

CHAPTER 4

Changes to the Draft MEIR

A. Changes to the Draft MEIR

The text changes presented in this chapter were initiated by Lead Agency staff or by comments on the Draft MEIR. The changes are in the order they appear in the Draft MEIR and include text corrections to the Draft MEIR in cases where the error may cause misinterpretation of the information. Throughout this chapter, newly added text is shown in underline format, and deleted text is shown in strikeout format. For changes initiated by comments on the Draft MEIR, the alpha-numeric comment designator is indicated at the end of the revision in italics.

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1. Response to Comment H1. Mitigation Measure 3.12.2c on Page S-29 and Page 3.12-4 is edited as follows:

Mitigation Measure 3.12.2c: Stop Work in the Event of an Archaeological Discovery. If potentially significant cultural resources are discovered during ground-disturbing activities associated with project preparation, construction, or completion, work shall halt in that area until a qualified archaeologist can assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with Alameda County and other appropriate agencies and interested parties. For example, a qualified archaeologist shall follow accepted professional standards in recording any find including submittal of the standard Department of Parks and Recreation (DPR) Primary Record forms (Form DPR 523) and location-related information to the California Historical Resources Information Center office (Northwestern Information Center). The consulting archaeologist shall also evaluate such resources for significance per the CRHR eligibility criteria (Public Resources Code Section 5024.1; Title 14 CCR Section 4852). If the archaeologist determines that the find does not meet the CEQA standards of significance, construction shall proceed. On the other hand, if the archaeologist determines that further information is needed to evaluate significance, Zone 7 shall be notified and a data recovery plan shall be prepared.

If during ground disturbing activities within the State right-of-way, an inadvertent archaeological or burial discovery is made, all construction within 50 feet of the find shall cease and the California Department of Transportation's Cultural Resources Study Office, District 4, shall be immediately contacted. A staff archaeologist will

evaluate the finds within one business day. Any subsequent archaeological document preparation must comply with Public Resource Code (PRC) 5097. All archaeological reports will need to be reviewed and approved by the California Department of Transportation's Cultural Resource staff.

2. Response to Comment K-5. Third sentence in the first partial paragraph on Page 2-8 is edited as follows:

The historic and ongoing gravel mining in the existing active quarries in the Chain of Lakes area is scheduled to end by 2030 and some of the mined gravel pits would be turned over to Zone 7 for water resources purposes following completion of gravel mining activities.

