

**Final
Environmental Impact Report:
Responses to Comments**

**Happy Valley Specific Plan
and
Related Planning and Development Actions**

City of Pleasanton

State Clearinghouse No. 97032034

City of Pleasanton Project No. GPA 97-01, SP 97-01, RZ 97-01

Prepared by
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June 16, 1998

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CHAPTER 1

INTRODUCTION

A. BACKGROUND

This document, along with the Draft Environmental Impact Report (DEIR) published by the City of Pleasanton in February, 1998, constitutes the Final Environmental Impact Report (FEIR) on City of Pleasanton Project No. GPA 97-01, SP-97-01, and RZ 97-01, consisting of a Specific Plan and related planning and development actions. Specifically, as noted in the DEIR, the environmental review covers the following actions:

- **Planning Actions:** several amendments to the Pleasanton General Plan, adoption of a Specific Plan for the Happy Valley area, rezoning of the Plan area to a series of PUD districts, annexation of the Plan Area to the City of Pleasanton, and securing of permanent open space in selected portions of the Plan Area.
- **Land Use and Development Actions:** development of an 18-hole municipal Golf Course with practice facility and clubhouse, up to 22 Semi-Rural Density housing units (in the Spotorno Flat area), up to 39 Low Density housing units (34 in the Golf Course area and 5 in the Spotorno Upper Valley area), and up to 75 Medium Density housing units (in the Spotorno Upper Valley area).
- **Provision of Circulation Facilities:** construction of a Bypass Road to connect the eastern terminus of the East/West Collector (in the North Sycamore Specific Plan Area) to the Spotorno Upper Valley Residential areas and the Golf Course, trails, emergency vehicle access routes throughout the Plan Area, minor improvements to Happy Valley Road and Alisal Street, and potential construction-period access to the Golf Course.
- **Provision of Infrastructure:** extension of the City of Pleasanton's water and sanitary sewer systems to serve Happy Valley, and storm drainage improvements.

The Specific Plan area lies immediately south of the existing Pleasanton city limits and east of Interstate 680. It encompasses an area of approximately 860 acres.

In conformance with the California Environmental Quality Act of 1970 (CEQA) as amended, the City of Pleasanton provided the public with an opportunity to comment on the adequacy of the DEIR. The public review period on the environmental document began on February 12, 1998, with the publication of the DEIR and ended on March 30, 1998. During this period, a public hearing was held by the Planning Commission on March 11, 1998, to take comments on the DEIR. Comments submitted to the City in written form or made at the public meeting, together with responses to the comments, form part of the record to be considered by the City of Pleasanton prior to action on the project.

B. ORGANIZATION OF THE FEIR

The FEIR consists of two documents: the DEIR and this Responses to Comments.

This Responses to Comments document is organized into two chapters plus an appendix:

- **Chapter 1** (this chapter) provides background on the FEIR document and its organization, and identifies the preparers of the FEIR.
- **Chapter 2** presents brief summaries of the comments on the DEIR, each of which is followed by a response.
- **Appendix A** presents the transcript of the Planning Commission public hearing and full written communications received by Pleasanton from the 14 organizations and individuals who submitted statements during the public review period. These communications are organized alphabetically by name of organization or individual author and contain specific comments relating to the project and the DEIR as well as, in many cases, background information relating to the interests and/or responsibilities of the submitting agency or individual. Specific EIR comments are numbered in the margins of each communication. A full list of the communications is presented at the beginning of Chapter 2.

C. FEIR PREPARERS

This Comments and Responses document has been prepared by Mundie & Associates under contract to the City of Pleasanton and under the supervision of Wayne Rasmussen, Principal Planner. Additional assistance was provided by staff of the City of Pleasanton and consulting firms engaged by Pleasanton and the EIR consultant. Participants include the following.

1. City of Pleasanton

Wayne Rasmussen, Principal Planner
Bill van Gelder, Transportation Engineer
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2. EIR Preparers

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CHAPTER 2 COMMENTS AND RESPONSES

A. FORMAT OF THE RESPONSES

Communications are designated by letters A through O, as listed below. Within each communication, DEIR comments are numbered, with the numbers appearing in the margins. Each comment has a unique designation consisting of the communication letter and the comment number (e.g., A1, C4, L7, etc.).

Planning Commission public hearing comments are provided in the form of minutes. Because all of the comments made at the public hearing are repeated in written communications, comment numbers in the margins of the minutes correspond to similar comments in the written submittals, which follow.

Only comments related to the EIR are addressed here. (Comments related to the Happy Valley Specific Plan or the Pleasanton General Plan are not addressed.)

B. TEXT OF COMMUNICATIONS ON THE DEIR AND RESPONSES

The communications presented in Appendix A are photographic reproductions of those received by the City of Pleasanton, with page and comment numbers added. Each comment is summarized briefly below, followed by the response. The following communications were received:

Communication Source or Author	Beginning Page for	
	Summary of Comments with Responses	Full Text of Comments
A. Minutes, Pleasanton City Planning Commission Public Hearing	4	A1
B. Alameda County, Community Development Agency, Planning Dept.	4	A4
C. Alameda County, Congestion Management Agency	6	A6
D. Alameda County, Flood Control & Water Conservation District, Zone 7	7	A7
E. Alameda County, Public Works Agency	7	A9
F. Alameda County Water District	9	A11
G. California, State of, Department of Transportation, District 4	10	A14
H. California, State of, Regional Water Quality Control Board	11	A15
I. East Bay Regional Park District	13	A19
J. Howell, Bill [3-D Environmental]	13	A20
K. Law Office of Peter MacDonald [representing the Spotorno Family and SummerHill Homes]	13	A22
L. McCann, William D. [Law Offices of Hallgrimson McNichols McCann] [representing the TTK/Christesen property]	16	A30
M. Livermore Amador Valley Transit Authority [WHEELS]	16	A31
N. Roger Smith	16	A33
O. Wiebe Associates [representing the Golf Course Committee]	18	A34

Responses to Communication A:

Public Hearing before Pleasanton Planning Commission, March 11, 1998

As noted above, comments made at the public hearing that address the EIR are repeated in the written communications. Specific comments are referenced in the margin of the hearing transcript with letters/numbers that correspond to the letters/numbers assigned to the written comments.

Responses to Communication B:

Alameda County, Community Development Agency, Planning Department

- B1. Recommendation that a visual analysis be required for the PUD plan area for all districts within the Happy Valley Specific Plan Area and that the project be consistent with the visual quality policies of the East County Area Plan (ECAP).

Response: The Specific Plan (p. 26) requires design review by staff of all home additions and new custom homes, with notice provided to nearby property owners and residents. It further requires that all non-custom homes be subject to the City's PUD development plan review and public hearing process.

The PUD–Open Space District encompasses most of the hillside areas that would be generally visible from within Happy Valley, and (at the higher elevations) from outside the Valley. For parcels of record as of September 16, 1986, this district allows only one single family home per parcel that meets City requirements for access, public safety, and site and architectural design. Given these requirements, no additional units would be constructed on the lands that are designated for Open Space in the Specific Plan.

The Specific Plan (p. 37) also includes the following provisions for open space preservation:

The Open Space land to be acquired by the City in conjunction with the purchase of the "Golf Course Properties" shall be retained primarily as open space. As the subdivision of private lots containing Open Space takes place, open space easements on these areas shall be required to be dedicated to the City or a land trust. Alternatively, if the owner offers to publicly dedicate fee title of Open Space land for public open space use, such offer may be accepted by the City, other agency, or land trust.

The PUD–Medium Density Residential District (Spotorno Upper Valley), which is the only district in which a visual analysis of proposed development is required by the Specific Plan, is the only development site where there is potential for structures to project above a major ridgeline (a concern in ECAP Policy 107) and the only area in which development is potentially visible from areas outside of Happy Valley. The Specific Plan (p. 27) contains the following requirement in the Site Development Standards for this district:

A visual analysis shall be conducted for this area to evaluate the potential impacts of development on the outlying community in northwest Pleasanton. Measures shall be taken to minimize the off-site visibility of development in this area to the greatest extent feasible.

In the PUD–Low Density Residential District (Spotorno Upper Valley and Golf Course Properties Housing Areas), where visual analysis is not specified as a requirement of the Specific Plan, allowable structure heights and design guidelines are to be determined at the time of PUD development plan approval.

Site development standards and design guidelines for other districts in the Specific Plan area as well as for the proposed Bypass Road are consistent with the County policies, which generally are intended to (1) preserve views of the ridgelines above Happy Valley with no visual obstruction by buildings, (2) require landscaping to enhance the scenic quality of the area and screen undesirable views, and (3) minimize the visual and biological impacts of grading. For example:

PUD–Semi-Rural Density Residential

- Design guideline e (p. 31): “Grading for development of hilly areas in the vicinity of Happy Valley Road should respect the natural land forms.”
- Landscaping guideline a (p. 32): “Substantial planted landscaping along with other soft surface landscaping between structures and fronting roadways is encouraged.”
- Landscaping guideline b (p. 33): “Informal landscape planting is encouraged to reflect the existing character of Happy Valley.”

PUD–Golf Course

- Site Planning guideline a (p. 35): “Grading which contrasts with the natural land forms of the area will be minimized.”
- Site Planning guideline c (p. 35): “Views of Golf Course road, parking lot, and service areas from the outlying Happy Valley area should be minimized.”
- Landscaping guideline a (p. 36): “Landscape design and plant materials should enhance the natural appearance of the site.”
- Landscaping guideline c (p. 36): “Accessory buildings and service areas should be screened through grading and landscaping.”

PUD–Open Space

- Site Planning guideline a (p. 38): “New structures should be sited to minimize their visibility from the vicinity of the Happy Valley Loop roads.”
- Site Planning guideline b (p. 38): “Grading for development of hilly areas should respect natural land forms.” This guideline goes on to specify that “grading which modifies the tops of hills and/or interrupts natural hill forms . . . should be avoided whenever other reasonable alternatives are available.”

Bypass Road

The following guidelines apply (pp. 48 and 50):

- The Bypass Road should be constructed parallel to existing topographic contours. The only exception should be the area where the road extends over Spotorno Hill toward the Golf Course. In this area, road cut and fill contours shall reflect the natural topography and not create geometrically engineered forms.
- No portion of the Bypass Road (including future traffic on the Road) should be visible from existing Happy Valley public streets, with the exception of the portion that extends over Spotorno Hill down to the Golf Course.
- All cut-and-fill slopes shall be re-vegetated and stabilized as soon as possible after completion of grading.
- . . . The visual design quality of the bridge [over Sycamore Creek] shall be compatible with the semi-rural character of the surrounding area.

B2. Desires more discussion about how land use in the proposed Plan will relate to the adjacent and surrounding agricultural areas.

Response: Potential conflicts between urban and agricultural uses arise from a variety of sources, including (1) nuisance and health impacts of agricultural activities, such as noise, odors, dust, chemicals, refuse, waste, unsightliness, equipment, and traffic, (2) intrusions by urban residents and their pets into agricultural lands, (3) interference with urban traffic by slow-moving farm vehicles, and (4) erosion of support for agricultural service businesses as urban uses replace farm activities, which support those businesses.

The agricultural lands surrounding the Happy Valley Specific Plan area are used primarily for grazing of cattle and sheep, but not for crops. Therefore, noise on these lands is generally limited to the sounds of the animals and the machinery (e.g., trucks) operated by the agricultural operators, but does not include wind machines (e.g., for keeping crops from freezing on cold nights) or crop dusters. Chemicals are typically not used on grazing lands. Therefore, the nuisance and health impacts potentially associated with agricultural activities adjacent to urban development are expected to be minimal in this location.

Intrusions of urban residents and their pets into agricultural lands will be reduced by fencing the boundaries between the properties, but such fencing will be of somewhat limited value in this case, because trails are planned to traverse the remaining agricultural areas. The potential for livestock disturbance is expected to be minimal because trails will be posted to require that hikers stay on trails and pets be on leash.

Traffic interference will be minimized by the circulation plan for the area: new roads will be provided specifically to extend access to all new residential development as well as the Golf Course. Some conflicts could occur with traffic to and from the existing Spotorno home, which will remain at the entrance to the Spotorno Upper Valley residential area and will likely be reached via the Bypass Road. These conflicts are expected to be limited because only one agricultural operation would use this roadway.

The project is not expected to have a significant effect on the level of support for agricultural support services, because a portion of the Spotorno property would remain in agricultural use and no other current agricultural operations would be replaced or adversely affected by urban uses.

Response to Communication C:
Alameda County Congestion Management Agency

The Agency states that it has no comment on the DEIR, because the project is not large enough to generate 100 or more PM peak hour trips over baseline conditions. No response is necessary.

Response to Communication D:
Alameda County Flood Control and Water Conservation District

All comments in the letter refer to the Specific Plan. No response is necessary.

Responses to Communication E:
Alameda County, Public Works Agency

- E1. EIR should address bypass traffic issues and should evaluate certain intersections in unincorporated areas of the County.

Response: It is not clear that "any trips added by development in the Happy Valley area will likely seek alternate routes to the freeway by using Foothill Road or Pleasanton-Sunol Road." Currently, although significant congestion occurs on southbound I-680 during the AM peak hour, the vast majority of the corridor travel occurs on the freeway itself. There is no reason for Happy Valley residents to have different travel patterns.

