD.

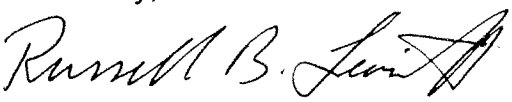
CCCSD agrees with the DEIR's conclusions regarding sewage treatment and capacity. No direct impacts would result from amending the SOI and annexing to CCCSD. The necessary amendment and annexation are continuous and compact in relation to the existing SOI and CCCSD boundaries. Secondly, the action would remove constraints to development and obtaining wastewater service, but also help implement the San Ramon General Plan land use objectives for the Project site. The wastewater service impacts and mitigation measures are addressed in Section 4.11, Utilities/Service Systems, of the DEIR.

CCCSD's facilities have sufficient capacity to accommodate dry and wet weather sewer flows from the proposed project and other cumulative development over the next several decades. No sewage overflows are expected. As stated on page 4.11-4 of the DEIR, "the existing sewer system may become deficient during extreme rain events at some point in the future." The future, in this instance, refers to CCCSD's ultimate buildout, ultimate sewer deterioration scenario (allowing maximum domestic flow and maximum groundwater and wet weather infiltration) anticipated to occur in the year 2035.

CCCSD's Board of Director has already certified an EIR for the largest of these anticipated collection system improvements, the A-Line Relief Interceptor planned for construction on the Iron Horse Trail in Walnut Creek and Concord. Originally scheduled for construction in the years 2004-2009, CCCSD has deferred most of the construction to the 2016-2021 time period due to its low-priority status.

If you have any questions regarding this response, please contact me at 925-229-7255.

Sincerely,



Russell B. Leavitt, AICP
Engineering Assistant III

RBL/cb

Appendix D

Letter from Dale Bowyer (San Francisco Regional Water Quality Control Board) to Mike Conley (Claremont Homes, Inc.), dated July 7, 2006, regarding Notice of Incomplete 401 Water Quality Certification Application – Faria Ranch Project, Unincorporated Contra Costa County

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California Regional Water Quality Control Board
San Francisco Bay Regional Water Quality Control Board

Linda S. Adams
Secretary for Environmental Protection

1515 Clay Street, Suite 1400, Oakland, California 94612
Phone (510) 622-2300, FAX (510) 622-2460
http://www.waterboards.ca.gov/sanfranciscobay

Arnold Schwarzenegger
Governor

Date: JUL 0 7 2006
File No. 2118.03 (KRH)
Site No. 02-07-C0805

Mr. Mike Conley
194 Francisco Lane, Suite 202
Fremont, CA 94539

SUBJECT: Notice of Incomplete 401 Water Quality Certification Application - Faria Ranch Project, Unincorporated Contra Costa County

Dear Mr. Conley:

Water Board staff has reviewed a 401 water quality certification, submitted on January 24, 2006, and Alternative Analysis (Analysis) dated June 2006 and received on June 8, 2006, for the Faria Ranch Project located in an unincorporated area of Contra Costa County in the vicinity of the City of San Ramon. Claremont Homes (Applicant), through its agent The Huffman-Broadway Group, Inc. has applied for a U.S. Army Corps of Engineers (Corps) permit pursuant to Section 404 of the Clean Water Act. Claremont Homes has also applied to the Water Board for a Clean Water Act Section 401 water quality certification that the proposed Project will not violate State water quality standards. We have reviewed the Project's Public Notice and certification application materials, and have determined that the Application for the Project is incomplete and that the Water Board will not grant water quality certification at this time.

The proposed community of 786 residential units and community facilities would be located on a parcel of approximately 291 acres east of Bollinger Canyon Road, west of Highway 680, and north of Crow Canyon Road. The area is presently in an unincorporated area of Contra Costa County that would be annexed into the City of San Ramon. The 291-acre parcel includes 0.48 acres subject to the Corps jurisdiction. This includes several small palustrine emergent seasonally flooded wetland areas (0.23 acre), and riverine intermittent streambed habitat totaling 0.26 acre (5,748.68 linear feet) of waters of the United States. The Project would involve mass grading of approximately 3.6 million cubic yards of soil, with excavation along the site ridgelines, and fill of three ravines within the development footprint of 192 acres. This mass grading would result in the fill of 0.23 acre (5,054.68 linear feet) of seasonal tributary and 0.17 acre of palustrine emergent seasonally flooded wetlands. The total acreage of fill would be 0.4 acre.

In summary, the Water Board finds that the impacts associated with the proposed Project are significant, as almost a mile of seasonal tributary creek would be filled along with the seasonal wetlands on site. The impacts associated with the permanent loss of the seasonal tributary creeks have not been discussed and identified in depth in the December 2005, "Biological Assessment, Faria Ranch Project", or any of the other 401 water quality certification application materials. Further, we find that the Analysis and proposed mitigation for site impacts are incomplete and inadequate for reasons discussed below.

Alternatives Analysis

In order to more thoroughly assess the cost assessment that was provided as part of the Analysis, we will be forwarding a copy of this document to our economic analyst at the State Water Resources Control Board for review. To facilitate this review, you are requested to provide, at your earliest convenience, an electronic copy of the Analysis. We anticipate that this review will be complete in late August, and will provide any additional comments as needed at that time. In the meantime, we have the following comments on the document.

Although the Analysis has provided assessment of a number of alternatives, it is incomplete and deficient due to its lack of thoroughness in evaluating other alternative Project designs that could result in fewer impacts than the proposed Project, but not require the off-site disposal of fill material. It appears that one of the primary substantial costs associated with Alternatives 1 through 5 is the off-hauling of soil due to the imbalance of cut and fill. For example, Alternative 1 includes 609 residential units with similar neighborhood densities as that provided by the proposed Project. However, one of primary reasons it has been rejected is due to the high cost of hauling soil off site, which is anticipated to be thirty four to forty million dollars.

The proposed Project and Alternative 6 offer balanced cut and fill options for the site. However, Alternative 6, with minimal impacts to water resources, does not provide the number of residential units needed to cover the Project costs. The Analysis has not provided a demonstration that another balanced cut and fill alternative with partial impacts and more residential units is not feasible. You are requested to examine alternatives that fall somewhere in between the proposed Project and Alternative 6. Alternative 6 appears to have lot sizes that are slightly larger than those used in the low density neighborhoods of the proposed Project. With smaller lot sizes, and an alternative grading pattern that results in partial or few impacts to water resources, a viable alternative may be possible.

Further, it is interesting to note that the ridgeline development prohibition of the General Plan for the City of San Ramon dictates to a large degree the type of development allowed to occur on the various parcels throughout the city. It would be useful to know what kinds of development options with fewer impacts to water resource would be available at the site without adherence to this prohibition. For example, how could Alternatives 1, 2, 3, and 4 be modified to accommodate project needs if the ridgeline prohibition were not incorporated into the General Plan? We recognize that the City of San Ramon has a responsibility to follow the General Plan

requirements. However, there appear to be competing and/or conflicting interests at stake with the desire for unimpaired view sheds on the one hand, and the need for protection of State waters on the other.

With respect to the cost evaluation provided for the Analysis, Table 4 indicates in a footnote that the market value information is based on lot values. Are these values for unimproved lots? If so, why does the Analysis use unimproved instead of improved lot values? Based on the size and nature of the development, and information included in your application, it appears that market values for improved lots should be used instead, and that building costs should be included in the site development costs. Please discuss, and provide documentation of the numbers used by providing comparable finished lot values within the area, including the City of San Ramon. The Alternatives Analysis should include a detailed description of the items included in the "Site Development Costs" noted in the Cost Alternative Summary Sheet, and should specifically note anticipated costs for lot level improvements.

The discussion for a number of the alternatives notes that an earthwork imbalances would result in a need to haul soil off-site, resulting in adverse traffic, air quality, noise and disruption impacts within local and regional environments. The document notes that these effects would be significant, and cannot be avoided or adequately mitigated. The Water Board finds that the proposed fill of almost a mile of seasonal creek is also a significant impact for which full mitigation is not possible. Experimental recreation of creeks is generally compromised in terms of the net benefit provided for lost habitat and function of the lost stream.

Proposed Mitigation

The mitigation proposed for the impacts associated with the Project development include the creation of 0.83 acres of palustrine emergent and palustrine scrub-shrub wetland habitat, 0.19 acre of open water pools and 0.13 acre of riverine intermittent streambed within a Riparian and Wildlife Corridor that will be located on engineered fill within the development plan for the Project. This area will have an average width of 200 feet. In addition, approximately 140 acres of land adjacent to the Project along Bollinger Canyon Road will be preserved under a conservation easement. The Application material has not discussed whether this preserve area includes tributary streams or wetlands that would be preserved.

If the proposed Project impacts are determined to be unavoidable based on additional information submitted for the Analysis, you will be required to provide in-kind mitigation for the permanent loss of tributary stream channel and seasonal wetlands. Although the features proposed for mitigation within the Project development appear to be structured to provide for in-kind mitigation, the Applicant will not receive any mitigation credit for the created channel. Whether mitigation credit can be given for the proposed created wetland will depend on further evaluation of a more detailed design. The Water Board is not in support of creating mitigation streams on top of engineered fill, as it is experimental, has a high risk of failure, and/or is likely to include a substantial amount of rock in the design to provide stability.

In those cases where an applicant for 401 certification can demonstrate that development of a project is not possible without the fill of tributary streams, then mitigation shall include, at a minimum, the acquisition and preservation of off-site land that includes perennial or seasonal creek that could benefit from restoration or enhancement, in addition to any on-site restoration work that is considered beneficial.