3. Response to Comment K-6. Second sentence in the first paragraph on Page 2-10 is edited as follows:

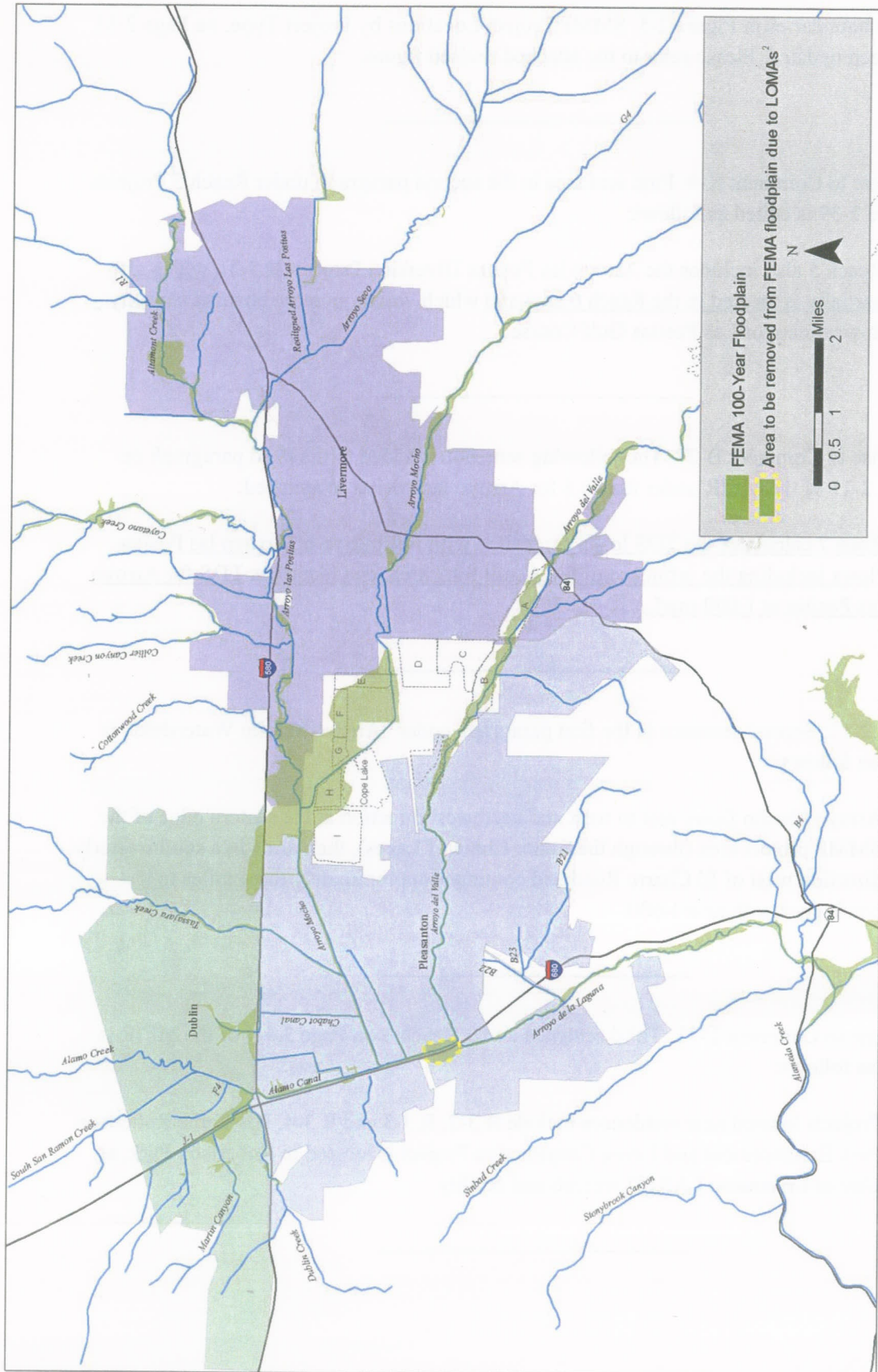
As this valley has transformed from rural to urban and suburban land uses, the potential for flooding has increased.

4. Response to Comment K-7. First bullet in the third paragraph on Page 2-10 is edited as follows:

- Area around the Chain of Lakes in the ~~City~~ cities of Livermore and Pleasanton, bound to the west by the confluence of Arroyo Mocho and Arroyo las Positas, and to the east by Isabel Avenue;
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5. The footnote on Figure 2-4, 100-year Floodplain on Page 2-11 is edited as follows (Please refer to the attached revised figure):

¹ This floodplain map represents a modified version of the ~~1997 FEMA floodplain map~~ current FEMA floodplain map. Modifications were made to exclude ~~significant areas of Livermore, Dublin, Pleasanton, and Unincorporated Alameda County~~ where LOMRs have been developed for the cities of Livermore, Dublin, and Pleasanton approved as of March 2006 (<http://msc.fema.gov>). This map reflects current flow conditions.



¹ This floodplain map represents a modified version of the current FEMA floodplain map. Modifications were made to exclude areas of Livermore, Dublin, Pleasanton, and Unincorporated Alameda County where LOMRs have been approved as of March 2006 (<http://imsc.fema.gov>). This map reflects current flow conditions.

² The area of Pleasanton located within the dotted yellow line will be removed from the 100-year event FEMA floodplain due to recently filed LOMAs not yet reflected in the FEMA floodplain map (City of Pleasanton, February 2006).

