



# South Livermore Sewer Expansion Project

Final Supplemental Environmental Impact Report  
State Clearinghouse Number 2021 120386

*prepared by*

**City of Livermore**  
Community Development Department  
1052 South Livermore Avenue  
Livermore, California 94550  
Contact: Andy Ross, Senior Planner

*prepared with the assistance of*

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**June 2022**



**RINCON CONSULTANTS, INC.**

Environmental Scientists | Planners | Engineers

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# Responses to Comments on the Draft Supplemental EIR

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This section includes comments received during the circulation of the Draft Supplemental Environmental Impact Report (EIR) prepared for the South Livermore Sewer Expansion Project (project).

The Draft Supplemental EIR was circulated for a 47-day public review period that began on May 6, 2022, and ended on June 22, 2022. The City of Livermore received 10 comment letters on the Draft Supplemental EIR, and accepted comments during the June 21, 2022, Planning Commission Hearing. The commenters and the page number on which each commenter's letter appear are listed below.

| Letter Number and Commenter Name |  | Page No. |
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The comment letters and responses follow. The comment letters have been numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.1, for example, indicates that the response is for the first issue raised in comment Letter 1).



# LAFCO

*Alameda* Local Agency Formation Commission

June 20, 2022

**SENT VIA EMAIL**

Andy Ross, Senior Planner  
 City of Livermore, Planning Division  
 1052 South Livermore Avenue  
 Livermore, CA 94550  
[aaross@livermoreca.gov](mailto:aaross@livermoreca.gov)

**SUBJECT: Draft Supplemental Environmental Impact Report for South Livermore Sewer Expansion Project**

Dear Mr. Ross:

Thank you for allowing the Alameda Local Agency Formation Commission (LAFCO) to provide comments on the Draft Supplemental Environmental Impact Report (EIR) for the South Livermore Sewer Expansion Project. The proposed “South Livermore Sewer Expansion” project aims to extend existing sanitary sewer lines of approximately 5 miles to the unincorporated community of Buena Vista located in Alameda County. The purpose of the project is to enhance the economic viability of agriculture and viticulture by allowing existing residences and wineries in the South Livermore Valley area to connect to the City of Livermore’s public wastewater system and remove their on-site septic systems in an effort to reduce groundwater quality issues from nitrates associated with residential septic systems and livestock. The proposed project is presently located within the adopted sphere of influence of the City, but outside of the City’s established jurisdictional boundary as well as Urban Growth Boundary (UGB). Development of the sewer extension to the currently unincorporated territory would be subject to LAFCO’s approval for the delivery of wastewater services at a future date.

1.1

Under the California Environmental Quality Act (CEQA), LAFCO is a Responsible Agency for this proposal, and will have regulatory authority towards future applications involving boundary changes for the delivery of public wastewater service. It is in this role the Alameda LAFCO is commenting on the Draft Supplemental EIR.

Comments on the Draft Supplemental Environmental Impact Report:

**1. LAFCO as a Responsible Agency**

LAFCO’s statutory authority is derived from the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000, et seq.). From our reading of the Draft Supplemental EIR, we notice that the proposed project calls for LAFCO approval of one or more applications requesting the delivery of wastewater service to the affected territory following the certification of the EIR.

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**Nate Miley, Regular**  
 County of Alameda

**David Haubert, Regular**  
 County of Alameda

**Dave Brown, Alternate**  
 County of Alameda

**Bob Woerner, Regular**  
 City of Livermore

**Melissa Hernandez, Reg**  
 City of Dublin

**Karla Brown, Alternate**  
 City of Pleasanton

**Ralph Johnson, Regular**  
 Castro Valley Sanitary District

**Ayn Wieskamp, Regular**  
 East Bay Regional Park District

**Georgian Vonheeder-Leopold, Alternate**  
 Dublin San Ramon Services District

**Sblend Sblendorio, Chair**  
 Public Member

**John Marchand, Alternate**  
 Public Member

In reviewing this project, LAFCO will be asked to rely on the City’s environmental document for either the required annexation or out-of-area service agreement. Therefore, the Final EIR for this project should list Alameda LAFCO as a Public Agency whose approval is required (In reference to Section 1.7 *Lead, Responsible and Trustee Agencies*, Page 1-9).

↑  
1.1

## 2. Consideration of Governance Options

Generally, LAFCOs were created to identify the most logical service providers for municipal services, including but not limited to water, wastewater, fire, etc. Such determinations can be accomplished through various changes of organizations such as annexations, consolidations and approvals of out-of-area service agreements. These governance options allow cities, special districts, and county governments to provide municipal services to landowners throughout the county.

Given that the proposed project is outside of the City of Livermore’s jurisdictional boundary, in order to comply with state law and local policies, LAFCO has identified two governance options for the City’s consideration that we would like evaluated.

- a. Consider an out-of-area service agreement
  - Based on the proposed project area, the affected territory is located outside the City’s jurisdictional boundary. Such discrepancy would require LAFCO approval.
  - Under this scenario, the City can request an out-of-area service agreement from LAFCO if it meets the statutory criteria outlined in Government Code Section 56133 and the Commission’s adopted policies. If so, this would allow the City to provide wastewater services to the affected territory without amending its City limits.
- b. Consider annexation of the affected territory
  - Based on the proposed project area, the development of the sanitary sewer lines are located outside the City of Livermore.
  - Under this scenario, the City can request annexation of the affected territory. This would allow the City to complete its proposed project without building in two different jurisdictions.

1.2

Thank you again for the opportunity to comment on the Draft Supplemental EIR and for the consideration of our comments. Please contact the LAFCO office if you have any questions

Respectfully,



Rachel Jones  
Executive Officer

Attachments: none

## Letter 1

**COMMENTER:** Rachel Jones, Executive Officer, Alameda LAFCO

**DATE:** June 20, 2022

### Response 1.1

The commenter summarizes the project, its purpose, and its location. The commenter asserts that LAFCO is a Responsible Agency under the California Environmental Quality Act (CEQA) for the proposal. The commenter explains LAFCO's statutory authority and explains that the Draft Supplemental EIR should list Alameda LAFCO as a Public Agency whose approval is required in Section 1.7, *Lead, Responsible and Trustee Agencies* (Page 1-9 of the Draft Supplemental EIR).

The commenter is correct that LAFCO has discretionary approval authority over future municipal sewer connections within the County. However, LAFCO is not considered a responsible agency for the proposed sewer extension project and Urban Growth Boundary (UGB) language modification, which is the proposed project considered in the Draft Supplemental EIR. The required approvals are described in Section 2.6 of the Draft Supplemental EIR, which does not include any discretionary approvals from LAFCO for the proposed project but does include approvals for future subsequent actions including out of area service agreements or annexation required to receive sewer service.

### Response 1.2

The commenter states that the project is outside of the City's jurisdictional boundary, and LAFCO has identified two governance options to comply with state and local regulations: an out-of-area service agreement from LAFCO to allow the City to provide wastewater services to the affected territory without amending City limits; or annexation of the affected areas currently outside of City limits to allow the City to complete the proposed project without building in two different jurisdictions.

This comment will be passed to decision-makers for consideration. It has not been determined at this time whether parcels will be annexed into the City should sewer service be requested.





# ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

## PLANNING DEPARTMENT

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June 20, 2022

Andy Ross, Senior Planner  
City of Livermore  
1052 S. Livermore Avenue  
Livermore, California 94550

RE: Draft Supplemental Environmental Impact Report (Draft SEIR) for the proposed South Livermore Sewer Expansion Project, State Clearinghouse Number 2021120386

Dear Mr. Ross:

Thank you for the opportunity to review the Draft SEIR prepared by the City of Livermore for the South Livermore Sewer Expansion Project. The Alameda County Planning Department submits the following remarks on the Draft SEIR. The proposed project would amend the City of Livermore’s South Livermore Valley Urban Growth Boundary (UGB) language to allow the extension of sanitary sewer lines to serve land uses permitted by the City’s South Livermore Valley Specific Plan, and the County’s East County Area Plan (ECAP) and South Livermore Valley Area Plan (SLVAP). The sewer extension would be installed in phases on South Livermore Avenue from approximately 520 feet northwest of Concannon Boulevard to Tesla Road, Tesla Road from South Livermore Avenue to approximately 3,000 feet east of Greenville Road, Buena Vista Avenue between East Avenue and Tesla Road, and Greenville Road from Tesla Road to approximately 5,900 feet south of Tesla Road, enabling existing and future wineries, visitor-serving commercial uses, and residences along the alignment to connect to the City’s wastewater system.

2.1

Page 2-2 of the SEIR includes a description of the City’s general plan designations and the City’s and County’s zoning designations for property in the vicinity of the proposed sewer extension alignment. ECAP serves as the County’s General Plan for the Sewer Expansion Project area. The SLVAP was incorporated into ECAP upon ECAP’s adoption in 1994. The general plan land use designation for the parcels on either side of Buena Vista Avenue along the proposed sewer expansion alignment is “Rural Density Residential,” which allows a maximum density of one housing unit per five-acre parcel. These parcels are in the “R-1-L-B-E” zoning district which allows single family residences and limited agricultural uses.

2.2

The general plan designation for the unincorporated parcels along the expansion project alignment on South Livermore Avenue, Tesla Road, and Greenville Road is “Large Parcel Agriculture” which allows a minimum parcel size of 100 acres. The zoning is “Planned Development” and “A-CA” (Agriculture with Cultivated Agriculture overlay). The ECAP policies pertaining to the South Livermore Valley and the CA overlay district allow a density bonus of up to four additional building sites per 100 acres if certain criteria are met, including permanently setting aside a minimum of 90% of the parcel for viticulture or other cultivated agriculture. To support and enhance the development of the South Livermore Valley as a flourishing wine region, the CA overlay district allows wineries, winery-related uses, and various visitor-serving commercial uses. Because the Sewer Expansion Project

would not change the land uses currently allowed adjacent to the proposed alignment, it is consistent with the County's current general plan and zoning designations.

2.2

Consistent with ECAP Policies 343 and 344, the sewer expansion project would contribute to fulfilling the vision of South Livermore as an important wine region by enabling the development of future wineries and visitor-serving uses that is permitted by the County General Plan and Zoning Ordinance but is currently constrained by groundwater issues and lack of available infrastructure.

Policy 343: The County shall encourage the development of additional wineries with a range of sizes, and other wine-country uses that promote the South Livermore Valley as a premier wine-producing area.

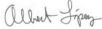
2.3

Policy 344: The County shall encourage the promotion of the South Livermore Valley as a premier wine-producing center by encouraging appropriate tourist attracting and supporting uses, such as bed and breakfast establishments, bicycle and equestrian facilities, a conference center, a wine museum, or other uses, and by establishing clear, well-signed travel corridors from major highways to the area.

