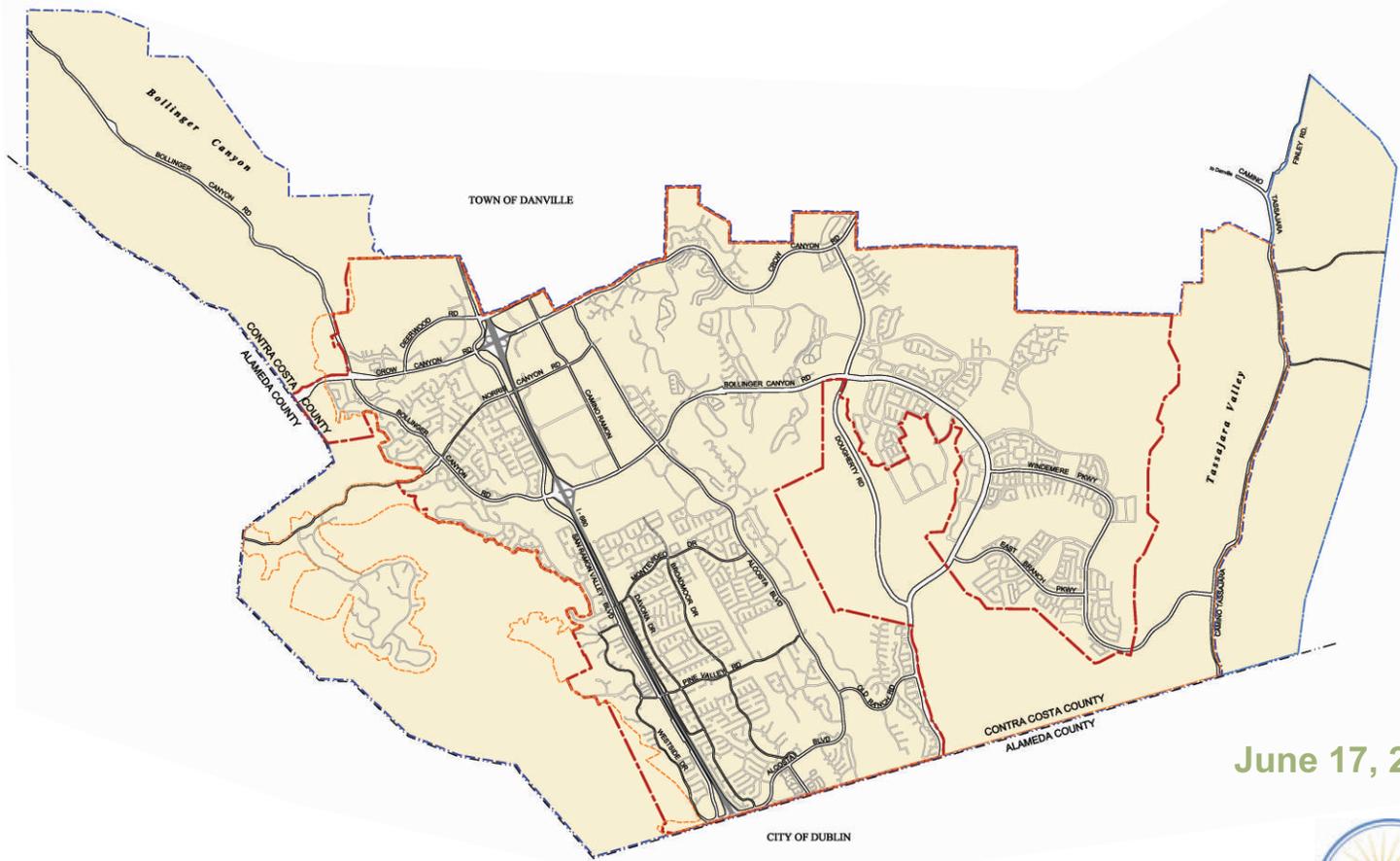




CITY OF SAN RAMON GENERAL PLAN 2030

FINAL ENVIRONMENTAL IMPACT REPORT

SCH No.: 2000082002



June 17, 2010



FINAL
ENVIRONMENTAL IMPACT REPORT
City of San Ramon General Plan 2030
San Ramon, Contra Costa County, California

State Clearinghouse Number 2000082002

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SECTION 1: INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15088, the City of San Ramon, as the lead agency, has evaluated the comments received on the San Ramon General Plan 2030 Draft EIR. The responses to the comments and other documents, which are included in this document, together with the Mitigation Monitoring and Reporting Program, comprise the Final Environmental Impact Report (Final EIR) for use by the San Ramon Planning Commission and the San Ramon City Council in their review.

This document is organized into these sections:

- **Section 1** – Introduction.
- **Section 2** – Master Responses.
- **Section 3** – Responses to Written Comments.
- **Section 4** – Responses to Oral Comments.
- **Section 5** – Errata.

Because of its length, the text of the Draft EIR is not included with these written responses; however, it is included by reference in this Final EIR. None of the corrections or clarifications to the Draft EIR identified in this document constitutes “significant new information” pursuant to Section 15088.5 of the CEQA Guidelines. As a result, a recirculation of the Draft EIR is not required.

SECTION 2: MASTER RESPONSES

2.1 - Introduction

Master responses address similar comments made by multiple persons through both written comments submitted to the City of San Ramon and oral comments made at the May 4, 2010 Planning Commission meeting. One master response is provided below.

2.2 - Master Responses

Master Response 1 –Tassajara Valley/Eastside Specific Plan

Multiple authors and speakers referenced the Draft EIR’s analysis of environmental effects associated with the proposed Urban Growth Boundary and Sphere of Influence adjustments in the Tassajara Valley. These individuals claimed that the Draft EIR did not adequately evaluate the environmental impacts of potential new development that could occur as a result of these adjustments, including effects associated with aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology, hydrology and water quality, noise, public services, recreation, transportation, and utility systems. Several individuals noted that the Draft EIR indicated that future development and land use activities in the Tassajara Valley would be evaluated as part of the Eastside Specific Plan and associated environmental review, and they asserted that this constituted deferred analysis. At least one commenter alleged that the text of two project objectives indicate that General Plan 2030 contemplates development in the Tassajara Valley, which conflicts with various statements in the EIR about no additional development being contemplated in the Tassajara Valley.

Analysis of Potential Future Impacts Within the Eastside Specific Plan Area

At a programmatic level, CEQA does not require specificity in the analysis of possible future development, particularly where such development has not been proposed and is uncertain. Rather, where future development is possible, but not defined, an EIR should focus on the reasonably foreseeable secondary effects of such development. With regard to growth inducing impacts, “[n]othing in the [CEQA] Guidelines, or in the cases, requires more than a general analysis of projected growth” (*Napa Citizens for Honest Government v. Napa County Bd. of Supervisors* [2001] 91 Cal. App. 4th 342, 369).

Specifically, the CEQA Guidelines counsel that “[t]he degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR. (a) An EIR on a construction project will necessarily be more detailed in the specific effects of the project than will be an EIR on the adoption of a local general plan or comprehensive zoning ordinance because the effects of the construction can be predicted with greater accuracy. (b) An EIR on a project such as the adoption or amendment of a comprehensive zoning ordinance or a local general plan should focus on the secondary effects that can be expected to follow from the adoption, or amendment, but the EIR need not be as detailed as an EIR on the specific construction projects that

might follow” (CEQA Guidelines, Section 15146). In addition, “[a]n EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible” (CEQA Guidelines, Section 15151).

As explained on page 2-9 of the Draft EIR, the proposed Urban Growth Boundary and Sphere of Influence adjustments constitute the next logical step in establishing the City’s future physical boundary and serve to provide a systematic approach to land use controls associated with future development processes. As set forth in General Plan 2030 Implementing Policy 4.7-I-3, any future land use and development activities proposed for the Tassajara Valley would be guided by the Eastside Specific Plan. Furthermore, General Plan 2030 maintains the existing land use designation of “Open Space” for all parcels within the Tassajara Valley and, therefore, does not confer any development rights or entitlements that would permit or otherwise facilitate urban development within the Tassajara Valley. Any proposed General Plan land use map changes for parcels within the Tassajara Valley would be addressed as part of the Eastside Specific Plan process, which would assess the change in land use from Open Space to any proposed developed use, if and when such process is initiated.

Since the Tassajara Valley is currently within the County’s Sphere of Influence, the County has approval authority over project applications in that area. Inclusion of the Tassajara Valley within City’s Urban Growth Boundary and Sphere of Influence allows the City to have control over development applications in the affected area. Thus, extension of the Urban Growth Boundary is necessary now to ensure that development that is inconsistent with the City’s General Plan is not approved prior to initiation of the Eastside Specific Plan area.

Notably, the Tassajara Valley was included in the City’s Planning Area in its 2020 General Plan. Further, Policy 4.7-I-3 in the General Plan 2030, which calls for the preparation of an Eastside Specific Plan, is nearly identical to Policy 4.7-I-3 in the City’s existing General Plan.

Contrary to some commenter’s claims, the EIR does not defer analysis of the potential environmental effects that might occur if portions of the Tassajara Valley are developed in accordance with a future Eastside Specific Plan. Indeed, the Draft EIR does consider the potential for some development of the Tassajara Valley in accordance with a future Eastside Specific Plan and discloses existing conditions and related potential environmental impacts, particularly secondary effects, to the extent such conditions and impacts can be identified at this stage of the planning process. Table 2-1 sets forth the EIR’s disclosures of those environmental effects that have the potential to result from any future development within the Eastside Specific Plan planning area:

Table 2-1: EIR Analysis of Tassajara Valley

Environmental Impact	EIR Analysis Regarding Tassajara Valley
Aesthetics, Light and Glare	
Impact AES-1: Development and land use activities contemplated by the General Plan 2030 would not have substantial adverse impacts on scenic vistas.	Page 3.1-9 discloses that the slopes of the Tassajara Valley contain scenic resources. Page 3.1-10 discloses that Tassajara Valley and its associated slopes contain ridgeline resource conservation zones as defined by Ordinance 197 policies and as shown on Exhibit 3.1-1. Page 3.1-10 also discloses that development within Tassajara Valley has the potential for adverse effects on a scenic vista.
Impact AES-2: Development and land use activities contemplated by the General Plan 2030 would not degrade scenic resources within the viewshed of a State Scenic Highway.	Page 3.1-11 explains that the only Scenic Highway in the planning area is I-680 and that Tassajara Valley is not within view of I-680; therefore, any potential/future development and land use activities in this area would not have any adverse impacts on Scenic Highway viewsheds.
Impact AES-3: Development and land use activities contemplated by the General Plan 2030 would not degrade the visual character of the Planning Area or its surroundings.	Page 3.1-12 discloses that ridgelines and creek corridors are designated as visual resources by the General Plan 2030 and that some of these visual resources are located along the slopes of the Tassajara Valley, which may be subject to future land use changes. Page 3.1-13 discloses that Tassajara Valley and its associated slopes contain ridgeline resource conservation zones as defined by Ordinance 197, and that any potential/future development within Tassajara Valley has the potential for adverse effects on these resources.
Impact AES-4: Development and land use activities contemplated by the General Plan 2030 would not create new sources of light and glare that may adversely affect views.	Page 3.1-14 discloses that the Tassajara Valley contains agricultural and rural residential uses with very low levels of light and glare, and that any potential/future development within Tassajara Valley has the potential for adverse effects related to light and glare levels and compatibility with surrounding land uses.
Agricultural Resources	
Impact AG-1: Development and land use activities contemplated by the General Plan 2030 would not result in the loss of Important Farmland.	Exhibit 3.2-1 discloses those portions of Tassajara Valley that qualify as “Important Farmland.” Exhibit 3.2-2 discloses those Prime Farmland and Non-Prime farmland portions of Tassajara Valley that are subject to Williamson Act contracts. Page 3.2-9 discloses that, within Tassajara Valley, Prime Farmland totals 127 acres, Unique Farmland occupies 10 acres, and Farmland of Local Importance occupies 1,022 acres. Page 3.2-9 also discloses that any potential/future development within Tassajara Valley has the potential to result in the loss of Important Farmland.

Table 2-1 (cont.): EIR Analysis of Tassajara Valley

Environmental Impact	EIR Analysis Regarding Tassajara Valley
<p>Impact AG-2: Development and land use activities contemplated by the General Plan 2030 would not conflict with existing agricultural zoning or a Williamson Act contract.</p>	<p>Exhibit 3.2-2 discloses those Prime Farmland and Non-Prime farmland portions of Tassajara Valley that are subject to Williamson Act contracts. Page 3.2-10 discloses that Tassajara Valley includes agricultural land that is designated as Open Space, Rural Conservation, or Parks by the General Plan 2030. Page 3.2-10 discloses that development activities in the Tassajara Valley could convert agricultural land to non-agricultural uses. Page 3.2-10 discloses that 1,312 acres in the Tassajara Valley are encumbered by active Williamson Act contracts and that Policy 8.7-I-2 prohibits the City from processing development applications involving such land, unless there are 3 years or less remaining on the life of the contract.</p>
<p>Impact AG-3: Development and land use activities contemplated by the General Plan 2030 would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use.</p>	<p>Exhibit 3.2-1 discloses those portions of Tassajara Valley that qualify as “Important Farmland.” Exhibit 3.2-2 discloses those Prime Farmland and Non-Prime farmland portions of Tassajara Valley that are subject to Williamson Act contracts. Page 3.2-11 discloses that there are 127 acres of Prime Farmland and 35 acres of Unique Farmland within the Planning Area, with most of the acreage being located in the Tassajara Valley. Page 3.2-11 discloses that a concern with future development and land activities in the Tassajara Valley is that pressures may be created to prematurely convert viable agricultural land as a result of land use conflicts posed by nearby urban uses. Page 3.2-11 discloses that Implementing Policy 8.7-I-2 establishes that the City can only process development applications involving land encumbered by Williamson Act contracts if there are 3 years or less remaining on the life of the contract, and that this policy will ensure that agricultural land uses in Tassajara Valley are not prematurely converted to non-agricultural use. Page 3.2-11 discloses that Implementing Policy 8.7-I-3 requires that land use conflicts between agricultural and any potential/future urban uses in Tassajara Valley would be minimized through site planning techniques that avoid potential complaints associated with noise, odors, or early morning operations by using buffers and screening measures.</p>
<p>Air Quality/Greenhouse Gas Emissions</p>	
<p>Impact AIR-1: Development and land use activities contemplated by the General Plan 2030 may conflict with or obstruct implementation of the applicable air quality plan.</p>	<p>Page 3.3-32 discloses that future development under the General Plan 2030 would affect emissions of ozone precursor pollutants and particulate matter (PM2.5 and PM10), both of which affect regional air quality. Page 3.3-32 discloses that, while future changes in development patterns that affect regional air quality are</p>

Table 2-1 (cont.): EIR Analysis of Tassajara Valley

Environmental Impact	EIR Analysis Regarding Tassajara Valley
	<p>accounted for in the Bay Area 2005 Ozone Strategy, increased development under the General Plan 2030 could lead to greater vehicle use than assumed in the 2010 Clean Air Plan.</p> <p>Table 3.3-9 and page 3.3-33 disclose ABAG’s projections through 2030 for City population, households, jobs, and vehicle miles traveled.</p> <p>Table 3.3-10 and page 3.3-33 disclose projected population, household, and jobs under the General Plan 2030 and disclose that such projections are greater than ABAG’s projections.</p> <p>Page 3.3-34 discloses that, although vehicle miles traveled would decline from 18.5 miles per day per capita in 2005 to 17.4 miles per day per capita by 2030 (a 5.6-percent decrease) through the implementation of the General Plan 2030 Implementing Policies, the discrepancy between the General Plan 2030 growth projections and ABAG’s growth projection is considered a significant and unavoidable impact.</p>
<p>Impact AIR-2: Development and land use activities contemplated by the General Plan 2030 would not violate any air quality standard or contribute substantially to an existing or projected air quality violation.</p>	<p>Page 3.3-34 discloses that construction associated with development activities contemplated by the General Plan 2030 would include grading, demolition, building construction, and grading and that such activity would generate pollutants intermittently.</p> <p>Page 3.3-34 and Page 3.3-35 disclose that, if left uncontrolled, air pollutant emissions associated with development activities could lead to both health and nuisance impacts, and temporarily create emissions of equipment exhaust and other pollutants. The EIR’s discussion of Impact AIR-2 concludes that these impacts will be reduced to acceptable levels by requiring future development to comply with General Plan 2030 Implementing Policies 11.5-I-3 and 11.3-I-3.</p> <p>Page 3.3-35 discloses that operation emissions associated with building out of the General Plan 2030 planning area would be reduced to acceptable levels by requiring such development to comply with the General Plan 2030 Implementing Policies described in Table 3.3-8, as well as the policies of the Climate Action Plan prepared concurrently and as an implementation tool of the General Plan 2030.</p> <p>Pages 3.3-36 through 3.3-38 disclose that buildout under the General Plan 2030 would meet the BAAQMD Guidelines screening criteria for localized carbon monoxide (CO) and thus project impacts related to the emission of CO would be less than significant.</p>
<p>Impact AIR-3: Development and land use activities contemplated by the General Plan 2030 may result in a cumulatively considerable net increase of any criteria pollutant for which</p>	<p>Pages 3.3-38 through 3.3-39 disclose that buildout under the General Plan 2030 would result in a cumulatively considerable net increase of one or more criteria pollutants for which the project region is non-attainment</p>

Table 2-1 (cont.): EIR Analysis of Tassajara Valley

Environmental Impact	EIR Analysis Regarding Tassajara Valley
<p>the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors).</p>	<p>under an applicable notional or state ambient air quality standard. Specifically, the EIR discloses that the buildout under the General Plan 2030 would not be consistent with the BAAQMD Clean Air Plan and thus would result in a significant and unavoidable impact.</p>
<p>Impact AIR-4: Development and land use activities contemplated by the General Plan 2030 would not expose sensitive receptors to substantial pollutant concentrations.</p>	<p>Page 3.3-40 and Exhibit 3.3-1 disclose the toxic air contaminant (TAC) sources in the City and discloses the main source of TAC in the City is traffic traveling along the I-680 freeway.</p> <p>Page 3.3-45 discloses that compliance with General Plan 3020 Air Quality Element Policy 11.5.I.1 will ensure that sources of hazardous emissions will be located an adequate distance from sensitive receptors to ensure that this potential impact is less than significant.</p> <p>Pages 3.3-45 through 3.3-46 disclose that construction in areas of rock formations or soils that contain naturally occurring asbestos could release asbestos into the air and pose a health hazard, but that compliance with BAAQMD’s Air Quality Guidelines and General Plan 2030 Policy 11.5.I.3 would reduce such exposure.</p> <p>Page 3.3-46 discloses that review of the Department of Conservation’s map containing areas more likely to have rock formations containing naturally occurring asbestos in California indicates that the Planning Area is not in an area that is likely to contain naturally occurring asbestos, that the nearest location of naturally occurring asbestos is east of Alamo, and that it therefore can be reasonably concluded that naturally occurring asbestos is not present at large quantities in the City.</p> <p>Pages 3.3-46 through 3.3-47 disclose that structures to be demolished sometimes contain asbestos, but that demolition of existing buildings and structures would be subject to BAAQMD Regulation 11, Rule 2 (Asbestos Demolition, Renovation, and Manufacturing), which are intended to limit asbestos emissions from demolition or renovation of structures and the associated disturbance of asbestos-containing waste material generated or handled during these activities. By complying with BAAQMD Regulation 11, Rule 2, thereby minimizing the release of airborne asbestos emissions, demolition activity would not result in a significant impact to air quality.</p> <p>Page 3.3-47 discloses that renovation activities, such as sanding, cutting, and demolition, can create hazardous lead dust and chips by disturbing lead-based paint, which can be harmful to adults and children, but that compliance with all regulatory requirements and the policies contained within the proposed General Plan 2030 will ensure that future development and land use activities contemplated by the General Plan 2030 would not expose sensitive receptors to substantial pollutant concentrations or result in significant impacts.</p>

Table 2-1 (cont.): EIR Analysis of Tassajara Valley

Environmental Impact	EIR Analysis Regarding Tassajara Valley
<p>Impact AIR-5: Development and land use activities contemplated by the General Plan 2030 would not create objectionable odors affecting a substantial number of people.</p>	<p>Pages 3.3-47 through 3.3-52 and Exhibit 3.3-2 disclose the odor overlay zones within the City, none of which are located in Tassajara Valley, and disclose those regulatory requirements that will be imposed on all future development to ensure that such development will not create objectionable odors affecting a substantial number of people or result in significant impacts.</p>
<p>Impact AIR-6: Development and land use activities contemplated by the General Plan 2030 would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. The project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.</p>	<p>Pages 3.3-52 through 3.3-55 disclose that greenhouse gas emissions impacts associated with future development under the General Plan 2030 would be less than significant because such development must comply with the policies and regulations set forth in the General Plan 2030 and its related Clean Air Plan.</p>
<p>Impact AIR-7: Development and land use activities contemplated by the General Plan 2030 would not be significantly affected by climate change impacts, including increased wildfires, increase flooding, decreased water supply, and sea level rise.</p>	<p>Pages 3.3-55 and 3.3-57 disclose that climate change could result in increased wildfires in California, and that Tassajara Valley is among the areas in San Ramon that poses the greatest risk of increased wildfires. Page 3.3-58 discloses that the Tassajara Valley is associated with “very high” fire threat and a “very high” fire threat to people, but that San Ramon Valley Fire Protection District already provides fire protection for the City as well as the Tassajara Valley; therefore, the General Plan 2030 would not alter existing fire protection responsibilities or increase susceptibility to wildfires. Page 3.3-59 discloses that the Tassajara Valley contains undeveloped areas; thus, any future development activities have the potential to contribute downstream flooding and that any changes in the land use designations within the Eastside Specific Plan area that would be exposed to potential to potential flooding would be addressed as part of a future environmental review process. Page 3.3-59 discloses that the Tassajara Valley is not served by an urban water supplier, that land uses within Tassajara Valley rely on groundwater or surface water impoundments.</p>
<p>Biological Resources</p>	
<p>Impact BIO-1: Development and land use activities contemplated by the General Plan 2030 would not have a substantial adverse effect on special status plant or wildlife species.</p>	<p>Exhibit 3.4-1a discloses the sensitive habitat areas potentially in the Tassajara Valley. Exhibit 3.4-1b discloses the sensitive habitat areas and special status wildlife species in potentially in the Tassajara Valley. Page 3.4-11 discloses that special-status plant and wildlife species have occurred throughout the Planning Area, with the most reported occurrences associated with creek corridors and within the Tassajara Valley, among other areas.</p>

Table 2-1 (cont.): EIR Analysis of Tassajara Valley

Environmental Impact	EIR Analysis Regarding Tassajara Valley
	<p>Page 3.4-11 discloses that, while no additional development is contemplated in the Tassajara Valley at this time, any potential/future development and land use activities are subject to General Plan 2030 Implementing Policies 8.2-I-1, 8.2-I-2, and 4.7-I-3.</p>
<p>Impact BIO-2: Development and land use activities contemplated by the General Plan 2030 would not have a substantial adverse effect on sensitive natural communities or riparian habitat.</p>	<p>Exhibit 3.4-1a discloses the sensitive habitat areas potentially in the Tassajara Valley. Exhibit 3.4-1b discloses the sensitive habitat areas and special status wildlife species in potentially in the Tassajara Valley. Page 3.4-12 discloses that sensitive natural communities consist of oak woodland and riparian habitat, and that oak woodland areas and riparian habitats are located in the Tassajara Valley. Page 3.4-12 discloses that, while no additional development is contemplated in the Tassajara Valley at this time, any potential/future development and land use activities are subject to General Plan 2030 Implementing Policies 8.4-I-1, 8.4-I-2, and 4.7-I-3.</p>
<p>Impact BIO-3: Development and land use activities contemplated by the General Plan 2030 would not have a substantial adverse effect on federally protected wetlands.</p>	<p>Exhibit 3.4-1a discloses the sensitive habitat areas potentially in the Tassajara Valley. Exhibit 3.4-1b discloses the sensitive habitat areas and special status wildlife species in potentially in the Tassajara Valley. Page 3.4-13 discloses that wetland areas are located along the various creek corridors and drainages in the Tassajara Valley, and that the Tassajara Valley contains riparian corridors and undeveloped land and, thus, likely contains wetlands eligible for protection under the Federal Clean Water Act. Page 3.4-13 discloses that, while no additional development is contemplated in the Tassajara Valley at this time, any potential/future development and land use activities are subject to General Plan 2030 Implementing Policies 8.4-I-2, and 4.7-I-3.</p>
<p>Impact BIO-4: Development and land use activities contemplated by the General Plan 2030 would not have a substantial adverse effect on wildlife movement.</p>	<p>Exhibit 3.4-1a discloses the sensitive habitat areas potentially in the Tassajara Valley. Exhibit 3.4-1b discloses the sensitive habitat areas and special status wildlife species in potentially in the Tassajara Valley. Page 3.4-14 discloses that the undeveloped and open space areas of the Tassajara Valley allow for substantial wildlife movement, including creek corridors, ridgelines, and undeveloped land. Page 3.4-14 discloses that, while no additional development is contemplated in the Tassajara Valley at this time, any potential/future development and land use activities are subject to General Plan 2030 Implementing Policies 8.4-I-1, 8.4-I-2, 8.4-I-5, 8.4-I-6, and 4.7-I-3.</p>

Table 2-1 (cont.): EIR Analysis of Tassajara Valley

Environmental Impact	EIR Analysis Regarding Tassajara Valley
<p>Impact BIO-5: Development and land use activities contemplated by the General Plan 2030 would not conflict with any local policies or ordinances.</p>	<p>Exhibit 3.4-1a discloses the sensitive habitat areas potentially in the Tassajara Valley. Exhibit 3.4-1b discloses the sensitive habitat areas and special status wildlife species in potentially in the Tassajara Valley. Page 3.4-15 discloses that the proposed General Plan 2030 establishes a number of policies that concern protection of biological resources, and that the General Plan sits atop the hierarchy of planning documents used by the City, thus requiring subsequent specific plans and Municipal Code updates to be consistent with the policies established in the General Plan. As such, the proposed General Plan 2030 would be internally consistent with the City’s existing and proposed local policies protecting biological resources. Impacts would be less than significant.</p>
Cultural Resources	
<p>Impact CUL-1: Development and land use activities contemplated by the General Plan 2030 would not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5.</p>	<p>Page 3.5-9 discloses that the Tassajara Valley contains agricultural and rural residential uses, including structures that may be at least 45 years or older. Page 3.5-9 discloses that, while no additional development is contemplated in the Tassajara Valley at this time, any potential/future development and land use activities are subject to General Plan 2030 Implementing Policies 8.9-I-1, and 4.7-I-3.</p>
<p>Impact CUL-2: Development and land use activities contemplated by the General Plan 2030 would not cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.</p>	<p>Page 3.5-10 discloses that the Tassajara Valley is undeveloped land that may contain undiscovered archaeological resources. Page 3.5-10 discloses that, while no additional development is contemplated in the Tassajara Valley at this time, any potential/future development and land use activities are subject to General Plan 2030 Implementing Policies 8.9-I-1, and 4.7-I-3.</p>
<p>Impact CUL-3: Development and land use activities contemplated by the General Plan 2030 would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.</p>	<p>Page 3.5-11 discloses that the Tassajara Valley is undeveloped land that may contain undiscovered paleontological resources. Page 3.5-11 discloses that, while no additional development is contemplated in the Tassajara Valley at this time, any potential/future development and land use activities are subject to General Plan 2030 Implementing Policies 8.9-I-1, and 4.7-I-3.</p>
<p>Impact CUL-4: Development and land use activities contemplated by the General Plan 2030 would not disturb any human remains, including those interred outside of formal cemeteries.</p>	<p>Page 3.5-12 discloses that the Tassajara Valley is undeveloped land and may contain undiscovered burial sites. Page 3.5-12 discloses that, while no additional development is contemplated in the Tassajara Valley at this time, any potential/future development and land use activities are subject to General Plan 2030 Implementing Policies 8.9-I-1, and 4.7-I-3, requiring an Eastside</p>

Table 2-1 (cont.): EIR Analysis of Tassajara Valley

Environmental Impact	EIR Analysis Regarding Tassajara Valley
	Specific Plan process, including necessary environmental review, to address the presence of any undiscovered burial sites associated with these undeveloped lands.
Geology, Soils, and Seismicity	
Impact GEO-1: Development and land use activities contemplated by the General Plan 2030 would not expose people or structures to potential substantial adverse effects associated with seismic hazards.	Exhibit 3.6-1 discloses the location of geological hazards within Tassajara Valley. Page 3.6-12 discloses that the Planning Area, including Tassajara Valley, is susceptible to strong ground shaking and contains an active earthquake fault, areas susceptible to liquefaction, and areas susceptible to landsliding, but that compliance with applicable General Plan 2030 policies would reduce this risk to acceptable levels.
Impact GEO-2: Development and land use activities contemplated by the General Plan 2030 would not result in substantial soil erosion or the loss of topsoil.	Exhibit 3.6-1 discloses the location of geological hazards within Tassajara Valley. Page 3.6-13 discloses that the Tassajara Valley contains undeveloped areas with steep slopes, and that future development activities would need to address related seismic hazards. Page 3.6-13 discloses that, while no additional development is contemplated in the Tassajara Valley at this time, any potential/future development and land use activities are subject to General Plan 2030 Implementing Policies 9.2-I-6 through 9.2-I-11, and 4.7-I-3.
Impact GEO-3: Development and land use activities contemplated by the General Plan 2030 would not expose persons or property to hazards associated with unstable geologic units or soils.	Exhibit 3.6-1 discloses the location of geological hazards within Tassajara Valley. Page 3.6-14 discloses that the Tassajara Valley contains undeveloped areas with steep slopes, and that future development activities would need to address related soil hazards. Page 3.6-14 discloses that, while no additional development is contemplated in the Tassajara Valley at this time, any potential/future development and land use activities are subject to General Plan 2030 Implementing Policies 9.2-I-1 through 9.2-I-11, and 4.7-I-3.
Impact GEO-4: Development and land use activities contemplated by the General Plan 2030 would not be exposed to unacceptable risks associated with expansive soils.	Exhibit 3.6-1 discloses the location of geological hazards within Tassajara Valley. Page 3.6-15 discloses that the Tassajara Valley contains native soils and, thus, any future development activities would need to address potential expansive soil hazards. Page 3.6-15 discloses that, while no additional development is contemplated in the Tassajara Valley at this time, any potential/future development and land use activities are subject to General Plan 2030 Implementing Policies 9.2-I-1, 9.2-I-6, 9.2-I-10, and 4.7-I-3.

Table 2-1 (cont.): EIR Analysis of Tassajara Valley

Environmental Impact	EIR Analysis Regarding Tassajara Valley
Hazards and Hazardous Materials	
Impact HAZ-1: Development and land use activities contemplated by the General Plan 2030 would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	Page 3.7-9 discloses that the Tassajara Valley contains agricultural and rural residential uses, with little to no reported hazardous materials usage, but that the Eastside Specific Plan process and related environmental review is required to evaluate and address potential sources of hazardous materials and mitigated where necessary.
Impact HAZ-2: Development and land use activities contemplated by the General Plan 2030 would not be exposed to undue risk as a result of prior contamination from past uses.	Page 3.7-10 discloses that the Tassajara Valley contains agricultural and rural residential uses, with little to no reported clean-up sites, but that the Eastside Specific Plan process and related environmental review is required to evaluate and address potential sources of hazardous materials and mitigated where necessary.
Impact HAZ-3: Development and land use activities contemplated by the General Plan 2030 would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	Page 3.7-12 discloses that the Tassajara Valley contains agricultural and rural residential uses, with no existing schools, but that the Eastside Specific Plan process and related environmental review is required to evaluate and address compatibility of future school sites.
Impact HAZ-4: Development and land use activities contemplated by the General Plan 2030 would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	Page 3.7-12 discloses that the City’s existing Emergency Operations Plan addresses emergency response and evacuation procedures during events such as earthquakes, hazardous materials incidents, floods, national security emergencies, wildfires, and landslides, that Implementing Policy 9.1-I-1 requires the City to maintain and update the Emergency Operations Plan in order to minimize the risk to life and property, and, as such, any potential/future development and land use activities contemplated by the General Plan 2030 would not impair or interfere with emergency response and evacuation. Impacts would be less than significant.
Impact HAZ-5: Development and land use activities contemplated by the General Plan 2030 would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires.	Exhibit 3.7-1 discloses areas within Tassajara Valley that are exposed to wildfire hazards. Page 3.7-13 discloses that Tassajara Valley is a “very high” wildfire risk area and that it contains agricultural and rural residential uses. Page 3.7-13 discloses that, while no additional development is contemplated in the Tassajara Valley at this time, any potential/future development and land use activities are subject to General Plan 2030 Implementing Policy 4.7-I-3.
Hydrology and Water Quality	
Impact HYD-1: Development and land use activities contemplated by the General Plan 2030 would not violate any water quality standards or waste discharge requirements.	Page 3.8-11 discloses that any potential/future development contemplated by the implementation of the proposed General Plan 2030 may result in construction activities that could have the potential to create polluted runoff. These pollutants could be conveyed offsite potentially affect the water quality within the local

Table 2-1 (cont.): EIR Analysis of Tassajara Valley

Environmental Impact	EIR Analysis Regarding Tassajara Valley
	streams and the San Francisco Bay. Generally, construction activities and possibly an increase in impervious surfaces could generate pollutants such as increased silts, ground rubber, oils from automobiles, debris, litter, chemicals, dust, and dissolved solids related to grading, excavating, dredging, building construction, and painting. Page 3.8-11 also states that Implementing Policies 8.4-I-11, 8.4-I-12, and 8.8-I-6 require participation in clean water programs, monitoring waterways to prevent degradation, and the continued implementation of the City of San Ramon Stormwater Management Program, and therefore the impacts would be less than significant.
Impact HYD-2: Development and land use activities contemplated by the General Plan 2030 would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge.	Page 3.8-13 explains that the Tassajara Valley is not served by an urban water supplier and that land uses within the area rely on groundwater or surface water impoundments (stock ponds).
Impact HYD-3: Development and land use activities contemplated by the General Plan 2030 would not result in substantial erosion or siltation.	Page 3.8-14 discloses that Tassajara Valley contains undeveloped areas and, thus, any potential/future development activities have the potential to cause erosion and siltation to occur in downstream waterways.
Impact HYD-4: Development and land use activities contemplated by the General Plan 2030 would not result in flooding.	Page 3.8-3 discloses that outside of the city limits (e.g., in Bollinger Canyon and the Tassajara Valley), the 100-year flood hazard area often extends beyond the stream channels, reflecting the unimproved or minimally improved nature of the drainages. Page 3.8-15 states that the proposed Urban Growth Boundary adjustments would encompass a portion of the Tassajara Valley.
Impact HYD-5: Development and land use activities contemplated by the General Plan 2030 would not create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems.	Page 3.8-16 discloses that the Tassajara Valley contains undeveloped areas and, thus, any potential/future development activities would require storm drainage infrastructure.
Land Use	
Impact LU-1: Development and land use activities contemplated by the General Plan 2030 would not divide an established community.	Page 3.9-8 discloses that the Tassajara Valley contains agricultural and rural residential uses. The Urban Growth Boundary and Sphere of Influence adjustments are the first steps in a comprehensive land use planning process for this area; they would not divide an established community.
Impact LU-2: Implementation of the San Ramon General Plan would not conflict with applicable plans adopted for the purpose of avoiding or mitigating an environmental effect.	Page 3.9-9 notes that the provisions of Ordinance 197 only apply to areas within the City limits or lands that are proposed to be annexed into the City of San Ramon. As such, Ordinance 197 does not apply to the portion of the Tassajara Valley that is subject to the proposed Urban

