

CHAPTER 1

Introduction

1.1 CEQA Process

On March 17, 2006, the Zone 7 Water Agency (Zone 7), the Lead Agency for purposes of the California Environmental Quality Act (CEQA), released for public review the Draft Master Environmental Impact Report (Draft MEIR) for the Stream Management Master Plan (SMMP). The 45-day public review and comment period on the Draft MEIR closed on May 1, 2006. The public review period was extended to May 8, 2006. Zone 7 held two workshops on the Draft MEIR; one for the public and one for the agencies, on April 26, 2006.

Zone 7 has prepared this document pursuant to CEQA Guidelines Section 15132, which specifies the following:

“The Final EIR shall consist of:

- (a) The Draft MEIR or a revision of that draft.
- (b) Comments and recommendations received on the Draft EIR either verbatim or in a summary.
- (c) A list of persons, organizations, and public agencies commenting on the Draft MEIR.
- (d) The response of the Lead Agency to significant environmental points raised in review and consultation process.
- (e) Any other information added by the Lead Agency.”

The Draft MEIR for the SMMP, together with this response to comments document, constitutes the Final Environmental Impact Report (Final EIR or FEIR) for the project.¹ This Final EIR incorporates comments from public agencies and the general public and contains appropriate responses by the Lead Agency to those comments. The Final EIR is an informational document prepared by the Lead Agency that must be considered by decisionmakers (including the Zone 7 Board of Directors) before approving the SMMP.

¹ The commonly used term “EIR” is used in this document to refer to the Draft EIR combined with this document. This document is referred to as “Final EIR,” its commonly used and practical title.

1.2 Comments on the Draft MEIR and Responses to Comments

The public comment period for the Draft MEIR opened on March 17, 2006 and closed, as publicly-noticed, at 4:00 p.m. on May 8, 2006. Zone 7 staff received correspondence by mail, email, fax, and other methods of delivery. The agencies, organizations, and individuals that submitted written and oral comments on the Draft EIR during this period are listed in Table 1-1. Table 1-2 provides the author of each comment letter, the author's affiliation, a letter designation of each author's comments, and a brief summary of each comment. Correspondence received after the close of the public comment period is included and noted.

Chapter 2, *Master Responses*, contains collective responses to individual questions or concerns that were raised in multiple written or spoken comments on the Draft MEIR. The comments and responses themselves are presented in Chapter 3, in the order of the listing in Table 1-1. Responses are keyed to the written comments received as indicated in the right margin of the comment letter.

1.3 Corrections and Additions to the Draft MEIR

Revisions of the Draft MEIR were developed in response to comments received during the review process. These revisions are presented in Chapter 4, *Changes to Draft MEIR*. Additions, deletions and corrections to the Draft MEIR have been made by indicating the page and paragraph to be revised and by describing of the text changes. Additions are indicated by an underline, deletions are indicated by a “strike-out” where practical. For example, in the following sentence the numerical “two” is replaced by “to”:

To~~Two~~ improve readability and minimize redundancy in response, the comments are organized generally by type of agency.

**TABLE 1-1
COMMENTORS ON THE DRAFT MEIR**

PUBLIC AGENCIES

Designator	Public Agency and Signatory	Correspondence Received	Correspondence Dated
A	Dublin San Ramon Services District, Rhodora Biagtan	April 18, 2006	April 17, 2006
B1	City of Livermore, Pam Lung	April 26, 2006	April 26, 2006
B2	City of Livermore, Cheri Sheets	May 8, 2006	May 11, 2006
C	Alameda County Water District, Paul Piraino	May 1, 2006	May 1, 2006
D	San Francisco Bay Regional Water Quality Control Board, Brian Wines	May 1, 2006	May 3, 2006
E	City and County of San Francisco, Diane Sokolove	April 26, 2006	May 1, 2006
F1	San Francisco Public Utilities Commission, Tim Ramirez	May 1, 2006	May 8, 2006
F2	San Francisco Public Utilities Commission (email), Joanne Wilson	May 8, 2006	May 8, 2006
G	East Bay Regional Parks District, Jim Townsend	May 1, 2006	May 3, 2006
H	California Department of Transportation, Timothy Sable	May 1, 2006	May 4, 2006
I	City of Dublin, Melissa Morton	May 1, 2006	May 4, 2006
J	Alameda County Community Development Agency, Stuart Cook	May 5, 2006	May 5, 2006
K	City of Pleasanton, Jerry Iserson	May 8, 2006	May 8, 2006
L	Livermore Area Regional Parks District, Tim Barry	May 11, 2006	May 12, 2006

ORGANIZATIONS

Designator	Organization and Signatory Name	Correspondence Received	Correspondence Dated
M	Pleasanton Gravel Company, Richard Jacob	April 26, 2006	May 3, 2006
N	Johnson-Himsl Partnership, Robert Himsl	May 2, 2006	May 3, 2006
O	Terra Law LLP for Hacienda Business Park, Ron Rainey	May 4, 2006	May 5, 2006
P	ACTIA Citizens Advisory Committee (Email), Bill Stremmel	May 4, 2006	May 4, 2006
Q	Miller Starr & Regalia for Cross Winds Church and Syufy Enterprises	May 5, 2006	May 8, 2006
R	Ohlone Audubon Society (Email), Richard Cimino	May 7, 2006	May 7, 2006
S	Hoge Fenton Jones & Appel Inc., Darcelle Pruitt	May 8, 2006	May 9, 2006
T	Kier & Wright, Steve Reynolds	May 8, 2006	May 8, 2006

