

Notice of Determination

To: ☒ Office of Planning and Research
For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

Street Address:
1400 Tenth Street, Room 121
Sacramento, CA 94514



To: ☒ County of Alameda
Clerk – Recorder's Office
1106 Madison Street
Oakland, CA 94612

From: ZONE 7 WATER AGENCY
100 North Canyons Parkway.
Livermore, CA 94551

Subject: **Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code**

NOTE TO COUNTY CLERK: Pursuant to Section 21152 of the Public Resources Code, the County Clerk shall **post notices within 24 hours of receipt** in the office of the County Clerk. **A notice shall remain posted for a period of 30 days.** Upon expiration of this posting period, the clerk shall return the notice to the lead agency's contact person with a notation certifying the notice was posted for the prescribed period of law.

Project Title: Solar Photovoltaic Project - Final IS/MND

State Clearinghouse No. 2008052068

Contact Person: Elke Rank **Telephone Number:** 925-454-5000

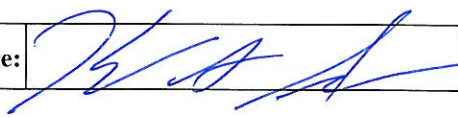
Project Location: Del Valle Water Treatment Plant; Livermore, CA; Alameda County

Project Description: Installation and ongoing operation and maintenance of a photovoltaic solar system for total generation of 300 kW (AC) electric power to supplement electric power provided by PG&E at the existing water treatment plant. No new buildings or enclosures. Project includes approx. 169 solar panels arranged in 15 rows on an approx. 2-acre portion of the existing facility.

This is to advise that the Zone 7 Water Agency's Board of Directors (as Lead Agency) has approved the above described project on July 16, 2008 and has made the following determinations regarding the above described project:

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☐ were ☒ were not] made pursuant to the provisions of CEQA.

This is to certify that the final IS/MND with comments and responses and record of project approval is available to the general public at: Zone 7 Water Agency: 100 North Canyons Parkway, Livermore, CA

Signature: 	Date: 7/18/08	Title: Assistant General Manager
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Date Received for filing and posting at OPR:

SOLAR PHOTOVOLTAIC PROJECT

DEL VALLE WATER TREATMENT PLANT -
LIVERMORE, CALIFORNIA

Initial Study/ Mitigated Negative Declaration

FINAL

JULY 2008



Zone 7 Water Agency
Alameda County, California

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List of Abbreviations and Acronyms

AC	alternating current
BAAQMD	Bay Area Air Quality Management District
BMP	best management practice
CEQA	California Environmental Quality Act
DC	direct current
DVWTP	Del Valle Water Treatment Plant
ECAP	East County Area Plan (Alameda County General Plan)
EIR	environmental impact report
IS	initial study
kW	Kilowatt (one thousand watts)
LARPD	Livermore Area Recreation & Park District
MMRP	mitigation monitoring and reporting plan
MND	mitigated negative declaration
PV	photovoltaic
RTI	Renewable Technologies Inc.
SWPPP	stormwater pollution prevention plan
Zone 7	Alameda County Flood Control and Water Conservation District, Zone 7 (Zone 7 Water Agency)

1.0 Introduction

The Alameda County Flood Control and Water Conservation District, Zone 7 (hereinafter “Zone 7 Water Agency” or “Zone 7”) manages water supplies ~~to~~ for the cities of Livermore, Pleasanton, Dublin, and parts of Dougherty Valley and provides flood control in the eastern portion of Alameda County. Zone 7 regularly undertakes projects involving improvement and maintenance of existing facilities, as well as construction of new facilities, and acts as Lead Agency for projects subject to the California Environmental Quality Act (CEQA). This document is a final Initial Study (IS)/Mitigated Negative Declaration (MND) for the Solar Photovoltaic Project, which incorporates the Draft IS/MND by reference. The final IS/MND includes comments and responses received on the draft IS/MND (Appendix A), which was circulated on May 16, 2008 through June 16, 2008. Changes made to the draft IS/MND based on the comments received are denoted in this document either by blue underlined text (additions) or red strike-out text (deletions). These changes are also marked by a vertical line in the outside border. The Zone 7 Board of Directors will consider the information in the IS/MND at a public meeting, and will decide to adopt or reject the findings.

1.1 Purpose and Need for Project

The Solar Photovoltaic Project (the Project) is intended to provide cost saving and environmentally preferable solar energy for Zone 7’s Del Valle Water Treatment Plant (DWWTP). At its peak output, the photovoltaic system will supply 300 kW (AC) at DWWTP. Over a year, the photovoltaic system will supply approximately 54% of the total energy need for this facility. In the first year, the solar project is estimated to eliminate more than 511,000 pounds of carbon dioxide emission. According to the Environmental Protection Agency, this is equivalent to removing 42 cars from operation, planting 53 acres of trees, or powering 21 average homes.

Zone 7 has negotiated a Power Purchase Agreement with Renewable Technologies Inc. (RTI), as a means of supplying solar power to DWWTP as recommended in Zone 7’s Alternative Energy Study. RTI will design, install, operate, maintain, and own the photovoltaic system. Zone 7 has agreed to purchase all of the electricity produced by the system over a 20-year term. This long-term contract allows for a favorable reduction in energy costs. The estimated reduction in energy cost for the first year is approximately \$16,000.

Zone 7 would continue to purchase traditional energy from PG&E to supplement the solar power which is not available during non-daylight hours. The Power Purchase Agreement will allow Zone 7 to renew the contract agreement or purchase the system outright at the end of the 20 year contract.

1.2 Background on Photovoltaic and Solar Energy Systems

Photovoltaic is one of the four main types of solar energy technologies. A photovoltaic system is made up of different components. These include photovoltaic panels, an inverter for converting energy to alternating current (AC), wiring, and mounting framework. A photovoltaic array (e.g., a system) is a linked collection of photovoltaic panels. Panels are made of multiple interconnected solar modules made up of solar cells.

Sunlight is made up of photons, or particles of solar energy. Photons contain various amounts of energy, corresponding to the different wavelengths of the solar spectrum. When photons strike a photovoltaic cell, they may be reflected or absorbed, or they may pass right through. Only the absorbed photons generate electricity. When this happens, the energy of the photon is transferred to an electron in an atom of the photovoltaic cell (which is actually a semiconductor). With its newfound energy, the electron escapes from its normal position in an atom of the semiconductor

material and becomes part of the direct current (DC) in an electrical circuit. DC electricity is then converted by an inverter to AC power for use in homes, businesses, etc.

Photovoltaic systems produce power intermittently because they work only when the sun is shining. More electricity is produced on a clear, sunny day, and with a more direct light angle, as when the sun is perpendicular to the photovoltaic modules. Cloudy days will reduce output, and no power is produced at night. Photovoltaic systems work best during summer months when the sun is higher in the sky and the days are longer. The style selected for this Project is a single-axis tracking structure that rotates the photovoltaic panels to track the position of the sun for maximum direct exposure. The rows of photovoltaic modules will be arranged such that their drive mechanism gradually rotates the rows of photovoltaic modules throughout the day from an east-facing direction in the morning to a west-facing direction in the afternoon.

2.0 CEQA Process

Pursuant to CEQA, the purpose of an Initial Study is to:

- determine whether the project may have a significant effect on the environment. (i.e. whether an EIR or Negative Declaration should be prepared);
- identify measures that mitigate project impacts to a less than significant level (mitigated negative declaration);
- define the scope of the EIR, if one is required;
- justify lead agency's decision to adopt a Negative Declaration, if one is prepared; and
- determine whether to rely on a previously prepared EIR.

According to CEQA, a public agency shall prepare or have prepared a proposed negative declaration or mitigated negative declaration for a project subject to CEQA when:

- (a) The initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or
- (b) The initial study identifies potentially significant effects, but:
 - (1) revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and
 - (2) there is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

Upon completion of the Initial Study, Zone 7 identified potentially significant impacts and corresponding mitigation to reduce these impacts to a level that is considered less than significant. Zone 7 prepared this Mitigated Negative Declaration to provide the public, and Responsible and Trustee Agencies reviewing this project, with information about the Project and potential effects on the local and regional environment. This Mitigated Negative Declaration was prepared in compliance with Section 15070 of the CEQA Guidelines of 1970 (as amended). In accordance with Section 15073 of the CEQA Guidelines, this document was circulated to applicable local, state and federal agencies and to interested organizations and individuals who may wish to review and comment on the report.

3.0 Project Description & Construction

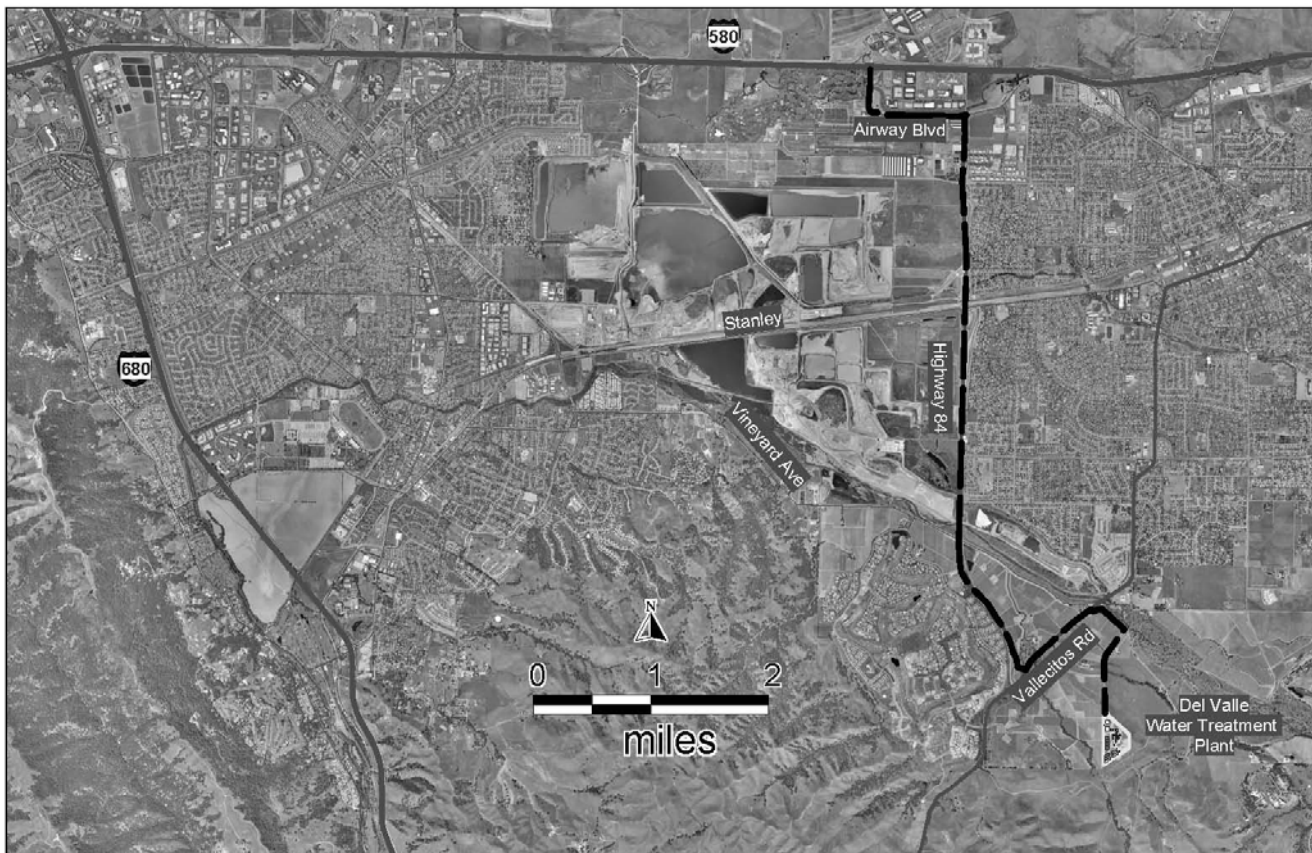
3.1 Project Location

The Del Valle Water Treatment Plant (DVWTP) is one of two water treatment plants used by Zone 7 to provide treated surface water to its customers. The DVWTP is located on East Vallecitos Road on 29 acres in an unincorporated area of Alameda County. Prior to construction of the DVWTP in 1973, the property was designated as open space. Today, much of the area surrounding the DVWTP remains open space, but some residential development has encroached in recent years, particularly from the west. Figure 1, below, shows the regional location, and Figure 2 (at end of this report) shows an aerial view of the DVWTP and its immediate surroundings.

The DVWTP facility is fenced with 6-foot chain link fencing and locked gates. Security personnel are present during daily operations and public access is not allowed without prior authorization. Zone 7 employs a permanent staff of engineers, plant operators, and chemists; approximately 10 such workers are on site during a work day.

The DVWTP is bordered by Sycamore Grove Park, owned and administered by the Livermore Area Recreation & Park District (LARPD), to the south and east of the DVWTP, and by the Tenuta Winery vineyards and small residential estates to the west and north. PG&E has an existing energy transmission easement along the southeast boundary of the DVWTP property.

Figure 1. Regional Location



Note: Figure 1 also illustrates the construction traffic route, as denoted by the dark dashed line between Interstate 580 and the DVWTP.

3.2 Proposed Facilities

3.2.1 Project Footprint

Photovoltaic systems can be installed on rooftops or on the ground. Due to size limitations and configuration requirements at the DVWTP, the photovoltaic system cannot be placed on the rooftops and will be installed on the ground in an existing open area. The solar Project will be constructed amongst a number of existing industrial and related buildings at the water treatment plant and thus will not resemble a “new” industrial use in the area.