The County Planning Department supports the goal of the Sewer Expansion Project to enhance the South Livermore Valley wine region. Please contact Liz McElligott at (510) 670-6120 or [elizabeth.mcelligott@acgov.org](mailto:elizabeth.mcelligott@acgov.org) with any questions.

Sincerely,

DocuSigned by:



D02F4F0AC22C429...

Albert Lopez  
Planning Director

## Letter 2

**COMMENTER:** Albert Lopez, Planning Director, Alameda County Community Development Agency

**DATE:** June 20, 2022

### **Response 2.1**

The commenter states that because the project would not change the land uses currently allowed adjacent to the proposed alignment, it is consistent with the County's current General Plan and zoning designations. The commenter also states that the project would be consistent with the East County Area Plan Policies 343 and 344. Overall, the commenter states that the Alameda County Planning Department supports the goal of the Sewer Expansion Project to enhance the South Livermore Valley wine region.

This comment is noted and no response is warranted.

## Letter 3

**From:** Alex Abey <[REDACTED]>

**Sent:** Saturday, June 11, 2022 1:54:47 PM

**To:** Planning Web email <[planning@livermoreca.gov](mailto:planning@livermoreca.gov)>; Gina DiPrima <[REDACTED]>

**Subject:** Sewer Extension Plans

Exercise Caution: This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mr. Ross and Planning Department,

I will not be able to attend the June 21, 2022 meeting in person, so I wanted to submit written comments in advance.

I am a long-time resident on Buena Vista Ave and my comments are related to possible impacts of the extension specifically related to Buena Vista Ave.

My understanding (based on comments recently in The Independent) is that Buena Vista is not covered by the South Livermore Valley plan and therefore does not inherit any of the zoning protections provided under that plan to other rural areas.

I am not an authority on zoning laws, but I believe that current Alameda County zoning provides certain protections against sub-division of properties and against having more than one primary residence and one sub-1200 square-foot auxiliary residence on the same property.

Furthermore, I believe one of the justifications for this zoning, in addition to the street's quasi-rural history, is that there are prohibitions against additional septic systems (for ground water quality reasons) and that this limit on septic systems is a primary rationale against allowing greater residential density on the street.

Given the above, my primary concern is that making sewer available on Buena Vista will remove the rationale for maintaining rural zoning and pave the way for changes in zoning that allow landowners to subdivide or build additional units. This would eventually turn Buena Vista into another generic subdivision. It may also pave the way for the City of Livermore to annex Buena Vista, which is something I do not support.

Therefore, my position on this topic is to only support the sewer line on Buena Vista if the City and County agree to not change the zoning and/or create protections that preserve the rural nature of the street and prevent subdivision or additional units beyond what is allowed today.

Thank you for considering my opinion in this matter.

Sincerely,

Alex Abey

3.1

## Letter 3

**COMMENTER:** Alex Abey

**DATE:** June 11, 2022

### Response 3.1

The commenter states they are concerned that the sewer extension on Buena Vista Avenue will allow for changes to current zoning that restricts landowners from subdividing their properties or building additional units on their property, and that the sewer extension will allow for the annexation of Buena Vista Avenue into the City of Livermore.

The project being analyzed within the Draft Supplemental EIR does not propose the annexation of parcels along Buena Vista Avenue into the City of Livermore, nor does the project propose a change to any existing land use designations or zoning of parcels adjacent to the proposed alignment. As stated in Section 2 of the Draft Supplemental EIR, the project would only “support uses that are consistent with the City’s General Plan, SLVSP [South Livermore Valley Specific Plan], or current zoning; should development on adjacent parcels that is not consistent with existing land use designations and zoning be proposed, additional CEQA review would be required” (page 2-10 of the Draft Supplemental EIR). Furthermore, parcels along Buena Vista Avenue would not be required to connect to the City’s wastewater system. As stated on page 2-12 of the Draft Supplemental EIR, “[f]ollowing project completion, individual properties would require subsequent approvals including permitting and service agreements with the City subject to Alameda County Local Agency Formation Commission approval, County, and/or Livermore-Amador Valley Water Management Agency, prior to connection to the wastewater system.”

## Letter 4

**From:** Donna Governor <[REDACTED]>  
**Sent:** Monday, June 13, 2022 6:47 PM  
**To:** Andy Ross <[aaross@livermoreca.gov](mailto:aaross@livermoreca.gov)>  
**Cc:** Eddie Governor <[REDACTED]>  
**Subject:** Question regarding Sewer Extension Project

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Good Evening,

We are Buena Vista Avenue residents and have a couple of questions and concerns. Unfortunately we are not available to attend the meeting scheduled for the 21st of June, so thought I would send you an email.

If you are not able assist us, maybe you can point us in the right direction.

1) The NOA states "the project would also allow existing residences on Buena Vista Avenue to connect to the City's wastewater system and cease the use of their on-site septic systems." Therefore we have the following questions and concerns;

a) Because it says "allow" does this mean that it is at the property owners discretion to tie into the City's

wastewater system ?

b) Is there a time table that the residents need to make a decision?

c) If the property owners decide to tie-in, what is the cost to the property owners?

c) Would any pre-work for these tie-in connections happen when the main is installed and exposed?

d) When would these connections be made?

4.1

2) In the "Appendix Initial Study" it states that approximately 20' access will be required for the daily work area during construction. As you are most likely aware, Buena Vista does not have sidewalks therefore property fence lines (or lack of fences) and mail box alignment (on the west side of the street) varies. Therefore we have the following questions and concerns;

a) Who would have the responsibility to determine if something needs to be relocated or removed (such as mailboxes) and who would be responsible for that cost?

b) If there is any private property damage as a result of the construction activities what recourse does the property owners have to ensure repairs are completed at the cost of the project?

c) If access to these mailboxes are blocked during construction, whose responsibility will it be to coordinate with the Livermore Post Office to ensure delivery of mail?

d) How far in advance will property owners be notified if access to their property will be impacted due to lane closure or construction activities? We ask that consideration is made for the many residents who have trailers (i.e. Utility, Horse, RV and flat bed) that require larger radius to access driveways/property.

e) What is a reasonable duration where property owners may not have access to their driveway/property?

f) What previsions will be put into place in the event of an emergency where emergency vehicles need to access blocked property?

4.2

I think those are all of our initial questions and concerns. Again, if you are not the correct person to contact please let me know.

Thank you for your time.  
Donna Governor

## Letter 4

**COMMENTER:** Donna Governor

**DATE:** June 13, 2022

### Response 4.1

The commenter asks if it is at the discretion of the property owner to tie into the City's wastewater system; if there is a timeframe within which a decision must be made regarding individual property tie-ins; what the tie-in cost would be to property owners; if any pre-work would be required during the installation of the main sewer line extension for the tie-in connections to happen; and when the tie-in connections would be made.

As described in Response 3.1, the project would not require property owners along Buena Vista Avenue to tie into the City's wastewater system. No pre-work would be required during initial construction of the main sewer line extension for properties on Buena Vista Avenue to be able to tie into the City's wastewater system in the future. There are currently no details available regarding the timeline for decision and connection to the City's wastewater system. In addition, there are currently no details available regarding the cost to an individual property desiring to connect to the City's wastewater system; however, a connection fee (pricing to be determined) would be required. This comment will be passed on to City decision-makers for consideration.

### Response 4.2

The commenter asks who is responsible for determining if private property would need to be relocated or removed during construction of the project, and who would be responsible for those costs; what recourse is available to property owners if private property is damaged as a result of project construction; who will be responsible for coordinating with the Livermore Post Office to ensure delivery of mail if mailboxes are blocked during construction; how far in advance property owners will be notified if access to private property is impacted due to lane closures and construction activities; how long private property access will be disturbed; and what provisions will be put in place for emergency vehicle access during construction.

Page 2-11 of the Draft Supplemental EIR states: "Construction staging, laydown areas, and worker parking would be provided along the project alignment into one travel lane, one bike lane, and one shoulder.... Approximately 20 feet of width in the daily work area would be required. There is approximately 40 feet of pavement width on South Livermore Avenue, Tesla Road, Buena Vista Avenue, and Greenville Road." Project construction would take place within the existing right-of-way and would not require the relocation or removal of structures or facilities located on private property. Damage to private property is unlikely; it is reasonable to assume no private property damage would occur during construction activities, as construction would be limited to the existing right-of-way and any accidental damage to private property would be compensated. Construction duration and staging is discussed page 2-11 of the Draft Supplemental EIR. It is anticipated that the contractor would install up to 150 linear feet (LF) of sewer line per day; therefore, disturbed access to an individual private property is expected to be limited to a few days over the entire span of the construction period. Furthermore, Section 2.5 of the Draft Supplemental EIR states:



Construction staging, laydown areas, and worker parking would be provided along the project alignment into one travel lane, one bike lane, and one shoulder. The contractor may work with private property owners as feasible, or use the City's Maintenance Service Center for additional staging. The City would post signage along the alignment and on roadways leading up to it before and during construction to give advance warning of road closures and detours.

As staging areas would be limited to designated locations, it is not anticipated that delivery of mail would be inhibited or delayed during project construction. Signage would be posted along the project alignment and on roadways leading up to the alignment at least 72 hours prior to construction activities, which is standard practice in construction contracts and would be enforced by the City.

Emergency vehicle access is discussed in Section 17, *Transportation*, of the Initial Study, attached as Appendix IS to the Draft Supplemental EIR. Specifically, page 103 of Appendix IS states:

Project construction would require one lane of public roadways to be temporarily closed at any given time. A county-approved traffic control plan would be implemented to regulate worker parking, construction staging, roadway improvements and potential traffic detours during construction. Signage would be posted along the alignment and on roadways leading up to the alignment it before and during construction to give advance warning of road closures and detours. Additionally, lane closures during project construction would only occur along limited segments of the alignment, as approximately 150 linear feet of pipeline would be constructed each day. As a result, the project would not result in inadequate emergency access and impacts would be less than significant.

Letter 5

**From:** [REDACTED] <[REDACTED]>  
**Sent:** Saturday, June 18, 2022 4:14 AM  
**To:** Andy Ross <[aaross@livermoreca.gov](mailto:aaross@livermoreca.gov)>  
**Subject:** Question regarding proposed Livermore Sewer extension

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Hi Andy,

I see you are the city contact for the proposed Livermore sewer extension.

As you know, laws in California around CEQA mandate the disclosure of significant environmental effects of a proposed project. In conjunction with this, I have not read anything about any reports the city is conducting on the ramifications on increasing the vineyards scale due to this project in terms of the increased exposure to pesticides our community will face.

Numerous studies have shown that living near vineyards increases rates of cancer, childhood asthma and other health conditions due to pesticide drift.

Therefore, in order to understand the effects of the sewer line project in terms of increasing the winemakers footprint, it is paramount that the city of Livermore includes this in their reporting.

I look forward to hearing from you.

Kind regards,  
Victoria

5.1

## Letter 5

**COMMENTER:** Victoria Kamerzell

**DATE:** June 18, 2022

### **Response 5.1**

The commenter states that there is no discussion of the ramifications of increasing the vineyards scale on increased exposure to pesticides.

