

EXECUTIVE SUMMARY

ES.1 INTRODUCTION

This executive summary has been prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines Section 15123. This Draft Environmental Impact Report (EIR) addresses the environmental effects associated with the implementation of the 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.” CEQA requires that local government agencies consider environmental consequences before acting on projects over which they have discretionary approval authority. An EIR analyzes potential environmental consequences to inform the public and support informed decisions by local and State governmental agency decision makers.

This Draft EIR has been prepared pursuant to the requirements of CEQA. The City of Livermore, as the lead agency, has reviewed and revised all submitted drafts, technical studies, and reports as necessary to reflect its own independent judgment, including reliance on City technical personnel from other departments and review of all technical subconsultant reports. Information for this Draft EIR was obtained from on-site field observations; discussions with public service agencies; analysis of adopted plans and policies; review of available studies, reports, data, and similar literature in the public domain; and specialized environmental assessments (e.g., for air quality, greenhouse gas emissions, noise, and transportation).

ES.2 ENVIRONMENTAL PROCEDURES

This Draft EIR has been prepared pursuant to CEQA¹ and the CEQA Guidelines² to assess the environmental effects associated with implementation of the proposed Project, as well as anticipated future discretionary actions and approvals. CEQA established six main objectives for an EIR:

1. Disclose to decision makers and the public the significant environmental effects of proposed activities.
2. Identify ways to avoid or reduce environmental damage.

¹ The CEQA Statute is found in California Public Resources Code, Division 13, Sections 21000-21177.

² The CEQA Guidelines are found in California Code of Regulation, Title 14, Division 6, Chapter 3, Sections 15000-15387.

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3. Prevent environmental damage by requiring implementation of feasible alternatives or mitigation measures.
4. Disclose to the public reasons for agency approval of projects with significant environmental effects.
5. Foster interagency coordination in the review of projects.
6. Enhance public participation in the planning process.

An EIR is the most comprehensive form of environmental documentation in CEQA and the CEQA Guidelines; it is intended to provide an objective, factually supported analysis, and full disclosure of the environmental consequences of a project with the potential to result in significant, adverse environmental impacts.

An EIR is one of various decision-making tools used by a lead agency to consider the merits and disadvantages of a project that is subject to its discretionary authority. Before approving a proposed project, the lead agency must consider the information in the EIR, determine whether the EIR was prepared in accordance with CEQA and the CEQA Guidelines, determine that it reflects the independent judgment of the lead agency, adopt findings concerning the project's significant environmental impacts and alternatives, and adopt a statement of overriding considerations if significant impacts cannot be avoided.

ES.2.1 Draft EIR Organization

Executive Summary. Summarizes the background and description of the proposed Project, the format of this Draft EIR, project alternatives, any critical issues remaining to be resolved, and potential environmental impacts and recommended mitigation measures identified for the proposed Project.

Chapter 1: Introduction. Describes the purpose of this Draft EIR, background on the proposed Project, the environmental review process, including the notice of preparation, the use of incorporation by reference, and Final EIR certification.

Chapter 2: Project Description. Provides a detailed description of the proposed Project, including its objectives, its area and location, approvals anticipated to be required as part of the proposed Project, necessary environmental clearances, and intended uses of this Draft EIR.

Chapter 3: Environmental Analysis. This chapter includes 18 subsections corresponding to the environmental resource categories identified in CEQA Guidelines Appendix G, *Environmental Checklist*. Each environmental topic is analyzed in a separate section that discusses: the applicable regulatory framework; existing conditions; the significance criteria used to determine if a significant impact would occur; the potential adverse effects of the proposed Project; the

level of impact significance and recommended mitigation measures, if required, to reduce the impacts to a less-than-significant level; and potential cumulative impacts .

Chapter 4: Alternatives to the Proposed Project. Describes the alternatives and compares their impacts to the impacts of the proposed Project. Alternatives include the No Project Alternative and Reduced Industrial and Concentrated Residential Alternative.

Chapter 5: Other CEQA Considerations. Provides a discussion of effects found not to be significant, significant and unavoidable impacts, significant irreversible changes to the environment, and growth-inducing effects.