The Project will occupy a permanent footprint of approximately 2 acres within the existing DVWTP facility (see Figures 4 and 5 at the end of this report). Up to an additional 0.25 acre within the existing facility will be used during the construction phase for temporary equipment storage and staging. A construction trailer will be located onsite during construction. The system’s height above ground will change throughout the day; the maximum height will be approximately 16-feet above ground at its full tilt angle of 45 degrees.

Each of the system’s support footings will require concrete to ensure a secure base. This will result in a total of approximately 364 square feet of new impervious (concreted) area across the 2-acre Project site.

3.2.2 System Components

The Project generally consists of the installation and ongoing maintenance of a photovoltaic solar system for total generation of 300 kW (AC) electric power to supplement electric power provided by PG&E at the existing water treatment plant. There will be no new buildings or enclosures.

The photovoltaic system will include the following key design features:

- [Approx.](#) 169 solar panels arranged in 15 rows (see Figures 4 and 5 at the end of this report)
- Metal rack structure
- Single axis tracking in east-west direction
- Remotely/automatic operation and monitoring
- Weather station
- Automatic sprinkler/wash system

Each panel measures approximately 21 feet by 8 feet. Panels are made up of 12 solar modules, for a total of 2028 modules in the system. The panels will be mounted on a single axis rack structure; the use of a tracking system will increase the energy capture of this system. The tracking system is designed to operate from a single motor which reduces control, synchronization, maintenance, and troubleshooting requirements.

The system includes a DC string combiner box, DC safety disconnect switch and AC safety disconnect switch (if required). These components are UL approved components. All other components including wiring, conduit, and connections that are rated for installation on the exterior of buildings; interior connections to existing electrical service panels are made using standard UL commercial grade components.

A real time data acquisition and monitoring system will be installed as a part of the solar photovoltaic system. The data acquisition and monitoring system is stand-alone equipment interfacing with the solar system’s inverter, grid interconnections, and weather monitoring station.

The real time data acquisition system captures real time system performance data and is monitored by a third party.

During system operation, inverters and trackers make minimal noise (<65 dBA), and the balance of system is silent. No new lighting is planned. With proper maintenance the system will operate for 20 years or more before requiring major modification or replacement. Figure 3, at the end of this report, shows an example of a single axis photovoltaic system.

3.3 Construction Activities

3.3.1 Project Sequencing and Schedule

Construction can commence only after the CEQA document is finalized and approved by the Zone 7 Board of Directors. Construction of the system is planned to begin in late summer 2008, and will last approximately 4 to 5 months. The system is planned to be operational by the end of 2008, with final calibration and site clean-up possibly occurring as late as January 2009.

The general construction sequence will be as follows (some activities overlap):

- Site preparation and clearing/grading – 2 weeks
- Underground work (boring, trenching, installing conduit) – 4 weeks
- System installation – 8 to 10 weeks
- Testing – 1 to 2 weeks
- Clean up/restoration – 1 week

Construction will be scheduled to minimize impacts to DVWTP operations. Tie-ins to the existing plant equipment will require temporary shutdown of plant operations and coordination with the overall maintenance scheduled at the plants to avoid service disruptions to Zone 7 customers. Construction will generally be between 8:00 a.m. and 5:00 p.m., Monday through Friday. Work on the weekend is not anticipated.

3.3.2 Site Clearing/Grading and Underground Work

The location for the installation of the Project is within the DVWTP on an incline near the top of a small flat knoll within the rolling terrain of the area; this knoll is the eastern edge of the DVWTP property (see Figure 2 at the end of this report). The Project site is clear of vegetation, and only requires minor clearing and grading prior to the installation of the photovoltaic system. The Project area will be graded flat (not level) using cut and fill techniques and there will be no spoils; up to approximately 2,500 cubic yards of soil will be disturbed in this process.

The majority of the underground work (electrical conduit) will be 18-inches deep, with a small portion across the driveway to be 24-inches deep. There will not be any asphalt cuts. Horizontal bore techniques will be performed to install conduits underneath the paved driveway.

3.3.3 Truck Trips and Haul Routes

There will be approximately 40 to 50 truck deliveries at DVWTP, spread out over the course of the 4 to 5 month construction period (possibly several on some days and none on other days).

Deliveries will include shipments of modules, inverters and related electrical wiring and balance of system components; concrete deliveries; water truck; and construction trailer delivery/pickup.

Construction traffic will be routed to avoid major residential and retail areas: from Interstate Highway 580 to Airway Boulevard to Kitty Hawk Road to Isabel Avenue to Vallecitos Road (State Route 84) to the DVWTP access road. As needed, trucks might also access the DVWTP from Interstate Highway 680 via Vallecitos Road (State Route 84) from the south. Excluding the

DVWTP access road, all of these highways and roads carry thousands or tens of thousands of vehicles daily. [No special access through neighboring parcels is required; all traffic and access will occur as under current operating conditions.](#)

Whenever possible, construction traffic trips to and from the Project site will be planned during non-commuter peak hours of 10:00 am to 4:00 pm weekdays, Monday through Friday. Construction workers will be encouraged to meet at the Zone 7's Administration Office and carpool to the DVWTP site.

3.3.4 Construction Equipment and Workers

A range of large construction equipment will be used, including:

- bobcats (approx. 2)
- pick-up trucks (approx. 6)
- flatbed delivery trucks (approx. 2)
- small boom crane (approx. 2)
- auger (approx. 1)
- trencher (approx. 1)
- forklift (approx. 1)
- water truck (approx. 1)
- backhoe (approx. 1)
- concrete vibrators (approx. 2)
- drills (approx. 2)
- generators (approx. 2)

Additionally, there will be an average of approximately 10 temporary workers over the duration of the Project (ranging from 2 to 20 workers on any given day), all of whom will drive to and park their personal vehicles at the Project site each workday.

Renewable Technologies Inc. (RTI) will design, install, operate, maintain, and own the photovoltaic system. RTI will be responsible for all phases of construction and for construction workers.

3.3.5 Post-Construction Site Cleaning and Restoration

Immediately following construction, the construction area will be cleared of all unnecessary construction equipment and debris. Gravel will be placed underneath and around the system.

Additionally, new vegetation planting is planned for the western property boundary.

3.4 Operations and Maintenance Activities

The system will operate on 2-acres of currently unused land within the existing water treatment facility. It is expected that, with proper maintenance, the system will last 20 years or more before requiring major modification or replacement.

Ongoing, post-construction maintenance activities will include bi-annual system cleaning and site cleaning, and quarterly equipment inspection (for a total of approximately 8 activities annually). These activities are typically conducted by two to four workers in a period of 4-8 hours. Bi-annual site cleaning may require the use of a water truck and spray hose. In this event, the mitigation measures identified in Section 4 will be employed. No hazardous chemicals will be used for these activities or stored on site.

4.0 Environmental Setting

This section provides an overview of key environmental features of the project site. Additional information is included within the topical discussions in Section 5.2.

The proposed Project is located within the DVWTP facility fence line in unincorporated Alameda County. The Project area is located in rolling terrain and surrounded by open space (including recreational areas), low-density residential development, and vineyards. Portions of the DVWTP are visible from the ridgelines to the south and east, including full view of the existing facility from a high southern viewpoint in Sycamore Grove Park. The nearest residence is located approximately 800 feet west of the DVWTP fence line, and a Sycamore Grove Park trail is located approximately 450 feet east from the fence line.

No natural vegetation occurs within the DVWTP. Vegetation within the DVWTP is limited to landscaped areas at the entrance and non-native grasses and weedy species. Vegetation occurring immediately adjacent to the DVWTP is generally non-native grassland and vineyards. The DVWTP occurs within the known geographic range of several special status species. However, habitats for these species do not occur on the proposed project site due to the fenced, industrial use of the site (DVWTP) since 1973 and expansion in 1988. Therefore, these species are not expected to occur on the proposed project site.

No riparian habitat or wetlands occur within the DVWTP property. The nearest major water body to the proposed project and DVWTP property is Arroyo Del Valle, located approximately one-half to three quarters miles to the north of the DVWTP. This arroyo flows into Arroyo de la Laguna, which then flows into Alameda Creek and then to San Francisco Bay. The south tributary to Arroyo Del Valle is located approximately 600 feet to the west and 50 feet lower in elevation than the DVWTP. [Additionally, a small restored wetland is situated not far from the eastern boundary of the DVWTP in Sycamore Grove Park.](#)

The proposed project site and DVWTP lie within the San Andreas Fault system. There are a number of late Quaternary Faults in the vicinity (within 11 miles) of the proposed Project that are considered active: the Verona, Las Positas, Calaveras, Greenville, and Hayward faults.

5.0 Environmental Impacts and Discussion

5.1 Environmental Factors Potentially Affected

The environmental factors checked below may be potentially affected by this project, as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture Resources	☒ Air Quality
☐ Biological Resources	☒ Cultural Resources	☒ Geology/Soils
☐ Hazards & Hazardous Materials	☒ Hydrology/Water Quality	☐ Land Use/Planning
☐ Mineral Resources	☒ Noise	☐ Population/Housing
☐ Public Services	☐ Recreation	☒ Transportation/Traffic
☐ Utilities/Service Systems	☐ Mandatory Findings of Significance	

DETERMINATION:

On the basis of the initial evaluation that follows:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. A TIERED ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental document is required. FINDINGS consistent with this determination will be prepared.

Elke Rank

7/16/08

Signature

Date

Elke Rank, Asst Water Resources Planner

Zone 7 Water Agency

Printed Name

For

5.2 Evaluation of Environmental Impacts

5.2.1 Initial Study Checklist

This checklist follows Appendix G of the CEQA guidelines:

I. AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion (Aesthetics):

Question a).

Designated sensitive viewsheds in the Project vicinity include the ridgelines above the vineyards south of Livermore (Alameda County 2002).

The proposed Project will be located within the existing DVWTP property fence line. The photovoltaic system will be gray and blue/black in color. The system's height above ground will change throughout the day as it tracks the sun; the maximum height will be approximately 16-feet above ground at its full tilt angle of 45 degrees (twice daily). For reference, the existing main buildings at the DVWTP range in height from approximately twenty to thirty feet above ground. The proposed Project will be situated amongst a number of existing industrial and related buildings at the water treatment plant, as well as in the vicinity of large, high-voltage transmission towers in the PG&E energy corridor that runs along the southern edge of the property, and thus will be consistent with the existing industrial character of the Project site (see Figures 2, 4, and 6 at the end of this report).

The existing DVWTP is partly or fully visible from the viewsheds of the ridgelines to the south and west (depending on location), including a full view of the property from a high, southern viewpoint in Sycamore Grove Park. From most locations (both public and private), however, the new solar panels will be partly or entirely screened from view by the rolling hillsides in the area, by existing trees, and/or by existing buildings within the DVWTP facility. In addition, the panels are only at their maximum height twice a day and will be obscured from some views during the rest of the day.

The view of the Project from Sycamore Grove Park will vary, depending on where the user is and

the angle of the panels at that time. Only those park users utilizing the trails and the uppermost park viewpoint in the southwestern portion of the park will see the entire Project, as it is only at this highest elevation from within the park where the entire DVWTP facility comes into view. Given the existing industrial setting of the DVWTP, coupled with large, high-voltage electrical transmission towers along the southern edge of the facility, the proposed Project will not substantially affect scenic vistas as designated by Alameda County and this impact is considered less than significant. Also see discussion under Question “c”.

Alameda County Policy 106 for sensitive viewsheds states that structures may not be located on ridgelines or hilltops or where they will project above a ridgeline or hilltop as viewed from public roads, trails, parks and other public viewpoints unless there is no other site on the parcel for the structure or on a contiguous parcel in common ownership on or subsequent to the date this ordinance becomes effective. In this case, the Project cannot be positioned in any other location within the DVWTP facility. It also will not be constructed atop a ridgeline, but rather, the Project site is on an incline that approaches the top of a knoll, and will only appear in view at certain times of the day and from a limited number of locations.

Moreover, under California Government Code section 65850.5(a), "it is the policy of the state to promote and encourage the use of solar energy systems and to limit obstacles to their use." The Project is consistent with and furthers the purpose of Section 65850.5, which also provides that it is the "intent of the Legislature that local agencies not adopt ordinances that create unreasonable barriers to the installation of solar energy systems, including, but not limited to, design review for aesthetic purposes, and not unreasonably restrict the ability of homeowners and agricultural and business concerns to install solar energy systems."

Question b). The proposed Project is located within the DVWTP property, which is located in rolling terrain and surrounded by open space, low-density residential development, and vineyards (see Figure 2). Access to the DVWTP is restricted and there are no views of the DVWTP from a State scenic highway. Therefore, no impact to scenic resources associated with a State scenic highway will occur with the proposed Project.

Question c). [The DVWTP is an industrial use consisting of an administration building, water treatment facilities, and sludge drying beds and sludge piles.](#) The existing DVWTP is located on an incline and near the top of a small flat knoll within the rolling terrain of the area surrounded by open space of the Sycamore Grove Park to the east and south and the existing and proposed low density residential development (vineyard estates) and vineyards on the west, northeast and north (see Figures 2 and 4 at the end of this report). [Intervening topography, such as rolling hills, blocks views of the DVWTP from most vantage points in the park.](#) Direct views of the DVWTP facility are limited to a (1) few residential parcels and a small winery to the west of the DVWTP, and (2) from a park trail/viewpoint to the east and southeast – these are addressed further, below. Also see Figures 2 and 6 at the end of this report.