To clarify our position, we do not object to the creation of channels on fill, providing that the design is stable, and will not result in violation of water quality standards. The information provided in the application regarding the creation of the stream and wetlands in the Riparian and Wildlife Corridor is general in nature, and does not provide details on how the stream channel would be created, how the beginning and end of the stream would be integrated into the areas up and down stream of the mitigation area (there appears to be a substantial drop at the downstream end), and the degree to which rock would be used to enhance stability. Detailed information on the design shall be provided for our review, should this feature remain in the development plan.

Stormwater Management Plan

We have completed a preliminary review of the Conceptual Stormwater Quality Management Plan, prepared by Engeo Incorporated, dated May 16, 2005, and received by the Water Board on January 25, 2006. This plan provides conceptual design alternatives for the mitigation of increased stormwater runoff, water quality treatment/sizing, and hydromodification concerns associated with the development. We have not reviewed the Draft Stormwater Pollution Prevention Plan, dated November 14, 2005 at this time. Comments will be provided on this document when the Project is closer to the construction stage.

Our comments on the conceptual plan for management of post-project stormwater are as follows:

- The plan states that the community is required by the City of San Ramon General Plan to have 80 percent open space and a maximum of 20 percent developed area. It is not clear from the proposed development plan that 80 percent of the parcel is open space, with only 20 percent being developed. Additional information regarding this statement is needed in order to understand how it relates to the development of a post-construction stormwater management plan for the site, and the degree to which this standard has dictated the conceptual designs. Does the 80/20 open space/development split include the parcel of land to be preserved as open space to the west of the development parcel?

- Page 3 of the plan notes that runoff form the western portion of the site flows generally in a south-to southeast direction and leaves the site in a number of outfall locations along the southern boundary of the site. Additional information on this drainage system shall be provided. Are these 'outfalls' actually culverts that drain through the development along the lower edge of the of the Faria property which

discharge to San Ramon Creek, or are they outfalls to a creek? Is there any discharge from the site to Bollinger Creek?

- Page 6 of the plan states that storm events generating approximately 0.21 inch of rainfall per hour constitute a significant percentage of the total runoff expected during an average wet season in San Ramon, and is considered to be the water quality storm for the area. Page 12 states that detention/retention units or infiltration structures shall be sized to treat the runoff resulting from a storm event generating a total precipitation of 0.6 inch. The tables on pages 11 and 13 provide information on the overall area, destinations, and anticipated volume, and flow for the watershed areas on site. Please provide a more detailed description and examples of how these values were calculated. For example, for sub-watershed G-2, with a C-Value of 0.55, the area is 99,317 square feet. Does this represent the entire area, including the roads and all landscaped areas? A specific description for development of the runoff coefficients used (page 10) shall also be provided. For example, for the low density residential area, a C-Value of 0.55 was used. How are the lots within this area designed, e.g., how much area is roof, driveway, patio, etc, and how much is landscaped?

  Documentation of the methods for determining the rainfall events that constitute the water quality storm should also be provided.

- Page 7 states that the channel-forming flow approximates the 2-year, 12-hour storm, and that hydromodification analysis typically concentrates on this design storm for comparisons of pre- and post-development changes in receiving watercourses. Recent studies have found that the flow that is roughly ten percent of the two year flow for the stream is closer to the channel forming flow than the 2-year storm. The plan will need to be modified to reflect this current understanding of hydromodification impacts to local creek systems. This section concludes with a paragraph that discusses the concerns about scour, erosion, and silt deposition that could result from flows exiting the site. The plan states that these concerns are not applicable to this site, as flows will be routed into existing storm drain structures. We do not agree with this finding, as the longer duration of flows associated with the increase in impervious surfaces will persist downstream within the system. It is not only the area directly downstream of the discharge that is of concern with respect to hydromodification, but also all downstream water bodies. You will need to provide more information about the storm drain system that is located downstream of the site, and a specific analysis for hydromodification impacts. On site measures for detaining water will be required to prevent hydromodification impacts downstream of the project. The stormwater plan does incorporate a number of measures, including bioretention, bioswales, ponds, and other features that will be designed to reduce hydromodification impacts. However, you will need to provide detailed design and

sizing information for these features, both with respect to treatment capacity, and detention capacity to address hydromodification concerns.

- Page 10 of the plan states that higher flows will by-pass the treatment facilities. More information on the means for this bypass shall be provided.

- Page 10 provides estimated runoff coefficients for post-development conditions at the site. Please provide a detailed basis for the C-values included in the plan.

- We support the measures included in the plan for on site stormwater management, such as bioretention, street filter strips, bioswales, ponds, etc. In order for us to evaluate whether sufficient land space has been set aside for these various features, you will need to provide a detailed assessment of water quality storm flows, and sizing methodology for our review.

- Figure 3 of the plan includes three ponds that will be included as part of the stormwater management system. On the drawing, Pond 3 is defined as "existing". Is this in fact an existing pond? Other documents provided as part of the Application have not made any reference to a pond at this location.

- Has the use of permeable pavers been considered for lot level design? Permeable pavers and other provisions for disconnecting impervious surfaces should be included in the lot level design, in order to reduce runoff from small storms. The plan notes that there will be an effort to provide for disconnected downspouts in the higher density neighborhoods. This should be discussed in greater detail, and design plans should be provided for these features if they are to be used.

- The bioretention design cross section included on Figure 4 includes a five foot diameter planning tube, with soil. Is there a reason for inclusion of this feature in the design? Also, the plan and profile do not specify the inclusion of appropriate vegetation in the design, and refers to the use of five feet of "filter media". Typical bioretention design shall include the use of a sandy loam soil media that is suitable for the support of vegetation. As noted above, more detailed designs for this, and other stormwater management features will need to be provided for our review, and specifications for the filter media shall be included.

Summary & Conclusions

In summary, a revised Analysis that addresses the questions raised in this letter shall be provided for our review. You are encouraged to consider Project design options that maximize opportunities for a greater degree of avoidance of water resources, and inclusion on-site mitigation that is not constructed on engineered fill. The practicability of design alternatives that maximize opportunities for creation and enhancement of on-site mitigation habitat to the extent

possible should be examined, with remaining mitigation needs accommodated off-site within the San Ramon Creek watershed.

In the event that the Water Board is able to conclude, based on the submittal of additional information for the Analysis, that there is no other practicable alternative for developing the site without the presently proposed substantial fill of wetlands and waters of the State, then you will be required to find appropriate mitigation as noted above.

We will need to make a visit to the proposed development site in order to observe the water resources that have already been defined by the jurisdictional assessment. Also, although a jurisdictional assessment of waters of the United States has been done for the site, the Application has not included information as to whether the Corps has reviewed and confirmed the delineation. Please provide us with updated information regarding the delineation, including a map that has been confirmed by the Corps. It would be useful to have this when we make a site visit if it is available.

If you have any questions, please contact Katie Hart of my staff at (510) 622-2356 or via email to khart@waterboards.ca.gov.

Sincerely,

Dale Bowyer
Section Leader
South East Watershed Division

cc:

Oscar Balaguer, SWRCB-DWQ
U.S. EPA
Perry Huffman, The Huffman Broadway Group, Inc.
Marcia Grefsrud, California Department of Fish & Game, Yountville
Tyson Eckerle, U.S. Army Corps of Engineers, Regulatory Branch
City of San Ramon, Planning Department

Appendix E

Letter from Michael W. Conley (Claremont Homes, Inc.) to Dale Bowyer (San Francisco Regional Water Quality Control Board), dated September 6, 2006, regarding supplemental information in support of water quality certification and alternatives analysis, Faria Preserve project, Corps Public Notice 29678S

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CLAREMONT HOMES, INC.

A California Corporation

California Corporate Contractor's
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Via Hand Delivery

September 6, 2006

Dale Bowyer
Section Leader - South East Watershed Division
San Francisco Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

Re: Supplemental Information in Support of Water Quality Certification and Alternatives Analysis, Faria Preserve Project, Corps Public Notice 29678S

Dear Mr. Bowyer:

I am writing in response to your letter of July 7, 2006, regarding the Water Quality Certification submitted by Claremont Homes on January 24, 2006 (Certification) and the associated 404(b)(1) Alternatives Analysis dated June 2006 (Alternatives Analysis). Your letter requests additional information regarding the Certification and Alternatives Analysis before the Regional Water Quality Control Board (Regional Board) will determine the Certification to be complete, and consider the requested Section 401 certification.

Initially, a number of the issues that you raise are addressed in the Draft Environmental Impact Report (DEIR) for the Project that was issued for public review on July 21, 2006, a copy of which has been forwarded to Katie Hart of your staff under separate cover. This information under the CEQA process was not yet available when your July 7 letter was submitted, and we hope that this information will assist you in your review of the Project.

Your letter generally states the view that the filling of seasonal tributary creeks and seasonal wetlands on the site will be significant, and questions the ability of the proposed mitigation for the Project to fully address those impacts. In this regard, the DEIR acknowledges that these impacts are potentially significant, evaluates the proposed mitigation, and concludes that, with mitigation, these impacts will be reduced to a less than significant level. This letter first addresses the concerns raised in your letter regarding the mitigation program.

Your letter also requests further information regarding the Alternatives Analysis, in particular requesting the evaluation of an alternative sized between the proposed Project and the smaller

project evaluated as Alternative 6.[1] You also request information regarding various ordinances, plans and policies of the City of San Ramon (City), in particular the City's ridgeline protection ordinance and its role in the Alternatives Analysis.[2]

The second half of your letter requests a number of technical clarifications of the Conceptual Stormwater Quality Management Plan (SQMP), prepared by Engeo Incorporated and dated May 15, 2006. Preliminary responses to these technical requests are included below. You also request clarification of a number of non-technical issues in the SQMP, such as the calculation of the open space ratios under City requirements. These non-technical issues also are addressed below.

