

ADDENDUM
to the FINAL ENVIRONMENTAL IMPACT REPORT,
SOUTH LIVERMORE VALLEY AREA PLAN (Alameda County 1993)
(to revise the SLVAP and Zoning Ordinance regarding
Enhancement of Opportunities for Bed and Breakfast Inns)

March 15, 2019

I. INTRODUCTION AND SUMMARY

Location

The program is proposed for the South Livermore Valley Area (SLVA), currently comprised of approximately 11,380 acres, and more specifically for the “Agriculture-Cultivated Agriculture – A-CA” Combining Zoning District, which has been established on 9,449 acres. The SLVA region is irregular in shape but is generally the region south of the City of Livermore southern boundary extending westward to the south of the City of Pleasanton. Like the SLVA, the A-CA District is also irregular in shape but about 20% smaller and currently excludes some parcels with the SLVA; both regions are shown on Figure 1. This figure depicts the program study area.

Existing Conditions

The region currently contains a combination of planted and fallow vineyard lands, olive orchards and other substantial crops. On some parcels, semi-natural conditions or pasture remain, some with ruderal brush and grasslands, scattered trees and occasional watercourses. The most important watercourses are the Arroyo Mocho and the Arroyo Del Valle, both of which cross the region from south to north. Wildlife habitat of varying value is interspersed throughout the area, with some of the more important habitat located along the arroyos and the marginal areas. High-voltage power lines cross portions of the area, and the South Bay Aqueduct crosses the eastern portions of the region. Two seismic fault lines either cross or are located very close to the area – the Greenville / Marsh Creek Fault system that runs along the easterly portion of the site, and the Las Positas Fault, which runs primarily Southwest – Northeast and is located along the region’s northwestern margin.

Land uses in the region are predominantly agricultural, dominated by vineyards, orchards and several wineries and winery-related event centers, equestrian facilities and services, commercial uses, the Poppy Ridge Golf Course and The Course at Went Brothers. Residences, mostly single-family, are dotted across the area, on average 20-acre parcels and 2-acre building envelopes, with some still occupying larger parcels that have not been subdivided.

Several arterial and collector roads serve the region. South Livermore Avenue, South Vasco Road and Greenville Road are two-lane arterial roadways, serve the area and provide access from the City of Livermore to the northwest, north and north, respectively; Greenville Road provides the most direct access from Interstate 580 to the north, while the other two provide direct access to the downtown Livermore Area. Wetmore Road and Arroyo Road provide access to the western portion of the SLVA, and Arroyo Road traverses that section of the SLVA to its terminus at the base of the Lake Del Valle dam. Arroyo Road provides frontage for many parcels designated as “CA – Cultivated Agriculture” but at least some of these are included in Sycamore Grove Regional Park, which would not support any new Bed and Breakfast Establishments.

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Tesla Road is also major roadway in the area, traversing the northern portion of the SLVA and touching lands designated as “CA – Cultivated Agriculture” in many locations. Tesla Road also provides access as a rural roadway through the Altamont Hills to the San Joaquin Valley in the east; as a result, it is often used as a bypass route for commuters wishing to avoid I-580 during congested times.

Mines Road, a secondary rural road, provides access from Tesla Road to lands deep within the SLVA, along with the Del Valle Regional Park to the south. It also provides a very rural backcountry route to the eastside of Santa Clara County and Mount Hamilton far to the south; but due to its length and narrow, winding character is not used as a commute outlet.

Finally, Isabel Avenue, Vallecitos Road, and East Vineyard Avenue provide access to the far western end of the SLVA, however, these lands are mostly under surface mining permit, and may become parklands/water management lands in the long-term future, and contain no lands that are, or are likely to become, “CA – Cultivated Agriculture” parcels, and so would not support any new Bed and Breakfast Establishments.

These roadways may also be found in Figure 1.

Most other local access is via ranch / farm roads or driveways.

Surrounding Land Uses

In addition to extensions of the land uses already within the SLVA, land uses to the south, east and west are also predominantly agricultural, with, equestrian facilities and services, commercial uses, the Poppy Ridge Golf Course and The Course at Went Brothers. Open space and non-intensive agriculture (such as grazing) are common as one goes beyond the boundaries of the SLVA. To the west and south are regional parklands of the Livermore Area Park and Recreation District and the East Bay Regional Park District. Farther to the northwest is a region occupied by sand and gravel quarries, and subdivisions of the City of Pleasanton. To the north lies the City of Livermore, with typical urban / suburban uses, the southernmost section of which also includes a companion area to the SLVA, identified by the City for land uses complementary to the viticulture and visitor-serving facilities of the SLVA.

Land Use Designations

The program area is approximately 80% zoned Agricultural-Cultivated Agricultural (A-CA) by the Alameda County Zoning Ordinance and has a land use designation of Large Parcel Agriculture (LPA) under the County General Plan (East County Area Plan or ECAP, adopted May 1994, amended November 2000 by voter initiative Measure D [resulting modifications adopted by the Board in May 2002]). It is also within the South Livermore Valley Area Plan (SLVAP), adopted February 1993), which established the A-CA zoning and its land use controls. The proposed changes would affect the A-CA zone only.

Original EIR and Bed and Breakfast Establishments

The original EIR, both Draft and Final, discussed Bed and Breakfast Establishments in modest detail. The EIR assumed, for its worst-case scenario, a combination of development types including Rural Development (80,000 square feet total of residential and commercial), Viticulture and other Cultivated Agriculture (3,260 acres of new plantings), and Urban Development within the City of Livermore (1,182 acres, 2,510 units of new residential and approximately 100,000 sf of new urban commercial). Of this,

Figure 1

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the rural area was anticipated to see about 290 new dwelling units (each associated with a 2-acre building envelope on a 20-acre agricultural parcel), 20 new wineries, and up to 25 new B&Bs of 2,000 sf each. At the time, it is likely that each B&B was assumed to have the industry average of about 5-7 rooms each, for a total of 125-175 new B&B rooms available at buildout. The impacts and mitigation measures in the Draft EIR were based upon this overall level of development, including those 25 B&Bs. Noting that the new dwelling units were counted as separate new development from the B&Bs, it is likely that under the DEIR analysis, the B&Bs were projected to be new construction rather than located in existing or approved residences.

These estimates were presented in the DEIR in Table III-1, which is reproduced on the following page.

In the DEIR, the impacts and mitigation measures (described in summary below), except for septic requirements, did not mention B&Bs explicitly, nor did they place any restrictions on floor size (except the more general floor area ratios provided in the ECAP), quantity or whether they could be newly constructed OR must be established within existing residential buildings.

The Draft EIR received many comment letters, and one of these addressed B&Bs. Specifically, a letter from Mr. Mark Evanoff, Field Representative for Greenbelt Alliance, expressed two areas of concern, related to the impact of building B&Bs on every parcel or preventing B&Bs from being built on every parcel. These are discussed in further detail below. The FEIR document found the comments to be substantive to specify two additional mitigation measures, one limiting the number of new B&Bs to the projected 25 projects, and the other limiting them to be created only in existing or permitted residences.

Of these two mitigation measures, only the second one was apparently adopted by the Board of Supervisors and included in the SLVAP and later the ECAP. Restricting the B&Bs to existing or permitted residences without separate structures would intuitively result in fewer B&Bs, but where homes are permitted to be as large 12,000 square feet, these B&Bs could be significantly larger than the 2,000 sf assumed for the 5-7 room inn size. The zoning ordinance was later amended to include this building restriction, but also to allow up to 14 rooms in B&Bs, 2 – 3 times larger than the average size, providing a substantial potential for anybody with an existing or permitted home to include a B&B.

However, as of the date of this writing, nearly 25 years onward, only a single B&B of 10 - 12 rooms has been established in the SLVA, and few other proposals have been presented to the County. Nothing close to buildout has been achieved or even hinted at. It is uncertain whether this dearth of proposals is due to market forces or the relative severity of restrictions; but either way, this component of attracting patronage to the viticulture area has not played out in any significant way.

Amendments to Encourage Bed and Breakfast Establishments in the SLVA:

In order to accommodate the community desire to establish new B&Bs in the SLVA, it would be necessary to alter ECAP Policy 344, ECAP Program 125 and the Zoning Ordinance. Those amendments could be simple or more extensive.

To this end, the County has sought to answer the following questions:

TABLE III-1. Maximum Potential Land Uses in the South Livermore Valley Plan Area Resulting from Approved Projects and Implementation of the Proposed SLVAP ¹

RURAL DEVELOPMENT	
Residential	
Approved Units (Crane Ridge)	10 units
Potential New Units (SLVAP)	290 units
Total Potential New Rural Units (SLVAP):	290 units
Total Rural Units (approved and potential):	300 units
Commercial	
Potential New Wineries (SLVAP)	20 @ 1,500 sq.ft. each
Potential New B&Bs (SLVAP)	25 @ 2,000 sq.ft. each
Total Potential New Rural Commercial (SLVAP):	80,000 sq.ft.
VITICULTURE/CULTIVATED AGRICULTURE	
Existing Acres	2,100 acres
Approved Acres (required from approved development)	640 acres
Potential New Acres (SLVAP)	3,260 acres
Total Potential New Agricultural Acreage (SLVAP):	3,260 acres
Total Agricultural Acreage (existing, approved, potential):	6,000 acres
URBAN DEVELOPMENT	
Residential	
Approved Units (Ruby Hill)	850 units (900 acres)
Transitional Area - Vineyard Corridor (SLVAP)	385 units (120 acres)
Transitional Area - Alden Lane Area (SLVAP)	500 units (250 acres)
Vineyard Area (SLVAP)	1,625 units (812 acres)
Total Potential New Urban Units (SLVAP):	2,510 units (1,182 acres)
Total Urban Units (approved and potential):	3,360 units (2,500 acres)
Commercial	
Approved (Ruby Hill)	50,000 sq.ft.
Transitional Area - Patterson Pass Area (SLVAP) ²	415 industrial acres
Vineyard Area (SLVAP)	100,000 sq.ft.
Total Potential New Urban Commercial (SLVAP):	100,000 sq.ft.
Total Urban Commercial (approved and potential):	150,000 sq.ft.
¹ Rural and Urban Development are not additive. See text and Appendix B. ² Development of this industrial acreage is not anticipated until after 2010.	

- a. Should B&Bs continue to be limited to “existing or permitted dwelling” units, or could they be built as new stand-alone facilities? Or, stated slightly differently, Should the County continue the policy that “construction of separate additional structures shall not be permitted”, or could this requirement be relaxed?
- b. Pursuant to Question (a) above, should B&Bs then be limited to 12,000 square feet maximum floor area, as required for a residential dwelling, or should a more liberal size allowance be adopted (e.g., 0.01 Floor Area Ratio [FAR] or 20,000 square feet) as implied by its identification as a visitor-serving commercial use?
- c. Should an owner / operator be required to maintain his or her residence at the B&B, as is most common, or could the establishment be owned and / or operated by an offsite person?
- d. Can a B&B appropriately include a full-service restaurant for multiple meals, a spa or an event center?
- e. If the existing requirements are relaxed to make B&Bs more viable, should the County place a limit of the number of applications that may be approved in a given time period?
- f. Should the Zoning Ordinance be amended to allow B&Bs in the broader LPA – Large Parcel Agriculture zone?

In fashioning the draft policy and ordinance amendments, the County considered the economic viability of small inns depending on size, the relative minimum of suitable existing housing stock in the SLVA, the objectives of the SLVAP policies, and the desire of the SLVA community to enhance opportunities for visitor access through overnight accommodations. As a result, the County drafted changes to allow new, stand-alone single-purpose structures for B&B facilities of 20,000 square feet, or 0.01 FAR, whichever is larger, including an associated restaurant, as long as the structures and use areas are located on the mandatory 2-acre / 10% building site and the remaining 90% of every parcel is left for cultivated agriculture.