The few residences and the winery to the west of the DVWTP currently have partial views of the west side of the DVWTP including the sludge drying beds and the large filtration building, among other features. The riparian vegetation along the south tributary of Arroyo del Valle, which trends northeast to southeast, includes dense native oak trees and shrubs that form a natural visual buffer for residences directly to the west of the DVWTP and also provides some buffer to the views from the winery. From locations in this residential and vineyard area, the new solar panels will be mostly or entirely screened from view by the rolling hillsides and trees, and/or by existing buildings within the DVWTP facility, and any remaining partial views of the Project will be consistent with the existing industrial character of the facility. Furthermore, new vegetation planting is planned for the western

property boundary that will further screen the DVWTP and the proposed Project from views from the nearby residential and winery area to the west. Therefore, impacts to the existing visual character of the Project site from this point of view are considered less than significant.

As noted earlier, the view of the Project will vary for users in Sycamore Grove Park, depending on where the user is and the angle of the panels at that time; only those park users utilizing the uppermost trails in the southwestern portion of the park will see the Project. Views of the Project from the park trail and uppermost viewpoint will be consistent with the visual character of the existing industrial nature of the DVWTP and nearby high-voltage transmission lines (see Figures 2 and 6 at the end of this report). Furthermore, the proposed Project will occupy less than approximately 7% of the total DVWTP property. Therefore, impacts to the visual character or quality of this site from this point of view are considered less than significant. Also see information under Question “a”.

Question d). The proposed Project does not include any new lighting. The solar panels themselves are dark in color and are not reflective, as they are designed to absorb the sunlight throughout the day as the means of generating electricity. The solar panels are manufactured with glare resistant tempered glass that minimizes reflected light in order to maximize the absorption and thus produce as much useable electrical energy as possible. Therefore, there will be no impact as a result of a new source of substantial light or glare.

Conclusion. The Project is visually consistent with the existing industrial uses at the DVWTP and is consistent with local ordinances, and will not create a new source of substantial light or glare. Impacts are considered less than significant.

Mitigation Measures. No mitigation measures are required.

II. AGRICULTURE RESOURCES:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

Discussion (Agriculture):

Questions a), b), and c). The proposed Project will be located within the DVWTP property fence line, which is in unincorporated Alameda County. The land use designated by the Alameda County General Plan's East County Area Plan (Alameda County 2002) is "Major Public". The Major Public designation allows such uses as hospitals, jails, research facilities, and landfill sites, etc. (Alameda County 2002). Surrounding land use in unincorporated areas is "Large Parcel Agriculture" and "Parklands", and zoned "Planned Development-South Livermore Valley Specific Plan" and "Planned Development Agricultural" within the Livermore City limits to the north of the DVWTP. These plans recognize the DVWTP as a public use. No Williamson Act contract exists for the DVWTP property (ESA 2001).

Conclusion. The proposed Project is consistent with Alameda County's East County Area Plan and will not affect agricultural resources. Construction and operation of the proposed Project will not affect land designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. No impacts to agricultural resources, zoning or farmland conversion will occur.

Mitigation Measures. No mitigation measures are required.

III. AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☒	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which 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)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

Discussion (Air Quality):

Questions a) and b). The proposed Project is located within the San Francisco Bay Area Air

Quality Management District (BAAQMD), which regulates air pollutant emissions in the nine-county San Francisco the Bay Area including Alameda County. The BAAQMD monitors air quality in the San Francisco Bay Air Basin for carbon monoxide (CO), reactive gases (ROG), nitrogen monoxide (NOX), sulfur oxide (SOX) and particulates (PM10) pollutants. The Bay Area is designated as a nonattainment area for (1) the state and federal ozone standard, and (2) for the state Particulate Matter (PM10) standard (particulate matter less than 10 microns in size). These local standards are stricter than the federal standards.

Ground level ozone, often referred to as smog, is not emitted directly, but is formed in the atmosphere through complex chemical reactions between nitrogen oxides (NOx) and reactive organic gases (ROG) in the presence of sunlight. The principal sources of NOx and ROG, often termed ozone precursors, are combustion processes (including motor vehicle engines) and evaporation of solvents, paints and fuels. Motor vehicles are the single largest source of ozone precursor emissions in the Bay Area (BAAQMD 1999).

Fine particulate matter (PM10) is the pollutant of greatest concern with respect to construction activities. There are many sources of PM10 emissions, including combustion, industrial processes, grading and construction, and motor vehicles. Of the PM10 emissions associated with motor vehicle use, some are tailpipe and tire wear emissions, but greater quantities are generated by resuspended road dust (BAAQMD 1999).

The proposed Project will not specifically conflict or obstruct the implementation of the applicable air quality plans since no new air pollutant sources will be created during operation, and only 8-10 new annual employee trips will be created for maintenance activities. However, construction activities such as grading may temporarily increase fugitive dust levels, including PM10 levels, near and downwind of the construction site. Grading will be minimal and only to flatten (not level) the site; no soil will be brought in or disposed of, or stockpiled for any length of time. Because construction of the proposed Project could violate air quality standards by causing a potentially significant short-term air quality impact, **Mitigation Measure AQ-1** is included to minimize fugitive dust generation during construction activities, and will reduce this impact to a level that is considered less than significant. This measure is in accordance with the local air management districts guidelines for mitigating construction impacts.

The Project will generate a minimal amount of reactive gases (ROG), and NOX from construction vehicles but the amount is very small, well below the BAAQMD threshold criteria of 80 lbs /day for significant impacts (BAAQMD CA 1999).

Ultimately, this Project will reduce Zone 7's reliance on traditional fossil fuel resources, and in the first year, the Project is estimated to eliminate more than 511,000 pounds of carbon dioxide emission.

Question c). The Project will not contribute to a cumulative net increase of NOX, PM10, or ozone criteria pollutants since no new permanent air pollutant sources will be created as a result of the energy system, and only 8-10 new annual employee trips for maintenance. The photovoltaic project will reduce Zone 7's reliance on traditional energy sources.

Question d). The proposed Project is located more than 800 feet from the nearest sensitive receptor, a residence to the west of the DVWTP. Because of the limited amount of earthwork and no new permanent source of emissions, as well as the local hilly vegetated terrain, the Project will not expose sensitive receptors to substantial pollutant concentrations.

Question e). No odors will be generated from the photovoltaic project. Furthermore, odors are not commonly a concern at water treatment plants, which are not listed as facilities that emit odors and are not to be considered in the BAAQMD CEQA air quality guidelines (BAAQMD 1999).

Conclusion. Significant impacts to air quality are not expected, but minor temporary impacts may result from construction. Mitigation has been identified to reduce the likelihood and/or severity of these impacts and reduces the net impact to a level that is considered less than significant.

Mitigation Measures. The following mitigation measure is incorporated to lessen this impact to a level that is less than significant:

Mitigation Measure AQ-1. Dust Abatement Program. Fugitive dust generation will be minimized during construction activities. At a minimum, the contractor(s) will be required to implement the following measures (adopted from BAAQMD's CEQA Guidelines for Assessing the Air quality Impact of Projects and Plans for PM10). The following construction practices are included in the Project and would be implemented during all phases of construction on the Project site:

- Water all construction sites with active excavation at least twice daily.
- Cover all trucks hauling soil or require all trucks to maintain at least two feet freeboard.
- Apply water three times daily, or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites.
- Sweep daily with water sweepers all paved access roads, parking areas, and staging area at construction sites during earthwork activities.
- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
- Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand).
- Limit the speed of all construction vehicles to 5 miles per hour while on unpaved road at the project site.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Install wheel washers for all exiting trucks, or wash off the tires and/or tracks of all trucks and equipment used in the unpaved areas before leaving the site.

IV. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian aquatic, or wetland habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☒	☐

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | ☐ | ☐ | ☐ | ☒ |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | ☐ | ☐ | ☐ | ☒ |
| e) Conflict with any local policies or ordinances protecting biological resources? | ☐ | ☐ | ☒ | ☐ |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other applicable habitat conservation plan? | ☐ | ☐ | ☐ | ☒ |

Discussion (Biological Resources):

Question a). No habitat for sensitive, or special status species including threatened and endangered species or candidate species in local or regional plans, policies, or regulations, in Title 14 of the California Code of Regulations, in Title 50 Code of Federal Regulation, or by the California Department of Fish and Game (CDFG) or US Fish and Wildlife Service (USFWS) occurs in the proposed Project site or within the DVWTP. While the DVWTP occurs within the geographic range of several special status species, habitats for these species do not occur on the proposed Project site due to the present and active industrial use of the site (DVWTP) since 1973:

- federally endangered and state threatened San Joaquin Kit fox (*Vulpes macrotis mutica*),
- federally threatened and state species of special concern California Red-legged frog (*Rana aurora draytonii*)
- State species of special concern and federal endangered species (populations in Santa Barbara County only) California Tiger salamander (*Ambystoma californiense*),
- state species of special concern Western Pond turtle (*Clemmys marmorata*)
- federally and State listed threatened Alameda Whipsnake (*Masticophis lateralis euryxanthus*).

Question b). The proposed Project site is located within the DVWTP fenced property on a previously disturbed area covered with gravel and bare ground that presently does not support vegetation or provide wildlife habitat. No natural vegetation occurs within the DVWTP; vegetation within the DVWTP is limited to landscaped areas at the entrance, and the sparse areas of non-native grasses or weedy species. No sensitive habitats, including wetlands, occur within the DVWTP. No riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFG or USFWS occurs within the DVWTP and the proposed Project site. Vegetation occurring immediately adjacent to the DVWTP is non-native grassland and vineyards.

[As an added precaution, however, Mitigation Measure WQ-1 has been supplemented with a requirement for a qualified biologist to conduct an onsite inspection to verify that stormwater and erosion control devices are in place and are sufficient to avoid off-site impacts to neighboring aquatic habitats for species including California tiger salamanders.](#)

Question c). No wetlands occur within the fenced DVWTP property. Therefore, the Project will have no effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.

Question d). The proposed Project site is within the fenced DVWTP property. The proposed site is previously disturbed and absent of vegetation. Therefore, the proposed Project, which is within the property fence line, will not obstruct or interfere with wildlife corridors or impede the use of wildlife nursery sites.

Further, the proposed Project is not expected to result in impacts to birds of prey (such as hawks and eagles), nor will it result in off-site impacts to these animals or their habitat. Unlike wind turbines, which are known to kill many birds each year, the solar panels are low to the ground and will rotate very slowly throughout the day as they track the sun from the east in the morning to the west in the afternoon. Furthermore, construction activities will commence only as early as mid-August, 2008 and will avoid the main raptor nesting season between mid-March and mid-August. Once the solar panels are in place, there will not be any features dissuading birds from using the Project area or surroundings.

Question e). The proposed Project site is within the fenced DVWTP property. No impacts to biological resources, including mature or heritage trees, will occur. No trees will be removed. The Project is consistent with Alameda County Policies 121-133 protecting biological resources (Alameda County 2002).

Question f). Construction of the proposed Project will be within the fenced DVWTP property on a previously disturbed area. The Project site is not contained within an area subject to any adopted local, regional, or state habitat conservation plans.

Conclusion. No potentially significant impacts to biological resources will occur, mainly because the property has been fenced, and in active use as an industrial facility since 1973.

Mitigation. No mitigation measures are required.

V. CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Discussion (Cultural Resources):

Question a). No known historic resources occur on or adjacent to the proposed Project site and the

proposed Project will not require demolition of any buildings or structures. Therefore, no impacts to historical resources will occur.

Question b), c), and d). No paleontological, archaeological, or unique geologic sites are known to exist at the DVWTP (Alameda County no date; ESA 2001). While it is unlikely that unknown paleontological or cultural resources will be encountered during site preparation grading (to 12 inches deep) or conduit installation (to 18 inches deep), the potential for impacting known or unknown cultural resources will be avoided with implementation of **Mitigation Measure CR-1**.

Likewise, no human remains are known to exist in the Project vicinity. However, **Mitigation Measure CR-2** addresses the procedures that will be implemented in the event that human remains are discovered during construction. The potential for encountering and disturbing human remains will be minimized with implementation of this Mitigation Measure.

Conclusion. Impacts to cultural, historical or paleontological resources are unlikely because (1) there are no known resources within the existing DVWTP, and (2) the minimal amount of earthwork proposed on this site that has been previously disturbed during original construction of the DVWTP in 1973. However, the mitigation measures below have been incorporated into the Project and provide assurance that such resources, if discovered during construction, will not be adversely impacted by the Project. Therefore, these impacts are considered less than significant.

Mitigation Measures. The following mitigation measures are incorporated to lessen these impacts to a level that is less than significant:

Mitigation Measure CR-1: The following measure will be implemented to avoid potential adverse impacts to cultural resources during construction:

If cultural resources are encountered during construction of the photovoltaic system, the contractor shall avoid any further disturbance of the materials and immediately discontinue earthwork within 100 feet of the find (in accordance with Alameda County Policy on Cultural Resources [Alameda County 2002]). At that time, Zone 7 shall contact a qualified archaeologist, certified by the Registry of Professional Archeologists (RPA), to evaluate the situation. Any identified archaeological resources shall be recorded by the archeologist on form DPR 422 (archeological sites) and/or DPR 523 (historic properties), or similar forms. Project personnel shall not collect cultural resources. Procedures for stopping construction, in the event that cultural resources are exposed, shall be part of the Project plans and documents. In anticipation of discovering cultural deposits, procedures shall be in place so that the contractor can move on to another phase of work, thus allowing sufficient time to evaluate the nature and significance of the find and implement appropriate management procedures.