Air quality is discussed beginning on page 25 of Appendix IS to the Draft Supplemental EIR; and hazardous materials are discussed beginning on page 65 of Appendix IS to the Draft Supplemental EIR. As stated in Section 2 of the Draft Supplemental EIR, the project would only “support uses that are consistent with the City’s General Plan, SLVSP, or current zoning; should development on adjacent parcels that is not consistent with existing land use designations and zoning be proposed, additional CEQA review would be required” (page 2-10 of the Draft Supplemental EIR).

Letter 6

**From:** Tim Johnston <[REDACTED]>  
**Sent:** Monday, June 20, 2022 3:43 PM  
**To:** Andy Ross <[aaross@cityoflivermore.net](mailto:aaross@cityoflivermore.net)>  
**Subject:** South Livermore Draft SEIR comments

Exercise Caution: This message is from outside the City email system. Do not open links or attachments from untrusted sources.

The following comments are in response to the "South Livermore Sewer Expansion Project, Draft Supplemental Environmental Impact Report"

As a lifelong resident of the local area with nearly always living on Buena Vista Avenue, I have much concern on the ramifications of a sewer servicing the area.

There are numerous flaws in the apparently bias, hastily, and superficially prepared report including:

- There are comments about only allowing existing residences to the sewer. There currently are properties that are entitled to building a house (primary dwelling as well as an Accessory Dwelling Unit) and the report is saying they will not be able to connect to sewer thereby restricting property rights of owners.

- There are conflicting and unclear statements on development that cannot happen with septic systems but will happen with a sewer but other comments saying there will be no development simply as a result of a sewer being available.

- There is incorrect information on pavement width. This includes discussion of width and impact during possible construction. There appears to be unrealistic expectations of production and length of construction time.

- There is reference to Civil Engineering work but the report lacks any reference to reports by a Civil Engineer.

- The report makes broad assumptions on need to remove septic systems and restrictions supposedly in place. Where is supporting documentation of restrictions from State Regional Water Quality Control Board? Where is any project that has been restricted due to septic system where a complete and realistic proposal was rejected?

- There is a statement of recycled paper content on a report that is transmitted electronically. This taints a reader's understanding and detracts for the point of the report.

- The discussion of noise is not complete. Very subjective statements are made and not supported with any fact. There is a comment that no major project is planned, perhaps implying nothing will occur simultaneously and compounding noise. This is flawed in that a nearby project unknow will have impact on the vicinity, there does not

6.1

6.2

6.3

6.4

6.5

6.6

need to be a “major” project to compound noise from the construction of the possible sewer.

6.6

- There is inadequate justification for not addressing noise issues past the initial study.

There are conflicting statements:

- Impact Analysis a. Would the project induce substantial unplanned 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)? The proposed project would not involve the construction of new residences or businesses, nor would it extend existing roadways. The project would involve the construction of sanitary sewer infrastructure intended to support existing uses and serve existing development potential consistent with the vision of the General Plan and SLVSP. The project would not support uses that are not consistent with the City’s General Plan, SLVSP, or current zoning. The project would not cause unanticipated growth in the City. Therefore, the project would not induce substantial unplanned growth, directly or indirectly. Impacts to population or housing would be less than significant. This topic will not be discussed in the Supplemental EIR

6.7

- There is a statement that this project will not create new jobs in the City. If this proposed project does will not create jobs (within or out of the city as support, secondary jobs) then why consider this work? If there are to be new wineries then by definition there will be new jobs and these new jobs will need staff.

6.8

Other discrepancies that should be addressed:

- There is reference to a library . The use of the Library is not limited to just citizens of Livermore.
- If there is an increase in visitors then there will be increase use of parks, within and out of Livermore as a result of increased visitors to new facilities. If a 1997 report said otherwise then this is not valid in today’s conditions.
- There is a statement that, *the project would not result in impacts related to recreation.*

6.9

The project, through the building of visitor facilities, will therefore increase visitors, some of these visitors who will use recreation and park facilities. Use of recreational facilities is not limited to City of Livermore residences.

- The county is considering work on Tesla Road. Work on Tesla Road can impact the timing and noise.

6.10

- There is a statement that the project will not change existing roadways, increase commercial or residential development... or create an increase in traffic in the project vicinity. This cannot be correct, there will be an increase in traffic if there are people using (going to) additional facilities. If not, then the project has no purpose.

6.11

Project Objectives discrepancies:

- Improve groundwater quality. The means of improvement of groundwater quality is not explained.

6.12

- The members of the community outside of the city should be able to have a vote in elections both for the allowing of modifications to Measure D and for choosing elected officials that make decisions controlling use of their property.

Alternatives:

- The no project alternative incorrectly states:

Parcels adjacent to the alignment are constrained from growth by existing septic systems, which are not eligible for expansion due to water quality concerns in the county.

6.13

This is false. There are mitigation means that have been and can continue to be used to provide for the requirements as a result of the alleged nitrate issue.

- There is mention of groundwater improvement. But there is not mention of how groundwater would improve. Nitrate will persist for decades and it is very possible that the source is other than from sewage going into septic systems. There is no firm data provided showing the sources of elevated nitrate.

6.14

- Alternative 2: This mentioned WWTP but failed to mention use of septic systems with pretreatment which are currently in use and can serve additional properties.

6.15

- Alternative 3: mentioned objectives of sewer on Buena Vista Avenue to reduce groundwater quality issues but there is not mention of how sewer would help groundwater nor is there appropriate explanation of an existing water quality issue.

6.16

*Impact 6a. The project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. This impact would be less than significant*

*Impact 6b. The project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. No impact would occur*

6.17

*Impact 7a.3. The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related*

ground failure, including liquefaction. This impact would be less than significant. This area includes an area with liquefaction concerns. No Engineering proposed document.

- *Impact 7a.4. The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. This impact would be less than significant.*

- Answering this requires an engineering study which has not been done or has not been referenced.

- The same engineering need applies for Impact 7b, 7c, 7d.

- *Impact 7e. The project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. No impact would occur.*

- Impact 7e, is self service. The claim of not have capacity for septic system should be properly supported or not made. This statement of the entire basis of the supposed need

- This concern, of soil supporting septic systems or sewers being available, was reported as being n/a in the 1997 EIR. This is a major blunder of the 1997 report and should invalidate the 1997 report or at least have a major revision and update. The sewer or septic system issues is the entire motivation of the current project consideration, but the need is being pushed aside and ignored.

- Impact 9g, wildland fire. The 1997 report if flawed, according to current witness of fire spread, there have been changes in the area from local response to state response. Need to have this evaluated

- Impact 11b: This is an issue, this should be addressed.

- Impact 13a, noise. There will be increase in noise from ongoing activities in the new facilities to be created. This should be evaluation on current understanding of noise and sound.

- Impact 13b, Ground borne noise. There is no engineering information presented to answer this concern.

- Impact 14b: This project can induce growth. This should be adequately answered.

- Impact 15a: Increased governmental facilities likely will be needed, this should be addressed.

6.17

6.18

6.19

6.20

6.21

- Impact 15a-b: Park facilities use can be expected if there is an increase in recreational uses, such as winery visitations. 6.21
- Impact 20a-d: there will be increase for fires including wildland fires with increases facilities. 6.22
- Impact There is a claim that groundwater would improve. There is no supplied evidence to support improvement expectations. There is no supporting evidence of source. The current natural attenuation of nitrate is not being considered. 6.23
- Impact UTIL-1: This is wrong in statement of no development. Impact util-2: This is wrong, there are concerns for water rationing recommendations therefore cannot state there is sufficient supply for the demand. 6.24
- Groundwater will be encountered at the depth mentioned for sewer excavation. There is no mention on how this will be mitigated. 6.25
- There is very vague mention of impact to property owners along the sewer alignment. Will there be requirements to connect to the sewer and abandoning an operating septic system? Will connection be required when a septic system receives maintenance or repair? Will connection be required for house expansions? Will connections be required if a property owner does building or additions, such as an ADU? 6.26
- What is the consideration for costs to public agencies and to property owners for connections and ongoing fees?
- Has there been any analysis of costs for sewer connection?

To continue with this project, I see the need for the above comments to be adequately addressed and recirculated for public comment.

Submitted by,

Tim Johnston

██████████

████████████████████

Livermore, CA 94550



## Letter 6

**COMMENTER:** Tim Johnston

**DATE:** June 20, 2022

### Response 6.1

The commenter expresses concern regarding the addition of sewer service to Buena Vista Avenue, and asks if the project would only allow existing residences to connect or if new residences or other future development would also be allowed to connect to the proposed pipeline. The commenter also states that the EIR provides conflicting statements regarding future sewer connections.

The commenter's concerns are noted and will be passed on to City decision-makers for consideration.

As stated in Section 2.5 of the Draft Supplemental EIR, the proposed sewer pipeline would allow adjacent parcels to connect to support existing and future development consistent with the City General Plan, SLVSP, and current zoning.

### Response 6.2

The commenter states that the Draft Supplemental EIR provides incorrect pavement widths, and states that construction assumptions are unrealistic.

Project construction details are provided on page 2-11 of the Draft Supplemental EIR. The description provided here in is based on the City's experience with past pipeline installation projects. As stated therein, construction would occur within existing rights-of-way, last for approximately 12 months for the entire pipeline length, with approximately 150 LF of sewer pipeline installed per day.

### Response 6.3

The commenter states that a Civil Engineering work is referenced but not provided.

It is unclear what report the commenter is referring to, as a page reference is not provided. References used in preparation of the EIR are cited in Section 7 of the Draft Supplemental EIR.

### Response 6.4

The commenter requests supporting documentation from State Water Resources Control Board (SWRCB) regarding septic system restrictions and projects that have been restricted due to septic systems.

The following reference cited in the Draft Supplemental EIR describes the constraints to development related to septic systems in the area: HydroScience. 2022. *Sewer System Extension Hydraulic Analysis*. Livermore, CA. January 31, 2022. The following information is provided:

Most of the wineries in this region receive potable water from California Water Service Company (Cal Water), are connected to Zone 7 raw water or well water for irrigation on the vineyards, and operate on septic systems for disposal of their wastewater. These septic systems are believed to be contributing to groundwater contamination in the area. Development

approval in this area has been paused until/unless the area is able to obtain wastewater collection services to alleviate the groundwater contamination.

