

Notice of Preparation

Notice of Preparation

To: State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814^(Address)

From: Neighborhood Preservation and Sustainability Depart
224 West Winton Avenue, Suite 110
Hayward, CA 94544^(Address)

Subject: Notice of Preparation of a Draft Environmental Impact Report

Alameda County will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study (is is not) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to Mr. James Gilford at the address shown above. We will need the name for a contact person in your agency.

Project Title: SMP-23 Reclamtion Plan Amedment, Eliot Quarry

Project Applicant, if any: CEMEX Construction Materials Pacific, LLC

Date July 10, 2015
Signature
Title Director
Telephone (510) 670-6437

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Eliot Facility (SMP-23) Reclamation Plan Amendment

Lead Agency: Alameda Co. Neighborhood Preservation and Sustainability

Contact Person: James Gilford

Mailing Address: 224 W. Winton Ave., Suite 110

Phone: (510) 670-6437

City: Hayward

Zip: 94544

County: Alameda

Project Location: County: Alameda

City/Nearest Community: Pleasanton / Livermore

Cross Streets: Stanley Blvd., and Isabel Ave. (SR-84)

Zip Code: 94566

Longitude/Latitude (degrees, minutes and seconds): 37° 39' 55.1" N / 121° 49' 31.7" W Total Acres: 966

Assessor's Parcel No.: See Attachment A, "APNs"

Section: N/A Twp.: N/A Range: N/A Base: N/A

Within 2 Miles: State Hwy #: 84

Waterways: Arroyo del Valle/Arroyo Mocho/Shadow Cliffs Rec. Area

Airports: Livermore Municipal Airport

Railways: UP/BNSF

Schools: Mendenhall/Smith

Document Type:CEQA: NOP Draft EIRNEPA: NOIOther: Joint Document Early Cons Supplement/Subsequent EIR EA Final Document Neg Dec

(Prior SCH No.) _____

 Draft EIS Other: _____ Mit Neg Dec

Other: _____

 FONSI**Local Action Type:** General Plan Update Specific Plan Rezone Annexation General Plan Amendment Master Plan Prezone Redevelopment General Plan Element Planned Unit Development Use Permit Coastal Permit Community Plan Site Plan Land Division (Subdivision, etc.) Other: Rec Plan Amend**Development Type:** Residential: Units _____ Acres _____ Office: Sq.ft. _____ Acres _____ Employees _____ Commercial: Sq.ft. _____ Acres _____ Employees _____ Industrial: Sq.ft. _____ Acres _____ Employees _____ Educational: _____ Recreational: _____ Water Facilities: Type _____ MGD _____ Transportation: Type _____ Mining: Mineral Sand and Gravel Power: Type _____ MW _____ Waste Treatment: Type _____ MGD _____ Hazardous Waste: Type _____ Other: _____**Project Issues Discussed in Document:** Aesthetic/Visual Fiscal Recreation/Parks Vegetation Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement Coastal Zone Noise Solid Waste Land Use Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects Economic/Jobs Public Services/Facilities Traffic/Circulation Other: Climate Change**Present Land Use/Zoning/General Plan Designation:**

Sand and Gravel Mining/Agricultural-100 Acre Minimum District (A-100)/Large Parcel Agricultural and Water Management

Project Description: (please use a separate page if necessary)

CEMEX Construction Materials Pacific, LLC (Applicant), operates the Eliot facility. Changes in circumstances at the site and in applicable regulatory requirements have necessitated the preparation of an amended reclamation plan that addresses these changes and provides reclamation objectives that can be feasibly accomplished and permitted by regulatory agencies. The Applicant has therefore applied to the County for a reclamation plan amendment (See the Attachment B, "Project Description," for specific project elements and details).

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

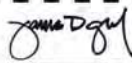
- | | |
|---|--|
| <input checked="" type="checkbox"/> Air Resources Board | <input checked="" type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input checked="" type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input checked="" type="checkbox"/> Caltrans District # <u>4</u> | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Regional WQCB # <u>2</u> |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input checked="" type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region # <u>3</u> | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input checked="" type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Housing & Community Development | |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date July 10, 2015 Ending Date August 10, 2015

Lead Agency (Complete if applicable):

Consulting Firm: <u>Benchmark Resources</u>	Applicant: <u>CEMEX Construction Materials Pacific, LLC</u>
Address: <u>2515 East Bidwell Street</u>	Address: <u>5180 Golden Foothill Parkway, Suite 200</u>
City/State/Zip: <u>Folsom, CA 95630</u>	City/State/Zip: <u>El Dorado Hills, CA 95762</u>
Contact: <u>Bruce Steubing</u>	Phone: <u>(916) 941-2852</u>
Phone: <u>(916) 983-3379</u>	

Signature of Lead Agency Representative:  **Date:** 7/10/2015

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

ATTACHMENT A
APNs

904-6-1-18

904-6-2 (part)

904-8-1-3 (part)

904-8-1-2

904-8-2-5

946-1350-9-12

946-1350-9-19

946-1350-10-5

946-4598-19

950-6-3-9

950-6-1-5

99-290-11-7

ATTACHMENT B PROJECT DESCRIPTION

Project Title: Reclamation Plan Amendment For Surface Mining Permit (SMP)-23 Cemex Eliot Facility Project

Lead Agency:

Alameda County Community Development Agency
Neighborhood Preservation and Sustainability Department
224 W. Winton Avenue, Suite 110
Hayward, CA 94544

Contact:

Mr. James Gilford, Director
Neighborhood Preservation and Sustainability Department
224 W. Winton Avenue, Suite 110
Hayward, CA 94544
Telephone: (510) 670-6437
E-mail: james.gilford@acgov.org

Project Location: The project site consists of approximately 966 acres situated between the cities of Pleasanton and Livermore, south of Interstate 580 and Stanley Boulevard in the Livermore-Amador Valley, north of Vineyard Avenue, and both east and west of Isabel Avenue (State Route 84 [SR 84]) (See Figure 1, Regional Location).

The site includes Alameda County Assessor's parcel numbers (APNs) 946-1350-9-19, 946-1350-9-12, 946-1350-10-5, 904-6-1-18, 904-6-2 (part), 904-8-1-2, 904-8-1-3 (part), 904-8-2-5, 950-6-1-5, 950-6-3-9, 946-4598-19 and 99-290-11-7.

Project Sponsor: CEMEX Construction Materials Pacific, LLC, is the current leaseholder/operator of the Cemex Eliot Facility.

Ron Wilson
CEMEX Construction Materials Pacific, LLC
5180 Golden Foothill Pkwy., Suite 200
El Dorado Hills, CA 95762
Telephone: (916) 941-2852
E-mail: ronaldd.wilson@cemex.com

General Plan Designation: The project site is designated on the *Alameda County General Plan, East County Area Plan* (ECAP) Diagram as "Large Parcel Agricultural" and "Water Management." The Water Management land use designation provides for sand and gravel quarries, reclaimed quarry lakes, watershed lands, arroyos, and similar and compatible uses. Sand and gravel quarries allow a range of uses including sand and gravel processing, associated manufacturing and recycling uses requiring proximity to quarries, reclamation pits and public use areas.

The ECAP also contains land use policies pertaining to quarries and Regionally Significant Aggregate Resource Areas. The goal for these special land use policies is to "recognize the regional value of the County's construction aggregate resources and to ensure compatibility between quarry operations and surrounding land uses."

The ECAP also contains policies that place strict limits on where new mine excavations may be conducted. ECAP Policy 155 provides that, “Except to the extent required by State law, no new quarry or other open-pit mine may be approved by the County outside the Urban Growth Boundary, unless approved by the voters of Alameda County. Excavation not adjacent to an existing quarry site and on the same or an adjoining parcel shall be regarded as a new quarry.”

Zoning: The zoning for the project site is Agricultural-100 acre minimum district (A-100). The County Zoning Ordinance defers to the Surface Mining and Reclamation Ordinance. Mining activities are permitted within any County zoning designation, including Agriculturally designated lands, subject to the provisions of the Surface Mining and Reclamation Ordinance.

As the local land use authority, Alameda County authorizes mining activities on unincorporated lands through the issuance of Surface Mining Permits and approval of reclamation plans pursuant to Alameda County Code of Ordinances, Title 6: Health and Safety, Section 6.80: Surface Mining and Reclamation. The provisions of the County’s Surface Mining and Reclamation apply to all lands within the County, both public and private. As provided by this ordinance, surface mining operations are permitted only upon County approval of a surface mining permit (or existence of vested rights), reclamation plan, and financial assurances for reclamation.

Setting/Background: CEMEX operates the Eliot facility, a 966-acre sand and gravel mining operation within the unincorporated area of the County, between the cities of Livermore and Pleasanton, south of Stanley Boulevard and north of Vineyard Avenue (see Figure 2, Site Location). CEMEX’s mining operation at the Eliot site is vested as documented in Alameda County Quarry Permits Q-1 (1957), Q-4 (1957), and Q-76 (1969). In 1987, the County approved SMP-23, a reclamation plan for the Eliot facility, and that plan is the “approved reclamation plan” currently applicable to the site.

Changes in circumstances at the site and in applicable regulatory requirements have necessitated the preparation of an amended reclamation plan that addresses these changes and provides reclamation objectives that can be feasibly accomplished and permitted by regulatory agencies. CEMEX has therefore applied to the County for a reclamation plan amendment. In considering the application and the discretionary action of approving the proposed reclamation plan amendment (the “proposed project” or “project”), the County is required to conduct environmental review pursuant to CEQA.

The project site is predominated by mining and processing facilities associated with CEMEX’s operation. The eastern portion of the site (east of Isabel Avenue) contains “Lake A,” a formerly mined area that contains water due primarily to the infiltration of groundwater. South of Lake A is the eastern portion of the segment of the Arroyo del Valle, which is a perennial stream that runs east-west along the southern portion of the site. The portion of the site west of Isabel Avenue contains “Lake B,” which is a recently mined area with a mine pit approximately 100 to 130 feet deep. The Arroyo del Valle continues east-west along the southern portion of this area of the site before merging with Arroyo de la Laguna near Interstate 680 and Bernal Road. Arroyo de la Laguna flows into Alameda Creek south of Sunol. North of Lake B are CEMEX’s currently operating materials processing facility and stockpile areas. CEMEX current mining operations are being conducted in an area referred to as Lake J. Additional uses include processing activities, stockpiles, administrative offices, a truck scale and other facilities related to mining and processing. See Figure 2, Current Facility and Surrounding Land Uses, in the attached Initial Study.

Surrounding Land Uses: Land uses adjacent to the project site include other mining operations, open space areas, recreational facilities, transportation corridors and residential development. A separate mining operation subject to Surface Mining Permit and Reclamation Plan 16 (SMP-16), currently operated by CalMat Co., dba Vulcan Materials Company, abuts the project site’s eastern and northern border of Lake B. The East Bay Regional Park District (EBRPD) Shadow Cliffs Recreation Area, a

reclaimed surface mine that now includes a lake and shoreline facilities available for public use, abuts the project site's northwestern border. The Ruby Hills residential subdivision in the city of Pleasanton is located across Vineyard Avenue to the south of the Lake B portion of the project site. Residential uses are also located in the city of Livermore, north of the Lake A area of the project site.

Other Public Agencies Whose Approval May Be Required: The discretionary actions to be considered by the County, serving as lead agency under CEQA, include approval of an amendment to the existing reclamation plan (SMP-23), which was approved by Alameda County in 1987 and last amended in 2013, in compliance with the California Surface Mining and Reclamation Act (SMARA).

Other public agencies whose approval may be necessary to implement this plan, and who may need to rely on the Project's CEQA documentation pursuant to their subsequent decision-making, include:

- California Department of Conservation, Office of Mine Reclamation (Release of Financial Assurance)
- Regional Water Quality Control Board (401 Certification)
- California Department of Fish and Wildlife (CDFW) (Streambed Alteration Agreement and possibly CESA Permit)
- U.S. Fish and Wildlife Service (Section 7 Consultation; potentially Incidental Take Statement)
- U.S. Army Corps of Engineers (404 Permit)

Current SMP-23 Reclamation Plan Activities

While mining activities at the project site began before 1900, a reclamation plan was not approved for the project site until 1987, when the County approved SMP-23. SMP-23 is not a mining permit for the site. SMP-23 is a reclamation plan approved pursuant to SMARA and the Alameda County Surface Mining Ordinance (ACSMO). Pursuant to SMP-23 Condition 30, the reclamation plan will remain in effect so long as the underlying Q-1 Permit remains active.

The approved reclamation plan includes the retention of Lakes A and B after mining and the dedication of these lakes to Zone 7 as designated by the 1981 Specific Plan for Livermore-Amador Valley Quarry Area Reclamation (Specific Plan). The approved reclamation plan also includes an optional lake (referred to as "Lake J") at the current processing plant site. The lakes are located on-site as described below:

- Lake A is a mined area located north of Vineyard Avenue, between Isabel Avenue/SR 84 and Vallecitos Road. Lake A has not been mined to the full extent anticipated in the approved reclamation plan.
- Lake B is a mined area located north of Vineyard Avenue, west of Isabel Avenue/SR 84. Lake B has not been mined to the full internal extent anticipated in the approved reclamation plan. In fact, areas to include portions of Lake B as identified in the approved reclamation plan now include a segment of Vineyard Avenue and residential development to the south of Vineyard Avenue.
- As currently approved, the southeast end of a "Lake C", west of Isabel Avenue and north of Lake B, is to extend into the approved reclamation plan area north of the eastern portion of Lake B.
- The Lake J area is located in the northwestern portion of the site, to the south of Stanley Boulevard and to the east of the Shadow Cliffs Regional Recreation Area. Mining has recently been initiated in this area, and processing facilities that had been located here are being relocated to areas south of the Lake J mining area. When reclaimed, Lake J would not be part of the Chain of Lakes and would not be granted to Zone 7. Instead, Lake J will be reclaimed by CEMEX or its

successors for open space and/or agricultural purposes. This lake was specified as Option #2 in the approved plan.

The 1981 Specific Plan depicts rerouting the Arroyo del Valle along the southern boundaries of Lake A and Lake B. However, the 1987 approved reclamation plan provides for the Arroyo del Valle to be eliminated and diverted into the eastern end of Lake A and then into Lake B. Lake A has not been mined to the full extent anticipated in the approved reclamation plan, and the diversion/elimination of the Arroyo del Valle has not occurred.

After the 1987 reclamation plan was approved, CEMEX's predecessor prepared plans for water conveyance facilities. Those plans, which the County subsequently approved, have not been implemented. These water conveyance facilities included:

- a 40-foot concrete spillway collecting flows from the Arroyo del Valle (under Vallecitos Road) before those flows descend 50 feet, at a slope of 2:1, into Lake A;
- an earth- and rock-lined structure to collect overflows within Lake A before conveying them under Isabel Avenue/SR 84 in a 40-foot concrete spillway to Lake B;
- an underground concrete pipe between Lake A and Lake C, which terminates at a spillway dropping water up to 70 feet down a 2:1 slope;
- an underground 30-inch concrete pipe between Lake C and Lake B; and
- a concrete and riprap apron along the western boundary of Lake B allowing overflow to continue down the Arroyo del Valle channel.