I. RIPARIAN CORRIDOR MITIGATION

A. Introduction

Your letter requests additional information regarding the effectiveness of the proposed mitigation program, in particular indicating that the Regional Board considers the proposed restoration of the riparian corridor to be "experimental" and suggesting that the "mitigation credit" for that feature of the Project would accordingly be limited. Later, your letter states that: "To clarify our position, we do not object to the creation of channels on fill, providing that the design is stable, and will not result in violation of water quality standards." Additional information is requested concerning the details of the proposed stream channel, including how the beginning and end of the stream would be integrated into the areas up and down stream of the mitigation area, and the degree to which rock would be used to enhance stability.

In your July 2006 letter to the Corps of Engineers, you also indicated that: "While this feature [the riparian corridor] will likely provide for some water related habitat and functional value, whether or not some mitigation credit could be considered for the proposed Riparian and Wildlife Corridor will depend on further study of details. Credit for this area could only be considered as a small part of a mitigation package that also includes total minimum ratio for in-kind mitigation of 2:1." [3]

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[1] Because the goals of the DEIR and the Alternatives Analysis are somewhat different (the DEIR broadly evaluates alternatives that might reduce the full range of environmental impacts, while the Alternatives Analysis focuses on alternatives pertinent to the avoidance of impacts to aquatic resources), the DEIR evaluated a somewhat different list of alternatives than considered in the Alternatives Analysis. As a result, Alternative 6 in the Alternatives Analysis is considered as Alternative 5 in the DEIR.

[2] In addition to identifying additional information and clarification regarding the Certification and Alternatives Analysis, your letter indicates that the Alternatives Analysis is also being reviewed by an economist at the State Water Resources Control Board, and that review is anticipated to be complete in the near future. Additional responses will be provided on any issues that may be raised as a result of that review.

[3] Although your July 7 letter also states that "the Applicant will not receive any mitigation credit for the created channel" we believe that such credit is appropriate as discussed in this response.

This section of the letter responds to these requests.

B. Regulatory Background

The current Basin Plan includes several broad policies regarding the protection of wetlands, indicating that: "Wetlands . . . serve to enhance water quality, through such natural functions as flood and erosion control, stream bank stabilization, and filtration and purification of naturally occurring contaminants. . . . The goals of the California Wetlands Conservation Policy include ensuring 'no overall net loss,' achieve a 'long-term net gain in the quantity, quality, and permanence of wetlands acreages and values . . . ', and reducing 'procedural complexity in the administration of state and federal wetlands conservation programs.'" [4]

Table 4-17 of the Basin Plan generally identifies the beneficial uses of palustrine habitats such as those found on the site as Agricultural Supply (AGR), Cold Freshwater Habitat (COLD), Freshwater Replenishment (FRSH), Groundwater Recharge (GWR), Navigation (NAV), Water Contact Recreation (REC-1), Noncontact Water Recreation (REC-2), Fish Spawning (SPWN), Warm Freshwater Habitat (WARM), Wildlife Habitat (WILD), and Preservation of Rare and Endangered Species (RARE). The project site also includes three unnamed seasonal drainages that are tributary to San Ramon Creek, which is tributary to Walnut Creek. In addition to the uses identified above, the beneficial uses of Walnut Creek include Fish Migration (MIGR).[5]

Since the onsite drainages only carry water seasonally, are relatively steep, are disconnected from natural streams by culverted stretches, and are not currently subject to public access, they generally serve only a few of these beneficial uses, particularly agricultural supply in support of the existing ranching activities, warm freshwater habitat, and wildlife habitat. Since the current grazing activities on the site are proposed to be replaced with developed uses, the agricultural

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[4] We understand that the Regional Board's wetland regulatory program is currently evolving. As indicated in the Basin Plan, "the Regional Board is participating in the preparation of a Regional Wetlands Management Plan (RWMP). The RWMP will provide the framework for coordinating and integrating wetlands planning and regulatory activities . . . . The RWMP will identify and specify the beneficial uses and/or functions and values of existing wetlands and establish wetland habitat goals for the region." We also understand that the Regional Board is developing a proposed basin plan amendment that will address stream and wetlands systems, including measures to protect riparian areas and floodplains, currently scheduled for adoption in late 2007. The March 30, 2006 public workshop notice for the proposed amendment indicates that it will: "protect and restore the physical characteristics of stream and wetland systems -- stream channels, wetlands, riparian areas, and floodplains -- including their connectivity and natural hydrologic regimes, to achieve water quality standards and protect beneficial uses."

[5] Although beneficial uses are listed for other tributaries to Walnut Creek, no beneficial uses are specifically listed for San Ramon Creek or its tributaries. As recognized in the Basin Plan, "The beneficial uses of any specifically identified water body generally apply to all its tributaries. In some cases a beneficial use may not be applicable to the entire body of water . . . . In these cases, the Regional Board's judgment regarding water quality control measures necessary to protect beneficial uses will be applied." Basin Plan, Chapter 2.

supply beneficial use will no longer be applicable to the proposed Project, leaving warmwater and terrestrial habitat values as the principal beneficial uses to be considered. These values are emphasized in the discussion below.

Additional guidance regarding riparian habitat values and the evaluation of compensatory mitigation can be derived from State Board documents. First, the recently issued general permit for discharges to wetlands outside of federal jurisdiction (SWRCB Order No. 2004-0004-DWQ) includes several considerations in the evaluation of the adequacy of compensatory mitigation, as follows:

> Compensatory mitigation: Discharges resulting in unavoidable permanent impacts to wetlands or headwaters shall ensure "no net loss" of area (acreage), functions, and beneficial use values by providing appropriate compensatory mitigation including creation, restoration, or (in exceptional cases) preservation. The RWQCB Executive Officer/SWRCB Executive Director will consider, at a minimum, the following when reviewing the adequacy of compensatory mitigation:
>
> (1) Onsite habitat value
> (2) Habitat connectivity value
> (3) Floodwater retention value
> (4) Pollutant removal value
> (5) Ratio of area of proposed compensation to proposed loss
> (6) Proposed revegetation and irrigation plans and success criteria
> (7) Availability of suitable soils, hydrology, and natural vegetation at the compensation site
> (8) Monitoring and reporting provisions
> (9) Contingency plan for failure to achieve success criteria
> (10) Any other information requested by the RWQCB or SWRCB.

Order 2004-0004-DWQ at 9. Although not directly applicable to the proposed Project because the wetlands on the Project site are subject to the federal Section 404 permitting process, this list provides some guidance regarding the considerations relevant to evaluation of the proposed mitigation plan.[6] These considerations are addressed in the discussion of the proposed mitigation

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[6] Furthermore, the State Board's April 2003 report to the Legislature on the "Regulatory Steps Needed to Protect and Conserve Wetlands Not Subject to the Clean Water Act" includes an appendix discussing riparian habitat values:

- Protect banks from erosion
- Help to reduce the impact of flooding
- Provide quality living conditions for fish and wildlife
- Create corridors for fish and wildlife migration
- Harbor threatened and endangered species
- Produce timber and other wood products
- Provide recreation sites

program below.

C. Summary of the Site Grading Proposal

As provided in the voter-approved 2002 general plan, all of the central ridgeline and a portion of the western ridgeline on the property are proposed to be graded, with the resulting material used to fill portions of two drainages on the project site. A total of approximately 5 million cubic yards[7] will be moved within the site, in a balanced grading plan. Of the approximately 5,748 feet of intermittent drainages on the site, 5,055 feet would be filled under this alternative (with the longest drainage measuring 3,021 feet) and 693 feet of drainages would be retained. As indicated on page 4.2-21 of the DEIR and elsewhere, the maximum depth of the fill is anticipated to be 110 feet. The average fill depths will be approximately 40-60 feet. The grading is necessary to address slope stability issues on the site, and to provide the appropriate contours for the Project. The eastern ridgeline on the property will be retained. The proposed grading plan produces a buildable area of approximately 95 acres (of which 72 acres are utilized for residential development, with the remainder used for parks and public facilities).

The Alternatives Analysis in Alternative 6 evaluated a balanced grading plan that would avoid the principal riparian corridor on the site. Given site constraints, the maximum resulting buildable area from such a grading plan would be approximately 38 acres. This is a firm, physical constraint that governs the analysis of all potential alternatives that might avoid the principal riparian corridor while at the same time avoiding the substantial expense and significant environmental effects from off-hauling soil were the grading plan not to be balanced.

D. Summary of the Existing Baseline Conditions on the Project Site

Nutrients, biochemical oxygen demand (BOD), coliform, and sediment are all current water quality concerns in the project site drainages. While no water quality data for these contaminants have been collected, they are assumed to be present within the Project area based on existing land uses and site visits. There are several areas in the easternmost and central drainages where the creek beds appeared to be incised and the hillsides were eroding. These generally occurred

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- Contribute to the natural beauty of an area

April 2003 report to the Legislature at C-1, C-2. As with the beneficial uses listed above, not all of these values are presently provided by the riparian corridors on the project site, such as the provision of fish habitat and migration corridors, the production of timber products, and recreation. Principal among the values at the site are the limitation of flood flows to downstream locations, support for terrestrial wildlife species, and other habitat values, which are all addressed by the ten mitigation evaluation factors listed in the text.

