

# 1. INTRODUCTION

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## 1.1 PURPOSE OF THE EIR

The California Environmental Quality Act (CEQA; Public Resources Code Sections 21000 et seq.) requires that all State and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects. The Environmental Impact Report (EIR) is the public document designed to provide the lead agency, decision makers, and the public with an analysis of the environmental effects of the proposed Project, to indicate possible ways to reduce or avoid environmental damage, and to identify alternatives to the project. The EIR must also disclose significant environmental impacts that cannot be avoided; growth-inducing impacts; effects not found to be significant; and significant cumulative impacts of past, present, and reasonably foreseeable future projects. This Draft EIR has been prepared to satisfy the requirements of the CEQA Statute and CEQA Guidelines (California Code of Regulations Sections 15000 et seq.).

The City of Livermore (City) has the principal responsibility for approval of the proposed Project, which includes the proposed update to the Livermore General Plan (General Plan 2045), and associated amendments to the Livermore Municipal Code (LMC) and Livermore Development Code (LDC), hereinafter referred to together or separately as the “proposed Project,” evaluated by this Draft EIR). The lead agency means “the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment” (CEQA Statute Section 21067). For this reason, the City is the CEQA lead agency for this project.

The intent of the Draft EIR is to provide sufficient information on the potential environmental impacts of the proposed Project to allow the City to make an informed decision regarding approval of the project.

The overall purpose of this Draft EIR is to inform the lead agency, responsible agencies, decision makers, and the general public about the environmental effects of the development and operation of the proposed Project and provide the City with adequate information to make an informed decision regarding approval of the project. This Draft EIR addresses effects that may be significant and adverse, evaluates alternatives to the project, and identifies mitigation measures to reduce or avoid adverse effects.

## INTRODUCTION

### 1.2 EIR Scope

This EIR is a program EIR that analyzes the adoption and implementation of the proposed Project. This is in contrast to a project-level EIR, which is used to identify and analyze the potential impacts of site-specific construction and operation. CEQA Statute Sections 21000 to 21189 and the CEQA Guidelines Sections 15000 to 15387 allow lead agencies to prepare a number of types of EIRs. Different types of EIRs are used for varying situations and intended uses. CEQA Guidelines Section 15168 states that program EIRs are appropriate when a project consists of a series of actions related to the issuance of rules, regulations, and other planning criteria.

In this case, the proposed Project that is the subject of this EIR consists of long-term plans and a set of regulatory changes that would be implemented over time as a policy document and regulations guiding future development activities and City actions. No specific development projects are proposed as part of the proposed Project. Therefore, this EIR is a program-level EIR that analyzes the potential environmental effects of the adoption and implementation of the proposed Project. As a program EIR, it does not evaluate the impacts of individual projects that may be proposed in the future. However, if the program EIR addresses the program's effects as specifically and comprehensively as is reasonably possible, and later activities are within the scope of the effects examined in the program EIR, then additional environmental review may not be required for those future projects (CEQA Guidelines Section 15168[c]).

When a program EIR is relied on for a subsequent activity, the lead agency must incorporate feasible mitigation measures and alternatives developed in the program EIR into the subsequent activities (CEQA Guidelines Section 15168[c][3]). If a subsequent activity would have effects that are not within the scope of the program EIR, the lead agency must prepare a new Initial Study leading to a Negative Declaration, a Mitigated Negative Declaration, or an EIR, unless the activity qualifies for an exemption. For these subsequent environmental review documents, this program EIR will serve as the first-tier environmental analysis. The program EIR can also serve to streamline future environmental review of subsequent projects.