Since 1987, significant changes have occurred in both the regulatory setting that applies to the project site and physical conditions near the project site (e.g., new regulations related to biological resources, residential development in neighboring areas, widening of Isabel Avenue/SR 84). The changed circumstances prompted County staff to recommend that the approved reclamation plan be revised to reflect the changed physical and regulatory conditions and to ensure that reclamation is feasible and carried out in harmony with all controlling regulatory requirements. In addition, CEMEX wanted to remove from the reclamation plan the previously approved concrete spillways because they are not environmentally sensitive.

Mining in the Lake A area, north of the Arroyo del Valle, began in the late 1990s. The approved reclamation plan was originally approved when the property to the north of Lake A was zoned agricultural and was within the jurisdiction of Alameda County. Over the years, the zoning was changed to residential, the property was annexed to the City of Livermore, and houses were built adjacent to Lake A.

To accommodate mining, the Arroyo del Valle along the southern boundary of Lake A was relocated to the south in the mid-1990s with the authorization of a § 1602 Lake and Streambed Alteration Agreement from the California Department of Fish and Game (Notification 1600-2004-0214-3). That agreement expired on December 31, 2009.

Mining in the Lake A area continued until approximately 2003, when CEMEX discontinued mining to address neighborhood concerns caused by a potential subsurface slide. All Lake A slopes are currently 2:1 (horizontal to vertical) or flatter with maximum depths of 100 feet below ground surface (bgs).

Mining of Lake B and Lake J is in progress pursuant to CEMEX's vested rights and the approved reclamation plan.

Proposed Project Description

The project purpose is to revise the approved reclamation plan to accommodate changed circumstances and to reflect regulatory changes that have occurred since 1987.

Project Objectives

The reclamation plan amendment provides site-specific actions designed to meet the applicable statutory and regulatory requirements. The proposed reclamation plan amendment includes the following objectives:

- to implement the Specific Plan and the 1988 Agreement with Zone 7 (Zone 7 Agreement) by reclaiming the excavated areas as basins (Lake A and Lake B) for the future creation of water storage, conveyance and recharge facilities for the Chain of Lakes;
- to reclaim the existing processing plant area, after mining, as Lake J to be owned and maintained by CEMEX for open space and/or agricultural purposes;
- to implement backfilling and resoiling of other mined areas to reclaim those areas for open space, recreational, and/or agricultural use consistent with the County's General Plan and Zoning Ordinance;
- to eliminate the need for concrete spillways and concrete and riprap apron and enable the Arroyo del Valle to flow uninterrupted along the south boundary of Lakes A and B; and
- to adjust configuration of Lake B to allow for a wildlife corridor that includes the rerouted Arroyo del Valle (under Option 1) and adjust the ultimate depth of Lake B to 150 feet mean sea level (msl).

Project Description Elements

Maximum Mining Depth

This section describes the current reclamation plan approval for maximum mining depths at the project site and the changes proposed by CEMEX. CEMEX has a vested right to mine to these depths but does require a reclamation plan amendment. It is specifically acknowledged that, during future mining operations, mining depth may be adjusted, for example, as clay lenses or silts are encountered, or as market demand for certain products varies (such as for sand availability). Mining to the maximum permitted depths may prove infeasible and/or uneconomical for CEMEX. The mining depth may also vary throughout the project site based on the actual geology.

Lake A

The approved reclamation plan authorizes mining in the Lake A area to a depth of 100 feet (330 feet msl). Additional mining for aggregate is not proposed to occur in Lake A. Accordingly, CEMEX is not proposing to increase the approved mining depth for Lake A as part of this amendment.

Lake B

The approved reclamation plan authorized mining in the Lake B area to a depth of 50 feet bgs (330–350 feet msl). In April 2013, pursuant to the authority provided in ACSMO § 6.80.120, the County administratively approved the Lake B Corrective Action Plan, a minor amendment to the approved reclamation plan, to acknowledge the deepening of the existing Lake B, within its present footprint, to a maximum elevation of 250 feet msl. As part of this reclamation plan amendment, CEMEX is proposing to increase the mining depth of Lake B to 150 feet msl.

Plant Site Area (Lake J)

The approved reclamation plan authorizes mining the plant site area to the “bottom of aggregate deposit.” CEMEX proposes to mine the plant site area to the elevation of 130 feet msl. However, CEMEX reserves its vested right to mine to the bottom of aggregate reserves should mining to depths below the elevation of 130 feet msl prove to be feasible in the future.

Mining and Reclamation Sequence/Schedule

The mining sequence and schedule is contingent upon many factors such as securing entitlements, fluctuations in market demands and need for specific aggregate product. Based on current reserves, it is conservatively estimated that mining and reclamation would be completed around the year 2056.

It is expressly understood that the proposed estimated schedule and phasing sequence is subject to changes depending on the actual geology/availability of aggregate materials, market demands, securing agency permits, the status of mining and reclamation activities at the adjoining property covered by SMP-16, regulatory and policy changes related to Zone 7, and other factors. CEMEX is interested in working with the County to establish a dynamic schedule, which can be administratively updated, for the proposed mining and reclamation activities at the project site.

Protection of Beneficial Uses of Water

One of the objectives of the reclamation plan project is to implement the Specific Plan and Zone 7 Agreement by reclaiming the excavated Chain of Lakes areas (Lakes A and B) as basins for the future creation of water storage, conveyance and recharge facilities for the Chain of Lakes. The implementation of the Chain of Lakes concept will allow Zone 7 to enhance groundwater recharge and improve reliability and sustainability of groundwater supplies in the Valley. The reclamation plan amendment is consistent with the water management objectives of the Specific Plan.

Waterways, Diversion Structures, and Erosion Control

This section provides a general overview of the proposed plan to realign the Arroyo del Valle in a portion of the Lake B area and to enhance the Arroyo del Valle corridor, and of the proposed water diversion and conveyance structures that will be installed as part of the reclamation conducted under the amended reclamation plan. Final engineered plans and specifications for those structures and facilities will be submitted to Zone 7 for review and approval prior to construction.

Arroyo del Valle Realignment and Enhancement

The reclamation plan amendment envisions the Arroyo del Valle separate from Lakes A and B while enabling Zone 7 to manage water flows for the purposes of water storage, water conveyance and groundwater recharge. Flows from the Arroyo del Valle would be unobstructed except for an environmentally sensitive in-channel rock covered grade control structure to support diversion of surface flows into Lake A.

The reclamation plan amendment does not involve the construction of any structures that would impede flood flows, with the exception of the diversion dam for the 500-cfs diversion structure to be constructed near the southeast corner of Lake A. However, the water level within the Arroyo del Valle only needs to be raised one foot to achieve the 500-cfs diversion capacity. The diversion structure proposed as part of this reclamation plan amendment will provide an obstruction that is only 3.2 feet above the creek bed, and thus will not cause flood elevations to increase to a level that would overtop the banks of the stream and would not cause inundation of structures or other land. Additionally, as part of the reclamation plan amendment, the berms along the south side of Lake A will be raised to prevent inundation of Lake A by the 100-year flood.

Under the applicant-preferred Option 1, CEMEX is proposing to reroute the Arroyo del Valle to the south of its existing location in a portion of the Lake B area, and to enhance the Arroyo del Valle streambed along Lake B to create a complex, varied streambed to provide habitat for aquatic vertebrates. Plantings would include native vegetation such as western sycamore, valley oak, red and arroyo willow, mulefat, blue elderberry, California buckeye, Fremont cottonwood, shrubs and native grasses. These native plants will be integrated into the multi-braided channel system interspersed with gravel mounds, hillocks, riffles and other naturally occurring forms and features.

If CEMEX is not able to secure the necessary government approvals from the state and federal agencies to proceed with Option 1, or is not able to secure such approvals within an acceptable time frame, either Option 2 or Option 3 will be implemented for the Lake B area to ensure continued source of permitted mining reserves. Under Option 2, the Arroyo del Valle would not be relocated nor enhanced, and CEMEX would mine the old quarry ponds and surrounding area located south of the existing Arroyo del Valle. Under Option 3, the Arroyo del Valle would not be relocated nor enhanced, and no mining would take place south of the existing Arroyo del Valle channel. All three Options for the Lake B area are included within the scope of the project and, once the project is approved by the County, would require no additional approvals and/or entitlements from the County. Implementation of which of the three Options will be CEMEX's option.

Diversion from Arroyo del Valle to Lake A

The 1981 Specific Plan states that the "diversion structure from Arroyo del Valle within Lake A into Lake C will be capable of diverting at least the first 500 cfs of flow from the Arroyo." The Specific Plan does not explicitly discuss water diversion from the Arroyo del Valle to Lake A. This lack of clarity was not an issue for the approved reclamation plan because the Arroyo del Valle was to continue flowing directly into Lake A after the project site was reclaimed. Since the project calls for the Arroyo del Valle channel to remain intact south of Lake A, direct transfer from the Arroyo del Valle to the Chain of Lakes would require a diversion structure. CEMEX retained Brown & Caldwell to develop a design concept and demonstrate that the elements of the reclamation plan designed to address diversion and conveyance into the Chain of Lakes can be feasibly constructed in compliance with the known regulatory requirements.

Fish Passage and Exclusion

This portion of the watershed does not currently support anadromous fish. Although some uncertainties exist regarding the future ability of the watershed to support anadromous fish, a diversion structure on the Arroyo del Valle is assumed to need to meet requirements for anadromous fish passage and screening. Specific criteria are described as follows:

- Fish passage: Cross-channel structures should include a passable flow bypass structure, and off-channel flow diversions should include return flow channels to avoid trapping.
- Bypass flows: Zone 7 requested that the Arroyo del Valle diversion allow for controlled diversion bypass flows of up to 40 cfs in winter/spring and 15 cfs in summer/fall (e-mail correspondence on August 16, 2013).
- Fish screening: CDFW criteria require fish screens to be sized such that the approach velocity entering the screen does not exceed 0.33 feet per second (ft/s) for all self-cleaning screens located in on-stream installations. For screens without automatic cleaning, the approach velocity is limited to one-fourth of the self-cleaning screens. Fish screens are typically sized by dividing the desired diversion flow (e.g., 500 cfs) and the limiting approach velocity (e.g., 0.33 ft/s), which results in the minimum area of fish screen required.

These criteria will be revisited during detailed design as part of consultation with CDFW. It may be feasible to request a variance from CDFW for the approach velocity restrictions during certain times

of year when fish fry are not present. For example, with such a variance, a diversion structure designed to screen 210 cfs at 0.33 ft/s approach velocity during periods when fry may be present could also be used to screen 500 cfs at 0.8 ft/s (maximum velocity allowed by CDFW) during periods of the year when anadromous fish fry are not present (likely during summer and fall).

Diversion Structure Design

Key components of the diversion include the type and height of grade control structure (i.e. diversion dam) needed and providing for fish screening and bypass in accordance with CDFW criteria. Based on the detailed engineering analysis, Brown & Caldwell identified an infiltration bed as the best alternative to divert up to 500 cfs and meet the Zone 7 and CDFW design criteria. The diversion structure will consist of a 100-foot by 200-foot by four-foot deep gravel infiltration bed adjacent to the stream channel. A rock-covered concrete grade control structure with fish bypass will provide the necessary head to inundate the gravel infiltration bed. The grade control structure will provide an obstruction that is only 3.2 feet above the creek bed and will not increase the area inundated by a 100-year flood event. Forty 100-foot long perforated horizontal drain pipes will be buried near the base of the gravel bed. The horizontal drain pipes will join along a manifold pipe that will be connected to a flow control gate. When the flow control gate is opened, water from the Arroyo del Valle will infiltrate through the gravel, be collected in the drain pipes through the manifold and pass through the flow control gate. The connection to Lake A will be completed with a 10-foot wide by 12-foot deep concrete-lined channel followed by a riprap chute extending into Lake A.

A conceptual site layout for the proposed diversion system with locations of major features will be provided in the “Biological Resources” section of the focused EIR.

Diversion Location

The Arroyo del Valle diversion structure would be located near the southeast corner of Lake A. This location would provide the most flexibility with respect to elevations and hydraulic head. At CEMEX’s direction, Brown & Caldwell investigated the possibility of moving the diversion structure downstream toward Isabel Avenue. Brown & Caldwell concluded that diversion locations closer than about 2,970 feet upstream of Isabel Avenue would not provide enough elevation difference to meet the hydraulic head requirements.

Conveyance between Lake B and Lake C

The levee between Lake B and Lake C is natural and will not be mined or reconstructed. Consistent with the approved reclamation plan and the Zone 7 Agreement, a 30-inch diameter pipe will be installed in the unmined berm between Lake B and Lake C. The invert elevation for the pipe will be approximately 350 feet msl at Lake B and approximately 349 feet msl at Lake C, providing a slope of 0.0030. Appropriate gates or other devices will be installed to control the transfer of water from one lake to another, as required by the Zone 7 Agreement. Flow between the lakes will occur by gravity, based on the head differences between Lake B and Lake C, and mechanical pumping facilities will not be installed. Depending on the head difference between the two lakes, water may flow from Lake B to Lake C or from Lake C to Lake B when the control gates are open.

The conveyance between Lake B and Lake C will be constructed in generally the same location, depth, and manner as that required in the Zone 7 Agreement and shown in the approved reclamation plan. Therefore, this water conveyance structure between Lake B and Lake C does not include any changes from the already permitted baseline conditions.

Conveyance from Lake A to Lake C

A pipe structure capable of conveying 500 cfs will be constructed under Isabel Avenue from Lake A to Lake C. This structure will allow water to be diverted from the Arroyo del Valle into Lake A to

flow into the rest of the Chain of Lakes system, meeting the objectives of the Specific Plan and the requirements of the Zone 7 Agreement.

The pipeline will consist of a buried 84-inch diameter corrugated High Density Polyethylene (HDPE) pipe from Lake A at invert elevation of 390 feet msl that passes under Isabel Avenue within a steel 108-inch diameter bore and jacked casing that conforms to State of California Department of Transportation (Caltrans) standards, turn 90-degrees to the north and continue into Lake C, exiting at invert elevation of 380 feet msl. The control valve will be constructed at the Lake A end of the pipeline.

SR 84 Widening

Under the approved reclamation plan, the entire Arroyo del Valle channel and floodplain would be mined from the east end of Lake A to the west end of Lake B. Flow from Lake A to Lake B would occur through a concrete spillway beneath Isabel Avenue. The proposed reclamation plan amendment eliminates mining in the Arroyo del Valle channel at Lake A and the eastern part of Lake B such that the channel will be preserved in its current location and configuration at Isabel Avenue. Therefore, the spillway connecting Lake A to Lake B under Isabel Avenue is unnecessary and will no longer be built.