[7] Your letter refers to 3.6 million cubic yards of grading on the site, but this figure reflects the amount of material that would need to be removed under certain of the imbalanced grading plans presented in the Alternatives Analysis. The balanced grading plan for the proposed Project reflects approximately 5 million cubic yards of material to be moved within the site. This scale of grading is typical of a project of this size in an area with relatively steep terrain.

on the steepest slopes. These observations imply that cattle grazing has caused substantial erosion and sediment delivery to San Ramon Creek. In addition, grazing can cause elevated nutrient, BOD, and coliform concentrations in receiving waters, particularly when riparian buffers have not been established to prevent direct fecal deposition in stream beds or to reduce surface runoff and erosion. Groundwater contamination by nitrate from cattle grazing is also a concern in areas such as San Ramon, where groundwater is used for municipal and domestic water supply. Thus, the current water quality of the site has been compromised, and without development will continue to be compromised.

The proposed Project includes several measures that would improve water quality runoff from open space areas. These include a riparian corridor of 200-foot average width in the central drainage and several detention basins designed to hold runoff and simultaneously remove sediment from surface water. The riparian corridor design includes rock energy dissipators, stream bank restoration, vegetation planting, and three wetland areas. These combined measures would reduce in-stream velocity, promote sedimentation of suspended solids, and reduce sediment and nutrient transport to the stream. For these reasons, runoff water quality from the central drainage is likely to improve with respect to sediment and nutrients, as discussed further below.

E. Summary of the Riparian Corridor Mitigation Plan

The proposed riparian corridor has been designed by the Huffman-Broadway Group, and is an integral component of the Project. Generally, the Biological Mitigation/Enhancement and Monitoring Plan, as currently proposed, would provide for the creation and maintenance of wetland features and ponds having a combined surface area of over 1.15 acres, which would replace the 0.40 acres of impacted wetlands on approximately a three to one basis. The ponds are intended to help support adjoining wetland areas, provide for wildlife movement, and enhance the proposed storm water filtration system. The corridor would connect major on and off-site open space areas to the north of the Project with the community park and additional open space to the south, as well as existing Mill Creek Hollow Park further to the south. A mix of riparian vegetation, including California bays, willows and oak trees and associated shrubs and groundcover would be planted throughout the corridor, and the enhanced drainage course would be designed to support wetland features while eliminating he presently occurring erosion.[8] The

[8] The site grading will also affect a number of oak trees on the site. Although for the most part these oak trees are not located in waters of the State, the proposed oak tree mitigation program is discussed briefly here due to potential effects from these upland areas on state waters. This topic is discussed at pages 4.3-57 and following in the DEIR. A total of 514 trees would be removed, and 190 trees would be retained within 50 feet of the proposed grading footprint. To mitigate for this removal, a total of 1606 trees would be planted (this accounts for an expected survival rate of 80% for the plantings, with a net replacement ratio of 2.5:1). The project site currently is used for cattle grazing, which is preventing the growth of any new trees on the site (all of the existing trees are old). In addition, many of the trees that will be removed by the Project are in poor health and, absent the mitigation program, would not otherwise be replaced when they die given the lack of new trees. When the Project is completed, cattle grazing will cease, benefiting the oak woodland habitat. The planting locations for the new trees have been selected in order to maximize the likelihood of their survival; all plantings will be within natural soil rather that on cut or fill slopes or other graded areas within the Project.

riparian corridor and approximately 144 acre remainder parcel will be protected in perpetuity through conservation easements. [9]

The restored riparian corridor will support conditions conducive to wetland development and creation of riparian habitats. Although the mitigation wetlands will be created on fill, the substrate will consist of soils of a similar nature transported from elsewhere on the site. Wetland hydrology will be supplied from stormwater runoff. The planned topography of the new corridor with a central stream channel, soils, and a restricted outflow will allow surface inundation and/or soil saturation throughout the year and a subsequent predominance of hydrophytic riparian vegetation along the drainage corridor. The proposed enhancement area will include three wetland pools within the stream that will create hydrologic conditions conducive to the development of additional vegetated wetland habitat. The creation of an average 200-foot-wide vegetated buffer around the wetlands will maintain and provide protection of their aquatic functions from indirect impacts. For these reasons, the compensatory wetland mitigation plan is expected to be 100% successful.

Creation of wetland habitat situated along a man-made drainage is not a new or experimental concept nor is the planting of riparian shrubs and tree species. This is a relatively common practice for golf course open space areas and urban areas where riparian drainages have been expanded or created to extend or relocate existing drainages. The formation of riparian shrub and tree dominated wetland habitat on soils that were not previously associated with drainage, although typically inadvertently, also is a quite common association with man-made irrigation and drainage ditches.

As described in the mitigation plan, substantial use of rock in the riparian corridor is not anticipated to be necessary given the relatively low slope across the majority of the reach of this feature. The beginning and end of the stream drainage will consist of ungrouted natural rock densely planted with willows in combination with willow wattles in order to dissipate flow energy. Small groupings of natural rock planted densely with willows and willow wattles located at elevation transition points and high energy bank locations will provide physical interaction during high flow periods sufficient to dissipate stream energy. In addition a system of pools and adjacent wetlands will be created along the riparian corridor to provide additional stormwater treatment through biological processes during low flow periods.

F. Evaluation of the Riparian Corridor Mitigation Plan

The currently proposed riparian corridor mitigation plan is evaluated in terms of the ten criteria

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[9] The specific entities that will hold the conservation easements associated with the Project have not yet been determined. We anticipate that these entities will be identified during review of the project and conservation easement agreements will be consummated with the selected entities. State law requires that these easement holders either be a governmental entity or non-profit corporation. Regardless of the entity that will be responsible for maintenance of the easement areas, adequate funding will be provided for such maintenance.

for such evaluation set forth in the general permit, as follows:

1. Onsite habitat value

The current habitat values of the onsite waters are degraded. These waters are biologically isolated to a substantial degree from downstream watercourses where they enter underground culverts that are part of the storm sewer system of the City of San Ramon. This isolation, as well as the steep profile and intermittent flows preclude the site from having any value as a fish habitat. The watercourses have been subjected to cattle grazing for nearly a century. As a result, only a few of the beneficial uses more generally served by wetlands and headwater tributaries are provided by the existing waters on the site. The site does provide limited wildlife and warmwater habitat for common species, such as terrestrial mammals and amphibians such as tree frogs, but even those functions are limited by the degraded condition of the site. This impaired environmental baseline provides the backdrop for analyzing the anticipated values from the proposed mitigation program.

The surface waters and wetlands found at the site potentially provide the following beneficial uses recognized under the Basin Plan:

Agricultural Supply. The site provides water to three stock watering troughs in three separate drainages. This beneficial use would be lost, although removal of grazing could generally be considered a net benefit.

Groundwater Recharge. This beneficial use is probably minimal on the site because of the steep terrain and seasonal discharge patterns.

Fish Migration. This beneficial use is no longer provided by those drainages that enter the City of San Ramon storm drain system. This use can be enhanced in drainages where mitigation measures are proposed.

Preservation of Rare and Endangered Species. There have been no sightings of the Alameda whipsnake on the Faria Preserve Project Site. The closest sightings have been in the Las Trampas Ridge Regional Park. However, areas of chaparral and scrub habitat immediately adjacent to and north of the Faria Preserve property would be suitable potential core habitat for the whipsnake. We intend to take appropriate actions to ensure that no whipsnakes are adversely affected by project construction, and the dedication of a conservation easement on the 144-acre remainder parcel at the Faria Ranch is intended to mitigate for any potential habitat loss.

Fish Spawning. No known fish spawning occurs on the project site, and is precluded by the existing stream channels entering the City of San Ramon storm sewer system.

Warm Freshwater Habitat. The streams on the project site support some wetland and riparian vegetation, amphibians, and aquatic insects, but there is no evidence of fishes, crayfish, or the like (see Biological Assessment, Faria Ranch Project, December 2005, Huffman-Broadway Group, Inc.). Losses of these beneficial uses would be offset by on- and off-site mitigation measures, including on-site creation of a riparian corridor, and enhancement of these resources

on the remainder parcel.

Wildlife Habitat. As mentioned earlier, the site provides limited support for common terrestrial wildlife species, including large and small mammals, amphibians, reptiles, birds, and insects. Waterfowl have not been documented as utilizing the project site.

2. Habitat connectivity value

As recognized on page 4.3-70 of the DEIR, while the Project area currently accommodates the movement of wildlife within the site, particularly from the northwest corner down along the riparian drainages, most of the project area does not function as an important corridor between larger open space wildlife areas. Instead, the proposed Faria development area is an extension of the urban fringe.

There are three components of the project that maintain habitat connectivity. First, the protected off-site open space areas would provide an open space corridor between the developed areas of the Project site and the rural conservation uses further to the northwest within Bollinger Canyon. Second, a riparian corridor of approximately 8.9 acres, located along the existing westerly drainage swale, would meander through Neighborhood A. The riparian corridor would include a riparian drainage swale and a series of small wetland habitat areas and connecting ponds. The riparian corridor will be protected by fencing, which will be an improved condition from the current cattle grazing. Third, the easterly ridgeline and associated drainage would be preserved, maintaining connectivity within those areas. In addition, to address wildlife movement concerns within the site, the two roadways proposed as part of the Project will bridge the corridor with a soft-bottom design that will maintain connectivity. Under DEIR mitigation measure Biology-6b, the bridge is required to maintain clearance for wildlife passage during periods of high flood flows (e.g., 50-year flood events), will consist of native vegetation/habitat cover, and will have at least ten feet of vertical clearance (this is an increase from the six feet specified in the conceptual mitigation plan). Presently this drainage empties into a culvert under the currently developed area of San Ramon, so the current condition provides minimal connectivity value and that value will be maintained with the proposed mitigation.

