LIVERMORE
CALIFORNIA

CITY COUNCIL

AGENDA
MONDAY, FEBRUARY 24, 2025

REGULAR MEETING – 7:00 PM

CLOSED SESSION 6:30 PM

MEETING PARTICIPATION INFORMATION CAN BE FOUND AT THE END OF THE AGENDA

CIVIC CENTER MEETING HALL
CITY COUNCIL CHAMBERS
1016 S. LIVERMORE AVENUE

CITY OF LIVERMORE YOUTUBE CHANNEL:
https://www.youtube.com/c/CityofLivermoreCalifornia

TV29:
Comcast TV Channel 29
tv29live.org

John P Marchand, Mayor
Evan Branning, Vice Mayor
Ben Barrientos, Council Member
Steven Dunbar, Council Member
Kristie Wang, Council Member

1. CLOSED SESSION - 6:30 PM

- Roll Call
- Opportunity for the the Public to Address City Council Regarding Closed Session Items
- Adjourn to Closed Session

Note: This Closed Session my be continued to the end of the Regular Meeting.

1.1 Conference with Legal Counsel - Existing Litigation. To meet with legal counsel pursuant to Government Code section 54956.9(d)(1) to discuss litigation that has been formally initiated. (One Case)

Hinderliter, de Llamas and Associates v. City of Livermore, Alameda County Superior Court Case No. 25CV109909.

2. CALL TO ORDER

ROLL CALL

Council Member Ben Barrientos
Council Member Steven Dunbar
Council Member Kristie Wang
Vice Mayor Evan Branning
Mayor John Marchand

PLEDGE OF ALLEGIANCE

REPORT OF ACTION TAKEN IN CLOSED SESSION

3. PROCLAMATIONS AND PRESENTATIONS

3.1 Proclamation declaring February 2025 as American Heart Month, presented to Padmaja Vasireddy, Community Impact Manager for Health Strategies and Lisa Bellini, Senior Community Impact Director for Health Strategies American Heart Association.

Recommendation:
Staff recommends City Council declare February 2025 as American Heart Month.

Staff Report
Attachments:
1. Proclamation

4. OPEN FORUM

- In conformance with the Brown Act, no City Council action can occur on items presented during Open Forum.
- To provide public comment in person, please submit a speaker card. When your name is called, walk to the lectern to address City Council.
- Comments are limited to a maximum of 3 minutes per person, per item. The Mayor may reduce the amount of time based on the number of persons wishing to speak.
- Comments are limited to one comment per person per item regardless of format or time

submitted (this includes email and e-comment submissions prior to the meeting as well as live comments during the meeting).

- Open Forum will conclude after 30 minutes; however, if there are additional speakers, Open Forum will reconvene before the meeting adjourns.

5. CONSENT CALENDAR

Consent Calendar items are considered routine and are acted upon by the City Council with a single action. Members of the audience wishing to provide public input must submit a speaker card found at the entrance of the Council Chambers. A speaker is limited to a single comment with a maximum of three minutes for the entire Consent Calendar. If Consent Calendar items are pulled for discussion by the City Council, a speaker will be allowed one comment per item on the items pulled for discussion and a separate comment for the remaining Consent Calendar. The one comment limit applies regardless of format or time submitted (this includes email and e-comment submissions prior to the meeting as well as live comments during the meeting).

5.1 Approval of draft minutes - February 10, 2025 Regular Meeting

Recommendation:
Staff recommends the City Council approve the draft minutes.

Staff Report
Attachments:
1. DRAFT 2025-02-10

5.2 Adopt an ordinance amending Livermore Municipal Code Chapter 13.35 Sewer Service and Use Charges Section 13.36.050 Rater per Service Unit

Recommendation:
Staff recommends the City Council **adopt an ordinance** amending Livermore Municipal Code Chapter 13.36 Sewer Service and Use Charges, Section 13.36.050 Rates per Service Unit to streamline the rate setting process and for consistency in language with the other rate setting chapters of Title 13 Public Services.

Staff Report
Attachments:
1. Ordinance

5.3 Adopt an ordinance establishing a permanent Building Appeals Board by adding new chapter 15.90 to the Livermore Municipal Code and amending sections 8.15.125, 15.20.100, 15.20.110, and 15.20.120.

Recommendation:
Staff recommends the City Council **adopt an ordinance** establishing a Permanent Building Appeals Board by adding new chapter 15.90 to the Livermore Municipal Code and amending sections 8.15.125, 15.20.100, 15.20.110, and 15.20.120 for consistency with the new Appeals Board. Staff also recommends Council officially appoint the Interim Board members as permanent members.

Staff Report

Attachments:

1. Ordinance
2. Exhibit A - Chapter 15.90 Building Appeals Board
3. Exhibit B - Amendments to LMC Sections 8.15.125, 15.20.100, 15.20.110, and 15.20.120

5.4 Resolution authorizing a supplemental appropriation of Measure BB-Local Streets and Roads, Fund 830, in the amount of $150,000 in FY 2024-25 and awarding a construction contract with Devaney Engineering, Inc. in an amount not-to-exceed $646,011 for the construction of the Springtown Water Service Replacement Project 2023-14.

Recommendation:

Staff recommends City Council adopt a resolution for the Springtown Water Service Replacement Project 2023-14:

1. Authorizing a supplemental appropriation from Measure BB-Local Streets and Roads (Fund 830) in the amount of $150,000 in FY 2024-25 to fund project 2023-14;
2. Awarding a construction contract to Devaney Engineering, Inc., in an amount not-to-exceed $646,011, and authorizing the City Manager to sign the contract (Exhibit A);
3. Rejecting all other bids or proposals; and
4. Authorizing the City Manager to take whatever actions are necessary and appropriate to carry out the purpose and intent of this resolution including approving minor changes to the proposed agreement for the Springtown Water Service Replacement Project 2023-14.

Staff Report

Attachments:

1. Vicinity Map
2. Resolution
3. Exhibit A - Agreement

5.5 Resolution authorizing execution of a second amendment to the agreement with Chrisp Company to continue providing on-call pavement striping and traffic sign installation services, increasing the not-to-exceed agreement amount from $200,000 to $400,000 and extending the term of the agreement from May 1, 2026, to December 31, 2027.

Recommendation:

Staff recommends the City Council adopt a resolution authorizing the City Manager to execute a second amendment to the agreement with Chrisp Company to continue providing on-call pavement striping and traffic sign installation services, increasing the not-to-exceed agreement amount from $200,000 to $400,000 and extending the term of the agreement from May 1, 2026, to December 31, 2027.

Staff Report

Attachments:

1. Resolution
2. Exhibit A - Second Amendment

5.6 Resolution authorizing additional appropriations and execution of consultant amendments for the Livermore Village (L Street) Parking Garage Construction Project DR586003.

Recommendation:
Staff recommends the City Council adopt a resolution authorizing the following actions for the Livermore Village (L Street) Parking Garage Construction Project DR586003:

1. Authorize a supplemental appropriation of $3,040,000 from 2022 COPs Construction Fund (Fund 540) to fund project DR586003.
2. Execute a fifth amendment to the agreement with Watry Buehler Collaborative, LLP, increasing the amount of the agreement by $660,000 to a total not-to-exceed amount of $2,751,800 for additional engineering services during construction;
3. Execute a second amendment to the agreement with Gannett Fleming Inc., increasing the amount of the agreement by $1,250,000 to a total not-to-exceed amount of $3,302,000 for additional construction management services during construction;
4. Execute a second amendment to the agreement with Consolidated Engineering Laboratories, increasing the amount of the agreement by $150,000 to a total not-to-exceed amount of $624,000 for additional inspection services during construction;
5. Authorize a supplemental appropriation of $300,000 from the General Liability Fund (Fund 700) for additional litigation services in FY 2024-25; and
6. Authorize the City Manager to sign the above amendments and to take whatever actions are necessary and appropriate to carry out the purpose and intent of this resolution, including approving minor changes to the proposed agreements.

Staff Report
Attachments:
1. Site Plan
2. Resolution
3. Exhibit A - Fifth Amendment to Watry Buehler Collaborative, LLP
4. Exhibit B - Second Amendment to Gannett Fleming Inc.
5. Exhibit C - Second Amendment to Consolidated Engineering Laboratories

5.7 Resolution authorizing execution of a first amendment to the agreement with David L. Gates & Associates, Inc. for additional landscape design and construction support services for the Flagpole Plaza Project 2022-25, increasing the not-to-exceed contract amount from $280,528 to $320,528, with a term ending May 1, 2026.

Recommendation:
Staff recommends the City Council adopt a resolution:

1. Authorizing the City Manager to execute a first amendment to the agreement with David L. Gates & Associates, Inc. for additional landscape design and construction support services for the Flagpole Plaza Project 2022-25, increasing the not-to-exceed contract amount from $280,528 to $320,528; and
2. Authorizing the City Manager to take whatever actions are necessary and appropriate to carry out the purpose and intent of this resolution including approving minor changes to the proposed agreement.

Staff Report
Attachments:

1. Project Location
2. Resolution
3. Exhibit A - First Amendment

5.8 Resolution authorizing execution of an agreement with SVA Architects Inc., in an amount not-to-exceed $553,000 and a term ending April 30, 2028, to provide design and construction support services for the Fleet Shop Expansion Project 2022-12 at the Maintenance Service Center.

Recommendation:
Staff recommends the City Council adopt a resolution authorizing the City Manager to execute an agreement with SVA Architects Inc., in an amount not-to-exceed $553,000 and a term ending April 30, 2028, to provide design and construction support services for the Fleet Shop Expansion Project 2022-12.

Staff Report
Attachments:
1. Vicinity Map
2. Resolution
3. Exhibit A - Agreement

5.9 Resolution authorizing a first amendment to the agreement with Livermore Valley Joint Unified School District (LVJUSD) to include the requirements of insurance coverage for Horizons Family Counseling who provide school-based services at LVJUSD school sites, in the amount of $304,500 for Horizons Family Counseling for the period of July 1, 2024 to December 31, 2026.

Recommendation:
Staff recommends the City Council adopt a resolution authorizing the City Manager to execute the first amendment to the agreement with Livermore Valley Joint Unified School District (LVJUSD) to include the requirements of insurance coverage.

Staff Report
Attachments:
1. Resolution
2. Exhibit A - First Amendment

6. PUBLIC HEARINGS

Comments are limited to one comment per person per item regardless of format or time submitted (this includes email and e-comment submissions prior to the meeting as well as live comments during the meeting).

6.1 Hearing to consider a request for a Municipal Code Amendment, Development Code Amendment, Conditional Use Permit Modification, Development Agreement, Site Plan Design Review, and Site Plan Design Review Modification for the Parkwest Casino 580 Expansion Project and citywide cardroom operations.

Recommendation:

The Planning Commission and staff recommend the City Council:

1. Adopt a resolution approving the Initial Study/Mitigated Negative Declaration for the Parkwest Casino 580 Expansion Project, which includes city-wide Municipal Code and Development Code Amendments, pursuant to the California Environmental Quality Act (CEQA);
2. Adopt a resolution approving Conditional Use Permit Modification (CUPM) 24-001, Site Plan Design Review (SPDR) 24-010 and Site Plan Design Review Modification (SPDRM) 24-024;
3. **Introduce an ordinance** and waive the first reading, approving Municipal Code Amendment (MUNI) 24-002 and Development Code Amendment (DCA) 24-004; and,
4. **Introduce an ordinance** and waive the first reading, authorizing execution of Development Agreement (DA) 24-003.

Staff Report

Attachments:

1. Site Map
2. Planning Commission Staff Report
3. Planning Commission Draft Minutes 1-7-25
4. Parkwest Casino 580 Development Plans
5. DOJ Bureau of Gambling Control Letters
6. Resolution - CEQA
7. Exhibit A - Planning Commission CEQA Resolution 01-25
8. Exhibit B - Initial Study/Mitigation Negative Declaration
9. Exhibit C - Caltrans Comments
10. Exhibit D - Response to Comments
11. Exhibit E - Mitigation Monitoring and Reporting Progam
12. Resolution - Project
13. Exhibit A - Planning Commission Project Reso 02-25
14. Exhibit B - Conditions of Approval
15. Ordinance for Municipal Code Amendment and Development Code Amendment
16. Exhibit A - Municipal Code Amendment
17. Exhibit B - Livermore Development Code Text Amendment
18. Ordinance Adopting Development Agreement 24-003
19. Exhibit A - Development Agreement

6.2 Hearing to authorize negotiation of a Development Agreement with the Adventus Corporation to secure community benefits associated with requested land use designation changes to be considered as part of the proposed General Plan Update. Location: 3658 Las Colinas Road.

Recommendation:

Staff recommends the City Council adopt a resolution authorizing staff to proceed with negotiating terms for a Development Agreement (DA24-004) with the Adventus Corporation to secure community benefits associated with requested land use designation changes to be considered by the City Council at a later date as part of the proposed General Plan Update.

Staff Report

Attachments:

1. Location Map

2. Resolution

7. MATTERS FOR CONSIDERATION

Comments are limited to one comment per person per item regardless of format or time submitted (this includes email and e-comment submissions prior to the meeting as well as live comments during the meeting).

7.1 2045 Comprehensive General Plan Update – 2045 Draft General Plan Land Use Map

Recommendation:
Staff recommends the City Council receive an update on 2045 Draft General Plan Land Use Map.

Staff Report
Attachments:
1. 2045 Draft General Plan Land Use Map
2. Summary of Council Direction on Land Use Focus Areas, June 10, 2024
3. Summary of Non-Focus Areas Land Use Changes
4. Draft 2045 General Plan Landuse Use Designations
5. Draft Residential Land Use Designations Comparison Graphic

8. COUNCIL COMMITTEE REPORTS AND MATTERS INITIATED BY CITY MANAGER, CITY ATTORNEY, AND COUNCIL MEMBERS

9. ADJOURNMENT

To a Special City Council meeting Monday, March 3, 2025 at 5:00 pm Civic Center Meeting Hall, William H. Mendenhall Room, 1016 S. Livermore Avenue, and a Regular City Council meeting on Monday, March 10, 2025 at 7:00 pm, Civic Center Meeting Hall, City Council Chambers, 1016 S. Livermore Avenue.

10. SUPPLEMENTAL MATERIALS

10.1 **REVISED** Supplemental materials received prior to the meeting.

Staff Report
Attachments:
1. Revised Supplemental Materials

10.2 Supplemental materials received at the meeting.
Staff Report
Attachments:
1. Items Received at the Meeting

11. HOW TO PARTICIPATE IN YOUR CITY COUNCIL MEETING

You can participate in the meeting in a number of ways:

Open Forum is an opportunity for the public to speak regarding items not listed on the agenda. Speakers are limited to a maximum of 3 minutes per person. To address the City

Council in person, you must submit a speaker card to the City Clerk prior to the start of that item. Please note that the City Council is prohibited by State law from taking action on any items that are not listed on the agenda. However, if your item requires action, the City Council may place it on a future agenda or direct staff to work with you and/or report to the City Council on the issue.

Public Hearings - The topic of the hearing is typically summarized by staff, followed by a presentation by the applicant, and questions from the City Council. The Mayor will then open the hearing to the public and offer an opportunity for public comments. Speakers are limited to a maximum of 3 minutes per person. To address the City Council in person, you must submit a speaker card to the City Clerk prior to the start of the presentation of the item.

Other Agenda Items are also open for public input including Consent Calendar or Matters for Consideration items. These comments are also subject to the 3-minute limit.

Special Meetings, Workshops - The public will have the opportunity to address the City Council regarding the item that is the subject of the special meeting or workshop. Public comments are limited to a maximum of 3 minutes per person.

Platforms to Participate in Meetings:

Submission of Comments Prior to the Meeting:

Email Comments may be submitted by the public to the City Clerk's Office (cityclerk@LivermoreCA.gov). Items received no later than 12:00 pm on the day of the meeting will be provided to the City Council and available on the City website prior to the meeting. These items will NOT be read into the record.

eComments may be submitted by the public using the eComment link here. Comments may be up to 1000 characters in length and will be accepted up until 4:00 pm the day of the meeting. These items will NOT be read into the record and are viewable by the City Council and the public upon submittal.

Submission of Comments During the Meeting:

Speakers are limited to a maximum of 3 minutes per person. To submit a comment you must complete a speaker card for each item. Speaker cards are available in the Civic Center Meeting Hall lobby. Indicate on the card the item number you wish to comment on and submit the card directly to the City Clerk prior to the start of the item. Please note that the City Council is prohibited by State law from taking action on any items that are not listed on the agenda. However, if your item requires action, the City Council may place it on a future agenda or direct staff to work with you and/or report to the City Council on the issue.

The City will be using YouTube and TV29 as two tools to provide the public access to view City Council meetings. No public comment will be accepted via YouTube.

TV29: tv29live.org Comcast Cable 29

YouTube: http://youtube.com/c/CityofLivermoreCalifornia

If you would like to deliver written materials to the City Council as part of your public comment, please provide 10 copies to the City Clerk with your speaker card.

The **City Council Agenda and Agenda Reports** are prepared by City staff and are available for public review on Tuesday evening, six days prior to the City Council meeting in the Civic Center Library, 1188 South Livermore Avenue, Livermore, and at the City Clerk's Office, 1052 South Livermore Avenue, Livermore. The Agenda is also available on the City's website, http://LivermoreCA.gov/agenda.

Under Government Code §54957.5, any **supplemental material** distributed to the members of the City Council after the posting of this agenda will be available for public review in the City Clerk's Office, 1052 South Livermore Avenue, Livermore, and included in the agenda packet available on the City's web site at http://LivermoreCA.gov/agenda.

PURSUANT TO TITLE II OF THE AMERICANS WITH DISABILITIES ACT (CODIFIED AT 42 UNITED STATES CODE SECTION 12101 AND 28 CODE OF FEDERAL REGULATIONS PART 35), AND SECTION 504 OF THE REHABILITATION ACT OF 1973, THE CITY OF LIVERMORE DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, ANCESTRY, SEX, DISABILITY, AGE OR SEXUAL ORIENTATION IN THE PROVISION OF ANY SERVICES, PROGRAMS, OR ACTIVITIES. TO ARRANGE AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PUBLIC MEETING, PLEASE CONTACT THE ADA COORDINATOR AT ADACOORDINATOR@LIVERMORECA.GOV OR CALL (925) 960-4170 (VOICE) OR (925) 960- 4104 (TDD) AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE MEETING.

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 3.1**

DATE: February 24, 2025

TO: Honorable Mayor and City Council

FROM: Marianna Marysheva, City Manager

SUBJECT: Proclamation declaring February 2025 as American Heart Month, presented to Padmaja Vasireddy, Community Impact Manager for Health Strategies and Lisa Bellini, Senior Community Impact Director for Health Strategies American Heart Association.

RECOMMENDED ACTION

Staff recommends City Council declare February 2025 as American Heart Month.

SUMMARY

DISCUSSION

ATTACHMENTS

1. Proclamation

Prepared by: Stephanie Egidio
Assistant to the City Manager

Approved by:

Marianna A. Burch
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

Proclamation

of the

City of Livermore

AMERICAN HEART MONTH

February 2025

WHEREAS, *the first American Heart Month was February 1964 as established by President Lyndon B. Johnson to raise awareness about cardiovascular health and encourage individuals to take proactive steps to safeguard their hearts; it has since become an annual nationwide campaign to highlight heart disease, the leading cause of death in the United States; and*

WHEREAS, *during American Heart Month, individuals and organizations unite to educate the public about the risks of heart disease, promote preventive measures, encourage healthy lifestyle choices, advocate for regular screenings and early detection of heart conditions, and support research for new treatments and cures for heart disease; and*

WHEREAS, *more than 350,000 cardiac arrests occur outside of hospitals each year, with about 70 percent taking place at home, and only 1 in 10 people survive; additionally, over 23,000 children under the age of 18 experience out-of-hospital cardiac arrest each year, nearly 40 percent of which are sports-related; and*

WHEREAS, *performing cardiopulmonary resuscitation (CPR) or using an automated external defibrillator (AED), particularly when done immediately, can significantly increase a person's chance of survival; and*

WHEREAS, *the American Heart Association has set a goal of doubling the survival rate from cardiac arrest by 2030 by empowering bystanders to become lifesavers, ensuring that everyone is prepared to act and provide life-saving care in the event of a cardiac emergency;*

NOW, THEREFORE, *the City Council of the City of Livermore proclaims February 2025 as American Heart Month and encourages all residents to raise awareness about heart health, learn and practice CPR, participate in heart-healthy activities, and support efforts to reduce the impact of heart disease in our community.*

Mayor John Marchand

Vice Mayor Evan Branning

Council Member Ben Barrientos

Council Member Steven Dunbar

Council Member Kristie Wang

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.1**

DATE: February 24, 2025

TO: Honorable Mayor and City Council

FROM: Marianna Marysheva, City Manager

SUBJECT: Approval of draft minutes - February 10, 2025 Regular Meeting

RECOMMENDED ACTION

Staff recommends the City Council approve the draft minutes.

SUMMARY

DISCUSSION

ATTACHMENTS

1. DRAFT 2025-02-10

Prepared by: Debbie Elam
City Clerk

Approved by:

Marianna A. Burch
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

LIVERMORE
CALIFORNIA

CITY COUNCIL
FEBRUARY 10, 2025

REGULAR MEETING

1. CLOSED SESSION - NONE

2. CALL TO ORDER – The meeting of the City Council was called to order by Mayor John Marchand at 7:00 pm, held in person at 1016 S. Livermore Avenue.

ROLL CALL – Present: Mayor John Marchand, Vice Mayor Evan Branning, Council Members Ben Barrientos, Steven Dunbar, and Kristie Wang.

PLEDGE OF ALLEGIANCE

3. PROCLAMATIONS AND PRESENTATIONS – NONE

Mayor Marchand reordered the agenda moving Item 4. Open Forum after Item 7.1.

5. CONSENT CALENDAR

Mayor Marchand opened the public comment period.

Item 5.1 **David McGuigan** began a comment.

Mayor Marchand excused Speaker McGuigan to the end of the list of speakers for public comment due to disruptive comments.

Item 5.2 **Greg Scott** provided a comment.

Item 5.1 **David McGuigan** began a comment.

Mayor Marchand excused Speaker McGuigan due to disruptive comments.

There were no more speakers, and the public comment period was closed.

ON THE MOTION OF VICE MAYOR BRANNING, SECONDED BY COUNCIL MEMBER DUNBAR AND CARRIED ON A 5-0 VOTE, THE CITY COUNCIL APPROVED THE CONSENT CALENDAR.

5.1 Approval of draft minutes - January 27, 2025 Regular Meeting.

5.2 Introduce an ordinance and waive the first reading amending Livermore Municipal Code Section 13.36.050 Rates Per Service Unit to streamline the rate setting process and improve consistency with the water rate setting process.

Ordinance introduced amending Livermore Municipal Code Section 13.36.050 Rates Per Service Unit to streamline the rate setting process and improve consistency with the water rate setting process.

5.3 Introduce an ordinance and waive the first reading establishing a permanent Building Appeals Board by adding new chapter 15.90 to the Livermore Municipal Code and amending sections 8.15.125, 15.20.100, 15.20.110, and 15.20.120.

Ordinance introduced establishing a permanent Building Appeals Board by adding new chapter 15.90 to the Livermore Municipal Code and amending sections 8.15.125, 15.20.100, 15.20.110, and 15.20.120.

5.4 Resolution 2025-015 authorizing execution of a fourth amendment to the agreement with Ruggeri-Jensen-Azar for on-call engineering design services, increasing the not-to-exceed amount from $1,800,000 to $2,400,000 with a term ending December 31, 2026.

5.5 Resolution 2025-016 authorizing execution of a fourth amendment to the agreement with JR Structural Engineering, Inc. for project management services for various capital improvement projects, increasing the not-to-exceed contract amount from $910,000 to $1,510,000 with a term ending December 31, 2026.

5.6 Resolution 2025-017 authorizing a supplemental appropriation of Traffic Impact Fee Fund 510 in the amount of $200,000 to complete the analysis for the Traffic Impact Fee Nexus Study.

5.7 Resolution 2025-018 accepting the Annual Comprehensive Financial Report (ACFR) and Other Audit Reports for the Fiscal Year ended June 30, 2024.

5.8 Resolution 2025-019 amending the City of Livermore Salary Plan dated February 2025 in accordance with California Code of Regulations, Title 2, Section 570.5 and establish a new classification of Supervising Crime and Intelligence Analyst (Class Code 4152) and assign it to the Association of Livermore Employees salary schedule.

6. PUBLIC HEARINGS

6.1 Hearing to consider a resolution authorizing the City Manager to execute a Renewable Energy & Storage Power Purchase Agreement with Ava Community Energy and determining that the agreement is in the City's best interest.

Recommendation: Staff recommended the City Council adopt two resolutions:

1. Determining the project is exempt from the California Environmental Quality Act (CEQA) because it is consistent with California Public Resources Code section 21080.35, which provides that solar energy systems installed on the roof of an existing building or on an existing parking lot, meeting certain characteristics, are exempt from CEQA.

2. Authorizing the City Manager to execute a Renewable Energy & Storage Power Purchase Agreement between the City and Ava Community Energy in substantially the same form as the draft agreement, subject to the City Attorney's approvals as to form, pursuant to the California Government Code (sections 4217.10 through 4217.18), and determining pursuant to California Government Code section 4217.12 that the agreement is in the City's best interest because the anticipated energy costs will be less than the marginal cost the City would otherwise pay for the consumed energy, which savings will also offset any potential revenue from Ava to place its equipment on City facilities.

Sustainability Program Manager Tricia Pontau presented the staff report.

J.P. Ross Vice President of Local Development, Electronification and Innovation, Ava Community Energy provided a comment.

Mayor Marchand opened the public hearing.

David McGuigan provided a comment.

Greg Scott provided a comment.

Trish Munro provided a comment.

There were no more speakers, and the hearing was closed.

ON THE MOTION OF COUNCIL MEMBER BARRIENTOS, SECONDED BY COUNCIL MEMBER WANG AND CARRIED ON A 5-0 VOTE, THE CITY COUNCIL ADOPTED THE FOLLOWING RESOLUTIONS:

Resolution 2025-020 finding that the Cornerstone project is exempt from the provisions of the California Environmental Quality Act (CEQA).

Resolution 2025-021 approving the vesting tentative tract map (VTTM) 8669 – subdivision (SUB) 22-0006, site plan design review (SPDR) 22-004, and conditional use permit (CUP) 24-009, and find no net loss for the Cornerstone project.

7. MATTERS FOR CONSIDERATION

7.1 Resolution adopting 180-day wait period exception to hire retired annuitant, Michael Pato, former Senior Management Analyst, in accordance with Government Code section 7522.56 of the Public Employees' Retirement

Law.

Recommendation: Staff recommended that the City Council adopt a resolution approving the hiring of retired annuitant, Michael Pato, former Senior Management Analyst, in accordance with Government Code section 7522.56 of the Public Employees' Retirement Law.

Human Resources Manager Kristen Hilton presented the staff report.

Mayor Marchand opened the public comment period.

There were no speakers, and the public comment period was closed.

ON THE MOTION OF COUNCIL MEMBER BARRIENTOS, SECONDED BY VICE MAYOR BRANNING AND CARRIED ON A 5-0 VOTE, THE CITY COUNCIL ADOPTED THE FOLLOWING RESOLUTION:

Resolution 2025-022 adopting 180-day wait period exception to hire retired annuitant, Michael Pato, former Senior Management Analyst, in accordance with Government Code section 7522.56 of the Public Employees' Retirement Law.

8. COUNCIL COMMITTEE REPORTS AND MATTERS INITIATED BY CITY MANAGER, CITY ATTORNEY, STAFF AND COUNCIL MEMBERS

THE MAYOR AND CITY COUNCIL MEMBERS PROVIDED A SUMMARY OF RECENTLY ATTENDED EVENTS AND MEETINGS IN ADDITION TO THE INFORMATION PROVIDED IN THE SUPPLEMENTAL PACKET. COUNCIL MEMBERS WHO DID NOT PROVIDE A SUMMARY IN THE SUPPLEMENTAL PACKET ARE INCLUDED BELOW.

Islamic Center of Livermore (ICL) Council Member Dunbar noted his attendance at the opening of the new Masjid on February 1, 2025.

Livermore Lion's Club Council Member Barrientos noted his attendance at the crab feed on February 8, 2025.

Livermore Amador Valley Transit Authority (LAVTA) Vice Mayor Branning noted his attendance at the Board Meeting on February 3, 2025.

Mayor Marchand called for Item 4. Open Forum.

4. OPEN FORUM

Mayor Marchand opened the public comment period.

David McGuigan provided a comment.

Greg Scott provided a comment.

Suzy provided a comment.

Carol Silva provided a comment.

There were no more speakers, and the public comment period was closed.

9. ADJOURNMENT – at 7:42 pm to a Regular City Council Meeting on Monday, February 24, 2025, at 7:00 pm, Civic Center Meeting Hall, City Council Chambers, 1016 S. Livermore Avenue.

APPROVED: _____
JOHN P. MARCHAND, MAYOR

ATTEST: _____
DEBORAH L. ELAM, CITY CLERK

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.2**

DATE: February 24, 2025

TO: Honorable Mayor and City Council

FROM: Judy Erlandson, Acting Public Works Director

SUBJECT: Adopt an ordinance amending Livermore Municipal Code Chapter 13.35 Sewer Service and Use Charges Section 13.36.050 Rater per Service Unit

RECOMMENDED ACTION

Staff recommends the City Council **adopt an ordinance** amending Livermore Municipal Code Chapter 13.36 Sewer Service and Use Charges, Section 13.36.050 Rates per Service Unit to streamline the rate setting process and for consistency in language with the other rate setting chapters of Title 13 Public Services.

SUMMARY

DISCUSSION

ATTACHMENTS

1. Ordinance

Prepared by: Laura Mayate-DeAndreis
Management Analyst II

Approved by:

Marianna A. Burch
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

AN ORDINANCE AMENDING LIVERMORE MUNICIPAL CODE CHAPTER 13.36 *SEWER SERVICE AND USE CHARGES* SECTION 13.36.050 *RATES PER SERVICE UNIT*

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LIVERMORE DOES ORDAIN AS FOLLOWS:

Section 1. *Amendment.* The Livermore Municipal Code is hereby amended to read as shown below. The deletions are shown using a strikethrough, and the added language is shown with an underline, but the stricken language and underlines themselves shall not be codified in the Municipal Code, which publication shall only reflect the final language.

13.36.050 Rates per service unit.

Periodically, the City Council may restudy and recalculate fees. The residential, commercial and institutional user charges for each month of sewer service shall be established by resolution ~~uncodified ordinance~~ of the City Council.

Section 2. *Environmental.* This amendment to the Livermore Municipal Code is not a project as defined by the California Environmental Quality Act (CEQA) Guidelines Section 15378 and therefore, is not subject to environmental review.

The adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) under the common sense exemption set forth in CEQA Guidelines Section 15061(b)(3) in that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment, it is not subject to CEQA.

Section 3. *Severability*. If any part of this ordinance is declared invalid by a court, such invalidity shall not affect any of the remaining parts.

Section 4. *Publication.* This ordinance shall be published once in a newspaper of general circulation of the city of Livermore within fifteen days after its adoption.

Section 5. *Effective date.* This Ordinance shall take effect 30 days after its adoption.

The foregoing ordinance was introduced at the meeting of the City Council of the City of Livermore held on February 10, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

The ordinance was adopted at the regular meeting of the City Council held on February 24, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Mayor, City of Livermore

ATTEST:

_____
Deborah L. Elam
City Clerk

APPROVED AS TO FORM:

/s/ Tara Mazzanti
Tara Mazzanti
Senior Assistant City Attorney

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.3**

DATE: February 24, 2025

TO: Honorable Mayor and City Council

FROM: Brent Smith, Community Development Director

SUBJECT: Adopt an ordinance establishing a permanent Building Appeals Board by adding new chapter 15.90 to the Livermore Municipal Code and amending sections 8.15.125, 15.20.100, 15.20.110, and 15.20.120.

RECOMMENDED ACTION

Staff recommends the City Council **adopt an ordinance** establishing a Permanent Building Appeals Board by adding new chapter 15.90 to the Livermore Municipal Code and amending sections 8.15.125, 15.20.100, 15.20.110, and 15.20.120 for consistency with the new Appeals Board. Staff also recommends Council officially appoint the Interim Board members as permanent members.

SUMMARY

DISCUSSION

ATTACHMENTS

1. Ordinance
2. Exhibit A - Chapter 15.90 Building Appeals Board
3. Exhibit B - Amendments to LMC Sections 8.15.125, 15.20.100, 15.20.110, and 15.20.120

Prepared by: Franc Moufarrej
Chief Building Official

Approved by:



Marianna A. Burch
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

AN ORDINANCE ESTABLISHING A BUILDING APPEALS BOARD BY ADDING NEW CHAPTER 15.90 TO THE LIVERMORE MUNICIPAL CODE AND AMENDING SECTIONS 8.15.125, 15.20.100, 15.20.110, AND 15.20.120 FOR CONSISTENCY WITH THE NEW BOARD

On March 6, 2024, the California Court of Appeal clarified that local jurisdictions must comply with the appeals processes outlined in the California Building Code for all appeals involving state and local building code violations and any public nuisance determinations based on those violations. Section 1.8.8 of the California Building Code requires local jurisdictions to establish a process to hear and decide administrative appeals of orders, decisions, and determinations made by the local jurisdiction relative to the application and interpretation of the California Building Code and other regulations governing construction, use, maintenance, and change of occupancy. Said appeals must be heard by the City Council, but the Building Code permits local jurisdictions to establish an appeals board comprised of individuals knowledgeable in applicable building codes, regulations, and ordinances to hear and decide these appeals.

On May 16, 2024, the City Council adopted resolution 2024-076 establishing an Interim Appeals Board after receiving an appeal to a notice and order to abate certain violations to the Livermore Municipal Code and the California Building Code. The resolution also directed staff to prepare an ordinance establishing a permanent Appeals Board. This ordinance establishes said Appeals Board.

On February 24, 2025, the City Council appointed the members of the Interim Appeals Board to the new permanent Building Appeals Board.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LIVERMORE DOES ORDAIN AS FOLLOWS:

Section 1. *Addition to the Code.* A new Chapter 15.90 *Building Appeals Board*, is hereby added to Title 15 *Buildings and Construction* in the Livermore Municipal Code, as set forth in Exhibit A, attached hereto.

Section 2. *Amendment.* *C*hapter 8.*15 Procedure for Abatement of Public Nuisances* Section 8.15.125 *Appeal of Building Code Violations*, and Chapter 15.20 *Dangerous Buildings* Sections 15.20.100 *Administrative Hearing*, 15.20.110 *Written Decision and Order*, and 15.20.120 *Appeal to City Council* are hereby amended and restated as set forth in Exhibit B, attached hereto. In Exhibit B, the deletions are shown using a strikethrough, and the added language is shown with an underline, but the stricken language and underlines themselves shall not be codified in the Municipal Code, which publication shall only reflect the final language.

Section 3. *Environmental.* The passage of this ordinance is not a project according to the definition in the California Environmental Quality Act and, therefore, is not subject to the provisions requiring environmental review.

Section 4. *Severability*. If any part of this ordinance is declared invalid by a court, such invalidity shall not affect any of the remaining parts.

Section 5. *Publication*. This ordinance shall be published once in a newspaper of general circulation of the city of Livermore within fifteen days after its adoption.

Section 6. *Effective date*. This Ordinance shall take effect 30 days after its adoption.

The foregoing ordinance was introduced at the meeting of the City Council of the City of Livermore held on February 10, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

The ordinance was adopted at the regular meeting of the City Council held on February 24, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Mayor, City of Livermore

ATTEST:

_____
Deborah L. Elam
City Clerk

APPROVED AS TO FORM:

/s/ Katherine Mirassou
Katherine Mirassou
Assistant City Attorney

Exhibit A – Chapter 15.90 Building Appeals Board
Exhibit B – Amendments to LMC Sections 8.15.125, 15.20.100, 15.20.110, and 15.20.120

Chapter 15.90

Building Appeals Board

Sections:

15.90.010 – Purpose

15.90.020 - Definitions

15.90.030 - Organization and Membership

15.90.040 - Limitation on Appeals

15.90.050 - Appeal Filing Timeline

15.90.060 - Appeal Procedure

15.90.070 - Powers and Duties

15.90.010 - Purpose

The Building Appeals Board is established to review and adjudicate appeals of orders, decisions, and determinations made by City staff regarding the application and interpretation of the California Building Code and other regulations and uniform codes governing construction, use, maintenance, and change of occupancy, as specified in Section 1.8.8 of the California Building Code and as adopted by the City in LMC Title 15, Buildings and Construction.

15.90.020 - Definitions

As used in this chapter:

A. "Board" means the Building Appeals Board.

B. "Building Official" means the Chief Building Official or their designee.

C. "Member" means a member of the Building Appeals Board.

D. "The Code" means the California Building Code, LMC Title 15, and other applicable construction regulations.

E. "Appeal" means a formal request to review a decision made by the Building Official or City staff.

F. "Appellant" means a person or entity filing an appeal under this chapter.

G. "Decision" means any determination, ruling, or interpretation made by City staff subject to appeal under this chapter.

15.90.030 - Organization and Membership

A. **Appointment and Removal**: The Board shall be appointed by the City Council and serve at its pleasure. Board members shall be appointed from a list of interested and qualified candidates maintained by the City Clerk. Board members may be removed by a vote of the majority of the City Council with or without cause.

B. **Composition**: The Board shall consist of three members who are not employees of the City.

C. **Qualifications**: Members shall be knowledgeable about applicable building codes, regulations, and ordinances. They shall have experience and training in building construction, such as licensed contractors, engineers, and architects. A member need not be a resident of the City. A member may not have any interest in property which is the subject of the appeal to the Board.

D. **Term**: Board members shall serve staggered terms of four years, with vacancies filled by the City Council for the remainder of the unexpired term.

E. **Meetings:** The Board of Appeals shall have no regular meetings, and all meetings shall be special meetings noticed pursuant to Government Code Section 54956. The board shall be considered a “standing committee” with a continuing subject matter jurisdiction. The board shall meet when an appeal is filed pursuant to this chapter.

15.90.040 - Limitation on Appeals

A. An application for appeal must be based on a claim that:

1. The true intent of the applicable code or related regulations has been incorrectly interpreted.
2. The provisions of the applicable code do not fully apply.
3. An equally good or better form of construction is proposed.

B. Appeals must relate to orders, decisions, or determinations governed by Title 15 of the Livermore Municipal Code.

15.90.050 - Appeal Filing Timeline

A. All appeals shall be submitted in writing to the Building Official within 10 calendar days of the appellant’s receipt of written notice of the decision being appealed.

B. Failure to file a timely and complete request for an appeal shall constitute a waiver of all rights to an appeal.

C. An appeal must contain the information in LMC 8.15.090(B).

D. Upon receiving a written appeal, the Building Official shall within 10 days set a hearing date, time, and location for within 60 days from the date of the City's receipt of the appeal. Written notice of the hearing shall be served to the appellant at least 10 days prior to the hearing via personal service or certified mail.

E. If the filing deadline falls on a weekend or holiday, the deadline shall be extended to the next business day.

F. Except for orders issued by the Building Official because of conditions that represent an imminent threat to life or safety of the public or adjacent properties, enforcement of the notice and order of the Building Official shall be stayed during the pendency of an appeal of that order properly and timely filed.

15.90.060 - Appeal Procedure

A. **Hearing Procedures:** Hearings shall follow the procedures established in LMC 8.15. The Board shall comply with 8.15 as if it were the "hearing officer" but only to the extent 8.15 is consistent with the California Building Code or other applicable law governing administrative appeals of violations of the building code.

B. **Secretary**: The Chief Building Official or their designee shall serve as the ex officio Secretary of the Board but shall not vote.

C. **Decision**: The Board shall issue a written decision, including findings of fact and reasons for the decision, within fifteen (15) days after the hearing's conclusion. Copies of the decision shall be provided to the appellant and the Building Official. The Board's decisions are binding.

15.90.070 - Powers and Duties

A. The Board shall hear and decide appeals of orders, decisions, and determinations made by City staff regarding the application and interpretation of the California Building Code and other regulations under Title 15 of the Livermore Municipal Code.

B. The Board shall have no authority to waive requirements of any code. (California Building Code Section 113.2.)

C. The Board's written decisions shall include findings of fact and the rationale for the decision. Decisions shall approve, approve with modifications, or deny appeals, specifying any conditions or limitations imposed.

D. Within fifteen (15) days of the decision, the Secretary shall provide copies of the decision to the appellant and maintain a permanent record in the Board's files.

E. Decisions of the Board are final and conclusive for the City.

Amended sections:

8.15.125 Appeal of building code violations

15. 20.100 Administrative hearing

15. 20. 110 Written decision and order

15. 20.120 Appeal to City Council

8.15.125 Appeal of building code violations.

When a notice and order to abate includes a public nuisance as defined in LMC 8.14.040(M) and (N) for a violation of the California Building Code and other uniform codes adopted by the City in LMC Title 15, Buildings and Construction, ~~the written decision of the administrative hearing officer after hearing with respect to those specific code violations may be appealed by a responsible party to the City Council as set forth in LMC 15.20.120. (Ord. 2105 § 5, 2020)~~ an appeal of the notice and order will be heard by the Building Appeals Board pursuant to LMC 15.90. Appeals heard by the Building Appeals Board shall comply with the procedures of Chapter 8.15 as if the Board were the "hearing officer", but only to the extent Chapter 8.15 is consistent with the California Building Code or other applicable law governing administrative appeals of violations of the California Building Code.

15.20.100 Administrative hearing.

The administrative hearing shall be conducted in the same manner as set forth in LMC 8.15.100 and 8.15.110 with the following modifications:

A. Appointment. The Community Development Director shall ~~appoint a hearing officer~~ direct the Building Appeals Board pursuant to LMC 15.90 to conduct an administrative hearing upon issuance of a notice and order to demolish a dangerous building.

B. Notice of Hearing. The building division will send out the notice of hearing date to all responsible parties of interest, including any tenants, the ~~hearing officer~~ Building Appeals Board, building official, Community Development Director, City Manager and City Attorney.

C. Burden of Proof. The City has the burden of proving by a preponderance of the evidence that the dangerous conditions exist and constitute a violation of the code and that demolition of the building is the only economically feasible alternative. The notice and order to demolish a dangerous building and any reports submitted by the building official or designee shall constitute prima facie evidence of the respective facts contained in those documents. The City shall present evidence of the following:

1. The dangerous condition of the building;

2. That it is not economically feasible for the building to be repaired and made safe;

3. The economic cost of repair in comparison to demolition or removal and/or any other evidence to show that demolition is the only reasonable or viable alternative; and

4. The history of attempts to gain the responsible party's compliance to correct the condition of the building.

A responsible party may contest the building official's determination by providing evidence or expert testimony about the building's condition, and by providing evidence of the responsible party's willingness and economic capability to complete the necessary repairs to make the building safe and bring it into compliance in a timely manner, regardless of cost.

D. Inspection of Building. The ~~hearing officer~~ Building Appeals Board may inspect the building, to the extent it is determined safe by the building official to do so, as part of the hearing process; provided, that the parties mutually agree, and the owner for the subject property consents to the inspection. The ~~hearing officer~~ Building Appeals Board must give written notice to the parties of the date and time of the inspection, and the parties are permitted to be present during the ~~hearing officer's~~ Building Appeals Board's inspection. The City may request all parties to sign a waiver of liability to be present during the inspection. When the hearing resumes after the inspection, the ~~hearing officer~~ Building Appeals Board shall state for the record the material facts observed during the inspection. The parties shall be afforded an opportunity to rebut or explain the material facts stated by the ~~hearing officer~~ Building Appeals Board.

E. Failure to Appear. The failure to appear at the hearing by the responsible party shall constitute a failure to exhaust administrative remedies and a waiver of all rights to maintain an action to appeal, modify, or set aside a building official's notice and order to demolish a dangerous building, and any subsequent City abatement action. Despite the failure to appear, the ~~hearing officer~~ Building Appeals Board is directed to hear the City's case in the responsible party's absence and issue a written decision based upon the City's evidence.

15.20.110 Written decision and order.

After the administrative hearing, the ~~hearing officer~~ Building Appeals Board shall issue a written decision and order as set forth in LMC 8.15.120 with the following modifications:

A. Notice Upheld or Modified.

1. If the ~~hearing officer~~ Building Appeals Board upholds the building official's determination that the building is dangerous and should be demolished, the decision

must include a demolition order that provides a reasonable schedule for the responsible party to obtain a City demolition permit and to take all necessary steps to demolish or remove the building. In no event shall the demolition date be less than 90 days from the date the decision is mailed.

2. If the ~~hearing officer~~ Building Appeals Board determines that the responsible party may repair the dangerous building, rather than demolish it, the decision must include an abatement order that provides a reasonable and feasible schedule for expeditious repair, including obtaining all necessary City permits, providing required architectural and engineering plans or other needed studies, and completing the work. Except under unusual or extenuating circumstances, the date of completion should not exceed 180 days from the date the decision is issued. The building official may extend the date of completion as needed to accommodate reasonable good faith progress by the responsible party to eliminate the dangerous conditions.

3. If the ~~hearing officer~~ Building Appeals Board determines that the nuisance is likely to recur after abatement, the ~~hearing officer's~~ Building Appeals Board's written decision may order the person to take adequate precautions for a period of time not to exceed 12 months so that the nuisance will not recur.

4. The written determination shall further state that if the building is not demolished, or if the nuisance is not abated, by the date specified in the order, then the City is ordered and authorized to demolish the building, or abate the nuisance, and to recover the administrative charges, costs and expenses to abate the nuisance from the responsible party as set forth herein and in LMC 8.15.150.

B. Finality of Decision – Judicial Review of Non-Building Code Violations. For any public nuisance violations and associated consolidated hearing issues pursuant to LMC 8.15.100 that are not violations of a building code, the hearing officer's decision is final and conclusive for the City. The written decision and order shall contain a statement of the right to seek judicial review of that portion of the hearing officer's decision by filing a petition within 90 days with a court of competent jurisdiction pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6.

C. Appeal to City Council – Building Code Violations. For any public nuisance violations that are violations of a building code, the written decision and order shall contain a statement that the Building Appeals Board's decision is final.

The responsible party may appeal to the City Council pursuant to LMC 15.20.120 that portion of the ~~hearing officer's~~ Building Appeals Board's decision pertaining only to orders requiring the demolition of dangerous buildings by filing a written request to the City Clerk requesting an appeal of the ~~hearing officer's~~ Building Appeals Board's decision and paying an appeal fee set by City Council resolution within 10 calendar days of the date of the decision.

15.20.120 Appeal to City Council.

A. A decision by the Building Appeals Board may be appealed to the City Council only if the decision by the Building Appeals Board would require the demolition of a dangerous building. If the responsible person attended the administrative hearing, he or she may appeal the ~~hearing officer's~~ Building Appeals Board's decision by filing a written request to the City Clerk requesting an appeal hearing within 10 calendar days of the date of the ~~hearing officer's~~ Building Appeals Board's decision. An appeal fee as set by City Council resolution must be paid within the same 10-calendar-day period for the appeal application to be complete.

B. Within 30 calendar days of receipt of a complete and timely appeal, the hearing before the City Council will be scheduled to take place within 60 days of the date the appeal is received, or as soon thereafter as possible. The City Clerk shall inform the appellant of the date and time of the appeal hearing.

C. The appeal hearing shall be de novo and shall observe the following procedures:

1. The City Council shall receive and consider all relevant testimony, evidence, objections, or protests presented.

2. The person requesting the hearing may represent themselves or may be represented by the person of their choice.

3. The formal rules of evidence and discovery will not apply to the appeal hearing, but the person requesting the hearing, and the building official, shall have the following rights:

a. To appear and present testimony and evidence relevant to any activity or condition identified in the hearing officer's decision or the notice and order to demolish a dangerous building that is being contested. Hearsay evidence may be presented for the purpose of supplementing or explaining any direct evidence, but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions in courts of competent jurisdiction in California. Relevant evidence may be admitted if it is the type of evidence that is competent and may be relied upon by reasonable persons to make a decision, provided the evidence is more than speculation or conjecture. Irrelevant and unduly repetitious evidence shall be excluded.

b. To produce and examine witnesses on any matter relevant to the condition of the premises constituting a nuisance.

c. To introduce documentary and physical evidence.

d. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing.

e. To impeach any witness, regardless of which party first called that witness to testify.

f. To rebut the evidence.

g. The proceedings at the hearing shall be recorded.

4. The person requesting the hearing, or the building official, may use a certified shorthand or stenographic reporter to maintain a written record of the proceedings at the party's own expense. When a certified shorthand or stenographic reporter is used, the preparation of a record of the proceeding shall be governed by California Code of Civil Procedure Section 1904.6, as it is amended from time to time.

5. The building official's enforcement file, including the notice and order to demolish a dangerous building and the written decision of the ~~administrative hearing officer's~~ Building Appeals Board, shall constitute prima facie evidence that the public nuisance exists, that the building is dangerous, and that the administrative charge assessed is appropriate, and shall be deemed evidence of sufficient substantiality to shift the burden of proof to the person contesting the notice and written decision to show cause why the dangerous condition does not exist or should not be abated, or why the administrative charge should not be assessed. The person requesting the hearing has the burden of proving there is a substantial conflict of evidence, or that different conclusions must be drawn from the building official's evidence, that warrants modifying or setting aside the contested portion of the notice and order to demolish a dangerous building. The building official has the ultimate burden of proving by a preponderance of the evidence that the activity or condition identified in the notice and order to abate exists, and establishing that the administrative charge should be assessed.

6. The City Council may request additional information from the building official or the person requesting the appeal hearing, or conduct an inspection of the activity or condition that is being contested, at any time before issuing a written decision.

7. The failure of any person requesting the appeal to appear at the appeal hearing shall constitute a waiver of all rights to a hearing and a waiver of all rights to maintain an action to modify or set aside the building official's notice and order to demolish a dangerous building. The failure to appear shall also constitute a failure to exhaust administrative remedies, and the City Council shall issue a written decision and order upholding the notice and order to demolish a dangerous building as to that party.

D. Upon the completion of such hearing, the City Council shall, by resolution, declare its findings and its decision to uphold, modify, or set aside the building official's notice of demolition of a dangerous building for the building code violation and shall follow the form set forth in LMC 8.15.120 for a written decision.

E. Judicial Review. The City Council's decision after appeal is final and conclusive for the City. The resolution shall contain a statement of the right to seek judicial review of the hearing officer's decision by filing a petition within 90 days with a court of competent jurisdiction pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6.

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.4**

DATE: February 24, 2025

TO: Honorable Mayor and City Council

FROM: Brent Smith, Community Development Director

SUBJECT: Resolution authorizing a supplemental appropriation of Measure BB-Local Streets and Roads, Fund 830, in the amount of $150,000 in FY 2024-25 and awarding a construction contract with Devaney Engineering, Inc. in an amount not-to-exceed $646,011 for the construction of the Springtown Water Service Replacement Project 2023-14.

RECOMMENDED ACTION

Staff recommends City Council adopt a resolution for the Springtown Water Service Replacement Project 2023-14:

1. Authorizing a supplemental appropriation from Measure BB-Local Streets and Roads (Fund 830) in the amount of $150,000 in FY 2024-25 to fund project 2023-14;
2. Awarding a construction contract to Devaney Engineering, Inc., in an amount not-to-exceed $646,011, and authorizing the City Manager to sign the contract (Exhibit A);
3. Rejecting all other bids or proposals; and
4. Authorizing the City Manager to take whatever actions are necessary and appropriate to carry out the purpose and intent of this resolution including approving minor changes to the proposed agreement for the Springtown Water Service Replacement Project 2023-14.

SUMMARY

The Springtown Water Service Replacement Project (2023-14) will replace 68 water lateral services within the area seen in Attachment 1 - Vicinity Map. This project will replace the failing polybutylene pipe water services and replace them with durable polyethylene pipe services, reducing the need for future emergency repairs. The project will also slurry seal the roadways in the entire neighborhood for a cost of $300,000. Half of the cost of the slurry seal work is required to repair the water service lateral trenches and will be funded with Water Replacement Funds; the remaining cost of the slurry seal work, $150,000, needs to be appropriated to the project from roadway funds, Measure BB-Local Streets and Roads (Fund 830).

Twelve bids were received for this project on December 11, 2024. Staff recommends the City Council award and authorize a construction contract with Devaney Engineering Inc., the lowest responsible and

responsive bidder, and authorize the City Manager to sign the construction contract.

DISCUSSION

Polybutylene water service lines installed in certain areas of the Springtown neighborhood in the 1980's have experienced a significantly higher failure rate than surrounding areas with similar characteristics. To lower water loss, reduce emergency replacements, and minimize overall cost, the Water Resources Division proposed to proactively replace the 68 service lines. The Springtown Water Service Replacement Project will replace the polybutylene lines with more durable polyethylene lines. The roadway will be slurry sealed and restriped after all of the services have been replaced in order to restore the appearance and condition of the roads post-construction.

Staff advertised the project on November 18, 2024, for a bid opening of December 11, 2024. The City received 12 bids for the project. The lowest responsible and responsive bidder was Devaney Engineering Inc. based in San Francisco, California and the company has worked on various public utility replacement projects for Central Contra Costa Sanitary District. Staff has checked references for Devaney Engineering, Inc. and has found them satisfactory. In accordance with Livermore Municipal Code Section 2.68.590, a cumulative Change Order authorization of $200,000 is allowed.

Contractor	Location	Amount
Devaney Engineering, Inc.	San Francisco	$647,011.00
Platinum General Engineering LLC	Modesto	$744,800.00
Golden State Construction & Utility, Inc.	San Francisco	$834,000.00
WestRock Engineering	San Francisco	$835,170.00
A3 Pipeline	San Francisco	$902,812.00
Golden Bay Construction, Inc.	Hayward	$921,635.00
C2R Engineering, Inc.	Los Altos	$952,845.00
DPI Inc	Livermore	$1,178,528.34
Corcus Construction	San Francisco	$1,190,155.00
West Valley	San Jose	$1,192,376.00
Ella	Alamo	$1,254,170.00
GCJ Incorporated	Tracy	$1,503,086.17
Engineer's Estimate		$1,050,000.00

Staff will coordinate with the residents impacted by the work and provide them with at least two weeks' notice by mail or 72 hours via door hanging notice before their service will be replaced. Each resident will have their water off for only one working day. An updated construction schedule will be made available to the residents on the City's website.

FISCAL AND ADMINISTRATIVE IMPACTS

Project 2023-14 is included in the FY 2023-28 Capital Improvement Plan. A total of $1.3 million is budgeted in FY 2024-25 from the Water Replacement Fund 641. Based on the bids coming in lower than estimated, the total project costs will be less than currently budgeted. However, due to the poor condition of the streets in this neighborhood, staff decided to slurry seal the entire neighborhood. The total cost of slurry sealing the neighborhood is $300,000. Half of the road area needs to be slurry sealed due to the

water lateral replacements and will be funded with Water Replacement Fund 641; the remaining cost of the slurry seal work, $150,000, will be funded by Measure BB-Local Street and Road (Fund 830) and needs to be appropriated to the project in FY 2024-25. This project will not cause an increase in operation and maintenance costs.

COMMUNITY PILLAR:

1: A Safe Community that Thrives

GOAL

11: Operate and maintain municipal water systems that provide safe, efficient delivery of potable and recycled water, collect and treat wastewater, and comply with all federal, state, and local regulations.

ATTACHMENTS

1. Vicinity Map
2. Resolution
3. Exhibit A - Agreement

Prepared by: Jarrett Rasmussen
Associate Civil Engineer

Approved by:

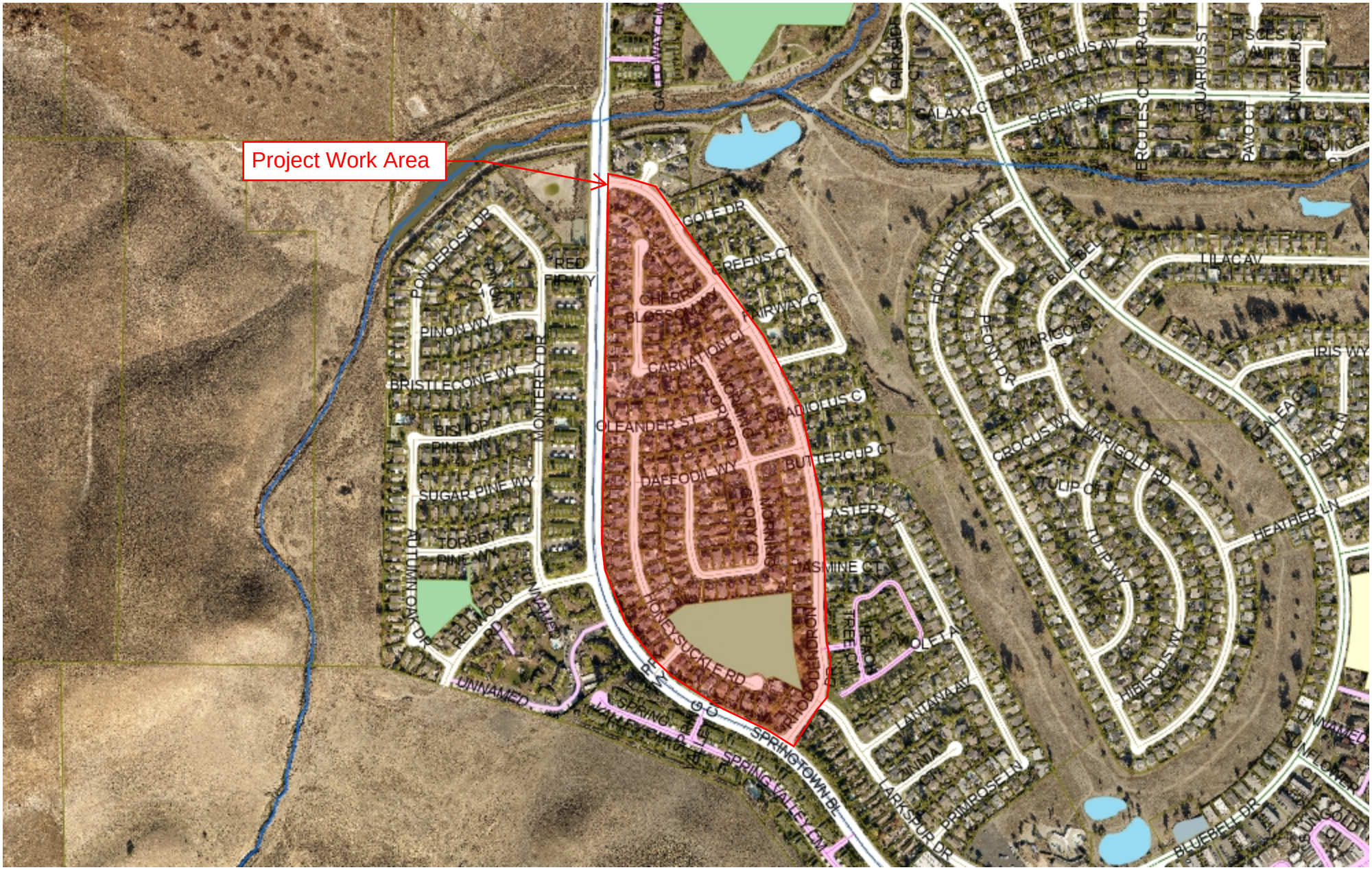
Marianna A. Burch
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

LIVERMORE CALIFORNIA

Vicinity Map - Springtown Water Service Replacement Project



1,333.3 0 666.67 1,333.3 Feet

NAD_1983_2011_StatePlane_California_III_FIPS_0403_Ft_US
Livermore IT, GIS Services

1: 8,000

This map is based on City of Livermore GIS Information and reflects the most current information at the time of this printing. The map is intended for reference purposes only and the City and its staff is not responsible for errors or omissions.

Notes

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION AUTHORIZING A SUPPLEMENTAL APPRORIATION OF MEASURE BB-LOCAL STREETS AND ROADS, FUND 830, IN THE AMOUNT OF $150,000 IN FY 2024-25 AND AWARDING A CONSTRUCTION CONTRACT WITH DEVANEY ENGINEERING INC, IN AN AMOUNT NOT-TO-EXCEED $646,011, FOR THE CONSTRUCTION OF THE SPRINGTOWN WATER SERVICE REPLACEMENT PROJECT 2023-14

(Springtown Water Service Replacement Project 2023-14)

The Springtown Water Service Replacement Project is located in the Springtown neighborhood between Springtown Boulevard and Rhododendron Drive and will consist of replacing 68 polybutylene water service lines. The polybutylene water service lines installed in certain areas of the Springtown Neighborhood in the 1980s have experienced a significantly higher failure rate than surrounding areas with similar characteristics. To lower water loss, reduce emergency replacements, and minimize overall cost, the Springtown Water Service Replacement Project will replace the 68 service lines with polyethylene service lines. The new service lines will reduce the number of line failures and is therefore a public benefit.

The City of Livermore advertised on November 18, 2024, and opened bids on December 11, 2024, for construction of the Springtown Water Service Replacement Project 2023-14 ("Project").

City staff recommends awarding the project to Devaney Engineering Inc., the lowest responsible and responsive bidder for the Project, and authorize the City Manager to sign the agreement.

A supplemental appropriation of $150,000 in Measure BB-Local Street and Road Fund 830 in FY 2024-25 is required to fund 50% of the road rehabilitation work for this project. The remaining cost of the of the road rehabilitation work will repair the water lateral trenches and be funded with Water Replacement Funds.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Livermore:

1. Authorizes a supplemental appropriation of the Measure BB-Local Street and Road Fund 830 in the amount of $150,000 in FY 2024-25 to fund project WT202314;

2. Awards a construction contract to Devaney Engineering Inc., in an amount not-to-exceed $646,011, and authorizes the City Manager to sign the contract attached as Exhibit A which is incorporated by this reference to the resolution;

3. Rejects all other bids or proposals; and

4. Authorizes the City Manager to take whatever actions are necessary and appropriate to carry out the purpose and intent of this resolution including approving minor changes to the proposed agreement for the Springtown Water Service Replacement Project 2023-14.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 24, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

_____
Deborah L. Elam
City Clerk

APPROVED AS TO FORM:

/s/ Tara Mazzanti
Senior Assistant City Attorney

Exhibit A - Construction Contract with Devaney Engineering Inc.

CONTRACT

This public works contract ("Contract") is entered into by and between the City of Livermore, a California Municipal Corporation ("City") and Devaney Engineering, Inc. A California corporation on the Springtown Water Service Replacement City Project No. 2023-14 ("Project").

The Parties Agree as Follows:

1. Award of Contract.

In response to the Notice Inviting Bids, Contractor has submitted a Bid Proposal to perform work on the Project, and on _____, 20___, as part of Resolution No. _____, City authorized award of this Contract to Contractor for the amount of Contractor's bid.

2. Contract Documents.

This Contract consists of all of the written representations and submissions made by Contractor as part of the Bid process and the following numbered and un-numbered component documents, as detailed on the table of contents of this Agreement:

a. Bidding requirements (consisting of the Notice Inviting Bids; Instructions to Bidders; Bid Proposal; Bid Schedule, Subcontractor List, Noncollusion Declaration, Bid Bond, Bidder's Questionnaire, Payment Bond, Performance Bond, Warranty Bond);

b. General Conditions;

c. Special Conditions;

d. Division One Technical Specifications;

e. Appendix;

f. Index of Defined Terms;

g. Project Drawings and Specifications;

h. Bid Addenda, if any;

i. Change Orders, if any;

j. ALB Notice;

k. Notice to Proceed;

l. City Standard Specifications and Details;

m. And the following: No other documents

3. Contractor's Obligations.

Contractor agrees to perform all of the Work required for the Project, as specified in the Contract Documents. Contractor must provide, furnish, and supply all things necessary and incidental for the timely performance and completion of the Work, including all necessary labor, materials, equipment, transportation, and utilities, unless otherwise specified in the Contract Documents. Contractor must use its best efforts to complete the Work in a professional and expeditious manner and to meet or exceed the performance standards required by the Contract Documents.

4. Payment.

As full and complete compensation for Contractor's timely performance and completion of the Work in strict accordance with the terms and conditions of the Contract Documents, City will pay Contractor Six Hundred Forty-Seven Thousand and Eleven Dollars ($647,011.00) (the "**Contract Price**"), in accordance with the payment provisions in the General Conditions.

5. Time for Completion.

5.1. Substantial Completion

Contractor must achieve Substantial Completion, as that term is defined in the General Conditions, of the Project Work within 160 Working Days from the commencement date stated in the Notice to Proceed. ("**Substantial Completion Deadline**."). For this project, the Contractor shall also incorporate 5 number of average anticipated inclement Weather Days into their bid estimate. Contractor shall be solely responsible for the extended overhead and profit for these weather days and shall not be compensated by the City in any way, reference Section 10.3 of the General Conditions and Section 013200-4.3 Contract Schedules for additional weather day information.

5.2. Final Completion

Contractor must achieve Final Completion, as that term is defined in the General Conditions, of the Project Work within 30 Working Days after the date of substantial completion. ("**Final Completion Deadline**.")

5.3. Early Completion.

By signing below, Contractor expressly waives any claim for delayed early completion.

6. Liquidated Damages.

If Contractor fails to meet either the Substantial Completion Deadline or the Final Completion Deadline, City may assess liquidated damages according the provisions in the General Conditions of the Contract Documents in the following amounts for each day of Unexcused Delay, and the Contract Price shall be reduced accordingly.

6.1. Substantial Completion Deadline: One thousand dollars ($ 1000) per day.

6.2. Final Completion Deadline: Five hundred dollars ($ 500) per day.

7. Labor Code Compliance.

This Contract is subject to all applicable requirements of Chapter 1 of Part 7 of Division 2 of the California Labor Code, including requirements pertaining to wages, working hours and workers' compensation insurance.

7.1. Prevailing Wages.

This Project is subject to the prevailing wage requirements applicable to the locality in which the Work is to be performed for each craft, classification or type of worker needed to perform the Work, including employer payments for health and welfare, pension, vacation, apprenticeship and similar purposes. The general prevailing wage rates for each craft, classification or type of covered work are available online at http://www.dir.ca.gov/DLSR.

7.2. DIR Registration.

City will not accept a Bid Proposal from or enter into the Contract with a bidder without proof that the bidder and its Subcontractors are registered with the California Department of Industrial Relations to perform public work under Labor Code, Section 1725.5, subject to limited legal exceptions allowed by the Labor Code.

8. Workers' Compensation Certification.

Under Labor Code, Section 1861, by signing this Contract, Contractor certifies as follows: "I am aware of the provisions of Labor Code, Section 3700 which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the Work on this Contract."

The successful bidder previous to the entering of the contract to do the said work shall take out and maintain in full force and effect worker's compensation insurance with an insurance carrier authorized to transact business in the State of California, covering the bidder's full liability for compensation to any persons employed who may be injured in the carrying out of said contract or the dependents thereof. Evidence of such worker's compensation insurance shall be furnished to the City of Livermore by certificate and waiver of subrogation in the City's electronic insurance certificate tracking system (PINS) prior to the commencement of the work and said certificate shall contain a provision that the coverage thereunder will not be canceled until at least thirty (30) days prior written notice has been given to the City.

9. Notice.

Any notice, billing, or payment required by the Contract Documents must be made in writing, and sent to the other party by personal delivery, U.S. Mail, a reliable overnight delivery service, facsimile, or by email as a PDF (or comparable) file. Notice is deemed

effective upon delivery unless otherwise specified. Notice for each party must be given as follows:

	City	Contractor
Name	Joel Waxdeck	Devaney Engineering, Inc.
Address	1052 South Livermore Avenue	2655 Van Ness Avenue, Suite 3
City/state/zip	Livermore, CA 94550	San Francisco, CA 94109
Phone	(925) 960-4521	(415) 559-0429
Fax	(925) 960-4505	(415) 276-3150
Attention	City Engineer	Derek Devaney
Email	jhwaxdeck@livermoreca.gov	derek@devaneyengineering.com
Copy to	jsrasmussen@livermoreca.gov	

10. General Provisions.

The following items are repeated here as stated as part of Part 2, General Conditions, for emphasis:

10.1. Assignment and Successors.

Contractor may not assign its rights or obligations under this Contract, in part or in whole, without City's written consent. This Contract is binding on Contractor's successors and permitted assigns. A consolidation or merger of Contractor or a change in ownership of 25% or more of Contractor's capital stock constitutes an assignment by Contractor requiring the City's written consent.

10.2. Third Party Beneficiaries.

There are no intended third party beneficiaries to this Contract except as expressly provided in the General Conditions or Special Conditions.

10.3. Governing Law and Venue.

This Contract will be governed by California law and venue will be in the Superior Court of the County in which the Project is located, and no other place.

10.4. Amendment.

No amendment or modification of this Contract will be binding unless it is in a writing duly authorized and signed by the parties to this Contract.

10.5. Integration; Severability.

This Contract and the Contract Documents incorporated herein, including authorized amendments or Change Orders thereto, constitute the final, complete, and exclusive terms of the agreement between City and Contractor. If any provision of the Contract Documents, or portion of a provision, is determined to be illegal, invalid, or unenforceable, the remaining provisions of the Contract Documents will remain in full force and effect.

11. Authorization.

Each individual signing below warrants that he or she is authorized to do so by the party that he or she represents, and that this Contract is legally binding on that party. If Contractor is a corporation, signatures from two officers of the corporation are required under California Corporation Code, Section 313.

The parties agree to this Contract as witnessed by the signatures below:

CITY	CONTRACTOR
City of Livermore, a California Municipal Corporation	DEVANEY ENGINEERING INC
s/_____	s/ Derek Devaney
Marianna Marysheva, City Manager	Name/Title [print] DEREK DEVANEY PRESIDENT
Date: _____	Date: 1/14/24
Approved as to form:	s/_____
	Name/Title [print]
City of Livermore City Attorney	Date: _____
	100138 Contractor's Calif. License Number(s)
	Seal:
	2/28/25 Expiration Date(s)

END OF DOCUMENT

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.5**

DATE: February 24, 2025

TO: Honorable Mayor and City Council

FROM: Brent Smith, Community Development Director

SUBJECT: Resolution authorizing execution of a second amendment to the agreement with Chrisp Company to continue providing on-call pavement striping and traffic sign installation services, increasing the not-to-exceed agreement amount from $200,000 to $400,000 and extending the term of the agreement from May 1, 2026, to December 31, 2027.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution authorizing the City Manager to execute a second amendment to the agreement with Chrisp Company to continue providing on-call pavement striping and traffic sign installation services, increasing the not-to-exceed agreement amount from $200,000 to $400,000 and extending the term of the agreement from May 1, 2026, to December 31, 2027.

SUMMARY

On May 8, 2023, the City of Livermore (City) and Chrisp Company (Consultant) entered into an Agreement for Services in the amount of $100,000 to provide on-call services to furnish and install traffic signs, pavement striping, legends, and markers. On August 15, 2024, the City Manager executed a first amendment to the original agreement to increase the not-to-exceed amount to $200,000. This second amendment will increase the not-to-exceed amount to $400,000 to allow Chrisp company to continue providing pavement striping services as needed for various road improvements and extend the term of the agreement from May 1, 2026, to December 31, 2027.

DISCUSSION

On May 8, 2023, the City of Livermore (City) and Chrisp Company (Consultant) entered into an Agreement for Services in the amount of $100,000 with a term ending on May 1, 2026, to provide on-call services to furnish and install traffic signs, pavement striping, legends, and markers. On August 15, 2024, The City Manager executed a first amendment to the original agreement to increase the not-to-exceed amount to $200,000.