INDIVIDUALS

Designator	Signatory Name	Correspondence Received	Correspondence Dated
U1	Tom and Vicki Harland	March 16, 2006	March 22, 2006
U2	Tom and Vicki Harland	April 14, 2006	April 17, 2006
U3	Tom and Vicki Harland	March 25, 2006	March 26, 2006
V	Ralph Moir	April 25, 2006	April 26, 2006
W	Allison Batteate	May 5, 2006	May 8, 2006
X	Tim and Betty Gail Hunt (Email)	May 6, 2006	May 6, 2006

TABLE 1-2
COMMENT ISSUES SUMMARY

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Public Agencies						
A	Dublin San Ramon Services District	Rhodora Biagtan	A-1	Impact to potable water, recycled water, and sewer collection pipelines that are located within several SMMP project areas.	Tuesday, April 18, 2006	Monday, April 17, 2006
B1	City of Livermore	Pam Lung	B-1	Requests more time to review documents.	Wednesday, April 26, 2006	April 26, 2006
B2	City of Livermore	Cheri Sheets	B-2	SMMP is not consistent with the City of Livermore General Plan and policies. Recommend updating the hydraulic model.	Monday, May 08, 2006	Thursday, May 11, 2006
			B-3	Responsibility for trail and habitat restoration mitigation is too vague.		
			B-4	SMMP should not be adopted until a feasible financing strategy has been identified.		
			B-5	SMMP appears to benefit the downstream areas but shifts impacts to upstream areas by using detention strategies for flood control.		
			B-6	SMMP does not reflect recent flood plain information and flood plain improvements installed by Zone 7.		
			B-7	SMMP should include a phased implementation strategy and description of impacts.		
			B-8	The final SMMP should include a detailed strategy for project financing, refinement, implementation and maintenance.		
			B-9	SMMP should describe policy changes and the impacts should be discussed in the MEIR.		
			B-10	Responsibility for project implementation, capital improvements, ownership, funding and maintenance should be included.		
			B-11	Project alternatives should be compared in the context of the Standard Project Flood.		
			B-12	Explain the flood control paradigm shift.		
			B-13	Elaborate on the benefits of the SMMP.		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Public Agencies (cont.)						
			B-14	State the hydraulic model assumptions.		
			B-15	Ensure the hydraulic model assumptions reflect current City of Livermore land uses and policies.		
			B-16	Explain and justify the new plan direction of risk management in both the SMMP and MEIR.		
			B-17	Provide an outline of interim strategies.		
			B-18	State that the project will be implemented in a cost-effective and sustainable manner.		
			B-19	Identify the time frames for implementation of Phases I, II and III.		
			B-20	Indicate the timing of funding instruments as they relate to Appendix H of the SMMP.		
			B-21	Comment on the policies that govern existing plan elements and how these should change to implement the plan.		
			B-22	Define the process for refining the project over time.		
			B-23	State whether assumptions and proposed projects are consistent with city/agency master plans and other policy documents.		
			B-24	Describe how the determination was made that the watershed above Niles is impacted for various pollutants.		
			B-25	Mention Zone 7's efforts to provide quality groundwater and how this relates to the SMMP.		
			B-26	File the required LOMR and revise the floodplain shown in the SMMP to reflect Zone 7 creek improvements.		
			B-27	Describe the mineral load of certain surface waters and the various related plans and policies.		
			B-28	Note that local agencies have existing trail master plans that link parks along the creek corridors.		
			B-29	Include information on existing levees, analysis requirements and FEMA evaluation criteria.		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Public Agencies (cont.)						
			B-30	Mention the Phase II stormwater permit hydromodification requirements.		
			B-31	Identify who will be responsible for mitigation costs and implementation.		
			B-32	Include the impact of empty quarry pits on Sycamore Grove in the SMMP and MEIR.		
			B-33	Use line variations and color on the exhibits.		
			B-34	Note current ownership for project maintenance and improvements.		
			B-35	Update the projects that have made progress or been completed.		
			B-36	Rethink erosion and sedimentation in the Arroyo de la Laguna and describe potential erosion at 100-year flow rate at built-out conditions.		
			B-37	Include the diversion and conveyance system of Cope Lake and other lakes as part of regional flood protection effort and cost.		
			B-38	Mention the studies that defined the build-out 100-year flow rates.		
			B-39	Emphasize sediment management over sediment reduction.		
			B-40	State how groundwater will be improved and managed differently with the Chain of Lakes addition.		
			B-41	Describe and refer to the stormwater storage and diversion alternatives from Arroyo las Positas to Cope Lake.		
			B-42	It is not appropriate to base the SMMP or the MEIR on studies that do not account for diversion.		
			B-43	Describe assumptions and contingencies used to prepare the cost estimates.		
			B-44	Provide detailed descriptions of cost estimates for each project.		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Public Agencies (cont.)						
			B-45	Verify the amount of water recirculation occurring in the Alkali Sink area.		
			B-46	Define individual projects and link them to the whole of Arroyo la Positas.		
			B-47	The City has approved some level of funding for storm drain and creek projects that include Project R.1-5.		
			B-48	Mention all pond, detention, retention and sediment basin projects and the need for mosquito-abatement measures.		
			B-49	Private land south of the I-580 corridor and north of Portola Avenue may provide opportunities for mitigation and restoration.		
			B-50	Due to less build-out than originally assumed, Project R.2-4 needs to be refined.		
			B-51	Project R.3-2 needs to be coordinated closely with the Livermore Area Parks and Recreation District.		
			B-52	Project R.3-2's proposed sedimentation basin is located in an area of previous mitigation for the Concannon Bridge project.		