The Caltrans SR 84 Expressway Widening Project (SR 84 Widening Project) will widen the Isabel Avenue Bridge and include a new pedestrian/bicycle trail bridge to the east of the expanded highway bridge. The Caltrans project will result in the constriction of the Arroyo del Valle channel upstream by as much as an additional 100 feet to the east of the current bridge.

The scour analysis conducted for Caltrans found that the 100-year flood event could result in up to 15 feet of scour at the piers and abutments of the widened Isabel Avenue Bridge and approximately 25 feet of scour at the piers and abutments for the new trail bridge. As part of the SR 84 Widening Project, Caltrans plans to support the piers and abutments of the highway and pedestrian/bicycle bridges with piles driven as deep as the estimated maximum depth of scour, and will enhance the existing rock slope protection (i.e., riprap).

The scour identified by Caltrans would occur at structures located upstream of the concrete spillway proposed in the approved reclamation plan, and would therefore be unaffected by the proposed amendments that eliminate the need for a spillway. Since Caltrans has identified and will implement measures to address the potential for bridge scour at the upstream structures, there is no need for further actions related to bridge scour as part of this reclamation plan amendment.

In addition, the widening of SR 84 will push back all former setbacks from SR 84 by the same distance as in the current reclamation plan, i.e., the setbacks distance remains the same but measured from a different starting point.

Regional Trail

CEMEX will enhance the previously built but not maintained recreational trail along the southern border of Lake A, as depicted in the previously approved plan (i.e., *RMC Lonestar Lake "A" Reclamation Plan East Isabel Avenue Property, Alameda County, California*). The proposed reclamation activities in the Lake A area would include a 20-foot-wide trail corridor along the southern boundary of Lake A. Once finalized, the Lake A Trail will be maintained by EBRPD, pursuant to a 1996 License Agreement. The License is in effect until 2021, or until the date on which the property is transferred to Zone 7, whichever is earlier. If EBRPD does not want the trail, CEMEX shall grant it to an appropriate alternate government agency.

With regards to the Lake B Trail System, CEMEX will cooperate with City of Pleasanton and EBRPD to develop a trail system master plan to enhance the existing bike trail by offering an average of 10 feet of CEMEX's land adjacent to the bike path along the northern side of Vineyard Avenue, from Isabel Avenue west to the southwest end of the project site.

Revegetation

Experience by the mine operator at the project site and surrounding mine operators has shown that the mined slopes revegetate naturally over time. All final slopes and disturbed areas where natural revegetation of grasses has not already occurred to the required standard of coverage density would be hydroseeded consistent with applicable regulatory requirements. The "Biological Resources" section of the focused EIR will evaluate the vegetation component of the project in detail. The reclamation plan amendment application package, on file with the County, also provides for specified revegetation requirements.

Under the applicant-preferred Option 1, CEMEX is also proposing to enhance the Arroyo del Valle streambed to create a complex, varied streambed to provide habitat for aquatic vertebrates. Plantings would include native vegetation such as western sycamore, valley oak, red and arroyo willow, mulefat, blue elderberry, California buckeye, Fremont cottonwood, shrubs and native grasses. These native plants would be integrated into the multi- braided channel system interspersed with gravel mounds, hillocks, riffles and other naturally occurring forms and features.



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

**NEIGHBORHOOD PRESERVATION
AND
SUSTAINABILITY DEPARTMENT**

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FROM:

James Gilford, Director
Alameda County Community Development Agency
224 W. Winton Avenue, Suite 110
Hayward, CA, 94544

SUBJECT: Notice of Preparation (Notice) of an Environmental Impact Report for the proposed Reclamation Plan Amendment for the Eliot Quarry Surface Mining Permit-23 (SMP-23) in Alameda County

SUMMARY:

The County of Alameda (County) is issuing this Notice to advise other agencies and the public that the County will be preparing an Environmental Impact Report (EIR) for the Eliot Quarry, Revised Surface Mining Permit (SMP-23) within a portion of unincorporated Alameda County, California. As the local land use authority, Alameda County authorizes mining activities on unincorporated lands through the issuance of Surface Mining Permits pursuant to Alameda County Code of Ordinances, Title 6: Health and Safety, Section 6.80: Surface Mining and Reclamation. The Eliot Quarry currently operates under such a County Surface Mining Permit (SMP-23), approved by Alameda County in 1987. The Project applicant, Cemex, Inc., proposes to amend the current SMP-23 Reclamation Plan as changes in circumstances at the site and in applicable regulatory requirements have necessitated the preparation of an amended Reclamation Plan. The amended Reclamation Plan addresses those changes needed and provides reclamation objectives that can be feasibly accomplished and permitted by regulatory agencies. CEMEX has therefore applied to the County for a Reclamation Plan amendment.

As compared to the approved Reclamation Plan, the proposed Project would:

- 1) Reduce surface disturbance associated with mining,
- 2) Reduce the overall mine site and reclamation area,
- 3) Retain or replace the Arroyo de Valle instead of diverting the Arroyo del Valle into Lake A,
- 4) Reclaim Lake A with limited earthmoving and no additional depth in mining,
- 5) Provide a corridor for a multiuse public trail along the entire southern portion of the Project site, and

- 6) Revise the currently effective Reclamation Plan to address an option of creating an additional lake and relocating and replacing processing facilities.

The proposed reclamation plan amendment would still achieve prior commitments to provide for water storage and water conveyance under reclaimed conditions.

In considering the application and the discretionary action of approving the proposed Reclamation Plan Amendment (the “Project”), the County has is required to conduct environmental review pursuant to the California Environmental Quality Act (CEQA), and has determined that an Environmental Impact Report (EIR) will be required. The EIR for this project will be prepared in compliance with the California Environmental Quality Act (CEQA) and all relevant state and federal laws. The County will serve as the lead agency under CEQA for preparation of the EIR. The County is issuing this Notice to alert interested parties and to solicit public and agency input into the development of the scope of the EIR. The County invites all interested individuals, organizations, public agencies, and Native American Tribes to comment on the scope of the EIR.

The County encourages broad participation in the EIR process during scoping and review of the resulting environmental documents. Comments and suggestions are invited from all interested agencies, organizations, Native American Tribes, and the public at large so that the full range of issues related to the proposed Project and all reasonable alternatives are addressed and that all significant issues are identified. In particular, the County is interested in learning whether there are areas of environmental concern where there might be a potential for significant impacts. For all potentially significant impacts, the EIR will identify mitigation measures, where feasible, to reduce or avoid these impacts. Public outreach activities conducted by the County and its representatives will be considered in the preparation of the EIR. Public agencies with jurisdiction over any aspect of the Project are requested to advise the County of the applicable permit and environmental review requirements of each agency, and the scope and content of the environmental information that is germane to the agency’s statutory responsibilities. Public agencies are requested to advise the County if they anticipate taking any jurisdictional actions in connection with the proposed Project, and if they wish to cooperate in the preparation of the EIR.

DATES: Due to the time limits mandated by state law, public agencies are requested to send their responses to this Notice to the County at the address provided below at the earliest possible date, but not later than 30 days after receipt of this Notice. Members of the general public should provide scoping comments by August 10, 2015. A public scoping meeting is scheduled on July 30, 2015 at the time and location listed below.

ADDRESSES: Written comments on the scope of the EIR or requests for further information should be sent to:

Mr. James Gilford, Deputy Director
Alameda County Community Development Agency
224 W. Winton Avenue, Suite 110
Hayward, CA, 94544

or via e-mail with subject line "SMP-23 Reclamation Plan Amendment EIR" to:
james.gilford@acgov.org

Agency and public comments may also be provided orally or in writing at the scoping meeting scheduled to be held at the following time and location:

Robert Livermore Community Center
4444 East Avenue, Livermore, CA 94550
July 30, 2015
6:00 p.m. to 8:00 p.m.

EIR scoping materials will also be made available through the County's Internet site at:

www.acgov.org/cda/planning/landuseprojects/currentprojects/

NOTICE OF PREPARATION

SCH NUMBER: TBD

RECLAMATION PLAN AMENDMENT FOR SURFACE MINING PERMIT (SMP)-23 CEMEX ELIOT FACILITY PROJECT

Prepared For:

COUNTY OF ALAMEDA
Community Development Agency
224 West Winton Avenue
Hayward, CA 94544



PREPARED BY:

LAMPHIER -GREGORY
1944 EMBARCADERO
OAKLAND, CA 94606

June 2015



INTRODUCTION

Purpose of the Document

This document serves as the Notice of Preparation of an Environmental Impact Report (EIR) for the proposed *Reclamation Plan Amendment for SMP-23, Eliot Quarry Project*, which is a modification to an existing reclamation plan as previously approved by Alameda County (County) in 1987 and last amended in 2013. SMP-23 is an approximately 966-acre site that has been approved for a sand and gravel mining and production facility. The project purpose is to revise the approved reclamation plan to accommodate changed circumstances and to reflect regulatory changes that have occurred since 1987.

The County has determined that an EIR will be required to provide the necessary environmental review for all discretionary approvals and actions necessary for this project.

This project description has been prepared to provide information about the proposed project as necessary for the preparation of documentation to support the County's California Environmental Quality Act (CEQA) review. A key element in understanding the project and CEQA review is recognizing that the mining and processing operations at the Eliot site (owned by CEMEX Construction Materials Pacific, LLC [CEMEX]) are vested. Therefore, mining and processing at the site are not subject to the discretionary decisions that the County will make regarding the proposed reclamation plan amendment. The project that the County is evaluating under CEQA is the differences between reclamation of the site under the existing approved reclamation plan and reclamation of the site under the proposed reclamation plan amendment. Thus, information regarding the existing mining and processing operations at the site is provided for context of the environmental setting. The discussion focuses on describing the differences between the existing and proposed reclamation scenarios. As compared to the approved reclamation plan, the proposed project would (1) reduce surface disturbance associated with mining, (2) reduce the overall mine site and reclamation area, (3) reroute the Arroyo del Valle to the south of its current location in a portion of Lake B area or retain the Arroyo de Valle in its current location south of Lakes A and B instead of diverting the Arroyo del Valle into Lakes A and B, (4) reclaim Lake A with limited earthmoving and no additional depth in mining, (5) provide a corridor for a multiuse public trail along the southern portion of Lakes A and B, and (6) revise the reclamation plan to add further specificity to the option that is contained in the approved reclamation plan of creating an additional lake (Lake J). The proposed reclamation plan amendment would still achieve the same end use that provides for water storage and water conveyance under reclaimed conditions.

The following project description provides more detailed information about the proposed project, including its location and setting.

Public Review

The Notice of Preparation will be circulated for a 30-day public review period. Written comments may be submitted to the following address:

Mr. James Gilford, Director
Alameda County Community Development Agency
Neighborhood Preservation and Sustainability Department
224 W. Winton Avenue, Suite 110
Hayward, CA 94544
E-mail: james.gilford@acgov.org

General Project Information

Project Title: Reclamation Plan Amendment For Surface Mining Permit (SMP)-23 Cemex Eliot Facility Project

Lead Agency:

Alameda County Community Development Agency
Neighborhood Preservation and Sustainability Department
224 W. Winton Avenue, Suite 110
Hayward, CA 94544

Contact:

Mr. James Gilford, Director
Neighborhood Preservation and Sustainability Department
224 W. Winton Avenue, Suite 110
Hayward, CA 94544
Telephone: (510) 670-6437
E-mail: james.gilford@acgov.org

Project Location: The project site consists of approximately 966 acres situated between the cities of Pleasanton and Livermore, south of Interstate 580 and Stanley Boulevard in the Livermore-Amador Valley, north of Vineyard Avenue, and both east and west of Isabel Avenue (State Route 84 [SR 84]).

The site includes Alameda County Assessor's parcel numbers (APNs) 946-1350-9-19, 946-1350-9-12, 946-1350-10-5, 904-6-1-18, 904-6-2 (part), 904-8-1-2, 904-8-1-3, 950-6-1-5, 950-6-3-9, 946-4598-19 and 99-290-11-7.

Project Sponsor: CEMEX Construction Materials Pacific, LLC, is the current leaseholder/operator of the Cemex Eliot Facility.

Ron Wilson
CEMEX Construction Materials Pacific, LLC
5180 Golden Foothill Pkwy., Suite 200
El Dorado Hills, CA 95762
Telephone: (916) 941-2852
E-mail: ronaldd.wilson@cemex.com

General Plan Designation: The project site is designated on the *Alameda County General Plan, East County Area Plan* (ECAP) Diagram as "Large Parcel Agricultural" and "Water Management." The Water Management land use designation provides for sand and gravel quarries, reclaimed quarry lakes, watershed lands, arroyos, and similar and compatible uses. Sand and gravel quarries allow a range of uses including sand and gravel processing, associated manufacturing and recycling uses requiring proximity to quarries, reclamation pits and public use areas.

The ECAP also contains land use policies pertaining to quarries and Regionally Significant Aggregate Resource Areas. The goal for these special land use policies is to "recognize the regional value of the County's construction aggregate resources and to ensure compatibility between quarry operations and surrounding land uses."

The ECAP also contains policies that place strict limits on where new mine excavations may be conducted. ECAP Policy 155 provides that, "Except to the extent required by State law, no new quarry or

other open-pit mine may be approved by the County outside the Urban Growth Boundary, unless approved by the voters of Alameda County. Excavation not adjacent to an existing quarry site and on the same or an adjoining parcel shall be regarded as a new quarry.”

Zoning: The zoning for the project site is Agricultural-100 acre minimum district (A-100). The County Zoning Ordinance defers to the Surface Mining and Reclamation Ordinance. Mining activities are permitted within any County zoning designation, including Agriculturally designated lands, subject to the provisions of the Surface Mining and Reclamation Ordinance.

As the local land use authority, Alameda County authorizes mining activities on unincorporated lands through the issuance of Surface Mining Permits and approval of reclamation plans pursuant to Alameda County Code of Ordinances, Title 6: Health and Safety, Section 6.80: Surface Mining and Reclamation. The provisions of the County’s Surface Mining and Reclamation apply to all lands within the County, both public and private. As provided by this ordinance, surface mining operations are permitted only upon County approval of a surface mining permit (or existence of vested rights), reclamation plan, and financial assurances for reclamation.

Setting/Background: CEMEX operates the Eliot facility, a 966-acre sand and gravel mining operation within the unincorporated area of the County, between the cities of Livermore and Pleasanton, south of Stanley Boulevard and north of Vineyard Avenue. CEMEX’s mining operation at the Eliot site is vested as documented in Alameda County Quarry Permits Q-1 (1957), Q-4 (1957), and Q-76 (1969). In 1987, the County approved SMP-23, a reclamation plan for the Eliot facility, and that plan is the “approved reclamation plan” currently applicable to the site.