Chapter 6: Report Preparers and Organizations Consulted. Includes a list of people and organizations that prepared or were contacted during the preparation of this Draft EIR.

Appendices. The appendices for this document include the following supporting documents:

- Appendix A: Notice of Preparation and Scoping Comments
- Appendix B: Air Quality and Greenhouse Emissions Data
- Appendix C: Noise Data

ES.2.2 Type and Purpose of this Draft EIR

As described in the CEQA Guidelines, different types of EIRs are used for varying situations and intended uses. Because of the long-term planning horizon of the proposed Project and the permitting, planning, and development actions that are related both geographically and as logical parts in the chain of contemplated actions for implementation, this Draft EIR has been prepared as a program EIR, pursuant to CEQA Guidelines Section 15168. Agencies prepare Program EIRs for programs or a series of related actions that are linked geographically; logical parts of a chain of contemplated events, rules, regulations, or plans that govern the conduct of a continuing program; or individual activities carried out under the same authority and having generally similar environmental effects that can be mitigated in similar ways.

Although the legally required contents of a Program EIR are the same as for a Project EIR, Program EIRs are typically more conceptual than Project EIRs, with a more general discussion of impacts and alternatives. According to Section 15168 of the CEQA Guidelines, a Program EIR may be prepared on a series of actions that can be characterized as one large project. Use of a Program EIR gives the lead agency an opportunity to consider broad policy alternatives and program-wide mitigation measures, as well as greater flexibility to address project-specific and cumulative environmental impacts on a comprehensive scale. Because this is a program-level EIR, this document does not evaluate the impacts of specific, individual development projects that may be allowed under the proposed General Plan 2045. Future projects may require separate environmental review.

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Once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine whether additional CEQA evaluation is necessary. However, if the Program EIR addresses the program's effects as specifically and comprehensively as possible, many subsequent activities may be within the Program EIR's scope, and additional environmental documents may not be required (CEQA Guidelines Section 15168[c]). When a lead agency relies on a Program EIR for a subsequent activity, it must incorporate feasible mitigation measures and alternatives from the Program EIR into the subsequent activities (CEQA Guidelines Section 15168[c][3]). If a subsequent activity would have effects outside the scope of the Program EIR, the lead agency must prepare a new Initial Study leading to a Negative Declaration, Mitigated Negative Declaration, or an EIR. Even in this case, the Program EIR still serves a valuable purpose as the first-tier environmental analysis. The CEQA Guidelines encourage the use of Program EIRs, citing five advantages:

- Provide a more exhaustive consideration of impacts and alternatives than would be practical in an individual EIR;
- Focus on cumulative impacts that might be overlooked in a case-by-case analysis;
- Avoid continual reconsideration of recurring policy issues;
- Consider broad policy alternatives and programmatic mitigation measures at an early stage when the agency has greater flexibility to address them;
- Reduce paperwork by encouraging the reuse of data (through tiering). (CEQA Guidelines Section 15168[h])

ES.3 PROJECT LOCATION

Livermore is in eastern Alameda County in the San Francisco Bay Area. Livermore is situated in the Livermore Valley, which is framed by rolling hills to the north, south, and east and by the cities of Dublin and Pleasanton to the west. Livermore is bisected by Interstate 580, which travels east to west through Alameda County. State Route 84 also provides regional access to the city along the southwestern city boundary. The EIR Study Area includes all the land in the City Limit, Urban Growth Boundary, and Sphere of Influence.

ES.4 SUMMARY OF THE PROPOSED PROJECT

As required by State law, the proposed Project includes multiple components to ensure that each element of General Plan 2045 is internally (or horizontally) consistent (Government Code Section 65300.5), and the LMC and LDC is consistent with the General Plan (also known as vertical consistency) (Government Code Section 65860). The proposed Project updates the current 2003-2025 General Plan goals, policies, and actions, and makes changes to land use designations to reflect current conditions, issues, resources, and community perspectives. For example, changes are needed to address the evolving state of the city and region and to address State housing needs and cover issues such as climate change resiliency and emerging

transportation technologies. The proposed update also incorporates regional forecasts for 2045 that extend the planning horizon by approximately 20 years from the current 2025 horizon. As part of the process of updating the General Plan, the City identified regulatory language to be located in the LMC and LDC to implement General Plan policy and maintain consistency between the two planning documents. Proposed LMC and LDC amendments would be adopted simultaneously with (or shortly after) the proposed General Plan 2045.