In the AM peak hour, the project is expected to generate a total of 15 southbound trips: as shown in Table 5 (p. 29 of the DEIR), the project would generate 104 outbound trips in the AM peak hour; as indicated in Figure 9 (p. 31 of the DEIR), 14 percent of those trips would travel south. The estimate of 15 trips assumes that, consistent with current travel patterns, all of these southbound vehicles would use I-680. (Of the remaining 89 AM peak hour trips generated by the project, 44 would travel northbound on I-680, 33 would travel north on Sunol Boulevard or Foothill Road, and 12 would remain within the Specific Plan area.)

Therefore, even if all the new trips were to use the local arterials mentioned, the change in traffic conditions would be insignificant. Based on current travel patterns, less than one-third of the total (five trips) would actually be expected to use the local roads.

Study Intersection 1 (Pleasanton-Sunol Road and Happy Valley Road) is in the unincorporated area. Given the small number of trips expected to be added to Foothill Road and Pleasanton-Sunol Road by the proposed project, impacts on the other intersections identified by the commenter would be insignificant.

- E2. Impacts of Foothill Road bypass control measures on Happy Valley travel patterns.

Response: Any change induced by proposed County restrictions would have an insignificant impact on Foothill Road-related volumes.

The City has separately furnished the County with comments on the proposed left-turn restrictions. It is expected that the County would provide any required environmental evaluation of the changes caused by any new County restrictions.

The City has recently conducted an extensive analysis of cut-through traffic, transmitted separately, and the results of that study should be useful to the County.

- E3. Issues related to Happy Valley Road.

Response: As stated in the DEIR, future traffic volumes on Happy Valley Road will be under 1,000 vehicles per day at most locations under all City alternatives. The alternative with the greatest increase is the existing County General Plan.

Local residents along Happy Valley Road oppose urban improvements to the area. In response to local concerns, no sidewalks are planned. Where possible, shoulders up to three feet wide will be added. Intersection safety lights will be installed.

Drainage detention basins will be provided on the Golf Course and Spotorno properties, reducing the amount of runoff compared to the existing condition. No runoff problems are expected.

- E4. Offsite traffic mitigation fees.

Response: If the County has a fee in place at the time the project tentative subdivision maps are approved, developers could be required to pay such a fee.

The City is willing to consider one-way "Yield" signing or other schemes that the County suggests for interim improvements at the Happy Valley Road undercrossing of the railroad tracks.

- E5. Request for consideration of mitigation of impacts on County roads from construction traffic and increased traffic volumes.

Response: The City will require that all of the Spotorno property gain access during construction periods and upon completion of construction via the new access roadway (the Bypass Road). None of this traffic will use existing local streets.

Construction traffic for the Golf Course Properties (Golf Course and Golf Course housing areas) is required to use the Bypass Road if it is available at the time that construction occurs. The Specific Plan (p. 52) makes the following provision in case "it is not feasible" to complete this Road prior to construction of these areas:

... the City shall make every effort to construct a temporary road along this alignment for use by construction vehicles. If development of the Golf Course Properties commences prior to the availability of the Bypass Road, then construction traffic shall proceed along Sycamore Road to Alisal Street and then south to the Golf Course and Golf Course housing area until the Bypass Road becomes available.

A maximum of 43 infill residential units in the greater Happy Valley area will contribute traffic to the local streets. Only 20 percent of the added project traffic is expected to use existing local roads, such as Happy Valley Road.

All construction contracts will reference necessary County permits.

- E6. The City should annex the entire length of Happy Valley Road.

Response: Comment noted.

**Responses to Communication F:
Alameda County Water District**

- F1. Water quality impacts on Alameda Creek resulting from additional development in Happy Valley.

Response: The comment indicates that the DEIR does not address water quality impacts associated with increased infiltration of applied water or rainfall in the watershed, causing increased groundwater recharge of higher salt content water. In particular, increased salt loading can be a problem associated with irrigation of lands with reclaimed water. In general, reclaimed water contains higher total dissolved solid (TDS) levels than potable water. The comment asserts that whether the applied irrigation water discharges to creeks or infiltrates and directly recharges the aquifer, impacts to the Alameda County Water District (ACWD) groundwater basin would occur by causing increased TDS in a drinking water supply.

The project, as proposed, does not include the use of reclaimed water for irrigation, and therefore impacts associated with increased TDS of groundwater recharge would be less than those expected if reclaimed water were used at the project. However, as indicated during a conversation with the commenter, potential impacts associated with increased TDS have been demonstrated for other projects that irrigate with potable water, as well. The comment requests that an analysis be completed to assess groundwater quality impacts of TDS loading, if any. The commenter seeks an assessment that addresses subsequent impacts to ACWD recharge operations, the Niles Cone groundwater basin, and drinking water delivered to ACWD customers.

The change in TDS of recharge water resulting from implementation of the proposed project was not calculated as part of the analysis for the DEIR. If it were determined that the project would, in fact, result in a significant increase in TDS levels in recharge water, the only practical mitigation measure (short of the "no project" alternative) would be provision of appropriate compensation to ACWD to aid in treatment of the water supply prior to distribution to its customers. Since this is not an issue associated with a single isolated project, but would affect nearly all proposed development within the City and the groundwater basin, the City of Pleasanton is currently considering how to respond to this concern. It is possible that the City will commit to assisting the ACWD in quantifying potential TDS-related impacts and cooperate in future water-supply treatment programs, if necessary.

- F2. Surface water quality impacts on Alameda Creek from nitrate runoff and leaching and from pesticides should be classified significant, and mitigation measures should be included.

Response: The comment states that the DEIR finding that “no significant impacts” associated with the proposed project is inappropriate. The impact analysis presented in the DEIR discusses the types of impacts that would be expected to occur from a project of this type. During preparation of the analysis, detailed mitigation measures were developed and provided to the City. The City elected to revise the proposed project to include the mitigation measures (pages 80-83); effectively eliminating the need for a mitigation section. It appears the commenter did not recognize that the “mitigation measures” were presented under “Characteristics of the Project.”

- F3. Potential groundwater quality impacts from salt loading.

Response: In the original analysis, we did not include a discussion of the potential impacts associated with salt loading (increased total dissolved solids (TDS)) in groundwater in the basin that may result from irrigation of the proposed golf course and landscaped areas of the residential development. It was, and continues to be, our understanding that the proposed project would be irrigated with primarily potable water (characterized by relatively low levels of TDS). Until now, we had not encountered a project where salt loading was raised as an issue of concern when irrigation with potable water was proposed. Based on our experience, this concern is more typically raised when irrigation with primarily reclaimed wastewater (characterized by relatively high TDS) is proposed.

Based on review of communications from and conversations with the ACWD, it is our understanding that the ACWD position is that any proposed development within the Alameda Creek watershed (or other watersheds that drain to the Livermore-Amador Groundwater Basin) that proposes importation and release of water (e.g. irrigation) will result in impacts to the salt balance of the basin. This argument cannot be denied unless the imported water is TDS-free. The water that would be imported to the proposed project is estimated to have TDS levels of 70 mg/l.¹ By comparison, the groundwater underlying the proposed Happy Valley project site is estimated at approximately 600 mg/l.² Even if, as demonstrated here, the imported water has a significantly lower salt content than ambient groundwater conditions within the basin, salts would be imported to the basin and either be left in the unsaturated zone soils, leave the basin in surface water flow, or reach the groundwater table. Based on our preliminary review of the available information, we have not found established significance criteria for this potential impact. Presumably, there should be some *de minimis* amount of salt loading that would be considered a less than significant impact under CEQA. For example, would construction and occupation of a single residence (including a landscaped yard) in a previously unirrigated portion of the basin represent a significant impact requiring mitigation? Determination of the *de minimis* amount of salt loading that would be acceptable, if any, is likely to be a political issue and cannot be determined by the preparers of the EIR.

There are features of the proposed Happy Valley Specific Plan project that would act to reduce water demand, and therefore reduce salt loading (e.g. drought-tolerant plant material for land-

¹ Dublin San Ramon Services District and The East Bay Municipal Utilities District, 1996, *DEIR for the San Ramon Valley Recycled Water Program*, pg. 3-13.

² U.S. Geological Survey, 1985, *Water-Quality Conditions and an Evaluation of Ground- and Surface-Water Sampling Programs in the Livermore-Amador Valley, California*, USGS Water Resources Investigations Report 84-4352, Plate 3 (converted from specific conductance).

scaping, low water-need turf species for golf course). In addition, it is not expected that surface water with increased TDS would leave the golf course site. A detention basin/golf course water feature is proposed that would retain all irrigation runoff from the golf course. During the winter when releases from the detention basin are required, irrigation would be at a minimum. Therefore, the project is likely to affect only groundwater quality, not downstream surface water recharge areas. However, without established numerical significance criteria, any water-use mitigations undertaken would be implemented without an unequivocal determination that the impact has been mitigated to a less-than-significant level.

The ACWD is requesting that the salt loading be quantified, and that the City provide a "firm commitment" to mitigating water quality impacts. Since the salt loading cannot be completely eliminated unless the irrigation water is completely desalinated, mitigation measures would likely focus on regional mitigations implemented by the water suppliers (and supported, in part, by contributors to the condition), including wellhead water treatment (demineralization) and recharge of the Main Basin with demineralized water. Presumably, these activities would be conducted under the Zone 7 Salt Management Plan (currently under development). Since specific regional mitigations have yet to be fully developed, it is difficult to specify required actions and associated costs, and this appears to be why ACWD is seeking a "firm commitment" for the City to participate in future mitigations.

Responses to Communication G:
California Department of Transportation

G1. EIR should discuss impacts of traffic increases on I-680 ramps (at Bernal Avenue).

Response: The page numbers referenced by the commenter show traffic with existing conditions (DEIR p. 27) and with General Plan Buildout without the West Las Positas Interchange (DEIR p. 39). Thus, any comparison between the traffic volumes shown in these two figures includes increases attributable not only to the proposed project, but also to all other growth throughout the Pleasanton area.

The traffic volumes shown in these two figures indicate that, at the Sunol Road/I-680 interchange, the largest increase in any single turning movement/ramp segment is about 500 vehicles per hour; most increases are much less.

The project addressed by the DEIR produces a total of 183 AM peak hour trips and 219 PM peak hour trips. Just under 60 percent of the trips are distributed over the four ramps of the interchange, indicating a very minor change on any one ramp. All ramp intersections operate at acceptable levels of service, with and without the project. Any increase in queuing is expected to be minimal.

It is expected that, when warranted, the ramps will be signalized, with funding provided primarily by regional development. In addition, as a part of the project to improve traffic flow on I-680, the City and Caltrans will be considering onramp metering in the area, at least on the southbound onramp.

- G2. Drainage and grading should be adequately designed to handle the fully developed runoff to avoid the potential downstream flooding of properties and I-680.

Response: Page 80 of the DEIR describes grading and drainage features that are intended to reduce storm water flows from the Happy Valley area (including the proposed Golf Course) into Happy Valley Creek and Sycamore Creek.

**Responses to Communication H:
California Regional Water Quality Control Board**

- H1. Impacts of the proposed project on runoff quantity and quality, fill of waters of the U.S., increased erosion and other impacts on streams, erosion and discharge to waters of the U.S. during construction, and discharge of pollutants to groundwater.

Response: The comment notes that the proposed project may result in impacts to the environment, including: decrease in runoff water quality, placement of fill in waters of the United States, increased erosion, and discharge of pollutants to groundwater. Each of these potential impacts is discussed in the "Infrastructure Systems: Drainage" section of the DEIR (pages 88-93). The Specific Plan incorporates extensive mitigation measures, as described in the DEIR (pages 80-83).

- H2. Impacts on runoff quality and quantity.

Response: The comment indicates that the DEIR does not include adequate specificity regarding requirements for structural treatment controls to minimize degradation of runoff quality. As part of standard requirements for this type of development, a Stormwater Pollution Prevention Plan (SWPPP) is required by the Regional Water Quality Control Board and City of Pleasanton, as discussed in the DEIR (pages 89-90). As described, the SWPPP must contain Best Management Practices (BMPs) to reduce or eliminate impacts to runoff water quality. A list of selected BMPs that the project may choose to implement to meet the stated objective is provided in the DEIR (pages 89-90). Mandating specific BMPs to mitigate potential water quality impacts is not practical at this time given that the project is a Specific Plan and that grading and drainage plans have not yet been prepared. In the opinion of the preparers of the DEIR, standard review of the SWPPPs prepared by future developers with specific projects within the area by the City of Pleasanton and on-site inspections will provide adequate assurance that the appropriate BMP selections and implementation will be achieved.

The comment also indicates that discharge of pollutants associated with operation of the Golf Course have not been specifically addressed. The DEIR presents an aggressive mitigation program (which is part of the project, as proposed) to minimize or eliminate potential water quality impacts associated with construction and operation of the Golf Course (pp. 81-83). The presented approach begins with source control (i.e. implementation of an Integrated Pest Management Plan that reduces the need for pesticide use), treatment controls (e.g. grassy swales, detention basins, creek channel stabilization), and water quality monitoring to determine whether the program is effective. In the opinion of the preparers of the DEIR, the presented program requires adequate mitigation to protect water quality.

The comment requests further explanation regarding routing of drainage to creeks. The comment states that the DEIR indicates that "most areas" of the Golf Course would be designed to drain away from existing streams. In fact, the DEIR requires that discharge from subdrains from green and tees (greens and tees represent a small portion of the overall Golf Course area and receive the highest level of maintenance) must be routed away from streams. This discharge would infiltrate or eventually be discharged to creeks after passing through a minimum of 100 feet of grassy swale (or equivalent treatment BMP).