On questions (c), (e) and (f), the County has decided to not presume any more implicit meaning in the phrase “Bed and Breakfast”; to allow market conditions to determine the frequency with which applications could be approved with a limit of 25 total establishments areawide; and to focus strictly on the South Livermore Area and its viticultural character. In deference to the concerns discussed by 1992 Greenbelt Alliance letter, in removing the “existing home” limitation, staff has also recommended the 25-unit limit mitigation in the draft policy/zoning amendment, which would prevent an overabundance of B&Bs without placing onerous limitations on individual establishments. If desired, the other issues described above in (c) and (f) could be taken up separately at another time.

Program Changes That Have Been Proposed.

The program would modify specific text in the East County Area Plan (ECAP) and the Alameda County Zoning Ordinance (ACZO) to ease existing limitations on the size and nature of Bed and Breakfast Establishments as conditionally permitted in the “A-CA – Agriculture-Cultivated Agriculture” Combining District, South Livermore Valley Area, to enhance tourism and overnight access to the viticulture region.

Policy 344 and Program 125 of the Alameda County General Plan (ECAP, specifically), would be modified in the following ways and by the following language changes (proposed new text is underlined, proposed text to be removed is ~~struck-out~~):

Policy 344: The County shall encourage the promotion of and access to, the South Livermore Valley as a premier wine-producing center by encouraging appropriate tourist-attracting and supporting uses, such as bed and breakfast establishments, bicycle and equestrian facilities, a

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conference center, a wine museum, or other uses, and by establishing clear, well-signed travel corridors from major highways to the area.

Program 125: The County shall limit new commercial uses within the Cultivated Agriculture Overlay District to appropriate small-scale uses that promote the area's image as a wine region, subject to issuance of a conditional use permit. To this end, the County shall develop a full list of conditionally-permitted commercial uses and standards. New commercial uses proposed as a part of a bonus density application should be limited to the 10% maximum area of each parcel not dedicated to cultivated agriculture, subject to appropriate coverage limitations, and should be sited to maximize efficient use of cultivated lands. Wineries and small bed-and-breakfast establishments, and associated small restaurants of no more than forty-nine (49) permanent indoor seats, are examples of appropriate commercial uses. Visitor serving commercial uses are considered non-residential and are subject to the maximum building intensity for non-residential buildings, which is .01 FAR (floor area ratio) but not less than 20,000 square feet, provided they are located on the allowable building envelope(s). Bed-and-breakfast establishments may be established in ~~shall be limited to~~ existing homes or homes permitted under the *South Livermore Valley Area Plan*; or may be located in construction of separate additional structures located within the allowable building envelope(s) onsite, shall not be permitted. No more than twenty-five (25) Bed-and-Breakfast establishments or similar establishments shall be permitted in the Cultivated Agriculture Overlay District. The County shall require that proponents of new commercial development in rural areas show, to the satisfaction of the County and Zone 7, that development can be adequately served by a septic system and that adequate water supplies are available for commercial needs.

Further, the Alameda County Code of Ordinances, Title 17 - Zoning, Section 17.30, Article VII, Combining CA (Cultivated Agriculture) Districts would be modified by the following amendments of Section 17.30.170(F)(2)(a), Conditional uses—Board of zoning adjustments, Paragraph I, as follows (text to be removed is ~~struck, out~~):

“In addition to the conditional uses in the A (agricultural) district with which it is combined, the following are conditional uses in the CA combining district and shall be permitted only if approved by the board of zoning adjustments as provided in Section 17.54.130:

- a. Bed and breakfast establishment, ~~if conducted within an existing or permitted dwelling;~~ maximum of fourteen (14) rooms available for guests;
- b. Restaurant, with seated service only, and a maximum of forty-nine (49) permanent indoor seats, that features agricultural products of the South Livermore Valley Area...”

It is expected that these revisions would result in some level of additional interest by developers in establishing B&Bs, probably not at the limit of 25 in the entire SLVA, but (based on known market conditions and estimated interest) probably more on the order of 5-7 B&Bs, each with up to 14 rooms (combined 70-98 rooms for guests), and some or all with an attached small restaurant. This Addendum is based on these numbers, which are smaller than those originally anticipated in the 1993 EIR.

Background and Rationale for Program

South Livermore Valley Area Plan and ECAP: On February 3, 1993, the Board of Supervisors approved the South Livermore Valley Area Plan (SLVAP), a County planning document designed to enhance viticulture, other long-term agriculture, related job growth, and tourism in the unincorporated South Livermore Valley Area (SLVA). A similar and complementary set of polices was adopted by the City of

Livermore. The SLVAP policies were incorporated into the East County Area Plan (ECAP). Those policies included provisions for allowing bed-and-breakfast establishments (B&Bs) as conditional uses.

Among the policies adopted by the Board are ECAP Policy 344 and ECAP Program 125 (shown above), the latter of which also discusses appropriate commercial uses, including B&Bs.

The Alameda County Zoning Ordinance also discusses B&Bs, as shown above.

ECAP / Measure D Initiative and Applicable Policies: In November 2000, the Alameda County electorate approved the Save Agriculture and Open Space Lands Initiative (Measure D). The Initiative amended portions of the County General Plan, including the *East County Area Plan* (ECAP). The portions of the ECAP revised or enacted under the Initiative may not be amended except by voter approval, with the exception that the Board of Supervisors can impose more stringent restrictions on development and land use and it may make technical or nonsubstantive changes to the Initiative provisions. Existing and future County plans, zoning regulations, etc. must be consistent with the provisions of the Initiative. Portions of the ECAP and other planning documents that were not amended or enacted by the Initiative may still be modified without voter approval provided the modifications are consistent with the provisions of the Initiative.

The Initiative added, deleted, and revised more than 60 ECAP policies and programs. Some of these amendments, along with a handful of previous ECAP policies, apply generally to land use and development standards in the South Livermore Valley Area. Among these amendments and policies of the ECAP, the following may apply to B&B establishments. These policies mostly apply to permit findings and development standards such as visual treatment, water supply and septic management, rather than land use limitations, although one of them (addressed below) has land use implications:

Policy 1 (Measure D): The County shall identify and maintain a **County Urban Growth Boundary** that divides areas inside the Boundary, next to existing cities, generally suitable for urban development from areas outside suitable for long-term protection of natural resources, agriculture, public health and safety, and buffers between communities. The County Urban Growth Boundary shall be the Urban Growth Boundary of the City of Pleasanton starting at its eastern junction with U.S. I-580 clockwise to U.S. I-580, west to the boundary of the East County Area Plan, north to the proposed western Urban Growth Boundary for the City of Dublin on the November 7, 2000 election ballot, to the Alameda-Contra Costa County line, east to the eastern boundary of the East Dublin Specific Plan on February 1, 2000, south to U.S. I-580, east to the city limits of the City of Livermore, the northern Livermore city limits, except where the northern city limits are below U.S. I-580 the Boundary shall be I-580, to the eastern city limits of Livermore, to the proposed southern Urban Growth Boundary for Livermore on the March 7, 2000 election ballot to U.S. I-580, and west to the City of Pleasanton Urban Growth Boundary.

Policy 81 (Original ECAP): The County shall give highest priority in areas designated “Large Parcel Agriculture” to agricultural operations. Visitor-serving commercial facilities (such as wineries, inns and food and beverage stores) shall be limited to facilities that promote agriculture and are subordinate and directly related to the area’s agricultural production.

Policy 82 (Measure D): In areas designated Large Parcel Agriculture, the County shall permit limited agriculture enhancing commercial uses that primarily support the area’s agricultural production, are not detrimental to existing or potential agricultural use, demonstrate an adequate and reliable water supply, and comply with other policies and programs of the Initiative.

Policy 83 (Original ECAP): The County shall require any proposal for a **visitor-serving commercial** use in an agricultural area to meet all of the following criteria:

- The project will primarily promote agricultural products grown or processed in Alameda County;
- The project is compatible with existing agricultural production activities in the area;
- The project mitigates, to the satisfaction of the County, all potential conflicts with surrounding agricultural uses and other environmental impacts; and
- The project can demonstrate an adequate and reliable water source that does not significantly diminish the availability of water to serve existing or potential agricultural use.

Policy 115 (Measure D): In all cases appropriate building materials, landscaping and screening shall be required to minimize the visual impact of development. Development shall blend with and be subordinate to the environment and character of the area where located, so as to be as unobtrusive as possible and not detract from the natural, open space or visual qualities of the area. To the maximum extent practicable, all exterior lighting must be located, designed and shielded so as to confine direct rays to the parcel where the lighting is located.

Large Parcel Agriculture (Measure D definition) requires a minimum parcel size of 100 acres, except as provided in Programs 40 and 41. The maximum building intensity for non-residential buildings shall be .01 FAR (floor area ratio) but not less than 20,000 square feet... One single family home per parcel is allowed provided that all other County standards are met for adequate road access, sewer and water facilities, building envelope location, visual protection, and public services. Residential and residential accessory buildings shall have a maximum floor space of 12,000 square feet. Additional residential units may be allowed if they are occupied by farm employees required to reside on-site. Apart from infrastructure under Policy 13, all buildings shall be located on a contiguous development envelope not to exceed 2 acres except they may be located outside the envelope if necessary for security reasons or, if structures for agricultural use, necessary for agricultural use. Subject to the provisions of the Initiative, this designation permits agricultural uses...visitor-serving commercial facilities (by way of illustration, tasting rooms, fruit stands, bed and breakfast inns) ... and similar uses compatible with agriculture. Different provisions may apply in the South Livermore Valley Plan Area, or in the North Livermore Intensive Agriculture Area.

(The foregoing definition has land use implications. Recalling that the original requirement for B&B establishments includes locating within existing or permitted dwellings (which imply a residential use and associated FAR limitations of 12,000 square feet), B&Bs are also referred to as visitor-serving commercial uses, which implies the larger allowance of .01 FAR or 20,000 square feet minimum building size. This ambiguity may need to be resolved, and staff proposes to do so in its recommendation. In either case, this definition strongly implies that B&B establishments are generally compatible with agriculture.)

Policy 253 (Measure D): The County shall approve new development only upon verification that an adequate, **long-term, sustainable, clearly identified water supply** will be provided to serve the development, including in times of drought.

Since adoption of the SLVAP, only one B&B has become established in the SLVA. This establishment is the Purple Orchid Inn, located at 4549 Cross Road, in the northeast section of the SLVA. The Purple Orchid Inn offers 10 rooms for lodging, a spa, and amenities for events such as weddings. Only a handful

of other developers have proposed B&Bs in the SLVA in the last 25 years; none others have yet come to fruition. All other current motels, hotels, inns and other commercial lodging establishments in the region are located near the I-580 freeway, several miles north of the SLVA. None of these other establishments are designed to encourage visitation and access to the SLVA, but are primarily designed for either local business / government stays or for through-travelers.

Environmental Impact Reports (EIRs) and Purpose of This Addendum. In 1992, the Draft South Livermore Valley Area Plan (SLVAP) was subject to CEQA environmental review. The Draft EIR was issued in June 1992, and the Final EIR was issued in November 1992 after a public review period. The EIR specified some significant environmental impacts, most avoidable but with a subset of them unavoidable by any mitigation measures available. On February 23, 1993, the EIR for the program was certified, and the SLVAP was adopted by the Alameda County Board of Supervisors, with most if not all of the mitigation measures specified in the EIR included.

On May 5, 1994, the policies and programs of the SLVAP were slightly edited and reorganized, and incorporated into the East County Area Plan by the Board of Supervisors, where these policies and programs reside in 2019. These policies, in specific cases, were used to prepare amendments to the County Zoning Ordinance, including establishing Bed and Breakfast Establishments as Conditional Uses subject to public review, with certain limitations as to size and origin in part based on mitigation measures found in the Final EIR. It is these current policies and zoning requirements upon which the proposed program changes are structured, and this Addendum is also based upon those policies, which include mitigation measures to address significant environmental impacts.