			B-53	Update Project R.3-4 with a reevaluation of levees.		
			B-54	Update creek alignment in Project R.3-6.		
			B-55	Include and address Sycamore Grove recovery plans for projects in Reach 4.		
			B-56	Evaluate the Isabel Interchange project within the area of project R.5-3.		
			B-57	Highlight the Arroyo Las Positas Diversion project R.5-4 as a high priority. A phasing plan is needed.		
			B-58	Modify, rather than replace, the energy dissipation structure in project R.6-1.		
			B-59	Coordinate Reach 7 projects with LARPD and address impacts to Sycamore Grove.		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Public Agencies (cont.)						
			B-60	The standard project flood must be considered and evaluated as part of the detention alternative.		
			B-61	Define the environmental impact of a flood under the "no-project" alternative		
			B-62	Analyze mitigation as part of the proposed project and as mitigation to the projects.		
			B-63	Identify projects and analyses excluded from the MEIR and state why.		
			B-64	Include HMP requirements under the Water Quality discussion.		
			B-65	Update all sections with changes resulting from the comments listed here.		
C	Alameda County Water District	Paul Piraino	C-1	Diversion of storm flows from Arroyo las Positas and Arroyo Mocho into Cope Lake and Lake G may impact downstream water supplies and water quality, and result in a water supply loss to ACWD.	Monday, May 01, 2006	Monday, May 01, 2006
			C-2	Instead of discharging stormwater directly to San Francisco Bay, the MEIR indicates that the stormwater will be stored and released downstream after the high flows have receded adversely impacting the infiltration capacity of the percolation ponds and groundwater quality, or losing a significant water supply if no action is taken.		
			C-3	The MEIR should include an evaluation of the downstream water supply and water quality impacts noted above and provide appropriate mitigation measures.		
			C-4	The MEIR should evaluate the potential for SBA outages that may occur as a result of the turnout projects and provide mitigation for any adverse impacts.		
			C-5	The proposed recreation projects along Alameda Creek will increase public access to the waterways and may result in adverse water quality impacts, so the MEIR should evaluate these potential impacts and provide appropriate mitigation.		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Public Agencies (cont.)						
D	San Francisco Bay Regional Water Quality Control Board	Brian Wines	C-6	The MEIR should address the storage, potential movement, and water quality impacts of recycled water stored in the Chain of Lakes, and provide for mitigation.	Monday, May 01, 2006	Wednesday, May 03, 2006
			C-7	The final SMMP should remove incorrect identification and references on pages 3-37 and 5-131 that state that ACWD maintains the Alameda Creek Trail.		
			C-8	Zone 7 should provide ACWD with detailed SMMP project information beyond the scope of the MEIR to ensure there are no significant adverse impacts to ACWD's water quality and supply.		
			D-1	Some project components have the potential to negatively impact habitat values in the creeks and the mitigation measures are not sufficiently developed to state with confidence that those impacts can be mitigated to less-than-significant levels.		
			D-2	The amount of mitigation needs to be increased to compensate for temporal losses between the time of impact and the point at which the mitigation becomes sufficiently functional; impacts to linear features should be mitigated using linear features.		
			D-3	The discussion of Impact 3.5.3 should be expanded to note that earthen channels provide water quality treatment as compared to concrete channels.		
			D-4	If concrete linings are allowed, mitigation should compensate for lost habitat values and water quality treatment functions.		
			D-5	Elaborate on the design elements in Mitigation Measure 3.5.7a that would reduce impact to a less-than-significant level.		
			D-6	Mitigation Measure 3.5.7b needs to include more details in order to evaluate the effectiveness of using a non-native predator to control bullfrog populations without impeding the functioning of the in-stream facility.		
			D-7	Recommend deleting the in-stream sedimentation basins from the SMMP.		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Public Agencies (cont.)						
			D-8	Construction of the proposed Arroyo Mocho sediment detention basin and in-channel wetland may result in barriers to steelhead migration.		
			D-9	Section 3.5 in the DEIR does not include a Mitigation Measure 3.5.5b which is referenced in Mitigation Measure 3.6.2b.		
			D-10	Impact 3.6.3 and Mitigation Measure 3.6.3a of the DEIR does not provide enough information to conclude that impacts can be reduced to a less-than-significant level with mitigation.		
			D-11	The Arroyo las Positas diversion channel outlet discussion should clarify if exit flows will include water from Arroyo Mocho, and if so, a discussion of potential fish mortality should follow.		
			D-12	Impact 3.6.4 and Mitigation Measure 3.6.4a of the DEIR do not provide enough information to conclude that impacts can be reduced to a less-than-significant level with mitigation.		
			D-13	The DEIR does not include a Mitigation Measure 3.6.5a as referenced in the text on page 3.6-20.		
			D-14	The list of acronyms on page 9-2 is missing "DPS" for "distinct population segments".		
			D-15	Project R.10-5 should provide more detail justifying the need to remove the three sharp meanders, along with a discussion of potential impacts due to channel shortening, and related mitigation.		
E	City and County of San Francisco	Diane Sokolove	E-1	Please complete a project review application for the Watershed Project Review process.	Wednesday, April 26, 2006	Monday, May 01, 2006
F1	San Francisco Public Utilities Commission	Tim Ramirez	F-1	The Watershed Project Review process will ensure that SMMP projects on SFPUC property are consistent with the Alameda Creek Watershed Management Plan, particularly issues relating to Arroyo de la Laguna Improvement Project 5.	Monday, May 01, 2006	Monday, May 08, 2006