The SWRCB identifies nitrates as a specific constituent of concern found within groundwater. In their groundwater information sheet, the SWRCB cites septic systems and discharges from wastewater as common anthropogenic sources of nitrate in groundwater.<sup>1</sup> Septic systems collect organic nitrogen in the form of human wastes. Organic nitrogen within the septic tank is first converted into ammonium in a process called ammonification; the ammonium is then converted into nitrites, which are then converted into nitrates, by aerobic bacteria in a separate process called nitrification.<sup>2</sup> Nitrates are water-soluble and can therefore be easily passed through soils into the groundwater table when treated septic tank effluent is discharged into the drain field. Once in groundwater, nitrates attenuate slowly and have been known to persist for decades. When multiple sources of nitrates are located in close proximity to one another, such as in neighborhoods with multiple septic systems, nitrate concentrations in the groundwater can concentrate at unacceptable levels (James R. Taylor 2003).<sup>3</sup>

Zone 7 Water Agency prepared a Nutrient Management Plan for the Livermore Valley Groundwater Basin in July 2015, which provides an assessment of existing and future groundwater nutrient concentrations, and describes planned actions to address existing nutrient loads and high groundwater nitrate concentrations in identified Areas of Concern.<sup>4</sup> Additionally, the County of Alameda prepared a Local Agency Management Program for Onsite Wastewater Treatment Systems in June 2018, which describes on-site wastewater treatment system requirements within the county; identifies areas of concern within the county regarding nitrate concentrations from on-site systems (including the Tesla Avenue and Greenville Road, and Buena Vista Avenue areas in the South Livermore Valley); and describes corrective actions, requirements, procedures, and prohibitions.<sup>5</sup>

## Response 6.5

The commenter states that the EIR provides a statement of being printed on recycled paper.

Hard copies of the Draft Supplemental EIR were printed and provided for public review at Livermore City Hall and Civic Center Library. These documents were printed on 50% recycled paper with 50% post-consumer content. The note was not removed from the electronic version.

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<sup>1</sup> State Water Resources Control Board (SWRCB). 2017. Groundwater Information Sheet. Nitrates. [https://www.waterboards.ca.gov/water\\_issues/programs/gama/docs/coc\\_nitrate.pdf](https://www.waterboards.ca.gov/water_issues/programs/gama/docs/coc_nitrate.pdf) (accessed June 2022).

<sup>2</sup> Zhu, Y., Ye, M., Roeder, E., Hicks, R. W., Shi, L., and Yang, J. 2016. Estimating ammonium and nitrate load from septic systems to surface water bodies within ArcGIS environments. *Journal of Hydrology*, Volume 532, pp. 177-192.

<sup>3</sup> James R. Taylor. 2003. Evaluating Groundwater Nitrates from On-Lot Septic Systems, a Guidance Model for Land Planning in Pennsylvania. Pennsylvania State University.

<sup>4</sup> Zone 7 Water Agency. 2015. Nutrient Management Plan Livermore Valley Groundwater Basin. July 2015. [https://www.zone7water.com/sites/main/files/file-attachments/nmp-2015\\_final.pdf?1619906689](https://www.zone7water.com/sites/main/files/file-attachments/nmp-2015_final.pdf?1619906689) (accessed June 2022).

<sup>5</sup> Alameda, County of. 2018. Local Agency Management Program for Onsite Wastewater Treatment Systems. June 5, 2018. <https://deh.acgov.org/landwater-assets/docs/OWTS-LAMP.PDF> (accessed June 2022).

### **Response 6.6**

The commenter expresses the opinion that the noise discussion is incomplete. The commenter states that the EIR implies no major project is planned and no simultaneous noise would occur. The commenter states that an adjacent construction project need not be ‘major’ to compound noise impacts. The commenter expresses the opinion that noise should have been addressed in the EIR.

Noise impacts are addressed in Appendix IS to the Draft Supplemental EIR, beginning on page 79. As described therein, construction noise would not exceed applicable thresholds following the implementation of Mitigation Measure NOI-1 to reduce construction noise levels. Cumulative projects are listed in Table 3-1 (page 3-3 of the Draft Supplemental EIR). None of these projects would result in substantial construction noise directly adjacent to the proposed alignment during the anticipated project construction schedule, as the construction periods would not likely overlap; therefore, cumulative construction noise impacts are correctly characterized on page 112 of Appendix IS. Additionally, the noise analysis included in Appendix IS concludes that noise impacts resulting from the project would be less than significant; therefore, additional discussion in the Supplemental EIR is not warranted.

### **Response 6.7**

The commenter quotes page 89 of Appendix IS to the Draft Supplemental EIR, and does not provide a comment. No response is required.

### **Response 6.8**

The commenter asks why the project is being considered if it would not create new jobs.

The following project objectives are provided in Section 2.4 of the Draft Supplemental EIR:

- Improve groundwater quality in the South Livermore Valley area relative to nitrates, which is associated with residential septic systems and livestock keeping.
- Facilitate the development potential of existing and new wineries, visitor serving commercial uses, and residences consistent with the City’s General Plan, SLVSP, and South Livermore Valley Area Plan (SLVAP) subject to Alameda County Measure D.
- Enhance the short- and long-term economic viability of agriculture and viticulture in the South Livermore Valley area, consistent with Goals LU-13 and LU-14 of the City’s General Plan.

### **Response 6.9**

The commenter states that a library is referenced, and use of the library is not limited to city citizens. The commenter states that if visitors to the area are increased, the use of nearby parks and recreation facilities would also increase.

Page 93 of Appendix IS states:

The project would not induce unanticipated growth in the City or surrounding area because it would serve existing development potential consistent with the vision of the General Plan and SLVSP.... The project would not involve construction of residences and would not generate new jobs in the City; therefore, the project would not result in impacts to Livermore library services or facilities, or other public facilities in City.

Page 96 of Appendix IS states:

The project would not induce unanticipated growth in the City or surrounding area because it would serve existing development potential consistent with the City's General Plan and SLVSP. Additionally, the project would not involve construction of residences and would not generate new jobs in the City. Therefore, the project would not increase the demand for existing recreational services.

Based on the above, the commenter's concerns were addressed in Appendix IS. Because the project would not induce unanticipated growth, no increase in demand for libraries, parks, or recreational facilities would occur.

### **Response 6.10**

The commenter states that the County is considering work on Tesla Road, which could impact noise. The City is aware of the County's proposed improvement project along Tesla Road, and is working in conjunction with the County to determine an appropriate timeline for constructing both projects.<sup>6</sup> As described in Response 6.6, noise impacts are addressed in Appendix IS.

### **Response 6.11**

The commenter expresses the opinion that the EIR incorrectly states that the project will not change existing roadways, increase development, or increase traffic.

Page 2-11 of the Draft Supplemental EIR describes the proposed construction:

Daily construction tasks would include excavation/grading, installing pipe, backfilling, patching pavement, and coordinating traffic control. Once an area is complete, final paving would be installed over the trench.

No other modifications to the roadways would occur as a result of the project.

As described on page 2-10 of the Draft Supplemental EIR: "The project is intended to support uses that are consistent with the City's General Plan, SLVSP, or current zoning; should development on adjacent parcels that is not consistent with existing land use designations and zoning be proposed, additional CEQA review would be required." Construction of the proposed sewer pipeline would not directly result in the construction of new development along the pipeline. Additionally, operation of the sewer pipeline would not result in new daily vehicle trips in the project vicinity (please refer to page 102 of Appendix IS).

### **Response 6.12**

The commenter states that the project objectives do not describe how groundwater quality will be improved. The commenter also states that community members outside of the City should be allowed to vote on the proposed modification to Measure D.

The proposed project would provide an opportunity for municipal sewer connections in the South Livermore Valley area, which is experiencing groundwater quality issues related to nitrates from

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<sup>6</sup> Altman, Larry. 2022. *Livermore's Tesla Road Safety Project Beginning First Stages*. April 3, 2022. The Independent. [https://www.independentnews.com/news/livermore\\_news/livermores-tesla-road-safety-project-beginning-first-stages/article\\_a28ba9ba-b3ad-11ec-acc5-8fc95b2883b2.html](https://www.independentnews.com/news/livermore_news/livermores-tesla-road-safety-project-beginning-first-stages/article_a28ba9ba-b3ad-11ec-acc5-8fc95b2883b2.html) (accessed June 2022).

residential septic systems and livestock keeping (refer to page 2-7 of the Draft Supplemental EIR). Page 4.1-23 states: “project operation would allow residences and existing wineries to connect to the City’s wastewater system, and the existing septic systems at these properties would be abandoned or removed. As a result, groundwater quality in the South Livermore Valley would be improved due to reduced reliance on septic systems.”

As described on page 2-7 of the Draft Supplemental EIR, Measure D was passed by Alameda County voters in November 2000. Measure D was not limited to voters within the City of Livermore. However, the vote to amend to the UGB language will be restricted to the residents of the City, as the UGB is specific to the City of Livermore and certain policies within the City’s General Plan.

### **Response 6.13**

The commenter asserts that parcels adjacent to the alignment are not constrained from growth as there is mitigation available to address the nitrate issue.

Please refer to Response 6.4 regarding groundwater contamination from septic systems and existing restrictions on development in the area.

### **Response 6.14**

The commenter states that it is not explained how groundwater would improve as a result of the project, and states there is no firm data showing sources of elevated nitrate.

Please refer to Response 6.4 regarding groundwater contamination from septic systems, and Response 6.12 regarding how the project would improve groundwater quality.

### **Response 6.15**

The commenter states that Alternative 2 does not mention the use of septic systems with pretreatment.

Alternative 2 includes the construction of “shared small-scale WWTPs [wastewater treatment plants] to treat and dispose of additional wastewater generated by the maximum development of each property under the General Plan and SLVSP” (page 6-3 of the Draft Supplemental EIR). The commenter is suggesting a similar alternative of wastewater treatment prior to septic system disposal. This suggested alternative is not substantially different from Alternative 2; therefore, a discussion of this suggested alternative has not been added to the Draft Supplemental EIR, as pursuant to *CEQA Guidelines* Section 15126.6(a), “an EIR need not consider every conceivable alternative to a project.”

### **Response 6.16**

The commenter states that Alternative 3 does not explain how sewer would help alleviate groundwater issues and does not explain the existing water quality issue.

Please refer to Response 6.12 for an explanation of how municipal sewer service would improve groundwater quality. The existing groundwater quality issue is described in Section 2, *Project Description*, of the Draft Supplemental EIR. Specifically, Section 2.3 states:

In South Livermore Valley, the Regional Water Quality Control Board, County Department of Environmental Health, and Zone 7 Water Agency (Agencies) have restricted issuing permits for new septic systems or replacing failing septic systems.

The Agencies' positions reflect their missions to protect the Tri-Valley's groundwater basin. The Agencies have identified high nitrate concentrations in groundwater throughout the Tri-Valley resulting from past livestock operations and failing, undersized, or inefficient septic systems. These issues have the potential to adversely affect water quality and public health, safety, and quality of life.

### **Response 6.17**

The commenter references Impacts 6a, 6b, 7a.3, 7a.5, and 7b through 7d of Appendix IS, and states that the alignment is in an area of liquefaction concerns and no engineering study for landslide risk has been completed.