Under CEQA guidelines Section 15162, after an EIR has been prepared, a subsequent or supplemental EIR may not be required unless:

1. Subsequent changes are proposed in the project which will require important revisions of the previous EIR due to the involvement of new significant environmental impacts not considered in a previous EIR on the project;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken...which will require important revisions in the previous EIR due to the involvement of new significant environmental impacts not covered in the previous EIR; or
3. New information of substantial importance to the project becomes available, and
 - A. the information was not known and could not have been known at the time the previous EIR was certified as complete, and
 - B. the new information shows any of the following:
 - (a) The project will have one or more significant effects not discussed previously in the EIR;
 - (b) Significant effects previously examined will be substantially more severe than shown in the EIR;
 - (c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project; or

- (d) Mitigation measures or alternatives which were not previously considered in the EIR would substantially lessen one or more significant effects on the environment.

Staff considered whether any of the foregoing criteria have been met since original certification of the SLVAP EIR and program approvals, and concluded that using these criteria, a supplemental or subsequent EIR is not appropriate. Therefore, the purpose for this Addendum is to set forth the basis for this conclusion. Although the conclusion of this Addendum indicates that no new mitigation should be imposed to address project impacts, staff may recommend the imposition of several new conditions of approval to ensure that the project as amended complies with applicable County ordinances and state and local regulations. These conditions are not mitigation measures per se because they do not relate to significant environmental impacts of the project; however, they may be briefly described in this Addendum as a convenience in considering the proposed modifications to the project.

II. PROJECT IMPACTS - SIGNIFICANT IMPACTS THAT COULD BE MITIGATED TO A LEVEL OF INSIGNIFICANCE

Staff's review of the program focused on whether the changes proposed in the program require EIR revisions due to the involvement of new significant environmental impacts, whether substantial changes have occurred with respect to the circumstances under which the project is being undertaken, and whether previously unavailable and important new information within the meaning of CEQA Guidelines Section 15162 has become available.

The following is a summary of significant environmental impacts that could result from the adoption and implementation of the proposed South Livermore Valley Area Plan, assuming maximum development occurred. Following each identified impact are mitigation measures already included in the proposed Plan, and, if needed, additional mitigation measures that would be necessary to reduce identified impacts to less than significant levels. If no mitigation measures are available, the impact is noted as unavoidable.

The discussions immediately following are for those impacts that were found to be significant but could be substantially mitigated by changes to the project. Since the EIR covered possible impacts in not only the unincorporated area but also within the Cities of Livermore and Pleasanton, and since the proposed amendments would apply only to the unincorporated area, CA Zoning designation, impacts and mitigation measures that apply to the cities but not the unincorporated area are omitted from the discussion. Each section has the objective of explaining why the proposed project changes would not result in additional significant impacts, or exacerbate existing impacts to the point where additional mitigation becomes necessary. The sections follow the order and topic headings of the sections found in the original SLVAP EIR (the basic EIR for the project).

A. Land Use

The Draft EIR identified the following Land Use impacts and mitigation measures for general rural development, including up 25 B&Bs, all of which could be reduced to *less than significant levels*. No significant and unavoidable impacts for Land Use were identified.

IMPACT A-1. The proposed Plan could result in smaller, less efficient parcels for farming, especially if large tracts of existing vineyards are subdivided into 20 acre parcels.

Proposed Plan Mitigation: The proposed Plan requires that rural "homesites, ancillary uses and parcel lines (be) sited to maximize productive use of the land for intensive cultivated agriculture." This policy could permit clustering and other techniques to allow the retention of larger acreage of vineyards, as long as gross densities do not exceed 20 acres per unit.

IMPACT A-2. The proposed Plan could result in inefficient parcels that may not be agriculturally viable.

Proposed Plan Mitigation: The proposed Plan requires planting of vineyards or other cultivated agriculture, and assurances that it will continue to be farmed through agricultural easements, prior to subdivision of property within the Vineyard Area.

IMPACT A-3. The proposed Plan could result in the cumulative loss of up to 10% of existing vineyards, together with a corresponding loss of lands identified as Prime, Unique, or of Statewide Importance.

Proposed Plan Mitigation: The proposed Plan policy to site rural homesites, ancillary uses and parcel lines to maximize productive use of the land for intensive cultivated agriculture would mitigate this impact on existing parcels where not all of the land is presently under cultivation by encouraging clustering on uncultivated areas. Use of the Land Trust to purchase easements or fee title on existing cultivated parcels could also reduce the potential for loss of cultivated land. However, there still could be considerable loss on parcels completely under cultivation. Therefore, the following mitigation measure is recommended.

Mitigation Measure A-3: Add a policy to the proposed Plan that would permit and encourage the transfer of allowable rural homesites and ancillary uses from cultivated parcels to uncultivated parcels within the Vineyard Area.

IMPACT A-4: The proposed Plan policies allowing PD zoning, additional residences and small commercial establishments such as bed-and-breakfasts on lands currently under cultivation would be contrary to County Williamson Act policies.

Mitigation Measure A-4: Amend the County Williamson Act policies to allow PD zoning, additional residences and small commercial establishments as permitted under the proposed Plan.

IMPACT A-8: The proposed Plan could result in urban development of lands identified by the State as Important Farmlands.

Proposed Plan Mitigation; The proposed Plan prohibits urban development within the Vineyard Area in areas currently under vineyard cultivation or under Williamson Act contract.

IMPACT A-9: The proposed Plan could result in new urban development adjacent to existing or new vineyards.

Mitigation Measure A-9c: Jurisdictions should require full disclosure statements for all new urban development that is, or could become, adjacent to existing or future vineyard lands. Disclosure statements would inform prospective buyers of existing or future operations, the right-to-farm ordinance, and possible nuisances that these operations may have on nearby residences.

Original mitigation described above for the program would continue to apply to all bed and breakfast establishments proposed for the SLVA. B&Bs would continue to be limited to 2-acre building envelopes on minimum 20-acre parcels, whether individually or clustered, and would be subject to the same limitations as described. As discussed earlier in this document, it remains unlikely that the number of B&Bs would rise to anywhere near 25, and with up to 14 rooms permitted per B&B, the number would likely be less than 10. Under these considerations, the stated impacts of expanded allowances for B&B development are found to fully mitigated by the earlier recommendation.

The Draft EIR received many comment letters, and one of these addressed B&Bs. Specifically, a letter from Mr. Mark Evanoff, Field Representative for Greenbelt Alliance, expressed two areas of concern, related to the impact of building B&Bs on every parcel or preventing B&Bs from being built on every parcel.

“The EIR has not identified the impact of building a Bed and Breakfast on each 20 acre parcel, or how to prevent building a Bed and Breakfast on each parcel. Traditionally, Bed and breakfast are simply a home providing a bed and breakfast. The EIR needs to evaluate the impact of a Bed and Breakfast on each 20 acre parcel plus the commercial overnight facilities allowed under the Plan.”

While the FEIR found the projection of up to 300 B&Bs across the unincorporated SLVA unlikely, believing that the region could support up perhaps 25 B&Bs of about 6 rooms average, the FEIR document found the comments to be substantive to specify two additional mitigation measures, one limiting the number of new B&Bs to the projected 25 projects, and the other limiting them to be created only in existing or permitted residences. The two new mitigation measures, which were assumed to reduce the possible effects to *less-than-significant levels*, were stated as follows:

Mitigation Measure FEIR-10: Modify the proposed Plan to include a provision requiring the conditional use permit process for bed-and-breakfast establishments to limit the total number to no more than 25 in the Vineyard Area [which this document takes to mean the CA-Cultivated Agriculture district].

Mitigation Measure FEIR-11: Modify the proposed Plan to limit bed-and-breakfast establishments to existing homes or homes permitted under the plan. No separate structures would be permitted to be constructed.

Of these two mitigation measures, only the second one was apparently adopted by the Board of Supervisors and included in the SLVAP and later the ECAP. Restricting the B&Bs to existing or permitted residences without separate structures would intuitively result in fewer B&Bs, but where homes are permitted to be as large 12,000 square feet, these B&Bs could be significantly larger than the 2,000 sf assumed for the 5-7 room inn size. The zoning ordinance was later amended to include this building restriction, but also to allow up to 14 rooms in B&Bs, 2 – 3 times larger than the average size, providing a substantial potential for anybody with an existing or permitted home to include a B&B.

In any case, this issue gets to the heart of the proposed amendment to the Plan. Mitigation Measure FEIR-11, which became part of ECAP Policy 125 and County Zoning Code Section 17.30.170(F)(2)(a), is proposed to be removed specifically because it has been ascertained to excessively limit the ability to establish B&Bs, and by implication to encourage overnight visitation to the region. As of the date of this writing, nearly 25 years onward, only a single B&B of 10 - 12 rooms has been established in the SLVA, and few other proposals have been presented to the County. Nothing close to buildout has been achieved or even hinted at. It is uncertain whether this dearth of proposals is due to market forces or the relative

severity of restrictions; but either way, this component of attracting patronage to the viticulture area has not played out in any significant way.

The proposed removal of this limitation is not expected to result in a rush of proposals. This analysis expects approximately 5-7 proposals for B&B establishments of up to 14 rooms each, and as commercial facilities up to 20,000 square feet maximum floor area, with or without an attached small restaurant, all of which can still easily be accommodated on a two acre building site. This level of development would remain well within the original projected buildout of Bed and Breakfast establishments for the SLVA CA-Cultivated Agriculture district, and would not result in any additional land use impacts beyond those already described above. However, since Mitigation Measure FEIR-10, to limit total B&Bs to 25 in number, was not included in the SLVAP or the ECAP, this analysis suggests that it could provide a replacement guardrail to prevent possible, if unlikely, overdevelopment of B&Bs in the SLVA. This language is included in the draft amendment language for Program 125.

Another letter received and published in the FEIR was from Ms. Barbara Stear and Ms. Judy Eckart, Friends of the Vineyard, who raised concerns about subdivision of existing vineyards and including credit transfers to discourage these subdivisions. The FEIR found the comments to substantive, and while some measures were already in place to preserve vineyards, the request resulted in three new mitigation measures:

Mitigation Measure FEIR-4: Require new home sites on parcels with existing vineyards to be located so that the minimum amount of vineyards are destroyed or divided, while still meeting the minimum parcel requirements of Zone 7 and the Williamson Act. If new homes, roads and other structures cannot be sited without the loss of existing vineyards, require that an equivalent vineyard acreage to that lost be planted and placed under easement within the Vineyard Area.

Mitigation Measure FEIR-5: Limit the subdivision of existing vineyards in the Plan Area to a maximum of 100 acres per year to maintain a market for new vineyards on presently uncultivated lands.

Mitigation Measure FEIR-6: Require that any subdivision of existing vineyards include provisions for any needed improvements to bring existing vineyard stock up to current industry standards for production, quality and resource use, including soil and water. Require, prior to subdivision approval, that improvements to existing vineyards be made, based on the recommendations of an experienced viticulturalist following an inspection to ascertain vineyard health, vigor, productivity, and resource use.

These measures applied to development of any and all 20-acre parcels and 2-acre building envelopes, and as they did then, would still currently apply to B&B Establishments constructed on these parcels, and with other mitigation described in the Draft EIR would continue to provide adequate mitigation for applicable impacts should they arise.

In view of the foregoing discussion, there are no changes proposed, and there have been no changes in the program or in the circumstances surrounding the program or approval of these proposals since original program approval in 1993, that indicate there will be new or substantially more severe significant impacts on Land Use than predicted in the EIR, or that new mitigation measures or alternatives would substantially reduce these potential impacts. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available. Other impacts under this topic were all found to be less than significant.