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Public Agencies (cont.)						
F2	San Francisco Public Utilities Commission (email)	Joanne Wilson	F-2	The Watershed Project Review process will need to appraise whether the SMMP has influence or control over the rate of urban growth associated with approved general plans.	Monday, May 08, 2006	Monday, May 08, 2006
			F-3	The Watershed Project Review process will need to determine whether the SMMP sufficiently mitigates all future increases in peak runoff associated with general plan build-out.		
			F-4	The Watershed Project Review process will need to ascertain what happens if implementation funding is limited.		
			F-5	The Watershed Project Review process will need to define existing priorities for SMMP project implementation and how Reach 10 fits relative to overall flood control priorities.		
			F-6	The Watershed Project Review process will need to determine if Zone 7 would assume long-term maintenance of restoration projects implemented on SFPUC lands.		
			F-7	The Watershed Project Review process will need to identify if the timing of proposed new flood storage facilities like the Chain of Lakes is likely to occur prior to general plan build-out.		
			F-8	The Watershed Project Review process will need to define the specific resource objectives for proposed projects within Reach 10.		
			F-9	The Watershed Project Review process will need to appraise the long-term trend of flood risk in the vicinity of Sunol Glen School.		
			F-10	The Watershed Project Review process will need to ascertain whether the conditions of Arroyo de la Laguna within SFPUC lands will get worse before they get better, and if SFPUC should expect to lose more property.		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Public Agencies (cont.)						
G	East Bay Regional Parks District	Jim Townsend	G-1	EBRPD supports the trails, recreation, and public education goals identified in the MEIR and will work with Zone 7 to develop trail segments that address long-term maintenance needs of both agencies.	Monday, May 01, 2006	Wednesday, May 03, 2006
H	California Department of Transportation	Timothy Sable	H-1	Please add the following statement to the mitigation section for Cultural Resources: "If during ground-disturbing activities within State Right of Way (ROW) an inadvertent archeological or burial discovery is made, all construction within 50 feet of the find shall cease and the California Department of Transportation's Cultural Resource Study Office, District 4, shall be immediately contacted at (510) 286-5618 or (510) 286-5615. A staff archaeologist will evaluate the finds within one business day. Any subsequent archaeological document preparations must comply with PRC 5024 and PRC 5097. All archeological reports will need to be reviewed and approved by California Department of Transportation's Cultural Resource Staff."	Monday, May 01, 2006	Thursday, May 04, 2006
			H-2	Work that encroaches onto the State ROW requires an encroachment permit that is issued by the Department; traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process.		
I	City of Dublin	Melissa Morton	I-1	Recent Zone 7 channel improvements and a related LOMR would change the floodplain location indicated in Figure 4-13; if not, further meeting among the City, Zone 7 and the Dublin Ranch developer is necessary.	Monday, May 01, 2006	Thursday, May 04, 2006
			I-2	The issue of impervious surface fees requires clarity and further discussion; the City of Dublin would like to be involved in the discussion of impervious surface fees.		
			I-3	The City is considering a freeway crossing for Project R.8-1 at the location where the trail would link Dublin to Pleasanton; therefore, future planning and design work should be coordinated with the City of Dublin.		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Public Agencies (cont.)						
			I-4	Project description R.8-2 is unclear whether the culvert retrofit is a reference to the G-1 channel Iron Horse Trail crossing (a clear-span bridge rather than a culvert) or to another location.		
			I-5	The Santa Rita Property master Drainage Plan prepared for the Alameda County Surplus Property Authority includes diversion of a portion of the existing G-1 flows into the new Santa Rita storm drain system.		
			I-6	It is unclear if the SMMP, in its analysis of the needed Chabot Canal improvements, accounts for the second phase of ACSPA's East Dublin Transit Center flow diversion.		
			I-7	The City of Dublin is currently discussing with the Army Corps of Engineers redevelopment of a portion of the Camp Parks property, a move that will increase flows in the G-1 channel.		
			I-8	Further Chabot Canal improvement planning and design should include the City of Dublin and Zone 7, and a discussion of the Arnold Road Channel diversion.		
			I-9	Project R.9-1 incorrectly states that the City is pursuing construction of a linear park along the Union Pacific Railroad and Alameda County corridors.		
			I-10	The City requests that work on Projects R.9-2 and R.9-3 be coordinated with them in order to address residents' aesthetic concerns.		
			I-11	The City is concerned that the floodwall proposed in Project R.9-4 is incompatible with Dublin Historic Park and could disrupt planned preservation improvements; it would like to discuss alternatives.		
			I-12	The City would like to coordinate with Zone 7 on Project R.9-5, I-580 Trail Gap Elimination because it already is working with Caltrans, Zone 7, and EBRPD on a design for the crossing.		
