

EXHIBIT B

CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS RELATED TO THE CERTIFICATION OF THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF PLEASANTON DOWNTOWN SPECIFIC PLAN

I. STATEMENT OF FINDINGS

The findings and determinations contained herein are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the City of Pleasanton Downtown Specific Plan (“the Plan”) and the Environmental Impact Report (EIR) (SCH #2001032014) prepared for the Plan. The findings and determinations constitute the independent findings and determinations by this City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole. These CEQA findings are Exhibit B and are incorporated by reference into each and every resolution approving the Plan. Exhibit C is the Mitigation Monitoring and Reporting Program (MMRP). All Exhibits are incorporated by reference into each other and into the resolution to which the Exhibit is attached.

Although the findings below identify specific pages within the Draft and Final EIRs in support of various conclusions reached below, the City Council agrees with, and thus incorporates by reference and adopts as its own, the reasoning set forth in both environmental documents, and thus relies on that reasoning, even where not specifically mentioned or cited below, in reaching the conclusions set forth below, except where additional evidence is specifically mentioned. This is especially true with respect to the City Council's approval of all mitigation measures recommended in the Draft EIR, and the reasoning set forth in responses to comments in the Final EIR. The City Council further intends that if these findings fail to cross-reference or incorporate by reference any other part of these findings, any finding required or permitted to be made by this City Council with respect to any particular subject matter of the Plan must be deemed made if it appears in any portion of these findings or findings elsewhere in the record.

A. Organization/Format of Findings

Section I.C of these findings contains a summary description of the Plan, sets forth the objectives of the Plan, and provides related background facts. Section I.D describes the record of proceedings associated with the Plan. Section I.E summarizes the City's environmental review of the Plan. Section I.I summarizes and makes findings regarding the Plan's potential impacts that do not require mitigation measures due to the determination that the impacts would be less than significant. Section I.J describes and makes findings regarding the Plan's potentially significant adverse environmental impacts and the mitigation measures that will be imposed to ensure that those impacts would be less than significant. Section I.K describes and makes findings regarding the Plan's significant and unavoidable impacts and the mitigation measures that will be imposed to reduce those impacts to the extent feasible. Section I.L discusses and makes findings regarding the Plan alternatives analyzed in the Draft EIR. Section II contains a description of the Plan's significant and unavoidable impacts and the City's statement of overriding considerations and related findings demonstrating why the Plan's benefits outweigh its significant and unavoidable impacts and thus render them acceptable.

B. Introduction

The Draft EIR prepared for the Plan addresses the environmental impacts associated with the adoption and implementation of the City of Pleasanton Downtown Specific Plan. These findings, as well as the accompanying Statement of Overriding Considerations in Section II, have been prepared to comply with

the requirements of the California Environmental Quality Act (“CEQA”) (Pub. Resources Code § 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.).

C. Plan Description and Objectives

1. Plan Description

Plan Location

The planning area encompasses 319 acres and is approximately bounded by the Alameda County Fairgrounds to the west; the Arroyo del Valle and Union Pacific Railroad tracks to the north; a generally straight-line projection of Second and Third streets to the east; and Bernal Avenue to the south.

Downtown Specific Plan

Pleasanton’s first DSP was adopted in 1989 and was comprehensively updated in 2002. The 1989 Pleasanton DSP and the 2002 update helped create an active commercial area along Main Street and aim to preserve historic residential neighborhoods. Based on feedback from the community and elected officials, the City initiated a comprehensive update to the DSP in 2016 in order to better respond to current market conditions, promote multi-modal mobility, and incorporate other planning efforts recently undertaken by the City. The proposed Plan is the result of that update process. Though many of the policies in the 2002 DSP remain relevant and have been retained, the update will allow the City to address recent changes and opportunities within the planning area.

A key component of the proposed Plan is consideration of alternative land uses for approximately 13-acres of City-owned properties in and around the existing civic center that are the current site of City offices, the Pleasanton Public Library, the Police Station, other municipal uses, and the City-owned 4-acre site adjacent to the ACE station. In late 2016, the City Council accepted the Pleasanton Civic Center/Library Master Plan, which envisions the civic center and library at a new location across Bernal Avenue to the southwest, on the City-owned Bernal Property at Bernal Community Park. Approval of the proposed relocation of the civic center and library is subject to a vote by the people of Pleasanton and is therefore not yet final. In the event that relocation of the civic center is approved, the proposed Plan provides a vision and a conceptual land use plan for the redevelopment of the approximately 9-acre civic center property and an adjacent 4-acre vacant City-owned property, developed with input from the community.

2. Plan Objectives

The proposed Plan is an update to the existing adopted Downtown Specific Plan, which was adopted by the City Council in 1989 and comprehensively updated in 2002. The overarching goal of the Plan remains to improve the viability of downtown while preserving its small-town character and scale. In order to address changes and opportunities downtown, the following objectives have been established for the Plan:

- Provide a framework for new development and redevelopment in the downtown area, including underutilized commercial properties and significant opportunity sites, to provide for viable commercial and residential opportunities that serve residents and visitors and reinforce the beloved visual, historic, and civic character of downtown Pleasanton.
- Provide a vision for the redevelopment of the existing civic center site that will provide a dynamic mix of community gathering places, retail, entertainment, visitor, residential, and employment uses should the civic center and library relocation be approved by voters.

- Promote a balance of mixed-use development in the downtown area to meet the residential, employment, entertainment, and service needs of the community, and create a walkable, active downtown environment.
- Ensure a high-quality, well-designed public realm that prioritizes accessibility, attractive streetscaping, green spaces, plazas, and parks to improve pedestrian mobility and comfort and foster a sense of community and civic pride.
- Improve mobility for all modes, including cars, transit, bicycles, and pedestrians, by improving connections between downtown districts; improving connections from Main Street to side streets; improving connections to the ACE train station; improving transit, bicycle, and pedestrian infrastructure to enhance safety, increase usership, and reduce congestion; and providing complete streets.
- Foster a strong, stable, and diverse local economy built on the strong retail, restaurant, and office base of downtown Pleasanton.
- Preserve and enhance the natural and scenic resources of the Arroyo del Valle.

D. The Record

The record upon which all findings and determinations related to the Plan are based includes the following:

- a) The preliminary scoping documents and draft versions of and the EIR and all documents referenced in or relied upon by the EIR.
- b) All information (including written evidence and testimony) provided by City staff and consultants to the Planning Commission and City Council, relating to the EIR, the proposed approvals for the Plan, and alternatives to the Plan.
- c) All information (including written evidence and testimony) provided to the City or presented at any and all public hearings related to the EIR and the Plan, and all information incorporated into reports presented to any of the public bodies that conducted hearings on the EIR or the Plan.
- d) For documentary and information purposes, all locally adopted land use plans and ordinances, including, without limitation, general plans, specific plans, and related ordinances, together with any related environmental review documents, findings, mitigation monitoring programs and other documentation relevant to the Plan.
- e) The Mitigation Monitoring and Reporting Program for the Plan.
- f) All other documents comprising the record pursuant to Public Resources Code section 21167.6(e).

The custodian of the documents and other materials that constitute the record of proceedings on which the City's decision is based is Community Development Department Senior Planner Shweta Bonn, or designee. Such documents and other materials are located at the Community Development Department, Planning Division at 200 Old Bernal Avenue, Pleasanton, CA 94566.

E. Procedural Compliance with CEQA and Environmental Review of the Plan

Pursuant to CEQA and the State CEQA Guidelines (Cal. Code Regs title 14, § § 15000 et seq), the City determined that an Environmental Impact Report (EIR) should be prepared to analyze the potential environmental impact of the Project. The NOP for the EIR was published on March 9, 2018, notifying State and local agencies and members of the public of the 30-day public scoping period and public Scoping Meetings. The first EIR Scoping Meeting was conducted by the Downtown Specific Plan Update Task Force on March 27, 2018. The second EIR Scoping Meeting was conducted by the Planning Commission on March 28, 2018. The EIR Scoping Meetings were conducted to receive comments and suggestions on scope

and content for the EIR; solicit input on potential impacts, mitigation measures, and alternatives to consider; and consult with public agencies responsible for natural resources, other regulatory bodies, neighboring communities, Native American tribes, and members of the public. The scoping period ended on April 9, 2018. The NOP and comments on the NOP received by the City are included as Appendix A of the EIR.

A Draft EIR was prepared for the Plan to analyze its environmental effects. The EIR for the Plan assesses potential environmental impacts of the Plan in the areas of aesthetics; agricultural resources; air quality; biological resources; cultural, historic, and tribal cultural resources; energy, greenhouse gases, and climate change; geology and soils; hazards and hazardous materials; hydrology and water quality; land use, population, and housing; noise; public services and recreation; transportation; and utilities and service systems. The EIR also considers growth-inducing impacts, significant irreversible environmental changes, and cumulative impacts. The NOP, comments on the NOP, and scoping comments are included as Appendix A of the Draft EIR. Appendices B through F provide further documentation of data and outreach utilized in the Draft EIR impact analyses.