Page 53 of Appendix IS states: "The project alignment is located in an area of the city with low liquefaction susceptibility (City of Livermore 2015)." The commenter has not provided a source for their claim that the area is within an area of high liquefaction susceptibility; therefore, no additional response is required.

Page 52 of Appendix IS states: "Landslide risk is low throughout most of Livermore, including the project alignment (City of Livermore 2015)." The commenter has not provided a source for their claim that the area is within an area of high landslide susceptibility; therefore, no additional response is required.

Overall, the project would not result in the construction of new habitable structures or workplaces not already contemplated under with the City's General Plan and SLVSP. As such, the project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death from liquefaction or landslides.

### **Response 6.18**

The commenter references Impact 7e of Appendix IS, and states that there is no support for the claim of not having septic system capacity. The commenter states that the 1997 EIR should be invalidated for reporting "n/a" for the impact related to soils capable of supporting septic systems.

The statute of limitations for challenging the 1997 EIR closed following its certification in September 1997. The CEQA Appendix G checklist question related to soils capable of supporting septic systems is addressed on page 58 of Appendix IS as it relates to the proposed project. As stated therein, no septic systems or alternative wastewater disposal systems are proposed, and no impact would occur.

Please refer to Response 6.12 for an explanation of how municipal sewer service would improve groundwater quality.

### **Response 6.19**

The commenter states that there have been changes to wildland fire hazards since 1997, and it should be evaluated. The commenter states that conflicts with land use plans is an issue that should be addressed.

CEQA Appendix G checklist question 9g is addressed on page 70 of Appendix IS. As stated therein, “[t]here are no wildland conditions on or adjacent to the project alignment,” as the surrounding area is developed with primarily agricultural and residential land uses.

CEQA Appendix G checklist question 11b is addressed on page 75 of Appendix IS. As stated therein: “The project would not induce unanticipated growth in the City or surrounding area because it would serve existing development potential consistent with the City’s General Plan and SLVSP. No development beyond the current vision of the General Plan and SLVSP would occur as a result of the project.”

### **Response 6.20**

The commenter states that there will be ongoing noise from proposed facilities, which should be addressed, and states that no engineering information is presented regarding groundborne noise.

As described in Response 6.6, potential noise impacts would be limited to project construction. Project operation would not result in operational noise, as proposed sewer pipelines would be installed underground and no lift stations or other noise-generating infrastructure is proposed as part of the project. Please refer to Amendments to the Draft Supplemental EIR regarding an addition to Appendix IS describing operational noise.

Groundborne noise is caused by groundborne vibration.<sup>7</sup> Because no groundborne vibration would be generated by project operation (refer to page 87 of Appendix IS), no groundborne noise would occur. Please refer to Amendments to the Draft Supplemental EIR regarding an addition to Appendix IS describing groundborne noise.

### **Response 6.21**

The commenter references questions 14b, 15a, and 16a-b of Appendix IS, and states that the project will induce growth, require increased governmental facilities, and increase demand for parks and recreational uses from winery visitors.

CEQA Appendix G checklist question 14b is addressed on page 90 of Appendix IS. As stated therein, “[t]he project would not involve the demolition of existing residences and would not displace existing housing units or people.”

CEQA Appendix G checklist question 15a is addressed on pages 92 and 93 of Appendix IS. CEQA Appendix G checklist question 16a-b is addressed on page 96 of Appendix IS. As stated therein, “[t]he project would not induce unanticipated growth in the City or surrounding area because it would serve existing development potential consistent with the City’s General Plan and SLVSP.” No additional analysis is required.

### **Response 6.22**

The commenter references questions 20a-d of Appendix IS, and states the project would increase wildland fires.

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<sup>7</sup> Federal Transit Administration (FTA). 2018. Transit Noise and Vibration Impact Assessment Manual. [https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/researchinnovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123\\_0.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/researchinnovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf) (accessed October 2021).

CEQA Appendix G checklist questions 20a through 20d are addressed on page 110 of Appendix IS. As stated therein:

Although the project alignment is located in an SRA [State Responsibility Area], the project would be constructed within paved rights-of-way. The project would not result in population growth or expose new residents to wildfire risks. As such, the project would not substantially impair an adopted emergency evacuation plan, exacerbate wildfire risks, require the installation or maintenance of associated infrastructure that may exacerbate fire risk, or expose people or structures to significant risks. Overall, the project would not generate impacts from wildfire hazards.

The commenter has not provided support for their claim that underground sewer infrastructure would increase wildland fires and no additional response is required.

### **Response 6.23**

The commenter states that no evidence is provided to support the claim that groundwater would improve, and the current natural attenuation of nitrate was not considered.

As described in Response 6.4 and Response 6.12, groundwater quality concerns in the South Livermore Valley area are related to septic systems in the area. The project would install a sewer pipeline allowing for the connection of adjacent parcels to municipal sewer service, which would result in the abandonment or removal of existing septic systems. The disuse of these septic systems would improve groundwater quality by removing the identified source of the local water quality issue.

Nitrate attenuation within the groundwater is not related to the proposed project, as the project is not a groundwater remediation project.

### **Response 6.24**

The commenter asserts that the project would result in development, and asserts that water rationing recommendations indicate there is not sufficient water supply.

As described in Section 2 of the Draft Supplemental EIR, the project would install a sewer pipeline, but does not propose the development of any parcels adjacent to the alignment. However, the project would allow adjacent parcels to connect to support existing and future development that is consistent with the City General Plan, SLVSP, and current zoning.

As described in Response 7.6, Groundwater supply is discussed in Section 4.2, *Utilities and Service Systems*. Table 4.2-1 on page 4.2-1 of the Draft Supplemental EIR shows Cal Water's total water supply, and Table 4.2-2 on page 4.2-3 of the Draft Supplemental EIR shows total demand for potable and raw water is projected to meet the projected water supply in future years. Furthermore, page 4.2-3 of the Draft Supplemental EIR states:

According to the 2020 UWMP [Urban Water Management Plan], the combination of groundwater and purchased water supply is expected to be enough to support Cal Water's projected water demand through 2045 (Cal Water 2021).

There is adequate water supply available to meet anticipated future year demands, as described in the 2020 UWMP.



**Response 6.25**

The commenter states that groundwater would be encountered during project excavation and mitigation is required.

Page 2-11 of the Draft Supplemental EIR provides excavation depths:

Excavation depths would vary by location, with most depths between 5 and 15 feet below ground surface. Approximately 1,000 LF [linear feet] along Greenville Road south of Tesla Road would require excavation between 15 and 18 feet, and approximately 1,200 LF along Tesla Road east of Vasco Road would require excavation between 15 and 26 feet.

Page 4.1-21 of the Draft Supplemental EIR describes the requirements of the City of Livermore Stormwater Requirements Checklist for the City's Municipal Separate Storm Sewer System (MS4) Permit, which includes water quality controls related to dewatering. Dewatering would be required if groundwater is encountered during excavation and construction activities along the proposed alignment. Dewatering is a standard construction procedure, and mitigation would not be required. Because construction dewatering would be temporary and limited to the construction period, a permanent reduction in available groundwater would not occur as a result of the project. This clarification has been added to Impact HYD-2 of the Draft Supplemental EIR, as shown in Amendments to the Draft Supplemental EIR.

**Response 6.26**

The commenter asks for more details related to impacts to property owners along the alignment, including requirements to connect, and fees to connect.

As described in Response 3.1, the project would not require property owners along Buena Vista Avenue to tie into the City's wastewater system. As described in Response 4.1, there are currently no details available regarding the cost to an individual property desiring to connect to the City's wastewater system. This comment will be passed on to City decision-makers for review.

**From:** cindraw <[REDACTED]>  
**Sent:** Monday, June 20, 2022 12:32:06 PM  
**To:** Michele Donley <[REDACTED]>  
**Subject:** RE: June 21 Public Hearing

Exercise Caution: This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am reading through the EIR, but I have a few other questions.

Will Buena Vista residents be required to hook up or can we continue using our septic system? I hope we will be able to continue with our septic.

7.1

Will this allow a higher density on lots? I hope not.

7.2

Is this a signal that Livermore will annex Buena Vista? I hope not.

7.3

Which side of Buena Vista will this pipe system be on, west or east?

7.4

When finished, it sounds like Buena Vista would be repaved. If so, can it be widened just a bit or a sidewalk installed at least on one side? It is hazardous for pedestrians and horse traffic.

7.5

In Table 4.2-1, California Water Water Supplies, I see that ground water is projected to increase as a source from 1066 (2020) to 3069 (2025). I am concerned about the impact of that on current well owners. We rely on that source for our animals and forage for the animals.

7.6

I appreciate your attention to my questions. Please note my opinion on these matters for the public hearing. While I plan to attend the public hearing, this will allow me to not take up someone else's time for comments.

Cindy Wheeler

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

**From:** Michele Donley <[REDACTED]>  
**Date:** 6/20/22 7:13 AM (GMT-08:00)  
**To:** cindraw <[REDACTED]>  
**Subject:** RE: June 21 Public Hearing

Good morning Cindra,

The EIR is accessible by clicking on the link on the cover page. The document is too large to attach.

Please see the link below:

Please let me know if you have any other questions.

Thanks,

Michele

**From:** cindraw <[REDACTED]>  
**Sent:** Sunday, June 19, 2022 2:30 PM  
**To:** Planning Web email <[planning@LivermoreCA.gov](mailto:planning@LivermoreCA.gov)>  
**Subject:** June 21 Public Hearing

Exercise Caution: This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I need additional information regarding the proposed extension of city sewer including Buena Vista Avenue. I tried accessing the EIR, but only see the cover page.

Thank you.

Cindra Wheeler

[REDACTED]

[REDACTED]

Sent from my Verizon, Samsung Galaxy smartphone

## Letter 7

**COMMENTER:** Cindy Wheeler

**DATE:** June 10, 2022

### Response 7.1

The commenter asks if Buena Vista residents would be required to hook up to the City's wastewater system, or if they can continue to use existing septic.

As described in Response 3.1, Buena Vista Avenue residents would not be required to connect to the City's wastewater system. While the project would allow existing residences to connect to the City's wastewater system and phase out the use of their on-site septic systems, such connection would be optional and subject to approvals by the City of Livermore, the Alameda Local Agency Formation Commission, and other responsible agencies.

### Response 7.2

The commenter asks if the project would allow higher density on lots.

As stated in Section 2 of the Draft Supplemental EIR, the project would only "support uses that are consistent with the City's General Plan, SLVSP, or current zoning; should development on adjacent parcels that is not consistent with existing land use designations and zoning be proposed, additional CEQA review would be required" (page 2-10 of the Draft Supplemental EIR).

### Response 7.3

The commenter asks if this is a signal that Livermore will annex Buena Vista.