SOURCE: FEMA 1997 FIS

Zone 7 SMMP - 203485
Figure 2-4
 100-year Floodplain

6. Project boundaries in Figure 2-5, SMMP Project Locations by Project Type, on Page 2-33 have been updated. Please refer to the attached revised figure.

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7. Response to Comment K-9. First sentence in the second paragraph under Reach 5 Projects on Page 2-39 is edited as follows:

Reach 5 also includes the Arroyo las Positas Diversion Project (R.5-3), which also partially is located in the Reach 6 area and which would increase channel capacity downstream of Las Positas Golf Course.

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8. Response to Comment B-27. The following sentence is added to the third paragraph on Page 3.2-11 of the MEIR under Reach 5 for Arroyo las Positas Watershed:

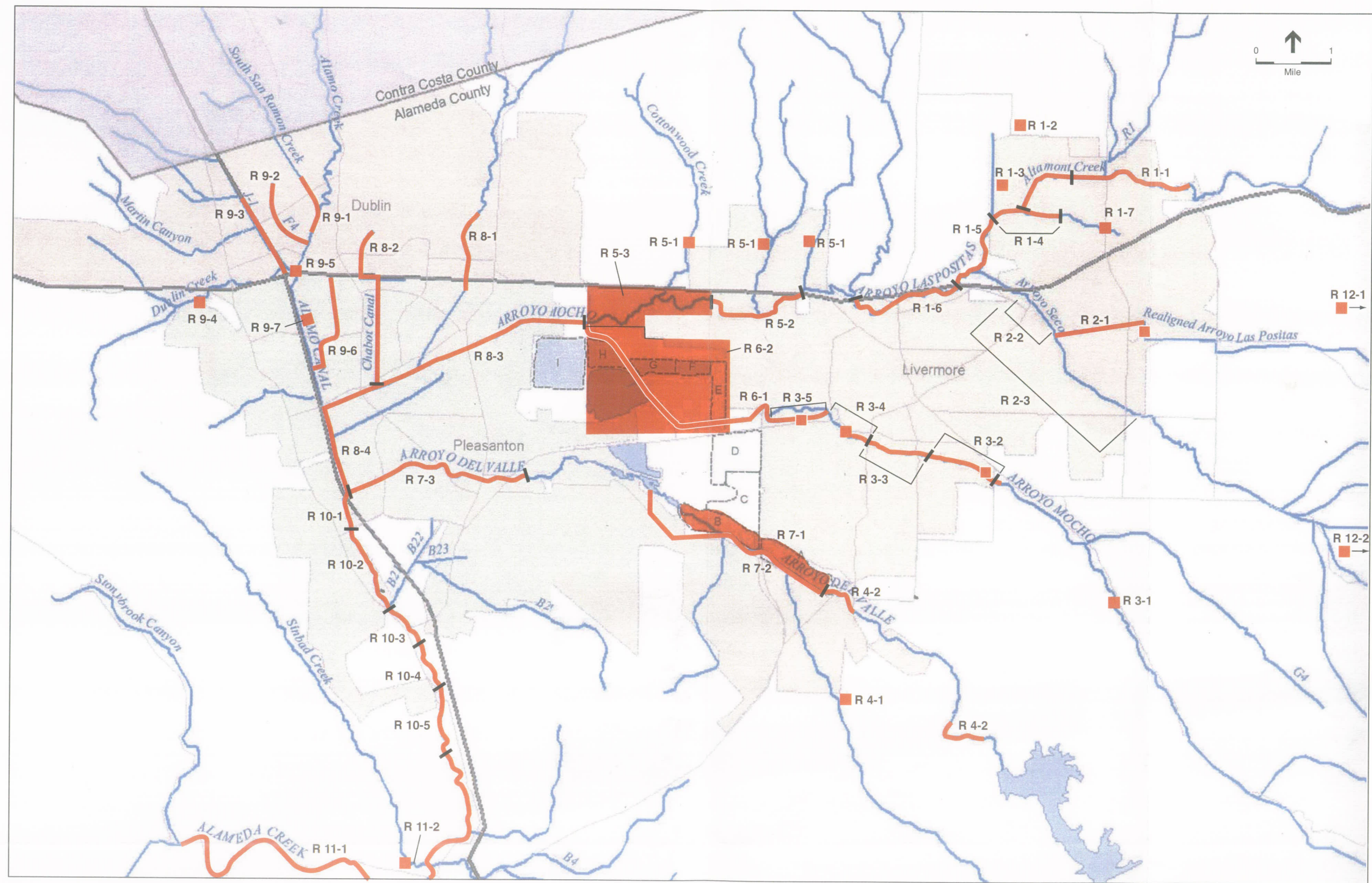
Zone 7 calculates the TDS loads associated with infiltration of Arroyo las Positas flows including the influence of the Alkali Sink area, and identifies TDS for Arroyo las Positas at 1,000 mg/L.