The Draft EIR was circulated for public review and comment between February 1, 2019 and March 17, 2019. The Downtown Specific Plan Task Force held a meeting on February 26, 2019, and the City of Pleasanton Planning Commission held a regular meeting on March 13, 2019 to receive comments on the Draft EIR for the specific plan during the comment period. The City received seven written comments on the Draft EIR, prepared responses that evaluated the comments on environmental issues, and made any necessary additions and revisions to the Draft EIR. The comments, responses to the comments, changes to the Draft EIR, and additional information were published in the Final EIR, including Comments and Responses, dated _____.

The Planning Commission held a regular meeting on June 26, 2019, to recommend certification of the EIR and adoption of the Plan. CEQA Guidelines section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR but before circulation. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent declines to implement. The CEQA Guidelines provide examples of significant new information under this standard. Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications to an adequate EIR. The City finds that although changes have been made to the DEIR, the FEIR does not contain significant new information as defined in the CEQA Guidelines and therefore recirculation of the EIR is not required.

The City Council held a properly noticed public hearing on the Final EIR (consisting of the Draft EIR dated February 1, 2019 and the Comments and Responses dated _____) on _____. The City certified the Final EIR and adopted the Plan on _____. The Draft EIR and Final EIR comprise the "EIR" referenced in these findings.

The EIR provides a program-level analysis of the environmental impacts of the Plan and supports all levels of approval necessary to implement the Plan.

F. Certification of the Draft and Final EIR

In accordance with CEQA Guidelines section 15090(a)(1), the City Council, as lead agency, finds and certifies that the Draft and Final EIR have been completed in compliance with CEQA and the CEQA

Guidelines. The City Council further finds and certifies that it has reviewed and considered the information in the Draft EIR prior to adopting or approving any element of or entitlement for the Plan and that the Final EIR reflects the City Council's independent judgment. Similarly, the City Council finds that it has reviewed the record of proceedings and the Draft and Final EIR prior to approving any element of or entitlement for the Plan. By making these findings, the City Council confirms, ratifies and adopts the findings and conclusions of the Draft and Final EIR, as supplemented and modified by the findings contained herein. The Draft and Final EIR and these findings represent the independent judgment and analysis of the City and the City Council.

The City Council further certifies that the Draft and Final EIR are adequate to support the approval/adoption of all Plan components.

G. Mitigation Monitoring and Reporting Program

A Mitigation Monitoring and Reporting Program (MMRP), which is included as Exhibit C, was prepared for the Plan and was adopted by the City Council by the same resolution that adopts these findings. (See Pub. Resources Code, § 21081. 6, subd. (a)(1); CEQA Guidelines, § 15097.) The City will use the MMRP to ensure and track compliance with Plan mitigation measures. The MMRP will remain available for public review during the compliance period.

H. Findings Required Under CEQA

In accordance with Public Resources Code section 21081 and CEQA Guidelines sections 15091 and 15092, the City adopts the findings and conclusions regarding the impacts and mitigation measures that are set forth in the EIR. These findings do not repeat the full discussions of environmental impacts contained in the EIR. The City ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the EIR. The City adopts the reasoning of the EIR, staff reports, and presentations provided by the staff as may be modified by this Resolution.

The City recognizes that the environmental analysis of the Plan raises controversial environmental issues, and that a range of technical and scientific opinion exists with respect to those issues. The City has, through review of the evidence and analysis presented in the record, considered the full scope of the environmental issues presented. These findings are based on a full appraisal of all viewpoints expressed and evidence presented in the EIR and in the record, as well as other relevant information in the record of the proceedings for the Plan.

I. No Impact or Less than Significant Impacts Without Mitigation

Based on the discussion in Section 3 of the Draft EIR, and other supporting information in the record, the City Council finds that the Plan would have no impact or a less than significant impact associated with the specific issues identified below. As a result, no mitigation measures were determined to be needed to address the following:

1. Aesthetics

Implementation of the Plan would not have a substantial adverse effect on a scenic vista. (Draft EIR, pp. 3.1-16, Impact 3.1-1.)

Implementation of the Plan would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a State scenic highway. (Draft EIR, pp. 3.1-17, Impact 3.1-2.)

Implementation of the Plan would not substantially degrade the existing visual character or quality of the planning area and its surroundings. (Draft EIR, pp. 3.1-17 to 3.1-18, Impact 3.1-3.)

Implementation of the Plan would create new sources of substantial light or glare that could adversely affect day- or night-time views in the area. (Draft EIR, pp. 3.1-19, Impact 3.1-4.)

2. Air Quality

Development under the Plan will not conflict with or obstruct the implementation of the applicable air quality plan. (Draft EIR, pp. 3.2-32 to 3.2-38, Impact 3.2-1.)

Development under the Plan would not create objectionable odors affecting a substantial number of people. (Draft EIR, pp. 3.2-50 to 3.2-51, Impact 3.2-4.)

3. Biological Resources

Implementation of the Plan would not have a substantial adverse effect, either directly or through habitat modifications, on species identified as 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. (Draft EIR, pp. 3.3-17 to 3.3-20, Impact. 3.3-1.)

Implementation of the Plan would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. (Draft EIR, pp. 3.3-20 to 3.3-21, Impact 3.3-2.)

Implementation of the Plan would not 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. (Draft EIR, pp. 3.3-21 to 3.3-22, Impact 3.3-3.)

Implementation of the Plan would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident of migratory wildlife corridors, or impede the use of native wildlife nursery sites. (Draft EIR, pp. 3.3-22 to 3.3-23, Impact 3.3-4.)

Implementation of the Plan would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. (Draft EIR, pp. 3.3-23 to 3.3-24, Impact 3.3-5.)

Implementation of the Plan would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. (Draft EIR, pp. 3.3-24, Impact 3.3-6.)

4. Cultural, Historic, and Tribal Cultural Resources

Implementation of the Plan would not cause a substantial adverse change in the significance of a historical resource, as defined as physical demolition, destruction, relocation, or alteration of the resource or its

immediate surroundings such that the significance of a historic resource would be materially impaired (Guidelines Section 15064.5). (Draft EIR, pp. 3.4-22 to 3.4-23, Impact 3.4-1.)

Implementation of the Plan would not cause an adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. (Draft EIR, pp. 3.4-23, Impact 3.4-2.)

Implementation of the Plan would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. (Draft EIR, pp. 3.4-24, Impact 3.4-3.)

Development allowed by the Plan would not have the potential to disturb human remains, including those interred outside of formal cemeteries. (Draft EIR, pp. 3.4-24, Impact 3.4-4.)

Implementation of the Plan would not cause an adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:

- (a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or
- (b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (Draft EIR, pp. 3.4-25, Impact 3.4-5.)

5. Energy, Climate Change, and Greenhouse Gases

Development under the Plan would not cause wasteful, inefficient, or unnecessary consumption of energy during project construction, operation, and/or maintenance. (Draft EIR, pp. 3.5-54 to 3.5-56, Impact 3.5-3.)

The Plan would not conflict with the CBC Energy Efficiency Standards, the CARB passenger vehicle GHG emissions reduction targets for 2020 and 2035, or any other applicable energy conservation regulations. (Draft EIR, pp. 3.5-57, Impact 3.5-4.)

6. Geology and Seismicity

Implementation of the Plan would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map or based on other substantial evidence of a known fault; strong seismic groundshaking; seismic-related ground failure, including liquefaction; and landslides. (Draft EIR, pp. 3.6-16 to 3.6-17, Impact 3.6-1.)

Implementation of the Plan would not result in substantial soil erosion or topsoil loss. (Draft EIR, pp. 3.6-17 to 3.6-18, Impact 3.6-2.)

Implementation of the Plan would not locate structures on expansive soils or on a geologic unit or soil that is unstable, or that would become unstable as a result of new development under the Plan, or potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse, or create substantial risks to life or property. (Draft EIR, pp. 3.6-18, Impact 3.6-3.)

Implementation of the Plan would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. (Draft EIR, pp. 3.6-18. Impact 3.6-4.)

7. Hazards and Hazardous Materials

Development under the Plan would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. (Draft EIR, pp. 3.7-20 to 3.7-21, Impact 3.7-1.)

Development under the Plan would not 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. (Draft EIR, pp. 3.7-21 to 3.7-22, Impact 3.7-2.)

Development under the Plan would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. (Draft EIR, pp. 3.7-22, Impact 3.7-3.)

Development under the Plan would not result in a project 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, create a significant hazard to the public or the environment. (Draft EIR, pp. 3.7-24, Impact 3.7-4.)

Development under the Plan 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 uses airport, would not result in a safety hazard for people residing or working in the project area. (Draft EIR, pp. 3.7-24 to 3.7-25, Impact 3.7-5.)

Development under the Plan would not result in a safety hazard for people residing or working within the vicinity of a private airstrip. (Draft EIR, pp. 3.7-25, Impact 3.7-6.)

Development under the Plan would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (Draft EIR, pp. 3.7-25 to 3.7-26, Impact 3.7-7.)

Development under the Plan would not 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. (Draft EIR, pp. 3.7-26 to 3.7-27, Impact 3.7-8.)