The comment notes that insufficient detail regarding sizing of the detention basins is provided in the DEIR. As described above, drainage plans have not yet been prepared, and therefore specific applications of the detention basin mitigation cannot be evaluated at this time. However, a performance-based requirement has been added as a new subsection to the Specific Plan (Chapter VII, Section C2) as follows:

f. General Requirements for Drainage Improvements

Detention basins will be designed to detain not only peak flows, but also more frequent smaller flows that carry the largest portion of pollutants in stormwater and dry weather runoff, providing treatment of the runoff prior to discharge from the site.

H3. Impacts on streams and wetlands.

Response: A wetland delineation was conducted for the Happy Valley project and the results were incorporated into the DEIR. The Happy Valley Specific Plan incorporates the following mitigation measures for potential impacts on wetlands as requirements of the Plan:

- Consultation with the State of California, Department of Fish and Game (DFG) in any areas subject to their jurisdiction prior to any encroachment into a designated corridor, and/or consultation with the U. S. Army Corps of Engineers (Corps) prior to any activity that would occur within the jurisdictional limits of wetlands or within the bed and bank of a Waters of the U.S.
- Appropriate permits and/or agreements from regulatory agencies (DFG, U.S. Fish & Wildlife Service, and/or Corps) prior to realignment of Happy Valley Creek or encroachment into the buffer zone of Sycamore Creek.
- Preparation and approval of a Riparian Restoration Plan prior to approval of a grading plan for the Project Area. The riparian restoration plan must discuss anticipated impacts and proposed mitigation measures associated with the proposed realignment of Happy Valley Creek and any other affected riparian corridors in the project area subject to the jurisdiction of DFG and/or the Corps. The plan will be used to support applications for permits from DFG and the Corps.

Beyond these requirements of the Specific Plan, the DEIR includes the following mitigation measure (Measure J1):

Provide such additional mitigation of wetland impacts as may be required by the Army Corps of Engineers upon their review of the City's application for a fill permit. The Army Corps of Engineers may find the City's program mitigation adequate, or may require additional measures preliminary to issuing a fill permit. Implementation of any such additional measures would be required for the Golf Course grading plan to be implemented.

The City of Pleasanton is currently preparing an application for a Section 404 Individual Permit that will be submitted to the Corps, the U.S. Fish and Wildlife Service (USF&WS), DFG, the Regional Water Quality Control Board, and the U.S. Environmental Protection Agency (EPA). A wetland monitoring and mitigation program is also being prepared by the City, and will be submitted as part of the permit application. The mitigation plan will discuss all anticipated impacts and describe specific mitigation measures for these impacts. The project cannot commence without appropriate permits from these state and federal resource agencies. As a result, water quality and beneficial uses of waters of the State will be protected.

In addition to the wetland monitoring and mitigation plan, the City is also preparing three other mitigation plans that address specific biological impacts:

- A revegetation and erosion control plan is being prepared in support of a Department of Fish and Game 1601 Streambed Alteration Agreement.
- As recommended by the U.S. Fish and Wildlife Service, a California Red-legged frog mitigation plan is being prepared in support of a Section 7 consultation with the U.S. Army Corps of Engineers.
- As recommended by the Department of Fish and Game, a California tiger salamander mitigation plan is also being prepared.

**Response to Communication I:
East Bay Regional Park District**

The comment states that “The District has no comments related to the draft environmental impact report.” Therefore, no response is necessary.

**Response to Communication J:
Howell, Bill (3-D Environmental)**

The comment letter offers observations on the location of the Verona Fault but does not comment on the DEIR. No response is necessary; see, however response to comment K6, below.

**Responses to Communication K:
Law Office of Peter MacDonald**

K1. Possible upgrades to the Spotorno Dam.

Response: The comment indicates that the current owner of the Spotorno Dam has no intention of replacing the existing dam with an engineered dam. The DEIR requires that the dam be inspected by a qualified engineer or engineering geologist (page 80, sixth bullet item) to determine its status and stability, prior to construction of the Bypass Road. Removal and/or replacement of the dam would be required only if an unsafe condition is identified.

K2. Name of the northerly creek (commenter asserts that the proper name is Spotorno Creek, not Sycamore Creek).

Response: Comment noted.

K3. Urban Growth Boundary

Response: The City's Urban Growth Boundary requirements would take direct effect in this area upon annexation to the City of Pleasanton. City policy allows for minor adjustments to the Urban Growth Boundary, subject to approval by the City Council.

K4. Correction of wastewater generation estimate for Happy Valley.

Response: Commenter is correct: correct estimate is 0.08 mgd, as shown in Table 21 (p. 71) of the DEIR.

K5. Location of the Verona Fault.

Response: A Fault Evaluation Report (FER) has been prepared by the California Division of Mines and Geology (CDMG) for the Verona Fault in accordance with the requirements of the Alquist-Priolo Earthquake Fault Zoning Act. The location of the Verona fault is based on geologic mapping by Herd (1977) and Dibblee (1980). The mapping of the fault trace is similar (along the eastern margin of the valley) in both maps but geomorphic evidence of active strike-slip faulting (e.g. sag ponds, offset drainages, linear pressure ridges, or fault scarps) is not well expressed within the project site. Portions of the fault are mapped as concealed (covered) by recent alluvium. However, CDMG has found that the evidence of faulting is sufficient to delineate an Alquist-Priolo Earthquake Fault Zone. As discussed on page 105 of the EIR, construction of structures for human habitation within the zone will require that the fault investigation requirements of the Act be met prior to approval of any new development.

The comment by Bill Howell, 3-D Environmental (communication J in this document) suggests that the position of the fault may be located higher on the slope that forms the eastern edge of Happy Valley. Previous geologic mapping, however, including site-specific investigations, has not recorded any geomorphic evidence to support an active fault trace in this area. The position of slope failures and springs described by the commenter could be related to lithologic changes within the Livermore Gravels which underlie the subject hillslope. The similar locations of slope failures may also be a consequence of similar slope conditions (i.e. slope height, steepness, and thickness of colluvial sediments). It should be noted that the proposed project does not include development on the upper portions of the eastern slope.

The Specific Plan (Section B8c of Chapter V, Land Use) contains requirements for more detailed geotechnical evaluations of the Plan area that would be conducted prior to final project design. This section, titled "Geological Considerations Relating to Construction," specifies that the following studies must be completed:

- A soils and geotechnical report for each individual development project within the Specific Plan area.
- A slope stability analysis for any proposed residential development or roadway construction in areas with slopes steeper than 20 percent or within or adjacent to existing landslides.

This section of the Specific Plan further requires:

- Submittal of the final geotechnical report for grading plans to the City for approval.
- Investigation of expansive soils conditions.
- Preparation of an earthquake hazards information document by the City.
- Preparation of an earthquake-preparedness and emergency response plan prior to occupancy of any community-use facility.

Additional specifications for these reports and requirements are detailed in the Specific Plan.

K6. Jurisdictional wetlands in Spotorno Flat.

Response: The wetlands in the Spotorno Flat area are jurisdictional wetlands pending verification by the U.S. Army Corps of Engineers. Wetlands can still be considered jurisdictional even if they have been disturbed by human activities.

The wetland along Alisal Street is a freshwater seep. It is not classified as a riparian wetland, since it does not support riparian vegetation.

While Alisal Street has probably affected the wetland, it is unlikely that the wetland was created by the damming effect of the street, as the grade of the street is lower than the wetland.

K7. Frog habitat and preparation of a habitat plan.

Response: The U.S. Fish and Wildlife Service (USF&WS) has prepared guidelines for two procedures to provide accurate assessment of potential impacts on the California red-legged frog (CRLF). The two procedures involve (1) a Site Assessment and (2) Field Surveys. Based on the information provided in the site assessment, USF&WS provides guidance on how CRLF should be addressed, including whether field surveys are needed or whether incidental take authorization should be obtained through a Section 7 consultation pursuant to the Endangered Species Act.

USF&WS reviewed the Site Assessment for the Happy Valley Specific Plan area and determined that habitat for CRLF exists within Happy Valley. This determination was made because CRLF are known from the vicinity of the project and habitat suitable for CRLF is present at and near the site. Therefore, USF&WS did not require field surveys for CRLF; rather, the Service has required that incidental take authorization be obtained prior to significant habitat modification or degradation.

K8. Disputes Specific Plan statement that hillsides surrounding the Specific Plan area are mostly undeveloped.

Response: Comment noted.

**Responses to Communication L:
William D. McCann**

- L1. Requests issue of fill “to be left in the alternative, depending on future plans” to be prepared on behalf of commenter’s clients.

Response: Potential impacts on the commenter’s client’s property associated with grading alternatives is addressed in the DEIR, allowing for leeway in the final grading plan for the property. The analysis of the proposed project, in Chapter 3, addresses the grading plan shown in Figures 31 and 32 (pp. C-1 and C-3) of the DEIR, which indicates a potential fill area in the northwest corner of the northerly portion of Lot 110. Alternative 1, the “no project” alternative, addresses the impacts of no grading on the site.

**Responses to Communication M:
Livermore-Amador Valley Transit Authority (WHEELS)**

- M1. Notes lack of references to public transit in the DEIR.

Response: Transit service to the Happy Valley area is provided on Sunol Boulevard. The City’s design for Sunol Boulevard will accommodate necessary shelters and bus pull-outs.

The General Plan does not show the Happy Valley Loop as a bus route; thus, the City has no current plans to bring bus service into the Specific Plan area.

- M2. Incorporation of public transit into the Happy Valley project.

Response: The City of Pleasanton has indicated its willingness to work with Wheels to accommodate any transit service to Happy Valley that the Wheels Short or Long Range Transit Plan includes. While the City cannot commit to modifications in the design or configuration of existing streets in the Happy Valley Loop, it is willing to consider, for example, design of the Bypass Road to accommodate transit vehicles as well as the provision of bus stops and any requests by Wheels for transit amenities (including a “flash pass” program).

The rural/semi-rural character of the Happy Valley area, coupled with relatively low traffic volumes, would require transit patrons to use available roadway shoulders to reach the Sunol Boulevard transit stop.

**Responses to Communication N:
Roger Smith**

- N1. Comment that EIR does not cover alternative sewer system.

Response: The EIR describes the alternative sewer system on p. 74, but does not consider its potential environmental impacts.

This alternative would be possible if utility easements could be obtained through about five private parcels. Due to the existing topography of these parcels, a limited routing of this sewer

must be utilized to avoid excessive construction and maintenance costs. The crossing of Happy Valley Creek would be achieved either with an inverted siphon assembly or as a suspended pipeline at an upgraded driveway bridge crossing. This plan also requires the Marsh Subdivision to be developed in a timely manner and assumes their participation in the costs.

CEQA considerations identified in relation to the alternative sewer system are:

- The force main needed for this system is about 550 feet shorter, requiring somewhat less disruption of existing roads related to construction and a shorter construction period.
- A sewer line crossing of Happy Valley Creek is required, with inherent environmental risks.
- The line would have to be routed to bypass a heritage oak tree.

If this alternative is selected, project-specific mitigation measures for potential impacts on Happy Valley Creek must be identified and implemented by the City.

N2. Reports observations of California tiger salamander within the past 12 months.

Response: According to the DEIR (p. 133), California tiger salamander surveys for this project were conducted outside the survey window for this species. The DEIR notes that suitable habitat for this species occurs in the study area and that there are known records for the species within 3.5 miles. It also states that “Disturbance or removal of wetland habitat or aestivation habitats favored by this species would be a significant impact.” This information is not inconsistent with the commenter’s assertion of California tiger salamander sightings.

The DEIR goes on to state that the California Department of Fish and Game (DFG) will require preparation of a California Tiger Salamander Mitigation and Monitoring Plan that will describe avoidance and/or mitigation strategies that the City would implement.

N3. Comments on treatment of visual resources.

Response: The Specific Plan includes a number of requirements that would minimize the types of visual effects of concern to the commenter (page references are to the Specific Plan, except as otherwise noted):

Create light or glare:

- In the Semi-Rural Density Residential area, “outdoor lighting should be subdued in brightness” (p. 33).
- The PUD-Golf Course district allows a non-illuminated practice range (p. 34).
- On the Golf Course, “lighting should be subdued” (p. 36).

Disturb ridgeline views or diminish scenic value of the surrounding hills:

- All residential developments are subject to City's Planned Unit Development (PUD) process, which includes design review by staff or development plan review with a public hearing (p. 26).
- Siting and height of homes and other buildings located in the vicinity of the northern property line of the Golf Course Properties and on Lots 98 (Spotorno Flat area), 99, and 100 shall be based upon providing maximum view potential of the Golf Course from the southern Alisal Street area (pp. 28 and 30).
- Since no new houses will be permitted on areas designated for open space (see response to Comment B1), most views of ridgelines would be preserved and surrounding hills would be protected.

Fail to maintain semi-rural character:

- Of the total 860-acre Specific Plan area, 377 acres (44 percent) is designated for Open Space and 278 acres (33 percent) for Semi-Rural Density Residential (including the 122 acres of the inner Happy Valley Loop that is already substantially developed). Another 165 acres (19 percent) would comprise the Golf Course. Only 40 acres (5 percent) of the Specific Plan area is designated for Low- or Medium-Density Residential development (EIR Table 2, p. 6).
- In the Semi-Rural Density Residential area, widths of homes may not exceed 50 percent of the lot width and a "diversity of architectural styles suitable to Happy Valley's semi-rural character is encouraged" (p. 31). In addition, building heights and forms should be similar to those currently existing in Happy Valley (p. 32).

Responses to Communication O:
Wiebe Associates

- O1. Request for assessment of the amount of vehicular traffic that the Golf Course would generate on the North Sycamore Specific Plan Area.