ES.5 SUMMARY OF PROJECT ALTERNATIVES

The CEQA Guidelines Section 15126.6(a) states that an EIR must address “a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.” The alternatives in this Draft EIR were based, in part, on their potential to reduce or eliminate the impacts determined to be potentially significant for implementation of the proposed Project (see Table ES-1, *Summary of Significant Environmental Impacts and Mitigation Measures*). The following alternatives to the proposed Project were considered and analyzed in detail:

- Alternative A: No Project Alternative
- Alternative B: Reduced Industrial and Concentrated Residential Alternative

Project alternatives are assessed in detail in Chapter 4, *Alternatives to the Proposed Project*, of this Draft EIR.

ES.6 ISSUES TO BE RESOLVED

Section 15123(b)(3) of the CEQA Guidelines requires that an EIR contain issues to be resolved, including the choice among alternatives and whether or how to mitigate significant impacts. For the proposed Project, the major issues to be resolved include decisions by the lead agency as to:

1. Whether this EIR adequately describes the environmental impacts of the proposed Project.
2. Whether the benefits of the proposed Project override those environmental impacts which cannot be feasibly avoided or mitigated to a level of insignificance.
3. Whether the proposed land use changes are compatible with the character of the existing area.
4. Whether the identified goals, policies, or mitigation measures should be adopted or modified.
5. Whether there are other mitigation measures that should be applied to the proposed Project besides the mitigation measures identified in the EIR.

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6. Whether there are any alternatives to the proposed Project that would substantially lessen any of the significant impacts of the proposed Project and achieve most of the basic Project objectives.

ES.7 AREAS OF CONCERN

In accordance with CEQA Guidelines Section 15123(b)(2), the EIR summary must identify areas of controversy known to the lead agency, including issues raised by agencies and the public. Prior to preparation of the Draft EIR, the City issued a Notice of Preparation (NOP) on March 7, 2023. The CEQA-mandated scoping period for this EIR was between March 7, 2023, and April 5, 2023, during which time interested agencies and the public could submit comments about the potential environmental impacts of the proposed Project. The City received comment letters from a variety of State agencies and one member of the public. 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.

The following is a discussion of issues that are likely to be of particular concern to agencies and interested members of the public during the environmental review process. Though every concern applicable to the CEQA process is addressed in this Draft EIR, this list is not necessarily exhaustive but rather attempts to capture concerns that are likely to generate the greatest interest based on the input received during the scoping process.

- The potential conversion of agricultural land resulting in permanent reduction of agricultural land resources and the need for mitigation, such as agricultural conservation easements
- The protection of historic and tribal cultural resources
- The potential of fault rupture, ground shaking, liquefaction, and landslides to cause harm to the residents of Livermore
- The potential release of hazardous materials during construction and the need for better identification of hazardous sites not just those on the Cortese List, soil sampling, hazardous materials surveys prior to demolition, and the release of hazardous materials during operation from mining waste from mining sites and pesticides from agricultural sites
- The need for an increase in new housing units and housing standards that discourage sprawl and result in the loss of agricultural land and open space, increased vehicle-miles traveled (VMT) and the associated greenhouse gas (GHG) emissions, air pollution, noise, and reduced walkability
- The increased need for multimodal transportation improvements throughout the city to reduce VMT and the associated GHG emissions, air pollution, and noise

ES.8 SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Table ES-1 summarizes the conclusions of the environmental analysis contained in this Draft EIR. Table ES-1 presents significant impacts and mitigation measures, including the impact's level of significance with the implementation of mitigation measures. For a complete description of potential impacts, including those where no mitigation measures are required, please refer to the specific discussions in Sections 3.1 through 3.18 of this Draft EIR.