The City and Contractor desire to amend the original agreement to increase the total compensation by $200,000. This increase will amend the not to exceed amount to $400,000. The parties also desire to

extend the term of the agreement from May 1, 2026, to December 31, 2027. This is the second amendment to the original agreement.

Chrisp Company has expertise in pavement markings also known as road striping. As the City continues to make improvements to safety by installing more Rectangular Rapid Flashing Beacons (RRFB) and painting red curbs for implementation of the new Assembly Bill (AB 413), more funds are needed to complete these and other road improvements. The on-call services include new bike lane striping, additional RRFB installations, painted bulb-out curbs, painted crosswalks, road signs, and road pavement markers.

FISCAL AND ADMINISTRATIVE IMPACTS

The Second Amendment increases the not-to-exceed amount of the agreement to $400,000. Funding for this amendment is covered in the budget for Miscellaneous Traffic Signing/Striping 2021-2023 Project 2021-31 in the 2023-28 Capital Improvement Plan and the budget for Miscellaneous Traffic Signing/Striping 2026-2031 Project 2026-15 that will be part of the 2025-30 Capital Improvement Plan. Gas Taxes (fund 834) will fund these roadway maintenance activities.

COMMUNITY PILLAR

1: A Safe Community That Thrives

GOAL

10: Work to maintain a safe and efficient local transportation network and address safety concerns

ATTACHMENTS

1. Resolution
2. Exhibit A - Second Amendment

Prepared by: Juan Tenorio
Senior Engineering Technician

Approved by:

Marianna A. Burch
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION AUTHORIZING EXECUTION OF A SECOND AMENDMENT TO THE AGREEMENT WITH CHRISP COMPANY TO CONTINUE PROVIDING ON-CALL PAVEMENT STRIPING AND TRAFFIC SIGN INSTALLATION SERVICES, INCREASING THE NOT-TO-EXCEED AGREEMENT AMOUNT FROM $200,000 TO $400,000 AND EXTENDING THE TERM OF THE AGREEMENT FROM MAY 1, 2026, TO DECEMBER 31, 2027

On May 8, 2023, the City of Livermore (City) and Chrisp Company (Consultant) entered into an Agreement for Services in the amount of $100,000 to provide on-call services to furnish and install traffic signs, pavement striping, legends, and markers. On August 15, 2024, the City Manager executed a First Amendment to the original agreement to increase the not-to-exceed amount to $200,000 (First Amendment).

City of Livermore Staff and Chrisp Company now desire to amend the Original Agreement and First Amendment to increase the not-to-exceed amount from $200,000 to $400,000 and to extend the term from May 1, 2026, to December 31, 2027. This is the second amendment to the Original Agreement. This will allow Chrisp Company to continue providing pavement striping services as needed for various road improvements.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that it hereby:

1. Authorizes the City Manager to execute a Second Amendment to the Agreement with Chrisp Company, attached hereto as Exhibit A, to continue providing on-call pavement striping and traffic sign installation services, increasing the not-to-exceed amount from $200,000 to $400,000, and extending the term of the agreement from May 1, 2026, to December 31, 2027.

2. Authorizes the City Manager to take whatever actions are necessary and appropriate to carry out the purpose and intent of this resolution, including approving minor changes to the proposed agreement.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 24, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

_____
Deborah L. Elam
City Clerk

APPROVED AS TO FORM:

/s/ Tara Mazzanti
Tara Mazzanti
Senior Assistant City Attorney

Exhibit A – Second Amendment – Chrisp Company

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SECOND AMENDMENT TO AGREEMENT FOR SERVICES

THIS SECOND AMENDMENT is made and entered into this ____ day of _____, 2025, by and between the City of Livermore ("City"), a municipal corporation, and Chrisp Company ("Contractor"), a California corporation.

RECITALS

On May 8, 2023, City and Contractor entered into an agreement for Contractor to provide professional pavement striping and installation of traffic signs services to City ("Original Agreement"). Section 21 of the Original Agreement requires that any modifications to it must be in writing and signed by the parties.

On August 15, 2024, the first Amendment to the original agreement was executed to increase the contract amount from $100,000 to $200,000.

City and Contractor desire to amend the Original Agreement to increase the total compensation by $200,000. This increase will amend the not to exceed amount to $400,000. The parties also desire to extend the term of the original agreement for an additional one-year term, to terminate on December 31, 2027. This is the second amendment to the Original Agreement.

AGREEMENT

NOW, THEREFORE, City and Contractor hereby agree that the aforementioned recitals are true and correct and further agree as follows:

1. The Original Agreement is amended as follows:

   A. Section 5 (a) of the Original Agreement is amended to read as follows:

      The total compensation payable by City to Contractor for the Services SHALL NOT EXCEED the sum of $400,000 ("not-to-exceed amount"). City shall compensate Contractor for the Services rendered at the hourly rates or task amounts set forth in Exhibit "A" up to the not-to-exceed amount. Except as provided in the body of this Agreement, the hourly rates or task amounts are intended to be Contractor's only compensation for the Services and is inclusive of all costs of labor, licensing, permitting, travel expenses, overhead and administrative costs, and any-and-all other costs, expenses, and charges incurred by Contractor, its agents, and employees to provide the Services.

   B. Section 6 of the Original Agreement is amended to read as follows:

      The term of this Agreement commences on May 1, 2023, and terminates upon the completion of the services or December 31, 2027, whichever

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occurs first.

2. These amendments are prospective and only apply to the Services rendered by Contractor after the execution of this Amendment. Unless otherwise stated herein, this Amendment does not relieve the parties of the terms and conditions of the Original Agreement as written and in effect at the time the Services were rendered.

3. Except as amended above, the Original Agreement remains in full force and effect.

EXHIBIT A

In concurrence and witness whereof, and in recognition of the mutual consideration provided therefore, the parties have executed this Agreement effective on the date first written above.

CONTRACTOR: **Dated:**

DocuSigned by:
Mark Chrisp
D034957DD43143B...

1/13/2025 | 4:05 PM PST

Mark Chrisp
Executive Vise President

CITY OF LIVERMORE: **Dated:**

Marianna Marysheva
City Manager

APPROVED AS TO FORM:

DocuSigned by:
Tara Mazzanti
B099F057157D4E2...

Deputy/Assistant/City Attorney

APPROVED AS TO INSURANCE:

DocuSigned by:
Jas Sidhu
A5F7D34BB6A748A...

Risk Manager/Analyst

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.6**

DATE: February 24, 2025

TO: Honorable Mayor and City Council

FROM: Brent Smith, Community Development Director

SUBJECT: Resolution authorizing additional appropriations and execution of consultant amendments for the Livermore Village (L Street) Parking Garage Construction Project DR586003.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution authorizing the following actions for the Livermore Village (L Street) Parking Garage Construction Project DR586003:

1. Authorize a supplemental appropriation of $3,040,000 from 2022 COPs Construction Fund (Fund 540) to fund project DR586003.
2. Execute a fifth amendment to the agreement with Watry Buehler Collaborative, LLP, increasing the amount of the agreement by $660,000 to a total not-to-exceed amount of $2,751,800 for additional engineering services during construction;
3. Execute a second amendment to the agreement with Gannett Fleming Inc., increasing the amount of the agreement by $1,250,000 to a total not-to-exceed amount of $3,302,000 for additional construction management services during construction;
4. Execute a second amendment to the agreement with Consolidated Engineering Laboratories, increasing the amount of the agreement by $150,000 to a total not-to-exceed amount of $624,000 for additional inspection services during construction;
5. Authorize a supplemental appropriation of $300,000 from the General Liability Fund (Fund 700) for additional litigation services in FY 2024-25; and
6. Authorize the City Manager to sign the above amendments and to take whatever actions are necessary and appropriate to carry out the purpose and intent of this resolution, including approving minor changes to the proposed agreements.

SUMMARY

Watry Buehler Collaborative, Gannett Fleming Inc., and Consolidated Engineering Laboratories (CEL) are providing engineering, construction management and inspection services in connection with the Livermore Village (L Street) Parking Garage Construction Project. The L Street Garage is currently under construction east of L Street, between Veterans Way and First Street as shown in Attachment 1. When

completed, the parking garage will be 4 levels and contain 452 parking spaces.

These amendments increase the budget for engineering, construction management and inspection services during construction. In particular, these amendments budget for the extended duration of activities required to complete the project through 2025. Services include ongoing engineering design and field observation oversight during construction, scheduling and performance impact analysis, construction management and field inspection services.

A supplemental appropriation in the amount of $3,040,000 of accrued and projected interest earnings from the 2022 COPs Construction Fund 540 is required to cover the cost of these amendments and additional internal project management costs. In 2022, bond proceeds (2022 COPs Construction Fund 540) in the amount of $40,930,127 were issued for three projects in the Downtown Livermore Village area: L Street Garage, Livermore Village Remediation, and Livermore Village Joint Trench. Interest from these bond proceeds will cover this appropriation. With this appropriation, the bond proceeds and accrued interest will fund the completion of all three projects.

In addition, the City Attorney's Office requires a supplemental appropriation of $300,000 from the General Liability Fund (Fund 700) for additional litigation services in FY 2024-25.

DISCUSSION

The Livermore Village (L Street) Parking Garage Construction Project DR586003 consists of two phases. Phase 1 has been completed and included reconfiguring the surface parking lot east of the future garage, constructing a trash enclosure facility, and installing infrastructure for 16 electrical vehicle fast chargers. Phase 2 involves construction of the parking garage and the remaining site improvements. City Council awarded the Phase 2 construction contract on November 28, 2022, and began construction April 17, 2023.

The garage and all supporting services had been contracted to be complete by October 2024, but the Contractor has taken more time than originally scheduled to complete the work. City staff estimates the updated earliest completion date is now expected to extend through late summer 2025. The schedule delay is based on Contractor work being performed slower than originally anticipated. The City is now bearing additional costs required to extend the overall project schedule. Due to the extended schedule, additional appropriations and consultant amendments are required to provide further construction management services by the City project management team. Staff has included enough funding in the appropriation to cover these extended services through the end of 2025.

The City team is actively monitoring the Contractor to ensure proper enforcement of quality control and schedule monitoring oversight. One example of project delay and additional oversight required is the recent level 4 damaged deck concrete which was a result of a defective concrete batch supply to the jobsite. Although the repair and schedule delays are the contractor's responsibility it does affect the overall project schedule. Staff is working diligently with our consultant team, the contractor, and the subcontractors to complete the project as soon as possible. Additional staff efforts include proactive coordination meetings with the contractor and their subcontractors to make sure the schedules provided by the contractor are realistic and well-coordinated. The consultant team is also conducting additional inspections to identify and correct defective work as soon as possible, and make sure the contractor has completed necessary tasks before moving on to new work items. For example, inspectors are checking to make sure all reinforcement and mechanical and electrical conduits are installed prior to concrete

pours. Additional engineering, construction management and inspection services during construction are required to manage and support the final construction phase of this project due to the extended duration of activities. Engineering services include submittal and Request for Information (RFI) reviews, additional field site observations and reports, assistance with change orders and final project close out. Construction management services include leading weekly meetings, maintaining project documentation, coordinating construction activities, preparing weekly inspection reports, managing submittals, assistance with change orders, as well as project close-out. Inspection services include material testing, conducting field inspections, preparing non-compliance reports, reviewing project schedules and preparing inspection daily reports.

On December 14, 2021, Council approved an engineering services agreement with Watry Buehler Collaborative in an amount of $1,410,000 to design a parking garage and site improvements and provide engineering services during construction in connection with the L Street Garage Project DR586003. On May 16, 2022, the City and Watry Buehler increased the amount of the agreement by $100,000 to add additional design services for the Phase 1 and Phase 2 projects and a constructability review of the Phase 2 documents (first amendment). On June 15, 2023, Council approved the second amendment which increased the amount of the agreement by $114,000 to add additional design services for the Phase 2 bid package. On June 15, 2023, Council approved the third amendment which increased the amount of the agreement by $168,800 to add additional engineering services during construction for Phase 1 and Phase 2. On June 25, 2024, Council approved the fourth amendment which increased the amount of the agreement by $299,000 to add additional engineering services during construction. This fifth amendment will increase the amount of the agreement by $660,000 to add additional engineering services during construction to extend the project to close out through 2025. These services include additional construction management meetings and site visits by the design team. The design team is made up of engineers with different disciplines such as civil, structural, architectural, mechanical, electrical, and landscaping. On a rotating basis they will provide site visits. Observation memorandums will be issued to the City and the garage contractor at the end of each visit. These extra site visits will enhance interaction and communication between the design team, construction management team, and the contractor and endeavor to guard the City against defects and deficiencies in the permanent work constructed by the contractor. This fifth amendment will increase the amount of the agreement to a total amount of $2,751,800. The $2,751,800 contract amount is approximately 9.1% of the $30,090,000 construction contract. This is within the typical range for engineering design and construction support services which can be up to 10% of the construction contract.

On February 14, 2023, Council approved a professional services agreement with Gannett Fleming in an amount of $952,000 for construction management services. On May 15, 2024, Council approved the first amendment which increased the amount of the agreement by $1,100,000 to add additional construction management and inspection services during construction. This second amendment will increase the amount of the agreement by $1,250,000 to add additional construction management and inspection services during construction to extend the project to close out through 2025. In order to complete the project, additional construction management activities are required such as leading weekly meetings, maintaining project documentation, coordinating construction activities, preparing weekly inspection reports, managing submittals, providing schedule review services, assistance with change orders, as well as project close-out. This second amendment will ensure uninterrupted full-time construction management support services through completion of the Phase 2 construction. This second amendment will increase the amount of the agreement to a total amount of $3,302,000. The $3,302,000 contract amount is approximately 11% of the $30,090,000 construction contract. This is 3% above the typical range for construction management support services which is usually around 8% of the construction

contract. The higher range is due to the additional oversight required to manage the extended contractor schedule including more in depth project management, schedule and impact analysis, and inspection services.

On December 9, 2022, the City entered into an agreement with Consolidated Engineering Laboratories to provide construction inspection, special inspections, and material testing services. On January 6, 2025, the City executed the first amendment which extended the termination date to December 31, 2025. This second amendment will increase the amount of the agreement by $150,000 to add additional field inspection and material testing services during construction to extend the project to close through 2025. In order to complete the project, additional inspection and testing activities are required such as material testing and special inspection for concrete placement, post tensioning, rebar and anchoring inspection, conducting field inspections, preparing non-compliance reports, and preparing inspection daily reports. This second amendment will ensure uninterrupted full-time field inspection and material testing services through completion of the Phase 2 construction. This second amendment will increase the amount of the agreement to a total amount of $624,000. The $624,000 contract amount is approximately 2.1% of the $30,090,000 construction contract. This is within the typical range for field inspection and material testing services which can be up to 3.5% of the construction contract.

Additionally, the City Attorney's Office requires a supplemental appropriation of $300,000 from the General Liability Fund (Fund 700) for additional litigation services in FY 2024-25.

FISCAL AND ADMINISTRATIVE IMPACTS

Although staff is currently estimating the completion date for construction to be late summer 2025, funding is being requested to cover consultant expenditures through the end of 2025. This is a conservative approach that ensures funding will be available for construction support services in the event of additional delays. An additional $3,040,000 from the 2022 COPs Construction Fund is requested to cover these additional costs and an additional $300,000 appropriation is required from the General Liability Fund for unanticipated litigation services related to the L Street Parking Garage. Contractors will bill the City on a time and materials basis. Only those funds needed to complete the project will be utilized.

Funding for this project is included in the FY 2023-28 Capital Improvement Plan from 2022 COPs Construction Fund 540 as shown in the table below. Originally, the construction contract and all supporting services were estimated to be completed by October 2024, but due to construction delays, the completion date is now expected to extend through late summer 2025. The $3,040,000 expenditure increase is comprised of additional amendments covering engineering services during construction, construction management, inspection and materials testing services as well as additional City's internal project management costs required to cover the extended construction duration through 2025.

The 2022 COPs Construction Bond (Fund 540) was originally established to provide funding for three projects in the Downtown Livermore Village area including the L Street Garage Project DR586003, Livermore Village Remediation Project 2021-18, and Livermore Village Joint Trench Project 2021-19. The table below provides a summary of the total funding sources and final expected costs. Due to accrued and projected interest earnings, the 2022 COPs Construction Fund 540 has sufficient funds to cover this requested appropriation of $3,040,000. With this appropriation, the 2022 COP bond proceeds and interest earnings will cover the completion of all three projects.

2022 COP Construction Fund 540 Available Funding:

Funding Source	Original 2022 COPs Budget	Revised 2022 COPs Budget	Difference
2022 COPs Bond Proceeds	$40,930,127	$40,930,127	
2022 COPs Bond Interest Earnings	0	$3,041,293	
Total 2022 COPs Funding	$40,930,127	$43,971,420	$3,041,293

2022 COP Construction Fund 540 Projected Expenditures:

Project Name	Original 2022 COPs Budget	Revised 2022 COPs Budget	Difference
Livermore Village Remediation Project	$1,400,000	$518,153	($881,847)
Livermore Village Joint Trench Project	$1,000,000	$942,669	($57,331)
L Street Garage Project	$38,530,127	$42,509,305	$3,979,178
Total Budget	$40,930,127	$43,970,127	$3,040,000

In addition, the City Attorney's Office requires a supplemental appropriation of $300,000 from the General Liability Fund (Fund 700) for additional litigation services in FY 2024-25.

COMMUNITY PILLAR

4: Inclusive & Inviting Spaces & Places

GOAL

3: Continue to implement the Downtown Specific Plan

GUIDING DOCUMENT

Downtown Specific Plan

ATTACHMENTS

1. Site Plan
2. Resolution
3. Exhibit A - Fifth Amendment to Watry Buehler Collaborative, LLP
4. Exhibit B - Second Amendment to Gannett Fleming Inc.
5. Exhibit C - Second Amendment to Consolidated Engineering Laboratories

Prepared by: Farnoush Levers
Assistant City Engineer

Approved by:



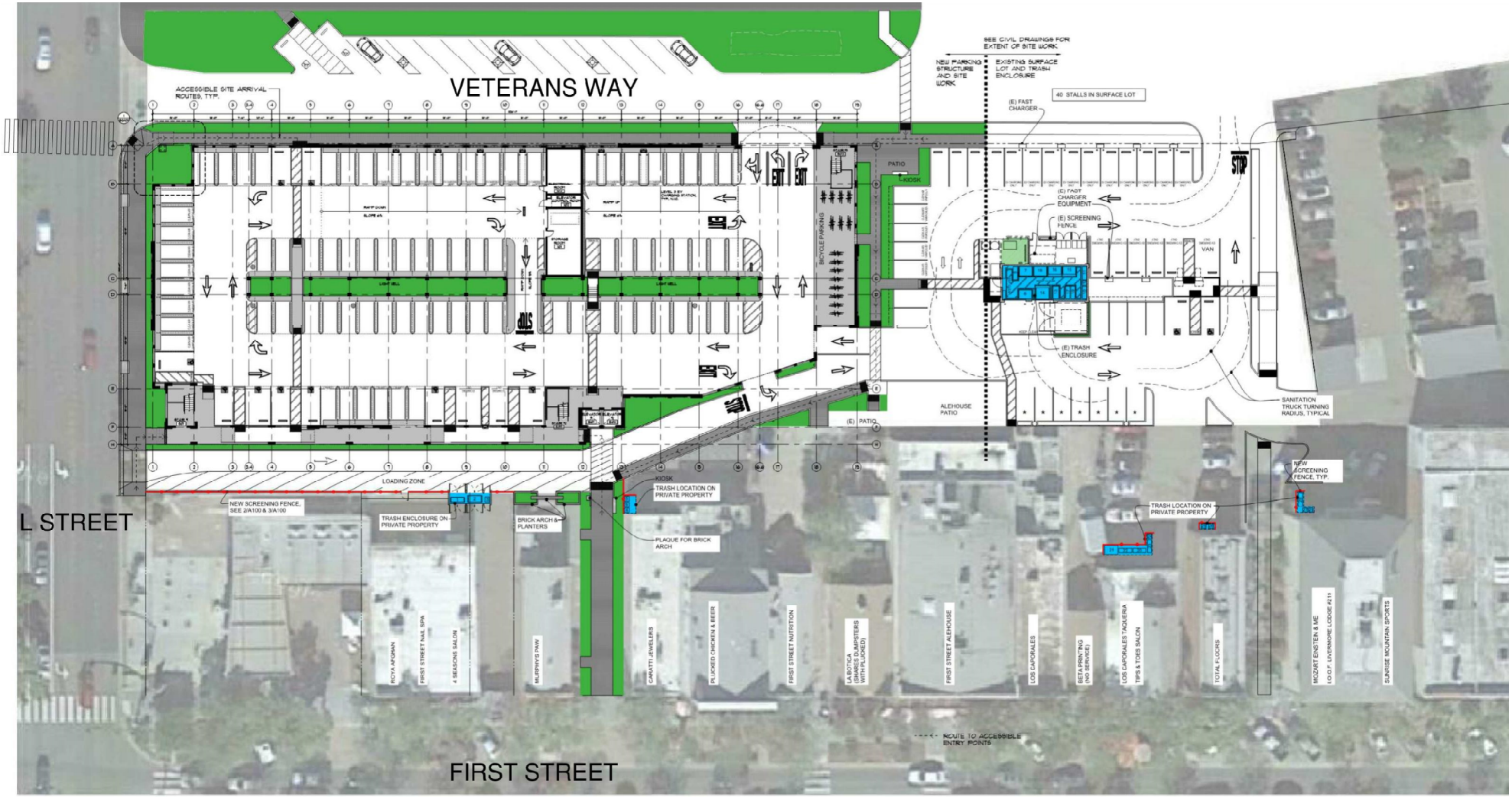
Marianna A. Burch
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director

L Street Garage Site Plan



LIVERMORE CALIFORNIA

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION OF $3,040,000 FROM 2022 COP CONSTRUCTION FUND 540 TO FUND PROJECT DR586003, AUTHORIZING EXECUTION OF AMENDMENTS FOR ADDITIONAL ENGINEERING SERVICES, CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES DURING CONSTRUCTION AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION OF $300,000 IN THE GENERAL LIABILITY FUND (FUND 700) FOR ADDITIONAL LITIGATION SERVICES IN FY 2024-25

(Livermore Village Parking Garage Construction Project 586003)

The Livermore Village (L Street) Parking Garage is currently under construction east of L Street, between Veterans Way and First Street. When completed, the parking garage will be 4 levels and contain 452 parking spaces. For this project, Watry Buehler Collaborative, LLP is providing engineering services during construction, Gannett Fleming, Inc. is providing construction management services and Consolidated Engineering Laboratories (CEL) is providing field inspection and material testing services.

Additional engineering, construction management and inspection services during construction are required to manage and support the final construction phase of this project due to the extended duration of activities required to complete the project through 2025.

On December 14, 2021, Council approved an engineering services agreement with Watry Buehler Collaborative (Consultant) in an amount of $1,410,000 to design a parking garage and site improvements and provide engineering services during construction in connection with Livermore Village Parking Garage Construction Project 586003. On May 16, 2022, the City of Livermore (City) and Consultant increased the amount of the agreement by $100,000 to add additional design services for the Phase 1 and Phase 2 projects and a constructability review of the Phase 2 documents (first amendment). On June 15, 2023, Council approved the second amendment which increased the amount of the agreement by $114,000 to add additional design services for the Phase 2 bid package. On June 15, 2023, Council approved the third amendment which increased the amount of the agreement by $168,800 to add additional engineering services during construction for Phase 1 and Phase 2. On June 25, 2024, Council approved the fourth amendment which increased the amount of the agreement by $299,000 to add additional engineering services during construction. This fifth amendment will increase the amount of the agreement by $660,000 to add additional engineering services during construction to extend the project to close out through 2025. This fifth amendment will increase the amount of the agreement to a total amount of $2,751,800.

On February 14, 2023, Council approved a professional services agreement with Gannett Fleming in an amount of $952,000 for construction management services. On May 15, 2024, Council approved the first amendment which increased the amount of the

agreement by $1,100,000 to add additional construction management and inspection services during construction. This second amendment will increase the amount of the agreement by $1,250,000 to add additional construction management and inspection services during construction to extend the project to close out through 2025. This second amendment will increase the amount of the agreement to a total amount of $3,302,000.

On December 9, 2022, the City entered into an agreement with Consolidated Engineering Laboratories to provide construction inspection, special inspections, and material testing services. On January 6, 2025, the City executed the first amendment which extended the termination date to December 31, 2025. This second amendment will increase the amount of the agreement by $150,000 to add additional field inspection services during construction to extend the project to close out through 2025. This second amendment will increase the amount of the agreement to a total amount of $624,000.

A supplemental appropriation in the amount of $3,040,000 from the 2022 COPs Construction Fund 540 is required to cover the cost of these amendments and additional internal project management costs. In 2022, bond proceeds (2022 COPs Construction Fund 540) in the amount of $40,930,127 were issued for three projects in the Downtown Livermore Village area: L Street Garage, Livermore Village Remediation, and Livermore Village Joint Trench. Interest from these bond proceeds will cover this appropriation. With this appropriation, the bond proceeds and accrued interest will fund the completion of all three projects.

In addition, the City Attorney's Office requires a supplemental appropriation of $300,000 in the General Liability Fund (Fund 700) for additional litigation services related to the L Street Garage in FY 2024-25.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that it hereby:

1. Authorizes a supplemental appropriation of $3,040,00 from the 2022 COPs Construction Fund (Fund 540) to fund project DR586003;

2. Authorizes the execution of a fifth amendment to the agreement with Watry Buehler Collaborative, LLP, a copy of which is attached as Exhibit A and is incorporated by this reference, increasing the amount of the agreement by $660,000 to a total not-to-exceed amount of $2,751,800 for additional engineering services during construction;

3. Authorizes the execution of a second amendment to the agreement with Gannett Fleming Inc., a copy of which is attached as Exhibit B and is incorporated by this reference, increasing the amount of the agreement by $1,250,000 to a total not-to-exceed amount of $3,302,000 for additional construction management services during construction;

4. Authorizes the execution of a second amendment to the agreement with Consolidated Engineering Laboratories, a copy of which is attached as Exhibit C and is incorporated by this reference, increasing the amount of the agreement by $150,000 to a total not-to-exceed amount of $624,000 for additional inspection services during construction; and

5. Authorizes a supplemental appropriation of $300,000 in the General Liability Fund (Fund 700) for additional litigation services in FY 2024-25; and

6. Authorizes the City Manager to sign the above amendments and to take whatever actions are necessary and appropriate to carry out the purpose and intent of this resolution, including approving minor changes to the proposed agreements

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 24, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

_____
Deborah L. Elam
City Clerk

APPROVED AS TO FORM:

/s/ Tara Mazzanti
Tara Mazzanti
Senior Assistant City Attorney

Exhibit A – Fifth Amendment to Watry Buehler Collaborative, LLP
Exhibit B - Second Amendment to Gannett Fleming Inc.
Exhibit C - Second Amendment to Consolidated Engineering Laboratories

Docusign Envelope ID: 7A9F5CA4-9C3F-4A4E-AD02-3C7B3A014A1D

FIFTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

THIS FIFTH AMENDMENT is made and entered into this ___day of _____, 20___, by and between the City of Livermore ("City"), a municipal corporation, and Watry Buehler Collaborative, LLP ("Consultant"), a California Corporation.

RECITALS

On May 16, 2022, City and Consultant amended the Original Agreement to add additional design services for the Phase 1 and Phase 2 projects and a constructability review of the Phase 2 50% construction documents and increase Consultant's compensation by $100,000. ("First Amendment")

On November 29, 2022, City and Consultant amended the Original Agreement and First Amendment to add additional design services for the Phase 2 bid package and increase Consultant's compensation by $114,000. ("Second Amendment")

On June 15, 2023, City and Consultant amended the Original Agreement, First Amendment, and Second Amendment to add additional construction engineering support services for Phase 1 and Phase 2 projects and increase Consultant's compensation by $168,800. ("Third Amendment")

On June 25, 2024, City and Consultant amended the Original Agreement, First Amendment, Second Amendment and Third Amendment to add additional construction support services for Phase 2 and increase the Consultant's compensation by $299,000. ("Fourth Amendment")

City and Consultant desire to amend the Original Agreement and First, Second, Third and Fourth Amendment to provide additional engineering services during construction as specified in the Original Agreement by increasing the Consultant's compensation by $660,000. This is the Fifth amendment to the Original Agreement.

AGREEMENT

NOW, THEREFORE, City and Consultant hereby agree that the aforementioned recitals are true and correct and further agree as follows:

1. The Original Agreement is amended as follows:

   A. Section 3 of the Original Agreement is amended to read as follows:

      Description of Services. Consultant shall provide engineering services to design a parking garage and site improvements and provide engineering services during construction in conjunction with Livermore Village Parking Garage Construction Project 586003 ("Project"), as more particularly set

Docusign Envelope ID: 7A9F5CA4-9C3F-4A4E-AD02-3C7B3A014A1D

forth in Exhibit “A” to the Original Agreement, Exhibit “A-1” to the First Amendment, Exhibit “A-2” to the Second Amendment, Exhibit “A-3” to the Third Amendment, Exhibit “A-4” to the Fourth Amendment, and Exhibit “A-5” to this Fifth Amendment (collectively “the Services”).

B. Section 6(a) of the Original Agreement is amended to read as follows:

Compensation and Payment. The total compensation payable by City to Consultant for the Services SHALL NOT EXCEED the sum of $ 2,751,800 (“not-to-exceed amount”).

1. The compensation payable by the City to the Consultant for the Services required by Exhibit “A” of the Original Agreement SHALL NOT EXCEED the sum of $1,410,000.

2. The compensation payable by the City to the Consultant for the Services required by Exhibit “A-1” of the First Amendment SHALL NOT EXCEED the sum of $100,000.

3. The compensation payable by the City to the Consultant for the Services required by Exhibit “A-2” of the Second Amendment SHALL NOT EXCEED the sum of $114,000.

4. The compensation payable by the City to the Consultant for the Services required by Exhibit “A-3” of the Third Amendment SHALL NOT EXCEED the sum of $168,800.

5. The compensation payable by the City to the Consultant for the Services required by Exhibit “A-4” of the Fourth Amendment SHALL NOT EXCEED the sum of $299,000.

6. The compensation payable by the City to the Consultant for the Services required by Exhibit “A-5” of the Fifth Amendment SHALL NOT EXCEED the sum of $660,000.

City shall compensate consultant for the Services rendered at the hourly rates or task amounts set forth in Exhibit “A” to the Original Agreement, Exhibit “A-1” to the First Amendment, Exhibit “A-2” to the second Amendment, Exhibit “A-3” to the Third Amendment, Exhibit “A-4” to the Fourth Amendment, and Exhibit “A-5” to the Fifth Amendment up to the not-to-exceed amount. Except as provided in the body of the agreement, the hourly rates or task amounts are intended to be Consultant’s only compensation for the Services and is inclusive of all costs of labor, licensing, permitting, overhead, and administrative costs, and any-and-all other costs, expenses, and charges incurred by Consultant, its agents, and

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employees to provide the services.

2. These amendments are prospective and only apply to the Services rendered by Consultant after the execution of this Amendment. Unless otherwise stated herein, this Amendment does not relieve the parties of the terms and conditions of the Original Agreement as written and in effect at the time the Services were rendered.

3. Except as amended above, the Original Agreement remains in full force and effect.

Docusign Envelope ID: 7A9F5CA4-9C3F-4A4E-AD02-3C7B3A014A1D

In concurrence and witness whereof, and in recognition of the mutual consideration provided therefore, the parties have executed this Agreement effective on the date first written above.

CONSULTANT: **Dated:**

DocuSigned by:
John D. Harvey
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1/29/2025 | 1:29 PM PST

John D Harvey, Principal
Watry Buehler Collaborative, LLP

CITY OF LIVERMORE: **Dated:**

Marianna Marysheva
City Manager

APPROVED AS TO FORM:

DocuSigned by:
Tara Mazzanti
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Deputy/Assistant/Senior/City Attorney

APPROVED AS TO INSURANCE:

DocuSigned by:
Jas Sidhu
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Risk Manager/Analyst

Attachments:
Exhibit A-5

Exhibit A-5
Scope of Work
Fifth Amendment
Livermore Village Parking Garage Construction Project 586003

The City of Livermore has requested the following additional Scope of Work pertaining to the design of 'L' Street Parking Structure. The additional design team scope of work is summarized below.

Additional Scope of Work Items.

Bireley Trash Enclosure Additional Water Heater-RFI 311
The City requested to provide a hot water heater at the Bireley Trash Enclosure. The City inspector requested the addition of a water heater since one of the businesses the trash enclosure serves will be a future restaurant. Coordinating with the City, a dedicated outlet was provided from the parking structure for a future water heater (which will be provided by the future business). Electrical and Architectural drawings were adjusted to provide this addition.

Security Camera Revisions
During Construction, the City requested revise the security cameras from the originally specified Axis to Avigilon cameras. Design team revised the original design to incorporate the requested cameras.

Additional Construction Administration Phase Duration and Site Visits Through June 2025
(Additional Construction Administration Phase)
Due to the increased construction schedule, the Design Team members are to continue to provide additional Construction Administration services from January 1, 2025 through June 30, 2025. These extended services include addressing RFI's generated by the contractor, reviewing submittals, addressing potential construction issues and defects, and attending virtual construction management meetings for the 'L' Street Parking Structure.

(Additional Construction Administration Site Visits)
Members of the Design Team to continue to provide up to weekly site visits and observations to review the current construction progress and discuss upcoming work with Zovich Construction (Contractor) and the project inspector. The purpose of these site visits and observations is to provide enhanced interaction between the Design Team and Contractor for the purpose of increasing the speed of communication.

The duration of each weekly site visit is anticipated to be 4 hours, and an observations memorandum will be issued to the City and Contractor at the end of each visit. The Design Team will visit the site on a rotating basis. The rotation will be determined by the Design Team and the Contractor will be informed accordingly. To the extent feasible, the Design Team will attempt to maintain a consistent schedule for the duration of the construction phase.

The following is a list of consultants included in the Design Team and the anticipated additional duration of participation for each:

Watry-Buehler (Project Management)	46 weeks
Buehler Engineering (Structural Engineering)	46 weeks
Komorous-Towey Architects	46 weeks
Guttmann & Blaevoet (MEP)	46 weeks
Kier & Wright (Civil)	46 weeks

Based on these on-site observations, the Design Team shall endeavor to guard the City against apparent defects and deficiencies in the permanent work constructed by the Contractor but shall not guarantee the performance of the Contractor. Please note that these additional site visits have been requested in an attempt to facilitate a reduction in the currently projected construction duration. The Design Team is not responsible for any construction related activities, liabilities, or performance.

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The estimated compensation for these services will be on an hourly (time and materials) basis at the design team's current standard hourly rates. Due to the unforeseen nature of Construction Administration, if required hours exceed the current anticipated workload, the design team will notify the City prior to June 2025. If significant unforeseen construction defects develop, the WBC design team will notify the City of the anticipated design effort needed to correct the noted construction defects, and will wait for approval from the City, prior to taking action. The estimated compensation for these services to be the following:

Bireley Trash Enclosure Additional Water Heater

Watry-Buehler Collaborative	$1,500.00
Komorous-Towey Architects	$2,000.00
Guttmann & Blaevoet	$3,000.00
Total Fee	**$6,500.00**

Security Camera Revisions

Watry-Buehler Collaborative	$1,500.00
Guttmann & Blaevoet	$5,500.00
Total Fee	**$6,500.00**

Additional Construction Administration Services and Site Visits (Hourly)

Total Fee	**$615,956.00**

Three-Way Split of Previous Additional Construction Administration Fees

Total Fee	**$31,044.00**

TOTAL FEE FOR FIFTH AMENDMENT	**$660,000.00**

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SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

THIS SECOND AMENDMENT is made and entered into this ____ day of _____, 20____, by and between the City of Livermore ("City"), a municipal corporation, and Gannett Fleming, Inc. ("Consultant"), a Delaware Corporation.

RECITALS

On February 14, 2023, City and Consultant entered into an agreement for Consultant to provide construction management services for the Livermore Village Parking Garage Construction Project 586003. Section 21 of the Original Agreement requires that any modifications to it must be in writing and signed by the parties.

On May 15, 2024, City and Consultant amended the Original Agreement to add additional services for construction management services for the Livermore Village Parking Garage Construction Project 586003 and increase the total contract amount to $2,052,000 ("First Amendment").

City and Consultant desire to amend the Original Agreement and First Amendment to provide additional construction management services as specified in the Original Agreement by increasing the Consultant's compensation by $1,250,000. This is the Second amendment to the Original Agreement.

AGREEMENT

NOW, THEREFORE, City and Consultant hereby agree that the aforementioned recitals are true and correct and further agree as follows:

1. The Original Agreement is amended as follows:

A. Section 5 of the Original Agreement is amended to read as follows:

Compensation and Payment.

a. The total compensation payable by City to Consultant for the Services SHALL NOT EXCEED the sum of $3,302,000 ("not-to-exceed amount").
    1. The compensation payable by the City to Consultant for the Services required by Exhibit A to the Original Agreement SHALL NOT EXCEED $952,000.
    2. The compensation payable by the City to Consultant for the Services required by Exhibit A-1 to the First Amendment SHALL NOT EXCEED $1,100,000.
    3. The compensation payable by the City to

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Consultant for the Services required by Exhibit A-1 to the Second Amendment SHALL NOT EXCEED $1,250,000.

City shall compensate Consultant for the Services rendered at the hourly rates or task amounts set forth in Exhibit "A" to the Original Agreement and Exhibit "A-1" to the First Amendment and Second Amendment up to the not-to-exceed amount. Except as provided in the body of the Agreement, the hourly rates or task amounts are intended to be Consultant's only compensation for the Services and is inclusive of all costs of labor, licensing, permitting, overhead and administrative costs, and any-and-all other costs, expenses, and charges incurred by Consultant, its agents, and employees to provide the Services.

2. These amendments are prospective and only apply to the Services rendered by Consultant after the execution of this Amendment. Unless otherwise stated herein, this Amendment does not relieve the parties of the terms and conditions of the Original Agreement as written and in effect at the time the Services were rendered.

3. Except as amended above, the Original Agreement remains in full force and effect.

EXHIBIT B

In concurrence and witness whereof, and in recognition of the mutual consideration provided therefore, the parties have executed this Agreement effective on the date first written above.

CONSULTANT: **Dated:**

Signed by:
Rany Check
228B909B0E05440...

1/29/2025 | 1:49 PM PST

Rany Check, Vice President
Gannett Fleming, Inc.

CITY OF LIVERMORE: **Dated:**

Marianna Marysheva
City Manager

APPROVED AS TO FORM:

DocuSigned by:
Tara Mazzanti
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Deputy/Assistant/Senior/City Attorney

APPROVED AS TO INSURANCE:

DocuSigned by:
Jas Sidhu
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Risk Manager/Analyst

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SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

THIS SECOND AMENDMENT is made and entered into this ____ day of _____, 20___, by and between the City of Livermore ("City"), a municipal corporation, and Quality Assurance Engineering, Inc. dba Consolidated Engineering Laboratories ("Consultant"), a California Corporation.

RECITALS

On December 9th, 2022, City and Consultant entered into an agreement for Consultant to provide construction inspection, special inspections, and material testing services for the Livermore Village Parking Garage Construction Project 586003. Section 21 of the Original Agreement requires that any modifications to it must be in writing and signed by the parties.

On January 6, 2025, City and Consultant amended the Original Agreement to extend the termination date to December 31, 2025. This was the First amendment to the Original Agreement.

City and Consultant now desire to amend the Original Agreement and First Amendment to increase total compensation from $474,000 to $624,000. This is the Second amendment to the Original Agreement.

AGREEMENT

NOW, THEREFORE, City and Consultant hereby agree that the aforementioned recitals are true and correct and further agree as follows:

1. The Original Agreement is amended as follows:
   A. Section 5(a) of the Original Agreement is amended to read as follows:

> **Compensation and Payment.**
>
> a. The total compensation payable by the City to Consultant for the Services SHALL NOT EXCEED the sum of **$624,000** ("not to exceed amount"). City shall compensate Consultant for the Services rendered at the hourly rates, task amounts or travel expenses set forth in Exhibit "A" to the Original Agreement and to the First Amendment up to the not-to-exceed amounts. Except as provided in the body of this Agreement, the hourly rates, task amounts or travel expenses are intended to be Consultant's only compensation for the Services and is inclusive of all costs or labor, licensing, permitting, overhead and administrative costs, and employees to provide the Services.

2. These amendments are prospective and only apply to the Services rendered by Consultant after the execution of this Amendment. Unless otherwise stated herein, this

Docusign Envelope ID: A7D79286-1457-4244-9D93-F9851C0E2CB7

Amendment does not relieve the parties of the terms and conditions of the Original Agreement as written and in effect at the time the Services were rendered.

3. Except as amended above, the Original Agreement remains in full force and effect.

Docusign Envelope ID: A7D79286-1457-4244-9D93-F9851C0E2CB7

In concurrence and witness whereof, and in recognition of the mutual consideration provided therefore, the parties have executed this Agreement effective on the date first written above.

CONSULTANT: **Dated:**

Signed by:
Rob Morse
CB7F933FA494432...

2/12/2025 | 6:24 AM PST

Rob Morse, Senior Vice President
Consolidated Engineering Laboratories

CITY OF LIVERMORE: **Dated:**

Marianna Marysheva
City Manager

APPROVED AS TO FORM:

DocuSigned by:
Tara Mazzanti
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Deputy/Assistant/Senior/City Attorney

APPROVED AS TO INSURANCE:

DocuSigned by:
Jas Sidhu
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Risk Manager/Analyst

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.7**

DATE: February 24, 2025

TO: Honorable Mayor and City Council

FROM: Brent Smith, Community Development Director

SUBJECT: Resolution authorizing execution of a first amendment to the agreement with David L. Gates & Associates, Inc. for additional landscape design and construction support services for the Flagpole Plaza Project 2022-25, increasing the not-to-exceed contract amount from $280,528 to $320,528, with a term ending May 1, 2026.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution:

1. Authorizing the City Manager to execute a first amendment to the agreement with David L. Gates & Associates, Inc. for additional landscape design and construction support services for the Flagpole Plaza Project 2022-25, increasing the not-to-exceed contract amount from $280,528 to $320,528; and
2. Authorizing the City Manager to take whatever actions are necessary and appropriate to carry out the purpose and intent of this resolution including approving minor changes to the proposed agreement.

SUMMARY

David L. Gates & Associates worked on the preliminary and final design of the Flagpole Plaza Project. Design elements include the replacement of the existing bluestone with new stamped concrete, along with new hardscaped designated outdoor dining areas and the restoration of a public gathering space. The redesigned plaza will be fully ADA-compliant and accessible to all. Planned upgrades include enhanced lighting, featuring string lights to create a warm and inviting ambiance, as well as new landscaping. Additionally, advanced security cameras will be installed to bolster public safety at both the Flagpole Plaza and Livermorium Plaza. This project aims to enhance both the safety and aesthetics of a prominent city intersection, transforming it into a vibrant and functional space for the community.

This first amendment with David L. Gates & Associates covers required additional services such as designing proposed layouts for outdoor dining areas, providing block diagrams, including cabling requirements and typical device connections, and services during construction specifically for installing the new advanced security cameras and reconnecting the cameras to the data systems. This first

amendment increases the contract amount from $280,528 to $320,528.

DISCUSSION

On February 27, 2024, the City entered into an agreement with David L. Gates & Associates to provide landscape design services for the reconstruction of the Flagpole Plaza. The Plaza was originally designed with a large grass area serving as a public gathering space. However, following the onset of the COVID-19 pandemic in 2020, the area was repurposed for outdoor dining. During this time, the grass was removed and replaced with decomposed granite to better accommodate dining needs.

David L. Gates & Associates has since developed design plans for Flagpole Plaza with the following key goals: restoring the public gathering space, strengthening the connections between the flagpole, the large existing fountain, and the plaza, and retaining opportunities for outdoor dining in alignment with the Downtown Outdoor Dining Program. The design also aims to maintain east-west and north-south pedestrian connections through the site while incorporating new landscaping, lighting, and advanced security cameras.

Required additional services, unforeseen at the time of original contract, include the following:

- Construction services for the installation of advanced security cameras and reconnection to data systems.
- Preparation of block diagrams, including cabling requirements and typical device connections.
- Furniture layout plans for Flagpole Plaza businesses' outdoor dining areas.
- Creation of additional exhibits and graphics.
- Construction support and attendance at additional meetings with City staff and business owners.

The first amendment in the amount of $40,000 increases the total amount of the agreement from $280,528 to $320,528.

FISCAL AND ADMINISTRATIVE IMPACTS

The Flagpole Plaza Project 2022-25 budget is currently $2.1 million: $1.7 million from Gas Taxes Fund 560 and $400,000 from Measure BB-Local Streets and Roads Fund 552. This budget covers this first amendment and other design, management, and construction activities in FY 2024-25. An additional $1.36 million is required in FY 2025-26 to cover remaining construction, change orders, inspection, materials testing, engineering design services during construction, and project management. This additional funding will be requested as part of the 2025-2030 Capital Improvement Plan that will come to Council for approval in June 2025. This additional funding will come from Measure B - Bike/Pedestrian Fund 831 and Measure B - Local Streets and Roads Fund 832.

COMMUNITY PILLAR

4: Inclusive & Inviting Spaces & Places

GOAL

3: Continue to implement the Downtown Specific Plan

ATTACHMENTS

1. Project Location
2. Resolution
3. Exhibit A - First Amendment

Prepared by: Joel Waxdeck
City Engineer

Approved by:



Marianna A. Burch
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director

FLAGPOLE PAZA, LIVERMORE

LOCATION MAP



IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH DAVID L. GATES & ASSOCIATES FOR ADDITIONAL LANDSCAPE DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR THE FLAGPOLE PLAZA PROJECT 2022-25, INCREASING THE NOT-TO-EXCEED CONTRACT AMOUNT FROM $280,528 TO $320,528, WITH A TERM ENDING MAY 1, 2026

On February 27, 2024, the City entered into an agreement with David L. Gates & Associates to provide landscape design services for the Flagpole Plaza. The Plaza was originally designed with a large grass area serving as a public gathering space. However, following the onset of the COVID-19 pandemic in 2020, the area was repurposed for outdoor dining. During this time, the grass was removed and replaced with decomposed granite to better accommodate dining needs.

Gates & Associates has since developed a reconstruction design for Flagpole Plaza with the following key goals: restoring the public gathering space, strengthening the connections between the flagpole, the large existing fountain, and the plaza, and retaining opportunities for outdoor dining in alignment with the Downtown Outdoor Dining Program. The design also aims to maintain east-west and north-south pedestrian connections through the site while incorporating new landscaping, lighting, and advanced security cameras.

The First Amendment covers additional construction services, including services during the installation of the advanced security cameras and reconnection to data systems, preparation of block diagrams, cabling and device connections. Gates & Associates will also provide furniture layout plans for the Flagpole Plaza businesses' outdoor dining areas, create additional exhibits, attend additional meetings with City staff and business owners. This First Amendment in the amount of $40,000 increases the total amount of the professional services agreement from $280,528 to $320,528.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that it hereby:

1. Authorizes the City Manager to execute a First Amendment to the Agreement with David L. Gates & Associates, Inc., attached hereto as Exhibit A, for additional landscape design and construction support services for the Flagpole Plaza Project 2022-25, increasing the not-to-exceed contract amount from $280,528 to $320,528; and

2. Authorizes the City Manager to take whatever actions are necessary and appropriate to carry out the purpose and intent of this resolution including approving minor changes to the proposed agreement.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 24, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

_____
Deborah L. Elam
City Clerk

APPROVED AS TO FORM:

/s/ Tara Mazzanti
Tara Mazzanti
Senior Assistant City Attorney

Exhibit A - First Amendment to Agreement with David L. Gates & Associates

Docusign Envelope ID: 70C23FCC-DFA4-4C37-8E9B-EE967E0861DF

FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

THIS FIRST AMENDMENT is made and entered into this ____ day of _____, 2025, by and between the City of Livermore ("City"), a municipal corporation, and David L. Gates & Associates, Inc. ("Consultant"), a California corporation.

RECITALS

On February 27, 2024, City and Consultant entered into an agreement for Consultant to provide professional landscape design services to City ("Original Agreement"). Section 21 of the Original Agreement requires that any modifications to it must be in writing and signed by the parties.

City and Consultant desire to amend the Original Agreement to add additional design services and increase compensation. This is the first amendment to the Original Agreement.

AGREEMENT

NOW, THEREFORE, City and Consultant hereby agree that the aforementioned recitals are true and correct and further agree as follows:

1. The Original Agreement is amended as follows:

   A. Section 3 of the Original Agreement is amended to read as follows:

      Description of Services Consultant shall provide professional design services as more particularly set forth in "Exhibit A" to the Original Agreement and "Exhibit A-1" to the First Amendment.

   B. Section 5 of the Original Agreement is amended to read as follows:

      Compensation and Payment

      (a) The total compensation payable by the City to the Consultant for the Services SHALL NOT EXCEED the sum of $320,528 ("not-to-exceed" amount).

      1. The compensation payable by the City to the Consultant for the Services required by Exhibit A to the Original Agreement SHALL NOT EXCEED the sum of $280,528.

      2. The compensation payable by the City to the Consultant for the Services required by Exhibit A-1 to the First Amendment SHALL NOT EXCEED the sum of $40,000.

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Except as provided in the body of this Agreement, the hourly rates, task amounts, or travel expenses are intended to be Consultant's only compensation for the Services and is inclusive of all costs of labor, licensing, permitting, overhead and administrative costs, and any-and-all other costs, expenses, and charges incurred by Consultant, its agents, and employees to provide the Services.

2. These amendments are prospective and only apply to the Services rendered by Consultant after the execution of this Amendment. Unless otherwise stated herein, this Amendment does not relieve the parties of the terms and conditions of the Original Agreement as written and in effect at the time the Services were rendered.

3. Except as amended above, the Original Agreement remains in full force and effect.

In concurrence and witness whereof, and in recognition of the mutual consideration provided therefore, the parties have executed this Agreement effective on the date first written above.

CONSULTANT: **Dated:**

Signed by:
Casey Case
A0127E791918417...

1/28/2025 | 9:43 AM PST

Casey Case
Managing Partner

CITY OF LIVERMORE: **Dated:**

Marianna Marysheva
City Manager

APPROVED AS TO FORM:

DocuSigned by:
Tara Mazzanti
B099F65715704E2...

Deputy/Assistant/Senior/City Attorney

APPROVED AS TO INSURANCE:

DocuSigned by:
Jas Sidhu
A5F7D04BB0A748A...

Risk Manager/Analyst

Attachments:
Exhibit A-1 Scope of Services

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EXHIBIT A-1

ADDITIONAL SCOPE OF SERVICES
FIRST AMENDMENT

Date: January 7, 2025
Project: Flagpole Plaza and Downtown Streetscape (C No. 2022-25)
Client: City of Livermore

SCOPE OF SERVICES:

David L. Gates & Associates will coordinate with the City to provide additional services for updating security cameras at Livermorium Plaza site, layout plan of outdoor dining zones, additional construction support for unforeseen/potential utility conflicts, and downtown streetscape improvements as listed below. David L. Gates & Associates will proceed with the services upon the approval of the Additional Work Authorization. Work for Item 1 and 2 will be completed within 10 working days from the contract execution date.

1. Provide an additional electrical plan sheet to include security camera update at Livermorium Plaza: **$7,500**

    - Identify existing pathways for reuse and existing cameras to be removed.
    - Provide new cameras and reconnect to data systems.
    - Provide block diagrams including typical cabling requirements and typical device connections.
    - Security camera – Design of camera and wiring for IP-based camera system; specify make/model of camera based on City standards.
    - Additional security camera coordination as needed.

2. Provide a layout plan of tables/chairs arrangement for the outdoor dining zones. **$1,400**

3. Additional construction support: **$25,940**

    - Additional utility agency meetings as required.
    - Attendance of site meetings as required
    - Coordination with City, team and contractors
    - Respond to RFIs of unforeseen utility conflicts and update plans/ASIs

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4. Downtown Streetscape Improvements **$5,160**

   - Additional site meetings as required.
   - Additional graphics and exhibits as required.

TOTAL FEE FOR WORK: $40,000

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.8**

DATE: February 24, 2025

TO: Honorable Mayor and City Council

FROM: Brent Smith, Community Development Director

SUBJECT: Resolution authorizing execution of an agreement with SVA Architects Inc., in an amount not-to-exceed $553,000 and a term ending April 30, 2028, to provide design and construction support services for the Fleet Shop Expansion Project 2022-12 at the Maintenance Service Center.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution authorizing the City Manager to execute an agreement with SVA Architects Inc., in an amount not-to-exceed $553,000 and a term ending April 30, 2028, to provide design and construction support services for the Fleet Shop Expansion Project 2022-12.

SUMMARY

The Fleet Shop Expansion Project involves expanding the footprint of the fleet services building on the north side to provide City of Livermore (City) fleet services staff with adequate space to complete their duties while working on large fleet vehicles and receive parts in a safe, secure and efficient manner. Attachment 1 shows the location of the fleet services building at the Maintenance Service Center. This agreement with SVA Architects Inc, in an amount not to exceed $553,000, provides engineering services for the expansion and modernization of the fleet services building and includes site survey, geotechnical engineering investigation, permitting, architectural, civil, structural, mechanical, electrical and plumbing design, and engineering services during construction support.

DISCUSSION

The fleet services staff currently do not have adequate workspace to service the increasing number of large fleet vehicles in a safe and efficient manner, specifically the Fire Department's new tractor drawn aerial apparatus. Expanding the main structure on the north side of the building by approximately 3,000 square feet will allow for increased safe zones within the building where fleet services staff can complete tasks with an adequate separation from potentially dangerous equipment as well as allow staff to perform their duties in a protected area without the threat of inclement weather. The addition will be two-stories with (4) service bays below and warehouse/storage above. The security of the building will also be improved as the bay doors cannot currently be closed when large vehicles are parked in the shop for

repair. The expansion of the main building will allow for the fleet parts receiving area to be expanded. The safety and security of the shop will be enhanced by eliminating foot traffic of vendors and delivery personnel into the center of the fleet shop. Vehicle lifts will be included within the new expanded area and a new lift/elevator to reach the second floor. The project also includes the modernization and expansion of existing spaces within the building including restrooms, locker rooms, office space and workstations along with HVAC and exhaust ventilation system improvements.

In 2024, City staff issued a request for proposals for various City capital improvement projects and SVA Architects Inc. was selected as the most qualified candidate for the Fleet Shop Expansion Project after internal evaluations of the proposals received. The total fee of $553,000 is approximately 14.5% of the total estimated construction cost of $3,800,000 which is typical for design, bidding and construction support services of this scale which can be up to 20% of the construction contract.

FISCAL AND ADMINISTRATIVE IMPACTS

The budget for the Fleet Shop Expansion Project in the current 2023-28 five-year Capital Improvement Plan includes $400,000 in General Funds in FY 2024-25. This budget will cover initial design activities for the project covered under this Agreement and other staff project management costs. An additional $5.4 million will be required to complete the project and cover remaining engineering services under this agreement, permit fees, construction, change orders, project management, construction management, inspection, and materials testing. This additional funding will be requested as part of the 2025-30 Capital Improvement Plan that will come to Council for approval in June 2025. General Funds (Fund 811) will be requested for these additional expenditures.

COMMUNITY PILLAR

5: A City That Works

GOAL

14: Develop, operate, and maintain the City's infrastructure

ATTACHMENTS

1. Vicinity Map
2. Resolution
3. Exhibit A - Agreement

Prepared by: Jarrett Rasmussen
Associate Civil Engineer

Approved by:



Marianna A. Burch
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director


FLEET SHOP BUILDING AT THE MAINTENANCE SERVICE CENTER
Livermore Maintenance Services

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH SVA ARCHITECTS INC., IN AN AMOUNT NOT-TO-EXCEED $553,000 AND A TERM ENDING APRIL 30, 2028, TO PROVIDE DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR THE FLEET SHOP EXPANSION PROJECT 2022-12 AT THE MAINTENANCE SERVICE CENTER

The Fleet Shop Expansion Project involves expanding the footprint of the fleet services building on the north side to provide City fleet services staff with adequate space to complete their duties while working on large fleet vehicles and receive parts in a safe, secure and efficient manner.

In 2024, City staff issued a request for proposals for various City capital improvement projects and SVA Architects Inc. was selected as the most qualified candidate for the Fleet Shop Expansion Project after internal evaluations of the proposals received.

This agreement with SVA Architects Inc, in an amount not-to-exceed $553,000, provides engineering services for the expansion and modernization of the fleet services building and includes site survey, geotechnical engineering investigation, permitting, architectural, civil, structural mechanical, electrical and plumbing design, and engineering services during construction support.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that the City Council:

1. Authorizes the City Manager to execute an Engineering Services Agreement with SVA Architects Inc., attached hereto as Exhibit A, in an amount not-to-exceed $553,000 and a term ending April 30, 2028, to provide design and construction support services for the Fleet Shop Expansion Project No. 2022-12.

2. Authorizes the City Manager to take whatever actions are necessary and appropriate to carry out the purpose and intent of this resolution, including approving minor changes to the proposed agreement.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 24, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

_____
Deborah L. Elam
City Clerk

APPROVED AS TO FORM:

/s/ Tara Mazzanti
Tara Mazzanti
Senior Assistant City Attorney

Exhibit A- Agreement with SVA Architects Inc.

Docusign Envelope ID: 1BCB61E3-F64F-4DA7-8A79-581006B1D338

ENGINEERING SERVICES AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 2025, ("Effective Date") by and between the City of Livermore, a municipal corporation ("City"), and SVA Architects Inc., a California Corporation ("Consultant").

RECITALS

City requires engineering services to design and provide contract administration for the expansion and modernization of the Fleet Shop Services building at the Maintenance Service Center.

Consultant warrants it possesses the distinct professional skills, qualifications, experience, and resources necessary to timely perform the services described in this Agreement. Consultant acknowledges City has relied upon these warranties to retain Consultant.

AGREEMENT

NOW, THEREFORE, City and Consultant hereby agree that the aforementioned recitals are true and correct and further agree as follows:

1. Retention as Consultant. City hereby retains Consultant, and Consultant hereby accepts such engagement, to perform the services described in Section 3 below subject to the terms and conditions in this Agreement.

2. Relationship of Parties – Independent Contractors. The relationship of the parties shall be that of independent contractors. Consultant and its employees are not City officers or employees. Consultant is responsible for the supervision and management of its employees, including any workers compensation insurance, withholding taxes, unemployment insurance, and any other employer obligations associated with the delivery of the services contemplated by this Agreement.

3. Description of Services. Consultant shall provide engineering services to design and provide contract administration for an approximately 3,000 square foot expansion and modernization of the Fleet Shop Services building at the Maintenance Service Center in conjunction with the Fleet Shop Expansion Project No. 2022-12, ("Project"), as more particularly set forth in Exhibit "A" (collectively "the Services").

4. Consultant Responsibilities. Consultant shall:

(a) Consultant shall investigate and verify all existing site conditions for the Project and take them into account when preparing the Project's design even when "As Built" or "Record Drawings" are used by Consultant.

(b) Consultant shall review and respond to construction submittals and shop drawings within fourteen (14) calendar days following their receipt by Consultant;

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requests for information with comments noted thereon shall be reviewed and responded to within seven (7) working days following their receipt by the Consultant.

(c) Diligently perform the Services in a manner commensurate with industry, professional, and community standards;

(d) Provide the resources necessary to complete the Services in a timely manner;

(e) Obtain a business license from the City of Livermore, and keep it in effect for the term of this Agreement;

(f) Obtain and keep in effect all necessary licenses, permits, qualifications, insurance, and approvals legally and professionally required for Consultant to practice its profession and to provide the Services;

(g) Comply with all laws in effect that are related to Consultant and the Services;

(h) Coordinate the Services with Jarrett Rasmussen ("Project Manager"), or such other person designated as the Project Manager by City;

(i) Be available to the Project Manager, and other parties referred to Consultant by the Project Manager, to answer questions or inquiries related to the Services;

(j) Only invoice City for the Services rendered. Consultant's invoice shall be in writing and describe the Services performed for the payment requested. Consultant shall not submit an invoice to City more frequently than once a month;

(k) Keep and maintain invoices and records related to the Services in an organized manner. At a minimum, the records must be kept for at least 3 years from the date of final payment to Consultant and must include time sheets, work progress reports, and other documentation to adequately explain all the Services invoiced for payment. Consultant shall make the invoices and records immediately available to City upon delivery of a written request to examine, audit, or copy them at City's place of business during normal business hours. Consultant shall give City 30 calendar-days' written notice prior to destroying the invoices and records, and allow City an opportunity to take possession. If City wants them, Consultant and City shall coordinate their delivery to City in the most efficient manner possible;

(l) Prepare and submit a written report to the Project Manager, with each invoice and when requested in writing by the Project Manager, that identifies the Services completed and in progress, the charges incurred to date, and the anticipated cost to complete the remaining Services; and,

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(m) Consultant shall correct, at its own expense, all errors in the Services. Should Consultant fail to make such correction in a timely manner, City may make the correction and charge the cost thereof to Consultant.

(n) Consultant's services provided pursuant to this Agreement shall comply with the Americans with Disabilities Act (ADA) of 1990, and all amendments thereto, as well as all applicable regulations and guidelines issued pursuant to the ADA.

5. Compensation and Payment.

(a) The total compensation payable by City to Consultant for the Services **SHALL NOT EXCEED** the sum of $553,000 ("not-to-exceed amount"). City shall compensate Consultant for the Services rendered at the hourly rates or task amounts set forth in Exhibit "A" up to the not-to-exceed amount. Except as provided in the body of this Agreement, the hourly rates or task amounts are intended to be Consultant's only compensation for the Services and is inclusive of all costs of labor, licensing, permitting, travel expenses, overhead and administrative costs, and any-and-all other costs, expenses, and charges incurred by Consultant, its agents, and employees to provide the Services.

(b) City shall pay Consultant no later than 30 days after City receives a written invoice from Consultant and verifies the Services were performed for the payment requested.

6. Term. The term of this Agreement commences on the Effective Date and terminates upon the depletion of funds or April 30, 2028, whichever occurs first.

7. Termination by City. City may terminate any portion or all of the Services by giving Consultant at least 30 calendar-days written notice. Upon receipt of a termination notice, Consultant shall immediately stop all work in progress on the Services except where necessary to preserve the benefit of the work, and assemble the work on the Services for delivery to City on the termination date. All compensation for Services performed prior to the termination date shall be payable to Consultant in accordance with Section 5.

8. Ownership of Documents. All drawings, designs, data, photographs, reports and any and every other types of items prepared or obtained by Consultant in the performance of the Services under this Agreement shall be the property of the City and Consultant shall deliver them to City upon demand. The Consultant shall assume no responsibility for the unintended use by others of any such documents, information, or materials on project(s) which are not related to the scope of the Services described under this Agreement.

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9. Copyright and Right of Use. All items created by Consultant for City under this Agreement are works made for hire, and Consultant shall give City the copyright and all intellectual property rights to all items developed, prepared, and delivered as part of the Services. Consultant agrees that all aspects of the Services and items created thereby will be original works of creation and will not use, in whole or in part, any work created by any other party, except when expressly disclosed by Consultant to City and Consultant obtains a license to such items for the benefit of City. All licenses must be perpetual, world-wide, non-exclusive, and royalty free sufficient in scope to permit City's full use and enjoyment of its ownership rights in the items created by the Services.

10. Confidentiality. Consultant shall not disclose any confidential or proprietary information received from City to anyone except Consultant's employees who require access to the information to perform the Services. This obligation shall survive termination and remain in full force and effect until the information, and any copies thereof, are destroyed or returned to City.

11. Indemnity and Defense.

(a) Definitions. When used in this "Indemnity and Defense" section, these terms have the following meaning:

(1) "City," means the City, its elected officials, officers, directors, employees, agents, or designated volunteers.

(2) "Design Professional," means licensed architects, licensed landscape architects, registered professional engineers, professional land surveyors and the business entities which offer such services in accordance with the provisions of the California Business and Professions Code listed at California Civil Code, section 2782.8, upon which Consultant relies to meet the obligations of, or perform work pursuant to, this Agreement.

(3) "Non-Design Professional," means any person or entity upon which Consultant relies to meet the obligations of, or perform work pursuant to, this Agreement who or which is not a Design Professional.

(4) "Loss," or "Losses," mean all claim for or actual loss, liability, damage, cost, and expense including but not limited to reasonable attorney, consultant and expert fees, and court costs arising out of or in connection with Consultant's obligation or work to perform this Agreement including the City's active or passive negligence, except for such Loss arising from the sole negligence or willful misconduct of the City.

(b) Non-Design Professional Services. Consultant shall defend, indemnify, and hold harmless the City from and against any alleged Loss arising out of, pertaining to, or relating to, the services of any Non-Design Professional.

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(c) Design Professional Services. For an alleged Loss that solely arises out of, pertains to, or relates to, the services of a Design Professional, Consultant shall defend and indemnify the City solely for such Losses due to the negligence, recklessness, or willful misconduct of the Design Professional(s) as allowed by application of California law, including California Civil Code, section 2782.8, as written on the effective date of this Agreement and according to applicable judicial interpretations.

(d) Mixed Services. If an alleged Loss arises out of, pertains to, or relates to both the services of a Design Professional and a Non-Design Professional, Consultant shall defend City against the claimed Loss and shall indemnify and hold harmless City from all Losses alleged against the Non-Design Professional combined with any Losses allegedly due to the negligence, recklessness, or willful misconduct of any Design Professional.

12. Insurance. Consultant shall procure and maintain insurance during the term of this Agreement in the amounts and under the terms set forth in Exhibit "B" against claims that may arise from or in connection with this Agreement and performance of the Services. Upon reasonable written notice, Consultant shall comply with any changes in the amounts and terms of insurance as may be required from time-to-time by City's Risk Manager.

13. Acceptance of Final Payment. Consultant's acceptance of final payment will release City from any-and-all claims and liabilities for compensation under this Agreement.

14. Acceptance of Work. City's acceptance of, or payment to Consultant for, the Services does not release Consultant from its responsibility for the accuracy, completeness, or competency of the Services, nor do the actions constitute an assumption of Consultant's responsibility or liability by City for any defect or error in the Services.

15. Conflict of Interest. Consultant represents that no City employee or official has a financial interest in Consultant. Consultant shall not offer, encourage, or accept any financial interest in any part of Consultant's business by or from a City employee or official during the term of this Agreement or as a result of being awarded this Agreement. If any of the Services are paid by reimbursement from an agreement between City and a private party, Consultant represents that it has not performed any work for that private party during the 12-month period prior to the execution of this Agreement, and that it shall not negotiate, offer or accept any contract for services from that party during the term of this Agreement.

16. Economic Disclosure. Consultant shall comply with City's local conflict of interest code and the Political Reform Act, and prepare and file an economic disclosure statement if the Services involve making, or participation in making, decisions which may have a material effect on the Consultants' financial interest. While it is Consultant's sole responsibility to evaluate its conflicts of interest, the Consultant nevertheless agrees to prepare and file an economic disclosure statement if requested by City.

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17. Non-Exclusive Agreement. This is a non-exclusive agreement. City reserves the right to provide, and to retain other consultants to provide, services that are the same or similar to the Services described in this Agreement.

18. No Assignment. Consultant shall not assign or subcontract any of the Services without City's prior written consent. For the purposes of this section, a change of fifty-percent or more in the ownership or control of Consultant constitutes an assignment.

19. Entire Agreement; Modification. This Agreement supersedes all other agreements, whether oral or written, between the parties with respect to the Services. Any modification to this Agreement must be in writing and signed by both parties. In the event the original of this Agreement is lost or destroyed, an archival copy maintained by City can be used in place of the original for all purposes with the same effect as if it was the original.

20. Remedies. All remedies permitted or available under this Agreement, or at law or in equity, are cumulative and alternative, and the invocation of a right or remedy will not be construed to waive or elect a remedy with respect to any other available right or remedy. As a condition precedent to commencing legal action involving a claim or dispute against City arising from this Agreement, the Consultant must present a written claim to City in accordance with Chapter 3.42 of the Livermore Municipal Code.

21. Construction of Language. The terms and conditions in this Agreement have been arrived at through negotiation and each party had a full and fair opportunity to review and revise this Agreement with legal counsel. Any ambiguity in this Agreement will not be resolved against either party as the drafting party. In the event of an inconsistency or conflict between the language in the body of the Agreement and an attachment hereto, the language in the body of the Agreement controls.

22. Notice. Notices under this Agreement must be delivered to the addresses below by deposit in the United States mail or by overnight delivery service, with postage prepaid and delivery confirmation:

TO CITY: Attention: City Engineer
CC: Project Manager
City Administration Building
City of Livermore
1052 S. Livermore Avenue
Livermore, California 94550

TO CONSULTANT: Attention: Nathan Herrero, AIA Principal
SVA Architects, Inc.
7901 Stoneridge Drive, Suite 100
Pleasanton, CA 94588

23. Waiver. Failure to insist upon the strict performance of any term or conditions in this Agreement, no matter how long the failure continues, is not a waiver of the term or condition and does not bar the right to subsequently demand strict performance. To be effective, a waiver must be in writing and signed by the non-breaching party.

24. Severability. If a court of competent jurisdiction determines a provision in this Agreement is invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force and effect without being impaired in any way.

25. Counterparts. This Agreement may be executed in counterpart by delivering a facsimile or secure electronic copy of the signed agreement to the other party, followed by delivery of the original documents bearing the original signatures. However, failure to deliver the original documents does not affect the enforceability of this Agreement.

26. Governing Law. This Agreement is governed by California law. Consultant consents to the exclusive jurisdiction and venue of the state and federal courts of Alameda County, California.

****

Signatures and Attachment List on the Next Page

EXHIBIT A

In concurrence and witness whereof, and in recognition of the mutual consideration provided therefore, the parties have executed this Agreement, effective on the date first written above.

CONSULTANT: **Dated:**

DocuSigned by:
9F5E263BC4704DF...

1/15/2025 | 7:15 PM PST

By: Robert Simons
Title: Partner

CITY OF LIVERMORE: **Dated:**

Marianna Marysheva
City Manager

APPROVED AS TO FORM:

DocuSigned by:
B099F65715704E2...

Deputy/Assistant/City Attorney

APPROVED AS TO INSURANCE:

DocuSigned by:
A5F7D34BB6A748A...

Risk Manager/Analyst

Attachments:

Exhibit A – Scope of Work
Exhibit B – Insurance Requirements

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ARCHITECTS

Santa Ana + Pleasanton + San Diego + Davis

SVA Architects, Inc.
7901 Stoneridge Dr, Suite 100
Pleasanton, CA 94588
T 510.267.3180

www.sva-architects.com

EXHIBIT "A"
Fleet Shop Expansion
(City Project No. 2022-12)

This Letter of Understanding (the "LOU") shall serve as confirmation between **The City of Livermore** ("Client") and **SVA Architects, Inc.** ("Consultant") of our mutual understanding of the work to be performed for the **Livermore Fleet Shop Expansion Project No. 2022-12** ("Project").

I. Projection Description

Project consists of the expansion and modernization of the Fleet Shop Services building at the Maintenance Service Center. The work will include:

A. An approximately 3,000 SF addition to the north side of the building – the addition will be two-stories with (4) service bays below and warehouse/storage above. Vehicle lifts will be included within the new area as required and connections provided for their operation.