Table 2-1 (cont.): EIR Analysis of Tassajara Valley

Environmental Impact	EIR Analysis Regarding Tassajara Valley
	<p>Growth Boundary and Sphere of Influence adjustments because these areas would remain unincorporated; however, it will be used to evaluate future development that might occur.</p>
<p>Impact LU-3: The proposed Sphere of Influence adjustment contemplated by the General Plan 2030 is consistent with the factors LAFCo must use is reviewing the proposal.</p>	<p>Table 3.9-1 provides a consistency analysis with the factors set forth in Gov. Code Section 56425 that concern Sphere of Influence adjustments. Page 3.9-9 and 3.9-10 discloses that the proposed General Plan 2030 contemplates the adjustment of the Sphere of Influence to encompass 1,626 acres of the Tassajara Valley. Page 3.9-10 discloses that the City of San Ramon, the County of Contra Costa, and the Town of Danville have had discussions regarding future jurisdictional boundaries in the Tassajara Valley. At the time of this writing, no formal agreement has been entered into between the three agencies. However, such an agreement may be entered into in the near future. Thus, a good faith effort has been made by all affected agencies regarding the provisions of Gov. Code Section 56425 that concern collaboration among agencies.</p>
Noise	
<p>Impact NOI-1: Development and land use activities contemplated by the General Plan 2030 would not expose persons to excessive noise levels.</p>	<p>Page 3.10-23 discloses that implementation of the General Plan 2030 would generate noise during construction activities. Table 3.10-1 discloses the typical noise levels associated with the operation of construction equipment at a distance of 50 feet, and Page 3.10-23 discloses that construction activities would result in a substantial noise increase in such locations on a short-term basis. Page 3.10-23 discloses that implementation of the General Plan 2030 would allow for new development that would generate additional ambient noise levels caused by additional traffic. Page 3.10-33 discloses that existing and future traffic noise levels have the potential to expose persons to excessive noise levels.</p>
<p>Impact NOI-2: Development and land use activities contemplated by the General Plan 2030 would not expose persons to excessive vibration levels.</p>	<p>Page 3.10-34 discloses that implementation of the General Plan 2030 could result in construction activities that result in substantial vibration levels if used in the vicinity of sensitive land uses that may expose persons to excessive vibration levels and cause damage to buildings. Page 3.10-35 discloses that implementation of the General Plan 2030 has the potential for vibration impacts when heavy trucks are operating on private loading areas that are located next to sensitive land uses.</p>

Table 2-1 (cont.): EIR Analysis of Tassajara Valley

Environmental Impact	EIR Analysis Regarding Tassajara Valley
Impact NOI-3: Development and land use activities contemplated by the General Plan 2030 would not expose persons to a permanent increase in ambient noise levels.	Page 3.10-36 discloses that implementation of the General Plan 2030 would allow for new development within the City that would generate additional traffic or change traffic patterns that may create a permanent increase in ambient noise levels for existing land uses next to the affected roadways.
Impact NOI-4: Development and land use activities contemplated by the General Plan 2030 would not expose persons to temporary increases in ambient noise levels.	Page 3.10-37 discloses that implementation of the General Plan 2030 could result in construction activities that could expose sensitive land uses adjacent to such activities to a substantial noise increase.
Impact NOI-5: Development and land use activities contemplated by the General Plan 2030 would not expose persons to excessive aviation noise levels.	Page 3.10-38 discloses that helicopter noise may be perceived in various parts of the Planning Area near Camp Parks.
Population and Housing	
Impact POP-1: The proposed General Plan 2030 may induce substantial population growth.	Page 3.11-6 states that the Tassajara Valley Urban Growth Boundary and Sphere of Influence adjustments are the first steps in a comprehensive land use planning process for this area; they would not in themselves induce growth. Implementing Policy 4.7-I-3 requires the preparation of the Eastside Specific Plan to guide any future land use and development activities in this area. As part of this process, buildout potential of this area will be evaluated, including population growth. Furthermore, the Urban Growth Boundary and Sphere of Influence adjustments would not be considered indirect forms of growth inducement, as they consist of simply adjusting political boundaries. Page 3.11-6 explains that existing land use designations and entitlements would not be altered by these adjustments; therefore, no additional growth beyond what is currently allowed by the Contra Costa County General Plan and Zoning Ordinance would be able to occur.
Public Services and Recreation	
Impact PSR-1: Development and land use activities contemplated by the General Plan 2030 would not result in a need for new or expanded fire facilities or adverse impacts on fire protection.	Page 3.12-21 and 3.12-22 states that the Tassajara Valley is currently within the Fire Protection District boundaries; therefore, the proposed Urban Growth Boundary and Sphere of Influence adjustments would not change the status of fire protection. While no development is contemplated in the Tassajara Valley at this time under the General Plan buildout scenario, any future development and land use activities in the Tassajara Valley would be subject to Implementing Policy 4.7-I-3.
Impact PSR-2: Development and land use activities contemplated by the General Plan 2030 would not result in a need for new or expanded police facilities or adverse impacts on police protection.	Page 3.12-23 discloses that the Tassajara Valley is within the unincorporated County and is served by the Sheriff's Department. The proposed Urban Growth Boundary and Sphere of Influence adjustments would not alter the status of police protection for this area. While no development

Table 2-1 (cont.): EIR Analysis of Tassajara Valley

Environmental Impact	EIR Analysis Regarding Tassajara Valley
	is contemplated in the Tassajara Valley at this time under the General Plan buildout scenario, any future development and land use activities in the Tassajara Valley would be subject to Implementing Policy 4.7-I-3.
Impact PSR-3: Development and land use activities contemplated by the General Plan 2030 would not result in a need for new or expanded school facilities or adverse impacts on education.	Page 3.12-24 discloses that the Tassajara Valley is currently within the School District boundaries; the proposed Urban Growth Boundary and Sphere of Influence adjustments would not change the status of school services. While no development is contemplated in the Tassajara Valley at this time under the General Plan buildout scenario, any potential/future development and land use activities in the Tassajara Valley would be subject to Implementing Policy 4.7-I-3.
Impact PSR-4: Development and land use activities contemplated by the General Plan 2030 would not result in a need for new or expanded park, trail, or community facilities or have adverse impacts on related services.	Page 3.12-25 discloses that the proposed Tassajara Valley Urban Growth Boundary and Sphere of Influence adjustments would not alter the status of parks, trails, or community facilities available to residents and employees of this area.
Impact PSR-5: Development and land use activities contemplated by the General Plan 2030 would not result in a need for new or expanded library facilities or adverse impacts on related services.	Pages 3.12-26 and 3.12-27 discloses that the proposed Tassajara Valley Urban Growth Boundary and Sphere of Influence adjustments would not alter the status of library services available to residents and employees of this area.
Transportation	
Impact TRANS-1: Development and land use activities contemplated by the General Plan 2030 would not increase traffic volumes or cause transportation facilities to degrade below the City's level of service standards.	Table 3.13-6 discloses the results of the intersection LOS analysis representing the AM and PM peak hours for buildout of the General Plan 2030 cumulatively with regional development to the year 2030.
Impact TRANS-2: Development and land use activities contemplated by the General Plan 2030 would not cause transportation facilities to degrade below the Congestion Management Agency's Transportation Service Objectives for routes of regional significance.	Table 3.13-7 discloses the results of the cumulative conditions freeway performance compared with existing MTSOs.
Impact TRANS-3: Development and land use activities contemplated by the General Plan 2030 would not conflict with plans for or access to public transit, bicycles, or pedestrians.	Page 3.13-62 discloses that the land uses allowed under the General Plan 2030 will create demand for public transportation.
Impact TRANS-4: Development and land use activities contemplated by the General Plan 2030 would not adversely affect response time for emergency service providers.	Page 3.13-62 discloses that land uses allowed under the General Plan 2030 would increase traffic and associated delays at intersections that may impact the response time for emergency service providers.

Table 2-1 (cont.): EIR Analysis of Tassajara Valley

Environmental Impact	EIR Analysis Regarding Tassajara Valley
<p>Impact TRANS-5: Development and land use activities contemplated by the General Plan 2030 would not result in non-standard or hazardous designs or land uses that are incompatible with public facilities and adjoining land uses.</p>	<p>Page 3.13-63 discloses that implementation of the General Plan 2030 could allow the development of land uses of the implementation of transportation facility designs that could potentially create hazards to various modes of transportation.</p>
<p>Utility Systems</p>	
<p>Impact US-1: Development and land use activities contemplated by the General Plan 2030 would not result in a need for additional water supplies.</p>	<p>Page 3.14-15 discloses that the Tassajara Valley is not served by an urban water supplier and land uses within the area rely on groundwater or surface water impoundments (stock ponds). The proposed Urban Growth Boundary and Sphere of Influence adjustments will not alter existing groundwater use characteristics in the Tassajara Valley.</p>
<p>Impact US-2: Development and land use activities contemplated by the General Plan 2030 would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities.</p>	<p>Page 3.14-16 discloses that the Tassajara Valley is not served by a wastewater treatment provider and land uses within the area rely on septic or alternative wastewater disposal systems. The proposed Urban Growth Boundary and Sphere of Influence adjustments will not alter existing wastewater disposal characteristics in the Tassajara Valley.</p>
<p>Impact US-3: Development and land use activities contemplated by the General Plan 2030 would not require or result in the construction of new storm water drainage facilities or expansion of existing facilities.</p>	<p>Pages 3.14-17 and 3.14-18 disclose that the Tassajara Valley contains undeveloped areas and, thus, any potential/future development activities would require storm drainage infrastructure.</p>
<p>Impact US-4: Development and land use activities contemplated by the General Plan 2030 would be served by landfills with sufficient permitted capacity and would comply with applicable regulations.</p>	<p>Page 3.14-19 discloses that land uses within the Tassajara Valley currently generate solid waste. The proposed Urban Growth Boundary and Sphere of Influence adjustments will not alter existing solid waste generation characteristics in the Tassajara Valley. Page 3.14-19 discloses that any potential/future development within Tassajara Valley may generate need for additional sold waste and recycling services.</p>
<p>Impact US-5: Development and land use activities contemplated by the General Plan 2030 would not result in the unnecessary, wasteful, or inefficient use of energy.</p>	<p>Page 3.14-20 discloses that land uses within the Tassajara Valley are currently served by PG&E. The proposed Urban Growth Boundary and Sphere of Influence adjustments will not alter existing energy use characteristics in the Tassajara Valley. Page 3.14-20 also discloses that any potential/future development within Tassajara Valley may generate additional energy use.</p>

Table 2-1 (cont.): EIR Analysis of Tassajara Valley

Environmental Impact	EIR Analysis Regarding Tassajara Valley
Cumulative Impacts	
Aesthetics, Light, and Glare	Page 4-2 states that any potential/future development and land use activities within both the Planning Area and nearby areas, including Tassajara Valley, have the potential to result in cumulative impacts to scenic vistas, state scenic highway viewsheds, and visual character. Page 4-2 also states that any potential/future development and land use activities within both the Planning Area and nearby areas, including Tassajara Valley, also have the potential to introduce new sources of light and glare.
Agricultural Resources	Page 4-3 states that any potential/future development and land use activities within both the Planning Area and nearby areas, including Tassajara Valley, have the potential to result in the conversion of agricultural land to non-agricultural use, conflict with Williamson Act contracts, and create pressures that cause the premature conversion of agricultural land.
Air Quality/Greenhouse Gas Emissions	Page 4-3 states that any potential/future development and land use activities within the Planning Area and the East Bay region, including Tassajara Valley would result air emissions from construction and operational activities. Growth contemplated by the General Plan 2030 would exceed ABAG population and employment projections for the City of San Ramon; therefore, this represents a significant unavoidable impact associated with air quality planning inconsistency and cumulative criteria pollutant emissions.
Biological Resources	Page 4-3 states that any potential/future development and land use activities within both the Planning Area and nearby areas, including Tassajara Valley, have the potential to result in cumulative impacts to special-status plant and animal species, sensitive natural habitat, federally protected wetlands, and wildlife movement.
Cultural Resources	Page 4-4 states that any potential/future development and land use activities within both the Planning Area and nearby areas, including Tassajara Valley, have the potential to result in impacts to documented and undiscovered cultural resources such as artifacts, fossils, and burial sites.
Geology, Soils, and Seismicity	Page 4-4 states that any potential/future development and land use activities within both the Planning Area and nearby areas, including Tassajara Valley, have the potential to result in impacts to seismic hazards (e.g., fault rupture, ground shaking, liquefaction, landsliding), erosion, unstable soils and geologic units, and expansive soils.

Table 2-1 (cont.): EIR Analysis of Tassajara Valley

Environmental Impact	EIR Analysis Regarding Tassajara Valley
Hazards and Hazardous Materials	Pages 4-4 and 4-5 states that any potential/future development and land use activities within both the Planning Area and nearby areas, including Tassajara Valley, have the potential to result in impacts associated with hazardous materials usage, risk of upset, exposure of schools, emergency evacuation, and wildfires.
Hydrology and Water Quality	Page 4-5 states that any potential/future development and land use activities within both watersheds have the potential to create adverse impacts associated with water quality, groundwater, flooding, and drainage.
Land Use	Page 4-5 states that any potential/future development and land use activities within the Planning Area and neighboring jurisdictions, including Tassajara Valley, have the potential to create adverse impacts associated with division of an established community and inconsistency with adopted land use plans.
Noise	Page 4-6 states that any potential/future development and land use activities within the Planning Area and neighboring jurisdictions have the potential to create adverse impacts associated with noise level increases that expose receptors to unacceptable ambient noise levels.
Population and Housing	Page 4-6 states that any potential/future development and land use activities within the Planning Area and the East Bay region, including Tassajara Valley, would result in population and employment growth.
Public Services and Recreation	Page 4-6 states that development and land use activities within the Planning Area and neighboring jurisdictions, including the Tassajara Valley, have the potential to increase demands for public services including fire protection, emergency medical response, police protection, schools, parks, libraries, and recreational facilities.
Transportation	Page 4-7 states that any potential/future development and land use activities within the Planning Area and neighboring jurisdictions, including the Tassajara Valley, would increase for various modes of transportation.
Utility Systems	Page 4-7 states that any potential/future development and land use activities within the Planning Area and neighboring jurisdictions, including the Tassajara Valley, have the potential to increase demands for utilities including water, wastewater, storm drainage, solid waste, and energy.

In addition to disclosing those potential environmental effects associated with future development under an Eastside Specific Plan that can be reasonably identified at this stage of the planning process, the EIR concludes that, with the exception of the significant and unavoidable impacts identified in the

EIR, those reasonably foreseeable environmental effects will be mitigated through the implementation of the self-mitigating General Plan 2030 Implementing Policies that apply throughout the General Plan area (CEQA Guidelines, Section 15126.4(a)(2)). Accordingly, the EIR provides sufficient information to make a decision on the project, which accounts for environmental consequences based on reasonably available information.

At this stage of the planning process, however, no specific information—such as the type, mix, density, intensity, and location of proposed land uses—exists that would enable a more precise analysis of the potential environmental effects of buildout under any potential Eastside Specific Plan Without a concrete proposal to focus the environmental analysis, The Draft EIR cannot quantify the impacts of Eastside Specific Plan buildout without also engaging in arbitrary speculation. Indeed, CEQA does not permit the EIR to engage in such speculation. Pursuant to CEQA Guidelines Section 15145, if a lead agency finds that particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact. If the EIR were to assume some range of development under the as-yet undetermined Eastside Specific Plan, as some comments suggest, such assumptions would be entirely arbitrary, would not be supported by substantial evidence, and, thus, would not inform the public or decision makers of the project’s potential environmental effects.

Significance of Project Objectives

Finally, regarding the claim that the text of two project objectives conflict indicate that General Plan 2030 contemplates development in the Tassajara Valley, the full text of each objective is reprinted below:

- Review and adjust the Urban Growth Boundary to include areas that are currently developed or anticipated to develop over the planning horizon.
- Review and adjust the Sphere of Influence to encompass a portion of the Tassajara Valley as a first step of initiating the Eastside Specific Plan Process

CEQA Guidelines Section 15124(b) establishes that project objectives are intended to reflect the “underlying purpose” of the project and are to be used in the development of EIR alternatives, as well as the findings of fact and statement of overriding consideration. As such, the objectives reflect the self-evident, fundamental attributes and characteristics of General Plan 2030. Furthermore, the project objectives are not “project characteristics” (land use activities proposed by the General Plan 2030), nor do they appear anywhere in the text of General Plan 2030 itself. Rather, the project objectives are part of the EIR and fulfill the specific purposes outlined by the CEQA Guidelines.

The text of both objectives reflects the intent of Implementing Policy 4.7-I-3, which is for the Eastside Specific Plan process to guide future development and land use activities in the Tassajara Valley if and when such specific plan is adopted. Neither objective commits or obligates the City of

San Ramon to pursue the development of urban uses in the Tassajara Valley. For these reasons, there is no legal basis for interpreting project objectives to be equivalent to or otherwise interchangeable with “project characteristics.”

Again, as discussed above, the Draft EIR analyses the environmental impacts of development activity on Tassajara Valley to the extent feasible. Any further analysis would be pure speculation unsupported by substantial evidence, as no proposals for development currently exist.

SECTION 3: RESPONSES TO WRITTEN COMMENTS

3.1 - List of Authors

A list of public agencies, organizations, and individuals that provided comments on the Draft Environmental Impact Report (Draft EIR) is presented below. Each comment has been assigned a code. Individual comments within each communication have been numbered so comments can be cross-referenced with responses. Following this list, the text of the communication is reprinted and followed by the corresponding response.

Author	Author Code
State Agencies	
Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit.....	OPR
California Energy Commission	CEC
California Department of Transportation	CALTRANS
Local Agencies	
Central Contra Costa Sanitary District	CCCSO
Contra Costa Flood Control and Water Conservation District	FLOOD
Dublin San Ramon Services District	DSRSD
East Bay Municipal Utility District	EBMUD
Organizations	
Greenbelt Alliance.....	GREENBELT
San Ramon for Open Government	SRGO
Save Mt. Diablo.....	DIABLO
Individuals	
Jim Gibbon	GIBBON

3.2 - Responses to Comments

3.2.1 - Introduction

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15088, the City of San Ramon, as the lead agency, evaluated the comments received on the Draft EIR (State Clearinghouse No. 2000082002) for the City of San Ramon General Plan 2030, and has prepared the following responses to the comments received. This Responses to Comments document becomes part of the Final EIR for the project in accordance with CEQA Guidelines Section 15132.

3.2.2 - Comment Letters and Responses

The comment letters reproduced in the following pages follow the same organization as used in the List of Authors.



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



ARNOLD SCHWARZENEGGER
 GOVERNOR

CYNTHIA BRYANT
 DIRECTOR

May 25, 2010

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

RECEIVED
 MAY 27 2010
 CITY OF SAN RAMON
 PLANNING SERVICES

Subject: City of San Ramon General Plan 2030
 SCH#: 2000082002

OPR
 Page 1 of 2

Dear Lauren Barr:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on May 19, 2010, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

OPR-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
 Acting Director, State Clearinghouse

Enclosures
 cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2000082002
Project Title City of San Ramon General Plan 2030
Lead Agency San Ramon, City of

Type EIR Draft EIR

Description The proposed project is a comprehensive update to the City of San Ramon General Plan. As part of the update, adjustments are proposed to the City's Planning Area, Urban Growth Boundary, and Sphere of Influence. In addition, revisions are proposed to existing General Plan elements, and a new Air Quality/Greenhouse Gas Emissions Element and a Climate Action Plan have been created.

Lead Agency Contact

Name Lauren Barr
Agency City of San Ramon
Phone 925-973-2560
email
Address 2222 Camino Ramon
City San Ramon **State** CA **Zip** 94583
Fax

Project Location

County Contra Costa
City San Ramon
Region
Lat / Long 37° 46' 00" N / 121° 56' 00" W
Cross Streets Bollinger Canyon Rd/I-680
Parcel No.
Township 2S **Range** 1W **Section** **Base** MDB&M

Proximity to:

Highways I-680
Airports
Railways
Waterways San Ramon Creek
Schools San Ramon Valley USD
Land Use Existing General Plan 2020 (existing General Plan); General Plan 2030 (proposed General Plan)

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Cumulative Effects; Drainage/Absorption; Geologic/Seismic; Flood Plain/Flooding; Forest Land/Fire Hazard; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 3; Cal Fire; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Management Agency, California; California Highway Patrol; Caltrans, District 4; Department of Housing and Community Development; Department of Health Services; State Water Resources Control Board, Division of Financial Assistance; Regional Water Quality Control Board, Region 2; Native American Heritage Commission

Date Received 04/05/2010 **Start of Review** 04/05/2010 **End of Review** 05/19/2010

State Agencies

Governor's Office of Planning and Research, State Clearinghouse and Planning Unit (OPR)

Response to OPR-1

The comment letter is the standard form letter issued by the Office of Planning and Research, State Clearinghouse and Planning Unit confirming that the Draft EIR was distributed to various state agencies, and that the City of San Ramon has complied with review requirements for draft environmental review documents pursuant to CEQA. No further response is necessary.

Response to OPR-2

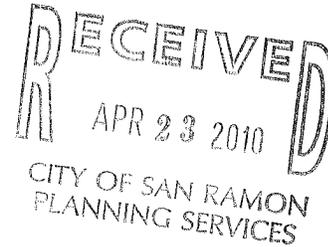
This comment consists of the "Document Details Report" provided in the State Clearinghouse database. No response is necessary.

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov



April 20, 2010



Lauren Barr, Senior Planner
City of San Ramon
2222 Camino Ramon
San Ramon, CA 94583

CEC
Page 1 of 2

Dear Ms. Barr:

The California Energy Commission has received the City of San Ramon's Draft EIR titled City of San Ramon General Plan 2030, SCH 2000082002 that was submitted on 4/5/2010 for comments due by 5/19/2010. After careful review, the Energy Commission has found the following:

We would like to assist in reducing the energy usage involved in your project. Please refer to the enclosed Appendix F of the California Environmental Quality Act for how to achieve energy conservation.

In addition, the Energy Commission's *Energy Aware Planning Guide* is also available as a tool to assist in your land use planning. For further information on how to utilize this guide, please visit www.energy.ca.gov/energy_aware_guide/index.html.

Thank you for providing us the opportunity to review/comment on your project. We hope that our comments will be helpful in your environmental review process.

If you have any further questions, please call Gigi Tien at (916) 651-0566.

Sincerely,

BILL PFANNER
Supervisor, Local Energy & Land Use Assistance Unit
Special Projects Office
Fuels and Transportation Division
California Energy Commission
1516 Ninth Street, MS 23
Sacramento, CA 95814

Enclosure

CEC-1

Appendix F

ENERGY CONSERVATION

I. Introduction

The goal of conserving energy implies the wise and efficient use of energy. The means of achieving this goal include:

- (1) decreasing overall per capita energy consumption,
- (2) decreasing reliance on natural gas and oil, and
- (3) increasing reliance on renewable energy sources.

In order to assure that energy implications are considered in project decisions, the California Environmental Quality Act requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy.

Energy conservation implies that a project's cost effectiveness be reviewed not only in dollars, but also in terms of energy requirements. For many projects, lifetime costs may be determined more by energy efficiency than by initial dollar costs.

II. EIR Contents

Potentially significant energy implications of a project should be considered in an EIR. The following list of energy impact possibilities and potential conservation measures is designed to assist in the preparation of an EIR. In many instances, specific items may not apply or additional items may be needed.

A. Project Description may include the following items:

1. Energy consuming equipment and processes which will be used during construction, operation, and/or removal of the project. If appropriate, this discussion should consider the energy intensiveness of materials and equipment required for the project.
2. Total energy requirements of the project by fuel type and end use.
3. Energy conservation equipment and design features.
4. Initial and life-cycle energy costs or supplies.
5. Total estimated daily trips to be generated by the project and the additional energy consumed per trip by mode.

B. Environmental Setting may include existing energy supplies and energy use patterns in the region and locality.

C. Environmental Impacts may include:

1. The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project's life cycle including construction, opera-

tion, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.

2. The effects of the project on local and regional energy supplies and on requirements for additional capacity.
3. The effects of the project on peak and base period demands for electricity and other forms of energy.
4. The degree to which the project complies with existing energy standards.
5. The effects of the project on energy resources.
6. The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

D. Mitigation Measures may include:

1. Potential measures to reduce wasteful, inefficient and unnecessary consumption of energy during construction, operation, maintenance and/or removal. The discussion should explain why certain measures were incorporated in the project and why other measures were dismissed.
2. The potential of siting, orientation, and design to minimize energy consumption, including transportation energy.
3. The potential for reducing peak energy demand.
4. Alternate fuels (particularly renewable ones) or energy systems.
5. Energy conservation which could result from recycling efforts.

E. Alternatives should be compared in terms of overall energy consumption and in terms of reducing wasteful, inefficient and unnecessary consumption of energy.

F. Unavoidable Adverse Effects may include wasteful, inefficient and unnecessary consumption of energy during the project construction, operation, maintenance and/or removal that cannot be feasibly mitigated.

G. Irreversible Commitment of Resources may include a discussion of how the project preempts future energy development or future energy conservation.

H. Short-Term Gains versus Long-Term Impacts can be compared by calculating the energy costs over the lifetime of the project.

I. Growth Inducing Effects may include the estimated energy consumption of growth induced by the project.

California Energy Commission (CEC)

Response to CEC-1

The author referenced Appendix F of the CEQA Guidelines, which concerns energy conservation, and advised that it provides information regarding reducing energy usage. The author also noted that the CEC's publication "Energy Aware Planning Guide" also provides information regarding energy conservation. The author did not provide any project-specific comments.

The Draft EIR evaluated the proposed General Plan 2030's consistency with Appendix F in Section 6.3, Energy Conservation. As such, the Draft EIR provided the requested analysis.

Regarding the author's reference to the "Energy Aware Planning Guide," many of the strategies identified in that document are contained as guiding or implementing policies in the proposed General Plan 2030. Examples include infill development; transit-oriented development; incorporating pedestrian, bicycle, and transit facilities into new development; parking supply management; transportation demand management; building energy conservation; water conservation; and solid waste reduction. For further discussion, refer to the following elements of General Plan 2030: Growth Management, Land Use, Traffic Circulation, Public Facilities and Utilities, Open Space and Conservation, and Air Quality and Greenhouse Gases.

Response to CEC-2

The author attached an excerpt of Appendix F of the CEQA Guidelines. No response is necessary.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION

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CITY OF SAN RAMON
PLANNING SERVICES

May 19, 2010

CCGEN181
SCH#2000082002

Mr. Lauren Barr, Senior Planner
Planning/Service Division
City of San Ramon
2226 Camino Ramon
San Ramon, CA 94583

Dear Mr. Barr:

City of San Ramon General Plan 2030- Draft Environmental Impact Report

Thank you for including the California Department of Transportation (Department) in the environmental review process for the City of San Ramon General Plan Update. We have reviewed the Draft Environmental Impact Report and have the following comments to offer.

CALTRANS-1

Traffic Operations

On page 2-16, please identify and quantify impacts caused by "the non-residential square footage category, which increases by 2.9 million square feet." How will this impact the State Highway System? Please include project specific trip generation/distribution figures for State intersections in the project area. Please include the unincorporated Norris Canyon Estates project and planned Bollinger Canyon Road widening in the analysis. Also, please account for trip generation/distribution from the 1,436 acre area being contemplated for annexation by the Town of Danville, if Danville has an adopted plan for the area from which trip generation can be estimated.

CALTRANS-2

Encroachment Permit

Any work or traffic control within the State Right of Way (ROW) requires an encroachment permit that is issued by the Department. Traffic-related mitigation measures will be incorporated into the construction plans during the encroachment permit process. See the following website link for more information: <http://www.dot.ca.gov/hq/traffops/developserv/permits/>.

CALTRANS-3

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

Mr. Lauren Barr/City of San Ramon
May 19, 2010
Page 2

Should you have any questions regarding this letter, please call me at (510) 622-5491.

CALTRANS-4

Sincerely,



LISA CARBONI
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse

California Department of Transportation (CALTRANS)

Response to CALTRANS-1

The author provided introductory remarks to open the letter. No response is necessary.

Response to CALTRANS-2

The author cited a statement on page 2-16 of the Draft EIR about General Plan 2030 allowing 2.9 million additional square feet of non-residential uses and requested explanation of how this additional development would affect the State Highway system. The author specifically requested trip generation and distribution figures for intersections on state facilities within the Planning Area. The author also requested that the Norris Canyon Estates and planned Bollinger Canyon Road widening be accounted for in the analysis. Additionally, the author requested that trip generation and distribution associated with the 1,436-acre area being proposed for annexation into the Town of Danville be accounted for, provided that Danville has an adopted plan for which trip generation can be estimated.

The Draft EIR described the evaluation of traffic impacts in Section 3.13 beginning on page 3.13-1. Potential impacts to the state highway system are addressed through the analysis of the three interchanges serving the City of San Ramon (I-680 at Crow Canyon Road, Bollinger Canyon Road, and Alcosta Road) and analysis of I-680 mainline segments located north of Crow Canyon Road, between Crow Canyon and Bollinger Canyon roads, and south of Bollinger Canyon Road. The analysis methodologies are described beginning on page 3.13-8.

Traffic impacts of the General Plan 2030 are based on forecasts developed from the Contra Costa Transportation Authority (CCTA) Regional Travel Demand Forecasting Model. The year 2030 model land use database was updated so that the San Ramon Traffic Analysis Zones (TAZs) contained population, housing, and employment totals that matched the City of San Ramon's projections (within City limits and in the sphere of influence) at buildout. These projections included traffic associated with Norris Canyon Estates. Furthermore, the land use update included specific proposed development within the Town of Danville and unincorporated Contra Costa County surrounding San Ramon, including the 1,436-acre area within Danville's Sphere of Influence. In addition, the planned widening of Bollinger Canyon Road was included in the 2030 cumulative analysis.

Unlike traffic impact studies for individual development projects, the Draft EIR is based on model forecasts of cumulative development regionally. Therefore, the Draft EIR does not contain specific trip generation rates or resulting trip generation. The Draft EIR analysis does present the growth in traffic between today and 2030 representing the cumulative growth in traffic generated by new development in San Ramon, Danville, unincorporated Contra Costa County, and neighboring jurisdictions. Traffic growth at surface street intersections at the three interchanges (see Table 3-1) represents the trip generation and distribution primarily of new development in San Ramon and to some extent the Town of Danville. Table 3-1 presents the traffic growth between existing and year

2030 at the interchange intersections. As a self-mitigating plan, improvements that mitigate impacts at intersections are included in the General Plan’s policies. The General Plan 2030 policies were updated to include improvements at the Alcosta Road ramp intersections.

Mainline I-680 traffic projections, a combination of growth in San Ramon and regionally, are analyzed using the Multimodal Transportation Service Objectives (MTSOs) as established in the Tri-Valley Transportation and Action Plan. The Draft EIR does not isolate mainline traffic generated exclusively by growth in the City. Table 3-2 shows the total cumulative growth in traffic as *projected using the CCTA model*.

As identified in the DEIR, the I-680 mainline through San Ramon is projected to exceed established MTSOs under cumulative conditions (see Table 3.13-7 in the Draft EIR). Growth allowed under General Plan 2030 contributes to these impacts. A less than significant impact was determined because growth allowed under the General Plan 2030 itself does not cause I-680 to degrade from an acceptable MTSO to an unacceptable MTCO, as I-680 fails to meet MTSO standards under existing conditions.

The General Plan 2030 includes policies requiring San Ramon to cooperate with regional agencies to plan and implement improvements to the state highway system jointly with other Tri-Valley municipalities, including the payment of impact fees by new development.

Table 3-1: Existing Peak Hour Traffic Growth at I-680 Interchange Intersections

Intersection	Analysis Scenario	AM Peak											
		NB			SB			EB			WB		
		L	T	R	L	T	R	L	T	R	L	T	R
Crow Canyon Road/I-680 SB Ramps	Existing	0	0	0	752	0	642	0	1145	452	0	778	1007
	Cumulative (2030)	0	0	0	1125	0	939	0	1425	745	0	1403	1007
	Net Change	0	0	0	373	0	297	0	280	293	0	625	0
	Net Change (by approach)	0			670			573			625		
	Net Change (total intersection)	1868											
Crow Canyon Road/I-680 NB Ramps	Existing	529	0	771	0	0	0	0	1691	228	0	1122	617
	Cumulative (2030)	596	0	1218	0	0	0	0	1819	731	0	1814	834
	Net Change	67	0	447	0	0	0	0	128	503	0	692	217
	Net Change (by approach)	514			0			631			909		
	Net Change (total intersection)	2054											

Table 3-1 (cont.): Existing Peak Hour Traffic Growth at I-680 Interchange Intersections

Intersection	Analysis Scenario	AM Peak											
		NB			SB			EB			WB		
		L	T	R	L	T	R	L	T	R	L	T	R
Bollinger Canyon Road/ I-680 SB Ramps	Existing	3	0	72	1156	18	180	0	1015	227	0	488	920
	Cumulative (2030)	3	0	101	1240	21	435	0	1550	410	0	794	1080
	Net Change	0	0	29	84	3	255	0	535	183	0	306	160
	Net Change (by approach)	29			342			718			466		
	Net Change (total intersection)	1555											
Bollinger Canyon Road/ I-680 SB Ramps	Existing	333	0	1972	0	0	0	0	1294	839	0	1174	633
	Cumulative (2030)	332	0	2099	0	0	0	0	2060	831	0	1542	791
	Net Change	-1	0	127	0	0	0	0	766	-8	0	368	158
	Net Change (by approach)	126			0			758			526		
	Net Change (total intersection)	1410											
San Ramon Valley Blvd/ I-680 SB Ramps	Existing	38	245	357	649	241	42	14	25	12	274	42	24
	Cumulative (2030)	45	449	654	950	729	50	14	25	12	346	53	30
	Net Change	7	204	297	301	488	8	0	0	0	72	11	6
	Net Change (by approach)	508			797			0			89		
	Net Change (total intersection)	1394											
Alcosta Blvd/ I-680 NB Ramps	Existing	233	0	112	0	0	0	383	445	0	0	1300	150
	Cumulative (2030)	265	0	127	0	0	0	515	598	0	0	1558	180
	Net Change	32	0	15	0	0	0	132	153	0	0	258	30
	Net Change (by approach)	47			0			285			288		
	Net Change (total intersection)	620											

Source: Kimley-Horn and Associates, 2010.

Table 3-2: Projected Peak Hour Traffic Growth at I-680 Interchange Intersections

Intersection	Analysis Scenario	PM Peak											
		NB			SB			EB			WB		
		L	T	R	L	T	R	L	T	R	L	T	R
Crow Canyon Road/I-680 SB Ramps	Existing	0	0	0	1024	0	988	0	1601	718	0	1595	933
	Cumulative (2030)	0	0	0	903	0	1175	0	1958	744	0	1629	983
	Net Change	0	0	0	-121	0	187	0	357	26	0	34	50
	Net Change (by approach)	0			66			383			84		
	Net Change (total intersection)	533											
Crow Canyon Road/I-680 NB Ramps	Existing	921	0	1192	0	0	0	0	2211	326	0	1662	807
	Cumulative (2030)	1001	0	1288	0	0	0	0	1991	870	0	1611	1431
	Net Change	80	0	96	0	0	0	0	-220	544	0	-51	624
	Net Change (by approach)	176			0			324			573		
	Net Change (total intersection)	1073											
Bollinger Canyon Road/I-680 SB Ramps	Existing	2	0	114	940	33	312	0	854	196	0	1150	1418
	Cumulative (2030)	5	0	101	1175	32	450	0	1254	253	0	1545	1990
	Net Change	3	0	-13	235	-1	138	0	400	57	0	395	572
	Net Change (by approach)	-10			372			457			967		
	Net Change (total intersection)	1786											
Bollinger Canyon Road/I-680 SB Ramps	Existing	708	0	1366	0	0	0	0	1361	437	0	1913	651
	Cumulative (2030)	528	0	1357	0	0	0	0	2071	458	0	3007	1276
	Net Change	-180	0	-9	0	0	0	0	710	21	0	1094	625
	Net Change (by approach)	-189			0			731			1719		
	Net Change (total intersection)	2261											

Table 3-2 (cont.): Projected Peak Hour Traffic Growth at I-680 Interchange Intersections

Intersection	Analysis Scenario	PM Peak											
		NB			SB			EB			WB		
		L	T	R	L	T	R	L	T	R	L	T	R
San Ramon Valley Blvd/ I-680 SB Ramps	Existing	38	475	168	214	184	44	94	24	11	578	57	21
	Cumulative (2030)	45	1037	367	475	533	50	94	24	11	630	62	23
	Net Change	7	562	199	261	349	6	0	0	0	52	5	2
	Net Change (by approach)	768			616			0			59		
	Net Change (total intersection)	1443											
Alcosta Blvd/ I-680 NB Ramps	Existing	922	1	691	0	0	0	365	768	0	0	620	245
	Cumulative (2030)	992	0	743	0	0	0	381	802	0	0	936	370
	Net Change	70	-1	52	0	0	0	16	34	0	0	316	125
	Net Change (by approach)	121			0			50			441		
	Net Change (total intersection)	612											

Source: Kimley-Horn and Associates, 2010.