			I-13	The City requests the improvement to the Chabot Canal between Dublin Boulevard and I-580 be in a closed concrete box culvert so it can landscape the median.		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Public Agencies (cont.)						
J	Alameda County Community Development Agency	Stuart Cook	J-1	The Alameda County Surplus Property Authority is disturbed by the depiction of the entire Staples Ranch property in the FEMA 100-year floodplain in Figure 2-4 of the SMMP DEIR.	Friday, May 05, 2006	Friday, May 05, 2006
			J-2	Zone 7 should have provided FEMA with updated flood condition information by late 2004 in connection with the Arroyo Mocho/Arroyo Las Positas Realignment project.		
			J-3	Analysis indicates that very little of Staples Ranch lies within the current 100-year floodplain and removing the small portion that remains can be accomplished without affecting flooding downstream.		
			J-4	Prior to establishing a floodplain management fee, Zone 7 must conduct the required FEMA studies.		
K	City of Pleasanton	Jerry Iserson	K-1	The City believes Zone 7 should expand its ownership and maintenance of drainage ways, flood control channels and streams to establish a comprehensive system governed by one agency.	Monday, May 08, 2006	Monday, May 08, 2006
			K-2	The City supports projects that contribute to or guarantee a year-round flow of water in the Arroyo Del Valle through Pleasanton.		
			K-3	The City and City's Trails Ad Hoc Committee support the trail construction and maintenance concepts in Reaches 6 through 11.		
			K-4	The vaguely discussed financing program should be more detailed and the method of financing fairly determined.		
			K-5	A suggested rewrite to Page 2-8, first partial paragraph, third sentence is "The historic and ongoing gravel mining in <u>existing active quarries</u> in the Chain of Lakes area...."		
			K-6	A suggested rewrite to Page 2-10, first paragraph, second sentence is "As this valley becomes transformed from rural to <u>urban</u> and suburban...."		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Public Agencies (cont.)						
			K-7	Please add to Page 2-10, first bullet: "Area around the Chain of Lakes in the <u>cities</u> of Livermore <u>and Pleasanton</u> , bound...."		
			K-8	Ascertain whether Project R.8-4's conclusion of the need for floodwalls and a drainage pump for the Valley Trails neighborhood included the Shaaf and Wheeler study of the Bernal Avenue Bridge abutment removal.		
			K-9	Page 2-39, second paragraph under "Reach 5 Projects" should note that Project R.5-3 also is located partially in Reach 6.		
			K-10	The City has plans for widening Dublin Canyon Road and extending the bridge in the area referenced in Reach 9 Projects on page 2-43.		
			K-11	Implementation of Reach 8 and 9 projects may have detrimental flooding impacts to adjacent or downstream areas within the City, and Zone 7 should complete specific project-level engineering studies and EIRs.		
			K-12	Zone 7 should use the Flood Detention and Conveyance Alternative list on page 2-61 as the first phase of SMMP goals.		
			K-13	Information about the ADLL and Alameda Creek on page 3.2-7 conflicts with recent studies conducted by Shaaf and Wheeler for the City of Pleasanton.		
			K-14	Confirm whether Figure 3.2-7 on page 3.2-38 incorporates the recent analysis of Shaaf and Wheeler (2004-05) with regard to water surface elevation upstream of the Bernal Bridge.		
			K-15	Page 3.4-8, Reach 6 paragraph, tenth line, rewrite the next three sentences starting with "One school" as this information conflicts with information in the second sentence of this paragraph.		
			K-16	Page 3.5-23: the mitigation measures would not mitigate impacts to a less-than-significant level; because it is unknown whether healthy, viable heritage trees would be destroyed, Zone 7 must make findings of overriding considerations.		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Public Agencies (cont.)						
			K-17	Page 3.5-27, first bullet: CEQA is not a permitting process and confers no approval of a project; omit CEQA from the sentence.		
			K-18	Page 3.7-6, first full paragraph: the EIR should mention that measures lessening PM ₁₀ emissions would also lessen PM _{2.5} emissions to a less-than-significant level.		
			K-19	The EIR discussion of construction impacts on page 3.7-6 and 3.7-7 should explicitly discuss PM _{2.5} emissions.		
			K-20	Rewrite page 3.7-8, second-to-last bullet, as "When winds (instantaneous gusts) exceed 25 mph, <u>suspend excavation and grading activity or water more frequently, as necessary to protect sensitive receptors.</u> "		
			K-21	Page 3.8-5, last paragraph: because Table A.3.8-2 contains the actual significance criteria, the EIR should include it in the text and not hide it in Appendix 3.8.		
			K-22	The Existing Environment discussion on page 3.13-1, first paragraph, should refer to the "Tri Valley area" rather than "Livermore Valley".		
			K-23	Page 5-10, first paragraph under "General Plan and Municipal CIP" impacts, fifth line: replace "Livermore Valley" with "Tri Valley".		
			K-24	The text on page 5-11 under "General Plan and Municipal CIP Effects" should refer to the possibility of constructing more than one project (from any jurisdiction) at the same time.		
			K-25	The text on page 5-11 under "Air Quality, SMMP Contribution" should mention that construction impacts such as fugitive dust tend to be local in nature and would not be anticipated to combine with other projects outside of the project vicinity.		
			K-26	The text on page 5-12 under "Noise, General Plan and Municipal CIP Effects" and "SMMP Contribution" should refer to the possibility of constructing more than one project (from any jurisdiction) at the same time.		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Public Agencies (cont.)						