Offsite, Bollinger Creek is an important wildlife corridor that connects wildlife corridors north of the area with important wildlife corridors to the south, such as San Ramon Creek. Substantial development in Bollinger Creek is not anticipated and it is expected that the project design in those areas will avoid substantial impediments to those corridors.

The project site is surrounded on the south and east by fully developed areas of San Ramon, and to the north by lower density residential development in Danville. The site is not in an area with high connectivity values, and those values are being preserved in the project design.

3. Floodwater retention value

As described on page 3-17 of the DEIR, the Project would be served by a system of storm water filtration, collection and detention facilities located on site. These facilities would be designed to satisfy all applicable Regional Board requirements. This system would be integrated into the

open space and park system designs, as well as designs for enhancement of the riparian area along the westerly drainage channel on the Faria Preserve Project Site. The system would include a series of bio swales, open riparian corridors, retention ponds, street filter strips, offline bioretention, and detention basins. Storm runoff generated from the Faria Preserve would flow through bio swales and be conveyed through drainage channels and piped storm drain systems to three detention basins. These basins would include an existing pond north of the community park and two ponds upstream of an existing intermittent drainage swale located near Purdue Road. The completed facilities would reduce peak storm water discharge from the developed site to less than that experienced under current pre-development conditions. Thus, the proposed mitigation program fully satisfies this functional criterion.

4. Pollutant removal value

In addition to creating intended biological habitat, the wetland construction will improve the quality of stormwater runoff from the surrounding developed area. These features are anticipated to remove or retain nutrients, process organic wastes, and reduce sediment loads. Surface water flowing through the constructed mitigation area will be intercepted and slowed down, allowing sediment particles and other contaminants to filter or settle out from the stormwater. Wetland plants would be expected to play a role in nutrient removal and transformation. Soils used in the corridor will encourage biological and chemical activity that supports degradation and transformation of contaminants in the water. All of these processes are expected to work together to improve the quality of stormwater before flowing off-site to downstream receiving waters. Additionally, following completion of the Project, cattle grazing will cease. The current cattle grazing presently adds nutrients and suspended materials to the watercourse and with the Project this pollutant loading will be eliminated.

The Project also will comply with the County's "C.3" NPDES Municipal stormwater permit "Low Impact Design" (LID) requirements, which include multiple on-site "natural" water detention, infiltration, and treatment features. This will include consideration of methods to reduce impervious surfaces in the developed areas of the site. As provided by DEIR mitigation measure Hydrology-2d, the following features would be included:

> LID features shall be included in the street, residential, and landscape design, and shall include but not be limited to:
>
> - grassy swales, vegetated filter strips, and infiltration trenches along sidewalk alignments, in parking lots and parking lot drainages, and in divided road meridians;
> - pervious pavement and asphalt in parking lots, driveways, sidewalks, and other hard outdoor surfaces (necessary impervious surfaces should be disconnected from other impervious surfaces by open ground areas for infiltration); and
> - depressed curbs alongside roadways and in parking lots to allow water to run directly to swales and other LID features.

Although not expressly listed, disconnected downspouts will also be considered in the project

design, as suggested in your letter. As revisions to the development plan may occur, flows and related BMP design/sizing are intended to be performed at an appropriate time. We intend to have our consultant ENGEO work collaboratively with the Regional Board to determine appropriate modeling and sizing to accomplish water treatment objectives for the subject property. Incorporation of these features would reduce scouring flows and pollutant loads (from residential and developed areas) into receiving water bodies. LID features would also serve to reduce flood volumes and rates and would help to ensure that runoff from the project site does not increase due to implementation of the Project.

5. Ratio of area of proposed compensation to proposed loss

The Basin Plan requires that, at minimum, habitat values be compensated on an acre-for-acre and value-for-value basis. In your July, 2006 letter to the Army Corps of Engineers, you indicated that the Regional Board would be seeking a minimum mitigation ratio for in-kind mitigation of 2:1. The mitigation proposal provides for mitigation at a 3:1 ratio, satisfying these requirements. Additional mitigation on the remainder parcel may also be possible, further increasing the mitigation benefit as discussed below.

Your letter also suggests that the Project should mitigate the impacts to the drainage corridor on a linear foot as compared to acreage basis. The use of an acreage measure was based on the Basin Plan's reference to maintaining wetland "acreages and values" as well as the discussion in the general permit relating to wetlands and headwaters, which likewise refers to acreage. The restored riparian corridor will be approximately 1800 feet in length, and approximately 700 feet of the onsite riparian corridors will be retained and preserved. As discussed below, our initial estimate of the potential length of riparian corridors in the remainder parcel is 6500 feet, which will be preserved and much of which may be able to be enhanced. As a result, the Project should be able to achieve a net benefit in functioning stream habitat on a linear foot basis, as well as on the acreage basis presented in the certification.

6. Proposed revegetation and irrigation plans and success criteria

The riparian corridor will be designed to use stormwater runoff from the site, which will serve as a reliable source of irrigation. A wetland mitigation specialist will supervise the site preparation to ensure that the site is adequately graded to support wetland plants along the new stream corridor. Based on similar revegetation efforts conducted by the Huffman-Broadway Group, it is anticipated that the revegetation will show quick progress toward established success criteria. If the criteria are not met, seed will be collected from adjacent wetland areas and spread over the mitigation site. Follow-up inspections would be made on an as-necessary basis to ensure proper plant growth. As a result, the proposed mitigation program provides for reliable achievement of the success criteria set forth in the mitigation plan.

7. Availability of suitable soils, hydrology, and natural vegetation at the compensation site

As discussed above, existing stormwater runoff that will be utilized to support the restored areas will be adequate to ensure success. If necessary, additional measures such as the piping of roof

runoff into the corridor may also be considered. The soils to be used are the existing onsite soils and natural vegetation from the Project site, and are anticipated to support successful completion of the mitigation program.

8. Monitoring and reporting provisions

The mitigation measures described above will all be monitored in accordance with a monitoring and reporting program acceptable to the Regional Board. The proposed monitoring and reporting program is set forth in Sections 5 and 6 of the conceptual mitigation program, Appendix B to the DEIR.

9. Contingency plan for failure to achieve success criteria

Should the mitigation program fail to meet the established success criteria, remedial measures will be undertaken. The contingency plan for the mitigation program is contained in Section 7.3 of the conceptual mitigation program, Appendix B to the DEIR.

10. Any other information requested by the RWQCB or SWRCB.

We will be pleased to provide any additional information that you request regarding the Project and the proposed mitigation program.

G. Potential for Additional Offsite Mitigation

As indicated on page 3-1 of the DEIR, the Project Sponsors for the Faria Preserve also own a significant amount of land immediately to the west of the Faria Preserve but outside of the development area. As an amenity of the Faria Preserve, and to advance the City's open space and resource conservation goals, 143.8 acres of this property, called the Adjacent Faria Offsite Preservation Area, is to be permanently preserved in its natural state through conservation easements. At the time that the Alternatives Analysis was submitted, and the DEIR released, it was not contemplated that there would be a need for additional mitigation on the Adjacent Faria Offsite Preservation Area, since approximately 3:1 mitigation was being offered through the onsite program. As discussed above, this 3:1 onsite mitigation meets the RWQCB's policy of "no net loss of wetland acreage and no net loss of wetland value when a project and any proposed mitigation are evaluated together." (RWQCB Basin Plan, Chapter 4.) While we believe that the current mitigation program is sufficient, in response to your request we are in the process of evaluating other possible offsite mitigation options in this offsite area and other onsite mitigation options in an effort to expedite the permitting process.

The following is a preliminary analysis of the potential mitigation opportunities on the remainder parcel. In response to your request, we have evaluated the remainder parcel and have determined that it contains approximately 6500 feet of previously existing riparian corridors. Most of these corridors have been severely degraded by cattle grazing and although some riparian habitat values are present, significant opportunities for restoration are evident. A substantial percentage of these areas could be restored to recreate at least a portion of the previously existing riparian values. In addition, there appear to be approximately ½ acre of wetlands on the remainder

parcel, which could be expanded and/or enhanced as part of the mitigation program.

Mitigation opportunities on the remainder parcel may include a conservation program that could restore previously existing riparian corridors and enhance existing riparian corridors, stabilize head-cutting and erosion within and adjacent to existing drainages, enhance wildlife corridors and connectivity between adjacent properties, create and enhance wetlands and implement a grazing management plan. Restoration of previously existing riparian corridors and enhancement along existing riparian corridors would involve the planting of riparian vegetation and placement of fencing along restored and enhanced riparian corridors. The planting of riparian vegetation would create riparian habitat and reduce head-cutting and erosion along drainages and fencing along restored and enhanced riparian corridors would prevent cattle from entering and grazing along these areas. Restored and enhanced riparian corridors would significantly improve the connectivity and wildlife corridors between adjacent properties and Bollinger Canyon Creek. In addition to the restoration and enhancement of riparian corridors, the conservation program would include the creation and enhancement of wetlands. Wetlands could be created by constructing earth berms to capture stormwater and/or excavation to create depressional areas that would hold water for long durations. A grazing management plan would be implemented consistent with existing wildlife activities.

Other onsite mitigation opportunities may include the creation of riparian corridors and the enhancement of existing wetlands within the Faria Preserve Project area. Approximately 1000 linear feet of riparian corridor could be created along the upstream end of the northeastern Water of the United States. Creation of a riparian corridor would involve the excavation of a defined channel, planting of riparian vegetation and placement of fencing to prevent cattle and people from entering the created riparian corridor. The newly created riparian corridor would enhance the connectivity between the Faria Preserve Project area and the wildlife areas north of the project boundary thus creating a wildlife corridor between the two areas. Wetland enhancement opportunities could include the excavation of existing seasonally saturated wetlands to create deeper pools that would provide additional habitat for wetland plant species, invertebrates and foraging habitat for migrating avian species. In addition, wetland habitat within the upstream end of the northeastern Water of the United States could be enhanced by constructing earth berms to capture storm water and create deeper pools and potentially create perennial wetlands within the created riparian corridor.