B. Lift/Elevator to reach 2nd floor.

C. Bridge Crane for the expansion service bays.

D. Modernization and expansion of existing spaces within the building – restrooms, locker rooms, office space and workstations. SVA will indicate location of new workstations or furnishings as selected by the City.

E. HVAC Improvements, including ceiling fans.

F. Site Work (paving) and utilities as required to support expanded footprint, including potential utility relocation from below new building footprint.

G. Seismic Design of Storage Racks.

H. CASp Review

I. Overhead expansion of fluids, compressed air, and lubricant dispensers.

J. Exhaust ventilation system.

K. MEP Systems, including electrical and lighting updates within the modernized areas. Full replacement of in-building utilities is **NOT** included – solely replacement as required to support the updates.

L. Wet utility relocations as required by expansion.

The following services are included in our proposal:

1. Architectural, structural, civil and MEP engineering.
2. Geotechnical engineering for design phase (listed as a separate cost in fee schedule in section III). Geotechnical engineer will take borings for expansion and prepare geotechnical report including grading and foundation recommendations for addition.
3. Topographic survey for project area (limited to the immediate vicinity of the project area only – listed separately in the fee schedule in section III).

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4. Cost Estimating – Two cost estimates at SD/DD and two at Construction Documents (4 total). First SD estimate will be a high-level budget number, second DD estimate will be more detailed. During CD, estimates will be updated at 60% and 100% stages.
5. CASp Review – Consultant will provide review of the existing building during the design phase as well as review of the construction documents to ensure the new improvements meet all accessibility requirements.
6. Erosion Control Plan - SWPPP not required for work as site disturbance will be less than 1 acre.
7. Title 24 Energy Calculations for impacted areas.

The following services are <u>not</u> included in our proposal:

1. Geotechnical services during construction (testing, etc.).
2. Commissioning services (not required for project size of 3,000 SF).
3. Fire Sprinkler Design (deferred approval item by contractor). Reference guide specifications will be provided for fire sprinkler design.
4. Structural improvement to existing structure not impacted by addition (no retrofit work).

II. Project Schedule

Our proposed project schedule is as follows –
Schematic Design – February 2025
Design Development – April 2025
Prepare Cost Estimate from DD Set – by mid-May 2025
Construction Documents – May 2025 – July 2025
Permitting – August/Sept. 2025
Bidding – Oct/November 2025
Construction – December 2025 – April 2027

III. Compensation

A. The Client agrees to compensate Architect, in accordance with the terms and conditions of this Agreement, the amounts per the table below:

Discipline	Amount ($)
Design Services (Architecture, Civil, Structural, MEP)	$408,000
FF&E (Furniture) Design Services	$15,000
Cost Estimate (2 DD Phase / 2 CD Phase)	$22,000
Survey	$12,500
CASp Review	$13,000
Geotechnical Engineering	$27,000
Reimbursable Allowance	$5,500
Subtotal	**$503,000**

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As-Directed Additional Services (10%)	$50,000
Total	**$553,000**

B. Payment to SVA will be made monthly in the proportion to services performed.

C. Reimbursement for any direct expenses will be at 1.10 times the actual expense. Reimbursable expenses will include, but not be limited to, printing and reproduction (for client's use only – SVA's in-house printing is excluded) and any delivery or messenger services required.

D. See attachment for proposed hourly rates for SVA and its consulting engineers.

IV. Scope of Services

Task 1.0 - Project Management and Meetings

Project Management:

Consultant shall be responsible for project management activities throughout the life of the project including but not limited to planning, entitlement, design, advertisement, and construction. Scope of activities includes but not limited to scheduling meetings, managing project schedule, tracking action items, providing monthly progress letter with invoices, field reviews and preparing all submissions for the City of Livermore.

Meetings:

SVA assumes bi-weekly project meetings for the duration of the project (16 meetings assumed during design and permitting phases). For each meeting, we will prepare meeting agenda and meeting minutes to document key discussion issues, action items, and decisions made.
Consultant will maintain a Decision Log to track the impact of decisions made on design, cost, construction cost, and project schedule.
Consultant responsibilities include, but not limited to:

- Progress letter report with each invoice.
- Meeting agenda, presentation material, and minutes.
- Updated Project Schedule.
- Coordination with outside consultants and external agencies as required.

Task 2.0 – Program needs/Schematic Design

SVA will evaluate program needs and prepare schematic and design development plans and cost estimates. SVA will identify stakeholders, collect project requirements, provide alternatives, and hold pre-application meetings with the division of Community Development.
Consultant deliverables for task 2.0:

- 50% Schematic plans (initial upfront estimate provided). Shall include architectural, civil, structural and MEP drawings at schematic level and basis of design/report.
- 100% Schematic plans and cost estimates. Shall include architectural, civil, structural and MEP drawings at schematic level and basis of design/report.

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Task 3.0 - Project Entitlement/Design Development

Consultant will process entitlement applications for projects through the City of Livermore process. Entitlement will include coordination with various departments and divisions in the City, addressing requirements, and guiding the project through the public approval process. Responsibilities include, but not limited to:

- Submit Complete Planning Commission (PC) applications and present at Planning Commission meeting and subsequent City Council meeting.
- Incorporate /address all of City comments including those comments related to the building permit planning commission applications. City shall pay for Building Permit and standard City processing/entitlement fees.

Consultant deliverables for task 3.0:

- 50% design development plans for architectural, civil, structural, electrical, utility trench, mechanical and plumbing drawings.
- 90% design development plans for architectural, civil, structural, electrical, utility trench, mechanical and plumbing drawings.
- 100% design development plans and cost estimates for architectural, civil, structural, electrical, utility trench, mechanical and plumbing drawings.
- 100% design development technical specifications
- Civil Topographic needed for site work design

Task 4.0 – Construction Documents

SVA will prepare construction documents for the purpose of advertising and construction. The deliverables will include specifications, plans, estimates at three distinct milestones. The contract documents shall comply with the latest City standards, codes, and best practices. Tasks include, but not limited to:

- Preparation of Construction Documents with plans/specification and cost estimates. Consultant to use City's standard CSI boilerplate and general/technical CSI specifications. Consultant shall submit construction documents (Specs and plans) at three milestones for review. Cost estimates will only be provided at two milestones as noted.

o City will provide template for Division 0 & 1 (Front End) and SVA will provide assistance with completing these sections and setting the bid schedule. SVA will prepare the technical specifications and material specifications.
o Consultant shall provide specifications for all materials in project.
o Provide independent construction cost estimates by sub consultant at 60% and 100% milestones.
o Meet C3 regulatory requirements through stormwater analysis and treatment.
o Provide a list of materials with long lead items, their submittals, inspection requirements, testing requirements, required spare parts, manuals, and potential special training.
o Provide any special contractor qualifications.

- Incorporate or address City's comments for each design submittal including City's formal conditions of approval for project.
- Submit Building Permit application with wet-stamped drawings including Title 24 drawings and all CAL Green mandatory requirements adopted by the City.
  - All construction drawings will be prepared in either Revit or AutoCAD format depending on discipline and include at a minimum demolition, architectural, civil with NPDES calculations, structural, mechanical, plumbing, electrical, data and communication.

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- Address all comments received from permit reviews and coordinate with City building department throughout building permit process.
- Incorporate fire/life/safety requirements into building design.
- Provide a list of any sole source items and respective vendors.

Consultant Deliverables for Task 4.0:

- 60% Construction Documents and Cost Estimates. Includes architectural, civil, structural, MEP drawings.
- 90% Construction Documents (no estimate update at this phase). Includes architectural, civil, structural, MEP drawings.
- 100% Construction Documents and Cost Estimates. Includes architectural, civil, structural, MEP drawings.
- Additional submittals will be provided as required to obtain building permit.

Task 5.0 Bidding Support

SVA shall provide bidding support during advertisement. Responsibilities include, but not limited to:

- Attend up to (2) pre-bidding walk through meeting.
- Consultant to prepare addendum as needed.
- Respond to bidder request for information (RFI).
- Assist in reviewing bids if necessary, during the bidding process.
- City will advertise and bid the project.
- Prepare conformed drawings and specifications.

Task 6.0 Construction Support

SVA will provide construction support for the duration of the project. Construction support will involve many activities. Responsibilities may include but not limited to:

- Track, review all Material and shop drawing submittals as required.
- Track and respond to all Requests for Information as required.
- Assist with Contract change order review, preparation, and payment requests.
- Assist with reviewing progress payment requests.
- Assist with review of Contractor's initial construction schedule and critical path items.
- Attend construction meetings as requested over construction period. Assuming 50% virtual and 50% in-person meetings, with a total of sixty meetings (30 each format).
- Assist in establishing procedures for testing and inspection.
- Review substitution requests and provide revision acceptance and recommendations.
- Prepare punch list.

Deliverables for Task 6.0:

- Punch list

Task 7.0 Project Closeout

SVA will assist in project closeout including but not limited to the following tasks:

- Prepare record drawings for project (conformed final set). Contractor shall be responsible for as-built drawing preparation. Drawings will be distributed in AutoCAD format.
- Prepare a 'lessons learned' document and recommended improvements.
- Update all project documents.
- Transfer all project files including electronic CAD files to the City.

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Consultant Deliverables for Task 7.0:

- Record Drawings
- Lessons learned
- Electronic transmit of all project files

Task 8.0 Specialty Design Services
The following items are critical services that will be a part of the consultant's scope of services:

Task 8.1 – Geotechnical Services
Consultant shall provide geotechnical investigations and a report for the design of building, grading and foundation. These geotechnical recommendations shall be incorporated in the construction documents (drawings and technical specifications). The geotechnical must provide a letter to the requirements of the latest California Building Code.

Task 8.2 CASp
Consultant shall retain the services of a CASp inspector. The CASp inspector shall review construction documents and stamp the construction plan set prior to advertising. During the construction phase, the CASp inspector shall inspect and verify all project elements are built to ADA standards. During closeout, the CASp must stamp as-built drawings to confirm the project elements were built to standard.

Task 8.3 - Field Survey
Consultant shall obtain Civil Topographic survey needed for site work design.

Task 9.0 As-Directed Additional Services
Consultant shall provide as-directed additional services to the City. A budget allowance of $50,000 has been included. Any use of this budget allowance shall require written authorization from the City that includes scope of as-directed services and an agreed upon not-to-exceed limit. As-directed services could include the following services:

* Additional surveys
* Site design changes requested by City
*Tenant improvement design changes requested by the City
*Additional required meetings
* Additional required site inspections
* Additional construction administration tasks
* Additional geotechnical services

Our compensation for these services will be at our standard rates as indicated in the attached fee schedule of hourly rates.

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Sincerely,

SVA Architects, Inc.

Nathan Herrero, AIA
Principal
License No.: C33048

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EXHIBIT A

CITY OF LIVERMORE - FLEET EXPANSION FEE MATRIX								
Discipline	**TASK 1**	**TASK 2**	**TASK 3**	**TASK 4**	**TASK 5**	**TASK 6**	**TASK 7**	**TOTAL**
	Project Management	**Program / Schematic**	**Entitlement**	**Construction Documents**	**Bidding**	**Construction Support**	**Closeout**	
Architectural & Interiors	$12,925	$38,775	$25,850	$116,325	$5,170	$51,700	$7,755	$258,500
Civil Engineering	$1,375	$4,125	$2,750	$12,375	$550	$5,500	$825	$27,500
Structural Engineering	$3,600	$10,800	$0	$39,600	$1,440	$14,400	$2,160	$72,000
MEP Engineering	$3,250	$9,750	$0	$35,750	$1,300	$13,000	$1,950	$65,000
Cost Estimating	$0	$5,000	$0	$17,000	$0	$0	$0	$22,000
Survey	$0	$12,500	$0	$0	$0	$0	$0	$12,500
CASp Review	$0	$4,000	$0	$4,500	$0	$4,500	$0	$13,000
Geotechnical Report	$0	$27,000	$0	$0	$0	$0	$0	$27,000
Reimbursable Allowance	$1,500	$1,000	$1,000	$1,000	$0	$1,000	$0	$5,500
SUBTOTALS	$22,650	$112,950	$29,600	$226,550	$8,460	$90,100	**$12,690**	**$503,000**

As-Directed Additional Services	$50,000

GRAND TOTAL	**$553,000**

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10. Fee Schedule

HOURLY RATES

Below are SVA's and our team's hourly rates.

SVA ARCHITECTS, INC.

Architect

Partner/Principal	$225
Sr. Project Architect/Manager	$195
Senior Designer / Planner	$195
Project Architect / Manager	$175
Designer / Planner	$175
Job Captain	$155
Intermediate Designer	$125
Junior Technical Designer	$100
Clerical Staff	$75

EDESIGNC

MEP Engineers

Principal	$255
Senior Engineer	$233
Project Manager	$207
Project Engineer	$186
Telecom Designer	$195
Designer	$154

ANLA ASSOCIATES

Landscape Architect

Landscape Architect	$170
Project Manager/Designer	$145
Cad Drafting	$125

CARROLL CONSULTING ENGINEERS

Civic Engineer

Principal Engineer	$245
Principal Surveyor	$225
Associate Engineer	$205
Project Engineer	$180
Assistant Engineer	$155
Survey Assistant (Office)	$155
CAD Operator/Drafter	$132

THORNTON TOMASETTI

Structural Engineer

Sr. Vice President / Principal	$305
Vice President / Associate Principal	$290
Senior Associate	$240
Associate	$230
Sr. Architect / Engineer / Director	$215
Project Architect / Engineer / Director	$205
Sr. Engineer / Designer	$180
Engineer / Designer	$160

STONE CREEK ENGINEERING

Cost Estimator

Senior Estimator	$175
Estimator	$150
Junior Estimator	$135

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EXHIBIT B

INSURANCE REQUIREMENTS

Minimum Scope and Limits of Insurance

Consultant/Contractor shall maintain limits no less than:

1. Commercial General Liability, including operations, products, and completed operations, as applicable:
   $5,000,000 per occurrence/**$10,000,000** aggregate for bodily injury, personal injury, and property damage. If Commercial General Liability or other form of insurance with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability:
   $2,000,000 per accident for bodily injury and property damage.
3. Workers' Compensation and Employer's Liability:
   Statutory limits as required by the State of California including **$1,000,000** Employers' Liability per accident, per employee for bodily injury or disease. A waiver of subrogation is required for Workers' Compensation insurance. If Consultant/Contractor is a sole proprietor, then they must sign "Contractor Release of Liability".
4. Professional Liability/Errors and Omissions:
   $5,000,000 per claim. Consultant/Contractor warrants that any retroactive date under this policy shall precede the effective date of this contract and, either continuous coverage will be maintained, or an extended discovery period will be exercised for a period of two years beginning at the time work under this contract is completed.

Deductibles and Self-Insured Retention

All self-insured retentions (SIR) must be disclosed to Risk Management for approval and shall not reduce the limits of liability. Policies containing any self-insured retention (SIR) provision shall provide, or be endorsed to provide, that the SIR may be satisfied by either the named insured or the City of Livermore. The City of Livermore reserves the right to obtain a full certified copy of any insurance policy and endorsements. Failure to exercise this right shall not constitute a waiver of right to exercise later.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best rating of no less than A: VII and accepted to do business in the State of California, unless otherwise acceptable to the City of Livermore.

Other Insurance Provisions

The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

1. The City of Livermore, its officers, officials, employees, and designated

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volunteers are to be covered as additional insureds as respects: liability arising out of activities performed by or on behalf of the Consultant/Contractor; or automobiles owned, leased, hired or borrowed by the Consultant/Contractor. The coverage shall contain no special limitations on the scope of protection afforded to the City of Livermore, its officers, officials, employees, or volunteers.

2. The limits of insurance required in this agreement may be satisfied by a combination of primary and umbrella or excess insurance. The additional insured coverage under the Consultant's/Contractor's policy shall be primary and non-contributory and will not seek contribution from the City's insurance or self-insurance and shall be at least as broad as ISO Form CG 20 10 04 13. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of the City of Livermore before the City's own insurance or self-insurance shall be called upon to protect it as a named insured.
3. Any failure to comply with reporting or other provisions of the policy, including breaches of warranties, shall not affect coverage provided to the City of Livermore, its officers, officials, employees, or volunteers.
4. The Consultant's/Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
5. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled by either party before expiration of the policy unless notice is delivered in accordance with policy provisions.
6. It shall be a requirement under this agreement that any available insurance proceeds broader than, or in excess of, the specified minimum insurance coverage requirements and/or limits shall be available to the additional insured. Furthermore, the requirements for coverage and limits shall be (1) the minimum coverage and limits specified in this agreement; or (2) the broader coverage and maximum limits of coverage of any insurance policy or proceeds available to the named Insured; whichever is greater.
7. Certificate Holder section of the insurance certificate should read: City of Livermore, 1052 S. Livermore Avenue, Livermore, CA 94550

Verification of Coverage

Consultant/Contractor shall furnish certificates of insurance and endorsement(s) effecting coverage to the City of Livermore for approval. The endorsements shall be on forms acceptable to the City of Livermore. All certificates and endorsements are to be received and approved by the City of Livermore before work commences. The City of Livermore reserves the right to require complete and certified copies of all insurance policies required by this Agreement.

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 5.9**

DATE: February 24, 2025

TO: Honorable Mayor and City Council

FROM: Jeramy Young, Police Chief

SUBJECT: Resolution authorizing a first amendment to the agreement with Livermore Valley Joint Unified School District (LVJUSD) to include the requirements of insurance coverage for Horizons Family Counseling who provide school-based services at LVJUSD school sites, in the amount of $304,500 for Horizons Family Counseling for the period of July 1, 2024 to December 31, 2026.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution authorizing the City Manager to execute the first amendment to the agreement with Livermore Valley Joint Unified School District (LVJUSD) to include the requirements of insurance coverage.

SUMMARY

For ten years, the City of Livermore has partnered with LVJUSD to partially fund school-based services provided by Horizons Family Counseling. Since 2022, LVJUSD and five other Alameda County school districts were awarded a grant from the Mental Health Services Act (MHSSA) requiring Alameda County to partner with the school districts to expand the mental health services for youth at schools. As per the MHSSA grant, the term of the agreement between LVJUSD and Horizons Family Counseling is 2.5 years (July 1, 2024 to December 31, 2026) for a total amount not to exceed is $304,500. This funding from LVJUSD would continue to support Horizons Family Counseling salaries and program services costs for the term of the agreement.

On September 24, 2024, City and LVJUSD entered into an agreement for Horizons Family Counseling to provide professional mental health related services to LVJUSD. Section 9 of the Original Agreement requires that any modifications to it must be in writing and signed by the parties. Per the request of LVJUSD, City and LVJUSD desire to amend the Original Agreement to include the requirements of insurance coverage. The coverage is in effect and provided through participation in a risk sharing joint powers authority: general liability and automobile liability pooled self-insurance, as defined in the Memorandum of Coverage on file with California Joint Powers Risk Management Authority.

DISCUSSION

Since 1973, Horizons Family Counseling, a division of the Livermore Police Department, has been dedicated to addressing the mental health needs and strengthening the relationship skills of the Tri-Valley youth and their families. Horizon's mission is to serve youth and families through counseling, education, and support services. Horizon's vision is that every young person is resilient, feels supported, and connected to family and community and ultimately finds safety, hope, and success in their lives. In this effort, Horizons Family Counseling has collaborated with LVJUSD for the past 10 years by providing counseling, case management, and crisis intervention. Since 2022, these services for LVJUSD were funded by the MHSSA grant awarded by Alameda County Health.

On September 24, 2024, the City and LVJUSD entered into an agreement for Horizons Family Counseling with a total amount not to exceed $304,500 (July 1, 2024 to December 31, 2026) to continue providing professional mental health related services to LVJUSD. Section 9 of the Original Agreement requires any modifications must be in writing and signed by the parties. Per the request of LVJUSD, City and LVJUSD desire to amend the Original Agreement to include the requirements of insurance coverage. The coverage is in effect and provided through participation in a risk sharing joint powers authority: general liability and automobile liability pooled self-insurance, as defined in the Memorandum of Coverage on file with California Joint Powers Risk Management Authority.

FISCAL AND ADMINISTRATIVE IMPACTS

The term of the reimbursement agreement is 2.5 years (July 1, 2024 to December 31, 2026) and the total amount not to exceed is $304,500 (July 1, 2024 to June 30, 2025 at $131,500; July 1, 2024 to June 30, 2025 at $131,500; and July 1, 2026 to December 31, 2026 at $41,5000). This funding from LVJUSD will continue to support Horizons Family Counseling salaries and program services costs and offset the need for the General Fund to cover those expenses for the term of the agreement. Specifically, the mental health services include the following: up to 10 individual and/or group counseling sessions per student; 6 mental health related classroom trainings/presentations per academic year; and Horizons staff to attend 6 LVJUSD Coordination of Services Team (COST) meetings for academic year not to exceed the reimbursable amount per fiscal year.

COMMUNITY PILLAR

1: A Safe Community That Thrives

GOALS

4: Partner with the community to enhance collaborative problem solving and to improve the quality of life in Livermore

ATTACHMENTS

1. Resolution
2. Exhibit A - First Amendment

Prepared by: Asceneth Paez-Arroyo
Youth and Family Services Manager - Clinical

Approved by:



Marianna A. Burch
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO THE ORIGINAL SERVICES AGREEMENT BETWEEN THE CITY OF LIVERMORE AND LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT FOR THE TERM OF JULY 1, 2024 TO JUNE 30, 2026 IN THE AMOUNT OF $304,500

The City of Livermore has been awarded $304,500 from Livermore Valley Joint Unified School District (LVJUSD) for the period of July 1, 2024 to December 31, 2026, to provide school-based counseling services such as individual/group counseling, classroom presentations, and continued collaboration amongst Livermore schools. On September 24, 2024, the City and LVJUSD entered into an agreement for Horizons Family Counseling, a division of the Livermore Police Department, to provide mental health related services to LVJUSD (Original Agreement).

Funding from LVJUSD allows Horizons to continue to provide high quality, safe, effective, and confidential services for Livermore students. In addition, the funding provides LVJUSD students access to receive free school-based counseling on site.

City and LVJUSD now desire to amend the Original Agreement to include the requirements of insurance coverage.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that it hereby authorizes the City Manager to execute the First Amendment to the Standard Services Agreement between the City of Livermore and Livermore Valley Joint Unified School District for the term of July 1, 2024 to December 31, 2026, in the amount of $305,000, attached hereto as Exhibit A.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 24, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

_____
Deborah L. Elam
City Clerk

APPROVED AS TO FORM:

/s/ Katherine Mirassou
Katherine Mirassou
Assistant City Attorney

Exhibit A – First Amendment to Professional Services Agreement

Docusign Envelope ID: E101B5C8-B13A-46E3-8769-2496B2D22178

FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

THIS FIRST AMENDMENT is made and entered into this ____ day of _____, 20___, by and between the City of Livermore ("City"), a municipal corporation, and Livermore Valley Joint Unified School District ("LVJUSD").

RECITALS

On September 24, 2024, City and LVJUSD entered into an agreement for Horizons Family Counseling, a division of the Livermore Police Department, to provide professional mental health related services to LVJUSD ("Original Agreement"). Section 9 of the Original Agreement requires that any modifications to it must be in writing and signed by the parties.

City and LVJUSD desire to amend the Original Agreement to include requirements of insurance coverage. This is the First amendment to the Original Agreement.

AGREEMENT

NOW, THEREFORE, City and LVJUSD hereby agree that the aforementioned recitals are true and correct and further agree as follows:

1. The Original Agreement is amended as follows:

   A. Section 14. Insurance is added to read as follows:
   The City shall not commence work under this Agreement until the insurance requirements under this paragraph have been obtained and satisfactory proof of such insurance has been submitted and approved by LVJUSD. Except for worker's compensation insurance, the policy shall not be amended or modified and the coverage amounts shall not be reduced without LVJUSD prior written consent. LVJUSD shall be named as an additional insured and be furnished thirty (30) days written notice prior to cancellation.

   City shall have and maintain in force during the term of this Contract, with the minimum indicated limits, the following insurance:

Commercial General Liability	$1,000,000 per occurrence $2,000,000 aggregate minimum
Automobile Liability	$1,000,000 per occurrence
Errors and Omissions/ Professional Liability	$1,000,000 per occurrence $2,000,000 aggregate minimum
Workers Compensation	Statutory limits pursuant to State law
Employers' Liability	$1,000,000 each accident, disease (each employee and policy limit)

Sexual Abuse and Molestation (SAM)	$1,000,000 per occurrence $2,000,000 aggregate minimum

2. These amendments are prospective and only apply to the Services rendered by the City after the execution of this Amendment. Unless otherwise stated herein, this Amendment does not relieve the parties of the terms and conditions of the Original Agreement as written and in effect at the time the Services were rendered.

3. Except as amended above, the Original Agreement remains in full force and effect.

EXHIBIT A

In concurrence and witness whereof, and in recognition of the mutual consideration provided therefore, the parties have executed this Agreement effective on the date first written above.

CONSULTANT:

Signed by:
Kayla Wasley
FA1B7F13611C4BF...

Kayla Wasley
Assistant Superintendent of
Business Services

Dated:

1/27/2025 | 9:33 AM PST

CITY OF LIVERMORE:

Marianna Marysheva
City Manager

Dated:

APPROVED AS TO FORM:

DocuSigned by:
Katherine Mirassou
D48B6A0C4F27411...

Deputy/Assistant/City Attorney

APPROVED AS TO INSURANCE:

DocuSigned by:
Amber Hatfield
12BC7F4D88224F8...

Risk Manager/Analyst

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 6.1**

DATE: February 24, 2025

TO: Honorable Mayor and City Council

FROM: Brent Smith, Community Development Director

SUBJECT: Hearing to consider a request for a Municipal Code Amendment, Development Code Amendment, Conditional Use Permit Modification, Development Agreement, Site Plan Design Review, and Site Plan Design Review Modification for the Parkwest Casino 580 Expansion Project and citywide cardroom operations.

RECOMMENDED ACTION

The Planning Commission and staff recommend the City Council:

1. Adopt a resolution approving the Initial Study/Mitigated Negative Declaration for the Parkwest Casino 580 Expansion Project, which includes city-wide Municipal Code and Development Code Amendments, pursuant to the California Environmental Quality Act (CEQA);
2. Adopt a resolution approving Conditional Use Permit Modification (CUPM) 24-001, Site Plan Design Review (SPDR) 24-010 and Site Plan Design Review Modification (SPDRM) 24-024;
3. **Introduce an ordinance** and waive the first reading, approving Municipal Code Amendment (MUNI) 24-002 and Development Code Amendment (DCA) 24-004; and,
4. **Introduce an ordinance** and waive the first reading, authorizing execution of Development Agreement (DA) 24-003.

SUMMARY

Livermore Municipal Code Chapter 5.20, Cardrooms, regulates cardroom licensing, employee work permits, number of card tables, operations, and safety and security. Livermore Municipal Code Section 5.20.160(Q) outlines expanded services a cardroom may request, subject to the approval of a Development Agreement (DA) and Conditional Use Permit (CUP). Livermore Development Code Section 6.03.030, Cardrooms, further regulates cardroom location and reiterates the requirements for expanded cardroom services set forth in the Municipal Code. The City currently has two existing cardrooms in operation, Parkwest Casino 580 at 968 North Canyons Parkway and Livermore Casino at 3571 First Street; both cardrooms are considered expanded services cardrooms and have existing DAs and CUPs.

In June 2019, Parkwest Casino 580 applied to the City of Livermore for a Municipal Code Amendment, Development Code Amendment, Conditional Use Permit Modification, Development Agreement, Site

Plan Design Review, and Site Plan Design Review Modification for the Parkwest Casino 580 Expansion (Project). The Project includes operational changes at Parkwest Casino 580 including increasing the number of card tables, increasing the hours of operation, increasing the maximum bet limit, permitting limited backline betting, and permitting new card games not prohibited by state law.

The Project includes amendments to the Livermore Municipal Code that would be applied citywide. The amendments include increasing the total number of card tables permitted citywide, modifications to tournament noticing requirements, changes to the number of cardroom licenses permitted per person, and miscellaneous amendments made for clarification.

Finally, the Project includes the development of a 230-space paved parking lot with new trees to meet the current and future parking demand, construction of a Class IV bicycle lane along the North Canyons Parkway project frontage, installation of bicycle racks outside of the Parkwest Casino 580 building, and removal of one tree. This additional on-site parking will alleviate the current overflow parking that consistently occurs on Doolan Road and Collier Canyon Road adjacent to the casino. Parkwest Casino 580 will provide other public benefits such as paying the City an increased per table monthly fee starting at $4,800 (they are currently paying $1,890 per table) and providing funds for installation and maintenance of traffic cameras and license plate readers near the casino.

DISCUSSION

BACKGROUND

On March 28, 2011, the City approved Development Code Amendment (DCA) 10-006, Development Agreement (DA) 10-003, and Conditional Use Permit (CUP) 10-007 for Parkwest Casino 580, located at the southeast corner of North Canyons Parkway and Doolan Road at 968 North Canyons Parkway. The approvals authorized an expanded services cardroom for Parkwest Casino 580 to permit the casino to operate10 card tables, seat 10 players per table, operate 24-hours a day six days a week, with a nine-hour closure on Mondays, apply a maximum bet limit of $200 per game, play games authorized by the State Department of Justice, Bureau of Gambling Control except for Pai Gow with tiles, and operate an ancillary restaurant.

PROJECT DESCRIPTION

For a complete project description, please refer to the attached January 7, 2025, Planning Commission Staff Report (Attachment 2).

The Project includes several proposed operational changes at Parkwest Casino 580 which necessitate modifications to the City's Municipal Code and Development Code, as well as the existing Conditional Use Permit and Site Plan Design Review permit. The project includes:

Municipal Code Amendment

Municipal Code Amendment (MUNI) 24-002 amends Chapter 5.20, Cardrooms, of the Livermore Municipal Code which regulates cardrooms within the city limits and includes requirements for licensing, employee work permits, number of card tables, operations, and safety and security regulations. Per section 5.20.160(Q), a cardroom may offer expanded services subject to approval of a Conditional Use Permit (CUP) and Development Agreement (DA). Parkwest Casino 580 currently operates as an

expanded service cardroom with an active CUP and DA.

Amendments to the Municipal Code include increasing the total number of card tables permitted citywide by establishing a maximum number rather than a ratio of the City's population, increasing the total number of card tables permitted per gambling establishment, increasing allowable hours of operation, increasing the maximum bet limit, permitting limited backline betting, permitting the play of new card games not prohibited by state law, modifying tournament noticing requirements, modifying the number of cardroom licenses permitted per person, and additional miscellaneous amendments made for clarification.

Development Code Amendment

Development Code Amendment (DCA) 24-004 amends Chapter 11, Definitions, of the Livermore Development Code which includes a definition of a cardroom. The amendment is required to update the reference to the Livermore Municipal Code to be consistent with the proposed Municipal Code Amendments. This is simply a change to ensure internal consistency between the Municipal Code and Development Code.

Conditional Use Permit Modification

Conditional Use Permit Modification (CUPM) 24-001 amends the existing CUP 10-007 to capture modified business operations at Parkwest Casino 580. The CUPM includes the authorization to operate 16 card tables, 24/7 operations, permit backline betting up to 10 standing players per table, permit a maximum bet of up to $1,000, and permit play of any game not prohibited by the State. The CUP, as modified by the CUPM, would remain applicable to the property until the City or landowner proposes to modify the CUPM and DA in the future.

Site Plan Design Review

Site Plan Design Review (SPDR) 24-010 will allow development of a new surface parking lot with 230 parking spaces. The proposed surface parking lot would connect the existing casino parking lot to the west, which is currently accessed from driveways on Doolan Road and North Canyons Parkway (See Attachment 4). The proposed surface parking lot would also connect to a new driveway on North Canyons Parkway at the northeast corner of the project site. The proposed parking lot will accommodate current overflow parking on Doolan Road and Collier Canyon Road as well as additional parking for the proposed expansion.

Site Plan Design Review Modification

Site Plan Design Review Modification (SPDRM) 24-024 will allow removal of one tree on the current site to accommodate pedestrian access from the new parking lot and installation of bicycle racks around the existing building.

Development Agreement

Development Agreement (DA) 24-003 will support the modified business operations at Parkwest Casino 580 and provide additional public benefits. Specifically, DA 24-003 requires the applicant provide a financial contribution of $4,800 per table per month, and three one-time financial contributions towards

safety and security equipment including $60,000 for the purchase and installation of three new traffic cameras, $5,000 towards traffic camera maintenance, and $24,000 for the purchase, installation, and maintenance of license plate readers. The term of the proposed DA is 20 years.

PLANNING COMMISSION AND PUBLIC COMMENT

The Planning Commission considered the project at a public hearing on January 7, 2025. The Planning Commission staff report and draft meeting minutes are attached (Attachments 2 and 3). There was one speaker who had concerns about safety.

The Planning Commission topics of discussion included parking demand, bet limit increase, site plan/landscape plan details, increase in the total number of tables citywide (32), and community benefits. Following discussion, the Planning Commission unanimously recommended City Council approval the project per staff recommendation.

ENVIRONMENTAL DETERMINATION

The City of Livermore contracted with Raney Planning and Management (Consultant) to prepare an Initial Study/Mitigated Negative Declaration (IS/MND) for the Project. The IS/MND analyzed the project's impacts to the environment and identified mitigation measures that would be required to be implemented (see Attachment 8, Exhibit B). The following environmental topics were identified as less than significant with mitigation:

- Biological Resources;
- Cultural Resources;
- Geology and Soils; and
- Tribal Cultural Resources

One comment letter was received via email from the California Department of Transportation (Caltrans), District 4 (Attachment 9, Exhibit C). Caltrans noted that the project site's proposed drainage plan may impact their facilities and requested additional information to determine if additional mitigation measures are needed. All other comments from Caltrans were primarily informational in nature. Staff and the applicant team reviewed the site plan and made minor modifications to the surface parking lot layout such that the design avoids all Caltrans' right of way, easements, and infrastructure.

FISCAL AND ADMINISTRATIVE IMPACTS

Per the requirements of the proposed Development Agreement, a financial contribution to the City of $4,800 per table per month will be provided. This is an increase from the current contribution of $1,890 per table per month under the current DA. The increased financial contribution will be effective six months after the Chief of Police approves the amended cardroom license. This will allow the applicant a ramp-up period to bring the additional six card tables and business operations into effect. The applicable Consumer Price Index (CPI) value will be added to the financial contribution three years following the date of the approved amended cardroom license and applied every year thereafter.

Before the addition of CPI, the net new revenue received from the monthly table fees is estimated to be approximately $695,000 annually and will be used in part to fund two full-time positions, one in the Police Department and one in the Community Development Department. This net new revenue, staff positions

and public safety security equipment is in addition to the existing annual per table revenue of approximately $226,900 and is expected to easily offset any additional City services provided to Parkwest Casino 580.

COMMUNITY PILLAR
2: Economy That Prospers

GOAL
1: Lead efforts, in collaboration with internal and external partners, to provide effective communication and engagement with businesses

ATTACHMENTS

1. Site Map
2. Planning Commission Staff Report
3. Planning Commission Draft Minutes 1-7-25
4. Parkwest Casino 580 Development Plans
5. DOJ Bureau of Gambling Control Letters
6. Resolution - CEQA
7. Exhibit A - Planning Commission CEQA Resolution 01-25
8. Exhibit B - Initial Study/Mitigation Negative Declaration
9. Exhibit C - Caltrans Comments
10. Exhibit D - Response to Comments
11. Exhibit E - Mitigation Monitoring and Reporting Progam
12. Resolution - Project
13. Exhibit A - Planning Commission Project Reso 02-25
14. Exhibit B - Conditions of Approval
15. Ordinance for Municipal Code Amendment and Development Code Amendment
16. Exhibit A - Municipal Code Amendment
17. Exhibit B - Livermore Development Code Text Amendment
18. Ordinance Adopting Development Agreement 24-003
19. Exhibit A - Development Agreement

Prepared by: Susan Frost
Special Projects Coordinator

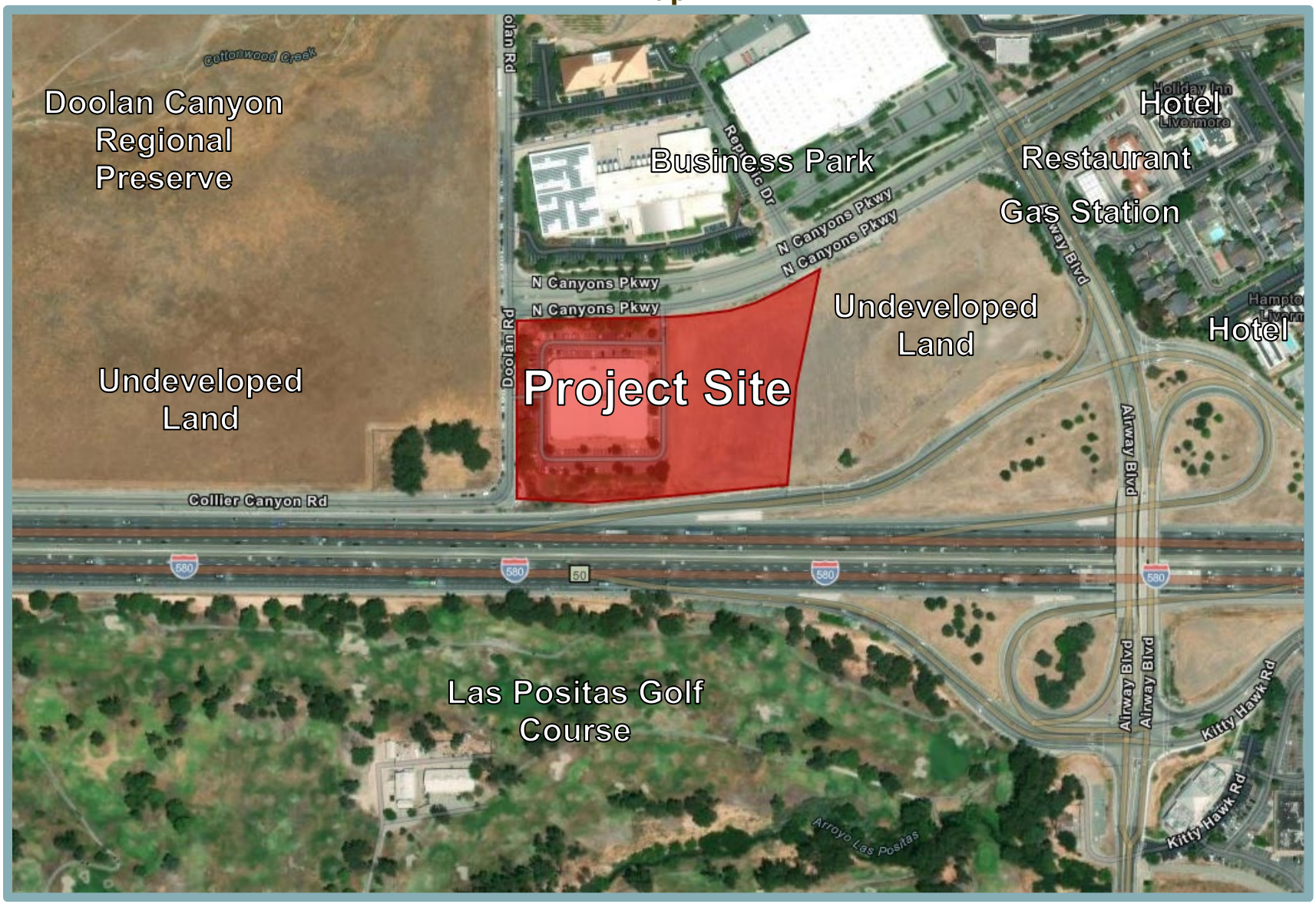
Approved by:

Marianna A. Burch
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

Approximate Project Site Boundaries Map



LIVERMORE
CALIFORNIA

PLANNING COMMISSION STAFF REPORT **ITEM NO. 5.1**

DATE: January 7, 2025

TO: Chairperson and Members of the Planning Commission

FROM: Steve Riley, Planning Manager

SUBJECT: Hearing to consider a request for a Municipal Code Amendment, Development Code Amendment, Conditional Use Permit Modification, Development Agreement, Site Plan Design Review, and Site Plan Design Review Modification for the Parkwest Casino 580 Expansion Project and city-wide cardroom operations.

RECOMMENDED ACTION

Staff recommends the Planning Commission adopt resolutions recommending the City Council take the following actions:

1. Adopt a resolution certifying the Initial Study/Mitigated Negative Declaration for the Parkwest Casino 580 Expansion Project, which includes city-wide Municipal Code and Development Code Amendments, pursuant to the California Environmental Quality Act (CEQA); and
2. Adopt a resolution approving Municipal Code Amendment (MUNI) 24-002; Development Code Amendment (DCA) 24-004; Conditional Use Permit Modification (CUPM) 24-001; Development Agreement (DA) 24-003; Site Plan Design Review (SPDR) 24-010 and Site Plan Design Review Modification (SPDRM) 24-024 amending the Livermore Municipal Code including increasing the total number of card tables permitted citywide, increasing the total number of card tables permitted per gambling establishment, increasing allowable hours of operation, increasing the maximum bet limit, permitting limited backline betting, permitting the play of new card games not prohibited by state law, modifying tournament noticing requirements, modifying the number of cardroom licenses permitted per person, and additional miscellaneous amendments made for clarification; and authorizing operational changes at Parkwest Casino 580 including increasing the number of card tables, increasing hours of operation, increasing the maximum bet limit, permitting limited backline betting, and permitting the play of new card games not prohibited by state law; and approve the development of a 230-space surface parking lot for Parkwest Casino 580.

SUMMARY

Livermore Municipal Code Chapter 5.20, Cardrooms, regulates cardroom licensing, employee work permits, number of card tables, operations, and safety and security. Livermore Municipal Code Section 5.20.160(Q) outlines expanded services a cardroom may request, subject to the approval of a

Development Agreement (DA) and Conditional Use Permit (CUP). Livermore Development Code Section 6.03.030, Cardrooms, further regulates cardroom location and reiterates the requirements for expanded cardroom services set forth in the Municipal Code. The city currently has two existing cardrooms in operation, Parkwest Casino 580 at 968 North Canyons Parkway and Livermore Casino at 3571 First Street; both cardrooms are considered expanded services cardrooms and have existing DAs and CUPs with the city.

In June 2019, Parkwest Casino 580 applied to the City of Livermore for a Municipal Code Amendment, Development Code Amendment, Conditional Use Permit Modification, Development Agreement, Site Plan Design Review, and Site Plan Design Review Modification for the Parkwest Casino 580 Expansion (Project). The Project includes operational changes at Parkwest Casino 580 including increasing the number of card tables, increasing the hours of operation, increasing the maximum bet limit, permitting limited backline betting, and permitting new card games not prohibited by state law.

Additionally, the Project includes amendments to the Livermore Municipal Code that would be applied citywide and include increasing the total number of card tables permitted citywide, modifications to tournament noticing requirements, changes to the number of cardroom licenses permitted per person, and miscellaneous amendments made for clarification.

Finally, the Project includes development of a 230-space paved parking lot with new trees to meet the current and future parking demand, construction of a Class IV bicycle lane along the North Canyons Parkway project frontage, installation of bicycle racks outside of the Parkwest Casino 580 building, and removal of one tree. This additional on-site parking will alleviate the current overflow parking that consistently occurs on Doolan Road and Collier Canyon Road adjacent to the casino. Parkwest Casino 580 will provide other public benefits such as paying the City an increased per table monthly fee starting at $4,800 (they are currently paying $1,890 per table) and providing funds for installation and maintenance of traffic cameras and license plate readers near the casino.

Refer to the Approximate Project Site Boundaries Map and Development Plans in Attachments 1 and 2, respectively.

The Planning Commission's action is a recommendation to the City Council.

DISCUSSION

BACKGROUND

On March 28, 2011, the City approved Development Code Amendment (DCA) 10-006, Development Agreement (DA) 10-003, and Conditional Use Permit (CUP) 10-007 for Parkwest Casino 580, located at the southeast corner of North Canyons Parkway and Doolan Road at 968 North Canyons Parkway. The approvals authorized an expanded services cardroom for Parkwest Casino 580 to permit the casino to operate10 card tables, seat 10 players per table, operate 24-hours a day six days a week, with a nine-hour closure on Mondays, apply a maximum bet limit of $200 per game, play games authorized by the State Department of Justice, Bureau of Gambling Control except for Pai Gow with tiles, and operate an ancillary restaurant.

Consistent with Chapter 9.04 of the Development Code, the DA with Parkwest Casino 580 includes a monthly per table contribution to the city for the public benefit. Every quarter, Parkwest Casino 580

submits a payment to the City's Finance Division for the 10 tables that are currently operated at the casino. The payment schedule set forth in DA10-003 is a graduated increase which began with $300 per table per month in 2011 and increased to $1,500 per table per month in 2016. Since 2016, the $1,500 monthly table fee has remained in place, only modified by the applicable Consumer Price Index every subsequent fiscal year. Today, this equates to approximately $1,890 per table per month, or approximately $226,900 annually.

PROJECT DESCRIPTION

The Project site covers approximately 9.5 acres in the northwest portion of the City and includes 950-968 North Canyons Parkway and the unaddressed vacant property to the east of 950-968 North Canyons Parkway, for a total of four separate parcels identified by Assessor Parcel Numbers (APNs) 905-0016-086-00, 905-0016-087-00, 905-0016-088-00, and 905-0009-013-03. The three western parcels (APNs 905-0016-088-00, 905-0016-087-00, 905-0016-086-00) are developed with a parking lot and the casino, and the eastern parcel (APN 905-0009-013-03) is undeveloped. Refer to Attachment 1 for the Approximate Project Site Boundaries Map.

On June 14, 2019, Parkwest Casino 580 (Applicant) applied to the City of Livermore for a Municipal Code Amendment, Development Code Amendment, Conditional Use Permit Modification, Development Agreement, Site Plan Design Review, and Site Plan Design Review Modification.

The Project includes operational changes at Parkwest Casino 580 including:

- increasing the number of card tables from 10 to 16 tables;
- increasing the hours of operation from 24-hours a day six days a week, with a nine-hour closure on Mondays to 24/7 operations every day;
- increasing the maximum bet limit from $200 to $1,000;
- permitting limited backline betting; and
- permitting new card games not prohibited by state law, including Pai Gow with tiles.

Additionally, the Project includes amendments to the Livermore Municipal Code that would be applied citywide and include:

- increasing the total number of card tables permitted citywide from a population-based calculation to 32 card tables;
- modifications to tournament noticing requirements;
- changes to the number of cardroom licenses permitted per person from 1 to 2 licenses; and
- miscellaneous amendments made for clarification.

Finally, the Project would add a new surface parking lot with 230 parking spaces, which would be located on the vacant parcel east of the existing Parkwest Casino 580. This additional on-site parking will alleviate the current overflow parking that consistently occurs on Doolan Road and Collier Canyon Road adjacent to the casino. The new surface parking lot would be located on the southern portion of the parcel and would include 178 standard stalls, 26 electric vehicle (EV) capable spaces, and 26 EV charging stations. The additional 230 parking spaces would increase the number of available parking spaces for the casino from 131 to 361 spaces. One tree located in the existing parking lot would be removed as part of the Project, but a large number of new trees would be planted in and around the parking lot. Removal of the one tree is required to accommodate a pedestrian connection from the new

surface parking lot to the existing sidewalk surrounding the existing building. In addition, 36 bicycle spaces would be provided near the casino entrances.

Access to the parking lot would be provided by existing driveways on Doolan Road and North Canyons Parkway, as well as a new driveway from North Canyons Parkway, at the northeast corner of the Project site. The Project would also include off-site improvements along North Canyons Parkway, including the development of a new Class IV separated bike lane with a landscaped buffer, and restriping of traffic lanes. The existing bus turnout and concrete pad on North Canyons Parkway would be shifted north and space for a future bus shelter would be reserved as determined by the Livermore Amador Valley Transit Authority (LAVTA). With the exception of new bicycle racks, no exterior improvements to the existing building are proposed.

The Project includes the following entitlements:

- Municipal Code Amendment (MUNI) 24-002 to amend Chapter 5.20, Cardrooms, of the Livermore Municipal Code;
- Development Code Amendment (DCA) 24-004 to amend Chapter 11, Definitions, of the Livermore Development Code;
- Conditional Use Permit Modification (CUPM) 24-001 to amend the existing CUP to capture modified business operations at Parkwest Casino 580;
- Development Agreement (DA) 24-003 to allow for the modified business operations at Parkwest Casino 580 and an amended public benefit;
- Site Plan Design Review (SPDR) 24-010 to develop a new surface parking lot; and
- Site Plan Design Review Modification (SPDRM) 24-024 to remove one tree and install bicycle racks around the existing building.

State Agency Review

Per Business and Professions Code 19961.1, the Department of Justice, Bureau of Gambling Control (Bureau) must review and comment on all amendments made to a city or county cardroom ordinance before the ordinance is adopted by the city or county. In March 2023, January 2024, and November 2024, city staff submitted proposed amendments to the City's cardroom ordinance for review by the Bureau. The Bureau reviewed and provided letters of preliminary approval, dated October 20, 2023, March 12, 2024, and December 16, 2024, respectively (Attachment 3).

Should the City Council approve the Project, the Applicant must submit the amended Cardroom ordinance to the Bureau and apply to the California Gambling Control Commission to formally request additional card tables, increased hours of operation, and new games. The Applicant must receive approval by these state agencies before the Applicant can apply for an amended cardroom license with the Livermore Police Department.

PROJECT SITE CONTEXT

Table 1 summarizes the General Plan land use designation, zoning classification, and existing land use on the subject site and surrounding properties.

Table 1. Project Site Context

	General Plan Land Use Designation	Zoning Classification	Existing Land Use
North	Isabel Neighborhood	Isabel Neighborhood Specific Plan – Business Park	Business Park
South	Parks, Trailways, Recreation Areas Community Facilities - Airport	Open Space - Floodplain Education Airport Service	Interstate 580, Las Positas Golf Course, and Livermore Municipal Airport
East	Isabel Neighborhood	Isabel Neighborhood Specific Plan – General Commercial	Gas station, restaurant, and hotels
West	Resource Management	Outside of City Limits	Undeveloped land and Doolan Canyon
Subject Site	Isabel Neighborhood	Isabel Neighborhood Specific Plan – General Commercial	Parkwest Casino 580, CalMoto, and vacant land

STAFF ANALYSIS

Municipal Code Amendment

Livermore Municipal Code Chapter 5.20, Cardrooms, regulates cardrooms within the city limits and includes requirements for licensing, employee work permits, number of card tables, operations, and safety and security regulations. Per section 5.20.160(Q), a cardroom may offer expanded services subject to approval of a Conditional Use Permit and Development Agreement. Parkwest Casino 580 currently operates as an expanded service cardroom with an active CUP and DA.

As noted above, the Bureau of Gambling Control concluded that the proposed Municipal Code amendments are consistent with the Gambling Control Act. Furthermore, staff's research into cardrooms within the region show that the proposed amendments are either consistent with or more conservative than those set forth in other jurisdictions; therefore staff supports the Municipal Code amendments.

Development Code Amendment

Chapter 11, Definitions, of the Livermore Development Code includes a definition of a cardroom. The amendment is required to update the reference to the Livermore Municipal Code to be consistent with the proposed Municipal Code Amendments. This is simply a change to ensure internal consistency between the Municipal Code and Development Code, therefore staff supports this change.

Conditional Use Permit Modification

Parkwest Casino 580 currently operates under Conditional Use Permit (CUP) 10-007, which was approved on March 14, 2011. At the time of approval, the property was zoned Planned Development-Industrial 00-181, which conditionally permitted cardrooms. In 2020, the property was designated as part of the Isabel Neighborhood and rezoned to Isabel Neighborhood Specific Plan (INSP), General Commercial. The INSP, General Commercial zone conditionally permits cardrooms, consistent with the Project. The Project is also consistent with Livermore Development Code Section 6.03.030, Cardrooms,

which includes regulations related to cardroom location and expanded services.

The Project site is located within Safety Zone 6 of the Alameda County Airport Land Use Compatibility Plan (ALUCP). Per the ALUCP Safety Compatibility Criteria, mixed-use retail is a permitted use and indoor assembly up to 1,000 people is conditionally permitted in Safety Zone 6 - the two listed uses in the ALUCP that are most similar to the casino, which is not listed. In addition, parking lots are permitted uses. Based on ALUCP review criteria, Alameda County Airport Land Use Commission (ALUC) review is not required for the Project. It should be noted that the INSP, which includes the Project site, was reviewed by ALUC prior to plan adoption in 2020 and found to be conditionally compatible with the ALUCP.

The CUP will be modified as part of the Project by CUPM 24-001. The CUPM includes the authorization to operate 16 card tables, 24/7 operations, permit backline betting up to 10 standing players, permit a maximum bet of up to $1,000, and permit play of any game not prohibited by the state. The CUP, as modified by the CUPM, would run with the land.

Development Agreement

Given the new surface parking lot location and requested operational changes by the Applicant, a new Development Agreement, DA24-003, has been drafted to replace DA10-003. Similar to DA10-003, the new DA will provide a public benefit for the modified operational changes requested by the Applicant. The term of the proposed DA is 20 years. Staff has negotiated with the applicant and supports the proposed amendments that will provide a substantial public benefit. Specifically, DA24-003 requires the applicant provide:

- a financial contribution of $4,800 per table per month. This amount was determined by staff to be the appropriate proportional increase and public amenity for the Applicant's requested operational changes including an additional 6 card tables up to 16 total card tables, limited backline betting, an increase to 24/7 business operations, an increased maximum bet limit from $200 to $1,000, and permission to play games currently prohibited in the current DA and CUP. The increased financial contribution will be effective 6 months after the Chief of Police approves the amended cardroom license. This will allow the Applicant a ramp-up period to bring the additional 6 card tables and business operations into effect. The applicable Consumer Price Index (CPI) value will be added to the financial contribution three years following the date of the approved amended cardroom license and applied every year thereafter. Before the addition of CPI, the net new revenue received from the monthly table fees is estimated to be approximately $695,000 annually and will be used in part to fund two full-time positions, one in the Police Department and one in the Community Development Department; and
- three one-time financial contributions towards safety and security equipment including $60,000 for the purchase and installation of three new traffic cameras, $5,000 towards traffic camera maintenance, and $24,000 for license plate reader purchase, installation, and maintenance. The traffic cameras will be generally located at (1) the I-580 westbound off-ramp to Airway Boulevard; (2) at the intersection of Airway Boulevard and North Canyons Parkway; and (3) at the intersection of North Canyons Parkway and Doolan Road. The $60,000 contribution must be paid prior to approval of an amended cardroom license; the remaining contributions must be paid no later than 3 months following the date of the amended cardroom license approval. Following the one-time contributions, safety and security equipment maintenance will continue to be funded by the monthly card table contributions.

It should be noted that Parkwest Casino 580 has not historically caused any significant public safety issues beyond what is normal for a commercial business, but the public safety measures above are precautionary and agreed upon by the Applicant and the Livermore Police Department. It should also be noted that as part of the Project, the Ordinance approving DA10-003 and the existing DA itself will be cancelled when the new ordinance approving DA24-003 takes effect.

Site Plan Design Review

The Site Plan Design Review (SPDR) 24-010 entitlement is to review the new surface parking lot design and bicycle parking for consistency with the INSP, Livermore Development Code and City's Design Standards and Guidelines.

The proposed surface parking lot would connect to the existing casino parking lot to the west, which is currently accessed from driveways on Doolan Road and North Canyons Parkway. The proposed surface parking lot would also connect to a new driveway on North Canyons Parkway, at the northeast corner of the project site. The design of the parking lot and bicycle parking stalls meet all the applicable INSP and City-wide design standards and guidelines as explained below.

Parking

The existing parking lot serves Parkwest Casino 580 and CalMoto, the only other tenant in the building. There are a total of 131 parking spaces. Parkwest Casino 580 and CalMoto have a shared parking agreement that allows Parkwest Casino 580 to use 109 parking spaces Tuesday through Saturday between 8:00 a.m. to 6:00 p.m. and the entire parking lot during CalMoto's non-business hours, which include Tuesday through Saturday from 6:00 p.m. to 8:00 a.m. and all-day Sunday and Monday.

The Project would include development of a surface parking lot with 230 spaces including 178 standard stalls, 26 electric vehicle (EV) capable spaces, 26 EV charging stations, as well as racks for up to 36 bicycles. The additional 230 parking spaces would increase the maximum number of available parking spaces for Parkwest Casino 580 from 131 to 361 spaces. In addition, the Project would convert five of the existing standard stalls to one Americans with Disabilities (ADA) compliant EV charging station and four ADA stalls. A total of nine ADA stalls and one ADA compliant EV charging station would be provided on-site.

The Livermore Development Code does not have a parking requirement for cardrooms. Per Livermore Development Code Section 4.04.020, parking requirements for unlisted uses may be determined by the Community Development Director based on available data, consistent with the intent of the Development Code. Staff have relied on the following parking analysis data to determine the appropriate required parking for the new surface parking lot.

TJKM, a traffic and parking consultant, conducted a series of parking count analyses for Parkwest Casino 580 from 2015 through 2019, including a review of parking counts conducted by casino employees between 2018 and 2019.

Given the time that had passed since 2019, TJKM conducted an additional parking count analysis in 2023. The parking analysis was conducted over a 3-week period and parking counts were performed hourly between 10:00 a.m. to midnight. The 2023 parking counts were approximately 15 percent lower

than the employee counts from 2018 and 2019; therefore, to be conservative, TJKM used the employee parking counts as the basis for establishing the anticipated parking demand. The employee parking counts showed that the peak parking demand was on average approximately 220 vehicles with 10 card tables in operation at Parkwest Casino 580.

The anticipated parking demand was calculated by calculating the number of parked vehicles per active gambling table currently in operation, or 22 parked vehicles per active gambling table, and multiplying that by the net new number of card tables proposed. When added to the peak demand of 220 parked vehicles with 10 card tables in operation, the total combined demand with 16 card tables in operation was determined to be 352 parking spaces. As noted above, the combined total of parking spaces between the existing and proposed parking lots is 361 spaces, exceeding the calculated parking demand. Therefore, city staff and TJKM conclude that the new parking provided for Parkwest Casino 580 will be sufficient to meet the increased parking demand.

It should be noted that as part of DA24-003, the Applicant is required to install “no parking” signs along Doolan Road and Collier Canyon Road. Furthermore, per the conditions of approval, the Conditional Use Permit can be returned to the Planning Commission to amend the parking requirement if it is determined at a later date that existing on-site parking is insufficient.

Traffic

The Initial Study/Mitigated Negative Declaration concluded that the Project is considered a locally-serving use based on the new daily trips resulting from the increased operations. Per the Governor’s Office of Planning and Research, locally-serving uses are generally presumed to have a less-than-significant impact on Vehicle Miles Travelled (VMT) and are screened from further VMT analysis.

Landscape Design and Lighting

The proposed planting plan for the new surface parking lot includes a variety of trees, shrubs, and groundcovers, including some native species, that are distributed throughout the site. Tree species include Little Leaf Linden and Columbia London Plane along the North Canyons Parkway frontage and in the landscaped median outside of the Class IV bicycle lane. The interior of the parking lot includes a mixture of Sawleaf Zelkova and Scarlet Oak trees. Although not native tree species, these tree species are consistent with INSP design standards and guidelines and have been used in recently approved projects in the Isabel Neighborhood and along the North Canyons Parkway/Portola Avenue corridor. Furthermore, these tree species have done well in Livermore’s climate.

Table 4.12, Required Interior Parking Lot Landscaping, in the Livermore Development Code describes the minimum parking lot landscaping required based on the number of parking spaces. Based on the 230 spaces to be provided, a minimum of 16 percent of the parking area must be landscaped. Approximately 30 percent of the parking area is landscaped, exceeding this requirement.

All the proposed planting would be low and medium water usage consistent with the Water Efficient Landscape Ordinance, Livermore Municipal Code 13.25. In addition, the landscape design for the Project is also consistent with the INSP and City-wide Design Standards and Guidelines, including providing a hierarchy of plantings and meeting minimum planting size requirements.

The Project includes landscaping around the southern edge of the property, adjacent to I-580. Per the Community Character Element of the General Plan, the Scenic Corridor is defined as the area within 3,500 feet of each side of the centerline of I-580, and visible from the I-580 roadway. By definition, this includes the Project site. General Plan policy states that landscaping, including trees, shall be planted in a manner such that when mature, does not create a wall-like effect that substantially obscures views of the ridgeline (Goal CC-4, Objective CC-4.10, Policy P3). To ensure that this policy is met, staff recommends the following modification to the landscaping plan:

Recommended condition: To ensure that the project landscaping does not create a wall-like effect, the following modifications to the landscape plan are required:

- Along the length of the southern property line only, replace proposed shrubs S4 and S7 as identified on sheet L1.0 to a mix of low (i.e., 24-36 inches maximum height) ground cover. Refer to Attachment 13.
- Remove the four westernmost proposed Scarlet Oak trees proposed along the southern property line as shown in Attachment 13. To the extent feasible, relocate the proposed Scarlet Oak trees along the easternmost driveway to compensate for the removed trees.

Parking lot lighting will be provided as part of the Project. All lighting is consistent with the City's Design Standards and Guidelines for height, illumination level, and shielding design.

Site Plan Design Review Modification

The Site Plan Design Review Modification (SPDRM) 24-024 entitlement is to review the tree removal and bicycle rack installation on the existing Casino site to ensure consistency with the Livermore Development Code and City's Design Standards and Guidelines. One tree located in the existing parking lot would be removed as part of the Project to accommodate a pedestrian connection from the new surface parking lot to the existing sidewalk surrounding the building. In addition, 36 bicycle stalls would be installed near the building entrances, consistent with the INSP, Livermore Development Code, and Active Transportation Plan.

Overall and as described above in the Site Plan Design Review sections, the project is consistent with the applicable design standards and guidelines.

ENVIRONMENTAL DETERMINATION

The City of Livermore contracted with Raney Planning and Management (Consultant) to prepare an Initial Study/Mitigated Negative Declaration (IS/MND) for the Project. A Notice of Intent (NOI) to adopt an IS/MND for the Project in accordance with the California Environmental Quality Act (CEQA) was prepared and released for a 20-day public review period from November 15, 2024 through December 4, 2024 (available online at http://www.cityoflivermore.net/citygov/cdd/planning/environ.htm).

The IS/MND analyzed the Project's impacts to the environment and identified mitigation measures that would be required to be implemented. The following environmental topics were identified as less than significant with mitigation:

- Biological Resources;
- Cultural Resources;

- Geology and Soils; and
- Tribal Cultural Resources

One comment letter was received via email from the California Department of Transportation (Caltrans), District 4 (Attachment 4, Exhibit B). Caltrans noted that the Project site's proposed drainage plan may impact their facilities and requested additional information to determine if additional mitigation measures are needed. All other comments from Caltrans were primarily informational in nature. Staff and the applicant team reviewed the site plan and made minor modifications to the surface parking lot layout such that the design avoids all Caltrans' right of way, easements, and infrastructure.

RECOMMENDATION

Staff recommends the Planning Commission adopt resolutions recommending the City Council take the following actions:

1. Adopt a resolution certifying the Initial Study/Mitigated Negative Declaration for the Parkwest Casino 580 Expansion Project, which includes city-wide Municipal Code and Development Code Amendments, pursuant to the California Environmental Quality Act (CEQA); and
2. Adopt a resolution approving Municipal Code Amendment (MUNI) 24-002; Development Code Amendment (DCA) 24-004; Conditional Use Permit Modification (CUPM) 24-001; Development Agreement (DA) 24-003; Site Plan Design Review (SPDR) 24-010 and Site Plan Design Review Modification (SPDRM) 24-024 amending the Livermore Municipal Code including increasing the total number of card tables permitted citywide, increasing the total number of card tables permitted per gambling establishment, increasing allowable hours of operation, increasing the maximum bet limit, permitting limited backline betting, permitting the play of new card games not prohibited by state law, modifying tournament noticing requirements, modifying the number of cardroom licenses permitted per person, and additional miscellaneous amendments made for clarification; and authorizing operational changes at Parkwest Casino 580 including increasing the number of card tables, increasing hours of operation, increasing the maximum bet limit, permitting limited backline betting, and permitting the play of new card games not prohibited by state law; and approve the development of a 230-space surface parking lot for Parkwest Casino 580.

The Planning Commission's action is a recommendation to the City Council.

ATTACHMENTS

1. Approximate Project Site Boundaries Map
2. Parkwest Casino 580 Development Plans
3. DOJ, Bureau of Gambling Control Letters
4. Resolution - CEQA
5. Exhibit A - ISMND
6. Exhibit B - Caltrans comments
7. Exhibit C - Response to Comments
8. Exhibit D - MMRP
9. Resolution - Project Approval
10. Exhibit A - Draft Municipal Code Amendments

11. Exhibit B - Draft Development Code Amendment
12. Exhibit C - Draft Development Agreement
13. Exhibit D - Conditions of Approval

Prepared by: Ashley Vera
Senior Planner

DRAFT MINUTES

LIVERMORE
CALIFORNIA

PLANNING COMMISSION
JANUARY 7, 2025

REGULAR MEETING

1. CALL TO ORDER – The meeting of the Planning Commission was called to order by Chairperson Jacob Anderson at 7:00 pm, held in person at 1016 S. Livermore Avenue.

ROLL CALL – Present: Chairperson Anderson, Vice-Chairperson Yolanda Fintschenko, Commissioner Daniel Leary, Commissioner Tracy Kronzak.

PLEDGE OF ALLEGIANCE

2. OPEN FORUM

Chairperson Anderson opened the public comment period.

Connie Kopps asked who authorized the Planning Commission to approve Phase 1 of the Springtown Park; discussed issues raised by the residents that were not addressed; and provided a copy of her letter.

There were no additional speakers and the public comment period was closed.

3. CONSENT CALENDAR – NONE.

4. PROJECT REVIEW – NONE.

5. PUBLIC HEARINGS

5.1 Hearing to consider a request for a Municipal Code Amendment, Development Code Amendment, Conditional Use Permit Modification, Development Agreement, Site Plan Design Review, and Site Plan Design Review Modification for the Parkwest Casino 580 Expansion Project and city-wide cardroom operations.

Recommendation: Staff recommends the Planning Commission adopt resolutions recommending the City Council take the following actions:

1. Adopt a resolution certifying the Initial Study/Mitigated Negative Declaration for the Parkwest Casino 580 Expansion Project, which includes city-wide Municipal Code and Development Code
2. Amendments, pursuant to the California Environmental Quality Act (CEQA); and Adopt a resolution approving Municipal Code Amendment

(MUNI) 24-002; Development Code Amendment (DCA) 24-004; Conditional Use Permit Modification (CUPM) 24-001; Development Agreement (DA) 24-003; Site Plan Design Review (SPDR) 24-010 and Site Plan Design Review Modification (SPDRM) 24-024 amending the Livermore Municipal Code including increasing the total number of card tables permitted citywide, increasing the total number of card tables permitted per gambling establishment, increasing allowable hours of operation, increasing the maximum bet limit, permitting limited backline betting, permitting the play of new card games not prohibited by state law, modifying tournament noticing requirements, modifying the number of cardroom licenses permitted per person, and additional miscellaneous amendments made for clarification; and authorizing operational changes at Parkwest Casino 580 including increasing the number of card tables, increasing hours of operation, increasing the maximum bet limit, permitting limited backline betting, and permitting the play of new card games not prohibited by state law; and approve the development of a 230-space surface parking lot for Parkwest Casino 580.

Senior Planner Ashley Vera presented the staff report.

In response to Commission questions, **Senior Planner Vera** confirmed the remainder of Lot 12 was owned by the applicant and nothing had been formally proposed; purpose of updating the Code and standards; and maximum card tables at the site and additional availability of card tables in the City that could be used by others including Livermore Casino.

Chairperson Anderson opened the public hearing.

Connie Kopps expressed concern about the location of the casino in relation to Springtown Park and potential safety issues.

There were no more speakers, and the hearing was closed.

Commissioner Leary indicated support for the proposed parking stalls and size of the parking lot; confirmed the landscaping plans and pedestrian link and walkways; agreement with the stormwater control plan; and concern with the gambling limit.

In response to **Commissioner Kronzak**, **Mike Vasey**, Chief Financial Officer, Park West Casinos, explained bus parking; and **Senior Planner Vera** explained street signage prohibiting parking on streets; enforcement of the Gambling Control Act; and reference in the Municipal Code to non-profit fundraisers.

RECESS
Chairperson Anderson called a recess at 7:40 p.m. The meeting reconvened at

7:45 p.m. with all Commissioners present.

In response to **Vice Chair Fintschenko**, **Senior Planner Vera** explained the gambling limit set by the jurisdiction. **Captain Boberg** explained crimes centered around casino operations and evaluation of the gambling license.

In response to **Commissioner Kronzak**, **Senior Planner Vera** explained the process of a CUP modification for increasing gambling limit.

Vice Chair Fintschenko confirmed the zoning and distant limits from schools and parks. **Senior Planner Vera** explained the City-wide card table limit; and decrease in bioretention planters based on Caltrans comments.

In response to **Chairperson Anderson**, **Senior Planner Vera** explained the bike lane and bike parking plans; and indicated there were no changes to the alcohol license.

Commissioner Leary confirmed the bike lane plan, particularly by the bus stop; and sidewalk from the west.

In response to **Commissioner Kronzak**, **Senior Planner Vera** discussed permit requirements for tournaments and special events. **Planning Manager Riley** explained management of people and traffic for special events. **Senior Planner Vera** discussed surveys and mitigation measures to ensure special protected species.

Chairperson Anderson indicated the community benefit package outweighed card table uses.

Vice Chair Fintschenko indicated the required findings for the project could be made.

ON THE MOTION OF VICE CHAIR FINTSCHENKO, SECONDED BY COMMISSIONER KRONZAK AND CARRIED ON A 4-0 VOTE, THE PLANNING COMMISSION ADOPTED THE FOLLOWING RESOLUTIONS:

Resolution 01-25 Recommending that the City Council adopt the Parkwest Casino 580 Expansion Project Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program

Resolution 02-25 Recommending that the City Council approve Municipal Code Amendment (MUNI) 24-002, Development Code Amendment (DCA) 24-004, Conditional Use Permit Modification (CUPM) 24-001, Development Agreement (DA) 24-003, Site Plan Design Review (SPDR) 24-010, and Site Plan Design Review Modification (SPDRM) 24-024 for the Parkwest Casino 580 Expansion Project and Citywide Cardroom Operations

6. MATTERS FOR CONSIDERATION

6.1 Election of the 2025 Chairperson and Vice-Chairperson.

Recommendation:

Staff recommends the Planning Commission nominate and vote on candidates for the offices of Chairperson and Vice-Chairperson.

ON THE MOTION OF CHAIRPERSON ANDERSON, SECONDED BY COMMISSIONER LEARY AND CARRIED ON A 4-0 VOTE, TO NOMINATE VICE CHAIR FINTSCHENKO AS CHAIR AND COMMISSIONER KRONZAK AS VICE CHAIR.

7. MATTERS INITIATED BY PLANNING COMMISSION AND STAFF –

Planning Manger Riley discussed Planning Commission recruitment and the January 27, 2025 application deadline; training for potential Commissioners on January 21, at 5:30 p.m.; and additional efforts on Matters Initiated.

Commissioner Kronzak discussed follow up on Matters Initiated; and encouraged training, adding Key to City training.