			K-27	The text on page 5-13 under "Noise, General Plan and Municipal CIP Effects" and "SMMP Contribution" should refer to the possibility of constructing more than one project (from any jurisdiction) at the same time.		
			K-28	The text on page 5-14 under "Hazardous Materials, General Plan and Municipal CIP Effects" and "SMMP Contribution" should refer to the possibility of constructing more than one project (from any jurisdiction) at the same time.		
			K-29	The text on page 5-12 under "Noise, General Plan and Municipal CIP Effects" and "SMMP Contribution" should refer to the possibility of constructing more than one project (from any jurisdiction) at the same time.		
			K-30	Replace "Livermore Valley" with "Tri Valley" on numerous specified pages.		
			K-31	The text on page 5-26 under "SMMP Contribution" should refer to the possibility of cumulative visual impacts due to the construction of more than one project (from any jurisdiction) at the same time.		
			K-32	Confirm whether SMMP project recommendations incorporate the recent analyses of Shaaf and Wheeler (2004-05).		
L	Livermore Area Regional Parks District	Tim Barry	L-1	The DEIR does not include sufficient consideration and review of the District's Park and Trail Master Plans; the District is currently updating its Master Plans and anticipates completion by mid-2007.	Thursday, May 11, 2006	Friday, May 12, 2006
			L-2	The wildlife, recreational, and aesthetic value of natural streams is important to maintain; channel realignment and creation of man-made channels and riparian habitat should be minimized.		
			L-3	The DEIR does not provide an evaluation of consistency with the District's Park Master Plan, Trail Master Plan or other specific master plans; a lack of details in the various scopes of work makes it difficult to adequately review and comment on projects that affect LARPD facilities and operations.		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Public Agencies (cont.)						
			L-4	Some impacts and mitigation measures are vague and incomplete; they may also involve additional, unwanted impacts (i.e. mosquito fish).		
			L-5	Implementation of mitigation measures involving wildlife and habitat issues must include consultation with other affected agencies, such as LARPD, to avoid creating additional new impacts.		
			L-6	The District is willing to maintain and operate new trail facilities with adequate funding for maintenance and operations.		
			L-7	Confirm whether maintenance activities and associated costs include routine, ongoing supervision and operation of the trail facilities.		
			L-8	The proposed diverse trail features should include details such as multi-purpose uses and connectivity to other agencies' trail systems; trails should be constructed to District standards.		
			L-9	The District has an interest in managing the Bird's Beak/Alkali Sink area as a preserve and would like to be identified as a coordinating agency.		
			L-10	Table A.3.5-1 omits San Joaquin or Valley Spearscale which is found in the Garaventa Wetland Preserve and surrounding alkali wetlands.		
			L-11	Robertson Park (Project R.3-2) is owned and operated by LARPD, not the City of Livermore as indicated on page 3.4-7, Reach 3 description, and in Table 3.4-2.		
			L-12	Substantial elements of proposed Project R.3-2 are not included in the current Robertson Park Master Plan and are in direct conflict with the existing and planned facilities and current public uses.		
			L-13	Based on the descriptions and maps of the Robertson Park project, the District strongly disagrees with the finding that the impacts of this project are less-than-significant (page 3.4-7, Reach 3 description).		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Public Agencies (cont.)						
			L-14	The effect of groundwater levels from Lakes A and B should be studied to determine the long-term impacts to the Park.		
			L-15	The District feels that the statement reporting positive sycamore growth and improved environmental conditions since 1993 is out of context from the Sycamore Recovery Program Phase I; ignores long-term-health-and-viability study goals; is misleading as a short-term improvement; has no bearing on the project; and should be removed from the Notes.		
			L-16	Discussing the creation of wetland areas as specific mitigation for California Tiger Salamanders and Red-legged Frogs without discussing protection of upland habitat areas, the proposed mitigation ponds, or control for detrimental species, renders the mitigation ineffective.		
			L-17	The District is concerned with the lack of analysis relating to impacts and coordination with District facilities and operations, and requests more detailed environmental review; maps are also inadequate.		
			L-18	Lack of upland habitat renders the creation of off-line seasonal ponds at Arroyo Las Positas ineffective as habitat for California Tiger Salamanders and Red-legged Frogs.		
			L-19	Define the impact of the Velocity Control Project on Bill Spayne Sports Park.		
Organizations						
M	Pleasanton Gravel Company	Richard Jacob	M-1	The presumed SMP-38 property noted on page 58 of Appendix 2.0 is owned by Pleasanton Gravel Co. with contracts extended to Vulcan Materials Company through 2030; Pleasanton intends to mine the land and speeding up that process will require the cooperation of Alameda County, Zone 7, Pleasanton Gravel Co., and Vulcan Materials Company.	Wednesday, April 26, 2006	Wednesday, May 03, 2006