B. Population, Housing and Employment

A single impact in this category was found, that new vineyards, wineries and small commercial establishments would require relatively low-wage employees, and new rural residential development is unlikely to be affordable to these workers. This impact applies to workers at B&Bs as described in the DEIR, up to 2 workers per B&B or 50 workers total, although a traditional B&B may employ primarily family members to operate the establishment, in a home where the family members may actually live. The impact discussion was ambiguous enough to conclude that the analysis assumed that B&B employees would live onsite, especially in light of the mitigation measures that were provided.

Two mitigation measures were developed for this impact, and were found to reduce the overall impact to a *level of less-than-significance*.

Mitigation Measure B-1a: Require new rural residential development to pay in-lieu affordable housing fees, similar to those required of the Ruby Hill development.

Mitigation Measure B-1b: Encourage the provision of on-site affordable housing by conditionally permitting agricultural employee housing, consistent with existing County Agricultural zoning.

The SLVAP, subsequently the ECAP, and the Zoning Ordinance incorporated these mitigation measures as either part of Program 123 or as conditionally permitted uses. Most importantly, Measure B-1a is found as Program 123(e) which states that within the Cultivated Agriculture Overlay District, “The applicant [for any development eligible for density bonus] must pay city or county fees then in place for such properties, such as, but not limited to, in-lieu affordable housing fees or school fees.” These fees cover the effects of housing development on economic affordability, and would apply to the development of B&B Establishments as well.

With the expected level of B&B development that would likely arise from the proposed policy and zoning amendments, a similar maximum possible level of B&B employment would likely occur. The impact would not be increased or changed in nature compared to the impact originally analyzed under the EIR.

In view of the foregoing discussion, there are no changes proposed, and there have been no changes in the program or in the circumstances surrounding the program or approval of these proposals since original program approval in 1993, that indicate there will be new or substantially more severe significant impacts on Population, Housing and Employment than predicted in the EIR, or that new mitigation measures or alternatives would substantially reduce these potential impacts. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available. Other impacts under this topic were all found to be less than significant.

C. Geology, Soils and Seismicity

This category included a number of potential significant impacts, most of which could be mitigated to less-than-significant levels. A single impact, Impact C-9, Mineral Resources, was found to be significant and unavoidable, and this is covered in Section III below.

IMPACT C-2: Implementation of the proposed SLVAP could increase the number of structures and people within the area, increasing the risk to life and property from ground shaking and associated secondary effects such as landsliding, liquefaction, and differential settlement.

Mitigation Measure C-2: The County should require geotechnical studies to be performed on a project-by-project basis and recommended measures from those studies to be implemented in all areas known to be subject to landslide and seismic hazards. This includes identified hazard areas on State landslide hazard maps and when available, State seismic hazard maps, in conformance with the requirements of SHAMA.

IMPACT C-3: Implementation of the proposed SLVAP could result in the expansion of viticulture or other cultivated agriculture into areas with moderate to severe erosion potential.

Proposed Plan Mitigation: The proposed Plan only encourages cultivated agriculture in areas with slopes up to 25 percent; no bonus density incentives are given for steeper slopes that are put into production.

Mitigation Measure C-3: The County, through site plan review and in consultation with the Soil Conservation Service and other appropriate agencies, should encourage agricultural land users to incorporate erosion control measures to minimize loss of topsoil on slopes, including contour farming, drip irrigation where it can be used, planting of vegetation between crops to stabilize soil, and other appropriate methods.

IMPACT C-5: Implementation of the proposed SLVAP could result in additional septic systems in areas with severe septic tank limitations.

Proposed Plan Mitigation: New rural development in the Plan Area is required to show, to the satisfaction of the County and Zone 7, that all proposed homesites can be served by septic systems.

Mitigation Measure C-5i: Require that any commercial development proposed to be on a septic system be required to show, to the satisfaction of the County and Zone 7, that it can be adequately served by a septic system.

IMPACT C-6: Additional rural residential and commercial development developed as a result of the proposed Plan could result in a loss of agricultural soils.

Proposed Plan Mitigation: The proposed Plan requires that a minimum of 90% of new rural residential parcels be cultivated and agricultural conservation easements be dedicated for its permanent protection.

The proposed Plan also calls for homesites, ancillary uses and parcel lines to be sited to maximize productive use of the land for intensive cultivated agriculture.

IMPACT C-8: Implementation of the proposed SLVAP could increase the number of structures and people within the area, increasing the risk to life and property from ground shaking and associated secondary effects such as landsliding, liquefaction, and differential settlement.

Mitigation Measure C-8: Pleasanton and Livermore should require geotechnical studies to be performed on a project-by-project basis and recommended measures from those studies to be implemented for all proposed development in areas known to be subject to landslide and seismic hazards. This includes identified hazard areas on State landslide hazard maps, and when available, State seismic hazard maps, in conformance with the requirements of SHAMA.

IMPACT C-10: Implementation of the proposed SLVAP could result in the loss of soils suitable for intensive agriculture to urban development.

Proposed Plan Mitigation: The proposed Plan requires that development within the three transitional areas mitigate loss of agricultural soils by paying mitigation fees of \$10,000 per acre for cultivable soils that are developed. These fees are to be used by the Land Trust to buy agricultural conservation easements in the South Livermore Valley.

The proposed Plan also requires that urban development within the Vineyard Area mitigate loss of agricultural soils by planting and dedicating easements elsewhere in the Vineyard Area on an acre/acre basis, and that for every urban residential unit approved, an additional acre within the Vineyard Area be planted in intensive agriculture and protected with agricultural easements.

Original mitigation described above for the program would continue to apply to all bed and breakfast establishments proposed for the SLVA. Studies would need to be completed to assure seismic safety of B&Bs and adequate septic capacity for the facilities, along with protection from liquefaction, landslides, and soil expansion. Modern agricultural practice would continue to be required to avoid soil erosion wherever vineyards or orchards would be planted as part of any B&B development, and vineyards would still need to be planted according to the 90% planting / 10% development criterion. Proper siting of development would be required and wherever possible, clustering of facilities would be encouraged. Loss of suitable soils for agriculture would continue to be mitigated by a \$10,000 per acre assessment on new development, applicable to permitted B&Bs.

In view of the foregoing discussion, there are no changes proposed, and there have been no changes in the program or in the circumstances surrounding the program or approval of these proposals since original program approval in 1993, that indicate there will be new or substantially more severe significant impacts on Geology, Soils and Seismicity than predicted in the EIR, or that new mitigation measures or alternatives would substantially reduce these potential impacts. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available. All other impacts under this topic were all found to be less than significant, except for Impact C-9, which is covered in Section III below.

D. Hydrology and Water Quality

The Draft EIR identified the following Hydrology and Water Quality impacts and mitigation measures for general rural development, including up to 25 B&Bs, all of which could be reduced to *less than significant levels*. No significant and unavoidable impacts for Hydrology and water Quality were identified.

Impact D-1: The proposed Plan could result in additional rural residences, wineries and or other commercial establishments within areas subject to flooding.

Mitigation Measure D-1: Require site development review for all new rural residential and/or commercial development within the Plan Area, to ensure that new structures are located outside

of the FEMA-designated floodplain area.

IMPACT D-2: Agricultural activities encouraged by the proposed Plan could result in increased soil erosion and sedimentation within the arroyos, reducing their capacity for groundwater recharge.

Proposed Plan Mitigation: The land use standards for the consideration of new rural residential development only encourage new agricultural cultivation in areas less than 25% in slope. In addition, the proposed Plan states that environmentally sensitive areas, such as creeks, shall be avoided.

Mitigation Measure D-2a: Encourage proper erosion control techniques, such as intercropping, contour plowing, or terracing, on new cultivated agricultural land during the rezoning process, in consultation with the Soil Conservation Service. (see Mitigation Measure C-3 above).

Mitigation Measure D-2b: Require, through the site review process, that agricultural parcels adjacent to arroyos maintain a minimum 100 foot uncultivated buffer from the top of bank to reduce the potential for transport of cultivated soils into the arroyos.

IMPACT D-3: Additional rural residences, wineries and cultivated agriculture could result in the degradation of groundwater quality, especially nitrate levels.

Proposed Plan Mitigation: New rural residential development must show, to the satisfaction of the County and Zone 7, that all proposed homesites can be served by septic systems.

Mitigation Measure D-3a: Require that commercial uses, such as wineries or bed-and-breakfasts, that will be on individual septic systems, meet Zone 7 and County Health requirements as part of the conditional use permit process. (see also Mitigation Measure C-5 above).

Mitigation Measure D-3b: Restrict and discourage potentially high agricultural nitrate sources, such as horse farms or cattle feed lots, through use of agricultural easements on new 20 acre parcels.

Mitigation Measure D-3c: Encourage agricultural practices that minimize excess nitrogen loading, such as avoidance of over-fertilization, appropriate timing of nitrogen fertilization to maximize nitrogen uptake, or intercropping with legumes. These practices can be encouraged by encouraging the use of experienced vineyard operators through maintenance contracts.

IMPACT D-6: Urban development within the Plan Area could potentially increase flood frequency and intensity downstream.

Mitigation Measure D-6: Require that any proposed urban development within the Plan Area supply a master drainage plan indicating how runoff will be managed. Offsite post-project runoff volumes should be limited to existing conditions, through the use of storm water detention ponds or other means, unless a detailed hydraulic analysis of the existing downstream drainage system determines that there is enough existing capacity to handle the additional runoff.

IMPACT D-7: Urban development construction activity could result in decreased surface water quality.

Mitigation Measure D-7a: Require that urban development proposals within the Plan Area include an approved erosion control plan to minimize the impacts from erosion and sedimentation during grading. This plan should include procedures such as: (a) restricting grading to the dry season; (b) protecting all finished graded slopes from erosion using such techniques as hill slope benching, erosion control matting and hydroseeding; (c) protecting downstream storm drainage inlets from sedimentation; (d) use of silt fencing to retain sediment on the project site; and (e) any other suitable measures outlined in the Association of Bay Area Governments' (ABAG) Manual of Standards.

Mitigation Measure D-7b: Require that urban development projects include post-construction inspection of downstream drainage culverts for accumulated sediment. If sediment accumulation has occurred, these drainage structures should be cleared of debris and sediment.

IMPACT D-8: Surface water quality could be affected by increases in urban runoff.

Mitigation Measure D-9a: Require that urban development projects within the Plan Area incorporate grass-lined ditches and swales whenever practicable.

Mitigation Measure D-9b: Require that urban development projects incorporate trash racks, grease traps and catch basins as drainage elements, and that a program of regular vacuum sweeping of streets and parking areas be implemented, to reduce urban runoff pollutants.

Original mitigation described above for the program would continue to apply to all bed and breakfast establishments proposed for the SLVA. All new construction would be required to avoid FEMA-designated floodplains. Steep slopes and waterways would require avoidance, and waterway banks would need to be protected from cultivation. Modern agricultural practice would continue to be required to avoid waterborne soil erosion wherever vineyards or orchards would be planted as part of any B&B development, and to avoid nitrate concentration in surface and groundwaters. Bed-and-breakfast establishments and associated restaurants will need to demonstrate that they can operate individual septic systems that meet Zone 7 and County Health requirements as part of the conditional use permit process. All new B&B development would need to demonstrate and implement methods to minimize and maintain the water of quality urban runoff whenever it occurs. While B&Bs are not properly considered to be urban development, each new proposal would need to implement responsible grading and vegetation actions to preserve water quality and ensure that water, especially contaminated water, running off is minimized, and water soaking into the ground is kept clean.

In view of the foregoing discussion, there are no changes proposed, and there have been no changes in the program or in the circumstances surrounding the program or approval of these proposals since original program approval in 1993, that indicate there will be new or substantially more severe significant impacts on Hydrology and Water Quality than predicted in the EIR, or that new mitigation measures or alternatives would substantially reduce these potential impacts. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available.