### 1.3 ENVIRONMENTAL REVIEW PROCESS

#### 1.3.1 Notice of Preparation

Pursuant to CEQA Statute Section 21080(d) and CEQA Guidelines Section 15063, the City determined that the proposed Project could result in potentially significant environmental impacts and that a program EIR would be required. In compliance with CEQA Statute Section 21080.4, the City circulated a Notice of Preparation (NOP) of an EIR for the proposed Project to the Governor's Office of Land Use and Climate Innovation (LCI; previously known as the Office

of Planning and Research) State Clearinghouse and interested agencies and persons on March 7, 2023, for a 30-day review period. A public Scoping Meeting was held on March 21, 2023. The NOP and scoping process solicited comments from responsible and trustee agencies, as well as interested parties regarding the scope of the environmental analysis to be conducted in the Draft EIR. Appendix A, *Notice of Preparation and Scoping Comments*, of this Draft EIR contains the NOP as well as the comments received by the City in response to the NOP.

### **1.3.2 Draft EIR**

The scope of the Draft EIR was determined based on the comments received in response to the NOP. Pursuant to CEQA Guidelines Sections 15126.2 and 15126.4, the Draft EIR should identify any potentially significant adverse impacts and recommend mitigation that would reduce or eliminate these impacts to levels of insignificance. The information in Chapter 2, *Project Description*, of this Draft EIR, establishes the basis for analyzing the proposed Project-related environmental impacts.

This Draft EIR will be available for review by the public and interested parties, agencies, and organizations for a 45-day comment period starting March 3, 2026, and ending April 24, 2026. The Planning Commission will conduct a public hearing during this period to receive comments on the Draft EIR. During the comment period, the public is invited to submit written comments via mail or email on the Draft EIR to the City of Livermore Community Development Department Planning Division by April 24, 2026. Comments may also be hand-delivered to the Community Development Department by this deadline.

Written comments should be submitted to Shannon Pagan to the address or email below with *Livermore General Plan 2045 EIR* as the subject.

Mail: Shannon Pagan, Senior Planner  
City of Livermore  
Community Development Department, Planning Division  
1052 South Livermore Avenue  
Livermore, CA 94550

Email: [slpagan@livermoreca.gov](mailto:slpagan@livermoreca.gov)

### **1.3.3 Final EIR**

After the 45-day review period for the Draft EIR, the City will review all written comments received and prepare written responses to each comment related to the adequacy of the Draft EIR. A Final EIR will then be prepared, which contains all the comments received, responses to comments raising environmental issues, and any changes to the Draft EIR. The Final EIR will first be presented to the Planning Commission at a duly noticed public hearing. This hearing will

## **INTRODUCTION**

allow for public comment on the Final EIR and allow the Planning Commission to make a formal recommendation to the City Council regarding certification of the Final EIR. Following the public hearing, the Final EIR will be presented to the City Council for consideration of certification as the environmental document for the proposed Project. All persons who commented on the Draft EIR and provided contact information will be notified of the availability of the Final EIR and the date of the public hearing

All responses to comments submitted on the Draft EIR by agencies will be provided to those agencies at least 10 days prior to certification of the EIR. The City Council will make findings regarding the extent and nature of the impacts as presented in the Final EIR. The Final EIR will need to be certified as having been prepared in compliance with CEQA by the City prior to deciding to approve or deny the proposed Project. Public input is encouraged at all public hearings before the City.

If the City Council certifies the EIR, it may then consider action on the proposed Project. If approved, the City Council would adopt and incorporate into the Project all feasible mitigation measures identified in the EIR.

In some cases, the City Council may find that no feasible mitigation measures have been identified for a given significant impact. In that case, the City Council, pursuant to CEQA Guidelines Section 15093, may nonetheless determine that economic, legal, social, technological, or other benefits of the proposed Project outweigh the unavoidable, significant effects on the environment.

## **1.4 MITIGATION MONITORING**

CEQA Statute Section 21081.6 requires that the lead agency adopt a Mitigation Monitoring and Reporting Program (MMRP) for any project for which it has made findings pursuant to CEQA Statute Section 21081 or adopted a Negative Declaration pursuant to CEQA Statute Section 21080(c). Such a program is intended to ensure the implementation of all mitigation measures adopted through the preparation of an EIR or Negative Declaration. If mitigation measures are required, the MMRP for the proposed Project will be completed congruently as part of the Final EIR process.