Table 3-3: Existing and Projected I-680 Traffic Volumes (Peak Hour)

	NB South of Bollinger Interchange		SB South of Bollinger Interchange		NB North of Bollinger Interchange		SB North of Bollinger Interchange		NB North of Crow Canyon Interchange		SB North of Crow Canyon Interchange	
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
Existing 2008 (Including HOV)	6,027	6,765	6,550	6,296	5,686	6,382	6,179	5,940	6,065	6,808	6,591	6,336
Projected 2030 (Including HOV)	7,102	8,202	8,597	7,353	7,266	8,402	8,890	7,735	8,122	9,135	9,199	8,326
Growth (2008 to 2030)	1,075	1,437	2,047	1,057	1,580	2,020	2,711	1,795	2,057	2,327	2,608	1,990

Source: Kimley-Horn and Associates, 2010.

Response to CALTRANS-3

The author provided standard language about procedures for applying for and obtaining encroachment permits from Caltrans.

The proposed General Plan 2030 is intended to guide future land use and development activities within the San Ramon city limits; it does not propose any construction activities within the state right-of-way. Future development projects that occur after the adoption of General Plan 2030 that involve work within the state right-of-way would be required to obtain encroachment permits from Caltrans.

Response to CALTRANS-4

The author provided closing remarks to conclude the letter. No response is necessary.



Central Contra Costa Sanitary District

Protecting public health and the environment

5019 Imhoff Place, Martinez, CA 94553-4392

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FAX: (925) 228-4624
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May 18, 2010

JAMES M. KELLY
General Manager

KENTON L. ALM
Counsel for the District
(510) 808-2000

ELAINE R. BOEHME
Secretary of the District

Loren Barr, Senior Planner
City of San Ramon
Planning Services Division
2226 Camino Ramon
San Ramon, CA 94583

Dear Mr. Barr:

COMMENTS ON THE SAN RAMON GENERAL PLAN 2030 AND DRAFT ENVIRONMENTAL IMPACT REPORT

Thank you for the opportunity to comment on the proposed General Plan 2030 and its Draft Environmental Impact Report (EIR). Central Contra Costa Sanitary District (CCCSD) is the wastewater utility service provider to much of the City of San Ramon. As such, the following comments are offered:

CCCSD-1

GENERAL PLAN 2030

1. Page 11-73, Sewer Services, Paragraph 1. The San Ramon Interceptor is not currently in the process of being expanded to accommodate the growth planned for in the General Plan and analyzed by the General Plan EIR. The next expansion project for that facility is not planned to occur until the end of this decade. Also, it was CCCSD and a Dougherty Valley developer, not the City, which installed the Dougherty Valley Tunnel and Trunk Sewer project. These facilities will accommodate the growth planned at the time of their design in the year 2002.

CCCSD-2

2. Page 11-73, Sewer Services, Paragraph 2. Wastewater treatment for the Valley Vista and Old Ranch Summit housing opportunity sites are provided by Dublin San Ramon Services District (DSRSD), not CCCSD. Conversely, CCCSD provides wastewater services for properties in Dougherty Valley, not DSRSD. CCCSD's long-range planning projections only include areas already within CCCSD's Sphere of Influence (SOI), as defined by Contra Costa LAFCO. For example, CCCSD has not projected providing sewer services to the Tassajara Valley, as it is outside our Sphere of Influence (SOI).

CCCSD-3

DRAFT EIR

3. Page 3.14-6, Wastewater paragraph. CCCSD provides wastewater service to Dougherty Valley, not DSRSD.

CCCSD-4



4. Page 3.14-6, Last paragraph, Sentence 1. CCCSD has 18 pumping stations, not 23.

CCCSD-5

5. Page 3.14-6 Last paragraph, Last sentence, continuing to Page 3.14-7, First paragraph. In 2003, CCCSD did not initiate a capacity improvement project for the San Ramon Interceptor between Norris Canyon Road and St. James Court in Danville. The next expansion project for that facility is not planned to occur until the end of this decade and it will accommodate the growth planned at the time of project design, closer to the year 2018.

CCCSD-6

6. Page 3.14-7 Second paragraph. In 2009, the average dry weather flow (ADWF) from the treatment plant was 32.5 mgd. CCCSD's effluent discharge limit should be sufficient to accommodate wastewater expected to be generated from currently planned growth within CCCSD's service area over the next 15-20 years, as well as a worst-case assumption of groundwater infiltration. An evaluation of the Treatment Plant concluded it has a "reliable" physical capacity of at least 53.8 mgd. An effluent discharge of that volume, therefore, can be accomplished without the need for construction of additional treatment plant facilities. Unforeseen circumstances or additional requirements imposed by regional, state, or federal regulatory agencies, however, could affect the future availability of sewer connections, which are issued to approved developments within CCCD boundaries on a first-come, first-served basis. The final sentence regarding electricity generation is incorrect and should be deleted.

CCCSD-7

7. Page 3.14-16 Wastewater Impact Analysis, First paragraph. CCCSD is a wastewater agency, not a water agency. CCCSD sewers in and downstream of San Ramon do not have adequate flow carrying capacity under CCCSD's current design criteria for ultimate buildout of currently planned growth. Improvements to correct the deficiencies are or will be included in CCCSD's Capital Improvement Plan. Improvements to CCCSD's existing facilities that are required as a result of planned development will be funded from applicable CCCSD fees and charges. Developers are required to pay these fees and charges at the time of connection to the sewer system.

CCCSD-8

Regarding treatment plant capacity, the 53.8 mgd ADWF permitted effluent discharge limit was obtained by CCCSD in 2002 to accommodate buildout of the then-current land use plans of jurisdictions within CCCSD's service area. This buildout was expected to occur by the year 2035. Subsequent increases in planned growth since then may result in CCCSD's reaching its effluent discharge limit 8-10 years sooner than previously projected. Additional substantial and currently unplanned development projects (such as in the future Camino Ramon and Eastside Specific Plan areas, if served by CCCSD) would further increase wastewater treatment demand, resulting in a sooner-than-anticipated need to request an increase in CCCSD's effluent discharge limit from the San Francisco Bay Regional Water Quality Control Board. The outcome of such a request is uncertain. Further, unforeseen circumstances or additional requirements imposed by regional, state, or federal regulatory agencies could affect the future availability of sewer connection permits. These permits are issued to approved developments on a first-come, first-served basis, subject to available collection system and treatment plant capacity.

CCCSD-9

City of San Ramon
General Plan 2030 DEIR
Page 3
May 18, 2010

8. Page 3.14-16 Wastewater Impact Analysis, Third paragraph. CCCSD is a wastewater collection and treatment agency. It does not provide potable water service.

CCCSD-10

If you have any questions regarding these comments, please contact me at (925) 229-7255.

CCCSD-11

Sincerely,



Russell B. Leavitt
Engineering Assistant III

RBL/nap

cc: A. Farrell, CCCSD
J. Kelly, CCCSD
J. Miyamoto-Mills, CCCSD
T. Pilecki, CCCSD
C. Swanson, CCCSD

Local Agencies

Central Contra Costa Sanitary District (CCCSD)

Response to CCCSD-1

The author provided introductory remarks to open the letter. No response is necessary.

Response to CCCSD-2

The author indicated that a statement on page 11-73 of General Plan 2030 concerning the San Ramon Interceptor was incorrect and provided correct information.

The correct information will be incorporated into the final version of General Plan 2030, which is scheduled to be released following its adoption by the San Ramon City Council.

Response to CCCSD-3

The author indicated that a statement on page 11-73 of General Plan 2030 concerning the wastewater provider for the Valley Vista and Old Ranch Summit developments was incorrect and provided correct information.

The correct information will be incorporated into the final version of General Plan 2030.

Response to CCCSD-4

The author indicated that page 3.14-6 of the Draft EIR incorrect states that Dublin San Ramon Services District (DSRSD) provides wastewater service to the Dougherty Valley. The author noted that CCCSD provides wastewater service to this area.

The correction has been made and is noted in Section 5, Errata.

Response to CCCSD-5

The author indicated that page 3.14-6 of the Draft EIR incorrect states that CCCSD has 23 pumping stations. The author noted that CCCSD has 18 pumping stations.

The correction has been made and is noted in Section 5, Errata.

Response to CCCSD-6

The author indicated that pages 3.14-6 and 3.14-7 of the Draft EIR incorrect state that CCCSD initiated a capacity expansion for the San Ramon Interceptor in 2003. The author indicated that no capacity expansion was initiated that year and the next capacity expansion is scheduled for the end of the decade.

The correction has been made and is noted in Section 5, Errata.

Response to CCCSD-7

The author referenced the description of CCCSD's wastewater treatment plant on page 3.14-7 and provided updated information about average dry weather flow. The author also provided information

about the plant's capacity and its ability to accommodate planned growth during the next two decades. The author indicated that a statement about the plant obtaining electricity through a methane cogeneration system was incorrect and should be deleted.

The requested changes have been made and are noted in Section 5, Errata.

Response to CCCSD-8

The author referenced the wastewater impact analysis on page 3.14-16 and stated that CCCSD is a wastewater agency and not a water agency. The author stated that CCCSD's sewers within and downstream of San Ramon do not have adequate flow carrying capacity under current design criteria for ultimate buildout of currently planned growth. The author stated that improvements to correct the deficiencies are or will be included in CCCSD's Capital Improvement Program and will be funded from fees and charges assessed to new development projects.

The correction referenced by the author has been made and is noted in Section 5, Errata.

Regarding the statement about sewers lacking capacity for ultimate buildout of currently planned growth, the Draft EIR acknowledged the need for additional wastewater collection capacity in Impact UD-2. For example, the impact discussion notes that the North Camino Ramon Specific Plan, which contemplates higher density mixed uses within an existing 250-acre developed area, will need to evaluate impacts on wastewater collection and treatment capacity. In addition, the impact discussion acknowledged that wastewater collection and treatment will need to be addressed during the Eastside Specific Plan process. Finally, the impact discussion noted that water conservation practices can partially alleviate collection system capacity constraints by reducing the amount of water entering the sewer system. As such, the Draft EIR appropriately addressed the issue of wastewater conveyance capacity.

Response to CCCSD-9

The author stated that CCCSD's current permitted effluent discharge limit of 53.8 million gallons per day (average dry weather flow) was obtained in 2002 and was based upon the buildout of the then-current land use plans of jurisdictions within the agency's service area through 2035. The author stated that subsequent increases in planned growth within the service area may result in CCCSD reaching the permitted effluent discharge limit 8 to 10 years sooner than expected. The author noted that the proposed North Camino Ramon Specific Plan and Eastside Specific Plan are not factored into the agency's long-term wastewater projections and would further increase wastewater treatment demand. The author stated that this may result in a need for CCCSD to seek approval from the San Francisco Bay Regional Water Quality Control Board to increase its permitted effluent discharge limit. The author also noted that "further, unforeseen circumstances" or additional requirements imposed by federal, state, or regional regulator agencies may affect the future availability of sewer connection permits.

The Draft EIR acknowledged in Impact UD-2 that both the North Camino Ramon Specific Plan and Eastside Specific Plan would need to evaluate wastewater collection and treatment issues. As part of this process, the appropriate wastewater agency will be consulted about collection and treatment capacity. At the time of this writing, neither specific plan process has advanced to the point where definitive statements can be made about potential impacts to wastewater collection and treatment capacity, and it would be speculative to do so. See Master Response 1 for further discussion.

Response to CCCSD-10

The author indicated that page 3.14-16 of the Draft EIR incorrectly states that Norris Canyon Estates and the Laborer's Property are served with potable water service provided by CCCSD. The author noted that CCCSD is a wastewater collection and treatment agency and does not provide potable water.

The correction has been made and is noted in Section 5, Errata.

Response to CCCSD-11

The author provided concluding remarks to close the letter. No response is necessary.



May 19, 2010

Mr. Lauren Barr
 Senior Planner
 City of San Ramon
 2226 Camino Ramon
 San Ramon, CA 94583

RE: Draft Environmental Impact Report for General Plan 2030
 Our File: 97-101A09

Dear Mr. Barr:

We have reviewed the Draft Environmental Impact Report (DEIR) for the City of San Ramon (City) General Plan Update, which we received notice of availability for on April 6, 2010, and submit the following comments:

FLOOD-1

Hydrology

1. The EIR should quantify the amount of runoff that will be generated by the urban growth boundary adjustments and the land use map amendments, even if the additional runoff is expected to be mitigated by compliance with the City's Stormwater Municipal Regional Permit and the C.3 Guidebook. It should also discuss how the runoff entering and originating from these areas will be distributed between the natural watercourses and to any man-made drainage facilities. The Eastside Specific Plan and the associated environmental studies should include these items as well.
2. The EIR should discuss the adverse impacts of the runoff from the urban growth boundary adjustments and the land use map amendments to the existing drainage facilities and drainage problems in the downstream areas, including those areas outside of the project site. Specifically, when discussing Tassajara Valley, the fact that there will be impacts and that there are policies in place to counteract those impacts is stated in the DEIR. However, no further detail or in-depth analysis is given to indicate the extent of the changes that will occur as the Tassajara Valley is transformed from rural to urban, even if the impacts are mitigated through policy. At minimum, a more detailed discussion of this topic needs to occur within the Eastside Specific plan and associated environmental reports.
3. We recommend that the EIR stipulate that future developments design and construct storm drain facilities to adequately collect and convey stormwater runoff, without diversion of the watershed, entering or originating within the development to the nearest natural watercourse or adequate man-made drainage facility. Implementation Policy 9.4-I-2 requires hydrological studies from future development to assess storm runoff impacts to storm drain systems and creek corridors; however, none of the implementation policies specifically require future development to take any action in response to the assessments.

FLOOD-2

FLOOD-3

FLOOD-4

Mr. Lauren Barr
May 19, 2010
Page 2 of 3

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- | | |
|---|----------|
| 4. We recommend that the adequacy and stability of the drainage facilities within the project area be studied to determine if local drainage design criteria are met. If those are not met, then the DEIR should discuss the potential impacts and propose mitigation measures to address those impacts. The discussion should also include an analysis of the capacity and erosion potential of the existing watercourses. | FLOOD-5 |
| 5. We recommend that the City or future developers draft and implement a Drainage Master Plan reflecting the change in proposed land use on the Eastside Specific Plan. An over-arching plan will be needed to cope constructively with the increased population density and resulting changes to the existing drainage pattern. | FLOOD-6 |
| 6. The Drainage Master Plan should closely analyze any increased flowrate and volumes of the stormwater runoff caused by this project and the Eastside Specific Plan. The Master Drainage Plan should result in a plan with descriptions of proposed enlargement of existing flood control facilities or new flood control facilities (which typically includes basins, channels, and storm drains), compliance with discharge requirements, cost estimate, and schedules. We request the opportunity to review the Drainage Master Plan when it becomes available. | FLOOD-7 |
| 7. We recommend that a Maintenance Benefit Assessment District be created for maintenance of Tassajara Creek. The Creek is currently unimproved and unstable. Proper maintenance of the Creek will become even more important as the land use changes around it, and a means of funding that maintenance will be vital. | FLOOD-8 |
| 8. The EIR should note that portions of the proposed project area may affect Drainage Areas 75, 75A, and 101, unformed drainage areas, and Drainage Area 101A, a formed drainage area. There are no fees due at this time for unformed drainage areas. | FLOOD-9 |
| 9. The DEIR should include, as a mitigation measure, that fees be collected for any new impervious surfaces created within Drainage Area 101A in accordance with Flood Control Ordinance Number 88-36. By ordinance, all building permits or subdivision maps filed in this area are subject to the provisions of the drainage fee ordinance. Effective July 9, 1988, the current fee in this drainage area is \$0.20 per square foot of newly created impervious surface. | FLOOD-10 |
| 10. Portions of the proposed project area consisting of a comprehensive update in terms of the Eastside Specific Plan are within Drainage Area 95 (Southwest San Ramon Drainage Area) and Drainage Area 102 (Tassajara Drainage Area), unformed drainage areas. There are no fees due at this time for unformed drainage areas. | FLOOD-11 |
| 11. We recommend that all developments in the San Ramon Creek Watershed be required to mitigate their adverse drainage impact upon the natural creeks. The following should be added to the mitigation measures for the future developments: | FLOOD-12 |
| <p><u>Mitigation for San Ramon Creek</u></p> <ul style="list-style-type: none"> • Mitigate the impact of additional stormwater runoff from those developments on San Ramon Creek by either of the following methods: | |

Mr. Lauren Barr
May 19, 2010
Page 3 of 3

- a. Remove 1 cubic yard of channel excavation material from the inadequate portion of San Ramon Creek for each 50 square feet of new impervious surface area created by the development. All excavated material shall be disposed of off-site by the developer at his own cost. The site selection, land rights, and construction staking will be performed by the Contra Costa County Flood Control & Water Conservation District (FC District).

OR, upon written request by the developer:

- b. Provide for a cash payment in lieu of actual excavation and removal of material from the inadequate portion of San Ramon Creek. 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 FC District's standard impervious surface area ordinance. The FC District will use these funds to work on San Ramon Creek annually.

FLOOD-12
CONT

We appreciate the opportunity to review projects involving drainage matters and welcome continued coordination. If you should have any questions, please call me at (925) 313-2179 or e-mail me at kschu@pw.cccounty.us; alternately, you may contact Teri Rie at (925) 313-2363 or trie@pw.cccounty.us.

FLOOD-13

Sincerely,



Kara Schuh
Civil Engineer
Contra Costa County Flood Control
& Water Conservation District

KS:cw

G:\FidCtl\CurDev\CITIES\San Ramon\San Ramon General Plan 2030 Update\DEIR Comments.docx

c: R. M. Avalon, Flood Control
T. Jensen, Flood Control
T. Rie, Flood Control

Contra Costa Flood Control and Water Conservation District (FLOOD)

Response to FLOOD-1

The author provided introductory remarks to open the letter. No response is necessary.

Response to FLOOD-2

The author stated that the EIR should quantify the amount of runoff that would be generated by the Urban Growth Boundary adjustments and land use map amendments. The author stated that the EIR should discuss how the runoff entering and originating from these areas will be distributed between the natural watercourses and to any man-made facilities. The author stated that the Eastside Specific Plan and associated environmental review documents should include these items as well.

As explained in Impact US-3, none of the Urban Growth Boundary adjustments or land use map amendments would allow new construction or alter existing drainage patterns or facilities. Thus, there would be no change in runoff volumes or patterns relative to existing conditions.

As stated in Impact US-3, future land use and development activities in the Tassajara Valley would be guided by the Eastside Specific Plan process. Pursuant to Implementing Policy 4.7-I-3, the Eastside Specific Plan process will identify necessary drainage infrastructure. The environmental documentation prepared for the Eastside Specific Plan will consider the environmental impacts associated with storm drainage, including increase in runoff rates, changes in drainage patterns, and effects on natural waterways.

Refer to Master Response 1 for further discussion of the Tassajara Valley.

Response to FLOOD-3

The author stated that the EIR should discuss the adverse impacts of runoff from the Urban Growth Boundary adjustments and land use map amendments. The author stated that the EIR acknowledged the possibility of impacts in the Tassajara Valley and indicated that policies are in place to counteract those impacts. The author stated that no further detail or in-depth analysis was provided to indicate the extent to which impacts will occur as the Tassajara Valley is transformed from rural to urban. The author stated that, at a minimum, more detailed analysis needs to occur within the Eastside Specific Plan and associated environmental documents.

Refer to Response FLOOD-2 and Master Response 1.

Response to FLOOD-4

The author stated that the Contra Costa County Flood Control and Water Conservation District recommends that the EIR stipulate that future developments design and construct drainage facilities to adequately collect and convey runoff without diversion of the watershed to the nearest natural watercourse or adequate man-made drainage facility. The author noted that Implementing Policy 9.4-I-2 requires that hydrological studies be prepared for future development and asserted that none of the policies requires future development to take action in response to the assessments.

The text of Implementing Policy 9.4-I-2 has been amended to address the author's comment. The added text is shown in underline and the change is noted in Section 5, Errata.

- **Implementing Policy 9.4-I-2:** Require new development to prepare hydrologic studies to assess storm runoff impacts on the local and subregional storm drainage systems and/or creek corridors. New development shall implement all applicable and feasible recommendations from the studies.

Response to FLOOD-5

The author stated that Contra Costa County Flood Control and Water Conservation District recommends that the adequacy and stability of the drainage facilities within the project area be studied to determine if local drainage design criteria are met. The author stated that if such criteria are not met, the Draft EIR should discuss the potential impacts and propose mitigation measures to address those impacts. The author stated that the discussion should include an analysis of the capacity and erosional potential of existing watercourses.

The Draft EIR evaluates the environmental effects of General Plan 2030. The key aspects of General Plan 2030 that have the potential to affect storm drainage facilities are discussed in Impact US-3, specifically, the proposed Urban Growth Boundary and Sphere of Influence adjustments. As explained in Impact US-3 (as well as Response to FLOOD-2), the adjustments do not have the potential to increase runoff volumes or alter drainage patterns. Therefore, they would not have the potential to create a need for new or improved downstream drainage facilities.

Regarding the author's comment about evaluating the adequacy and stability of the drainage facilities, again, the key issue is how General Plan 2030 affects these facilities. As explained in Impact US-3, General Plan 2030 does not increase runoff or alter drainage patterns and, therefore, would not have any adverse impacts on adequacy or stability of drainage facilities.

Refer to Master Response 1 for further discussion of the Tassajara Valley.

Response to FLOOD-6

The author stated that Contra Costa County Flood Control and Water Conservation District recommends that the City or future developers draft and implement a Drainage Master Plan in conjunction with the Eastside Specific Plan.

As indicated in Response to FLOOD-2, Implementing Policy 4.7-I-3 requires that the Eastside Specific Plan identify necessary drainage infrastructure. Such drainage infrastructure will be planned at a program level and may be in the form of a Drainage Master Plan. Refer to Master Response 1 for further discussion of the Tassajara Valley.

Response to FLOOD-7

The author stated that the Drainage Master Plan should closely analyze any stormwater flowrate and volume increases caused by the project and the Eastside Specific Plan. The author asserted that the Drainage Master Plan should address necessary infrastructure, compliance with discharge requirements, cost estimates, schedule. The author indicated that Contra Costa County Flood Control and Water Conservation District would like to review the Drainage Master Plan when it becomes available.

Refer to Response to FLOOD-6 and Master Response 1.

Response to FLOOD-8

The author stated that Contra Costa County Flood Control and Water Conservation District recommends that a Maintenance Benefit District be created for maintenance of Tassajara Creek, which is unimproved and unstable.

Implementing Policy 4.7-I-3 requires that the Eastside Specific Plan include an infrastructure improvement program, open space protection program, natural area habitat protection plan, and hazards protection program. It would be expected that maintenance of Tassajara Creek will be addressed by all of the aforelisted programs.

Refer to Master Response 1 for further discussion of the Tassajara Valley.

Response to FLOOD-9

The author stated that the EIR should note that portions of the proposed project area may affect Drainage Areas 75, 75A, 101, and 101A, as well as unformed drainage areas. The author noted that there are no fees due at this time for unformed drainage areas.

The Draft EIR stated on page 3.14-7 that Contra Costa County Flood Control and Water Conservation District maintains drainage facilities within the Planning Area and collects special assessments to finance drainage improvements in areas with adopted drainage plans. Thus, the agency's jurisdiction and responsibilities were appropriately acknowledged in the EIR. There is no need to specifically reference the drainage areas by name, particularly given the broad scope of General Plan 2030.

Response to FLOOD-10

The author stated that the Draft EIR should include a mitigation measure requiring that fees be collected for any new impervious surfaces with Drainage Area 101A in accordance with Flood Control Ordinance No. 88-36. The author noted that the current fee in this drainage area is \$0.20 per square foot of newly created impervious surface.

As stated in Response to FLOOD-5, General Plan 2030 does not result in any changes in runoff volume or drainage patterns, including within Drainage Area 101A. Additionally, General Plan 2030

does not itself propose any new impervious surfaces within this drainage area. As such, there is no legal basis to require this mitigation measure.

Response to FLOOD-11

The author noted that the Eastside Specific Plan boundaries overlap with portions of Drainage Area 95, Drainage Area 102, and unformed drainage areas. The author noted that no fees are due at this time for unformed drainage area.

Refer to Response to FLOOD-2, Response to FLOOD-8, and Master Response 1.

Response to FLOOD-12

The author stated that Contra Costa County Flood Control and Water Conservation District recommends that all development projects within the San Ramon Creek watershed be required to mitigate their adverse drainage impacts. The author proposed two methods for mitigating impacts: (1) remove 1 cubic yard of channel excavation material from the inadequate portion of the creek for each 50 square feet of new impervious surface; or (2) provide a cash payment to the agency in lieu of channel excavation.

The City of San Ramon respectfully disagrees with the basis for this recommended mitigation measure. Implementing Policy 9.4-I-7 establishes that all new developments shall not increase runoff to the 100-year peak flow in the City's flood control channels or to local creeks. This policy will require new development projects to retain or detain runoff onsite and prevent release into downstream waterways (including San Ramon Creek) during peak storm events when flooding is of most concern. This is considered a more effective way to prevent flooding, as it controls runoff release at the source.

Response to FLOOD-13

The author provided concluding remarks to close the letter. No response is necessary.

**DUBLIN
SAN RAMON
SERVICES
DISTRICT**



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

April 28, 2010



CITY OF SAN RAMON
PLANNING SERVICES

Mr. Lauren Barr, Senior Planner
City of San Ramon
Planning/Community Development Department
2226 Camino Ramon
San Ramon, CA 94583

**Subject: Comments on the Draft Environmental Impact Report for the
City of San Ramon General Plan
Planning the City's Future – the General Plan 2030**

Dear Mr. Barr:

Thank you for the opportunity to comment on this document. The Dublin San Ramon Services District (DSRSD) supports the City of San Ramon in the process to solicit comments on this draft EIR.

DSRSD-1

Portions of the project area are within the service area of DSRSD. DSRSD provides sanitary sewer services for the southern portion of the city, and potable water and recycled water services for the Dougherty Valley area of the city. We are listed as a Responsible and Trustee Agency in Section 2.4.2 of the Draft EIR and could be involved in the possible expansion of services to new areas in the city's sphere of influence. As the city implements its general plan, DSRSD may need to conduct service studies.

DSRSD-2

DSRSD noted and agrees with San Ramon's assessment of Environmental Impact US-1: Development and land use activities contemplated by the General Plan 2030 would not result in a need for additional water supplies. Since this factor has a less than significant impact, no mitigation is necessary.

DSRSD-3

Also, DSRSD noted and agrees with San Ramon's assessment of Environmental Impact US-2: Development and land use activities contemplated by the General Plan 2030 would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. Since this factor has a less than significant impact, no mitigation is necessary.

DSRSD-4

Thank you for the opportunity to comment on the upcoming Draft Environmental Impact Report. If you have any questions regarding these comments, please contact Stan Kolodzie at (925) 875-2253.

DSRSD-5

Sincerely,

RHODORA N. BIAGTAN
Principal Engineer

RB/SK/st
cc: Dave Requa
Stan Kolodzie
Chron/File

Dublin San Ramon Services District (DSRSD)

Response to DSRSD-1

The author provided introductory remarks to open the letter. No response is necessary.

Response to DSRSD-2

The author noted that the Draft EIR identifies DSRSD as a responsible or trustee agency and acknowledged that the agency may be involved with the possible expansion of services to areas within the City's sphere of influence. The author stated that DSRSD may need to conduct service studies as the City of San Ramon implements General Plan 2030. No response is necessary.

Response to DSRSD-3

The author stated that DSRSD concurs with the Impact US-1 conclusion that development and land use activities contemplated by General Plan 2030 would not result in a need for additional water supplies. No response is necessary.

Response to DSRSD-4

The author stated that DSRSD concurs with the Impact US-2 conclusion that development and land use activities contemplated by General Plan 2030 would not result in a need for additional water or wastewater treatment facilities. No response is necessary.

Response to DSRSD-5

The author provided concluding remarks to close the letter. No response is necessary.



CITY OF SAN RAMON
PLANNING SERVICES

May 18, 2010

EBMUD
Page 1 of 11

Lauren Barr, Senior Planner
City of San Ramon
Planning / Community Development Department
2226 Camino Ramon
San Ramon, CA 94583

Re: Notice of Availability of the Draft Environmental Impact Report for the
San Ramon General Plan 2030

Dear Mr. Barr:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Draft Environmental Impact Report (EIR) for the City of San Ramon (City) General Plan 2030. EBMUD has the following comments.

EBMUD-1

GENERAL

EBMUD's comments provided to the City on February 9, 2010 (included in Appendix A of the Draft EIR) regarding the Notice of Preparation of a Draft EIR for the City of San Ramon (City) General Plan 2030 still apply (see enclosure).

EBMUD-2

There seems to be a contradiction between the descriptions on land use and the Specific Plan for the Tassajara Valley area. Tassajara Valley area is designated as Open Space on both the Existing General Plan Land Use Map (Exhibit 2-2) and the Proposed General Plan Land Use Map (Exhibit 2-4) of the Draft EIR for the General Plan 2030. However, the Specific Plan Areas (Exhibit 2-3) of the Draft EIR shows the Tassajara Valley area designated as the site for Future Eastside Specific Plan, and page 4-30 of the General Plan 2030 describes one of the elements for the Eastside Specific Plan would be a land use program element that includes type, characteristics and location or rural and urban land uses.

EBMUD-3

EBMUD generally concurs with the analytical approach for water supply and service in the Draft EIR for the City's General Plan 2030, with the following exceptions:

It is stated on page 4-11 of the General Plan that the Tassajara Valley, as shown on the Land Use Diagram (Figure 4-2) of the City's General Plan 2030, is not currently within the City of San Ramon's Sphere of Influence (SOI), but the City has requested Contra Costa Local Agency Formation Commission to consider extend the City's SOI to include portions of the Tassajara Valley subarea. The City should be

EBMUD-4

Lauren Barr, Senior Planner
May 18, 2010
Page 2

requested Contra Costa Local Agency Formation Commission to consider extend the City's SOI to include portions of the Tassajara Valley subarea. The City should be aware that the Tassajara Valley is located outside of EBMUD's current service area and Ultimate Service Boundary (USB), and EBMUD does not have surplus water supply to serve outside its current USB. Following is a summary on EBMUD's policies (see enclosures), which establish that EBMUD will oppose annexation of properties outside of EBMUD's USB and extension of water service to those properties:

- Policy 3.01 covers annexations and states that annexations shall be within the USB and that EBMUD will oppose any that are outside the USB.
- Policy 3.05 states that the USB defines territory within which EBMUD has planned to provide water service for both existing and future customers and that EBMUD will not extend water service outside the USB if it would adversely affect existing customers.
- Policy 3.08 states that if EBMUD is identified as the preferred service provider for proposed development outside the Contra Costa County's Urban Limit Line (ULL) that is less than 200 units, EBMUD will oppose the annexation, and the matter will be considered by EBMUD's Board of Directors to determine whether to call an advisory election on the question of whether territory outside the ULL should be annexed to EBMUD. If the project description changes to include 200 or more dwelling units and EBMUD Board of Directors determines not to oppose the annexation, then an advisory election will be held to submit to the voters within EBMUD's service area the question of whether territory outside the ULL should be annexed to EBMUD.

EBMUD-4
CONT

Additionally, it is stated on page 3.14-15 of the Draft EIR that any future development and land use activities in the Tassajara Valley would be subject to implementing Policy 4.7-I-2, requiring an Eastside Specific Plan process including environmental review necessary to address water supply sources. EBMUD would like to emphasize that the Eastside Specific Plan must analyze the potential impacts on water supply associated with urban development and the mitigated measures.

EBMUD-5

The conclusion provided under 4.3.14 – Utility Systems on page 4-7 of the Draft EIR states that with the mitigation measures development and land use activities contemplated by the General Plan 2030 and other land use plans would not have cumulatively considerable utility system impacts. This statement is problematic for the Eastside Specific Plan area.

EBMUD-6

Lauren Barr, Senior Planner
May 18, 2010
Page 3

If you have any questions concerning this response, please contact David J. Rehnstrom, Senior Civil Engineer, Water Service Planning at (510) 287-1365.

EBMUD-7

Sincerely,



William R. Kirkpatrick
Manager of Water Distribution Planning

WRK:AMW:sb
sb10_093.doc

Enclosures: EBMUD's responses to NOP of the City of San Ramon General Plan Update
EBMUD's Policy 3.01 Annexations
EBMUD's Policy 3.05 Considerations for Extension of Water Beyond the Ultimate Service Boundary
EBMUD's Policy 3.08 Advisory Election for Annexations Outside the Contra Costa County Urban Limit Line

Lauren Barr, Senior Planner
May 18, 2010
Page 4

EBMUD
Page 4 of 11

bcc: X. Irias
J. Callahan
B. Maggiore
D. Rehnstrom
A. Wai
Chron
C-1591



February 9, 2010

Lauren Barr, Senior Planner
City of San Ramon
Planning / Community Development Department
2226 Camino Ramon
San Ramon, CA 94583

Re: Notice of Preparation - City of San Ramon General Plan Update

Dear Mr. Barr:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Notice of Preparation of a Draft Environmental Impact Report for the City of San Ramon (City) General Plan Update. EBMUD has the following comments.

EBMUD-8

WATER SERVICE

The Notice of Preparation does not reference specific development projects. Any development project associated with the City of San Ramon General Plan Update will be subject to the following general requirements.

Main extensions that may be required to serve any specific development projects that will provide adequate domestic water supply, fire flows, and system redundancy will be at the project sponsor's expense. Pipeline and fire hydrant relocations and replacements due to modifications of existing streets, and off-site pipeline improvements, also at the project sponsor's expense, may be required depending on EBMUD metering requirements and fire flow requirements set by the local fire department. All project sponsors should contact EBMUD's New Business Office and request a water service estimate to determine costs and conditions of providing water service to the development. Engineering and installation of new and relocated pipeline and services requires substantial lead-time, which should be provided for in the project sponsor's development schedule.

EBMUD-9

Please note that depending on the size and/or square footage, the lead agency for future individual projects within the General Plan, Specific Plan, and Zoning Ordinance areas should contact EBMUD to request a Water Supply Assessment (WSA) that meets the threshold of a WSA pursuant to Section 15155 of the California Environmental Quality Act Guidelines, and Section 10910-10915 of the California Water Code. EBMUD requires project sponsors to provide future specific land use

Lauren Barr, Senior Planner
February 9, 2010
Page 2

data estimates for individual project sites for the water demand analysis of the WSA. For unique manufacturing industries, an estimate of water demand will be needed. Please be aware that the WSA can take up to 90 days to complete from the day on which the request is received.

The project sponsor should be also be aware that EBMUD will not inspect, install or maintain pipeline in contaminated soil or groundwater (if groundwater is present at any time during the year at the depth piping is to be installed) that must be handled as a hazardous waste or that may pose a health and safety risk to construction or maintenance personnel wearing Level D personal protective equipment. Nor will EBMUD install piping in areas where groundwater contaminant concentrations exceed specified limits for discharge to sanitary sewer systems or sewage treatment plants. Applicants for EBMUD services requiring excavation in contaminated areas must submit copies of existing information regarding soil and groundwater quality within or adjacent to the project boundary. In addition, the applicant must provide a legally sufficient, complete and specific written remedial plan establishing the methodology, planning and design of all necessary systems for the removal, treatment, and disposal of all identified contaminated soil and/or groundwater.

EBMUD-9
CONT

EBMUD will not design the installation of pipelines until such time as soil and groundwater quality data and remediation plans are received and reviewed and will not install pipelines until remediation has been carried out and documentation of the effectiveness of the remediation has been received and reviewed. If no soil or groundwater quality data exists or the information supplied by the applicant is insufficient, EBMUD may require the applicant to perform sampling and analysis to characterize the soil being excavated and groundwater that may be encountered during excavation or perform such sampling and analysis itself at the applicant's expense.