8. Hydrology, Drainage, and Water Quality

Development under the Plan would not violate any water quality standards or waste discharge requirements. (Draft EIR, pp. 3.8-26 to 3.8-27, Impact 3.8-1.)

Development under the Plan would not 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). (Draft EIR, pp. 3.8-27 to 3.8-28, Impact 3.8-2.)

Development under the Plan would not substantially alter the existing drainage pattern of the planning area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion, siltation, or flooding on- or off-site. (Draft EIR, pp. 3.8-28 to 3.8-30, Impact 3.8-3.)

Development under the Plan would not 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. (Draft EIR, pp. 3.8-30 to 3.8-32, Impact 3.8-4.)

Development under the Plan would not otherwise substantially degrade water quality. (Draft EIR, pp. 3.8-32 to 3.8-33, Impact 3.8-5.)

Development under the Plan would not 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. (Draft EIR, pp. 3.8-33, Impact 3.8-6.)

Development under the Plan would not place within a 100-year flood hazard area structures which would impede or redirect flood flows. (Draft EIR, pp. 3.8-33, Impact 3.8-7.)

Development under the Plan would not 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. (Draft EIR, pp. 3.8-34 to 3.8-35, Impact 3.8-8.)

Development under the Plan would not result in inundation by seiche, tsunami, or mudflow. (Draft EIR, pp. 3.8-35, Impact 3.8-9.)

9. Land Use, Population, and Housing

Implementation of the Plan would not physically divide an established community. (Draft EIR, pp. 3.9-18 to 3.9-19, Impact 3.9-1.)

Implementation of the Plan would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. (Draft EIR, pp. 3.9-19 to 3.9-21, Impact 3.9-2.)

Implementation of the Plan would not conflict with any applicable habitat conservation plan or natural community conservation plan. (Draft EIR, pp. 3.9-21, Impact 3.9-3.)

Implementation of the Plan would not 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). (Draft EIR, pp. 3.9-21 to 3.9-23, Impact 3.9-4.)

Implementation of the Plan would not displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere. (Draft EIR, pp. 3.9-23 to 3.9-24, Impact 3.9-5.)

10. Noise

Implementation of the Plan would not expose persons to or generate noise levels in excess of the noise standards established in the proposed General Plan Noise Element or applicable standards of other agencies. (Draft EIR, pp. 3.10-19 to 3.10-27, Impact 3.10-1.)

Implementation of the Plan would not expose people to or generate excessive groundborne vibration or groundborne noise levels. (Draft EIR, pp. 3.10-27 to 3.10-30, Impact 3.10-2.)

The development of the Plan would not result in a substantial permanent increase in ambient noise levels above levels existing without the Plan. (Draft EIR, pp. 3.10-31 to 3.10-32, Impact 3.10-3.)

The development of the Plan would not result in a substantial temporary or periodic increase in ambient noise levels above levels existing without the Plan. (Draft EIR, pp. 3.10-32 to 3.10-33, Impact 3.10-4.)

Development under the Plan would not expose people residing or working in the planning area to excessive noise levels. (Draft EIR, pp. 3.10-33, Impact 3.10-5.)

Development under the Plan would not expose people residing or working in the project area to excessive noise levels, nor result in a safety hazard for people residing or working within the vicinity of a private airstrip. (Draft EIR, pp. 3.10-33, Impact 3.10-6.)

11. Public Facilities and Recreation

Implementation of the Plan would not 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 fire protection, police protection, schools, parks, or other public facilities. (Draft EIR, pp. 3.11-18 to 3.11-22, Impact 3.11-1.)

Implementation of the Plan would not 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. (Draft EIR, pp. 3.11-22, Impact 3.11-2.)

Implementation of the Plan would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. (Draft EIR, pp. 3.11-23, Impact 3.11-3.)

12. Traffic and Transportation

Implementation of the Plan would not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. (Draft EIR, pp. 3.12-54, Impact 3.12-2.)

Implementation of the Plan would not 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. (Draft EIR, pp. 3.12-55, Impact 3.12-3.)

Implementation of the Plan would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). (Draft EIR, pp. 3.12-55, Impact 3.12-4.)

Implementation of the Plan would not result in inadequate emergency access. (Draft EIR, pp. 3.12-55, Impact 3.12-5.)

13. Utilities and Service Systems

Development under the Plan would not violate wastewater treatment requirements of the applicable Regional Water Quality Control Board. (Draft EIR, pp. 3.13-20 to 3.13-21, Impact 3.13-1.)

Development under the Plan would not 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. (Draft EIR, pp. 3.13-21 to 3.13-23, Impact 3.13-2.)

Development under the Plan would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. (Draft EIR, pp. 3.13-23 to 3.13-24, Impact 3.13-3.)

Development under the Plan would have sufficient water supplies available to serve the project from existing entitlements and resources. (Draft EIR, pp. 3.13-24 to 3.13-35, Impact 3.13-4.)

Development under the Plan would not result in a determination by the wastewater treatment provider that serves the planning area that it has inadequate capacity to serve the proposed Plan's projected demand in addition to the provider's existing commitments. (Draft EIR, pp. 3.13-25 to 3.13-26, Impact 3.13-5.)

Development under the Plan would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. (Draft EIR, pp. 3.13-26 to 3.13-27, Impact 3.13-6.)

Development under the Plan would comply with federal, State, and local statutes and regulations related to solid waste. (Draft EIR, pp. 3.13-27, Impact 3.13-7.)

14. Impacts Not Potentially Significant and "Scoped Out"

Implementation of the Plan would not 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. (Draft EIR, pp. 3.14-2.)

Implementation of the Plan would not conflict with existing zoning for agricultural use, or a Williamson Act contract. (Draft EIR, pp. 3.14-2.)

Implementation of the Plan would not conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)). (Draft EIR, pp. 3.14-2 to 3.14-3.)

Implementation of the Plan would not result in the loss of forest land or conversion of forest land to non-forest use. (Draft EIR, pp. 3.14-2 to 3.14-3.)

Implementation of the Plan would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or forest land to non-forest use. (Draft EIR, pp. 3.14-2 to 3.14-3.)

Implementation of the Plan would not 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. (Draft EIR, pp. 3.14-3 to 3.14-4.)

Implementation of the Plan would not 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. (Draft EIR, pp. 3.14-3 to 3.14-4.)

J. Less than Significant Impacts with Mitigation Incorporated

The Draft EIR determined that the Plan has potentially significant environmental impacts in the areas discussed below and identified feasible mitigation measures to avoid or substantially reduce some or all of the environmental impacts in these areas. Based on the information and analyses set forth in the Draft and Final EIRs, all but three of the Plan's impacts will be avoided or substantially reduced to less than significant with identified feasible mitigation measures incorporated into the Plan.

The City Council agrees with the characterization in the Draft EIR with respect to all impacts initially identified as "significant" or "potentially significant" that would be rendered less than significant with implementation of the mitigation measures identified in the Draft EIR and MMRP. In accordance with CEQA Guidelines section 15091(a), a specific finding is made for each impact and its associated mitigation measures in the discussions below. The City Council again ratifies, adopts, and incorporated the full analysis, explanation, findings, responses to comments, and conclusions of the Draft and Final EIR.

1. Air Quality

Impact 3.2-3: Development under the Plan would expose sensitive receptors to substantial pollutant concentrations.

(a) Facts in Support of Finding: The EIR assessed the potential for the Plan to expose sensitive receptors to substantial concentrations of CO, Asbestos, and toxic air contaminants (TACs). It found that the Plan did not have the potential to substantially increase CO hotspots or potential exposure to asbestos, but that it could, through construction and operation, increase exposure of sensitive receptors to TACs.

(b) Effects of Plan Policies and Remaining Impacts: Construction of the new land use developments allowable under the Plan would occur intermittently in the planning area throughout the course of the buildout period. Diesel construction equipment would be regulated under airborne toxic control measures (ATCMs) adopted by the California Air Resources Board (CARB). The Plan does not include additional feasible policies that would further reduce impacts from construction below a level of significance.

When siting new sensitive receptors, the Bay Area Air Quality Management District (BAAQMD) Guidelines advise that lead agencies examine existing or future proposed sources of TAC and/or particulate matter that would adversely affect individuals within the planning area. Development of new sensitive receptors would be subject to project-level CEQA assessment. The Plan does not include additional feasible policies that would further reduce impacts from operation of existing stationary sources below a level of significance.

(c) Rationale and Conclusion: The Plan would allow growth of new residential land uses that would be sensitive receptors and new construction that has potential for new emissions sources. Typically, these sources would be evaluated through the BAAQMD permit process and/or the CEQA process to identify and mitigate any significant exposures. This impact will be mitigated through imposition of Mitigation Measures AQ-1, AQ-2, AQ-3, and AQ-4, which require implementation of the following actions:

- **AQ-1:** *Prior to issuance of construction permits, development project applicants that are subject to CEQA and exceed the screening sizes in BAAQMD's CEQA Guidelines shall prepare and submit to*

the City of Pleasanton a technical assessment evaluating potential project construction-related air quality impacts. The evaluation shall be prepared in conformance with the BAAQMD methodology in assessing air quality impacts. If construction-related criteria air pollutants are determined to have the potential to exceed the BAAQMD thresholds of significance, as identified in the BAAQMD CEQA Guidelines, the City of Pleasanton shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during construction activities to below these thresholds.