Response: Traffic impacts on the North Sycamore Specific Plan Area are described below by the projected traffic at the future intersection of Sycamore Road and the East-West Collector attributable to various sources:

**Projected Contributions to Traffic at
 Future Intersection of Sycamore Road and the East-West Collector**

Source	Units	Trips/ Unit/ Day	Pct. of	Trips/ Day	Pct. of Total Traffic
			Traffic from This Source Using This Location ¹		
North Sycamore Specific Plan Area	246	10	100.0%	2,460	39.7%
Lund Ranch II	86	10	100.0%	860	13.9%
Happy Valley: Existing*	107	12.8	32.1%	440	7.1%
Happy Valley: New Infill Units	43	12.8	32.1%	177	2.9%
Happy Valley: Spotorno Flat	22	12.8	100.0%	282	4.6%
Happy Valley: Golf Course Housing ²	37	12.8	100.0%	474	7.6%
Happy Valley: Golf Course	0	n.a.	100.0%	677	10.9%
Happy Valley: Spotorno Upper Valley MDR	75	10	100.0%	750	12.1%
Happy Valley: Spotorno Upper Valley LDR ³	6	12.8	100.0%	77	1.2%
Total	622		82.6%	6,195	100.0%

- 1 Potentially overstates traffic by ignoring travel internal to the area.
- 2 Includes three existing housing units in the Golf Course residential area.
- 3 Includes one existing unit.

APPENDIX A
FULL TEXT OF COMMENTS ON THE
DRAFT ENVIRONMENTAL IMPACT REPORT

**Communication A:
Minutes of Planning Commission Hearing**

e. Happy Valley Specific Plan Draft Environmental Impact Report

Public review and comments on the Draft Environmental Impact Report prepared for the 860-acre Happy Valley Specific Plan Area located in the currently unincorporated land south of Sycamore Road. The project includes the development of an 18-hole municipal golf course, up to 179 future homes, extension of a collector road to serve the Plan area, and extension of City water and sanitary sewer facilities.

Wayne Rasmussen stated that the purpose of this public hearing is to give the public the opportunity to request that staff and City consultants address any additional issues which are not included in the Draft EIR. A response to all comments will then be prepared as a part of the Final EIR.

Mr. Rasmussen was prepared to present a slide show on the Happy Valley Specific Plan; however, due to the late hour, Chair Cooper suggested that the public hearing be opened.

PUBLIC HEARING WAS OPENED

Roger Smith, 6344 Alisal Street, stated that he feels there are inadequacies in the land use section relating to residential development and that it is not consistent with the General Plan with regard to the Spotorno flat area density. He also suggested that more information be obtained relating to trade-offs of land for development property. With regard to Section F of Chapter 3 regarding the sewer, he noted that the possibility for an alternative sewer main alignment connecting Alisal Street to Happy Valley Road is not addressed by the EIR, and he thinks it should be if it will be cheaper. He further stated that tiger salamanders have been observed in the area during the last 12 months. In addition, he suggested that a study of light pollution be done and mitigation measures be addressed. He further stated that the EIR does not adequately comply with the General Plan by focusing on the preservation of the area's rural character.

Craig Champion, 777 California Avenue, Palo Alto, reported that he represents SummerHill Homes, which has development rights for part of the Spotorno Ranch. He will be providing a letter to the Commission addressing his and Mr. Spotorno's comments regarding the Specific Plan and the EIR. He noted that they have a number of concerns with the Specific Plan, especially with the cost sharing of the Bypass Road. In addition, he reported that studies do not support that the Verona Fault goes through the Spotorno property. He also stated that the wetlands along Alisal Road were artificially created and there is no evidence of habitat in that area.

Janet Linfoot, 6300 Alisal Street, stated that she is puzzled about Mr. Champion's comment that the Verona Fault does not cross through Spotorno Ranch. She noted that a neighbor (Bill

Howell) who is an expert has also given the opinion that the Verona Fault crossed through the Spotorno property. She does not agree that the Alisal Street drainage has anything to do with the wetlands because it is hundreds of yards from Alisal Street and at a different elevation. She also confirmed that a number of neighbors, including herself, have observed tiger salamanders in the area, both recently and long ago. She noted that they have been keeping documentation of their sightings.

Al Spotorno, Spotorno Ranch, commented that he has a complete report by his attorney in response to the EIR and the Happy Valley Specific Plan. He will leave it with the Commission for review. He noted that he has some very grave concerns about the economic viability of this project. He also stated that the cost allocation of the Bypass Road should be equitable and fair, and he cannot bear the cost of the entire road for the whole community. He stated that the agricultural element in the Plan needs to be reviewed more closely in order to preserve the agriculture in the area. He further stated that extensive studies of the Verona Fault have been done by the golf course developers, Greenbriar, New Cities, and by himself, and nobody has found any evidence of a fault in that area. With regard to the tiger salamander, he feels its not an endangered species and, therefore, feels that no study needs to be done regarding that issue.

John Spotorno, Spotorno Ranch, commented that after reading the EIR, he feels it should consider the impact as the area exists, rather than after the anticipated development. He likewise stated that the Specific Plan alternative has the least amount of impact, but it also fails to take into consideration the project when finished. A brief discussion followed between Mr. Spotorno and Mr. Rasmussen relating to how EIR's are prepared. Mr. Spotorno stated that the biggest issue is the Bypass Road and he understood that the cost of the road would be funded by a pro-rata share of who will be using it in that area. However, the way he interprets the Specific Plan, is that the Spotorno Development would have to pay for the road from the edge of the NSSP up to the Spotorno Medium Density Residential area. Mr. Higdon stated that under the NSSP, if the roadway is required to serve the developer's subdivision and is not required to be oversized, then it is fully the developer's responsibility to pay the cost. However, if the road goes beyond the main development, then it is subject to cost sharing. A more detailed discussion took place between Mr. Spotorno and Mr. Rasmussen relating to cost-sharing of the Bypass Road.

Janet Linfoot, 6300 Alisal Street, stated that she disagrees with Mr. Spotorno that the tiger salamander is not endangered. Mr. Rasmussen noted that although the species is not endangered, it is considered a species of special status. He noted that all of the golf course property and the residential area around it is tiger salamander habitat according to the Department of Fish and Wildlife and, to a lesser extent, the Spotorno property.

PUBLIC HEARING WAS CLOSED

Chair Cooper stated that he would like to see the Specific Plan benefit all of the area land owners in an equitable way. He also expressed concern with the cost sharing Spotornos' issues, and wants them to be fairly treated.

Mr. Rasmussen recommended that the first formal meeting on the Happy Valley Specific Plan be held at the second meeting in April. He also noted that since there are five Wednesdays in April, a special meeting could be held on the fifth Wednesday. He further recommended that public comments be scheduled for both of these meetings. In addition, he stated that he could schedule field trips to the area and will contact the Commissioners to coordinate dates.



Communication B

ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT

Adolph Martinelli
Agency Director

RECEIVED

March 25, 1998

APR 03 1998

James E. Sorensen
Planning Director

Wayne Rasmussen
CITY OF PLEASANTON
Principal Planner PLANNING DEPT.
Department of Planning & Community Development
City of Pleasanton
200 Old Bernal Avenue
Pleasanton, CA

1999
Elmhurst Street
Room 33

Hayward
California
94544

SUBJECT: Comments on *Happy Valley Specific Plan Draft EIR*

phone
916 870-3400
fax
916 783-3793

Dear Mr. Rasmussen:

We have reviewed the *Happy Valley Specific Plan and Draft EIR* and have the following comments:

fax
to alameda@ccr.com

Visual Impacts: The Happy Valley Specific Plan addresses the visual impact that the proposed development will have within the Specific Plan Area and the Greater Happy Valley Area, but does not fully address the visual impact that the Plan may have on agricultural lands beyond these two areas.

The Draft EIR acknowledges that there might be a concern about "loss of vistas of open hillsides" (p. 147 of the DEIR), associated with the proposed development in the Spotorno Upper Valley Medium Density Residential (MDR) District , since some of the Medium Density Residential District is "visible from the I-680 corridor in west and northwest Pleasanton." The Specific Plan requires that a visual analysis be conducted at the Planned Unit Development (PUD) plan review stage for the MDR District to evaluate the potential impacts of development on the outlying community in northwest Pleasanton. A visual analysis, however, is not required for the PUD plan for other districts that form the *Happy Valley Specific Plan area*.

The Alameda County *East County Area Plan (ECAP)* adopted in May 1994, establishes policies that pertain to the Happy Valley Area and to sensitive viewsheds. One goal of ECAP is "to preserve unique visual resources and protect sensitive viewsheds."

B1

ECAP Policies

Policy 106: The County shall preserve the following major visually-sensitive ridgelines largely in open space use:

- 5. The ridgelines above Happy Valley south of Pleasanton.

Policy 107: The County shall permit no structure (e.g., housing unit, barn, or other building with four walls) that projects above a visually-sensitive major ridgeline.

Policy 111: The County shall require development to maximize views of the following prominent visual features:

1. The major ridgelines listed in Policy 106.

Policy 113: The County shall require the use of landscaping in both rural and urban areas to enhance the scenic quality of the area and to screen undesirable views. Choice of plants should be based on compatibility with surrounding vegetation, drought-tolerance, and suitability to site conditions; and in rural areas, habitat value and fire retardance.

Policy 114: The County shall require that where grading is necessary, the off-site visibility of cut and fill slopes and drainage improvements is minimized. Graded slopes shall be designed to simulate natural contours and support vegetation to blend with surrounding undisturbed slopes.

Policy 115: The County shall require that grading avoid areas containing large stands of mature, healthy vegetation, scenic natural formations, or natural watercourses.

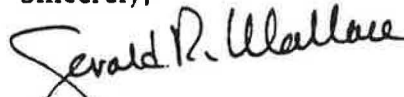
The County, therefore, recommends that a visual analysis be required for the PUD plan area for all districts within the *Happy Valley Specific Plan* area. The County also recommends that the project be consistent with the visual quality policies of ECAP, which require preserving views of the Happy Valley ridgelines; prohibiting any structures above major ridgelines; landscaping of hillside development visible from the City or County; requiring natural-appearing grading on hillsides, where grading is necessary, to minimize views of cut and fill slopes, and avoiding grading of scenic areas, as described above.

Land Use Compatibility: The County is pleased that the *Happy Valley Specific Plan* recognizes that new residential development may conflict with existing agricultural uses on adjacent county lands and that "permitted agricultural pursuits conducted in accordance with good practice and maintenance are desirable and should not be deemed a nuisance." The County supports the City of Pleasanton's proposal to require that the recorded deed of sale of all subdivided parcels, and all property rental/lease agreements within the Plan Area include a signed statement by the future owner/tenant acknowledging this fact. However, the County would like a greater discussion about how land use in the proposed plan will relate to the adjacent and surrounding agricultural areas.

B2

Thank you for giving us the opportunity to comment on the *Happy Valley Specific Plan Draft EIR*.

Sincerely,



Gerald R. Wallace
Assistant Planning Director

ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY



March 25, 1998

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MAR 26 1998

CITY OF PLEASANTON
PLANNING DEPT.

AC Transit
Director
Matt Williams

Alameda County
Supervisor
Gail Steele

City of Alameda
Mayor
Ralph Appezato

City of Albany
Mayor
Bruce Mast

BART
Director
Margaret K. Piver

City of Berkeley
Councilmember
Kris Worthington

City of Dublin
Vice Mayor
Dave Burton

City of Emeryville
Chairperson
Vice Mayor
Nora Davis

City of Fremont
Mayor
Gus Morrison

City of Hayward
Vice Chairperson
Mayor
Roberta Cooper

City of Livermore
Councilmember
Amy Wieskamp

City of Newark
Councilmember
Susan Boggs

City of Oakland
Councilmember
Larry Reid

City of Piedmont
Vice Mayor
Patty White

City of Pleasanton
Councilmember
Toto Pico

City of San Leandro
Mayor
Ellen Corbett

City of Union City
Mayor
Mark Green

Executive Director
Dennis R. Fay

Mr. Wayne Rasmussen
Department of Planning and Community Development
City of Pleasanton
P.O. Box 520
Pleasanton, CA 94566-0802

SUBJECT: Comments on the Draft Environmental Impact Report and General Plan Amendment for the Happy Valley Specific Plan in the City of Pleasanton

Dear Wayne:

Thank you for the opportunity to comment on the City of Pleasanton's Draft Environmental Impact Report (DEIR) and General Plan Amendment (GPA) for the Happy Valley Specific Plan. The 860-acre site is located south and east of Sycamore Road.

We have reviewed the City's DEIR and have no comment because the project does not meet the Tier 1 requirements of generating 100 or more p.m. peak hour trips over baseline conditions.

Once again, thank you for the opportunity to comment. Please do not hesitate to contact me if you require additional information. I can be reached at 510/836-2560.

Sincerely,

Beth Walukas
Senior Transportation Planner

cc: Jean Hart, Deputy Director
file: CMP - Environmental Review Opinions - Responses - 1998



Communication D

ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

5997 PARKSIDE DRIVE PLEASANTON, CALIFORNIA 94588-5127 PHONE (510) 462-2600 FAX (510) 462-3914

March 27, 1998

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MAR 30 1998

CITY OF PLEASANTON
PLANNING DEPT.