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Table ES-1 Summary of Significant Environmental Impacts and Mitigation Measures

Environmental Impact	Level of Significance without Mitigation	Mitigation Measure	Level of Significance with Mitigation
AGRICULTURE RESOURCES			
<p>Impact AGR-1: Implementation of the proposed Project could result in the conversion of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to nonagricultural uses.</p>	Significant	No feasible mitigation measures at the programmatic level	Significant and Unavoidable
<p>Impact AGR-2: Implementation of the proposed Project could conflict with existing zoning for agricultural use and Williamson Act contracts.</p>	Significant	No feasible mitigation measures at the programmatic level	Significant and Unavoidable
<p>Impact AGR-3: Implementation of the proposed Project could involve other changes in the existing environment, which, due to their location or nature, could result in conversion of farmland to nonagricultural use.</p>	Significant	No feasible mitigation measures at the programmatic level	Significant and Unavoidable
<p>Impact AGR-4: Implementation of the proposed Project could result in a significant cumulative impact with respect to the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), existing zoning for agricultural uses, and Williamson Act properties, and farmland to nonagricultural uses.</p>	Significant	No feasible mitigation measures at the programmatic level	Significant and Unavoidable

Table ES-1 Summary of Significant Environmental Impacts and Mitigation Measures

Environmental Impact	Level of Significance without Mitigation	Mitigation Measure	Level of Significance with Mitigation
AIR QUALITY			
Impact AQ-2: Implementation of the proposed Project could result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard during construction and operation.	Significant	No feasible mitigation measures at the programmatic level	Significant and Unavoidable
Impact AQ-5: Implementation of the proposed Project could result in cumulative air quality impacts with respect to generation of criteria pollutants and exposure of substantial pollutant concentrations at sensitive receptors.	Significant	No feasible mitigation measures at the programmatic level	Significant and Unavoidable
BIOLOGICAL RESOURCES			
Impact BIO-4: Implementation of the proposed Project could substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.	Significant	Mitigation Measure BIO-4: Prior to the issuance of entitlements for a project, applicants or sponsors of projects on sites where migratory or nesting birds are present shall implement bird-safe design measures for all development projects where a qualified biologist, approved by the City of Livermore (City), determines that migratory or resident birds could be affected. This requirement shall apply to projects adjacent to or incorporating riparian corridors, wetlands, open-space areas, or other natural habitat features, or as otherwise determined by the qualified biologist.	Less Than Significant

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Environmental Impact	Level of Significance without Mitigation	Mitigation Measure	Level of Significance with Mitigation
		<p>Bird-safe design considerations and management strategies shall include avoiding the use of highly reflective glass that appears to reproduce natural habitat and may attract birds; limiting reflectivity and using non-attractive surface treatments; applying low-reflectivity glass or other glazing treatments across the entirety of the building’s glass surfaces, not only at lower levels; reducing interior light during evening hours through lighting control systems for commercial buildings; directing exterior lighting downward and screening it to minimize night-time illumination of the building exterior, except as needed for safety and security; avoiding glass skyways, freestanding glass walls, and transparent building corners; eliminating transparent glass at rooflines, including in conjunction with green roofs; and covering roof mechanical equipment with low-profile angled roofing to minimize obstacles to bird flight.</p> <p>Project applicants shall demonstrate incorporation of bird-safe design measures in project plans and provide documentation of biologist review during entitlement or permitting stages. The City shall verify compliance before issuance of building or grading permits.</p>	
CULTURAL AND TRIBAL CULTRAL RESOURCES			
<p>Impact CUL-2: Implementation of the proposed Project could cause a substantial adverse change in the significance of an archaeological resource pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15064.5.</p>	<p>Significant</p>	<p>Mitigation Measure CUL-2: If any buried historical or archaeological resources are discovered during construction, operations shall stop within a 100-foot radius of the find and the qualified archaeologist shall be consulted to determine whether the resource requires further study. If it is determined that the find is</p>	<p>Less Than Significant</p>