			M-2	If Zone 7 is suggesting that it would acquire SMP-38 by sale or condemnation <i>before</i> mining occurs, the DEIR fails to discuss the forgone value of sand and gravel mining and thus does not adequately address the cost of acquisition.		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Organizations (cont.)						
			M-3	The direct and indirect costs of the proposed acquisition of the 40 acres of land for the Arroyo las Positas Diversion Project would be upwards of \$125 million.		
			M-4	Any acquisition or condemnation of the property before mining occurs would breach Zone 7's Chain of Lakes agreement with Pleasanton Gravel Co. and prevent it from honoring contracts with Vulcan Materials Company; an attempt by Zone 7 to condemn the property after mining occurs would result in a high condemnation award from loss of post-mining property development.		
			M-5	Zone 7 cannot require further dedication of property from Pleasanton Gravel Co. for water management purposes or an early dedication of Lake G without violating the Chain of Lakes agreement.		
			M-6	The DEIR omits that Zone 7's proposal is inconsistent with the City of Livermore's general plan proposal to extend Jack London Boulevard through to El Charro Road.		
			M-7	The EIR should discuss the inconsistency of the SMMP with the City's plan, the costs of coordinating with the City, and costs if the proposed extension of Jack London Blvd. is prevented, as well as project alternatives.		
			M-8	Pleasanton Gravel Company is the sole owner of the SMP-38 property.		
			M-9	Vulcan Materials Company has no legal right to mine the SMP-38 property, grant easement of right of use, or determine its ultimate use.		
			M-10	This project has significant unmitigated indirect environmental impacts related to the quality and proximity of sand and gravel provided by Pleasanton Gravel Company; the EIR should recognize and analyze the indirect impacts related to the transportation of sand and gravel obtained from farther away.		
			M-11	Clarify whether Zone 7 intends to use any part of the Chain of Lakes for the storage of recycled water.		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Organizations (cont.)						
			M-12	The maps on pages 63 and 66 of Appendix 2 demonstrate that land owned by Pleasanton Gravel Company is required to create the proposed Arroyo Mocho trail system along Stanley Boulevard and El Charro Road.		
			M-13	The minimum value for the land is \$42,908.124, not including residual-value losses.		
			M-14	Any proposed acquisition or condemnation of this property would breach the Chain of Lakes agreement between Pleasanton Gravel Co. and Zone 7; and could impair the City of Livermore's planned extension of Jack London Boulevard.		
			M-15	Projects R6-1 and R6-2 refer to cooperation with only the "quarry operators"; however, the operators may have no legal rights to the land.		
			M-16	Explain the reference on page 3.4-8 to "trail construction along <i>improved El Charro Road</i> " (emphasis added) and include a cumulative impact analysis.		
			M-17	Existing projects specified by Pleasanton Gravel Co., along with any other development that an improved Charro Road would facilitate, must be considered in the cumulative impact analysis.		
			M-18	Include in the DEIR an analysis of the increased risk of death and injury involving aircraft flights to and from the Livermore Airport as a result of bird strikes with aircraft that would occur with the additional shallow water surface areas proposed by the SMMP.		
			M-19	The EIR should recognize that Zone 7's plan may significantly impact and legally prevent the full buildout of the Oaks Business Park.		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Organizations (cont.)						
			M-20	The EIR must conclude that the increased flood protection provided by the SMMP projects <i>will</i> lead to increased development in those areas. DEIR statements suggesting that SMMP projects would be growth-inducing only if they would support growth that is "not consistent" with the land use plans and growth management plans and policies for the area affected, or if they "resulted in unplanned growth" are incorrect statements under CEQA and must therefore be analyzed in an EIR.		
			M-21	Provide a growth-inducement analysis that correctly reflects the requirements of CEQA. Provide an appropriate analysis of the growth-inducement potential and secondary impacts of the current SMMP in light of new regulatory land use documents.		
			M-22	Coordination with Pleasanton Gravel Co. is critical for Zone 7 to achieve its proposed goals and should be at the top of Zone 7's coordination efforts.		
			M-23	Discuss Policy 52 of Alameda County's East County Area Plan and the inconsistencies of the SMMP with it.		
N	Johnson-Himsl Partnership	Robert Himsl	N-1	Floodplain maps do not take into account the Arroyo las Positas realignment and Arroyo Mocho widening project and leave questionable the relevance of the 100-year floodplain area to the 53 acres owned by the Johnson-Himsl Partnership.	Tuesday, May 02, 2006	Wednesday, May 03, 2006
			N-2	Define how the SMMP will be affected by recent hydrological studies.		
			N-3	Define the true 100-year floodplain and by whom and how it is determined.		
			N-4	Describe the proposed Floodplain Development Fee.		
			N-5	Determine whether the fee will be financed by any other mechanism other than those properties located within the floodplain.		
O	Terra Law LLP for Hacienda Business Park	Ron Rainey	O-1	Justify the transition of managing flood waters through retention rather than conveyance, and define a comprehensive plan for transitioning from conveyance to retention.	Thursday, May 04, 2006	Friday, May 05, 2006