- **AQ-2:** Prior to issuance of construction permits, development project applicants that are subject to CEQA and exceed the screening sizes in BAAQMD's CEQA project applicants that are subject to CEQA and exceed the screening sizes in BAAQMD's CEQA Guidelines shall prepare and submit to the City of Pleasanton a technical assessment evaluating potential air quality impacts related to the project's operation phase. The evaluation shall be prepared in conformance with the BAAQMD methodology in assessing air quality impacts. If operation-related criteria air pollutants are determined to have the potential to exceed the BAAQMD thresholds of significance, as identified in BAAQMD's CEQA Guidelines, the City of Pleasanton Community Development Department shall require that applicants for new development projects incorporate mitigation measures to reduce air pollutant emissions during operational activities.
- **AQ-3:** Applicants for future non-residential land uses within the city that: 1) have the potential to generate 100 or more diesel truck trips per day or have 40 or more trucks with operating diesel-powered TRUs, and 2) are within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, nursing homes), as measured from the property line of a proposed Project to the property line of the nearest sensitive use, shall submit a health risk assessment (HRA) to the City of Pleasanton prior to future discretionary project approval. The HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment and the Bay Area Air Quality Management District. If the HRA shows that the incremental cancer risk exceeds 10 in one million (10E-06), PM_{2.5} concentrations exceed 0.3 µg/m³, or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and noncancer risks to an acceptable level, including appropriate enforcement mechanisms.
- **AQ-4:** Applicants for residential and other sensitive land use projects (e.g., hospitals, nursing homes, day care centers) in Pleasanton within 1,000 feet of a major sources of toxic air contaminants (TACs) (e.g., warehouses, industrial areas, and roadways with traffic volumes over 10,000 vehicle per day), as measured from the property line of the project to the property line of the source/edge of the nearest travel lane, shall submit a health risk assessment (HRA) to the City of Pleasanton prior to future discretionary project approval. The HRA shall be prepared in accordance with policies and procedures of the State Office of Environmental Health Hazard Assessment (OEHHA) and the Bay Area Air Quality Management District. The latest OEHHA guidelines shall be used for the analysis, including age sensitivity factors, breathing rates, and body weights appropriate for children ages 0 to 16 years. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E06), PM_{2.5} concentrations exceed 0.3 µg/m³, or the appropriate noncancer hazard index exceeds 1.0, the applicant will be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level (i.e., below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms. Measures to reduce risk may include but are not limited to:
 - Air intakes located away from high volume roadways and/or truck loading zones.
 - Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized maximum efficiency rating value (MERV) filters.

Measures identified in the HRA shall be included in the environmental document and/or incorporated into the site development plan as a component of the proposed Project. The air intake design and MERV filter requirements shall be noted and/or reflected on all building plans submitted to the City and shall be verified by the City's Community Development Department.

With the implementation of these Mitigation Measures, which require project applicants to submit a technical assessment and/or Health Risk Assessment in order to ensure that land use changes would not increase exposure of sensitive receptors to criteria air pollutants, impacts would be reduced to a less than significant level. (Draft EIR, pp. 3.2-43 to 3.2-29.)

2. Traffic and Transportation

Impact 3.12-1: Implementation of the Plan would result in conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

(a) Facts in Support of Finding: Potentially significant impacts are identified at seven intersections, as follows:

- *Intersection 1 – Division Street/Hopyard Road at Del Valle Parkway:* In the cumulative condition, the addition of Plan traffic would deteriorate the LOS of a controlled movement at the intersection from LOS E to LOS F, and would also result in overall LOS E conditions during the AM and PM peak hours. Peak hour signal warrants are not met.
- *Intersection 6 – First Street at Ray Street/Vineyard Avenue:* In the near-term and cumulative conditions, the addition of Plan traffic would result in vehicle queues that exceed the available storage in the AM peak hour. The Plan would not increase the queue length by more than 25 feet.
- *Intersection 7 – Peters Avenue at St. Mary Street:* In the cumulative condition, the addition of Plan traffic would deteriorate the overall LOS from LOS C in the PM peak hour to LOS F, as well as worsen the operations of a controlled movement by increasing delay by more than 30-seconds.
- *Intersection 11 – First Street at Neal Street:* In the existing AM, and near-term and cumulative conditions during both peak hours, the addition of Plan traffic would result in vehicle queues that exceed the available storage in the PM peak hour.
- *Intersection 16 – Case Avenue/Old Bernal Avenue at Bernal Avenue:* In the near-term and cumulative conditions, the eastbound left-turn queue would extend beyond the available storage in the PM peak hour, and the addition of Plan traffic would increase the queue by more than 25 feet.
- *Intersection 17 – Bernal Avenue at Main Street:* In the near-term condition, the addition of Plan traffic would increase traffic by ten or more vehicles on the controlled approach of an intersection that already operates at a deficient level of service and meets traffic warrants. Additionally, when the intersection is signalized in the cumulative condition, the eastbound and southbound left-turn queues are projected to exceed the available storage. The addition of Plan traffic would increase the eastbound left-turn queue by more than 25 feet during both peak hours.
- *Intersection 21 – Sunol Boulevard at Valley Avenue/Junipero Street:* In the cumulative condition, the addition of Plan traffic would result in vehicle queues that extend beyond the available storage of the northbound left-turn lane in the AM peak hour.

(b) Effects of Plan Policies and Remaining Impacts: The Plan includes multiple policies and implementing actions that would seek to minimize congestion in the transportation network through a series of efforts to reduce single occupancy vehicle trips, improve circulation throughout Downtown Pleasanton, and promote walking, biking, and transit trips as viable transportation options. Nevertheless, even with Plan policies and implementing actions, impacts at the above stated intersections would be significant.

(c) Rationale and Conclusion: The EIR includes the following Mitigation Measures to alleviate the significant impacts noted above:

- **TRA-1:** *Division Street/Hopyard Road at Del Valle Parkway: Install traffic signal.*
- **TRA-2:** *Peters Avenue at St. Mary Street: Stripe a northbound and southbound left-turn pocket at the intersection to mitigate the impact in the existing and near-term. To mitigate the cumulative impact, the City would signalize the intersection, in addition to the restriping identified as an existing and near-term mitigation.*

Development in the planning area should contribute a fair share towards this improvement. This improvement is not in the TIF. Should this improvement be added to the TIF, payment of the City's TIF would constitute a fair share payment.

The potential for restriping should be evaluated against the proposed Plan to provide a cycle track on Peters Avenue. If there is not sufficient right-of-way to provide left-turn pockets and a cycle track, then the existing and near-term mitigation is to signalize the intersection.

- **TRA-3:** *Bernal Avenue at Main Street: Signalize the intersection and modify the eastbound and southbound left-turn pockets to accommodate the projected vehicle queues.*
- **TRA-4:** *First Street at Ray Street/Vineyard Avenue: Retime traffic signal.*
- **TRA-5:** *First Street at Neal Street: Retime traffic signal and extend the eastbound left-turn by 30 feet.*
- **TRA-6:** *Case Avenue/Old Bernal Avenue at Bernal Avenue: Extend the length of the eastbound left-turn pocket to provide 275 feet of vehicle storage.*
- **TRA-7:** *Bernal Avenue at Main Street: Implement Mitigation Measure TRA-3, which would provide the appropriate left-turn storage when the intersection is signalized.*
- **TRA-8:** *Sunol Boulevard at Valley Avenue/Junipero Street: Retime traffic signal either extent the northbound left-turn pocket to 300-feet or construct a second northbound left-turn lane and associated receiving lane.*

With the implementation of these Mitigation Measures, impacts would be reduced to a less than significant level. (Draft EIR, pp. 3.12-38 to 3.12-54.)

Impact 3.12-6: Implementation of the Plan would conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

(a) Facts in Support of Finding: Bicycle facilities proposed under the Plan are not consistent with the bicycle facilities contemplated for the downtown area in the City of Pleasanton's Bicycle and Pedestrian Master Plan.

(b) Effect of Plan Policies and Remaining Impacts: The Plan is centered on a complete-streets approach, which would improve the performance and safety of transit, bicycle, and transit facilities in the

planning area. Implementation of Plan policies MP-P.1 through MP-P.31 and MP-P.45 would ensure that impacts to the performance and safety of such facilities would not occur. However, the Plan proposes bicycle facilities that are not included in the Bicycle and Pedestrian Master Plan and does not provide specific policies that would reduce this conflict to a less than significant level.

(c) **Rationale and Conclusion:** The EIR includes the following mitigation measure to alleviate the significant impact noted above:

- **TRA-9:** *Conduct a feasibility study for the proposed bicycle and pedestrian facilities in the proposed Plan. Should the facilities be deemed feasible, amend the City's Bicycle and Pedestrian Master Plan to reflect the bicycle and pedestrian improvements included in the proposed Plan. Should improvements be deemed infeasible, amend the proposed Plan.*

With the implementation of Mitigation Measure TRA-9, the impact would be reduced to a less than significant level. (Draft EIR, pp. 3.12-56.)