Mitigation Measure CR-2: The following measure will be implemented in the event that human remains are unearthed during construction:

In the event that human remains are encountered, ground disturbing activities at that location shall cease immediately. There shall be no further excavation or disturbance of the site, or any nearby areas reasonably suspected to overlie adjacent human remains, until the County Coroner makes a determination of whether an investigation of the cause of death is required or that the remains are Native American. If the coroner determines that the remains are Native American, then the Native American Heritage Commission in Sacramento shall be contacted within 24 hours (by County coroner), along with the Most Likely Descendant(s) of the deceased Native American (by Native American Heritage Commission), and disposition of the remains shall be in accordance with all applicable laws and regulations.

VI. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☒	☐
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

Discussion (Geology & Soils):

Question a). The Project site could be subject to at least one moderate to severe earthquake on an active fault that could cause moderate to severe ground shaking. The proposed Project site (at the DVWTP) lies within the San Andreas Fault system. There are several late Quaternary Faults in the vicinity of the proposed Project that are considered active, including: the Verona Fault, approximately 3 miles southwest of the DVWTP; Las Positas fault, located approximately 2,000 feet southeast of the DVWTP; Calaveras fault, located 5 miles southwest of the DVWTP; and Greenville fault, located approximately 7 miles northeast of the DVWTP (ESA 2001) and Hayward fault located approximately 11 miles southwest of the DVWTP.

The report titled, Description of Mapping of Quaternary Deposits and Liquefaction Susceptibility, Nine County San Francisco Bay Region, California (USGS Open File Report No. 00-444), indicates that liquefaction potential at the site is low to very low. Given the low to very low liquefaction

potential at the site, the impacts at the Project site due to seismic related ground failure due to liquefaction are considered less than significant. There are no mapped landslides (Dibble 1981) underlying the location of the proposed Project.

The proposed Project does not include housing or buildings, and people will rarely be near the photovoltaic system because it operates remotely. The Project is consistent with County Policies 309 to 315 (Alameda County 2002) and will comply with any applicable building codes (although no actual building is proposed). Therefore, impacts to people or structures from ground shaking, ground failure, and landslides are unlikely, and this impact is considered less than significant.

Question b). There will be limited site preparation and grading activities associated with the construction of the Project, which involves less than 2,500 cubic yards of earthwork over 2 acres. Hydrology and Water Quality, **Mitigation Measure WQ-1**, will mitigate for erosion and soil loss in the limited areas of disturbance during construction. Therefore, the impact of substantial soil erosion/loss of topsoil will be less than significant after implementation of mitigation, based on the limited area of construction in combination with the erosion control measures to be implemented during construction.

Question c). Published geologic maps (USGS 1981) and Dibblee (1980) show that older (Quaternary), non-marine alluvial terrace deposits underlie the Project site. Subsurface exploration by MWH in July-August 2004 showed that the alluvial material generally consists of dense to very dense sands and gravels, and stiff to hard sandy clays. In addition, the groundwater at the site is relatively deep. Based on these site conditions, the potential for significant ground movements of native alluvial materials is considered less than significant.

Question d). Based on the subsurface investigation performed by MWH in July-August 2004 for a non-related project at the DVWTP, the clayey sand and gravel fills and the underlying clayey sand and gravel alluvial materials have a moderate to high expansion potential. These materials could be subject to volume changes during seasonal fluctuations in moisture content. The system will be constructed in accordance with appropriate design guidelines for expansive soils. The support footings will be anchored with concrete to secure the system in place. There is no substantial risk to life or property, and therefore this impact is considered less than significant.

Question e). The Project will not include the installation of septic systems or alternative wastewater systems, and this there is no impact.

Conclusion. No building will be constructed, and the Project is situated away from areas where people typically work within the existing DVWTP facility. Therefore, while there is some potential for damage to the system as the result of geologic hazards, there is very little risk of loss, injury, or death, and these impacts are considered less than significant. **Mitigation Measure WQ-1** will mitigate to a level that is less than significant for potential erosion and soil loss during construction.

Mitigation. See Mitigation Measure WQ-1 under item VIII in this section, which lessens this impact to a level that is less than significant.

VII. HAZARDS AND HAZARDOUS MATERIALS

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ☐ | ☐ | ☐ | ☒ |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | ☐ | ☐ | ☐ | ☒ |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | ☐ | ☐ | ☐ | ☒ |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | ☐ | ☐ | ☐ | ☒ |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☐ | ☒ |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | ☐ | ☐ | ☐ | ☒ |

Discussion (Hazards and Hazardous Materials):

Questions a), b), and c). Prior to construction of the DVWTP in 1973, the land occupied by the DVWTP was open space. No hazardous materials were encountered during initial construction in 1973 or during expansion in 1988. Laboratory analysis for total petroleum hydrocarbons including gasoline and diesel constituents, of soil samples collected during the geotechnical investigation for other facilities at the DVWTP (ESA 2001), showed no evidence of soil contamination. Therefore, it is not expected that contaminated soil will be encountered or released during any of the subsurface construction activities. The proposed Project does not include use or storage of hazardous materials.

Question d). The DVWTP is not listed in the Hazardous Waste Substances List (EPA 1994, as referenced in ESA 2001). Therefore, development of the Project will not create a significant hazard to the public or the environment. No impact.

Questions e) and f). The Project area is located more than two miles from the Livermore Airport. Therefore, the proposed Project will not result in impacts relating to safety hazards for people in the

Project area.

Question g). The proposed Project site is not part of any adopted emergency response plans or emergency evacuation plans. Therefore, no impacts will occur.

Question h). The proposed Project is an addition to an existing water treatment facility and will not expose people or structures to wildfires. Therefore, no impacts will occur.

Conclusion. This Project does not include any hazardous materials, nor will it affect public safety, or expose people or structures to new hazards such as wildfires. It is not located within 2 miles of an airport or airstrip. No impacts are anticipated.

Mitigation. No mitigation measures are required.

VIII. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☒	☐	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | ☐ | ☐ | ☐ | ☒ |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | ☐ | ☐ | ☐ | ☒ |
| j) Inundation by seiche, tsunami, or mudflow? | ☐ | ☐ | ☐ | ☒ |

Discussion (Hydrology and Water Quality):

Question a). The nearest major water body to the DVWTP property is Arroyo Del Valle, located approximately one-half to three quarters miles to the north of the DVWTP. This arroyo flows into Arroyo de la Laguna, which then flows into Alameda Creek and then to San Francisco Bay. The south tributary to Arroyo Valle is located approximately 600 feet to the west and 50 feet lower in elevation of the DVWTP. Stormwater runoff from the DVWTP is collected by an onsite storm drain system. The different branches of the storm drain system converge on a 36-inch storm drain line that exits the property and discharges to the south tributary to Arroyo Del Valle approximately 1/8-mile west of the plant. A concrete outfall energy dissipating structure is at the end of the storm drain line to ensure creek bank stability. Discharges to the south tributary to Arroyo Del Valle are currently permitted under a Municipal Stormwater National Pollution Discharge Elimination System (NPDES) permit.

Site preparation for the proposed Project will require grading up to approximately 2,500 cubic yards of native soil materials (up to 12 inches across 2 acres), which could potentially result in erosion and siltation to the south tributary of Arroyo Del Valle via the storm drain system. In order to reduce or avoid potential discharges to surface waters, **Mitigation Measure WQ-1** will be implemented. Zone 7 will require the construction contractors to follow a Stormwater Pollution Protection Plan (SWPPP) as part of a NPDES General Construction Activities Stormwater Permit for this Project to prevent the discharge of pollutants to stormwater runoff to the maximum extent practicable by implementing Best Management Practices (BMPs) including installation of silt barriers during construction to avoid erosion and discharge of silty runoff offsite. The minimal amount (364 square feet) of new impervious surface is not expected to result in a significant change to post-construction stormwater runoff at DVWTP. With implementation of a SWPPP, the proposed Project will not violate water quality standards for construction activities. This impact is considered less than significant with incorporation of Mitigation Measure WQ-1.

Question b). No groundwater production or use is proposed as part of this Project. Groundwater within the vicinity of the DVWTP is more than 30 feet below the site. Therefore, no impacts to groundwater will occur.

Questions c), d), e). The proposed Project will not significantly alter the drainage amount or pattern at the DVWTP facility or the proposed Project site because there will be a limited change in impervious surface (total of 364 square feet of new concrete needed for support footings). Stormwater runoff will continue to drain to one of two existing storm drains that discharge to the south tributary of Arroyo Del Valle. Zone 7 discharges to the south tributary of Arroyo Del Valle are currently permitted under a National Pollution Discharge Elimination System (NPDES) Municipal Stormwater Permit, and this Project is not expected to change the site drainage or runoff conditions such that the conditions of this permit would be altered; therefore, impacts to the drainage and runoff to the south tributary to Arroyo del Valle are considered less than significant.

Question f). As described above, a SWPPP will be implemented that employs BMPs to avoid erosion offsite discharges of polluted surface water runoff (**Mitigation Measure WQ-1**). Implementation of the SWPPP will avoid or reduce water quality impacts to the south tributary to Arroyo Valle to a level considered less than significant. No other impacts to water quality are anticipated.

Question g). The proposed Project is within an existing industrial facility and does not include housing. Therefore, new housing will not be placed in a 100-year flood hazard zone, and there will be no impact.

Question h). The proposed Project site will be constructed within the existing DVWTP property fence line. The DVWTP property is not located within any mapped 100-year flood zone (ESA, 2001) and the proposed Project does not include facilities that will cause flooding, or affect levees or dams. Therefore, the Project will not impede or redirect 100-years flows and no impacts will occur.

Question i). This Project will not expose people or structures to a significant risk of loss, injury or death as a result of flooding or dam failure. The proposed Project site and DVWTP are located outside of the dam inundation zone of Del Valle Reservoir (ESA, 2001), the closest reservoir to DVWTP, located approximately 2.5 miles southeast of the DVWTP.

Question j). The proposed Project will be located at over 650 feet elevation above mean sea level (msl), and is not located within areas susceptible to seiche, tsunami, or mudflows; therefore no inundation will occur.

Conclusion. Potentially significant Impacts to hydrology and water quality as a result of stormwater pollution are unlikely because best management practices that help to avoid or minimize erosion and sedimentation are a required regulatory element of this Project. **Mitigation Measure WQ-1** is identified to highlight this requirement to obtain and comply with a National Pollutant Discharge Elimination System (NPDES) General Construction Activities Permit, and this will reduce impacts to a level considered less than significant. Other impacts, such as those relating to groundwater, flooding, seiche, tsunami, or mudflows will not occur.

Mitigation Measures. The following mitigation measure is incorporated:

Mitigation Measure WQ-1: Stormwater Pollution Protection Plan. A site-specific SWPPP shall be prepared as part of the NPDES General Construction Activities Stormwater Permit. It will require the construction contractor to incorporate the SWPPP's Best Management Practices (BMP) measures into all aspects of the Project. The BMPs will include measures for management and operation of construction sites to control and minimize the potential contribution of pollutants to storm runoff from these areas. These measures address procedures for controlling erosion and sedimentation and management all aspects of the construction to ensure control of potential water pollution sources.

Construction phase BMPs will include:

- dust control
- minimal use of water for dust control (only as much as needed)
- dry sweeping and/or storm drain inlet control measures (e.g. sandbags, filter fabric, fiber rolls, etc.)
- install silt barriers around sensitive areas and wherever earthwork activities might result in erosion and sediment transport

- stabilize stockpiled soils (if any)
- post-construction stabilization or revegetation
- runoff control

Post-construction BMPs will include:

- selection of gravel (for placement underneath the system) that maintains the existing ground infiltration
- minimal use of water for system washing (only as much as needed), and timing of sprinkler system to maximize infiltration immediately below the system

The measures included in the SWPPP will be monitored regularly for effectiveness. If a measure is found to be ineffective, it will be redesigned or replaced without delay.

A specific measure shall be incorporated to require a qualified biologist to conduct an on-site, pre-construction inspection to verify that stormwater and erosion control devices are in place and are sufficient to avoid off-site impacts to aquatic habitats such as the nearby wetland in Sycamore Grove Park.

IX. LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the LARDP, general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Discussion (Land Use and Planning):

Question a). The proposed Project is not within an established community. It is limited to construction and operation of a photovoltaic system within the existing DVWTP fence line. Construction and operation of the proposed Project will not physically divide an established community including residential, commercial or industrial uses and no impacts will occur.

Question b). The proposed Project will be located within the existing DVWTP fence line in unincorporated area of Alameda County. No special access through neighboring parcels is required; all traffic and access will occur as under current operating conditions. Alameda County land use designation for the DVWTP per the Alameda County General Plan - East County Area Plan (Alameda County 2002), which incorporates the South Livermore Valley Area Plan as adopted in 1993, is "Major Public" (Alameda County 2002). Under the East County Area Plan (ECAP), "Major Public" provides for government-owned regional and subregional facilities such as, but not

limited to, hospitals, jails, colleges, civic centers, and similar and compatible uses (Alameda County 2002). The Project also does not conflict with County policies encouraging the development of wineries in the South Livermore Valley, or policies restricting projects that conflict with or preclude proposed LARPD trails. Thus, the proposed Project is consistent with and will not conflict with the Alameda County General Plan and zoning ordinance, and no impact will occur.

Question c). The proposed ~~P~~project is located within the existing DVWTP facility and does not conflict with habitat conservation plans or a natural community conservation plan. It also does not conflict with the values of the Conservation Easements held by Tri-Valley Conservancy on adjacent lands. No impact.