E. Vegetation and Wildlife

The Draft EIR identified the following Vegetation and Wildlife impacts and mitigation measures for general rural development, including up to 25 B&Bs, all of which could be reduced to *less than significant levels*. Two impacts, Impact E-2 and E-6, were found to be significant and unavoidable, and these are covered in Section III below.

IMPACT E-1: Expansion of cultivated agriculture and related development could result in the loss of riparian, wetland, oak woodland or Diablan sage scrub habitat.

Proposed Plan Mitigation: New areas of cultivated agriculture resulting from Plan policies must protect sensitive or unique environmental characteristics, such as oak groves or creeks.

Mitigation Measure E-1: See Mitigation Measure D-2b above regarding creek setbacks. Require a larger setback where necessary to prevent removal of riparian habitat.

IMPACT E-4: Agricultural use of 3,250 acres of the Plan Area could result in contamination of aquatic habitats and eutrophication of aquatic systems by fertilizers, herbicides and pesticides.

Mitigation Measure E-4: Refer to hydrology mitigation measures D-2a, D-2b, D-3b, D-3c, and D-4 above. (Mitigation Measure D-4, which was not included for Impact D-4 because Impact D-4, regarding routine pesticide use on vineyards, was not considered significant enough to warrant mitigation, and inclusion of this reference appears to have been an error.)

IMPACT E-5: Urban development resulting from implementation of the proposed SLVAP could result in the loss of riparian, wetland and/or oak woodland habitat.

Mitigation Measure E-5: Require project-specific biological surveys to be conducted for all urban development proposals in the Plan Area. The surveys, to be conducted by a qualified biologist in consultation with the CDFG and the USFWS, should identify all significant riparian and wetland areas, and should include a oak tree preservation plan, if warranted. Riparian areas and wetland areas shall be avoided to the extent possible. A minimum setback from top of bank of 100 feet should be maintained for all arroyos to maximize their use as wildlife corridors. Should encroachment on identified wetlands or riparian areas be necessary, applicable permits from the CDFG and Army Corps of Engineers will be required.

Original mitigation described above for the program would continue to apply to all bed and breakfast establishments proposed for the SLVA. Agriculture associated with B&B development would need to adequately protect riparian areas, oak groves and other sensitive habitats. Mitigation measures to preserve water quality would fully apply. Project-specific biological surveys would need to be conducted for each B&B proposal. The surveys, to be conducted by a qualified biologist in consultation with the CDFG and the USFWS, would need to identify all significant riparian and wetland areas, and should include a oak tree preservation plan, if warranted.

In view of the foregoing discussion, there are no changes proposed, and there have been no changes in the program or in the circumstances surrounding the program or approval of these proposals since original program approval in 1993, that indicate there will be new or substantially more severe significant impacts on Vegetation and Wildlife than predicted in the EIR, or that new mitigation measures or alternatives would

substantially reduce these potential impacts. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available. All other impacts under this topic were less than significant, except for Impacts E-2 and E-6, which are covered in Section III below.

F. Traffic and Circulation

The Draft EIR identified the following Traffic and Circulation impacts and mitigation measures for general rural development, including up to 25 B&Bs / approximately 150 overnight rooms, all of which could be reduced to *less than significant levels*. No significant and unavoidable impacts for Traffic and Circulation were identified.

IMPACT F-2: Rural residential development could result in traffic safety problems due to increased turning movements on congested roads.

Mitigation Measure F-2: As part of the site development review for any rural residential projects along Vallecitos Road, access driveways onto Vallecitos Road should be limited as much as possible through use of other access routes or joint driveways. New access points onto Vallecitos will require approval from the Alameda County Traffic Engineer.

*Mitigation Measure F-2(b): As a part of site development review for rural residential projects, access roads and drives should be designed to minimize traffic safety problems on congested roads by use of shared driveways, clustering of residences, or other means (this mitigation measure added in the Final EIR Addendum, November 1992).

IMPACT F-3: Urban development resulting from implementation of the proposed SLVAP could contribute to congestion at intersections within and in the vicinity of the Plan Area.

Mitigation Measure F-3: Prior to the approval of urban development projects in the Plan Area, project-specific traffic studies should be required by the lead agency to determine the project impact on nearby intersections. Projects that will contribute to intersections that already exceed LOS D, or that will cause intersections to exceed LOS D during peak hours, should be required to mitigate the impact, either by paying for necessary road improvements or by reducing the project size.

IMPACT F-4: Urban development resulting from implementation of the proposed SLVAP could contribute to congestion on designated CMA road segments within and adjacent to the Plan Area.

Mitigation Measure F-4a: Urban development projects in the Plan Area should be required to incorporate bicycle and pedestrian facilities identified in the Alameda County Bicycle Master Plan and the LARPD Trail Master Plan.

Mitigation Measure F-4b: LAVTA should be consulted as part of individual project approval process regarding the potential to expand bus routes to serve urban development in the Plan Area. If LAVIA considers expansion to be feasible, project circulation should be designed to provide loop routes and to incorporate adequate bus pullouts, as needed.

IMPACT F-5: Urban development resulting from the implementation of the proposed SLVAP could require improvements to local roadways within the Plan Area.

Mitigation Measure F-5: Project-specific traffic studies, as discussed in Mitigation Measure F-3 above, should include an assessment of future traffic volumes on Plan Area local roads and needed physical improvements. Annexations involving proposed urban development should include the entire right-of-way of adjacent County roads, so that necessary improvements can be funded and built. Improvements should consider the agricultural character of the Plan Area. New development should not be sited so that homes directly front on roads that are anticipated to exceed 4,000 vpd.

No additional trips would be generated beyond those foreseen in the original plan proposal, and there is a likelihood that overall trips from B&B establishments would be considerably fewer than originally projected. At the time of the original EIR, Vallecitos Road was a smaller and more lightly used route, and may have been more suitable for residential or related development with curb cuts; in the present day, however, it is a less desirable location for either residential or B&B use; such development would be expected to more likely on quieter smaller roadways. Either way, the mitigation measure for avoiding turning movements on busy roadways and other hazardous maneuvers would continue to apply and would be a primary point of analysis for any CUP or SDR required for a B&B development.

Again, while a B&B is not precisely an urban project, as a development using roadways that may become congested, it would contribute to vehicle miles travelled in the region - but no more so than any similarly permitted development under current rules, and very likely in smaller numbers than originally anticipated in the EIR. In any case, the proposed mitigation measure, and others as well, would be brought to bear on any proposed B&B.

As suggested in the mitigation measure, any proposal would be required to cooperate with County rules for bicycle access, and would be required to consult with LAVTA in the event that bus access could be possible in the proposed B&B location.

As for any development, a traffic study would include provisions to improve the physical roadways as necessary to accommodate local traffic generation, and all improvements would be made to harmonize with the agricultural character of the region.

In view of the foregoing discussion, there are no changes proposed, and there have been no changes in the program or in the circumstances surrounding the program or approval of these proposals since original program approval in 1993, that indicate there will be new or substantially more severe significant impacts on Traffic and Circulation than predicted in the EIR, or that new mitigation measures or alternatives would substantially reduce these potential impacts. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available.

G. Air Quality

The Draft EIR identified the following Air Quality impacts and mitigation measures for general rural development, including up to 25 B&Bs, all of which could be reduced to *less than significant levels*. One impact, Impact G-3, was found to be significant and unavoidable, and this is covered in Section III below.

IMPACT G-2: Additional acreage of cultivated agriculture in the Plan Area could result in higher levels of PM₁₀ due to blowing dust from exposed soils, as well as localized airborne pesticide aerosols and smoke from waste burning.

Mitigation Measure G-2a; Encourage farmers to utilize farming techniques that will minimize exposure of soils, especially during dry and windy weather.

Mitigation Measure G-2b: Encourage all urban residential development to provide landscaping barriers between residences and areas of active agricultural activities (such as packing sheds, equipment storage areas, etc.) that could generate dust, odors or chemical mists. Where practical, the landscaping barriers should be provided within an easement on the property of the residential development. Such barriers should consist of dense trees and shrubs, to provide a windbreak and to partially capture blowing agricultural contaminants.

Mitigation Measure G-2c: Require that the contract of each home buyer within an urban development and whose property lies adjacent to or within 100 yards of agricultural property indicate that the residence is located near an intensive agricultural use zone, and that blowing dust, smoke, and pesticide/fertilizer aerosols may be present in the air moving from the agricultural zone to the residential area.

IMPACT G-5: Additional urban development within the Plan Area would likely entail large scale construction activities that would contribute to suspended particulate levels.

Mitigation Measure G-5: Construction activities resulting from Plan implementation should be required to follow standard dust suppression measures, including watering of unpaved surfaces, multiple times daily as required; use of chemical dust palliative on disturbed working surfaces (provided that the surfaces do not drain into surface water areas); re-vegetation of disturbed surfaces and stockpiles of soil as soon as possible after disturbance; and timely construction of improvements and landscaping.

Original mitigation described above for the program would continue to apply to all bed and breakfast establishments proposed for the SLVA. Wherever practical, farmers who lease or work lands as a result of B&B development would be expected to utilize farming techniques that minimize exposure of soils and generation of dust. B&Bs are not urban residential development, but during the CUP and SDR processes, landscaping barriers between B&Bs and areas of active agricultural activities that could generate dust, odors or chemical mists should be considered.

B&B development is not the same as urban development, but some construction would be required that might contribute to suspended particulate levels. Best practices for emission control would normally be required, as outlined in the mitigation measure, and would include watering of unpaved surfaces, multiple times daily; use of chemical dust palliative on disturbed working surfaces (provided that the surfaces do not drain into surface water areas); re-vegetation of disturbed surfaces and stockpiles of soil; and timely construction of landscaping.

In view of the foregoing discussion, there are no changes proposed, and there have been no changes in the program or in the circumstances surrounding the program or approval of these proposals since original program approval in 1993, that indicate there will be new or substantially more severe significant impacts on Air Quality than predicted in the EIR, or that new mitigation measures or alternatives would substantially reduce these potential impacts. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available. All other impacts under this topic were all found to be less than significant, except for Impact G-3, which is covered in Section III below.

H. Noise

The Draft EIR identified the following Noise impacts and mitigation measures for general development, all of which could be reduced to *less than significant levels*. In a few of the cases listed below, neither the impacts nor mitigation measures specifically apply to B&B development in the rural area, but where they do, the summary following the impact / mitigation list describes them. No significant and unavoidable impacts for Noise were identified.

IMPACT H-1: New rural residences near Plan Area roads could be sited within existing or future 60 dB Ldn noise contours.

Mitigation Measure H-1: Require that new rural homesites are located a minimum of 100 feet from the edge of pavement of local Plan Area roads; and a minimum of 200 feet from major roads, including Vallecitos Road, S. Livermore Avenue, Arroyo Road, and Holmes Street. If rural homesites are located within these distances, site-specific noise studies should be conducted to ensure that State guidelines will be met.

IMPACT H-2: Urban development sited adjacent to Plan Area roads could be within existing or future 60 dBL noise contours.

*Mitigation Measure H-2: Require site specific noise studies for any development that proposals that would place homes within the distances discussed in Mitigation Measure H-1 above. Projects should be required to comply with noise study mitigation measures, including use of setbacks, berms, siting of homes so that outdoor use areas are sheltered from noise sources, and interior insulation, if required. Soundwalls should not be used for mitigation, unless other noise mitigation measures are infeasible (this modified mitigation measure was added in the Final EIR Addendum, November 1992).

IMPACT H-3: Construction of urban development in the Plan Area could result in temporarily elevated noise levels that could affect nearby existing residences.

Mitigation Measure H-3: Restrict construction which employs equipment powered by internal combustion engines within 500 feet of existing residences to the hours of 8:00 am to 5:00pm, Monday through Friday.

IMPACT H-4: Residential development located south of Alden Lane, adjacent to the existing quarry operation along the Arroyo del Valle, and residential development along Vineyard Avenue, adjacent to property under quarry permit, could be exposed to excessive noise levels.