Changes in circumstances at the site and in applicable regulatory requirements have necessitated the preparation of an amended reclamation plan that addresses these changes and provides reclamation objectives that can be feasibly accomplished and permitted by regulatory agencies. CEMEX has therefore applied to the County for a reclamation plan amendment. In considering the application and the discretionary action of approving the proposed reclamation plan amendment (the “proposed project” or “project”), the County is required to conduct environmental review pursuant to CEQA.

The project site is predominated by mining and processing facilities associated with CEMEX’s operation. The eastern portion of the site (east of Isabel Avenue) contains “Lake A,” a formerly mined area that contains water due primarily to the infiltration of groundwater. South of Lake A is the eastern portion of the segment of the Arroyo del Valle, which is a perennial stream that runs east-west along the southern portion of the site. The portion of the site west of Isabel Avenue contains “Lake B,” which is a recently mined area with a mine pit approximately 100 to 130 feet deep. The Arroyo del Valle continues east-west along the southern portion of this area of the site before merging with Arroyo de la Laguna near Interstate 680 and Bernal Road. Arroyo de la Laguna flows into Alameda Creek south of Sunol. North of Lake B are CEMEX’s currently operating materials processing facility and stockpile areas. CEMEX current mining operations are being conducted in an area referred to as Lake J. Additional uses include processing activities, stockpiles, administrative offices, a truck scale and other facilities related to mining and processing. See Figure 2, Current Facility and Surrounding Land Uses, in the attached Initial Study.

Surrounding Land Uses: Land uses adjacent to the project site include other mining operations, open space areas, recreational facilities, transportation corridors and residential development. A separate mining operation subject to Surface Mining Permit and Reclamation Plan 16 (SMP-16), currently operated by CalMat Co., dba Vulcan Materials Company, abuts the project site’s eastern and northern border of Lake B. The East Bay Regional Park District (EBRPD) Shadow Cliffs Recreation Area, a reclaimed surface mine that now includes a lake and shoreline facilities available for public use, abuts the project site’s northwestern border. The Ruby Hills residential subdivision in the city of Pleasanton is

located across Vineyard Avenue to the south of the Lake B portion of the project site. Residential uses are also located in the city of Livermore, north of the Lake A area of the project site.

Other Public Agencies Whose Approval May Be Required: The discretionary actions to be considered by the County, serving as lead agency under CEQA, include approval of an amendment to the existing reclamation plan (SMP-23), which was approved by Alameda County in 1987 and last amended in 2013, in compliance with the California Surface Mining and Reclamation Act (SMARA).

Other public agencies whose approval may be necessary to implement this plan, and who may need to rely on the Project's CEQA documentation pursuant to their subsequent decision-making, include:

- California Department of Conservation, Office of Mine Reclamation (Release of Financial Assurance)
- Regional Water Quality Control Board (401 Certification)
- California Department of Fish and Wildlife (CDFW) (Streambed Alteration Agreement and possibly CESA Permit)
- U.S. Fish and Wildlife Service (Section 7 Consultation; potentially Incidental Take Statement)
- U.S. Army Corps of Engineers (404 Permit)

PROJECT DESCRIPTION

Current SMP-23 Reclamation Plan Activities

While mining activities at the project site began before 1900, a reclamation plan was not approved for the project site until 1987, when the County approved SMP-23. SMP-23 is not a mining permit for the site. SMP-23 is a reclamation plan approved pursuant to SMARA and the Alameda County Surface Mining Ordinance (ACSMO). Pursuant to SMP-23 Condition 30, the reclamation plan will remain in effect so long as the underlying Q-1 Permit remains active.

The approved reclamation plan includes the retention of Lakes A and B after mining and the dedication of these lakes to Zone 7 as designated by the 1981 Specific Plan for Livermore-Amador Valley Quarry Area Reclamation (Specific Plan). The approved reclamation plan also includes an optional lake (referred to as "Lake J") at the current processing plant site. The lakes are located on-site as described below:

- Lake A is a mined area located north of Vineyard Avenue, between Isabel Avenue/SR 84 and Vallecitos Road. Lake A has not been mined to the full extent anticipated in the approved reclamation plan.
- Lake B is a mined area located north of Vineyard Avenue, west of Isabel Avenue/SR 84. Lake B has not been mined to the full internal extent anticipated in the approved reclamation plan. In fact, areas to include portions of Lake B as identified in the approved reclamation plan now include a segment of Vineyard Avenue and residential development to the south of Vineyard Avenue. (See Figure 5, "Approved (1987) Reclamation Plan.")
- As currently approved, the southeast end of a "Lake C", west of Isabel Avenue and north of Lake B, is to extend into the approved reclamation plan area north of the eastern portion of Lake B.
- The Lake J area is located in the northwestern portion of the site, to the south of Stanley Boulevard and to the east of the Shadow Cliffs Regional Recreation Area. Mining has recently been initiated in this area, and processing facilities that had been located here are being relocated to areas south of the Lake J mining area. When reclaimed, Lake J would not be part of the Chain of Lakes and would not be granted to Zone 7. Instead, Lake J will be reclaimed by CEMEX or its

successors for open space and/or agricultural purposes. This lake was specified as Option #2 in the approved plan.

The 1981 Specific Plan depicts rerouting the Arroyo del Valle along the southern boundaries of Lake A and Lake B. However, the 1987 approved reclamation plan provides for the Arroyo del Valle to be eliminated and diverted into the eastern end of Lake A and then into Lake B. Lake A has not been mined to the full extent anticipated in the approved reclamation plan, and the diversion/elimination of the Arroyo del Valle has not occurred.

After the 1987 reclamation plan was approved, CEMEX's predecessor prepared plans for water conveyance facilities. Those plans, which the County subsequently approved, have not been implemented. These water conveyance facilities included:

- a 40-foot concrete spillway collecting flows from the Arroyo del Valle (under Vallecitos Road) before those flows descend 50 feet, at a slope of 2:1, into Lake A;
- an earth- and rock-lined structure to collect overflows within Lake A before conveying them under Isabel Avenue/SR 84 in a 40-foot concrete spillway to Lake B;
- an underground concrete pipe between Lake A and Lake C, which terminates at a spillway dropping water up to 70 feet down a 2:1 slope;
- an underground 30-inch concrete pipe between Lake C and Lake B; and
- a concrete and riprap apron along the western boundary of Lake B allowing overflow to continue down the Arroyo del Valle channel.

Since 1987, significant changes have occurred in both the regulatory setting that applies to the project site and physical conditions near the project site (e.g., new regulations related to biological resources, residential development in neighboring areas, widening of Isabel Avenue/SR 84). The changed circumstances prompted County staff to recommend that the approved reclamation plan be revised to reflect the changed physical and regulatory conditions and to ensure that reclamation is feasible and carried out in harmony with all controlling regulatory requirements. In addition, CEMEX wanted to remove from the reclamation plan the previously approved concrete spillways because they are not environmentally sensitive.

Mining in the Lake A area, north of the Arroyo del Valle, began in the late 1990s. The approved reclamation plan was originally approved when the property to the north of Lake A was zoned agricultural and was within the jurisdiction of Alameda County. Over the years, the zoning was changed to residential, the property was annexed to the City of Livermore, and houses were built adjacent to Lake A.

To accommodate mining, the Arroyo del Valle along the southern boundary of Lake A was relocated to the south in the mid-1990s with the authorization of a § 1602 Lake and Streambed Alteration Agreement from the California Department of Fish and Game (Notification 1600-2004-0214-3). That agreement expired on December 31, 2009.

Mining in the Lake A area continued until approximately 2003, when CEMEX discontinued mining to address neighborhood concerns caused by a potential subsurface slide. All Lake A slopes are currently 2:1 (horizontal to vertical) or flatter with maximum depths of 100 feet below ground surface (bgs).

Mining of Lake B and Lake J is in progress pursuant to CEMEX's vested rights and the approved reclamation plan.

Proposed Project Description

The project purpose is to revise the approved reclamation plan to accommodate changed circumstances and to reflect regulatory changes that have occurred since 1987.

Project Objectives

The reclamation plan amendment provides site-specific actions designed to meet the applicable statutory and regulatory requirements. The proposed reclamation plan amendment includes the following objectives:

- to implement the Specific Plan and the 1988 Agreement with Zone 7 (Zone 7 Agreement) by reclaiming the excavated areas as basins (Lake A and Lake B) for the future creation of water storage, conveyance and recharge facilities for the Chain of Lakes;
- to reclaim the existing processing plant area, after mining, as Lake J to be owned and maintained by CEMEX for open space and/or agricultural purposes;
- to implement backfilling and resoiling of other mined areas to reclaim those areas for open space, recreational, and/or agricultural use consistent with the County's General Plan and Zoning Ordinance;
- to eliminate the need for concrete spillways and concrete and riprap apron and enable the Arroyo del Valle to flow uninterrupted along the south boundary of Lakes A and B; and
- to adjust configuration of Lake B to allow for a wildlife corridor that includes the rerouted Arroyo del Valle (under Option 1) and adjust the ultimate depth of Lake B to 150 feet mean sea level (msl).

Project Description Elements

Maximum Mining Depth

This section describes the current reclamation plan approval for maximum mining depths at the project site and the changes proposed by CEMEX. CEMEX has a vested right to mine to these depths but does require a reclamation plan amendment. It is specifically acknowledged that, during future mining operations, mining depth may be adjusted, for example, as clay lenses or silts are encountered, or as market demand for certain products varies (such as for sand availability). Mining to the maximum permitted depths may prove infeasible and/or uneconomical for CEMEX. The mining depth may also vary throughout the project site based on the actual geology.

Lake A

The approved reclamation plan authorizes mining in the Lake A area to a depth of 100 feet (330 feet msl). Additional mining for aggregate is not proposed to occur in Lake A. Accordingly, CEMEX is not proposing to increase the approved mining depth for Lake A as part of this amendment.

Lake B

The approved reclamation plan authorized mining in the Lake B area to a depth of 50 feet bgs (330–350 feet msl). In April 2013, pursuant to the authority provided in ACSMO § 6.80.120, the County administratively approved the Lake B Corrective Action Plan, a minor amendment to the approved reclamation plan, to acknowledge the deepening of the existing Lake B, within its present footprint, to a maximum elevation of 250 feet msl. As part of this reclamation plan amendment, CEMEX is proposing to increase the mining depth of Lake B to 150 feet msl.

Plant Site Area (Lake J)

The approved reclamation plan authorizes mining the plant site area to the “bottom of aggregate deposit.” CEMEX proposes to mine the plant site area to the elevation of 130 feet msl. However, CEMEX reserves its vested right to mine to the bottom of aggregate reserves should mining to depths below the elevation of 130 feet msl prove to be feasible in the future.

Mining and Reclamation Sequence/Schedule

The mining sequence and schedule is contingent upon many factors such as securing entitlements, fluctuations in market demands and need for specific aggregate product. Based on current reserves, it is conservatively estimated that mining and reclamation would be completed around the year 2056.

It is expressly understood that the proposed estimated schedule and phasing sequence is subject to changes depending on the actual geology/availability of aggregate materials, market demands, securing agency permits, the status of mining and reclamation activities at the adjoining property covered by SMP-16, regulatory and policy changes related to Zone 7, and other factors. CEMEX is interested in working with the County to establish a dynamic schedule, which can be administratively updated, for the proposed mining and reclamation activities at the project site.

Protection of Beneficial Uses of Water

One of the objectives of the reclamation plan project is to implement the Specific Plan and Zone 7 Agreement by reclaiming the excavated Chain of Lakes areas (Lakes A and B) as basins for the future creation of water storage, conveyance and recharge facilities for the Chain of Lakes. The implementation of the Chain of Lakes concept will allow Zone 7 to enhance groundwater recharge and improve reliability and sustainability of groundwater supplies in the Valley. The reclamation plan amendment is consistent with the water management objectives of the Specific Plan.

Waterways, Diversion Structures, and Erosion Control

This section provides a general overview of the proposed plan to realign the Arroyo del Valle in a portion of the Lake B area and to enhance the Arroyo del Valle corridor, and of the proposed water diversion and conveyance structures that will be installed as part of the reclamation conducted under the amended reclamation plan. Final engineered plans and specifications for those structures and facilities will be submitted to Zone 7 for review and approval prior to construction.

Arroyo del Valle Realignment and Enhancement

The reclamation plan amendment envisions the Arroyo del Valle separate from Lakes A and B while enabling Zone 7 to manage water flows for the purposes of water storage, water conveyance and groundwater recharge. Flows from the Arroyo del Valle would be unobstructed except for an environmentally sensitive in-channel rock covered grade control structure to support diversion of surface flows into Lake A.

The reclamation plan amendment does not involve the construction of any structures that would impede flood flows, with the exception of the diversion dam for the 500-cfs diversion structure to be constructed near the southeast corner of Lake A. However, the water level within the Arroyo del Valle only needs to be raised one foot to achieve the 500-cfs diversion capacity. The diversion structure proposed as part of this reclamation plan amendment will provide an obstruction that is only 3.2 feet above the creek bed, and thus will not cause flood elevations to increase to a level that would overtop the banks of the stream and would not cause inundation of structures or other land. Additionally, as part of the reclamation plan amendment, the berms along the south side of Lake A will be raised to prevent inundation of Lake A by the 100-year flood.

Under the applicant-preferred Option 1, CEMEX is proposing to reroute the Arroyo del Valle to the south of its existing location in a portion of the Lake B area, and to enhance the Arroyo del Valle streambed along Lake B to create a complex, varied streambed to provide habitat for aquatic vertebrates. Plantings would include native vegetation such as western sycamore, valley oak, red and arroyo willow, mulefat, blue elderberry, California buckeye, Fremont cottonwood, shrubs and native grasses. These native plants will be integrated into the multi-braided channel system interspersed with gravel mounds, hillocks, riffles and other naturally occurring forms and features.

If CEMEX is not able to secure the necessary government approvals from the state and federal agencies to proceed with Option 1, or is not able to secure such approvals within an acceptable time frame, either Option 2 or Option 3 will be implemented for the Lake B area to ensure continued source of permitted mining reserves. Under Option 2, the Arroyo del Valle would not be relocated nor enhanced, and CEMEX would mine the old quarry ponds and surrounding area located south of the existing Arroyo del Valle. Under Option 3, the Arroyo del Valle would not be relocated nor enhanced, and no mining would take place south of the existing Arroyo del Valle channel. All three Options for the Lake B area are included within the scope of the project and, once the project is approved by the County, would require no additional approvals and/or entitlements from the County. Implementation of which of the three Options will be CEMEX's option.

Diversion from Arroyo del Valle to Lake A

The 1981 Specific Plan states that the "diversion structure from Arroyo del Valle within Lake A into Lake C will be capable of diverting at least the first 500 cfs of flow from the Arroyo." The Specific Plan does not explicitly discuss water diversion from the Arroyo del Valle to Lake A. This lack of clarity was not an issue for the approved reclamation plan because the Arroyo del Valle was to continue flowing directly into Lake A after the project site was reclaimed. Since the project calls for the Arroyo del Valle channel to remain intact south of Lake A, direct transfer from the Arroyo del Valle to the Chain of Lakes would require a diversion structure. CEMEX retained Brown & Caldwell to develop a design concept and demonstrate that the elements of the reclamation plan designed to address diversion and conveyance into the Chain of Lakes can be feasibly constructed in compliance with the known regulatory requirements.