WATER RECYCLING

EBMUD's Policy 8.01 requires that customers use non-potable water for non-domestic purposes when it is of adequate quality and quantity, available at reasonable cost, not detrimental to public health and not injurious to plant life, fish and wild life to offset demand on EBMUD's limited potable water supply. The City of San Ramon's Planning Area is located within EBMUD's recycled water service boundaries. Currently, EBMUD is implementing the San Ramon Valley Recycled Water Program that is a multi-phase, joint regional project between EBMUD and the Dublin San Ramon Services District (DSRSD) to serve recycled water to their customers within portions of the Blackhawk, Danville, Dublin, and San Ramon areas. The two agencies formed a Joint Powers Authority in 1995 called the DSRSD-EBMUD Recycled Water Authority (DERWA) to implement the program. DERWA's mission is to provide a safe, reliable, and consistent supply of recycled water, and to maximize the amount of recycled water delivered.

EBMUD-10

Lauren Barr, Senior Planner
February 9, 2010
Page 3

As part of the water supply planning, EBMUD will consider the feasibility of providing recycled water to the City's Planning Area for appropriate uses including landscape irrigation, commercial and industrial process uses, toilet and urinal flushing in non-residential buildings and other applications. EBMUD requests that the City require developers of new or redevelopment projects within the City Planning Area to coordinate and consult with EBMUD regarding the feasibility of providing recycled water for appropriate non-potable purposes.

EBMUD-10
CONT

WATER CONSERVATION

Individual projects within the City's updated General Plan may present an opportunity to incorporate water conservation measures. EBMUD requests that the City include in its conditions of approval a requirement that the project sponsor comply with the City's Efficient Landscape Requirements and Water Conservation Ordinance. Project sponsors should be aware that Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficiency measures described in the regulation are installed at the project sponsor's expense.

EBMUD-11

If you have any questions concerning this response, please contact David J. Rehnstrom, Senior Civil Engineer, Water Service Planning at (510) 287-1365.

Sincerely,



William R. Kirkpatrick
Manager of Water Distribution Planning

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sb10_026.doc



Policy 3.01

EFFECTIVE 27 OCT 09

SUPERSEDES 09 OCT 07

ANNEXATIONS

IT IS THE POLICY OF THE EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Consider annexing territory, when requested by owners of the property or public agencies having jurisdiction.

Conditions

Annexations are subject to the following conditions:

- The territory shall be within EBMUD's Ultimate Service Boundary.
- Generally, there should be an immediate need for water service on part or all of the territory being annexed.
- The territory proposed for annexation should include any parcels required to make a logical boundary.
- The annexation should facilitate the operation of the utility and be of advantage to the community.
- The annexation should be economically sound and water service technically feasible.
- The annexation satisfies Policy 3.08 – Advisory Election for Annexations Outside the Contra Costa County Urban Limit Line, if applicable.
- Territory within the boundaries of the East Bay Watershed Master Plan, but lying outside the boundary of the Briones Hills Agricultural Preservation Area (BHAPA) must:
 - Have adequate facilities for removal of sewage from the watershed; and
 - Be under agreement or permanent deed restriction with EBMUD to protect the quality of source water under the influence of the territory.
- Territory shall be outside the boundary of the BHAPA as adopted by Contra Costa County and signatory cities, except where:
 - The territory is in EBMUD or other public agency ownership and will remain in public ownership; and
 - EBMUD obtains agreements or permanent deed restrictions from the public agency owner that provide for protection of the quality of source water under the influence of the territory.

EBMUD policy shall be to express opposition to annexation of privately held parcels within the BHAPA boundary.

- If the proposed annexation extends beyond the Contractor Service Area of EBMUD's Central Valley Project (CVP) water supply contract, EBMUD shall request the United States Bureau of Reclamation (USBR) to include the

proposed annexation in the Contractor Service Area in compliance with Article 35 of the CVP water supply contract. EBMUD shall also request the responsible Local Agency Formation Commission to condition water service to the annexed territory until receipt of USBR's formal approval of the inclusion.

Territory Outside of Ultimate Service Boundary

Opposition shall be expressed to all proposed annexations outside of the Ultimate Service Boundary unless:

- a) The requested annexation is a small boundary adjustment found by EBMUD to be in its best interests based on the following conditions:
 - (1) The property and dwelling units are the smaller part of a larger development project located primarily within the Ultimate Service Boundary;
 - (2) The development project is desired and approved by the city or county land use planning agency with jurisdiction, and the land use planning and environmental documentation recognizes EBMUD as the logical provider of water service;
 - (3) Annexation of the property to EBMUD represents the most practical and feasible method of obtaining water service;
 - (4) The cumulative number of dwelling units outside the Ultimate Service Boundary added as a result of such small boundary adjustments shall not exceed 100 in any two-year period;
 - (5) The project proponent has agreed to cooperate with EBMUD in adding the territory to EBMUD's permitted place of use and has agreed to compensate EBMUD for costs incurred; and
 - (6) EBMUD Policy 3.05 – Considerations for Extension of Water Beyond the Ultimate Service Boundary, and Policy 9.03 – Water Supply Availability and Deficiency, are satisfied with regard to the effects of extension of water beyond the Ultimate Service Boundary; or
- b) The requested annexation is to mitigate health risks, as established by the appropriate agency, associated with existing water supplies.

EBMUD-12
CONT

Authority

Resolution No. 20996, June 8, 1962
Amended by Board Motion No. 91-012, February 14, 1991
Amended by Resolution No. 33116-98, August 11, 1998
Amended by Resolution No. 33365-03, July 8, 2003
Amended by Resolution No. 33634-07, October 9, 2007
Amended by Resolution No. 33732-09, October 27, 2009

References

Policy 3.05 – Considerations for Extension of Water Beyond the Ultimate Service Boundary
Policy 3.08 – Advisory Election for Annexations Outside the Contra Costa County Urban Limit Line
Policy 9.03 – Water Supply Availability and Deficiency



Policy 3.05

EFFECTIVE 14 NOV 06

SUPERSEDES 13 FEB 01

CONSIDERATIONS FOR EXTENSION OF WATER BEYOND THE ULTIMATE SERVICE BOUNDARY

IT IS THE POLICY OF THE EAST BAY MUNICIPAL UTILITY DISTRICT THAT:

The District will not extend water to areas outside the present Ultimate Service Boundary (USB) of the District, if such extension would result in:

1. A reduction in the quantity of water available to District customers to satisfy existing or projected levels of demand; or
2. A reduction in the quality of water available to District customers from the District's present water sources; or
3. An increase in costs of service for District customers.

The USB defines the territory within which the District has planned to provide water service. The phrase "District customers" as used in this policy shall mean (i) existing water service customers of the District and (ii) future customers, located within the present USB, but not now receiving water service.

This policy shall not apply to proposed annexations of property to the District's service area within the USB and such annexation shall continue to be evaluated on a case-by-case basis.

EBMUD-12
CONT

Authority

Board Motion, adopted on March 8, 1983
Amended by Resolution No. 33236-01, February 13, 2001
Amended by Resolution No. 33564-06, November 14, 2006



EFFECTIVE 14 OCT 08

SUPERSEDES 14 NOV 06

ADVISORY ELECTION FOR ANNEXATIONS OUTSIDE THE CONTRA COSTA COUNTY URBAN LIMIT LINE

IT IS THE POLICY OF THE EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Call an advisory election if EBMUD is designated as the preferred water service provider by a local planning agency in its environmental documentation when the proposed development is located outside the Urban Limit Line adopted by Contra Costa County in 2000.

Purpose	The purpose of the election shall be to submit to the voters within the EBMUD service area the question of whether territory outside said Urban Limit Line should be annexed to EBMUD.										
Events Triggering an Advisory Election	<ul style="list-style-type: none"> • EBMUD is identified by a local planning agency in its environmental documentation as the preferred provider to deliver potable water service to a residential development of 200 or more dwelling units located in territory beyond the Contra Costa County Urban Limit Line. In such cases, the matter shall be placed on the agenda for consideration by the Board of Directors at a regularly scheduled public meeting. If the Board determines not to oppose annexation of such territory to EBMUD, EBMUD shall call an advisory election on the question of whether such territory should be annexed to EBMUD. The advisory election shall occur prior to the time the Contra Costa County Local Agency Formation Commission is scheduled to consider annexation of the territory to EBMUD and, when possible, shall be consolidated with a general election. • If a local agency designates EBMUD as the preferred provider for water service to a residential development in territory outside the Contra Costa County Urban Limit Line that is less than 200 dwelling units and is not covered by the provisions of Policy 3.01 then EBMUD shall oppose the annexation and the Board of Directors shall determine at a regularly scheduled public meeting whether to call an advisory election on the question of whether such territory should be annexed to EBMUD. • This policy shall be applied consistent with and in furtherance of the provisions of Policy 3.01 – Annexations. 										
Authority	Resolution No. 33347-03, January 28, 2003 Amended by Resolution No. 33564-06, November 14, 2006 Amended by Resolution No. 33687-08, October 14, 2008										
References	<table border="0"> <tr> <td>Policy 3.01</td> <td>Annexations</td> </tr> <tr> <td>Policy 3.05</td> <td>Considerations for Extension of Water Beyond the Ultimate Service Boundary</td> </tr> <tr> <td>Policy 3.07</td> <td>Responsibility to Serve Water Customers</td> </tr> <tr> <td>Policy 7.03</td> <td>Emergency Preparedness/Business Continuity</td> </tr> <tr> <td>Policy 7.09</td> <td>Workplace Health and Safety</td> </tr> </table>	Policy 3.01	Annexations	Policy 3.05	Considerations for Extension of Water Beyond the Ultimate Service Boundary	Policy 3.07	Responsibility to Serve Water Customers	Policy 7.03	Emergency Preparedness/Business Continuity	Policy 7.09	Workplace Health and Safety
Policy 3.01	Annexations										
Policy 3.05	Considerations for Extension of Water Beyond the Ultimate Service Boundary										
Policy 3.07	Responsibility to Serve Water Customers										
Policy 7.03	Emergency Preparedness/Business Continuity										
Policy 7.09	Workplace Health and Safety										

EBMUD-12
CONT

East Bay Municipal Utility District (EBMUD)

Response to EBMUD-1

The author provided introductory remarks to open the letter. No response is necessary.

Response to EBMUD-2

The author attached EBMUD's February 9, 2010 Notice of Preparation response letter and indicated that the comments contained in that letter still apply.

The February 9, 2010 letter comments are addressed in Response to EBMUD-8 through Response to EBMUD-12.

Response to EBMUD-3

The author stated that General Plan 2030 appears to have contradicting descriptions of the land use for the Tassajara Valley. The author noted that both Exhibit 2-2 (Existing General Plan Land Use Map) and Exhibit 2-4 (Proposed General Plan Land Use Map) depict the Tassajara Valley as "Open Space," while Exhibit 2-3 (Specific Plan Areas) shows the valley as being within the "Future Eastside Specific Plan Area." The author noted that General Plan 2030 describes the Eastside Specific Plan as having a land use program that includes the type, characteristics, and location of rural and urban land uses.

As discussed in Master Response 1, the current General Plan 2030 and proposed General Plan 2030 land use designation for the Tassajara Valley is "Open Space." The contemplated Eastside Specific Plan (which has not been initiated at the time of this writing) would address future land use and development activities within the Tassajara Valley, pursuant to Implementing Policy 4.7-I-3. Again, the Eastside Specific Plan has not been initiated; therefore, the "Open Space" designation is and will be the land use designation for the Tassajara Valley until, and if, the specific plan is adopted. Thus, there is no contradiction in land use designations for the Tassajara Valley. See Master Response 1 for further discussion of Tassajara Valley.

Response to EBMUD-4

The author referenced the Draft EIR's discussion of the proposed adjustment of the City of San Ramon's Sphere of Influence to include a portion of the Tassajara Valley and advised that this area is outside of EBMUD's current service area and Ultimate Service Boundary. The author stated that EBMUD does not have surplus water supply to serve areas outside its Ultimate Service Boundary and indicated that the agency will oppose annexation of properties outside the boundary in accordance with three of its adopted policies (3.01, 3.05, and 3.08; refer to Comment EBMUD-12 for the full text of the policies).

There are no statements in General Plan 2030 or the Draft EIR indicating or implying that EBMUD is expected to alter its service boundaries to serve the Tassajara Valley. Additionally, the Draft EIR does not identify adjustment of EBMUD's service boundary as a discretionary approval that is being sought by the City of San Ramon in conjunction with adoption of General Plan 2030. Rather, the

Draft EIR clearly states in Impact US-1 that the Tassajara Valley is not served by an urban water supplier and that the Eastside Specific Plan would address the provision of potable water service and infrastructure to this area. EBMUD's comments will be considered during the Eastside Specific Plan preparation process. Refer to Master Response 1 for further discussion regarding the Tassajara Valley.

Response to EBMUD-5

The author referenced a statement on page 3.14-5 that any future development and land use activities in the Tassajara Valley will be guided by the Eastside Specific Plan process (including associated environmental review to address water supply sources) and stated that EBMUD would like to emphasize that the specific plan must analyze potential impacts on water supply associated with new urban development.

Implementing Policy 4.7-I-3 clearly states that the Eastside Specific Plan is required to contain an infrastructure improvement program that addresses water improvements. Additionally, the Eastside Specific Plan would be expected to be subject to California Water Code Sections 10910 through 10915, which require detailed assessment of water supply. Thus, there is certainty that the Eastside Specific Plan process will thoroughly analyze water supply issues. Refer to Master Response 1 for further discussion regarding the Tassajara Valley.

Response to EBMUD-6

The author referenced the cumulative analysis of water supply in Section 4, Cumulative Effects, which found that the cumulative effects would not be significant, and stated that this conclusion is problematic for the Eastside Specific Plan area.

As indicated in Response to EBMUD-3, the Eastside Specific Plan process has not been initiated at the time of this writing, and General Plan 2030 will continue to designate this area as "Open Space" until the specific plan is adopted. Thus, the Draft EIR appropriately concluded that the proposed boundary adjustments in the Tassajara Valley would not have a cumulative effect on water supply because no changes in water demand would occur relative to existing conditions.

Furthermore, as stated in Response to EBMUD-4 and Response to EBMUD-5, the Eastside Specific Plan process will evaluate water supply pursuant to both Implementing Policy 4.7-I-3 and state requirements. Because the Eastside Specific Plan process has yet to commence at the time of this writing, it would be premature and speculative to conclude that water supply is "problematic." Refer to Master Response 1 for further discussion regarding the Tassajara Valley.

Response to EBMUD-7

The author provided concluding remarks to close the letter. No response is necessary.

Response to EBMUD-8

The author provided introductory remarks to open EBMUD's February 9, 2010 Notice of Preparation response letter. No response is necessary.

Response to EBMUD-9

The author stated that the Notice of Preparation does not reference specific development projects and indicated that future development projects associated with General Plan 2030 will be subject to EBMUD requirements for domestic water supply, fire flows, and system redundancy. The author recited standard language about regulatory requirements and the process for obtaining EBMUD approvals.

The proposed General Plan 2030 is programmatic land use plan and is not a "development project." Thus, the standard language recited by the author does not apply to General Plan 2030. Future development projects within the EBMUD service area that are pursued following adoption of General Plan 2030 will be subject to the applicable requirements referenced by the author.

Response to EBMUD-10

The author noted that the General Plan 2030 Planning Area is within the EBMUD recycled water service boundaries and provided background on the agency's joint venture with DSRSD to expand the use of recycled water in the Planning Area. The author requested that the City of San Ramon require developers of new or redevelopment projects to coordinate and consult with EBMUD regarding the feasibility of providing recycled water for appropriate non-potable uses.

The Draft EIR discussed EBMUD-DSRSD's recycled water service efforts on pages 3.14-5 and 3.14-6.

General Plan 2030 Implementing Policy 8.8-I-3 requires new development in areas where recycled water service exists or is planned to be plumbed with "purple pipe" and other measures necessary to accommodate non-potable water service. This policy is consistent with EMBUD's request. Refer to Response EBMUD-11 for the text of Implementing Policy 8.8-I-3.

Response to EBMUD-11

The author requested that the City of San Ramon include in its conditions of approval a requirement that the project sponsor comply with the City's Efficient Landscape Requirements and Water Conservation Ordinance. The author noted that project sponsors should be aware that water service will not be furnished for new or expanded service unless all the applicable water efficiency measures described in EBMUD's Water Service Regulations are installed.

As stated in Response to EBMUD-9, the proposed General Plan 2030 is not a "development project" and, therefore, is not subject to project-level water conservation requirements.

Nonetheless, General Plan 2030 sets forth a number of policies intended to promote water conservation in accordance with EBMUD's Water Service Regulations. Examples are listed below:

- **Guiding Policy 8.8-G-1:** Promote the implementation of water quality and conservation programs and measures by San Ramon employers, residents, and public agencies.
- **Implementing Policy 8.8-I-1:** Require new development projects to implement indoor water conservation and demand management measures.
- **Implementing Policy 8.8-I-2:** Require new development projects to implement outdoor water conservation and demand management measures.
- **Implementing Policy 8.8-I-3:** New development in areas where recycled water service exists or is planned shall be plumbed with "purple pipe" and other measures necessary to accommodate non-potable water service.
- **Implementing Policy 8.8-I-4:** Require new development to meet the State Model Water Efficient Landscape Ordinance (MWELo).
- **Implementing Policy 8.8-I-5:** Collaborate with DERWA (Dublin San Ramon Services District and East Bay Municipal Utility District Recycled Water Authorities) to expand the recycled water distribution system in an efficient and timely manner.

Thus, it would be expected that future development projects within the EBMUD service area that are pursued after adoption of General Plan 2030 will comply with the agency's Water Service Regulations.

Response to EBMUD-12

The author attached copies of EBMUD Policies 3.01, 3.05, and 3.08. These policies are addressed in Response to EBMUD-4.



May 19, 2010

City of San Ramon
Planning/Community Development
2222 Camino Ramon
San Ramon, CA 94583
Attn: Mr. Lauren Barr, Senior Planner

RE: Draft Environmental Impact Report for the City of San Ramon General Plan 2030

Dear Mr. Barr,

GREENBELT

Thank you for providing the opportunity for Greenbelt Alliance to comment on the Draft Environmental Impact Report for the City of San Ramon General Plan 2030 and Climate Action Plan (April 5, 2010, State Clearinghouse No: 2000082002), which encompasses a planning area of 36.40 square miles in and adjacent to the City of San Ramon in Contra Costa County. We look forward to your careful review of these comments and subsequent revision of the Draft Environmental Impact Report (DEIR) to address the identified areas of concern.

We applaud the City for consideration of project alternatives that promote compact, mixed-use development in the city's core as well as the preparation of a draft Climate Action Plan. These types of measures provide well-documented environmental, economic, and social equity benefits, both for the residents of San Ramon as well as the entire Bay Area region¹. They also help prepare San Ramon for a fundamental shift that has begun in the real estate market toward redevelopment of urban centers and away from construction in the outskirts of suburban areas².

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We are deeply concerned, however, at the inadequate analysis of the many negative environmental effects of the proposed project – particularly the failure to address the potential effects of the expansion of the Sphere of Influence (SOI) and the Urban Growth

¹ For examples, see:

Bartholomew, Winkelman, Walters, and Chen *Growing Cooler: The Evidence on Urban Development and Climate Change* (2008) <http://www.smartgrowthamerica.org/documents/growingcoolerCH1.pdf>

American Lung Association in California's *Land Use, Climate Change & Public Health Issue Brief* (Spring 2010):

<http://www.lungusa.org/associations/states/california/assets/pdfs/advocacy/land-use-climate-change-and.pdf>

TransForm's *Windfall for All: How Connected, Convenient Neighborhoods Can Protect Our Climate and Safeguard California's Economy* (2009) <http://www.transformca.org/windfall-for-all>

²See US EPA's *Residential Construction Trends in America's Metropolitan Regions* http://www.epa.gov/smartgrowth/pdf/metro_res_const_trends_10.pdf

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Boundary (UGB). In addition, the DEIR fails to consider many feasible mitigation measures that would reduce or eliminate potentially significant environmental effects.

By failing to address the potential effects and feasible mitigation options for this project, the DEIR fails to provide decisionmakers and the public with a clear understanding of the repercussions of project approval. This not only violates the California Environmental Quality Act (Pub. Resources Code, § 21000, *et seq.*) and other statutes, it reduces the opportunity for informed public engagement and undermines sound public policy principles. We therefore urge the City to revise the DEIR to address the following concerns:

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The DEIR fails to analyze potential development within the expanded Sphere of Influence and Urban Growth Boundary.

According to the DEIR, the project objectives include: “Review and adjust the Urban Growth Boundary to include areas that are currently developed or are anticipated to develop over the course of the planning horizon of the General Plan (ES-2).” However, the DEIR fails to explain or consider this “anticipated development,” inappropriately postponing assessment of potential development within most of the areas covered by the proposed boundary expansions – particularly the Tassajara Valley.

The DEIR should be revised to clarify what development is “anticipated” in this area and include a reasonable range of development scenarios. Several of these development scenarios should be based on previous developments in the region, including those in the San Ramon Valley.

-2

For illustrative purposes, Greenbelt Alliance conducted an analysis of potential development in the portion of the Tassajara Valley proposed for inclusion in the City’s SOI and UGB, assuming development patterns and growth projections similar to those of the Dougherty Valley. The following chart summarizes our findings:

	Dougherty Valley	Tassajara Valley
Area	5,979 acres	1,626 acres
Single Family	8,250 homes	2,244 homes
Multi-Family	2,750 homes	748 homes
Total Units	11,000 homes	2,991 homes
Population	29,000 residents	7,887 residents

The DEIR should include a similar development scenario, as well as scenarios with greater and lesser amounts of development.

The DEIR fails to identify and analyze the environmental effects of potential development within the expanded Sphere of Influence and Urban Growth Boundary.

Although the DEIR states that some areas proposed to be included in the SOI and UGB are “anticipated to develop (ES-2)” it fails to analyze the potential environmental effects of such anticipated development. It also fails to analyze the environmental effects that expanding the SOI and UGB would have on those areas, particularly any growth inducing effects. These omissions result in an incorrect and inadequate assessment of the environmental effects of the project. The DEIR should be revised to analyze all of the potential

-3

environmental effects that would result from the expansion of the SOI and UGB into the Tassajara Valley and subsequent development, including the following:

-3
CONT

Greenhouse Gas Emissions, Air Pollution, and Vehicle Miles Traveled

The DEIR and Climate Action Plan claim that “there is certainty that future development and land use activities contemplated by the General Plan 2030 would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment”(3.3-54). This conclusion is inappropriate, in part because the DEIR fails to consider development within the Tassajara Valley.

Using the projected build-out of 2,991 households, required park space and a new elementary school in the Tassajara Valley, URBEMIS estimates annual CO2 emissions from automobile trips at 48,364 tons and an additional 284,748 vehicle miles travelled. Development would also result in significant criteria air pollutants. These effects would have a significant impact on local air quality and public health and contribute significantly to climate change. The anticipated increase in greenhouse gas emissions and vehicle miles travelled would negatively impact the region’s ability to achieve the environmental goals of AB 32 of 2006 (Nuñez and Pavley), Executive Order S-03-05 and SB 375 of 2008 (Steinberg). Additional vehicle miles traveled would also negatively impact the local and regional transportation system.

-4

The California Attorney General has filed numerous comment letters with agencies whose analysis under CEQA failed to properly analyze a project’s greenhouse gas emissions³ and has adopted a settlement agreement with the City of Stockton to resolve that city’s inappropriate treatment of greenhouse gas emissions in its General Plan. These documents and related resources from the California Attorney General are incorporated by reference.

Impacts on Water Resources

New development within the Tassajara Valley would significantly impact local and regional water supplies, groundwater, water recharge capacity, water quality, and riparian and aquatic habitats. These environmental services are already in high demand and are projected to be at increasing risk due to the effects of climate change⁴. Demands on wastewater treatment systems could also be significant.

-5

Impacts on Habitat, Endangered Species, and Farmland

New development within the Tassajara Valley would significantly impact many essential habitats, species and agricultural resources. According to 2008 data from the California Farmland Mapping and Monitoring Program, the valley floor and adjacent canyons contain

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³ The California Attorney General’s website includes extensive resources on the treatment of global warming in environmental analysis, including CEQA comment letters, guidance on global warming in general plans, funding sources for climate planning, and GHG mitigation measures: <http://www.ag.ca.gov/globalwarming/ceqa>

⁴ The Oakland-based Pacific Institute has prepared a comprehensive database of scientific literature pertaining to climate change and freshwater resources worldwide. The current version contains more than 4,300 entries: <http://biblio.pacinst.org/biblio/>

farmland of local, unique and state importance,⁵ with numerous orchards and ranches currently in operation, while the majority of area proposed for expansion lies in grazing land. According to the report *Golden Lands, Golden Opportunities*⁶, the Valley encompasses land critical to the preservation of the Bay Area’s Community Greenbelt and Farms and Ranches, as well as containing essential land identified in the Conservation Lands Network.

The area includes critical habitat corridors and rangeland for numerous threatened species including the Alameda Whipsnake, California Tiger Salamander and California Red-Legged Frog. Other species identified in the Tassajara Valley include:

- San Joaquin Kit Fox
- Western Pond Turtle
- Burrowing Owl
- Golden Eagle
- White Tailed Kite
- California Horned Lark
- Congdon’s Tarplant
- Northern Harrier
- American Badger
- California Linderiella

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CONT

Conversion of habitat and agricultural land for development would also negatively impact aesthetic resources (e.g. interruption of viewsheds), cultural and historic resources (e.g. historic structures, Native American sites), and recreational resources (e.g. impacts on hiking opportunities related to Hidden Valley Open Space and other planned trail networks).

Impacts of New Local Infrastructure and Public Services Demands

New development within the Tassajara Valley would require considerable expansion of local infrastructure and city services. These include:

Capital	Infrastructure	Other
Schools, Libraries, Fire and Police Stations	Water, Sewage, Utilities, Roads, Parks, Sidewalks	Street Cleaning, Solid Waste Handling, Emergency Medical Services

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The construction, installation, and maintenance and operation of these items would have significant environmental impacts. They would also result in additional financial costs. Numerous reports show costs borne by existing taxpayers are higher for development projects that are built beyond the existing service area, rather than projects constructed within urban service boundaries⁷. The Sacramento Area Council of Governments (SACOG) and other public agencies have developed computer models to estimate and compare these costs.

⁵ <http://www.conservation.ca.gov/dlrp/FMMP/Pages/Index.aspx>

⁶ <http://www.golden-lands.org/>

⁷ See in particular *TCRP Report 74: Costs of Sprawl* by the Transit Cooperative Research Program, sponsored by the Federal Transit Administration. http://onlinepubs.trb.org/onlinepubs/tcrp/tcrp_rpt_74-a.pdf

Roadway construction in the Tassajara Valley would be particularly costly. Roadway construction in undeveloped areas of the Tassajara Valley is estimated to reach \$500,000 per mile, while widening the bisecting Camino Tassajara could reach \$400,000 to \$450,000. Estimates of road maintenance costs with the increased congestion from new development range from \$4,000 to \$15,000 per year.

Developing within existing areas could substantially reduce these costs. Studies show developing in controlled growth scenarios provides a saving of 9.2% in local lane-miles constructed and 11.8% in local road costs. Development focused in existing urban areas would also integrate into existing road maintenance cycles. Controlled growth scenarios demonstrate combined water and sewer infrastructure reductions by 8.6% (California), 8.1% (SF-Oak-SJ), and 3.8% (Contra Costa)⁸. A nation-wide study by the American Public Health Association notes that sprawl style development leads to a 10% increase in annual public service deficits.

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The DEIR should be revised to clearly identify and analyze all potential environmental effects of development in the areas considered for inclusion under an expanded SOI and UGB.

The DEIR fails to adequately analyze the effects of climate change on the project area.

The DEIR provides an incomplete analysis of the impacts of climate change on the project area. While it notes the potential for increased wildfires and flooding and decreased water supply, it fails to adequately analyze the project in light of the substantial body of research on these and other impacts.

The DEIR should be revised to include an analysis of all documents related to the California Natural Resources Agency's 2009 California Climate Adaptation Strategy⁹, including its extensive bibliography, the California Energy Commission's Public Interest Research Program's climate science program, climate research by The Nature Conservancy, and the Stockholm Environment Institute's CalAdapt/Google Earth demonstration prototype. This analysis should include the full range of potential climate impacts on the project area, including changes to water supply and quality, public health risks from increased temperatures, threats to local agriculture from invasive species and other stressors, and impacts on habitats and species. This analysis should address the extent to which the effects of the project are more severe under changing climatic conditions (e.g. increased health impacts of air pollution higher vulnerability of listed species under increased temperatures).

-8

The DEIR fails to analyze and impose feasible and enforceable measures to mitigate or avoid the environmental effects of the project.

CEQA requires an EIR to describe all feasible mitigation measures that could minimize significant environmental impacts. (Cal. Code Regs., tit. 14, §15126.4.) Because the DEIR concludes that the project would not result in significant environmental effects from

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⁸ TCRP Report 74: Costs of Sprawl
⁹ <http://www.climatechange.ca.gov/adaptation/>

expansion of the SOI and UGB, the DEIR fails to analyze and adopt all feasible mitigation measures that could reduce the project’s environmental effects.

For example, the DEIR does not consider measures to prevent or limit development in the affected areas, such as establishment of an agricultural preserve or pre-zoning for open space. Nor does it consider measures to mitigate the environmental effects of additional car trips in these areas, such as expanded public transportation options or funding for air quality reduction programs. See the California Attorney General’s website for an expansive list of climate change mitigation measures:

http://ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf.

The DEIR also fails to adequately analyze and impose mitigation measures to address those impacts found to be significant but unavoidable, namely Air Quality and Growth Inducement¹⁰. Numerous feasible measures exist to mitigate these impacts. For example, the Bay Area Air Quality Management District has prepared suggested mitigation measures to reduce criteria air pollutants specifically for use in the CEQA process and is in the process of updating those mitigation measures to provide more opportunities for project impact mitigation¹¹. While the DEIR includes some mitigation measures identified by the BAAQMD, the vast majority of proposed measures are vague, unenforceable, and difficult to monitor. These include many measures in which the City will “encourage” various behaviors and activities. Many of these measures could feasibly be clarified, quantified, and strengthened to help reduce air pollution to a level of insignificance. The DEIR should be revised to include full mitigation of the project’s impacts, with particular attention to ensuring that population growth is accommodated in existing urbanized areas within the city’s boundaries.

Conclusion

In light of the significant deficiencies in the San Ramon General Plan 2030 DEIR, we request that the City Council refer the DEIR back to the planning department staff for revision and recirculation to include an adequate discussion of the environmental impacts of the project and mitigation of those impacts. We look forward to your consideration of these comments. Please contact us regarding future actions regarding this project.

Sincerely,



Matt Vander Sluis
Senior Field Representative, East Bay
Greenbelt Alliance
(925) 932-7776
mvandersluis@greenbelt.org

¹⁰ In determining the feasibility of mitigation measures that direct growth into existing urbanized areas, it should be noted that San Ramon’s draft General Plan 2030 identifies housing opportunities for 8,806 units on urbanized parcels within the UGB, far more than needed to meet ABAG’s projections of 7,100 units for San Ramon from 2010-2030.

¹¹ <http://www.baaqmd.gov/Divisions/Planning-and-Research/CEQA-GUIDELINES/Proposed-Guidelines.aspx>

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CONT

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Urbemis 2007 Version 9.2.4

Combined Annual Emissions Reports (Tons/Year)

File Name: C:\Documents and Settings\lagarcia\My Documents\San Ramon\Tassajara Valley\TassajaraValley.urb924

Project Name: Tassajara Valley

Project Location: Contra Costa County

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

GREENBELT-12

CONSTRUCTION EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10 Dust</u>	<u>PM10 Exhaust</u>	<u>PM10</u>	<u>PM2.5 Dust</u>	<u>PM2.5 Exhaust</u>	<u>PM2.5</u>	<u>CO2</u>
2007 TOTALS (tons/year unmitigated)	0.31	2.45	1.26	0.00	46.52	0.10	46.62	9.72	0.10	9.81	202.98
2008 TOTALS (tons/year unmitigated)	70.55	12.41	66.86	0.06	19.31	0.54	19.85	4.07	0.49	4.57	6,105.34

AREA SOURCE EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (tons/year, unmitigated)	52.94	7.40	75.55	0.19	10.06	9.68	9,465.73

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (tons/year, unmitigated)	45.48	61.47	557.53	0.48	89.40	17.14	48,364.58

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	<u>ROG</u>	<u>NOx</u>	<u>CO</u>	<u>SO2</u>	<u>PM10</u>	<u>PM2.5</u>	<u>CO2</u>
TOTALS (tons/year, unmitigated)	98.42	68.87	633.08	0.67	99.46	26.82	57,830.31

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CONT

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Operational Unmitigated Detail Report:

OPERATIONAL EMISSION ESTIMATES Annual Tons Per Year, Unmitigated

Source	ROG	NOX	CO	SO2	PM10	PM25	CO2
Single family housing	36.44	49.53	449.24	0.39	72.04	13.81	38,970.82
Apartments low rise	9.01	11.90	107.97	0.09	17.31	3.32	9,366.03
Elementary school	0.02	0.03	0.23	0.00	0.04	0.01	20.18
City park	0.01	0.01	0.09	0.00	0.01	0.00	7.55
TOTALS (tons/year, unmitigated)	45.48	61.47	557.53	0.48	89.40	17.14	48,364.58

Operational Settings:

Does not include correction for passby trips

Does not include double counting adjustment for internal trips

Analysis Year: 2011 Season: Annual

Emfac: Version : Emfac2007 V2.3 Nov 1 2006

Summary of Land Uses

Land Use Type	Acreage	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Single family housing	748.00	9.57	dwelling units	2,244.00	21,475.08	229,441.89
Apartments low rise	46.75	6.90	dwelling units	748.00	5,161.20	55,142.78
Elementary school		14.49	1000 sq ft	1.00	14.49	119.11
City park		1.59	acres	4.00	6.36	44.55
					26,657.13	284,748.33

Vehicle Type	Vehicle Fleet Mix				Diesel
	Percent Type	Non-Catalyst	Catalyst	Diesel	
Light Auto	50.9	1.0	98.6	0.4	
Light Truck < 3750 lbs	13.2	1.5	94.7	3.8	
Light Truck 3751-5750 lbs	20.4	0.5	99.5	0.0	
Med Truck 5751-8500 lbs	7.7	0.0	100.0	0.0	
Lite-Heavy Truck 8501-10,000 lbs	1.1	0.0	72.7	27.3	
Lite-Heavy Truck 10,001-14,000 lbs	0.6	0.0	50.0	50.0	
Med-Heavy Truck 14,001-33,000 lbs	0.7	0.0	14.3	85.7	
Heavy-Heavy Truck 33,001-60,000 lbs	0.4	0.0	0.0	100.0	
Other Bus	0.0	0.0	0.0	0.0	
Urban Bus	0.1	0.0	0.0	100.0	
Motorcycle	3.7	62.2	37.8	0.0	
School Bus	0.4	0.0	0.0	100.0	
Motor Home	0.8	0.0	87.5	12.5	

Travel Conditions

	Residential				Commercial	
	Home-Work	Home-Shop	Home-Other	Commuter	Non-Work	Customer
Urban Trip Length (miles)	10.8	7.3	7.5	9.5	7.4	7.4
Rural Trip Length (miles)	16.8	7.1	7.9	14.7	6.6	6.6
Trip speeds (mph)	35.0	35.0	35.0	35.0	35.0	35.0
% of Trips - Residential	32.9	18.0	49.1			

	Travel Conditions					
	Residential			Commercial		
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
% of Trips - Commercial (by land use)						
Elementary school				20.0	10.0	70.0
City park				5.0	2.5	92.5

Organizations

Greenbelt Alliance (GREENBELT)

Response to GREENBELT-1

The author provided introductory remarks and summarized his organization's position that the Draft EIR did not adequately analyze the proposed Urban Growth Boundary and Sphere of Influence adjustments and failed to consider feasible mitigation measures. The author stated that the Draft EIR violates CEQA requirements and requested that the City of San Ramon revise the EIR to address the concerns outlined in the letter.

The author's specific comments on the Draft EIR's adequacy are addressed in Response to GREENBELT-2 through Response to GREENBELT-10. As explained in those responses, the Draft EIR adequately evaluates the environmental impacts of General Plan 2030 and there is no legal requirement to revise the document.

Response to GREENBELT-2

The author stated that the Draft EIR failed to analyze potential development within the expanded Sphere of Influence and Urban Growth Boundary. The author referenced a project objective that established reviewing and adjusting the Urban Growth Boundary to include areas that are currently developed or are anticipated to develop over the course of the planning horizon of the General Plan and noted that the Draft EIR inappropriately postpones assessment of development within the Tassajara Valley. The author stated that the Draft EIR should be revised to clarify what development is anticipated in this area and include a reasonable range of development scenarios. The author indicated that the Greenbelt Alliance conducted an analysis of potential development within the Tassajara Valley and summarized the findings in a chart. The chart indicated that the Tassajara Valley could support as much as 2,991 dwelling units and 7,887 residents.