8. ADJOURNMENT – at 8:19 p.m. to a Regular Planning Commission Meeting on Tuesday, January 21, 2025, at 7:00 pm, Civic Center Meeting Hall, City Council Chambers, 1016 S. Livermore Ave.

PRELIMINARY SITE IMPROVEMENT PLANS

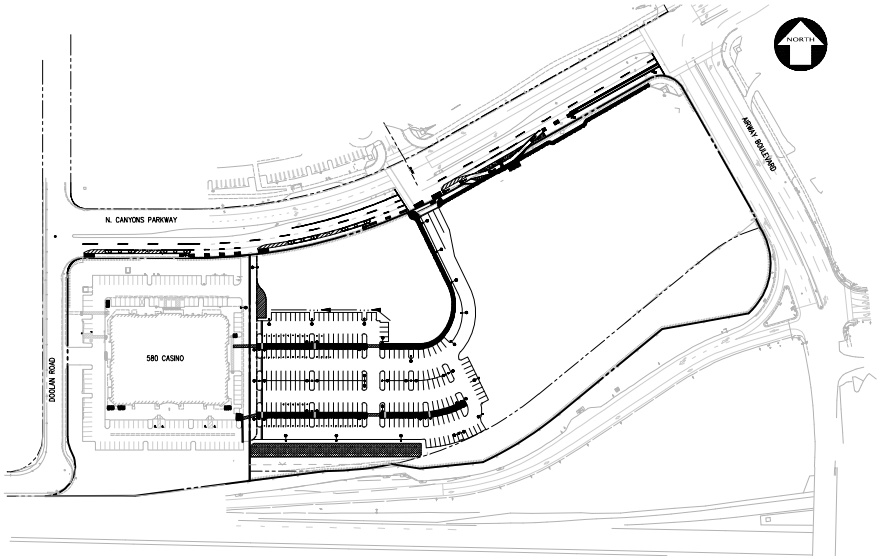
OF

580 CASINO

FOR

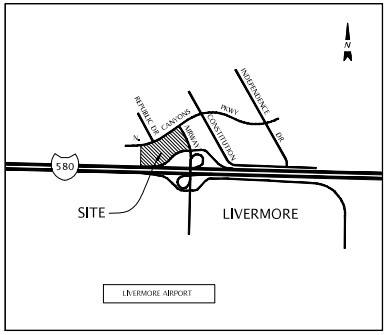
MONUMENT PROPERTIES LIVERMORE, LLC

LIVERMORE, CALIFORNIA



KEYMAP

SCALE: 1" = 100'



VICINITY MAP

NOT TO SCALE

SHEET INDEX

SHEET	DESCRIPTION
CIVIL	
C1.0	COVER SHEET
C2.0	CROSS SECTIONS
C3.0	TOPOGRAPHIC SURVEY
C4.0	STRIPING AND SIGNAGE
C5.0	PRELIMINARY SITE PLAN
C6.1	PRELIMINARY GRADING & DRAINAGE PLAN
C6.2	PRELIMINARY EROSION CONTROL PLAN
C7.0	PRELIMINARY STORM WATER QUALITY CONTROL PLAN
LANDSCAPE	
L1.0	LANDSCAPE PLANTING PLAN
L1.1	LANDSCAPE PLANTING PLAN
L2.0	LANDSCAPE HYDROZONE PLAN
L3.0	LANDSCAPE CONSTRUCTION DETAILS
L3.1	LANDSCAPE CONSTRUCTION DETAILS
L4.0	LANDSCAPE SPECIFICATIONS
LIGHTING	
LP-1	POINT BY POINT PHOTOMETRY PLAN

811 Know what's below. Call before you dig.

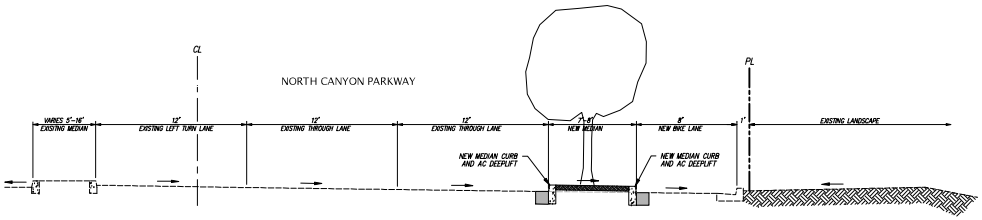
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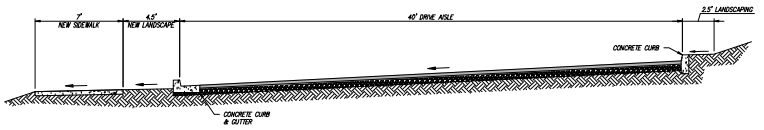
COVER SHEET
OF
AIRWAY BOULEVARD AT N. CANYONS PARKWAY
FOR
MONUMENT PROPERTIES LIVERMORE, LLC
LIVERMORE, CALIFORNIA

DATE	NOV, 2024
SCALE	AS SHOWN
DESIGNER	BC
DRAWN BY	CF
JOB NO.	A18649
SHEET	C1.0
	1 OF 8 SHEETS

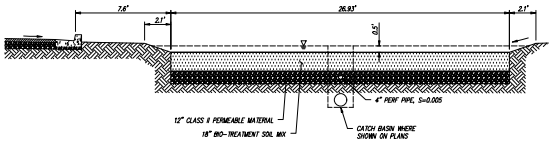
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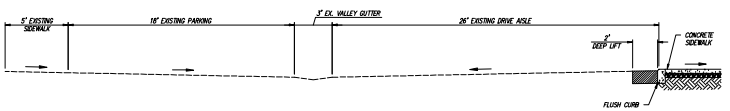
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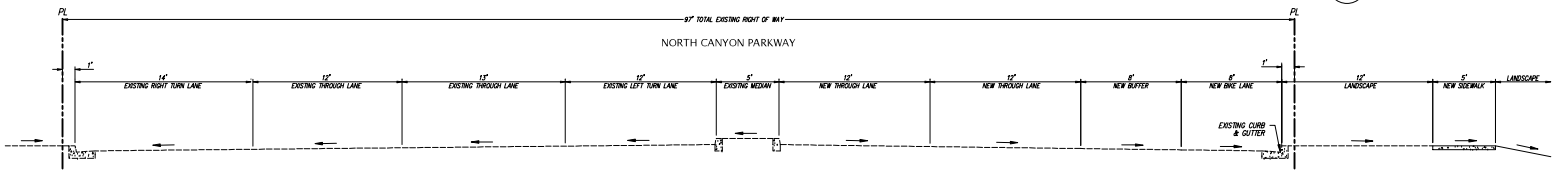
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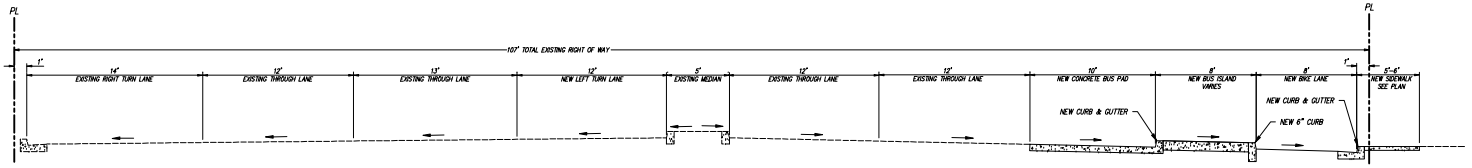
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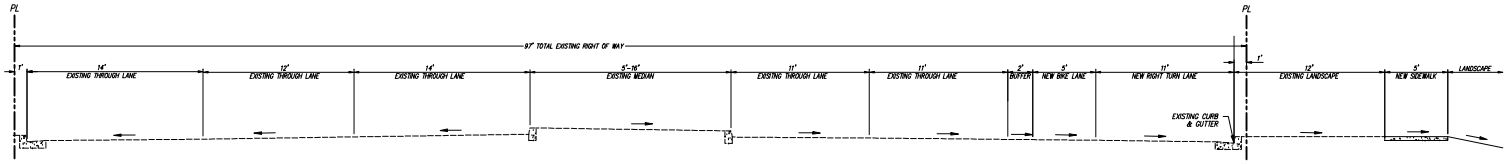
SECTION D
NOT TO SCALE



N. CANYONS PARKWAY – STREET SECTION
NOT TO SCALE



N. CANYONS PARKWAY/BUS TURNOUT – STREET SECTION
NOT TO SCALE



N. CANYON PARKWAY/ WEST OF AIRWAY BLVD – STREET SECTION
NOT TO SCALE

NO.	REVISION	BY
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CROSS SECTIONS
OF
AIRWAY BOULEVARD AT N. CANYONS PARKWAY
FOR
MONUMENT PROPERTIES LIVERMORE, LLC
LIVERMORE, CALIFORNIA

DATE	NOV, 2024
SCALE	AS SHOWN
DESIGNER	BC
DRAWN BY	CF
JOB NO.	A18649
SHEET	C2.0
	7 OF 8 SHEETS

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ATTACHMENT 4

NOTES

1. THIS PLOT WAS PREPARED FROM INFORMATION FURNISHED IN A PRELIMINARY TITLE REPORT, PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, DATED AUGUST 3, 2018, NUMBER NCS-921881-CC. NO LIABILITY IS ASSUMED FOR MATTERS OF RECORD NOT STATED IN SAID PRELIMINARY TITLE REPORT THAT MAY AFFECT THE TITLE LINES, OR EXCEPTIONS, OR EASEMENTS OF THE PROPERTY.
2. ALL DISTANCES AND ELEVATIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
3. UTILITY INFORMATION HEREON IS PROGRESS AT THIS TIME. A REQUEST WAS MADE TO THE RESPECTIVE AGENCIES FOR INFORMATION REGARDING THE LOCATION OF THEIR FACILITIES ON THIS SITE. AS OF 11-9-18, THEY HAD NOT RESPONDED WITH THIS INFORMATION. UNTIL WE RECEIVE THIS INFORMATION AND ARE ABLE TO DELINEATE THESE FACILITIES, ALL PARTIES SHOULD CONSIDER THIS SURVEY AS PRELIMINARY WITH REGARDS TO THE LOCATION OF GAS, ELECTRIC AND TELEPHONE UTILITY FACILITIES. UPON RECEIPT OF THIS INFORMATION KIER & WRIGHT WILL UPDATE THIS SURVEY AND REISSUE IT.
4. PHYSICAL ITEMS SHOWN ON THIS SURVEY ARE LIMITED TO THOSE ITEMS VISIBLE AS OF THE DATE OF THIS SURVEY. SUBSURFACE STRUCTURES, IF ANY, ARE NOT SHOWN. SAID SUBSURFACE OBJECTS MAY INCLUDE, BUT ARE NOT LIMITED TO, CONCRETE FOOTINGS, SLABS, SHORING, STRUCTURAL PILES, UTILITY VAULTS, PIPING, UNDERGROUND TANKS, AND ANY OTHER SUBSURFACE STRUCTURES NOT REVEALED BY A SURFACE INSPECTION.
5. THE SUBJECT PROPERTY IS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) FOR ALAMEDA COUNTY, CALIFORNIA, MAP NUMBER 06001C0329G FOR COMMUNITY NUMBER 060008 (CITY OF LIVERMORE), WITH AN EFFECTIVE DATE OF AUGUST 3, 2009, AS BEING LOCATED IN FLOOD ZONE "X-UNSHADED". ACCORDING TO FEMA THE DEFINITION OF ZONE "X-UNSHADED" IS: AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
6. BENCHMARK:
   CITY OF LIVERMORE MONUMENT DISK "2K-257" 540'± EAST OF THE MONUMENT AT THE INTERSECTION OF NORTH CANYONS PARKWAY AND DOOLAN ROAD.
   ELEVATION= 418.29' (CITY OF LIVERMORE DATUM)
7. BASIS OF BEARINGS:
   THE BEARING OF NORTH 60° 32' 00" EAST TAKEN ON THE MONUMENT LINE OF NORTH CANYONS PARKWAY AS SHOWN ON THAT CERTAIN PARCEL MAP NUMBER 3994 FILED FOR RECORD ON DECEMBER 9, 1985, IN BOOK 157 OF MAPS AT PAGES 79-90, OFFICIAL RECORDS OF ALAMEDA COUNTY WAS TAKEN AS THE BASIS FOR ALL BEARINGS SHOWN HEREON.
8. CORNER RECORD NOTE:
   THE DEVELOPER AND/OR CONTRACTOR SHALL BE RESPONSIBLE FOR THE PREPARATION AND FILING OF PRE-CONSTRUCTION AND POST-CONSTRUCTION CORNER RECORDS FOR ANY MONUMENTS OR PROPERTY CORNERS SHOWN HEREON THAT MAY BE DESTROYED DURING IMPROVEMENTS TO THE SUBJECT PROPERTY AS DEFINED IN SECTION 8771(B) OF THE PROFESSIONAL LAND SURVEYORS ACT.
9. THE AERIAL MAPPING WAS PREPARED USING COMPUTER ASSISTED, PHOTOGRAMMETRIC METHODS BY HJW GEOSPATIAL INC., IN OAKLAND CALIFORNIA. IN AREAS OF DENSE VEGETATION, ACCURACY OF CONTOURS MAY DEVIATE FROM ACCEPTED ACCURACY STANDARDS. CONTOUR INTERVAL 1 FOOT. CONTROL SURVEY PERFORMED BY KIER & WRIGHT, LIVERMORE, CA.

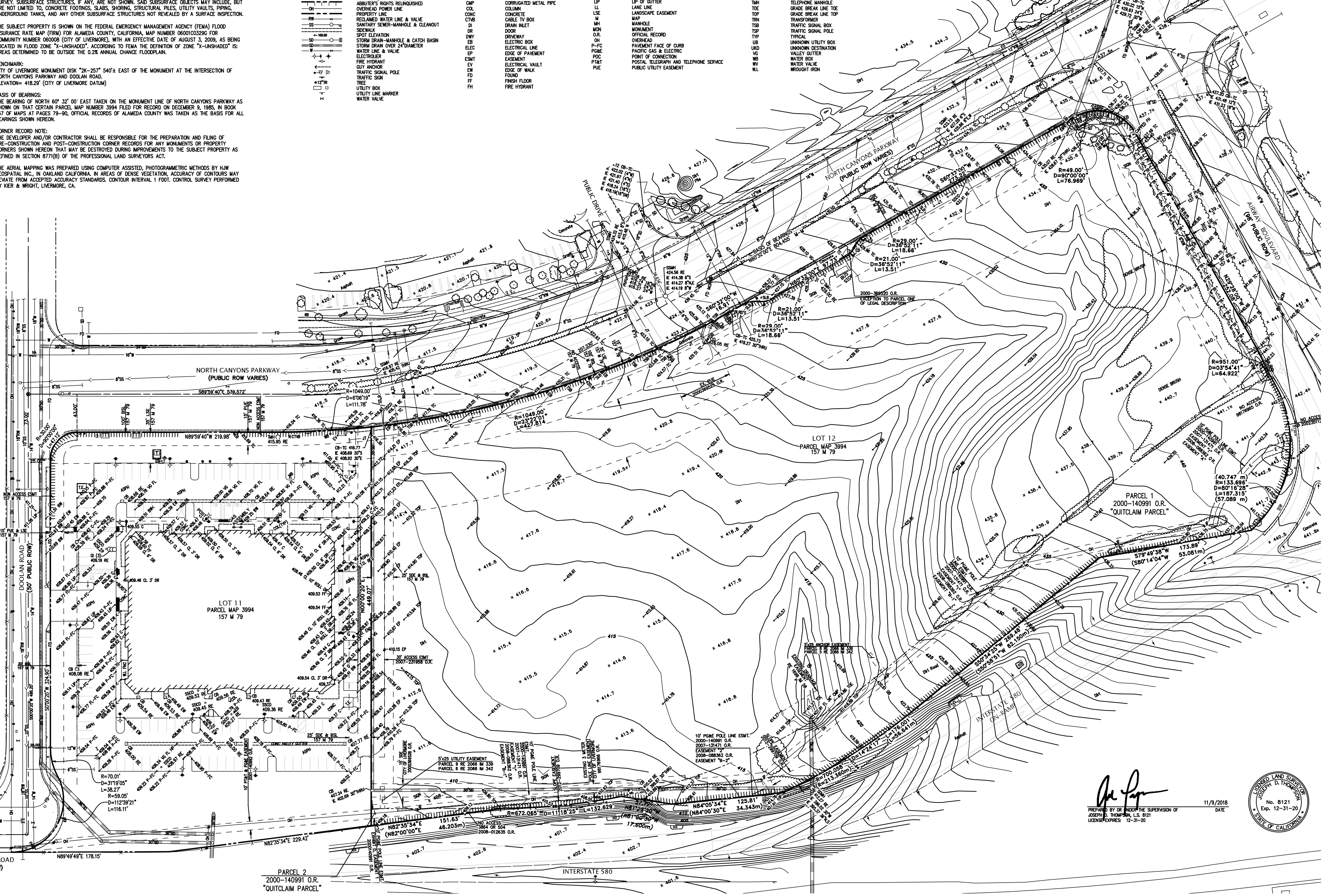
LEGEND

Symbol
BUILDING LINE
CONCRETE/BLOCK/RETAINING WALL
CONCRETE CURB
CONCRETE CURB & GUTTER
CONTOUR LINE
DRIVEWAY
EASEMENT LINE
EDGE OF PAVEMENT
ELECTRIC LINE
FENCE LINE
FIBER OPTICS LINE
JOINT TRENCH
LOT LINE
MONUMENT/MONUMENT LINE
ABBUTER'S RIGHTS RELINQUISHED
OVERHEAD POWER LINE
PROPERTY LINE
RECLAIMED WATER LINE & VALVE
SANITARY SEWER-MANHOLE & CLEANOUT
SIDEWALK
SPOT ELEVATION
STORM DRAIN-MANHOLE & CATCH BASIN
STORM DRAIN OVER 24"DIAMETER
WATER LINE & VALVE
ELECTROLIER
FIRE HYDRANT
GUY ANCHOR
TRAFFIC SIGNAL POLE
TRAFFIC SIGN
TREE
UTILITY BOX
UTILITY LINE MARKER
WATER VALVE

Abbr.	Meaning	Abbr.	Meaning	Abbr.	Meaning
AC	ASPHALT CONCRETE	FL	FLOW LINE	RE	RIM ELEVATION
ASPH	ASPHALT	FNC	FENCE	ROW	RIGHT OF WAY
BC	BACK OF CURB	FO	FIBER OPTICS	SDE	STORM DRAIN EASEMENT
BEG	BEGIN	GB	GRADE BREAK	SDMH	STORM DRAIN MANHOLE
BL	BUILDING LINE	GI	GREASE INTERCEPTOR	SL	STREET LIGHT
BLRD	BOLLARD	GUY	GUY ANCHOR	SLB	STREET LIGHT BOX
BOL	BOLLARD	HCR	HANDICAP RAMP	SSCO	SANITARY SEWER CLEAN OUT
BSL	BUILDING SETBACK LINE	HP	HIGH POINT	SSMH	SANITARY SEWER MANHOLE
BW	BACK OF WALK	ICB	IRRIGATION CONTROL BOX	T.D.	TRENCH DRAIN
C-FC	CONCRETE FACE OF CURB	IE	INVERT ELEVATION	T.E.	TRASH ENCLOSURE
C.	CONCRETE	IM	IMAGE	TB	TELEPHONE BOX
CB	CATCH BASIN	JP	JOINT POWER POLE	TC	TOP OF CURB
CL	CENTER LINE	L.D.	LEGAL DESCRIPTION	THRU	THROUGH
CMP	CORRUGATED METAL PIPE	LIP	LIP OF GUTTER	TMH	TELEPHONE MANHOLE
COL	COLUMN	LL	LANE LINE	TOE	GRADE BREAK LINE TOE
CONC	CONCRETE	LSE	LANDSCAPE EASEMENT	TOP	GRADE BREAK LINE TOP
CTVB	CABLE TV BOX	M	MAP	TRN	TRANSFORMER
DI	DRAIN INLET	MH	MANHOLE	TSB	TRAFFIC SIGNAL BOX
DR	DOOR	MON	MONUMENT	TSP	TRAFFIC SIGNAL POLE
DWY	DRIVEWAY	O.R.	OFFICIAL RECORD	TYP	TYPICAL
EB	ELECTRIC BOX	OH	OVERHEAD	UB	UNKNOWN UTILITY BOX
ELEC	ELECTRICAL LINE	P-FC	PAVEMENT FACE OF CURB	UKD	UNKNOWN DESTINATION
EP	EDGE OF PAVEMENT	PG&E	PACIFIC GAS & ELECTRIC	VG	VALLEY GUTTER
ESMT	EASEMENT	POC	POINT OF CONNECTION	WB	WATER BOX
EV	ELECTRICAL VAULT	PT&T	POSTAL TELEGRAPH AND TELEPHONE SERVICE	WV	WATER VALVE
EW	EDGE OF WALK	PUE	PUBLIC UTILITY EASEMENT	W.I.	WROUGHT IRON
FD	FOUND				
FF	FINISH FLOOR				
FH	FIRE HYDRANT				

NORTH

0 20 40 80 120
Scale 1" = 40'



PREPARED BY OR UNDER THE SUPERVISION OF
JOSEPH D. THOMPSON, L.S. 8121
LICENSE EXPIRES: 12-31-20
11/9/2018
DATE

LICENSED LAND SURVEYOR
JOSEPH D. THOMPSON
No. 8121
Exp. 12-31-20
STATE OF CALIFORNIA

NO.	REVISION	BY
1	PD PERMIT SUBMITTAL 12/18/2024	JAM

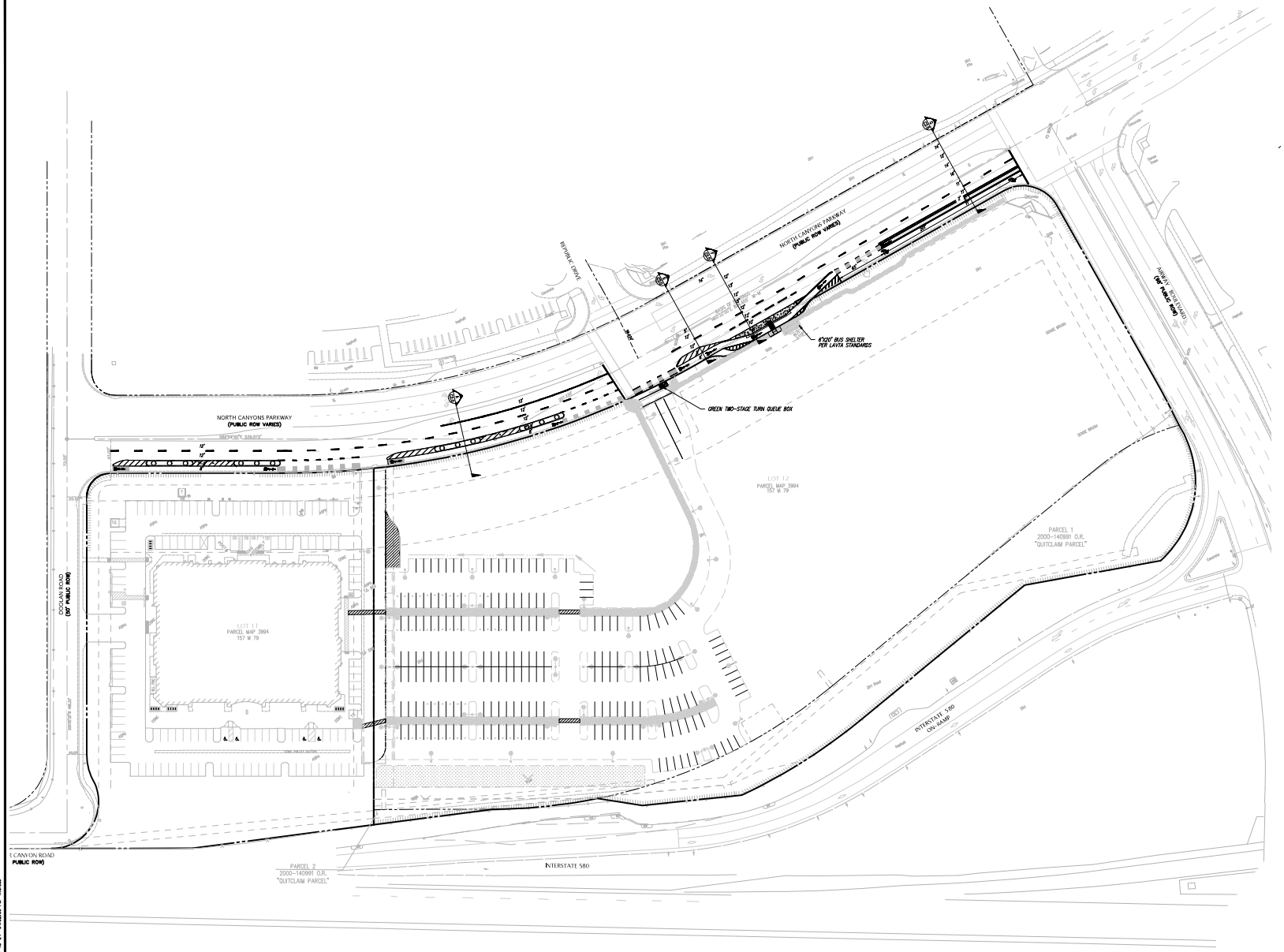
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Livermore, California 94551
Phone (925) 245-8788
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TOPOGRAPHIC SURVEY
OF
AIRWAY BOULEVARD AT N. CANYONS PARKWAY
FOR
MONUMENT PROPERTIES LIVERMORE, LLC
LIVERMORE, CALIFORNIA

DATE	NOV, 2024
SCALE	AS SHOWN
DESIGNER	BC
DRAWN BY	CF
JOB NO.	A18649
SHEET	C3.0

3 OF 8 SHEETS

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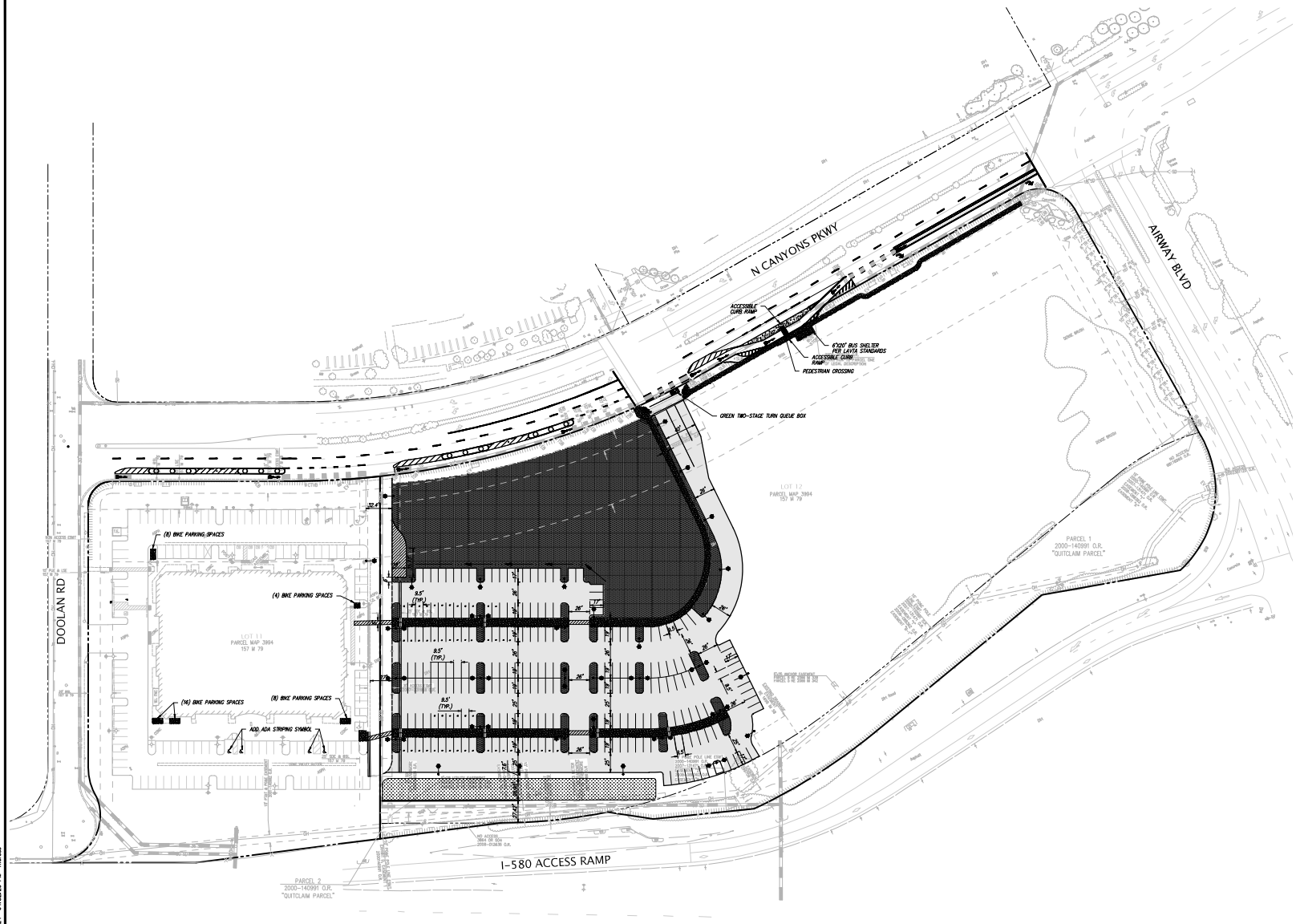
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1	PD PERMIT SUBMITTAL 12/18/2024	JMH

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STRIPING AND SIGNAGE
OF
AIRWAY BOULEVARD AT N. CANYONS PARKWAY
FOR
MONUMENT PROPERTIES LIVERMORE, LLC
LIVERMORE, CALIFORNIA

DATE	NOV, 2024
SCALE	AS SHOWN
DESIGNER	BC
DRAWN BY	CF
JOB NO.	A18649
SHEET	C4.0
	1 OF 8 SHEETS

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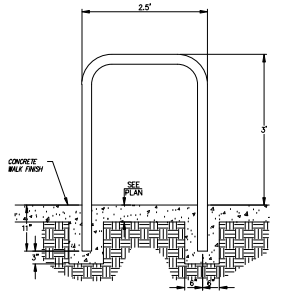


PARKING SUMMARY

	EXISTING	MODIFIED EXISTING*	PROPOSED	TOTAL
STANDARD STALLS	126	121	178	299
ELECTRICAL VEHICLE CAPABLE SPACE	0	0	26	26
ELECTRICAL VEHICLE CHARGING STATION (EVCS)	0	0	26	26
ACCESSIBLE ELECTRICAL VEHICLE CHARGING STATION (EVCS)	0	1	0	1
ADA STALLS	5	4	0	9
TOTAL	131	126	230	361
	EXISTING	MODIFIED EXISTING	PROPOSED	TOTAL
BICYCLE PARKING	0	0	36	36

PARKING COUNT NOTE:

*THE EXISTING CASHO 580 SITE HAS 5 ACCESSIBLE STALLS AND 126 STANDARD STALLS FOR A TOTAL OF 131 STALLS. ONE OF THE EXISTING STANDARD STALLS WILL BE CONVERTED TO ONE ACCESSIBLE ELECTRIC VEHICLE CHARGING AND 1 VAN ACCESSIBLE STATION. THE MODIFICATION MAINTAINS THE 131 TOTAL STALLS ON THE EXISTING SITE. THE PARKING LOT EXPANSION ADDS AN ADDITIONAL 230 STALLS FOR A NEW TOTAL OF 361 PARKING STALLS.



STAPLE BICYCLE RACK
NOT TO SCALE
1

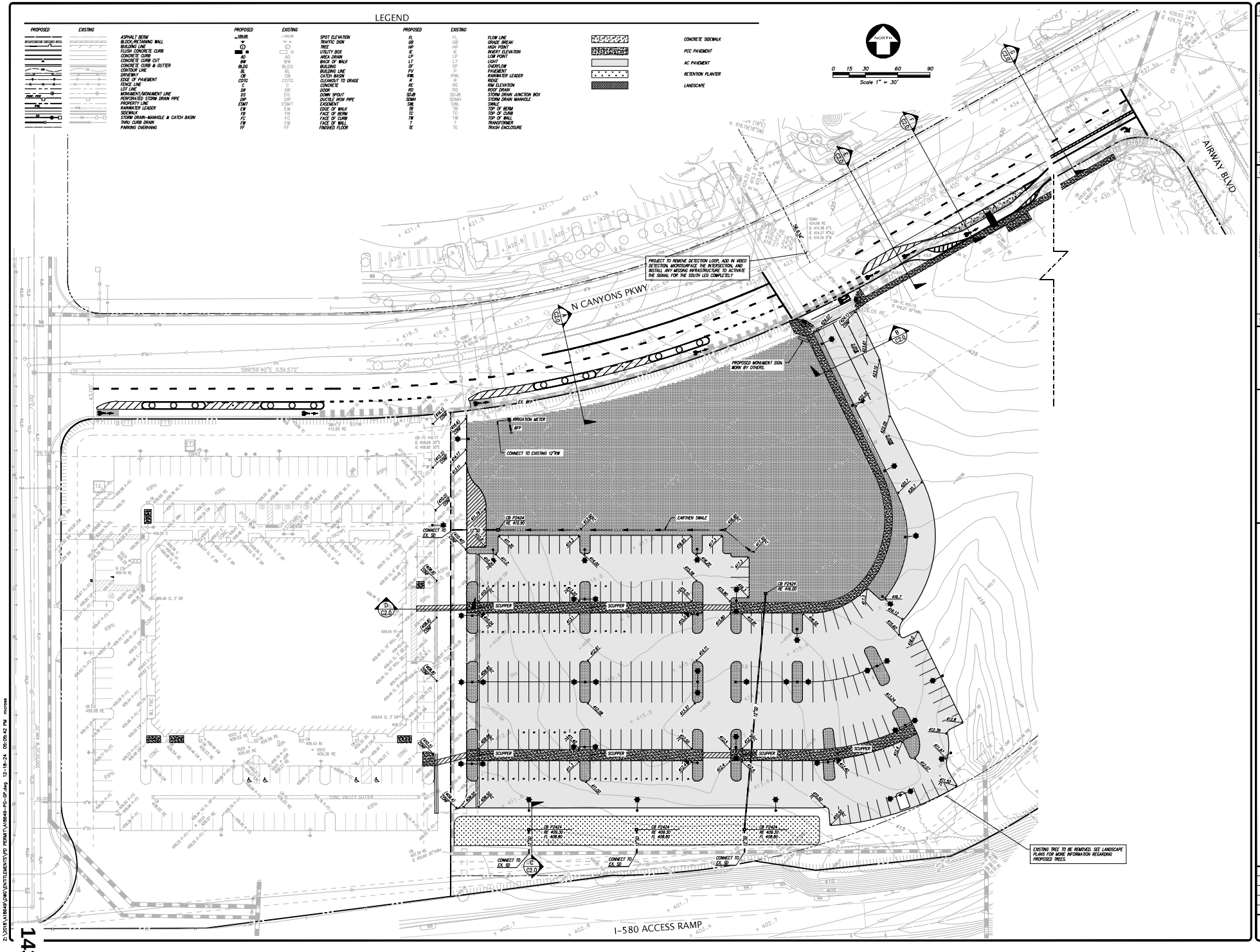
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PRELIMINARY SITE PLAN
OF
AIRWAY BOULEVARD AT N. CANYONS PARKWAY
FOR
MONUMENT PROPERTIES LIVERMORE, LLC
LIVERMORE, CALIFORNIA

DATE	NOV, 2024
SCALE	AS SHOWN
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DRAWN BY	CF
JOB NO.	A18649
SHEET	C5.0
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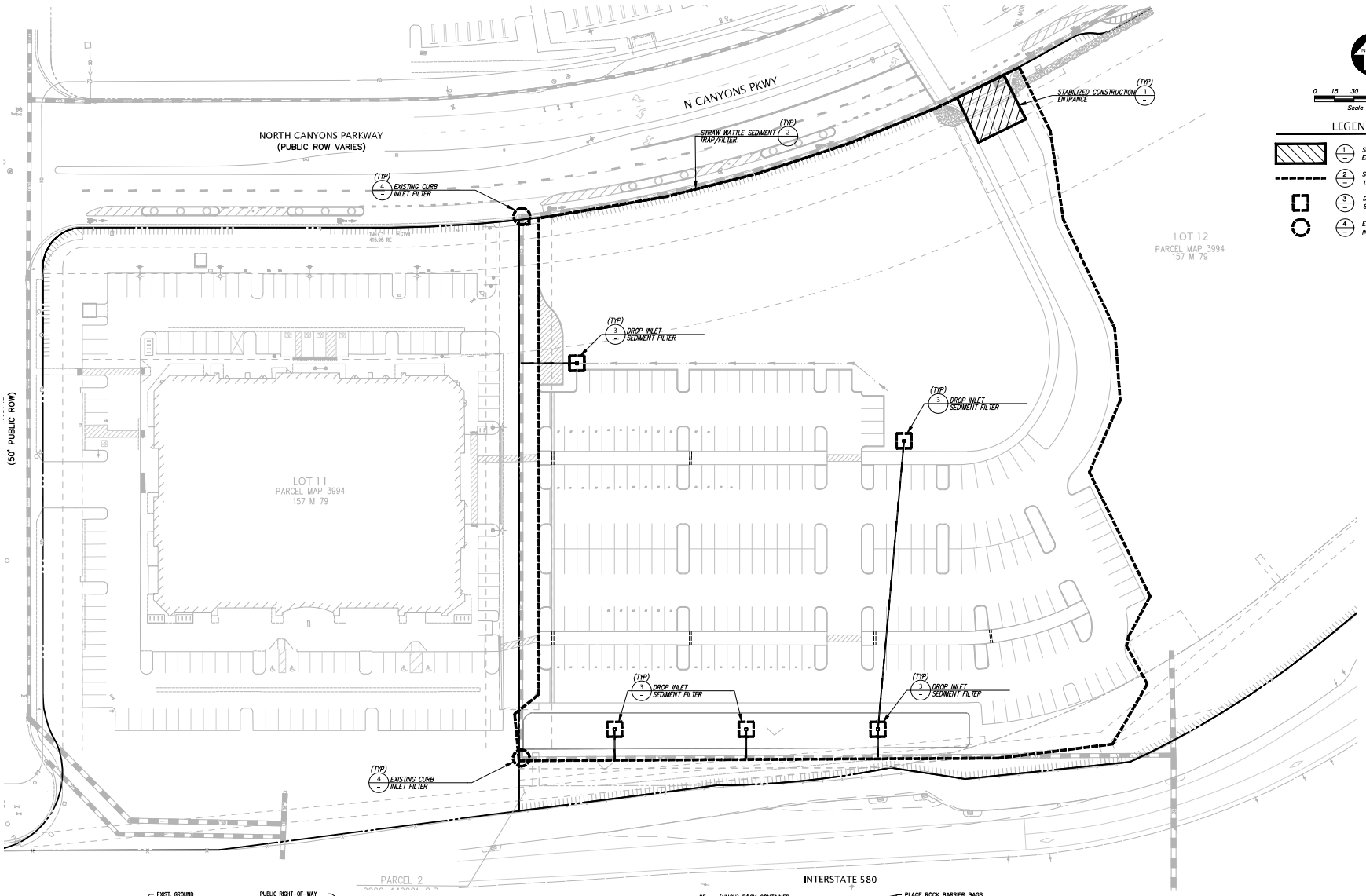
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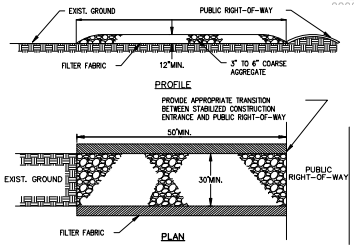
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PRELIMINARY GRADING & DRAINAGE PLAN
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AIRWAY BOULEVARD AT N. CANYONS PARKWAY
FOR
MONUMENT PROPERTIES LIVERMORE, LLC
LIVERMORE, CALIFORNIA

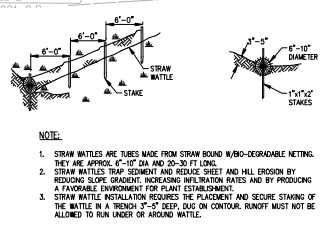
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SCALE	AS SHOWN
DESIGNER	BC
DRAWN BY	CF
JOB NO.	A18649
SHEET	C5.1
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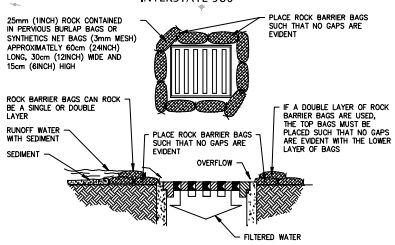




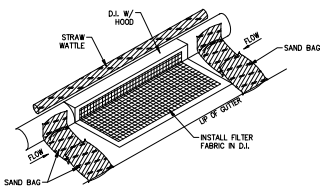
STABILIZED CONSTRUCTION ENTRANCE
NOT TO SCALE
1



STRAW WATTLE SEDIMENT TRAP/FILTER
NOT TO SCALE
2



DROP INLET SEDIMENT FILTER
UTILIZING ROCK BARRIER BAGS
NOT TO SCALE
3



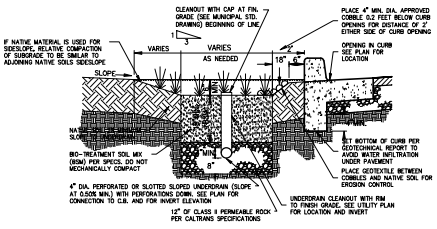
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NOT TO SCALE
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NO.	REVISION	BY
1	PD PERMIT SUBMITTAL 12/18/2024	JMH

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2850 Collier Canyon Road
Livermore, California 94551
Phone (925) 245-7788
www.kierwright.com

PRELIMINARY EROSION CONTROL PLAN
OF
AIRWAY BOULEVARD AT N. CANYONS PARKWAY
FOR
MONUMENT PROPERTIES LIVERMORE, LLC
LIVERMORE, CALIFORNIA

DATE	NOV, 2024
SCALE	AS SHOWN
DESIGNER	BC
DRAWN BY	CF
JOB NO.	A18649
SHEET	C6.0
	7 OF 8 SHEETS



NOTE:
SURFACE AREA OF THE BIOTREATMENT SOIL SHALL EQUAL 4% OF THE AREA OF THE SITE THAT DRAINS TO TREATMENT MEASURE, UNLESS SIZING CALCULATIONS ARE SUBMITTED DEMONSTRATING THAT PROVISION C.3 REQUIREMENTS ARE MET USING A SMALLER SURFACE AREA.

BIORETENTION DETAILS (1)
NOT TO SCALE

Area No.	Area (SF)	Area (AC)	Landscape (SF)	Landscape (AC)	Imperv. (SF)	Imper. (AC)	Treatment Area* (SF)	Treatment Provided (SF)	Sizing Ratio (%)	Type of Planter
DMA01	129,707	2.978	87,594	2.011	104,734	2.404	113,493	9,117	8%	Bio-Retention Planter
TOTAL	129,707	2.978	87,594	2.011	104,734	2.404	113,493	9,117	8%	

*: Total Treatment Area is equal to Impervious Area + 0.10 * Landscape Area.

NORTH
0 15 30 60 90
Scale 1" = 30'

LEGEND
- TRIBUTARY AREA LIMITS
- LANDSCAPE AREA
- IMPERVIOUS PAVEMENT DRAINING TO BIO-SWALE
- BIO-RETENTION TREATMENT AREA
- DMA — DRAINAGE MANAGEMENT AREA
- TCM — TREATMENT CONTROL MEASURE



NO.	REVISION	BY
1	PD PERMIT SUBMITTAL 12/18/2024	JAH

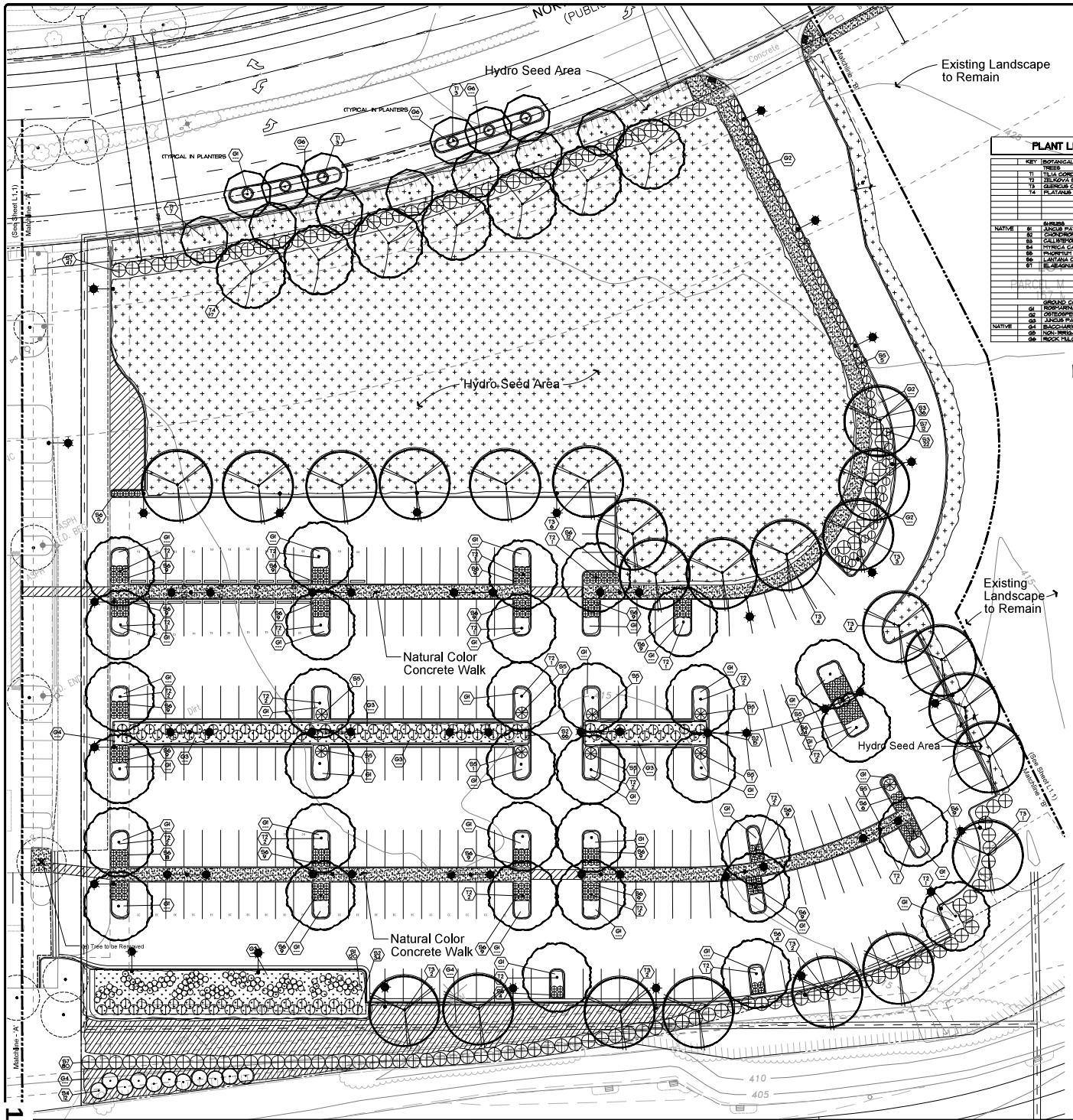
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Livermore, California 94551
Phone (925) 245-4788
www.kierwright.com

PRELIMINARY STORM WATER QUALITY CONTROL PLAN
OF
AIRWAY BOULEVARD AT N. CANYONS PARKWAY
FOR
MONUMENT PROPERTIES LIVERMORE, LLC
LIVERMORE, CALIFORNIA

DATE	NOV, 2024
SCALE	AS SHOWN
DESIGNER	BC
DRAWN BY	CF
JOB NO.	A18649
SHEET	C7.0
	11 OF 18 SHEETS

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ATTACHMENT 4



TREE REMOVAL REPLACEMENT RATIO

(2) NEW TREES AT 24" MINIMUM BOX SIZE FOR EACH TREE APPROVED TO BE REMOVED

1 EXISTING TREES TO BE REMOVED

2 MITIGATION TREES REQUIRED FOR 24" BOX REPLACEMENT SIZE

4 PROPOSED NEW MITIGATION TREES TO BE INSTALLED AT 24" BOX SIZE.

78 TOTAL NEW TREES TO BE INSTALLED AT 24" BOX SIZE

PLANT LIST:

	KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS	FULL SIZE DIMENSIONS	WUCOLS
		TREES						
	T1	TILIA CORDATA	LITTLE LEAF LINDEN TREE	13	24" BX	STANDARD	50'H x 40'W	MEDIUM
	T2	ZELKOVA SERRATA	SAWLEAF ZELKOVA	34	24" BX	STANDARD	40'H x 50'W	MEDIUM
	T3	QUERCUS COCCINEA	SCARLET OAK	24	24" BX	STANDARD	70'H x 50'W	LOW
	T4	PLATANUS X HISPANICA 'COLUMBIA'	COLUMBIA LONDON PLANE TREE	7	24" BX	STANDARD	60'H x 40'W	MEDIUM
		SHRUBS						
NATIVE	S1	JUNCUS PATENS	CALIFORNIA GRAY RUSH	140	5 GAL		2'H x 2.5'W	LOW
	S2	LOROPETALUM TECTORUM	'SMALL CAPE' RUSH	51	5 GAL		4'H x 4'W	LOW
	S3	CALLISTEMON 'LITTLE JOHN'	BOTTLEBRUSH	128	5 GAL		3'H x 3'W	LOW
	S4	MYRICA CALIFORNICA	PACIFIC WAX MYRTLE	12	5 GAL		10'H x 20'W	LOW
	S5	PHORMIUM 'TIELLON WAVE'	'HYBRID FLAX'	15	5 GAL		4'H x 3'W	LOW
	S6	LANTANA C. 'RADIATION'	RADIATION BUSH LANTANA	228	5 GAL		4'H x 4'W	LOW
	S7	E. ANGUSTUS P. 'MACULATA'	SILVERBERRY	139	5 GAL		10'H x 10'W	LOW
		GROUND COVERS						
	G1	ROSMARINUS O. 'HUNTINGTON CARPET'	HUNTINGTON CARPET ROSEMARY		1 GAL	36" OC.	1'H x 6'W	LOW
	G2	OSTEOSPERMUM 'LIMITE'	FREEWAY DAISY		1 GAL	18" OC.	1'H x 4'W	LOW
	G3	JUNCUS PATENS	COMMON RUSH				1'H x 2'W	LOW
NATIVE	G4	BACCHARIS P. 'TURI PEAKS'	DWARF COYOTE BRUSH		1 GAL	24" OC.	2'H x 8'W	LOW
	G5	NON-IRRIGATED HYDROSEED	SEE SEED MIX NOTE THIS SHEET		SEED	---		LOW
	G6	ROCK MULCH	AS APPROVED BY CITY OF LIVERMORE		---	3" DEPTH		---

PLANT NOTES:

1. THE CONTRACTOR SHALL VERIFY PLANT QUANTITIES FROM THE PLANTING PLAN. QUANTITIES SHOWN IN LEGEND ARE FOR CONVENIENCE ONLY.
2. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IN THE EVENT OF ANY DISCREPANCIES BETWEEN ACTUAL SITE CONDITIONS AND THE PLANTING PLAN.
3. PLANT GROUNDCOVER IN SHRUB AREAS AS NOTED, USE TRIANGULAR SPACING.
4. SEE DETAIL AND SPECIFICATION SHEETS FOR ADDITIONAL INFORMATION.
5. THERE WILL BE NO MATERIALS OR PLANT MATERIALS SUBSTITUTIONS WITHOUT APPROVAL OF THE OWNER OR THE LANDSCAPE ARCHITECT.
6. IN THE EVENT OF ANY DISCREPANCIES BETWEEN THIS PLAN AND ACTUAL SITE CONDITIONS, THE LANDSCAPE ARCHITECT IS TO BE NOTIFIED IMMEDIATELY.
7. ENTIRE SITE IS TO BE ROUGH GRADED BY THE GRADING CONTRACTOR TO WITHIN 3/10TH FOOT OF FINISH GRADE. LANDSCAPE CONTRACTOR IS TO FINE GRADE ALL LANDSCAPE AREAS.
8. ALL SITE UTILITIES ARE TO BE PROTECTED DURING CONSTRUCTION. IN THE EVENT OF CONFLICT BETWEEN THE PLANS AND UTILITIES THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT. ANY DAMAGE TO UTILITIES, STRUCTURES, OR OTHER FEATURES TO REMAIN, AND CAUSED BY THE LANDSCAPE CONTRACTOR SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR AT NO EXPENSE TO THE OWNER.
9. THE WORK IN THESE DRAWINGS AND SPECIFICATIONS MAY RUN CONCURRENTLY WITH WORK BY OTHERS. THE LANDSCAPE CONTRACTOR SHALL COORDINATE THE WORK WITH OTHER CONTRACTORS.
10. PRIOR TO ANY DIGGING OR TRENCHING, CALL UNDERGROUND SERVICE ALERT 1-800.227.2600
11. ALL NEW INSTALLED TREES TO BE A MINIMUM OF 6 FEET AT THE TIME OF INSTALLATION.

PLANT SYMBOLS

BOX/24" — INDICATES PLANT KEY / INDICATES PLANT QUANTITY

NON-IRRIGATED HYDROSEED SEED MIX

SEEDING RATE	BOTANICAL NAME	COMMON NAME
	Species/Common Name - 36 Total Lbs./ PER ACRE	
	12LBS.	Bromus carinatus/Native "Bay Area" California Brome
	10 LBS.	Elymus glaucus/ "Bay Area" Blue Wildrye
	8 LBS	Hordeum californicum/California Barley
	6 LBS	Leymus triticoides, Native/Native Creeping Wildrye
USE ONLY PURE LIVE SEED SEED MIX SHALL BE APPLIED AT A MIN. RATE OF 35.12 POUNDS PER ACRE.		
FERTILIZER SHALL BE A SLOW RELEASE ORGANIC MATERIAL SUCH AS BIOSOL "1-2-3 AT 1000 POUNDS PER ACRE.		
FIBER SHALL BE INSTALLED AT A MINIMUM OF 500 POUNDS PER ACRE AND SHALL BE MIXED AND APPLIED WITH THE SEED AND FERTILIZER		
CLEAN BEDDING STRAW (RICE STRAW PREFERRED) SHALL BE EVENLY SPREAD ACROSS THE SITE FOLLOWING SEEDING. THE STRAW SHALL BE APPLIED AT A RATE OF ONE (1) TON PER ACRE.		
FOLLOWING THE SPREADING OF THE STRAW, AN ORGANIC TACKIFIER SUCH AS M-BINDER SHALL BE SPRAYED OVER THE STRAW USING THE TECHNIQUES AND APPLICATION RATE SPECIFIED BY THE MANUFACTURER. THE BINDER SHALL BE APPLIED AT A RATE OF 100 POUNDS PER ACRE.		
WATER SHALL BE OF THE QUALITY SUITABLE FOR AGRICULTURAL USE. ADHESIVE SHALL BE "SENTINEL" OR APPROVED EQUAL.		

STREET TREE IRRIGATION

1. STREET TREE IRRIGATION BUBBLERS TO BE THE CONNECTED TO THE "ON-SITE" IRRIGATION SYSTEM.

PARKING STALL TREE RATIO

6 NEW TREES FOR EVERY 20 PARKING STALLS.

230 PROPOSED PARKING STALLS.

69 NEW TREES REQUIRED

78 NEW TREES TO BE INSTALLED

Scale 1" = 20 ft
sheet size = 42"x36"

BEFORE EXCAVATING CALL 811 48 HOURS BEFORE ALL PLANNED WORK OPERATIONS

811 Know what's below. Call before you dig.

REVISION BY

REVISION BY

REVISION BY

PAUL JAY REED No. 2002 EXP. 9/30/25 REGISTERED LANDSCAPE ARCHITECT STATE OF CALIFORNIA

KIER+WRIGHT
2850 Collier Canyon Road
Livermore, California 94551
Phone: (925) 245-8788
www.kierwright.com

REED ASSOCIATES LANDSCAPE ARCHITECTURE
1600 Willow Pass Court, Concord, CA 94520
(925) 827-3100 Fax: (925) 827-3101
www.reedassociates.com

LANDSCAPE PLANTING PLAN

OF

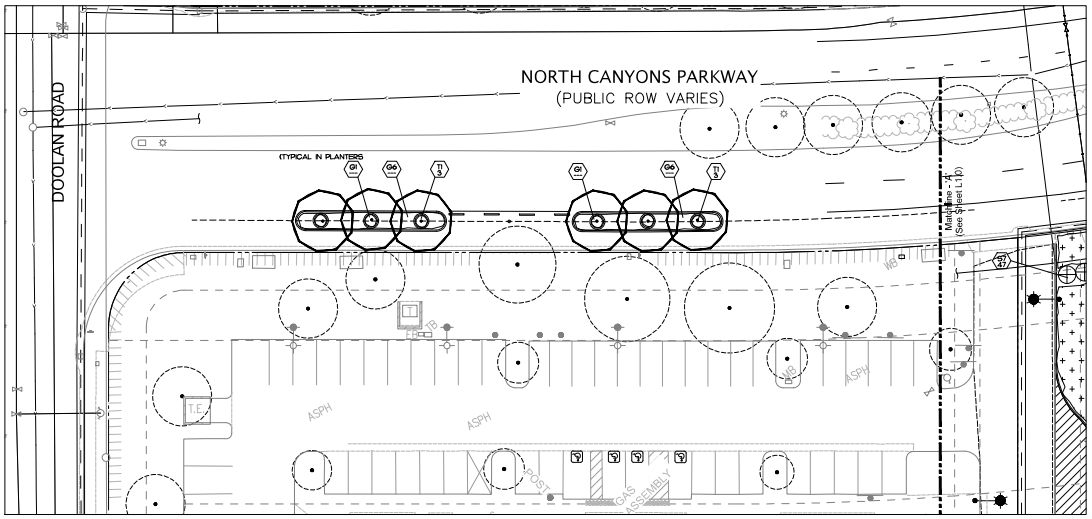
AIRWAY BOULEVARD AT N. CANYONS PARKWAY

FOR

MONUMENT PROPERTIES LIVERMORE, LLC

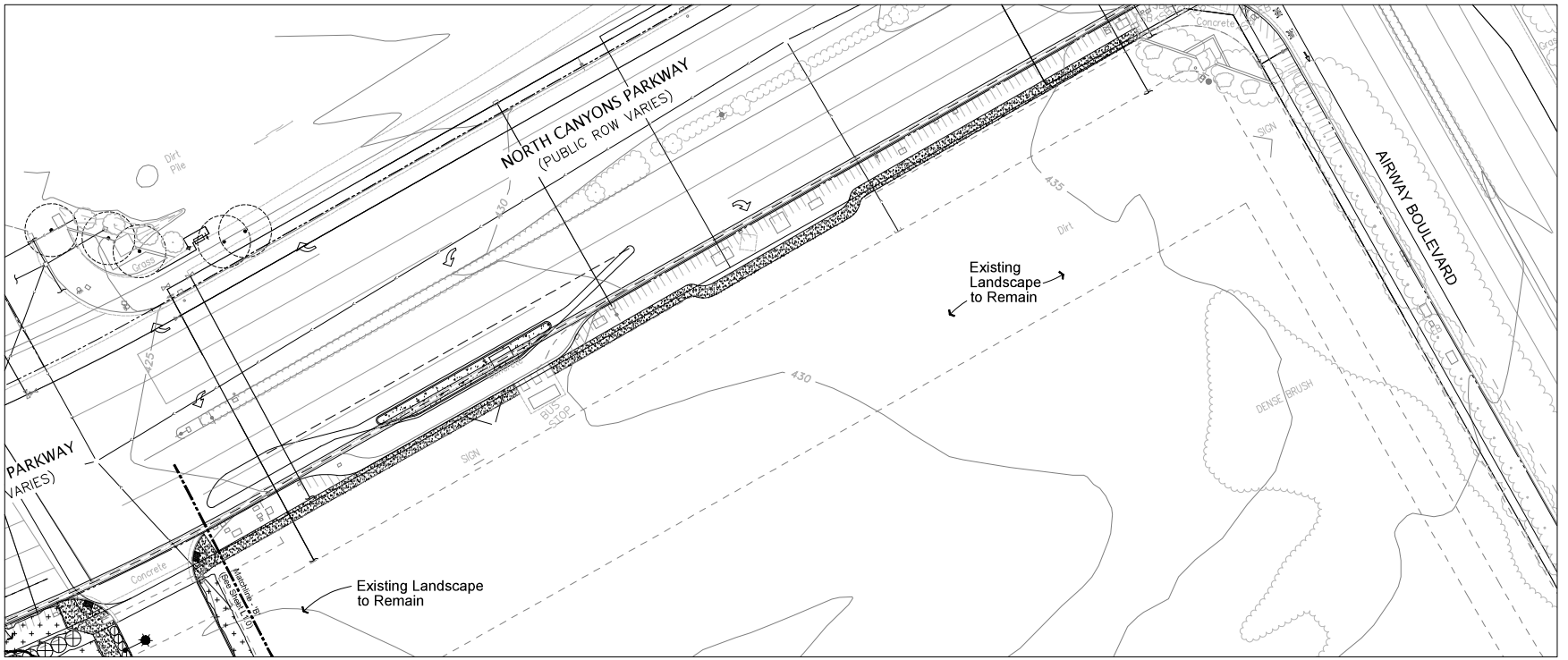
LIVERMORE, CALIFORNIA

DATE	06/28/2022
SCALE	1" = 20'
DESIGNER	pjr
DRAWN BY	ds
JOB NO.	A18649
SHEET	L1.0
OF	13 SHEETS



PLANT NOTES ANDS LEGENDS:

1. SEE SHEET L1.0 FOR ALL PLANTING NOTES AND LEGENDS.



BEFORE EXCAVATING CALL 811
48+HOURS BEFORE ALL
PLANNED WORK OPERATIONS

811
know what's below.
Call before you dig.

REVISION

PAUL JAY REED
No. 2002
EXP. 9/30/25
REGISTERED LANDSCAPE ARCHITECT
STATE OF CALIFORNIA

KIER+WRIGHT
2850 Collier Canyon Road
Livermore, California 94551
Phone: (925) 245-8788
www.kierwright.com

REED ASSOCIATES
LANDSCAPE ARCHITECTURE

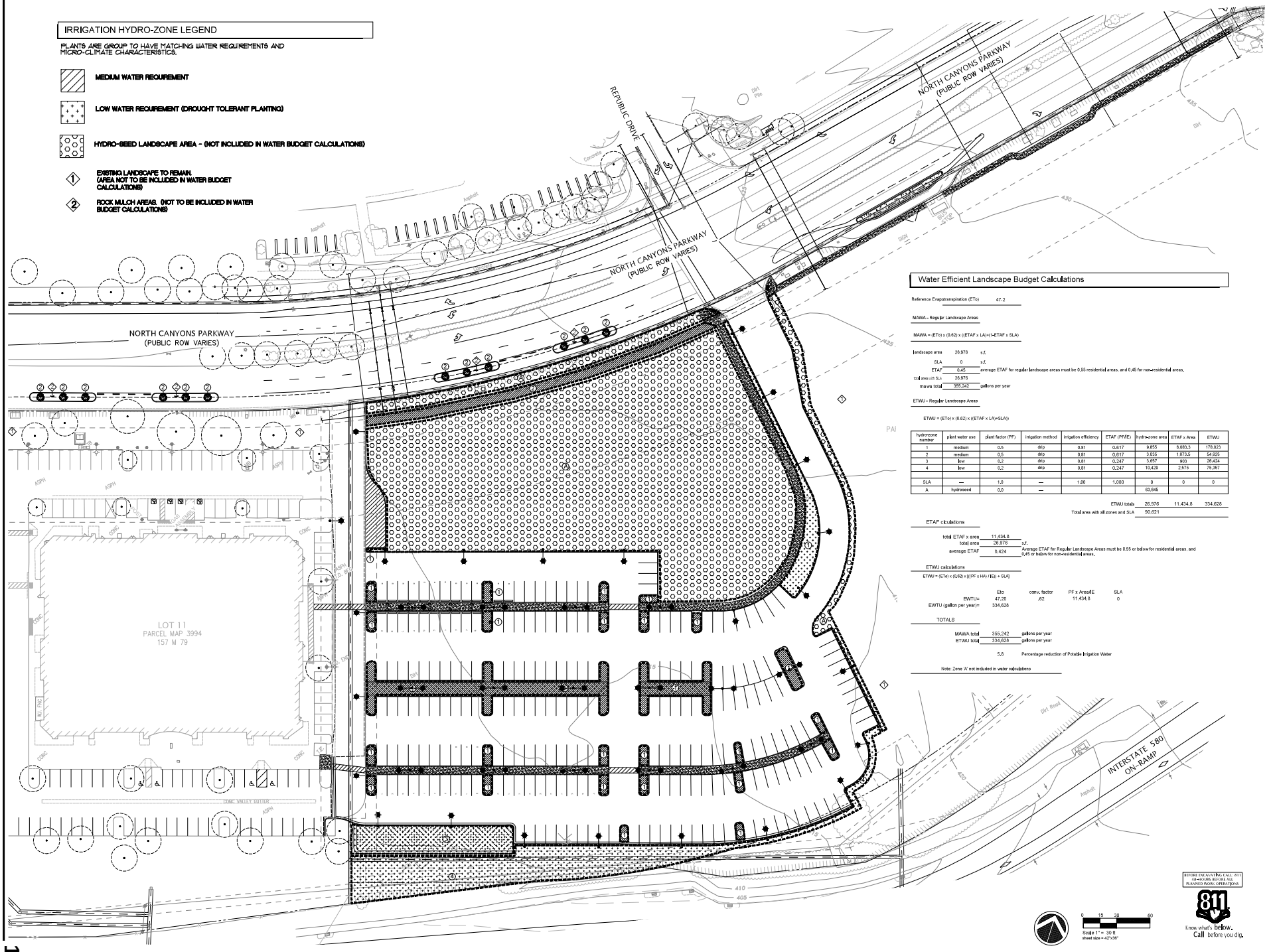
LANDSCAPE PLANTING PLAN
OF
AIRWAY BOULEVARD AT N. CANYONS PARKWAY
FOR
MONUMENT PROPERTIES LIVERMORE, LLC
LIVERMORE, CALIFORNIA

DATE	06/28/2022
SCALE	1" = 20'
DESIGNER	pjr
DRAWN BY	ds
JOB NO.	A18649
SHEET	L1.1
OF	13 SHEETS

IRRIGATION HYDRO-ZONE LEGEND

PLANTS ARE GROUP TO HAVE MATCHING WATER REQUIREMENTS AND MICRO-CLIMATE CHARACTERISTICS.