Conclusion. No potentially significant impacts.

Mitigation. No mitigation measures are required.

X. MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Discussion (Mineral Resources):

Questions a) and b). The DVWTP is not located within an area classified as a mineral resource zone by the State Geologist (Livermore General Plan 2004) or a mineral resource recovery site (Alameda County 2002; Livermore General Plan 2004).

Conclusion. No potentially significant impacts.

Mitigation. No mitigation measures are required.

XI. NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in any applicable plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | ☐ | ☐ | ☒ | ☐ |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | ☐ | ☐ | ☒ | ☐ |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | ☐ | ☒ | ☐ | ☐ |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |

Discussion (Noise) :

Questions a), b), c) and d). The proposed Project site is located in an unincorporated area of Alameda County. The Livermore city limit is adjacent to the DVWTP on the north, Sycamore Grove Park is located to the east and southeast, and existing and proposed low-density residential and vineyards are located to the north and west. Noise generated at the proposed Project site and the immediate vicinity is mostly from the existing DVWTP equipment where noise levels are low, and to a lesser extent intermittent traffic along the access road from East Vallicetos Road to DVWTP, as well as light intermittent traffic along Kalthoff Road, more than 800 feet west of the DVWTP, which services low-density residential estates, vineyards, and a small winery. The nearest noise sensitive receptors (defined as residences, schools, churches, and hospitals) (City of Livermore 2004) to the proposed Project is a residence approximately 800 feet west of the DVWTP fence line, and the upper reaches of Sycamore Grove Park adjacent to the DVWTP fence line on the west. Other residences to the west are at least 1,000 feet from the DVWTP. There are no nearby schools or churches.

For residential land uses, noise levels less than 60 dBA, Ldn (from the property line) are normally considered acceptable (Alameda County 2002; City of Livermore 2004). A noise level of 60 dBA is similar to noise levels in an average office with normal levels of talking (City of Livermore 2004). This level is identified as Normally Acceptable, in the Livermore Community General Plan Noise Element (2004).

Noise levels generated during construction activities will be periodically above current ambient noise levels at the DVWTP. The noise levels generated by construction activities will be temporary and intermittent in nature and will vary according to construction activity. Construction will only take place during daytime hours (8 a.m. to 5 p.m.), the least-noise sensitive time of the day, and is not expected to occur on weekends. In addition, some noise attenuation will occur from vegetation and hilly terrain, and from other structures including the administration and filtration buildings. The proposed Project is more than 800 feet from the closest residence to the west of the DVWTP and the exterior noise levels at the residence is expected to be at or below 60 dBA during construction. However, there may be periodic, short term instances when this level is exceeded, particularly for residents or park users who are outside and perhaps walking nearer the construction area. As noted above, the noise will be temporary and attenuated from the surrounding trees and rolling hills and existing buildings, and construction will not be occurring on weekends when more

people are thought to be outdoors. **Mitigation Measure Noise-1** has been identified to reduce noise impacts to a level that is less than significant by limiting noise generating construction activities to the hours of 8a.m. to 5p.m. on weekdays only.

After construction, the photovoltaic system will operate nearly silently, and therefore, no impacts to sensitive receptors will occur during operation.

Question e) and f). The proposed Project is not within an airport land use plan, within the vicinity of a private airstrip or within two miles of a public airport or public use airport.

Conclusion. This Project has the potential to result in the temporary exposure of persons to or generation of noise levels in excess of standards established in any applicable plan or noise ordinance, or result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project. **Mitigation Measure Noise-1** will lessen the possibility that sensitive receptors will be impacted by noise generated by this Project, and reduces this potential impact to a level that is considered less than significant.

Mitigation. The following mitigation measure is incorporated to lessen this impact to a level that is less than significant:

Mitigation Measure Noise-1: Noise-generating construction activities shall be limited to the hours of 8a.m. to 5p.m. on weekdays only.

XII. POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion (Population and Housing):

Question a), b), and c). Growth inducement impacts will not occur because the proposed Project will improve renewable energy capacity and not increase water treatment capacity. The proposed Project will be constructed within the fence line of the DVWTP and no existing housing will be displaced necessitating construction of replacement housing. No impacts will occur.

Conclusion. No potentially significant impacts.

Mitigation. No mitigation measures are required.

XIII. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	☐	☐	☐	☒
Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

Discussion (Public Services):

Question a). There will be no increase in the existing DVWTP staff levels, nor any increase in the treated water service levels provided by Zone 7 as a result of this Project. Therefore, no increases are expected in the demand for the public services that support new residents, schools, utilities, parks, fire or police protection. In addition, the proposed Project will be within the fenced and secured location and there will not be a significant increase in the demand for police and fire protection onsite.

Conclusion. No potentially significant impacts.

Mitigation. No mitigation measures are required.

XIV. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion (Recreation):

Question a). The proposed Project is within the fenced DVWTP property. Adjacent land uses include the Sycamore Grove Park, operated by Livermore Area Recreation and Parks Department, which is a passive use park (e.g., leisurely walking, wildlife viewing, horseback riding, bike riding). All project construction and operational activities will occur within the DVWTP property and will not increase the use of existing neighborhood and regional parks or other recreation facilities including Sycamore Grove Park.

Question b). The proposed project does not include recreational facilities or require construction or expansion of recreational facilities.

Conclusion. No potentially significant impacts.

Mitigation. No mitigation measures are required.

XV. TRANSPORTATION AND TRAFFIC

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☒	☐	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Result in inadequate parking capacity?	☐	☐	☒	☐
g) Conflict with applicable policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

Discussion (Transportation and Traffic):

Questions a) and b). Construction of the proposed Project will involve a minor and temporary

increase in traffic during the 4-5-month construction period. The increase in vehicle trips will be associated with deliveries of construction materials and equipment (a total of approximately 40-50 large truck deliveries over 4-5 months), and construction worker daily trips to and from the construction site (an average of approximately 10 daily). The Project does not include hauling of soil to or from the site. The temporary increase in vehicle trips would not cause long-term degradation in level of service of roadways used for access to the DVWTP. Various maintenance activities will take during operations, totaling approximately 8-10 round trip vehicle trips annually. There will not be a permanent increase in on-site workers as a result of this Project. While no potentially significant impact is expected, **Mitigation Measure Traf-1** has been identified to help avoid or to reduce impacts as a result of construction-related traffic to a level that is less than significant. This measure identifies an appropriate construction traffic route, and encourages construction truck trips and workers to avoid peak commute hours whenever possible.

Specifically, construction traffic will be routed to avoid major residential and retail areas: from Interstate Highway 580 to Airway Boulevard to Kitty Hawk Road to Isabel Avenue to Vallecitos Road (State Route 84) to the DVWTP access road. Interstate 580 is an eight-lane freeway with average traffic volumes ranging from 117,000 to 184,000 vehicles daily in the vicinity of the City of Livermore (City of Livermore 2004). Airway Boulevard is a four lane arterial connecting Interstate 580 with Kitty Hawk Road and carries a traffic volume of 19,200 vehicles daily. Kitty Hawk Road between east Airway and Jack London Boulevard carries 10,100 vehicles daily and Isabel Avenue carries 14,500 vehicles daily. Vallecitos Road, a two lane road south of Isabel Road carries 27,400 vehicle daily. The amount of vehicle trips generated during construction is minimal in comparison to the existing traffic loads. Furthermore, Zone 7 will encourage the construction traffic to avoid peak commute hours, and will encourage workers to meet at the Zone 7 administrative office in Livermore and carpool to the Project site.

Question c). The proposed Project will not be located near an airport or airstrip and, therefore, will not affect air traffic patterns and no impacts will occur. The system is also located adjacent to large, high-voltage electrical transmission towers which planes must currently avoid. No impact.

Question d). The design of this Project will not increase hazards. External access to the Project site will be by the existing paved two-lane access road to the DVWTP, and no modification to the existing access road is proposed. The project is compatible with the existing uses at the site. No impact.

Question e). Emergency access within the DVWTP will not be affected by the proposed Project.

Question f). Parking for the construction work force and equipment will be provided at the DVWTP, where adequate parking capacity can readily accommodate the current on-site workforce, construction workers, and construction equipment.

Question g). The proposed Project will be located within the fence line of the DVWTP and will not conflict with adopted policies, plans or programs supporting alternative transportation such as bus turnouts or bicycle rack.

Conclusion. This Project will result in a nominal increase in local road traffic during construction, and it is unlikely that this small addition of traffic will significantly affect local traffic conditions. **Mitigation Measure Traf-1** has been included to reduce any potential impacts to a level that is considered less than significant. This Project will not affect air traffic, emergency services access, or local alternative transportation plans.

Mitigation. The following mitigation measure is incorporated to lessen this impact to a level that

is less than significant::

Mitigation Measure Traf-1. Whenever possible, construction traffic trips to and from the Project site will be planned during non-commuter peak hours of 10:00 am to 4:00 pm weekdays, Monday through Friday. Construction workers will be encouraged to meet at the Zone 7's Administration Office and carpool to the DVWTP site. Construction traffic will be routed to avoid major residential and retail areas: from Interstate Highway 580 to Airway Boulevard to Kitty Hawk Road to Isabel Avenue to Vallecitos Road (State Route 84) to the DVWTP access road.

XVI. UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with applicable federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

Discussion (Utilities and Service Systems):

Questions a) through g). The proposed Project will not produce new water or waste streams. Therefore, it will not result in any change to the existing utilities/services, including water or wastewater treatment, stormwater drainage, water supply, landfill, solid waste. No impacts.

Conclusion. No potentially significant impacts.

Mitigation. No mitigation measures are required.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Discussion (Mandatory Findings of Significance):

Question a). The proposed Project will not degrade the quality of the environment. No significant adverse impacts to plants, fish or wildlife habitat or species will occur. No impacts that will eliminate important examples of the major periods of California history or prehistory will be associated with the proposed Project.

Question b). The proposed Project is not expected to create incremental effects that would result in a considerable contribution to cumulative impacts. The effects of other past, current, and probable future projects are addressed below.

No other construction projects are expected to be underway at the DVWTP in 2008. Foreseeable future projects at DVWTP include small chemical feed system improvements such as a new caustic soda storage facility that might be constructed in 2009 or 2010. This future project would likely result in negligible short term construction-related impacts such as noise and traffic and is therefore not considered, in conjunction with this proposed photovoltaic project, cumulatively considerable.

Other known and foreseeable construction projects in the Project area include the safety improvement project to State Route (SR) 84 between the City of Livermore and I-680, which is underway now, and possible future widening of SR 84 between Ruby Hill Drive and West Jack London Blvd. (see <http://www.ci.livermore.ca.us/eng/roadwork.html>).

The aforementioned SR 84 safety improvement project is currently occurring on SR 84, south of the DVWTP and south of the winery and residents near the DVWTP. The SR 84 project may be

increasing congestion on SR 84 in the areas of construction. This proposed solar energy Project would not utilize the same portion of SR 84 as is under construction now and thus would not contribute additional construction-related traffic to this area. Additionally, residents and park users near the DVWTP are unlikely to be affected by temporary air or noise quality impacts as a result of this SR 84 project. Therefore, project impacts are not considered cumulatively considerable.

The later SR 84 widening project mentioned above is under environmental/design review now and construction is not expected to commence earlier than 2010, and therefore there are no cumulative impacts as a result of that project in conjunction with this proposed Project.

Question c). Project impacts include potential short-term degradation of local air quality and water quality from stormwater, potential impacts to cultural resources as a result of grading and earthwork, and a small increase in construction noise and traffic. Mitigation has been incorporated to reduce all of these potential impacts to a level that is considered less than significant. No substantial adverse effects on human beings will occur.