As explained in Master Response 1, the proposed General Plan 2030 land use designation for the Tassajara Valley is "Open Space." The contemplated Eastside Specific Plan (which has not been initiated at the time of this writing) would address future land use and development activities within the Tassajara Valley, pursuant to Implementing Policy 4.7-I-3. Since the Eastside Specific Plan has not been initiated, the "Open Space" designation continues to be the land use designation for the Tassajara Valley until the specific plan is adopted. Thus, it would be speculative for the Draft EIR to evaluate a higher level of development in this area.

Regarding the author's projections of 2,991 dwelling units and 7,887 residents in the Tassajara Valley, for the reasons provided above, this level of development is not permitted by the "Open Space" land use designation and such figures represent an arbitrary calculation of future land use patterns that may never occur. Thus, it would be speculative for the Draft EIR to evaluate this level of development. Refer to Master Response 1 for further discussion.

Response to GREENBELT-3

The author stated that the Draft EIR failed to identify and analyze the environmental effects of potential development within the expanded Sphere of Influence and Urban Growth Boundary. The author reiterated previous comments about the Draft EIR failing to disclose the environmental effects of future development in the Tassajara Valley, specifically, growth-inducing effects. The author's comments prefaced more detailed comments set forth in Comment GREENBELT-4 through Comment GREENBELT-7.

Growth inducement was evaluated in Impact POP-1 and Section 6.2 of the Draft EIR. Refer to those sections and Master Response 1 for further discussion.

The author's detailed comments on the environmental effects of the Tassajara Valley boundary adjustments will be addressed in Response to GREENBELT-4 through Response to GREENBELT-7.

Response to GREENBELT-4

The author recited a statement from page 3.3-54 of the Draft EIR that General Plan 2030 would not generate greenhouse gas emissions that may have a significant impact on the environment and alleged that conclusion was inappropriate because the Draft EIR failed to consider development in the Tassajara Valley. The author referenced Greenbelt Alliance's own build-out estimates for the Tassajara Valley and indicated that Greenbelt Alliance had used such estimates as the basis for an URBEMIS model run that indicated that new development in this area would generate 48,364 tons of annual carbon dioxide (CO₂) emissions and 284,748 additional annual vehicle miles traveled. The author claimed that this would have a significant impact on local air quality and contribute to climate change, as well as negatively impact the region's ability to comply with AB 32, SB 375, and Executive Order S-03-05. The author noted that the California Attorney General has filed numerous comment letters with agencies whose analysis under CEQA has failed to properly analyze greenhouse gas emissions and referenced a settlement agreement with the City of Stockton concerning the evaluation of greenhouse gas emissions in its General Plan. The author asserted that those documents are incorporated by reference.

As discussed in Response to GREENBELT-2 and Master Response 1, the author's development projections for the Tassajara Valley are not based on the permitted development allowed for the "Open Space" land use designation in General Plan 2030 and are, in fact, arbitrary and speculative figures that are not supported by substantial evidence. Thus, Greenbelt Alliance's projections for air emissions and vehicle miles traveled are not representative of General Plan 2030's potential environmental effects.

Regarding the author's reference to the California Attorney General's letters, note that the Attorney General Office has not submitted a letter to the City of San Ramon. If (and when) a letter is submitted by the Attorney General's Office on General Plan 2030, the City of San Ramon will

respond. However, it would be inappropriate to address the Attorney General's Office letters to and settlement agreements with other jurisdictions that have no bearing on General Plan 2030.

The author's attempt to incorporate unidentified Attorney General's letters and settlement agreements that were not provided in the comment letter fails, at least, to the extent the author intends such incorporation to establish the lead agency's duty to respond to comments or analysis that may be set forth in such unidentified documents. Since the author failed to identify the referenced documents with reasonable specificity, the City of San Ramon was not provided sufficient notice of their content to intelligently respond thereto. In any case, the lead agency is not obligated under CEQA to respond to such documents as they apparently pertain to unrelated projects beyond the jurisdiction of the City of San Ramon and, therefore, are not comments on the project that is the subject of this EIR.

Response to GREENBELT-5

The author claimed, without any supporting evidence, that new development in the Tassajara Valley would significantly impact local and regional water supplies, groundwater, water recharge capacity, water quality, and riparian and aquatic habitat. The author stated, without any supporting evidence, that these environmental services are already in high demand and projected to be at increasing risk because of climate change. The author stated that demands on wastewater treatment systems could also be significant.

As stated in Response to GREENBELT-2 and Master Response 1, the proposed General Plan 2030 maintains the current land use designation of "Open Space" for the Tassajara Valley. Therefore, no changes to land use in the Tassajara Valley would occur and no impacts to the resources listed by the author would occur.

The Eastside Specific Plan process will address future development and land use activities in the Tassajara Valley. Pursuant to Implementing Policy 4.7-I-3, an infrastructure improvement program, an open space protection program, and a natural area habitat protection program will be contained in the specific plan. Additionally, the Eastside Specific Plan process will be subject to environmental review requirements, which would include assessment of impacts to biological resources, hydrology and water quality, and utility systems. Therefore, certainty exists that the Eastside Specific Plan process will address these issues. Please refer to Master Response 1 for additional discussion of Tassajara Valley.

Response to GREENBELT-6

The author asserted that new development in the Tassajara Valley would significantly impact biological and agricultural resources. The author cited data from the Farmland Mapping and Monitoring Program and listed 10 special-status species that have the potential to occur in the area. The author claimed that the conversion of habitat and agricultural land for development would impact aesthetic resources, cultural and historic resources, and recreational opportunities.

Refer to Master Response 1 for discussion of Tassajara Valley.

Response to GREENBELT-7

The author claimed that new development within the Tassajara Valley would require the considerable expansion of local infrastructure and city services, including schools, libraries, fire stations, police stations, water systems, sewage systems, roads, parks, sidewalks, street cleaning, solid waste, and emergency medical services. The author noted that the construction, installation, and maintenance of these items would have significant environment impacts and result in additional financial costs. The author provided various cost estimate projections for these services and cited various studies that purport to demonstrate that “sprawl style” development increases public service deficits.

The author’s comments regarding the economic costs associated with land development are not comments on the environmental impacts of General Plan 2030. Refer to Master Response 1 for additional discussion of Tassajara Valley.

Response to GREENBELT-8

The author claimed that the Draft EIR failed to adequately analyze the effects of climate change on the project area. The author acknowledged the analysis in Impact AIR-7 considered the potential for increased wildfires, flooding, and decreased water supply, but asserted that the analysis did not adequately address the project in light of the “substantial body of research on these and other impacts.” The author stated the analysis should be revised to include an analysis of all documents related to the Natural Resources Agency “2009 California Climate Adaption Strategy” and specifically identified changes to water supply and quality, public health risks from increased temperatures, threats to local agriculture from invasive species and other stressors, and impacts on habitats and species. The author claimed the analysis should address the extent to which the effects of the project are more severe under changing climatic conditions such as increased health impacts of air pollution and the higher vulnerability of listed species under increased temperatures.

To preface the response, the Impact AIR-7 analysis assessed the proposed General Plan 2030’s susceptibility to climate change effects. As such, it evaluated impacts relevant to the Planning Area and those that would be affected by the implementation of General Plan 2030, specifically, wildfires, flooding, and decreased water supply. The analysis cited published literature issued by the California Climate Change Center and information provided by the California Department of Water Resources, the California Department of Forestry and Fire Protection, EBMUD, and DSRSD. This approach has been widely used in other EIRs and is consistent with CEQA Guidelines Section 15126.2. Note that the author does not dispute any of the conclusions concerning wildfires, flooding, or decreased water supply.

Regarding the author’s statement that the analysis should be revised to include an analysis of all documents related to the Natural Resources Agency “2009 California Climate Adaption Strategy,” there is no legal basis for doing so. First, there is no legal requirement that mandates that specific

documents be used in the climate change effects analysis, including the documents referenced in the “2009 California Climate Adaption Strategy.” Furthermore, revising the analysis to consider all documents related to the “2009 California Climate Adaption Strategy” would be an unnecessary and time-consuming exercise that would be contrary to the CEQA Guidelines objective of timely environmental review. Rather, as previously stated, the climate change analysis referenced appropriate scientific literature and agency information that were applicable and relevant to Planning Area. Finally, a lead agency need not respond to non-project-specific scientific articles and other reference materials that are submitted or referenced in support of comments on an EIR.

Regarding the other climate change effects listed by the author (e.g., public health risks from increased temperatures, threats to local agriculture from invasive species and other stressors, and impacts on habitats and species), there is no evidence that such effects are applicable to the Planning Area or would be significantly affected by General Plan 2030. See Master Response 1 for further discussion of Tassajara Valley.

Response to GREENBELT-9

The author stated that the Draft EIR concluded that the project would not result in significant environmental effects from expansion of the Sphere of Influence and Urban Growth Boundary and failed to analyze and impose feasible and enforceable measures to mitigate the environmental effects of the project. The author claimed that the Draft EIR did not consider measures to prevent or limit development in “affected areas,” such as the establishment of an agricultural preserve or pre-zoning for open space. The author asserted that the Draft EIR did not consider measures to mitigate the environmental effects of additional car trips in these areas such as expanded transportation options or funding air quality reduction programs.

Contrary to the author’s characterization, the EIR does not conclude that no mitigation is necessary to mitigate the potentially significant environmental effects from expansion of the Sphere of Influence and Urban Growth Boundary. Instead, the EIR concludes that, with the exception of those significant and unavoidable impacts identified in the EIR, General Plan 2030’s potentially significant environmental effects will be reduced to less than significant levels through implementation of the General Plan 2030 Implementation Policies discussed for each impact identified in the EIR and, therefore, no additional mitigation is required beyond that required under the General Plan 2030.

With respect to the two examples cited by the author (impacts to agricultural resources and additional vehicle trips) were evaluated at length in the EIR (refer to Section 3.2, Agricultural Resources, Section 3.3, Air Quality/Greenhouse Gas Emissions, and Section 3.13, Transportation) and the EIR determined that implementation of the General Plan 2030 policies would reduce related impacts to acceptable levels. Notably, the author does not provide any evidence disputing the conclusions contained in the Draft EIR about these two impacts.

Refer to Master Response 1 for further discussion.

Response to GREENBELT-10

The author claimed that the Draft EIR failed to adequately analyze and impose mitigation measures for the significant unavoidable impacts associated with air quality attainment plan consistency and growth inducement. The author asserted that numerous feasible mitigation measures are available to mitigate these impacts and cited measures identified by the Bay Area Air Quality Management District (BAAQMD). The author stated that although the Draft EIR does include some mitigation measures identified by the BAAQMD, the vast majority are “vague, unenforceable, and difficult to monitor.” The author specifically cited language that uses the term “encourage” as an example. The author stated that the Draft EIR should be revised to include full mitigation of the project’s impacts, with particular attention to ensuring that population growth is accommodated in existing urbanized areas within the City’s boundaries.

The two significant unavoidable impacts cited by the author are a result of a fundamental inconsistency between the growth projections issued by Association of Bay Area Governments (ABAG) and those contained in General Plan 2030. ABAG projections are used in regional planning initiatives, such as the BAAQMD air quality management plans. As explained in Impact AIR-1 and POP-1, General Plan 2030 contemplates more growth than ABAG over the planning horizon of the General Plan; thus, it would be considered to have a significant growth-inducement impact. This is an irreconcilable inconsistency because the City of San Ramon cannot legally compel ABAG to revise its population projections. Thus, the Draft EIR appropriately concluded that this impact was significant and unavoidable and no feasible mitigation was available to mitigate either impact.

The author’s statement that several mitigation measures in the Draft EIR are “vague, unenforceable, and difficult to monitor” is factually incorrect. The 2030 General Plan is self-mitigating, as it incorporates Implementing Policies with which all future development projects are legally required to be consistent. Rather than being unenforceable, the 2030 General Plan Implementing Policies are regulatory requirements imposed on all future development within the planning area.

Finally, regarding the author’s statement that the Draft EIR should be revised to include mitigation that would ensure that population growth is accommodated in existing urbanized areas within the City’s boundaries, this would not in any way rectify the inconsistency between ABAG growth projections and General Plan 2030’s growth projections, which inconsistency is the basis for the EIR’s determination that related impacts are significant and unavoidable. Eliminating the proposed Urban Growth Boundary and Sphere of Influence adjustments in the Tassajara Valley (as suggested by the author) would not change any of the population growth projections contained in General Plan 2030 and, therefore, would not mitigate either of significant unavoidable impacts. Refer to Master Response 1 for additional discussion regarding the Tassajara Valley.

Response to GREENBELT-11

The author summarized his previous claims about the Draft EIR being inadequate and in need of revision.

As explained in Response to GREENBELT-2 through Response to GREENBELT-10, the Draft EIR adequately evaluates the environmental impacts of General Plan 2030; therefore, no legal basis exists to revise the document.

Response to GREENBELT-12

The author attached the URBEMIS modeling data referenced in Comment GREENBELT-4. Refer to Response to GREENBELT-4 for further discussion.

SROG

SAN RAMON for OPEN GOVERNMENT

UNEXAMINED GROWTH INDUCING CONSEQUENCES OF MOVING U.G.B. TO INCLUDE WESTERN PORTION OF TASSAJARA VALLEY;

San Ramon will induce growth into Tassajara Valley in two different, but fundamental and significant ways.

First; in the more common way, where a City expands its growth planning area to include significant acreage of rural/farm land areas. In this case, the DEIR is deficient in not properly expanding on the inevitable consequences for such areas in Tassajara Valley. Wrongly deferring to Project EIR's the responsibility for appropriate anticipation of severe negative growth based changes. At the 'fata-comple' stage of Project Plan, It is too late to present the issues surrounding fundamental land use change for these green/open space areas. And, should the preparers of the EIR still feel justified in their "hands-off" approach to such examination; they should at least present examples where Cities have acted to expand sphere of influence/planning/annexation boundaries, and the result has not been serious degradation of green space for the "benefit" of suburban growth.

Second; by their action of expanding the UGB into Western Tassajara, the City will cause the County to also expand their ULL into exactly the same area -- this, by-way of County Policy of making their line "co-terminus" with Cities. So, ironically, the City will cause both City and County jurisdictional influence to expand to include the 1626 acre Western portion of Tassajara Valley. Do the preparers of the EIR have examples of expansion of planning/development zones into the same specific area, by two separate, and sometimes competing development oriented jurisdictions, where the rural lands involved did not suffer significant degradation of their green space/open space attributes?

We've seen with the North-West Specific Plan that a City/County growth line put even more pressure on the City to aggressively plan for development of the area in question. In this case [as would occur with Tassajara Valley], the City and others were made aware that County Zoning and Planning Policy was more 'generous' - allowing, in this case, for up to 2200 residential units. The influence, i.e., pressure, of such an option [that in the case of Tassajara, does not presently exist], was clear and profound; and resulted in a Plan for over 800 units in an environmentally sensitive hillside view shed.

Were the City to move both lines in its effort to "control" this rural acreage; and then attempt to preserve such status, one could reasonably expect the proponents to legally challenge - with credible merit – that they had a right for a 'higher and better' purpose for their property through the competing [County] jurisdiction. Preservation for Western Tassajara, by way of the current General Plan Update scenarios turns out not to be a viable option.

The EIR has yet to acknowledge and then present appropriate evaluation, the clear and obvious conclusion that Tassajara Valley will, short term -starting with the Western Portion-- then, long term, further eastward; by City actions now proposed, proceed from a pastoral, rural status to a urban/suburban/sprawl status, with all the still to be examined negative environmental consequences.

SROG-1

The DEIR has not presented the proper setting for the Tassajara Valley. For example:

The curious and "creative" New Farms Development Plan in western Tassajara proposed with the County.

The legal and political viability of said plan.

The influence on the City, of this plan.

SROG-2

The impact contrasts between a City oriented development plans for the Western Portion of Tassajara Valley and those of the 'New Farm: with its limit of under 200 residential units for this area [that is; were the plans eventually able to overcome the considerable legal/political hurdles in the County].

The DEIR makes a significantly false statement when stating, that not expanding growth boundaries to include a western 1600+ acres of Tassajara Valley would not comply with the San Ramon General Plan. Such statements contribute to, and are reflective of, a Report that comes up short in presenting an unbiased, and legally thorough, document, compliant with CEQA Program EIR obligations.

ACTIONS TO INDUCE DEVELOPMENT IN TASSAJARA VALLEY PREMATURE

There are already thousands of residential units entitled by the City which are still to be built. This includes 100's of units approved in the Crow Canyon Specific Plan, in the North West Specific Plan, and in the latest City Center Plan. It appears likely that full realization of just these already entitled units will not come to pass for several years - maybe even for as much as another decade. So the question arises as to what would be the compelling reason for pushing so hard, now, for a process to transform a rural Tassajara Valley to a significant urban/suburban/sprawl residential unit development. Does the EIR have a legitimate rationale for such action?

SROG-3

CONCLUSION

The DEIR explains its very limited exploration of likely impacts and necessary mitigations in Tassajara Valley by an overly deferential interpretation of its responsibilities under CEQA as a Program EIR. Often "justifying" such a stance with numerous qualifying statements like; "..... while no additional development in Tassajara Valley is contemplated at this time .."; quoting pertinent General Plan Policies; then deferring further evaluation to Project EIRs; where it will be far too late to appreciate the consequences that need to be understood now - before irrevocable decisions are made. It's a little like watching a freight train [sprawl development planning) barreling down the tracks just moments away from an intersection where a vehicle (green space and local quality of life) is stalled, and saying since it hasn't, as of this second, hit the vehicle, we can not speculate further on what might

SROG-4

be the outcome. But were we to 'speculate' not to worry since the vehicle has air bags [reassuring, applicable General Plan Policies] disingenuous logic, at best.

As a result of the afore mentioned approach to growth inducement and its consequences, and an overall limited view of its duties as a Program EIR; the CEQA compliance status for certain additional impact categories; particularly as it pertains to Tassajara Valley, will remain as follows:

- 1] Agricultural Resources - Inadequate.
- 2] Biological Resources -Inadequate.
- 3] Geology, Including wildlife habitat - inadequate.
- 4] Hydrology. Including wetlands - inadequate.
- 5] Visual Impacts [transformation]-inadequate.
- 6] Transportation -inadequate.
- 7] Utility Systems [In particular, water suppliers; such as; EBMUD] - inadequate.
- 8] Alternatives [none examined that leave Just the Eastside Growth Line in place] - inadequate.

SROG-4
CONT

Sincerely,

Jim Gibbon.

Jim Blickenstaff

SAN RAMON FOR OPEN GOVERNMENT

cc. Interested Parties.

San Ramon for Open Government (SROG)

Response to SROG-1

The author stated that the Draft EIR is deficient because it does not properly evaluate the environmental consequences of expanding the “growth planning area” to encompass the Tassajara Valley. The author asserted the Draft EIR deferred analysis of the consequences. The author stated that the EIR preparers should present examples of cities that have expanded planning boundaries, which have not resulted in degradation of the environment or suburban sprawl. The author claimed that the City of San Ramon’s past approval of the Northwest Specific Plan was an example of how the City has expanded its planning boundaries with the intent of facilitating new urban development. The author asserted that property owners within the Tassajara Valley could make a legal claim that the Urban Growth Boundary and Sphere of Influence adjustments confer a right to develop their property to a higher and better use if the development contemplated by General Plan 2030 does not come to fruition.

The Tassajara Valley is addressed in Master Response 1.

Regarding the author’s statement that the proposed Urban Growth Boundary and Sphere of Influence adjustments may allow Tassajara Valley property owners to make a legal claim to develop their property to a higher and better use in an unintended, unplanned manner, this is unsupported by fact. The proposed adjustments would not confer any development rights or entitlements to property owners in the Tassajara Valley. Rather, the adjustments simply signify that the City of San Ramon anticipates that these properties may ultimately be annexed into the city limits at some undetermined future date. Furthermore, the Tassajara Valley is in unincorporated Contra Costa County; therefore, the County’s land use regulations apply to all property owners in this area. The City of San Ramon’s land use regulations are non-binding for all parcels located in unincorporated portions of the Planning Area. For these reasons, the proposed Urban Growth Boundary and Sphere of Influence adjustments do not have the potential to create legal challenge opportunities that indirectly result in unintended, unplanned urban development in the Tassajara Valley.

Response to SROG-2

The author claimed that the Draft EIR did not present the proper setting for the Tassajara Valley by not addressing the New Farm proposal. The author stated that the Draft EIR failed to address the legal and political viability of this proposal or its “influence on the City.” The author stated that the Draft EIR makes a “significantly false statement” that “not expanding growth boundaries to include a western 1,600 acres of the Tassajara Valley would not comply with the San Ramon General Plan.” The author alleged that such statements illustrate that the Draft EIR is not legally adequate.

CEQA Guidelines Section 15125 establishes that EIRs must include a description of the physical environmental conditions that exist at the time of the issuance of the Notice of Preparation (NOP). These physical environmental conditions constitute the “baseline” against which environmental impacts of the proposed project or plan are assessed.

In this case, at the time of NOP issuance (January 14, 2010), the New Farm proposal was pending before the County of Contra Costa. (The New Farm proposal is still pending at the time of the Final EIR release in June 2010). It was not an approved or entitled project. Thus, the Draft EIR's description of the existing conditions of the San Ramon Planning Area (including the Tassajara Valley) appropriately did not identify this project as an "existing condition."

Furthermore, the purpose of the Draft EIR is to evaluate the environmental effects of the proposed General Plan 2030. As explained in Master Response 1, General Plan 2030 maintains the existing land use designation of "Open Space" for the Tassajara Valley, including the portions that overlap with the proposed New Farm site. Because of its pending status, General Plan 2030 does not assume buildout of the New Farm project in its land use or population growth projections. (Note that the New Farm proposal is undergoing environmental review through the County of Contra Costa; therefore, no legal basis exists for evaluating that project in the General Plan 2030 Draft EIR.) Lastly, it would not be appropriate to make any statements about "legal and political viability" of the New Farm proposal in the General Plan 2030 Draft EIR.

Refer to Master Response 1 for further discussion of the Tassajara Valley.

Finally, regarding the author's allegation that the Draft EIR contains "a significantly false statement when stating that not expanding" the Urban Growth Boundary would violate the General Plan, there are no such statements in the document. Rather, the Draft EIR merely states on page 2-2 that "General Plan Policy 4.6-I-3 requires voter review of the Urban Growth Boundary in 2010."

Response to SROG-3

The author asserted that it is premature to develop the Tassajara Valley because of the unbuilt dwelling units associated with the Crow Canyon Specific Plan and City Center project. The author questioned whether the Draft EIR has a "legitimate rationale" for inducing development into the Tassajara Valley.

In accordance with the CEQA Guidelines, the Draft EIR evaluates the environmental effects of the development and land use activities contemplated by General Plan 2030. The activities evaluated in the Draft EIR are those identified in General Plan 2030. As such, the Draft EIR is not intended to provide a "legitimate rationale" or otherwise justify why a certain activity should be pursued; therefore, no legal basis exists for the document to do so.

Refer to Master Response 1 for further discussion of the Tassajara Valley.

Response to SROG-4

The author stated that the Draft EIR provides a very limited exploration of likely impacts and necessary mitigations in the Tassajara Valley. The author summarized the analytical approach used in the document and asserted that this constitutes deferred evaluation. The author listed several topical areas in which the analysis was alleged to be deficient, including agricultural resources,

biological resources, geology (including wildlife habitat), hydrology, visual impacts, transportation, utility systems, and alternatives.

The Tassajara Valley is addressed in Master Response 1.



s a v e **MOUNT DIABLO**

Board of Directors

June 1, 2010

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**Re: comments, San Ramon General Plan 2030 (GPA 09-400-001)
Environmental Impact Report, SCH No.: 2000082002
presented at June 1, 2010 public hearing in summary and by reference**

Dear Mr. Barr:

Save Mount Diablo (SMD) appreciates the opportunity to provide the following comments regarding the proposed San Ramon General Plan 2030 (GPA 09-400-001), and Environmental Impact Report for the City of San Ramon General Plan Update.

DIABLO-1

We note that these written comments about the General Plan and the Environmental Impact Report reiterate our detailed comments submitted on February 12, 2010 in response to the EIR Notice of Preparation, and verbally on May 4th at the public hearing regarding the EIR. A "Responses to Comments" document or Final EIR should address those detailed comments.

DIABLO-2

Save Mount Diablo's primary concerns with the General Plan Update are the proposed Sphere of Influence and Urban Growth Boundary (UGB) expansions to include the East Side Specific Plan area, encompassing 1,624 acres of the Tassajara Valley.

SMD's Position

Save Mount Diablo believes that neither the EIR nor the draft General Plan provide adequate analysis of potentially significant impacts on sensitive resources in the Tassajara Valley resulting from the expansion of the Sphere of Influence and Urban Growth Boundary, or justification for expanding either the Sphere or the Urban Growth Boundary.

DIABLO-3

Proud member of



According to the EIR, the Notice of Preparation for the General Plan Update identified fourteen topical areas which could potentially be impacted by the project. However, the Executive Summary of EIR for the General Plan Update states that the project would only have significant unavoidable impacts on two of these areas - Air Quality and Growth Inducement. Save Mount Diablo's comments on the NOP

included detailed information supporting a fair argument that there were significant impacts in a variety of other topical areas.

Table ES-1: Executive Summary Matrix lists these topical areas and potential environmental impacts including Aesthetics, Agricultural Resources, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use, Noise, Population and Housing, Public Services and Recreation, Transportation, and Utility Systems. The table states that the project's impacts on each of these areas would be less than significant and that no mitigation is necessary.

DIABLO-3
CONT

Save Mount Diablo strongly disagrees with this assertion. The proposed expansion of the Urban Growth Boundary to include 1,624 acres of the Tassajara Valley is meant to facilitate development in an area with important and sensitive resources.

Alternatives Analysis is inadequate

The Alternatives analysis of the General Plan EIR is inadequate because while it looks at a variety of permutations of various areas that might be added to the Urban Growth Boundary, it doesn't include detail of a range of development types of their relative impacts.

DIABLO-4

Previous Studies

Environmental review and other studies of the area proposed for inclusion in the Urban Growth Boundary expansion and General Plan Update, specifically in the location of the proposed Eastside Specific Plan, have been conducted in the past. This data should be considered and incorporated into the EIR. So far it has been ignored.

The **1997 Tassajara Valley Project**, (County File GPA #930008 and RZ #943022) covering all of the proposed Eastside expansion, was studied extensively in an Environmental Impact Report, although the report was never certified.

DIABLO-5

Biotic surveys conducted for the East Contra Costa County Habitat Conservation Plan, and Biotic and Geotechnical Studies for the Creekside Cemetery Project (County File # LP 05-2096) all provide significant information about the project area.

Development of the Tassajara Valley

The EIR states that one of the primary objectives of the General Plan Update is to "Review and adjust the Urban Growth Boundary to include areas that are currently developed or **are anticipated to develop over the course of the planning horizon.**" {Emphasis added} (General Plan Update dEIR, ES-2)

However, the EIR concludes that sensitive resources will not be significantly impacted because "no additional development is contemplated in the Tassajara Valley at this time." The EIR goes on to say that "any potential/future development and land use activities are subject to the aforementioned policies and Implementing Policy 4.7-I-3, requiring an Eastside Specific Plan Process, including necessary environmental review." (General Plan Update dEIR, 3.4-11)

DIABLO-6

Essentially, the EIR is asserting that because development will not be immediate, review of impacts can be postponed until development occurs.

Deferring the study of the impacts of development in the Tassajara Valley to a future environmental review process is inadequate and ill-advised. The potential impacts of future development should be analyzed now, as part of the current EIR.

Postponing Analysis of Impacts is Counter to CEQA

Good Faith Duty to Investigate and Forecast Future Growth

A lead agency has a duty to investigate and make a good faith effort to identify all environmental impacts. “Drafting an EIR or preparing a Negative Declaration necessarily involves some degree of forecasting. While foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can.” CEQA Guidelines, § 15144. Further, CEQA mandates that “[a]ll phases of project planning, implementation, and operation must be considered in the Initial Study of the project.” Guidelines, § 15063(a)(1).

A lead agency’s avoidance of discussion of foreseeable future impacts is not permissible. Indeed, “[t]he agency [will] not be allowed to hide behind its own failure to gather relevant data. . . . CEQA places the burden of environmental investigation on government rather than the public.” *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, at 1378-1379 (citing *Sundstrom*, 202 Cal.App.3d 296, 311).

Finally, “the fact that future development may take several forms, or that it may never occur does not excuse environmental review of the project which is the catalyst for the projected future growth.” *City of Antioch v. City Council*, 187 Cal.App.3d 1325, 232 Cal.Rptr. 507(1986) (citations omitted). In *Antioch*, the respondents argued that the preparation of an EIR was not necessary because their road and sewer construction project involved no building construction and it was not known what type of development would occur. The court rejected this argument.

In the EIR at hand, the City repeatedly argues that impacts of development will be addressed in future environmental review as part of the Eastside Specific Plan. This argument disregards the fact that the EIR for the Project identifies as one of its primary objectives including the Tassajara Valley in the UGB for future development and is the first step in what will be a clear and profound catalyst for growth in this area.

Now is the appropriate time to fully consider these issues and to develop a thoughtful plan to balance and mitigate development and subsequent environmental impacts. “By deferring environmental assessment to a future date, the conditions run counter to that policy of CEQA which requires environmental review at the earliest feasible stage in the planning process.” *Sundstrom*, 202 Cal.App.3d 296 (citing Pub.Resources Code sec. 21003.1(a)). Further, “the Supreme Court approved the principle that the environmental impact should be assessed as early as possible in government planning. Environmental problems should be considered at a point in the planning process where genuine flexibility remains.” *Id.* (citations omitted).

In this case, one of the primary objectives of this Project is to expand San Ramon’s Urban Limit Line and to facilitate potential development in the Tassajara Valley. The Project will enable the development of an Eastside Specific Plan, which is intended to permit development so as to encourage the City’s growth. Accordingly, the City should identify and address the potential impacts of future development by forecasting likely development scenarios and alternatives. If the city really has no specific ideas, then a range of alternatives of development intensity should be assessed and reviewed.

By deferring analysis of development impacts induced by expansion of the UGB into the Tassajara Valley, the EIR is inadequate in its review of the General Plan Update’s environmental impacts. Given a period of low development activity and planning trends which are changing in response to climate change, the city has not provided good reasons for expanding the city’s Urban Growth Boundary or Sphere.

DIABLO-7
CONT

Eastside Specific Plan

The EIR argues that the General Plan Update would not directly result in any development and, therefore, there would be no impacts. According to the City, it is during the creation of the Eastside Specific Plan - not the General Plan Update - that is the most appropriate time to address the impacts of development.

The Urban Growth Boundary expansion into the Tassajara Valley, however, is meant to allow the City to prepare for the Eastside Specific Plan in order to develop the Tassajara Valley. The EIR states that one of the objectives of the General Plan Update is to “adjust the Sphere of Influence to encompass a portion of the Tassajara Valley as a first step in the process of initiating the Eastside Specific Plan process.” (General Plan Update ES-2) The Project is the first step toward development growth in this area.

DIABLO-8

Impacts should be assessed in the current EIR. The City should be able to reasonably forecast the level of development that would take place if the UGB is expanded in to the Tassajara Valley.

The existing General Plan includes policies that give general guidance regarding the Eastside Specific Plan. Policy 4.7-I-3 states that the Eastside Specific Plan should include a “Land use program including the type, characteristics, and location of rural and urban land uses.” (San Ramon General Plan 2030, page 4-30)

Based on these general land use designations, the EIR should be able to forecast a range of development levels that would potentially occur in the area under the Eastside Specific Plan. Once a range of development levels has been forecasted, the EIR can analyze the varying significance of impacts to the sensitive resources in the Tassajara Valley.

By doing so, San Ramon would be putting forth its “best efforts to find out and disclose all that it reasonably can” about impacts to the sensitive resources in the Tassajara Valley if the UGB is expanded.

Urban Growth Boundary, Urban Limit Line, and Measure J

In 1999 the voters of San Ramon passed Measure G which called for a new General Plan and the creation of an Urban Growth Boundary. The Tassajara Valley and Eastside Specific Plan Area are outside of San Ramon’s Urban Growth Boundary.

The General Plan EIR states that the “‘smart growth’ concept should be pursued within the UGB in order to discourage urban sprawl and preserve open space” (General Plan EIR, Proposed Project, p. 1-2). As was stated above, the Project would be a catalyst for development in the Tassajara Valley and be in conflict with the smart growth mandate of the General Plan.

DIABLO-9

In 2006 Contra Costa County passed a countywide Urban Limit Line (ULL) Measure L, that conformed to San Ramon’s Urban Growth Boundary, with the Tassajara Valley/Eastside

Specific Plan Area outside of the ULL. Once again a majority of San Ramon voters confirmed this new urban limit line.

According to the San Ramon General Plan, the City would by means of voter review consider the maintenance or amendment of the UGB and related policy. However, nothing in the policy requires San Ramon to propose an expansion of the UGB rather than maintaining the line or even contracting it.

Considering a majority of voters in San Ramon voted to maintain the existing Urban Limit Line in 2006, with the Tassajara Valley outside of the ULL/UGB, why does the City think it is appropriate to propose expansion only four years later? In fact, development pressure has decreased dramatically and many growth trends are toward infill, smart growth, and growth which results in smaller carbon footprints.

The EIR should include a discussion describing why the City has decided to propose an expansion of the UGB rather than maintenance or contraction of the line.

Conclusion

The EIR for the General Plan Update should analyze the potential impacts of development that will occur in the Tassajara Valley if the Urban Growth Boundary is expanded. Deferring analysis to a future date is inadequate and counter to CEQA regulations and precedent.

We have provided additional comments below. Thank you for consideration. Please keep us informed as to upcoming workshops, hearing dates and other considerations of the EIR, the General Plan Update, and proposals for the Eastside Specific Plan or Tassajara Valley.

Sincerely,



Seth Adams
Director of Land Programs

Attachments

Additional Comments

Feb. 12, 2010 letter from Save Mount Diablo re: NOP & DEIR

DIABLO-9
CONT

DIABLO-10

**Additional Comments from Save Mount Diablo
Regarding the San Ramon General Plan Update
Expansion of the Urban Growth Boundary into the Tassajara Valley**

Issues

The EIR argues that the expansion of the Urban Growth Boundary into the Tassajara Valley included in the General Plan Update would not have significant impacts on sensitive resources. This argument is based on an assertion that impacts will be analyzed in the future as part of the Eastside Specific Plan. Save Mount Diablo rejects this assertion and believes that, in accordance with CEQA, potential project impacts should be evaluated as early as possible.

DIABLO-11

Below, we have listed potential issues in the Tassajara Valley that should be studied in the EIR.

3-1. Aesthetics

Expansion of the Urban Growth Boundary to facilitate development of the Eastside Specific Plan in the Tassajara Valley would impact scenic vistas, damage scenic resources, degrade the visual character of the site, and create a new source of substantial glare.

The Tassajara Valley, along with the Tassajara Hills to the east, remains a largely undeveloped, beautiful rural landscape of rolling hills and sweeping canyons serving as a dividing line between urban and agricultural areas.

Thousands of people travel through the Tassajara Valley on their daily commutes and residents throughout the area are able to enjoy this undeveloped and dramatic landscape.

DIABLO-12

The Tassajara Valley is adjacent to preserved park lands, such as Hidden Valley Open Space, used for recreation and in close proximity to others. Residents hiking in the protected park lands currently enjoy a magnificent view looking across the Tassajara Valley and Tassajara Hills to a mostly undeveloped landscape.

Development on 1,624 acres could easily have significant impacts on aesthetic issues and should be considered in the EIR.

The city must forecast potential development and impacts as a result of expanding its UGB.

Visual simulation analysis from trails in Hidden Valley Open Space, Mt. Diablo State Park, and other nearby open spaces should be conducted and included in the current EIR.

3-2. Agriculture and Open Space

Expansion of the Urban Growth Boundary to facilitate development of the Eastside Specific Plan in the Tassajara Valley would result in the conversion of farmland and other prime agricultural land to non-agricultural use. The city must forecast potential development and its impacts to agriculture as a result of expanding its UGB.