- MEDIUM WATER REQUIREMENT
- LOW WATER REQUIREMENT (DROUGHT TOLERANT PLANTING)
- HYDRO-SEED LANDSCAPE AREA - (NOT INCLUDED IN WATER BUDGET CALCULATIONS)
- 1 EXISTING LANDSCAPE TO REMAIN. (AREA NOT TO BE INCLUDED IN WATER BUDGET CALCULATIONS)
- 2 ROCK MULCH AREAS. (NOT TO BE INCLUDED IN WATER BUDGET CALCULATIONS)



Water Efficient Landscape Budget Calculations

Reference Evapotranspiration (ETo) 47.2

MAWA - Regular Landscape Areas

MAWA = (ETo) x (0.62) x ((ETAF x LA)+(1-ETAF x SLA)

landscape area	28,976	s.f.	
SLA	0	s.f.	
ETAF	0.45	average ETAF for regular landscape areas must be 0.55 residential areas, and 0.45 for non-residential areas.	
total area with SLA	28,976		
mawa total	355,242	gallons per year	

ETWU - Regular Landscape Areas

ETWU = (ETo) x (0.62) x ((ETAF x LA)+SLA))

hydro-zone number	plant water use	plant factor (PF)	irrigation method	irrigation efficiency	ETAF (PF/IE)	hydro-zone area	ETAF x Area	ETWU
1	medium	0.5	drip	0.81	0.617	9,855	6,083.3	178,023
2	medium	0.5	drip	0.81	0.617	3,035	1,873.5	54,825
3	low	0.2	drip	0.81	0.247	3,857	903	26,424
4	low	0.2	drip	0.81	0.247	10,429	2,575	75,357
SLA	—	1.0	—	1.00	1.000	0	0	0
A	hydroseed	0.0	—			63,645		
					ETWU totals	28,976	11,434.8	334,628
					Total area with all zones and SLA	90,621		

ETAF clculations

total ETAF x area	11,434.8	
total area	28,976	s.f.
average ETAF	0.424	Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

ETWU calculations

ETWU = (ETo) x (0.62) x ((PF x HA) /IE)) + SLA)

	Eto	conv. factor	PF x Area/IE	SLA
EWTU=	47.20	.62	11,434.8	0
EWTU (gallon per year)=	334,628			

TOTALS

MAWA total	355,242	gallons per year
ETWU total	334,628	gallons per year
	5.8	Percentage reduction of Potable Irrigation Water

Note: Zone 'A' not included in water calculations

Scale 1" = 30 ft
sheet size = 42"x36"

BEFORE EXCAVATING CALL 811 48 HOURS BEFORE ALL PLANNED WORK OPERATIONS

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REVISION

NO.	BY

REGISTERED LANDSCAPE ARCHITECT — PAUL JAY REED — No. 2002 — EXP. 9/30/25 — STATE OF CALIFORNIA

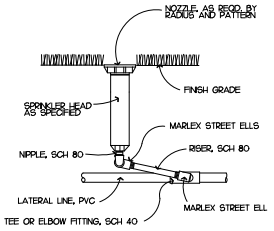
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2890 Collier Canyon Road
Livermore, California 94551
Phone: (925) 245-8788
www.kierwright.com

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LANDSCAPE ARCHITECTURE
1968 San Miguel Drive, Suite 200
Walnut Creek, California 94596
(925) 937-1040 www.reedassociates.net

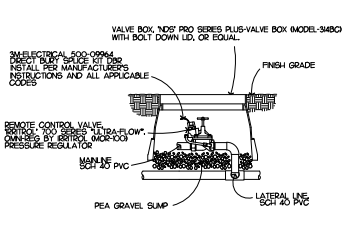
LANDSCAPE HYDROZONE PLAN

AIRWAY BOULEVARD AT N. CANYONS PARKWAY
OF
MONUMENT PROPERTIES LIVERMORE, LLC
FOR
LIVERMORE, CALIFORNIA

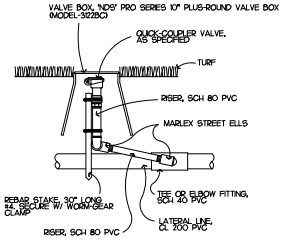
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SHEET	L2.0
OF	13 SHEETS



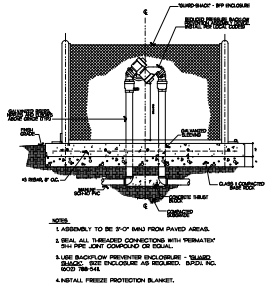
1 IRRIGATION HEAD DETAIL



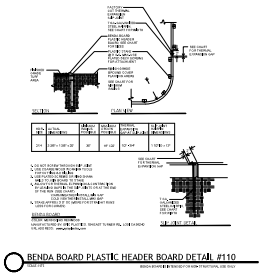
2 IRRIGATION CONTROL VALVE DETAIL



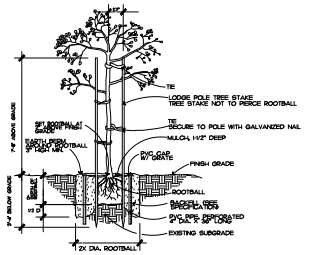
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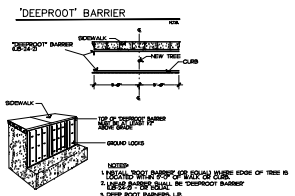
4 BACKFLOW PREVENTER DETAIL



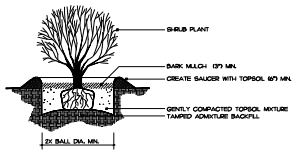
5 'BENDABOARD' LAWN HEADER (OR EQUAL) DETAIL



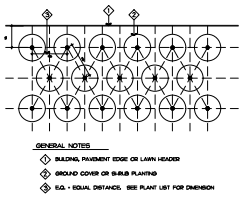
6 TREE PLANTING DETAIL



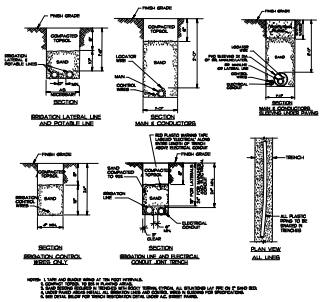
7 TREE ROOT BARRIER DETAIL



8 SHRUB PLANTING DETAIL



9 GROUND COVER SPACING



10 IRRIGATION TRENCH DETAIL

11

12

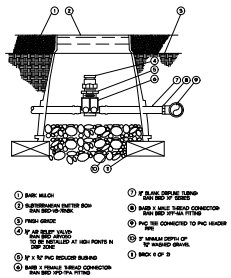
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REED ASSOCIATES
LANDSCAPE ARCHITECTURE

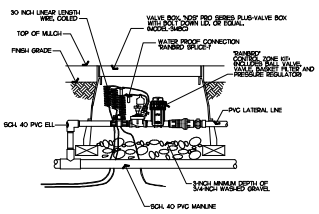
PAUL JAY REED
No. 2002
EXP. 9/30/25
REGISTERED LANDSCAPE ARCHITECT
STATE OF CALIFORNIA

LANDSCAPE CONSTRUCTION DETAILS
OF
AIRWAY BOULEVARD AT N. CANYONS PARKWAY
FOR
MONUMENT PROPERTIES LIVERMORE, LLC
LIVERMORE, CALIFORNIA

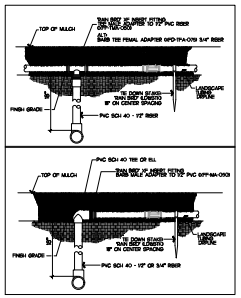
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SHEET	L3.0
OF	13 SHEETS



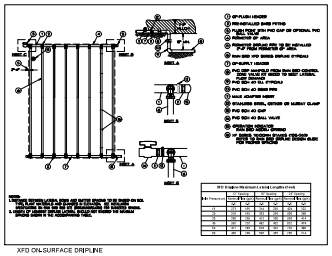
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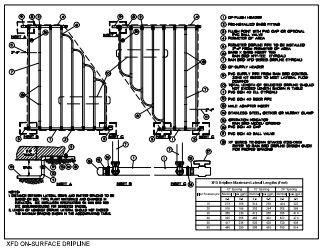
2 DRIP LINE CONTROL ZONE KIT DETAIL



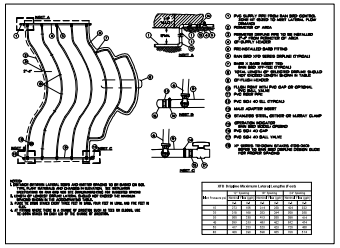
3 DRIP EMITTER LINE DETAIL



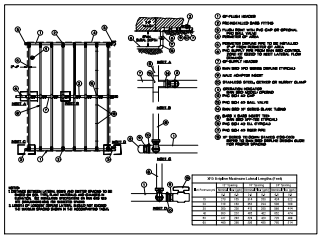
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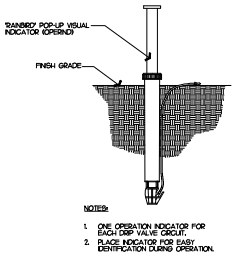
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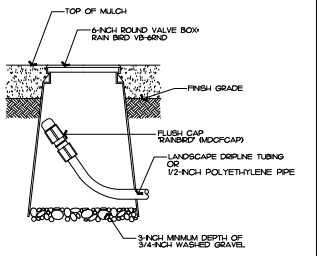
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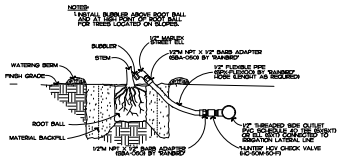
7 DRIP EMITTER LINE DETAIL



8 DRIP SYSTEM - OPERATION INDICATOR DETAIL



9 FLUSH POINT DETAIL



10 TREE BUBBLER DETAIL

11

12

PAUL JAY REED
No. 2602
EXP. 9/30/25
LICENSED LANDSCAPE ARCHITECT
STATE OF CALIFORNIA

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LANDSCAPE CONSTRUCTION DETAILS
OF
AIRWAY BOULEVARD AT N. CANYONS PARKWAY
FOR
MONUMENT PROPERTIES LIVERMORE, LLC
LIVERMORE, CALIFORNIA

DATE	06/28/2022
SCALE	nts
DESIGNER	pjr
DRAWN BY	ds
JOB NO.	A18649
SHEET	L3.1
OF	13 SHEETS

NO.	REVISION	BY

LANDSCAPE SPECIFICATIONS

IRRIGATION SPRINKLER SYSTEM AND LANDSCAPE PLANTING

1.0 GENERAL

A. THE WORK INCLUDES LABOR, MATERIALS, AND EQUIPMENT REQUIRED TO COMPLETE WORK INDICATED IN DRAWINGS AND DESCRIBED IN SPECIFICATIONS.

1. PERFORM WORK IN ACCORDANCE WITH BEST STANDARDS OF PRACTICE RELATING TO VARIOUS TRADES, AND UNDER CONTINUOUS SUPERVISION OF A COMPONENT FOREMAN CAPABLE OF INTERPRETING DRAWINGS AND SPECIFICATIONS.

B. PRIOR TO CONSTRUCTION, VERIFY THAT CONTRACT DOCUMENTS REFLECT LATEST REVISIONS, INCLUDING PLAN CHECK REQUIREMENTS.

C. CONSTRUCT IRRIGATION SYSTEM USING MATERIAL AND METHODS CONFORMING TO APPLICABLE PROVISIONS OF UNIFORM PLUMBING CODE, PUBLISHED BY WESTERN PLUMBING OFFICIALS ASSOCIATION, NATIONAL ELECTRICAL CODE, AND OTHER CODES PROPERLY GOVERNING THESE ACTIVITIES AT THE LOCATION OF THE WORK.

1. VERIFY LOCATIONS OF EXISTING UTILITIES WHETHER OR NOT SHOWN IN DRAWINGS. ASSUME RESPONSIBILITY FOR THEIR PROTECTION.

D. THE CONTRACT DOCUMENTS ARE NOT INTENDED TO CONFLICT WITH REQUIREMENTS OF GOVERNING ORDINANCES. WHEN DRAWINGS AND SPECIFICATIONS DESCRIBE MATERIALS, WORKMANSHIP, OR CONSTRUCTION OF BETTER QUALITY, HIGHER STANDARD, PROVISIONS OF DRAWINGS AND SPECIFICATIONS TAKE PRECEDENCE.

E. OBTAIN AND PAY FOR PERMITS AND INSPECTIONS REQUIRED FOR THE WORK.

F. BEFORE PROCEEDING WITH THE WORK, VERIFY DIMENSIONS AND QUANTITIES. IMMEDIATELY INFORM LANDSCAPE ARCHITECT OF DISCREPANCY BETWEEN DRAWINGS, SPECIFICATIONS, AND ACTUAL CONDITIONS. COMMENCE WORK IN AREAS OF DISCREPANCY ONLY AFTER RECEIVING INSTRUCTIONS FROM LANDSCAPE ARCHITECT.

G. DIMENSIONS INDICATED IN DRAWINGS ARE APPROXIMATE. PROVIDE OFFSETS, FITTINGS, SLEEVES, ETC., REQUIRED TO COMPLETE THE PROJECT. PERFORM SIMILAR OPERATIONS FOR LIKE CONDITIONS WITHOUT ADDITIONAL COST TO OWNER.

1.1 SUBSTITUTIONS

A. FURNISH MATERIALS IN QUANTITIES, SIZE, AND MANUFACTURE INDICATED IN DRAWINGS AND SPECIFICATIONS.

B. FOR A PERIOD OF 30 DAYS AFTER EXECUTION OF CONTRACT, LANDSCAPE ARCHITECT WILL CONSIDER FORMAL REQUESTS FROM CONTRACTOR FOR SUBSTITUTION OF PRODUCTS IN PLACE OF THOSE SPECIFIED ONLY UNDER THESE CONDITIONS.

1. WHEN SPECIFIED PRODUCTS ARE NOT AVAILABLE THROUGH NO FAULT OF SUB-CONTRACTOR.
2. WHEN IT IS CLEARLY SEEN, IN THE JUDGMENT OF OWNER, THAT A SUBSTITUTION WILL BE TO OWNER'S BEST INTERESTS IN TERMS OF TIME, COST, OR OTHER CONSIDERATIONS.

C. SUBMIT A SEPARATE REQUEST FOR EACH SUBSTITUTION. PROVIDE COMPLETE DATA SUBSTANTIATING COMPLIANCE OF PROPOSED SUBSTITUTION, INCLUDING PRODUCT IDENTIFICATION, MANUFACTURER'S NAME AND ADDRESS, MANUFACTURER'S LITERATURE, AND SAMPLES AS APPLICABLE.

D. MANUFACTURER'S WARRANTIES WILL NOT RELIEVE SUB-CONTRACTOR OF HIS LIABILITY UNDER THE GUARANTEE, ONLY SUPPLEMENT THE GUARANTEE.

1.2 RECORD DRAWINGS

A. FURNISH OWNER WITH A SET OF RECORD DRAWINGS (REPRODUCIBLE VELLUMS) OF IRRIGATION SPRINKLER SYSTEM AT CONCLUSION OF THE INSTALLATION.

1. OBTAIN VELLUMS FROM LANDSCAPE ARCHITECT AT COST OF REPRODUCTION PLUS 25 PERCENT.

B. INDICATE IN RECORD DRAWINGS ALL CHANGES MADE TO IRRIGATION SYSTEM DESIGN.

1.3 EXTRA MATERIALS

A. FURNISH OWNER WITH 2 EACH OF THE FOLLOWING MATERIALS FOR EACH TYPE OF VALVE AND SPRINKLER HEAD INSTALLED IN THE SYSTEM:

1. VALVE KEYS.
2. SERVICE WRENCHES.
3. QUICK COUPLER VALVE KEYS.
4. HOSE SWIVELS COMPATIBLE WITH QUICK COUPLER VALVES.
5. KEYS TO OPEN AUTOMATIC CONTROL CABINET.

1.4 WARRANTY

A. FURNISH OWNER WITH GUARANTEE THAT IRRIGATION SPRINKLER SYSTEM IS FREE FROM DEFECTS IN MATERIALS AND WORKMANSHIP, AND THE WORK HAS BEEN COMPLETED IN ACCORDANCE WITH DRAWINGS AND SPECIFICATIONS, ORDINARY WEAR AND TEAR, UNUSUAL ABUSE, OR NEGLECT ACCEPTED.

B. PROVIDE GUARANTEE FOR REPAIR OR REPLACEMENT OF DEFECTS IN MATERIAL OR WORKMANSHIP, SETTLING OF BACKFILLED TRENCHES, AND TO REPAIR OR REPLACE DAMAGE RESULTING FROM THE REPAIRS OR REPLACEMENTS OF DEFECTS WITHOUT ADDITIONAL COST TO OWNER.

C. MAKE REPAIRS OR REPLACEMENTS, INCLUDING COMPLETE RESTORATION OF DAMAGED PLANTING, PAVING, OR OTHER IMPROVEMENTS OF ANY KIND, WITHIN A REASONABLE TIME AS DETERMINED BY OWNER, AFTER RECEIPT OF WRITTEN NOTICE.

D. IN THE EVENT OF FAILURE BY CONTRACTOR TO MAKE REPAIRS OR REPLACEMENTS WITHIN A TEN DAYS AFTER RECEIPT OF WRITTEN NOTICE, REPAIRS OR REPLACEMENTS WILL BE MADE BY OTHERS AT THE EXPENSE OF SUB-CONTRACTOR.

E. WARRANTY PERIOD FOR IRRIGATION SPRINKLER SYSTEM, 1 YEAR FROM DATE OF ACCEPTANCE BY OWNER.

1.5 LANDSCAPE MAINTENANCE AND GUARANTEE

A. PROVIDE MAINTENANCE FOR PLANTING AND IRRIGATION FOR 60 CALENDAR DAYS AFTER STAGE ACCEPTANCE.

1. WORK INCLUDES, BUT IS NOT LIMITED TO, WATERING, WEEDING, MOWING, FERTILIZING, CULTIVATING, SPRAYING, CUTTING, AND PRUNING NECESSARY TO KEEP PLANTS IN A HEALTHY GROWING CONDITION, AND TO KEEP PLANTED AREAS NEAT AND ATTRACTIVE IN APPEARANCE THROUGHOUT MAINTENANCE PERIOD.
2. IMMEDIATELY REPLACE DAMAGED, UNHEALTHY, OR DEAD TREES, SHRUBS, AND GROUND COVERS WITH SIZE AND KIND INDICATED IN DRAWINGS.
3. PRIOR TO END OF MAINTENANCE PERIOD, APPLY FERTILIZED 'D' (15-2-6) AT THE RATE OF 4 POUNDS PER 1,000 SQUARE FEET UNIFORMLY OVER ALL PLANTING AREAS.
4. UPON COMPLETION OF INITIAL 60 DAY MAINTENANCE PERIOD, NOTIFY LANDSCAPE ARCHITECT 48 HOURS PRIOR TO DATE OF INITIAL INSPECTION.

B. GUARANTEE THAT PLANTS AND PLANTING AREAS ARE IN HEALTHY, THRIVING CONDITION FOR AN ADDITIONAL 60 DAYS AFTER INITIAL ACCEPTANCE OF PROJECT BY LANDSCAPE ARCHITECT.

1. FINAL ACCEPTANCE MAY BE GRANTED AT THIS TIME AS DETERMINED BY LANDSCAPE ARCHITECT.

2.0 PRODUCTS

2.1 IRRIGATION SPRINKLER MATERIALS

A. PVC PLASTIC PIPE AND FITTINGS

1. MAIN LINE (PRESSURE) PIPING, TYPE 1120-1220 SCHEDULE 40, NSF APPROVED, LASCO, JOHNS MANVILLE, OR APPROVED EQUAL.
   A. MAIN LINE PVC PIPE FITTINGS, TYPE 1-11 SCHEDULE 40, NSF APPROVED.
2. LATERAL (NON-PRESSURE) LINE PIPING, TYPE 1120-1220 SCHEDULE 40, CLASS 200, NSF APPROVED, LASCO, JOHNS MANVILLE, OR APPROVED EQUAL.
   A. LATERAL PVC PIPE FITTINGS, TYPE 1-11 SCHEDULE 40, NSF APPROVED, LASCO, SLOANS, OR APPROVED EQUAL.
3. SOLVENT, TYPE APPROVED BY MANUFACTURER OF PIPE AND FITTINGS. USE SCHEDULE 80 PVC THREADED NIPPLES IN RISER ASSEMBLIES.
4. USE ONLY PVC PLASTIC PIPE FREE FROM BLISTERS, INTERNAL STRIATIONS, DENTS, WRINKLES, CRACKS, HOLES, FOREIGN MATERIALS, SMOOTH INTERIOR WALL WITH A GLASS-LIKE APPEARANCE.
   A. CONTINUOUSLY AND PERMANENTLY MARK EACH PIPE WITH MANUFACTURER'S NAME, KIND OF PIPE, MATERIAL, SIZE SCHEDULE OR TYPE, AND MANUFACTURER'S QUALITY CONTROL IDENTIFICATION.

B. GALVANIZED PIPE AND FITTINGS

1. WHERE INDICATED IN DRAWINGS, USE ASA SCHEDULE 40 MILD STEEL SCREWED PIPE, GALVANIZED, WITH MEDIUM GALVANIZED SCREWED BEADED MALLEABLE IRON FITTINGS.
   A. GALVANIZED COUPLINGS MAY BE MERCHANT COUPLING.

C. CONTROL WIRE

1. DIRECT BURIAL REMOTE CONTROL WIRES, U.L. APPROVED TYPE U.F. MINIMUM OF 4/64 INCH VINYL INSULATION. CONSULT VALVE MANUFACTURER'S CURRENT WIRE SIZING CHART FOR REQUIRED WIRE SIZES.
2. COMMON RETURN WIRE = WHITE, PILOT WIRE = RED, ORANGE, OR BLACK.
3. MAKE SPLICES WITH "SCOTCH LOK" NO. 3577 CONNECTOR SEALING PACKS, OR APPROVED EQUAL.

D. SPRINKLER HEADS, REMOTE CONTROL VALVES, AUTOMATIC CONTROLLER, QUICK COUPLER

1. TYPE, SIZE, AND LOCATION INDICATED IN DRAWINGS.
2. LOCATE REMOTE CONTROL VALVES AND QUICK COUPLERS A MAXIMUM OF 12 INCHES FROM CURB, WALK, OR HEADERBOARD.

E. BACKFLOW PREVENTION

1. BACKFLOW PREVENTERS AS INDICATED IN DRAWINGS OR AS APPROVED BY LOCAL GOVERNING BODY.
2. DO NOT LOCATE IN LAWN AREAS.
3. SCREEN UNIT WITH PLANT MATERIAL SHOWN ON PLANTING PLAN IN LOCATION OF BACKFLOW PREVENTER OR ELSEWHERE ON SITE WHEN DIRECTED BY LANDSCAPE ARCHITECT.
4. AVOID USING PVC PIPING IN BACKFLOW PREVENTER ASSEMBLIES.

F. VALVE BOXES

1. CONTROL VALVE BOXES, AMETEK NO. 10-70-00 WITH GREEN COVER LID NO. 10-173-004, OR EQUAL. PROVIDE EXTENSIONS IF REQUIRED.

2.2 LANDSCAPE PLANTING MATERIALS

A. SOIL

1. EXISTING SURFACE SOIL, UNLESS OTHERWISE INDICATED IN DRAWINGS, FREE FROM SUBSOIL, REFUSE, ROOTS, HEAVY OR STIFF CLAY, ROCKS, STICKS, BRUSH OR OTHER DELETERIOUS MATERIALS.
2. NATIVE SOIL, MATERIAL EXCAVATED FROM PLANTING HOLES, FREE FROM ROCK OVER 1/2 INCH IN DIAMETER.
3. IMPORTED SOIL, IF REQUIRED, SANDY LOAM TEXTURE.
   A. SUBMIT SOIL SAMPLES AND ANALYSIS OF IMPORTED SOIL TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO DELIVERY TO PROJECT SITE.
   B. SHOULD LANDSCAPE ARCHITECT REJECT ANY PORTION OF DELIVERED SOIL, FOR ANY REASON, SELECT SOIL MATERIAL FROM A DIFFERENT SOURCE AND RESUBMIT TO LANDSCAPE ARCHITECT FOR APPROVAL WITHOUT ADDITIONAL COST TO OWNER.

B. ORGANIC FERTILIZERS AND SOIL AMENDMENTS

1. COMMERCIAL GRADE ORGANIC FERTILIZERS AND SOIL AMENDMENTS, UNIFORM IN COMPOSITION, DRY AND FREE-FLOWING, DELIVERED TO SITE IN ORIGINAL, UNOPENED CONTAINERS, EACH BEARING THE MANUFACTURER'S GUARANTEED ANALYSIS.
2. MATERIAL WHICH BECOMES CAKED OR OTHERWISE DAMAGED, MAKING IT UNSUITABLE FOR USE, WILL BE REJECTED.
   A. FERTILIZER 'A': ORGANIC FERTILIZER FOR GENERAL SOIL FERTILITY IMPROVEMENT IN ALL TURF AND PLANTING AREAS SHALL BE GRANULATED/PELLETIZED TYPE HAVING A N6-P20-K20 FORMULA.
   B. FERTILIZER 'B': ORGANIC FERTILIZER TO BE APPLIED TO LAWN AREAS PRIOR TO SEEDING OR SODDING SHALL BE GRANULATED/PELLETIZED TYPE HAVING N6-P2-K0 (WITH 1% IRON).
   C. FERTILIZER 'C': ORGANIC FERTILIZER TO BE INCORPORATED IN EACH PLANT PIT SHALL BE A PLANT TAB WITH FORMULA N20-P10-K5, SUCH AS GRO-POWER.
   D. FERTILIZER 'D': ORGANIC FERTILIZER TO BE APPLIED TO LAWN AREAS AFTER TURF IS ESTABLISHED AND AROUND INSTALLED CONTAINER PLANTS DURING THE MAINTENANCE PERIOD SHALL BE PELLETED TYPE COMBINATION CHEMICAL ORGANIC FORMULA N15-P2-K6.
   E. SOIL AMENDMENT: IMPORT TOPSOIL TO MEET ORGANIC MATTER CONTENT OF A MIN. OF 3.5% BY DRY WEIGHT OR 1 INCH OF COMPOST.
      "OPTION 1" -REQUIRE IMPORT TOPSOIL TO MEET ORGANIC MATTER CONTENT OF A MIN. OF 3.5% BY DRY WEIGHT.
      "OPTION 2" -SUBMIT SOILS REPORT THAT IDENTIFIES EXISTING TOPSOIL MEETS ORGANIC MATTER OF CONTENT OF 3.5% BY DRY WEIGHT OR GREATER.
      RECYCLED COMPOST MATERIAL FROM A PROCESSOR THAT PARTICIPATES IN THE U.S. COMPOSTING COUNCIL'S STANDARD TESTING ASSURANCE PROGRAM
   F. IRON SULFATE: STANDARD COMMERCIAL BRAND.

C. WOOD CHIP MULCH

1. ALL PLANTED AREAS, EXCEPT TURF, SHALL RECEIVE A TOP DRESSING OF MULCH CONSISTING OF RECYCLED, NON-DYED WOOD CHIPS OR FIR CHIPS, MEDIAN GRIND 3/8 TO TO 3/4" DIAMETER. SHREDDED BARK IS UNACCEPTABLE.

D. PLANT MATERIAL

1. CONFORM PLANT MATERIAL, INDICATED IN DRAWINGS BY THE LISTED NAMES, TO "STANDARD PLANT NAMES", SECOND EDITION. EXCEPT FOR NAMES NOT INCLUDED, FOLLOW THE ESTABLISHED CUSTOMS OF THE NURSERY TRADE.
2. ALL PLANTS SHALL BE TRUE TO NAME. TAG ONE OF EACH BUNDLE OR LOT WITH THE NAME AND SIZE OF THE PLANT, IN ACCORDANCE WITH STANDARDS OF PRACTICE RECOMMENDED BY AMERICAN ASSOCIATION OF NURSERYMEN.
3. ALL PLANT MATERIALS SHALL MEET THE SPECIFICATIONS OF FEDERAL, STATE, AND COUNTY LAWS, REQUIRING INSPECTION FOR PLANT DISEASES AND INSECT INFESTATIONS.
4. PLANTS SHALL BE SYMMETRICAL, TYPICAL FOR VARIETY AND SPECIES, SOUND, HEALTHY, VIGOROUS, FREE FROM PLANT DISEASES, INSECT PESTS, OR OTHER EGGS, WITH HEALTHY, NORMAL ROOT SYSTEMS, WELL FILLING THEIR CONTAINERS, BUT NOT TO THE POINT OF BEING ROOT BOUND.
5. USE ONLY PLANT MATERIALS THAT ARE FIRST CLASS REPRESENTATIVE OF THE SPECIES AND CULTIVARS SPECIFIED AND THAT CONFORM TO ALL STATE AND LOCAL LAWS GOVERNING THE SALE, TRANSPORTATION, AND INSPECTION OF PLANT MATERIALS.
6. PROVIDE ONLY PLANTS WITH STRAIGHT, SINGLE TRUNKS, UNLESS OTHERWISE INDICATED IN DRAWINGS.
7. THOSE SPECIFIED TO BE MULTI-TRUNK SHALL HAVE AT LEAST THREE MAIN LEADERS FROM THE BASE.
8. PLANTS THAT HAVE ENCIRCLING ROOTS, NOT ROOT BOUND, SHALL HAVE ROOTBALLS LIGHTLY SLASHED ON A MINIMUM OF 3 SIDES TO STOP ENCIRCLING ROOT GROWTH.
9. THE HEIGHT AND SPREAD OF PLANT MATERIALS SHALL BE MEASURED WITH BRANCHES IN THEIR NORMAL POSITION. MEASURE SIZES OF PLANTS ON THE PLANT LIST.
   A. 5 AND 15 GALLON CAN CONTAINER STOCK SHALL HAVE BEEN GROWN IN THAT CONTAINER NOT LESS THAN SIX (6) MONTHS, BUT SHALL NOT HAVE BEEN OVERGROWN IN THE CONTAINERS SO AS TO HAVE BECOME ROOT BOUND.
   B. 15 GALLON CAN CONTAINER STOCK SHALL HAVE A PLANTED HEIGHT OF 6 FEET WITH 1 INCH CALIPER TRUNK.

2.3 SOURCE QUALITY CONTROL

A. PERFORM INSPECTIONS OF CONSTRUCTION FOR THE FOLLOWING PARTS OF THE WORK:

1. INSPECTION UPON COMPLETION OF PRELIMINARY FINISH GRADING AND IRRIGATION SPRINKLER SYSTEM.
2. INSPECTION OF PLANTS PRIOR TO LAYOUT.
3. LAYOUT INSPECTION OF SPOTTED PLANTS.
4. INITIAL INSPECTION UPON COMPLETION OF PLANTING AND TREE STAKING, PRIOR TO COMMENCEMENT OF MAINTENANCE PERIOD.
5. FINAL INSPECTION AT CONCLUSION OF ADDITIONAL 60 DAY LANDSCAPE MAINTENANCE PERIOD.

B. LISTED INSPECTIONS WILL BE MADE BY LANDSCAPE ARCHITECT OR AN AUTHORIZED REPRESENTATIVE.

1. REQUEST INSPECTION BY LANDSCAPE ARCHITECT AT LEAST 48 HOURS IN ADVANCE OF TIME INSPECTION IS REQUIRED.

3.0 EXECUTION

3.1 IRRIGATION SPRINKLER SYSTEM

A. PREPARATION

1. COORDINATE INSTALLATION OF SPRINKLER MATERIALS, INCLUDING PIPE, TO ELIMINATE INTERFERENCE WITH, OR DIFFICULTY IN PLANTING SHRUBS, TREES, GROUND COVER, EXISTING OR PROPOSED UTILITIES, AND OTHER CONSTRUCTION. RESTORE TO ORIGINAL CONTOURS AND ESTABLISHED GRADES CHANGED DURING COURSE OF THE WORK.

B. INSTALLATION

1. PRIOR TO INSTALLATION, LAYOUT AND STAKE PRESSURE SUPPLY LINES, LATERAL LINES, AND LOCATION OF SPRINKLER HEADS. OBTAIN APPROVAL LAYOUT FROM LANDSCAPE ARCHITECT.
   A. IF EQUIPMENT IS INCORRECTLY LOCATED WITHOUT APPROVAL, RELOCATE PER DIRECTIONS OF LANDSCAPE ARCHITECT WITHOUT ADDITIONAL COST TO OWNER.
2. CONNECT SPRINKLER IRRIGATION SYSTEM TO POINT OF CONNECTION (P.O.C.) INDICATED IN DRAWINGS.
   A. MAKE CONNECTIONS AT APPROXIMATE LOCATIONS SHOWN IN DRAWINGS.
   B. ASSUME RESPONSIBILITY FOR CHANGES CAUSED BY ACTUAL SITE CONDITIONS.

C. TRENCHING & BACKFILLING

1. EXCAVATION INCLUDES REMOVAL OF WATER AND MATERIALS, OR OBSTRUCTIONS OF ANY NATURE THAT WOULD INTERFERE WITH THE WORK.
2. REMOVE FROM THE SITE EXCESS AND WASTE MATERIAL RESULTING FROM TRENCHING OPERATIONS.
3. DIG TRENCHES STRAIGHT AND SUPPORT PIPE CONTINUOUSLY ON BOTTOM OF DITCH.
   A. LAY PIPE TO AN EVEN GRADE. FOLLOW LAYOUT FOR TRENCHING EXCAVATION INDICATED IN DRAWINGS AND AS NOTED.
4. COVERAGES
   A. PROVIDE MINIMUM COVER OF 18 INCHES FOR PRESSURE SUPPLY LINES.
   B. PROVIDE MINIMUM COVER OF 18 INCHES FOR ALL NON-PRESSURE LINES INDICATED IN DRAWINGS.
   C. PROVIDE MINIMUM COVER OF 24 INCHES OVER PIPE UNDER VEHICULAR WAYS.
   D. PROVIDE MINIMUM COVER OF 18 INCHES FOR CONTROL WIRING.
   E. PROVIDE 3 INCH SAND BACKFILL, ALL SIDES OF PVC PIPE, WHERE SOILS CONTAIN GREATER THAN 50% ROCKS OR OTHER MATERIAL 1/2 INCH OR LARGER IN DIAMETER WITHIN NATIVE BACKFILL MATERIAL.

D. COMPACTION

1. COMPACT BACKFILL FOR TRENCHING TO A DRY DENSITY EQUAL TO ADJACENT UNDISTURBED SOIL IN PLANTING AREAS AND TO 90% IN PAVED AREAS.
2. CONFORM TO ADJACENT GRADES WITHOUT DIPS, SUNKEN AREAS, HUMPS, OR OTHER IRREGULARITIES.
3. PLACE INITIAL BACKFILL ON ALL LINES OF A FINE GRANULAR MATERIAL.
4. FOREIGN MATTER LARGER THAN 1/2 INCH IN SIZE WILL NOT BE PERMITTED.
5. IF SETTLEMENT OCCURS AND ADJUSTMENTS IN PIPE, VALVES, SPRINKLER HEADS, LAWN OR PLANTING, OR OTHER CONSTRUCTION ARE NECESSARY, MAKE REQUIRED ADJUSTMENTS WITHOUT ADDITIONAL COST TO OWNER.

E. HANDLING OF PIPE

1. INSTALL PVC PIPE ALLOWING A SMALL AMOUNT OF EXCESS LENGTH IN THE LINE TO COMPENSATE FOR CONTRACTION OR EXPANSION OF THE PIPE.
   A. ACCOMPLISH EXCESS LENGTH BY "SNAKING" THE LINE IN THE TRENCH DURING TIME OF INSTALLATION.
2. HANDLE AND ASSEMBLE PIPE, FITTINGS, AND ACCESSORIES BY SKILLED TRADESMEN USING APPROVED METHODS AND TOOLS. EXERCISE CARE TO PREVENT DAMAGE TO MATERIALS OR EQUIPMENT.
   A. KEEP INTERIOR OF PIPES, FITTINGS, AND ACCESSORIES CLEAN AT ALL TIMES. CLOSE OPENINGS IN PIPING RUNS AT THE END OF WORK EACH DAY TO PREVENT ENTRY OF FOREIGN MATERIALS.
   B. BENDING OF GALVANIZED STEEL PIPE WILL NOT BE PERMITTED.
3. PERFORM JOINTING BY COMPETENT TRADESMEN SPECIALLY TRAINED IN THE TYPE OF WORK REQUIRED, USING TOOLS AND EQUIPMENT RECOMMENDED BY THE MANUFACTURERS OF THE PIPE, FITTINGS, OR EQUIPMENT.
   A. TAKE EVERY PRECAUTION TO SECURE A PERMANENT, WATER-TIGHT JOINT BETWEEN EACH LENGTH OF PIPE.
   B. JOINTING PROCEDURES AND METHODS ADOPTED BY CONTRACTOR SHALL BE IN STRICT ACCORDANCE WITH RECOMMENDATIONS OF MANUFACTURER OF JOINTING MATERIAL USED.
   C. CUT PIPE CUT STRAIGHT AND TRUE.
   D. AFTER CUTTING, REAM OUT ENDS TO THE FULL INSIDE DIAMETER OF THE PIPE.
   E. IN CHANGING PIPE DEPTHS, USE 45Ø ELBOWS.

F. SPRINKLER HEADS

1. INSTALL TURF HEADS, WHERE ADJACENT TO FIXED OBJECTS SUCH AS HEADERBOARDS, CURBS, OR MOWING STRIPS, SO POWERED EDGING TOOLS CAN PASS BETWEEN TURF HEAD AND FIXED OBJECT WITHOUT DIFFICULTY.
2. LOCATE SHRUB HEADS MINIMUM 12 INCHES FROM BACK OF CURBS AND EDGE OF WALKWAYS WHEN SHRUB HEAD IS MOUNTED ABOVE GRADE ON A RISER.

G. CONTROL VALVES

1. INSTALL ELECTRIC, NORMALLY CLOSED ANGLE CONTROL VALVES AS INDICATED IN DRAWINGS AND AS SPECIFIED BY MANUFACTURER.
2. SET VALVES IN VERTICAL POSITION, HOUSED IN AMETEK OR EQUAL VALVE BOX WITH REMOVABLE COVER, FLUSH WITH FINISHED GRADE. WHEREVER POSSIBLE, INSTALL IN A SHRUB AREA.

H. ELECTRICAL WORK

1. PERFORM ELECTRICAL WORK IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE, THE STATE OF CALIFORNIA ELECTRICAL SAFETY ORDERS, OTHER APPLICABLE STATE AND LOCAL CODES AND REGULATIONS.
2. ASSUME RESPONSIBILITY FOR THE COORDINATION OF ALL ELECTRICAL SERVICE CONNECTIONS TO THE CONTROLLER.

I. FIELD QUALITY CONTROL

1. FLUSH PIPES BY REMOVING HEADS AND OPERATING THE SYSTEM AT FULL PRESSURE UNTIL ALL RUST, SCALE, SAND, ETC., IS REMOVED.
   A. DIVERT FLUSHING WATER TO PREVENT PONDING OR SOIL EROSION.
2. TEST PIPING UNDER FULL PRESSURE, WITH RISERS CAPPED FOR A PERIOD OF TWO HOURS.
3. INSPECT PIPE FOR LEAKS.
   A. CORRECT ANY LEAKAGE DISCOVERED DURING TESTS.
4. REPEAT TESTS UNTIL SATISFACTORY.
5. TEST SPRINKLER HEADS:
   A. TO DETERMINE THAT THEY FUNCTION ACCORDING TO MANUFACTURER'S DATA, AND
   B. TO DETERMINE THAT THE INSTALLATION WILL PROVIDE DESIGN COVERAGE.
6. ALLOW OR CAUSE WORK TO BE COVERED UP OR ENCLOSED ONLY AFTER IT HAS BEEN INSPECTED, TESTED, AND APPROVED BY LANDSCAPE ARCHITECT.
   A. SHOULD ANY WORK BE CLOSED OR COVERED UP BEFORE INSPECTION AND TESTS ARE SATISFACTORILY COMPLETED, UNCOVER THE WORK, AND AFTER IT HAS BEEN INSPECTED, TESTED, AND APPROVED, MAKE ALL REPAIRS WITH MATERIALS AS MAY BE NECESSARY TO RESTORE DISTURBED WORK TO ITS ORIGINAL AND PROPER CONDITION WITHOUT ADDITIONAL COST TO OWNER.

3.2 LANDSCAPE PLANTING PROCEDURES

A. CLEARING & GRUBBING

1. PRESERVE EXISTING TREES IN AN UNDISTURBED CONDITION.
2. ROUGH GRADE EARTHEN MOUNDS TO CONTOURS INDICATED IN DRAWINGS.
3. CONSTRUCT MOUNDS WITH ENOUGH EXCESS MATERIAL TO ALLOW FOR FUTURE SETTLEMENT.
   A. FINAL LOCATION OF MOUNDS SHALL NOT CONFLICT WITH EXISTING UTILITIES, UTILITY BOXES, VALVE BOXES, ETC.
4. NO COMPACTION WILL BE ALLOWED, EXCEPT FOR NORMAL GRADING AND SHAPING OPERATIONS.
5. UPON COMPLETION OF GRADING OPERATIONS, SPREAD EXCESS MATERIAL IN AREAS DIRECTED BY LANDSCAPE ARCHITECT.

B. SOIL CONDITIONS

1. CULTIVATE PLANTED AREAS TO A LIGHT AND FRIABLE CONSISTENCY. UNIFORMLY TILL THE FOLLOWING MATERIAL, PER 1,000 SQUARE FEET, INTO THE TOP 6 INCHES OF SOIL, USING A ROTOTILLER OR SIMILAR MACHINE, THEN THOROUGHLY WATER.

   6 CU. YDS. – RECYCLED COMPOST MATERIAL (SOIL AMENDMENT)
   25 LBS. – ORGANIC FERTILIZER 'A'
   15 LBS. – SOIL SULPHER

2. CULTIVATE EXISTING PLANTING AREAS WITH HAND TOOLS.
3. PREPARED SOIL MIX FOR BACKFILL IN PITS FOR TREES, VINES, AND SHRUBS, CONSISTING OF THE FOLLOWING:

   1/3 YD. – RECYCLED COMPOST MATERIAL (SOIL AMENDMENT)
   2/3 YD. – NATIVE SOIL
   1 LB. – IRON SULPHATE

   AND ORGANIC FERTILIZER 'C' AS FOLLOWS (GRO-POWER TABS OR EQUAL)

   1 GAL: 1-TAB
   5 GAL: 2-TABS
   15 GAL: 4-TABS
   6-8 TABS FOR BOXED MATERIAL

4. CONDUCT SOIL PREPARATION AND PLANTING OPERATIONS ONLY UNDER FAVORABLE WEATHER CONDITIONS. SOIL SHALL NOT BE WORKED WHEN EXCESSIVELY DRY OR WET.
   A. LANDSCAPE ARCHITECT RESERVES THE RIGHT TO STOP WORK TAKING PLACE DURING A PERIOD WHEN CONDITIONS ARE CONSIDERED DETRIMENTAL TO SOIL STRUCTURE OR PLANT GROWTH.

C. PLANTING TREES, SHRUBS, & VINES

1. DIG PITS FOR PLANTS SQUARE PER DETAIL IN DRAWINGS.
   A. LEVEL SIZE OF PITS SHALL BE 2 TIMES DIAMETER OF ROOT BALL, AND ONE-HALF AGAIN AS DEEP AS THE DEPTH OF ROOT BALL.
   B. SOIL AT SIDES AND BOTTOMS SHALL BE LOOSENED BY SCARIFYING TO ENSURE ROOT PENETRATION. AVOID SMOOTH CIRCULAR SIDES.
2. BACKFILL PITS WITH "PREPARED SOIL" TO THE BOTTOM OF THE ROOT BALL. THEN SET THE PLANT IN AN UPRIGHT POSITION IN CENTER OF HOLE. BACKFILL SPACE AROUND IT WITH PLANTING MIX.
   A. WHEN THE BACKFILL AROUND THE PLANT IS APPROXIMATELY TWO-THIRDS COMPLETED, THOROUGHLY WATER. BACKFILL COMPLETE TO THE GRADE OF THE SURROUNDING AREA.
   B. THE CROWN OF THE PLANT SHALL BE 1-1/2 INCHES ABOVE (MINIMUM) FINISHED GRADE.
3. PREPARE A SOIL RING AT LEAST 3 INCHES HIGH AND AS WIDE AS ROOT BALL AROUND EACH PLANT (NOT IN A TURF AREA) TO RETAIN WATER.
   A. WATER THOROUGHLY TO ELIMINATE AIR POCKETS.
   B. REMOVE TURF IN A 24 INCH DIAMETER RING AROUND EACH TREE BASE IN TURF AREAS.

D. PLANTING GROUND COVERS

1. PLANTING SHALL TAKE PLACE IN THE EXISTING PREPARED MOIST AND FRIABLE SOIL, NEVER DRY OR WET AND SOGGY.
   A. THE MOIST CONDITION SHALL EXTEND TO THE FULL DEPTH OF CULTIVATION.
2. SPACE GROUND COVER PLANTS AS INDICATED IN DRAWINGS AND IN THE PLANT LIST.
3. PLANT IN EVENLY SPACED ROWS WITH STAGGERED TRIANGULAR SPACING AND AROUND SHRUBS AND TREES TO WITHIN ONE FOOT.
4. NO GROUND COVER SHALL BE PLANTED LESS THAN ONE-HALF OF THE SPECIFIED SPACING FROM ANY CURB OR WALKWAY.

E. OPEN

F. WEED CONTROL, PEST CONTROL, & MULCHING

1. WEED CONTROL MATERIAL SHALL BE A PRE-EMERGENT HERBICIDE, TRIFLUROLIN (TREFLAN) OR DIPHENAMID (DYMID OR ENIDE) OR APPROVED EQUAL, APPLIED ON PLANTED AREAS. DON'T APPLY TO TURF DEVELOPED AREAS.
   NOTE: IN CITIES AND FOR PROJECTS THAT DO NOT ALLOW FOR SYNTHETIC PRE-EMERGENTS USE A CORN GLUTEN MEAL PRODUCT.
2. CONSIDER IT PART OF CONTRACTOR'S WORK TO CONTROL ON-SITE OR NEARBY PESTS THAT ARE DISTURBING THE CONDITION OF LANDSCAPE IMPROVEMENTS.
3. CONTROL OF PESTS INCLUDES, BUT IS NOT LIMITED TO RODENTS, RABBITS, INSECTS, DEER, ETC.
4. REPAIR DAMAGE THAT OCCURS TO THE ORIGINAL CONDITION OF IMPROVEMENTS, INCLUDING REPLACEMENT OF PLANT MATERIAL WHEN REQUIRED, WITHOUT ADDITIONAL COST TO OWNER.
5. SPREAD BARK CHIP MULCH EVENLY OVER ENTIRE PLANTED AREA, EXCEPT TURF DEVELOPED AREAS, TO A MINIMUM DEPTH OF 3".

G. PRELIMINARY INSPECTION AND STAGE ACCEPTANCE

1. UPON COMPLETION OF PLANTING WORK, NOTIFY LANDSCAPE ARCHITECT THAT PROJECT IS READY FOR INSPECTION.
2. UPON INSPECTION, IF LANDSCAPE ARCHITECT FINDS ENTIRE PROJECT COMPLETE AND IN COMPLIANCE WITH DRAWINGS AND SPECIFICATIONS, STAGE ACCEPTANCE WILL BE GRANTED.
3. IF ASPECTS OF PROJECT ARE INCOMPLETE OR IMPROPERLY INSTALLED, CONTRACTOR WILL BE NOTIFIED AND HAVE 5 WORKING DAYS IN WHICH TO CORRECT OR COMPLETE THE WORK.
4. STAGE ACCEPTANCE WILL BE GIVEN ONLY WHEN ALL WORK IS CORRECT AND COMPLETE.
5. THE STAGE ACCEPTANCE BY LANDSCAPE ARCHITECT OF LANDSCAPE PROJECT WILL ESTABLISH THE BEGINNING OF PLANT MAINTENANCE PERIOD.

3.3 CLEANING

A. UPON COMPLETION OF WORK, REMOVE EXCESS MATERIALS, RUBBISH, DEBRIS, AND SUB-CONTRACTOR'S CONSTRUCTION AND INSTALLATION EQUIPMENT FROM THE PREMISES.

B. FINAL INSPECTION OF THE WORK WILL BE MADE BY LANDSCAPE ARCHITECT IN THE PRESENCE OF THE SUB-CONTRACTOR WHEN WORK IS COMPLETED. NOTIFICATION SHALL BE MADE BY THE CONTRACTOR 48 HOURS IN ADVANCE OF SUCH INSPECTION.

NO.	REVISION	BY

REGISTERED LANDSCAPE ARCHITECT
PAUL JAY REED
No. 2002
EXP. 9/30/25
STATE OF CALIFORNIA

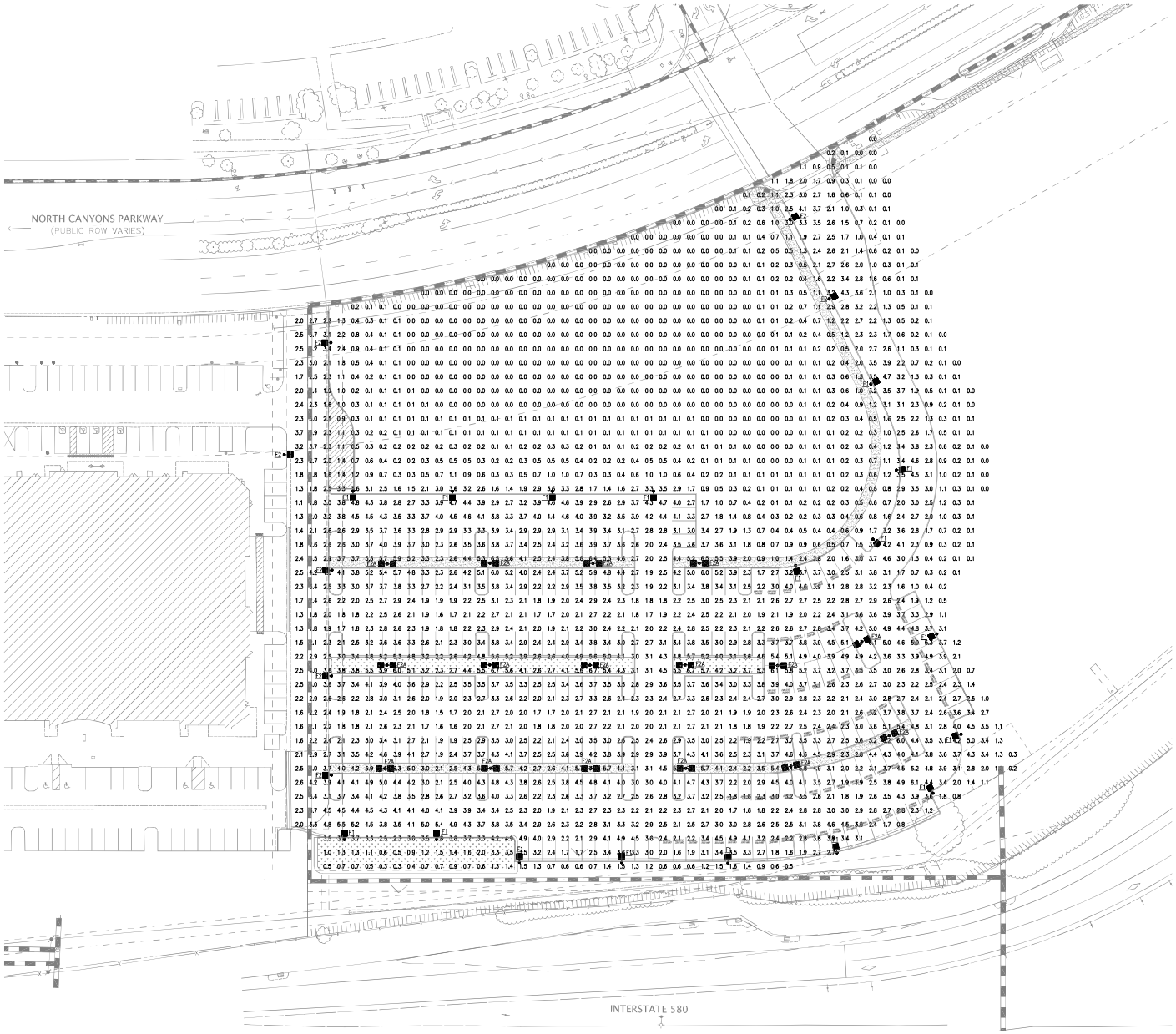
KIER+WRIGHT
2850 Collier Canyon Road
Livermore, California 94551
Phone (925) 245-8788
www.kierwright.com

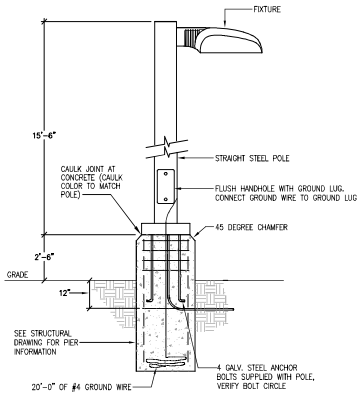
REED ASSOCIATES
LANDSCAPE ARCHITECTURE

LANDSCAPE SPECIFICATIONS
OF
AIRWAY BOULEVARD AT N. CANYONS PARKWAY
FOR
MONUMENT PROPERTIES LIVERMORE, LLC
LIVERMORE, CALIFORNIA

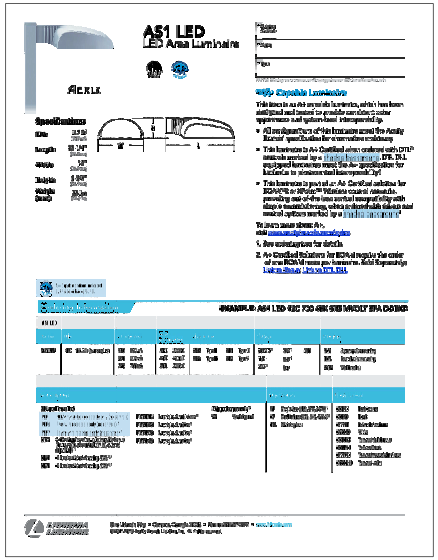
DATE	06/28/2022
SCALE	nts
DESIGNER	pjr
DRAWN BY	ds
JOB NO.	A18649
SHEET	L4.0
OF	13 SHEETS

ATTACHMENT 4





A LP-1 POLE BASE DETAIL
NOT TO SCALE



Luminaire Schedule						
Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Description
	17	F1	SINGLE	N.A.	0.950	Lithonia #AS1 LED 42C 700 40K SR2 MVOLT, single head, 15'6" pole on a 2'-6" base.
	7	F2	SINGLE	N.A.	0.950	Lithonia #AS1 LED 42C 700 40K SR3 MVOLT, single head, 15'6" pole on a 2'-6" base.
	16	F2A	BACK-BACK	N.A.	0.950	Lithonia #AS1 LED 42C 700 40K SR3 MVOLT, double heads,15'6" pole on a 2'-6" base.

SCALE (FT.): 0 . 30 . 60

BRK ASSOCIATES, INC. ELECTRICAL ENGINEERING
1290 B Street, Ste 209
Hayward, CA 94541
TEL: (510) 886-7770
FAX: (510) 886-7791

MIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
2850 Collier Canyon Road
Livermore, California 94551
Phone (925) 245-8788
Fax (925) 245-8796

REVISION

NO.

POINT BY POINT PHOTOMETRY PLAN
CASINO 580
LIVERMORE, CALIFORNIA

DATE	6/10/2021
SCALE	AS NOTED
DESIGNER	JP
JOB NO.	A18649
SHEET	LP-1
OF	SHEETS

G:\KBR\Casino 580\Lighting\CASINO_580_LP-1.dwg Mar 09, 2023 - 11:04am

CALIFORNIA
DEPARTMENT OF JUSTICE

Rob Bonta
Attorney General

BUREAU OF GAMBLING CONTROL
2450 DEL PASO ROAD, SUITE 100
SACRAMENTO, CA 95834

October 20, 2023

Ashley Vera
Associate Planner
City of Livermore
Community Development Department
1052 S. Livermore Ave.
Livermore, CA 94550
ASVera@livermoreca.gov

Via e-mail only

Re: City of Livermore – Ordinance Amendments

Dear Ms. Vera:

On March 1, 2023, the California Department of Justice, Bureau of Gambling Control (Bureau) received an email from you that provided the Bureau with a copy of proposed amendments to chapter 5.20 of the City of Livermore (Livermore) Municipal Code, which contains the ordinances that govern the licensing and operation of gambling establishments.[1] These proposed amendments were submitted for review by the Bureau in compliance with Business and Professions Code section 19961.1. The Bureau offers the following comments.[2]

1. Section 5.20.010[3] – Cardroom Defined

Section 5.20.010 currently provides the definition of a "cardroom." The proposed amendments to this section delete language excepting from this definition a "bona fide nonprofit society, club, fraternal, labor or other organization as defined in [Livermore Municipal

[1] Chapter 5.20 of the City's Municipal Code refers to a "cardroom," which the Bureau acknowledges as being synonymous with the definition of a "gambling establishment" under the Gambling Control Act. (See Bus. & Prof. Code, § 19805, subd. (o).)

[2] The City's proposed amendments also include non-substantive changes to which the Bureau provides no comment.

[3] Section references are to the City's Municipal Code, unless otherwise indicated.

Code Section] 5.20.060," and add definitions for a "standard services" cardroom, and an "expanded services" cardroom. The proposed definition of a "standard services cardroom" in section 5.20.010 is one that is "limited to operational rules and regulations" as described by section 5.20.160, subdivisions (A) through (P). The proposed definition of an "expanded services cardroom" in section 5.20.010 is one that "may include additional services through a Development Agreement and Conditional Use Permit pursuant to [Livermore Municipal Code] Section 5.20.160, subdivision (Q)."

The proposed amendments to section 5.20.010 appear to be consistent with the Gambling Control Act.

2. Section 5.20.015 – Exception – Fundraisers by Nonprofit Organizations

Current section 5.20.015 provides that the provisions of Chapter 5.20 of the Municipal Code shall not apply to a nonprofit organization. The proposed amendment would insert a reference to the definition in Business and Professions Code section 19986, subdivision (h), of a "nonprofit organization." This proposed amendment appears to be consistent with the Gambling Control Act.

3. Section 5.20.030 – License – Required

Section 5.20.030 sets forth two requirements that a person must meet before operating a cardroom. The City proposes adding a third requirement with respect to land use permitting and parking requirements. The proposed amendments to section 5.20.030 appear to be consistent with the Gambling Control Act.

4. Section 5.20.040 – License – Application – Fingerprints Required – Renewal – Continuing Obligation To Provide Current Information

Current section 5.20.040 sets forth what an applicant is required to submit with a license application. The proposed amendments to this section would delete a provision specifying that a license in effect on January 1, 2009 shall have been deemed to have been granted on that date, and shall expire on December 31, 2010, unless revoked, suspended, or renewed prior to that date. The remaining text of this subdivision would specify that a license shall be valid for a period of one year, unless revoked or suspended by the Chief of Police, or surrendered by the licensee. This proposed amendment appears to be consistent with the Gambling Control Act.

5. Section 5.20.050 – License – Only One License Per Person – Transferability[4]

Section 5.20.050 currently provides that a person shall be granted one license to operate a cardroom. The proposed amendments would permit a person to hold up to two licenses to operate a cardroom. A person seeking to obtain two licenses is required to file separate applications, and each application is subject to approval. The proposed amendments to this section appear to be consistent with the Gambling Control Act.

6. Section 5.20.060 – License – Fee – Exceptions[5]

Current section 5.20.060 sets forth the fees required to be paid by licensees. The proposed amendments to this section would delete references to exceptions to the fee requirement for nonprofit societies, clubs, or fraternal, labor, or other organizations, and nonprofit organizations as defined by Business and Professions Code section 19986, subdivision (h). These proposed amendments appear to be consistent with the Gambling Control Act.

7. Section 5.20.070 – License – Denial by Chief of Police – Grounds

Current section 5.20.070 sets forth the grounds upon which the Chief of Police is required to deny an application to operate a cardroom, and the procedure for appealing a denial. The proposed amendments to this section would include as a basis for denial an applicant's failure to comply with the Livermore Development Code or land use permitting requirements. The amendments would also make clarifying changes to the appeal process. These proposed amendments appear to be consistent with the Gambling Control Act.

8. Section 5.20.140 – Suspension and Revocation of License and Work Permits

Current section 5.20.140 provides the bases upon which the Chief of Police may suspend or revoke a license or work permit, and the procedure for imposing a suspension or revocation. The proposed amendments would add the provision that when an appeal of a suspension or revocation is filed, the license is suspended pending the outcome of the appeal, and the City Council shall consider the appeal within 60 days of filing. The proposed amendments appear to be consistent with the Gambling Control Act.

9. Section 5.20.150 – Number of Tables – Limitation

Section 5.20.150 currently states that the number of tables allowed within the City shall be limited to one table per 4,200 residents of the City.[6] The proposed amendments to section

[4] The City proposes retitling this section as "License – Only two licenses per person – Transferability."
[5] The City proposes retitling this section as "License – Fee."

5.20.150 would eliminate the calculation of tables allowed within the City based upon the number of residents and instead provide that the maximum number of tables allowed within the City is 28. The proposed amendments would also provide that a standard services cardroom, as defined in amended section 5.20.010, would be allowed to have a maximum of ten tables, pursuant to section 5.20.160, subdivision (D),[7] and an expanded services cardroom would be allowed to have a maximum of 14 tables, pursuant to section 5.20.160, subdivision (Q).[8]

Business and Professions Code section 19961 provides, in pertinent part:

> (a) (1) Except as provided in paragraph (2), on or after the effective date of this chapter, any amendment to any ordinance that would result in an expansion of gambling in the city, county, or city and county, shall not be valid unless the amendment is submitted for approval to the voters of the city, county, or city and county, and is approved by a majority of the electors voting thereon.
>
> > (2) Notwithstanding paragraph (1) and Section 19962, an ordinance may be amended without the approval of the electors after the effective date of this chapter to expand gambling by a change that results in an increase of less than 25 percent with respect to any of the matters set forth in paragraphs (1), (2), (3), and (5) of subdivision (b). Thereafter, any additional expansion shall be approved by a majority of the electors voting thereon.
>
> (b) For the purposes of this article, "expansion of gambling" means, when compared to that authorized on January 1, 1996, or under an ordinance adopted

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[6] This section further provides that when the Chief of Police determines that an additional table is available based upon the population, the Chief of Police shall give notice to existing licensees having less than the maximum number of tables allowed that they are eligible to apply for an additional table. There are additional conditional use permit conditions for standard services and expanded services cardrooms, as well as proposed procedural rules with respect to additional card tables based upon increases in the City's population.

[7] Current section 5.20.160, subdivision (D), allows a cardroom to operate up to ten tables.

[8] The amendments to section 5.20.160, subdivision (Q), provide for the same per-cardroom table limits as those contained in the proposed amendments to section 5.20.150. For the sake of clarity, and to avoid duplicative commentary, the Bureau's comments regarding the cardroom table limit specified in section 5.20.160, subdivision (Q), have been omitted, and the Bureau's comments regarding the proposed amendments to section 5.20.150 should be understood as applying to the proposed amendments to section 5.20.160, subdivision (Q), as well.

pursuant to subdivision (a) of Section 19960, whichever is the lesser number, a change that results in any of the following:

(1) An increase of 25 percent or more in the number of gambling tables in the city, county, or city and county.

. . .

(3) An increase of 25 percent or more in the number of gambling tables that may be operated in a gambling establishment in the city, county, or city and county.

. . .

(c) The measure to expand gambling shall appear on the ballot in substantially the following form: "Shall gambling be expanded in ____ beyond that operated or authorized on January 1, 1996, by ____ (describe expansion) Yes ____ No ____."

(d) The authorization of subdivision (c) is subject to Sections 19962 and 19963 until those sections are repealed.

. . .

(f) No city, county, or city and county shall amend its ordinance in a cumulative manner to increase gambling by more than 25 percent for the factors listed in subdivision (b), when compared to that authorized on January 1, 1996, without conducting an election pursuant to this section.

(Bus. & Prof. Code, § 19961.)

On January 1, 1996, the City had in effect an ordinance limiting the number of tables allowed in a cardroom to one table for every 5,000 residents. Based upon the City's population at that time, the cardroom table limit would have been 13.[9]

[9] The estimated population of the City as of January 1996 was 64,370, according to the California Department of Finance E-4 Revised Historical City, County and State Population Estimates, 1991-2000, with 1990 and 2000 Census Counts, available at https://dof.ca.gov/forecasting/demographics/estimates/e-4-revised-historical-city-county-and-state-population-estimates-1991-2000-with-1990-and-2000-census-counts/.

In 2009, the City amended its ordinance to modify the population-based formula for setting the maximum number of tables that can be operated within the jurisdiction, changing the formula from one table per 5,000 residents to one table per 4,200 residents. This change had the effect of increasing the jurisdictional table limit to 16 tables, an increase of three tables.[10] This 2009 amendment appears to have been in compliance with Business and Professions Code section 19961, subdivision (a)(2), as the increase in the jurisdictional table limit by three tables was less than 25 percent of what was permitted on January 1, 1996. (See Bus. & Prof. Code, § 19961, subd. (b)(1).)

Thereafter, in 2011, Livermore Casino sought and received approval to operate an additional two tables, resulting in its operating a total of eight tables. It is the Bureau's understanding that this permanent table increase request was approved pursuant to Business and Professions Code section 19961.06, but that the City did not amend its ordinances to reflect this increase. Assuming that this approval was made pursuant to Business and Professions Code section 19961.06, the City's jurisdictional table limit would then have been 18.

Given the Bureau's understanding of the City's jurisdictional table limit as of January 1, 1996, and the intervening increases to the jurisdictional table limits and cardroom table limits described above, the proposed amendment to the City's ordinance, specifying that the City's jurisdictional table limit is 28 tables, would appear to exceed the allowable number of tables under Business and Professions Code section 19961, subdivision (a)(2), thus resulting in an unauthorized expansion of gambling.[11]

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[10] At the time of the 2009 amendment, there were two cardrooms operating in the City: Casino 580 and Livermore Casino. Consistent with the jurisdictional table limit of 16 tables, Casino 580 was operating ten tables, and Livermore Casino was operating six tables.

[11] Language that provides for "automatic" increases to a local jurisdiction's table limits does not appear to comply with the Gambling Control Act. Business and Professions Code section 19860, subdivision (a)(5), requires that an ordinance govern "[t]he number of gambling tables in each gambling establishment and in the jurisdiction." The Commission shall deny a gambling license with respect to a gambling establishment located in a city, county, or city and county that does not have an ordinance governing this and other specified matters. (Bus. & Prof. Code, § 19860, subd. (a).) If the jurisdictional table limits increased by operation of the ordinance language, but without specifying the jurisdictional table limit within the ordinance, the ordinance would not comply with Business and Professions Code section 19860, subdivision (a)(5). This is further supported by the plain language of Business and Professions Code section 19961, subdivision (a), which specifies limitations on the "amendment" of an ordinance to, among other things, increase the number of tables allowed within a gambling establishment, and within a jurisdiction. (See Bus. & Prof. Code, § 19961, subd. (b).) The requirement that an ordinance be "amended" necessarily requires an affirmative act by the City, through its legislative processes, to approve and implement such an increase.

However, Business and Professions Code section 19965 authorizes the proposed jurisdictional table limit and the amendments to section 5.20.160, subdivision (Q). Business and Professions Code section 19965 provides, in pertinent part:

> Notwithstanding Sections 19961 and 19962, a city, county, or city and county may amend an ordinance to increase the number of gambling tables that may be operated in a gambling establishment as follows:
>
> . . .
>
> (b) If the ordinance in effect on July 1, 2007, provided for nine to 12 tables, inclusive, the amended ordinance may allow an increase of four tables.

Since at least 1999, section 5.20.160, subdivision (D), provided that "[n]ot more than 10 tables shall be permitted in any cardroom."[12] This subdivision does not appear to have been amended at any time up to and including July 1, 2007. Accordingly, Business and Professions

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Laws previously authorizing increases to gambling establishment table limits have consistently required the affirmative adoption of ordinances by local jurisdictions to authorize the legislatively-approved table limit increases. (See, e.g., Bus. & Prof. Code, §§ 19961.06 (providing that "a city, county, or city and county *may amend an ordinance* to increase by two the number of gambling tables that may be operated in a gambling establishment") (emphasis added), 19965 (providing that "a city, county, or city and county *may amend an ordinance* to increase the number of gambling tables that may be operated in a gambling establishment") (emphasis added).) Assuming that future limitations of gambling establishment table limit increases under the Gambling Control Act similarly require local jurisdictions to act to *adopt amendments* to their ordinances, the proposed language allowing automatic increases to the gambling establishment table limits would not comply with the Gambling Control Act absent, at a minimum, the affirmative adoption of amendments to the ordinance to implement such increases.

Furthermore, a self-executing ordinance that increases the jurisdictional table limit, could, depending on the amount of the increase effected thereby, run afoul of the prohibition on the expansion of gambling contained in Business and Professions Code section 19961, subdivision (b), if the ordinance, by its own terms, would allow an increase to the gambling establishment or jurisdictional table limits by 25 percent or more, and without in each instance obtaining the majority vote of the electors, as required by Business and Professions Code section 19961, subdivision (a)(1). Accordingly, a so-called self-executing increase, in the absence of an official act by the City to amend its ordinance, would not comply with the Gambling Control Act.

[12] City of Livermore Ordinance No. 1563.

Code section 19965, subdivision (b), would appear to allow an increase to the cardroom table limit from ten to 14, and also a corresponding increase to the jurisdictional table limit to accommodate the per cardroom increase, notwithstanding section 5.20.150's lack of a specified jurisdictional table limit prior to these proposed amendments. Instead, the amendment to section 5.20.150, replacing the resident-based calculation with "28 tables" could be more properly characterized as a change conforming the section to the requirements of the Gambling Control Act.[13] As such, the proposed amendments to section 5.20.150, specifying a jurisdictional limit of 28 tables, and the proposed amendments permitting up to 14 tables for an expanded services cardroom, pursuant to section 5.20.160, subdivision (Q), appear to be consistent with the Gambling Control Act.

10. Section 5.20.160 – Operation – Rules and Regulations

Current section 5.20.160 sets forth various restrictions on the operation of cardrooms. The City proposes amendments that principally affect expanded services cardrooms, and would allow expanded services cardrooms to (1) operate up to 14 tables,[14] (2) offer for play any game not prohibited by state law, (3) allow up to ten seated and ten standing players at a table, (4) operate for 24 hours a day, seven days a week, and (5) limit wagers to $1,000, subject to

[13] The Bureau believes that this proposed deletion of the population-based calculation of tables allowed within the City brings this ordinance into compliance with the Gambling Control Act, as ordinance language that provides for "automatic" increases to the number of tables allowed within the City is not compliant. Business and Professions Code section 19961, subdivision (a)(1), provides that "any amendment to any ordinance that would result in an expansion of gambling in the city, county, or city and county, shall not be valid unless the amendment is submitted for approval to the voters of the city, county, or city and county, and is approved by a majority of the electors voting thereon." And, Business and Professions Code section 19961, subdivision (b)(1), defines an "expansion of gambling" as, among other actions, an increase of "25 percent or more in the number of gambling tables in the city, county, or city and county." An "automatic" increase in the number of tables allowed within the City that meets or exceeds 25 percent of that allowed on January 1, 1996 would be an unauthorized expansion of gambling, in the absence of approval by the electors of the City.

Additionally, the plain language of Business and Professions Code section 19961, subdivision (a), which specifies limitations on the "amendment" of an ordinance to, among other things, increase the number of gambling tables allowed within a jurisdiction, does not contemplate "automatic" increases to the items listed therein (see Bus. & Prof. Code, § 19961, subd. (b)), because the requirement that an ordinance be "amended" necessarily requires an affirmative act by the City to implement such an increase.

[14] See the discussion of section 5.20.150 for the Bureau's comments regarding the proposed amendment to section 5.20.160, subdivision (Q), allowing up to 14 tables in an expanded services cardroom.

specified Development Agreement and Conditional Use Permit requirements. These proposed amendments appear to be consistent with the Gambling Control Act.

While the Bureau is required to review and comment upon proposed ordinance amendments, the Bureau notes that nothing contained herein shall be construed to authorize the operation of a gambling establishment in any manner that is inconsistent with the Gambling Control Act or any other applicable provision of law.

If you have any questions, or wish to submit further revisions to these ordinances, please contact Analyst Kenneth Larsen at (916) 559-6103, or by email at kenneth.larsen@doj.ca.gov. Thank you for your cooperation regarding this matter.

Sincerely,

Brent Y. Jo

Digitally signed by Brent Y. Jo
Date: 2023.10.20 14:12:20 -07'00'

BRENT Y. JO
Deputy Attorney General

For ROB BONTA
Attorney General

CALIFORNIA
DEPARTMENT OF JUSTICE

Rob Bonta
Attorney General

DIVISION OF LAW ENFORCEMENT
BUREAU OF GAMBLING CONTROL
2450 DEL PASO ROAD, SUITE 100
SACRAMENTO, CA 95834
(916) 830-1700

March 12, 2024

Via e-mail only

Ashley Vera
Associate Planner
City of Livermore
Community Development Department
1052 S. Livermore Ave.
Livermore, CA 94550
ASVera@livermoreca.gov

Re: City of Livermore – Bureau of Gambling Control Review of Proposed Ordinance Amendments

Dear Ms. Vera:

On January 31, 2024, the California Department of Justice, Bureau of Gambling Control (Bureau) received an email from you that provided the Bureau with a copy of proposed amendments to chapter 5.20 of the City of Livermore (City) Municipal Code, which contains the ordinances that govern the licensing and operation of gambling establishments.[1] The bulk of the proposed amendments were previously submitted to the Bureau for review in compliance with Business and Professions Code section 19961.1 in March 2023. The Bureau provided its comments to the City on those proposed amendments on October 20, 2023. I have attached a copy of that letter for reference. The City does not appear to have adopted the previously submitted proposed amendments as of the date of this letter.

The proposed amendments submitted on January 31, 2024 include all of the proposed amendments previously submitted in March 2023, as well as additional amendments to section 5.20.150 of the Municipal Code. The Bureau reiterates its October 20, 2023 comments regarding the previously submitted proposed amendments, and offers the following comments regarding the additional proposed amendments to section 5.20.150.

[1] Chapter 5.20 of the City's Municipal Code refers to a "cardroom," which the Bureau acknowledges as being synonymous with the definition of a "gambling establishment" under the Gambling Control Act. (See Bus. & Prof. Code, § 19805, subd. (o).)

1. Section 5.20.150 – Number of Tables – Limitation

The City proposes further amendments to section 5.20.150 to specify that the maximum number of tables allowed within the City is 32, increased from 28 tables as proposed in the March 2023 amendments. The proposed amendments also provide that an expanded services cardroom would be allowed to have a maximum of 16 tables, increased from 14 tables as proposed in the March 2023 amendments, pursuant to section 5.20.160, subdivision (Q).[2]

Business and Professions Code section 19961.07 provides in pertinent part:

> (a) Notwithstanding Sections 19961 and 19962, and except as provided in subdivision (b), a city, county, or city and county may amend an ordinance to increase the number of gambling tables that may be operated in a gambling establishment as follows:
>
> > (1) The ordinance shall apply only to a gambling establishment that operates fewer than 20 gambling tables.
> >
> > (2) The ordinance shall allow a gambling establishment to increase the number of gambling tables operated at the gambling establishment by up to 2 additional tables within the first year after the ordinance takes effect, and up to 2 additional tables every four years thereafter, not to exceed 10 additional tables above the number of tables operated at the gambling establishment on January 1, 2023. A gambling establishment shall have all permitted gambling tables in operation and remain current in payment on all taxes and other applicable fees before an increase in gambling tables is allowed pursuant to this subdivision.