Mitigation Measure H-4a: Require that new residential development constructed within a quarter mile of the boundaries of all properties with quarry permits include a clause in the sales contract for each home, indicating that the residence is located near an existing or future quarry, and that the homebuyer recognizes that the property may be subject to noise impacts resulting from close proximity to the quarry.

Mitigation Measure H-4b: Require residential development adjacent to quarry property to maintain a 250-foot buffer from the quarry property line that includes a 6-foot earth berm and

appropriate landscaping. All residential lots adjacent to the setback should be sited so that homes face the quarry property, providing additional noise shielding for backyard activity areas. Home construction should be required to incorporate appropriate insulation and windows to provide an interior noise level of 45 dBL or less.

IMPACT H-5: Implementation of the proposed SLVAP could result in additional residential development adjacent to agricultural operations that could be subject to complaints regarding noise.

Mitigation Measure H-5: Require that new residential development in the Plan Area that will be, or could be, adjacent to agricultural operations include a clause in the sales contract of each home, indicating that the residence could be located near an agricultural operation, and that the homebuyer recognizes that the property may be subject to noise, dust, odors or other impacts resulting from the operation. The clause should also alert the potential homebuyer to the Alameda County Right to Farm ordinance.

There is little likelihood that additional B&B development would be generated at even the level foreseen in the original plan proposal, and there is a likelihood that overall B&B establishments would be considerably fewer than originally projected. At the time of the original EIR, Vallecitos Road was a smaller and more lightly used route, and may have been more suitable for residential or related development with curb cuts; in the present day, however, it is a less desirable location for either residential or B&B use; such development would be expected to more likely on quieter smaller roadways. Regardless of this potential, B&Bs are often residential uses as well as commercial uses, and wherever B&Bs are proposed, the mitigation measures requiring either minimum setbacks from roadways as prescribed OR measures to analyze and recommend noise reduction measures would be required as primary points of analysis for any CUP or SDR required for a B&B development. Also, while a B&B is not precisely an urban project, it would be subject to reasonable restrictions on time of day for noise-generating operations within 500 feet of existing homes.

To the extent that a B&B is partly a residential use, it is also true that as of the date of this writing, only a small section of land exists within the unincorporated area and within 0.25 mile of either Vineyard Avenue, Vallecitos Road or any permitted quarry area, and within the "CA-Cultivated Agriculture" zoning overlay district. The great majority of lands on which B&Bs could be established under this plan and program revision is well outside the 0.25 mile border. Within that tiny area near Vineyard Avenue, Measure H4-b to mitigate quarry-related noise impacts might apply; elsewhere it would not be required at all.

As a partial residential development, a B&B would also be subject to the requirement to include a clause in the sales contract of each home, indicating that the residence could be located near an agricultural operation, and that the homebuyer recognizes that the property may be subject to noise, dust, odors or other impacts resulting from the operation.

In view of the foregoing discussion, there are no changes proposed, and there have been no changes in the program or in the circumstances surrounding the program or approval of these proposals since original program approval in 1993, that indicate there will be new or substantially more severe significant impacts on Noise than predicted in the EIR, or that new mitigation measures or alternatives would substantially reduce these potential impacts. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available.

I. Cultural and Historical Resources

The Draft EIR identified the following Cultural and Historical Resources impacts and mitigation measures for general development, all of which could be reduced to *less than significant levels*. In one of the cases listed below (Impact I-4, Urban Development), neither the impacts nor mitigation measures specifically apply to B&B development in the rural area, but where they do, the summary following the impact / mitigation list describes them. No significant and unavoidable impacts for Cultural and Historical Resources were identified.

IMPACT I-1: The proposed South Livermore Valley Area Plan could result in rural residential development and additional cultivation in areas where there are known or potential significant archaeological resources.

Mitigation Measure I-1a: Proposed structures or roads on property that contains archaeological sites should be sited in consultation with a professional archaeologist to avoid damaging the archaeological sites.

Mitigation Measure I-1b: Whenever there is evidence of an archaeological site within a proposed project area, an archaeological survey by qualified professionals shall be required as a part of the environmental assessment process.

Mitigation Measure I-1c: If any archaeological sites are found during construction, all work in the immediate vicinity shall be suspended pending site investigation by qualified professionals. If, in the opinion of a qualified professional, the site will yield new information or important verification of previous findings, the site shall not be destroyed.

IMPACT I-2: Rural development allowed in the proposed SLVAP could result in potential destruction of historical resources.

Mitigation Measure I-2: Encourage preservation and reuse of historical structures.

IMPACT I-3: Construction of buildings or infrastructure associated with development could disturb undiscovered archaeological sites.

Mitigation Measure I-3: See Mitigation Measure I-1c above.

IMPACT I-4: Urban development allowed under the SLVAP could disturb or destroy some of the historical resources in the Plan Area.

Mitigation Measure I-4a: Require that any proposals to remove historic structures in the Plan Area be reviewed by qualified professionals.

Mitigation Measure I-4b: Encourage urban development projects in the Plan Area to preserve historic structures. Appropriate measures for preserving historic structures include renovation or moving it to another location.

As shown above, the EIR analyzed the project's potential impacts to archaeological, cultural and historical resources in the Plan and Program Area. Potentially significant impacts of disturbance of cultural and historic resources were found to be possible, and mitigation was specified.

The impacts identified and the measures prescribed included essentially all types of development that might occur under the SLVAP, and these included any number of bed and breakfast establishments. The potential for these same impacts would not change under the proposed changes to the existing Plan Policies or to the Zoning Ordinance, and for every new bed-and-breakfast proposed, the permitting process would require investigations into cultural and historic resources onsite.

A newer requirement of each environmental review is the notice and contact to interested Native American Tribes and Organizations of potential changes to land use that could affect Tribal Cultural resources. For this proposal to modify the Plan Policies and Zoning Ordinance, a letter discussing the proposal was sent to all known parties and organizations with an interest in the South Livermore Valley and surrounding regions, with a request for any pertinent comments or concerns about resources to identify for analysis. This letter and a list of contacted individuals and organizations is included in Attachment YY below. As of the date of this writing, no responses have been received.

There have been no other changes proposed in the program or in the circumstances surrounding program approval to indicate that there will be new or substantially more severe impacts on archaeological, cultural or historic resources than predicted in the SLVAP EIR, or that new mitigation measures or alternatives would substantially reduce this potential impact. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available.

J. Visual Quality

The Draft EIR identified the following Visual Quality impacts and mitigation measures for general development, all of which could be reduced to *less than significant levels*. In two of the cases listed below (Impacts J-2 and J-3), neither the impacts nor mitigation measures specifically apply to B&B development in the rural area. No significant and unavoidable impacts for Visual Quality were identified.

IMPACT J-1: Implementation of the proposed SLVAP could result in new rural residences or other structures on visually prominent ridges, in existing vineyards, or other sensitive areas.

Proposed Plan Mitigation: Proposed Plan policies include requirements for site planning, site development review, and development of design standards. In addition, only areas less than 25% slope can have additional rural development.

Mitigation Measure J-1: Develop comprehensive design guidelines for new rural structures in the Plan Area that would emphasize the existing visual character, including use of wood or stone materials, architectural features such as porches and verandas, and careful siting so that structures are subordinate to the landscape and do not block public views from adjacent roads. The design guidelines should also include guidelines for fences to limit or prohibit use of property line fences in existing vineyard areas. *Design guidelines should include standards for rural access roads, including road width limitations, landscaping guidelines, screening and sign standards (this last sentence added in the Final EIR Addendum, November 1992).

IMPACT J-2: Implementation of the proposed SLVAP could result in urban development that would substantially change the character of the area.

Mitigation Measure J-2: Require that proposed urban development projects in the Plan Area be subject to project-specific visual studies that recognize the need to protect visually sensitive areas. Require that proposed urban development projects be sited and designed to minimize views from scenic corridors, through use of topographic and vegetative screening, and limit or prohibit development in visually sensitive areas that would substantially change the character of these areas.

IMPACT J-3: New urban development could reduce or block views from adjacent existing residences.

Mitigation Measure J-3: Require project-specific visual studies of proposed urban projects in the Alden Lane area and the Wetmore Road/Marina Avenue area to determine if views from existing residences will be blocked. Use design techniques, such as height limits or house placement to reduce significant view blockage as much as possible.

As stated above, Impacts J-2 and J-3 do not apply to rural projects such as B&Bs in the unincorporated area.

Impact J-1 does apply to rural residential construction, a category into which B&B establishments traditionally fall. Insofar as CUP and SDR requirements would apply to B&B units, and noting that design guidelines for rural development have been adopted by the County, it is certain that Mitigation Measure J-1 has resulted in policies and design guidelines that would apply to B&B proposals and would serve to protect visual quality in the SLVA, as intended by the Measure.

There have been no other changes proposed in the program or in the circumstances surrounding program approval to indicate that there will be new or substantially more severe impacts on Visual Quality than predicted in the SLVAP EIR, or that new mitigation measures or alternatives would substantially reduce this potential impact. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available.

K. Public Services and Facilities

The Draft EIR identified the following Public Services and Facilities impacts and mitigation measures for general development, all of which could be reduced to *less than significant levels*. The section covered a variety of different categories under the general heading, including Water Supply, Wastewater, Schools, Police and Fire Services, and Parks and Recreation. No significant and unavoidable impacts for any of these categories were identified.

K.1 Water Supply

IMPACT K.1-1: Water demand from new agricultural acreage brought into production as a result of Plan policies could exceed existing water supply.

Proposed Plan Mitigation: The proposed Plan requires that the proponent shows, to the satisfaction of the County and Zone 7, that adequate water supplies are available for irrigation needs. Plan policy also "encourages the development of additional sources of irrigation water

for vineyards and other cultivated agriculture by investigating wastewater reclamation and development of other supply and delivery systems."

IMPACT K.1-2: Water supply of imported water during periods of peak demand may not be adequate for the needs of irrigated agriculture.

Proposed Plan Mitigation: The proposed Plan requires that the proponent shows, to the satisfaction of the County and Zone 7, that adequate water supplies are available for irrigation needs. Plan policy also "encourages the development of additional sources of irrigation water for vineyards and other cultivated agriculture by investigating wastewater reclamation and development of other supply and delivery systems."

IMPACT K.1-3: Pumping of groundwater by agricultural, rural residential and other rural uses could result in the long-term depletion of the groundwater basin.

Mitigation Measure K.1-3: Zone 7 should consider developing a pump monitoring and cost allocation system to cover the cost of new water in the event that additional supplies are needed and can be secured and stored in the groundwater basin.

IMPACT K.1-4: Groundwater supplies may not be available for rural residential, bed-and- breakfast and winery uses in all locations of the Vineyard Area.

Proposed Plan Mitigation: The proposed Plan requires that the proponents show, to the satisfaction of the County and Zone 7, that adequate water supplies are available for domestic needs.

Mitigation Measure K.1-4: Amend Policy V 2.B. as follows: "The proponent shows, to the satisfaction of the County and Zone 7, that adequate water supplies are available for all domestic, commercial (wineries and bed-and-breakfasts), and irrigation needs.

IMPACT K.1-6: Water demand from new urban development could exceed existing water supply.

Proposed Plan Mitigation: The proposed Plan requires that the proponents show, to the satisfaction of the County and Zone 7, that adequate water supplies are available for domestic needs. (Mitigation Measure K.1-4 amends this policy to include commercial uses.)

Mitigation Measure K.1-6: In an effort to conserve water, the water retailers are encouraged to require proponents of development projects to implement an off-set program utilizing one or more of the water conserving best management practices.

The EIR analyzed the project's potential impacts to water supply in the Plan and Program Area. Potentially significant impacts to water supply were found to be possible, and mitigation was specified.