Fish Passage and Exclusion

This portion of the watershed does not currently support anadromous fish. Although some uncertainties exist regarding the future ability of the watershed to support anadromous fish, a diversion structure on the Arroyo del Valle is assumed to need to meet requirements for anadromous fish passage and screening. Specific criteria are described as follows:

- Fish passage: Cross-channel structures should include a passable flow bypass structure, and off-channel flow diversions should include return flow channels to avoid trapping.
- Bypass flows: Zone 7 requested that the Arroyo del Valle diversion allow for controlled diversion bypass flows of up to 40 cfs in winter/spring and 15 cfs in summer/fall (e-mail correspondence on August 16, 2013).
- Fish screening: CDFW criteria require fish screens to be sized such that the approach velocity entering the screen does not exceed 0.33 feet per second (ft/s) for all self-cleaning screens located in on-stream installations. For screens without automatic cleaning, the approach velocity is limited to one-fourth of the self-cleaning screens. Fish screens are typically sized by dividing the desired diversion flow (e.g., 500 cfs) and the limiting approach velocity (e.g., 0.33 ft/s), which results in the minimum area of fish screen required.

These criteria will be revisited during detailed design as part of consultation with CDFW. It may be feasible to request a variance from CDFW for the approach velocity restrictions during certain times

of year when fish fry are not present. For example, with such a variance, a diversion structure designed to screen 210 cfs at 0.33 ft/s approach velocity during periods when fry may be present could also be used to screen 500 cfs at 0.8 ft/s (maximum velocity allowed by CDFW) during periods of the year when anadromous fish fry are not present (likely during summer and fall).

Diversion Structure Design

Key components of the diversion include the type and height of grade control structure (i.e. diversion dam) needed and providing for fish screening and bypass in accordance with CDFW criteria. Based on the detailed engineering analysis, Brown & Caldwell identified an infiltration bed as the best alternative to divert up to 500 cfs and meet the Zone 7 and CDFW design criteria. The diversion structure will consist of a 100-foot by 200-foot by four-foot deep gravel infiltration bed adjacent to the stream channel. A rock-covered concrete grade control structure with fish bypass will provide the necessary head to inundate the gravel infiltration bed. The grade control structure will provide an obstruction that is only 3.2 feet above the creek bed and will not increase the area inundated by a 100-year flood event. Forty 100-foot long perforated horizontal drain pipes will be buried near the base of the gravel bed. The horizontal drain pipes will join along a manifold pipe that will be connected to a flow control gate. When the flow control gate is opened, water from the Arroyo del Valle will infiltrate through the gravel, be collected in the drain pipes through the manifold and pass through the flow control gate. The connection to Lake A will be completed with a 10-foot wide by 12-foot deep concrete-lined channel followed by a riprap chute extending into Lake A.

A conceptual site layout for the proposed diversion system with locations of major features will be provided in the “Biological Resources” section of the focused EIR.

Diversion Location

The Arroyo del Valle diversion structure would be located near the southeast corner of Lake A. This location would provide the most flexibility with respect to elevations and hydraulic head. At CEMEX’s direction, Brown & Caldwell investigated the possibility of moving the diversion structure downstream toward Isabel Avenue. Brown & Caldwell concluded that diversion locations closer than about 2,970 feet upstream of Isabel Avenue would not provide enough elevation difference to meet the hydraulic head requirements.

Conveyance between Lake B and Lake C

The levee between Lake B and Lake C is natural and will not be mined or reconstructed. Consistent with the approved reclamation plan and the Zone 7 Agreement, a 30-inch diameter pipe will be installed in the unmined berm between Lake B and Lake C. The invert elevation for the pipe will be approximately 350 feet msl at Lake B and approximately 349 feet msl at Lake C, providing a slope of 0.0030. Appropriate gates or other devices will be installed to control the transfer of water from one lake to another, as required by the Zone 7 Agreement. Flow between the lakes will occur by gravity, based on the head differences between Lake B and Lake C, and mechanical pumping facilities will not be installed. Depending on the head difference between the two lakes, water may flow from Lake B to Lake C or from Lake C to Lake B when the control gates are open.

The conveyance between Lake B and Lake C will be constructed in generally the same location, depth, and manner as that required in the Zone 7 Agreement and shown in the approved reclamation plan. Therefore, this water conveyance structure between Lake B and Lake C does not include any changes from the already permitted baseline conditions.

Conveyance from Lake A to Lake C

A pipe structure capable of conveying 500 cfs will be constructed under Isabel Avenue from Lake A to Lake C. This structure will allow water to be diverted from the Arroyo del Valle into Lake A to

flow into the rest of the Chain of Lakes system, meeting the objectives of the Specific Plan and the requirements of the Zone 7 Agreement.

The pipeline will consist of a buried 84-inch diameter corrugated High Density Polyethylene (HDPE) pipe from Lake A at invert elevation of 390 feet msl that passes under Isabel Avenue within a steel 108-inch diameter bore and jacked casing that conforms to State of California Department of Transportation (Caltrans) standards, turn 90-degrees to the north and continue into Lake C, exiting at invert elevation of 380 feet msl. The control valve will be constructed at the Lake A end of the pipeline.

SR 84 Widening

Under the approved reclamation plan, the entire Arroyo del Valle channel and floodplain would be mined from the east end of Lake A to the west end of Lake B. Flow from Lake A to Lake B would occur through a concrete spillway beneath Isabel Avenue. The proposed reclamation plan amendment eliminates mining in the Arroyo del Valle channel at Lake A and the eastern part of Lake B such that the channel will be preserved in its current location and configuration at Isabel Avenue. Therefore, the spillway connecting Lake A to Lake B under Isabel Avenue is unnecessary and will no longer be built.

The Caltrans SR 84 Expressway Widening Project (SR 84 Widening Project) will widen the Isabel Avenue Bridge and include a new pedestrian/bicycle trail bridge to the east of the expanded highway bridge. The Caltrans project will result in the constriction of the Arroyo del Valle channel upstream by as much as an additional 100 feet to the east of the current bridge.

The scour analysis conducted for Caltrans found that the 100-year flood event could result in up to 15 feet of scour at the piers and abutments of the widened Isabel Avenue Bridge and approximately 25 feet of scour at the piers and abutments for the new trail bridge. As part of the SR 84 Widening Project, Caltrans plans to support the piers and abutments of the highway and pedestrian/bicycle bridges with piles driven as deep as the estimated maximum depth of scour, and will enhance the existing rock slope protection (i.e., riprap).

The scour identified by Caltrans would occur at structures located upstream of the concrete spillway proposed in the approved reclamation plan, and would therefore be unaffected by the proposed amendments that eliminate the need for a spillway. Since Caltrans has identified and will implement measures to address the potential for bridge scour at the upstream structures, there is no need for further actions related to bridge scour as part of this reclamation plan amendment.

In addition, the widening of SR 84 will push back all former setbacks from SR 84 by the same distance as in the current reclamation plan, i.e., the setbacks distance remains the same but measured from a different starting point.

Regional Trail

CEMEX will enhance the previously built but not maintained recreational trail along the southern border of Lake A, as depicted in the previously approved plan (i.e., *RMC Lonestar Lake "A" Reclamation Plan East Isabel Avenue Property, Alameda County, California*). The proposed reclamation activities in the Lake A area would include a 20-foot-wide trail corridor along the southern boundary of Lake A. Once finalized, the Lake A Trail will be maintained by EBRPD, pursuant to a 1996 License Agreement. The License is in effect until 2021, or until the date on which the property is transferred to Zone 7, whichever is earlier. If EBRPD does not want the trail, CEMEX shall grant it to an appropriate alternate government agency.

With regards to the Lake B Trail System, CEMEX will cooperate with City of Pleasanton and EBRPD to develop a trail system master plan to enhance the existing bike trail by offering an average of 10 feet of CEMEX’s land adjacent to the bike path along the northern side of Vineyard Avenue, from Isabel Avenue west to the southwest end of the project site.

Revegetation

Experience by the mine operator at the project site and surrounding mine operators has shown that the mined slopes revegetate naturally over time. All final slopes and disturbed areas where natural revegetation of grasses has not already occurred to the required standard of coverage density would be hydroseeded consistent with applicable regulatory requirements. The “Biological Resources” section of the focused EIR will evaluate the vegetation component of the project in detail. The reclamation plan amendment application package, on file with the County, also provides for specified revegetation requirements.

Under the applicant-preferred Option 1, CEMEX is also proposing to enhance the Arroyo del Valle streambed to create a complex, varied streambed to provide habitat for aquatic vertebrates. Plantings would include native vegetation such as western sycamore, valley oak, red and arroyo willow, mulefat, blue elderberry, California buckeye, Fremont cottonwood, shrubs and native grasses. These native plants would be integrated into the multi- braided channel system interspersed with gravel mounds, hillocks, riffles and other naturally occurring forms and features.

INITIAL STUDY CHECKLIST

Environmental Factors Potentially Affected

Environmental factors which may be affected by the Project are listed alphabetically below.

Factors marked with a filled in block (☑) have been determined to be potentially affected by the Project, involving at least one impact that has been identified as a “Potentially Significant Impact.

Unmarked factors were determined to be either not significantly affected by the Project, adequately examined under previous CEQA documents, or fully mitigated through implementation of conditions of approval or revised mitigation measures adopted by the County of Alameda as both lead agency.

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Climate Change and Greenhouse Gas Emissions | <input type="checkbox"/> Cultural Resources |
| <input checked="" type="checkbox"/> Geology/Soils | <input type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology and Water Quality |
| <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation and Traffic | <input type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

Lead Agency Determination

The Lead Agency for this project is the County of Alameda. On the basis of this initial evaluation:

- I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed Project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed Project, an EIR Addendum is required.

James Gilford, Director

July 10, 2015

Date



Environmental Checklist Form
Prepared Pursuant to the California Environmental Quality Act (CEQA)

Chris Bazar
Agency Director

Albert Lopez
Planning Director

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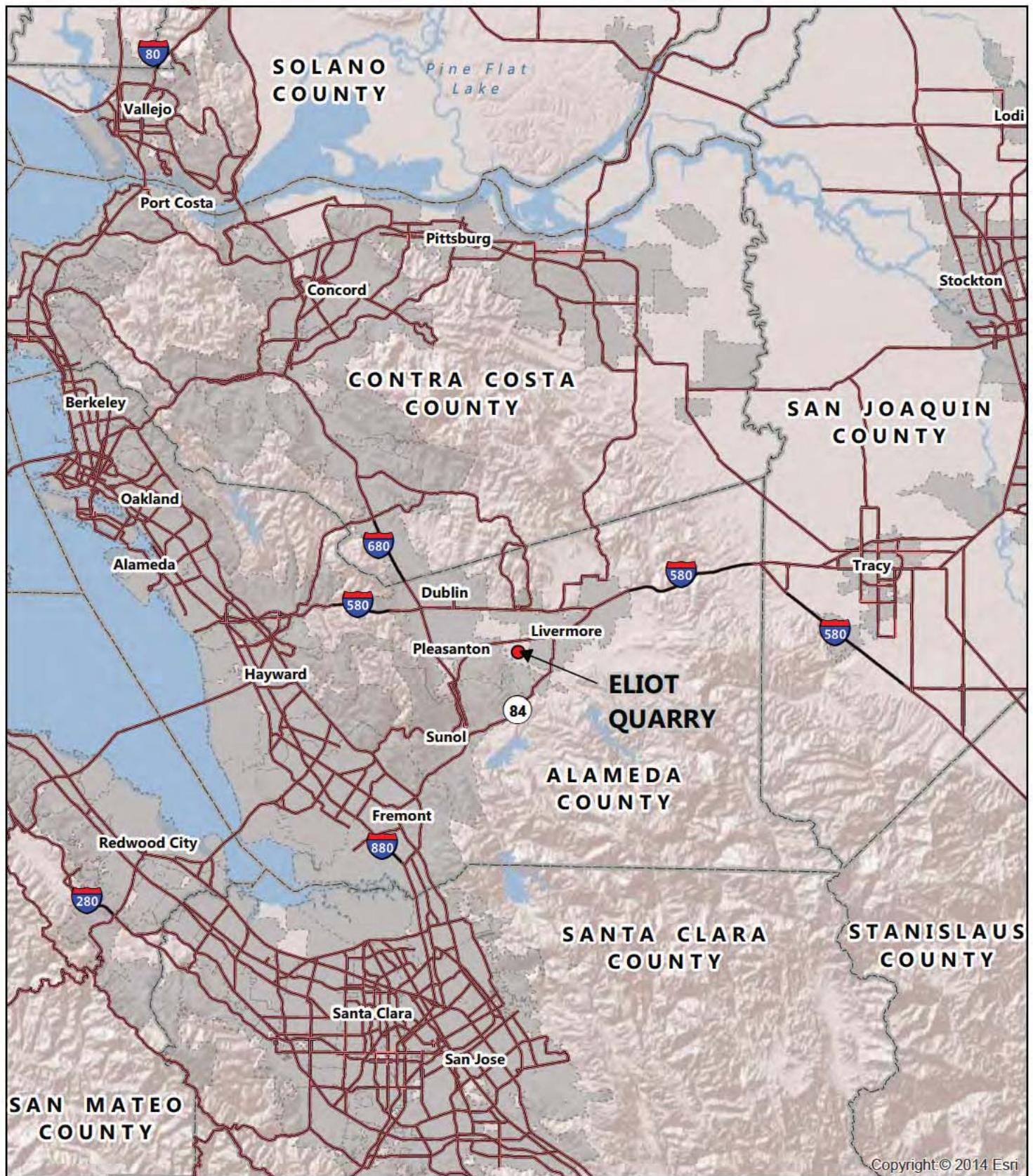
www.acgov.org/cda

A. PROJECT DESCRIPTION

- 1. Project Title:** Eliot Facility (SMP-23) Reclamation Plan Amendment
- 2. Project Location:** The project site is situated between the cities of Pleasanton and Livermore, south of Interstate 580 and Stanley Boulevard in the Livermore-Amador Valley, north of Vineyard Avenue, and both east and west of Isabel Avenue (State Route 84 [SR 84]) (see Figure 1, "Regional Location").
- 3. Project Sponsor's Name and Address:**
CEMEX Construction Materials Pacific, LLC
5180 Golden Foothill Parkway, Suite 200
El Dorado Hills, CA 95762-9608
- 4. General Plan Designation:** Large Parcel Agricultural and Water Management
- 5. Zoning:** Agricultural-100 Acre Minimum District (A-100)
- 6. Description of Project:** CEMEX Construction Materials Pacific, LLC (Applicant), operates the Eliot facility (also known as Surface Mining Permit-23 or SMP-23), a 966-acre sand and gravel mining operation. The Applicant's mining operation at the Eliot site is vested as documented in Alameda County (County) Quarry Permits Q-1 (1957), Q-4 (1957), and Q-76 (1969) and subsequent County documents. In 1987, the County approved SMP-23, which is a reclamation plan for the Eliot facility. That reclamation plan is the "approved reclamation plan" currently applicable to the site.