DIABLO-13

The area proposed for the UGB expansion is included in lands that have been identified by the Contra Costa County General Plan (page 8-22, Figure 8-2) as among “the most important agricultural lands found in the County.”

The Tassajara Valley is part of a large stretch of rural land defined by agriculture. Each project further degrades the character of the area and has potentially significant impacts on agricultural resources.

The Open Space and Agriculture section of the EIR for the San Ramon General Plan includes considerable discussion of the importance of agricultural and open space resources in the Tassajara Valley. “As part of the Measure G mandate, the (General Plan Review Commission) prepared a plan for the acquisition of ridgeline areas and agricultural lands to be preserved for open space purposes” (GP EIR, p. 4-53). Many of the mitigation measures suggested to offset the loss of open space and agricultural land in areas planned for development include the acquisition and preservation of similar lands in areas not planned for development. The Tassajara Valley includes thousands of acres of agricultural land and open space suitable for preservation.

DIABLO-13
CONT

The EIR should evaluate how a UGB expansion could impact the preservation of open space and agricultural lands in the Tassajara Valley. The UGB expansion is the catalyst for development in the Tassajara Valley. What impacts will major development have on agricultural resources in the Tassajara Valley? The EIR should consider how the direct and growth inducing impacts of this project will affect agricultural and open space resources.

3-3. Air Quality

Expansion of the Urban Growth Boundary to facilitate development of the Eastside Specific Plan in the Tassajara Valley would impact the maintenance of air quality standards, result in an increase in air pollutants due to construction, and expose sensitive receptors to substantial pollutant concentrations. It would also result in dramatic increases in greenhouse gases which will exacerbate climate change. The city must forecast potential development and its impacts to air quality as a result of expanding its UGB.

Residents, commuters, at risk populations, plant and animal species are affected by adverse changes in the air quality.

San Ramon is located in the southernmost part of Contra Costa County. According to the American Lung Association State of the Air 2009 report, the most recent available, Contra Costa County receives a failing grade of “F” for High Ozone days and for particle pollution.¹ A variety of at risk populations are affected even more than the general population, including those under 18, 65 & over, pediatric and adult asthma, Chronic bronchitis, Emphysema, cardiovascular disease or diabetes.

DIABLO-14

The UGB expansion would have growth inducing impacts which will open the Tassajara Valley to a significant amount of development. Development in the Tassajara Valley will result in a major population and traffic increase and have a significant impact on air quality in the area.

Any EIR should consider adverse changes to air quality due to development and how it will impact residents, commuters, at risk populations, plant and some animal species.

3-4. Biological Resources

Expansion of the Urban Growth Boundary to facilitate development of the Eastside Specific Plan in the Tassajara Valley would impact special-species habitat, riparian habitat, federally protected

DIABLO-15

¹ http://www.stateoftheair.org/2009/states/california/comments_Save_Mount_Diablo_June_1_2010
San Ramon General Plan 2030 (GPA 09-400-001), Environmental Impact Report, SCH No.: 2000082002

wetlands, and wildlife corridors. The city must forecast potential development and its impacts to biological resources as a result of expanding its UGB.

The Tassajara Valley is dominated by sloping grasslands scattered with trees and is traversed by Tassajara Creek and a number of drainages flowing into the creek.

The creeks and drainages provide potential riparian and wetland habitat and wildlife corridors for a variety of species.

Scattered oaks and other trees offer nesting sites and the open spaces provide foraging habitat for many raptors including the golden eagle, which prey mostly upon small rodents common in grasslands.

The open grassland provides suitable habitat for a number of different species, including San Joaquin kit fox and the American badger.

Potentially significant impacts that development will have to onsite habitats should be evaluated.

Information from Surrounding Projects

Biotic information that has been collected for various parcels within the area demonstrates that development in the Tassajara Valley will have significant impacts on wildlife. Over time, as development has spread across the Tri-Valley, impacts on remaining areas have only become more critical.

Biotic surveys conducted for the East Contra Costa County Habitat Conservation Plan, the 1997 Tassajara Project (County File GPA #930008 and RZ #943022), and the Creekside Cemetery Project (County File # LP 05-2096) all provide information about the biological resources in the Tassajara Valley.

The Tassajara Valley is separated from the **East Contra Costa County Habitat Conservation Plan Inventory Area** by only 5 miles of undeveloped grasslands. According to the HCP, a total of 69 special-status wildlife and 11 special-status fish species are known to occur or have the potential to occur within the inventory area – which has similar habitat types as the Tassajara Valley.

The **1997 Tassajara Valley Project**, covering most of the same area, was studied extensively in an Environmental Impact Report, although the report was never certified. According to the EIR, thirty (30) special status species have the potential to occur in the project area and fourteen (14) of these species were observed during field surveys. The entire area of the proposed Eastside Specific Plan and the proposed Eastside UGB expansion was included within the 1997 Tassajara Valley Project.

In June of 2009, biological studies were conducted for the **Creekside Memorial Park Cemetery**, located within the Tassajara Valley. Those biological studies conclude that 41 special status wildlife species “have at least some potential to occur within the region or to have been recorded historically in the project vicinity. Of these, thirteen species are considered present or have high potential to occur on the site.” (Draft Biological Resources, Creekside Memorial Park, EDAW, June 2009, page 15) The Creekside Memorial Park is included within the proposed Eastside Specific Plan and the proposed Eastside UGB expansion.

comments, Save Mount Diablo, June 1, 2010
San Ramon General Plan 2030 (GPA 09-400-001), Environmental Impact Report, SCH No.: 2000082002

In total, studies from other projects in the vicinity of the Tassajara Valley conclude that 42 plant species and 47 wildlife species may occur in the vicinity of the project.

Plant Species

Rock sanicle (*Sanicula saxatilis*)
 Big-scale balsamroot (*Balsamorhiza macrolepis*
Sharp var. macrolepis)
 Big tarweed (*Blepharizonia plumose*)
 Congdon's tarplant (*Centromadia parryi* ssp.
congdonii)
 Livermore tarplant (*Deinandra bacigalupii*)
 Diablo helianthella (*Helianthella castanea*)
 Contra Costa goldfields (*Lasthenia conjugens*)
 Showy madia (*Madia radiate*)
 Rayless ragwort (*Senecio aphanactis*)
 Large-flowered fiddleneck (*Amsinckia grandiflora*)
 Bent-flowered fiddleneck (*Amsinckia lunaris*)
 Hairless popcorn-flower (*Plagiobothrys glaber*)
 Mount Diablo jewel-flower (*Streptanthus hispidus*)
 Caper-fruited tropidocarpum (*Tropidocarpum*
capparideum)
 Britblescale (*Atriplex depressa*)
 San Joaquin spearscale (*Atriplex joaquiniana*)
 Mount Diablo manzanita (*Arctostaphylos auriculata*)
 Contra Costa manzanita (*Arctostaphylos manzanita*
 ssp. *Laevigata*)
 Alkali milk-vetch (*Astragalus tener var. tener*)
 Round-leaved filaree (*Erodium macrophyllum*)
 Mount Diablo phacelia (*Phacelia phacelioides*)
 Mount Diablo fairy lantern (*Calochortus pulchellus*)
 Fragrant fritillary (*Fritillaria liliacea*)
 Brewer's western flax (*Hesperolinon breweri*)
 Hall's bush mallow (*Malacothamnus hallii*)
 Diamond-petaled California poppy (*Eschscholzia*
rhombipetala)
 Mount Diablo buckwheat (*Eriogonum truncatum*)
 Hospital Canyon larkspur (*Delphinium californicum*
 ssp. *Interius*)
 Recurved larkspur (*Delphinium recurvatum*)
 Hispid bird's-beak (*Cordylanthus mollis* ssp.
Hispidus)
 Mount Diablo bird's beak (*Cordylanthus nidularius*)
 Palmate-bracted bird's beak (*Cordylanthus palmatus*)
 Heart-leaved saltbrush (*Atriplex cordulata*)
 Robust spineflower (*Chorizanthe robusta*)
 Hoover's cryptantha (*Cryptantha hooveri*)
 Stinkbells (*Fritillaria agrestis*)
 Wedge-leaved horkelia (*Horkelia cuneata*)
 Northern California black walnut (*Juglans hindsii*)
 Lobb aquatic buttercup (*Ranunculus lobbii*)
 Metcalf Canyon jewelflower (*Streptanthus albidus*
 ssp. *albidus*)
 Showy Indian clover (*Trifolium amoenum*)

Wildlife Species

Longhorn fairy shrimp
 Vernal pool fairy shrimp
 Valley elderberry longhorn beetle
 Bridges Coast Range shoulderband snail
 Ricksecker's water scavenger beetle
 Curved-foot hygrotus diving beetle
 San Francisco forktail damselfly
 California linderiella
 California tiger salamander
 California red-legged frog
 Foothill yellow-legged frog
 Western spadefoot toad
 Western pond turtle
 San Joaquin whipsnake
 Alameda whipsnake
 California horned lizard
 Cooper's hawk
 Sharp-shinned hawk
 Tricolored blackbird
 Golden eagle
 Short-eared owl
 Burrowing owl
 Ferruginous hawk
 Swainson's hawk
 Vaux swift
 Northern harrier
 Black swift
 California yellow warbler
 White-tailed kite
 California horned lark
 Merlin
 Prairie falcon
 American peregrine falcon
 Loggerhead shrike
 Long-billed curlew
 Bank swallow
 Yellow warbler
 Black-shouldered kite
 Bald eagle
 San Joaquin kit fox
 American badger
 Berkeley kangaroo rat
 California mastiff bat
 Townsend western big-eared bat
 Pallid bat
 Western red bat
 Western small-footed myotis bat
 Long eared myotis bat

DIABLO-15
CONT

Wildlife Corridor

The Tassajara Valley is part of a regional open space wildlife corridor stretching north through Mount Diablo State Park and east through to Livermore and the Altamont Hills to the rest of the Diablo Range. More locally, the Valley is an open space corridor between Hidden Valley Open Space and other Dougherty Valley open space, and open spaces preserved across the valley at the Brown Ranch and south in the East Dublin Specific Plan. It is threaded by Tassajara Creek, whose headwaters are preserved in Mt. Diablo State Park and Morgan Territory Regional Preserve.

DIABLO-15
CONT

Unfortunately, as Contra Costa and Alameda Counties continue to develop, open spaces and wildlife corridors are becoming increasingly fragmented and cut off from one another. Each development approval in this region creates greater fragmentation and narrows a major wildlife corridor. Expansion of the SOI and UGB would be a catalyst for development in the area and encroachment into an open space corridor and would have negative impacts on wildlife habitat and movement corridors.

The EIR should evaluate how development in the Tassajara Valley resulting from the expansion of the UGB and SOI will cause loss of special-status species habitat, and will affect wildlife movement.

3-5. Cultural and Historical Resources

Expansion of the Urban Growth Boundary to facilitate development of the Eastside Specific Plan in the Tassajara Valley would have the potential to impact historical resources, archeological resources, paleontological resources, unique geological features, and the disruption of human remains. The city must forecast potential development and its impacts to cultural and historical resources as a result of expanding its UGB.

DIABLO-16

Numerous Native American historical sites have been recorded in Mt. Diablo State Park and throughout the surrounding foothills and flatlands. A variety of tribes lived and gathered food in and around the area and their history is a significant part of the region's heritage. According to the San Ramon General Plan, Native American archeological sites have been found throughout the City's Planning Area.

Contra Costa and Alameda Counties have a long agricultural and ranching history which has disappeared throughout the area as a result of rapid development. The Tassajara Valley is one of the few areas where historical and cultural resources related to agriculture may still be preserved.

The EIR should study and determine whether historical or cultural sites may be present in the Tassajara Valley before the UGB expansion opens the door to development in the area.

3-6. Geology, Soils and Seismicity

Land included in the expansion of the Urban Growth Boundary to facilitate development of the Eastside Specific Plan in the Tassajara Valley is prone to landslides and soil instability. The city must forecast potential development and how it would be impacted by landslides and unstable slopes in the Tassajara Valley. All of the area proposed for addition to the city on the Eastside has been the subject of previous review, as we've mentioned; that review should be considered in the dEIR, and updated in any Specific Plan.

DIABLO-17

Activities that expose and disturb soil, such as construction and development, could impact soil resources and increase soil erosion, soil compaction, loss of soil productivity, etc. Implementing

appropriate erosion control measures will help maintain soil resources, water quality, protect property from erosion damage, and prevent accelerated soil loss.

The EIR prepared for the San Ramon General Plan states that “Much of the Tassajara Valley and Bollinger Canyon areas are steeply sloped, with existing and potential new landslides posing concerns for potential new development in these areas” (GP EIR p. 4-120). But the EIR for the current General Plan Update does not provide detailed analysis of the extent or severity of these geologic problems, nor mitigate for them.

DIABLO-17
CONT

The topography of the Tassajara Valley presents concerns about the grading and construction that would be associated with potential development once the UGB is expanded and the Eastside Specific Plan is created and implemented. Hilly terrain covers the area with slopes rising and dropping from drainages throughout the Valley. The area is known to be unstable and has suffered from landslides in the past.

The EIR should include an analysis of geologic impacts and detail mitigation measures to limit such impacts.

3-8. Hydrology and Water Quality

Expansion of the Urban Growth Boundary to facilitate development of the Eastside Specific Plan in the Tassajara Valley would impact water quality standards, groundwater supplies, drainage patterns, pollution runoff, or 100-year flood hazard areas. The city must forecast potential development and its impacts to hydrology and water quality as a result of expanding its UGB.

Tassajara Creek and its tributaries pass through the middle of Tassajara Valley and provide habitat for a number of wildlife species, some of which are protected such as the California tiger salamander and the California red-legged frog. Parts of its flood plain are subject to flooding, including 100 year floods. The Valley experiences problems with over drafting of groundwater and there have been calls for the extension of urban water supplies. Development even of simply the parcels that currently exist could have a significant impact on hydrology, let alone the introduction of new water supplies.

DIABLO-18

Development of the Tassajara Valley would lead to an increase in run-off and point source pollution which has the potential to impact the water quality and diminish riparian habitat in the area.

The EIR should evaluate how riparian habitat and related wildlife could be impacted by development that occurs as the result of a UGB expansion.

3-12. Parks and Recreation

Expansion of the Urban Growth Boundary to facilitate development of the Eastside Specific Plan in the Tassajara Valley would impact the use of existing neighborhood and regional parks. The city must forecast potential development and its impacts to parks and recreation as a result of expanding its UGB.

The Tassajara Valley is less than a mile from Mount Diablo State Park, in close proximity to Morgan Territory Regional Preserve and includes part of the Brown Ranch which has been preserved as mitigation for development elsewhere. San Ramon’s Hidden Valley Open Space is directly adjacent to the proposed UGB expansion area. The Cities of Livermore, Dublin and the East Bay Regional Park District have begun efforts to create a new regional park in the vicinity.

DIABLO-19

*comments, Save Mount Diablo, June 1, 2010
San Ramon General Plan 2030 (GPA 09-400-001), Environmental Impact Report, SCH No.: 2000082002*

The Tassajara Valley is visible from a number trails and from open space within these preserved areas. Hikers, bikers, and equestrians using the trails on the south side of Mount Diablo currently enjoy beautiful sweeping views of the mostly undeveloped Tassajara Valley. The recreational experience of visitors to Hidden Valley will be greatly diminished by additional development in the area.

DIABLO-19
CONT

A UGB expansion is the catalyst for potential development which would degrade views from the State Park and diminish the recreational experiences and aesthetic values of the area. Impacts on these parks and on the recreational experiences of visitors should be evaluated in the EIR.

3-14. Utilities and Service Systems

Expansion of the Urban Growth Boundary to facilitate development of the Eastside Specific Plan in the Tassajara Valley would impact utilities and service systems in San Ramon.

The Public Facilities and Utilities section of the EIR prepared for the San Ramon General Plan discusses how water, wastewater, and solid waste services are provided to the City of San Ramon. The EIR goes into depth discussing how these services are provided and the way in which future development will impact the maximum capacities of use for the City.

DIABLO-20

Many of the impacts discussed express how future development within the city's Urban Growth Boundary has the potential to cause San Ramon to exceed available supply and capacity of these facilities and utilities. If the General Plan EIR discusses the potential of exceeding capacity with planned development, how will the potential of additional development in the Tassajara Valley – which was not considered in the General Plan – further compound this problem?

If the Urban Growth Boundary is the first step towards development in the Tassajara Valley, how will this development impact water, wastewater, and solid waste services in San Ramon and the region? These impacts need to be studied in the EIR.

5. Alternatives Analysis is inadequate

The Alternatives analysis of the General Plan EIR is inadequate because while it looks at a variety of permutations of various areas that might be added to the Urban Growth Boundary, it doesn't include detail of a range of development types of their relative impacts.

DIABLO-21

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save MOUNT DIABLO

Board of Directors

February 12, 2010

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**Re: City of San Ramon General Plan Update
Notice of Preparation of Draft Environmental Impacts Report**

Staff

Ronald Brown
Executive Director

Mr. Barr,

We appreciate the opportunity to provide information on the scoping of the draft environmental impact report (dEIR) for the proposed City of San Ramon General Plan Update.

Seth Adams
Director, Land Programs

Save Mount Diablo's primary concerns with the General Plan Update are the proposed Sphere of Influence and Urban Growth Boundary (UGB) expansions to include the East Side Specific Plan area, encompassing 1,624 acres of the Tassajara Valley.

Julie Seelen
Development Director

The purpose of the following comments is to raise our concerns with these proposed expansions and identify what we believe should be addressed in the Environmental Impact Report related to these issues.

Monica E. Oei
Finance & Admin. Manager

Urban Growth Boundary Expansion into the Tassajara Valley

The Tassajara Valley is an area of special interest to Save Mount Diablo. The Valley is an agricultural buffer between a number of open spaces linked by Tassajara Creek. It is part of a largely uninterrupted agricultural and open space corridor, extending east from San Ramon and Danville and north of Dublin and Livermore to the Altamont Pass and beyond. Mt. Diablo State Park, Morgan Territory Regional Preserve, Los Vaqueros Watershed, and Brushy Peak Regional Preserve create a corridor of protected open spaces to the north of this agricultural swath of land.

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Arthur Bonwell
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The Tassajara Valley includes a variety of sensitive resources and provides habitat for a number of special-status plant and animal species. The Valley serves



DIABLO-22

as a wildlife corridor for animals traveling across the grasslands and along the Tassajara Creek corridor. Largely undeveloped, the beautiful landscape of the Valley's rolling hills offers a respite from the growing development of the Tri-Valley area.

Existing protected public lands in the vicinity preserve the biological resources and aesthetic values of the area while promoting recreational uses for the area's residents. Additional parks and preserves are planned as well.

Expanding the Urban Growth Boundary to include the Tassajara Valley would have potentially significant impacts on aesthetics, agriculture, rare and listed endangered species and their habitats, trees, open space and nearby public lands, wetlands, creeks, hydrology, water quality and unstable slopes.

Special attention should be paid to cumulative and growth inducing impacts. Contra Costa County is currently considering a number of development proposals in the area – including the 186-unit New Farm development project (GP 07-0009), and the 220-acre Creekside Memorial Park Cemetery (LP 05-2096). Just south of the proposed UGB expansion, in Alameda County, the City of Dublin has approved a number of projects resulting in the construction of thousands of homes, some of which have already been built out and are occupied.

The EIR should discuss how these projects relate to the proposed SOI and UGB expansions.

Background of the San Ramon Urban Growth Boundary and the County Urban Limit Line

In 1999 the voters of San Ramon passed Measure G which called for the creation of an Urban Growth Boundary (UGB) in the new General Plan. The General Plan EIR states that the "'smart growth' concept should be pursued within the UGB in order to discourage urban sprawl and preserve open space" (San Ramon General Plan 2020 EIR, p. 1-2).

In 2006 Contra Costa County updated the countywide Urban Limit Line (ULL) and decided to make the ULL coterminous with San Ramon's Urban Growth Boundary. Once again a majority of San Ramon voters confirmed the location of the urban limit line.

A proposal to expand the UGB into the Tassajara Valley in 2010 is an affront to a voter mandate in San Ramon which has been upheld twice in the last 11 years.

Voters in San Ramon and countywide have made a determination regarding what land is appropriate for development and what land should be saved from sprawl. By proposing the UGB and SOI expansions into the Tassajara Valley, the City of San Ramon is acting in opposition to the will of the voters.

San Ramon General Plan 2020 Urban Growth Boundary Policy

The Notice of Preparation for the project, prepared by the City, states that "General Plan Policy 4.6-I-3 requires voter review of the Urban Growth Boundary in 2010."

San Ramon General Plan 2020 Policy 4.6-I-3 states:

4.6-I-3 – Provide for a voter review of the Urban Growth Boundary in the year 2010.

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CONT

The review of the UGB in 2010 is intended to coincide with the expiration of the Contra Costa County Urban Limit Line (ULL), which mirrors the planning horizon of the current County Plan, and expiration of Ordinance 197, as adopted in August 1990. The update would be by means of a City voter review to consider the maintenance or amendment of the UGB and related policy. City voter approval would be required for any amendment to the UGB.

Careful review of GP Policy 4.6-I-3 raises questions about the timing of the UGB amendment and the City's proposal to expand the UGB. The following issues/questions should be addressed in the environmental impact report.

Timing of Voter Review of the Urban Growth Boundary - According to GP Policy 4.6-I-3, the intention of providing voter review of the Urban Growth Boundary in 2010 is to "coincide with the expiration of the Contra Costa County Urban Limit Line (ULL)." However, expiration of the Contra Costa County ULL in 2010 was based on the original adoption of the 65/35 Plan in 1990. In 2000, the County updated the ULL map and re-set the expiration date for 2026.

According to the Contra Costa County General Plan, "Any change to the ULL proposed as a result of any review authorized by this section must be adopted to the procedures set forth in this section. These provisions are effective until December 31, 2026." (Contra Cost County General Plan, Chapter 3, Page 3-11)

Given these changes in the County ULL expiration date, if the intention of Policy 4.6-I-3 is to align voter review of the San Ramon UGB with the expiration of the County ULL, why isn't review of the San Ramon UGB being postponed until 2026? Simply put, what is the purpose of reviewing the San Ramon UGB at this time if the County ULL is not expiring?

Further, the voters of San Ramon approved the updated Urban Limit Line in 2006. Asking the voters to address this issue only 4 years after the previous vote seems redundant and unnecessary.

Proposed Expansion of the Urban Growth Boundary – San Ramon GP Policy 4.6-I-3 states that the General Plan update "would be by means of a City voter review to consider the maintenance or amendment of the UGB and related policy." Nothing in the policy requires San Ramon to propose an expansion of the UGB rather than maintaining the line or even contracting it.

The Environmental Impact Report should include a detailed discussion explaining why the City has decided to propose an expansion of the UGB rather than maintenance or contraction. The environmental impact report should include alternatives that study all three options – the proposed expansion, maintenance, and contraction – so the public and the City Council can review impacts analysis based on all of the voter's options.

Measure J

The Urban Limit Line was updated in 2006 as a requirement of the Measure J Transportation Sales Tax measure, which also linked growth management provisions to smart growth efforts and return to source funding for various transportation improvements.

Save Mount Diablo submitted a letter to the Contra Costa Transportation Authority on November 12, 2009 asking specific questions concerning Measure J violations. Specifically,

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CONT

what types of actions are considered violations of the ULL and would have implications for cities like San Ramon potentially losing these return to source funds for proposed transportation improvements. Legal counsel for the CCTA has started investigating the questions raised in our letter but has not publically released any conclusions to date.

The Environmental Impact Report should include a discussion addressing how the UGB and SOI expansions proposed in the San Ramon General Plan Update relate to Measure J.

Potentially Significant Impacts of the Proposed SOI and UGB Expansion

Growth Inducing Impacts - Good Faith Duty to Investigate and Forecast Future Growth

A lead agency has a duty to investigate and make a good faith effort to identify all environmental impacts. "Drafting an EIR or preparing a Negative Declaration necessarily involves some degree of forecasting. While foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can." CEQA Guidelines, § 15144. Further, CEQA mandates that "[a]ll phases of project planning, implementation, and operation must be considered in the Initial Study of the project." Guidelines, § 15063(a)(1), (emphasis added).

A lead agency's avoidance of discussion of foreseeable future impacts is not permissible. Indeed, "[t]he agency [will] not be allowed to hide behind its own failure to gather relevant data. . . . CEQA places the burden of environmental investigation on government rather than the public." *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, at 1378-1379 (citing *Sundstrom*, 202 Cal.App.3d 296, 311).

Finally, "the fact that future development may take several forms, or that it may never occur does not excuse environmental review of the project which is the catalyst for the projected future growth." *City of Antioch v. City Council*, 187 Cal.App.3d 1325, 232 Cal.Rptr. 507(1986) (citations omitted). In *Antioch*, the respondents argued that the preparation of an EIR was not necessary because their road and sewer construction project involved no building construction and it was not known what type of development would occur. The court rejected this argument.

The proposed expansion of the SOI and the UGB to cover 1,624 acres of the Tassajara Valley could allow a massive amount of development and have significant growth inducing impacts. The EIR for the General Plan Update should consider the level of development that would occur in the Tassajara Valley, what type of development would occur, and how this development would impact the variety of resources in the area.

The SOI and UGB expansions would be a catalyst for growth in the area and impacts should be studied in the EIR.

The following issues should be considered.

Issues

Below, we have listed potential issues in the expansion of the SOI and UGB would have on the Tassajara Valley that should be studied in the EIR.

I. Aesthetics

The Tassajara Valley, along with the Tassajara Hills to the east, remains a largely undeveloped, beautiful landscape of rolling hills and sweeping canyons serving as the backdrop for San Ramon and the Tri-Valley.

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CONT

Thousands of people travel through the Tassajara Valley on their daily commute and residents throughout the area are able to enjoy this undeveloped and dramatic landscape.

Expansion of the SOI and UGB into the Tassajara Valley would have impacts on scenic vistas, damage scenic resources, degrade the visual character of the site, and create a new source of substantial glare.

The Tassajara Valley is adjacent to preserved park lands, such as Hidden Valley Open Space, used for recreation and in close proximity to others. Residents hiking in the protected park lands currently enjoy a magnificent view looking across the Tassajara Valley and Tassajara Hills to a mostly undeveloped landscape.

Development on 1,624 acres could easily have significant impacts on aesthetic issues and should be considered in the EIR.

Visual simulation analysis from trails in Hidden Valley Open Space, Mt. Diablo State Park, and other nearby open spaces should be conducted and included in the EIR.

2. Agriculture

The Tassajara Valley is included in lands that have been identified by the Contra Costa County General Plan (Page 8-22, Figure 8-2) as among “the most important agricultural lands found in the County.” Farming has started to make a come back as a major land use in the Tassajara Valley in addition to grazing since the County Urban Limit Line was relocated to exclude the area.

The Initial Study/Negative Declaration for San Ramon’s SOI Amendment proposal in February of 2008 stated that 2,100 acres of land within the Tassajara Valley is Williamson Act preserve agricultural lands.

Expanding the SOI and UGB to cover 1,624 acres of the Tassajara Valley, much of it within Williamson Act preserves, would have significant impacts on the agricultural viability in the area. These impacts should be considered in the EIR.

The *Open Space and Agriculture* section of the San Ramon General Plan 2020 EIR includes considerable discussion of the importance of agricultural and open space resources in the Tassajara Valley. “As part of the Measure G mandate, the (General Plan Review Commission) prepared a plan for the acquisition of ridgeline areas and agricultural lands to be preserved for open space purposes” (GP 2020 EIR, p. 4-53).

Many of the mitigation measures suggested to offset the loss of open space and agricultural land in areas planned for development include the acquisition and preservation of similar lands in areas not planned for development. The Tassajara Valley includes thousands of acres of agricultural land and open space suitable for preservation. The EIR should evaluate how SOI and UGB expansions could impact the preservation of open space and agricultural lands in the Tassajara Valley, and therefore impact the ability to offset and mitigate development in San Ramon.

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CONT

The SOI and UGB expansions will be the catalyst for development in the Tassajara Valley. What impacts will major development have on agricultural resources in the Tassajara Valley? How will the viability of Williamson Act preserves be impacted by the expansion of the UGB and SOI? The EIR should consider how the direct and growth inducing impacts of this project will affect agricultural and open space resources.

3. Air Quality

Residents, commuters, at risk populations, plant and animal species are affected by adverse changes in the air quality.

San Ramon is located in the southernmost part of Contra Costa County on the border of Alameda County. According to the American Lung Association State of the Air 2009 report, Contra Costa County receives a grade of "F" for High Ozone days and a failing grade of "F" for particle pollution. Alameda County receives a failing grade of "F" for High Ozone days, and a "C" for particle pollution.¹ A variety of at risk populations are affected even more than the general population in both counties, including those under 18, 65 & over and those who suffer from pediatric and adult asthma, chronic bronchitis, emphysema, cardiovascular disease or diabetes.

The expansion of the UGB and the SOI would open the Tassajara Valley to a significant amount of development. The development of a 1,624 acre area will result in a major population and traffic increase, congesting local roads and intersections and have a significant impact on air quality in the area.

The EIR should consider adverse changes to air quality due to development and how it will impact residents, commuters, at risk populations, plant and animal species.

4. Biological Resources

The expansion of the UGB and the SOI would open the Tassajara Valley to a significant amount of development that would have impacts on special status-species habitat, riparian habitat, federally protected wetlands, wildlife corridors, and tree preservation standards.

The Tassajara Valley is dominated by sloping grasslands scattered with trees and is traversed by Tassajara Creek and a number of drainages flowing into the creek.

The creeks and drainages provide potential riparian and wetland habitat and wildlife corridors for a variety of species.

Scattered oaks and other trees offer nesting sites and the open spaces provide foraging habitat for many raptors including the golden eagle, which prey mostly upon small rodents common in grasslands.

The open grassland provides suitable habitat for a number of different species, including San Joaquin kit fox and the American badger.

Potentially significant impacts to onsite habitats should be evaluated.

Information from Surrounding Projects

¹ American Lung Association State of the Air 2006 report, April 2006. <http://lungaction.org/reports/stateoftheair2006.html>

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CONT

Biotic information that has been collected for various parcels within the area demonstrates that development in the Tassajara Valley will have significant impacts on wildlife. Over time, as development has spread across the Tri-Valley, impacts on remaining areas have only become more critical.

Biotic surveys conducted for the East Contra Costa County Habitat Conservation Plan, the 1997 Tassajara Project (County File GPA #930008 and RZ #943022), and the Creekside Cemetery Project (County File # LP 05-2096) all provide information about the biological resources in the Tassajara Valley.

The Tassajara Valley is separated from the **East Contra Costa County Habitat Conservation Plan Inventory Area** by only 5 miles of undeveloped grasslands. According to the HCP, a total of 69 special-status wildlife and 11 special-status fish species are known to occur or have the potential to occur within the inventory area – which has similar habitat types.

The **1997 Tassajara Valley Project**, covering most of the same area, was studied extensively in an Environmental Impact Report, although the report was never certified. According to the Draft EIR, thirty (30) special status species have the potential to occur in the project area and fourteen (14) of these species were observed during field surveys.

In June of 2009, biological studies were conducted for the *Creekside Memorial Park Cemetery*, located within the Tassajara Valley. Those biological studies conclude that 41 special status wildlife species “have at least some potential to occur within the region or to have been recorded historically in the project vicinity. Of these, thirteen species are considered present or have high potential to occur on the site.” (Draft Biological Resources, Creekside Memorial Park, EDAW, June 2009, page 15)

In total, studies from other projects in the vicinity of the Tassajara Valley conclude that a total of 42 plant species and 47 wildlife species may occur in the vicinity of the project.

Plant Species

Rock sanicle (<i>Sanicula saxatilis</i>)	Contra Costa manzanita (<i>Arctostaphylos manzanita ssp. Laevigata</i>)
Big-scale balsamroot (<i>Balsamorhiza macrolepis Sharp var. macrolepis</i>)	Alkali milk-veich (<i>Astragalus tener var. tener</i>)
Big tarweed (<i>Blepharizonia plumose</i>)	Round-leaved filaree (<i>Erodium macrophyllum</i>)
Congdon's tarplant (<i>Centromadia parryi ssp. congdonii</i>)	Mount Diablo phacelia (<i>Phacelia phacelioides</i>)
Livermore tarplant (<i>Deinandra bacigalupii</i>)	Mount Diablo fairy lantern (<i>Calochortus pulchellus</i>)
Diablo helianthella (<i>Helianthella castanea</i>)	Fragrant fritillary (<i>Fritillaria liliacea</i>)
Contra Costa goldfields (<i>Lasthenia conjugens</i>)	Brewer's western flax (<i>Hesperolinon breweri</i>)
Showy madia (<i>Madia radiata</i>)	Hall's bush mallow (<i>Malacothamnus hallii</i>)
Rayless ragwort (<i>Senecio aphanactis</i>)	Diamond-petaled California poppy (<i>Eschscholzia rhombipetala</i>)
Large-flowered fiddleneck (<i>Amsinckia grandiflora</i>)	Mount Diablo buckwheat (<i>Eriogonum truncatum</i>)
Bent-flowered fiddleneck (<i>Amsinckia lunaris</i>)	Hospital Canyon larkspur (<i>Delphinium californicum ssp. Interius</i>)
Hairless popcorn-flower (<i>Plagiobothrys glaber</i>)	Recurved larkspur (<i>Delphinium recurvatum</i>)
Mount Diablo jewel-flower (<i>Streptanthus hispidus</i>)	Hispid bird's-beak (<i>Cordylanthus mollis ssp. Hispidus</i>)
Caper-fruited tropidocarpum (<i>Tropidocarpum capparideum</i>)	Mount Diablo bird's beak (<i>Cordylanthus nidularius</i>)
Brittlescale (<i>Atriplex depressa</i>)	Palmate-bracted bird's beak (<i>Cordylanthus palmatus</i>)
San Joaquin spearscale (<i>Atriplex joaquiniana</i>)	Heart-leaved saltbrush (<i>Atriplex cordulata</i>)
Mount Diablo manzanita (<i>Arctostaphylos auriculata</i>)	Robust spineflower (<i>Chorizanthe robusta</i>)

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CONT

Hoover's cryptantha (*Cryptantha hooveri*)
Stinkbells (*Fritillaria agrestis*)
Wedge-leaved horkelia (*Horkelia cuneata*)
Northern California black walnut (*Juglans hindsii*)
Lobb aquatic buttercup (*Ranunculus lobbii*)
Metcalf Canyon jewelflower (*Streptanthus albidus* ssp. *albidus*)
Showy Indian clover (*Trifolium amoenum*)

Wildlife Species

Longhorn fairy shrimp
Vernal pool fairy shrimp
Valley elderberry longhorn beetle
Bridges Coast Range shoulderband snail
Ricksecker's water scavenger beetle
Curved-foot hygrotus diving beetle
San Francisco forktail damselfly
California linderiella
California tiger salamander
California red-legged frog
Foothill yellow-legged frog
Western spadefoot toad
Western pond turtle
San Joaquin whipsnake
Alameda whipsnake
California horned lizard
Cooper's hawk
Sharp-shinned hawk
Tricolored blackbird

Golden eagle
Short-eared owl
Burrowing owl
Ferruginous hawk
Swainson's hawk
Vaux swift
Northern harrier
Black swift
California yellow warbler
White-tailed kite
California horned lark
Merlin
Prairie falcon
American peregrine falcon
Loggerhead shrike
Long-billed curlew
Bank swallow
Yellow warbler
Black-shouldered kite
Bald eagle
San Joaquin kit fox
American badger
Berkeley kangaroo rat
California mastiff bat
Townsend western big-eared bat
Pallid bat
Western red bat
Western small-footed myotis bat
Long eared myotis bat

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CONT

Wildlife Corridor

The Tassajara Valley is part of an open space wildlife corridor stretching north through Mount Diablo State Park and the Concord Naval Weapons Station to the Suisun Bay and east through to Livermore and the Altamont Hills to the rest of the Diablo Range. Unfortunately, as Contra Costa and Alameda Counties continue to develop, open spaces and wildlife corridors are becoming increasingly fragmented and cut off from one another. Each development approval in this region creates greater fragmentation and narrows a major wildlife corridor. Expansion of the SOI and UGB would be a catalyst for development in the area and encroachment into an open space corridor and would have negative impacts on wildlife habitat and movement corridors.