6.0 Mitigation Monitoring and Reporting Plan

The mitigation monitoring and reporting plan (MMRP) follows:

(blank)

Table 1. Mitigation Monitoring and Reporting Plan

<u>Mitigation Measure</u>	<u>Implementation Procedure</u>	<u>Monitoring and Reporting Actions</u>	<u>Monitoring Responsibility</u>	<u>Monitoring Schedule</u>
Mitigation Measure AQ-1. Dust Abatement Program. Fugitive dust generation will be minimized during construction activities. At a minimum, the contractor(s) will be required to implement the following measures (adopted from BAAQMD's CEQA Guidelines for Assessing the Air quality Impact of Projects and Plans for PM10). The following construction practices are included in the Project and would be implemented during all phases of construction on the Project site: • Water all construction sites with active excavation at least twice daily. • Cover all trucks hauling soil or require all trucks to maintain at least two feet freeboard. • Apply water three times daily, or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. • Sweep daily with water sweepers all paved access roads, parking areas, and staging area at construction sites during earthwork activities. • Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more). • Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand). • Limit the speed of all construction vehicles to 5 miles per hour while on unpaved road at the project site. • Install sandbags or other erosion control measures to prevent silt runoff to public roadways. • Install wheel washers for all exiting trucks, or wash off the tires and/or tracks of all trucks and equipment used in the unpaved areas before leaving the site.	RTI prepares and implements dust abatement program.	RTI daily inspections and weekly documentation to Zone 7 that measures are being implemented, and identifying any lapses or issues.	Ongoing monitoring supervised by RTI. Program oversight by Zone 7 Project Manager.	During construction.
Mitigation Measure CR-1: The following measure will be implemented to avoid potential adverse impacts to cultural resources during construction: If cultural resources are encountered during construction of the photovoltaic systems, the contractor shall avoid any further disturbance of the materials and immediately discontinue earthwork within 100 feet of the find (in accordance with Alameda County Policy on Cultural Resources [Alameda County 2002]). At that time, Zone 7 shall contact a qualified archaeologist, certified by the	In the event that cultural resources are found, RTI shall stop construction and a qualified archaeologist shall be consulted.	Construction site manager and Zone7 Project Manager to be notified immediately.	RTI Construction Supervisor.	During construction

Table 1. Mitigation Monitoring and Reporting Plan

<u>Mitigation Measure</u>	<u>Implementation Procedure</u>	<u>Monitoring and Reporting Actions</u>	<u>Monitoring Responsibility</u>	<u>Monitoring Schedule</u>
Registry of Professional Archeologists (RPA), to evaluate the situation. Any identified archaeological resources shall be recorded by the archeologist on form DPR 422 (archeological sites) and/or DPR 523 (historic properties), or similar forms. Project personnel shall not collect cultural resources. Procedures for stopping construction, in the event that cultural resources are exposed, shall be part of the Project plans and documents. In anticipation of discovering cultural deposits, procedures shall be in place so that the contractor can move on to another phase of work, thus allowing sufficient time to evaluate the nature and significance of the find and implement appropriate management procedures.				
Mitigation Measure CR-2: The following measure will be implemented in the event that human remains are unearthed during construction: In the event that human remains are encountered, ground disturbing activities at that location shall cease immediately. There shall be no further excavation or disturbance of the site, or any nearby areas reasonably suspected to overlie adjacent human remains, until the County Coroner makes a determination of whether an investigation of the cause of death is required or that the remains are Native American. If the coroner determines that the remains are Native American, then the Native American Heritage Commission in Sacramento shall be contacted within 24 hours (by County coroner), along with the Most Likely Descendant(s) of the deceased Native American (by Native American Heritage Commission), and disposition of the remains shall be in accordance with all applicable laws and regulations.	In the event that cultural resources are found, RTI shall stop construction and a qualified archaeologist shall be consulted.	Construction site manager and Zone7 Project Manager to be notified immediately.	RTI Construction Supervisor.	During construction
Mitigation Measure Noise-1: Hours of Construction. Noise generating construction activities shall be limited to the hours of 8a.m. to 5p.m. on weekdays only.	RTI to notify all workers and suppliers.	RTI to provide weekly communication to Zone 7 that measure is being implemented and is effective.	RTI Construction Supervisor.	During construction
Mitigation Measure Traf-1: Whenever possible, construction traffic trips to and from the Project site will be planned during non-commuter peak hours of 10:00 am to 4:00 pm weekdays, Monday through Friday. Construction workers will be encouraged to meet at the Zone 7's Administration Office and carpool to the DVWTP site. Construction traffic will be routed to avoid major residential and retail areas: from Interstate Highway 580 to Airway Boulevard to Kitty	RTI to notify all workers and suppliers.	RTI to provide weekly communication to Zone 7 that measure is being implemented and is effective.	RTI Construction Supervisor.	During construction

Table 1. Mitigation Monitoring and Reporting Plan

<u>Mitigation Measure</u>	<u>Implementation Procedure</u>	<u>Monitoring and Reporting Actions</u>	<u>Monitoring Responsibility</u>	<u>Monitoring Schedule</u>
Hawk Road to Isabel Avenue to Vallecitos Road (State Route 84) to the DVWTP access road.				
Mitigation Measure WQ-1: Stormwater Pollution Protection Plan. A site-specific SWPPP shall be prepared as part of the NPDES General Construction Activities Stormwater Permit. It will require the construction contractor to incorporate the SWPPP's Best Management Practices (BMP) measures into all aspects of the Project. The BMPs will include measures for management and operation of construction sites to control and minimize the potential contribution of pollutants to storm runoff from these areas. These measures address procedures for controlling erosion and sedimentation and management all aspects of the construction to ensure control of potential water pollution sources. Construction phase BMPs will include: • dust control • minimal use of water for dust control (only as much as needed) • dry sweeping and/or storm drain inlet control measures (e.g. sandbags, filter fabric, fiber rolls, etc.) • install silt barriers around sensitive areas and wherever earthwork activities might result in erosion and sediment transport • stabilize stockpiled soils (if any) • post-construction stabilization or revegetation • runoff control Post-construction BMPs will include: • selection of gravel (for placement underneath the system) that maintains the existing ground infiltration • minimal use of water for system washing (only as much as needed), and timing of sprinkler system to maximize infiltration immediately below the system <u>A specific measure shall be incorporated to require a qualified biologist to conduct an on-site, pre-construction inspection to verify that stormwater and erosion control devices are in place and are sufficient to avoid off-site impacts to aquatic habitats such as the nearby wetland in Sycamore Grove Park.</u>	RTI prepares and implements SWPPP.	RTI to provide weekly communication to Zone 7 that measures are being implemented and are effective, and identifying any lapses or key issues. RTI to conduct sampling as required by permit.	Ongoing monitoring supervised by RTI. Program oversight by Zone 7 Project Manager.	During construction and operations.

Table 1. Mitigation Monitoring and Reporting Plan

<u>Mitigation Measure</u>	<u>Implementation Procedure</u>	<u>Monitoring and Reporting Actions</u>	<u>Monitoring Responsibility</u>	<u>Monitoring Schedule</u>
The measures included in the SWPPP will be monitored regularly for effectiveness. If a measure is found to be ineffective, it will be redesigned or replaced without delay.				

7.0 References

Alameda County Community Development Agency, Planning Department. May 2002 (adopted). East County Area Plan (ECAP), a portion of the Alameda County General Plan.

Alameda County Planning Department. No date. Archaeology in Alameda County: a handbook for planners.

BAAQMD (San Francisco Bay Area Air Quality Management District). 1999. BAAQMD CEQA Guidelines Assessing the Air Quality Impacts of Projects and Plans. December 1999. San Francisco, CA.

City of Livermore. 2004. City of Livermore general plan 2003-2005, Adopted February 9, 2004. Livermore, CA.

Dibblee. 1981. Geologic map of the Livermore quadrangle, Alameda and Contra Costa counties, California. Sacramento, CA.

ESA. 2001. Environmental Science Associates, November 2001, Zone 7 Del Valle Water Treatment Plant Solids Handling Facility (draft), Initial Study and Draft Mitigated Negative Declaration.

Livermore Area Recreation & Park District (LARPD). 2002. Sycamore Grove and Veterans Regional Park resources management plan. November 2002. Vols 1 and 2.

8.0 Distribution List for draft IS/MND

State and Federal Agencies

Bay Area Air Quality Management District

California Office of Planning and Research -
State Clearinghouse
Caltrans, District 4
Department of Fish and Game
San Francisco Regional Water Quality
Control Board
U.S. Fish and Wildlife Service

Local Agencies

Alameda County Flood Control & Water
Conservation District
Alameda County Planning Department
Alameda County Public Works Department
California Water Service Company
(Livermore)
City of Dublin Planning Department
City of Dublin Public Works Department
City of Livermore Planning Department
City of Livermore Public Works Department
City of Livermore Water Resources
Department
City of Pleasanton Planning Department
City of Pleasanton Public Works Department
City of Pleasanton Utility Planning
Department
Dublin-San Ramon Services District
East Bay Regional Parks District
Livermore Area Recreation and Parks District

Individuals

Chandler, David & Karen
Cobbe, Ellen & Paul
Detjens Walter & Joan
Dhaliwal, Amrita & Gurmeet
Fong, Harold S.
Hinman, David & Terry
Hopkins, Brock & Karen
Kalthoff, SA & Cecile
Krebs, Thomas & Fawn
Kurtzer, John & Laurie
Lehga, Bhupinder & Rupinder
Maier, Lothar & Lisa
Moir, Ralph
Moore, John & Janet
Mullenax, Tiffin
Picazo, Jose Jr.
Rao, Ramineni
Ridout, Steven & Katherine
Saul, Susan
Shames, Barry & Carolyn
Tenuta, Nancy
Walker, Matt & Clare

Organizations

Eagle Ridge Properties
Friends of Livermore
Ruby Hill Development
Tri-Valley Conservancy
Vineyard Estates Development Company
LLC

Libraries

City of Dublin Library
City of Livermore Library
City of Pleasanton Library

Figures

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Figure 2. Del Valle Water Treatment Plant and Vicinity

Figure 3. Example of a Single Axis Photovoltaic System



(photos courtesy Thompson Technology Industries, Inc)

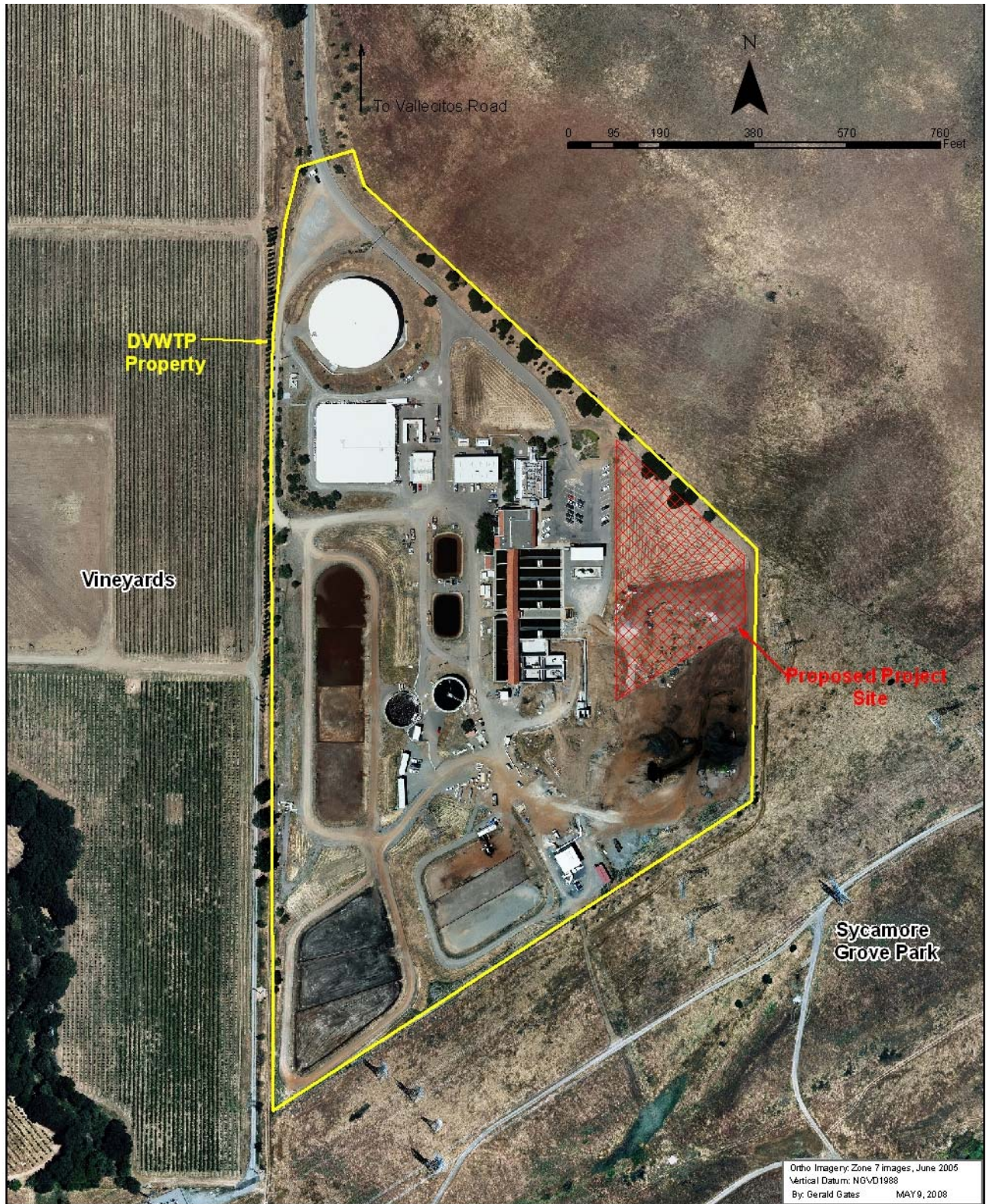
Figure 4. Aerial View of Proposed Project Site