Water supply impacts identified and the measures prescribed included essentially all types of development that might occur under the SLVAP, and these included any number of bed and breakfast establishments. The potential for these same impacts would not change under the proposed changes to the existing Plan Policies or to the Zoning Ordinance regarding B&Bs, and for every new bed-and-breakfast proposed, the permitting process would require investigations into water supply, both for domestic use and for any

irrigated agriculture that would be required as a result of subdivision and/or development of new B&B establishments.

There have been no other changes proposed in the program or in the circumstances surrounding program approval to indicate that there will be new or substantially more severe impacts to water supply than predicted in the SLVAP EIR, or that new mitigation measures or alternatives would substantially reduce this potential impact. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available.

K.2 Wastewater

IMPACT K.2-1: Use of on-site septic systems by rural residents, bed and breakfast establishments, and wineries could result in groundwater contamination.

Proposed Plan Mitigation: The proposed Plan requires that the proponent shows, to the satisfaction of the County and Zone 7, that all proposed homesites can be served by individual septic systems.

Mitigation Measure K.2-1: Amend Policy V.2.B. as follows: "The proponent shows, to the satisfaction of the County and Zone 7, that all proposed homesites, bed-and-breakfast establishments and wineries can be served by individual septic systems.

As shown above, the EIR analyzed the project's potential impacts to wastewater in the Plan and Program Area. The wastewater impact identified and the measures prescribed included all types of development that might occur under the SLVAP in the unincorporated area where private septic systems would be required, and these included any number of bed and breakfast establishments. The potential for these same impacts would not change under the proposed changes to the existing Plan Policies or to the Zoning Ordinance regarding B&Bs, and every new bed-and-breakfast proposed would be required to analyze the adequacy of the site for creation and maintenance of an onsite septic system that would accommodate the B&B Establishment.

There have been no other changes proposed in the program or in the circumstances surrounding program approval to indicate that there will be new or substantially more severe impacts to wastewater than predicted in the SLVAP EIR, or that new mitigation measures or alternatives would substantially reduce this potential impact. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available.

K.3 Schools

In the case of schools, urban development in the region was found to have a potentially significant effect on public school populations in the Pleasanton and Livermore school districts as described below.

IMPACT K.3-2: Urban population growth could result in the addition of approximately 1,380 school children to the Livermore Valley Joint Unified School District.

Mitigation Measure K.3-2: The City of Livermore, through the development approval process, should ensure that urban development projects within the Plan Area pay for needed school improvements and provide school sites as needed.

IMPACT K.3-3: Urban population growth could result in the addition of approximately 250 school children to the Pleasanton Unified School District.

Mitigation Measure K.3-3: The City of Pleasanton, through the development approval process, should ensure that urban development projects within the Plan Area pay for needed school improvements.

However, for rural residential growth, which included B&Bs and other rural uses, 188 new students were projected for the Livermore Valley Joint Unified School district over time to maximum buildout, and was found to not be a significant impact when added over a long period of time and spread across 13 grades (K-12). No mitigation was necessary for this less than significant impact. Therefore, no mitigation was applied to the impact for rural population growth, and urban growth mitigation measures as shown above do not apply for impacts to the rural population. The projected level of development for B&B establishments as a result of these policy and zoning ordinance changes are not expected to exceed or be significantly different than those originally analyzed in the SLVAP EIR, and no other changes are required.

There have been no other changes proposed in the program or in the circumstances surrounding program approval to indicate that there will be new or substantially more severe impacts to Schools than predicted in the SLVAP EIR, or that new mitigation measures or alternatives would substantially reduce this potential impact. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available.

K.4 Police Services

As was the case for schools, urban development in the region was found to have a potentially significant effect on police services in the Cities of Pleasanton and Livermore as described below.

IMPACT K.4-2: Urban population growth would result in increased demand for City of Livermore and City of Pleasanton police services.

Mitigation Measure K.4-2 (a): The City of Livermore should provide adequate police services for the portion of the Plan Area incorporated into the City.

Mitigation Measure K.4-2 (b): The City of Pleasanton should provide adequate police services for the portion of the Plan Area incorporated into the City.

However, for rural residential growth, which included up to 25 B&Bs and other rural uses, no significant impact was found for Police Services. No mitigation was necessary for this less than significant impact. Therefore, no mitigation was applied to the impact for rural population growth, and urban growth mitigation measures as shown above do not apply for impacts to the rural population. The projected level of development for B&B establishments as a result of these policy and zoning ordinance changes are not expected to exceed or be significantly different than those originally analyzed in the SLVAP EIR, and no other changes are required.

There have been no other changes proposed in the program or in the circumstances surrounding program approval to indicate that there will be new or substantially more severe impacts to Schools than predicted in

the SLVAP EIR, or that new mitigation measures or alternatives would substantially reduce this potential impact. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available.

K.5 Fire Services

Urban and rural development in the region was found to have a potentially significant effect on fire services in the unincorporated area and the Cities of Pleasanton and Livermore as described below.

IMPACT K.5-1: Rural residential population growth would result in increased demand for fire service in unincorporated Alameda County.

Mitigation Measure K.5-1: Alameda County should ensure through the development review process that all new development be designed to minimize risks to life and property through the implementation of the provisions of the Fire Protection Master Plan.

IMPACT K.5-2: Urban population growth would result in increased demand for City of Livermore and City of Pleasanton fire services.

Mitigation Measure K.5-2(a): The City of Livermore should provide adequate fire services for the portion of the Plan Area incorporated into the City.

Mitigation Measure K.5-2(b): The City of Pleasanton should provide adequate fire services for the portion of the Plan Area incorporated into the City.

Of these mitigation measures, only Measure K.5-1 applies to B&B establishments or the rural area. The fire services impact identified, and the measure prescribed, include all types of rural development that might occur under the SLVAP in the unincorporated area, and these include any number of bed and breakfast establishments. The potential for these same impacts would not change under the proposed changes to the existing Plan Policies or to the Zoning Ordinance regarding B&Bs, and every new bed-and-breakfast proposed would be required to implement all necessary modern fire prevention measures to protect life and property on the developed site as suggested by the measure.

There have been no other changes proposed in the program or in the circumstances surrounding program approval to indicate that there will be new or substantially more severe impacts to fire services than predicted in the SLVAP EIR, or that new mitigation measures or alternatives would substantially reduce this potential impact. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available.

K.6 Parks and Recreation

IMPACT K.6-2: Rural development under the Plan could conflict with proposed trails under the LARPD Trail Master Plan.

Mitigation Measure K.6-2: The County should ensure, through the development approval process, that rural development projects within the Vineyard Area do not conflict with or preclude proposed LARPD trails.

IMPACT K.6-3: Urban development under the Plan would create additional demand for park and recreation services and facilities.

Mitigation Measure K.6-3(a): The City of Pleasanton should ensure, through the development approval process, that urban development projects within the East Vineyard Avenue transitional area pay appropriate development fees and/or land dedication for park and recreation services and facilities. The City should work with development proponents to implement General Plan policies and land use which may be designated for park and recreation use in the East Vineyard Avenue transitional area.

Mitigation Measure K.6-3(b): The City of Livermore, in conjunction with the Livermore Area Recreation and Park District should ensure, through the development approval process, that urban development projects within the Vineyard and transitional areas pay appropriate development fees and/or land dedication for park and recreation services and facilities.

IMPACT K.6-4: Urban development in the Vineyard Area could conflict with proposed plans for the Ravenswood historic receiver' site.

Mitigation Measure K.6-4: The City of Livermore should work with LARPD to implement park policies. The City should also encourage urban development to include funding for a wine museum as part of the Ravenswood historic complex.

IMPACT K.6-5: Urban development in the Vineyard Area could conflict with planned expansion for Sycamore Grove Park.

Mitigation Measure K.6-5: The City of Livermore should work with LARPD to implement park policies.

IMPACT K.6-6: Urban development under the Plan could conflict with proposed trails under the LARPD Trail Master Plan.

Mitigation Measure K.6-6(a): The City of Livermore should ensure, through the development approval process, that urban development projects within the Vineyard Area do not conflict with or preclude proposed LARPD trails. Specifically, the City should ensure that sufficient room for a trail in the Alden Lane transitional area along the north side of the quarry site in the Arroyo del Valle be provided.

Mitigation Measure K.6-6(b): The City of Pleasanton should ensure, through the development approval process, that urban development projects within the transitional East Vineyard Avenue Area do not conflict with or preclude proposed EBRPD or LRPD Trails.

Of these mitigation measures, only Measure K.6-2 applies to B&B establishments or the rural area. The Potential regional trail impact identified and the measure prescribed include all types of rural development that might occur under the SLVAP in the unincorporated area. and these include any number of bed and breakfast establishments. The potential for these same impacts would not change under the proposed changes to the existing Plan Policies or to the Zoning Ordinance regarding B&Bs.

Trail alignments in areas such as South Livermore generally occur along existing rights of way, such as roads or easements, and constructed features such as buildings, which require significant setbacks from ROWs and easements are unlikely to become obstacles to trail alignments. Access roads and driveways can normally be crossed at grade. However, every new bed-and-breakfast proposed would be required to design and implement onsite improvements to accommodate projected trail easements, and possibly even to construct the trail along frontages or easements onsite. This impact would therefore remain mitigated under the proposed new policies and ordinance changes.

There have been no other changes proposed in the program or in the circumstances surrounding program approval to indicate that there will be new or substantially more severe impacts to Parks and Recreation than predicted in the SLVAP EIR, or that new mitigation measures or alternatives would substantially reduce this potential impact. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available.

III. PROJECT IMPACTS - SIGNIFICANT IMPACTS THAT WOULD BE UNAVOIDABLE

This discussion addresses those impacts that were found to be significant in the SLVAP EIR and that could not be mitigated to insignificance. Each section below has the objective of assessing whether the proposed modifications to the ECAP General Plan Policies and the Zoning Ordinance regarding Bed and Breakfast Establishments will result in new or exacerbated significant environmental impacts.

A. Geology, Soils and Seismicity

From the SLVAP EIR:

IMPACT C-9: Implementation of the proposed SLVAP could result in urban development on top of significant mineral resource deposits, eliminating access to these resources.

No mitigation measure is available. Loss of access to a significant mineral resource is an unavoidable adverse impact of the proposed Plan.

The EIR analyzed the program's potential to affect mineral resources, and found that Urban Development in the Alden Lane Transitional Area, in the western portion of the SLVA and within City Boundaries, would adversely affect the ability to extract known mineral resources in the region. The SLVAP EIR did not find, however, that rural development (including B&B establishments) in any portion of the SLVA would adversely affect mineral resource extraction, as other mineral resources are either under local parklands (already unavailable) or lie below vineyards, which would not adversely affect their availability if needed.

The proposed modifications to the SLVA ECAP Policies or Zoning Ordinance would not alter either the presence of mineral resources or the locations where B&Bs could be constructed, and thus would have no effect on the previously extent of this impact.

There have been no other changes proposed in the program or in the circumstances surrounding project approval to indicate that there will be new or substantially more severe significant impacts on mineral resources than predicted in the EIR, or that new mitigation measures or alternatives would substantially

reduce these impacts. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available.

B. Vegetation and Wildlife

From the SLVAP EIR:

IMPACT E-2: Expansion of cultivated agriculture could result in the conversion of up to 3,260 acres of primarily grassland habitat, with a consequent reduction in relative habitat values, including habitat for six wildlife species of concern, and possible destruction of plant species of concern, if they occupy these areas.

Mitigation Measure E-2a: Destruction of plant and wildlife species of concern by agricultural expansion could be mitigated by requiring a field survey by a qualified biologist. Plant surveys should be conducted during the spring growing season, prior to initial tilling. Should populations of plant species of concern be found, mitigation measures could include avoiding the populated areas, or removal of the plants to other locations, if possible. Wildlife surveys should be conducted following established CDFG procedures. Mitigation measures available if wildlife species of concern are found would include avoidance or reduction in acres placed under cultivation.