As described in Response 3.1, the project being analyzed within the Draft Supplemental EIR does not propose the annexation of parcels along Buena Vista Avenue into the City of Livermore, nor does the project propose a change to any existing land use designations or zoning of parcels adjacent to the proposed alignment. As stated in Section 2 of the Draft Supplemental EIR, the project would only "support uses that are consistent with the City's General Plan, SLVSP, or current zoning; should development on adjacent parcels that is not consistent with existing land use designations and zoning be proposed, additional CEQA review would be required" (page 2-10 of the Draft Supplemental EIR).

### Response 7.4

The commenter asks if the sewer extension pipe would be on the east or west side of Buena Vista.

The sewer extension would be constructed underneath the existing Buena Vista Avenue roadway, with the exact location within the roadway right-of-way to be determined.

### Response 7.5

The commenter asks if Buena Vista Avenue can be widened or if a sidewalk could be installed during the project's construction re-pavement phase.

The project does not include roadway widening or sidewalk improvements. The overall project elements and detailed information on construction activities are provided in Section 2, *Project Description*, on Draft Supplemental EIR page 2-10 and 2-11. This request will be passed on to City decision-makers for consideration.

## Response 7.6

The commenter states that EIR Table 4.2-1 shows that groundwater is projected to increase as a source from 1,066 acre-feet per year (AFY; 2020) to 3,069 AFY (2025), and expresses concern regarding that impact on current well owners.

Page 4.2-1 of the Draft Supplemental EIR states:

Cal Water provides a combination of local groundwater, pumped from 12 wells across the Livermore Valley, and surface water purchased from the Zone 7 Water Agency.

As described in Section 2.4.1(a) of the Draft Supplemental EIR, Cal Water relies on groundwater as a portion of its overall water supply, with a total Groundwater Pumping Quota of 3,069 AFY, pursuant to a contract with Zone 7 Water Agency. The 2020 and 2025 groundwater usage by Cal Water noted by the commenter is based on information from the 2020 Urban Water Management Plan (UWMP). The 2020 data shows the actual groundwater from 2020 Cal Water used, whereas the 2025 estimate equals the maximum groundwater usage Cal Water has been allocated.

It should be noted that groundwater used by Cal Water in the Livermore District is sourced from the Livermore-Amador Valley aquifer through 12 separate wells across the Livermore Valley. Annual rainfall and the flow of local surface waters help to replenish the groundwater that was used in previous years. This groundwater recharge in combination with the distribution of wells used to source Cal Water's groundwater supply would ensure the use of such groundwater supplies would not create an impact to individual well owners in the vicinity of the project alignment.

Groundwater supply is discussed in Section 4.2, *Utilities and Service Systems*. Table 4.2-1 on page 4.2-1 of the Draft Supplemental EIR shows Cal Water's total water supply, and Table 4.2-2 on page 4.2-3 of the Draft Supplemental EIR shows total demand for potable and raw water is projected to meet the projected water supply in future years. Furthermore, page 4.2-3 of the Draft Supplemental EIR states:

According to the 2020 UWMP, the combination of groundwater and purchased water supply is expected to be enough to support Cal Water's projected water demand through 2045 (Cal Water 2021).

# South Livermore Sewer Expansion - Comments

Letter 8

## Questions:

1. Who is going to pay for the city's sewer extension?
2. Will the residents on Tesla Rd have to pay for it?
3. If the residents have to pay for it, how much will each residence be charged?
4. Will each residence be required to hookup to the sewer system?
5. What if we don't want it or can't afford it?
6. Will our property taxes go up because of this? And how much?

8.1

Concannon Winery used to be a nice quiet family winery. They have become a large wine factory that is so big that they now want to amend the Urban Growth Boundary for their benefit.

Extending the sewer line down Tesla Rd WILL encourage development in this rural area, and WILL attract larger noisier wine factories, which in turn would cause even more noise and traffic.

8.2

8.3

John Marchand said "the infrastructure is needed to attract larger wineries." The smaller wineries should be worried about being swallowed up by the larger wineries if this happens.

Sewer system infrastructure IS DEVELOPMENT. Build it and they will come. It will also lure developers to this rural area.

8.4

The Tri-Valley Conservancy has said "it will not spur any unforeseen growth in the city or it's sphere of influence." Key word being unforeseen. So they have foreseen growth and development of this rural area, and are encouraging it with this extension.

If it is nitrates and ground water that people are worried about, why are the wineries still dumping tons of manure and fertilizer in the vineyards every year?

8.5

I'm a senior citizen, and hope to be retiring soon. Our property is paid off, so it might be possible for us to live on social security. Our property is our nest egg for old age. If we are forced to pay the exorbitant cost to hookup it would ruin the rest of our lives. I feel that forcing seniors into this kind of debt is a form of elder abuse. Maybe they can fund it so Seniors have no added expenses.

8.6

Why should we be forced to have such a devastatingly huge unexpected and unwanted debt for the rest of our lives, because of something that the Concannon Wine Factory and others want?

If they want it so bad maybe they should pay ALL of the costs for ALL of the residents that they will be affecting, including any monthly fees, costs and repairs. and any increase in our property taxes.

It would be a lot shorter distance and cheaper if they extended their sewer hookup down Almond Ave. to Concannons buildings. That route would also put far fewer families into such a huge debt.

8.7

We say NO to this whole plan. NO CHANGE OF THE URBAN GROWTH BOUNDARY, NO SEWER HOOKUP, NO DEVELOPMENT, NO LARGE WINE FACTORIES, NO HUGE DEBT FOR OUR FAMILIES.

8.8

I am a 6th generation Livermore resident, who just wants to be left alone to live the rest of my life in peace.

Christine Massey

## Letter 8

**COMMENTER:** Christine Massey

**DATE:** June 21, 2022

### Response 8.1

The commenter asks if the City will be paying for the sewer extension or if the residents will have to pay for it.

The total project costs are estimated at \$11.5 million. Phase 1 of the project is estimated to cost approximately \$8 million. The city has secured \$6.5 million from Alameda County for the construction of the sewer extension project. As described in Response 4.1, there are currently no details available regarding the cost to an individual property desiring to connect to the City's wastewater system. This comment will be passed on to City decision-makers for consideration.

### Response 8.2

The commenter asks if all residents would be required to hook up to the City's wastewater system, or if they can continue to use existing septic.

As described in Response 3.1, the project would not require property owners along Buena Vista Avenue to tie into the City's wastewater system.

### Response 8.3

The commenter asks if the property taxes will go up as a result of the project.

Pursuant to *CEQA Guidelines* Section 15131, economic or social effects of a project shall not be treated as a significant effect on the environment. As such, formal analysis of economic or social impacts is not required, which includes property values and property taxes.

### Response 8.4

The commenter states that Concannon Winery has become a large wine factory and raises concern about the growth that would occur as a result of the project. The commenter also states that the project will attract larger wineries that could cause more traffic and noise.

The past and future growth of Concannon Winery is not relevant to the proposed project. This comment does not pertain to the adequacy of the Draft Supplemental EIR, or the CEQA process. Therefore, no further response is required. As stated in Section 2 of the Draft Supplemental EIR, the project would only "support uses that are consistent with the City's General Plan, SLVSP, or current zoning; should development on adjacent parcels that is not consistent with existing land use designations and zoning be proposed, additional CEQA review would be required" (page 2-10 of the Draft Supplemental EIR). Transportation is discussed beginning on page 97 of Appendix IS to the Draft Supplemental EIR. Noise is discussed beginning on page 79 of Appendix IS to the Draft Supplemental EIR.

### **Response 8.5**

The commenter questions why wineries are still dumping manure and fertilizer in the vineyards each year if nitrates and groundwater are a concern.

As described in Response 6.4, the HydroScience report, *Sewer System Extension Hydraulic Analysis*, states that both residences and wineries in the region operate on septic systems for disposal of their wastewater, which are believed to be contributing to groundwater contamination in the area. Furthermore, as described in Response 6.16, existing groundwater quality issues are described in Section 2.3 of the Draft Supplemental EIR, and Response 6.12 provides explanation of how municipal sewer service would improve groundwater quality.

### **Response 8.6**

The commenter expresses concern about who would pay for the project expenses and if it would be added to the taxes of residents.

Response 8.1 describes the estimated construction costs associated with the project. As described in Response 4.1, there are currently no details available regarding the cost to an individual property desiring to connect to the City's wastewater system; the City would charge a connection fee, the amount of which is not known at this time. This comment will be passed on to City decision-makers for consideration. Furthermore, as described in Response 8.3, *CEQA Guidelines* Section 15131 states that economic or social effects of a project shall not be treated as a significant effect on the environment. As such, formal analysis of economic or social impacts is not required, which includes property taxes.

### **Response 8.7**

The commenter suggests that the location of the sewer extension location be changed to Almond Avenue to Concannon's buildings.

Municipal sewer service is already available along Almond Avenue, and Concannon is connected to that sewer pipeline. Furthermore, as described on page 6-6 in Section 6, *Alternatives*, of the Draft Supplemental EIR, Alternative 3 would include 3,800 LF of pipeline within agricultural land located approximately 1,200 feet east of Buena Vista Avenue rather than the proposed 5,400-LF alignment along Buena Vista Avenue. The commenter is suggesting a similar alternative regarding different placement and alignment of the extended sewer pipeline. This suggested alternative is not substantially different from Alternative 3; and, pursuant to *CEQA Guidelines* Section 15126.6(a), "an EIR need not consider every conceivable alternative to a project."

### **Response 8.8**

The comment expresses opposition to the project, including the changes to the urban growth boundary and additional sewer hookups.

This comment is acknowledged and will be passed on to City decision-makers for consideration. However, this comment does not pertain to the adequacy of the Draft Supplemental EIR or the CEQA process. Therefore, no further response is required.



June 20, 2022

TO: Livermore City Planning Commission

FROM: Owen Parker – Resident on Buena Vista Ave.

SUBJECT: Extension of Sewer Line Down Buena Vista Avenue and South Valley Area

- |   |     |
|---|-----|
| 1. I have concerns about the construction of a pipe line down Buena Vista. There was no information addressing the impact on the Buena Vista residents regarding traffic and the loss of quality of life during construction. | 9.1 |
| 2. Information needs to be provided to residents regarding cost of connecting to the sewer line and the mechanisms in doing so when excessive length is involved for those residences further off the road.                   | 9.2 |
| 3. When and if Buena Vista is annexed into the City of Livermore, will the rural residential ambiance of the road be maintained with the existing 20' roadway as it is currently?   | 9.3 |
| 4. I would embrace hooking into the Buena Vista sewer line, but would also like the city to consider addressing other areas in the South Valley Region such as Almond Ave., Arroyo Road, Lomas and Marina Ave.                | 9.3 |

Thank you for your consideration of my concerns.

Owen Parker , [REDACTED]

Phone: [REDACTED]

## Letter 9

**COMMENTER:** Owen Parker

**DATE:** June 21, 2022

### Response 9.1

The commenter expresses concerns regarding project construction on Buena Vista Avenue. The comment adds that there was no information regarding traffic and the change in quality of life during construction.