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9. Page 3.2-12: Second sentence in the first paragraph under “Arroyo Mocho Watershed” is edited as follows:

Arroyo Mocho flows east to west and northwest direction at the eastern edge of the SMMP project area (through the future Chain of Lakes), then turns in a southwesterly direction west of El Charro Road and continues approximately three miles to its confluence ~~with~~ near I-680.

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10. Response to Comment L-11. Third sentence under Reach 3 on Page 3.4-7 of the MEIR is edited as follows:

Projects located near residences include R.3-2, R.3-3 and R.3-4. R.3-2, the Robertson Park Enhancement and Levee Construction Project is located in Robertson Park, ~~an City of Livermore~~ LARPD recreational facility.



SOURCE: RMC, 2004

Zone 7 SMMP . 203485

Figure 2-5
SMMP Project Locations by Project Type

11. Response to Comment K-15. Tenth line under Reach 6 paragraph on Page 3.4-8 is edited as follows:

One school is located within this reach. ~~School operations may be affected by~~
~~Construction activities~~ may affect operations of Mohr Elementary School. Zone 7
 would consult with the Livermore Valley Joint Unified School District to coordinate
 activities if that were to occurs.

12. Response to Comment K-17. First bullet under Mitigation Measure 3.5.5a on Page 3.5-27 is edited as follows:

~~In support of the CEQA, Biological and wetland surveys shall be conducted as part of~~
~~the environmental review process and the permitting processes for RWQCB, CDFG~~
~~and USFWS permitting processes for individual SMMP projects, biological and~~
~~wetland surveys shall be conducted as part of the environmental review process to~~
 determine the presence and extent of sensitive habitats and/or species in vicinity of
 each project.

13. Page 3.6-14: First sentence in the third paragraph “Mitigation Measures” Mitigation Measure 3.6.2b is edited as follows:

Implementation of **Mitigation Measures 3.5.5a and 3.5.5b** (see **Section 3.5, Biological Resources**) at projects R.3-2 and R.3-4 would reduce potential non-native predator impacts to special-status species to less than significant.

14. Page 3.6-20: Second sentence of the second paragraph and the first sentence under “Mitigation Measures” is edited as follows:

Short-term adverse impacts associated with the implementation of such projects are discussed with mitigation measures under **Impact 3.6.1** above, and the implementation of **Mitigation Measure 3.6.51a** above would reduce potential long-term impacts of grade control structures on fish passage to less than significant.

Mitigation Measures

Implement **Mitigation Measure 3.6.51a**.

Impact Significance after Mitigation: Beneficial.

15. Response to Comment K-19. Third bullet under Mitigation Measure 3.7.1c on Page 3.7-8 is edited as follows:

When winds (instantaneous gusts) exceed 25 mph, suspend excavation and grading activity or water more frequently.

16. Page 3.9-7: Last sentence in the first paragraph under “Construction Impacts” Impact 3.9.1 is edited as follows:

Construction crews for individual projects are expected to include ~~less~~ fewer than 30 workers.