## 1.5 USE OF THE GENERAL PLAN PROGRAM EIR

### 1.5.1 Tiering Process

CEQA includes provisions that allow for streamlining the environmental review process for certain qualified projects, based on several factors. Streamlining may be appropriate when prior environmental review has been conducted (e.g., a program-level EIR), and future development proposals are consistent with the scope, assumptions, and mitigation measures identified in that prior environmental document.

The CEQA concept of “tiering” refers to the evaluation of general environmental matters in a broad program-level EIR, with subsequent focused environmental documents for individual projects. CEQA and the CEQA Guidelines encourage the use of tiered environmental documents to reduce delays and excessive paperwork in the environmental review process. This is accomplished in tiered documents by eliminating repetitive analyses of issues that were adequately addressed in the program EIR and by incorporating those analyses by reference.

CEQA Guidelines Section 15168(d) provides for simplifying the preparation of environmental documents by incorporating by reference analyses and discussions. Where an EIR has been prepared or certified for a program or plan, the environmental review for a later activity consistent with the program or plan should be limited to effects that were not analyzed as significant in the prior EIR or that are susceptible to substantial reduction or avoidance (CEQA Guidelines Section 15152[d]).

By tiering from the program EIR, the environmental analysis for a future project would rely on the program EIR for the following:

- General background and setting information for environmental topics;
- Growth-related issues;
- Issues previously evaluated in sufficient detail in the program EIR for which there is no significant new information or change in circumstances that would require further analysis;
- Assessment of cumulative impacts; and
- Mitigation measures adopted and incorporated into the proposed Project.

### **BASE RESOURCE FOR GENERAL PLAN IMPLEMENTATION AND REVIEW OF FUTURE DEVELOPMENT PROJECTS**

As a program EIR, this document and the mitigation measures presented herein, will be used as a guide for implementing the proposed General Plan 2045 goals, policies, and actions, as well as adopting changes in City codes, regulations, and practices. This program EIR will also be used as a base resource for reviewing future development projects. This document will assist in guiding

## INTRODUCTION

the assessment of projects and provide environmental review tiering, where appropriate. Currently, the City completes the following steps in reviewing development projects, which will be carried forward under the proposed General Plan 2045, if adopted.

- **Project Consistency with the General Plan and Development Code.** When a new development application is filed with the City, it is reviewed for completeness and consistency with the General Plan 2045 goals, policies, and actions, and City codes and practices. Because City policies, actions, and codes presented in this program EIR will minimize impacts, development projects will implement these measures to: (a) mitigate environmental impacts and (b) achieve consistency with the General Plan 2045 and compliance with the development code.
- **Projects Subject to Environmental Review.** For future development projects subject to environmental review, the resources contained in this EIR and carried forward in the General Plan 2045 will guide the scope of this review. For project-level environmental review, many of the topic areas studied in this program EIR will be adequately covered and this program EIR will provide environmental clearance for the project. However, the preparation of site-specific studies and reports may be necessary based on the location and nature of the development project. The resources presented in this program EIR will assist in determining when and where a special, site-specific study is warranted.
- **Projects Exempt from Environmental Review.** CEQA includes a long list of environmental review exemptions. Some of the future development projects may be exempt from environmental review as the project impacts will be adequately covered by this program EIR. However, many of the CEQA exemptions require compliance with specific criteria for the development project to qualify for the exemption. The resources contained in this EIR and carried forward in General Plan 2045 will be used to determine if the CEQA-prescribed criteria have been met to qualify for the exemption. One example of a CEQA exemption is for projects that are infill development and consistent with the General Plan land use designation and zoning district. CEQA provides for these types of projects to conduct streamlined review under CEQA Guidelines Sections 15332 and 15138.3 where the project meets certain criteria.

## 1.6 INCORPORATION BY REFERENCE

The following documents are incorporated by reference into this Draft EIR, consistent with the CEQA Guidelines Section 15150, and they are available for review at the City of Livermore, Community Development Department, Planning Division, 1052 South Livermore Avenue.

- *City of Livermore 2045 General Plan*, prepared by City of Livermore, February 2026.
- *Livermore General Plan Update Existing Conditions Report*, prepared by City of Livermore, March 7, 2022.