All created, restored and enhanced riparian corridors and created and enhanced wetlands offsite and onsite would be preserved through a conservation easement and/or fee title transfer to an appropriate governmental agency and/or held in trust by an appropriate third party. Together with adequate funding to successfully manage such lands in perpetuity, these actions would be beneficial to the long term protection and enhancement of the quality and diversity of habitat.

H. Conclusion

In sum, we believe that the proposed mitigation program will fully satisfy the requirements under the criteria specified in the applicable Basin Plan, and the State Board policies articulated in the general wetland permit. We look forward to discussing with you the improvements that may be needed to achieve Regional Board certification under Section 401.

II. ALTERNATIVES ANALYSIS

A. Introduction

Your letter discusses the evaluation of Alternative 6 in the Alternatives Analysis, which offers balanced cut and fill options for the site, but which is not practicable due to the inability of the reduced number of units to cover the relatively fixed overall Project costs. Your letter further states that: "The Alternatives Analysis has not provided a demonstration that another balanced cut and fill alternative with partial impacts and more residential units is not feasible. You are requested to examine alternatives that fall somewhere in between the proposed Project and Alternative 6." In particular you have requested consideration of a higher density alternative constructed on the project footprint evaluated under Alternative 6 in the analysis.

You have also noted the ridgeline development prohibitions of the City's General Plan, which preclude development on portions of the site, and indicated that: "It would be useful to know what kinds of development options with fewer impacts to water resource would be available at the site without adherence to this prohibition. . . . We recognize that the City of San Ramon has a responsibility to follow the General Plan requirements. However, there appear to be competing and/or conflicting interests at stake with the desire for unimpaired view sheds on the one hand, and the need for protection of State waters on the other."

This section of the letter responds to these requests.

B. Practicability Constraints Affecting a Smaller Project Alternative

As you know, the RWQCB has incorporated the entirety of US EPA's 404(b)(1) guidelines by reference into the Basin Plan, which requires the preparation of an alternatives analysis to determine the Least Environmentally Damaging Practicable Alternative (LEDPA) for a project design. Basin Plan, Chapter 4. We understand that the State Water Resources Control Board anticipates preparing its own guidance document on the implementation of Section 404(b)(1) during the next few years, but that there is not specific state guidance at this time. Accordingly, this letter references the US EPA's guidelines, corresponding regulations and any guidance documents from either the US EPA or the US Army Corps of Engineers with respect to the requirements for a 404(b)(1) Alternatives Analysis. [10]

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[10] Regulatory agencies are directed to implement EPA's 404(b)(1) guidelines at a level commensurate with project impacts. The regulations specifically include a provision entitled "Adaptability," which states that:

> agencies responsible for implementing the Guidelines, must recognize the different levels of effort that should be associated with varying degrees of impact and require or prepare commensurate documentation. The level of documentation should reflect the significance and complexity of the discharge activity.

33 CFR 230.6(b). This guidance includes limiting the request for information and "conducting further evaluation only as needed." 33 CFR 230.6(c).

1. Summary of Potential Higher Density Variations of Alternative 6

As noted in your letter, Alternative 6 evaluates a balanced grading plan that generally avoids the existing riparian corridor, and assumes construction of a single family product on the site with a total of 255 units. The development footprint under this alternative would be approximately 38 acres, as compared to approximately 95 acres for the Project as proposed. The alternative eliminates all of the various public amenities from the Project, including the park, house of worship, and educational facility.

Since detached single family housing products offer the highest sales prices among all of the potential housing products that could be considered for the alternative, and therefore maximize project revenues while minimizing costs, a lower-density single family product was selected for analysis in this alternative. Nonetheless, the economics of this alternative fall far short of being practicable, given the cost constraints described in the Alternatives Analysis.

You have suggested that a higher density alternative might improve the situation, thereby rendering the alternative cost-effective. Generally, though, higher density products have significantly lower sales prices, and entail increased development costs, minimizing this effect. Given the substantial shortfall in necessary revenues for Alternative 6, and the minimal incremental economic benefit of shifting to a higher density product mix, there are no variations of Alternative 6 that would be practicable.

In addition to being uneconomic, any reduction in the total unit count on the project site would eliminate planned housing resources that have been identified by California Department of Housing and Community Development as critical components of the City's state-mandated regional fair share housing obligation, including for affordable housing, as identified in the Housing Element of the City's General Plan. As described in the Alternatives Analysis, modifying the General Plan to shift this development elsewhere would be politically infeasible, and would simply shift environmental impacts to other locations.

Other site constraints such as the presence of the Calaveras Fault through the easterly portion of the site, existing slope stability problems that require remediation, the need to provide emergency access and redundant connections to the proposed water tank, all combine to constrain potential alternatives.

These various considerations are discussed below under the framework of the practicability analysis prescribed by the 404(b)(1) Guidelines, evaluating the cost and logistics of the alternative in light of existing technology. As demonstrated in the Alternatives Analysis, and as confirmed below, the Project as proposed is the LEDPA, and neither Alternative 6, nor variations of that alternative, are practicable when analyzed on the basis of the criteria in the Guidelines.

2. Cost Constraints

The principal problem with Alternative 6, or any variation, is that the reduced number of units and/or reduced value of the units will not allow the alternative to be feasible from a cost standpoint.

According to the 404(b)(1) Guidelines, if an alternative is "unreasonably expensive to the applicant, the alternative is not 'practicable.'" (Guidelines Preamble, "Economic Factors", 45 Fed Reg 85343 (December 24, 1980).) There are very few specific guidelines as to how to develop an appropriate cost analysis, but the costs must place the particular project applicant in a uniquely burdensome situation in order to be considered impracticable.

There are a variety of costs associated with the Project that grow exponentially per unit as the number of units decreases, primarily basic site development and infrastructure costs. As a result of these costs, the proposed Project is the only economically feasible development design for this development site.

Table 4 in the Alternatives Analysis illustrates these costs and the resulting effects on economic feasibility. The fixed costs of the proposed Project and Alternative 6, including land acquisition, site development, financing and construction, are essentially the same ($131.4 million as compared to $130.1 million). Yet, while the proposed Project would spread these costs over 786 units, for an average cost per unit of $167,299, Alternative 6 spreads these costs over just 255 units, for an average cost of $510,118. The total market value of these finished lots is $150.7 million for the proposed Project, but just $60 million for Alternative 6. The proposed Project therefore has a net profit of $19.2 million as compared to a net loss of $70.1 million for Alternative 6. The return on investment for the proposed Project of 15% is at the lower margin of economic feasibility for this industry. Clearly, a project such as Alternative 6 that pencils out at a substantial loss would be economically infeasible.

The deficit in Alternative 6 is so deep that it cannot be overcome by any change in product mix, as suggested by your letter. That is in large part because the higher density products have dramatically lower lot values. Specifically, the lot value for the townhome units is just $125,000 as compared to the $350,000 value for the "Neighborhood A" units assumed in Alternative 6. In order to produce the same revenues, the number of townhome units would need to be nearly triple the number of the single family units, or 714 units, just to catch up with the values of the single family product under Alternative 6. In order to match the revenues of the proposed Project, over 1200 units would be required. Given the substantially smaller footprint of any balanced grading alternative that avoids the riparian corridor, this would require densities of approximately 32 units per acre, well above what the market would accept for townhome units. As a result, the maximum practicable number of townhome units on a reduced footprint alternative would not produce sufficient revenues to make the alternative viable. Of course, such a change would also require a voter-approved amendment to the General Plan, which would be extremely unlikely or impossible to obtain.

These calculations also assume the elimination of all of the public amenities from the proposed Project, such as the park, educational facility, and house of worship, which total approximately 21 acres, or more than half of the available footprint under this alternative. These amenities are mandated by the local General Plan, and could only be eliminated if approved by the City's officials, and a vote of the people. As discussed below, such a change would be politically infeasible. Absent such a change, the available footprint under this alternative could be less than 20 acres, which in turn would require densities of 60 units per acre or more. This product would even be above the high end of an acceptable density for condominium or apartment units, which

themselves have a per-unit values only a fraction of the townhome units. As a result, a practicable alternative would remain well out of reach for a reduced footprint alternative regardless of the assumed product mix.

The selection of high-value single family product for the Alternative 6 analysis was a reasonable attempt to maximize value on this smaller footprint. There are no available variations of that alternative that could substantially increase its profitability, certainly not to the degree that would be required for the alternative to even begin to approach viability. No possible variation of Alternative 6 would be practicable from a cost standpoint.

3. Logistics Constraints

In addition to the need to eliminate the public amenities from the Project as just discussed, Alternative 6 would also fail to satisfy other General Plan requirements. Limitations of the General Plan provide critical logistics constraints on the Project, both in terms of the Housing Element's allocation of development to the project site in order to meet state-mandated housing goals, as well as the ridgeline protection requirements that all development proposals for the project site must adhere to.