The EIR should evaluate how development in the Tassajara Valley resulting from the expansion of the UGB and SOI will cause loss of special-status species habitat.

5. Cultural and Historical Resources

Numerous Native American historical sites have been recorded in Mt. Diablo State Park and throughout the surrounding foothills and flatlands. A variety of tribes lived and gathered food in and around the area and their history is a significant part of the region's heritage. According to the San Ramon General Plan, Native American archeological sites have been found throughout the area.

The long agricultural and ranching history of Contra Costa and Alameda Counties has diminished throughout the area as a result of rapid development. The Tassajara Valley is one of the few areas where historical and cultural resources related to agriculture may still be preserved.

Impacts on historical resources, archeological resources, paleontological resources, unique geological features, and the potential disruption of human remains should be studied in the EIR. Development on 1,624 acres could easily have significant impacts on some of these cultural and historic resource issues, and must be considered in a full EIR.

6. Geology, Soils and Seismicity

Activities that expose and disturb soil, such as grading, construction and development, could impact soil resources and increase soil erosion, soil compaction, loss of soil productivity, etc. The EIR for San Ramon's General Plan states that "Much of the Tassajara Valley and Bollinger Canyon areas are steeply sloped, with existing and potential new landslides posing concerns for potential new development in these areas" (GP EIR p. 4-120).

The topography of the Tassajara Valley presents concerns about the grading and construction that would be associated with potential development if the Sphere of Influence and Urban Growth Boundary are expanded. Hilly terrain covers the area with slopes rising and dropping from drainages throughout the Valley. The area is known to be unstable and has suffered from landslides in the past.

The EIR should include an analysis of geologic impacts and detail mitigation measures to limit such impacts.

7. Hydrology and Water Quality

Expanding the SOI and UGB to cover 1,624 acres of the Tassajara Valley would lead to development that would have significant impacts on hydrology and water quality issues. The EIR should analyze impacts on water quality standards, groundwater supplies, drainage patterns, pollution runoff, and 100-year flood hazard areas.

Tassajara Creek and its tributaries pass through the middle of Tassajara Valley and provide habitat for a number of wildlife species, some of which are protected such as the California tiger salamander and the California red-legged frog. Parts of its flood plain are subject to flooding, including 100 year floods. The Valley experiences problems with over drafting of groundwater.

Development of the Tassajara Valley would lead to an increase in run-off and point source pollution which has the potential to impact the water quality and diminish riparian habitat in the area.

The EIR should evaluate how hydrology and water quality as well as riparian habitat and related wildlife could be impacted by development that occurs as the result of the proposed Sphere of Influence and Urban Growth Boundary expansion.

8. Land Use and Growth Management

Reviewing the San Ramon General Plan and the EIR for the General Plan provides insight into the planned land uses of the Tassajara Valley. Save Mount Diablo's interpretation is that the General Plan EIR did not foresee development in the Tassajara Valley, but rather, based assumptions about impacts on planned protection of the Tassajara Valley outside the UGB to justify development in other areas inside the UGB.

DIABLO-22
CONT

The EIR for the San Ramon General Plan describes the Tassajara Valley by saying that “much of the land in the Valley is in agricultural use, such as spring pasture and livestock grazing, with a few orchards, small horse ranches, and five-acre ranchettes” (General Plan EIR, Land Use and Growth Management, p. 4-9). The Tassajara Valley Subarea is not discussed in the section titled *Major Development Areas* (GP EIR, p. 4-10) and is not included in *Table 4.1-2 Existing Land Use by Planning Subarea* (GP EIR, p. 4-11). It is clear that the Tassajara Valley Planning Subarea was not being considered for development in the General Plan EIR. This fact is explicitly stated in the General Plan EIR when the claim is made that “policies in the 2020 General Plan do not propose any development in the Tassajara Valley” (GP EIR, p. 4-13).

While potential impacts - such as loss of open space, development that may alter the scale or character of the City, and the alteration of views in the City - are considered in the General Plan EIR, no reference is made to the Tassajara Valley during the discussion of these impacts. In fact, the amount of open space that was preserved by the Measure G UGB, including land in the Tassajara Valley, was used to offset the loss of open space due to development.

The EIR should evaluate whether expansion of the SOI and UGB as part of the General Plan amendment would conflict with the General Plan or any other land use plan adopted for the purpose of avoiding or mitigating an environmental effect.

9. Parks and Recreation

The area proposed for SOI and UGB expansion is adjacent to Hidden Valley Open Space in San Ramon and in close proximity to Mount Diablo State Park, Morgan Territory Regional Preserve and the Brown Ranch which has been preserved as mitigation for development in Dublin. The Cities of Livermore, Dublin and the East Bay Regional Park District have begun efforts to create a new regional park in the vicinity. The Tassajara Valley is visible from a number trails and from open space within these preserved areas. Hikers, bikers, and equestrians using the trails on the south side of Mount Diablo currently enjoy beautiful sweeping views of the mostly undeveloped Tassajara Valley. Hikers in San Ramon’s Hidden Valley Open Space look directly down into the Tassajara Valley from atop its western ridge.

Sphere of Influence and Urban Growth Boundary expansions would be the catalyst for potential development which would degrade views from Hidden Valley and the State Park and diminish the recreational experiences and aesthetic values of the area.

Impacts on these parks and on the recreational experiences of visitors should be evaluated in an EIR for the project.

10. Traffic and Circulation

The EIR should evaluate impacts on the capacity of the street system, congestion management, emergency access, parking capacity, and alternative transportation.

Expansion of the SOI and UGB into the Tassajara Valley would open the door to the development of 1,624 acres eight miles away from Highway 680, 4 miles away from Highway 580, and no where near any major public transit. New development would have significant impacts on San Ramon streets and on Highways 580 and 680, which already experience severe commuter traffic congestion.

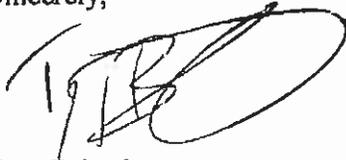
DIABLO-22
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The EIR should study how development in the Tassajara Valley could further impact traffic, circulation and transportation in San Ramon.

DIABLO-22
CONT

Thank you for your consideration of our comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Bristol', with a large, sweeping flourish at the end.

Troy Bristol
Land Conservation Associate

Save Mt. Diablo (DIABLO)

Response to DIABLO-1

The author provided introductory remarks to open the letter. No response is necessary.

Response to DIABLO-2

The author referenced an attachment consisting of Save Mt. Diablo's February 12, 2010 letter prepared in response to the General Plan 2030 NOP. The author requested that the Final EIR address the comments provided in that written response.

Save Mt. Diablo's letter in response to the NOP is addressed in Response to DIABLO-23.

Response to DIABLO-3

The author stated that Save Mt. Diablo's primary concern with General Plan 2030 is the proposed expansion of the Urban Growth Boundary and Sphere of Influence in the Tassajara Valley. The author referenced the Draft EIR's identification of the two significant unavoidable impacts associated with air management plan consistency and growth inducement and asserted that there is a "fair argument" that there are significant impacts in other areas. The author referenced the Executive Summary matrix (Table ES-1) and indicated that his organization disagrees with the conclusions that impacts are less than significant and no mitigation is necessary for aesthetics, agricultural, biological, cultural, geology, hydrology, land use, noise, population and housing, public services, transportation, and utility systems.

As indicated in Master Response 1, the proposed General Plan 2030 maintains the existing land use designation of "Open Space" for all parcels within the Tassajara Valley. General Plan 2030 does not change any existing land use patterns or designations within the Tassajara Valley or confer any development rights or entitlements that would allow for new construction to take place in this area. Because General Plan 2030 does not allow urban levels of development in the Tassajara Valley, it would be speculative to assess this type of development in the Draft EIR. CEQA does not require a lead agency to evaluate potentially significant environmental effects that are too speculative to assess. Refer to Master Response 1 for further discussion. Refer to Master Response 1 for further discussion.

Contrary to the author's characterization, the EIR does not conclude that no mitigation is necessary to mitigate the potentially significant environmental effects discussed therein and identified in each of the topical areas addressed in Table ES-1. Instead, Table ES-1 and the EIR conclude that, with the exception of those significant and unavoidable impacts identified in the EIR, the Project's potentially significant environmental effects will be reduced to less than significant levels through implementation of the General Plan 2030 Implementation Policies discussed for each impact identified in the EIR and, therefore, no *additional* mitigation is required beyond that required under the General Plan 2030. Refer to Master Response 1 for further discussion.

Response to DIABLO-4

The author alleged that the EIR's alternatives analysis is inadequate because, while it considered a variety of changes to the proposed Urban Growth Boundary, it does not include a detail of a range of development types and their relative impacts.

As indicated in Master Response 1, the proposed General Plan 2030 maintains the existing land use designation of "Open Space" for all parcels within the Tassajara Valley. General Plan 2030 does not change any existing land use patterns or designations within the Tassajara Valley or confer any development rights or entitlements that would allow new construction to take place in this area.

General Plan 2030 merely proposed two boundary adjustments in the Tassajara Valley. As such, the four alternatives evaluated in the EIR considered various modifications to the boundary adjustments. Under all four alternatives, the land use designation for the Tassajara Valley would be maintained as "Open Space." The rationale for each alternative is provided in Section 5, Alternatives to the Proposed Project and reflects the project objectives set forth in Section 2, Project Description. None of the project objectives states or implies that the outcome of General Plan 2030 is to facilitate higher density uses in the Tassajara Valley; therefore, the alternatives considered in the EIR appropriately did not contemplate such levels of development.

For these reasons, the author's claims that the EIR's alternatives analysis is inadequate are incorrect. In compliance with CEQA Guideline 15126.6, the EIR evaluates a reasonable range of alternatives: (1) the No Project/Existing General Plan Alternative; (2) the Infill Intensification With Tassajara Valley Adjustments Alternative; (3) the Infill Intensification Without Tassajara Valley Adjustments Alternative; and (4) the Expanded Tassajara Valley Adjustments Alternative. Refer to Master Response 1 for further discussion.

Response to DIABLO-5

The author asserted that the EIR did not consider previous environmental studies or development proposals that concern in the Tassajara Valley. The author specifically referenced the 1997 Tassajara Valley Project, biotic surveys for the East Contra Costa County Habitat Conservation Plan, and biotic and geotechnical studies for the Creekside Cemetery Project.

CEQA Guidelines Section 15146 establishes that an EIR for a construction project will necessarily be more detailed in the specific effects of the project than an EIR that concerns the adoption of a local general plan or zoning ordinance, because the effects of construction can be predicted with greater accuracy.

The General Plan 2030 EIR provides program-level analysis of the environmental effects of General Plan 2030. As acknowledged by CEQA Guidelines Section 15146, program-level analysis is more general in nature than project-level analysis; thus, the General Plan 2030 EIR evaluates impacts at a broader level than will occur when specific projects are proposed under the General Plan 2030. In the

context of biological resources, the EIR included review of agency databases for special-status species and habitat types within the Planning Area and provided exhibits depicting the results of these queries (Exhibit 3.4-1a and Exhibit 3.4-1b). This level of analysis is appropriate for a long-range development plan such as a General Plan that covers a broad area.

Regarding the author's claims that the General Plan 2030 EIR should have considered previous environmental studies for unrelated projects and proposals, there is no requirement in the CEQA Guidelines that it do so. Furthermore, the City of San Ramon is not the lead agency that oversaw the preparation of any of the studies listed by the author, and the General Plan 2030 EIR does "tier off" or incorporate by reference any of those documents. In addition, the relevance of several of the documents is in question, particularly given the age of the studies associated with the 1997 Tassajara Valley Project and the fact that the Tassajara Valley is not within the boundaries of the East Contra Costa County Habitat Conservation Plan. For these reasons, there is no evidence that these studies accurately reflect existing conditions in the Tassajara Valley.

In summary, General Plan 2030 EIR appropriately evaluated environmental impacts at a program level, and there is no need to reference studies from unrelated projects that have little to no relevance to General Plan 2030. Refer to Master Response 1 for further discussion.

Response to DIABLO-6

The author referenced the project objective that states "Review and adjust the Urban Growth Boundary to include areas that are currently developed or anticipated to develop over the planning horizon," and alleged that this conflicts with various statements in the EIR about no additional development being contemplated in the Tassajara Valley. The author asserted that this serves as evidence that the EIR is deferring study of the impacts of development in the Tassajara Valley to a future environmental review process.

The Tassajara Valley is addressed in Master Response 1.

Response to DIABLO-7

The author asserted that the Draft EIR improperly deferred analysis of development in the Tassajara Valley, citing the project objective listed in comment DIABLO-7. The author stated that deferred analysis is improper and cited various excerpts from the CEQA Guidelines and case line.

The Tassajara Valley is addressed in Master Response 1.

Response to DIABLO-8

The author referenced the project objective that states "Review and adjust the Sphere of Influence to encompass a portion of the Tassajara Valley as a first step of initiating the Eastside Specific Plan Process," and claimed that the General Plan 2030 is the first step towards development in the Tassajara Valley. The author asserted that the EIR should forecast a range of development levels that would potentially occur under the Eastside Specific Plan.

The Tassajara Valley is addressed in Master Response 1.

Response to DIABLO-9

The author described the history of voter-approved urban growth limits in San Ramon and Contra Costa County and noted that there are no statements in General Plan 2020 Implementing Policy 4.6-I-3 requiring the urban growth boundary to be expanded outward. The author inquired why the City is proposing to adjust the urban growth boundary outward when majorities of San Ramon voters have previously supported urban growth boundary proposals in past elections. The author stated that EIR should include a discussion of why the City has decided to propose an expansion of the urban growth boundary.

The rationale underlying the proposed adjustments of the Urban Growth Boundary and Sphere of Influence is provided on pages 2-9 and 2-10 of the Draft EIR. In accordance with CEQA Guidelines Section 15126.2, the EIR evaluated the significant environmental effects of activities contemplated by General Plan 2030, which include the aforementioned boundary adjustments. Refer to Master Response 1 for further discussion.

Response to DIABLO-10

The author summarized the points made in the letter. Refer to Master Response 1, and Response to DIABLO-2 through Response to DIABLO-9, for further discussion.

Response to DIABLO-11

The comment consists of an opening statement to a six-page document that evaluates specific portions of the EIR's analysis. The comment summarizes Save Mt. Diablo's position that the environmental effects of development in the Tassajara Valley have not been properly evaluated in the EIR. This comment also asserts that the EIR argues that the General Plan Update would not have significant impacts on sensitive resources within the Tassajara Valley because such impacts would be analyzed in the future as part of the Eastside Specific Plan.

The EIR does not argue that the General Plan Update would not have significant impacts on sensitive resources within the Tassajara Valley because such impacts would be analyzed in the future as part of the Eastside Specific Plan. As discussed in Master Response 1, the EIR discloses potential impacts that may occur if portions of Tassajara Valley are ever developed, and that such development would first require approval of the Eastside Specific Plan, which itself will undergo environmental review in accordance with CEQA. The EIR also explains that any future development must be consistent with the General Plan 2030 Implementing Policies, which the EIR concludes will reduce related impacts to acceptable levels.

The Tassajara Valley is addressed in Master Response 1.

Response to DIABLO-12

The author referenced the aesthetics analysis and stated that the urban growth boundary adjustment would significantly impact visual resources and create new sources of glare in the Tassajara Valley. The author stated that the EIR should forecast development impacts from adjustment of the Urban Growth Boundary.

The Tassajara Valley is addressed in Master Response 1.

Response to DIABLO-13

The author referenced the agricultural resources analysis and stated that the urban growth boundary adjustment would convert farmland to non-agricultural use. The author asserted that the adjustment would impact open space areas. The author stated that the EIR should forecast development impacts from adjustment of the Urban Growth Boundary.

The Tassajara Valley is addressed in Master Response 1.

Response to DIABLO-14

The author referenced the air quality analysis and stated that the urban growth boundary adjustment would result in additional air pollution for new development in the Tassajara Valley. The author stated that the EIR should evaluate how development associated with the proposed adjustment of the Urban Growth Boundary would impact air quality and climate change.

The Tassajara Valley is addressed in Master Response 1.

Response to DIABLO-15

The author referenced the biological resources analysis and stated that the urban growth boundary adjustment would impact special-status species, sensitive habitat, and wildlife movement. The author quoted Comment DIABLO-5 verbatim. The author listed special-status species that were identified as potentially occurring in the Tassajara Valley in the studies referenced in Comment DIABLO-5. The author stated that the EIR should evaluate how development associated with the proposed adjustment of the Urban Growth Boundary would impact biological resources.

The Tassajara Valley is addressed in Master Response 1. In addition, refer to Response to DIABLO-5.

Response to DIABLO-16

The author referenced the cultural resources analysis and stated that the urban growth boundary adjustment would impact historic, archaeological, paleontological, and human remains. The author stated that the EIR should evaluate the potential presence of cultural resources in the Tassajara Valley before the Urban Growth Boundary expansion opens the door for development.

The Tassajara Valley is addressed in Master Response 1.

Response to DIABLO-17

The author referenced the geology, soils, and seismicity analysis and stated that the urban growth boundary adjustment may expose future urban development to hazards such as landslides and unstable slopes. The author stated that the EIR should evaluate how development associated with the proposed adjustment of the Urban Growth Boundary affects geologic hazards.

The Tassajara Valley is addressed in Master Response 1.

Response to DIABLO-18

The author referenced the hydrology and water quality analysis and stated that the urban growth boundary adjustment would impact water quality, groundwater drainage patterns, and flood hazard areas. The author stated that the EIR should evaluate how development associated with the proposed adjustment of the Urban Growth Boundary would impact water resources and wildlife.

The Tassajara Valley is addressed in Master Response 1.

Response to DIABLO-19

The author referenced the parks and recreation analysis and stated that the urban growth boundary adjustment would facilitate population growth that would increase the use of neighborhood and regional parks. The author stated that the EIR should evaluate how development associated with the proposed adjustment of the Urban Growth Boundary would degrade parks.

The Tassajara Valley is addressed in Master Response 1.

Response to DIABLO-20

The author referenced the utility systems analysis and stated that the urban growth boundary adjustment would facilitate new development that would impact utilities and service systems. The author stated that the EIR should evaluate how development associated with the proposed adjustment of the Urban Growth Boundary would impact water, wastewater, and solid waste systems.

The Tassajara Valley is addressed in Master Response 1.

Response to DIABLO-21

This comment quoted Comment DIABLO-4 verbatim. Refer to Response to DIABLO-4.

Response to DIABLO-22

This comment consists of Save Mt. Diablo's February 12, 2010 letter prepared in response to the General Plan 2030 NOP. Most of the statements in this document are quoted either verbatim or nearly verbatim in Comments DIABLO-11 through DIABLO-20. Refer to Response to DIABLO-11 or DIABLO-20.

The remaining comments consist of Save Mt. Diablo's commentary on the purpose and need for future development in the Tassajara Valley. Refer to Master Response 1 for further discussion.

**TO: Senior Planner, Lauren Barr
San Ramon Planning Services Division
222 Camino Ramon
San Ramon, CA 94583**

FROM: James P. Gibbon AIA, LEED AP

RE: Comment Letter to DEIR for SRGP2030

Scope and objectives of the Environmental Impact Report (EIR) have not been achieved and are deficient

5-19-10

The EIR was to analyze the environmental impacts of the 2030 General Plan Update. The update includes the study of and address the following issues:

- Adjustment of the Urban Growth Boundary and Sphere of Influence
- Lands use designation changes
- Revisions of existing and additions to the general plan goals and policies
- Addition of a new Air Quality Greenhouse Gas Element
- The review and extension of Ordinance 197

GIBBON-1

The EIR analysis was to include everything within the San Ramon Planning Area (38.77 square miles). This included both lands inside and outside the city limits, inside and outside the cities sphere of influence, and inside and outside the Urban Growth Boundary. The scope included the analysis of the effect of Eastside Specific Plan Area boundary adjustment of 1,624 into the Tassajara Valley.

GIBBON-2

The EIR analysis included the UGB adjustment into the Westside Specific Plan area and the environmental effects to the hillsides and ridges. These areas include Norris Canyon Estates and the Laborers Camp properties.

GIBBON-3

The EIR analysis was deficient in that it did not analyze the effect of changing the zoning and development required in the 2030 General Plan on the current environment of adding these areas when within the UGB of the city. It stated that there would be no direct or indirect impact because it was “planned growth” as part of the already Sphere of Influence of the City. There is no analysis of the effect of Ordinance 197 on the added areas or the requirements of general plan when included in the UGB. Under the cities Land Use, Implementation Policy 4.6-I-1 through 4.6-I-5 requires urban development of the lands and extension of service to the area. This whole subject is not addressed in the EIR.

GIBBON-4

The EIR analysis was deficient in that it did not analyze any possible modifications to the current Ordinance 197. It is mentioned within the scope of the EIR but not analyzed.

GIBBON-5

The EIR discussed the changes to North Camino Ramon Specific Plan Area but not the scope or adverse environmental effects on the air quality and congestion in the city. The specific plan is part of the EIR analysis but was deficient in analyzing the effects of the scope of the proposed plans.

GIBBON-6

The EIR is deficient in only stating that the environmental impacts are significant but unavoidable. It states that development and land use changes included in the 2030 General Plan Update are “inherently planned growth” and OK because they are in the update. They are not studied or analyzed for their effect on the environment or impact but assumed to be adverse but OK. Like no one should care.

GIBBON-7

Sincerely,

James P. Gibbon, AIA, LEED AP

Individuals

Jim Gibbon (GIBBON)

Response to GIBBON-1

The author noted that the Draft EIR was to analyze the following aspects of General Plan 2030: Urban Growth Boundary and Sphere of Influence Adjustments; land use designation changes; revisions of existing and additions to the general plan policies; addition of an Air Quality and Greenhouse Gas Element; and review and extension of Ordinance 197. No response is necessary.

Response to GIBBON-2

The author noted that the EIR analysis was to include everything with the 38.77-square-mile Planning Area, including the Tassajara Valley. No response is necessary.

Response to GIBBON-3

The author noted that the EIR analysis was to include the proposed Urban Growth Boundary adjustments that would encompass Norris Canyon Estates and the Laborer's Property. No response is necessary.

Response to GIBBON-4

The author asserted that the Draft EIR was deficient in that it did not analyze the effect of changing the zoning and development contemplated by General Plan 2030 as a result of the Urban Growth Boundary adjustments. The author asserted that there was no analysis of the effect of Ordinance 197 on the added areas. The author alleged that the Draft EIR did not address the requirements of Implementation Policies 4.6-I-1 through 4.6-I-5, which he claimed requires urban development to occur and the extension of services to areas within the Urban Growth Boundary.

As explained in Master Response 1, the proposed Urban Growth Boundary and Sphere of Influence adjustment in the Tassajara Valley do not change existing land use activities in this area. Furthermore, as explained in the Draft EIR, the purpose of the Norris Canyon Estates and the Laborer's Property Urban Growth Boundary adjustments is to reconcile the boundary with these existing developed areas. None of the proposed adjustments confer development rights or entitlements; therefore, the Draft EIR appropriately concluded that no significant impacts with respect to existing land uses or conflicts with Ordinance 197 would occur. Refer to Master Response 1 for further discussion of Tassajara Valley.

Regarding the author's claim that Implementation Policies 4.6-I-1 through 4.6-I-5 require urban development to occur and the extension of services to areas within the Urban Growth Boundary, this is a misrepresentation of these policies. There is no language in any of the policies stating that properties within the Urban Growth Boundary must or should provide urban levels of development and receive public services. Rather, all of these policies emphasize that urban development should occur within the Urban Growth Boundary and do not contain any prohibitions against agricultural or rural uses existing within the boundary. For these reasons, the author's claims that Implementation

Policies 4.6-I-1 through 4.6-I-5 mandate urban development within the areas encompassed by the Urban Growth Boundary adjustments are incorrect.

Response to GIBBON-5

The author claimed that the Draft EIR was deficient in that it did not analyze any possible modifications to the current Ordinance 197.

As stated on page 3.9-9, the existing Ordinance 197 policies are proposed to be retained until 2015 and a measure will be placed on the November 2010 ballot concerning the extension of these policies pursuant to General Plan 2020 Implementing Policy 8.4-I-7. Thus, no changes are proposed to the existing Ordinance 197 policies. As such, the author's claims that the Draft EIR did not evaluate Ordinance 197 are incorrect.

Furthermore, Ordinance 197 applies only to development and land use activities within the San Ramon city limits. As such, there is no legal basis to evaluate the consistency of existing development in unincorporated areas of the Planning Areas with Ordinance 197, as no annexations are contemplated as part of the discretionary actions associated with the adoption of General Plan 2030.

Response to GIBBON-6

The author stated that the Draft EIR discussed the changes to the North Camino Ramon Specific Plan Area, but did not evaluate the air quality or traffic congestion impacts associated with the specific plan. The author claimed that the specific plan is part of the EIR analysis.

General Plan 2030 is proposing to re-designate approximately 200 acres of land within the proposed North Camino Ramon Specific Plan to "Mixed Use." The Draft EIR evaluated the environmental effects of the re-designation in various sections, including Section 3.1, Aesthetics, Light, and Glare; Section 3.3, Air Quality/Greenhouse Gas Emissions; Section 3.5, Cultural Resources; Section 3.6, Hazards and Hazardous Materials; Section 3.9, Land Use; Section 3.12, Public Services and Recreation; and Section 3.13, Transportation. The traffic analysis accounted for the increased trips that would be generated by the additional increment of development allowed by the re-designation. Additionally, the increased population and employment growth projections anticipated by the North Camino Ramon Specific Plan are reflected in the General Plan 2030 buildout projections.

The North Camino Ramon Specific Plan itself is currently in the development stages and is not yet complete. Once a draft plan is available, a separate EIR will be prepared that evaluates the environmental effects of the specific plan. The North Camino Ramon Specific Plan EIR will tier off the General Plan 2030 EIR pursuant to CEQA Guidelines Section 15152, thereby acknowledging and incorporating the conclusions of the General Plan 2030 EIR to the extent they are relevant. Again, this process is not yet complete (and is scheduled to follow adoption of General Plan 2030); therefore, it was not possible to evaluate the specific plan in the General Plan 2030 EIR.

In summary, the General Plan 2030 EIR evaluated those aspects of the North Camino Ramon Specific Plan that can be identified at this stage of the planning process. More detailed environmental review will occur in the North Camino Ramon Specific Plan EIR once the specific plan process has established the prerequisite information—e.g., the type, mix, density, intensity, and location of proposed land uses—needed to analyze with any more precision the potential environmental effects of buildout under a specific plan that does not yet exist.

Response to GIBBON-7

The author stated that the EIR is deficient in “only stating that the environmental impacts are significant but unavoidable.” The author claimed that the EIR states that “development and land use changes included in the 2030 General Plan Update are “inherently planned growth” and OK because they are in the update.” The author asserted that “they are not studied or analyzed for their effect on the environment or impact but assumed to be adverse but OK.”

The author appears to have taken a statement from the Impact POP-1 analysis out of context. The statement in question referred to the growth-inducing potential of the proposed North Camino Ramon Specific Plan Area and El Nido Property land use designation changes. As stated on page 3.11-6, the North Camino Ramon and El Nido land use designation changes would not have significant growth-inducement potential because these re-designations are part of the changes included in General Plan 2030 and, therefore, are accounted for in the plan’s growth projections. Thus, they constitute “planned growth” and would not be considered growth-inducing.

As explained in Response to GIBBON-6, other aspects of the proposed North Camino Ramon re-designation were evaluated elsewhere in the Draft EIR. In addition, the proposed El Nido re-designation was evaluated in various sections of the Draft EIR, notably Section 3.5, Cultural Resources.

For these reasons, the author’s claims are not supported by evidence.

SECTION 4: RESPONSES TO ORAL COMMENTS

4.1 - Introduction

The City of San Ramon solicited public comments on the San Ramon General Plan 2030 Draft Environmental Impact Report (Draft EIR) (State Clearinghouse No. 2000082002) on Tuesday, May 4, 2010 at a Planning Commission hearing in the San Ramon City Council Chambers. Comments were provided in oral form and summarized in the meeting minutes. Although the City of San Ramon is not obligated to respond to oral comments by the California Environmental Quality Act (CEQA), the City has nonetheless elected to respond to the comments made at the meeting in order to address concerns and questions related to the evaluation of the proposed project’s environmental impacts in the Draft EIR. These written responses become part of the Final EIR for the project in accordance with CEQA Guidelines Section 15132.

This section is organized as follows:

- **Section 4.1 – Introduction:** Provides an overview of the section.
- **Section 4.2 – List of Speakers:** Provides the list of individuals who provided comments at the Planning Commission hearing.
- **Section 4.3 – May 4, 2010 Planning Commission Meeting Minutes.**
- **Section 4.4 – Responses to Planning Commission Hearing Comments:** Provides responses to all applicable comments on the Draft EIR.

4.2 - List of Speakers

A list of the speakers who provided comments on the Draft EIR at the Planning Commission hearing is presented below. Each speaker has been assigned a code. Note that speakers are listed in the order of their comments.

Speaker	Speaker Code
Jim Gibbon (San Ramon for Open Government).....	JG
Troy Bristol (Save Mt. Diablo)	TB

4.3 - May 4, 2010 Planning Commission Meeting Minutes

The May 4, 2010 Planning Commission Meeting Minutes are reproduced on the following pages.

**DRAFT MINUTES OF THE
PLANNING COMMISSION REGULAR MEETING**

May 4, 2010

A regular meeting of the Planning Commission, City of San Ramon was called to order by Chair O’Loane at 7:00 p.m., Tuesday, May 4, 2010 in the Council Chambers 2222 Camino Ramon, San Ramon.

ROLL CALL

Present: Comms. Kerger, Viers, Wallis, Vice Chair Sachs, and Chair O’Loane

Absent None

Staff: Phil Wong, Planning Director; Debbie Chamberlain, Planning Services Manager; Roger Peters, Interim City Attorney; Lauren Barr, Senior Planner; Cindy Yee, Associate Planner; Ryan Driscoll, Assistant Planner; Lieutenant Gresham; Luisa Willnecker, Recording Secretary

Audience: 13

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. PUBLIC COMMENTS OR WRITTEN COMMUNICATION
5. ADDITIONS AND REVISIONS
6. CONSENT CALENDAR

6.1 Minutes from April 6, 2010 meeting approved.
7. CONTINUED ITEMS AFTER CLOSING OF PUBLIC HEARING
-None-
8. CONTINUED ITEMS – OPEN PUBLIC HEARING
-None-

9. PUBLIC HEARING – NEW ITEMS - Verbatim Minutes

Draft Environmental Impact Report (DEIR) for the Planning the City's Future – The General Plan 2030 (GPA 09-400-001); General Plan Amendment (GPA 09-400-002) to re-designate the El Nido Property from Parks to Multi-Family High Density Residential and the Draft Climate Action Plan. Staff Report by: Debbie Chamberlain; Planning Manager.

Debbie Chamberlain

I will start you out tonight. Thank you Chair members of the Commission. Tonight is the public hearing on the accuracy and adequacy of the EIR. This public hearing is so that public comment only on the EIR where it is not meant to provide dialogue for response or a conversation on the document. All comments that are provided tonight and those that are received until the close of the comment period on May 19, 2010 will be responded to in the final EIR. We ask speakers when they do speak on the EIR tonight that they focus if the EIR adequately identifies and analyzes the potential impacts on the environment and ways in which the significant effect of the project might be avoided or mitigated. We ask that when you do speak that they focus on the comments at hand and do not make general statements that provide better analysis response in the document itself. So tonight Grant Gruber from Michael Brandman Associates is going to walk you through a little bit of CEQA 101 just as a refresher course for the Commission as we had at our League of Cities conference. That refresher is always great. For the members of the public who might not be familiar with the process and then after that, we will open up the public hearing, take all those comments, close, and we will continue to take written comments until Wednesday, May 19, at 5:00 p.m.

Chair O'Loane

Okay there are speaker cards in the back. If anyone would like to fill one out, and go ahead.

Grant Gruber

Good Evening Chair members of the Planning Commission. My name is Grant Gruber. I'm with the firm of Michael Brandman Associates. We prepare the Environmental Impact Report under contract to the City for the General Plan 2030. We also assisted with city staff for the preparation of the General Plan. Just a few basics here about CEQA. California Environmental Quality Act, known as CEQA, requires lead agencies to identify, evaluate, and disclose to the public, mitigate to the extent feasible the environmental impacts of proposed land use activities. In this case, the City of San Ramon is the lead agency for the General Plan 2030 EIR.

In CEQA, there are two types of review. One is the project level, which is a specific type of land use activity. It is typically done at a detailed level. An example would be a new shopping center. And the second kind of review is the program level review, which is for a broader plan such as a General Plan update or a regional plan like a regional transportation plan.

It is typically done at a broader level and of course, the CEQA guidelines acknowledge that program EIR are going to be more general in scope than a project level EIR. Giving you an overview of the CEQA process today the Notice of Preparation which is the first milestone in the process. This is the formal announcement that lead agencies are preparing an Environmental Impact Report was issued January 14, of this year. There's a 30-day review period associated with the issuance of the NOP and in the middle of that, a scoping meeting was held on January 28, here in these very chambers. Purpose of the scoping meeting was to solicit public input about the scope of the Environmental Review process. On April 5, the draft EIR was released. There 's a 45-day review period associated with that which ends on May 19 and tonight, here on May 4, we have holding a public hearing on the draft EIR to solicit public testimony on the adequacy of the document.

Draft EIR is available in print form at six different locations in San Ramon, including here at the City's offices, all the community centers, and the two libraries. The draft EIR is also posted on the City's website available for down load. The City sent Notices of Availability to Agencies, Organizations and individuals on the City's standard distribution list. Two weeks ago, there was a public for the joint hearing or ahh joint session of the City Council and the Planning Commission about the General Plan 2030. We will give you just a brief overview of the topics covered at that meeting.

There are five main components to it the Urban Growth Boundary Adjustment that would occur at three locations. Two on the left side of San Ramon and one in the Tassajara Valley. The Sphere of Influence adjustment, which would be coterminous with the Tassajara Valley adjustment; Review of the Ordinance 197 polices; Land Use Map Amendments; and the two big ones are the North Camino Ramon redesignation of approximately two hundred acres of mixed use, and the other one is the redesignation of the umm 0.7 of an acre El Nido Property from parks to. I believe it is medium density residential which is on San Ramon Valley Boulevard and, then finally General Plan Elements. Plans and Revisions so polices are revised polices are added the mapping and what not containing in the General Plan is updated. And then in the separate document, a Climate Action Plan was prepared. This is the vehicle by which the City will seek to implement greenhouse gas reduction measures in accordance with State law. Give you an overview on our approach as we prepare the EIR for General Plan 2030. Our objective was to develop a self-mitigated General Plan. In other words, the General Plan would fully mitigated impacts on the environment.

The method by which we saw sought to do this was to establish and develop polices to ensure that future land use activities would either avoid

creating significant impacts on the environment, or the polices would have language requiring various procedures and methods and what not to implemented to mitigate these impacts on the environment. We worked with City staff collaboratively to identify potential CEQA impacts and revise or add policies to the General Plan with specific intent of mitigating those impacts. So we have three examples up there on the screen.

The first is the Air Quality Greenhouse Element and this is intended to address all the changes that have occurred to the air quality in Greenhouse Gas legislation in California and also at the Federal level, and also locally with the BAAQMD. This isn't just your Greenhouse Gas Emissions but also addresses criteria pollutants, toxic air contaminants which is like diesel particulate matter, odors, and siting of sensitive receptors such as residential uses or nursing homes and what not in proximity to sources of air pollution and what not.

Second example is a revision to an existing General Plan Element, which is the Open Space and Conservation Element. We looked at the existing policies that addressed issues such as agricultural resources, biological resources, and cultural resources. We found that there is a need really to revise them and also augment with new policies to really address changes that have occurred in the regulatory framework during the past ten years or so, also just address potential future activates which are contemplated by the General Plan.

The third example is the Noise Element, which is also an existing element. But we really saw to revise it to address some issues that really weren't fully addressed in the General Plan 2020. Such as military activities at Camp Parks and also to address recent developments both in CEQA case law and just our experiences with practitioners with noise, construction noise, pure tones which has come up and roadway nose which has come up and what not.