Table ES-1 Summary of Significant Environmental Impacts and Mitigation Measures

Environmental Impact	Level of Significance without Mitigation	Mitigation Measure	Level of Significance with Mitigation
		<p>significant, then the qualified archaeologist shall make recommendations to the Lead Agency (City of Livermore) on the feasible measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Potentially significant historical or archaeological resources consist of, but are not limited to, stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites.</p> <p>Any previously undiscovered resources found during construction within a project site shall be recorded on appropriate California Department of Parks and Recreation forms and evaluated for significance in terms of CEQA Guidelines.</p> <p>If the relevant resources (if any) are determined to be historical resources as defined under Section 15064.5 of the CEQA Guidelines or a unique archaeological resource in Section 21083.2 of the Public Resources Code, feasible mitigation measures and an archaeological treatment plan shall be developed by the qualified archaeologist and recommended to the project applicant or sponsor and the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the find(s) as detailed in the archaeological treatment plan. No further grading or ground disturbance shall occur within 100 feet of the discovery of a significant historical or</p>	

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Table ES-1 Summary of Significant Environmental Impacts and Mitigation Measures

Environmental Impact	Level of Significance without Mitigation	Mitigation Measure	Level of Significance with Mitigation
		archaeological resource until the relevant mitigation measures are approved by the Lead Agency and implemented by the project applicant or sponsor to protect these resources. Work may proceed on other parts of the project site while mitigation for unique archaeological resources is being carried out.	
<p>Impact CUL-4: Implementation of the proposed Project could cause a substantial adverse change in the significance of a tribal cultural resource (TCR) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources, as defined in Public Resources Code Section 5020.1(k).</p>	Significant	<p>Mitigation Measure CUL-4: If any buried tribal cultural resources are discovered during construction, the construction contractor shall stop operations within a 100-foot radius of the find. The contractor shall notify the Lead Agency (City of Livermore) and the City shall consult with the appropriate tribe(s) to determine significance and appropriate treatment measures. The City/tribe(s) may require tribal or other qualified cultural resource monitors during construction to ensure that resources are properly identified and protected. Documentation of consultations, treatment measures, and resource protection actions shall be maintained in the project record. Work may proceed on other parts of the project site while mitigation for TCRs is being carried out.</p>	Less Than Significant
<p>Impact CUL-5: Implementation of the proposed Project could cause a substantial adverse change in the significance of a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.</p>	Significant	See Mitigation Measure CUL-4.	Less Than Significant

Table ES-1 Summary of Significant Environmental Impacts and Mitigation Measures

Environmental Impact	Level of Significance without Mitigation	Mitigation Measure	Level of Significance with Mitigation
GREENHOUSE GAS EMISSIONS			
Impact GHG-1: Implementation of the proposed Project could generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	Significant	No feasible mitigation measures at the programmatic level	Significant and Unavoidable
Impact GHG-2: Implementation of the proposed Project could conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	Significant	No feasible mitigation measures at the programmatic level	Significant and Unavoidable
Impact GHG-3: Implementation of the proposed Project could result in a significant cumulative impact with respect to generation of greenhouse gas (GHG) emissions that may have a significant impact on the environment and conflict with an applicable plan adopted for the purpose of reducing GHG emissions.	Significant	No feasible mitigation measures at the programmatic level	Significant and Unavoidable
MINERAL RESOURCES			
Impact MIN-1: Implementation of the proposed Project could result in the loss of availability of known mineral resources that would be of value to the region and the residents of the State.	Significant	No feasible mitigation measures at the programmatic level	Significant and Unavoidable

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Table ES-1 Summary of Significant Environmental Impacts and Mitigation Measures

Environmental Impact	Level of Significance without Mitigation	Mitigation Measure	Level of Significance with Mitigation
Impact MIN-3: Implementation of the proposed Project could result in a significant cumulative impact with respect to the loss of availability of known mineral resources that are of value to the region and the residents of the State.	Significant	No feasible mitigation measures at the programmatic level	Significant and Unavoidable
NOISE			
Impact NOI-1: Implementation of the proposed Project could generate 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.	Significant	No feasible mitigation measures at the programmatic level	Significant and Unavoidable
Impact NOI-4: Implementation of the proposed Project could generate 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, resulting in a significant cumulative impact.	Significant	No feasible mitigation measures at the programmatic level	Significant and Unavoidable