The proposed amendment allowing two additional tables per gambling establishment pursuant to Business and Professions Code section 19961.07, in addition to the City's March 2023 proposed amendments to section 5.20.150, would result in a total of 16 tables per gambling establishment, with a jurisdictional table limit of 32. This proposed amendment appears compliant with the Act, provided that the gambling establishments have all permitted

[2] The amendments to section 5.20.160, subdivision (Q), provide for the same per-cardroom table limits for an expanded services cardroom as those contained in the proposed amendments to section 5.20.150. For the sake of clarity, and to avoid duplicative commentary, the Bureau's comments regarding the cardroom table limit specified in section 5.20.160, subdivision (Q), have been omitted, and the Bureau's comments regarding the proposed amendments to section 5.20.150 should be understood to apply to the proposed amendments to section 5.20.160, subdivision (Q), as well.

gambling tables in operation and remain current in payment of all taxes and other applicable fees as specified in Business and Professions Code section 19961.07, subdivision (a)(2).[3]

As noted above, the proposed amendments appear to be compliant with the Act. If further amendments are forthcoming, please provide the Bureau with those amendments prior to adoption as required by Business and Professions Code section 19961.1.

While the Bureau is required to review and comment upon proposed ordinance amendments, the Bureau notes that nothing contained herein shall be construed to authorize the operation of a gambling establishment in any manner that is inconsistent with the Gambling Control Act or any other applicable provision of law.

If you have any questions, or wish to submit further revisions to these ordinances, please contact Analyst Kenneth Larsen at (916) 559-6103, or by email at kenneth.larsen@doj.ca.gov. Thank you for your cooperation regarding this matter.

Sincerely,

Brent Y. Jo Digitally signed by Brent Y. Jo
Date: 2024.03.12 16:53:23 -07'00'

BRENT Y. JO
Deputy Attorney General

For ROB BONTA
Attorney General

Enclosure

[3] Please note that the Bureau's October 20, 2023 letter at page 5, last paragraph, should read:

> On January 1, 1996, the City had in effect an ordinance limiting the number of tables allowed in [the City] to one table for every 5,000 residents. Based upon the City's population at that time, the [jurisdictional] table limit would have been 13.

This revision does not, and is not intended to, change the Bureau's prior analysis.

CALIFORNIA
DEPARTMENT OF JUSTICE

Rob Bonta
Attorney General

BUREAU OF GAMBLING CONTROL
2450 DEL PASO ROAD, SUITE 100
SACRAMENTO, CA 95834

December 16, 2024

Via e-mail only

Ashley Vera
Associate Planner
City of Livermore
Community Development Department
1052 S. Livermore Ave.
Livermore, CA 94550
ASVera@livermoreca.gov

Re: City of Livermore – Ordinance Amendments

Dear Ms. Vera:

On November 18, 2024, the California Department of Justice, Bureau of Gambling Control (Bureau), received an email from you that provided the Bureau with a copy of further proposed amendments to chapter 5.20 of the City of Livermore (City) Municipal Code, which contains the ordinances that govern the licensing and operation of gambling establishments.[1] These proposed amendments were submitted for review by the Bureau in compliance with Business and Professions Code section 19961.1, and for the Bureau to evaluate the proposed amendments to the City's Municipal Code in light of the restrictions and limitations contained in the Gambling Control Act (Act). The Bureau offers the following comments.

[1] Chapter 5.20 of the City's Municipal Code refers to a "cardroom," which the Bureau acknowledges as being synonymous with the definition of a "gambling establishment" under the Gambling Control Act. (See Bus. & Prof. Code, § 19805, subd. (*o*).) In March 2023, and January 2024, the City submitted proposed amendments to chapter 5.20 of its Municipal Code, and the Bureau provided its comments to the City in letters dated October 20, 2023, and March 12, 2024, respectively. This letter addresses only the proposed amendments that differ from those submitted previously submitted amendments.

1. Section 5.20.110[2] – Employee work permits – Issuance restrictions

Section 5.20.110 currently provides that a work permit shall only be issued to citizens of the United States who have resided in California for at least one year immediately preceding the submission of an application for a work permit. The City proposes amending section 5.20.110 to instead provide that work permits shall only be issued to individuals authorized to work in the United States. The proposed amendment appears compliant with the Act.

While the Bureau is required to review and comment upon proposed ordinance amendments, the Bureau notes that nothing contained herein shall be construed to authorize the operation of a gambling establishment in any manner that is inconsistent with the Gambling Control Act or any other applicable provision of law.

If you have any questions, or wish to submit further revisions to these ordinances, please contact Analyst Kenneth Larsen at (916) 559-6103, or by email at kenneth.larsen@doj.ca.gov. Thank you for your cooperation regarding this matter.

Sincerely,

Brent Y. Jo

Digitally signed by Brent Y. Jo
Date: 2024.12.16 09:00:50 -08'00'

BRENT Y. JO
Deputy Attorney General

For ROB BONTA
Attorney General

[2] Section references are to the City's Municipal Code, unless otherwise indicated.

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION ADOPTING THE PARKWEST CASINO 580 EXPANSION PROJECT INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION AND MITIGATION AND MONITORING AND REPORTING PROGRAM

Municipal Code Amendment (MUNI) 24-002, Development Code Amendment (DCA) 24-004, Conditional Use Permit Modification (CUPM) 24-001, Development Agreement (DA) 24-003, Site Plan Design Review (SPDR) 24-010, and Site Plan Design Review Modification (SPDRM) 24-024

The City received applications for Municipal Code Amendment (MUNI) 24-002, Development Code Amendment (DCA) 24-004, Conditional Use Permit Modification (CUPM) 24-001, Development Agreement (DA) 24-003, Site Plan Design Review (SPDR) 24-010, and Site Plan Design Review Modification (SPDRM) 24-024 to 1) amend the Livermore Municipal Code including increasing the total number of card tables permitted citywide, increasing the total number of card table permitted per gambling establishment, increasing allowable hours of operation, increasing the maximum bet limit, permitting limited backline betting, permitting the play of new card games not prohibited by state law, modifying tournament noticing requirements, modifying the number of cardroom licenses permitted per person, and additional miscellaneous amendments made for clarification; 2) authorize operational changes at Parkwest Casino 580 including increasing the number of card tables, increasing hours of operation, increasing the maximum bet limit, permitting limited backline betting, and permitting the play of new card games not prohibited by state law; and 3) approve the development of a 230-space surface parking lot for Parkwest Casino 580 for the Parkwest Casino 580 Expansion Project ("Project").

On January 7, 2025, the Planning Commission held a duly noticed public hearing to consider the Project and staff recommendation, heard public testimony, made the necessary findings, and adopted Planning Commission Resolution No. 01-25 recommending the City Council adopt the Initial Study and Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program in accordance with the provisions of the California Environmental Quality Act ("CEQA").

On February 24, 2025, the City Council held a duly noticed public hearing to consider the Project, Planning Commission and staff recommendations, all public comments and testimony, and findings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that prior to taking action on the Project, and at a properly noticed public hearing, the City Council reviewed written and oral staff reports, conducted a public hearing on the Project and took testimony, and received into the record all pertinent documents related to the Project (collectively, the "Record Evidence"). The City Council's

determination is based on the Record Evidence, which is incorporated into this Resolution by reference.

BE IT FURTHER RESOLVED that the City Council of the City of Livermore, has considered the findings made in Planning Commission Resolution No. 01-25, attached hereto as Exhibit A, along with the comment and response to comments documents in Exhibits C and D, respectively, and the City Council hereby adopts the same findings by this reference and incorporates them as their own findings as part of this resolution. Based upon the City Council's own independent review of the Record Evidence and considerations, the City Council hereby finds all potentially significant environmental impacts have been identified in the initial study and reduced to a less-than-significant level with mitigation, and hereby adopts the Parkwest Casino 580 Expansion Project Initial Study and Mitigated Negative Declaration attached hereto as Exhibit B, in accordance with the California Environmental Quality Act ("CEQA").

BE IT FURTHER RESOLVED that the City Council of the City of Livermore adopts the Mitigation Monitoring and Reporting Program attached hereto as Exhibit E, which is incorporated into the Conditions of Approval for the project.

BE IT FURTHER RESOLVED that the City Council of the City of Livermore directs the Planning Manager to file a Notice of Determination with the Alameda County Clerk, if the project is approved.

The documents that constitute the record of proceedings upon which this decision is based can be found in the City Clerk's Office, 1052 S. Livermore Avenue, in Livermore, California. This resolution shall be effective upon adoption by the City Council.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 24, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST: APPROVED AS TO FORM:

_____ */s/ Katherine Mirassou*

Deborah L. Elam
City Clerk

Katherine Mirassou
Assistant City Attorney

Exhibit A – Planning Commission Resolution No. 01-25
Exhibit B – Initial Study and Mitigated Negative Declaration

Exhibit C – Caltrans Comment Letter
Exhibit D – Response to Comments
Exhibit E – Mitigation Monitoring and Reporting Program

IN THE PLANNING COMMISSION OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT THE PARKWEST CASINO 580 EXPANSION PROJECT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM

Municipal Code Amendment (MUNI) 24-002, Development Code Amendment (DCA) 24-004, Conditional Use Permit Modification (CUPM) 24-001, Development Agreement (DA) 24-003, Site Plan Design Review (SPDR) 24-010, and Site Plan Design Review Modification (SPDRM) 24-024

The City received an application for Municipal Code Amendment (MUNI) 24-002, Development Code Amendment, (DCA) 24-004, Conditional Use Permit Modification (CUPM) 24-001, Development Agreement (DA) 24-003, Site Plan Design Review (SPDR) 24-010, and Site Plan Design Review Modification (SPDRM) 24-024 to 1) amend the Livermore Municipal Code including increasing the total number of card tables permitted citywide, increasing the total number of card table permitted per gambling establishment, increasing allowable hours of operation, increasing the maximum bet limit, permitting limited backline betting, permitting the play of new card games not prohibited by state law, modifying tournament noticing requirements, modifying the number of cardroom licenses permitted per person, and additional miscellaneous amendments made for clarification; 2) authorize operational changes at Parkwest Casino 580 including increasing the number of card tables, increasing hours of operation, increasing the maximum bet limit, permitting limited backline betting, and permitting the play of new card games not prohibited by state law; and 3) approve the development of a 230-space surface parking lot for Parkwest Casino 580 for the Parkwest Casino 580 Expansion Project ("Project").

An Initial Study/Mitigated Negative Declaration was prepared for the Project, attached hereto as Exhibit A, in accordance with the provisions of the California Environmental Quality Act ("CEQA").

On January 7, 2025, the Planning commission held a duly noticed public hearing to consider the Project and staff recommendations, all public comments and testimony, and findings.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Livermore that prior to taking action on the Project, and at a properly noticed public meeting, the Planning Commission reviewed written and oral staff reports, conducted a public hearing on the Project and] took testimony, and received into the record all pertinent documents related to the Project (collectively, the "Record Evidence"). The Planning Commission's determination is based on the Record Evidence, which is incorporated into this Resolution by reference.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Livermore, based upon its own independent review of the Record Evidence and

considerations, hereby finds all potentially significant environmental impacts have been identified in the initial study and reduced to a less-than-significant level with mitigation, and hereby recommends the City Council adopt the Parkwest Casino 580 Expansion Project Initial Study/Mitigated Negative Declaration attached hereto as Exhibit A, along with the comment and response to comments documents in Exhibits B and C, in accordance with CEQA.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Livermore recommends the City Council adopt the Mitigation Monitoring and Reporting Program attached hereto as Exhibit D, which is incorporated into the conditions of approval for the Project.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Livermore recommends the City Council direct the Planning Manager to file a Notice of Determination with the Alameda County Clerk, if the Project is approved.

The documents that constitute the record of proceedings upon which this decision is based can be found in the Community Development Department, 1052 S. Livermore Avenue, in Livermore, California.

On the motion by Commissioner Fintschenko, seconded by Commissioner Kronzak, the foregoing Resolution was passed and adopted at the Planning Commission meeting of January 7, 2025, by the following vote:

AYES: ANDERSON, FINTSCHENKO, KRONZAK, LEARY.
NOES: NONE.
ABSENT: NONE.

Jacob Anderson, Chairperson

Stephen Riley

by Stephen Riley, Planning Manager
Secretary to the Planning Commission

Exhibit A – Initial Study/Mitigated Negative Declaration for the Parkwest Casino 580 Expansion Project
Exhibit B – Comment Letter from California Department of Transportation, District 4
Exhibit C – Responses to Comments
Exhibit D – Mitigation Monitoring and Reporting Program

City of Livermore
Community Development Department

Parkwest Casino 580 Expansion Project

Initial Study/Mitigated Negative Declaration

November 2024

Prepared by

RANEY PLANNING & MANAGEMENT, INC. 25 years
1501 Sports Drive, Suite A, Sacramento, CA 95834

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APPENDICES:

Appendix A: Air Quality Modeling Results
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INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

November 2024

A. BACKGROUND

1. Project Title: Parkwest Casino 580 Expansion Project

2. Lead Agency Name and Address: City of Livermore
Community Development Department
1052 S. Livermore Avenue
Livermore, CA 94550

3. Contact Person and Phone Number: Ashley Vera
Senior Planner
(925) 960-4479

4. Project Location: 950-968 North Canyons Parkway
and unaddressed vacant property to the east of
950-968 North Canyons Parkway
Livermore, CA 94551
APNs: 905-0016-086-00, 905-0016-087-00,
905-0016-088-00, and 905-0009-013-03

5. Project Sponsor's Name and Address: Parkwest Casino 580
968 North Canyons Parkway
Livermore, CA 94551

6. General Plan Designation: Isabel Neighborhood (IN)

7. Zoning Designation: Isabel Neighborhood Specific Plan (INSP),
General Commercial

8. Required Approvals from other Public Agencies: Approval of City of Livermore
Municipal Code amendments by the
California Bureau of Gambling Control and
approval of modified permit by the
California Gambling Control Commission

9. Surrounding Land Uses and Setting:

The approximately 9.5-acre project site (Assessor's Parcel Numbers [APNs] 905-0016-088-00, 905-0016-087-00, 905-0016-086-00, and a portion of APN 905-0009-013-03) is located at 968 North Canyons Parkway in the City of Livermore, California. The three western parcels (APNs 905-0016-088-00, 905-0016-087-00, 905-0016-086-00) are developed with the existing Parkwest Casino 580 and associated parking lot, and the eastern parcel (APN 905-0009-013-03) is undeveloped. Surrounding existing land uses include a business park to the north, across North Canyons Parkway; a gas station, restaurant, and three hotels to the east, across Airway Boulevard; Interstate 580 (I-580)

and the Las Positas Golf Course to the south, and undeveloped land and Doolan Canyon to the west, across Doolan Road. The project site is within the Isabel Neighborhood and is zoned Isabel Neighborhood Specific Plan (INSP), General Commercial.

10. Project Description Summary:

The proposed project would add a new surface parking lot with 230 parking spaces, which would be located east of the existing Parkwest Casino 580. The new parking lot would be located on the southern portion of the eastern parcel and would include 178 standard stalls, 26 electric vehicle (EV) capable spaces, 26 EV charging stations, as well as racks for up to 36 bicycles. The additional 230 parking spaces would increase the number of available parking spaces for the casino from 131 to 361. In addition, the proposed project would convert five of the existing standard stalls to one Americans with Disabilities (ADA) compliant EV charging station and four ADA stalls. A total of nine ADA stalls and one ADA compliant EV charging station would be provided on-site.

One tree located in the existing parking lot would be removed as part of the proposed project. Removal of the tree would be required to accommodate a pedestrian connection from the new surface parking lot to the existing sidewalk surrounding the building. In addition, the applicant is proposing operational changes to Parkwest Casino 580, including an increase in the total number of card tables from 10 to 16 tables, an increase in the hours of operation to 24/7 operations, an increase in the maximum bet limit from $200 to $1,000, permittance of up to 10 backline betters per table, and permittance of new card games not prohibited by state law, including Pai Gow with tiles.

Access to the parking lot would be provided by existing driveways on Doolan Road and North Canyons Parkway, as well as a new driveway from North Canyons Parkway, at the northeast corner of the project site. The proposed project would also include off-site improvements along North Canyons Parkway, including the development of a new Class IV bike lane with a landscaped buffer, and restriping of traffic lanes. The existing bus turnout and concrete pad on North Canyons Parkway would be shifted north and space for a bus shelter would be maintained for future installation as determined by the Livermore Amador Valley Transit Authority (LAVTA). With the exception of new bicycle racks, exterior improvements to the existing Parkwest Casino 580 would not occur as part of the proposed project.

The installation of bicycle racks outside of the Parkwest Casino 580 entrances and tree removal in the existing parking lot would require City approval of a Site Plan Design Review Modification. The parking lot expansion and frontage improvements in the vacant parcel to the east of Parkwest Casino 580 would require City approval of a Site Plan and Design Review. As noted above, the applicant is proposing operational changes to Parkwest Casino 580 related to the number of card tables, hours of operation, bet limits, backline betters, and card games. These operational changes require amendments to the City of Livermore Municipal Code, several of which would also be captured in a new Development Agreement and a modified Conditional Use Permit for the property. Additional amendments to the Livermore Municipal Code that would be applied citywide include an increase in the total number of card tables citywide, modifications to tournament noticing requirements, changes to the number of cardroom licenses permitted per person, and miscellaneous amendments made for clarification. In addition, a Development Code Amendment is required to update the Livermore Municipal Code section referenced in the cardroom definition. The Site Plan Design Review Modification, Site Plan Design review,

Livermore Municipal Code amendments, new Development Agreement, modified Conditional Use Permit, and Development Code Amendment require City approval.

11. Status of Native American Consultation Pursuant to Public Resources Code Section 21080.3.1:

In compliance with Assembly Bill (AB) 52 (Public Resources Code [PRC] Section 21080.3.1), a project notification letter was distributed to the Amah Mutsun Tribal Band of Mission San Juan Bautista, the Confederated Villages of Lisjan Nation, Costanoan Rumsen Carmel Tribe, Indian Canyon Mutsun Band of Costanoan, Muwekma Ohlone Tribe of the San Francisco Bay Area, Northern Valley Yokut/Ohlone Tribe, Ohlone Indian Tribe, Wilton Rancheria, and the Wuksachi Indian Tribe/Eshom Valley Band. The letters were distributed on July 24, 2024. A response from the Ohlone Indian Tribe and the Confederated Villages of Lisjan Nation were received, requesting additional information. The Amah Mutsun Tribal Band of San Juan Bautista provided recommendations if positive cultural or historic sensitivity is determined within one-mile of the project area and requested Tribal monitoring, which have been implemented as mitigation measures herein. The Confederated Villages of Lisjan Nation also provided recommended mitigation measures, which have also been implemented herein. The Indian Canyon Band of Costanoan Ohlone People recommended Tribal monitoring and cultural sensitivity training, which have been implemented as mitigation measures herein. Other requests to consult were not received within the required response period.

B. SOURCES

The following documents are referenced information sources used for the purpose of this Initial Study/Mitigated Negative Declaration (IS/MND):

1. Alameda County Community Development Agency. *Livermore Executive Airport Land Use Compatibility Plan* [Figure 3-1]. August 2012.
2. Alameda County Transportation Commission. *2023 Congestion Management Program*. October 2023.
3. Bay Area Air Quality Management District. *2022 California Environmental Quality Act Guidelines.* April 2023.
4. Bay Area Air Quality Management District. *CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans*. April 2022.
5. CalEPA. *Cortese List Data Resources*. Available at: https://calepa.ca.gov/sitecleanup/corteselist/. Accessed August 2024.
6. California Department of Conservation. *California Earthquake Hazards Zone.* February 27, 2009.
7. California Department of Conservation. *California Earthquake Hazards Zone Application.* Available at: https://maps.conservation.ca.gov/cgs/EQZApp/app/. Accessed August 2024.
8. California Department of Conservation. *California Important Farmland Finder.* Available at: https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed May 2024.
9. California Department of Forestry and Fire Protection. *Fire Hazard Severity Zone Viewer*. Available at: https://experience.arcgis.com/experience/03beab8511814e79a0e4eabf0d3e7247/. Accessed August 2024.
10. California Department of Transportation. *California State Scenic Highway System Map.* Available at:

https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa. Accessed August 2024.
11. California Department of Transportation. *Transportation Related Earthborne Vibrations. TAV-02-01-R9601.* February 20, 2002.
12. City of Livermore Water Resources Division. *2020 Urban Water Management Plan*. June 28, 2021.
13. City of Livermore. *City of Livermore General Plan 2003-2025*. Amended December 2014.
14. City of Livermore. *Design Standards and Guidelines*. Adopted June 28, 2004.
15. City of Livermore. *Emergency Operations Plan*. January 2018.
16. City of Livermore. *Livermore Bicycle and Trails Active Transportation Plan.* June 11, 2018.
17. City of Livermore. *Livermore Municipal Water*. Available at: https://www.livermoreca.gov/departments/public-works/water-resources/livermore-municipal-water. Accessed August 2024.
18. City of Livermore. *Livermore Water Reclamation Plant.* Available at: http://www.cityoflivermore.net/citygov/pw/public_works_divisions/wrd/water_reclamation_plant/lwrp.htm. Accessed May 2021.
19. Department of Resources Recycling and Recovery. *SWIS Facility Detail, Vasco Road Sanitary Landfill (01-AA-0010).* Available at: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/9?siteID=8. Accessed August 2024.
20. Department of Toxic Substances Control. *Hazardous Waste and Substances Site List (Cortese).* Available at: https://www.envirostor.dtsc.ca.gov/public/. Accessed August 2024.
21. Department of Water Resources. *Sustainable Groundwater Management Act 2018 Basin Prioritization* [Table A-1]. January 2019.
22. Federal Emergency Management Agency. *Flood Insurance Rate Map 06001C0329G.* Effective August 3, 2009.
23. Federal Transit Administration. *Transit Noise and Vibration Impact Assessment Guidelines.* May 2006.
24. Governor's Office of Planning and Research. *Technical Advisory on Evaluating Transportation Impacts in CEQA*. December 2018.
25. Historic Resource Associates. *Phase 1 Cultural Resources Study Parkwest Casino 580 Expansion Project 968 North Canyons Parkway, Livermore, Alameda County, California 945*50. August 2024.
26. Livermore Amador Valley Transit Authority. *30R Dublin-Livermore via Las Positas College*. August 10, 2024.
27. Native American Heritage Commission. *Parkwest Casino 580 Expansion Project, Alameda County.* July 12, 2024.
28. Natural Resource Conservation Service. *Web Soil Survey.* Available at: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx. Accessed August 2024.
29. State Water Resources Control Board. *GeoTracker.* Available at: https://geotracker.waterboards.ca.gov/map/?myaddress=California&from=header&cqid=8858350455. Accessed August 2024.
30. TJKM. *Traffic Impact Analysis Report – Parkwest Casino 580 Expansion*. November 6, 2024.
31. WRA Environmental Consultants. *Biological Resource Technical Report – Casino Parkwest 580 Parking Lot Expansion*. November 2024.
32. Zone 7 Water Agency. *2015 Urban Water Management Plan* [pg. 6-7]. March 31, 2016.
33. Zone 7 Water Agency. *Groundwater Management Plan for Livermore-Amador Valley Groundwater Basin.* September 2005.

C. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

☐ **Aesthetics**	☐ **Agriculture and Forest Resources**	☐ **Air Quality**
☒ **Biological Resources**	☒ **Cultural Resources**	☐ **Energy**
☒ **Geology and Soils**	☐ **Greenhouse Gas Emissions**	☐ **Hazards and Hazardous Materials**
☐ **Hydrology and Water Quality**	☐ **Land Use and Planning**	☐ **Mineral Resources**
☐ **Noise**	☐ **Population and Housing**	☐ **Public Services**
☐ **Recreation**	☐ **Transportation**	☒ **Tribal Cultural Resources**
☐ **Utilities and Service Systems**	☐ **Wildfire**	☐ **Mandatory Findings of Significance**

D. DETERMINATION

On the basis of this Initial Study:

☐ I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

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

Ashley Vera
Signature

11/15/2024
Date

Ashley Vera, Senior Planner
Printed Name

City of Livermore
For

E. INTRODUCTION AND BACKGROUND

This IS/MND identifies and analyzes the potential environmental impacts of the Parkwest Casino 580 Expansion Project (proposed project). The information and analysis presented in this document is organized in accordance with the order of the California Environmental Quality Act (CEQA) checklist in Appendix G of the CEQA Guidelines. Where the analysis provided in this document identifies potentially significant environmental effects of the project, mitigation measures are prescribed.

The mitigation measures prescribed for environmental effects described in this IS/MND would be implemented in conjunction with the project, as required by CEQA. The mitigation measures would be incorporated into the project through project conditions of approval. The City would adopt findings and a Mitigation Monitoring/Reporting Program (MMRP) for the project in conjunction with approval of the project.

In 2004, the City of Livermore completed a comprehensive update of the City's General Plan and adopted an Environmental Impact Report (EIR) for the updated General Plan. The General Plan EIR is a program EIR, prepared pursuant to Section 15168 of the CEQA Guidelines (Title 14, California Code of Regulations [CCR], Sections 15000 et seq.). The General Plan EIR analyzed full implementation of the General Plan and identified measures to mitigate the significant adverse impacts associated with the General Plan. In 2009, the City certified a Supplemental EIR analyzing proposed amendments to the General Plan to include policies related to Greenhouse Gas (GHG) emissions. Applicable portions of the General Plan and General Plan EIR are incorporated by reference, as necessary, as part of this IS/MND. Project-specific technical reports have been prepared for the proposed project and form the basis of applicable technical sections of this IS/MND. Technical reports used in the preparation of this IS/MND are included as appendices.

In 2018, the INSP was prepared to guide future development of the area surrounding the proposed San Francisco Bay Area Rapid Transit (BART) station in the I-580 median at Isabel Avenue. On May 14, 2018, the Livermore City Council adopted the INSP and certified the EIR (SCH #2016042039) for the INSP. The resolution accompanying the adoption (Resolution #2018-067) stated, "The INSP is contingent upon the decision by the BART Board of Directors to extend conventional (full) BART service to Isabel Avenue (as opposed to another transit mode) …" At its May 24, 2018 meeting, the BART Board voted not to advance BART to Livermore. The City of Livermore has since allowed INSP to proceed with a Valley Link Station. Similar to the BART to Livermore extension, the proposed Valley Link rail system would include a transit station at Isabel Avenue in the I-580 median. In 2020, the City of Livermore prepared an updated INSP, which included modifications to the INSP policies and maps related to the proposed Valley Link Rail system, as well as minor land use map adjustments to better reflect the existing development. A Supplemental EIR to the 2018 INSP EIR was prepared and certified for the 2020 INSP update.

F. PROJECT DESCRIPTION

The following provides a description of the project site's current location and setting, as well as the proposed project components and the discretionary actions required for the project.

Project Location and Setting

The approximately 9.5-acre project site, identified by APNs 905-0016-086-00, 905-0016-008087-00, 905-0016-088-00, and a portion of 905-0009-013-03, is located at 950-968 North Canyons Parkway and an unaddressed vacant parcel to the east of 950-968 North Canyons Parkway in the City of Livermore, California. The three western parcels (APNs 905-0016-086-00, 905-0016-008087-00, 905-0016-088-00) are developed with the existing Parkwest Casino 580 and

associated parking lot, and the eastern parcel (APN 905-0009-013-03) is undeveloped. Surrounding existing land uses include a business park to the north, across North Canyons Parkway; undeveloped land to the east, as well as a gas station, restaurant, and hotels further east, across Airway Boulevard; I-580 and the Las Positas Golf Course to the south; and undeveloped land and Doolan Canyon to the west, across Doolan Road (see Figure 1 and Figure 2). The General Plan designates the project site as Isabel Neighborhood (IN), and the site is zoned Isabel Neighborhood Specific Plan (INSP), General Commercial.

Project Components

The proposed project would include a new surface parking lot with 230 parking spaces, located east of the existing casino, which would serve the casino's customers and employees (see Figure 3). The new parking lot would be located on the southern portion of the eastern parcel and would include 178 standard stalls, 26 EV capable spaces, 26 EV charging stations, as well as racks for up to 36 bicycles. The additional 230 parking spaces would increase the number of available parking spaces for the casino from 131 to 361. The proposed project would also convert five of the existing standard stalls to one ADA compliant EV charging station and four ADA stalls. A total of nine ADA stalls and one ADA compliant EV charging station would be provided on-site.

In addition, the applicant is proposing operational changes, including an increase in the total number of card tables from 10 to 16 tables, an increase in the hours of operation to 24/7 operations, an increase in the maximum bet limit from $200 to $1,000, permittance of up to 10 backline betters per table, and permittance of new card games not prohibited by state law, including Pai Gow with tiles. As discussed below, the aforementioned operational changes would require amendments to the Livermore Municipal Code, which would be applied citywide. The proposed parking lot would alleviate the existing parking deficit and accommodate the anticipated increase in parking demand resulting from the operational changes at the casino.

Poles and lighting would be installed within the parking lot islands. The proposed parking lot would connect to the existing casino parking lot to the west, which is currently accessed from driveways on Doolan Road and North Canyons Parkway. The proposed parking lot would also connect to a new driveway on North Canyons Parkway, at the northeast corner of the project site. On-site improvements would include additional ADA striping and symbols at four designated ADA parking spaces located in front of the casino entrance. The proposed project would also include off-site improvements along North Canyons Parkway, including upgrading the existing Class II bike lane to a Class IV separated bikeway, restriping of traffic lanes, and shifting the existing bus turnout and bus shelter pad north of its existing location for future installation and use by LAVTA. Exterior improvements to the existing Parkwest Casino 580 would be limited to the installation of bicycle racks near the business entrances as part of the proposed project.

A landscape area planted with hydroseed grass would be located north of the proposed parking lot expansion and smaller landscape islands would be located throughout the parking lot. Three bioretention planters would be located along the center and southwest corner of the parking lot. Concrete pavement would be located along the eastern border of the large landscape area and three concrete islands would be located within the parking lot.

The proposed project would include approximately 2.72 gross acres of new impervious surfaces as part of development of the parking lot. The project site would be divided into two drainage management areas (DMAs).

Figure 1
Regional Project Location



Figure 2
Approximate Project Site Boundaries Map

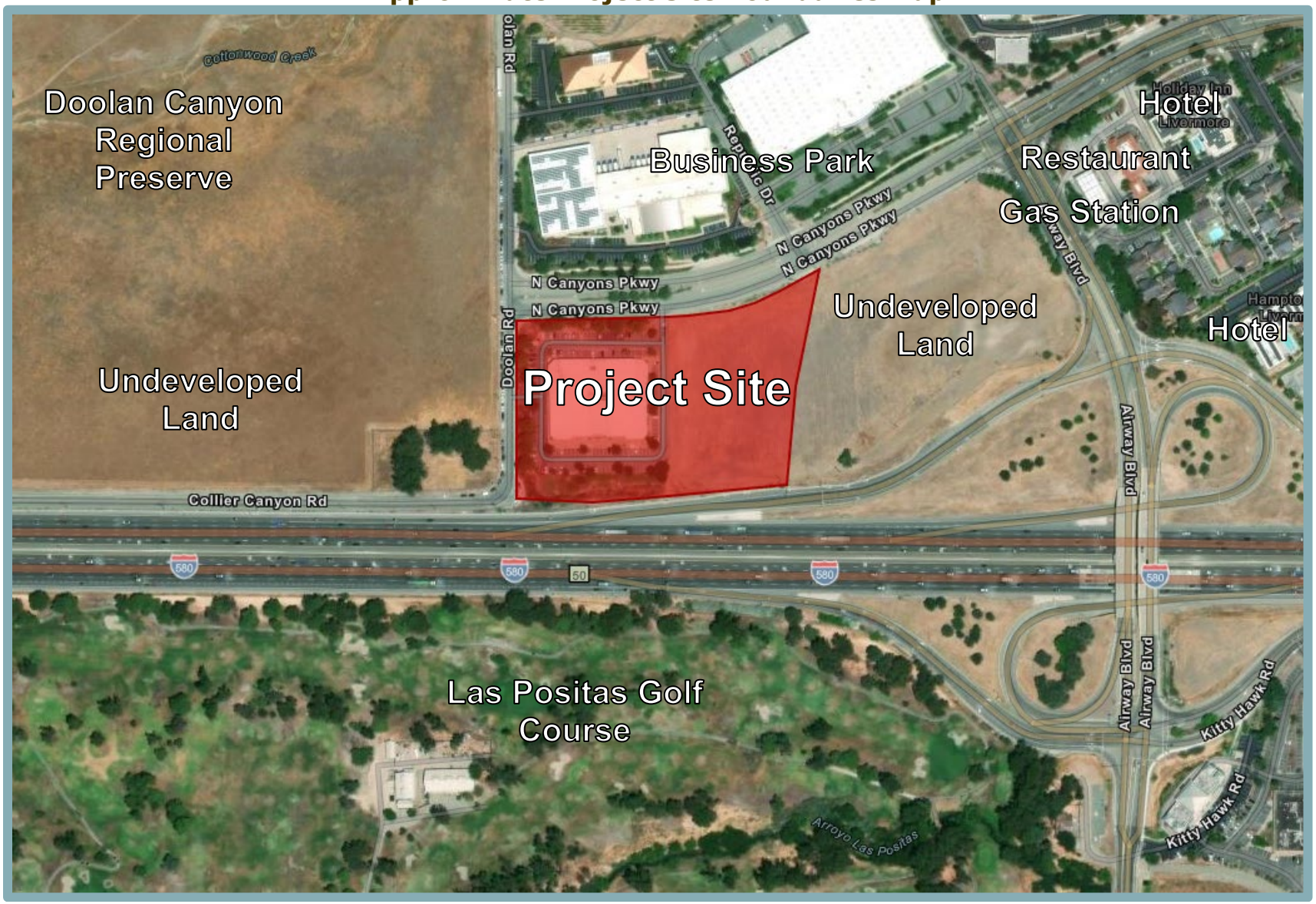
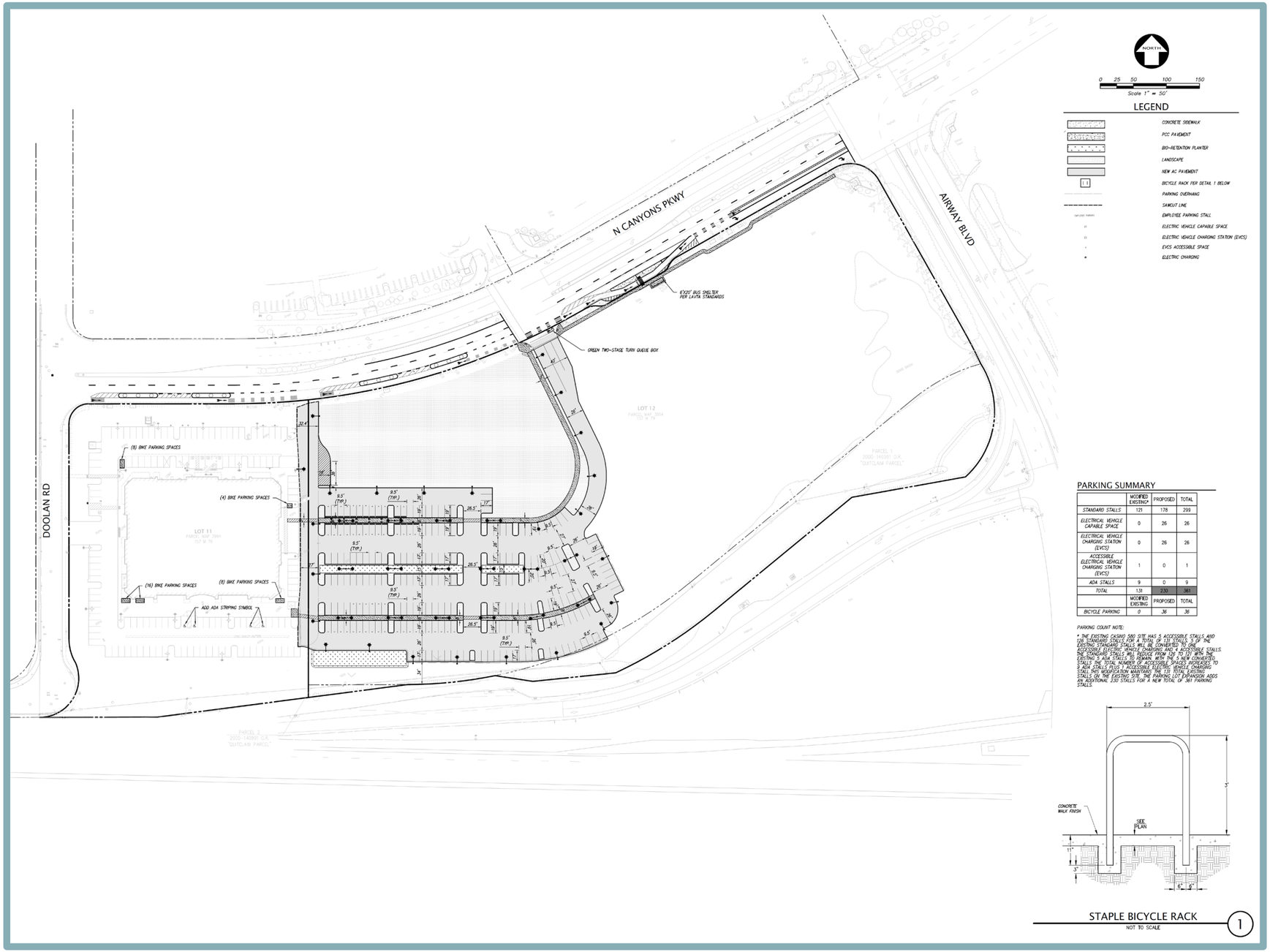


Figure 3
Site Plan



PARKING SUMMARY

	MODIFIED EXISTING	PROPOSED	TOTAL
STANDARD STALLS	121	178	299
ELECTRICAL VEHICLE CAPABLE SPACE	0	26	26
ELECTRICAL VEHICLE CHARGING STATION (EVCS)	0	26	26
ACCESSIBLE ELECTRICAL VEHICLE CHARGING STATION (EVCS)	1	0	1
ADA STALLS	9	0	9
TOTAL	131	230	361
	MODIFIED EXISTING	PROPOSED	TOTAL
BICYCLE PARKING	0	36	36

PARKING COUNT NOTE:

* THE EXISTING CASINO 580 SITE HAS 5 ACCESSIBLE STALLS AND 126 STANDARD STALLS FOR A TOTAL OF 131 STALLS. 2 OF THE EXISTING STANDARD STALLS WILL BE CONVERTED TO ONE ACCESSIBLE ELECTRIC VEHICLE CHARGING AND 1 ACCESSIBLE STALLS. THE STANDARD STALLS WILL REDUCE FROM 126 TO 121 WITH THE EXISTING 5 ADA STALLS TO REMAIN. WITH THE 3 NEW CONVERTED STALLS THE TOTAL NUMBER OF ACCESSIBLE SPACES INCREASES TO 9 ADA STALLS PLUS 1 ACCESSIBLE ELECTRIC VEHICLE CHARGING STALL (EVS) MODIFICATION MAINTAINS THE 131 TOTAL EXISTING STALLS ON THE EXISTING SITE. THE PARKING LOT EXPANSION ADDS 99 ADDITIONAL 230 STALLS FOR A NEW TOTAL OF 361 PARKING STALLS.

STAPLE BICYCLE RACK
NOT TO SCALE
1

Stormwater runoff from the new impervious surfaces within the DMAs would be directed to the three on-site bioretention planters, with two located within DMA 1 as part of Treatment Control Measure (TCM) 1, and one located within DMA 2 as part of TCM 2. (see Figure 4).

Municipal Code Amendment

The proposed project would include amendments to Chapter 5.20, Cardrooms, of the Livermore Municipal Code. Several of the amendments are cardroom-specific and include additional services that may be permitted to a cardroom requesting "expanded services," as described in Livermore Municipal Code Section 5.20.160(Q). The remaining amendments are applicable citywide. The proposed amendments include the following:

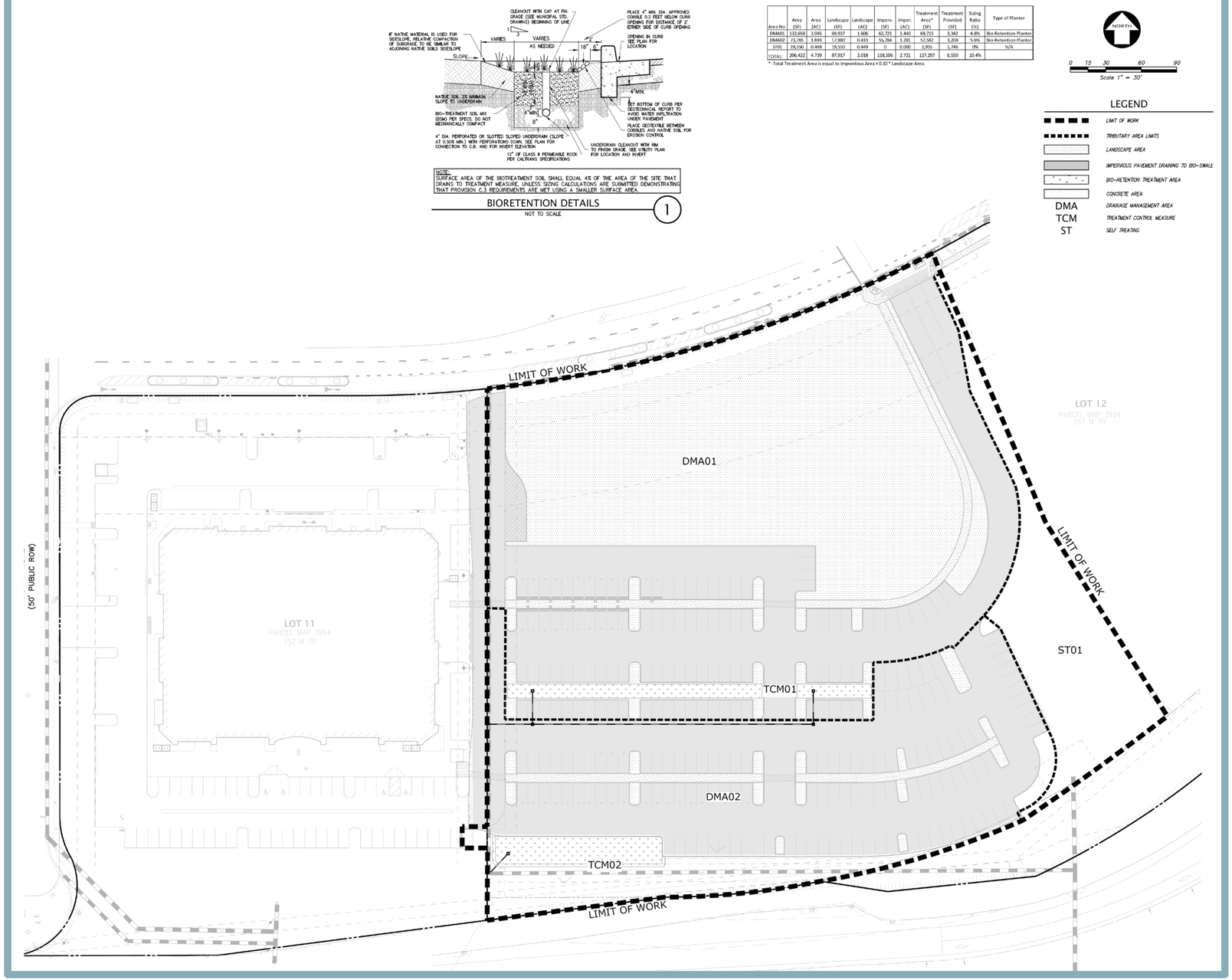
- Increase the limit of the allowable number of cardroom licenses per person from one to two cardroom licenses per person;
- Increase the limit on the number of cardroom tables citywide from one table per 4,200 residents to 32 tables citywide;
- Increase the maximum number of tables per cardroom from 10 tables to 16 tables;
- Increase tournament noticing requirements to the Chief of Police from 5 days to 14 days in advance of a tournament with a list of games to be played, a parking plan, and a security plan;
- Permission to play games not prohibited by State law, including Pai Gow with tiles;
- Increase the number of players allowed per card table from 10 seated players to 10 seated players and up to 10 standing betters;
- Increase allowed hours of operation from 24 hours a day, with a 9-hour closure on Mondays, to 24 hours a day, seven days a week;
- Increase maximum bet limit from $200 to $1,000; and
- Miscellaneous amendments made for clarification including the definition of a cardroom, references to applicable state law sections, entitlement and permit requirements, license fee exceptions, license revocation appeal process, employee work permit restrictions, process to grant additional card tables to eligible cardrooms, and cross references to sections within Chapter 5.20.

The aforementioned changes to Chapter 5.20 of the Livermore Municipal Code would apply to all cardrooms in the City, subject to City approval of a new or amended Development Agreement and Conditional Use Permit. Only one other cardroom, Livermore Casino, exists in the City. The Municipal Code changes would only apply if the Livermore Casino applies for a new or amended Development Agreement or Conditional Use Permit, which would be subject to separate environmental review and discretionary approval.

Development Agreement

The Livermore Development Code requires cardrooms requesting expanded services, such as the proposed project, to enter into a Development Agreement (DA) to provide the applicant assurance for the expanded services and require the applicant provide a public benefit. Parkwest Casino 580 has an existing DA with the City. However, the proposed project would require a new DA to allow for the modified operational changes and an amended public benefit. As discussed above, operational changes would include an increase in the total number of card tables from 10 to 16 tables, an increase in the hours of operation to 24/7 operations, an increase in the maximum bet limit from $200 to $1,000, permittance of up to 10 backline betters per table, and permittance of new card games not prohibited by state law, including Pai Gow with tiles.

Figure 4
Preliminary Stormwater Quality Control Plan



Amended public benefits associated with the proposed project would include payment of monthly fees per card table and additional financial contributions.

Conditional Use Permit

Pursuant to the INSP, cardrooms within the General Commercial land use designation require a Conditional Use Permit (CUP). In addition, cardrooms requesting expanded services, such as the proposed project, are subject to a CUP pursuant to the Livermore Development Code. The Parkwest Casino 580 operates under an existing CUP. However, the proposed project would require a modification to the existing CUP to allow for the modified operational changes.

Development Code Amendment

An amendment to Chapter 11, Definitions, of the Livermore Development Code would be required as part of the proposed project. The amendment would update the Livermore Municipal Code section referenced in the Livermore Development Code under the cardroom definition.

Site Plan and Design Review and Site Plan Design Review Modification

The proposed project would be subject to a Site Plan and Design Review and Site Plan Design Review Modification by the City of Livermore. Chapter 9.07 of the City's Development Code specifies that the purpose of Site Plan and Design Review "is to provide a process for the appropriate review of construction and development projects." Such review is intended to ensure that new development and/or redevelopment within the City respect environmental and aesthetic considerations, reduce potential visual impacts, and provide for physical safety of the public, among other considerations. As described above, the Site Plan Design Review and Site Plan Design Review Modification entitlements are required for the new parking lot, tree removal, and bicycle rack installation.

Discretionary Actions

The proposed project would require City approval of the following:

- Adoption of the IS/MND;
- Adoption of the MMRP;
- Municipal Code Amendment;
- Development Agreement;
- Conditional Use Permit Modification;
- Development Code Amendment;
- Site Plan and Design Review; and
- Site Plan Design Review Modification.

In addition, the California Bureau of Gambling Control (CBGC) must review and preliminarily approve all changes related to Livermore Municipal Code Chapter 5.20, Cardrooms. The CBGC provided preliminary approval of the proposed Municipal Code amendments in October 2023. Should the City Council approve the project, the City must provide a copy of the Municipal Code changes to the CBGC. Finally, the cardroom must apply for, and the California Gambling Control Commission must approve, the cardroom's request to operate 16 tables before the project applicant can apply for an amended cardroom license with the City. The project applicant will be leading the effort to acquire an updated gaming license.

G. ENVIRONMENTAL CHECKLIST

The following checklist contains the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the proposed project. A discussion follows each environmental issue identified in the checklist. For this checklist, the following designations are used:

Potentially Significant Impact: An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.

Less Than Significant with Mitigation Incorporated: An impact that requires mitigation to reduce the impact to a less-than-significant level.

Less-Than-Significant Impact: Any impact that would not be considered significant under CEQA relative to existing standards.

No Impact: The project would not have any impact.

I. AESTHETICS. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	☐	☐	✖	☐
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	☐	☐	✖	☐
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	✖	☐
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	✖	☐

Discussion

a,b. Examples of typical scenic vistas include mountain ranges, ridgelines, or bodies of water as viewed from a highway, public space, or other area designated for the express purpose of viewing and sightseeing. In general, a project's impact to a scenic vista would occur if development of the project would substantially change or remove a scenic vista. The City's General Plan identifies a number of roadways within the Planning Area that are considered scenic routes. Scenic routes are designated as such because they pass through areas of high scenic value or provide access to important scenic, recreational, cultural, or historic points.[1] Scenic routes identified in the project vicinity include I-580 and Isabel Avenue. In addition, the General Plan identifies specific scenic vista points throughout the City. Figure 4-1 of the City's' General Plan identifies the area looking south from I-580 towards the Las Positas Golf Course as a scenic vista. In addition, Figure 2-6 of the INSP includes four scenic viewpoints located along I-580 to the east of the project site, none of which include the project site. The proposed project would not affect such views from I-580.

According to the City's General Plan, protection of scenic views from I-580 is of particular importance, because the roadway provides some of the best views of Livermore's surrounding hillsides and ridgelines. As such, the City seeks to preserve views from I-580 through control of grading, landscaping, and building height within the I-580 Scenic Corridor. The I-580 Scenic Corridor is defined as areas that are within 3,500 feet of the freeway centerline and are visible from the roadway. While the project site is located within 3,500 feet of I-580, the proposed project would be limited to the expansion of the existing parking lot and would not introduce new buildings that could block views from I-580. Additionally, the landscaping associated with the proposed project would be subject to approval of Site Plan and Design Review, which would reduce potential visual impacts.

According to the California Scenic Highway Mapping System, the project site is not located within the vicinity of an officially designated State Scenic Highway. I-580 is an Eligible State Scenic Highway, but has not been officially designated. The nearest officially designated State Scenic Highway is I-680, located approximately 5.4 miles from the

[1] City of Livermore. *City of Livermore General Plan 2003-2025*. Amended December 2014.

project site.[2] Thus, the proposed project would not have a significant impact on a State Scenic Highway.

Based on the above, development of the proposed project would not have a substantial adverse effect on a scenic vista and would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway. Therefore, a ***less-than-significant*** impact would occur.

c. The project site includes the existing Parkwest Casino 580, as well as an undeveloped parcel. Surrounding land uses include a business park to the north, across North Canyons Parkway; a gas station, restaurant, and three hotels to the east, across Airway Boulevard; I-580 and the Las Positas Golf Course to the south; and undeveloped land and Doolan Canyon to the west, across Doolan Road. Therefore, the site is in an urbanized area and, in accordance with the CEQA Guidelines, the relevant threshold is whether the project would conflict with applicable zoning and other regulations governing scenic quality.

Physical improvements associated with the proposed project would be limited to the expansion of the existing parking lot, and the exterior of the existing building would not change. Nonetheless, the proposed project would be subject to Site Plan and Design Review and Site Plan Design Review Modification pursuant to Section 9.07.020 of the City's Development Code. Chapter 9.07 of the City's Development Code specifies that the purpose of Site Plan and Design Review "is to provide a process for the appropriate review of construction and development projects." As part of the design review process, the project would be reviewed for conformance with the City of Livermore Design Standards and Guidelines, which include provisions related to architectural design, landscaping, exterior materials, and compatibility with existing uses.[3] For example, Section D, Landscape Design, of Chapter 5 of the City's Design Standards and Guidelines contains specific requirements related to landscape coverage and layout within parking areas. Compliance with such would ensure consistency with all applicable policies and guidelines related to visual resources in the project vicinity.

Based on the above, the proposed project would not conflict with applicable zoning and other regulations governing scenic quality, and a ***less-than-significant*** impact would occur.

d. Due to the undeveloped nature of the parking lot expansion area, existing sources of light and glare do not currently exist. However, the existing Parkwest Casino 580 creates sources of light and glare within a portion of the site. In addition, existing sources of light and glare are currently present within the project vicinity, mainly associated with traffic on I-580, roadway lighting along the project site frontages, and the outdoor and indoor lighting fixtures of existing development within the project vicinity such as the business park to the north.

Development of the project site with the proposed parking lot expansion would involve sources of light and glare associated with outdoor lighting within parking areas. However, through the City's Site Plan and Design Review process, the proposed project would be reviewed for consistency with the City's Design Standards and Guidelines.[4] Section F,

[2] California Department of Transportation. *California State Scenic Highway System Map.* Available at: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa. Accessed August 2024.

[3] City of Livermore. *Design Standards and Guidelines*. Adopted June 28, 2004.

[4] City of Livermore. *Design Standards and Guidelines* Adopted June 28, 2004.

Lighting Design, of Chapter 5 of the City's Design Standards and Guidelines contains specific restrictions to ensure that the design of fixtures and the light provided contributes to the character of development and does not adversely affect adjacent development. Pursuant to Guidelines F.1.2.3, area lighting should be directed downward or employ control features to avoid light being directed off-site and to avoid lighting of the night sky. Compliance with the City's Design Standards and Guidelines would ensure that lighting from the proposed project would not be directed off-site, and would not adversely affect existing development in the project vicinity.

Given that the Site Plan and Design Review process would include plan checks to ensure that proposed lighting features are properly designed to avoid lighting off-site onto nearby commercial developments, or into the night sky, implementation of the project would result in a ***less-than-significant*** impact with respect to creating a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

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

Discussion

a,e. The project site currently consists of the existing Parkwest Casino 580, as well as undeveloped land in the eastern parcel. According to the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP), the site is designated as "Urban and Built-Up Land."[5] With respect to whether the proposed project involves other changes in the existing environment which could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use, farmland is not located adjacent to the project site, such that it could potentially be directly or indirectly affected by the proposed project. Therefore, ***no impact*** would occur.

b. The proposed project site is not under a Williamson Act contract and is not designated or zoned for agricultural uses. Therefore, buildout of the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract, and ***no impact*** would occur.

c,d. The project area is not considered forest land (as defined in PRC Section 12220[g]), timberland (as defined by PRC Section 4526), and is not zoned Timberland Production (as defined by Government Code Section 51104[g]). Therefore, the proposed project would have ***no impact*** with regard to conversion of forest land or any potential conflict with forest land, timberland, or Timberland Production zoning.

[5] California Department of Conservation. *California Important Farmland Finder.* Available at: https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed May 2024.

III. AIR QUALITY. *Would the project:*		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a.	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	✖	☐
b.	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?	☐	☐	✖	☐
c.	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	✖	☐
d.	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	✖	☐

Discussion

a,b. The City of Livermore is located in the San Francisco Bay Area Air Basin (SFBAAB), which is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The SFBAAB area is currently designated as a nonattainment area for the State and federal ozone, State and federal fine particulate matter 2.5 microns in diameter ($PM_{2.5}$), and State respirable particulate matter 10 microns in diameter (PM_{10}) ambient air quality standards (AAQS). The SFBAAB is designated attainment or unclassified for all other AAQS. It should be noted that on January 9, 2013, the U.S. Environmental Protection Agency (USEPA) issued a final rule to determine that the Bay Area has attained the 24-hour $PM_{2.5}$ federal AAQS. Nonetheless, the Bay Area must continue to be designated as nonattainment for the federal $PM_{2.5}$ AAQS until such time as the BAAQMD submits a redesignation request and a maintenance plan to the USEPA, and the USEPA approves the proposed redesignation. The USEPA has not yet approved a request for redesignation of the SFBAAB; therefore, the SFBAAB remains in nonattainment for 24-hour $PM_{2.5}$.

In compliance with regulations, due to the nonattainment designations of the area, the BAAQMD periodically prepares and updates air quality plans that provide emission reduction strategies to achieve attainment of the AAQS, including control strategies to reduce air pollutant emissions through regulations, incentive programs, public education, and partnerships with other agencies. The current air quality plans are prepared in cooperation with the Metropolitan Transportation Commission and the Association of Bay Area Governments (ABAG).

The most recent federal ozone plan is the 2001 Ozone Attainment Plan, which was adopted on October 24, 2001 and approved by the California Air Resources Board (CARB) on November 1, 2001. The plan was submitted to the USEPA on November 30, 2001 for review and approval. The most recent State ozone plan is the 2017 Clean Air Plan, adopted on April 19, 2017. The 2017 Clean Air Plan was developed as a multi-pollutant plan that provides an integrated control strategy to reduce ozone, PM, toxic air contaminants (TACs), and GHGs. Although a plan for achieving the State PM_{10} standard is not required, the BAAQMD has prioritized measures to reduce PM in developing the control strategy for the 2017 Clean Air Plan. The control strategy serves as the backbone of the BAAQMD's current PM control program.

The aforementioned air quality plans contain mobile source controls, stationary source controls, and transportation control measures to be implemented in the region to attain the State and federal AAQS within the SFBAAB. Adopted BAAQMD rules and regulations, as well as the thresholds of significance, have been developed with the intent to ensure

continued attainment of AAQS, or to work towards attainment of AAQS for which the area is currently designated nonattainment, consistent with applicable air quality plans. The BAAQMD's established significance thresholds associated with development projects for emissions of the ozone precursors reactive organic gases (ROG) and oxides of nitrogen (NO_X), as well as for PM_{10}, and $PM_{2.5}$, expressed in pounds per day (lbs/day) and tons per year (tons/yr), are listed in Table 1.

Table 1
BAAQMD Thresholds of Significance

	Construction	Operational	
Pollutant	Average Daily Emissions (lbs/day)	Average Daily Emissions (lbs/day)	Maximum Annual Emissions (tons/year)
ROG	54	54	10
NO_x	54	54	10
PM_{10} (exhaust)	82	82	15
$PM_{2.5}$ (exhaust)	54	54	10

Source: BAAQMD, CEQA Guidelines, May 2017.

By exceeding the BAAQMD's mass emission thresholds for construction or operational emissions of ROG, NO_X, PM_{10}, or $PM_{2.5}$, a project would be considered to conflict with or obstruct implementation of the BAAQMD's air quality planning efforts.

Particulate matter can be split into two categories: fugitive and exhaust. The BAAQMD thresholds of significance for exhaust are presented in Table 1. BAAQMD does not maintain quantitative thresholds for fugitive emissions of PM_{10} or $PM_{2.5}$, rather, BAAQMD requires all projects within the district's jurisdiction to implement Basic Construction Mitigation Measures (BCMMs) related to dust suppression.

In order to compare the proposed project's emissions to the most recent BAAQMD thresholds, air quality modeling was conducted for the proposed project. The proposed project's construction and operational emissions were quantified using the California Emissions Estimator Model (CalEEMod) web-based version 2022.1.1.26 – a statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify air quality emissions, including GHG emissions, from land use projects. The model applies inherent default values for various land uses, including construction data, trip generation rates, vehicle mix, trip length, average speed, compliance with the California Building Standards Code (CBSC), etc. Where project-specific information is available, such information is applied in the model. For the proposed project, project-specific trip generation rates provided by TJKM traffic consultants were input into the model, as well as information related to the anticipated construction schedule for the proposed project. In addition, the modeling assumed that the grading phase of construction would require the removal of approximately 49,000 cubic yards (CY) of soil from the site, and the off-site improvements to North Canyons Parkway would include 0.35-acres of asphalt surfaces. All CalEEMod results are included as Appendix A to this IS/MND.

The proposed project's estimated emissions associated with construction and operations are presented and discussed in further detail below. A discussion of the proposed project's contribution to cumulative air quality conditions is provided below as well.

Construction Emissions

During construction of the proposed project, various types of equipment and vehicles would temporarily operate on the project site. Construction exhaust emissions would be generated from construction equipment, vegetation clearing and earth movement activities, construction worker commutes, and construction material hauling for the entire construction period. The aforementioned activities would involve the use of diesel- and gasoline-powered equipment that would generate emissions of criteria pollutants. Project construction activities also represent sources of fugitive dust, which include PM emissions. As construction of the proposed project would generate air pollutant emissions intermittently within the site, and the vicinity of the site, until all construction has been completed, construction emissions are a potential concern because the proposed project is in a non-attainment area for ozone and PM.

According to the CalEEMod results, the proposed project would result in maximum unmitigated construction criteria air pollutant emissions as shown in Table 2. As shown in the table, the proposed project's construction emissions would not exceed the applicable thresholds of significance for ROG, NO_x, PM_{10}, and $PM_{2.5}$.

Table 2
Maximum Unmitigated Construction Emissions (lbs/day)

Pollutant	Proposed Project Emissions	Threshold of Significance	Exceeds Threshold?
ROG	3.64	54	**NO**
NO_X	54.0	54	**NO**
PM_{10}*	0.87	82	**NO**
$PM_{2.5}$*	0.87	54	**NO**

Note:
* Denotes emissions from exhaust only. BAAQMD has not yet adopted PM thresholds for fugitive emissions.

Source: CalEEMod, August 2024 (see Appendix A).

All projects under the jurisdiction of the BAAQMD are required to implement all of the BAAQMD's BCMMs, which include the following:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

The proposed project's required implementation of the BAAQMD's BCMMs listed above would help to further minimize construction-related emissions. In particular, implementation of the foregoing measures would reduce fugitive dust emissions resulting from project construction. Even without consideration of BAAQMD's BCMMs, as shown in Table 2, construction of the proposed project would result in emissions of criteria air pollutants below BAAQMD's thresholds of significance. Consequently, the proposed project would not conflict with or obstruct implementation of the applicable air quality plans during project construction.

Operational Emissions

According to the CalEEMod results, the proposed project would result in maximum unmitigated operational criteria air pollutant emissions as shown in Table 3. As shown in the table, the proposed project's operational emissions of ROG, NO_x, PM_{10}, and $PM_{2.5}$ would be below the applicable thresholds. Consequently, the proposed project would not conflict with or obstruct implementation of the applicable air quality plans during project operation.

Table 3
Unmitigated Maximum Operational Emissions

Pollutant	Proposed Project Emissions		Threshold of Significance		Exceeds Threshold?
	lbs/day	tons/yr	lbs/day	tons/yr	
ROG	1.13	0.19	54	10	**NO**
NO_X	1.11	0.19	54	10	**NO**
PM_{10}*	0.02	<0.005	82	15	**NO**
$PM_{2.5}$*	0.01	<0.005	54	10	**NO**

* Emissions from exhaust only. BAAQMD has not yet adopted thresholds for fugitive PM emissions.

Source: CalEEMod, August 2024 (see Appendix A).

Cumulative Emissions

Past, present, and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By nature, air pollution is largely a cumulative impact. A single project is not sufficient in size to, by itself, result in nonattainment of AAQS. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant. In developing thresholds of significance for air pollutants, BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. The thresholds of significance presented in Table 1 represent the levels at which a project's individual emissions of criteria air pollutants or precursors would result in a cumulatively considerable contribution to the SFBAAB's existing air quality conditions.[6] If a project

[6] Bay Area Air Quality Management District. *2022 California Environmental Quality Act Guidelines.* April 2023.

exceeds the significance thresholds presented in Table 1, that project's emissions would be cumulatively considerable, resulting in significant adverse cumulative air quality impacts to the region's existing air quality conditions. As presented above, the proposed project would not exceed the applicable thresholds for criteria pollutant emissions during project construction or operations. Thus, the project would not result in a cumulatively considerable contribution to the region's existing air quality conditions.

Conclusion

As stated previously, the applicable regional air quality plans include the 2001 Ozone Attainment Plan and the 2017 Clean Air Plan. Because the proposed project would not result in construction or operational emissions of criteria pollutants in excess of BAAQMD's applicable threshold of significance, conflicts with or obstruction of implementation of the applicable regional air quality plans would not occur. Thus, a ***less-than-significant*** impact would result.

c. Some land uses are considered more sensitive to air pollution than others, due to the types of population groups or activities involved. Heightened sensitivity may be caused by health problems, proximity to the emissions source, and/or duration of exposure to air pollutants. Children, pregnant women, the elderly, and those with existing health problems are especially vulnerable to the effects of air pollution. Accordingly, land uses that are typically considered to be sensitive receptors include residences, schools, childcare centers, playgrounds, retirement homes, convalescent homes, hospitals, and medical clinics. Within the project vicinity, the nearest sensitive receptor is the Acton Academy East Bay school, located approximately 700 feet northeast of the project site's northern boundary.

The major pollutant concentrations of concern are localized carbon monoxide (CO), TAC emissions, and criteria pollutant emissions, which are addressed in further detail below.

Localized CO Emissions

High levels of localized CO concentrations are only expected where background levels are high, and traffic volumes and congestion levels are high. Emissions of CO are of potential concern, as the pollutant is a toxic gas that results from the incomplete combustion of carbon-containing fuels such as gasoline or wood. CO emissions are particularly related to traffic levels.

In order to provide a conservative indication of whether a project would result in localized CO emissions that would exceed the applicable threshold of significance, the BAAQMD has established screening criteria for localized CO emissions. According to BAAQMD, a proposed project would result in a less-than-significant impact related to localized CO emission concentrations if all of the following conditions are true for the project:

- The project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, regional transportation plan, and local congestion management agency plans;
- The project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour; and
- The project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, underpass, etc.).

The proposed project is anticipated to generate a total of approximately 304 daily trips, including 26 AM peak hour trips and 25 PM peak hour trips.[7] Additionally, the proposed project is consistent with the site's current land use and zoning designations. Therefore, the proposed project would not conflict with the Alameda County Transportation Commission Congestion Management Program (CMP).[8] The highest volume of an affected intersection (North Canyons Parkway/Airway Boulevard) under Existing Plus Project conditions would be 885 vehicles during the PM peak hour, thus the proposed project would not increase traffic volumes at any intersection to more than 44,000 vehicles per hour. Furthermore, areas where vertical and/or horizontal mixing is limited due to tunnels, underpasses, or similar features do not exist in the project area. Therefore, based on the BAAQMD's screening criteria for localized CO emissions, the proposed project would not be expected to result in substantial levels of localized CO at surrounding intersections or generate localized concentrations of CO that would exceed standards or cause health hazards.

TAC Emissions

Another category of environmental concern is TACs. The CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (Handbook) provides recommended setback distances for sensitive land uses from major sources of TACs, including, but not limited to, freeways and high traffic roads, distribution centers, gas dispensing facilities, and rail yards. The CARB has identified diesel particulate matter (DPM) from diesel-fueled engines as a TAC; thus, high volume freeways, stationary diesel engines, and facilities attracting heavy and constant diesel vehicle traffic are identified as having the highest associated health risks from DPM. Health risks associated with TACs are a function of both the concentration of emissions and the duration of exposure, where the higher the concentration and/or the longer the period of time that a sensitive receptor is exposed to pollutant concentrations would correlate to a higher health risk. As noted above, the nearest existing sensitive receptor to the project site is the Acton Academy East Bay school, located approximately 700 feet northeast of the project site's northern boundary.

The proposed project does not include any operations that would be considered a substantial source of TACs. Accordingly, operations of the proposed project would not expose sensitive receptors to excess concentrations of TACs.

Short-term, construction-related activities would result in the generation of TACs, specifically DPM, from on-road haul trucks and off-road equipment exhaust emissions. Construction is temporary and occurs over a relatively short duration in comparison to the operational lifetime of the proposed project. Health risks are typically associated with exposure to high concentrations of TACs over extended periods of time (e.g., 30 years or greater), whereas the construction activities associated with the proposed project are estimated to be temporary and periodic, with construction completed over the course of approximately eight months, and the intensive equipment phase occurring over a total period of four weeks.

All construction equipment and operation thereof would be regulated pursuant to the In-Use Off-Road Diesel Vehicle Regulation, which is intended to help reduce emissions associated with off-road diesel vehicles and equipment, including DPM. Project construction would also be required to comply with all applicable BAAQMD rules and regulations, particularly associated with permitting of air pollutant sources. In addition, only

[7] TJKM. *Traffic Impact Analysis Report – Parkwest Casino 580 Expansion*. November 6, 2024.
[8] Alameda County Transportation Commission. *2023 Congestion Management Program*. October 2023.

portions of the site would be disturbed at a time throughout the construction period, with operation of construction equipment occurring intermittently throughout the course of a day rather than continuously at any one location on the project site. Operation of construction equipment within portions of the development area would allow for the dispersal of emissions, and would ensure that construction-activity is not continuously occurring in the portions of the project site closest to existing sensitive receptors. Because construction equipment on-site would not operate for long periods of time and would be used at varying locations within the site, associated emissions of DPM would not occur at the same location (or be evenly spread throughout the entire project site) for long periods of time. Due to the temporary nature of construction and the relatively short duration of potential exposure to associated emissions, the potential for any one sensitive receptor in the area to be exposed to concentrations of pollutants for an extended period of time would be low.

Conclusion

Based on the above, the proposed project would not expose any sensitive receptors to substantial concentrations of localized CO or TACs during construction or operation. Therefore, the proposed project would result in a ***less-than-significant*** impact related to the exposure of sensitive receptors to substantial pollutant concentrations.

d. Emissions of concern include those leading to odors, emission of dust, or emissions considered to constitute air pollutants. Air pollutants have been discussed in sections “a” through “c” above. Therefore, the following discussion focuses on emissions of odors and dust.

Per the BAAQMD CEQA Guidelines, odors are generally regarded as an annoyance rather than a health hazard.[9] Manifestations of a person’s reaction to odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache). The presence of an odor impact is dependent on a number of variables including: the nature of the odor source; the frequency of odor generation; the intensity of odor; the distance of odor source to sensitive receptors; wind direction; and sensitivity of the receptor.

Due to the subjective nature of odor impacts, the different variables that can influence the potential for an odor impact, and the variety of odor sources, quantitative analysis to determine the presence of a significant odor impact is difficult. Typical odor-generating land uses include, but are not limited to, wastewater treatment plants, landfills, and composting facilities. The proposed project would not introduce any such land uses.

Construction activities often include diesel-fueled equipment and heavy-duty trucks, which could create odors associated with diesel fumes that may be considered objectionable. However, the construction phase is temporary in nature and would occur over a period of approximately eight months, with the intensive equipment phase occurring over a total of only four weeks. Project construction would also be required to comply with all applicable BAAQMD rules and regulations, particularly associated with permitting of air pollutant sources. The aforementioned regulations would help to minimize emissions, including emissions leading to odors. Accordingly, substantial objectionable odors would not be expected to occur during construction activities.

[9] Bay Area Air Quality Management District. *2022 California Environmental Quality Act Guidelines.* April 2023.

As noted previously, all projects under the jurisdiction of BAAQMD are required to implement the BAAQMD's BCMMs. The BCMMs would act to reduce construction-related dust by ensuring that haul trucks with loose material are covered, reducing vehicle dirt track-out, and limiting vehicle speeds within the improvement area, among other methods, which would ensure that construction of the proposed project does not result in substantial emissions of dust. Following construction, the entire improvement area would be either paved or landscaped. Thus, project operations would not generate significant amounts of dust that would adversely affect a substantial number of people.

For the aforementioned reasons, construction and operation of the proposed project would not result in emissions (such as those leading to odors) adversely affecting a substantial number of people, and a ***less-than-significant*** impact would result.