Figure 5. Proposed Photovoltaic System Layout

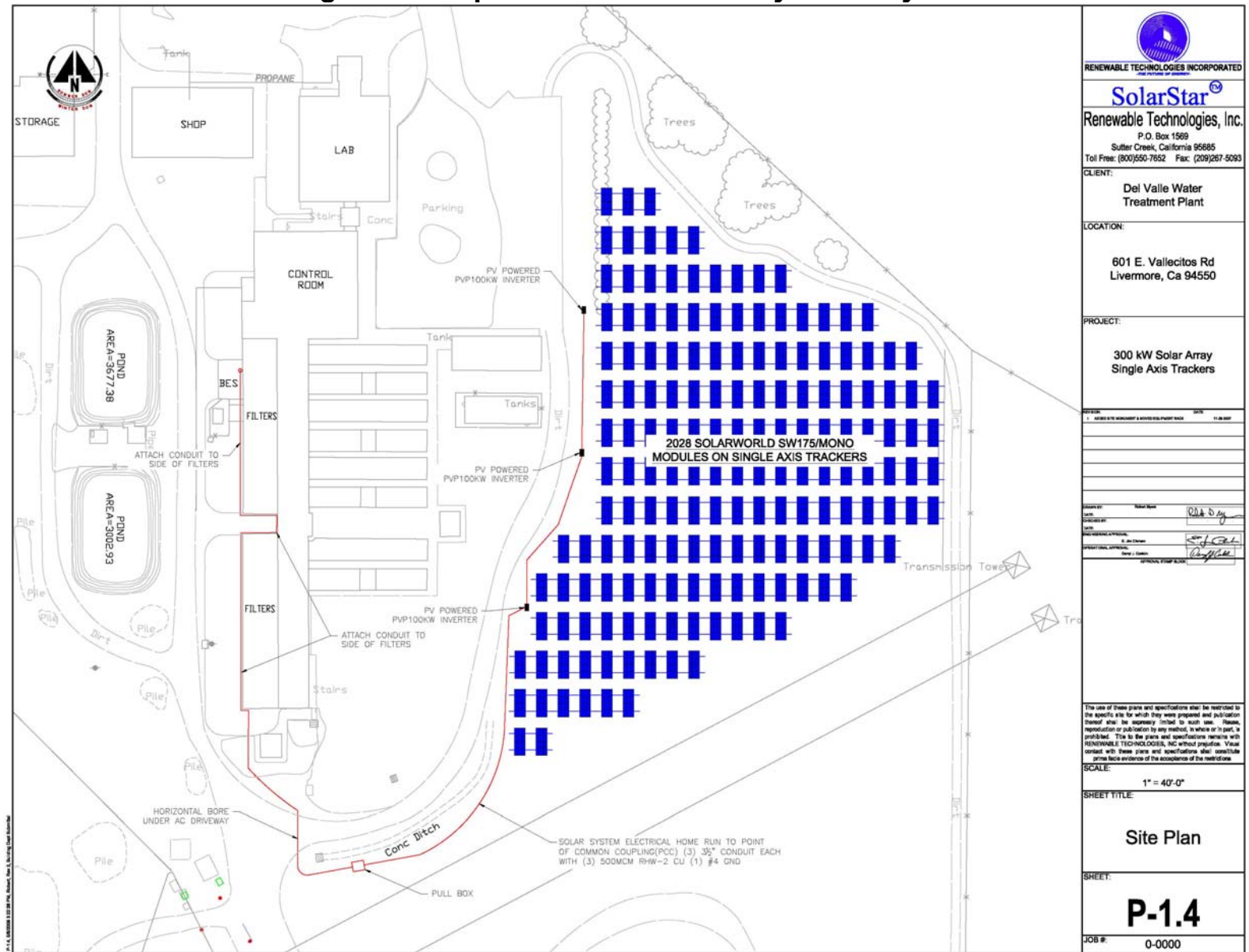


Figure 6. Photographic Views of DVWTP



Photo 6-1. View of the DVWTP eastern boundary from upper trail in Sycamore Grove Park in (the 6-foot chain link fence along the top of the knoll is DVWTP property boundary). From this location, some of the proposed solar panels will come into partial view at the top of this knoll when the panels are at their maximum tilt twice daily.



Photo 6-2. View of the DVWTP southern boundary from near the highest trail location in Sycamore Grove Park. From this location, some of the proposed solar panels will be in partial view at most times of the day.

**Photo 6-3.**

View looking more westerly from the same location in Sycamore Grove Park as Photo 6-2. Note that from this and higher elevations in the park, the entire DVWTP plant comes into view, as do nearby housing developments and additional high-voltage energy transmission towers.

**Photo 6-4.**

Easterly view of the DVWTP from near Tenuta Vineyard and estates on Kalthoff Commons Road. Note that the upper portion of several structures within the facility are in view, and that these structures block much of the view of the proposed Project site from this location.

Photo 6-5. Northwesterly view of DVWTP from trail at high viewpoint in Sycamore Grove Park. Inset shows location and direction of photo. Although this photo was taken in 2004, it reflects the general setting as seen today. Notice that as the park users reach the higher elevations in this southwestern corner of the park, the entire DVWTP comes into view, as will the proposed Project.



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Appendix A. Comments and Responses

The Draft Initial Study/ Mitigated Negative Declaration (IS/MND) document was mailed to agencies and interested parties, including neighbors within an approximately 1000-foot radius of the proposed Project site, on May 16, 2008, and was made available at three local libraries – Dublin, Pleasanton, and Livermore. A 30-day public review period was held from May 16, 2008 to June 16, 2008. Zone 7 also placed a notice of availability in both the Valley Times and the Tri-Valley Herald.

Comments letters were received from the Office of Planning and Research/State Clearinghouse, the City of Livermore, Alameda County Public Works Agency, Livermore Area Recreation & Park District (LARPD), and Tri Valley Conservancy.

Table 1. Persons commenting on the Draft IS/MND

-
- Office of Planning and Research / State Clearinghouse - Terry Roberts, Director
 - City of Livermore - Crystal De Castro, Assistant Planner
 - Alameda County Public Works Agency - Kwablah Attiogbe, Environmental Compliance Specialist
 - Livermore Area Recreation & Park District - John Lawrence, Assistant General Manager*
 - Tri Valley Conservancy - Laura Mercier, Associate Director
-

*Comment letter received after close of public comment period

Each comment letter was carefully reviewed; responses to all comments are included below. The comment letters are included in the back of this section and are marked with identifiers corresponding to the comment/response numbers used below.

In accordance with CEQA, the Zone 7 Board of Directors will consider the proposed Final IS/MND together with the comments received during the public comment period prior to adopting and approving a project.

Letter 1: Office of Planning and Research – State Clearinghouse (Terry Roberts, Director)

Comment 1A: Zone 7 has complied with the State Clearinghouse review requirements pursuant to CEQA. No State agencies submitted comments.

Response 1A: Noted.

Letter 2: City of Livermore (Crystal De Castro, Assistant Planner)

Comment 2A: The City has reviewed the IS/MND and has no comments.

Response 2A: Noted.

Letter 3: County of Alameda, Public Works Agency (Kwablah Attiogbe, Environmental Compliance Specialist)

Comment 3A: The Agency has reviewed the IS/MND and has no comments.

Response 3A: Noted.

Letter 4: Livermore Area Recreation & Park District (LARPD) (John Lawrence, Assistant General Manager)¹

Comment 4A: Aesthetics (viewpoints in the park that look down onto the DVWTP; glare)

Response 4A: The Draft IS/MND considered views of the DVWTP and proposed Project from various vantage points from within Sycamore Grove Park. The photos in Figure 6 were taken from the southern portions of Sycamore Grove Park. Specifically, Photo 6-2 was taken from along the trail in the upper reaches of the southern park area, looking across and slightly down onto the DVWTP and proposed Project site. An additional photo, shot from a high southern elevation in the park, has been incorporated into the Final IS/MND. From the elevated southern viewpoints, not only would the proposed Project be in full view, but so is the entire DVWTP facility and neighboring land uses in the distances.

As described in the IS/MND, the change in use of a small portion of the DVWTP facility from an area of non-vegetated, disturbed land to a dark colored solar panel system is not considered a significant impact to the site's aesthetic or visual quality (also see Response 4B). Further, the overall aesthetic and visual quality of the Project area will not change, particularly given that the Project site is situated within the fenced DVWTP. There will not be a dramatic change in the use of the site such as conversion of a pristine or natural setting to a high-use setting; rather, an area once used to dry sludge and which is graded regularly will be re-purposed for long-term solar energy production requiring minimal construction and maintenance activities.

The Draft IS/MND does address impacts from glare. The proposed Project does not include any new lighting, and the solar panels themselves will not produce any glare because they are designed to absorb light rather than reflect it. The panels are manufactured with glare resistant tempered glass that minimizes reflected light in order to maximize the absorption and thus produce as much useable electrical energy as possible. Therefore, this Project will not result in an impact as a result of a new source of substantial light or glare.

The conclusions in the IS/MND are appropriate and no revisions to the analysis are required. Minor clarifications have been incorporated. One additional photograph has also been incorporated to illustrate the views from the highest points in the park. (*Reference: IS/MND Section 5.2.1, Initial Study Checklist, Item I - Aesthetics*)

Comment 4B: Aesthetics ("industrial nature" of the existing facility)

Response 4B: The DVWTP is an industrial use consisting of an administration building, water treatment facilities, and sludge drying beds and sludge piles. It is situated on graded terrain that is surrounded by rolling hillsides of vineyards and open space. Intervening topography, such as rolling hills, blocks views of the DVWTP from most vantage points in the park.

The aesthetic qualities of the existing "ponds" (sludge drying beds) and "sediment storage areas" (sludge piles that are regularly reworked by heavy equipment), as well as of the proposed solar panel array, are subjective and vary for each park user. The sludge drying ponds and sludge pile may have an industrial or even as intensive agriculture appearance to some, while the solar panels may have a technical or environmental interest to others – or vice-a-versa.

¹ Comment letter received after close of public comment period

The proposed Project will occupy less than approximately 7% of the total property. The Project will come into full view only for those park users who access the uppermost reaches of the park. From this vantage point, the facility as a whole is in view, and a change of approximately 7% of the facility footprint will not result in a significant impact on visual quality of the area, especially given that the Project is confined to within the facility fence line.

The conclusions in the IS/MND are appropriate and no revisions to the analysis are required. Minor clarifications have been incorporated. (*Reference: IS/MND Section 5.2.1, Initial Study Checklist, Item I - Aesthetics*)

Comment 4C: Aesthetics (vegetative planting along the eastern and southern boundaries of the project area)

Response 4C: The Project may come into limited or partial view for park users either approaching the eastern and southern boundaries of the DVWTP, or for those park users reaching elevation in the park that are above the DVWTP property. These vantage points are described separately, below.

From the eastern boundary, the portions of the Project may come into view for park users on the short east-west trending trail on the approach to the highest, southern areas of the park. This would occur when the panels are at their maximum tilt angle twice a day, and would depend on the position of the park user, as the existing rolling terrain and trees would screen the Project at some locations. Zone 7 concluded that this limited view from this location is not a substantial adverse effect on a scenic vista or existing visual character or quality of the site, and no mitigation is required.

The proposed Project, as well as the entire DVWTP facility, would only come into full view from the highest elevations within Sycamore Grove Park. Zone 7 concluded that when the entire industrial facility is in view, a change in use of 7% of the facility is not considered significant. Further, vegetative planting along the DVWTP southern property boundary would not fully disguise the project, or the DVWTP, as seen from these high, southern locations in the park. Finally, trees and shrubs planted along the southern fence line on LARPD property approximately 6 years ago are expected to continue to grow and will help to better screen the facility over time. Please also refer to item 4B for additional detail.

The conclusions in the IS/MND are appropriate and no revisions or additional mitigation measures are required. (*Reference: IS/MND Section 5.2.1, Initial Study Checklist, Item I - Aesthetics*)

Comment 4D: Additional environmental factors for inclusion in study

Response 4D: All environmental factors listed were considered in this study. The boxes are not checked because the analysis did not indicate any potentially significant impacts.

The conclusions in the IS/MND are appropriate and no revisions are required. (*Reference: IS/MND Section 5.1 Environmental Factors Potentially Affected*)

Comment 4E: Biological Resources (Red legged frogs, California tiger salamanders, and birds of prey)

Response 4E: Section 5.1 acknowledges the presence of Red legged frogs and California tiger salamanders in the geographic range of the Project site; however, they are not present on the Project

site. This is mainly due to the upland nature of the site, lack of aquatic habitat and other vegetation at the site, and also because of the ongoing industrial-natured activity at the DVWTP. Project construction and operation will be completely contained within the property fence line, and no impacts to offsite habitat or other features are expected to occur. Furthermore, during dry periods, California red-legged frogs are seldom found far from water, and thus are not suspected to be near the Project site during construction.

As an added precaution, however, Mitigation Measure WQ-1 has been supplemented with a requirement for a qualified biologist to conduct an onsite inspection to verify that stormwater and erosion control devices are in place and are sufficient to avoid off-site impacts to neighboring aquatic habitats for species including Red legged frogs and California tiger salamanders.

The proposed Project is not expected to result in impacts to birds of prey (such as hawks and eagles), nor will it result in off-site impacts to these animals or their habitat. Unlike wind turbines which are known to kill many birds each year, the solar panels are low to the ground and will rotate very slowly throughout the day as they track the sun from the east in the morning to the west in the afternoon. Furthermore, construction activities will commence only as early as mid-August, 2008 and will avoid the main raptor nesting season between mid-March and mid-August. Once the solar panels are in place, there will not be any features dissuading birds from using the Project area or surroundings.

The conclusions in the IS/MND are appropriate and no revisions to the analysis are required; however, existing mitigation measure WQ-1 has been supplemented. Minor clarifications have also been incorporated. (*Reference: IS/MND Section 5.2.1, Initial Study Checklist, Item IV – Biological Resources and Item VIII – Hydrology and Water Quality*)

Comment 4F: Biological Resources (offsite wetland area)

Response 4F: There will be little change in the amount of impervious surface, and no change to the overall site topography at the Project site, and therefore no significant change to the existing drainage pattern at DVWTP will occur.

As noted above, Mitigation Measure WQ-1 has been supplemented with a requirement for a qualified biologist to conduct an onsite inspection to verify that stormwater and erosion control devices are in place and are sufficient to avoid off-site impacts to neighboring aquatic habitats such as this wetland.

The conclusions in the IS/MND are appropriate and no revisions to the analysis are required; however, existing mitigation measure WQ-1 has been supplemented. (*Reference: IS/MND Section 5.2.1, Initial Study Checklist, Item VIII – Hydrology and Water Quality*)

Comment 4G: Recreation (recreational experience at Sycamore Grove Park)

Response 4G: The Project will have no direct impacts on park usage, and will be viewable by only those park users accessing the uppermost reaches of the park. Please also refer to items 4A and 4B.