Mitigation Measure E-1b: Use the proposed South Livermore Valley Land Trust to protect critical habitat areas through purchase of fee title or conservation easements. A portion of the funds used to establish the Land Trust should be used to pay for a detailed biological survey of potential agricultural lands in the Plan Area, to be conducted by a qualified biologist in consultation with Alameda County, the CDFG, and the USFWS. The survey should, to the extent possible, identify specific parcels, or portions of parcels, that represent critical habitat for species of concern. In addition, the survey should identify parcels, or portions of parcels, that would help maintain the biological integrity of the Plan Area, by establishing large areas of relatively undisturbed habitat connected to important wildlife corridors. Once identified, parcels with critical habitat should be given high priority when the Land Trust establishes a program for land or easement acquisition.

This program could be incorporated into a larger-scope Habitat Conservation Plan for all of Eastern Alameda County, as part of the on-going General Plan update.

While the above mitigation measures would reduce potential impacts of plant and animal species of concern, no mitigation measures are available for general habitat loss from agricultural expansion. Therefore, this is considered an unavoidable adverse impact of the proposed Plan.

Impact E-2 and the mitigation measures would apply to any vineyard establishment or any action that would lead to vineyard establishment, which would include 20-acre subdivisions for up to several hundred homesites or up to 25 B&B Establishments under the original SLVAP EIR.

The proposed modifications to the SLVA ECAP Policies or Zoning Ordinance would not alter this finding, as the required vineyard planting for any new building site, whether for a residential use or a B&B, would remain the same, and these modifications to the ECAP Policies would not result in a number of new building sites not previously foreseen in the 1993 EIR.

From the SLVAP EIR:

IMPACT E-6: Urban development resulting from implementation of the proposed SLVAP would result in the loss of up to 1,600 acres of grassland habitat.

Mitigation Measure E-6: Site-specific surveys required by Mitigation Measure E-5 above should also include surveys for plant and animal species of concern. Should sensitive species be found, mitigation measures, in consultation with CDFG and USFWS, could include preservation of critical areas on or off-site habitat enhancement, or reduction or rejection of the proposed project.

While the above mitigation measure would reduce potential impacts to plant and animal species of concern, no mitigation measures are available to mitigate general habitat loss from urban development. Therefore, this is considered an unavoidable adverse impact of the proposed Plan.

Impact E-6 specifically addresses urban development; this type of development excludes any building in the unincorporated area and “CA-Cultivated Agriculture” zoning overlay district. Therefore, this significant impact and discussion does not apply to B&B establishments in the unincorporated area.

There have been no changes proposed in the program or in the circumstances surrounding program or individual project approval to indicate that there will be new or substantially more severe significant impacts on vegetation and wildlife resources than predicted in the EIR, or that new mitigation measures or alternatives would substantially reduce these impacts. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available.

C. Air Quality

From the SLVAP EIR:

IMPACT G-3: Urban development in the Plan Area would result in increased emissions of criteria pollutants, including ozone precursors and suspended particulates.

Mitigation Measure G-3a: Encourage expanded transit opportunities and facilities within any newly urbanized areas of Livermore and Pleasanton, including placement of bus stops at transportation nodes (schools, commercial areas, parks, community centers), and design road layouts with bus pullouts. Include convenience commercial uses (neighborhood grocery and sundry stores) in new urban developments to the extent possible. Require that mitigation measures for traffic congestion described in Section F. be implemented, including those for bicycle and pedestrian access and improvement of circulation; in the general sense, these will do most to reduce the impact of the project.

Mitigation Measure G-3b: Require new residential development to install insulation according to Pacific Gas and Electric energy conservation standards, promote the use of solar heating, and limit residences to one fireplace or woodstove per residence. The use of EPA-certified wood stoves and specially built fireplace inserts rather than open fireplaces should be encouraged, as these greatly reduce emissions and increases heating efficiency.

These mitigation measures would not be able to reduce Impact G-3 to a level of insignificance, therefore, this is a potentially unavoidable adverse impact of the proposed Plan.

Impact E-6 specifically addresses urban development; this type of development excludes any building in the unincorporated area and “CA-Cultivated Agriculture” zoning overlay district. Therefore, this significant impact and discussion does not apply to B&B establishments in the unincorporated area.

There have been no changes proposed in the program or in the circumstances surrounding individual B&B project approval since SLVAP adoption in 1993 which indicate there will be new or substantially more severe significant impacts on air quality than predicted in the EIR, or that new mitigation measures or alternatives would substantially reduce this potential impact. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available.

IV. CONSISTENCY WITH PLAN POLICIES

This discussion addresses consistency of the new proposal with existing plan policies in Alameda County, and whether this consistency differs significantly from consistency of the previously approved proposal. Although not technically physical impacts, inconsistency can result in physical impacts and therefore consistency with plan policies is treated as a CEQA issue and is subject to environmental review.

The original SLVAP EIR specifically addressed the new proposed policies for rural agricultural development in the unincorporated South Livermore Valley. The policies were subsequently adopted in 1993, and a short time later were further incorporated into the East County Area Plan, where they continue to reside to the present day. No changes have been made to policies or zoning designations since the time of the original changes to allow Bed-and-Breakfast establishments, and those policies remain in effect.

The new policies proposed would provide modestly greater latitude for owners of building sites to construct and operate B&B establishments, without allowing the number of B&Bs to exceed numbers originally envisioned under the original EIR. The original EIR also assumed that the number of overnight rooms would be developed according to consumer demand, and this analysis assumes that same provision, with similar numbers of overnight rooms at buildout. In every other respect, all B&B proposals would be expected to conform to existing policies and would continue to be subject to County review as both conditionally permitted uses and as the subjects of Site Development Reviews.

Changes to the SLVA Policies and Zoning Ordinance would result in no additional effects on plan/policy conformance. Bed and Breakfast Development would be the same scope and character undertaken under similar circumstances as those described in the original EIR. There have been no changes in the SLVA Policies or in the circumstances surrounding individual B&B project approval since SLVAP adoption in 1993 that indicate there will be new significant impacts on plan/policy conformance than predicted in the EIR, or that new mitigation measures or alternatives would serve to reduce any impact. Furthermore, no previously unavailable and important new information within the meaning of Section 15162 has become available.

V. ISSUES NOT ADDRESSED IN THE EIR

The only major category of issues not addressed in the original EIR from 1993 is the category of Greenhouse Gas Emissions and Climate Change, an issue which rightfully has come into prominence during the intervening 25 year period. Climate Change is predicted by science to have serious effects on the world,

California and Alameda County in the coming decades, and already many aspects of it are becoming manifest in the weather, climate and intensity and duration of wildfires. A few words are in order on this matter.

Most projects of any significant size in California should be and are subject to analysis for greenhouse gas emissions under CEQA. The State of California and the Bay Area Air Quality Management District (BAAQMD) have set forth requirements for these analyses, and the first step is normally determining whether a project or plan meets screening criteria, essentially a baseline level of development, to determine whether analysis is required.

In its document “California Environmental Quality Act Air Quality Guidelines,” (May 2017), the BAAQMD developed screening criteria to provide lead agencies and project applicants with a conservative indication of whether the proposed project could result in potentially significant air quality impacts. If all screening criteria are met by a proposed project, then the lead agency or applicant would not need to perform a detailed air quality assessment of their project’s air pollutant emissions. These screening levels are generally representative of new development on greenfield sites without any form of mitigation measures taken into consideration. In addition, the screening criteria set forth by BAAQMD do not account for project design features, attributes, or local development requirements that could also result in lower emissions.

The screening criteria developed for greenhouse gases were derived using the default emission assumptions in URBEMIS and using off-model GHG estimates for indirect emissions from electrical generation, solid waste and water conveyance. Projects below the applicable screening criteria (shown in Table 3-1 of the Air Quality Guidelines) would not exceed the 1,100 MT of CO₂e/yr GHG threshold of significance for projects other than permitted stationary sources. If a project, including stationary sources, is located in a community with an adopted qualified GHG Reduction Strategy, the project may be considered less than significant if it is consistent with the GHG Reduction Strategy. A project must demonstrate its consistency by identifying and implementing all applicable feasible measures and policies from the GHG Reduction Strategy into the project.

For Hotels and Motels respectively, the screening criteria above which a CEQA GHG analysis should be conducted are 83 rooms and 106 rooms, respectively. The BAAQMD CEQA Air Quality Guidelines do not have a separate listing for Bed and Breakfast Establishments. County Staff believes that the Motel value is more appropriate. In making this determination, Staff looked to the Institute of Traffic Engineers (ITE) Trip Generation Manual (7th Edition), which does have recent limited listings for trip generation of very small inns and motels, which suggest that in terms of trip generation, B&B establishments very closely approximate motels of similar size. That standard, then, is the one used here.

Clearly, no single B&B project under this new program or under the existing policy would rise to the level of significance, as 14 rooms would be the maximum number, far less than 106 rooms specified as the threshold. Based on County Staff’s best estimates of projected interest in B&B development over the coming decades, based on demand and prior history, a value of 5-7 new B&Bs are expected as a result of the policy and zoning ordinance modifications being proposed. This level of development would not exceed the screening criterion.

Climate Action Plan:

Further, the County of Alameda has a Community Climate Action Plan (CAP) that contains a number of policies and programs designed to help new development reduce their carbon footprints and GHG emissions.

The State CEQA Guidelines, Section 15183.5 (CEQA Guidelines) provides clear guidance that a plan for the reduction of greenhouse gas emissions must include the following elements:

- (1) Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area;
- (2) Establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable;
- (3) Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area;
- (4) Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;
- (5) Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels; and
- (6) Be adopted in a public process following environmental review.

If the CAP has met these standards, then it can be considered a qualified GHG Reduction Strategy. The County CAP meets these standards. The values required in the six bullet points above are all quantified in the CAP; recent review of the CAP policies and a new emissions inventory suggests that the CAP and the County have been successful in fulfilling the objectives of community GHG reductions countywide (Internal Preliminary Staff Analysis, 2019).

B&B projects would all be subject to the policies in the CAP, and each application would be reviewed with these policies in mind.

East Bay Community Energy:

Even further, the County and most of its member cities have entered into a Joint Powers Agreement (JPA) to have a Community Choice Aggregation (CCA) program, in which energy procurement and purveyance are taken over by the JPA on behalf of its service area residents from the incumbent private utility, that being Pacific Gas and Electric (PG&E). Beginning in 2018, the sale of electricity in unincorporated Alameda County was taken over by the new CCA JPA, known as East Bay Community Energy (EBCE). EBCE has been aggressively pursuing renewable and carbon-free sources of energy in order to reduce the County's carbon footprint, and as of this writing offers several services to help reduce demand for carbon-based energy and reduce GHG emissions, most at a cost savings to the energy customer. Each new development in the County is automatically included in the new EBCE programs, and is encouraged to sign up for the most carbon free products available. This would apply to every new B&B development in the unincorporated area.

Based on the screening criterion and the availability of viable options for GHG reduction in Alameda County, County staff has determined that proposed modification to policies and zoning ordinance language, and subsequent potential increase in permitted B&B development would not result in significant impacts associated with Greenhouse Gas Emissions and Climate Change, or to any other additional issues not described in the original EIR, thus no additional environmental review is required in this regard.

VI. CONCLUSION OF THIS ADDENDUM

The circumstances that would justify the preparation of a subsequent or supplemental EIR for the proposed program are not present, because since approval of the original South Livermore Valley Area Plan, there have been no changes in program circumstances or previously unavailable new information that indicate that the program will have new or substantially more severe significant impacts than predicted in the EIR, or that new mitigation measures or alternatives would substantially lessen the project's significant impacts. This should not be taken to imply that new environmental analysis or Conditions of Approval for any project under the new policies should not be considered for any items of concern that may be raised by Planning Staff, the Board of Zoning Adjustments, the Planning Commission or the County Board of Supervisors.