K. Significant and Unavoidable Impacts

1. Air Quality

Impact 3.2-2: Development under the Plan would violate air quality standards, contribute substantially to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria pollutants for which the region is in nonattainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

(a) **Facts in Support of Finding:** Development under the Plan that would exceed the Bay Area Air Quality Management District's (BAAQMD) regional significance thresholds would contribute to the nonattainment designation of the San Francisco Bay Area Air Basin (SFBAAB), which constitutes an air quality violation. The SFBAAB is currently designated a nonattainment area for State and national ozone ambient air quality standards (AAQS), as well as the State particulate matter (PM_{2.5} and PM₁₀) standards. Construction associated with new land use developments under the Plan would result in the temporary generation of ozone precursors (reactive organic gas [ROG] and nitrogen oxides [NOX]), carbon monoxide [CO], and particulate matter emissions. Operational sources under the specific plan update, including mobile, area, and energy sources, would result in a net increase in criteria pollutant emissions of ROG, PM₁₀, and PM_{2.5} and potential violation of ROG, PM₁₀, and PM_{2.5} air quality standards. To reduce the Plan's criteria pollutant emissions in 2040, Mitigation Measures AQ-1 and AQ-2 are recommended. Even with mitigation, implementation of the Plan would generate operational ROG emissions in excess of BAAQMD air quality standards.

(b) **Effect of Plan Policies and Remaining Impacts:** No policies within the Plan would further reduce impacts related to construction. However, the comprehensive suite of Plan policies would reduce the severity of growth-oriented criteria pollutants by locating uses in proximity to transit (i.e., the ACE train station), fostering bicycle and pedestrian infrastructure, and supporting sustainable land use patterns, including mixed-use design and increased density (policies EV-P.2, LD-P.5, LD-P.30, LD-P.40, MP-P.8, MP-P.9, MP-P.16, MP-P.18, MP-P.21, MP-P.22, MP-P.25, MP-P.26, MP-P.29, MP-P.30, MP-P.32, MP-P.43, implementing action LD-I.3).

(c) **Rationale and Conclusion:** The Plan includes policies and implementing actions that would minimize air pollution to the extent feasible. Mitigation Measures AQ-1 and AQ-2 would further reduce emissions of ROGs and particulate matter by requiring development project applicants to prepare and

submit technical assessments evaluating potential project construction and operation-related criteria air quality impacts.

Additionally, an analysis of emissions generated from the operation of development allowed under the specific plan update would be individually compared to BAAQMD's project-level significance thresholds during individual environmental review. However, given that ROG emissions would increase under implementation of the Plan, even with mitigation, it is anticipated that this increase in ROG emissions, a precursor of ROG and PM_{2.5}, would have a significant and unavoidable impact on the continued nonattainment status of the region for these air pollutants. The impact is found to be significant and unavoidable under 14 CCR Section 15091(a)(3). This potential unavoidable significant impact is acceptable and overridden as set forth below in the Statement of Overriding Considerations. (Draft EIR, pp. 3.2-28 to 3.2-43.)

2. Energy, Climate Change, and Greenhouse Gases

Impact 3.5-1: Development under the Plan would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

(a) **Facts in Support of Finding:** Assuming compliance with existing state and local policies and implementation of the Plan's comprehensive suite of policies, which include efforts to reduce VMT, net operational GHG emissions in 2040 could exceed the efficiency metric of 1.7 MTCO_{2e} per service population calculated in the Methodology and Assumptions section of Draft EIR Section 3.5. To reduce the Plan's GHG emissions in 2040, Mitigation Measure GHG-1 is recommended:

- **GHG-1: New Development GHG Emissions Reduction Measures.** Implement the following GHG reduction metrics to guide further development within the planning area:
 - a) *Require all new development to install indoor water efficient appliances and fixtures to achieve a minimum of 15 percent reduction in water usage and require applicants for new development to submit landscape and irrigation plans capable of achieving a minimum of 10 percent reduction in outdoor water usage. The percent reductions should be achieved over baseline water use conditions in the City at the time of development.*
 - b) *Require applicants for future projects within the planning area to implement one or more of the following energy efficiency measures:*
 - *Design individual habitable residential and non-residential structures to be 15 percent more energy efficient than the current Building and Energy Efficiency Standards;*
 - *Provide a 15 percent offset in building envelope energy use through use of renewable energy (e.g. photovoltaic, wind);*
 - *Provide a combination of energy reductions and renewable energy offsets to meet the overall 15 percent reduction in energy use.*

The 15 percent reduction in building envelope energy use shall be based on the current Building and Energy Efficiency Standards (Title 24, Part 6 of the California Building Code) that is in place at the time building permits are submitted to the City. Architectural plans submitted to the City Building Division shall identify the requirement to reduce building energy use by 15 percent and/or provide renewable energy to meet this requirement.
 - c) *Require applicants for non-residential projects that employ 20 or more people—which is equivalent to 12,000 square feet of retail space, 6,000 square feet of office space, 20,000 square*

feet of industrial space, or 22 hotel rooms to implement an employee commute trip reduction (CTR) program. The CTR program shall identify alternative modes of transportation to the project, including transit schedules, bike and pedestrian routes, and carpool/vanpool availability. Information regarding these programs shall be readily available to employees and clients. The project applicant or designee shall implement at least one of the following incentives for commuters as part of the CTR program, or another equally effective incentive:

- *Ride-matching assistance (e.g. subsidized public transit passes)*
- *Vanpool assistance or employer-provided vanpool/shuttle*
- *Car-sharing program (e.g. Zipcar)*
- *Bicycle end-trip facilities, including bike parking, lockers, and showers.*

Implementation of requirements listed in Mitigation Measure GHG-1 and Plan policies would significantly reduce GHG emissions in 2040. However, even implementation of all reasonable mitigation measures in tandem with all applicable existing policies and regulations would not be sufficient to achieve the 2040 efficiency threshold of 1.7 MTCO_{2e} per service population that would indicate “substantial progress” towards the EO S-3-05 GHG emissions reduction target.

(b) Effects of Plan Policies and Remaining Impacts: Effects of the Plan policies, including those aimed at reducing mobile emissions by promoting multi-modal transportation infrastructure, were factored into the above analysis to the extent that the reduction of GHGs from proposed policies could be quantified. Even accounting for these reductions, emissions levels under implementation of the Plan would exceed the significance threshold.

(c) Rationale and Conclusion: Mitigation Measure GHG-1 would require new development to be energy and water efficient, reducing area emissions, and to provide commute trip reduction options, reducing mobile emissions. Compliance with mitigation measure GHG-1, Plan policies, and state and local policies and regulations including reduction goals provided in California’s Renewable Portfolio Standard, Title 24 requirements and CAP exceedance goals, the City of Pleasanton General Plan, the City’s Municipal Code, and the City’s Climate Action Plan would significantly reduce overall GHG emissions below existing levels. However, the Plan would still not achieve the 2040 efficiency threshold of 1.7 MTCO_{2e} per service population that would indicate “substantial progress” towards the EO S-3-05 GHG emissions reduction target. Therefore, the proposed Plan would result in a significant and unavoidable impact on the environment and the progress of climate change with respect to the generation of GHG emissions. The impact is found to be significant and unavoidable under 14 CCR Section 15091(a)(2). This potential unavoidable significant impact is acceptable and overridden as set forth below in the Statement of Overriding Considerations. (Draft EIR, pp. 3.5-31 to 3.5-43.)

Impact 3.5-2: Development under the Plan would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

(a) Facts in Support of Finding: Assembly Bill (AB) 32 and EO S-03-05 set targets for State GHG reductions of 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050. The 2017 CARB Scoping Plan creates a pathway to achieving those goals by reducing GHG emissions to 4.0 MTCO_{2e} per capita by 2030 and 2.0 MTCO_{2e} per capita by 2050. The Plan would support the intent of the Scoping Plan; however, it may conflict with the thresholds required by the Scoping Plan under EO S-3-05. BAAQMD’s CEQA Guidelines, as discussed in the Methodology and Assumptions section, builds upon the CARB per capita thresholds by creating an efficiency threshold that uses service population in lieu of resident population, which is more appropriate for a land use plan, such as the Plan.

Accounting for compliance with State and federal standards, policies within the Plan that can be quantified, and Mitigation Measure GHG-1, the resulting 2040 per capita emissions exceed the efficiency metric of 1.7 MTCO_{2e} per service population that would constitute “sufficient progress” towards the goals established by AB 32 and EO S-03-05. While emissions of MTCO_{2e} per service population would decrease in 2040 under the proposed Plan, development under the proposed Plan in 2040 would not be consistent with the statewide GHG emissions reduction trajectory for 2030 and 2050 under SB 32. Thus, the proposed Plan’s emissions would not be consistent with the goals in SB 32 and EO S-3-05 despite implementation of mitigation and therefore would not be consistent with the 2017 Climate Change Scoping Plan, creating an impact that would be significant and unavoidable.