Mr. Wayne Rasmussen
Principal Planner
Department of Planning & Community Development
City of Pleasanton
P.O. Box 520
Pleasanton, CA 94566

**Re: *Specific Plan and Draft Environmental Impact Report for the
860-Acre Happy Valley Development, Pleasanton***

Dear Mr. Rasmussen:

We received the Happy Valley Specific Plan and Draft EIR and have the following comments:

Wells

Several wells of record exist in the project area. We shall locate them when detailed plans are submitted to us for review. Wells without an intent of future use that are of record, known, or discovered during construction will be properly destroyed in accord with a permit to be obtained from Zone 7.

Zone 7 Facilities

There are no Zone 7 water supply facilities within the project vicinity.

Future Water Demands

Projected increases in water demand should be included in the City of Pleasanton's annual water delivery request to Zone 7.

Flood Control

Please include in Section X the following statement: "Zone 7 is responsible for channels under its ownership within the tri-valley area. Future channel improvements are financed under the Special Drainage Area 7-1 Program using drainage fees levied on all new construction. Zone 7's policy is to assume

Mr. Wayne Rasmussen
March 27, 1998
Page 2

ownership and responsibility for major channels. There are no such channels in the Happy Valley area although the portion of Happy Valley Creek downstream of I-680 (Line B-1) may become part of the program at a later date."

Very truly yours,



Betty Graham
Asst. Chief, Water Supply Engineering

BG:DWM:arr

cc: Steve Cusenza, Pleasanton Water Dept.



Communication E

COUNTY OF ALAMEDA
PUBLIC WORKS AGENCY
DEVELOPMENT SERVICES DEPARTMENT
951 Turner Court, Room 100
Hayward, CA 94545-2698
(510) 670-6601
FAX (510) 670-5269

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APR 01 1998
CITY OF PLEASANTON
PLANNING DEPT.

March 26, 1998

Mr. Wayne Rasmussen, Principal Planner
City of Pleasanton
Department of Planning and Community Development
P.O. Box 520
Pleasanton, CA 94566

Dear Mr. Rasmussen:

SUBJECT: Happy Valley Specific Plan DEIR

Thank you for referring the Draft EIR and Draft Specific Plan for the Happy Valley Specific Plan Area in the City of Pleasanton to us for our review. We reviewed the Transportation of the Draft Environmental Impact Report (DEIR) for the Happy Valley Specific Plan dated February 13, 1998. Our comments are as follows:

1. Due to the current freeway congestion on I-680, the residents in this area experience significant by-pass traffic issues. Any trips added by development in the Happy Valley area will likely seek alternate routes to the freeway by using Foothill Road or Pleasanton-Sunol Road. The DEIR did not address by-pass traffic issues nor did it address any intersections in the unincorporated area of the County. E1

Intersections which should also be evaluated for impacts include Pleasanton-Sunol Road at Castlewood Drive, Castlewood Drive at Foothill Road, Foothill Road at Kilkare Road, and Pleasanton-Sunol Road at Niles Canyon Road/Paloma Road. Particular attention should be given to the morning peak periods when by-pass traffic issues are most severe.

It should be noted that the County is currently working with residents of Sunol and Pleasanton to mitigate by-pass traffic issues along Foothill Road. The current measure being evaluated is a morning period left-turn restriction from westbound Castlewood Drive onto southbound Foothill Road. If this or some other measure does not address the by-pass traffic issue on Foothill Road, more severe measures may be considered.

If by-pass control measures are implemented to address by-pass traffic issues on Foothill Road, the travel patterns assumed in the DEIR may be affected. E2

2. Traffic circulation should encompass all modes of travel (bicycle, pedestrian, equestrian, passenger vehicle, and commercial vehicle) including maintaining both existing and future transportation corridors. Happy Valley Road in its current configuration, specifically at the railroad underpass, is not acceptable to accommodate the proposed increase in traffic. As a part of development in the Happy Valley area, the following considerations to Happy Valley Road should be included: E3

- 3. Provide a roadway design for Happy Valley Road which accommodates all modes of transportation. This may include improvements such as shoulder improvements, roadway widening, pedestrian facilities, street lights, and drainage system improvements. E3
(cont'd)
- 4. Contribute off-site traffic impact mitigation fees to the County to fund the reconstruction of the railroad overcrossing and associated roadway improvements along Happy Valley Road. E4
- 5. Consider, and suggestion mitigation, to potential impacts on County roadways pavement from construction traffic and increased traffic volumes. Existing affected roadways may have inadequate structural section for increased traffic, especially truck traffic. E5
- 6. The City of Pleasanton should annex the entire length of Happy Valley Road. E6

If you have any questions, please call Karen Borrmann at 670-5433.

Very Truly Yours;



Scott A. Swanson
Deputy Director - Development Services

KB:kb



DIRECTORS
JOSEPH G. DAMAS, JR.
President
JIM GUNTHER
TIM ROLLISSON
PHIL LUTIC
JOHN H. WEED

P.O. BOX 5110 • 43885 SOUTH GRIMMER BOULEVARD, FREMONT, CALIFORNIA 94537
PHONE (510) 659-1970 • FAX (510) 770-1793 • E-MAIL acwd@intolane.com

OFFICERS
PAUL PIRAINO
General Manager
RONALD PINO
Treasurer
MARVELL L. HERREN
District Secretary

March 30, 1998

Confirmation of fax sent on 3/30/98

Wayne Rasmussen, Principal Planner
Planning Department
City of Pleasanton
P.O. Box 520
Pleasanton, CA 94566-0802

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APR 02 1998

CITY OF PLEASANTON
PLANNING DEPT.

Dear Mr. Rasmussen:

Subject: Comments on the Draft Environmental Impact Report for the Happy Valley
Municipal Golf Course/Specific Plan

Alameda County Water District (ACWD) is pleased to have the opportunity to comment on the Draft Environmental Impact Report for the Happy Valley Municipal Golf Course/Specific Plan. ACWD is a water retailer that provides potable water to a population of over 290,000 in the Cities of Fremont, Newark and Union City. ACWD receives more than 15% of its water supplies from local runoff from the Alameda Creek Watershed. In addition, a significant portion of our State Water Project entitlement is transported via Alameda Creek. This water is percolated into the Niles Cone Groundwater Basin (downstream of the Niles Canyon) through percolation both in Alameda Creek and adjacent percolation ponds. This water is subsequently recovered through ACWD's groundwater production wells and provided as a potable supply to the District's customers.

Because the Happy Valley Area is within the Alameda Creek Watershed, ACWD is concerned with the potential impacts that the proposed developments may have on downstream water quality. ACWD has had a long-term commitment to watershed protection and to assuring the health and safety of water supplies on which our customers depend.

ACWD is currently in the process of developing a water quality policy to provide guidance to affected parties on the upstream watershed lands to better ensure protection of the waters tributary to Alameda Creek. The need for ACWD's policy stems from the increasing water quality impacts of watershed activities and development, coupled with consumer acceptance of groundwater (primarily due to aesthetic concerns relating to hardness, chlorides and TDS), and new information on the potential health threats of various contaminants that are resulting in the promulgation of more stringent drinking water regulations. It is ACWD's intent that the policy will serve to effectively guide the planning, development and operations of upstream land use activities so that these activities do not result in the degradation of water supply to ACWD customers.

Given the above conditions and based upon our review of the DEIR for the proposed developments in the Happy Valley Area, ACWD has the following comments:

1. **Water Quality Related Impacts:** The DEIR does not adequately address the water quality impacts that would occur as a result of development in Happy Valley. The DEIR only considers stormwater runoff impacts, and does not consider impacts that occur as a result of increased infiltration of applied water or rainfall in the watershed. For example, the Dublin-San Ramon Services District - EBMUD (DERWA) EIR identified TDS impacts that would occur to Alameda Creek as a result of irrigation in areas of the watershed that were previously undeveloped. These impacts would be a result of applied water causing increased groundwater base flows (with higher TDS) to tributaries of Alameda Creek.

The Happy Valley DEIR acknowledges that the groundwater quality in the Happy Valley area is relatively poor due to contamination from septic systems, and likely has moderately high specific conductance (page 87). The DEIR also acknowledges that there are year-round springs "throughout the project site" which indicate that "in some areas, the groundwater table reaches the surface" (page 87). In addition, the DEIR states that the turf grass in the proposed golf course (as with the new homes, presumably) will result in increased infiltration, and "longer flows in creeks due to higher groundwater levels resulting from added filtration" (page 88). Therefore, it stands to reason that the higher groundwater levels (which occur as a result of this project), will also result in additional poor quality water entering the local streams, which eventually flow to Alameda Creek, and ACWD's recharge area.

Therefore, the Happy Valley DEIR should provide an analysis of these potential water quality impacts to Alameda Creek. This analysis should assess the water quality impacts due to increased poor quality groundwater base flows, and should be based on all additional development in Happy Valley that occurs as a result of the proposed project. The subsequent impacts to ACWD recharge operations, Niles Cone groundwater basin, and the water quality delivered to ACWD customers should also be assessed, as well as appropriate mitigation measures.

F1

2. **Level of Impact and Mitigation:** The DEIR states that "no significant impacts on drainage have been identified; therefore, no mitigation measures are required" (page 93). The finding of "no significant impacts" is not consistent with the above-mentioned impacts, nor with other discussions within the text that acknowledge that both nitrate runoff and leaching, as well as pesticide runoff could "affect water quality in creeks" (page 92). Given the potential impacts that the proposed development may have on Alameda Creek water quality (and subsequently the water quality of ACWD's water supply), these impacts should be reclassified as "potentially significant."

F2

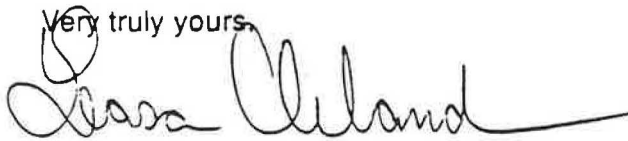
In addition, the DEIR does not include mitigation measures for these potential impacts to Alameda Creek. Mitigation measures should be included in the EIR, and should include

Wayne Rasmussen, Principal Planner
Page 2
March 30, 1998

the detailed actions that the project proponent will commit to. These mitigation measures should be detailed and specific, and should be developed in conjunction with ACWD staff.

Thank you for considering our comments on the DEIR. We will be happy to work with you to ensure that these concerns are adequately addressed in the Final EIR. If you have any questions regarding this letter, please contact me at (510) 659-1970, extension 215.

Very truly yours,

A handwritten signature in black ink, appearing to read "Leasa Cleland". The signature is fluid and cursive, with a long horizontal stroke at the end.

Leasa Cleland
Water Resources Planning Manager



DIRECTORS
JOSEPH C. DAMAS, JR.
President
JIM GUNTHER
TIM ROLLISSON
PHIL UTIC
JOHN H. WEED

P.O. BOX 3110 • 43885 SOUTH GRIMMER BOULEVARD, FREMONT, CALIFORNIA 94537
PHONE (510) 659-1970 • FAX (510) 770-1793 • E-MAIL acwd@intolane.com

OFFICERS
PAUL PIRAINO
General Manager
RONALD PINO
Treasurer
MARVELL L. HERRI
District Secretary

June 2, 1998

RECEIVED

Confirmation of fax sent June 2, 1998

JUN 05 1998

Wayne Rasmussen, Principal Planner
City of Pleasanton Planning Department
P.O. Box 520
Pleasanton, CA 94566-0802

CITY OF PLEASANTON
PLANNING DEPT.

Dear Mr. Rasmussen:

Subject: Environmental Impact Report for the Happy Valley Municipal Golf Course/Specific Plan

The purpose of this letter is to state ACWD's concerns regarding the Environmental Impact Report for the Happy Valley Specific Plan (EIR), and the potential impacts to ACWD as a result of the proposed developments in the Happy Valley area. As you are aware, ACWD has previously provided comment letters to the City of Pleasanton (City) on, (1) the Notice of Preparation for the EIR (NOP), and, (2) the Draft EIR for the proposed Happy Valley development. In these letters, we stated our concerns related to the potential impacts that the proposed development may have on downstream water quality in Alameda Creek. The Happy Valley Area is within the Alameda Creek Watershed, and ACWD receives approximately 15% of its water supply from this watershed. Previous EIRs prepared for the DSRSD-EBMUD Recycled Water Authority (DERWA) and Zone 7 have identified potentially significant salt loading impacts to ACWD that may occur as a result of new developments in the Alameda Creek Watershed that provide irrigation with potable water.

In the Final EIR, the City acknowledges that there may be potential impacts to ACWD as a result of the Happy Valley development, and that the City is "currently considering" how to respond to these concerns. In addition, the City states that it may assist ACWD in quantifying potential impacts, and it also may cooperate in mitigating impacts. To fully address ACWD's concerns, we feel the City should undertake some additional actions.

First, the City should provide a firm commitment to evaluate the potential impacts to ACWD as a result of this project. As the Lead Agency in preparing the EIR, it is the City of Pleasanton's responsibility to evaluate the potential impacts due to the development. This evaluation of impacts (i.e., quantifying the salt loading impact to ACWD as a result of the Happy Valley Development) should be done in consultation with ACWD. However, it is the City's (not ACWD's) responsibility to perform this analysis.

Second, the City should provide a firm commitment to mitigating water quality impacts to ACWD that occur as a result of this project, if any. The EIR states that the issue with water quality

M E M O R A N D U M

DATE: March 17, 1998
TO: Wayne Rasmussen, Principal Planner
c: Roger Higdon, City Engineer
FROM: Doug Wiebe, Golf Course Project Manager
RE: Golf Course Committee Comments of the Happy Valley Draft Specific Plan and Environmental Impact Report Documents

RECEIVED
MAR 20 1998
CITY OF PLEASANTON
PLANNING DEPT.