Changes in circumstances at the site and in applicable regulatory requirements have necessitated the preparation of an amended reclamation plan that addresses these changes and provides reclamation objectives that can be feasibly accomplished and permitted by regulatory agencies. The Applicant has therefore applied to the County for a reclamation plan amendment. In considering the application and the discretionary action of approving the proposed reclamation plan amendment (the "proposed project" or "project"), the County is required to conduct environmental review pursuant to the California Environmental Quality Act (CEQA).

The courts have recognized that CEQA does not mandate that existing conditions always be used as a baseline, but rather that agencies retain the discretion to decide "exactly how the existing physical conditions without the project can most realistically be measured..." (See, e.g., *Communities for a Better Environment v. South Coast Air Quality Mgt. Dist.* [2010] 48 Cal.4th 310, 328.) In particular, when a project involves a modification of a previously approved project that underwent CEQA review, the appropriate baseline may consist of the conditions permitted under the previously approved entitlements as opposed to existing conditions on the ground. (See, e.g., *Benton v. Board of Supervisors* (1991) 226 Cal.App.3d 1467, 1475-1477; *Sierra Club v. City of Orange* (2008) 163 Cal.App.4th 523, 543.) Such an approach is consistent with CEQA's policy of avoiding redundancy in environmental review. (See e.g., Public Resources Code Section 21003[e].)



Regional Location
ELIOT QUARRY - INITIAL STUDY
Figure 1

Here, the project is subject to the existing SMP-23 reclamation plan that underwent environmental review under CEQA. Accordingly, the project that the County is evaluating under CEQA is the differences between reclamation of the site under the existing approved reclamation plan, as last amended on April 25, 2013, and reclamation of the site under the proposed reclamation plan amendment. The “baseline conditions” for purposes of environmental analysis pursuant to CEQA are the anticipated physical conditions existing at the project site upon the completion of approved operations at the project site pursuant to the existing SMP-23 approval.

The 1987 SMP-23 reclamation plan envisions mining the Lake A and Lake B areas to create two large bodies of water for future operation and management by Zone 7 of the Alameda County Flood Control and Water Conservation District (Zone 7). The existing channel of the Arroyo del Valle would be mined out and flow through Lakes A and B via the following water conveyance facilities:

- a 40-foot concrete spillway collecting flows from Arroyo del Valle (under Vallecitos Road) before those flows descend 50 feet, at a slope of 2:1, into Lake A;
- an earth- and rock-lined structure to collect overflows within Lake A before conveying them under Isabel Avenue/SR 84 in a 40-foot concrete spillway to Lake B; and
- a concrete and riprap apron along the western boundary of Lake B allowing overflow to continue down the Arroyo del Valle channel.

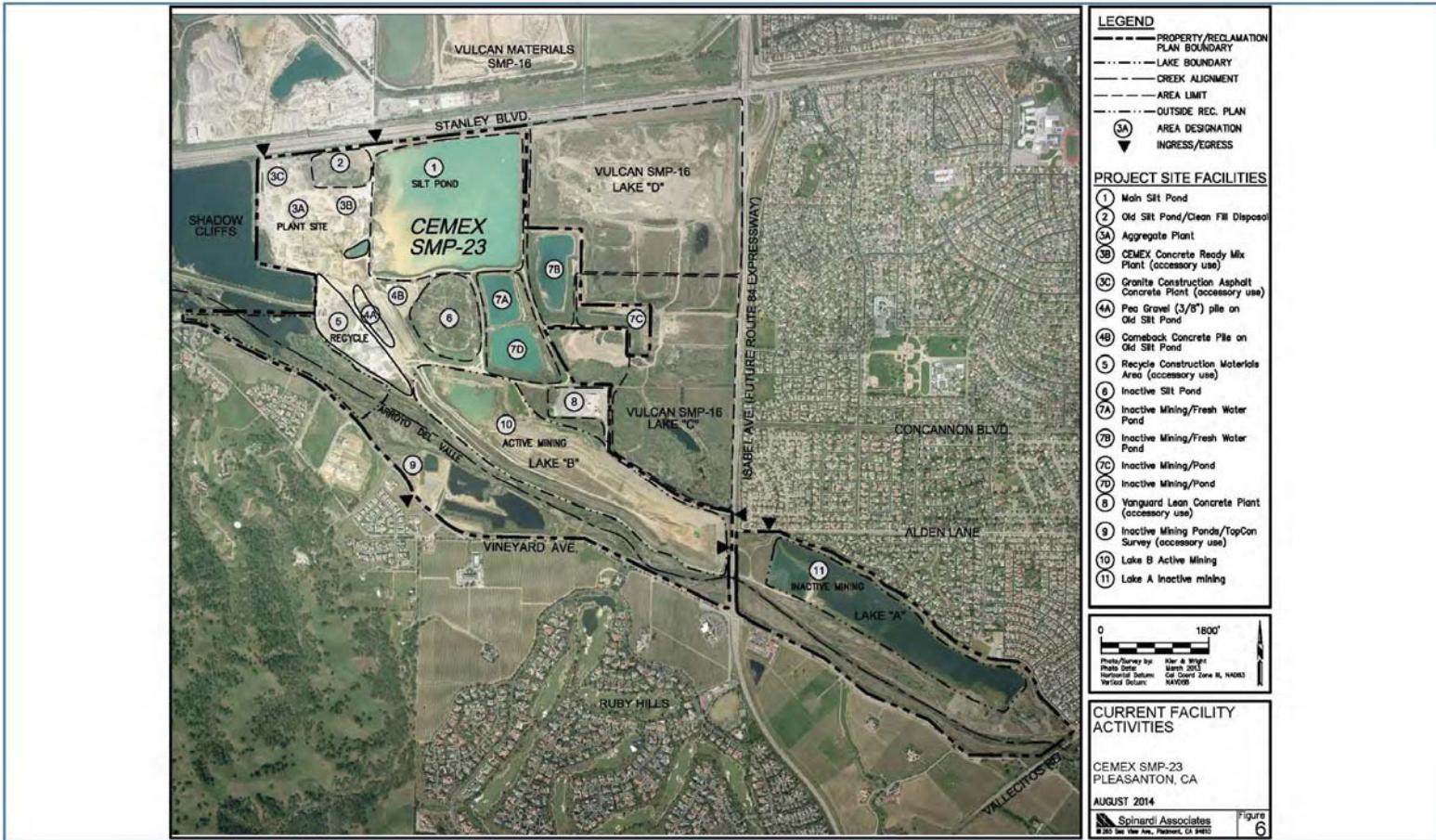
The current SMP-23 also contemplates a conduit from Lake A to Lake C that can convey 500 cubic feet per second into the Chain of Lakes and a pipe from Lake C to Lake B. The approved SMP-23 provides the Applicant the option to mine the existing plant site area and reclaim it as Lake J, which mining is underway. Lake J will not become part of the Chain of Lakes and will not be granted to Zone 7, but will be managed and used by the Applicant.

As compared to the approved reclamation plan, the proposed project would:

- reduce surface disturbance associated with mining;
- reduce the overall mine site and reclamation area;
- retain or reroute the Arroyo de Valle instead of diverting the Arroyo del Valle into Lake A and Lake B, thus eliminating the need for two 40-foot spillways at the east and west ends of Lake A and a concrete and rip-rap apron at the west end of Lake B;
- reclaim Lake A with limited earthmoving required for reclamation and no additional depth in mining;
- provide a corridor for a multiuse public trail along the entire southern portion of the project site; and
- revise the reclamation plan to add further specificity to the option contained in the approved reclamation plan to create Lake J and relocate and replace processing facilities.

The proposed reclamation plan amendment would still achieve prior commitments to provide for water storage and water conveyance under reclaimed conditions.

7. Surrounding Land Uses and Setting: Land uses adjacent to the project site include other mining operations, open space areas, recreational facilities, transportation corridors and residential development (see Figure 2, “Current Facility and Surrounding Land Uses”). A separate mining operation subject to Surface Mining Permit and Reclamation Plan 16 (SMP-16), currently operated by CalMat Co., dba Vulcan Materials Company, abuts the project site’s eastern and northern border of Lake B. The East Bay Regional Park District (EBRPD) Shadow Cliffs Recreation Area, a reclaimed surface mine that now includes a lake and shoreline facilities available for public use, abuts the project site’s northwestern border. The Ruby Hills residential



subdivision in the city of Pleasanton is located across Vineyard Avenue to the south of Lake B. Residential uses are also located in the city of Livermore, north of the Lake A area of the project site.

8. Other Public Agencies Whose Approval May Be Required:

- California Department of Conservation, Office of Mine Reclamation (Release of Financial Assurance)
- San Francisco Bay Regional Water Quality Control Board (401 Certification)
- California Department of Fish and Wildlife (Streambed Alteration Agreement and potentially Incidental Take Permit)
- U.S. Fish and Wildlife Service (Section 7 Consultation; potentially Incidental Take Statement)
- U.S. Army Corps of Engineers (404 Permit)

B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Climate Change and Greenhouse Gas Emissions | <input type="checkbox"/> Cultural Resources |
| <input checked="" type="checkbox"/> Geology/Soils | <input type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology and Water Quality |
| <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation and Traffic | <input type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

C. LEAD AGENCY DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a potentially significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

D. EVALUATION OF ENVIRONMENTAL EFFECTS:

The Environmental Checklist and discussion that follows is based on sample questions provided in the CEQA Guidelines (Appendix G), which focus on various individual concerns within 17 different broad environmental categories, such as air and water quality, biological resources, climate change, cultural resources, land use, public services, noise and traffic (and arranged in alphabetical order). The Guidelines also provide specific direction and guidance for preparing responses to the Environmental Checklist. The sample questions are meant to be used to meet the requirements for an initial study when the criteria set forth in CEQA Guidelines have been met. Substantial evidence of potential environmental impacts that are not listed in the checklist must also be considered. The sample questions are intended to encourage thoughtful assessment of impacts, and do not necessarily represent thresholds of significance.

Each Checklist question requires a “yes” or “no” reply to indicate if the analysis or assessment (or an available reference document) shows that the project will or will not have a potentially significant environmental impact on the subject aspect of the environment. However, there are three possible types of “no” responses, including: “NO: Less Than Significant with Mitigation,” which means that potentially significant impacts would clearly be avoided or reduced to an acceptable level by changes to the project or mitigation measures that the project proponent and the Lead Agency have agreed to; “NO: Less Than Significant Impact,” which means that while there may have been concerns about possible impacts that require analysis, the “threshold of significance” is not exceeded and the impact is not significant; and “NO: No Impact,” which means that for clearly evident reasons documented by a map, reference document, the nature of the project or the setting, the specific kind of environmental impact addressed by the question is not possible or would be nearly insignificant. The following describes in more detail the four different possible answers to the questions in the Checklist, and the types of discussions required for each response:

- a) YES: Potentially Significant Impact. Checked if a discussion of the existing setting (including relevant regulations or policies pertaining to the subject) and project characteristics with regard to the environmental topic demonstrates, based on substantial evidence, supporting information, previously prepared and adopted environmental documents, and specific criteria or thresholds used to assess significance, that the project will have a potentially significant impact of the type addressed by the question.

CEQA requires that if the analysis prompted by the Checklist results in a determination that the project will have one or more potentially significant environmental impacts (and the project proponent does not agree to changes or mitigation measures that would assure the subject impact can be avoided or reduced to less than significant levels, an environmental impact report (EIR) is required. In such instances, the discussion may be abbreviated greatly if the Lead Agency chooses to defer the analysis to preparation of the EIR. However, if the analysis indicates that all such impacts can be avoided or mitigated to less-than-significant levels, a Mitigated Negative Declaration can be prepared and this column will not be used for any question.

- b) NO: Less Than Significant With Mitigation. Checked if the discussion of existing conditions and specific project characteristics, also adequately supported with citations of relevant research or documents, determine that the project clearly will or is likely to have particular physical impacts that will exceed the given threshold or criteria by which significance is determined, but that with the incorporation of clearly defined mitigation measures into the project, that the project applicant or proponent has agreed to, such impacts will be avoided or reduced to less-than-significant levels.
- c) NO: Less Than Significant Impact. Checked if a more detailed discussion of existing conditions and specific project features, also citing relevant information, reports or studies, demonstrates that, while some effects may be discernible with regard to the individual environmental topic of the question, the effect would not exceed a threshold of significance which has been established by the Lead or a Responsible Agency. The discussion may note that due to the evidence that a given impact would not occur or would be less than significant, no mitigation measures are required.
- d) NO: No Impact. Checked if brief statements (one or two sentences) or cited reference materials (maps, reports or studies) clearly show that the type of impact could not be reasonably expected to occur due to the specific characteristics of the project or its location (e.g. the project falls outside the nearest fault rupture zone, or is several hundred feet from a 100-year flood zone, and relevant citations are provided). The referenced sources or information may also show that the impact simply does not apply to projects like the one involved. A response to the question may also be "No Impact" with a brief explanation that the basis of adequately supported project-specific factors or general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a basic screening of the specific project).

The discussions of the replies to the Checklist questions must take account of the whole action involved in the project, including off-site as well as on-site effects, both cumulative and project-level impacts, indirect and direct effects, and construction as well as operational impacts. Except when a "No Impact" reply is indicated, the discussion of each issue must identify:

- a) the significance criteria or threshold, if any, used to evaluate each question; and
- b) the mitigation measures identified, if any, to reduce the impact to less than significant, with sufficient description to briefly explain how they reduce the effect to a less than significant level.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D) of the Guidelines). In this case, a brief discussion should identify the following:

- a) Earlier Analysis Used. Identify and state where the documents containing such earlier analysis are available for review.
- b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

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

Discussion:

Regarding items a and b, the project is not located within the viewshed of a recognized scenic vista and is not located within a state scenic highway corridor (Caltrans 2015). Therefore, these issues are eliminated from further consideration. The proposed reclamation plan amendment would likely improve views aesthetically compared to the existing plan, which includes large and visible concrete spillways on the east and west side of Isabel bridge and at Vallecitos road. The equipment, facilities, and activities related to the proposed reclamation activities are similar to mining and reclamation activities that occur and will occur under the approved reclamation plan. In addition, changes to the location of the processing plant are not part of the proposed project because plant relocation is part of vested operations and is allowed under existing approvals. However, because the proposed reclamation plan amendment will include facilities of a different nature than the existing reclamation plan, in an abundance of caution and to fully disclose potential impacts, the County has decided to evaluate aesthetic impacts for items c and d in the checklist above as part of the EIR.