(b) Effects of Plan Policies and Remaining Impacts: Effects of the Plan policies, including those aimed at reducing mobile emissions by promoting multi-modal transportation infrastructure, were factored into the above analysis to the extent that the reduction of GHGs from proposed policies could be quantified. Even accounting for these reductions, emissions levels under implementation of the Plan would exceed the significance threshold.

(c) Rationale and Conclusion: Implementation of Mitigation Measure GHG-1 would help to reduce conflict with the GHG emissions reduction trajectory for 2050 articulated under EO S-3-05 to the extent practicable and feasible; however, further action is necessary at the State and federal levels to achieve the deep cuts to emissions sources outside the City’s jurisdictional control needed to meet the GHG emissions reductions targets laid out by the State. Given that, at this time, there are no post-2030 State or federal measures that would assist the City in achieving the efficiency target in 2040, even with implementation of Mitigation Measure GHG-1, the potential exists for the proposed Plan to conflict with applicable plans, policies, or regulations adopted for the purpose of reducing the emissions of GHGs. The impact is found to be significant and unavoidable under 14 CCR sections 15091(a)(2) and 15091(a)(3). This potential unavoidable significant impact is acceptable and overridden as set forth below in the Statement of Overriding Considerations. (Draft EIR, pp. 3.5-43 to 3.5-54.)

L. Alternatives

An EIR is required to identify a “range of potential alternatives to the project [which] shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant effects” (14 CCR Section 15126.6 [c]).

Because the proposed Plan would cause one or more unavoidable significant environmental impacts, the City must make findings with respect to the alternatives to the Plan considered in the Final EIR, evaluating whether these alternatives could feasibly avoid or substantially lessen the proposed Plan’s unavoidable significant environmental impacts while achieving most of its objectives.

The City, having reviewed and considered the information contained in the Final EIR and the Record of Proceedings, and pursuant to PRC Section 21081(a)(3) and 14 CCR Section 15091(a)(3), makes the following finding with respect to the alternatives identified in the EIR:

Specific economic, legal, social, technological, or other considerations, including considerations of the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR as described below.

“Feasible” is defined in Section 15364 of the CEQA Guidelines to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal,

social, and technological factors.” The CEQA statute (PRC Section 21081) and Guidelines (14 CCR Section 15019[a][3]) also provide that “other” considerations may form the basis for a finding of infeasibility. Case law makes clear that a mitigation measure or alternative can be deemed infeasible on the basis of its failure to meet project objectives or on related public policy grounds.

The EIR for the proposed Plan conducted a comparison of three alternatives: The Reconfigured Site Plan Alternative, the Reduced Development Alternative, and the No Project Alternative, described below along with the findings relevant to each alternative.

No Project Alternative

The No Project Alternative represents what would be reasonably expected to occur in the foreseeable future if the Plan were not approved and the Existing Specific Plan (as amended in 2014) was left unchanged and in effect. This alternative would maintain all current land use designations and definitions from the Existing Specific Plan as amended to date; there would be no new mixed-use land use designations and no new Active Ground Floor Use Overlay. Under the No Project Alternative, proposed new policies concerning topics such as mobility, design, historic preservation, public facilities, and economic vitality would not be implemented. Furthermore, the civic center would remain in its existing location and would not relocate, and the program of uses on the Bernal Property would remain as originally presented in the Bernal Phase II Master Plan. Projected development at buildout under this alternative would be reduced compared to the Plan, resulting in 1,530 housing units, 4,200 residents, and 3,400 jobs.

- **Air Quality:** The No Project Alternative would have similar significant impacts to the Plan in the area of air quality. While the No Project Alternative would result in a lower level of development, and therefore reduce construction-related emissions of criteria air pollutants, this alternative would not include Plan policies aimed at reducing vehicle-related emissions or Mitigation Measures AQ-1 through AQ-4. Emissions of PM_{2.5} and PM₁₀ would exceed BAAQMD thresholds, as with the Plan. Emissions of ROG would not exceed BAAQMD thresholds but would increase over existing conditions. Given that land uses would not change following implementation of the No Project Alternative, this Alternative would not locate any new sensitive receptors near stationary sources of air pollutants, resulting in a less than significant impact.
- **Cultural, Historic, and Tribal Cultural Resources:** The No Project Alternative would introduce a new significant impact in the area of paleontological resources. Unlike the Plan, the impact of the No Project Alternative on paleontological resources could be significant and unavoidable as this Alternative would not include the Plan implementation program aimed at preventing the direct or indirect destruction of a unique paleontological resource or site or unique geologic feature.
- **Energy, Climate Change, and GHG Emissions:** The No Project Alternative would increase significant impacts in the area of energy, climate change, and GHG emissions. While the No Project Alternative would result in a lower level of development and a lower population than the Plan, it does not include Plan policies aimed at reducing vehicle-related GHG emissions or mitigation measures (AQ-1, AQ-2, AQ-3, AQ-4, GHG-1) supporting additional GHG reduction strategies, and therefore would generate more operational emissions than the mitigated Plan. As with the Plan, per service population emissions under the No Project Alternative would exceed the efficiency metric of 1.7 MTCO_{2e} per service population which constitutes “sufficient progress” towards achieving the goals established under SB 32 and EO S-3-05. Therefore, the No Project Alternative would have a significant and unavoidable impact on the environment due to GHG emissions and would conflict with plans aimed at reducing GHGs. Additionally, the No Project Alternative does not provide new policies requiring the attainment of strategies established by the City of Pleasanton Climate Action Plan to reach the targets of SB 32 and EO S-3-05. Implementation of the No Project

Alternative would increase energy consumption and decrease energy efficiency, resulting in a significant and unavoidable impact that would not be found under the Plan.

- **Traffic and Transportation:** The No Project Alternative would contribute to level of service impacts at intersections 1 and 7, and queuing impacts at additional intersections. The same mitigation measures as identified for the proposed Plan for these intersections would be required to reduce the potential impacts to less than significant. While the No Project Alternative does not include Plan policies promoting Complete Streets in the planning area, existing policies and the City's General Plan would serve to ensure that the roadway network in the planning area is consistent with the Alameda County Congestion Management Plan's (CMP's) goal to develop a complete streets network. As the bicycle facilities under the 2002 DSP are not consistent with those contemplated for the City's Bicycle and Pedestrian Master Plan, a plan amendment would be required to make this impact less than significant with mitigation. Overall, the impact on traffic and transportation would be lower than under the Plan due to fewer residents and less new commercial space, but would be less beneficial for bicyclists and pedestrians.

Finding: The City Council finds that this alternative is infeasible in that it would have a more limited ability to meet the objectives of the Plan and would result in a much lesser degree of improvement to the economic vitality and character of downtown Pleasanton. This alternative would not increase street connections, encourage pedestrian or bicycle mobility, or improve transit options to the same extent of the Plan. It would not meet the objective of providing a vision for the redevelopment of the existing civic center site to provide a "dynamic mix of community gathering places, retail, entertainment, visitor, residential, and employment uses" should the civic center relocation be approved by the voters. Furthermore, this alternative would introduce new potential impacts to paleontological resources and energy consumption and would provide no significant advantage from an environmental standpoint over the Plan.

Alternative 1: Reconfigured Site Plan Alternative

The Reconfigured Site Plan Alternative represents the relative impacts of alternate circulation options for the design of the Civic Center site in the event that relocation of existing uses is approved by Pleasanton voters. Under the Reconfigured Site Plan Alternative, the proposed site plan for the redevelopment of the civic center site would be modified to extend Peters Avenue to Bernal Avenue and to accommodate a new parking structure at St. Mary Street and Peters Avenue. The alternative would include all of the policies, land use designations and changes, and streetscape and other facilities improvements of the Plan. The Reconfigured Site Plan Alternative would assume the same development standards as the Plan and the same policy to retain the library building in its current location. Projected development and population at buildout would be assumed to be the same as the Plan, resulting in 1,640 housing units, 4,500 residents, and 3,500 jobs.

- **Air Quality:** The Reconfigured Site Plan Alternative would have similar significant impacts to the Plan in the area of air quality. This alternative would result in the same level of growth as the Plan and include all Plan policies. The Reconfigured Site Plan Alternative would improve the side-street LOS at the Old Bernal Avenue at Bernal Court intersection and would be expected to result in a corresponding reduction in air quality pollutants as compared with the Plan, but would not substantially reduce ROG emissions associated with automobile exhaust due to the cumulative nature of air pollutants and a similar VMT at buildout of this Alternative. Therefore, the Reconfigured Site Plan Alternative would also generate emissions of ROG, PM_{2.5}, and PM₁₀ in excess of BAAQMD thresholds and result in a significant and unavoidable impact even with implementation of Mitigation Measures AQ-1 through AQ-4. The Reconfigured Site Plan Alternative would retain the Plan's land use designations and could have a significant impact on

the health of sensitive receptors, which would be reduced to less than significant with implementation of Mitigation Measures AQ-3 and AQ-4.