The summary of the EIR there is 14 topical sections in the EIR that included the Air Quality section, Biological Resources section, Noise, Public Services, Transportation. The EIR evaluated four alternatives to the General Plan. The cumulate effects of the General Plan were assessed and then other CEQA consideration these are things such as the Appendix F Energy Conservation requirements which has taken more of a prominent role here as a result of Greenhouse Gas legislation in California. Ahh, other things such as growth inducing impacts follow under that category. And so the General Plan 2030 what we concluded was that they can totally mitigate all impacts on the environment with the exception of three significant unavoidable impacts and the first two are really co- linked to each other because it's essentially the same reason they have the significant unavoidable impact findings. So essentially because what we found is that the General Plan's growth projections are inconsistent with those contained in the Air Quality Management plan. Not only does that

trigger significant unavoidable impact with that impact but also it triggers significant unavoidable cumulative air quality impact.

The second is growth inducement which I will get to in a minute in more detail and that is also a function of population growth. Again, the key issue here is that all three significant unavoidable impacts are based on the fact that the General Plan projects higher levels of employment and population growth than the Association of Bay Area Governments. The reason this is a significant impact is because, ABAG is responsible for regional planning efforts and population projections. So their population numbers are used in a variety of different regional planning efforts such as affordable housing, air quality management, and what not. And so anytime there is an inconsistency with them it constitutes a significant impact. In just ahh, make this point there is no feasible way to rectify this impact other than when ABAG updates their numbers and reflects the growth projections in here that's about the only time the impact can be rectified. Unfortunately it's ABAG more, less has a long-standing disagreement, or they used different numbers for San Ramon's growth projections than San Ramon has done. So it is kind of inheriting inconsistency with San Ramon's growth projections between the two entities.

Going back to growth inducement that term has been used a lot. It was used a lot about two weeks ago at the public hearing we just want to clarify what that means in the context of CEQA. Growth inducement in CEQA is essentially unplanned growth that exceeds population growth projections. Ahh and the CEQA guidelines use the example of removing a physical barrier to growth such as extending a sewer main into unserved area that allows new development, but the key issue here is if that was planned development in other words a General Plan had contemplated future development in that area, in that sewer may facilitated growth in that area. That in itself does not mean it's a significant growth inducing impact. So the point here is just population growth in itself does not mean it is growth inducing. It has to be growth that is beyond what is contemplated by a plan. So that's what were we come back to this finding here. So the next steps in the CEQA were here tonight to solicit comments in the draft EIR analysis. At the end of the public review period, which is, about two weeks from now City and us will get together and prepare responses to all comments received on the draft EIR. Responses will be published in a final EIR and made available for public review. And finally, the Planning Commission will take up whether they will recommend certification of the EIR to the City Council and untimely the City Council will consider certification of the document. That concludes my presentation.

Chair O'Loane

Any questions?

Comm. Viers

Ahh yeah I know it is in here. I just, just to clarify for me again, what is the cut of date for input in the EIR the draft EIR.

Grant Gruber

May 19th.

Comm. Viers

May 19th after that if anything comes in is it ignored or.

Grant Gruber

Typically, we will accept late comments. We also not encourage the public to submit them but from a legal defensibility standpoint, we make a point addressing all comments received essentially up until the public hearing.

Vice Chair Sachs

Umm I'll like to ask you a question about the growth inducement that which you were speaking about. You said its unavoidable impact and you mentioned the population projections for the City of San Ramon going forward in those of ABAG. I just want to clarify because I did not hear you quite correctly in the General Plan 2030 that we are proposing can you again restate the populations. It, it am I to understand that the City of San Ramon populations are for higher numbers than what ABAG or was it visa versa.

Grant Gruber

No, San Ramon has higher projections than ABAG. That's longstanding too.

Vice Chair Sachs

Okay, in terms of General Plan purposes, from your experience, doesn't that tend to benefit the municipalities so that you are planning your housing stock, or workforce housing, your senior housing needs. Umm in kind of a more proactive way I guess that just trying to keep up with the ABAG numbers.

Grant Gruber

I really can't speak to that. I understand that the Regional Housing allocation process can be very byzantine at times.

Vice Chair Sachs

I wanna talk about this unplanned growth. You, you gave a definition, which was interesting. You said unplanned growth that exceeds population exceptions umm would be a growth inducement. Is there, I am imagining that there is case law about this because people would say well we growth inducement is this it kind of, if you were obviously trying to expand our boundaries not because there is a development in the pipeline just because there are population expectations of growth. But in what you're, saying here is that if you're not planning for it and you go out further. I just need you to clarify that and is there a legal definition about that that has been used in case law.

Grant Gruber

I can't speak to the case law issue; what I can say is that our conclusion about growth inducement is based on that ABAG is regional planning authority in terms of population forecast.

They are just projecting lower population employment growth for San Ramon than what San Ramon's General Plan does. Again, it has been this way for quite some time it is not new and, to rectify that inconsistency you can't really arrive at any conclusion other than it is a significant impact. So that's what the distinction of plan growth and unplanned growth is. ABAG's what they are contemplating for San Ramon is lower than what San Ramon is contemplating that's the distinction.

Chair O'Loane

Any there any other municipalities that have the ABAG projections umm higher than San Ramon.

Grant Gruber

I don't have that information off hand.

Chair O'Loane

Could you find it out?

Grant Gruber

Sure.

Chair O'Loane

Thanks. Other questions?

Comm. Viers

Maybe later but not now.

Chair O'Loane

Okay. We will. Thank you Grant. With that, we will open the public hearing portion. I have two speaker cards at this point I don't know if anyone else cares to speak. Um just, want to um make a point of basically emphasize what Ms. Chamberlain was saying that um they are looking for specific comments and areas that the staff and the consultants are capable of responding to in some material fashion. So um, ahh I can't necessary limit what people say at all but please keep that in mind in the course of all of this. So I have two speakers cards here um so were going to lead off with Jim Gibbon

Jim Gibbon

Good evening Planning Commissioners. My name is Jim Gibbon I live at 410 Greg Place. I have two subjects one is the content of the General Plan and the second is the issue of growth inducing. Um, at the last meeting joint meeting I spoke in there was a question posed to me that I would like to give you a list. I mentioned there were four items that were included in the General Plan update from which the EIR is um based on. And um in fact there are 18. We are creating a General Plan update, which is massively changing everything in the City including the size of the City.

And then writing an EIR recommending changing the General Plan so that it makes it legal to do that. So it is not a General Plan to follow for the growth of the City but create the growth of the City projections and then

change the EIR and the General Plan to cover for it. And then say that the three main elements that will govern urban sprawl and lead to the ahh the new urbanism, we gonna violate them. There are not attainable. One is growing like the devil, the other is corrupting the air, and the third is making a hell of a lot of noise.

In the General Plan it says don't do that your saying that is an exception because guess what? Were gonna expand, were gonna grow, and were gonna double the size of the City and to hell with the General Plan. Except that were writing the General Plan. So you cannot come up with three things that your gonna violate while you're writing it. You should be writing something that says this is how were gonna mitigate not how were gonna get around it. I'm not gonna mention the various different things of the 18 items except for one which really gulls me and is that your actually extending the General Plan. This is a General Plan update it is not a 10 or 20-year extension of the General Plan that was a twenty-year plan.

And um somebody ought to call you on it you can ignore it you can say that it does not matter that you had the right to do anything and as a charter City Council you do have the right to be undemocratic and that's exactly what I consider this extension of the General Plan. Its one thing to update it it's another thing to extend it for another 10 years as if you had the right to do that. This issue of expanding the City's urban boundary lines ahh which by passing this General Plan update you basically authorizing putting on the ballot to elements. One is the expansion of the urban growth boundary and other is the extension of Ordinance 197.

Then the General Plan says that is not growth inducing because that is not planning. You're not it could that ahh covering Tassajara and covering the hills on the Westside could be protecting those for future preservation not growth inducing. The problem is that in your own General Plan and Dave Hudson is likes to speak of this it requires you to develop any property that becomes part of the City's Urban Growth Boundary.

In the General Plan it says that um that allow the growth develop only within the City's Urban Growth Boundary and only in accordance with the plan for full urban services police, fire, parks, water, sanitary, street, storm drains, that sounds like urbanism that your basically expanding and mandated by the General Plan policy as Dave Hudson likes to speak to develop it. You are not protecting something that you are mandated to develop. And to say that we are going to expand into the hills or expand into Tassajara Valley and were protecting it from the County violates the General Plan because it mandates that you develop it, put in services put in roads, put in fire, and put in houses. If you want to do that then you should recognize it in the EIR. If you are basically mandating by your approval of the General Plan update that your gonna move the Urban Growth Boundary then that should be reflected in the EIR by mandate of policy of the General Plan.

You cannot ignore the fact that you are growth inducing and causing um, um greenhouse gas increases, air quality increases, noise increases. You cannot just say that it is beyond your control because guess what if you don't move the Urban Growth Boundary that is your control. That is your control mechanism not to violate the General Plan, or any of these other things.

These are the sections that mandate you to develop those sections require you to develop anything that comes in to the Urban Growth Boundary so don't move it and low and behold, we do not violate anything. You don't have to violate anything you don't have to violate anything. But your gonna do what you wanna do and we will have to react to that. You have to put these two items on the ballot in November otherwise, you violate the General Plan. Um, I am suggesting to you that will be battle because you are violating the General Plan in order to expand the Urban Boundary, um the Urban Growth Boundary. By expanding it by not including that development in the General, in the EIR and the effects of the quality of the environment thank you.

Chair O'Loane

Troy Bristol. Anybody else? Are there any other cards?

Troy Bristol

Good Evening. My name is Troy Bristol. I am the Land Conservationist for Save Mount Diablo and I appreciate the opportunity to speak this evening. Umm, as I stated a few weeks back when I spoke before City Council and Planning Commission save Mount Diablo primary concern is the General Plan update, ahh the proposed Sphere of Influence and Urban Growth Boundary expansion into a little bit over 1,600 hundred acres of the Tassajara Valley to include the Eastside Specific Plan. The EIR does not indentify specific impacts to natural resources, sensitive habit, and agricultural resources. The EIR defers analysis in the Tassajara Valley until such time as a specific plan is developed. Deferral of environmental analysis under CEQA is inappropriate. The Policy requires San Ramon to propose an expansion rather than maintaining or contracting the UGB. Save Mount Diablo is only concerned with the Tassajara Valley.

Chair 'O'Loane

If you have 100 acres and you build 2 homes verse, 100 homes one is, unsure what is going to happen and how can you analyze this.

Troy Bristol

Save Mount Diablo recognizes programmatic Urban Growth Boundary is at project level and some see it as development.

Comm. Kerger

It is not at project level.

Troy Bristol

Some foresee development will occur and should be examined in detail.

Comm. Kerger

Expanding the General Plan to 2030 is a requirement by the State.

Roger Peters

State law requires each California city and county to prepare a General Plan. The General Plan needs to address changes attitudes and any changes in the State law.

Comm. Viers

State law requires each California city and county to prepare a General Plan. In addition to the General Plan we have formed these governments, agencies, ABAG, we have one in the south, and they are all over. We all know what ABAG does. They give us our housing numbers and population numbers. If you think they do not hold a heavy hammer just visit our friendly city to the south and see what they are going through for ignoring this. And so we have the State telling us to do a General Plan and we have ABAG telling us we have to plan for “x” amount of housing. In addition to that, we have business that support the housing so it is incumbent upon City Council, the Planning Commission all the support committees and of course the planning staff to work in unison with the citizens in this community and develop a General Plan. That’s what we did with Measure “G” we had thirty-two commissioners and had the City input. So umm, ahh, I am quite offended when someone tells me that what where’re doing is illegal. What we’re doing is exactly what were supposed to be doing. Now you might disagree with the direction but vote against it when it comes out on the ballot.

Because that’s what we’re going to do is put it on the ballot and if it gets voted down, ahh just like last time it got voted in we will be more than happy to follow the direction. But we’re actually doing what were supposed to be doing and, planning takes so long to do and you don’t really understand it until you worked in it as a consultant or as in our position after years and years. You know I sat back the other day and was speaking to my wife and I said look at this stuff I can remember planning this over 10 years ago. The same thing is going to happen 10 years down the line so we need to plan for everything that is going on around us. As far as Tassajara Valley goes, I enjoyed your comments I am sure that Mount Diablo would prefer that nothing ever get built there. And I wish that we had the resources to just rope it off and say okay no more building for eternally and that is going to be a green strip to look at the mountain.

But unfortunately, there are private property owners there. At some point when they get to be my age they want to cash in and sell it out and develop it and they have every right to do so. If they are going to do that that’s when a Specific Plan comes in and that’s when your group, you can work with us and we can say what do we want out there so it does not look like Los Angeles. But if you think that it is never gonna get developed I mean just picture 50 years from now. I want you to project 50 years and that’s

Tassajara Valley out there. Do you think it is going to look exactly the same in 50 years as it looks today?

It's not we have to plan for something to go out there even if it is nothing which would please everyone so. I think as far as Sphere of Influence go San Ramon has been burnt enough. I agree I disagree with Jim Blickenstaff, ahh, we've seen what has happened when we let the County overrule us. So simply what we are trying to do in this instance and the voters can vote on it we need to plan out there 20-30 years. I love to see it all be a Napa Valley vineyard but that's a pipe dream. But the point I am making is you cannot turn a blind eye when you doing a General Plan, and this is general it's not specific. And that's where I disagree with you only in that I understand your point of view and agree with some of the points you did make. However, we're looking at a programmable a program not a project. The projects will come later and the projects might never get passed first base.

They might be so distasteful they might never get there. But um, I think that at this point you know the General Plan is called the General Plan for a reason and I have been involved in a lot of them that is why I am speaking my peace tonight. Because I cut my teeth on the General Plan so with this Chair, Commissioner here and we have one of our newest member I believe is on the thirty-two Commission ahh General Plan update. So there is a lot of experience up here that has been this way and you know, this isn't asking for skyscrapers down Tassajara Valley, or whatever um we pleaded, we pleaded, we pleaded with on that Norris Canyon to move that line so it would be in the City of San Ramon so we can control it and no, they fought and fought and fought and we lost that battle.

Okay so what happened the same thing as Dougherty Valley, they built under the auspicious of the County much higher, and steeper and denser than we would of permitted. And now they are draining us for our facilities to control them up their and we might as well bring them into the City and make them part of the City. And it just seems like we go around and around with the same problem.

We have a problem we can address it and fix it but because people do not want to move a line this way or that way they actually allow a worse development to go in just to win the battle of a line. And, I am quite tired of it I am fed up with losing the battle of a line and inheriting a project that we could of developed at a much less dense pace. And I think that is the motivation in this Tassajara urban development line is if it is gonna get developed at some point in the next 20 or 30 years we wanna have a say. That's it.

Chair O'Loane

Our principal purpose tonight was to take testimony is that correct. And um I think we've succeeded in taking the testimony that we intended to. We want to thank the members and the public in participating and I think we are ready to Ms. Chamberlain make a comment.

Debbie Chamberlain

We have um, as the Commission told staff many times; the City likes to issue adequate opportunities for the public to provide comments on all of our projects. Um, if it is the desire of the Commission to hold a second hearing just on the EIR only, just to receive comments, not to respond to comments on the General Plan, just to solicit additional testimony on the accuracy and adequacy of the EIR, we can schedule a meeting for Monday May 17 at 7:00 p.m. in these chambers. We will mail notice to those folks who are on our list for this update. That is an option for the Commission. We are still accepting written comments until Wednesday May 19, at 5:00 p.m. but it is an option we would like to present to the Commission at this time for consideration. You do not have to do it the hearing was noticed on April 5 when the EIR was released with the Notice of Availability and Completion but we always like to provide the additional opportunity if it is the desire of the Commission.

Comm. Kerger

I am a firm believer in having as many as necessary and um again, you look in the audience and you have two people. Well, I am willing to come here again on the 17th if it is two different people. Not that I don't you two but in addition to you two, I am a saying, I am sorry. But the real problem is that we keep addressing the same people and um, I say okay lets do one more before the 19th um, actually it would be two more correct?

Debbie Chamberlain

No, the Joint Public Hearing on the 18th is on the General Plan only and Climate Action Plan it is not on the EIR.

Comm. Kerger

Alright, well I am available on the 17th.

Chair O'Loane

Comm. Wallis

What's the ahh you have a comment?

Yeah, I do. The purpose of the meeting tonight was to discuss specific issues with the EIR not the General Plan. It's been noticed we have two people show up that gave their comments ahh, the written period is opened up until May 19th. I think that is an adequate time for anyone to say his or her peace to do so. I do not think we need to have or should have another meeting on the 17 and two more people in the audience. I think that is a waste of everyone's time.

Vice Chair Sachs

I prefer it only so that it could be said that we did not do it. And you know, and maybe that is a poor reason but we are giving the opportunity. We have really been dealing with this since last summer going forward on each of these.

Comm. Kerger

Vice Chair Sachs

How many people are there on our list?

Debbie Chamberlain

Yeah, how many people are on our list?

Comm. Kerger

About 225

Vice Chair Sachs

225 I mean.

Comm. Kerger

I am available

Chair O'Loane

I am available

I know people are available. The question is, is there a point in having it if people can put written comments in for the next two weeks right? I mean that is basically, what it boils down to. So ahh, I agree with Eric I don't really see the point. Given that people were not closing, were not closing the opportunity to comment. We just ahh, not having people coming up to the dais but there words are written down anyways so I don't see what difference it makes on that level. Points have been well taken and ahh need to be considered and we will continue to consider things for the next couple of weeks.

Comm. Kerger

I absolutely agree with Comm. Wallis and the Chair and the only reason why I said I am available is because so of the much of a concern out their in the public is to have public hearings. Not written testimony but public hearings so ahh, I, I, and I don't this to sound bad I never think it is a waste of time if we are convincing one more person out there in our community that what were doing is listening to them. And, ahh taking their option very seriously. Ahh, if I have a passion for it I would be here at every meeting. I am concerned that there not, so I leave it up to the rest of you to decide.

Comm. Wallis

Chair O'Loane

So you agree with us but you disagree with us.

Comm. Viers

Either you wanna have the meeting or you don't, You wanna be a tiebreaker Dennis?

I'll be the tiebreaker. No, I don't. And I will tell you why because I have seen those quarter page or 1/8 page ad or whatever in the paper because I read it religiously. , um I have seen them in public places, I have talked to

people, and you know it is the old adage like the City Center. If they don't want it they show up and if they do want it they don't show up. I don't see them breaking down the door, lining the signs out there going this EIR stinks. They have had plenty of opportunity we have done the mailers we have done our due diligence and I just think in a recession.

Chair O'Loane

Comm. Viers

Are you referring to the Air Quality portion?

Chair O'Loane

I want you to know that Harry and I commuted to this meeting tonight. I vote no.

Debbie Chamberlain

Well then, that is the direction we are going to give and we will ahh, love to hear public comments within the next couple of week. Appreciate it and we will continue to meet with people to hear what their comments are as well. With that we will

Chair O'Loane

Ahh, we need a motion.

Comm. Kerger

Look for a motion.

Can I make the motion? I move that we accept all written and oral comments regarding the Draft Environmental Impact Report received to date, and direct staff and the City's Consultant to prepare the Responses to Comments document, and close the public hearing regarding said Draft Environmental Impact Report and accept written comments until 5:00 p.m. on May 19, 2010.

Chair O'Loane

Vice Chair Sachs

Is there a second?

Chair O'Loane

I'll second.

Chair O'Loane

All in favor, ahh do we need to do a roll call? All in favor

Opposed? Motion passes.

10. NON-PUBLIC HEARING ACTION ITEMS

10.1 Review of the City of San Ramon's Draft Fiscal Year 2010/11 through Fiscal Year 2014/15 Capital Improvement Program (CIP) for General Plan Conformance. Staff Report: Amy Amiri; Senior CIP Administrative Analyst.

Amy Amiri Senior Analyst gave a brief background on the Capital Improvement Program. Ms. Amiri stated that the Capital Improvement Program projects are grouped in nine categories that consist of Circulation; Signal; Parks; Landscaping; Drainage; Facilities; Other; Developer and Planning. Ms. Amiri stated that the 5-year Capital Improvement Program was reviewed by the Finance Committee, Parks & Community Services, and Transportation Advisory Committee.

Vice Chair Sachs expressed his concerns about the traffic, signage, parking, and widening of the sidewalk at Country Club Elementary School. Vice Chair Sachs asked if the sidewalk is owned by the City or School District and if it's maintained by the City or School District.

Ms. Amiri stated that the Fiscal Year 2009/2010 Report includes as a long-term goal the widening of the sidewalk along Blue Fox Way in front of the school. The sidewalk is owned by the City. Staff is coordinating the sidewalk widening with the School District and through grants.

Comm. Kerger stated that the school board needs to realize the safety issues associated with the parking, traffic, and signage.

Vice Chair Sachs asked Ms. Amiri for clarification about Henry Ranch Park and its funding and timing of construction.

Ms. Amiri replied that the developer to date has paid \$80,000.00 specifically for the design of Henry Ranch Park. The project is scheduled beyond five years due to lack of funding availability. Ms. Amiri added that the City collects Parkland Dedication Fees which fund the Park Development Fund and are used for improvements and additions to the Parks with the City.

Vice Chair Sachs asked for clarification on the size of the park.

Comm. Kerger replied 15 acres.

Vice Chair Sachs asked if the projection of building the park would be five million dollars.

Ms. Amiri replied yes.

Vice Chair Sachs commented that the developer paid \$80,000.00 and no work has been done.

Ms. Amiri replied that the City collects Parkland Dedication fees which fund the Park Development Fund and are used for improvements and additions to the Parks with the City. The developer has paid more than just the \$80,000.00

Vice Chair Sachs asked if it is the City's would be responsible to develop the park.

Ms. Amiri replied yes and currently is unfunded because there are not enough funds in this particular Park Development Fund to construct the park.

Comm. Viers asked for clarification on page eight in the Funding Sources Landscaping and Lighting District section and if these figures are actual funds the

City has.

Ms. Amiri replied yes and the City Council will be adopting the budget in May.

Comm. Viers asked if the projects are based on projected revenue sources and was the current recession factored into these projections.

Ms. Amiri replied yes and it needs to be a balanced five-year projection.

Comm. Kerger asked about projects and how they are valued as a priority and programmed.

Ms. Amiri replied that this year seven new projects have been added to the Capital Improvement Program. The projects are evaluated and prioritized by City staff. The projects are reviewed with regards to safety, the need and funding, availability and programmed accordingly within the Five Year Capital Improvement Program.

Comm. Kerger stated that she was glad to see that the Park Restroom Renovation Project is scheduled for Fiscal Year 2010/2011 and would like to see that Athan Downs Park be the first park completed.

Ms. Amiri replied that the parks scheduled for restroom renovation work during fiscal year 2010/2011 include Athan Downs, Boone Acres, Mill Creek Hollow, Village Green and Old Ranch Parks.

Chair O'Loane asked about the Bollinger Canyon Pedestrian traffic signal project.

Ms. Amiri replied that the city staff will be modifying the timing of the signal so it provides more time to cross Bollinger Canyon Road.

Chair O'Loane asked for clarification on the Bollinger Canyon Road Widening project.

Ms. Amiri replied that staff was able to receive a \$382,000 Highway Safety Improvement Program grant to provide intersection pedestrian modification improvements. Ms. Amiri added that staff will continue to look at other funding sources to complete the remaining portion of the project limits. The work will be coordinated with the widening of Bollinger Canyon Road, which will begin this summer.

Chair O'Loane asked what was requested and spent in fiscal year 2009/2010 and where are we for the current year.

Ms. Amiri replied that 17 million dollars was requested for the 2009/2010 Capital Budget and 75% of that has been spent to date.

Chair O’Loane asked where the remaining of funds go.

Ms. Amiri replied it remains encumbered or will be spent within the next few months.

Comm. Kerger asked what would happen if the State takes the Redevelopment Agency Funds from the City.

Ms. Amiri replied that the projects funded by the Redevelopment Agency fund have already been allocated and appropriated with bond proceeds and would not be affected.

Chair O’Loane asked Ms. Amiri what does the \$200,000 for Stop Gap Repairs provide. Chair O’Loane further asked what is the City’s current Pavement Condition Index (PCI).

Ms. Amiri replied that the Stop Gap Repairs project provides local repairs to pavement sections until full pavement rehabilitation occurs with the Annual Pavement Management Program.

Chair O’Loane asked what is the anticipated Pavement Condition Index (PCI) for the end of 2010/2011

Ms. Amiri replied 76

Ms. Amiri replied 73.

Chair O’Loane asked what is the target the City is trying achieving.

Maria Robinson Engineering Services Director replied that the City’s overall target is 75 but with all the work being done, scheduled and completed we are at 76.

Chair O’Loane asked if these are the City’s standards.

Ms. Robinson replied yes.

It was moved by Commissioner Viers and seconded by Commissioner Sachs that the Planning Commission adopts Resolution No. 07-10 finding the Five-Year FY 2010/2011 through FY 2014/2015 Capital Improvement Program in conformance with the City’s General Plan.

AYES: Comms. Viers, Sachs, Wallis, Kerger, and Chair O’Loane

NOES: None

ABSTAIN: None

ABSENT: None

11. STUDY SESSION/COMMISSIONER LIAISON REPORT AND INTEREST ITEMS/STAFF REPORTS.

12. ADJOURNMENT

There being no further discussion, Chair O'Loane adjourned the meeting at 8:45 p.m.

Respectively Submitted, Luisa Willnecker

4.4 - Responses to Planning Commission Hearing Comments

4.4.1 - Introduction

Responses to comments made at the May 4, 2010 Planning Commission hearing are addressed through both master responses and individual responses. Master responses are provided in Section 2 of this document.

4.4.2 - Responses to Comments

Individual Responses

Responses have been prepared for all comments pertaining to the Draft EIR. In cases where multiple speakers made a similar or related comment, the response is addressed in a master response provided in Section 2 of this document. In all other cases, an individualized response has been provided.

Jim Gibbon (San Ramon for Open Government

Summary of Testimony

Mr. Gibbon asserted that General Plan 2030 is “massively changing everything in the City.” He stated that the Draft EIR recommends changing the General Plan “so that it makes it legal to do that.” Mr. Gibbon stated that General Plan 2030 will lead to urban sprawl, resulting in adverse impacts to air quality and noise.

Mr. Gibbon provided commentary on various aspects of General Plan 2030, including the planning horizon, the proposed boundary adjustments, and the Ordinance 197 modifications. Mr. Gibbon alleged that the proposed Urban Growth Boundary adjustments would lead to increased population growth and associated greenhouse gas emissions, air quality, and noise impacts, none of which were disclosed in the Draft EIR. Mr. Gibbon asserted that the City was violating the General Plan with the proposed General Plan 2030.

Response

There are no statements in the Draft EIR recommending approval of General Plan 2030. Rather, the purpose of the Draft EIR was to impartially evaluate the environmental effects of General Plan 2030 and mitigate impacts where necessary.

The Draft EIR fully evaluated all relevant aspects of General Plan 2030, including the proposed boundary adjustments, and the continuation of the existing Ordinance 197 policies. Contrary to Mr. Gibbon’s assertions, the boundary adjustments themselves do not allow additional population growth, as they do not change the underlying land use designation or confer entitlements that allow for new construction. Therefore, no undisclosed impacts associated with population growth would occur.

Finally, the City of San Ramon is not violating any aspects of the current General Plan 2020 by considering adoption of General Plan 2030. State law requires local governments to maintain and regularly update their General Plans. Furthermore, General Plan 2020 contains Implementing Policy 4.6-I-3, which requires voter review of the City’s Urban Growth Boundary in 2010. The proposed

General Plan 2030 is the means by which the Urban Growth Boundary is being reviewed, and the City intends to place the proposed adjustments to the boundary on the November 2010 ballot. Finally, the Governor's Office of Planning and Research (OPR) provided a letter to the City of San Ramon, dated May 12, 2010, advising the City that Government Code 65040.5(a) requires OPR to notify agencies when their General Plans have not been revised within the last 8 years. This letter serves to confirm that the City is obligated to update its General Plan on a regular basis; therefore, the proposed General Plan 2030 is consistent with this requirement. As such, the City is in compliance with both state law and the existing General Plan 2020.

Troy Bristol (Save Mt. Diablo)

Summary of Testimony

Mr. Bristol expressed concern about the Draft EIR's evaluation of the proposed Urban Growth Boundary and Sphere of Influence adjustments in the Tassajara Valley. Mr. Bristol stated that the Draft EIR does not identify specific impacts to natural resources, sensitive habitat, and agricultural resources and asserted that the document defers analysis to the Eastside Specific Plan, which he stated is inappropriate under CEQA. Mr. Bristol indicated that his organization is only concerned with the Tassajara Valley.

Response

The Draft EIR evaluated General Plan 2030 at a program level. CEQA Guidelines Section 15146 acknowledges that program-level review will not be as detailed as project-level review because the effects of construction cannot be predicted at the same level of accuracy. Accordingly, the Draft EIR evaluated impacts on agricultural resources and biological resources at a broad level and identified geographical areas where such resources were likely to be present. Consistent with the standards for program-level review, the Draft EIR identified General Plan 2030 policies that would mitigate impacts on these resources and concluded that these policies provided reasonable certainty that impacts would be reduced to a level of less than significant.

Master Response 1 provides responses to Mr. Bristol's claims regarding analysis of agricultural resources and biological resources in the Tassajara Valley, as well as the allegation of "deferred analysis."

SECTION 5: ERRATA

The following are revisions to the Draft EIR. These revisions are minor modifications and clarifications to this document and do not change the significance of any of the environmental issue conclusions within the Draft EIR. The revisions are listed by page number. All additions to the text are underlined (underline) and all deletions from the text are stricken (~~stricken~~).

Section 3.1, Aesthetics, Light, and Glare

Pages 3.1-5 and 3.1-6, Implementing Policy 4.6-I-8

The text of Implementing Policy 4.6-I-8 has been revised for consistency with revisions contained in General Plan 2030.

- **Implementing Policy 4.6-I-8:** Continue to pursue interagency coordination with the County to:
 - Require that development applications for projects within the City's Sphere of Influence conform to the Implementing Policies derived from Ordinance 197 (1990) that have been incorporated into this General Plan ~~standards of Ordinance 197, where applicable;~~ and
 - Notify the City regarding County development applications within the City's Sphere of Influence; and
 - Allow the City up to 180 days or until environmental review is completed, whichever occurs later, to negotiate the protection of land outside the City limits designated as priority open space.

Section 3.8, Hydrology and Water Quality

Page 3.8-9, Implementing Policy 9.4-I-2

The text of Implementing Policy 9.4-I-2 has been revised for consistency with revisions contained in General Plan 2030.

- **Implementing Policy 9.4-I-2:** Require new development to prepare hydrologic studies to assess storm runoff impacts on the local and subregional storm drainage systems and/or creek corridors. New development shall implement all applicable and feasible recommendations from the studies.

Page 3.8-10, Implementing Policy 9.4-I-7

The text of Implementing Policy 9.4-I-7 has been revised for consistency with revisions contained in General Plan 2030.

- **Implementing Policy 9.4-I-7:** All new developments shall not increase runoff to the 100-year peak flow in the City's flood control channels or to local creeks and shall be substantially equal to pre-development conditions. All new storm water systems shall be in compliance with the

requirements of the City's Stormwater Municipal Regional Permit issued by the San Francisco Bay Regional Water Quality Control Board.

Page 3.8-12, Last Paragraph

The last paragraph has been revised to add a missing word.

The proposed Urban Growth Boundary adjustments would encompass a portion of the Tassajara Valley, Norris Canyon Estates, and the Laborer's Property. Both Norris Canyon Estates and the Laborer's Property are existing developed land uses served with potable water and the intent of these adjustments is to reconcile the Urban Growth Boundary with the limits of existing urban development. Thus, Norris Canyon Estates and Laborer's adjustments would not have any adverse impacts on groundwater supplies.

Section 3.10, Noise

Page 3.10-19, Implementing Policy 10.1-I-2

The text of Implementing Policy 10.1-I-2 has been revised for consistency with revisions contained in General Plan 2030

- **Implementing Policy 10.1-I-3:** Acoustical and vibration studies shall be prepared by qualified professionals in accordance with industry-accepted methodology. All applicable and feasible vibration reduction measures shall be incorporated into project plans.

Section 3.14, Utility Systems

Pages 3.14-6 and 3.14-7, Wastewater

The description of the wastewater providers has been corrected based on comments provided by Central Contra Costa Sanitary District.

Wastewater

Central Contra Costa Sanitary District (Central San) provides wastewater collection and treatment to the northern and central portions of the City of San Ramon, as well as the Dougherty Valley. DSRSD provides wastewater collection and treatment to South San Ramon ~~and the Dougherty Valley~~. Exhibit 3.14-1 provides a map of each agency's service area. Each agency is discussed below.

Central Contra Costa Sanitary District

Collection System

Central San's sewer collection infrastructure consists of approximately 1,500 miles of underground pipe ranging from 4 to 102 inches in diameter and 18 ~~23~~ lift stations. Wastewater flows from San Ramon are conveyed north to Central San's wastewater treatment plant via the San Ramon Interceptor located within the Iron Horse Trail corridor. ~~In 2003, Central San initiated a capacity improvement project for the interceptor between~~

~~Norris Canyon Road in San Ramon and St. James Place in Danville in anticipation of increased wastewater flows from planned growth in San Ramon. Central San is scheduled to finish the interceptor capacity improvement project in mid 2008.~~

Central San indicates that a planned capacity expansion of the interceptor is scheduled to occur at the end of the decade. This capacity expansion would be designed to accommodate planned growth at the time design occurs, which the agency anticipates to be 2018.

Treatment Plant

Central San treats sewage at its treatment plant in Martinez. The treatment plant has a dry weather effluent discharge limit of 53.8 million gallons per day (mgd). In ~~2009~~ 2006, the average daily dry weather flow at treatment plant was ~~32.5~~ 39.4 mgd. The treatment plant uses ultraviolet disinfection and has secondary treatment capabilities. A portion of the treated effluent receives additional treatment and is used as recycled water; the remaining effluent is released into Suisun Bay via an outfall. The treatment plant is in compliance with all applicable federal and state environmental health and safety standards for treated wastewater. ~~The plant obtains 90 percent of its electricity through a methane cogeneration system with a nearby landfill.~~

Central San indicates that the treatment plant's capacity is expected to be sufficient to accommodate effluent generated from current planned growth within its service area during the next 15 to 20 years.

Page 3.14-13, Implementing Policy 9.4-I-2

The text of Implementing Policy 9.4-I-2 has been revised for consistency with revisions contained in General Plan 2030.

- **Implementing Policy 9.4-I-2:** Require new development to prepare hydrologic studies to assess storm runoff impacts on the local and subregional storm drainage systems and/or creek corridors. New development shall implement all applicable and feasible recommendations from the studies.

Page 3.14-13, Implementing Policy 9.4-I-7

The text of Implementing Policy 9.4-I-7 has been revised for consistency with revisions contained in General Plan 2030.

- **Implementing Policy 9.4-I-7:** All new developments shall not increase runoff to the 100-year peak flow in the City's flood control channels or to local creeks and shall be substantially equal to pre-development conditions. All new storm water systems shall be in compliance with the requirements of the City's Stormwater Municipal Regional Permit issued by the San Francisco Bay Regional Water Quality Control Board.

Page 3.14-16, First Through Third Paragraphs

Two incorrect statements regarding the services provided by Central Contra Costa Sanitary District and Dublin San Ramon Services District have been corrected.

Land uses within the San Ramon City limits and certain land uses outside the City limits are served with wastewater collection and treatment service provided by either Central San or DSRSD. As discussed previously, both ~~wastewater water~~ agencies have adequate collection and treatment capacity serve development with their service areas.

The General Plan Update would largely maintain existing land use patterns and designations. One significant change is the re-designation of parcels within the North Camino Ramon Specific Plan boundaries to “Mixed Use.” All properties within the specific plan boundaries are currently served by Central San. The specific plan is intended to facilitate the development of higher density mixed uses within this area. Implementing Policy 4.7-I-4 requires the preparation of the North Camino Ramon Specific Plan to guide future land use and development activities in this area. The Specific Plan process and related environmental review are required to evaluate and address wastewater collection and treatment

The proposed Urban Growth Boundary adjustments would encompass a portion of the Tassajara Valley, Norris Canyon Estates, and the Laborer’s Property. Both Norris Canyon Estates and the Laborer’s Property are existing developed land uses served with ~~wastewater service provided potable water~~ by Central San and DSRSD, respectively, and the intent of these adjustments is to reconcile the Urban Growth Boundary with the limits of existing urban development. Thus, Norris Canyon Estates and Laborer’s adjustments would not have any adverse impacts on wastewater collection and treatment.