It has been recognized that, in circumstances such as these, local planning and zoning limitations can serve as a significant logistical constraint on development. As stated by the US EPA Region IX:

> In many cases, applicants cite zoning restrictions as rationales for eliminating alternative sites as impracticable. **In certain cases, zoning may, in fact, be a legitimate measure of practicability.**

(Emphasis Added) Yocum, T.G., "Wetlands Protection Through Impact Avoidance: A Discussion of the 404(b)(1) Alternatives Analysis" (1989). Here, the General Plan, and all of the valid political reasons behind its adoption, constrain the logistical implementation of any development design that does not meet local requirements. The fundamental issue is whether the project applicant is sufficiently constrained by the relevant zoning ordinances such that alternatives are logistically impracticable under the 404(b)(1) guidelines. That is an entirely legitimate role for the consideration of local land use limitations in the Section 404 process.

For years, the City has struggled to balance the desire of its residents to maintain its semi-rural surroundings with its housing requirements as determined annually by the Association of Bay Area Governments. This tension presents a tenuous political climate for approval of development projects in the City. If the City does not meet its housing needs, it not only denies residents necessary housing, but also fails to receive state funding for necessary affordable housing projects. Because of the active involvement of the citizens of San Ramon in local land use issues and the long history of conflict, negotiation and compromise that has led to the current voter-approved General Plan, the current land use limitations on the property establish a legitimate, unalterable logistical constraint on alternatives that would either require development on protected ridgelines, or development at a level that would not satisfy the City's housing obligations.

a. State Mandated Housing Obligations

By State mandate, the Association of Bay Area Governments (ABAG) is charged with quantifying housing needs that are generated by the region as a whole. These regional housing needs are then estimated for each jurisdiction in the Bay Area. Housing needs are based primarily on projected growth in households and jobs. For the period of January, 1999-June 2006, San Ramon's share of the regional housing need is currently estimated to be 3,389 units, according to the recently updated Housing Element of the San Ramon 2020 General Plan (City of San Ramon, 2004). The Housing Element identifies quantified objectives for housing development for the Project area during the timeframe of the Housing Element. The Housing Element provides an estimate of the City's production objectives by year 2006 based on a realistic pace of development, level of funding resources available, and other resources. The Housing Element identifies the project site at its full development potential (715 units, not counting the density bonus of 71 additional units) in identifying the project site as an "Opportunity Site." It is through identification of these Opportunity Sites, including the Faria Preserve Project, that the City demonstrates its ability to provide adequate sites to facilitate and encourage housing development that meets the City's share of the regional housing needs. Accordingly, any reduction in the number of units at the Project site would need to be compensated through an increase elsewhere.

b. City Ridgeline Protection Requirements

The City of San Ramon's General Plan Open Space and Conservation Element, along with the City's Resource Conservation Overlay District (RCOD), contains policies and ordinance standards for the protection of Major and Minor Ridgelines, and limit where grading and development may take place within the planning area. According to the City's voter-approved General Plan, the entirety of the Project area is located within the RCOD, requiring the protection of ridgelines through the limiting of grading and development within 100 vertical feet of major ridgelines and 50 feet of a minor ridge.

The ridgeline protection requirements of the City's current General Plan are illustrated in Figure 3.3 of the DEIR, on page 3-7. The General Plan recognizes that there are three major ridgelines that pass through the site, but similarly recognizes that avoiding grading on all of these ridgelines would preclude any feasible development of the site. As a result, as illustrated in DEIR Figure 3.3, two of the three major ridgelines within the site are permitted to be graded to make way for development. Both the central ridgeline and a significant part of the westernmost ridgeline may be graded consistent with policies set forth in the General Plan. The easterly ridgeline is protected from grading or other alterations.

As can be seen from Figure 3.3, the protected ridgelines generally have steep slopes that would require substantial grading before they could be developed. As with the areas of the site currently being proposed for grading and development, this grading would produce substantial quantities of fill that would either need to be placed on-site, or off-hauled. Thus, rather than increasing the quantity of fill generated, and associated filling of the riparian corridors on the site, this development constraint generally limits the scale of the development, including grading and filling alternatives. As a result, eliminating the City's ridgeline protection provisions would

not materially affect the available alternatives for the Alternatives Analysis.

In any event, modification of the ridgeline protection provisions of the General Plan would be politically impossible. As part of the voter approval of the General Plan in 2002, modifications such as this were made subject to a public vote. Given the critical importance of ridgeline protection to the San Ramon electorate, such a proposal would at most garner the support of a very small minority of the registered voters. There is absolutely no possibility that such a proposal would succeed in an election. As a result, the ridgeline protection provisions of the General Plan are a firm, inalterable practicability constraint on the 404(b)(1) alternatives analysis.

c. Other Logistics Constraints

The fault zone traversing the site poses a limitation on the areas suitable for safe development. Given the numerous areas affected by active faults in northern California coupled with the extreme shortage of housing, development near fault lines continues to reflect established public policy. Accordingly, the City has incorporated the restrictions of the State's Alquist-Priolo Earthquake Fault Zoning Act into it's Health & Safety ordinance to ensure safe development in fault areas. These restrictions prohibit residential structures within 50 feet of faults.

In addition, the need to provide secondary access throughout the site for emergency purposes, and to provide an interconnection between the proposed water supply tanks for reliability purposes, constrains the ability to avoid the riparian corridor since crossing that corridor as a practical matter is the only way to address these access and interconnection concerns.

4. Technology Considerations

There are no currently existing technologies that would allow the practicable construction of any of the alternatives given the logistical and cost constraints identified above.

5. Conclusion

As demonstrated in the Alternatives Analysis, and confirmed above, the proposed Project is the only practicable alternative. There is no variation of Alternative 6 that could render it practicable given cost and logistics constraints in light of existing technology.

III. STORMWATER QUALITY MANAGEMENT PLAN (SQMP)

The stormwater runoff and detention system is described in Chapter 4.7 of the DEIR, with the proposed detention basins shown in the map on page 4.7-5. Several of the questions that you have raised regarding the SQMP, such as the final design of the low impact design measures and other BMPs, have been discussed above in the evaluation of the proposed mitigation program. This section of the letter addresses the remaining questions in your letter regarding the SQMP.

The SQMP was intended to be conceptual to reflect that the development plan may be altered prior to approval. As a result, some of the technical factors, such as runoff coefficients, were estimated based on the current plans. These factors can, and most likely will, be refined as the

design process continues. We will work collaboratively with the Regional Board to determine appropriate modeling and treatment objectives for the Project, and it is anticipated that additional evaluation will be performed as final designs are developed for the Project site.

A. Description of the Open Space Calculations

The Project is subject to two different open space percentage requirements. First, as discussed on page 3-18 of the DEIR, 75 percent, or approximately 217.6 acres, on the Faria Preserve Project Site itself would be allocated to open space, park and public facility or community uses, with housing uses limited to the remaining 25 percent of the site. The location and mix of these public and private open space uses are shown in Figure 3-7 of the DEIR.

Second, as your letter notes, the Project, overall, is required to have 80 percent open space and a maximum of 20 percent developed area. Pursuant to the City's General Plan, this 80 percent calculation is based on the full project area, including the remainder parcel, with open space acreage provided in adjacent offsite areas credited at a ratio of 2 acres of offsite area to be preserved for every 1 acre of on-site residential development.

Your letter also asks how the open space ratios have dictated the conceptual designs for the Project, including the post-construction stormwater management plan. As with the ridgeline protection provisions discussed above, the open space ratios applicable to the Project have generally limited development levels on the site, and therefore constrained rather than expanded the effects on waters of the State. For example, in the absence of these constraints (and assuming other conforming General Plan revisions), the entirety of the 450 acre Faria Ranch could be developed, including what is presently proposed to be preserved as an approximately 144 acre remainder parcel, as well as the easterly ridgeline and drainage on the Project site. In addition, under a provision of the City's General Plan, satisfaction of the 80% open space criteria described above makes a project eligible to potentially include buildings in excess of 32 feet in height, thus permitting denser development within a limited development footprint. Thus, the open space requirements support the stormwater management plan by providing undeveloped areas that can be used for infiltration and other features beneficial to water quality and flood control.

The concepts presented within the SQMP are intended to address water quality issues from the developed areas within the proposed project. As presented in the plan, open space drainage flows are expected to follow pre-development drainage patterns.

B. Clarification of the Onsite Stormwater System

Your letter requests that we clarify whether "Pond 3" as shown on the mitigation proposal is "existing." Figure 4.7-2 of the DEIR illustrates the proposed storm drain system, including the proposed detention basins. As indicated, Pond 3 is at the location of an existing detention basin. Katie Hart of your staff observed this pond during the August 7 site visit.

The Hydrology Study referenced in the DEIR (Bellecci & Associates, 2005) discusses this existing detention pond under the heading "Existing Site Runoff" as follows: *"Drainage Area A*

discharges into the existing detention basin on site, deemed "pond 3" in the "Developed Site Runoff" section of this study . . . ." It goes to discuss the current outfall structure and existing flow rates entering and leaving the existing detention pond. Also, under the heading "Developed Site Runoff" and subheading "Existing detention basin (Pond 3)" the report goes on to say: *"The proposed development will utilize the existing pond. The existing pond grading will not be modified as part of this project. The outfall structure will be modified during the construction of the project . . . ."* We are forwarding to the Regional Board a copy of the Hydrology Study (Bellecci & Associates, 2005) under separate cover.

Your letter also notes that page 10 of the SQMP states that higher flows will by-pass the treatment facilities, and requests additional information on the means for this bypass. These diversion structures will be designed on a case-specific basis. They will be designed to direct all flows below a certain threshold to the respective BMP. When flows exceed this threshold, the excess flow will bypass via a different pipe. This system can be accomplished by adjusting invert elevations and/or orifice openings. The final designs will most likely be an iterative process based on treatment objectives discussed with the Regional Board.