- **Energy, Climate Change, and GHG Emissions:** The Reconfigured Site Plan Alternative would have similar significant impacts to the Plan in the area of energy, climate change, and GHG emissions. Given that the Reconfigured Site Plan Alternative would result in the same level of growth as the Plan and include all Plan policies, this alternative is anticipated to generate a similar level of GHG emissions as the Plan. As with the Plan, per service population emissions under the Reconfigured Site Plan Alternative are anticipated to exceed the efficiency metric that would constitute “sufficient progress” towards the goals established under SB 32 and EO S-3-05. Therefore, the Reconfigured Site Plan Alternative would also have a significant and unavoidable impact on the environment due to GHG emissions and would conflict with plans aimed at reducing GHGs.
- **Traffic and Transportation:** The Reconfigured Site Plan Alternative would have similar significant impacts to the Plan in the area of traffic and transportation. The Reconfigured Site Plan Alternative would not reduce the severity of the significant LOS impacts identified for the Plan at intersections 1, 7, or 17, or the vehicle queue impacts identified at intersections 6, 11, 16, 17, and 21. As with the Plan, implementation of Mitigation Measures TRA-1 through TRA-8 would be required to reduce these impacts to a level that is less than significant. The proposed extension of Peters Avenue under this Alternative would have the potential to create a safety hazard at the intersection of Main Street and Bernal Avenue, which would require realignment of either Peters Avenue or Main Street. Adherence to the City’s roadway design standards would ensure that impacts related to safety hazards from roadway design would be reduced to less than significant. As with the Plan, the bicycle facilities proposed under this Alternative would not be consistent with those contemplated for the City’s Bicycle and Pedestrian Master Plan, and a plan amendment would be required to make this impact less than significant with mitigation.

Finding: The City Council finds that this alternative is infeasible in that it would have a more limited ability to meet the objectives of the Plan and that further it would also provide no significant advantage from an environmental standpoint over the Plan. While the Reconfigured Site Plan Alternative would satisfy most Plan objectives, the potential configuration of park space proposed under the Plan would be altered due to the extension of Peters Avenue and would compromise the objectives to provide a dynamic mix of community gathering places and ensuring a public realm that prioritizes green spaces, plazas, and parks to foster a sense of community and civic pride. Impacts to air quality and climate change would remain significant and unavoidable under this alternative, and impacts to air quality and traffic and transportation would remain less than significant with mitigation proposed by the Plan. Other environmental resources would result in less than significant impacts, similar to the Plan.

Alternative 2: Reduced Development Alternative

The Reduced Development Alternative represents the extent to which residential development in the proposed Town Square District would contribute to various environmental impacts, including traffic impacts. The Reduced Development Alternative would revise the proposed Mixed Use – Downtown destination to disallow residential mixed use in the Town Square District, but would otherwise include all other land use designations and changes, policies, and streetscape and facility improvements of the Plan. Projected non-residential development under this Alternative would be assumed to be the same as under the Plan, while residential development would be reduced by 124 units, for projected totals of 1,520 housing units, 4,100 residents, and 3,500 jobs.

- **Air Quality:** The Reduced Development Alternative would have similar significant impacts to the Plan in the area of air quality. The Reduced Development Alternative would result in a smaller

increase in population and housing development than the Plan and would include all Plan policies and mitigation measures. This Alternative would generate a slightly lower level of criteria air pollutants than the Plan, but this reduction would not be sufficient to achieve BAAQMD thresholds for emissions of ROG, PM_{2.5}, and PM₁₀ and would therefore still result in a significant and unavoidable impact. With reduced overall development but planned High Density Residential development near multiple stationary sources, the impact of this Alternative on the health of sensitive receptors would be less than significant with mitigation.

- **Energy, Climate Change, and GHG Emissions:** The Reduced Development Alternative would have similar significant impacts to the Plan in the area of energy, climate change, and GHG emissions. The Reduced Development Alternative would result in a smaller increase in population and housing development, and therefore VMT, than the Plan and would include all Plan policies and mitigation measures. This Alternative would generate a lower level of GHG emissions than the Plan but the reduction in growth would not be sufficient to achieve the efficiency metric which constitutes “sufficient progress” towards the goals established under SB 32 and EO S-3-05, given that the per capita emissions under the Plan significantly exceed the efficiency metric of 1.7 MTCO_{2e}. Therefore, the Reduced Development Alternative would still have a significant and unavoidable impact on the environment due to GHG emissions and would conflict with plans aimed at reducing GHGs. Given the reduced residential development, energy consumption under the Reduced Development Alternative would be slightly lower than the Plan. Both the Reduced Development Alternative and the Plan would have a less than significant impact on energy consumption.
- **Traffic and Transportation:** The Reduced Development Alternative would slightly reduce significant impacts in the area of traffic and transportation. The Reduced Development Alternative is expected to reduce the severity of the significant queue impacts identified at intersections 6, 11, 16, 17, and 21 under the Plan. This Alternative is expected to result in significant level of service impacts at intersections 1, 7, and 17 that could be reduced to less than significant with mitigation following implementation of the mitigation measures identified for the Plan. As with the Plan, the bicycle facilities proposed under this Alternative would not be consistent with those contemplated for the City’s Bicycle and Pedestrian Master Plan, and a plan amendment would be required to make this impact less than significant with mitigation.

Finding: The City Council finds that this alternative is infeasible in that it would not achieve the Plan objectives and further that it would provide no significant advantage from an environmental standpoint over the Plan. This alternative would not lead to the same level of housing development as the Plan, and as a result would not contribute toward achieving the City’s Regional Housing Needs Allocation responsibilities. Additionally, as this alternative restricts future residential development in the new Mixed Use – Downtown area, it may reduce the potential economic and community vitality improvements of the Plan by increasing the distance between residences and commercial resources. While the Reduced Development Alternative would satisfy most but not all of Plan objectives, impacts to air quality and climate change would remain significant and unavoidable under this alternative, and impacts to air quality and traffic and transportation would remain less than significant with mitigation proposed by the Plan. Other environmental resources would result in less than significant impacts, similar to the Plan.

Environmentally Superior Alternative

Alternative 2, the Reduced Development Alternative, would be the environmentally superior alternative given its reduced residential development potential and associated environmental effects (as compared to the Plan). The Reduced Development Alternative would reduce significant traffic impacts at multiple intersections in downtown Pleasanton and would generate a slightly lower level of criteria air pollutants

and GHGs than the Plan due to reduced residential VMT. Compared to the Plan, this alternative would also expose a smaller number of residents to impacts associated with noise, odorous compounds, flooding, wildfires, and other hazards. Additionally, this alternative would have a slightly reduced impact on public facilities, including parks, and utilities given the smaller residential population. For these reasons, Alternative 2 is determined to be the Environmentally Superior Alternative.

M. Growth-Inducing Effects

A project may be growth-inducing if it directly or indirectly fosters economic or population growth or additional housing, removes obstacles to growth, taxes community service facilities, or encourages or facilitates other activities that cause significant environmental effects (CEQA Guidelines Section 15126(g).)

Under CEQA, induced growth is not considered necessarily detrimental or beneficial. Induced growth is considered a significant impact only if it directly or indirectly affects the ability of agencies to provide needed public services, or if it can be demonstrated that the potential growth could significantly affect the environment in some other way.

Chapter 5, Section 5.1 of the Draft EIR provides an analysis of growth inducement effects of the proposed Plan, as required by CEQA Guidelines section 15126.2(d). The projected growth rate under the Plan is consistent with past growth in the City of Pleasanton and projections by the Association of Bay Area Governments (ABAG). The Plan's residential development would help the City meet its 2023 housing goal from the ABAG Regional Housing Needs Allocation (RHNA). Buildout of the Plan estimates an increase of 500 jobs in the planning area between 2015 and 2040, representing a 0.7 percent average annual growth rate in jobs, which could foster economic growth in the planning area. Additionally, housing demand may increase in Pleasanton due to its proximity to other employment hubs in the San Francisco Bay Area. The 2015-2023 City of Pleasanton Housing Element tracks the regional legal obligations and updates housing goals as needed to ensure that housing is available to meet the needs of all future residents under the Plan. Based on the estimated buildout of the Plan, the jobs-to-housing balance in the planning area in 2040 would shift from 2.36 in 2018 to 2.13 in 2040. Given that a city's downtown area would be expected to have a high jobs-to-housing ratio, the estimated jobs-to-housing ratio in downtown Pleasanton in 2040 would not be expected to induce new residential growth.

Most public facilities within the planning area have sufficient capacity to accommodate the projected growth, and implementation of the Plan would not trigger the creation of any substantial new public facilities. Existing deficiencies in the sanitary sewer system would be addressed as Capital Improvement (CIP) projects and would not be growth-inducing. Additional drains may need to be added to the stormwater drainage system within the planning area, but as the Plan would not increase total impervious surfacing, no additional stormwater capacity creation is anticipated. Public services for the planning area, including police, fire protection, schools, libraries, and parks and recreation, would not require additional facilities following implementation of the Plan. The City of Pleasanton's elementary schools are overcrowded under existing conditions, but a new elementary school is already in the early planning stages, regardless of whether the Plan is implemented. As stated in the 2005 Pleasanton General Plan, developers of future growth will be responsible for paying impact fees to cover increased demands on services; however, the modest impact of 1,000 new residents over more than 20 years is not expected to produce growth-inducing new public services or facilities.