17. Page 3.12-14: First sentence under Mitigation Measure 3.12.2c is edited as follows:

If potentially significant cultural resources are discovered during ground-disturbing activities associated with project preparation, construction, or completion, work shall halt in that area until a qualified archaeologist can ~~access~~ assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with Alameda County and other appropriate agencies and interested parties.

18. Page 3.12-16: Impact statement 3.12.4 is edited as follows:

Impact 3.12.4. Historic Architectural Resources: Construction of SMMP projects could adversely affect historic architectural resources through demolition or significant changes to the historical setting. ~~Less than Significant with Mitigation~~ Significant and Unavoidable at MEIR Level.

19. Response to Comment K-22. First sentence under Existing Environment on Page 3.13-1 is edited as follows:

The SMMP reaches are located in the ~~Livermore~~ Tri-Valley area (see **Figure 2-3 in Chapter 2, Project Overview and Description**).

20. Response to Comment K-23. Fifth line in the first paragraph under Water Quality, General Plan and Municipal CIP Impacts on page 5-10 of the MEIR is edited as follows:

It is estimated that approximately 75 square miles (48,000 acres) of ~~Livermore the~~ Tri Valley area would be affected by proposed development accounted for in the general plans.

21. Response to Comment K-30. Second line under SMMP Contribution on Page 5-17 is edited as follows:

The SMMP has been developed to provide a multi-resource enhancement within the context of providing regional flood protection to the ~~Livermore Tri-~~Valley area.

Impact statement 5.2 on Page 5-16 is edited as follows:

Impact 5.2: Concurrent construction of SMMP projects with General Plan development and municipal projects within the ~~Livermore Tri-~~Valley area and regional hydrology and biological resource management projects within the Alameda Creek Watershed could result in cumulative long-term impacts to water resources, water quality, and flooding impacts associated with alteration of drainage patterns and increases in impervious surface areas. Less than significant. Less than Significant with mitigation for Projects R.5-3, R.6-1, and R.6-2.

Impact statement 5.4 on Page 5-16 is edited as follows:

Impact 5.2: Concurrent construction of SMMP projects with General Plan development and municipal projects within the ~~Livermore Tri-~~Valley area and biological resource management projects within the Alameda Creek Watershed could result in cumulative long-term impacts to wetland and vernal pool habitats, with secondary effects to special-status species, including burrowing owl, California red-legged frog, California tiger salamander, fairy shrimp, pond turtle, and nesting sensitive birds. Less than Significant with Mitigation.

Impact statement 5.7 on Page 5-22 is edited as follows:

Impact 5.7: Concurrent construction of SMMP projects with General Plan development and municipal projects within the ~~Livermore Tri-~~Valley area and regional hydrology and biological resource management projects within the Alameda Creek Watershed could result in cumulative long-term impacts to land use.

Impact statement 5.8 on Page 5-24 is edited as follows:

Impact 5.8: Concurrent construction of SMMP projects with General Plan development and municipal projects within the ~~Livermore Tri-~~Valley area and regional hydrology and biological resource management projects within the Alameda Creek Watershed could result in cumulative long-term impacts to cultural resources. ~~Less than Significant with Mitigation.~~ Significant and Avoidable at the MEIR level.

Lines 7 and 8 under SMMP Contribution on Page 5-25 are edited as follows:

However, because of the sensitivity of the ~~Livermore~~ Tri-Valley area, the previous location of substantial resources along stream channels within the ~~Livermore~~ Tri-Valley area, and the area disturbed over the course of the program, cumulative contribution of the SMMP to impacts to cultural resources could be cumulatively considerable.

22. Page 8-2: The list of acronyms is updated with the following acronym:

DPS = distinct population segments

23. Project tables in Appendix 2 of the MEIR have been updated based on minor project adjustments in the SMMP. Please see the attached updated project tables.
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