Finally, your letter notes that the bioretention design cross section included on Figure 4 includes a five-foot diameter planning tube, with soil, and requests the basis for that design feature. Also, you note that the plan and profile do not specify the inclusion of vegetation in the design, and refers to the use of five feet of "filter media." In response, the tube has been included on the figure to indicate that a control for the tree roots should be considered to prevent encroachment into the filter media zone. As we move forward toward final design, we will include details for vegetation, soil consistency, and other stormwater management features.

C. Description of the Offsite Drainage System

We recognize that DEIR Figure 4.7-2 only depicts the onsite drainage system, and does not illustrate the offsite connections to Bollinger and San Ramon Creeks. To address these issues, we had ENGEO prepare a new figure intended as a companion exhibit to the existing and developed hydrology figures in the Hydrology Study (Bellecci & Associates, 2005). This figure shows the relationship of the site to Bollinger and San Ramon Creeks, as well as their tributaries and flow directions. Some of the outfalls along the southern boundary of the site enter residential storm drains that discharge to San Ramon Creek. There are however, two tributaries of San Ramon Creek that also accept site drainage. There is also some discharge into Bollinger Creek both in the existing and proposed conditions from a small portion of the southwestern corner of the property. A copy of this figure is attached.

IV. OTHER ISSUES

A. Wetland Delineation

At the August 7 site visit, Katie Hart of your staff requested that additional study be performed on certain portions of the site to confirm, or potentially modify, the Corps-approved wetland delineation. Huffman Broadway Group personnel have since spent a total of four days on the site to respond to this request.

In determining the geographic reach of wetlands, the Basin Plan indicates that: "The Regional Board will, in general, rely on the federal manual for wetlands delineation in this region for Section 404 permits (U.S. Army Corps of Engineers Wetlands Delineation Manual, 1987)." Basin Plan, Chapter 2. This is consistent with the August 23, 1993 "California Wetlands Conservation Policy" incorporated into the Basin Plan. ("[T]he State will work toward the adoption of a single definition [of wetlands] for regulatory purposes. The definition will, to the greatest extent possible, be consistent with the definition and wetlands delineation manual used by the Federal government.") Wetlands Conservation Policy at 3. The Basin Plan also states that: "It should be noted that while the Fish & Wildlife [Cowardin] wetlands classification system is a useful tool for helping to establish beneficial uses for a wetland site, it is not suggested that this system be used to identify or delineate wetlands." Basin Plan, Chapter 4.

Following the site visit on August 7, Huffman-Broadway Group (HBG) performed additional work on the site to reevaluate the jurisdictional status of several areas that your staff requested be considered further. This additional work included a wetland delineation performed in accordance with the U.S. Army Corps of Engineers 1987 Wetland Delineation Manual, and a photographic record of drainages that were not considered Waters of the U.S. but that may be considered Waters of the State. As you know, the past two years have resulted in above normal rainfall that has also been concentrated in relatively large storms late in the season. The Corps' 1987 wetland delineation manual indicates that the evaluation of wetland hydrology should be based on an average year, defined as a level of precipitation that would occur on average in at least 50 out of 100 years. U.S. Army Corps of Engineers, August 1986; Clarification of "Normal Circumstances" in the Wetland Definition, Regulatory Guidance Letter No. 86-9; 33 CFR 323.2(c); 1987 Corps Manual at 80. HBG performed the original site investigations in November of 2002 during earlier, more representative, years that resulted in a Corps-verified delineation that has served as the basis for both the 404 application, and the recently issued DEIR. We suggest a technical meeting between HBG and your staff to discuss the results of this additional site work in the context of the applicable protocols for evaluating the geographic scope of the wetlands and the geographic extent of the drainages on the site. In any event, we recognize that even if the formal delineation remains unchanged, the environmental value of the site in relatively wet years is one factor that you may wish to consider in reviewing the adequacy of the proposed mitigation program. As discussed above, we believe that the currently proposed mitigation program, particularly as it may be enhanced through inclusion of restoration of certain features on the adjacent remainder parcel that is proposed to be preserved as a part of the project proposal, among other measures, will fully and reliably compensate for the impacts of the proposed grading program on the Project site, including these additional wet year values in the riparian area.

B. Clarification of Cost Evaluation

Your letter requests the basis for the market value information in the cost evaluation provided for the Alternatives Analysis. To clarify, these costs are for finished lots, with the installation of basic infrastructure and ready for construction of the homes, but without any further development. Use of the sales prices of the completed homes would not have been appropriate since those prices are affected by a number of variables other than ones relevant to a comparison

of the alternatives (such square footage, finish levels and amenities, etc.). Furthermore, all stages of the project must be financially viable in order for the project to be practicable. In particular, the initial site grading and infrastructure could not be financed if there were not a salable lot product at the end of that work to serve as security for the site development loan. As a result, a cost comparison of the finished lots is appropriate for the practicability analysis.

V. CONCLUSION

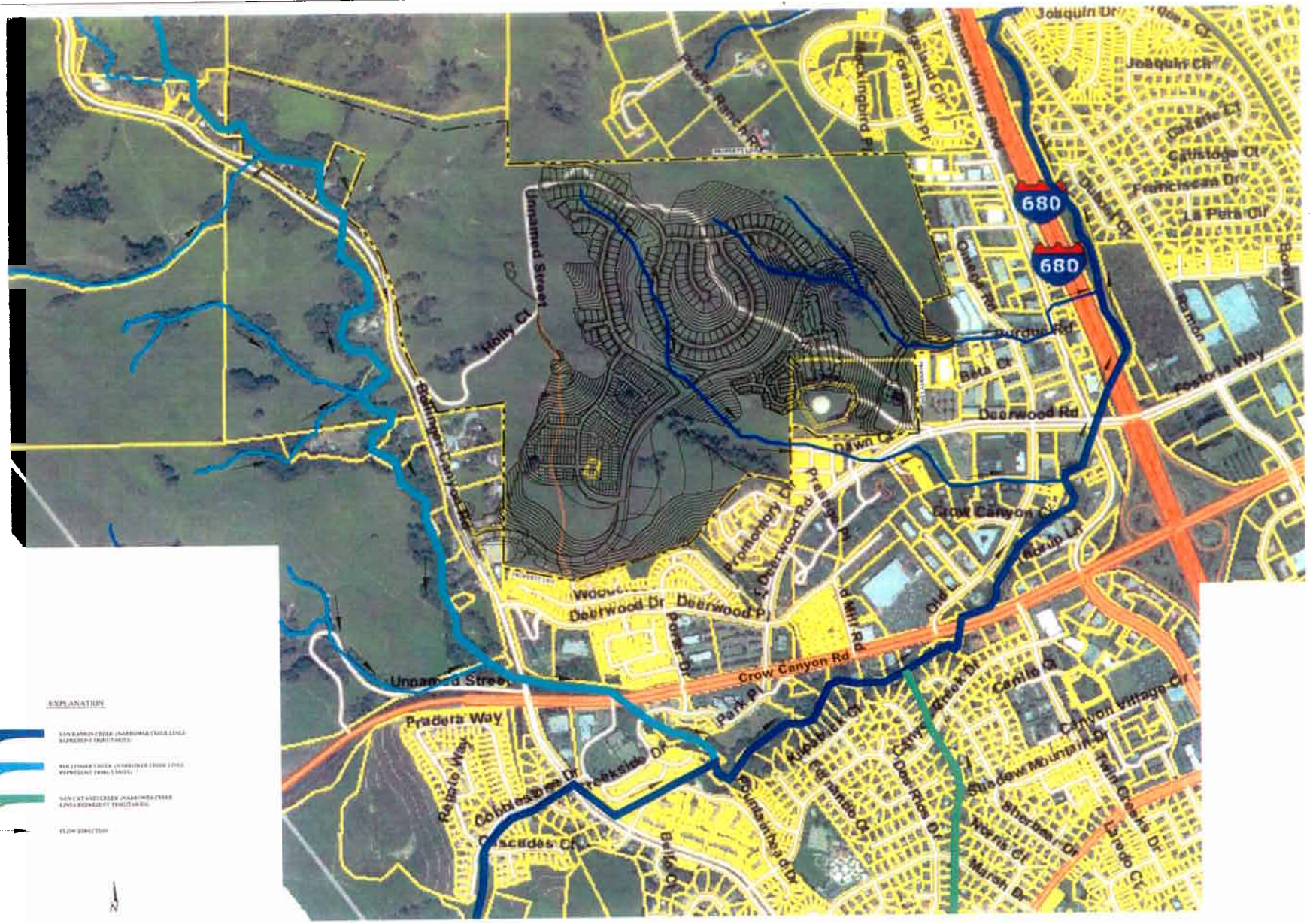
Please do not hesitate to contact me to discuss any questions you may have. Given the scope of the issues raised by your letter we are also continuing to develop responsive information. We are looking forward to our upcoming meetings with you. We recognize that you are extremely busy and we appreciate your attention to this matter.

Very truly yours,

Michael W. Conley
Executive Vice President

Enclosure

cc: Shin-Roei Lee, P.E., RWQCB
Katie Hart, RWQCB
Mark D'Avignon, USACE
Debbie Chamberlain, City of San Ramon
Terry Huffman, Huffman-Broadway Group(w/o enclosures)
Jeff Adams, ENGEO (w/out enclosures)
Alan Waltner, Bingham McCutchen (w/o enclosures)



BASE MAP SOURCE: CONTRA COSTA COUNTY MAPPING INFORMATION CENTER

ENGEO INCORPORATED

CONCEPTUAL DRAINAGE MAP
THE PARK PRESERVE
SAN RAMON, CALIFORNIA

1

5.2 REFERENCES

No new references have been added to the EIR reference list in this response to comments.

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