2. AGRICULTURE AND FOREST RESOURCES Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant with Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓
d) Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				✓

Discussion:

Regarding items a and b, the project site is designated on the *Alameda County General Plan* (County General Plan), *East County Area Plan* (ECAP) diagram as “Large Parcel Agricultural” and “Water Management” (Alameda County 2002). The Watershed Management designation denotes the importance of this site for quarrying operations. The zoning for the project site is “Agricultural-100 acre minimum district” (A-100). No portion of the project site is under Williamson Act contract. The project site is permitted and operating as a quarry. The quarry has an approved reclamation plan that includes reclaiming the site to a water management and open space/agricultural use. The proposed project does not include changing the approved end use. Thus, this project does not include converting Farmland to nonagricultural use and the revisions to the approved reclamation plan do not conflict with existing zoning.

Regarding items c and d, the Project site is located within a broad alluvial valley and is not covered with forestland or dense tree vegetation. The proposed project would not conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220[g]), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production. The project would also not result in the loss of forestland or conversion of forestland to nonforest use.

Regarding item e, the proposed project would not include activities that could, because of their location or nature, result in conversion of Farmland to nonagricultural use. Contrarily, the addition of water storage basins could assist agricultural uses.

Therefore, these agricultural issues are eliminated from further consideration.

3. AIR QUALITY Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant with Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	✓			
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	✓			
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	✓			
d) Expose sensitive receptors to substantial pollutant concentrations?	✓			
e) Create objectionable odors affecting a substantial number of people?			✓	

Discussion:

As discussed in the project description in Section A.6, above, the project involves revisions to already approved reclamation activities and does not involve permitted mining activities. The EIR will quantify estimated criteria air pollutant and greenhouse gas emissions associated with reclamation activities under the approved SMP-23 reclamation plan (baseline or environmental setting) and under the proposed SMP-23 Reclamation Plan Amendment. The evaluation will focus on emissions associated with reclamation activities and will not quantify emissions associated with ongoing mining. Because the evaluation has not been conducted at this time, this initial study is conservatively determining that the project may have a potentially significant impact on the surrounding air quality, expose sensitive receptors, and result in cumulatively considerable air quality impacts. In an abundance of caution and to fully disclose potential impacts, the County has decided to evaluate air quality impacts associated with items a through d in the EIR. Reclamation-related activities are not expected to create objectionable odors affecting a substantial number of people. Therefore, this odor impact under item e will not be evaluated in the EIR.

4. BIOLOGICAL RESOURCES Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant with Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	✓			
b) Have a substantial adverse effect on any riparian, aquatic or wetland habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	✓			
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	✓			
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			✓	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓
g) Result in conversion of oak woodlands that will have a significant effect on the environment?				✓

Discussion:

The project site is an active gravel quarry and has been for decades. Arroyo del Valle, part of the Alameda Creek Watershed, flows through the southern portion of the project site. Before completion of the Del Valle reservoir in 1968, the arroyo had an intermittent flow, containing water in most winters and springs and drying in the summer. The Arroyo now contains a perennial flow because of managed releases from the Del Valle Reservoir. The site is now made up predominantly of the Lake A and B pits with the Arroyo channel relocated south of the existing active pits. The condition of vegetation growing within the active portions of the quarry is dependent on the timing of the most recent disturbance. Recently disturbed areas remain barren, while those that have been undisturbed for several years can support a cover of grasses and forbs.

Regarding items a through c, the project involves reclamation activities and does not involve ongoing mining activities. The proposed reclamation activities could result in impacts to the Arroyo del Valle, its surrounding

habitat, and biological flora and fauna that either occur or could occur on the site. Because potentially significant impacts to biological resources have been identified for items a through d in the checklist above, these issues will be evaluated in the EIR.

Regarding item d, the proposed reclamation plan amendment would allow for an unimpeded flow through the Arroyo del Valle unlike the currently approved SMP-23, in which the water would flow directly into the pits and potentially result in fish capture. Therefore, the impact (d) would be less than significant.

Regarding item e, no applicable local policies or ordinances protect biological resources, such as tree preservation or policy ordinances that would apply to the biological resources that exist or have the potential to use the project site. Therefore, this issue requires no further consideration.

Regarding item f, the East Alameda County Conservation Strategy (EACCS) has not been adopted by the County and does not pertain to the SMP-23 reclamation plan amendment. It should be noted that the California Department of Fish and Wildlife considers the EACCS as a template for all project mitigation in the East County, regardless of local adoption status. Zone 7 and the City of Livermore have adopted the EACCS. Therefore, no habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan has been identified as applicable to the project, and this issue requires further consideration.

Regarding item g, no oak woodlands are on the project site; therefore, this issue requires no further consideration.

5. CLIMATE CHANGE AND GREENHOUSE GAS EMISSIONS Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant with Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	✓			
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	✓			

Discussion:

As discussed in the project description in Section A.6, the project involves reclamation activities and does not involve permitted mining activities. The EIR will quantify estimated greenhouse gas emissions associated with reclamation activities under the approved SMP-23 reclamation plan (baseline or environmental setting) and under the proposed SMP-23 reclamation plan amendment. The evaluation will focus on greenhouse gas emissions associated with reclamation activities and will not quantify greenhouse gas emissions associated with ongoing mining. The evaluation has not been conducted at this time; thus, this initial study is conservatively determining that the project may result in potentially significant impacts associated with greenhouse gas emissions. Because potentially significant impacts on climate change and greenhouse gas have been conservatively identified for items a and b in the checklist above, these issues will be evaluated in the EIR.

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

Discussion:

Regarding items a through d, reclamation activities proposed in the reclamation plan amendment would be less intensive than the mining activities that immediately precede reclamation and would not disturb more acreage (laterally or vertically) than those areas of the site that will be mined under existing approvals. Therefore, no new impacts to cultural resources associated with reclamation activities would occur under the reclamation plan amendment. The Applicant would be required to adhere to the existing conditions of approval and mitigation measures related to protection of cultural resources:

- “If, however, archaeological finds are made during excavation, work in the area should halt pending consultation of a qualified archaeologist, whose recommendations should be followed. Work could continue in other areas not near the site” (Alameda County 1979).
- “Operations shall cease in the vicinity of any suspected archaeological resource until an archaeologist is consulted and his or her recommendations followed, subject to approval by the Planning Director” (Resolution No. 87-18, Condition of Approval 13).

Therefore, items a through d require no further consideration.

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

Discussion:

Regarding item a (i through iv), the Livermore-Amador Valley is seismically active and contains numerous faults. The nearest fault is the Las Positas Fault located approximately 2 miles southeast of the project site. The nearest major fault is the Greenville Fault (approximately 11.5 miles southwest).

The project site is not located within the most recent Alquist-Priolo Earthquake Zone. Thus, the project would not expose people or structures to rupture of a known earthquake fault; seismic ground shaking; and seismic-related ground failure, including liquefaction and landslides. However, in an abundance of caution and to fully disclose potential impacts, the County has decided to evaluate geology and soil impacts associated with items a(i) through a(iv) in the EIR.

Regarding item b, less area will be disturbed under the proposed project. Therefore, less area would be susceptible to soil erosion and loss of topsoil. Reclaiming Lake J to a lake was approved as an option under the 1987 SMP-23 and, thus, is part of baseline conditions. Accordingly, compared to the approved SMP-23, substantial soil or loss of topsoil is not expected to occur under the proposed project, and a less-than-significant impact would occur related to item b. However, in an abundance of caution and to fully disclose potential impacts, the County has decided to evaluate geology and soil impacts associated with item b in the EIR.

Regarding items c and d, based on technical evaluations that will be included in the EIR’s Geology and Soils evaluations, the project does not have the potential to be located on a geologic unit or soil that is unstable or that

would become unstable as a result of the project or to be located on expansive soil; therefore, these issues require no further consideration.

Regarding item e, the project would not include changes to the use of septic tanks or changes to the existing waste water disposal systems; therefore, this issue requires no further consideration.

In an abundance of caution and to fully disclose potential impacts, the County has decided to evaluate geology and soils impacts for items a through d in the checklist above in the EIR.

8. HAZARDS AND HAZARDOUS MATERIALS Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant with Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				✓
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			✓	
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			✓	
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓	
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			✓	

Discussion:

Regarding items a and b, the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials nor create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The project does not involve transporting or using large volumes of hazardous materials. Petroleum-based fuels and oils are used on-site for fueling and maintaining the project trucks and heavy equipment. On-site storage of fuels is contained consistent with applicable County and regulatory requirements to ensure that both groundwater and surface water are adequately protected. Mobile service trucks conduct on-site maintenance operations; major repair and equipment rebuilds occur off-site. Petroleum products are disposed of off-site in a State-licensed facility. None of these existing permitted operations would change as a result of the proposed plan approvals.

Regarding item c, the project is not located within 0.25 mile of an existing or proposed school (Alameda County 2015).

Regarding item d, the project would not be located on a site included on a list of hazardous material sites (EnviroStor 2007).

Regarding items e and f, the Livermore Municipal Airport is located approximately 1 mile north of the project site. However, the site is an existing quarry operation, and aircraft safety would not be affected by the proposed project modifications at the site because no structure or stockpile would be greater than 200 feet tall and the project site is outside of designated safety zones (Alameda County ALUC 2012). In addition, the project would decrease the footprint of Lakes A and B compared to the existing County approvals.

Regarding item g, the project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. The project would not alter access to the site or alter roadways surrounding the site.

Regarding item h, the project site is not located in an area designated as having a very high or high potential for wildland fires within either the State Responsibility Area or the Local Response Area, as designated by the California Department of Forestry and Fire Prevention (CAL FIRE 2007, 2008). Thus, criterion h does not apply to the project.

Therefore, items a through h require no further consideration.

<p>9. HYDROLOGY AND WATER QUALITY Would the project:</p>	YES: Potentially Significant Impact	NO: Less Than Significant with Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Violate any water quality standards, conflict with water quality objectives, fail to meet waste discharge requirements, significantly degrade any surface water body or groundwater, or adversely affect the beneficial uses of such waters, including public uses and aquatic, wetland and riparian habitat?	✓			
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	✓			
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site (i.e. within a watershed)?	✓			
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff (e.g., due to increased impervious surfaces) in a manner which would result in flooding on- or off-site (i.e., within a watershed)?	✓			
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems due to changes in runoff flow rates or volumes?			✓	
f) Result in a significant increase in pollutant discharges to receiving waters (marine, fresh, and/or wetlands) during or following construction (considering water quality parameters such as temperature, dissolved oxygen, turbidity, and typical stormwater pollutants such as heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	✓			
g) Result in an increase in any pollutant for which a water body is listed as impaired under Section 303(d) of the Clean Water Act?	✓			
h) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				✓

9. HYDROLOGY AND WATER QUALITY Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant with Mitigation	NO: Less Than Significant Impact	NO: No Impact
i) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	✓			
j) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	✓			
k) Inundation by seiche, tsunami, or mudflow?	✓			

Discussion:

Regarding items a through d, g, i, and j, the project could result in a potentially significant impact to the surrounding environment by violating water quality standards and discharge, depleting groundwater supply, substantially altering existing drainage patterns, creating or contributing runoff water, degrading water quality, and being within a 100-year flood hazard area, which could impede or redirect flood flow. Many of these potential impacts could occur with the implementation of the already approved plan. However, the differences in impacts between the approved and proposed reclamation plan have not been evaluated at this time. As with some other resource issues, in an abundance of caution and to fully disclose potential impacts, the County has decided to evaluate hydrology and water quality impacts associated with items a through d, g, i and j in the EIR.

Regarding item e, no impact would occur because the proposed project would not discharge to storm drainage systems and all drainage would be retained on-site. Therefore, no impact would occur regarding the creation or contribution of runoff water that would exceed the capacity of existing or planned stormwater drainage systems caused by changes in runoff flow rates or volumes.

Regarding items h and k, the project would not place housing within a 100-year flood hazard area nor cause inundation by tsunami, or mudflow; therefore, these issues require no further consideration. Regarding potential inundation by seiche under criterion k, the Applicant coordinated with Zone 7 to determine potential seiche-related impacts. Zone 7 retained a consultant to review potential seiche-related impacts and define an appropriate freeboard to ensure that any potential seiche impacts are less than significant. The proposed reclamation plan amendment meets the freeboard requirements except for at the far western ends of Lake A and Lake B. Meeting these freeboard requirements for these areas would require the construction and maintenance of a jurisdictional dam, which may not be feasible at the project site. Potential seiche-related impacts will be evaluated in the EIR.

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

Discussion:

Regarding item a, the project site consists of approximately 966 acres situated between the cities of Pleasanton and Livermore, south of Interstate 580 and Stanley Boulevard, in the Livermore-Amador Valley, north of Vineyard Avenue, and both east and west of Isabel Avenue (SR 84).

A variety of land use types exists near the project site, including other mining operations, open space areas, recreational facilities, transportation corridors, and residential developments:

- A separate mining operation subject to Surface Mining Permit and Reclamation Plan 16 (SMP-16), currently operated by CalMat Co., dba Vulcan Materials Company, abuts the project site’s eastern and northern border of Lake B.
- The EBRPD Shadow Cliffs Recreation Area, a reclaimed surface mine that now includes a lake and shoreline facilities available for public use, abuts the project site’s northwestern border.
- The Ruby Hills residential subdivision in the city of Pleasanton is located across Vineyard Avenue to the south of Lake B at the project site.
- Residential uses are also located in the city of Livermore, north of the Lake A area of the project.

With another quarry immediately abutting the project, and in addition to an established open space area, the reclamation plan amendment is unable to expand the project boundaries into these locations. Furthermore, the quarry site boundary was established prior to the encroachment of the residential subdivisions toward the project site. The proposed project is reducing the overall previously approved mine footprint. Therefore, the project has no potential to divide an established community. This issue requires no further consideration.

The following discussion outlines impact analysis in terms of item b.

California Surface Mining and Reclamation Act

An objective of the California Surface Mining and Reclamation Act (SMARA) is to create a mineral lands inventory by designating certain areas of the State as being important for the production and conservation of existing and future supplies of mineral resources. Pursuant to Section 2790 of SMARA, the State Mining and Geology Board has designated certain mineral resource areas to be of regional significance. The purpose of this designation is to provide local agencies, such as Alameda County, with information on the location, need, and importance of mineral resources and to ensure that this information is considered in local land use decisions. The project site and much of the surrounding areas (which are currently in active quarrying operations) have been designated by the State Mining and Geology Board as being a “Regionally Significant Construction Aggregate Resource Area.” The project site is mineral resource zone (MRZ) designated as MRZ-2(a) by the California Department of Conservation. This

designation indicates that a high likelihood exists that significant aggregate deposits are present. The reclamation plan amendment as proposed would not conflict with these state policies and regulations.