Following the staff presentation, public input and Committee discussion regarding the Draft Happy Valley Specific Plan and EIR documents on February 18, 1998, the Committee voted to support both documents subject to the following modifications:

Draft Environmental Impact Report

The Committee recommended that the Final EIR include an assessment of the amount of vehicular traffic that the Golf Course would generate on the North Sycamore Specific Plan (NSSP) area, relative to other new development in the Happy Valley Specific Plan Area, NSSP area, and Lund Ranch. The spread of Golf Course traffic over an 8 to 14 hour average day use period should also be addressed.

01

Draft Specific Plan

The Committee recommended that Trail – 2 shown on Figure VI-3 of the Specific Plan permit bicycle use to facilitate a connection from the Happy Valley Loop roads to the Golf Course Clubhouse.

The Committee recommended that a deed restriction be required at the time the Golf Course properties are transferred to the City. This deed restriction should require that the land be maintained as a Golf Course, or other open space, in perpetuity.

ADEQUACY OF EIR

Chap 3 Sect A – Land use

p 34. Compatibility of Uses – Existing Residences and New Housing
Residential development will maintain the character of Happy Valley area by

1. designating semi-rural density of 1 home per 1 ½ acres
2. requiring a view corridor
3. larger lots near Alisal Street

--> Doesn't provide adequate specific information on which to judge the trade off between higher density and open space.

--> Insufficient justification given for deviating from the General Plan , which was a much debated compromise.

--> does not demonstrate equity between proposed developments:

- Golf course core area: 24 homes for 150 acres (approx 1:6)
- Golf course / Christesen lot: 1 home for 6 acres
- Spotorno: 6 homes for 6 acres

Has been negotiated behind closed doors, with no input from community, and inadequate justification.

Chap 3 Sect F – Sewer

p74. Alternative Sewer System – not studied, not covered by EIR

N1

Chap 3 Sect J – Biology

p 122, p133 California Tiger Salamander have been observed within 12 months by residents immediately adjacent to the Biological Resource Study Area

N2

Chap 3 Sect L – Visual Resources

p147

Significance criteria:

N3

- substantial negative aesthetic effect
 - “appearance of the area would change, but would not result in an adverse aesthetic impact”
 - > that is a statement with no justification
 - > if that is true, then I would like to see a definition of “adverse aesthetic impact”
- create light or glare
 - “would nor create a major source of light or glare”
 - > more and more communities are adopting light pollution regulations and dark sky ordinances. There is no analysis of light levels as there is of noise levels.
- disturb ridgeline views, or diminish scenic value of surrounding hills
 - > more concerned about impacts on the outlying community than people who live in Happy Valley
- fail to maintain semi-rural character
 - “ new housing, when considered in the context of large open space areas around them”
 - > but what about the new homes themselves – not even close to 2 acres. Spotorno flat will be one acre, the golf course much less. Not conducive to keeping horses, or other farm animals which contributes significantly to the semi-rural character of the neighborhood.

Wayne Rasmussen, Principal Planner
Page 2
June 2, 1998

impacts "would affect nearly all proposed development in the City," and therefore would require additional consideration. We agree with that statement. However, regardless of how other developments may impact ACWD, the City needs to provide a firm commitment to ACWD to mitigate any water quality impacts to ACWD water supplies that may occur as result of the Happy Valley development. With regard to future development within the City and other portions of the watershed, ACWD is actively participating in the Alameda Creek Watershed Management Plan, the Zone 7 Salt Management Program, and is also in the process of developing a Water Quality Protection Policy which will provide guidance to affected parties on the upstream watershed lands (such as the City of Pleasanton) to better ensure protection of the waters tributary to Alameda Creek.

We look forward to discussing our concerns with the Happy Valley EIR with you, as well as the development of ACWD's Water Quality Protection Policy on June 24. If you have any questions, please call Leasa Cleland at (510) 659-1970, Extension 215.

Very truly yours,



Paul Piraino
General Manager

lc

cc: ACWD Board
C. Hill
K. Stinson

DEPARTMENT OF TRANSPORTATION

BOX 23660
OAKLAND, CA 94623-0880
(510) 286-4444
TDD (510) 286-4454



March 30, 1998

ALA-680-15.26
ALA680220
SCH# 97032034

Mr. Wayne Rasmussen, Principle Planner
City of Pleasanton
200 Old Bernal Avenue,
P.O. Box 520
Pleasanton, California 94566-0802

Dear Mr. Rasmussen:

Re: Happy Valley Specific Plan -Draft Environmental Impact Report (DEIR)

Thank you for continuing to include the California State Department of Transportation (Caltrans) in the environmental review process for the above-referenced proposal. We have reviewed the DEIR and forward the following comments:

1. The traffic volumes on pages 27 and 39 of the DEIR show projected increases of up to 3,000 vehicles per hour on the eastbound and westbound on-ramps to I-680. However, the environmental document does not discuss the impact of such an increase on the ramps, and specifically of additional queuing. Please explain.
2. On page 84, regarding the drainage plan for this proposed plan, drainage and grading should be adequately designed to handle the fully developed runoff to avoid the potential downstream flooding of properties and I-680.

If you have any questions or concerns, please feel free to call Anthony Lee of my staff at 510-286-5583.

Sincerely,

HARRY Y. YAHATA
District Director

By: *Phillip Badal*

PHILLIP BADAL
District Branch Chief
IGR/CEQA

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

SAN FRANCISCO BAY REGION

2101 WEBSTER STREET, SUITE 500

OAKLAND, CA 94612

(510) 286-1255



Date: **MAR 12 1998**
File #2198.09 (KHL)

Mr. Wayne Rasmussen
City of Pleasanton
P.O. Box 520
Pleasanton, CA 94566-0802

RECEIVED
MAR 16 1998
CITY OF PLEASANTON
PLANNING DEPT.

**Re: Happy Valley Area Specific Plan and Related Planning and Development Actions Draft
Environmental Impact Report
SCH # 97032034**

Dear Mr. Rasmussen:

We have received the above referenced Draft Environmental Impact Report (DEIR) and offer the following comments on issues with which the Regional Board is concerned.

The proposed project would construct an 18-hole municipal golf course, practice facility, clubhouse, and not more than 34 new half-acre home sites, in addition to 2 existing homes, in the golf course area. The project would also develop: up to 22 housing units on the Spotorno Flat Area; up to 5 units in the low-density portion of the Spotorno Upper Valley area; up to 75 housing units in the medium-density portion of the Spotorno Upper Valley area; and associated roads and improvements. As noted on page S-3, the DEIR does not address site-specific impacts resulting from the construction of individual homes on individual lots in the Greater Happy Valley Area, except for homes in the Spotorno Flat area. The Greater Happy Valley Area site is about 860 acres in size.

The project may have impacts including: increases in stormwater and non-stormwater runoff quantity and a decrease in runoff quality; the fill of waters of the United States, including wetlands and streams, and 75% of the length of streams within the proposed golf course development area; increased erosion and lateral migration or downcutting of streams; erosion and the discharge of pollutants to waters of the State during construction; and the discharge of pollutants to groundwater.

Runoff quality and quantity

It seems likely that the proposed project would result in an increase in stormwater runoff following construction and an increase in nonpoint source pollution from the site both during and after construction, as is stated in the DEIR (pp. 88-92). However, these potential impacts have not been fully addressed in the DEIR, which states that "no significant adverse impacts on drainage have been identified; therefore, no mitigation measures are required" (p. 93). The DEIR does indicate, in a general way, that some structural treatment controls, such as grassy swales and concave lawn/infiltration basins, may be included in the design of a portion of the houses proposed to be

constructed in the development. The EIR should state that structural treatment controls shall be required for stormwater from the proposed development, provide a list of controls that may be implemented, and state who will be responsible for their maintenance, as we asked in our April 15, 1997 comment letter on the project's Notice of Preparation. Controls should be designed so that they treat runoff from project areas including the golf course, houses, roads, parking lots, and other structures.

Potential impacts resulting from the operation of the proposed golf course, including discharge of pollutants such as pesticides and herbicides to surface and groundwater and erosion caused by runoff from the golf course have not been specifically addressed in the DEIR. The Specific Plan requires the preparation and adoption of a Golf Course Design and Management Plan, an Integrated Pest Management Plan, and a Water Quality Monitoring Plan prior to the construction of a golf course (p. 93, Specific Plan p.80). While a number of the Plans' measures will help mitigate impacts to groundwater and surface water, it is unclear whether the measures will fully and adequately mitigate the expected impacts. For example, most areas of the golf course would be designed to drain away from existing streams and other drainage channels, but it is not clear to where this runoff would ultimately be discharged. Also, while runoff from areas of the golf course that would drain to creeks is required to be drained through a vegetated buffer, Specific Plan condition VIII(D)(3)(b) states that this buffer shall have a minimum width of only 10 feet, which is likely to be insufficient to remove pollutants from the runoff.

The proposed project is likely to result in an increase in stormwater runoff from the site (p. 88), which may result in impacts including bank erosion and lateral movement and/or downcutting of streams on site. This is proposed to be mitigated partly through infiltration of runoff and partly through the use of detention basins, which will be designed to reduce peak flows to below existing conditions, to treat runoff, and to provide other benefits (SP p.73). The Regional Board supports the use of detention basins for these purposes. However, the detention basins have not yet been sized, and will not be designed until the completion of a hydrology study in the future (SP p.73). Therefore, it is not possible to determine what portion of runoff will be treated or whether the detention basins will reduce impacts to below a significant level. In general, detention basins should be designed to detain not only peak flows, but also the more numerous small flows that carry the largest portion of pollutants in stormwater and dry weather runoff.

Streams and Wetlands

A 450-acre portion of the project site contains approximately 2.33 acres of wetlands, consisting of nine freshwater seeps, one seasonal wetland, and two natural springs, and about 4.00 acres of streams, distributed across three ponds and ten creeks and channels, including Happy Valley Creek and Sycamore Creek (pp. 120, 126-129). Construction of the project's proposed golf course would fill 17,176 linear feet (2.08 acres) of streams and 0.35 of the 0.38 acres of freshwater seeps on the site (p. 130-132). The golf course can reasonably be expected to result in post-construction impacts to the habitat functions and values of streams and wetlands as well, as the current design calls for 14 holes to play across creeks and/or include golf cart creek crossings. Construction of the Bypass Road on the site would temporarily disturb Pond 3 (0.22 acres). Grading plans for project areas other than the golf course have not yet been developed. Also, the current wetlands delineation was completed for only 450 acres of the 860 acre site (p. 126). Therefore, it is not clear whether there will be impacts to jurisdictional waters beyond those already listed.

The DEIR has not identified potential mitigation or mitigation sites for the proposed impacts. However, Specific Plan condition VIII(B)(3) states that a riparian restoration plan shall be prepared prior to the approval of a grading plan for the golf course and Spotorno Properties (SP p.79). The Specific Plan requires a minimum setback of 100' from the centerline or 10' from the riparian woodland dripline of Sycamore Creek for structures including houses and trails (SP p.78), and also indicates that a portion of the creeks proposed to be filled as a part of golf course grading would be reconstructed.

The Regional Board has adopted U.S. EPA's Clean Water Act Section 404(b)(1) "Guidelines for Specification of Disposal Sites for Dredge or Fill Material," dated December 24, 1980, in the Board's Basin Plan for determining the circumstances under which fill may be permitted.

Section 404(b)(1) Guidelines prohibit all discharges of fill material into regulated waters of the United States, unless a discharge, as proposed, constitutes the least environmentally damaging practicable alternative that will achieve the basic project purpose. For non-water dependent projects such as the proposed project, the guidelines assume that there are less damaging alternatives, and the applicant must rebut that assumption.

The Section 404(b)(1) Guidelines sequence the order in which proposals should be approached. First, impacts to wetlands or Waters of the State must be avoided to the maximum extent practicable. Second, the remaining impacts must be minimized. Finally, the remaining unavoidable adverse impacts to wetlands or Waters of the State must be mitigated. Mitigation will be preferably in-kind and on-site, with no net destruction of habitat value. A proportionately greater amount of mitigation is required for projects that are out-of-kind and/or off-site. Mitigation will preferably be completed prior to, or at least simultaneous to, the filling or other loss of existing wetlands.

If the proposed project impacts wetlands or other Waters of the State and the project applicant is unable to demonstrate that the project was unable to avoid those adverse impacts, water quality certification will most likely be denied. 401 Certification may also be denied based on significant adverse impacts to wetlands or other Waters of the State. In considering proposals to fill wetlands, the Regional Board has adopted the California Wetlands Conservation Policy (Executive Order W-59-93, signed August 23, 1993). The goals of the Policy include ensuring "no overall net loss and achieving a long-term net gain in the quantity, quality, and permanence of wetlands acreage and values." Under this Policy, the Regional Board also considers the potential post-construction impacts to wetlands and Waters of the State, such as changes in the quantity and quality of runoff, and evaluates the measures proposed to mitigate those impacts.

Mitigation for the proposed fill is to be identified in the future. It is unclear whether the mitigation will adequately mitigate the expected temporary and permanent impacts to beneficial uses, including habitat functions and values. The EIR should state which mitigation sites and mitigation are being proposed to mitigate for the proposed fill and should identify the total length of streams and wetlands proposed for fill, the proposed length, location, and general design of reconstructed creeks, and the riparian and wetland buffer widths adjacent to the proposed mitigation and the remainder of the projects' jurisdictional waters.