The conclusions in the IS/MND are appropriate and no revisions are required. (*Reference: IS/MND Section 5.2.1, Initial Study Checklist, Item XIV – Recreation*)

Comment 4H: CEQA (additional review and discussion)

Response 4H: A 30 day review period was provided pursuant to CEQA. Because no new potentially significant impacts were identified, no additional mitigation measures were identified.

The conclusions in the IS/MND are appropriate and no revisions are required.

Letter 5: Tri Valley Conservancy Laura Mercier, Associate Director

Comment 5A: Land Use and Planning (Conservation easements)

Response 5A: As described in the IS/MND on Page 14, all aspects of construction and operations will be contained within the existing DVWTP property boundary.

The conclusions in the IS/MND are appropriate and no revisions to the analysis are required. A minor clarification has been incorporated. (*Reference: IS/MND Section 5.2.1, Initial Study Checklist, Item IX – Land Use and Planning*)

Comment 5B: Aesthetics (conservation easements include “scenic” and “open space” values)

Response 5B: The Project will be in view only from a minimal number of locations in the park, and these are locations are mainly where the entire DVWTP also comes into view. The proposed Project would occupy less than approximately 7% of the existing DVWTP property. A change of approximately 7% of the facility footprint is not expected to result in a significant impact on the visual quality of the area. Please also refer to items 4A and 4B for additional detail.

The conclusions in the IS/MND are appropriate and no revisions are required. (*Reference: IS/MND Section 5.2.1, Initial Study Checklist, Item I - Aesthetics*)

Comment 5C: Hydrology and water quality (drainage, erosion, flooding, runoff)

Response 5C: The Project will have minimal or no impact on drainage or runoff in the area because there will be little change to the total area of impervious surface. The existing stormwater system will capture runoff, similarly to existing conditions, and a site-specific construction storm water pollution protection plan will be prepared that requires measures to reduce runoff and contain eroded sediments, if any, during construction.

The conclusions in the IS/MND are appropriate and no revisions are required. However, existing mitigation measure WQ-1 has been supplemented to further address this issue. (*Reference: IS/MND Section 5.2.1, Initial Study Checklist, Item VIII – Hydrology and Water Quality*)

Comment 5D: Land Use (access on adjacent property)

Response 5D: Site access during construction and operations will be identical to current practices. Further, because little new traffic will be generated over the course of construction and operation of this Project, adjacent landowners along the DVWTP access route will likely be unaware of the nominal increase.

The conclusions in the IS/MND are appropriate and no revisions to the analysis are required; however, a minor clarification has been incorporated. (*Reference: IS/MND Section 5.2.1, Initial Study Checklist, Item IX – Land Use and Planning*)

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Letters

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Comment Letter No. 1



ARNOLD SCHWARZENEGGER
GOVERNOR

June 17, 2008

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



CYNTHIA BRYANT
DIRECTOR

Elke Rank
Zone 7 Water Agency
100 North Canyons Parkway
Livermore, CA 94551

Subject: Solar Photovoltaic Project - Del Valle Water Treatment Plant
SCH#: 2008052068

Dear Elke Rank:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on June 16, 2008, and no state agencies submitted comments by that date. 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 call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts
Director, State Clearinghouse

1A

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Letter No. 1, continued

Document Details Report State Clearinghouse Data Base

SCH# 2008052068
Project Title Solar Photovoltaic Project - Del Valle Water Treatment Plant
Lead Agency Zone 7 Water Agency

Type MND Mitigated Negative Declaration

Description The project is intended to provide cost saving and environmentally preferable solar energy for Zone 7's Del Valle Water Treatment Plant (DVWTP). At its peak output, the photovoltaic system will supply 300 kW (AC) at DVWTP (approximately 54% of the total energy need for this facility). Zone 7 would continue to purchase traditional energy from PG&E to supplement the solar power which is not available during non-daylight hours. Construction of this system would occur entirely within the DVWTP facility, on a currently unused 2-acre area.

Lead Agency Contact

Name Elke Rank
Agency Zone 7 Water Agency
Phone (925) 454-5005
Fax
email
Address 100 North Canyons Parkway
City Livermore **State** CA **Zip** 94551

Project Location

County Alameda
City Livermore
Region
Lat / Long 37° 37' 53" N / 121° 47' 0" W
Cross Streets Kalthoff Common
Parcel No. 99-1354-1
Township **Range** **Section** **Base**

Proximity to:

Highways 84
Airports
Railways
Waterways Arroyo Del Valle
Schools
Land Use Site in use as a water treatment plant.
 General Plan: Major Public

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

Reviewing Agencies Resources Agency; Regional Water Quality Control Board, Region 2; Department of Parks and Recreation; Native American Heritage Commission; Office of Historic Preservation; Department of Fish and Game, Region 3; Department of Water Resources; Department of Conservation; California Highway Patrol; Caltrans, District 4; Air Resources Board, Major Industrial Projects; Department of Toxic Substances Control; California Energy Commission; Cal Fire

Date Received 05/16/2008 **Start of Review** 05/16/2008 **End of Review** 06/16/2008

Note: Blanks in data fields result from insufficient information provided by lead agency.

Comment Letter No. 2



June 5, 2008

REC'D JUN 09 2008

Elke Rank
Zone 7 Water Agency
100 North Canyons Parkway
Livermore, CA 94551

RE: Initial Study/Draft Mitigated Negative Declaration (IS/DMND)
Solar Photovoltaic Project - Del Valle Water Treatment Plant
Livermore, California

Dear Ms. Rank:

Thank you for providing the City of Livermore a copy of the Initial Study/Draft Mitigated Negative Declaration for the above referenced projects. The City has no comment on this project.

2A

If you have any questions, please contact me at (925) 960-4450.

Sincerely,

A handwritten signature in dark ink, appearing to read "Crystal De Castro", written over a horizontal line.

Crystal De Castro
Assistant Planner

cc: Susan Frost, Principal Planner
Peggy Simi, LARPD Rangers Administrative Aide, 4444 East Avenue Livermore,
CA 94550-5053

City Hall

1052 South Livermore Avenue · Livermore, CA 94550

www.ci.livermore.ca.us

Comment Letter No. 3

**COUNTY OF ALAMEDA
PUBLIC WORKS AGENCY**

399 Elmhurst Street • Hayward, CA 94544-1307
(510) 670-5480

June 2, 2008

Elke Rank
Zone 7 Water Agency
100 North Canyons Parkway
Livermore, California 94551
<http://www.zone7water.com>
925/454-5005

Comments on NOP & Intent to adopt MND – Solar Photovoltaic Project

Dear Ms. Rank:

The County of Alameda Public Works Agency has reviewed your Notice of Preparation and draft Mitigated Negative Declaration and has no comments.

Thank you for the opportunity to comment on these documents. Contact me if you have further questions.

Yours truly,

A handwritten signature in black ink, appearing to read "Kwabian Attiogbe".

Kwabian Attiogbe
Env. Compliance Specialist.

3A

"To Serve and Preserve Our Community"

Comment Letter No. 4



Livermore Area
Recreation & Park District
An independent special district

4444 East Ave., Livermore, CA 94550-5053
(925) 373-5700, Fax (925) 960-2457, www.larpd.dst.ca.us

General Manager
Timothy J. Barry

June 16, 2008

REC'D JUN 18 2008

Elke Rank
Zone 7 Water Agency
100 North Canyons Parkway
Livermore, CA 94551

Re: Solar Photovoltaic Project at the Del Valle Water Treatment Plant in Livermore, CA

Dear Ms. Rank:

Livermore Area Recreation and Park District (LARPD) staff has reviewed the Zone 7 Environmental Initial Study dated May 2008 for the Solar Photovoltaic Project at the Del Valle Water Treatment Plant (DVWTP) in Livermore, CA adjacent to Sycamore Grove Park and have the following comments.

Sycamore Grove Park is the major open space facility of the Livermore/Amador Valley. The park hosts 10,000s of visitors annually. Most of these visitors utilize the park for its aesthetic and scenic features and values. LARPD feels that this project could have significant visual and aesthetic impacts that have not been adequately studied. Of special concern is the need to consider the viewpoints in the park that look down onto the Del Valle Water Treatment Plant and the proposed project site. The visual impact of the project and the glare associated with the solar panels has not been addressed in the study. The photo views in Figure 6 gives a limited perspective of the potential aesthetic and visual impacts of the project from Sycamore Grove Park. Photos from the southern viewpoints of the park would strongly support LARPD's position that there would be significant aesthetic and visual impacts created by this project.

Page 4 Section 3.2.1 Project footprint: Most of the surface area of Zone 7's Del Valle Water Treatment Plant is comprised of ponds and sediment storage areas, which provide a more natural appearance. The "industrial nature" of the existing buildings impacts a relatively small area of the overall site and the buildings are located away from the property boundaries. The proposed project significantly increases the "industrial nature" of the site, especially toward the property boundaries, increasing the negative visual impact of the overall site significantly.

Page 6 Section 3.3.5 Post Construction Site Cleaning and Restoration: LARPD would like to see consideration given for vegetative planting along the eastern and southern boundaries of the project area. Also, due to concerns with the introduction of exotic and non-native vegetation near Sycamore Grove Park, LARPD requests that only

Board of Directors
Maryalice Faltings

David Furst

Steve Goodman

Scott Kamena

Beth Wilson

4A

4B

4C

Letter No. 4, continued

local, native trees, shrubs, grasses and forbs to be used in any vegetative plantings associated with this project. If non-native plants are used, LARPD would like the plants to be non-aggressive species as approved for use by the California Native Plant Society.

Page 7 Section 5.1 Environmental Factors Potentially Affected: LARPD believes that the aesthetics, biological resources, and recreation environmental factors should be included in the study. The omission of these factors is, in our opinion, significant in terms of properly studying the proposed project.

4D

As stated earlier in this letter, the review of the visual impacts of the project is not fully addressed and should be reconsidered.

In addition, Red-legged Frogs and California Tiger Salamanders live and breed on the adjacent properties. Based on the life history of these species, especially the California Tiger Salamander, there may be a potential impact on these species. Also, many birds of prey nest nearby and utilize the open space surrounding the Del Valle Water Treatment Plant as hunting range. The study makes no comment on what potential impacts will this project have on them and we suggest this would be appropriate to be included..

4E

Page 13 Section IV Biological Resources: The project area slopes to the south or southwest and has the potential to drain into Sycamore Grove Park where it could impact an identified wetland area that is used by California Tiger Salamanders as breeding habitat. LARPD believes that this issue needs further study.

4F

In closing, LARPD believes that this project has the potential to significantly lessen the recreational experience of visitors to Sycamore Grove Park. LARPD also believes that this initial study should have additional review and discussion of mitigation options included.

4G

4H

If you have any questions or need clarification on any of LARPD's comments, please do not hesitate to contact us. Thank you for the opportunity to review this document and we hope that our comments are useful.

Sincerely,



John Lawrence
Assistant General Manager
Livermore Area Recreation & Park District

JL/cma

CC: Eric Brown, City of Livermore
Laura Mercier, Tri-Valley Conservancy

Comment Letter No. 5



June 9, 2008

REC'D JUN 10 2008

Sharon Burnham
Executive Director

Board of Directors

Jim Perry Chair
Rik Hansen Vice Chair
Karl Wente Secretary
Jean King Treasurer
Mark Eaton
Miriam Miller
Michael Princevalle
Mary Roberts
Bill Thomson

Elke Rank
Zone 7 Water Agency
100 North Canyons Parkway
Livermore, CA 94551

Re: Solar Photovoltaic Project at the Del Valle Water Treatment Plant in Livermore, CA.

Dear Ms. Rank:

I received and reviewed Zone 7's Environmental Initial Study dated May 2008 for the Solar Photovoltaic Project at the Del Valle Water Treatment Plant (DVWTP) in Livermore, CA and have the following comments.

Please note with the exception of the Foley Road all properties adjacent to the DVWTP are under Conservation Easements held by Tri-Valley Conservancy. This includes Sycamore Grove Park and the residential sites to the west and north of the DVWTP. Because of these conservation easements it is important that all work to install this project must remain within the DVWTP.

5A

Page 8 paragraph 5.2.1 Aesthetics states this project will have a "Less than significant Impact" to the existing visual character or quality of the site and its surroundings" TVC must point out that one of the primary conservation values identified in all our conservation easements surrounding this area is "Scenic and Open space". All effort to minimize impact to the current visibility should be taken including consideration of the high, southern viewpoint in Sycamore Grove Park.

5B

Page 20 paragraph 5.2.1 VIII Hydrology and Water Quality paragraphs c, d, and e identify "Less than significant impact" to drainage pattern, erosion, flooding and runoff. Care should be taken to ensure this project does not impact any of the conservation values identified within the adjacent properties.

5C

Should this project require access through adjacent properties not only must the property owners be contacted but TVC must also be contacted to ensure no conservation values will be put at risk.

5D

If you have any further questions please do not hesitate to call me.

Sincerely,

A handwritten signature in blue ink that reads "Laura Mercier". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Laura Mercier
Associate Director

Cc: Tim Barry, LARPD General Manager
Charles and Alice Crohare, Olivina Ranch Group
Joon Lee
Jose and Pamela Picazo, Picazo Vineyards
Matthew and Claire Walker, Walker Vineyards

www.trivalleyconservancy.org - info@trivalleyconservancy.org - 1736 Holmes Street Bldg. B Livermore, CA 94550 925.449.8706 T - 925.449.8709 F