Accordingly, the City Council finds that the Plan would indirectly facilitate population and economic growth within the planning area, but that such growth would be consistent with regional projections and would not affect the ability of agencies to provide needed public services or significantly impact the environment. The City Council finds that all but three of the Plan's potentially significant environmental

impacts will be reduced to levels of insignificance through the imposition of the mitigation measures discussed above and listed in the MMRP, and that the Plan's benefits substantially outweigh the three significant and unavoidable impacts as demonstrated below in the Statement of Overriding Considerations.

II. STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15093, the City Council has balanced the economic, legal, social, technological, and other benefits of the Plan against the Plan's three significant and unavoidable impacts and has adopted all feasible mitigation measures. The City Council has also examined potentially feasible alternatives to the Plan, none of which are feasible in that they would in that it would not achieve the Plan objectives and further that they would provide no significant advantage from an environmental standpoint over the proposed Plan. The City Council hereby adopts and makes the following Statement of Overriding Considerations regarding the significant and unavoidable impacts of the Plan and the anticipated economic, legal, social, technological, and other benefits of the Plan.

A. Significant and Unavoidable Impacts

Based on information contained in the record and in the Draft EIR, the City Council has determined that the Plan would result in significant and unavoidable impacts to:

1. Air quality due to the possibility of exceeding BAAQMD's regional significance thresholds for ROG, PM₁₀, and PM_{2.5} and therefore contribute to the nonattainment designation of San Francisco Bay Area Air Basin for ozone, PM₁₀, and PM_{2.5} under cumulative plus Plan conditions;
2. Climate change due to the possibility of generating greenhouse gas emissions that may have a significant impact on the environment under cumulative plus Plan conditions; and
3. Climate change due to the possibility of conflicting with thresholds under SB 32 and EO S-3-05 adopted for the purpose of reducing the emissions of greenhouse gases under cumulative plus Plan conditions. (Draft EIR, pp. 3.2-28 to 3.2-43, 3.5-31 to 3.5-43, 3.5-43 to 3.5-54.)

B. Finding

The City Council has considered all potentially feasible mitigation measures to substantially lessen or avoid the Plan's significant and unavoidable impacts. Where feasible, mitigation measures have been adopted as part of or imposed upon the Plan. The imposition of these measures will reduce the identified impacts, but not to a less-than-significant level. The City Council finds that it is not feasible to fully mitigate these impacts of the Plan.

The City Council has also considered all potentially feasible alternatives to the Plan. The City Council finds that there are no feasible alternatives that would reduce the above significant and unavoidable impacts to a less-than-significant level.

The Plan's impacts discussed above therefore remain significant and unavoidable.

C. Overriding Considerations

After review of the entire administrative record, including, but not limited to, the Draft and Final EIR, the staff report, and the oral and written testimony and evidence presented at public hearings, the City Council finds that specific economic, legal, social, technological and other anticipated benefits of the Plan outweigh the significant and unavoidable impacts, and therefore justify the approval of this Plan notwithstanding the

identified significant and unavoidable impacts. (Pub. Resources Code, § 21081; CEQA Guidelines, § 15093.) The benefits are addressed in detail in Section II.D below.

The City Council specifically adopts and makes this Statement of Overriding Considerations that this Plan has eliminated or substantially lessened all significant effects on the environment where feasible (including the incorporation of feasible mitigation measures), and finds that the remaining significant unavoidable impacts of the Plan, which are described above in Section II.A, are acceptable because the benefits of the Plan set forth below in Section II.D outweigh them. The City Council finds that each of the overriding considerations expressed as benefits and set forth below in Section II.D constitutes a separate and independent ground for such a finding. Any one of the reasons for approval cited below is sufficient to justify approval of the Plan. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City Council will stand by its determination that each individual reason is sufficient by itself. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this Section II, and in the documents found in the Record of Proceedings, as defined in Section I.D.

D. Benefits of the Plan

The City Council has considered the Draft and Final EIR, the public record of proceedings on the proposed Plan and other written materials presented to and prepared by the City, as well as oral and written testimony received, and does hereby determine that implementation of the Plan as specifically provided in the Plan documents would result in the following substantial public benefits:

1. **Preservation of Biological Resources.** The Land Use element of the Plan includes multiple policies that address preservation and enhancement of the Arroyo del Valle, an important biological and scenic resource in downtown Pleasanton. Plan policies go beyond existing City of Pleasanton General Plan policies and Municipal Code requirements to encourage future development that enhances the Arroyo del Valle as a riparian habitat resource. Notably, the Plan requires developers of future projects adjacent to the Arroyo del Valle to implement precautionary measures such as existing conditions assessments, wildlife and habitat monitoring programs, and habitat restoration plans. The Plan also places responsibility on local business owners to reduce any potential impacts to the Arroyo del Valle from littering or waste discharge.
2. **Preservation of Historic and Cultural Resources.** The Historic Preservation element of the Plan includes multiple policies that address preservation of historic resources in downtown Pleasanton. The Plan prohibits the demolition of buildings in districts found to be historically significant, and requires new development and redevelopment to maintain the existing architectural character of downtown Pleasanton. Additionally, the Plan establishes a procedure for the management of paleontological resources found on-site during development, ensuring that implementation of the Plan would not destroy as-yet undiscovered paleontological sites.
3. **Greenhouse Gas Emissions and Energy Consumption.** As stated above and in the Draft EIR, the Plan would have a significant and unavoidable impact on climate change and emissions of greenhouse gases. However, implementation of the Plan and relevant mitigation would reduce operational emissions by 27,000 MTCO₂e per year compared to existing conditions. Additionally, operational energy consumption would decrease by 217,000 million BTU per year compared to existing conditions. By contrast, the No Project Alternative, in which Plan policies and mitigation measures would not be implemented, would result in an operational emissions increase of 4,000 MTCO₂e per year and an energy consumption increase of 168,000 million BTU per year compared to existing conditions. While the Plan would not be sufficient to align downtown Pleasanton's emissions trajectory with the goals established under SB 32 and EO S-3-05, implementation of the

proposed policies, programs, and mitigation would reduce downtown Pleasanton's contributions to climate change.

4. **Promotion of Multi-modal Transportation.** Based on its compact land use pattern, circulation network, and circulation policies, the Plan would promote multi-modal transportation in downtown Pleasanton. Improvements to bicycle and pedestrian infrastructure would improve convenience and safety for residents, students, employees, and visitors seeking to make local trips or utilize the ACE train station without using a car. The Plan includes policies and implementation programs which promote walkability and alternate modes of transportation, including emerging technologies such as ride-share. Expanding opportunities for multi-modal travel is one way that the City can improve quality of life for the community and over time help reduce locally generated vehicle miles traveled and associated greenhouse gas emissions and air quality impacts.
5. **Commercial Jobs.** Implementation of the Plan would provide a framework for new development and redevelopment in the downtown area, including underutilized commercial properties and significant opportunity sites, to provide for viable commercial opportunities that serve residents and visitors. Development under the Plan would foster a diverse economy built on the strong retail, restaurant, and office base of downtown Pleasanton.
6. **Construction Jobs.** In addition to economic development for local-serving and tourism businesses, growth envisioned in the Transportation Network Enhancement Alternative will provide development-related jobs for the construction industry as well as for architects, engineers, and other related professionals.
7. **Community Vision.** More generally, the Plan would allow for the achievement of the community's vision for downtown Pleasanton to "realize its full potential, offering a safe, livable, and vibrant experience for Pleasanton residents, businesses, and visitors of all ages and backgrounds." The Plan provides a vision for the redevelopment of the existing civic center site that will provide a dynamic mix of community gathering places, retail, entertainment, visitor, residential, and employment uses should the civic center and library relocation be approved by voters. The Plan would preserve the rich historic character of downtown Pleasanton while promoting development capable of meeting the residential, employment, entertainment, and service needs of the community and creating a walkable, active downtown environment.

E. Determination and Adoption of Statement of Overriding Considerations

The City Council has weighed the economic, legal, social, technological, and other benefits of the proposed Plan, as set forth above in Section II.D, against the significant unavoidable impacts of the Plan identified in the Draft EIR (and discussed above in Section II.A).

The City Council hereby determines that those benefits outweigh the risks and adverse environmental impacts of the Plan, and further determines that the Plan's significant unavoidable impacts are acceptable.

Accordingly, the City Council adopts the Statement of Overriding Considerations, recognizing that significant unavoidable impacts will result from implementation of the Plan. Having (i) adopted all feasible mitigation measures, as stated herein and discussed in the Draft EIR; (ii) rejected alternatives to the Plan, as stated herein and discussed in the Draft EIR; and (iii) recognized the significant unavoidable impacts of the Plan, the City Council hereby finds that each of the separate benefits of the proposed Plan, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants approval of the Plan and outweighs and overrides its significant unavoidable impacts, and thereby justifies the approval of the City of Pleasanton Downtown Specific Plan.