Transportation is discussed beginning on page 97 of Appendix IS to the Draft Supplemental EIR. As indicated on pages 102 and 103 of Appendix IS, transportation impacts were found to be less than significant. Additionally, as stated on pages 97 and 98 of Appendix IS, development on adjacent parcels within the SLVSP area would continue to be required to implement applicable transportation mitigation measures from the 1997 EIR.

Regarding quality of life, potential impacts related to air quality, greenhouse gas emissions, hazards and hazardous materials, and noise were discussed in Appendix IS to the Draft Supplemental EIR. As indicated on pages 31 through 35 of Appendix IS, air quality impacts were found to be less than significant. Additionally, as stated on pages 25 through 27 of Appendix IS, development on adjacent parcels within the SLVSP area would continue to be required to implement applicable air quality mitigation measures from the 1997 EIR. As indicated on pages 63 and 64 of Appendix IS, As indicated on pages 68 through 70 of Appendix IS, hazards and hazardous materials impacts were found to be less than significant. As indicated on pages 84 through 87 of Appendix IS, noise impacts were found to be less than significant with mitigation incorporated.

### Response 9.2

The commenter requests that information be provided regarding the costs for residents to connect to the sewer system and other details regarding connection.

As described in Response 4.1, there are currently no details available regarding the cost to an individual property desiring to connect to the City's wastewater system. This comment will be passed on to City decision-makers for consideration.

### Response 9.3

The commenter asks if the rural residential ambiance will be maintained within the existing roadway. Furthermore, the comment provides support for the project; however, the comment suggests that the City should also consider the needs of other parts of the city.

Visual resources are discussed beginning on page 15 of Appendix IS to the Draft Supplemental EIR. As indicated on page 16 of Appendix IS, the project would not induce unanticipated growth in the City or surrounding area because it would serve existing development potential consistent with the City's General Plan and the SLVSP. Therefore, the project would not have an impact on existing scenic vistas or scenic resources. Furthermore, as indicated on page 17 of Appendix IS, the project would be subject to current regulations governing scenic qualities, including Goal LU-15 of the City's General Plan Land Use Element that specifically aims to preserve South Livermore's unique rural and scenic qualities.

Transportation is discussed beginning on page 97 Appendix IS to the Draft Supplemental EIR. As indicated on page 102 of Appendix IS, the project would not change the existing roadways, increase commercial or residential development in the area, generate growth, or create an increase in traffic in the project vicinity. Therefore, the “rural ambience” along the project alignment would not change.

Livermore, CA 94550

June 21, 2022

Andy Ross, Senior Planner  
City of Livermore  
1052 South Livermore Avenue  
Livermore, CA 94550

Planning Commission  
c/o Community Development Department  
1052 South Livermore Avenue  
Livermore, CA 94550

BY E-MAIL TO: [planning@LivermoreCA.gov](mailto:planning@LivermoreCA.gov); [aaross@LivermoreCA.gov](mailto:aaross@LivermoreCA.gov)

Re: (1) Comment on Draft SEIR – South Livermore Sewer Expansion Project  
(2) Planning Commission meeting of June 21, 2022, Item 5.1

To the City of Livermore Planning Commission, Planning Division, and Mr. Ross:

This communication is to serve two purposes. First, it is a comment on the Draft Supplemental Environmental Impact Report (SEIR) for the South Livermore Sewer Expansion Project. Second, it is a “Public Comment on the Draft Supplemental Environmental Impact Report for South Livermore Valley Specific Plan to extend sewer infrastructure and service to protect water quality and agriculture in the South Livermore Valley,” Item 5.1 on the June 21, 2022 Planning Commission agenda.

10.1

The June 21, 2022 Planning Commission meeting agenda packet states on page 97 (Item 5.1): “A draft document was published on May 6 for a 45-day comment period, which closes on Wednesday, June 22 at 5 pm.” I am submitting this comment on June 21.

I have lived on the parcel at [REDACTED] for nearly 48 years. My parcel at the southeasterly corner of South Livermore Avenue and Concannon Boulevard long has been described as “The Gateway to the Vineyards.” **I support the South Livermore Sewer Expansion Project in general concept, but I am strongly opposed to the “Phase 1” project alignment**, which omits my South Livermore Avenue neighborhood without good reason.

A sewer line extension should be included in “Phase 1” a few hundred feet down South Livermore Avenue to my neighborhood, which includes Page Mill Winery and several homes and small vineyards between Concannon Boulevard and Tesla Road. South Livermore Avenue in this neighborhood already is within City limits, with a nearby existing sewer line.

The Staff Report for tonight’s SEIR public hearing claims, “The purpose of the project is to improve groundwater quality and enhance the economic viability of agriculture and viticulture in the South Livermore Valley area.” (p. 99.)

10.2

The SEIR describes the “project objectives” as:

- “Improve groundwater quality in the South Livermore Valley area relative to nitrates, which is associated with residential septic systems and livestock keeping

- Facilitate the development potential of existing and new wineries, visitor serving commercial uses, and residences consistent with the City’s General Plan, SLVSP, and SLVAP subject to Alameda County Measure D
- Enhance the short- and long-term economic viability of agriculture and viticulture in the South Livermore Valley area, consistent with Goals LU-13 and LU-14 of the City’s General Plan” (SEIR, p. 6-1.)

10.2

My neighborhood on South Livermore Avenue is closer to an arroyo (Arroyo Mocho) than any other parcels served by the “Phase 1” alignment. See the map in Figure 4.1-2 in the SEIR. Yet my neighborhood is excluded from “Phase 1.”

My neighborhood is “The Gateway to the Vineyards” at the very edge of city limits. Yet it is excluded from “Phase 1.” After the John Madden-owned bed and breakfast notoriously failed nearly 15 years ago near me in the historic Gordon-Nielsen House due to a prohibitively expensive septic system as a condition of project approval, many wine-related businesses refused to consider opening up operations in the South Livermore Valley, including on my property. Several prospective winery operators have approached me in recent years to explore placing operations on my property, but they have turned out to be infeasible because of septic tank-related issues.

10.3

The SEIR is deficient because it should have considered hooking up the “South Livermore Sewer Expansion” to the existing line on South Livermore Avenue instead of to East Avenue. That would avoid burdening the East Avenue sewer “Bottlenecks” (capacity constraints) described in the SEIR.

10.4

If “Improve groundwater quality” is an authentic project objective, then the SEIR is deficient because it does not quantify the environmental benefits (e.g., amount of nitrates diverted from septic systems) associated with various alignments.

10.5

The proposed “Phase 1” alignment also is not cost effective relative to the supposed environmental benefits. The “dollars spent per ton of nitrates diverted” is much lower for my neighborhood than for the proposed “Phase 1” alignment. My neighborhood, which is along a road already within city limits and just a few hundred feet away from an existing City sewer line, is excluded from “Phase 1,” yet more than 1.5 miles of sewer line extension from Vasco Rd. is proposed in “Phase 1” in order to serve the politically-powerful Poppy Ridge Golf Course. (Traversing the Vasco/Tesla hill might incur additional operating expense.) The City and County should not be making what appears to be an unconstitutional “gift of public funds” (multi-million subsidies, including at least \$6.5 million in County funds) to big wineries and golf courses while excluding small property owners like my neighbors and me. (See California Constitution, art. XVI, section 6.)

10.6

This project and its SEIR should provide real environmental and economic benefits to all South Livermore Valley property owners, not just to the big winery and golf course owners. **Unless the “Phase 1” alignment is amended to include my neighborhood on South Livermore Avenue, I intend to join with other small property owners to strongly and vociferously oppose the South Livermore Sewer Expansion Project.**

Sincerely,

/s/ *John Bezis*

JOHN BEZIS

## Letter 10

**COMMENTER:** John Bezis

**DATE:** June 21, 2022

### Response 10.1

The commenter states they live at the southeast corner of South Livermore Avenue and Concannon Boulevard. The commenter expresses support for the project concept but is strongly opposed to Phase 1 of the project alignment because it omits his South Livermore Avenue neighborhood.

Section 2, *Project Description*, of the Draft Supplemental EIR, specifically, Section 2.2 states:

The project also includes two potential future phases of the sewer alignment. The western future phase would be located on South Livermore Avenue from approximately 520 feet northwest of Concannon Boulevard to Tesla Road, and on Tesla Road from South Livermore Avenue to Buena Vista Avenue.

As described on page 2-1 and shown on Draft Supplemental EIR's Figure 2-1, the western future phase of the project would extend sewer service to the commenter's South Livermore Avenue neighborhood. It is the intent of the City to expand sewer service to this area.

### Response 10.2

The commenter summarizes the Staff Report's public hearing purpose and states the project objectives. The commenter states their parcel is closer to Arroyo Mocho than any of the parcels along the Phase 1 alignment.

Water Quality is addressed beginning on page 4.1-1 of the Draft Supplemental EIR in Section 4, *Hydrology and Water Quality*. As indicated on pages 4.1-21 through 4.1-29, water quality impacts to Arroyo Mocho were found to be less than significant. Furthermore, as described in Section 2, *Project Description*, of the Draft Supplemental EIR, water quality issues in the South Livermore Valley are related to high nitrate concentrations in groundwater, whereas Arroyo Mocho is a surface water feature.

### Response 10.3

The commenter states they are unable to support wine-related business operations on their property due to septic tank-related issues.

Response 10.1 explains that the western future phase of the project would extend sewer service to the commenter's South Livermore Avenue neighborhood.

### Response 10.4

The commenter states the Supplemental EIR is deficient because it does not consider hooking up to an existing line on South Livermore Avenue rather than on East Avenue to avoid the Bottleneck capacity constraints.

Section 2.5 of the Draft Supplemental EIR on page 2-10 states:

The City's 2017 Sewer Master Plan also identifies a Bottleneck Project (BO-CIP-P06) located on East Avenue. Preliminary analysis of the proposed project identified four segments of 12-inch sewer pipes that may need to be upsized on East Avenue between Maple Street and Buena Vista Avenue (City of Livermore 2017).

The Bottleneck Project has been identified by the City of Livermore since 2017. The Bottleneck Project would need to be undertaken on East Avenue, regardless of the proposed Sewer Expansion Project. Furthermore, as described in Response 10.1 and Response 10.3, the western future phase of the project would extend sewer service to the South Livermore Avenue neighborhood. As such, the extended sewer pipeline would connect to the existing pipeline on South Livermore Avenue.

### **Response 10.5**

The commenter states that the EIR does not quantify the environmental benefits associated with the alignment.

The purpose of CEQA review is to identify adverse environmental impacts. If a project undergoing CEQA review will result in environmental benefits, that can also be included in the analysis. It is unknown at this time how many existing and future residences and wineries located along the alignment would choose to connect to the extended sewer pipeline, as connection to the City's wastewater system would be optional and left to the discretion of individual property owners. Therefore, quantification of environmental benefits is not possible as there is not enough information available at this time.