The DEIR states that Section 404 permits are required from the U.S. Army Corps of Engineers for projects that fill more than one-third of an acre of jurisdictional waters (p. 129). As a note, 404

permits--and 401 Water Quality Certification by the Regional Board--are also required for fills of less than one-third of an acre. Subject to a project's meeting the Nationwide Permit conditions, including the absence of impacts to threatened or endangered species, a project may apply for or complete work under a Nationwide permit issued by the Corps. Water quality certification, including appropriate mitigation for impacts, must still be obtained from the Regional Board.

Mitigation measure J1 states that the applicant will "[provide] such additional mitigation of wetland impacts as may be required by the Army Corps of Engineers." Mitigation for impacts may also be required by the Regional Board. While this mitigation is often the same as that required by the Corps, the Regional Board's somewhat different area of responsibility means that mitigation may not always be the same as the Corps. It is our understanding that mitigation for impacts may also be required by the state Department of Fish and Game and U.S. Fish and Wildlife Service. Mitigation measure J1 should be reworded to reflect these potential requirements.

In summary, we believe that the DEIR does not adequately address the proposed project's impacts to water quality and beneficial uses of waters of the State. The DEIR also does not explicitly identify adequate mitigation for the expected impacts.

If you have any questions, please contact Keith Lichten at (510) 286-0378.

Sincerely,



Teng-Chung Wu
Division Chief

cc: Governor's Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

Ms. Carin High
38536 Logan Drive
Fremont, CA 94536

Janice Gan
USFWS
3310 El Camino, Suite 130
Sacramento, CA 95821

Greg Walker, RWQCB
Rebecca Tuden, USEPA
Warden Joe Powell, CDFG

Communication I
REGIONAL PARKS

EAST BAY REGIONAL PARK DISTRICT

February 25, 1998

Mr. Wayne Rasmussen
City of Pleasanton
Department of Planning
and Community Development
P.O. Box 520
Pleasanton, CA 94566

RECEIVED

FEB 27 1998

**CITY OF PLEASANTON
PLANNING DEPT.**

BOARD OF DIRECTORS

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Treasurer
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Pat O'Brien
General Manager

RE: Happy Valley Specific Plan and Draft EIR

Dear Wayne:

The East Bay Regional Park District received and reviewed the drafts for the Happy Valley Specific Plan and Environmental Impact Report. EBRPD does not have a proposed or existing facility within the Happy Valley Specific Plan area. However, the District's Master Plan does designate the Pleasanton Ridge to Shadow Cliffs Regional Trail in the vicinity outside the specific plan area. This trail alignment is yet not defined. In the future, as the alignment is studied, the proposed trails within the specific plan may provide suitable trail link opportunities for the regional trail.

The District does support the local trails for the Happy Valley Specific Plan area. The District does not have any comments related to the draft environmental impact report.

Thank you for the opportunity to review and comment on these documents. If you have any questions please contact Linda Chavez (635-0138 ext. 2624) on the specific plan and Brad Olson (635-0138 ext. 2622) on the DEIR.

Very truly yours,



Linda J.P. Chavez
Park Planner II

cc: Brad Olson





3-D Environmental
A Different Perspective

March 3, 1998

Mr. Wayne Rasmussen
Principle Planner
City of Pleasanton
P.O. Box 520
Pleasanton, CA 94566-0802

RECEIVE

MAR 05 1998

CITY OF PLEASANTON
PLANNING DEPT.

Subject: Verona Fault Zone Study

Dear Wayne:

I have heard that the City of Pleasanton may conduct a study of the Verona fault zone in connection with future development within the Happy Valley area. As a geologist and a resident of the loop, I have a few thoughts that may be relevant to this study.

When I first moved to Alisal Street, the topography of the area suggested to me that Happy Valley had been formed by faults, and that they have been relatively inactive during historical times. Current geologic maps of this area indicate the Verona Fault probably runs along the east side of the valley. Although I have not done any research on this fault and so can not provide you with any published references, I feel certain there are papers at the USGS library in Menlo Park. I do know that this section of the Verona fault was studied years ago in connection with the proposed operation of our friendly neighborhood nuclear reactor facility to the south.

The comments below are just speculation (the professional term is "arm-waving"), but there are a few things I've observed over the years that, combined with some new surface features resulting from the recent rains, may be of interest to your staff in their effort to map the location of this fault.

Ms. Janet Linfoot (6300 Alisal Street) called me the other day to point out two small "landslides" (technically they are called earthflows) which had formed on the east hills during the last month. She also mentioned that a spring on her property which had been dry for a long time is now flowing.

Both earthflows are approximately 3/4ths of the way to the top of the hill and are clearly visible from Alisal Street. In looking at them, I noticed that if you take an imaginary line connecting the heads of both earthflows, this line appears to run through a small linear valley which lies between them. While it is possible that this linear valley is the erosional remnant of a pre-historic landslide, landslides tend to form more arcuate-shaped cuts in hillsides.

I think the formation of two recent earthflow features combined with the approximate alignment of a linear valley is a rather anomalous topographic feature. This suggests (to me) that these features may be the surface manifestations of a trace of the Verona fault, as explained below.

Earthflows are defined as a flow of unconsolidated material (such as soil) down a slope. Earthflows normally result from an increase in pore-water pressure which reduces the friction between particles. During periods of heavy precipitation, rainwater infiltrates into the soil at a greater rate which can change the potentiometric surface (i.e. raise the groundwater table). If the resulting hydrostatic head (water pressure) is large enough, water will emerge from the ground in the form of springs. If the ground surface where this water emerges is on a fairly steep hill, the reduction in the cohesion of the soil will combine with the effect of gravity to create earthflows.

Faults in the subsurface will fracture the underlying bedrock and groundwater will preferentially flow along the fractures lines. If there is sufficient hydrostatic head to raise the potentiometric surface, this water will seep out along these fractures to form a line of springs.

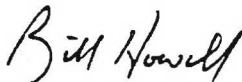
A good example can be seen in the Pinnacles National Monument south of San Jose. This area is a semi-arid chaparral environment with relatively sparse drought-resistant vegetation. One section of the Chalone Creek Fault, however, that can be traced along the flank of one mountain for about a mile because it is essentially highlighted by a narrow swath of thick bushes and trees that grow along the fault line where groundwater rises nearer to the surface.

Based on the geomorphology (topography) of the valley, I think the Verona fault has a number of fault traces and should more accurately be called a fault zone. For example, during periods of sustained heavy rain, I have observed a spring emerge from the ground within the valley floor between the Church parking lot and Mr. Spotorno's windmill. This may represent another trace of fractured bedrock related to the Verona Fault. The presence of these fractures does not mean that the Verona fault is active.

With respect to the City's attempt to trace the location of the Verona fault along the eastern hillside, I recommend that your staff person begin by looking at the area's geomorphology. I would enjoy assisting with this if you are interested. Following this, I think a gravity and/or magnetic geophysical survey may produce your best data. If the Verona fault zone is as inactive as I suspect, you may not be able to locate it by trenching.

Good luck and let me know if I can be of any other service. I would be very interested to learn about the City's findings from this study.

Sincerely,



Bill Howell

Communication K

LAW OFFICE
PETER MACDONALD
400 MAIN STREET, SUITE 210
PLEASANTON, CALIFORNIA 94566-7371

(510) 462-0191
FAX (510) 462-0404
petemacd@ix.netcom.com

March 11, 1998

Wayne Rasmussen
City of Pleasanton
Department of Planning & Community Development
123 Main Street
Pleasanton, CA 94566

SUBJECT: Comments to Happy Valley Specific Plan and EIR

Dear Wayne,

This is a joint response from the Spotorno Family and SummerHill Homes. SummerHill Homes or the Spotorno Family may make additional separate comments.

In general, the Happy Valley Specific Plan ("SP") and the Happy Valley Specific Plan Environment Impact Report ("EIR") represent a thorough and comprehensive effort to address the many issues raised by proposed development in the Happy Valley Area. We wish to thank the City Staff and consultants and many citizen participants for their outstanding efforts in moving the planning process to this stage.

There are, however, several inadequacies and inaccuracies which must be corrected to raise the Specific Plan and EIR to acceptability:

1. Agricultural preservation is not sufficiently addressed and mitigated in the Specific Plan or EIR.

Our specific concern is after separation of the parcels designated for development, the Spotorno family plans to continue to operate the remainder parcel for pasture, grazing, livestock, crops and related agricultural activities. The open space district does not adequately support the planned agricultural operation. The following mitigations are necessary to preservation of agriculture:

a. The title "Open Space Area" and "PUD-Open Space" should be broadened to read "Open Space/Agriculture" ("AG/OS") and "PUD-Agriculture and Open Space", (PUD AG-OS).

See for example: SP at p.5, SP at p.36.

b. The development standards need to accommodate planned agricultural operation of the Spotorno remainder parcel:

i. A family compound including: family homes, barns, equipment garages, storage sheds, corrals, and the like will be located below the top of the hill within the north slope area overlooking the bypass road. The family compound would not be visible from the Happy Valley Loop and must be central to the agricultural remainder parcel. Section 6(c)(8)(a) at SP p. 38 prohibits this unless the City can confirm that multiple existing lots within the Spotorno property will be recognized pursuant to Provision 6(b)(1)(a) at SP p. 36 within the PUD-Open Space/Agricultural development standards. (See also No. 2, below)

ii. A Conditional Use Permit for "community agriculture" should be added at 6(b)(2) at SP p.37 to permit equestrian center, stables, community gardens, pumpkin patch or similar community serving agricultural activities as appropriate.

c. The Minnie Road Trail connection needs to be deleted from the Trails Plan (SP pp. 55 and 57). The Minnie Road provides the primary connection for access to the current family compound and will continue to be the primary access when the family compound is moved to the north slope. Trail use would be inconsistent with agricultural traffic and animals in that vicinity. Minnie Road has never been offered for trail access and is unnecessary because there is adequate access from trails planned along the by-pass road and through Spotorno Flat.

d. Surprisingly, and unfairly, the Specific Plan provides for Trail Connection 8A though the Spotorno property to the Foley Ranch to be completed with development of upper Spotorno Valley but provides for delaying the completion of Trail connection 8B and 8C through the City property until the extensions connect beyond the Specific Plan Area. (SP p. 57) The current Specific Plan wording leaves no choice but to direct trail users and potential trespassers right at the Foley Property and Spotorno agricultural remainder parcel. The last sentence for Trail connection 8A at SP p. 57 should be revised to read:

“A public access easement for this trail at a location compatible with the development area shall be dedicated by the owner of the Spotorno Property at the time that the final subdivision map for the Spotorno PUD-MDR Area is recorded. The funding shall be set aside or bonded by the developer for construction of the trail at such time as the extension through the Foley Ranch property takes place.”

e. As mitigation for trails where permitted, the EIR and Specific Plan should require a combination of clear signing, effective enforcement, and physical constraints to prohibit trespassing by trail users. Landowners impacted by trail locations must be given liability protection from lawsuits by trail users.

2. Density ranges are converted from mid point of the general plan density range to maximums throughout the Specific Plan. See, for example, Table V-1 at SP p. 25. Will this language be applied in a manner consistent with General Plan provisions which permit increases above the mid point of the general plan density range for projects with special amenities such as trails.

The planning process needs to retain the flexibility of the general plan land use categories so potential home sites deducted from one location can be located at an alternate site thus allowing the 102 units permitted by the General Plan for the Spotorno property to be achieved. The maximum units shown in Table V-1 a SP p. 25 in PUD-OS should include the four units required for the family compound on the North Slope. There are existing recorded lots on the Spotorno Property sufficient to permit these four units. If desired by City, units designated for the family compound may be deducted from units designated for the Spotorno Upper Valley.

3. Development standards as presently drafted may restrict development which is compatible with the Happy Valley area.

a. In the PUD-MDR. standards, at 1(c) a statement is made:

“Measures shall be taken to minimize the off-site visibility of development in this area to the maximum extent feasible.” SP p. 27 Our discussions with City Staff relating to Upper Spotorno Valley have focused upon keeping roof lines below the ridge lines and locating the golf course extension of the bypass road to control its visibility. If this clause is intended to extend beyond those acceptable limitations, please spell out reasonable specifics now so redesign can be avoided in the future.

b. PUD Semi-Rural Density Residential District (including Spotorno Flat)

i. The maximum principal house height is measured in a way that discourages stepping up a slope, but stepping up the slope is encouraged elsewhere in the plan. 4(c)(5) at SP p. 30. The thirty foot maximum height should apply only to the vertical plane at any given location within a house. Pancake architecture, as a monolithic government mandate, should be discouraged in Happy Valley and elsewhere.

ii. The view corridor provision suggests larger lots near Alisal Street and an open space corridor for Spotorno Flat. 4(c)(8) at SP p. 30. In plans developed in close consultation with City Staff, we are showing one acre lots throughout (including Alisal Street frontage) and substantial open view corridor from the area of the Linfoot residence through to the golf course. The language in the Specific Plan will create expectations inconsistent with the site constraints as acknowledged by City Staff. As background, in an attempt to create a view corridor to the golf course, we proposed to permit an extension of the golf course up to Alisal Street in Spotorno Flat in conjunction with clustering our units beyond view on the golf course properties. That alternative was rejected by the Golf Course Committee and is no longer under consideration. The Specific Plan language should be corrected to be consistent with the Staff and Golf Course Committee direction.

iii. The language prohibiting Neo-Colonial or European Estate architecture should be modified to "discourage" such architecture, not prohibit it. [(4)(e)(4)(a) at SP p. 32] While extreme examples of certain formal architectural styles may be inappropriate, many aesthetically rich and appropriate designs could be eliminated by an absolute prohibition. Hopefully, an Italian Villa architectural style is not included as a "European Estate" architectural style.

iv. Discouraging two story structures based upon existing architecture in the Happy Valley area would be patently inaccurate. [4(e)(4)(c) at SP p.32] Discouraging two story structures is also contrary to other site planning development standards encouraging home width less than 50- percent of lot width and preservation of open space and view corridors.