Alameda County General Plan Policy

Water Management Land Use Designation

The project site is designated on the County General Plan, ECAP Land Use Diagram as Water Management. Subject to the provisions of Measure D (see below), the Water Management land use designation provides for sand and gravel quarries, reclaimed quarry lakes, watershed lands, arroyos, and similar and compatible uses. Sand and gravel quarries allow a range of uses including sand and gravel processing, associated manufacturing and recycling uses requiring proximity to quarries, reclamation pits, and public use areas. The proposed reclamation plan amendment is consistent with this land use designation.

Regionally Significant Aggregate Resource Areas

The ECAP also contains special land use policies pertaining to quarries and Regionally Significant Construction Aggregate Resource Areas. The goal for these special land use policies is to “recognize the regional value of the County's construction aggregate resources and to ensure compatibility between quarry operations and surrounding land uses.” Pursuant to this goal, County policy (Policy 160) is to ensure that “where quarry operations are located in areas designated as Water Management, extraction of the aggregate resource shall be allowed in the short-term. Reclamation of the land for water management and other compatible uses shall occur subject to conditions of Surface Mining Permits and Reclamation Plans...” Furthermore, pursuant to Policy 162, the County allows manufacturing uses that make extensive use of harvested aggregate to be located near sand and gravel quarries. The proposed reclamation plan amendment is consistent with this special regional policy.

Measure D

Passed by the voters of the County in November 2000, and now fully incorporated into the County General Plan, Measure D placed limits on where new mine excavations may be conducted. The text of Measure D (ECAP Policy 155), so far as it applies to quarries, reads as follows:

Except to the extent required by State law, no new quarry or other open-pit mine may be approved by the County outside the Urban Growth Boundary, unless approved by the voters of Alameda County. Excavation not adjacent to an existing quarry site and on the same or an adjoining parcel shall be regarded as a new quarry. A quarry that has received all necessary discretionary County and other approvals and permits prior to the effective date of the ordinance, but has not yet exercised those approvals and permits is to be considered an “existing” rather than a “new” quarry.

The project site is located outside of the Urban Growth Boundary established under Measure D, but is not a new quarry. The project site has been mined for over 100 years. As explained in Section A.6 above, mining activities at the Project site are vested as documented in County Quarry Permits Q-1 (1957), Q-4 (1957), and Q-76 (1969) and later County documents. All proposed reclamation activities pursuant to the project would occur within the area subject to the Applicant's vested mining operations.

The reclamation plan amendment as proposed would not conflict with the plans and policies of the County General Plan.

Alameda County Zoning

The project site and its surroundings are zoned as “A”: Agriculture. The County Zoning Ordinance defers to the Surface Mining and Reclamation Ordinance, which indicates that mining activities are permitted within any County zoning designation (including lands designated Agriculture) subject to the provisions of the Surface Mining and Reclamation Ordinance.

The reclamation plan amendment as proposed would not conflict with the land use regulations established under the County Zoning Ordinance.

Surface Mining and Reclamation Ordinance

As the local land use authority, Alameda County authorizes mining activities on unincorporated lands through the issuance of Surface Mining Permits and approval of reclamation plans pursuant to Alameda County Code of Ordinances, Title 6: Health and Safety, Section 6.80: Surface Mining and Reclamation. However, no surface mining permit is required for surface mining operations operating under quarry or sand and gravel permits issued prior to January 1, 1976. (Cal. Pub. Resources Code § 2776.) Mining activities at the Project site are vested as documented in County Quarry Permits Q-1 (1957), Q-4 (1957), and Q-76 (1969) and later County documents. In 1987, the County approved SMP-23 as a reclamation plan for a vested rights operation at the project site. SMP-23 covers the reclamation within the 966 acres of the project site. The provisions of the County's Surface Mining and Reclamation Ordinance (Section 6.80 et. seq. of the County Ordinance Code) apply to all lands within the County, both public and private. As provided by this ordinance, surface mining operations are permitted only upon County approval of a surface mining permit (or vested right), reclamation plan, and financial assurances for reclamation. The reclamation plan amendment as proposed is consistent with the Alameda County Surface Mining and Reclamation Ordinance.

Reclamation Plan Requirements

Reclamation of mined lands is to take place as soon as practical following completion of mining operations. Reclamation plans need to address provisions for the disposal of overburden and mining waste, restoration of streams and watershed diversions, regrading and revegetation of the site, and the maintenance of water quality standards. Ponds or lakes created as a feature of a reclamation plan must be approved by the County Flood Control and Water Conservation District, the Health Care Services Agency, and the Mosquito Abatement District. The currently approved SMP-23 Reclamation Plan provides for the ultimate use of the quarry pits for water storage lakes. That concept was previously approved by the agencies pursuant to the 1987 mitigated negative declaration and the currently effective SMP-23 approvals. The proposed reclamation plan amendment would deepen and narrow Lake B and complete Lake A in a smaller conformation, restore streams, and revegetate the site. Also, the reclamation plan amendment adjusts the reclamation plan boundary to exclude a triangular-shaped portion of the property bound by Old Vineyard Avenue, Safreno Way, and Vineyard Road. This portion of the property was included within the scope of the 1987 approved reclamation plan, but was sold by CEMEX's predecessor to a housing developer and currently is a residential subdivision and a vineyard. This adjustment to the boundary makes the proposed reclamation plan amendment more consistent with the ECAP and the County's Surface Mining and Reclamation Ordinance.

This issue requires no further consideration.

Regarding item c, no habitat conservation plans (HCPs) or natural community conservation plans (NCCPs) currently apply to the project site. Although the *Eastern Alameda County Conservation Strategy* is not considered an HCP or NCCP, it also does not apply to the project because the County has yet to adopt the strategy. This issue requires no further consideration.

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

Discussion:

The project would facilitate the already permitted ability to continue mining by revising the reclamation plan. The reclamation plan revisions would decrease the amount of aggregate resource mined on the project site compared to existing approvals. The project would facilitate the production of these mineral resources, thereby making them available for beneficial use within Alameda County and surrounding areas. This loss is not considered adverse in terms of the County’s CEQA review. Further, the proposed end use of water management and open space/agricultural would not preclude future additional mineral extraction on the site if the Applicant and the County deem such additional extraction to be desirable and if the necessary reclamation plan amendment and associated CEQA review were conducted.

12. NOISE Would the project result in:	YES: Potentially Significant Impact	NO: Less Than Significant with Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			✓	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			✓	
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			✓	

Discussion:

Regarding items a through d, reclamation activities proposed in the reclamation plan amendment would be less intensive than the mining activities that immediately precede it and would involve considerably fewer pieces of heavy equipment. Reclamation would require less grading to achieve final site topography, on-site transport and distribution of soil to support revegetation, and revegetation itself. The equipment expected to be used for reclamation would include two heavy trucks, one backhoe, one excavator, one dozer, and one grader for earthmoving activity. This activity would generate less noise than that experienced under baseline mining conditions, which includes excavating, grading, and the transport and dumping of aggregate. Consequently, any noise receptors surrounding the site would experience improvements in ambient noise levels during reclamation relative to during active and already approved mining activities. Lake A neighbors would experience temporary increases from the current status, for reclamation activities, but these increases would not exceed prior mining baseline noise.

Regarding item e, the Livermore Municipal Airport is located approximately 1 mile north of the project site. However, the site is an existing quarry operation, and the project would not expose people residing or working in the project area to excessive noise levels because the reclamation activities would be less intensive than the already existing mining activities.

Regarding item f, the project is not located in an area that would result in the exposure of people residing or working in proximity to a private airport that would create the potential for exposure to excessive noise levels. Therefore, these two issues do not require further consideration.

Therefore, items a through f require no further consideration.

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

Discussion:

Regarding item a, the project does not include activities that would substantially increase the number of jobs needed to operate the mine and complete the activities under the existing reclamation plan. Therefore, the project would not substantially induce population growth in the area. The project does not include a proposal for new homes or businesses. No new public roads or public services would be installed that could induce population growth.

Regarding items b and c, the project would not result in the removal of existing housing and would not create a need for the construction of new housing. Therefore, issues a through c are eliminated from further consideration.

14. PUBLIC SERVICES Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:	YES: Potentially Significant Impact	NO: Less Than Significant with Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Fire protection?				✓
b) Police protection?				✓
c) Schools?				✓
d) Parks?				✓
e) Other public facilities?				✓

Discussion:

The project would not result in the need for new or altered public facilities or public services including roads, or governmental services (police and fire protection and medical facilities) and, therefore, the project would not cause physical impacts associated with the alteration or construction of new governmental facilities. Therefore, these issues are eliminated from further consideration.

15. RECREATION Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant with Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✓
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓

Discussion:

The project would not require the use of existing neighborhood or regional parks, nor would it indirectly increase use of neighborhood or regional parks through population growth or other means; therefore, the project would not contribute to physical deterioration of any facilities. The project would include the location of a site for trails on the southern perimeter of Lakes A and B. The trails proposed in the post-mining scenario would be consistent in Lake A with the existing reclamation plan. With regards to the Lake B trail, the Applicant will cooperate with City of Pleasanton and EBRPD to enhance the existing bike path along the northern side of Vineyard Avenue, from Isabel Avenue west to the southwest end of the project site. Therefore, these issues are eliminated from further consideration.

16. TRANSPORTATION Would the project:	YES: Potentially Significant Impact	NO: Less Than Significant with Mitigation	NO: Less Than Significant Impact	NO: No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			✓	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				✓
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				✓
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				✓
e) Result in inadequate emergency access?				✓
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			✓	

Discussion:

The project would result in the same or less daily motor-vehicle trips to and from the project site for employees and equipment and supplies delivery; however, project-related motor-vehicle trips would be similar to those approved under the existing reclamation plan. In addition, the multiuse trail system south of Lakes A and B, would be enhanced. Therefore:

- regarding item a, the proposed project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, accounting for all modes of transportation and relevant components of the circulation system;
- regarding item b, the proposed project would not conflict with an applicable congestion management program or other standards established by the County congestion management agency for designated roads or highways;
- regarding item c, the project would not result in a change in air traffic patterns in a manner that would result in a substantial safety risk;
- regarding item d, the project would not substantially increase hazards due to a design feature or incompatible uses and
- regarding item e, the project would not affect emergency access.

Regarding item f, the project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities and would not decrease the performance or safety of such facilities.

Therefore, items a through f are eliminated from further consideration.

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

Discussion:

Regarding item a, the project would not result in using a significant level of utilities and service systems, including wastewater treatment requirements, and, thus, would not diminish the availability of currently available facilities or treatment capacity. Therefore, this issue requires no further consideration.

Regarding item b, the project would not require or result in the construction of new water or wastewater treatment facilities because the reclamation activities do not involve construction of those facilities and the limited number of people needed to implement those activities would not increase the need or demand for new water or wastewater systems. Therefore, from the perspective of utilities and service system-related impacts, this issue requires no further consideration.

Regarding item c, the project would not require construction or expansion of stormwater facilities. The reclamation activities, and the limited number of people needed to implement those activities, would not require the construction or expansion of stormwater drainage facilities. Therefore, from the perspective of utilities and service system-related impacts, this issue requires no further consideration.

Regarding item d, the project would not require new or expanded water supply entitlements and sufficient water supplies are available to supply water for reclamation activities associated with the project. Potential reclamation activity-related impacts related to water supply will be evaluated in the hydrology and water quality section of the EIR. Therefore, from the perspective of utilities and service system-related impacts, this issue requires no further consideration.

Regarding item e, the project would provide for wastewater management and disposal on-site and would not require additional capacity from a wastewater treatment service provider. Therefore, this issue requires no further consideration.

Regarding item f, solid wastes from the project requiring off-site disposal would be stored in designated containers adjacent to the shop in the containment area or within the shop, and would be disposed in accordance with federal, state, and local regulations. The information available from the *Alameda County Integrated Waste Management Plan Countywide Element* (Alameda County Waste Management Authority 2003: III-13) indicates that the County has sufficient landfill space to accommodate the County's needs through 2052. Therefore, this issue requires no further consideration.

Regarding item g, the project is required to comply with applicable federal, state, and local statutes and regulations related to solid waste. No aspects of the project have been identified that suggest an inability to comply with applicable regulations and statutes. Therefore, this issue has been eliminated from further consideration.

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

Discussion:

Regarding items a through c, the impacts of the project on biological resources and human beings and the cumulative impacts of the project will be evaluated in the draft EIR.

E. SOURCES

Alameda County. 1979 (July 10). *Livermore-Amador Valley Quarry Reclamation Plan Draft Environmental Impact Report*. Alameda County Planning Department, Hayward, CA.

Alameda County. 2002 (May). East County Area Plan Land Use Diagram. Hayward, CA: Alameda County Community Development Agency.

Alameda County. 2015. Current Development Projects. Available: <http://www.acgov.org/cda/planning/landuseprojects/currentprojects.htm>. Accessed March 20, 2015.

Alameda County Airport Land Use Commission. 2012 (August). *Livermore Municipal Airport Land Use Compatibility Plan*. Hayward, CA. Prepared by ESA, Sacramento, CA.

Alameda County Waste Management Authority. 2003 (February 26). *Alameda County Integrated Waste Management Plan Countywide Element*. San Leandro, CA.

California Department of Transportation. 2015. California Scenic Highway Mapping System, Alameda County. Available: http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm. Accessed March 19, 2015.

EnviroStor. 2007. Results of electronic database search of the Hazardous Waste and Substances Site List for Alameda County. Sacramento, California Department of Toxic Substances Control. Available: <http://www.envirostor.dtsc.ca.gov/public/>. Accessed March 20, 2015.

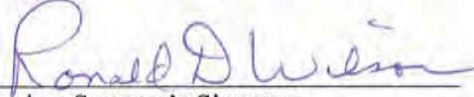
CAL FIRE. *See* California Department of Forestry and Fire Prevention.

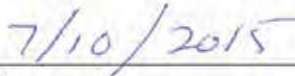
California Department of Forestry and Fire Prevention. 2007 (November 5). Alameda County, Fire Hazard Severity Zones in SRA Adopted by CAL FIRE on November 7, 2007. 1:100,000 Scale. Fire and Resource Assessment Program. Sacramento, CA.

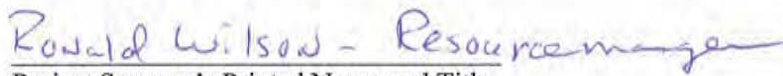
California Department of Forestry and Fire Prevention. 2008 (September 3). Alameda County, Very High Fire Hazard Severity Zones in LRA As Recommended By CAL FIRE. 1:100,000 Scale. Fire and Resource Assessment Program. Sacramento, CA.

F. AGREEMENT BY PROJECT SPONSOR

Project Sponsor, acting on behalf of all present and future property owners and Permittees, understands the mitigation measures set forth above and agrees to be bound by them if they are adopted as a result of project approval. Monitoring reports shall be provided to the Planning Director and Director of Public Works at appropriate stages in the development process.


Project Sponsor's Signature


Date


Project Sponsor's Printed Name and Title