

Notice of Determination

To: Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

County Clerk
County of Alameda
1106 Madison Street
Oakland, CA 94607

From: City of Livermore
Community Development Department
1052 South Livermore Avenue
Livermore, CA 94550
Ashley Vera, Senior Planner
(925) 960-4479

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

State Clearinghouse Number (if submitted to State Clearinghouse): 2023010091

Project Title: SMP 39/SMP 40 Project (Annexation/Prezoning [APZ] 21-003, Pre-Annexation and Development Agreement [DA] 21-001, Pre-Annexation and Development Agreement [DA] 23-002, General Plan Amendment [GPA] 21-001, Zoning Map Amendment [ZMA] 21-002, Development Code Amendment [DCA] 21-005, Planned Development Industrial [PD-I] 22-001, Vesting Tentative Parcel Map [SUB] 21-008, Vesting Tentative Tract Map [SUB] 21-009, and Site Plan Design Review [SPDR] 21-008)

Project Applicant: Overton Moore Properties, 19700 S Vermont, Suite 101, Torrance, CA 90502; (310)354-2460

Project Location (include county): West Jack London and El Charro Road; Isabel Avenue and Stanley Boulevard; City of Livermore, Alameda County (APNs: 904-3-1-4, 904-10-2-2, -3, -5, -7, and -8)

Project Description: The approximately 105.34-acre project site consists of six separate parcels located in unincorporated Alameda County, adjacent to the existing Oaks Business Park, in the northwestern corner of the City of Livermore. The project site is generally located west of Isabel Avenue/State Route (SR) 84, north of Stanley Boulevard, south of West Jack London Boulevard, and east of El Charro Road. APN 904-3-1-4 is also known as SMP 39; and 904-10-2-2 is also known as SMP 40. The aforementioned SMP numbers are due to the Surface Mining Permit (SMP) numbers applicable to each site associated with the SMPs approved by Alameda County in 2004 to allow for the extraction of sand and gravel (i.e., aggregate); however, aggregate mining has not occurred within the sites. Four additional parcels (APNs 904-10-2-3, -5, -7, and -8) located east of SMP 40 are included in the overall project area.

For SMP 39, the proposed project would include development of a total of up to six light industrial buildings, consisting of up to approximately 755,500 square feet (sf) of new building space, and associated internal roadways and other improvements; for SMP 40, the proposed project would include development of two industrial buildings containing up to 759,275 sf of new building space with related internal roadways and other improvements. In addition, the project would include a new off-site trail connection to the existing Arroyo Mocho Trail, located on the east side of Isabel Avenue/SR 84. A number of approvals would be required for development of SMP 39 and SMP 40, including a Sphere of Influence (SOI) Amendment for SMP 39 only, General Plan Amendment, Pre-zoning and Annexation, Zoning Map Amendment/Planned Development, Development Code Amendment, Vesting Tentative Subdivision Maps, and Pre-Annexation and Development Agreements. A Site Plan Design Review entitlement is required for SMP 39 and SMP 40, which would include a review of the site plan, building, and landscape design; however, the entitlement is only proposed for SMP 40 at this time. A Site Plan Design Review entitlement will be required at a later date for the future development of SMP 39. In addition, the proposed project would include annexation of the Additional Annexation Only Parcels. Development of the Additional Annexation Only Parcels is not proposed as part of the proposed project.

This is to advise that the City of Livermore (Lead Agency or Responsible Agency) has approved the above-described project on March 25, 2024 and has made the following determination regarding the project:

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation Measures [were were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
5. A Statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.
7. California State Department of Fish and Wildlife Fees (SB 1535)
 - The project has been found to be exempt and not subject to the provisions of SB 1535.
 - \$50 for County processing fees (attach No Effect Determination Form)
 - The project is not exempt and is, therefore, subject to the following fees:
 - \$4,101.25 (\$4,051.25 Fish and Wildlife plus \$50 County recording fee) for review of an Environmental Impact Report
 - \$50 for County recording fees for a project previously approved and paid (attach DFW receipt)

This is to certify that the final EIR with comments and responses and record of project approval is available to the general public at: <https://www.livermoreca.gov/departments/community-development/planning/environmental-documents>

Signature (Public Agency): Ashley Vera Title: Senior Planner
Date: 3/26/2024 Date received for filing at OPR: _____