### **Response 10.6**

The commenter states the proposed Phase 1 is not cost effective relative to the environmental benefits because the cost would be lower if Phase 1 of the project were to serve the South Livermore Avenue neighborhood. The commenter states that the project would only provide an environmental and economic benefit to the golf course and to wineries. The commenter also mentions that traversing the hill on Vasco Road/Tesla Road could incur additional operating expenses.

As described in Response 4.1, there are currently no details available regarding the cost to an individual property desiring to connect to the City's wastewater system; the City would charge a connection fee, the amount of which is not known at this time. This comment will be passed on to City decision-makers for consideration.

As stated in Response 10.1, Response 10.3, and Response 10.4, the western future phase of the project would extend sewer service to the South Livermore Avenue neighborhood. Furthermore, as described in Response 6.4, the HydroScience report, *Sewer System Extension Hydraulic Analysis*, states that both the residences and wineries operating on septic systems for disposal of their wastewater are believed to be contributing to groundwater contamination in the area. As such, groundwater quality degradation is concentrated along Buena Vista Avenue due to the number of existing septic tanks used by property owners in the area. Page 2-7 in Section 2, *Project Description*, of the Draft Supplemental EIR describes the project's intent to improve groundwater quality in the South Livermore Valley area relative to nitrates, which are associated with the residential septic systems. Therefore, the project would provide environmental benefits to the golf course, to the wineries, to the residents along Buena Vista Avenue, and to the entire Livermore Valley Groundwater Basin.

The city is aware of the topography along Tesla Road, and anticipates drilling depths between 15 and 26 feet along this section; please refer to page 2-11 of the Draft Supplemental EIR.



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**Planning Commission Meeting June 21, 2022**  
**Public Comments Submitted**

**Item 5.1**

**Anonymous Attendee 7:14pm**

Re: Proposed South Livermore Sewer Alignment

Laws in California around CEQA mandate the disclosure of significant environmental effects of a proposed project. In conjunction with this, I have not read anything about any reports the city is conducting on the ramifications of increasing the vineyards scale due to this project regarding the increased pesticide exposure our community will face.

Numerous studies have shown that living near vineyards increases rates of cancer and childhood asthma.

**ALAN 7:45pm**

Is this project in conjunction with the County's slated powerline undergrounding and sewer project on Tesla/S Livermore? Or is this in complement to that project? We live at [REDACTED] in the County near the Concannon/S Livermore streetlight.

Back ground: The county has indicated that as planning, our property and two others would not be included in it's planned improvements. They claim the road in front of our properties is in City bounds and that would prevent the project continuing to our location. This does not seem logical as we are within the County (paying taxes and receiving our services). The County explained that laying sewer line /undergrounding would occur within our property lines not on the road.

We find this to be short-sighted (just finish the job up to the City) and frustrating since our property is within the County (expectation to benefit from this improvement).

Would you please describe the timeline and staging of this project?

**Meaganw 8:11pm**

What is the timeline on this project?

**Chris Grimes 8:13pm**

Enable but not require residents of Buena Vista to hookup to sewer line? How long is that "enable but not require" to last. Will there be any eminent domain land seizures for sewer line installation on Buena Vista?

**Lyn Gomes 8:15pm**

I am a resident of Buena Vista Ave. I support this project because it will preserve groundwater quality. I wish this would happen sooner. Can the committee also designate a representative to help facilitate coordination with County Sanitation for residents actively considering replacement of their septic tanks vs connecting to the sewer?

**Anonymous Attendee 8:23pm**

Yes, how is the City's sewer development related to the County's planned development on Tesla?

**Christina Danskin 8:27pm**

Thank you Commissioner Anderson for recommending a meeting with the Buena Vista residents so their concerns can be acknowledged and considered in the planning of this project.

**Chris Grimes 8:28pm**

@ John Stein - there is no bike lane on Buena Vista as you stated. Separate Buena Vista meetings for undersatnding would be greatly appreciated by our neighborhood!!! THANK YOU!

**Anonymous Attendee 8:35pm**

It would be appreciated if a meeting would also include other stakeholders along the project - not only Buena Vista residents

## Public Hearing Comments

Public comments received during the June 21, 2022, Planning Commission meeting are summarized and responded to below.

### Response 1

One commenter expressed concern related to increased pesticide exposure from expansion of vineyards.

Please refer to Response 5.1 regarding pesticide exposure.

### Response 2

Several commenters asked about the project timeline and staging, and mentioned the County's powerline undergrounding project on Tesla Road and South Livermore Avenue.

Please refer to Response 6.10 regarding the County's project on Tesla Road. The anticipated project timeline for the proposed project is described in Section 2.5 of the Draft Supplemental EIR on page 2-11: "Construction is anticipated to commence in 2024 and last for approximately 12 months, ending in 2025." Additional details on project timing are not available at this time.

### Response 3

Several commenters asked if adjacent parcels would be required to connect to the proposed sewer line, if there is a timeline or restrictions regarding the connection of adjacent parcels, and what the associated costs with connecting to the sewer line would be. Commenters asked if the project includes zoning changes along the proposed alignment.

Please refer to Response 3.1 and Response 4.1. As stated therein, parcels would not be required to connect, and there is no timeline for adjacent property owners to make a decision on sewer connection. There are currently no details available regarding the costs of tying in, although a connection fee will be required; and no zoning changes are proposed as part of the project.

### Response 4

One commenter asked if a representative can be designated to help facilitate coordination with the County for residents wishing to replace their septic tanks rather than connecting to the sewer line. One commenter suggested the City provide a Frequently Asked Questions sheet to address common concerns.

This comment is acknowledged and will be passed on to decision-makers for consideration.

### Response 5

Commenters asked how the City handle will noticing for construction and sewer connection.

Please refer to Response 4.2 regarding construction notification; as stated therein, it is the City's standard practice to require notification at least 72 hours prior to construction activities.

## Response 6

One commenter suggested a project alternative of underground storage tanks that are pumped and transferred by truck to the wastewater treatment plant for disposal.

Alternative 2 includes the construction of “shared small-scale WWTPs to treat and dispose of additional wastewater generated by the maximum development of each property under the General Plan and SLVSP” (page 6-3 of the Draft Supplemental EIR). The commenter is suggesting a similar alternative of one-site wastewater treatment prior to off-site disposal. This suggested alternative is not substantially different from Alternative 2; therefore, a discussion of this suggested alternative has not been added to the Draft Supplemental EIR, as pursuant to *CEQA Guidelines* Section 15126.6(a), “an EIR need not consider every conceivable alternative to a project.”

## Response 7

One commenter noted that Section 1, *Introduction*, of the Draft Supplemental EIR could be clarified to state that development of parcels adjacent to the proposed alignment would be consistent with existing land use and zoning designations, subject to Alameda County Measure D.

The requested clarification has been added to page 1-1 of the Draft Supplemental EIR, as shown in Amendments to the Draft Supplemental EIR.

## Response 8

Commenters asked where within Buena Vista Avenue the sewer pipeline would be installed.

Please refer to Response 7.4 regarding the location of the pipeline within Buena Vista Avenue; as stated therein, the exact location has not yet been determined.

## Response 9

Commenters mentioned the knoll on Tesla Road, which may require increased depths of drilling.

As described in Response 10.6, the City is aware of the topography along Tesla Road, and anticipates drilling depths between 15 and 26 feet along this section; please refer to page 2-11 of the Draft Supplemental EIR.

# Amendments to the Draft Supplemental EIR

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The following pages provide a summary record of all proposed text amendments to the Draft Supplemental EIR. Most amendments are the result of comments received during the public review period, and directly respond to those comments, or correction of typographical errors within the Draft Supplemental EIR. These amendments serve as clarifications and amplifications on the content of the Draft Supplemental EIR. None of the changes would warrant recirculation of the EIR pursuant to CEQA Guidelines Section 15088.5. The amendments serve to clarify and strengthen the content of the EIR, but do not introduce significant new information.

Changes in text are signified by strikeouts (~~strikeouts~~) where text is removed and by underlined font (underline font) where text is added. Other minor clarifications and corrections to typographical errors are also shown as corrected in this format, including corrections not based on responses to comments.

## Draft Supplemental EIR

### Section 1, Introduction

Page 1-1:

The proposed project alignment is located southeast of the City of Livermore, with most of the alignment within unincorporated Alameda County. The 1997 EIR discusses the environment impacts of the South Livermore Valley Specific Plan, which was designed to combat urban sprawl, and preserve existing vineyards and prime vineyard soil within the southern Livermore Valley. This Supplemental EIR discusses the potential environmental impacts of the proposed project, which would amend the urban growth boundary (UGB) language to allow the extension of sanitary sewer lines to serve residences and wineries within or near the City of Livermore. This amendment would allow for the installation of approximately 5 miles of new sewer lines to support existing uses and future development consistent with the General Plan, SLVSP, and SLVAP in South Livermore Valley, subject to Alameda County Measure D.

Page 1-2:

In 1997, the City of Livermore certified the Final EIR for the South Livermore Valley Specific Plan (SLVSP). ~~This document planned development for 30 residential lots in the City of Livermore, in Alameda County.~~ The SLVSP is a policy document that establishes criteria and a regulatory framework for future development in South Livermore Valley. In March 2000, City voters approved the UGB Initiative, which aims to prevent uncontrolled urban development.

### Section 4.1, Hydrology and Water Quality

Page 4.1-5:

... These materials consist of continental deposits from alluvial fans, outwash plains, and lakes (DWR 2006). Groundwater in the vicinity of the project alignment is known to occur at depths between approximately 10 and 50 feet below ground surface (Zone 7 Water Agency 2021b).

Page 4.1-24:

... Project construction water use would also comply with California Green Building Standards Code water use efficiency requirements (additional details provided in Appendix IS: Environmental Checklist Section 3, *Air Quality*). Necessary dewatering during excavation, should groundwater be encountered, would be conducted consistent with the City's MS4 Permit requirements and would not result in a permanent reduction in available groundwater supplies. Facilitation of adjacent development potential...

## Section 7, References

Page 7-3:

Zone 7 Water Agency. 2021b. Alternative Groundwater Sustainability Plan for the Livermore Valley Groundwater Basin. December 2021.  
[https://www.zone7water.com/sites/main/files/fileattachments/alt\\_gw\\_sustainability\\_plan.pdf?1619903254](https://www.zone7water.com/sites/main/files/fileattachments/alt_gw_sustainability_plan.pdf?1619903254) (accessed June 2022).

## Appendix IS

### Environmental Checklist Section 13, Noise

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*a. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Operation of the proposed sewer pipeline would not result in permanent sources of noise, as no lift stations or other associated noise-generating infrastructure is proposed. No impact would occur.

Construction activity would generate temporary noise in the project vicinity, exposing surrounding sensitive receivers to increased noise levels....

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There would be no groundborne vibration or groundborne noise generated by project operation.