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Organizations (cont.)						
P	ACTIA Citizens Advisory Committee (Email)	Bill Stremmel	P-1	Extension of the trail into Niles Canyon is a critical missing link in Alameda County's Bicycle Master Plan but requires financial commitment and coordination among Zone 7, Caltrans, Union Pacific RR, East Bay Regional Parks District, SFPUC and private landowners.	Thursday, May 04, 2006	Thursday, May 04, 2006
Q	Miller Starr & Regalia for Cross Winds Church and Syufy Enterprises		Q-1	Property owners of land "west of the golf course" (Figure R5-3 from page 5-68 of the SMMP) have no desire to sell their property and acquisition would result in significant damage to the property owners.	Friday, May 05, 2006	Monday, May 08, 2006
			Q-2	Acquisition of the quarry owner's property through eminent domain will be enormously expensive to a project that is already estimated to cost \$727,000,000.		
R	Ohlone Audubon Society (Email)	Richard Cimino	R-1	The Ohlone Audubon Society agrees with the SMMP planning by 11 individual reaches, each with habitat and recreations characteristics.	Sunday, May 07, 2006	Sunday, May 07, 2006
S	Hoge Fenton Jones & Appel Inc.	Darcelle Pruitt	S-1	The plan focuses on flood control improvement projects that are based on old data that do not represent current conditions or reflect post-1997 development projects.	Monday, May 08, 2006	Tuesday, May 09, 2006
			S-2	Include a section on Best Management Practices for site design.		
			S-3	Proposed funding mechanisms should be outlined and bond funding should be considered.		
			S-4	The SMMP identifies the 1997 FEMA Floodplain map as the regional baseline, but that is outdated; an accurate floodplain map is an important planning tool and a basic requirement of this plan.		
			S-5	All calculations related to current channel capacity and future floodplain improvements do not calculate the impacts of the current state of sedimentation in the channels.		
			S-6	The SMMP fails to address General Plan build-out impacts by reach.		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Organizations (cont.)						
			S-7	A section should be devoted to flood control and site design BMPs related to General Plan build-out.		
T	Kier & Wright	Steve Reynolds	T-1	The FEMA floodplain should be revised to accurately depict the current flood conditions.	Monday, May 08, 2006	Monday, May 08, 2006
			T-2	Acquisition of ROW or easement access to quarry property should be negotiated and finalized now in the short term or as soon as possible.		
Letters from Individuals						
U1	Tom and Vicki Harland		U-1	The last two years have seen high water levels and violent runoff rates in Arroyo de la Laguna and its banks south of the Verona bridge, which has devastating effects on the waterway and adjacent private land.	Thursday, March 16, 2006	Wednesday, March 22, 2006
U2	Tom and Vicki Harland		U-2	Unprecedented development in the Tri-Valley area is contributing to the change in river dynamics.	Friday, April 14, 2006	Monday, April 17, 2006
U3	Tom and Vicki Harland		U-3	Please explain funding, bureaucratic challenges, and how SMMP projects and goals will be prioritized.	Saturday, March 25, 2006	Sunday, March 26, 2006
			U-4	Confirm ownership of the river below Verona Bridge.		
			U-5	Zone 7 invited to a Sunol Advisory Committee meeting.		
			U-6	State Tri-Valley developer requirements for managing increased runoff.		
			U-7	Indicate whether Tri-Valley cities are aware of the development impacts on the river.		
			U-8	Define how Zone 7 uses existing stream management systems to reduce flooding and erosion problems in the river.		
			U-9	State whether Del Valle reservoir is used primarily for flood control.		
			U-10	Indicate what can be done next year to mitigate damage to the river and the danger to Sunol.		
			U-11	Letter-writers built along the creek 30 years ago; the last 10 years of development- with no associated runoff management- has caused unprecedented destruction to the river banks and adjacent property.		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Letters from Individuals (cont.)						
			U-12	State why no public meeting was held in Sunol to obtain citizen input.		
			U-13	The Niles Canyon Road Bridge needs to be dredged and have the log jams removed on a yearly basis for the safety of the Sunol Glen School and Town.		
			U-14	There is a need for specific maps and detail drawings of the proposed levees, public access trails, and land acquisitions.		
			U-15	Zone 7 and Tri-Valley cities need to take immediate action to protect the river and adjacent communities.		
			U-16	Funding must be immediate and come from both private developers as well as government agencies.		
V	Ralph Moir		V-1	There should be a drop structure at East Vallecitos Road on the Arroyo del Valle to allow aquatic creatures free movement up and down the stream.	Tuesday, April 25, 2006	Wednesday, April 26, 2006
			V-2	Continue summer releases from Del Valle reservoir to keep Sycamore trees alive.		
			V-3	Implement a policy of removing all barriers to aquatic migration in the Arroyo del Valle stream.		
W	Allison Batteate		W-1	Clarify whether the planned Collier Trail will be created by widening of the road.	Friday, May 05, 2006	Monday, May 08, 2006
			W-2	The implementation issues surrounding the Collier Trail project make no mention of the County of Alameda or affected landowners.		
			W-3	Property owners adjacent to Collier Creek want to be involved in future plans that include or otherwise affect their property.		
X	Tim and Betty Gail Hunt (Email)		X-1	Fixing the Arroyo de la Laguna must be top priority and solve the issues of property owners along the entire reach.	Saturday, May 06, 2006	Saturday, May 06, 2006
			X-2	The damage wreaked by significantly less-than-maximum flows indicates that biological armoring will be necessary to prevent further erosion.		

TABLE 1-2 (continued)
EXPANDED COMMENT ISSUES

Designator	Public Agency	Signatory	Comment Designation	Comment/Topic	Correspondence Received	Correspondence Dated
Letters from Individuals (cont.)						
			X-3	Upstream water detention is best but requires a long-term fix; thus, shorter-term projects must take priority.		
			X-4	After years of property damage caused by upstream development, it is time for Zone 7 to enlist the necessary partners and fix the problem.		