IV. BIOLOGICAL RESOURCES. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	✖	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☐	✖
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	✖
d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	☐	☐	✖	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	✖	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	✖	☐

Discussion

a. Several species of plants and animals within the State of California have low populations, limited distributions, or both. Such species may be considered “rare” and are vulnerable to extirpation as the state’s human population grows and the habitats the species occupy are converted to agricultural and urban uses. State and federal laws have provided the California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS) with a mechanism for conserving and protecting the diversity of plant and animal species native to the state. A sizable number of native plants and animals have been formerly designated as threatened or endangered under state and federal endangered species legislation. Others have been designated as “candidates” for such listing. Still others have been designated as “species of special concern” by CDFW. The California Native Plant Society (CNPS) has developed its own set of lists of native plants considered rare, threatened, or endangered. Collectively, these plants and animals are referred to as “special-status species.” Although CDFW Species of Special Concern generally do not have special legal status, they are given special consideration under CEQA. Special-status species include the following:

- Plant and wildlife species that have been formally listed as threatened or endangered, or are candidates for such listing by the USFWS or National Marine Fisheries (NMFS);
- Plant and wildlife species that have been listed as threatened or endangered or are candidates for such listing by the CDFW;
- CDFW Species of Special Concern, which are species that face extirpation in California if current population and habitat trends continue;

- CDFW Fully Protected Species; and
- Species on CNPS Lists 1 and 2, which are considered to be rare, threatened, or endangered in California by the CNPS and CDFW.

As discussed below under Question 'f,' the project site is within the boundaries of the East Alameda County Conservation Strategy (EACCS), a guidance document for regional conservation and environmental permitting for private and public development projects. The proposed project would be subject to applicable EACCS requirements related to special-status species.

In addition to regulations for special-status species, most birds in the U.S., including non-status species, are protected by the Migratory Bird Treaty Act (MBTA) of 1918. Under the MBTA, destroying active nests, eggs, and young is illegal.

The following discussion is based primarily on a Biological Resource Technical Report (BRTR) prepared by WRA Environmental Consultants for the proposed project (see Appendix B).[10] The BRTR evaluated existing biological resources within the approximately 11.31-acre study area, which encompassed the area to be developed with the proposed parking lot, as well as the undeveloped land to the east of the project site bounded by North Canyons Parkway to the north, Airway Boulevard to the east, and an I-580 on-ramp to the south. With regard to the off-site improvements along North Canyons Parkway, the proposed project would not include any new ground disturbance within the existing right-of-way (ROW). In order to identify potential biological resource constraints and assess the suitability of habitats in the study area to potentially support State- and federally-protected species, the BRTR's analysis included review of background literature to determine the potential presence of sensitive vegetation communities, aquatic communities, and special-status plant and wildlife species. Resources reviewed for sensitive vegetation and aquatic features included aerial photography, mapped soil types, the CNPS Online Databases, the CDFW's California Natural Diversity Database (CNDDB), and the USFW's Information for Planning and Consultation (IPaC) database. Additionally, a site visit was conducted on June 18, 2024 to map vegetation, aquatic features, and other land cover types; document plant and wildlife species present; and evaluate on-site habitat for the potential to support special-status species.

Special-Status Plants

Based on the results of the CNDDB, CNPS, and IPaC search, a total of 14 special-status plant species have been documented to occur within the vicinity of the study area. The study area is unlikely or does not have potential to support 11 of the 14 of the species because hydrologic conditions, soil conditions, pH conditions, and vegetation communities, such as forest, woodland, scrub, or vernal pools, necessary to support the species are not present. Additionally, the study area is geographically isolated from the documented range of the majority of special-status species, and the historic land use of the study area has resulted in habitat conversion and has a degree of disturbance to preclude the colonization and establishment of special-status species.

Three special-status plant species were determined to have moderate potential to occur within the study area, including Livermore Valley tarplant (*Deinandra bacigalpuii*), Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*), and San Joaquin spearscale (*Extriplex joaquiniana*). While the three aforementioned species were not observed during

[10] WRA Environmental Consultants. *Biological Resource Technical Report – Casino Parkwest 580 Parking Lot Expansion*. November 2024.

the June 18, 2024, site visit, the species germinate and bolt in late spring, and bloom in the summer into fall. Likewise, the species are annuals that are tolerant of disturbance (e.g., tilling) and can tolerate competitive pressure from non-native annual herbs (e.g., wild oats (*Avena barbata*). The species are discussed in detailed below.

Livermore Valley Tarplant

Livermore Valley tarplant is listed as endangered by the CDFW and is a CNPS Rank 1B.1 plant. The species is an annual forb in the sunflower family (Asteraceae) that blooms from June through October and typically occurs in alkaline herbaceous communities and scalds within meadow and seep habitat at elevations ranging from 485 to 600 feet above mean sea level (amsl). Observed associated species include ripgut brome (*Bromus diandrus*), soft chess (*B. hordeaceus*), Mediterranean barley (*Hordeum marinum*), salt grass (*Distichlis spicata*), iodine bush (*Allenrolfea occidentalis*), common spikeweed (*Centromadia pungens*), brittlescale (*Atriplex depressa*), sand spurry (*Spergularia* spp.), alkali heath (*Frankenia salina*), yellow tarweed (*Holocarpha virgata*), and three-ray tarweed (*Deinandra lobbii*).

The study area contains moderately alkaline clay soil. The most recent occurrence of the species is six miles northeast of the study area near Springtown Village. Livermore Valley tarplant has relative tolerance to disturbance; however, the species frequently occur in strongly alkali conditions, with extended saturation. Therefore, the population near Springtown Village is likely in better soil conditions than the project site. However, a *moderate* potential exists for the species to occur within the study area.

Congdon's Tarplant

Congdon's tarplant is a CNPS Rank 1B.1 plant. The species is an annual forb in the sunflower family (Asteraceae) that blooms from June to November. The species typically occurs in alkaline grassy areas on the edge of brackish marsh in valley and foothill grassland habitat at elevations ranging from 1 to 750 feet amsl. Observed associated species include common tarplant (*Centromadia pungens* ssp. *pungens*), alkali heath (*Frankenia salina*), salt grass (*Distichlis spicata*), Italian rye grass (*Festuca perennis*), Mediterranean barley (*Hordeum marinum*), foxtail barley (*Hordeum murinum*), stinkwort (*Dittrichia graveolens*), yellow star thistle (*Centaurea solstitialis*), Italian thistle (*Carduus pycnocephalus*), bull thistle (*Cirsium vulgare*), and Bermuda grass (*Cynodon dactylon*).

The study area contains moderately alkaline clay soils with species associated with Congdon's tarplant. Due to the species' relative tolerance to disturbance and the presence of a seed source within three miles to the west and within the direction of prevailing winds, *moderate* potential exists for the species to occur within the study area.

San Joaquin Spearscale

San Joaquin spearscale is a CNPS Rank 1B.2 plant. The species is an annual herb in the goosefoot family (Chenopodiaceae) that blooms from April to October. The species typically occurs in seasonal alkali sink scrub and wetlands in chenopod scrub, alkali meadow, and valley and foothill grassland habitat at elevations ranging from 0 to 2,740 feet amsl. Observed associated species include salt grass (*Distichlis spicata*), alkali heath (*Frankenia salina*), Mediterranean barley (*Hordeum marinum*), Italian rye grass (*Festuca perennis*), bird's-foot trefoil (*Lotus corniculatus*), docks (*Rumex crispus, R. pulcher*), tarplants (*Centromadia parryi, C. pungens*), pickleweed (*Salicornia pacifica*), and fat hen (*Atriplex prostrata*).

The study area contains grasslands with moderately alkaline clay soil. Due to the species' relative tolerance to disturbance and the presence of a seed source within three miles to the west and within the direction of prevailing winds, *moderate* potential exists for the species to occur within the study area.

Impacts to Special-Status Plant Species

The proposed project would involve permanent and temporary impacts to approximately 5.22 acres of non-native grassland, which was determined to have moderate potential to support Livermore Valley tarplant, Congdon's tarplant, and San Joaquin spearscale. Construction of concrete medians, bioswales, and grading for base rock and asphalt and landscaping could result in the direct removal of special-status plant species if present within the study area, which could result in a significant impact.

Special-Status Wildlife

Based on the results of the CNDDB and IPaC search, a total of 48 special-status wildlife species have been documented to occur within the project region. However, according to the BRTR, the majority of such species are excluded from the study area based on a lack of required habitat features, such as vernal pools, perennial aquatic habitat (e.g. streams, rivers or ponds), tidal marsh areas, broad-leafed woodland, cismontane woodland, serpentine soils to support host plants, sandy beaches or alkaline flats, presence of specific host plants, caves, mine shafts, and abandoned buildings.

The absence of such habitat features eliminates components critical to the survival or movement of most special-status species found in the vicinity. For example, California red-legged frog (*Rana draytonii*), northwestern pond turtle (*Actinemys marmota*), foothill-yellow legged frog (*Rana boylii*) and tricolored blackbird (*Agelaius tricolor*) are known to occur in the open spaces in the vicinity. However, suitable aquatic habitat such as streams, ponds, and emergent wetlands and associated movement corridors connecting the study area to source populations are absent due to development, precluding such species from inhabiting or dispersing through the study area. Furthermore, the project site lacks hydrologic connectivity suitable foothill-yellow legged frog habitats nearby. Tricolored blackbirds may occasionally be seen flying over the study area, though nesting habitat or significant foraging resources are not supported. Therefore, the aforementioned species have no potential or are unlikely to occur within the study area. Given the study area's relative proximity to sensitive habitats on the San Francisco Bay, many species documented nearby are additionally obligates to tidal marsh habitats which are not present on or in the immediate vicinity of the study area.

One special-status species has potential to occur in the immediate vicinity of or in portions of the study area: Crotch's bumble bee (*Bombus crotchii*). The species is discussed in detail below. In addition, non-listed native birds protected by MBTA and CDFW have the potential to occur on-site.

Crotch's Bumble Bee

Crotch's bumble bee is a candidate species for listing under the California Endangered Species Act (CESA). The species occurs primarily in central and southern California, from coastal areas inland to the foothills. The species is now largely absent from the Central Valley, although the species was historically common in the region. Crotch's bumble bee occurs in grassland and scrub habitats, and has also been documented in agricultural areas. Like other bumble bee species, Crotch's bumble bee is a social species with an annual life cycle. Queens emerge from hibernation in the late winter/early spring to

establish a new colony. The colony produces workers throughout the spring and summer, and reproductives (i.e., drones and queens) in the early fall. Nests are built in pre-existing cavities. The species are commonly found underground, in abandoned rodent burrows, or aboveground in grass tufts, rock piles, abandoned bird nests, or tree cavities. Crotch's bumble bee feeds on pollen and nectar during all life stages; preferred host species include, but are not limited to, milkweeds (*Asclepias* spp.), chaenactis (*Chaenactis* spp.), clarkias (*Clarkia* spp.), larkspurs (*Delphinium* spp.), buckwheats (*Eriogonum* spp.), lupines (*Lupinus* spp.), medicks (*Medicago* spp.), bladderpod (*Peritoma arborea*), phacelias (*Phacelia* spp.), poppies (*Eschscholzia* spp.), sages (*Salvia* spp.), and thistles (*Centaurea* spp.). Queens overwinter in hibernacula; little is known about habitat requirements for hibernacula; bare ground, leaf litter and/or duff, and pre-existing cavities may provide overwintering habitat.

The study area is within the known range of the species and contains suitable foraging habitat and overwintering habitat for Crotch's bumble bee. According to the BRTR, several ground squirrel burrows are located along the perimeter of the study area. Rodent burrows provide suitable ground nesting sites; however, tilling and disking frequency could preclude the species from nesting. Foraging plants available include Italian thistle (*Carduus pycnocephalus*), yellow star thistle (*Centaurea solstitalis*), black mustard (*Brassica nigra*), and field mustard (*Hirschfeldia incana*). Therefore, *moderate* potential exists for Crotch's bumble bee to occur in the study area.

Project activities such as grubbing, vegetation removal, grading, and impervious surface installation would directly remove approximately 5.22 acres of potentially suitable foraging and nesting habitat. Project landscaping would temporarily impact potential Crotch's bumble bee foraging habitat. If the species is present, a potentially significant impact could occur to Crotch's bumble bee.

Nesting Birds and Raptors

The study area has the potential to seasonally support nesting birds and raptors protected by the MBTA and California Fish and Game Code (CFGC). Off-site trees along the perimeter of the study area and the un-mowed swale and fringe of the study area supporting annual grasses and forbs may provide nesting habitat. Tree removal, mechanized work, and vehicle traffic associated with construction of the proposed project could directly and indirectly disturb nesting birds and result in nest abandonment if individuals are present during initiation of ground-disturbing activity. Thus, a potentially significant impact could occur to nesting birds and raptors.

Conclusion

The proposed project would comply with all applicable EACCC requirements. However, based on the above, the proposed project could have an adverse effect, either directly or through habitat modifications, on species identified as special-status species in local or regional plans, policies, or regulations, or by the CDFW or the USFWS, and a ***potentially significant*** impact could occur.

Mitigation Measure(s)

Implementation of the following mitigation measures would reduce the above potential impact to a *less-than-significant* level.

Special-Status Plant Species

IV-1 *Prior to any vegetation removal or ground-disturbing activities, a focused survey shall be conducted to determine the presence of special-status plant species with potential to occur within the project site. Surveys shall be conducted in accordance with the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFG 2009), which require rare plant surveys to be conducted at the proper time of year when rare or endangered species are both "evident" and identifiable. Field surveys shall be scheduled to coincide with known blooming periods, and/or during periods of physiological development that are necessary to identify the plant species of concern. The results of the surveys shall be submitted to the City of Livermore Community Development Department prior to the commencement of construction activities. If special-status plant species are not found, additional mitigation measures are not necessary. If any of the species are found on-site and cannot be avoided, the following measures shall be required:*

- *If the survey determines that special-status plant species are present within or adjacent to the project site, direct and indirect impacts of the project on the species shall be avoided where feasible through the establishment of activity exclusion zones, where ground-disturbing activities shall not take place, including construction of new facilities, construction staging, or other temporary work areas. Activity exclusion zones for special-status plant species shall be established prior to construction activities around each occupied habitat site, the boundaries of which shall be clearly marked with standard orange plastic construction exclusion fencing or its equivalent. The establishment of activity exclusion zones shall not be required if construction-related disturbance would not occur within 250 feet of the occupied habitat site.*
- *If exclusion zones and avoidance of impacts on special-status species within the project site are not feasible, then the loss of individuals or occupied habitat of special-status plants shall be compensated using the habitat mitigation rations impacts on habitat for the species as written below as prescribed by the East Alameda County Conservation Strategy (EACCS) and obtain an incidental take permit from the California Department of Fish and Wildlife (CDFW) for State listed species. Before the implementation of compensation measures, the project applicant shall provide detailed information to the CDFW and City of Livermore Community Development Department on the quality of preserved habitat, location of the preserved occurrences, provisions for protecting and managing the areas, the responsible parties involved, and other pertinent information that demonstrates the feasibility of the compensation.*
- *Compensation recommendations from the EACCS are as follows:*
    - *Temporary effects to State and federally listed species, such as Livermore tarplant at a 1:1 ratio.*
    - *Congdon's tarplant at a 5:1 ratio or above through coordination with relevant regulatory agencies.*
    - *San Joaquin spearscale at a 1:1 ratio.*

Crotch's Bumble Bee

IV-2 *The provisions contained herein only apply if Crotch's bumble bee is a candidate species or is listed under CESA at the commencement of construction. Following CDFW's status report on Crotch's bumble bee, if the California Fish and Game Commission finds that the petitioned action is not warranted, the provisions contained herein shall not be required.*

If feasible, initial ground-disturbing activities associated with the proposed project (e.g., grading, vegetation removal, staging) shall take place between September 1 and March 31 (i.e., outside the colony active period) to avoid potential impacts on special-status bumble bees. If completing all initial ground-disturbing activities between September 1 and March 31 is not feasible, then at a maximum of 14 days prior to the commencement of construction activities, a qualified biologist with 10 or more years of experience conducting biological resource surveys within California shall conduct a preconstruction survey for special-status bumble bees in the area(s) proposed for impact.

The survey shall occur during the period from one hour after sunrise to two hours before sunset, with temperatures between 65 degrees Fahrenheit and 90 degrees Fahrenheit, with low wind and zero rain. If the timing of the start of construction makes the survey infeasible due to the temperature requirements, the surveying biologist shall select the most appropriate days based on the National Weather Service seven-day forecast and shall survey at a time of day that is closest to the temperature range stated above. The survey duration shall be commensurate with the extent of suitable floral resources (which represent foraging habitat) present within the area proposed for impact, and the level of effort shall be based on the metric of a minimum of one person-hour of searching per three acres of suitable floral resources/foraging habitat. A meandering pedestrian survey shall be conducted throughout the area proposed for impact in order to identify patches of suitable floral resources. Suitable floral resources for Crotch's bumble bee include species in the following families: Apocynaceae, Asteraceae, Boraginaceae, Fabaceae, and Lamiaceae. Suitable floral resources for western bumble bee include species in the following families: Asteraceae, Fabaceae, Rhamnaceae, and Rosaceae, as well as plants in the genera Eriogonum and Penstemon.

At a minimum, preconstruction survey methods shall include the following:

- *Search areas with floral resources for foraging bumble bees. Observed foraging activity may indicate a nest is nearby, and therefore, the survey duration shall be increased when foraging bumble bees are present;*
- *If special-status bumble bees are observed, watch any special-status bumble bees present and observe their flight patterns. Attempt to track their movements between foraging areas and the nest;*

- *Visually look for nest entrances. Observe burrows, any other underground cavities, logs, or other possible nesting habitat;*
- *If floral resources or other vegetation preclude observance of the nest, small areas of vegetation may be removed via hand removal, line trimming, or mowing to a height of a minimum of four inches to assist with locating the nest;*
- *Look for concentrated special-status bumble bee activity;*
- *Listen for the humming of a nest colony; and*
- *If bumble bees are observed, attempt to photograph the individual and identify it to species.*

The biologist conducting the survey shall record when the survey was conducted, a general description of any suitable foraging habitat/floral resources present, a description of observed bumble bee activity, a list of bumble bee species observed, a description of any vegetation removed to facilitate the survey, and their determination of if survey observations suggest a special-status bumble bee nest(s) may be present or if construction activities could result in take of special-status bumble bees. The report shall be submitted to the City of Livermore Community Development Department prior to the commencement of construction activities.

If bumble bees are not located during the preconstruction survey or the bumble bees located are definitively identified as a common species (i.e., not special-status species), then further mitigation or coordination with the CDFW is not required.

If any sign(s) of a bumble bee nest is observed, and if the species present cannot be established as a common bumble bee, then construction shall not commence until either (1) the bumble bees present are positively identified as common (i.e., not a special-status species), or (2) the completion of coordination with CDFW to identify appropriate mitigation measures, which may include, but not be limited to, waiting until the colony active season ends, establishment of nest buffers, or obtaining an Incidental Take Permit (ITP) from CDFW.

If special-status bees are located, and after coordination with CDFW take of special-status bumble bees cannot be avoided, the project proponent shall obtain an ITP from CDFW, and the project proponent shall implement all conditions identified in the ITP. Mitigation required by the ITP may include, but not be limited to, the project proponent translocating nesting substrate in accordance with the latest scientific research to another suitable location (i.e., a location that supports similar or better floral resources as the impact area), enhancing floral resources on areas of the project site that will remain appropriate habitat, worker awareness training, and/or other measures specified by CDFW.

Nesting Birds and Raptors

IV-3 *If project construction begins during the nesting season (February 1 to August 31), a qualified biologist shall conduct a nesting bird survey within*

seven days prior to construction activities. The nesting bird survey shall include walking transects to search for ground nesting birds, and an examination of all trees on-site and within all accessible areas within 200 feet of the entire project site and off-site improvement areas (i.e., within a zone of influence of nesting birds). If nesting birds are not found within the project site or off-site improvement areas, further mitigation shall not be required.

If migratory birds are identified nesting on or within the zone of influence, the Wildlife Agencies shall be notified immediately of nest locations. A qualified biologist shall establish a temporary protective nest buffer around the nest(s). The nest buffer shall be staked with orange construction fencing. The buffer must be of sufficient size to protect the nesting site from construction-related disturbance and shall be established by a qualified ornithologist or biologist with extensive experience working with nesting birds near and on construction sites. Typically, adequate nesting buffers are 75 feet from the nest site or nest tree dripline for small birds and up to 300 feet for sensitive nesting birds that include several raptor species known in the region of the project site but that are not expected to occur on the project site. Upon completion of nesting surveys, if nesting birds are identified on or within a zone of influence of the project site, a qualified ornithologist/biologist that frequently works with nesting birds shall prescribe adequate nesting buffers to protect the nesting birds from harm while the project is constructed.

Construction or earth-moving activity shall not occur within any established nest protection buffer prior to September 1 unless a qualified ornithologist/biologist determines that the young have fledged and have attained sufficient flight skills to avoid project construction zones, or that the nesting cycle is otherwise completed. In the region of the project site, most species complete nesting by mid-July; however, the date may be significantly earlier or later, and would have to be determined by the qualified biologist. At the end of the nesting cycle, and fledging from the nest by its occupants, as determined by a qualified biologist, temporary nesting buffers may be removed and construction may commence in established nesting buffers without further regard for the nest site. If active nesting buffers are established and a biologist does not confirm that the nesting cycle is completed, then the nesting buffers must be maintained until the end of the CDFW recognized nesting season (September 1).

Should construction activities cause a nesting bird to do any of the following in a way that would be considered a result of construction activities, then the exclusionary buffer shall be increased such that activities are far enough from the nest to stop the following agitated behavior: vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest. The revised non-disturbance buffer shall remain in place until the chicks have fledged or as otherwise determined by a qualified biologist in consultation with the City of Livermore.

A report detailing compliance with the provisions set forth herein shall be prepared by the qualified biologist and submitted for review and approval to the City of Livermore Community Development Department.

b,c. As part of the BRTR prepared for the proposed project, the project site was reviewed for the presence of wetlands and other aquatic resources according to the methods described in the U.S. Army Corp of Engineers (USACE) Manual, the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West/Western Mountains, Valleys, and Coast Region, and A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States. Areas meeting such indicators were not mapped, as aquatic resources were not found using the methods described above. Presence of riparian habitat was not identified, which was evaluated based on the lack of woody plant species meeting the definition of riparian vegetation provided in A Field Guide to Lake and Streambed Alteration Agreements, Section 1600-1607, California Fish and Game Code, and based on best professional judgement of biologists completing the site visit.

Therefore, sensitive land cover types or aquatic resources do not exist within the project site, and the proposed project would not have a substantial adverse effect on riparian habitat, sensitive natural communities, or federally protected wetlands. Thus, ***no impact*** would occur.

d. Wildlife corridors link areas of suitable wildlife habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbance. The fragmentation of open space areas by urbanization creates isolated "islands" of wildlife habitat. Fragmentation can also occur when a portion of one or more habitats is converted into another habitat, such as when woodland or scrub habitat is altered or converted into grasslands after a disturbance such as fire, mudslide, or grading activities. Wildlife corridors mitigate the effects of this fragmentation by: (1) allowing animals to move between remaining habitats, thereby permitting depleted populations to be replenished and promoting genetic exchange; (2) providing escape routes from fire, predators, and human disturbances, thus reducing the risk of catastrophic events (such as fire or disease) on population or local species extinction; and (3) serving as travel routes for individual animals as they move within their home ranges in search of food, water, mates, and other needs.

According to the BRTR prepared for the proposed project, the project site is not within a designated wildlife corridor, an essential habitat connectivity unit, and does not support the movement of wildlife species. The project site is located within a larger tract of mixed-development land within the INSP. While common wildlife species such as birds presumably utilize the site to some degree for movement at a local scale, the project site itself does not provide corridor functions beyond providing a similar land use as surrounding areas. Therefore, the proposed project would not interfere substantially with the movement of any native resident or migratory wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, and a ***less-than-significant*** impact would occur.

e. Chapter 12.20 of the City's Municipal Code comprises the City's Tree Preservation Ordinance. The proposed project would require the removal of one on-site tree located on the western parcel identified as 950 North Canyons Parkway. According to the BRTR, the tree proposed for removal is not protected under the City's Tree Preservation Ordinance. Therefore, the proposed project would not conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, and a ***less-than-significant*** impact would occur.

f. The project site is within the boundaries of the EACCS, a guidance document for regional conservation and environmental permitting for private and public development projects. While conservation strategies are provided by the EACCS, the document is not considered an adopted Habitat Conservation Plan or Natural Conservation Community Plan.

The proposed project would be subject to the EACCS requirements, which are intended to provide protection and mitigation for covered species. Covered species under the EACCC include the following 13 wildlife species: longhorn fairy shrimp; vernal pool fairy shrimp; callippe silverspot butterfly; California tiger salamander; California red-legged frog; foothill yellow-legged frog; Alameda whipsnake; Central California coastal steelhead; golden eagle; tricolored blackbird; western burrowing owl; American badger; and San Joaquin kit fox. The EACCS also includes the following six covered plant species: San Joaquin spearscale; big tarplant; Congdon's tarplant; palmate-bracted bird's-beak; Livermore Valley tarplant; and recurved larkspur. As discussed above, the potential exists for San Joaquin spearscale, Congdon's tarplant, and Livermore Valley tarplant to occur within the project site. However, Mitigation Measure IV-1, above, which requires preconstruction surveys for such species, as well as EACCS habitat mitigation requirements, would reduce any potential impacts to such species to a less-than-significant level.

Pursuant to the EACCS, the project site is located in CZ-4, which encompasses 9,409 acres of the largely urbanized Livermore Valley. The dominant natural land cover types in the conservation zone are annual grassland (4,253 acres), alkali meadow and scald (258 acres), valley sink scrub (410 acres), alkali wetland (106 acres), and seasonal wetland (347 acres). According to Figure 2-8 of the EACCS, the entirety of the project site consists of ruderal land.

Based on the discussion above, the proposed project would not conflict with the applicable provisions of the EACSS, and a ***less-than-significant*** impact would occur related to conflicts with an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan.

V. CULTURAL RESOURCES. *Would the project:*		Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a.	Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	✖	☐
b.	Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5?	☐	✖	☐	☐
c.	Disturb any human remains, including those interred outside of dedicated cemeteries.	☐	✖	☐	☐

Discussion

The following is based on a Phase 1 Cultural Resources Study prepared for the proposed project by Historic Resources Associates (HRA).[11]

a. Historical resources are features that are associated with the lives of historically-important persons and/or historically-significant events, that embody the distinctive characteristics of a type, period, region or method of construction, or that have yielded, or may be likely to yield, information important to the pre-history or history of the local area, California, or the nation. Examples of typical historical resources include, but are not limited to, buildings, farmsteads, rail lines, bridges, and trash scatters containing objects such as colored glass and ceramics.

The Phase 1 Cultural Resources Study consisted of a literature review to identify any previously recorded historical resources and a field survey, conducted on August 10, 2024, of the entire project site. On June 26, 2024, and July 16, 2024, record searches of the California Historic Resources Information System (CHRIS) were performed by the Northwest Information Center (NWIC) for cultural resource site records and survey reports within the project area. The NWIC concluded that three cultural resource studies encompassing the project site have been previously conducted. According to the NWIC records search, the project site does not contain precontact archaeological sites or historical archaeological resources. In addition, historic resources were not discovered on-site during the August 10 field survey. With regard to the off-site improvements along North Canyons Parkway, the proposed project would not include further disturbance within the existing ROW. Therefore, the proposed project would not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5, and a ***less-than-significant*** impact would occur.

b,c. Based on the results of the records search of the CHRIS, conducted as part of the Phase 1 Cultural Resources Study, the NWIC concluded that the project site does not contain any recorded archaeological resources. In addition, based upon historic photographs, maps, and other documents, and the lack of precontact archeological resources identified within 0.25-mile of the project site, HRA determined that the archaeological site sensitivity of the site was low. Furthermore, the entirety of the project site was subjected to a pedestrian survey at 1-meter intervals and cultural resources, including precontact or historic-period artifacts or other indications of archaeological resources, were not discovered on-site during the field survey. Finally, a search of the Native American Heritage Commission (NAHC) Sacred Lands File did not yield any information regarding

[11] Historic Resource Associates. *Phase 1 Cultural Resources Study Parkwest Casino 580 Expansion Project 968 North Canyons Parkway, Livermore, Alameda County, California 945*50. August 2024.

the presence of Tribal Cultural Resources within the project site or the immediate area.[12] The site has also been subject to past disturbance associated with former unspecified agricultural uses and grading activities. Any subsurface resources would likely have been uncovered as part of the previous site disturbance.

Nonetheless, the City's General Plan notes that prehistoric resources have been discovered within the City's Planning Area. Thus, previously unrecorded archaeological resources, including human remains, have the potential to exist on-site, and such resources could be encountered during ground-disturbing activity related to project construction. Therefore, the proposed project could cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5 and/or disturb human remains, including those interred outside of formal cemeteries, should any such resources be encountered during construction. Consequently, the impact could be considered ***potentially significant***.

Mitigation Measure(s)

Implementation of the following mitigation measures would reduce the above potential impact to a *less-than-significant* level.

V-1 *In the event a potentially significant cultural resource is encountered during subsurface earthwork activities, all construction activities on-site shall cease and workers should avoid altering the materials until an archaeologist who meets the Secretary of Interior's Professional Qualification Standards for archaeology has evaluated the find(s). The Applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The qualified archeologist shall make recommendations to the Lead Agency on the measures that shall be implemented to protect the discovered resources, including but not limited to, culturally appropriate temporary and permanent treatment, which may include avoidance of cultural resources, in-place preservation, and/or re-burial on project property so the resource(s) are not subject to further disturbance in perpetuity. If avoidance is determined to be infeasible, pursuant to CEQA Guidelines Section 15126.4(b)(3)(C), a data recovery plan, which makes provisions for adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. If necessary, excavation and evaluation of the find(s) shall comply with Section 15064.5 of the CEQA Guidelines.*

Potentially significant cultural resources include, but are not limited to, stone, bone, glass, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites, including trash pits older than 50 years. Any previously undiscovered resources found during construction within the project site shall be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and will be submitted to the City of Livermore, the Northwest Information Center, and the State Historic Preservation Office (SHPO), as required.

[12] Native American Heritage Commission. *Parkwest Casino 580 Expansion Project, Alameda County.* July 12, 2024.

V-2 *In the event of the accidental discovery or recognition of any human remains, further excavation or disturbance of the find or any nearby area reasonably suspected to overlie adjacent human remains shall not occur until compliance with the provisions of CEQA Guidelines Section 15064.5(e)(1) and (2) has occurred. The Guidelines specify that in the event of the discovery of human remains other than in a dedicated cemetery, no further excavation at the site or any nearby area suspected to contain human remains shall occur until the County Coroner has been notified to determine if an investigation into the cause of death is required. If the Coroner determines that the remains are Native American, then, within 24 hours, the Coroner must notify the Native American Heritage Commission, which in turn will notify the most likely descendants who may recommend treatment of the remains and any grave goods. The potential exists that the Native American Heritage Commission may be unable to identify a most likely descendant, the most likely descendant fails to make a recommendation within 48 hours after notification by the Native American Heritage Commission, or the landowner or his authorized agent rejects the recommendation by the most likely descendant and mediation by the Native American Heritage Commission fails to provide a measure acceptable to the landowner. In such a case, the landowner or his authorized representative shall rebury the human remains and grave goods with appropriate dignity at a location on the property not subject to further disturbances. Should human remains be encountered, a copy of the resulting County Coroner report noting any written consultation with the Native American Heritage Commission shall be submitted as proof of compliance to the City's Community Development Department.*

VI. ENERGY. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	✖	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	✖	☐

Discussion

a,b. A description of the currently adopted 2022 California Green Building Standards Code and the Building Energy Efficiency Standards, as well as discussions regarding the proposed project's potential effects related to energy demand during construction and operations are provided below.

California Green Building Standards Code

The 2022 California Green Building Standards Code, otherwise known as the CALGreen Code (CCR Title 24, Part 11), is a portion of the CBSC (CCR Title 24), which became effective on January 1, 2023. The purpose of the CALGreen Code is to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. The CALGreen Code standards regulate the method of use, properties, performance, types of materials used in construction, alteration repair, improvement, and rehabilitation of a structure or improvement to property. The provisions of the code apply to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout California. Requirements of the CALGreen Code include, but are not limited to, the following measures:

- Compliance with relevant regulations related to future installation of EV charging infrastructure in residential and non-residential structures;
- Reduction of indoor water use consumption through the establishment of maximum fixture water use rates;
- Outdoor landscaping compliance with the California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), or a local ordinance, whichever is more stringent, to reduce outdoor water use;
- Diversion of 65 percent of construction and demolition waste from landfills; and
- Mandatory use of low-pollutant emitting interior finish materials, such as paints, carpet, vinyl flooring, and particle board.

Building Energy Efficiency Standards

The 2022 Building Energy Efficiency Standards is a portion of the CBSC, which expands upon energy-efficiency measures from the 2019 Building Energy Efficiency Standards, and went into effect starting January 1, 2023. The 2022 standards provide for additional efficiency improvements beyond the 2019 standards. The proposed project would be subject to all relevant provisions of the most recent update of the CBSC, including the Building Energy Efficiency Standards. Adherence to the most recent CALGreen Code and Building Energy Efficiency Standards would ensure that the proposed project would consume energy efficiently.

Construction Energy Use

Construction of the proposed project would involve on-site energy demand and consumption related to use of oil in the form of gasoline and diesel fuel for construction worker vehicle trips, hauling and materials delivery truck trips, and operation of off-road construction equipment. In addition, diesel-fueled portable generators may be necessary to provide additional electricity demands for temporary on-site lighting, welding, and for supplying energy to areas of the site where energy supply cannot be met through a hookup to the existing electricity grid. Project construction would not involve the use of natural gas appliances or equipment.

All construction equipment and operation thereof would be regulated pursuant to the CARB In-Use Off-Road Diesel Vehicle Regulation, which is intended to reduce emissions from in-use, off-road, heavy-duty diesel vehicles in California by imposing limits on idling, requiring all vehicles to be reported to CARB, restricting the addition of older vehicles into fleets, and requiring fleets to reduce emissions by retiring, replacing, or repowering older engines, or installing exhaust retrofits. The In-Use Off-Road Diesel Vehicle Regulation would subsequently help to improve fuel efficiency and reduce GHG emissions. Technological innovations and more stringent standards are being researched, such as multi-function equipment, hybrid equipment, or other design changes, which could help to further reduce demand on oil and limit emissions associated with construction.

Based on the above, the temporary increase in energy use occurring during construction of the proposed project would not result in a significant increase in peak or base demands or require additional capacity from local or regional energy supplies. In addition, the proposed project would be required to comply with all applicable regulations related to energy conservation and fuel efficiency, which would help to reduce the temporary increase in demand.

Operational Energy Use

Pacific Gas and Electricity Company (PG&E) currently provides electricity and natural gas to the project site and would continue to do so following the implementation of the proposed project. Energy use associated with operation of the proposed project would be typical of parking lots, including electricity associated with parking lot lighting and EV charging spaces. The energy use associated with operation of the proposed EV chargers and parking lot lighting would not be substantial. In addition, the proposed parking lot lighting would be subject to the outdoor lighting requirements pursuant to Section 140.7 of the 2022 Building Energy Efficiency Standards. The proposed project would also include the addition of operational changes to the interior of the casino, including increased allowed hours of operation to 24 hours a day, seven days a week. With the exception of an existing nine-hour closure requirement on Mondays, the Parkwest Casino 580 is allowed to operate 24 hours a day for the remainder of the week. However, the increased hours of operation would not create a substantial increase in energy consumption. Additional operational changes would not involve changes to the HVAC or other existing building features requiring energy and, thus, would not be expected to substantially increase the building energy usage beyond existing conditions.

Electricity supplied to the project by PG&E would comply with the State's Renewable Portfolio Standard (RPS), which requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 33 percent of total procurement by 2020 and to 60 percent by 2030. Thus, a portion of the energy consumed during project operations would originate from renewable sources.

In addition to on-site energy use, the proposed project would result in transportation energy use associated with vehicle trips generated by the customers and employees of the casino. While the proposed project would increase traffic compared to existing levels, and, thus, increase energy use associated with transportation, the proposed project would comply with all applicable regulations associated with vehicle efficiency and fuel economy. Further discussion of the proposed project's impacts related to transportation is provided in Section XVII, Transportation, of this IS/MND. As discussed therein, the proposed project would be considered a local-serving use, which would have a less than significant increase in vehicle miles travelled (VMT).

Conclusion

Based on the above, construction and operation of the proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources or conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Thus, a ***less-than-significant*** impact would occur.

VII. GEOLOGY AND SOILS. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	✖	☐
ii. Strong seismic ground shaking?	☐	☐	✖	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	✖	☐
iv. Landslides?	☐	☐	✖	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	✖	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	✖	☐
d. Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	✖	☐	☐
e. 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?	☐	☐	☐	✖
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	✖	☐	☐

Discussion

ai-aii. The project site is not located within the boundaries of an Earthquake Fault Zone, as designated pursuant to the Alquist-Priolo Earthquake Fault Zoning Act.[13] As noted in the City's General Plan, the City is located within the vicinity of the San Andreas, Calaveras, Hayward, and San Jacinto active faults. However, pursuant to Figure 10-1 of the General Plan, the project site is not underlain by any active faults or trace lines. Thus, fault rupture hazard is not a significant geologic hazard at the site.

Based on the proximity of the project site to local and regional faulting, as well as historical seismic activity, the project site is considered subject to relatively high ground shaking risk and related effects. The proposed project would not include construction of any habitable structures. In addition, the parking lot would be properly engineered in accordance with the CBSC, which includes engineering standards appropriate for the seismic area in which the project site is located. Proper engineering of the proposed parking lot would ensure that the proposed project would not be subject to substantial risks related to seismic ground shaking.

Thus, the proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death associated with seismic-related ground failure, including rupture of a known earthquake fault, strong seismic ground

[13] California Department of Conservation. *California Earthquake Hazards Zone.* February 27, 2009.

shaking, liquefaction, or landslides. Therefore, a ***less-than-significant*** impact would occur.

b. Issues related to erosion are discussed in Section X, Hydrology and Water Quality, of this IS/MND. As noted therein, the proposed project would not result in substantial soil erosion or the loss of topsoil. Thus, a ***less-than-significant*** impact would occur.

aiii,aiv,
c. The proposed project's potential effects related to liquefaction, landslides, lateral spreading, and subsidence are discussed in detail below.

Liquefaction

Liquefaction is the temporary transformation of loose, saturated granular sediments from a solid state to a liquefied state as a result of seismic ground shaking. In the process, the soil undergoes transient loss of strength, which commonly causes ground displacement or ground failure to occur. Because saturated soils are a necessary condition for liquefaction, soil layers in areas where the groundwater table is near the surface have higher liquefaction potential than those in which the water table is located at greater depths. Additionally, loose unsaturated sandy soils have the potential to settle during strong seismic shaking. As noted in the City's General Plan, the majority of the planning area is underlain by materials which have a very low to moderate liquefaction potential. Additionally, the project site is not located within a State of California Seismic Hazard Zone for liquefaction.[14] Therefore, the proposed project would not be subject to risk from liquefaction.

Landslides

Seismically-induced landslides are triggered by earthquake ground shaking. The risk of landslide hazard is greatest in areas with steep, unstable slopes. The City has determined the potential for seismically-induced land sliding to occur would depend on a number of activities contributing to instability, such as extensive irrigation, poor drainage, removal of stabilizing vegetation, and over-steepening of slopes. The project site does not feature varying degrees of slope commonly associated with areas at risk for earthquake-induced landslides. Thus, landslides would not occur on-site as a result of the proposed project.

Lateral Spreading

Lateral spreading is horizontal/lateral ground movement of relatively flat-lying soil deposits towards a free face such as an excavation, channel, or open body of water; typically, lateral spreading is associated with liquefaction of one or more subsurface layers near the bottom of the exposed slope. Lateral spreading or lurching is a situation in which soil mass deforms laterally toward a free face, such as an excavation, channel, or open body of water, during a seismic event. The failure occurs along a liquefiable or weak subsurface layer. The amount of movement depends on the soil strength, duration and intensity of seismic shaking, topography, and free face geometry. Given that the project site does not contain any free faces, the potential for lateral spreading to pose a risk to the proposed project is negligible.

[14] California Department of Conservation. *California Earthquake Hazards Zone Application.* Available at: https://maps.conservation.ca.gov/cgs/EQZApp/app/. Accessed August 2024.

Subsidence/Settlement

Subsidence is the settlement of soils of very low density generally from either oxidation of organic material, desiccation and shrinkage, or both, following drainage. Subsidence takes place gradually, usually over a period of several years. According to the City of Livermore's General Plan EIR, subsidence is not likely to occur within the City. Additionally, compliance with General Plan policies would ensure future developments would be required to employ structurally sound building practices. Therefore, the potential subsidence/settlement to pose a risk to the proposed project is relatively low.

Conclusion

Based on the above discussion, the proposed project would not result in potential hazards or risks related to liquefaction, landslides, lateral spreading, or subsidence/settlement. Therefore, a ***less-than-significant*** impact would occur.

d. Expansive soils are soils which undergo significant volume change with changes in moisture content. Specifically, such soils shrink and harden when dried and expand and soften when wetted. Expansive soils can shrink or swell and cause heaving and cracking of slabs-on-grade, pavements, and structures founded on shallow foundation. Pursuant to the Natural Resource Conservation Service (NRCS) Web Soil Survey, the soils underlying the project site are made up of Diablo clay, very deep, three to 15 percent slopes.[15]

Soils with a linear extensibility rating of between six and nine percent with a clay content of 35 to 45 percent are characterized by a high shrink-swell class. According to the NRCS Web Soil Survey, the Diablo clay soils on-site have a linear extensibility rating of 7.5 percent and have a clay content of 47.5 percent. Therefore, the project site contains soil types that are considered to be moderate to highly expansive.

Based on the above, the proposed project has the potential to create substantial direct or indirect risks to life or property related to being located on expansive soil. Therefore, a ***potentially significant*** impact could occur.

Mitigation Measure(s)

Implementation of the following mitigation measure would reduce the above potential impact to a *less-than-significant* level.

VII-1 *Prior to approval of any grading permits, a Geotechnical Analysis shall be conducted by a California Registered Civil Engineer or Geotechnical Engineer to characterize the subsurface conditions of the project site. The report shall address and make recommendations on the following:*

- *Road, pavement, and parking area design;*
- *Grading practices;*
- *Erosion/winterization; and*
- *Special problems discovered on-site, (i.e., groundwater, expansive/unstable soils, etc.).*

[15] Natural Resource Conservation Service. *Web Soil Survey.* Available at: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx. Accessed August 2024.

All grading plans for the project shall be designed by a Civil and Structural Engineer and reviewed and approved by the Director of Public Works/City Engineer, Chief Building Official, and a qualified Geotechnical Engineer prior to issuance of grading and building permits to ensure that all geotechnical recommendations specified in the Geotechnical Analysis are properly incorporated and utilized in the project design.

e. The construction or operation of septic tanks or other alternative wastewater disposal systems is not included as part of the project. Therefore, ***no impact*** regarding the capability of soil to adequately support the use of septic tanks or alternative wastewater disposal systems would occur.

f. The City's General Plan indicates that several Pleistocene aged paleontological fossils have been discovered within the City's Planning Area. In particular, the most recent fossil discovery within the City occurred in the vicinity of the Lawrence Livermore National Laboratory, which is approximately six miles southeast of the project site.

As noted in the City's General Plan, the City is underlain by alluvium, which consists mainly of unconsolidated gravel, sand, silt, and clay deposits. Such soil types are not considered unique geologic features and are common within the geographic area of the City. Furthermore, the City's General Plan does not note the existence of any unique geologic features within the City.

Nonetheless, should previously unknown paleontological resources exist within the project site, ground-disturbing activity, such as grading, trenching, or excavating, associated with implementation of the proposed project would have the potential to result in direct or indirect destruction of unique geologic features. Therefore, a ***potentially significant*** impact could occur.

Mitigation Measure(s)

Implementation of the following mitigation measure would reduce the above potential impact to a *less-than-significant* level.

VII-2 *The following requirements shall be noted on project Improvement Plans, subject to review and approval by the City of Livermore Community Development Department. Should any vertebrate fossils (e.g., teeth, bones), an unusually large or dense accumulation of intact invertebrates, or well-preserved plant material (e.g., leaves) be unearthed by the construction crew, then ground-disturbing activity shall be diverted to another part of the project site and a paleontologist shall be called on-site to assess the find and, if significant, recover the find in a timely matter. Finds determined significant by the paleontologist shall then be conserved and deposited with a recognized repository, such as the University of California Museum of Paleontology. The alternative mitigation would be to leave the significant finds in place, determine the extent of significant deposit, and avoid further disturbance of the significant deposit. The City of Livermore Community Development Department shall be notified of the discovery of any paleontological resources.*

VIII. GREENHOUSE GAS EMISSIONS. *Would the project:*	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	✖	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gasses?	☐	☐	✖	☐

Discussion

a,b. Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on Earth. An individual project's GHG emissions are at a micro-scale level relative to global emissions and effects to global climate change; however, an individual project could result in a cumulatively considerable incremental contribution to a significant cumulative macro-scale impact. As such, impacts related to emissions of GHG are inherently considered cumulative impacts.

Implementation of the proposed project would cumulatively contribute to increases of GHG emissions. Estimated GHG emissions attributable to future development would be primarily associated with increases of carbon dioxide (CO_2) and, to a lesser extent, other GHG pollutants, such as methane (CH_4) and nitrous oxide (N_2O) associated with area sources, mobile sources or vehicles, utilities (electricity), water usage, and the generation of solid waste. The primary source of GHG emissions for the project would be mobile source emissions. The common unit of measurement for GHG is expressed in terms of annual metric tons of CO_2 equivalents ($MTCO_2e$/yr).

The proposed project is located within the jurisdictional boundaries of BAAQMD. The most recent BAAQMD Air Quality Guidelines were released in April 2023.[16] The updated GHG thresholds address more recent climate change legislation, including Senate Bill (SB) 32, Executive Order (EO) B-55-18, and EO S-03-05, and provide qualitative thresholds, as discussed in further detail below.

BAAQMD Thresholds of Significance

According to BAAQMD's qualitative GHG thresholds of significance, a project must either include specific project design elements (e.g., exclude use of natural gas, achieve a specific reduction in project-generated VMT below the regional average) or be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b).[17]

On November 28, 2022, the City of Livermore adopted an updated 2022 Climate Action Plan (CAP), which, according to Section 2 of Appendix D of the CAP, meets the criteria to be a GHG reduction strategy under CEQA Guidelines Section 15183.5(b). Therefore, the following analysis is based on the proposed project's consistency with the City's 2022 CAP.

[16] Bay Area Air Quality Management District. *2022 California Environmental Quality Act Guidelines*. April 2023.
[17] Bay Area Air Quality Management District. *CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans*. April 2022.

City of Livermore CAP Consistency

The 2022 CAP is intended to create a roadmap to achieve emissions reductions of 40 percent below 1990 levels by 2030, and carbon neutrality (i.e., net zero carbon emissions) by 2045. The CAP contains mitigation strategies and actions, consistent with State climate mitigation targets, which were developed to reduce the City's GHG emissions to reach its adopted reduction targets for 2030 and 2045. The project's consistency with the applicable mitigation strategies and actions is assessed in Table 4 below. As shown in the table, the proposed project would be consistent with the applicable strategies and actions of the City's CAP.

Table 4
Project Consistency with the Livermore Climate Action Plan

Strategies and Actions	Consistency Discussion
Strategy D-1: Improve water conservation and reuse.	All landscaping improvements would be consistent with Section 13.25 of the Municipal Code, Water Efficient Landscape, and would be irrigated by an automatic irrigation system. Therefore, the proposed project would be generally consistent with Strategy D-1.
Action D-1.3: Continue implementing the Water Efficient Landscape Ordinance.	As discussed above, all landscaping improvements would be consistent with Section 13.25 of the Municipal Code, Water Efficient Landscape, and would be irrigated by an automatic irrigation system. Therefore, the proposed project would be consistent with Action D-1.3.
Action F-1.5: Require new hardscape to be permeable.	Page 46 of the Livermore CAP recognizes that for Action F-1.5, the City must first update standards for new development hardscape to be consistent with CALGreen Tier 1 and/or increase the current fee for installation of new impervious surfaces. The City has not yet updated its standards and, thus, consistency with Action F-1.5 is not required.
Strategy B-1: Require new buildings to be all-electric and incentivize electrification retrofits of existing buildings.	The proposed project would not include the development of new buildings or improvements to existing buildings. Thus, Strategy B-1 is not applicable to the proposed project.
Action B-1.1: Require new construction to be all-electric.	See consistency discussion for Strategy B-1.
Action T-1.1: Expand EV infrastructure to support EV adoption.	The City of Livermore has adopted Reach Code amendments to the CBSC, which include EV charging requirements for new development projects within the City. For non-residential projects such as the proposed parking lot expansion, the City's Reach Code requires that 10 percent of all parking spaces must be EV Capable, and 10 percent of all parking spaces must provide electric vehicle supply equipment (EVSE), which is installed charging receptacles or permanently installed chargers. The proposed project is anticipated to include 230 paved parking spaces. Therefore, based on the City's Reach Code requirements, the proposed project would be required to provide 23 EV Capable spaces, and 23 spaces would be required

(Continued on next page)

Table 4
Project Consistency with the Livermore Climate Action Plan

Strategies and Actions	Consistency Discussion
	to include EVSE, in compliance with the City's Reach Code. The current site plans include a total of 26 EVSE spaces and 26 EV Capable spaces. Therefore, the proposed project would be consistent with Action T-1.1.
Strategy W-1: Reduce the amount of waste that is landfilled.	The project would be required to comply with all applicable provisions of Chapter 8.08, Solid Waste Management, of the City's Municipal Code. In addition, as discussed below, the proposed project would be required to comply with the CALGreen Code's construction waste diversion standards during construction of the proposed project. Therefore, the proposed project would generally be consistent with Strategy W-1.
Action W-1.5: Reduce construction waste.	The CALGreen Code requires all new construction projects to recycle and/or salvage for reuse a minimum 65 percent of all non-hazardous construction and demolition waste. The proposed project would be required to comply with the CALGreen Code standards, and, therefore, would be consistent with Action W-1.5.
Source: City of Livermore, 2022.	

Conclusion

Based on the above, the proposed project would be consistent with the City's CAP strategies and actions. Therefore, the proposed project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, or could conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. Thus, a ***less-than-significant*** impact could occur.

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

Discussion

a,b. Casinos are not typically associated with the routine transport, use, disposal, or generation of substantial amounts of hazardous materials. Maintenance and operation of the proposed increased business operations and parking lot expansion may use common household cleaning products, fertilizers, and herbicides on-site, any of which could contain potentially hazardous chemicals; however, such products would be expected to be used in accordance with label instructions. Due to the regulations governing use of such products and the amount anticipated to be used on the site, routine use of such products would not represent a substantial risk to public health or the environment.

Construction activities associated with the proposed project would consist of the construction of a new parking lot, which could involve the limited use of equipment that would contain fuels and oils, and various other products such as paints and adhesives. However, contractors would be required to comply with all California Health and Safety Codes and local City ordinances regulating the handling, storage, and transportation of hazardous and toxic materials. Thus, construction activities related to the proposed project would not represent a substantial risk to public health or the environment.

Based on the above, the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment. Thus, a ***less-than-significant*** impact would occur.

c. The project site is located approximately 700 feet southwest from the Acton Academy East Bay, and is therefore located within 0.25-mile of an existing school. However, the project site consists of the existing Parkwest Casino 580 and undeveloped grassland. As such, evidence of recognized environmental conditions (RECs), controlled RECs or historical RECs have not been identified in connection with the project site. In addition, operation of the site as a casino and associated parking lot would not include any activities that would involve the routine transport, use, or disposal of hazardous material. As such, future operations at the project site would not emit any hazardous emissions, substances, or waste. Therefore, the project would result in a ***less-than-significant*** impact.

d. The California Environmental Protection Agency (Cal EPA) has compiled a list of data resources that provide information regarding the facilities or sites identified as meeting the "Cortese List" requirements, pursuant to Government Code 65962.5. The components of the Cortese List include the Department of Toxic Substances Control (DTSC) Hazardous Waste and Substances Site List,[18] the list of leaking underground storage tank (UST) sites from the State Water Resources Control Board (SWRCB's) GeoTracker database,[19] the list of solid waste disposal sites identified by the SWRCB, and the list of active Cease and Desist Orders (CDOs) and Cleanup and Abatement Orders (CAOs) from the SWRCB.[20] The project site is not included on the DTSC Hazardous Waste and Substances Site List. In addition, the project site is not listed on the SWRCB's list of solid waste disposal sites, list of leaking UST sites, or list of active CDOs and CAOs. Therefore, the proposed project would not create a significant hazard to the public or the environment related to being located on a site which is included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5, and a ***less-than-significant*** impact would occur.

e. The nearest airport to the project site is the Livermore Municipal Airport, located approximately 0.3-mile south of the project site. Given the proximity of Livermore Municipal Airport, the project site is included within the Airport's Land Use Compatibility Plan (ALUCP). The project site is located within the Airport Protection Area boundaries.[21] Given that the project site is located within an airport land use plan, the proposed project has the potential to expose people residing or working in the project area to a safety hazard or excessive noise associated with such. Impacts related to the exposure of people to excessive noise are discussed in Section XIII, Noise, of this IS/MND. Therefore, the following discussion is focused on whether the proposed project would result in the potential to expose people residing or working in the project area to a safety hazard related to the Livermore Municipal Airport.

The ALUCP has developed land use safety compatibility criteria to minimize the risks to people and property on the ground, as well as people in an aircraft in the event of an accident or emergency landing occurring outside the airport boundary. As such, a total of seven different safety zones are identified within the ALUCP based on runway length and flight patterns, and incompatible, conditional, and permitted uses were identified for each zone. As shown on Figure 3-3 of the ALUCP, the project site is located within Zone 6.

[18] Department of Toxic Substances Control. *Hazardous Waste and Substances Site List (Cortese).* Available at: https://www.envirostor.dtsc.ca.gov/public/. Accessed August 2024.

[19] State Water Resources Control Board. *GeoTracker.* Available at: https://geotracker.waterboards.ca.gov/map/?myaddress=California&from=header&cqid=8858350455. Accessed August 2024.

[20] CalEPA. *Cortese List Data Resources*. Available at: https://calepa.ca.gov/sitecleanup/corteselist/. Accessed August 2024.

[21] Alameda County Community Development Agency. *Livermore Executive Airport Land Use Compatibility Plan* [Figure 3-1]. August 2012.

According to Table 3-2 of the ALUCP, non-residential land uses are permitted uses within Zone 6. In addition, the proposed project would comply with the criteria included within the ALUCP, such as avoiding uses that could create hazards to flights, such as building height and prohibiting critical infrastructure facilities. The proposed project would not require an avigation easement.

Based on the above, the proposed project would not result in a safety hazard for people working in the project area, and a ***less-than-significant*** impact would occur.

f. The City of Livermore adopted the City of Livermore Emergency Operations Plan in January 2018.[22] The plan provides a basis for future responses to a wide range of citywide hazards and vulnerabilities. The plan outlines the general authority, organization, and response actions for City of Livermore staff when disasters occur. Implementation of the proposed project would not result in any substantial modifications to the existing roadway system and, thus, would not physically interfere with the Emergency Operations Plan, particularly with any roadways needed in the case of an emergency evacuation within the City. Furthermore, the proposed project would not include land uses or operations that could impair implementation of the plan.

Therefore, the proposed project would not interfere with an emergency evacuation or response plan, and a ***less-than-significant*** impact would occur.

g. Issues related to wildfire hazards are discussed in Section XX, Wildfire, of this IS/MND. According to the California Department of Forestry and Fire Protection (CAL FIRE) Fire and Resource Assessment Program, the project site is not located within a Very High Fire Hazard Severity Zone (FHSZ).[23] While a High FHSZ is located immediately west of Doolan Road in close proximity to the project site, the expansion of the existing parking lot would include the removal of existing on-site vegetation, which would reduce wildfire risks. Therefore, the proposed project would not expose people or structures to the risk of loss, injury or death involving wildland fires, and a ***less-than-significant*** impact would occur.

[22] City of Livermore. *Emergency Operations Plan*. January 2018.
[23] California Department of Forestry and Fire Protection. *Fire Hazard Severity Zone Viewer*. Available at: https://experience.arcgis.com/experience/03beab8511814e79a0e4eabf0d3e7247/. Accessed August 2024.

X. HYDROLOGY AND WATER QUALITY. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?		☐	✖	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?		☐	✖	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. Result in substantial erosion or siltation on- or off-site;	☐	☐	✖	☐
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	✖	☐
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	✖	☐
iv. Impede or redirect flood flows?	☐	☐	☐	✖
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	✖
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	✖	☐

Discussion

a. The following discussion provides a summary of the proposed project's potential to violate water quality standards/waste discharge requirements or otherwise degrade water quality during construction and operation.

Construction

During the early stages of construction activities, topsoil would be exposed during ground-disturbance. Prior to overlaying the ground surface with impervious surfaces, the potential exists for wind and water erosion to discharge sediment and/or urban pollutants into stormwater runoff, which could adversely affect water quality downstream.

The SWRCB regulates stormwater discharges associated with construction activities where clearing, grading, or excavation results in a land disturbance of one or more acres. The City's National Pollutant Discharge Elimination System (NPDES) permit requires applicants to show proof of coverage under the State's General Construction Permit prior to receipt of any construction permits. The State's General Construction Permit requires a Storm Water Pollution Prevention Plan (SWPPP) to be prepared for the site. A SWPPP describes Best Management Practices (BMPs) to control or minimize pollutants from entering stormwater and must address both grading/erosion impacts and non-point source pollution impacts of the development project. Because the proposed project would disturb greater than one acre of land, the proposed project would be subject to the requirements of the State's General Construction Permit.

In addition, the proposed project would be required to comply with Chapter 13.45, Stormwater Management and Control Program, of the City's Municipal Code, which includes standards for managing stormwater runoff during construction and operation. Pursuant to Section 13.45.090, any construction contractor performing work in the City must provide filter materials at the catch basin to retain any debris and dirt flowing into the City's stormwater system. Therefore, the proposed project would not discharge sediment or urban pollutants through soil erosion, violate any water quality standards or waste discharge requirements, or otherwise substantially degrade surface or ground water quality during construction.

Operation

The proposed project would not involve operations typically associated with the generation or discharge of polluted water. Following completion of project buildout, disturbed areas of the site would be largely covered with impervious surfaces or landscaping, and topsoil would no longer be exposed. All municipalities within Alameda County (and the County itself) are required to develop more restrictive surface water control standards for new development projects as part of the renewal of the Countywide NPDES permit. Thus, typical operations on the project site would not violate any water quality standards or waste discharge requirements, nor degrade water quality.

The City of Livermore has adopted the Alameda County C.3 Stormwater Standards, which require new development and redevelopment projects that create or alter 10,000 or more square feet (sf) of impervious area to contain and treat all stormwater runoff from the project site. A total of approximately 118,506 sf of new impervious surfaces would exist on-site following implementation of the proposed project. Thus, the project would be subject to the requirements of the C.3 Stormwater Standards related to stormwater treatment, which are included in the City's NPDES General Permit.

Stormwater runoff within the project site would flow to three bioretention planters located within the parking lot that would provide treatment and detention of the on-site stormwater runoff. In addition, the project would include various other landscaping elements that would allow for stormwater infiltration. The bio-treatment planters consist primarily of pervious landscaping, allowing for stormwater to infiltrate underlying soils. The proposed project would also include an approximately 0.45-acre landscaped self-treatment area located in the eastern portion of the project site.

Each of the bio-treatment planters would be sized to adequately handle all runoff from the proposed impervious surfaces and landscaping within the project site. Thus, the proposed project would comply with the requirements of the SWRCB and the Regional Water Quality Control Board (RWQCB), and would meet C.3 Standards related to stormwater treatment. During operation, the project would comply with all relevant water quality standards and waste discharge requirements, and would not degrade water quality.

Conclusion

Based on the above, the proposed project would not result in the violation of water quality standards or degradation of water quality during construction or operation, and a ***less-than-significant*** impact would occur.

b,e. Water supplies in the northwest, northeast, and eastern portions of the City of Livermore, including the project site, are provided by Livermore Municipal Water. Pursuant to the City of Livermore 2020 Urban Water Management Plan (UWMP), the City does not pump groundwater to meet any water demands of the municipal water service area and does not overlay an adjudicated/unadjudicated basin. However, the City does retain a pumping quota of approximately 30 acre-feet per year (AFY) from the Livermore-Amador Valley Groundwater Basin, an unadjudicated basin.

Bulletin 118 – Interim Update 2016 defines 517 groundwater basins and subbasins in California. Per the Sustainable Groundwater Management Act (SGMA), the Department of Water Resources (DWR) is required to prioritize the 517 groundwater basins and subbasins as either High, Medium, Low, or Very Low. Prioritization is based on the following considerations:

- The population overlying the basin or subbasin;
- The rate of current and projected growth of the population overlying the basin or subbasin;
- The number of public supply wells that draw from the basin or subbasin;
- The total number of wells that draw from the basin or subbasin;
- The irrigated acreage overlying the basin or subbasin;
- The degree to which persons overlying the basin or subbasin rely on groundwater as their primary source of water;
- Any documented impacts on the groundwater within the basin or subbasin, including overdraft, subsidence, saline intrusion, and other water quality degradation; and
- Any other information determined to be relevant by the department, including adverse impacts on local habitat and local streamflows.

Each basin's priority determines which provisions of California Statewide Groundwater Elevation Monitoring and SGMA apply. SGMA requires Medium and High priority basins to develop groundwater sustainability agencies, develop groundwater sustainability plans, and manage groundwater for long-term sustainability. The Livermore-Amador Valley Groundwater Basin is considered Medium Priority per the DWR[24] and is addressed by the Zone 7 Groundwater Management Plan (2005 GMP).[25] The DWR has not identified the Basin as either in overdraft or expected to be in overdraft.[26]

Pursuant to the 2020 UWMP, water supplies are projected to meet expected demand during five-year droughts beginning in 2025, 2030, 2035, 2040, and 2045. The proposed project would involve a relatively modest increase in water demand associated with the casino's increased capacity. However, the project site is currently developed, and such demand would not represent a substantial increase from existing conditions at the site. In addition, all landscaping improvements would be consistent with Section 13.25 of the Municipal Code, Water Efficient Landscape, and would be irrigated by an automatic irrigation system. Therefore, the project would not result in substantially increased use of

[24] Department of Water Resources. *Sustainable Groundwater Management Act 2018 Basin Prioritization* [Table A-1]. January 2019.

[25] Zone 7 Water Agency. *Groundwater Management Plan for Livermore-Amador Valley Groundwater Basin.* September 2005.

[26] Zone 7 Water Agency. *2015 Urban Water Management Plan* [pg. 6-7]. March 31, 2016.

groundwater supplies beyond what has been anticipated for the site by the City and accounted for in the UWMP.

Project development would result in an increase in on-site impervious surfaces, which would reduce the infiltration of groundwater as compared to existing conditions. However, approximately 2.02 acres, or approximately 42 percent of the site, would remain as pervious surfaces, which would allow for the natural percolation of stormwater in those areas, which would continue to contribute to groundwater recharge similar to existing conditions. Furthermore, the proposed project would include the development of three on-site bioretention planters, which would allow for the on-site infiltration of surface water to continue, and contribute to groundwater recharge. Therefore, the proposed project would not interfere substantially with groundwater recharge on-site or interfere with groundwater recharge in the area.

Based on the above, the proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the Livermore-Amador Valley Groundwater Basin. In addition, the project would not conflict with or obstruct implementation of a water quality control plan or the 2005 GMP. Thus, a ***less-than-significant*** impact would occur.

c.i-iii. A total of approximately 118,506 sf of new impervious surfaces would exist on-site following implementation of the proposed project. As discussed above, the proposed project would be subject to the County C.3 Standards related to stormwater.

Storm water runoff within the project site would flow to three bioretention planters located in the proposed parking lot that would provide treatment and retention of the on-site stormwater runoff. As shown above in Figure 4, the total treatment area on-site would be equal to new impervious area plus 10 percent of the landscaped area, as required by the County C.3 Stormwater Standards. Thus, adequate storage would be provided on-site.

The proposed project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion, siltation, or flooding on- or off-site. The proposed project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff. Consequently, the proposed project would result in a ***less-than-significant*** impact.

c.iv. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map number 06001C03329G, the project site is located within an Area of Minimal Flood Hazard (Zone X).[27] The site is not classified as a Special Flood Hazard Area or otherwise located within a 100-year or 500-year floodplain. Therefore, development of the proposed project would not impede or redirect flood flows and ***no impact*** would result.

d. As discussed under question 'c.iv' above, the project site is not located within a flood hazard zone. Thus, the proposed project would not be subject to substantial flooding risks. Tsunamis are defined as sea waves created by undersea fault movement, whereas a seiche is a long-wavelength, large-scale wave action set up in a closed body of water such as a lake or reservoir. Due to the project site's substantial distance from the coast, the

[27] Federal Emergency Management Agency. *Flood Insurance Rate Map 06001C0329G.* Effective August 3, 2009.

proposed project would not be exposed to flooding risks associated with tsunamis. Seiches do not pose a risk to the proposed project, as the project site is not located adjacent to any closed body of water. Therefore, the proposed project would not pose a risk related to the release of pollutants due to project inundation due to flooding, tsunami, or seiche, and ***no impact*** would occur.

XI. LAND USE AND PLANNING. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Physically divide an established community?	☐	☐	✖	☐
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	✖	☐

Discussion

a. A project risks dividing an established community if the project would introduce infrastructure or alter land uses so as to change the land use conditions in the surrounding community, or isolate an existing land use. Currently, the project site is developed with the existing Parkwest Casino 580, and does not contain existing housing. The site is bounded by Doolan Road to the west, North Canyons Parkway to the north, undeveloped land to the east, and I-580 to the south. In addition, the proposed project would be compatible with the existing surrounding land uses in the project area and would not alter the existing general development trends in the area or isolate an existing land use. Therefore, the proposed project would not physically divide an established community, and a ***less-than-significant*** impact would occur.

b. The proposed project consists of a parking lot expansion for the existing Parkwest Casino 580 and an increase in business operations. Cardrooms are a conditionally permitted use in the site's INSP General Commercial designation. The existing cardroom casino is subject to an approved Conditional Use Permit, which would require a modification to increase the business operations; the modification to the existing Conditional Use Permit and the proposed amendments to the City of Livermore Municipal Code are discretionary actions subject to approval by the City of Livermore City Council. As discussed throughout this IS/MND, the proposed project would not result in any significant environmental effects that cannot be mitigated to a less-than-significant level by the mitigation measures provided herein. In addition, the proposed project would not conflict with City policies and regulations adopted for the purpose of avoiding or mitigating an environmental effect, including, but not limited to, the City's noise standards, applicable SWRCB regulations related to stormwater, and EACCS standards. Therefore, the proposed project would not cause a significant environmental impact in excess of what has already been analyzed and anticipated in the INSP EIR, and would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental impact. Thus, a ***less-than-significant*** impact would occur.

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

Discussion

a,b. Pursuant to the City's General Plan, areas within the vicinity of Livermore are underlain by alluvial deposits, which contain significant reserves of sand and gravel deposits suitable for use as aggregate in the production of Portland Concrete Cement. However, the General Plan does not identify any mineral resources in the project area.[28] The General Plan EIR concluded that buildout of the Planning Area, including the project site, would result in a less-than-significant impact to mineral resources with implementation of applicable General Plan policies, including Policies OSC-4.1.P1 through P5. The aforementioned policies require the City to take into account potentially available mineral resources within the City, while also ensuring mining operations comply with all applicable City policies and standards. In addition, pursuant to the INSP EIR, the INSP Planning Area does not have known mineral resources of regional or statewide value, or locally-important mineral resource recovery sites delineated on a land use plan. Therefore, ***no impact*** to mineral resources would occur as a result of development of the project.

[28] City of Livermore. *City of Livermore General Plan 2003-2025* [Figure 8-3]. December 2014.

XIII. NOISE. *Would the project result in:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. 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?	☐	☐	✖	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	✖	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	✖	☐

Discussion

a. The discussion below presents information regarding sensitive noise receptors in proximity to the project site, applicable noise standards, the existing noise environment, and the potential for the proposed project to result in noise impacts during project construction and operation. The following terms are referenced in the sections below:

- Decibel (dB): A unit of sound energy intensity. An A-weighted decibel (dBA) is a decibel corrected for the variation in frequency response to the typical human ear at commonly encountered noise levels. All references to decibels (dB) in this report will be A-weighted unless noted otherwise.
- Community Noise Equivalent Level (CNEL): The cumulative noise exposure over a 24-hour period. Weighting factors of +5 and +10 dBA are applied to the evening and nighttime periods, respectively, to account for the greater sensitivity of people to noise during those periods.
- Day-Night Average Level (L_{dn}): The average sound level over a 24-hour day, with a +10 decibel weighing applied to noise occurring during nighttime (10:00 PM to 7:00 AM) hours.
- Equivalent Sound Level (L_{eq}): The average sound level over a given time-period.
- Maximum Sound Level (L_{max}): The maximum sound level over a given time-period.
- Median Sound Level (L_{50}): The sound level exceeded 50 percent of the time over a given time-period.

City Noise Standards

Both the City's Municipal Code and General Plan include regulations related to the generation of noise.

Chapter 9.36 of the City of Livermore Municipal Code prohibits any person to make or continue, or cause to be made or continued, any loud, disturbing, unnecessary, unusual or habitual noise, or any noise which annoys, disturbs, injures or endangers the comfort, health, repose, peace or safety of other persons within the City. Noise sources from both construction and operations of the proposed project are discussed in comparison to the foregoing general standard included in the City's Municipal Code.

Pursuant to City of Livermore Municipal Code Chapter 9.36, construction activities associated with development of the proposed project would be prohibited during the following time periods: 6:00 PM Saturday to 7:00 AM Monday; 8:00 PM to 7:00 AM on Monday, Tuesday, Wednesday and Thursdays; 8:00 PM Friday to 9:00 AM on Saturday; and on all City-observed holidays.

General Plan Policy N-1.5.P1 requires that industrial and commercial uses be designed and operated so as to avoid the generation of noise effects on surrounding sensitive land uses from exceeding the following noise levels for exterior environments:

(a) 55 dBA L_{50} (7:00 AM to 10:00 PM)
(b) 45 dBA L_{50} (10:00 PM to 7:00 AM)

In addition, the City's General Plan Policy N-1.1.P4 establishes acceptable and unacceptable ranges for exterior noise levels at various land uses within the City. The acceptable and unacceptable noise ranges are included in Table 9-7 of the City's General Plan, which is reproduced as Table 5 below.

Table 5
Land Use Compatibility Guidelines for Exterior Noise (dBA)

Land Use	Normally Acceptable[1]	Conditionally Acceptable[1]	Normally Unacceptable[1]	Clearly Unacceptable[1]
Residential-Low Density, Single-Family, Duplex, Mobile Homes	≤60	55-70	70-75	>75
Residential Multi-Family	≤65	60-70	70-75	>75
Transient Lodging, Hotels, Motels	≤65	60-70	70-80	>80
School, Library, Church, Hospital, Nursing Home	≤70	60-70	70-80	>80
Auditorium, Concert Hall, Amphitheater	X	<70	X	>65
Sports Arena, Outdoor Spectator Sports	X	<75	X	>70
Playground, Neighborhood Park	≤70	X	70-75	>75
Golf Course, Water Recreation, Cemetery	≤75	X	70-80	>80

(Continued on next page)

Office Building, Business Commercial, Professional, Retail	≤70	70-75	>75	X
Industrial, Manufacturing, Utilities, Agricultural	≤75	70-80	>75	X

[1] Where dBA levels overlap between these categories, determination of noise level acceptability will be made on a project-by-project basis. dBA is measured in CNEL or L_{dn} (see General Plan Policy N-1.1.P4).