4. The funding of the bypass road is not fairly allocated.

The draft Specific Plan edicts that the bypass road through the Spotorno Property to the Spotorno Upper Valley Medium Density Residential Area shall be funded by the Spotorno Property developers. SP. p. 50. Moreover, the draft Specific Plan assumes dedications of right of way beyond the medium Density Residential Area at no cost to the City. Finally, the Specific Plan redirects Spotorno Flat traffic from Alisal street (as shown in the General Plan)

to the bypass road.

We have been willing to accept redirection of Spotorno Flat traffic to the bypass road and dedication of right of way for the connection to the golf course at no cost, but only in conjunction with pro rata allocation of the cost the bypass road based upon traffic generation. That position was communicated to the City in writing by the Spotornos as a condition of permitting the bypass road and annexation of their property prior to City Council adoption of the bypass road concept. At that time, and until the draft Specific Plan was released, Staff discussion has always assumed that the City would pay its fair share of the bypass road. The design of Spotorno project and the design of the bypass road are heavily impacted by the need to accommodate the golf course traffic, which must be fairly mitigated. The cost allocation proposed in the Specific Plan is inconsistent with the cost allocation for the east-west collector between Sunol Boulevard and the School District Parcel. The cost allocation proposed in the Specific Plan is also inconsistent with the Constitutional standard of "rough proportionality". If a reasonable allocation of bypass road costs has not been agreed upon by the affected parties, then this section of the Specific Plan should be reworded to simply state that "Bypass road costs will be fairly allocated".

5. Surprisingly, and unfairly, the Specific Plan prohibits construction vehicle traffic on the Happy Valley Loop to the Spotorno Property but permits such construction vehicle traffic to the golf course. SP p. 52. It even suggests a temporary road to the golf course through the Spotorno Property. Either all construction traffic should await the availability of the bypass road or limited usage of the Happy Valley Loop by construction traffic should be available to the Spotorno Property on an equal basis. As a possible temporary connection for the golf course and Spotorno Property, construction traffic vehicles could follow Sycamore Road or the East West collector to Minnie Road and thereafter follow the bypass alignment to Upper Spotorno Valley and the golf course.

6. The Specific Plan suggests there will be detention facilities in Upper Spotorno Valley. (SP p.75) We would like the City to verify that "detention facilities" does not have to mean construction of detention basins for a 15 acre development area.

7. We are particularly concerned that the Specific Plan suggests possible upgrades to Spotorno Dam. Spotorno Dam will continue as an essential part of the agricultural remainder parcel. Spotorno Dam is left wide open during the peak rainy season and we have no intention or need to replace it with an engineered dam.

A number of additional corrections and clarifications are set forth in Attachment A entitled "Points of Error and Clarification".

Annexation of the Spotorno Property requires reasonable resolution of these issues raised by

the Specific Plan and EIR.

Very Truly Yours,

A handwritten signature in black ink that reads "Peter MacDonald". The signature is written in a cursive, slightly slanted style.

Peter MacDonald

Attachment A: Points of Error and Clarification

cc: Al Spotorno
John Spotorno
Craig Champion
TW Starkweather

ATTACHMENT A

Points of Error and Clarifications

1. The EIR and Specific Plan refer to "Sycamore Creek" in the Spotorno property. (e.g. SP p.17) That Creek has always been denoted as Spotorno Creek in its passage through the Spotorno Property. Our water rights permit from the State refers to Spotorno Creek. Beyond the Spotorno Property, that creek was diverted long ago from its original creek bed and the redirected channel is what is referred to as Sycamore Creek. F
2. The Specific Plan refers to the Spotorno Flat Area Emergency Vehicle Access (Segment 2 at SP pp. 49 and 50). The lot reference to Segment 2 in the Specific Plan incorrectly calls "Lot 98" "Lot 96". More importantly, we are unaware of having offered for dedication such an E.V.A. in 1981 or otherwise and find no such reference in the title report to our property. Please provide us with the legal documents upon which this claim of access is based.
3. The Specific Plan suggests the Spotorno Flat Area has only 33 acres. (SP p.22) We believe the area of Spotorno Flat is approximately 45 acres based upon General Plan standards.
4. The entry point of the east-west collector street from the North Sycamore Specific Plan Area as shown on Figure VI-2 at p.49 is inappropriate. We have discussed with City Staff that it is feasible for the east west collector to enter just north (on the city water tank parcel) without costing the New Cities Development any units. That would put the commencement of the bypass road at a much better alignment to cross Spotorno Creek and minimize impact on the existing Spotorno residence. Please confirm that the alternate alignment discussed with City Staff is compatible with the Specific Plan, particularly Figure VI-2, and can be implemented if deemed feasible on practical grounds, without amendment of the Specific Plan.
5. The Specific Plan suggests there will be "bicycle lanes" of 4 feet (SP p. 53). Please clarify if the bypass road width will be 28 feet (one bicycle lane) or 32 feet (two bicycle lanes).
6. The EIR points out that the County Urban Growth Boundary (UGB) and the City's UGB are inconsistent within Happy Valley. (EIR p. 21) Please verify that, upon annexation, the City UGB shall control. Please note that the City General Plan language establishing the UGB allows minor adjustments to the UGB in appropriate circumstances (GP p. II-17). K
7. At EIR p. 78, the text projects wastewater generation from Happy Valley at .80 mgd but the correct wastewater generation is .08 mgd. K

8. The EIR shows the Verona Fault extending thorough the Specific Plan Area including Spotorno Flat. (EIR p. 101) Our geologic report prepared by Terra Search found no evidence of the Verona Fault in Spotorno Flat, and properties to the north have also failed to locate this fault. The maps and references need to reflect this.

K5

9. The EIR shows jurisdictional wetlands in Spotorno Flat adjacent to Alisal Street (EIR p.119) For the record, these wetlands are created by the damming effect of Alisal Street and do not represent original undisturbed riparian habitat.

K6

10. The EIR concludes that there is red legged frog habitat without evidence of red legged frogs. (EIR p. 134) In the absence of documented presence of a species, private use of "habitat suitable for a species" cannot constitute a take. We do not object to preparation of a habitat plan, or even introduction of the species, so long as their introduction does not become the source of restrictions based upon the dishonest assumption of their initial presence.

K7

11. The statement that, "The hills and ridgeland which surround the Area are mostly undeveloped." is substantially inaccurate. (SP p. 7) The vast majority of hills and ridgelines are developed with existing dwellings, including Happy Valley itself, Lund Ranch, Bonde Ranch, Kottinger Ranch and beyond.

K8

Submitted on behalf of Summerhill Homes and the Spotorno Family

Communication L

WILLIAM D. McCANN

Telephone: (510) 460-3700

Facsimile: (510) 460-0969

April 6, 1998

VIA HAND DELIVERY

Mr. Wayne Rasmussen
Principal Planner
City of Pleasanton
200 Old Bernal Avenue
P. O. Box 520
Pleasanton, CA 94566-0802

RE: HAPPY VALLEY GOLF COURSE PROJECT

Dear Mr. Rasmussen:

Thank you for our productive office conference attended by John Compaglia. Pursuant to my promise to do so, please consider the comments set forth in my March 30, 1998 letter in the above-captioned matter withdrawn.

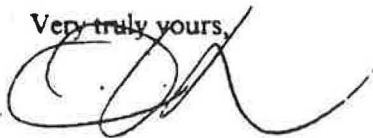
Please consider the following comments germane to the Happy Valley Golf Course Project:

1. Our client is generally supportive of the Happy Valley Specific Plan and Related Planning Development Action.
2. With respect to the issue of fill on my client's property, we would like the issue of fill to be left in the alternative, depending upon future plans to be prepared by David Evans & Associates on behalf of our clients.
3. We will be requesting a density for parcel 109 to accommodate approximately 24 senior duet townhomes. In exchange for that density, our clients would consider donating a segment of parcel 110 for the golf course, with the understanding that the residuum could accommodate four estate homes.

L1

We look forward to working with you in a mutually beneficial partnership to achieve these goals.

Very truly yours,



WILLIAM D. McCANN

5000 Hopyard Road, Suite 400, Pleasanton, CA 94588



RECEIVED

MAR 03 1998

CITY OF PLEASANTON
PLANNING DEPT.

February 27, 1998

Mr. Wayne Rasmusson
City of Pleasanton
Planning and Community Development
200 Old Bernal Avenue
Pleasanton, CA 94566

Re: EIR for Happy Valley Specific Plan and the Happy Valley Specific Plan

Dear Mr. Rasmusson:

I want to thank you for the opportunity to participate in the planning process of this development. Currently, WHEELS does not have a route serving this area; however, but may be served in the future. Below are my comments.

1. References to Public Transit.

- a. **EIR.** There are no references to public transit in the EIR.
- b. **Specific Plan.** On page 46, the Draft Specific Plan acknowledges WHEELS' public transit service in the City of Pleasanton.

M1

2. Comments.

- a. In general, the specific plan fails to address how the Happy Valley project will incorporate public transit for residents who reside in both non-gated and gated communities.
- b. Developers should be required to work with LAVTA to incorporate street and pedestrian configurations conducive to public transit to increase mobility of general public while serving the specific needs of those employees with particular mobility needs. These residents include the elderly, disabled, and youth. The current design is not transit and pedestrian friendly.
- c. Developers should be required to coordinate with LAVTA to provide convenient access to public transit.
- d. Developers should be required to coordinated with LAVTA to enhance local and regional mobility and integration by improving access between LAVTA and other public transit systems.

M2

- e. More specifically, the City and the developer should coordinate with LAVTA to implement the following:
- i. Bus Alignments
 - ii. Bus turnouts
 - iii. Location of service stops
 - iv. Location of bus shelters
 - v. Development and implementation of flash pass program
 - vi. Any other transit amenities

The cost of procuring and installation of the above to be paid by the Developers.

If you have any questions, please contact me at 455-7559.

Sincerely,



Austin O'Dell
Manger of Planning

ADEQUACY OF EIR

Chap 3 Sect A – Land use

p 34. Compatibility of Uses – Existing Residences and New Housing

Residential development will maintain the character of Happy Valley area by

1. designating semi-rural density of 1 home per 1 ½ acres
2. requiring a view corridor
3. larger lots near Alisal Street

--> Doesn't provide adequate specific information on which to judge the trade off between higher density and open space.

--> Insufficient justification given for deviating from the General Plan , which was a much debated compromise.

--> does not demonstrate equity between proposed developments:

- Golf course core area: 24 homes for 150 acres (approx 1:6)
- Golf course / Christesen lot: 1 home for 6 acres
- Spotorno: 6 homes for 6 acres

Has been negotiated behind closed doors, with no input from community, and inadequate justification.

Chap 3 Sect F – Sewer

p74. Alternative Sewer System – not studied, not covered by EIR

N1

Chap 3 Sect J – Biology

p 122, p133 California Tiger Salamander have been observed within 12 months by residents immediately adjacent to the Biological Resource Study Area

N2

Chap 3 Sect L – Visual Resources

p147

Significance criteria:

N3

- substantial negative aesthetic effect
 - “appearance of the area would change, but would not result in an adverse aesthetic impact”
 - > that is a statement with no justification
 - > if that is true, then I would like to see a definition of “adverse aesthetic impact”
- create light or glare
 - “would nor create a major source of light or glare”
 - > more and more communities are adopting light pollution regulations and dark sky ordinances. There is no analysis of light levels as there is of noise levels.
- disturb ridgeline views, or diminish scenic value of surrounding hills
 - > more concerned about impacts on the outlying community than people who live in Happy Valley
- fail to maintain semi-rural character
 - “ new housing, when considered in the context of large open space areas around them”
 - > but what about the new homes themselves – not even close to 2 acres. Spotorno flat will be one acre, the golf course much less. Not conducive to keeping horses, or other farm animals which contributes significantly to the semi-rural character of the neighborhood.

M E M O R A N D U M

DATE: March 17, 1998
TO: Wayne Rasmussen, Principal Planner
c: Roger Higdon, City Engineer
FROM: Doug Wiebe, Golf Course Project Manager
RE: Golf Course Committee Comments of the Happy Valley Draft Specific Plan and Environmental Impact Report Documents

RECEIVED
MAR 20 1998
CITY OF PLEASANTON
PLANNING DEPT.

Following the staff presentation, public input and Committee discussion regarding the Draft Happy Valley Specific Plan and EIR documents on February 18, 1998, the Committee voted to support both documents subject to the following modifications:

Draft Environmental Impact Report

The Committee recommended that the Final EIR include an assessment of the amount of vehicular traffic that the Golf Course would generate on the North Sycamore Specific Plan (NSSP) area, relative to other new development in the Happy Valley Specific Plan Area, NSSP area, and Lund Ranch. The spread of Golf Course traffic over an 8 to 14 hour average day use period should also be addressed.

01

Draft Specific Plan

The Committee recommended that Trail – 2 shown on Figure VI-3 of the Specific Plan permit bicycle use to facilitate a connection from the Happy Valley Loop roads to the Golf Course Clubhouse.

The Committee recommended that a deed restriction be required at the time the Golf Course properties are transferred to the City. This deed restriction should require that the land be maintained as a Golf Course, or other open space, in perpetuity.