Source: City of Livermore General Plan [Table 9-7]. December 2014.

As shown in Table 5, the normally acceptable exterior noise level range for both office buildings and schools is less than or equal to 70 dBA L_{dn}. Should project traffic and operational noise result in exterior noise levels exceeding 70 dBA L_{dn} at the office buildings located approximately 210 feet to the north of the project site or the Acton Academy East Bay school located approximately 700 feet to the northeast of the project site, the proposed project would be considered to result in a significant noise impact.

The City of Livermore has not established a threshold for significant increases in traffic noise. However, the Federal Interagency Committee on Noise (FICON) has developed guidance for determining increases in traffic noise. Therefore, in addition to the 70 dBA L_{dn} limit specified in the City of Livermore Noise Element, increases in the ambient noise environment due to the proposed project were evaluated using the criteria developed by FICON. Although the FICON guidelines were originally developed for aircraft noise impacts, the noise increase thresholds are generally considered appropriate for evaluation of noise increases at noise sensitive uses such as single-family residences or schools. The significance criteria are provided in Table 6, below.

Table 6
FICON Noise Exposure Increases for Determining Level of Significance

Noise Exposure without Project	Potential Significant Impact
< 60 dB CNEL	5 dB or more
60-65 dB CNEL	3 dB or more
>65 dB CNEL	1.5 dB or more

Source: Federal Interagency Committee on Noise.

As shown in the table, according to the FICON, an increase in the traffic noise level of 5 dB or more would be significant where the pre-project noise levels are less than 60 dB L_{dn}. In areas where the pre-project noise levels range from 60 to 65 dBA, a 3 dBA barely perceptible noise level increase appears to be appropriate for most people. When the pre-project noise levels already exceed 65 dBA, any increase in community noise louder than 1.5 dBA or greater is considered a significant impact, given that the noise increase likely contributes to an existing noise exposure exceedance.

Sensitive Noise Receptors

Some land uses are considered more sensitive to noise than others, and, thus, are referred to as sensitive noise receptors. Land uses often associated with sensitive noise receptors generally include residences, schools, libraries, hospitals, and passive recreational areas. Noise sensitive land uses are typically given special attention in order to achieve protection from excessive noise. In the vicinity of the project site, the nearest existing noise sensitive land uses is Acton Academy East Bay, located approximately 700 feet northeast of the project site's northern boundary.

Existing Noise Environment

The existing ambient noise environment at the project site is primarily defined by traffic noise emanating from I-580, located immediately south of the project site, existing on-site parking lot movements, and by adjacent commercial operations.

Project Construction Noise

During construction of the proposed project, heavy equipment would be used for site grading and paving, which would increase ambient noise levels in the project area when in use. Standard construction equipment, such as graders, backhoes, loaders, and trucks, would be used on-site. Noise levels would vary depending on the type of equipment used, how the equipment is operated, and how well the equipment is maintained. In addition, noise exposure at any single point outside the project site would vary depending on the proximity of construction activities to that point.

Table 7 shows maximum noise levels associated with typical construction equipment. Based on the table, activities involved in typical construction would generate maximum noise levels ranging from 76 to 90 dB at a distance of 50 feet. As one increases the distance between equipment, or increases separation of areas with simultaneous construction activity, dispersion and distance attenuation reduce the effects of combining separate noise sources. The noise levels from a source decrease at a rate of approximately 6 dB per every doubling of distance from the noise source.

Table 7
Construction Equipment Noise

Type of Equipment	Maximum Level, dB at 50 feet
Auger Drill Rig	84
Backhoe	78
Compactor	83
Compressor (air)	78
Concrete Saw	90
Dozer	82
Dump Truck	76
Excavator	81
Generator	81
Jackhammer	89
Pneumatic Tools	85

Source: Federal Highway Administration, Roadway Construction Noise Model User's Guide, January 2006.

The City of Livermore has not adopted a formal standard for evaluating temporary construction noise which occurs within allowable hours. However, the California Department of Transportation (Caltrans) defines a significant increase due to noise as an

increase of 12 dBA over existing ambient noise levels. Construction equipment is predicted to generate noise levels of up to 90 dBA L_{max} at 50 feet. The nearest noise-sensitive use, Acton Academy East Bay, is located approximately 700 feet as measured from the northeastern boundary of the proposed parking lot expansion. At such a distance, maximum construction noise levels would be approximately 67.5 dBA. According to Figure 9-1 of the General Plan EIR, the project site and the Acton Academy East Bay are located within the existing 60 dBA CNEL noise contour. Therefore, project construction would not cause an increase of greater than 12 dBA over existing maximum noise levels at the nearest sensitive receptor.

In addition, the noise increase during construction would be of short duration and would likely occur primarily during daytime hours, pursuant to City of Livermore Municipal Code Chapter 9.36. Although construction activities associated with the proposed project could result in infrequent periods of high noise, the construction noise would not be sustained and would occur only during the City's permitted construction noise hours. Therefore, a less-than-significant impact would occur related to construction noise.

Project Operational Noise

Noise generated during operations of the proposed project would consist of typical commercial noise and traffic noise, as discussed in further detail below.

On-Site Operational Noise

On-site operational noise sources would include on-site noise associated with parking lot activity, including engines starting and stopping, car doors opening and closing, and persons conversing as they entered and exited the vehicles.

According to the Environmental Noise and Vibration Assessment prepared for the Livermore Valley Academy Project by Bollard Acoustical Consultants, individual parking lot movements generate mean noise levels of approximately 70 dB sound exposure level (SEL) at a reference distance of 50 feet. The maximum noise level associated with parking lot activity typically do not exceed 65 dB L_{max} at the same reference distance.

To compute hourly average (L_{eq}) noise levels generated by parking lot activities, the approximate number of hourly operations in any given area and distance to the effective noise center of the activities is required. To be conservative, the analysis herein assumes that all of the 230 proposed parking stalls could fill or empty during a given peak hour. The hourly average noise level generated by parking lot movements is computed using the following formula:

$$\textit{Peak Hour } L_{eq} = 70+10*\log (N) - 35.6$$

Where 70 is the mean SEL for an automobile parking lot arrival or departure, N is the number of parking lot operations in a given hour, and 35.6 is 10 times the logarithm of the number of seconds in an hour. Median (L_{50}) parking lot noise levels would be approximately 5 dB less than hourly average noise levels (L_{eq}). As such, parking lot activities would be approximately 53.02 dB L_{50} at a reference distance of 50 feet.

Using the information provided above, and assuming a standard 6 dB decrease in noise levels per doubling of distance, the L_{50} noise levels at the nearest off-site existing sensitive

uses, the Acton Academy East Bay, associated with on-site parking activities would be approximately 30 dB L_{50}.

The City of Livermore General Plan establishes an exterior daytime noise level standard of 55 dB L_{50} for sensitive land uses. As indicated above, noise level exposure from the project parking lot movements would satisfy the General Plan 55 dB L_{50} exterior daytime noise level standard at the nearest sensitive land use.

In addition, as shown above in Table 5, the City of Livermore General Plan establishes acceptable and unacceptable ranges for exterior noise levels measured in CNEL at various land uses. It can be reasonably assumed that L_{50} noise measurements would be greater than the CNEL measurement, as L_{50} was calculated as the sound level exceeded 50 percent of the time within one peak hour, and CNEL occurs over a 24-hour period. The L_{50} noise level calculated for the proposed project is also a conservative assumption of parking lot operations, as every space was assumed to empty and fill within one peak hour. As such, because parking lot activity noise was calculated to be approximately 53.4 dB L_{50} at a reference distance of 50 feet, it is reasonable to conclude that the parking lot activities associated with the proposed project would be below the acceptable 70 dB CNEL noise level at all nearest uses.

Because parking lot movement noise level exposure from on-site noise sources is calculated to satisfy applicable City of Livermore General Plan daytime noise level standards at the nearest existing off-site noise-sensitive uses, noise level exposure from parking lot movement noise sources is not expected to result in a significant increase in ambient noise levels at the nearest sensitive receptors. As such, noise level increases that could occur due to on-site noise sources during project operation would result in a less-than-significant impact.

Traffic Noise

The primary noise source associated with the operation of the proposed project would be traffic noise on local roadways. As part of the Traffic Impact Analysis (TIA) Report conducted for the proposed project, TJKM determined the proposed project would generate an increase of approximately 304 trips per day, including 26 weekday AM peak hour trips and 25 weekday PM peak hour trips.[29]

Based on Figure 9-1 of the General Plan, the project site is located in an area with existing noise levels of 60 dBA CNEL. Pursuant to the FICON criteria presented in Table 6, where existing traffic noise levels are between 60 and 65 dB L_{dn} at the outdoor activity areas of noise-sensitive uses, a +3 dB L_{dn} increase in roadway noise levels would be considered significant. Generally, a doubling in traffic volumes is required to increase traffic noise levels by 3 dB, which is considered to be the threshold for a significant increase pursuant to the FICON. The increase of approximately 304 trips per day associated with the proposed project would not result in a doubling of traffic volumes along area roadways. Therefore, the proposed project would not result in a substantial increase in noise levels related to vehicle traffic, and increased traffic noise generated from implementation of the proposed project would result in a less-than-significant impact.

[29] TJKM. *Traffic Impact Analysis Report – Parkwest Casino 580 Expansion*. November 6, 2024.

Conclusion

Noise associated with construction or operations of the proposed project would not result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of the standards established in the City's General Plan, or applicable standards of other agencies. Thus, a ***less-than-significant*** impact related to the generation of a substantial temporary and 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 could occur.

b. Similar to noise, vibration involves a source, a transmission path, and a receiver. However, noise is generally considered to be pressure waves transmitted through air, whereas vibration usually consists of the excitation of a structure or surface. As with noise, vibration consists of an amplitude and frequency. A person's perception to the vibration depends on their individual sensitivity to vibration, as well as the amplitude and frequency of the source and the response of the system which is vibrating.

Vibration is measured in terms of acceleration, velocity, or displacement. A common practice is to monitor vibration in terms of peak particle velocities (PPV) in inches per second (in/sec). Standards pertaining to perception, as well as damage to structures, have been developed for vibration levels defined in terms of PPV.

Human and structural response to different vibration levels is influenced by a number of factors, including ground type, distance between source and receptor, duration, and the number of perceived vibration events. Table 8, which was developed by Caltrans, shows the vibration levels that would normally be required to result in damage to structures. As shown in the table, the threshold for architectural damage to structures is 0.20 in/sec PPV and continuous vibrations of 0.10 in/sec PPV, or greater, would likely cause annoyance to sensitive receptors.

Table 8
Effects of Vibration on People and Buildings

PPV		Human Reaction	Effect on Buildings
mm/sec	in/sec		
0.15 to 0.30	0.006 to 0.019	Threshold of perception; possibility of intrusion	Vibrations unlikely to cause damage of any type
2.0	0.08	Vibrations readily perceptible	Recommended upper level of the vibration to which ruins and ancient monuments should be subjected
2.5	0.10	Level at which continuous vibrations begin to annoy people	Virtually no risk of "architectural" damage to normal buildings
5.0	0.20	Vibrations annoying to people in buildings (this agrees with the levels established for people standing on bridges and subjected to relative short periods of vibrations)	Threshold at which there is a risk of "architectural" damage to normal dwelling - houses with plastered walls and ceilings. Special types of finish such as lining of walls, flexible ceiling treatment, etc., would minimize "architectural" damage
10 to 15	0.4 to 0.6	Vibrations considered unpleasant by people subjected to continuous vibrations and unacceptable to some people walking on bridges	Vibrations at a greater level than normally expected from traffic, but would cause "architectural" damage and possibly minor structural damage

Source: Caltrans. Transportation Related Earthborne Vibrations. TAV-02-01-R9601. February 20, 2002.

The primary vibration-generating activities associated with the proposed project would occur during grading activities and construction of the proposed parking lot. Table 9 shows the typical vibration levels produced by construction equipment at various distances. As shown in the table, the most substantial source of groundborne vibrations associated with project construction would be the use of vibratory compactors during construction of the proposed parking areas within the project site.

Table 9
Vibration Levels for Various Construction Equipment

Type of Equipment	PPV at 25 feet (in/sec)	PPV at 50 feet (in/sec)
Large Bulldozer	0.089	0.029
Loaded Trucks	0.076	0.025
Small Bulldozer	0.003	0.000
Auger/drill Rigs	0.089	0.029
Jackhammer	0.035	0.011
Vibratory Hammer	0.070	0.023
Vibratory Compactor/roller	0.210	0.070

Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Guidelines, May 2006.

As shown in the table, construction vibration levels are less than 0.2 in/sec threshold at distances of 26 feet. Sensitive receptors which could be impacted by construction-related vibrations, especially compactors/rollers, are located further than 26 feet from construction activities. Therefore, development of the proposed project would not expose people to or generate excessive groundborne vibration or groundborne noise levels, and a ***less-than-significant*** impact would occur.

c. The nearest airport to the project site is the Livermore Municipal Airport, located approximately 0.3-mile south of the site. According to Figure 3-2 (Noise Compatibility Zones) of the Livermore Municipal Airport Land Use Compatibility Plan, the project area is geographically located within the Airport Protection Area. The project site is located within the 55 dB CNEL airport noise contour. According to Table 3-1 of the ALUCP, commercial uses are compatible within the 55 and 60 CNEL contours. Thus, a ***less-than-significant*** impact would occur.

XIV. POPULATION AND HOUSING. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	☐	☐	✖	☐
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	✖

Discussion

a. Development of the project site would not result in direct population growth by proposing new homes or a new business. The project could indirectly attract residents to the area for employment opportunities through the expansion of existing commercial uses; however, new employment opportunities would be limited due to the relatively small increase in operational activities, and new employees would likely be drawn from current residents in the project area. Therefore, the proposed project would not induce substantial unplanned population growth either directly or indirectly, and a ***less-than-significant*** impact would occur.

b. The project site currently includes undeveloped land and the existing Parkwest Casino 580 and does not include existing housing or other habitable structures. As such, the proposed project would not displace existing housing or people and would not necessitate the construction of replacement housing elsewhere. Therefore, ***no impact*** would occur.

XV. PUBLIC SERVICES.

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

Discussion

a,b. Fire protection services are currently provided to the site by the Livermore-Pleasanton Fire Department (LPFD). The nearest fire station to the project site is Station #10, located at 330 Airway Boulevard, approximately 0.65-mile southeast from the project site. The LPFD maintains ten fire stations and is staffed by approximately 100 fire suppression staff. The LPFD operates a total of 52 vehicles. The LPFD does not maintain a minimum fire protection staff/population ratio; however, the General Plan EIR determined that population growth resultant from General Plan buildout would require the hiring of additional staff. Implementation of the applicable General Plan policies would ensure that adequate capital improvements are made to accommodate any increased demand in fire protection services. Nonetheless, the CEQA Guidelines do not require identification of impacts associated with the need for increased staffing levels; rather, determination of impacts is based on whether the project would result in substantial adverse physical impacts associated with construction of new or physically altered governmental facilities in order to meet acceptable service ratios, response times, or other performance objectives.

The City of Livermore Police Department provides police protection services at the project site. The City's Police Department headquarters is located at 1110 South Livermore Avenue, approximately 5.5 miles southeast from the project site. The General Plan implements policies that ensure 1.25 police officers are provided per 1,000 residents. The increase in casino operations could result in periodic calls for service, but the need for law enforcement would not be anticipated to be substantial and necessitate the construction of additional law enforcement facilities.

Because the proposed project is consistent with the project site's current INSP land use and zoning designations, potential increases in demand for fire and police protection services associated with the proposed project have been anticipated by the City and analyzed in the INSP EIR, which concluded that environmental impacts related to the potential need for new facilities would be less than significant. Additionally, any potential demand for fire or police protection services associated with the proposed project would not be substantial as to require new or expanded fire and police protection facilities. The project would comply with all applicable State and local requirements related to fire safety and security. Compliance with such standards would minimize fire and police protection demands associated with the proposed project. Therefore, the proposed project would have a ***less-than-significant*** impact related to the need for new or physically altered fire

or police protection facilities, the construction of which could cause significant environmental impacts.

c-e. The proposed project is commercial in nature, and, therefore, would not include any development that would result in direct population growth such that demand for schools, parks, or other public facilities would increase. The nearest park to the project site is Cayetano Park, located approximately 1.6 miles to the east.

The proposed project would not bring school-age children to the area; thus, an impact to schools would not occur with implementation of the proposed project. Nonetheless, the project would be subject to payment of School Impact Mitigation Development Fees to fund local school services. Furthermore, pursuant to Section 12.60 of the City of Livermore Municipal Code, the City's park facility fee is based on the number of employees per square foot for non-residential uses. Therefore, the proposed project would be subject to payment of the City's park facility fee, as applicable, if additional employees are hired due to the expanded casino operations. The fee would help to fund expanded park facilities and services within the City. Therefore, the proposed project would have a ***less-than-significant*** impact related to the need for new or physically altered schools, parks, or other public facilities, the construction of which could cause significant environmental impacts.

XVI. RECREATION. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	✖	☐
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	✖	☐

Discussion

a,b. The nearest park to the project site is Cayetano Park, located approximately 1.6 miles to the east. The proposed project would include the expansion of the existing parking lot and casino operations, and would not result in direct population growth that could result in increased demand on existing recreational facilities or cause the construction or expansion of recreational facilities. Furthermore, as discussed above, the project would be subject to payment of the City's park facility fee in accordance with Section 12.60 of the Livermore Municipal Code, as applicable. The fee would help to fund expanded park facilities and services within the City. Thus, a ***less-than-significant*** impact would occur.

XVII. TRANSPORTATION. *Would the project:*		Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a.	Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	✖	☐
b.	Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	✖	☐
c.	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	✖	☐
d.	Result in inadequate emergency access?	☐	☐	✖	☐

Discussion

a. The law has changed with respect to how transportation-related impacts may be addressed under CEQA. Traditionally, lead agencies used level of service (LOS) to assess the significance of such impacts, with greater levels of congestion considered to be more significant than lesser levels. Enacted as part of SB 743 (2013), PRC Section 21099, subdivision (b)(1), directed the Governor's Office of Planning and Research (OPR) to prepare, develop, and transmit to the Secretary of the Natural Resources Agency for certification and adoption proposed CEQA Guidelines addressing "criteria for determining the significance of transportation impacts of projects within transit priority areas. Those criteria shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses."

Pursuant to SB 743, the Natural Resources Agency promulgated CEQA Guidelines Section 15064.3 in late 2018. It became effective in early 2019. Subdivision (a) of that section provides that "[g]enerally, vehicle miles traveled is the most appropriate measure of transportation impacts. For the purposes of this section, 'vehicle miles traveled' refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Except as provided in subdivision (b)(2) below (regarding roadway capacity), a project's effect on automobile delay shall not constitute a significant environmental impact."

Please refer to Question 'b' for a discussion of VMT.

Pedestrian and Bicycle Facilities

Currently, pedestrian and bicycle facilities are present in the project area. Specifically, paved sidewalks are located within the project vicinity on the eastern side of Doolan Road and the northern side of North Canyons Parkway. Along North Canyons Parkway, the width of the sidewalk is approximately 8.3 feet. All intersections in the project vicinity have marked crosswalks and signalized intersections, and are equipped with pedestrian push buttons and pedestrian signal heads (see Figure 5). ADA compliant curb-ramps are located at the intersection of North Canyons Parkway/Airway Boulevard.

The City of Livermore maintains four classes of bicycle facilities, including Class I Shared-Use Paths, Class II Bike Lanes, Class III Bike Routes, and Class IV Bikeways. The nearest existing bicycle facility in the vicinity of the project site is an existing Class II bicycle lane on North Canyons Parkway. Class II bicycle facilities are also located along Airway Boulevard to the east of the project site.

Figure 5
Existing Pedestrian and Bicycle Facilities



According to Figure 3-1 of the Livermore Bicycle and Trails Active Transportation Plan, proposed bikeways in the project vicinity include a Class IA paved share use path on Doolan Road and the northern side of North Canyons Parkway, and a Class IIA bicycle lane on the southern side of North Canyons Parkway.[30] The proposed project would include off-site improvements along North Canyons Parkway, including developing a Class IV separated bikeway on North Canyons Parkway. Such improvements would implement the upgraded bicycle facilities previously planned in the Livermore Bicycle and Trails Active Transportation Plan and would be consistent with the INSP. Improvements associated with the proposed project would not preclude the City's ability to implement additional bicycle facilities in the future. Therefore, the project would not conflict with the existing or proposed facilities. Therefore, the proposed project would implement previously proposed bicycle facilities, and would not conflict with a program, plan, ordinance, or policy addressing pedestrian or bicycle facilities.

Transit Service and Facilities

Transit service in the City of Livermore is provided by the Livermore Amador Valley Transit Authority (LAVTA). The LAVTA provides the WHEELS service, which provides local public transit to the cities of Dublin, Livermore, and Pleasanton, as well as the adjacent unincorporated areas of Alameda County. LAVTA provides a variety of transportation services, including fixed routes, direct access responsive transit (DART), prime time express bus routes, shuttle service, and Dial-A-Ride. The main transit center in the City is the Livermore Transit Center, located in Downtown Livermore. From the Transit Center, riders can connect to Dublin/Pleasanton BART, Lawrence Livermore National Laboratory, Las Positas College, as well as local destinations.

Route 30R provides a loop service to destinations throughout the City of Dublin and the City of Livermore and stops near the project site on North Canyons Parkway. Route 30R operates Monday through Sunday from 4:43 AM to 11:16 PM.[31] The proposed project would include off-site improvements along North Canyons Parkway including shifting the bus turnout and future bus shelter pad north for future use and installation as determined by LAVTA. The proposed project does not include any features which could conflict with existing or planned transit facilities, nor would the project result in substantial increases in transit demand, and existing pedestrian facilities in the project vicinity provide adequate connectivity for pedestrians to the transit stops. Therefore, current transit facilities are adequate and the proposed project would not result in any significant impacts to the nearby transit network.

Conclusion

Based on the above, the project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, and a ***less-than-significant*** impact would occur.

b. Section 15064.3 of the CEQA Guidelines provides specific considerations for evaluating a project's transportation impacts. Pursuant to Section 15064.3, analysis of VMT attributable to a project is the most appropriate measure of transportation impacts. The OPR released a Technical Advisory on Evaluating Transportation Impacts in CEQA in December 2018, which provides recommendations regarding VMT evaluation

[30] City of Livermore. *Livermore Bicycle and Trails Active Transportation Plan.* June 11, 2018.
[31] Livermore Amador Valley Transit Authority. *30R Dublin-Livermore via Las Positas College*. August 10, 2024.

methodology, significance thresholds, and screening thresholds for land use projects.[32] The City of Livermore has not yet adopted a policy or thresholds of significance regarding VMT and, thus, the City typically relies on the recommendations set forth by OPR to evaluate transportation impacts pursuant to CEQA.

Pursuant to the Governor's OPR, certain projects are presumed to have a less-than-significant effect on VMT due to project size, project location, or project type. Specifically, according to OPR, local-serving uses may generally be presumed to have a less-than-significant VMT impact and can generally be screened from further VMT analysis. OPR based the presumption on substantial research demonstrating that adding local-serving uses typically improves destination accessibility to residents, often reducing trip distances because residents need to travel shorter distances than they previously did, as adding new local-serving uses typically shifts trips away from another use rather than adding entirely new trips to the region.

The OPR Technical Advisory notes that retail projects less than 50,000 sf can generally be considered local-serving. According to the Traffic Impact Analysis (TIA) Report prepared for the proposed project, the proposed project would generate 304 new daily trips. The generation of 304 new daily trips would result in the equivalent retail square footage of approximately 8,053 sf (Institute of Transportation Engineers [ITE] Land Use Code 820, where 37.75 trips is equivalent to 1,000 sf). Thus, the project's equivalent retail square footage would be below 50,000 sf, and, as a result, could be considered local-serving.[33] Based on the above, the proposed project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3(b), and a ***less-than-significant*** impact would occur.

c,d. The proposed parking lot would connect to the existing casino parking lot to the west, which is currently accessed from driveways on Doolan Road and North Canyons Parkway. The proposed parking lot would also connect to a new driveway on North Canyons Parkway, at the northeast corner of the project site. The proposed project would not result in any changes to the existing driveway that would affect site access, safety, or sight distance.

The proposed project would include a new driveway on North Canyons Parkway, extending from the existing Waxie Driveway on the northern side of North Canyons Parkway. The North Canyons Parkway/Waxie Driveway intersection would serve as a new access point to the parking lot expansion. A queuing analysis was conducted for exclusive left- and right-turn pockets at the study intersections for Existing Plus Project and Cumulative Plus Project conditions as part of the TIA Report prepared for the proposed project. The queuing analysis presented that the existing storage length of the westbound left-turn lane at North Canyons Parkway/Waxie Driveway is sufficient under both Existing Plus Project and Cumulative Plus project Conditions for the additional trips that would use the new parking lot because very light commute peak traffic would be generated by the proposed project.

In addition, emergency response vehicles would be able to access the site by way of North Canyons Parkway. The proposed vehicular access and the existing driveway would meet

[32] Governor's Office of Planning and Research. *Technical Advisory on Evaluating Transportation Impacts in CEQA*. December 2018.

[33] TJKM. *Traffic Impact Analysis Report – Parkwest Casino 580 Expansion*. November 6, 2024.

the access requirements for emergency vehicles. Therefore, the proposed project would not substantially increase hazards due to design features or incompatible uses, and emergency access to the site would be adequate. The proposed project would result in a ***less-than-significant*** impact.

XVIII. TRIBAL CULTURAL RESOURCES. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. 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).	☐	✖	☐	☐
b. 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. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	✖	☐	☐

Discussion

a,b. As discussed in Section V, Cultural Resources, of this IS/MND, a Phase 1 Cultural Resources Study was prepared for the proposed project by HRA. Based on historic photographs, maps, and other documents, and the lack of precontact archeological resources identified within 0.25-mile of the project site, HRA determined that the archeological site sensitivity of the site was low.[34] In addition, a records search of the NAHC Sacred Lands File was completed and the results did not yield any information regarding the presence of cultural resources within the project site or the immediate area.[35] Cultural resources were also not discovered on-site during the August 10, 2024, site visit conducted by HRA.

In compliance with AB 52 (PRC Section 21080.3.1), project notification letters were distributed to the the Amah Mutsun Tribal Band of Mission San Juan Baustista, Confederated Villages of Lisjan Nation, Costanoan Rumsen Carmel Tribe, Indian Canyon Mutsun Band of Costanoan, Muwekma Ohlone Tribe of the San Francisco Bay Area, Northern Valley Yokut/Ohlone Tribe, the Ohlone Indian Tribe, Wilton Rancheria, and Wuksachi Indian Tribe/Eshom Valley Band on July 24, 2024. Three responses were received by the City on July 24, 2024, and one additional response was received on August 13, 2024, within the mandatory 30-day response period.

The Ohlone Indian Tribe requested NAHC Sacred Lands File results and archaeological reports. The Confederated Villages of Lisjan Nation requested consultation, and requested to be notified of any findings regarding the proposed project. The Confederated Villages of Lisjan Nation also requested implementation of the tribe's standard unanticipated discoveries mitigation measures be included in this IS/MND which are incorporated as Mitigation Measures V-1, XVIII-2, and XVIII-3. The Amah Mutsun Tribal Band of Mission San Juan Baustista and the Indian Canyon Band of Costanoan Ohlone People both recommended cultural sensitivity training for construction personnel and a

[34] Historic Resource Associates. *Phase 1 Cultural Resources Study Parkwest Casino 580 Expansion Project 968 North Canyons Parkway, Livermore, Alameda County, California 945*50 August 2024.

[35] Native American Heritage Commission. *Parkwest Casino 580 Expansion Project, Alameda County.* July 12, 2024.

monitor to be present during ground-disturbing activities, incorporated as Mitigation Measures XVIII-2 and XVIII-4.

While known Tribal Cultural Resources do not exist within the site, the possibility exists that the proposed project could result in a substantial adverse change in the significance of a Tribal Cultural Resource if previously unknown Tribal Cultural Resources are uncovered during ground-disturbing activities. Thus, a ***potentially significant*** impact to Tribal Cultural Resources could occur.

Mitigation Measure(s)

Implementation of the following mitigation measures would reduce the above potential impact to a *less-than-significant* level.

XVIII-1 *Implement Mitigation Measures V-1 and V-2.*

XVIII-2 *Tribal Monitoring. Prior to ground disturbing activities, the project applicant shall coordinate with the Confederated Villages of Lisjan Nation, the Amah Mutsun Tribal Band of San Juan Bautista, and the Indian Canyon Band of Costanoan Ohlone People to retain a representative Tribal Monitor(s). The Tribal Monitor(s) shall have the authority to halt and redirect work should any archeological or Tribal Cultural Resources be identified during monitoring. If archeological or Tribal Cultural Resources are encountered during ground disturbing activities, work within 100 feet of the find must halt and the find must be evaluated for listing in the CRHR and NRHP. Monitoring may be reduced or halted at the discretion of the Tribal Monitor(s), in consultation with the City of Livermore Community Development Department, as warranted by conditions such as encountering bedrock, sediments being excavated are fill, negative findings during the first 50 percent of the entire area of ground disturbance, etc. If monitoring is reduced to spot checking, spot checking shall occur when ground disturbing activities moves to a new location within the project site and when ground disturbance will extend to depths not previously reached (unless those depths are within bedrock).*

XVIII-3 *Inadvertent Discovery of Tribal Cultural Resources. If cultural resources of Native American origin are identified during grading or excavation of the proposed project, all ground disturbing activities within 100 feet shall cease until an archeologist has evaluated the nature and significance of the find as a cultural resource and a representative from culturally affiliated Native American Tribes is consulted by the government agency. The archeologist will stake the area of discovery, placing stakes no more than 10 feet apart, forming a circle having a radius of no less than 100 feet from the point of discovery. If the entity in consultation with the consulting Tribe(s), determines that the resource is a Tribal Cultural Resource and thus significant under CEQA and/or the Tribe, the entity shall retain a qualified archeologist and a Tribal monitor, at the applicant's expense, to prepare a mitigation plan, which shall be implemented by the entity in accordance with state guidelines and in consultation with the consulting Tribe. The mitigation plan shall include avoidance of the resource or, if avoidance of the resource is not feasible, the plan shall outline appropriate treatment of the resource in coordination with the consulting Tribe and, if applicable, a*

qualified archeologist. Examples of appropriate mitigation for the Tribal cultural resources include, but are not limited to, protecting the cultural character and integrity of the resources, protecting traditional use of the resources, protecting the confidentiality of the resources, or heritage recovery.

XVIII-4 *Tribal Cultural Resources Awareness Training. The following language shall be noted on project Improvement Plans, subject to review and approval by the City of Livermore Community Development Department:*

Prior to the initiation of construction, all construction crew members, consultants, and other personnel involved in project implementation shall receive project-specific Tribal Cultural Resource (TCR) Awareness Training. The training shall be conducted in coordination with qualified cultural resource specialists and representatives from culturally affiliated Native American Tribes. The training will emphasize the requirement for confidentiality and culturally appropriate, respectful treatment of any finds of significance to culturally affiliated Native American Tribes. All personnel required to receive the training shall also be required to sign a form that acknowledges receipt of the training, which shall be submitted to the City of Livermore Community Development Department for review and approval. As a component of the training, a brochure will be distributed to all personnel associated with the project implementation. At a minimum the brochure shall discuss the following topics in clear and straightforward language:

- *Field indicators of potential archaeological or cultural resources (i.e., what to look for, for example: archaeological artifacts, exotic or non-native rock, unusually large amounts of shell or bone, significant soil color variations, etc.)*
- *Regulations governing archeological resources and tribal cultural resources.*
- *Consequences of disregarding or violating laws protecting archeological or tribal cultural resources.*
- *Steps to take if a worker encounters a possible resource.*

The training shall include project specific guidance for on-site personnel including protocols for resource avoidance, when to stop work, and whom to contact if potential archeological or TCRs are identified. The training shall also address the stoppage of work if potentially significant cultural resources are discovered during ground disturbing activities, and in the case of possible human remains the proper course of action requiring immediate contact with the County Coroner and the NAHC.

XIX. UTILITIES AND SERVICE SYSTEMS. *Would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	✖	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	✖	☐
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	✖	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	✖	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	✖	☐

Discussion

a. The proposed project would not include any new development or modifications that would require the relocation or expansion of water, wastewater treatment, stormwater drainage, electricity, natural gas, and telecommunications facilities. All utilities for the proposed project would be provided by way of existing infrastructure located within the existing project site and vicinity. Therefore, the proposed project would result in a ***less-than-significant*** impact related to the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

b. Livermore Municipal Water would provide water to the project site. According to the City of Livermore Water Resources Division 2020 UWMP, all potable water distributed through the Livermore Water Resources Division is purchased wholesale from Zone 7 Water Agency.[36] Zone 7 oversees water issues within the Livermore-Amador Valley and is a State Water Project (SWP) contractor. Water sources for the City of Livermore Water Resources Division through Zone 7 include surface water from the SWP, water transferred from the Byron Bethany Irrigation District, local surface runoff captured in Del Valle Reservoir, groundwater extraction from the Livermore Valley Main Groundwater Basin, non-local groundwater storage in the Semitropic Water Storage District and Cawelo Water District, and future local storage in the Chain-of-Lakes.

The City of Livermore Water Resources Division water service area consists of three water service area zones within the City's urban growth boundary (UGB): the Zone 1 Water

[36] City of Livermore Water Resources Division. *2020 Urban Water Management Plan* [pg. 4-1]. June 28, 2021.

Service Area on the west side of the City, and the Zone 2 and Zone 3 Water Service Areas on the east side of the City. The project site is located within Zone 1.[37] Currently, the water service area zones encompass approximately 23-square miles and include over 28,000 residential and commercial customers.[38] Pursuant to the Livermore 2020 UWMP, adequate water supplies will be available to accommodate buildout of the City under normal year, single year, and multiple-dry year demand scenarios.[39]

While the project site currently includes water demands associated with the casino use and irrigation of landscaping features, given the nature of the proposed parking lot expansion and increased casino operations, the proposed project would not involve substantially increased water demand relative to what currently exists on-site. All landscaping improvements would be consistent with the State MWELO requirements, pursuant to Section 13.25, Water Efficient Landscape, of the City's Municipal Code. The proposed project would require a landscape documentation package, which would include water budget calculations, a soils management report, and landscaping, irrigation, and grading design plans. The proposed project would be required to be irrigated by an automatic irrigation system to ensure the efficient use of water. In addition, the site would be consistent with the General Plan land use and zoning designations. Therefore, the City of Livermore Water Resources Division would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years, and a ***less-than-significant*** impact would occur.

c. Within the City of Livermore, sewer service is provided by the City of Livermore's Public Works Department. With the exception of two pump stations, all of the wastewater flow in Livermore is conveyed to the City of Livermore Water Reclamation Plant by gravity. Currently, over six million gallons of wastewater per day from throughout the Livermore area are processed at the Water Reclamation Plant, which has a design capacity of 8.5 million gallons per day.[40] Consequently, the Water Reclamation Plant has existing capacity to treat 1.5 million gallons of additional wastewater per day. Per the General Plan, new facilities at the Water Reclamation Plant would be needed to handle projected ultimate flows occurring under buildout of the City's Planning Area.[41] The City has planned a Phase VI expansion project to address future increases in demand and has a sanitary sewer impact fee program in place to fund the required improvements. Completion of the Phase VI project would provide sufficient capacity for the plant to process the projected ultimate flows.

The proposed project would be consistent with the project site's current General Plan land use designation and INSP designation. Thus, increased demand for wastewater collection and treatment facilities associated with the project site have been generally anticipated by the City and analyzed in the General Plan EIR and INSP EIR. Thus, the City would have adequate capacity to serve the wastewater demand projected for the proposed project in addition to the City's existing commitments, and a ***less-than-significant*** impact would occur.

37 City of Livermore. *2020 Urban Water Management Plan* [Figure 1-1]. June 28, 2021.
38 City of Livermore. *Livermore Municipal Water*. Available at: https://www.livermoreca.gov/departments/public-works/water-resources/livermore-municipal-water. Accessed August 2024.
39 City of Livermore. *2020 Urban Water Management Plan* [pg. 14]. June 28, 2021.
40 City of Livermore. *Livermore Water Reclamation Plant.* Available at: http://www.cityoflivermore.net/citygov/pw/public_works_divisions/wrd/water_reclamation_plant/lwrp.htm. Accessed May 2021.
41 City of Livermore. *General Plan, 2003-2025.* Amended December 2014.

d,e. Solid waste, recyclable materials, and compostable material collection within the City of Livermore is provided through a franchise agreement with Livermore Sanitation, Inc. Currently, Livermore Sanitation, Inc. transports solid waste from Livermore to the Republic Services Vasco Road, LLC Landfill for disposal. The Republic/Vasco Road Landfill is designated as a Class III disposal site that permits the disposal of municipal waste, with separate disposal areas required for asbestos and auto-shredder waste. The Vasco Road Landfill has a remaining capacity of approximately 11,560,000 CY, or 28.7 percent of the total permitted capacity of the landfill (40,207,100 CY).[42]

The addition of six gaming tables and increased operations to an existing casino would produce relatively small waste generation as compared to the residential or commercial uses within the City. Additionally, because the proposed project would be consistent with the project site's current General Plan and INSP land use designations, construction and operation of the proposed project would not result in increased solid waste generation beyond what has been previously anticipated for the site by the City and analyzed in the General Plan EIR and the INSP EIR. In addition, the project would be required to comply with all applicable provisions of Chapter 8.08, Solid Waste Management, of the City's Municipal Code. Therefore, the proposed project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals and would comply with federal, State, and local management and reduction statutes and regulations related to solid waste. Therefore, a ***less-than-significant*** impact related to solid waste would occur as a result of the proposed project.

[42] Department of Resources Recycling and Recovery. *SWIS Facility Detail, Vasco Road Sanitary Landfill (01-AA-0010).* Available at: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/9?siteID=8. Accessed August 2024.

XX. WILDFIRE. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:*	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	✖	☐
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	✖	☐
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	✖	☐
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	✖	☐

Discussion

a-d. According to the CAL FIRE Fire and Resource Assessment Program, the project site is not located within a State Responsibility Area or a Very High FHSZ. However, a High FHSZ is located immediately west of Doolan Road in close proximity to the project site.[43] However, the expansion of the existing parking lot would include the removal of existing on-site vegetation, which would reduce wildfire risks. Furthermore, the existing Parkwest Casino 580 is required to include fire sprinklers, and other fire suppression features, consistent with the CBSC and California Fire Code (CFC).

As noted in Section IX, implementation of the proposed project would not interfere with potential evacuation or response routes used by emergency response teams. The project would not conflict with the City of Livermore Emergency Operations Plan. In addition, the proposed project would not include any development on, or at the base of, a substantial slope. Thus, implementation of the proposed project would not exacerbate any existing conditions or hazards related to downslope flooding or landslides, slope instability, or drainage changes. Therefore, the project area does not include any existing features that would substantially increase fire risk for customers and employees.

The proposed project would not require the development of additional utility infrastructure, and, thus, would not result in substantial fire risks related to installation or maintenance of such infrastructure. Therefore, the proposed project would not be subject to substantial risks related to wildfires, and a ***less-than-significant*** impact would occur.

[43] California Department of Forestry and Fire Protection. *Fire Hazard Severity Zone Viewer*. Available at: https://experience.arcgis.com/experience/03beab8511814e79a0e4eabf0d3e7247/. Accessed August 2024.

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

Discussion

a. As discussed in Section IV, Biological Resources, of this IS/MND, with implementation of Mitigation Measures IV-1 through IV-3, the proposed project would not result in any significant impacts to special-status plant or wildlife species. The project site is disturbed and does not contain any known historic or prehistoric resources. Thus, implementation of the proposed project is not anticipated to have the potential to result in impacts related to historic or prehistoric resources. Nevertheless, Mitigation Measures V-1 and V-2 would ensure that in the event that historic or prehistoric resources are discovered within the project site during construction activities, such resources would be protected in compliance with the requirements of CEQA. Additionally, Mitigation Measures XVIII-2 through XVIII-4 would require monitoring of construction activities by a tribal monitor, appropriate avoidance and preservation measures in the case of inadvertent discovery of Tribal Cultural Resources, and Tribal Cultural Resources awareness training for construction crew members.

Considering the above, the proposed project would not: 1) degrade the quality of the environment; 2) substantially reduce or impact the habitat of fish or wildlife species; 3) cause fish or wildlife populations to drop below self-sustaining levels; 4) threaten to eliminate a plant or animal community; 5) reduce the number or restrict the range of a rare or endangered plant or animal; or 6) eliminate important examples of the major periods of California history or prehistory. Therefore, a ***less-than-significant*** impact would occur.

b. The proposed project in conjunction with other development within the City of Livermore could incrementally contribute to cumulative impacts in the area. However, as demonstrated in this IS/MND, all potential environmental impacts that could occur as a result of project implementation would be reduced to a less-than-significant level through compliance with the mitigation measures included in this IS/MND, as well as applicable General Plan policies, INSP standards, Municipal Code standards, and other applicable local and State regulations. The proposed project would include operational changes and the expansion of the existing casino parking lot, consistent with the site's existing land use and zoning designations.

Therefore, when viewed in conjunction with other closely related past, present, or reasonably foreseeable future projects, the proposed project would not result in a cumulatively considerable contribution to cumulative impacts in the City of Livermore, and the project's incremental contribution to cumulative impacts would be ***less than significant***.

c. As described in this IS/MND, the proposed project would comply with all applicable General Plan policies, INSP standards, Municipal Code standards, other applicable local and State regulations, and mitigation measures included herein. In addition, as discussed in the Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, and Noise sections of this IS/MND, the proposed project would not cause substantial effects to human beings, which cannot be mitigated to less-than-significant levels, including effects related to exposure to air pollutant and GHG emissions, geologic hazards, hazardous materials, and excessive noise. Therefore, the proposed project's impact would be ***less than significant***.

APPENDIX A

AIR QUALITY MODELING RESULTS

EXHIBIT B

Parkwest Casino 580 Expansion Project Custom Report

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1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	Parkwest Casino 580 Expansion Project
Construction Start Date	4/1/2025
Operational Year	2025
Lead Agency	City of Livermore
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	3.00
Precipitation (days)	33.2
Location	37.70203565920632, -121.82178414339562
County	Alameda
City	Livermore
Air District	Bay Area AQMD
Air Basin	San Francisco Bay Area
TAZ	1677
EDFZ	1
Electric Utility	Pacific Gas & Electric Company
Gas Utility	Pacific Gas & Electric
App Version	2022.1.1.28

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Parking Lot	252	Space	4.70	0.00	87,120	—	—	—

Other Asphalt Surfaces	0.35	Acre	0.35	0.00	0.00	—	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

Sector	#	Measure Title
Construction	C-5	Use Advanced Engine Tiers

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	5.41	4.16	68.2	39.3	0.31	1.53	19.8	21.2	1.47	10.1	11.4	—	46,048	46,048	2.39	6.96	95.9	48,277
Mit.	3.67	3.64	54.0	39.1	0.31	0.87	19.8	19.9	0.87	10.1	10.2	—	46,048	46,048	2.39	6.96	95.9	48,277
% Reduced	32%	13%	21%	< 0.5%	—	44%	—	6%	41%	—	10%	—	—	—	—	—	—	—
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.26	0.18	2.53	1.67	0.01	0.07	0.58	0.65	0.06	0.21	0.27	—	1,372	1,372	0.07	0.19	1.15	1,432
Mit.	0.15	0.08	1.67	1.63	0.01	0.03	0.58	0.61	0.03	0.21	0.24	—	1,372	1,372	0.07	0.19	1.15	1,432
% Reduced	43%	52%	34%	2%	—	61%	—	6%	58%	—	14%	—	—	—	—	—	—	—
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.05	0.03	0.46	0.31	< 0.005	0.01	0.11	0.12	0.01	0.04	0.05	—	227	227	0.01	0.03	0.19	237
Mit.	0.03	0.02	0.31	0.30	< 0.005	< 0.005	0.11	0.11	< 0.005	0.04	0.04	—	227	227	0.01	0.03	0.19	237

% Reduced	43%	52%	34%	2%	—	61%	—	6%	58%	—	14%	—	—	—	—	—	—	—

2.2. Construction Emissions by Year, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Year	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily - Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2025	5.41	4.16	68.2	39.3	0.31	1.53	19.8	21.2	1.47	10.1	11.4	—	46,048	46,048	2.39	6.96	95.9	48,277
Daily - Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2025	0.26	0.18	2.53	1.67	0.01	0.07	0.58	0.65	0.06	0.21	0.27	—	1,372	1,372	0.07	0.19	1.15	1,432
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2025	0.05	0.03	0.46	0.31	< 0.005	0.01	0.11	0.12	0.01	0.04	0.05	—	227	227	0.01	0.03	0.19	237

2.3. Construction Emissions by Year, Mitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Year	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily - Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2025	3.67	3.64	54.0	39.1	0.31	0.87	19.8	19.9	0.87	10.1	10.2	—	46,048	46,048	2.39	6.96	95.9	48,277
Daily - Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2025	0.15	0.08	1.67	1.63	0.01	0.03	0.58	0.61	0.03	0.21	0.24	—	1,372	1,372	0.07	0.19	1.15	1,4

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2025	0.03	0.02	0.31	0.30	< 0.005	< 0.005	0.11	0.11	< 0.005	0.04	0.04	—	227	227	0.01	0.03	0.19	237

2.4. Operations Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.22	1.13	0.95	9.44	0.02	0.02	2.12	2.13	0.01	0.54	0.55	0.00	2,522	2,522	0.11	0.10	9.34	2,565
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.18	1.08	1.11	8.93	0.02	0.02	2.12	2.13	0.01	0.54	0.55	0.00	2,384	2,384	0.12	0.11	0.24	2,422
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.16	1.07	1.05	8.60	0.02	0.02	2.07	2.09	0.01	0.53	0.54	0.00	2,396	2,396	0.12	0.11	4.03	2,436
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.21	0.19	0.19	1.57	< 0.005	< 0.005	0.38	0.38	< 0.005	0.10	0.10	0.00	397	397	0.02	0.02	0.67	403

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	1.19	1.09	0.95	9.44	0.02	0.02	2.12	2.13	0.01	0.54	0.55	—	2,419	2,419	0.09	0.10	9.34	2,461
Area	0.03	0.03	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Energy	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	100	100	0.02	< 0.005	—	101

EXHIBIT B

Water	—	—	—	—	—	—	—	—	—	—	—	0.00	2.73	2.73	< 0.005	< 0.005	—	2.76
Waste	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	1.22	1.13	0.95	9.44	0.02	0.02	2.12	2.13	0.01	0.54	0.55	0.00	2,522	2,522	0.11	0.10	9.34	2,565
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	1.15	1.05	1.11	8.93	0.02	0.02	2.12	2.13	0.01	0.54	0.55	—	2,281	2,281	0.11	0.11	0.24	2,318
Area	0.03	0.03	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Energy	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	100	100	0.02	< 0.005	—	101
Water	—	—	—	—	—	—	—	—	—	—	—	0.00	2.73	2.73	< 0.005	< 0.005	—	2.76
Waste	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	1.18	1.08	1.11	8.93	0.02	0.02	2.12	2.13	0.01	0.54	0.55	0.00	2,384	2,384	0.12	0.11	0.24	2,422
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	1.13	1.03	1.05	8.60	0.02	0.02	2.07	2.09	0.01	0.53	0.54	—	2,293	2,293	0.10	0.11	4.03	2,332
Area	0.03	0.03	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Energy	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	100	100	0.02	< 0.005	—	101
Water	—	—	—	—	—	—	—	—	—	—	—	0.00	2.73	2.73	< 0.005	< 0.005	—	2.76
Waste	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	1.16	1.07	1.05	8.60	0.02	0.02	2.07	2.09	0.01	0.53	0.54	0.00	2,396	2,396	0.12	0.11	4.03	2,436
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.21	0.19	0.19	1.57	< 0.005	< 0.005	0.38	0.38	< 0.005	0.10	0.10	—	380	380	0.02	0.02	0.67	386
Area	0.01	0.01	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Energy	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	16.6	16.6	< 0.005	< 0.005	—	16.8
Water	—	—	—	—	—	—	—	—	—	—	—	0.00	0.45	0.45	< 0.005	< 0.005	—	0.46
Waste	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	0.21	0.19	0.19	1.57	< 0.005	< 0.005	0.38	0.38	< 0.005	0.10	0.10	0.00	397	397	0.02	0.02	0.67	403

2.6. Operations Emissions by Sector, Mitigated

EXHIBIT B

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	1.19	1.09	0.95	9.44	0.02	0.02	2.12	2.13	0.01	0.54	0.55	—	2,419	2,419	0.09	0.10	9.34	2,461
Area	0.03	0.03	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Energy	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	100	100	0.02	< 0.005	—	101
Water	—	—	—	—	—	—	—	—	—	—	—	0.00	2.73	2.73	< 0.005	< 0.005	—	2.76
Waste	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	1.22	1.13	0.95	9.44	0.02	0.02	2.12	2.13	0.01	0.54	0.55	0.00	2,522	2,522	0.11	0.10	9.34	2,565
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	1.15	1.05	1.11	8.93	0.02	0.02	2.12	2.13	0.01	0.54	0.55	—	2,281	2,281	0.11	0.11	0.24	2,318
Area	0.03	0.03	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Energy	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	100	100	0.02	< 0.005	—	101
Water	—	—	—	—	—	—	—	—	—	—	—	0.00	2.73	2.73	< 0.005	< 0.005	—	2.76
Waste	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	1.18	1.08	1.11	8.93	0.02	0.02	2.12	2.13	0.01	0.54	0.55	0.00	2,384	2,384	0.12	0.11	0.24	2,422
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	1.13	1.03	1.05	8.60	0.02	0.02	2.07	2.09	0.01	0.53	0.54	—	2,293	2,293	0.10	0.11	4.03	2,332
Area	0.03	0.03	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Energy	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	100	100	0.02	< 0.005	—	101
Water	—	—	—	—	—	—	—	—	—	—	—	0.00	2.73	2.73	< 0.005	< 0.005	—	2.76
Waste	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	1.16	1.07	1.05	8.60	0.02	0.02	2.07	2.09	0.01	0.53	0.54	0.00	2,396	2,396	0.12	0.11	4.03	2,436
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	0.21	0.19	0.19	1.57	< 0.005	< 0.005	0.38	0.38	< 0.005	0.10	0.10	—	380	380	0.02	0.02	0.67	386

EXHIBIT B

Area	0.01	0.01	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Energy	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	16.6	16.6	< 0.005	< 0.005	—	16.8
Water	—	—	—	—	—	—	—	—	—	—	—	0.00	0.45	0.45	< 0.005	< 0.005	—	0.46
Waste	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	0.21	0.19	0.19	1.57	< 0.005	< 0.005	0.38	0.38	< 0.005	0.10	0.10	0.00	397	397	0.02	0.02	0.67	403

3. Construction Emissions Details

3.1. Demolition (2025) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	2.86	2.40	22.2	19.9	0.03	0.92	—	0.92	0.84	—	0.84	—	3,425	3,425	0.14	0.03	—	3,437
Demolition	—	—	—	—	—	—	0.63	0.63	—	0.09	0.09	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.05	0.05	0.43	0.38	< 0.005	0.02	—	0.02	0.02	—	0.02	—	65.7	65.7	< 0.005	< 0.005	—	65.9

EXHIBIT B

Demolition	—	—	—	—	—	—	0.01	0.01	—	< 0.005	< 0.005	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.08	0.07	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	10.9	10.9	< 0.005	< 0.005	—	10.9
Demolition	—	—	—	—	—	—	< 0.005	< 0.005	—	< 0.005	< 0.005	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.05	0.05	0.03	0.58	0.00	0.00	0.12	0.12	0.00	0.03	0.03	—	130	130	< 0.005	< 0.005	0.52	132
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.04	0.01	0.61	0.24	< 0.005	0.01	0.13	0.14	0.01	0.04	0.05	—	501	501	0.03	0.08	1.11	527
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.01	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	2.33	2.33	< 0.005	< 0.005	< 0.005	2.36
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	< 0.005	< 0.005	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	9.61	9.61	< 0.005	< 0.005	0.01	10.1
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.39	0.39	< 0.005	< 0.005	< 0.005	0.39
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	1.59	1.59	< 0.005	< 0.005	< 0.005	1.67

3.2. Demolition (2025) - Mitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.36	0.36	4.51	18.2	0.03	0.06	—	0.06	0.06	—	0.06	—	3,425	3,425	0.14	0.03	—	3,437
Demolition	—	—	—	—	—	—	0.63	0.63	—	0.09	0.09	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.09	0.35	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	65.7	65.7	< 0.005	< 0.005	—	65.9
Demolition	—	—	—	—	—	—	0.01	0.01	—	< 0.005	< 0.005	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.02	0.06	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	10.9	10.9	< 0.005	< 0.005	—	10.9
Demolition	—	—	—	—	—	—	< 0.005	< 0.005	—	< 0.005	< 0.005	—	—	—	—	—	—	—

Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.05	0.05	0.03	0.58	0.00	0.00	0.12	0.12	0.00	0.03	0.03	—	130	130	< 0.005	< 0.005	0.52	132
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.04	0.01	0.61	0.24	< 0.005	0.01	0.13	0.14	0.01	0.04	0.05	—	501	501	0.03	0.08	1.11	527
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.01	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	2.33	2.33	< 0.005	< 0.005	< 0.005	2.36
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	< 0.005	< 0.005	0.01	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	9.61	9.61	< 0.005	< 0.005	0.01	10.1
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.39	0.39	< 0.005	< 0.005	< 0.005	0.39
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	1.59	1.59	< 0.005	< 0.005	< 0.005	1.67

3.3. Site Preparation (2025) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

EXHIBIT B

Off-Road Equipment	3.94	3.31	31.6	30.2	0.05	1.37	—	1.37	1.26	—	1.26	—	5,295	5,295	0.21	0.04	—	5,314
Dust From Material Movement	—	—	—	—	—	—	19.7	19.7	—	10.1	10.1	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.09	0.08	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	14.5	14.5	< 0.005	< 0.005	—	14.6
Dust From Material Movement	—	—	—	—	—	—	0.05	0.05	—	0.03	0.03	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.02	0.02	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	2.40	2.40	< 0.005	< 0.005	—	2.41
Dust From Material Movement	—	—	—	—	—	—	0.01	0.01	—	0.01	0.01	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

EXHIBIT B

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.06	0.06	0.04	0.67	0.00	0.00	0.14	0.14	0.00	0.03	0.03	—	152	152	< 0.005	0.01	0.60	154
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.39	0.39	< 0.005	< 0.005	< 0.005	0.39
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.06	0.06	< 0.005	< 0.005	< 0.005	0.07
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.4. Site Preparation (2025) - Mitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.50	0.50	2.59	28.3	0.05	0.10	—	0.10	0.10	—	0.10	—	5,295	5,295	0.21	0.04	—	5,314

Dust From Material Movement	—	—	—	—	—	—	19.7	19.7	—	10.1	10.1	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.01	0.08	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	14.5	14.5	< 0.005	< 0.005	—	14.6
Dust From Material Movement	—	—	—	—	—	—	0.05	0.05	—	0.03	0.03	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	< 0.005	0.01	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	2.40	2.40	< 0.005	< 0.005	—	2.41
Dust From Material Movement	—	—	—	—	—	—	0.01	0.01	—	0.01	0.01	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.06	0.06	0.04	0.67	0.00	0.00	0.14	0.14	0.00	0.03	0.03	—	152	152	< 0.005	0.01	0.60	154

Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.39	0.39	< 0.005	< 0.005	< 0.005	0.39
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.06	0.06	< 0.005	< 0.005	< 0.005	0.07
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.5. Grading (2025) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	2.07	1.74	16.3	17.9	0.03	0.72	—	0.72	0.66	—	0.66	—	2,959	2,959	0.12	0.02	—	2,970
Dust From Material Movement	—	—	—	—	—	—	7.41	7.41	—	3.47	3.47	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.06	0.05	0.45	0.49	< 0.005	0.02	—	0.02	0.02	—	0.02	—	81.1	81.1	< 0.005	< 0.005	—	81.4
Dust From Material Movement	—	—	—	—	—	—	0.20	0.20	—	0.10	0.10	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.08	0.09	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	13.4	13.4	< 0.005	< 0.005	—	13.5
Dust From Material Movement	—	—	—	—	—	—	0.04	0.04	—	0.02	0.02	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.05	0.05	0.03	0.58	0.00	0.00	0.12	0.12	0.00	0.03	0.03	—	130	130	< 0.005	< 0.005	0.52	132
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	3.28	0.97	51.9	20.8	0.28	0.81	11.4	12.2	0.81	3.11	3.92	—	42,959	42,959	2.27	6.93	95.4	45,175
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.01	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	3.32	3.32	< 0.005	< 0.005	0.01	3.37
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.09	0.03	1.47	0.57	0.01	0.02	0.31	0.33	0.02	0.08	0.11	—	1,177	1,177	0.06	0.19	1.13	1,236
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.55	0.55	< 0.005	< 0.005	< 0.005	0.56
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.02	< 0.005	0.27	0.10	< 0.005	< 0.005	0.06	0.06	< 0.005	0.02	0.02	—	195	195	0.01	0.03	0.19	205

3.6. Grading (2025) - Mitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.29	0.29	2.04	17.8	0.03	0.06	—	0.06	0.06	—	0.06	—	2,959	2,959	0.12	0.02	—	2,970
Dust From Material Movement	—	—	—	—	—	—	7.41	7.41	—	3.47	3.47	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Off-Road	0.01	0.01	0.06	0.49	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	81.1	81.1	< 0.005	< 0.005	—	81.4
Dust From Material Movement	—	—	—	—	—	—	0.20	0.20	—	0.10	0.10	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.01	0.09	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	13.4	13.4	< 0.005	< 0.005	—	13.5
Dust From Material Movement	—	—	—	—	—	—	0.04	0.04	—	0.02	0.02	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.05	0.05	0.03	0.58	0.00	0.00	0.12	0.12	0.00	0.03	0.03	—	130	130	< 0.005	< 0.005	0.52	132
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	3.28	0.97	51.9	20.8	0.28	0.81	11.4	12.2	0.81	3.11	3.92	—	42,959	42,959	2.27	6.93	95.4	45,175
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.01	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	3.32	3.32	< 0.005	< 0.005	0.01	3.37
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.09	0.03	1.47	0.57	0.01	0.02	0.31	0.33	0.02	0.08	0.11	—	1,177	1,177	0.06	0.19	1.13	1,236
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.55	0.55	< 0.005	< 0.005	< 0.005	0.56
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.02	< 0.005	0.27	0.10	< 0.005	< 0.005	0.06	0.06	< 0.005	0.02	0.02	—	195	195	0.01	0.03	0.19	205

3.7. Paving (2025) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.95	0.80	7.45	9.98	0.01	0.35	—	0.35	0.32	—	0.32	—	1,511	1,511	0.06	0.01	—	1,517
Paving	3.31	3.31	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.01	0.01	0.08	0.11	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	16.6	16.6	< 0.005	< 0.005	—	16.6
Paving	0.04	0.04	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Off-Road Equipment	< 0.005	< 0.005	0.01	0.02	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	2.74	2.74	< 0.005	< 0.005	—	2.75
Paving	0.01	0.01	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.05	0.05	0.03	0.58	0.00	0.00	0.12	0.12	0.00	0.03	0.03	—	130	130	< 0.005	< 0.005	0.52	132
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.01	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	1.33	1.33	< 0.005	< 0.005	< 0.005	1.35
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.22	0.22	< 0.005	< 0.005	< 0.005	0.22
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.8. Paving (2025) - Mitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.31	0.28	3.36	10.4	0.01	0.11	—	0.11	0.10	—	0.10	—	1,511	1,511	0.06	0.01	—	1,517
Paving	3.31	3.31	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.04	0.11	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	16.6	16.6	< 0.005	< 0.005	—	16.6
Paving	0.04	0.04	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.01	0.02	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	2.74	2.74	< 0.005	< 0.005	—	2.75
Paving	0.01	0.01	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.05	0.05	0.03	0.58	0.00	0.00	0.12	0.12	0.00	0.03	0.03	—	130	130	< 0.005	< 0.005	0.52	132

Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.01	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	1.33	1.33	< 0.005	< 0.005	< 0.005	1.35
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.22	0.22	< 0.005	< 0.005	< 0.005	0.22
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	1.19	1.09	0.95	9.44	0.02	0.02	2.12	2.13	0.01	0.54	0.55	—	2,419	2,419	0.09	0.10	9.34	2,461
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	1.19	1.09	0.95	9.44	0.02	0.02	2.12	2.13	0.01	0.54	0.55	—	2,419	2,419	0.09	0.10	9.34	2,4

EXHIBIT B

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	1.15	1.05	1.11	8.93	0.02	0.02	2.12	2.13	0.01	0.54	0.55	—	2,281	2,281	0.11	0.11	0.24	2,318
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	1.15	1.05	1.11	8.93	0.02	0.02	2.12	2.13	0.01	0.54	0.55	—	2,281	2,281	0.11	0.11	0.24	2,318
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	0.21	0.19	0.19	1.57	< 0.005	< 0.005	0.38	0.38	< 0.005	0.10	0.10	—	380	380	0.02	0.02	0.67	386
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.21	0.19	0.19	1.57	< 0.005	< 0.005	0.38	0.38	< 0.005	0.10	0.10	—	380	380	0.02	0.02	0.67	386

4.1.2. Mitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	1.19	1.09	0.95	9.44	0.02	0.02	2.12	2.13	0.01	0.54	0.55	—	2,419	2,419	0.09	0.10	9.34	2,461
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	1.19	1.09	0.95	9.44	0.02	0.02	2.12	2.13	0.01	0.54	0.55	—	2,419	2,419	0.09	0.10	9.34	2,461
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Parking Lot	1.15	1.05	1.11	8.93	0.02	0.02	2.12	2.13	0.01	0.54	0.55	—	2,281	2,281	0.11	0.11	0.24	2,318
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	1.15	1.05	1.11	8.93	0.02	0.02	2.12	2.13	0.01	0.54	0.55	—	2,281	2,281	0.11	0.11	0.24	2,318
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	0.21	0.19	0.19	1.57	< 0.005	< 0.005	0.38	0.38	< 0.005	0.10	0.10	—	380	380	0.02	0.02	0.67	386
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Total	0.21	0.19	0.19	1.57	< 0.005	< 0.005	0.38	0.38	< 0.005	0.10	0.10	—	380	380	0.02	0.02	0.67	386

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	100	100	0.02	< 0.005	—	101
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	—	100	100	0.02	< 0.005	—	101
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	100	100	0.02	< 0.005	—	101

Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	—	100	100	0.02	< 0.005	—	101
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	16.6	16.6	< 0.005	< 0.005	—	16.8
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	—	16.6	16.6	< 0.005	< 0.005	—	16.8

4.2.2. Electricity Emissions By Land Use - Mitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	100	100	0.02	< 0.005	—	101
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	—	100	100	0.02	< 0.005	—	101
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	100	100	0.02	< 0.005	—	101
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	—	100	100	0.02	< 0.005	—	101

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	—	16.6	16.6	< 0.005	< 0.005	—	16.8
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	—	16.6	16.6	< 0.005	< 0.005	—	16.8

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00

Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00

4.2.4. Natural Gas Emissions By Land Use - Mitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00

4.3. Area Emissions by Source

4.3.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	0.02	0.02	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	0.02	0.02	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.03	0.03	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	0.02	0.02	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	0.02	0.02	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	0.03	0.03	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Consumer Product	< 0.005	< 0.005	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	< 0.005	< 0.005	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.01	0.01	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00

4.3.2. Mitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	0.02	0.02	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	0.02	0.02	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.03	0.03	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Consumer	0.02	0.02	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	0.02	0.02	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	0.03	0.03	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Consumer Products	< 0.005	< 0.005	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	< 0.005	< 0.005	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00
Total	0.01	0.01	0.00	0.00	0.00	0.00	—	0.00	0.00	—	0.00	—	0.00	0.00	0.00	0.00	—	0.00

4.4. Water Emissions by Land Use

4.4.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	2.73	2.73	< 0.005	< 0.005	—	2.76

EXHIBIT B

Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	0.00	2.73	2.73	< 0.005	< 0.005	—	2.76
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	2.73	2.73	< 0.005	< 0.005	—	2.76
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	0.00	2.73	2.73	< 0.005	< 0.005	—	2.76
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.45	0.45	< 0.005	< 0.005	—	0.46
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	0.00	0.45	0.45	< 0.005	< 0.005	—	0.46

4.4.2. Mitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	2.73	2.73	< 0.005	< 0.005	—	2.76
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	0.00	2.73	2.73	< 0.005	< 0.005	—	2.76

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	2.73	2.73	< 0.005	< 0.005	—	2.76
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	0.00	2.73	2.73	< 0.005	< 0.005	—	2.76
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.45	0.45	< 0.005	< 0.005	—	0.46
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	0.00	0.45	0.45	< 0.005	< 0.005	—	0.46

4.5. Waste Emissions by Land Use

4.5.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00

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Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00

4.5.2. Mitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Parking Lot	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Other Asphalt Surfaces	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00
Total	—	—	—	—	—	—	—	—	—	—	—	0.00	0.00	0.00	0.00	0.00	—	0.00

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.6.2. Mitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.7.2. Mitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8.2. Mitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9. User Defined Emissions By Equipment Type

4.9.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.9.2. Mitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipment Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

EXHIBIT B

Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.4. Soil Carbon Accumulation By Vegetation Type - Mitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.5. Above and Belowground Carbon Accumulation by Land Use Type - Mitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.6. Avoided and Sequestered Emissions by Species - Mitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.1. Construction Schedule

Phase Name	Phase Type	Start Date	End Date	Days Per Week	Work Days per Phase	Phase Description
Demolition	Demolition	4/1/2025	4/9/2025	5.00	7.00	—
Site Preparation	Site Preparation	4/10/2025	4/10/2025	5.00	1.00	—
Grading	Grading	4/11/2025	4/24/2025	5.00	10.0	—
Paving	Paving	4/25/2025	4/30/2025	5.00	4.00	—

5.2. Off-Road Equipment

5.2.1. Unmitigated

Phase Name	Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor
Demolition	Concrete/Industrial Saws	Diesel	Average	1.00	8.00	33.0	0.73
Demolition	Excavators	Diesel	Average	3.00	8.00	36.0	0.38
Demolition	Rubber Tired Dozers	Diesel	Average	2.00	8.00	367	0.40
Site Preparation	Rubber Tired Dozers	Diesel	Average	3.00	8.00	367	0.40
Site Preparation	Tractors/Loaders/Backhoes	Diesel	Average	4.00	8.00	84.0	0.37
Grading	Excavators	Diesel	Average	1.00	8.00	36.0	0.38
Grading	Graders	Diesel	Average	1.00	8.00	148	0.41
Grading	Rubber Tired Dozers	Diesel	Average	1.00	8.00	367	0.40
Grading	Tractors/Loaders/Backhoes	Diesel	Average	3.00	8.00	84.0	0.37
Paving	Pavers	Diesel	Average	2.00	8.00	81.0	0.42
Paving	Paving Equipment	Diesel	Average	2.00	8.00	89.0	0.36
Paving	Rollers	Diesel	Average	2.00	8.00	36.0	0.38

5.2.2. Mitigated

Phase Name	Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor
Demolition	Concrete/Industrial Saws	Diesel	Tier 4 Final	1.00	8.00	33.0	0.73
Demolition	Excavators	Diesel	Tier 4 Final	3.00	8.00	36.0	0.38
Demolition	Rubber Tired Dozers	Diesel	Tier 4 Final	2.00	8.00	367	0.40
Site Preparation	Rubber Tired Dozers	Diesel	Tier 4 Final	3.00	8.00	367	0.40
Site Preparation	Tractors/Loaders/Backhoes	Diesel	Tier 4 Final	4.00	8.00	84.0	0.37
Grading	Excavators	Diesel	Tier 4 Final	1.00	8.00	36.0	0.38
Grading	Graders	Diesel	Tier 4 Final	1.00	8.00	148	0.41
Grading	Rubber Tired Dozers	Diesel	Tier 4 Final	1.00	8.00	367	0.40
Grading	Tractors/Loaders/Backhoes	Diesel	Tier 4 Final	3.00	8.00	84.0	0.37
Paving	Pavers	Diesel	Average	1.00	8.00	81.0	0.42
Paving	Pavers	Diesel	Tier 4 Final	1.00	8.00	81.0	0.42
Paving	Paving Equipment	Diesel	Tier 4 Final	2.00	8.00	89.0	0.36
Paving	Rollers	Diesel	Tier 4 Final	2.00	8.00	36.0	0.38

5.3. Construction Vehicles

5.3.1. Unmitigated

Phase Name	Trip Type	One-Way Trips per Day	Miles per Trip	Vehicle Mix
Demolition	—	—	—	—
Demolition	Worker	15.0	11.7	LDA,LDT1,LDT2
Demolition	Vendor	—	8.40	HHDT,MHDT
Demolition	Hauling	7.14	20.0	HHDT
Demolition	Onsite truck	—	—	HHDT
Site Preparation	—	—	—	—

Site Preparation	Worker	17.5	11.7	LDA,LDT1,LDT2
Site Preparation	Vendor	—	8.40	HHDT,MHDT
Site Preparation	Hauling	0.00	20.0	HHDT
Site Preparation	Onsite truck	—	—	HHDT
Grading	—	—	—	—
Grading	Worker	15.0	11.7	LDA,LDT1,LDT2
Grading	Vendor	—	8.40	HHDT,MHDT
Grading	Hauling	613	20.0	HHDT
Grading	Onsite truck	—	—	HHDT
Paving	—	—	—	—
Paving	Worker	15.0	11.7	LDA,LDT1,LDT2
Paving	Vendor	—	8.40	HHDT,MHDT
Paving	Hauling	0.00	20.0	HHDT
Paving	Onsite truck	—	—	HHDT

5.3.2. Mitigated

Phase Name	Trip Type	One-Way Trips per Day	Miles per Trip	Vehicle Mix
Demolition	—	—	—	—
Demolition	Worker	15.0	11.7	LDA,LDT1,LDT2
Demolition	Vendor	—	8.40	HHDT,MHDT
Demolition	Hauling	7.14	20.0	HHDT
Demolition	Onsite truck	—	—	HHDT
Site Preparation	—	—	—	—
Site Preparation	Worker	17.5	11.7	LDA,LDT1,LDT2
Site Preparation	Vendor	—	8.40	HHDT,MHDT
Site Preparation	Hauling	0.00	20.0	HHDT
Site Preparation	Onsite truck	—	—	HHDT
Grading	—	—	—	—

Grading	Worker	15.0	11.7	LDA,LDT1,LDT2
Grading	Vendor	—	8.40	HHDT,MHDT
Grading	Hauling	613	20.0	HHDT
Grading	Onsite truck	—	—	HHDT
Paving	—	—	—	—
Paving	Worker	15.0	11.7	LDA,LDT1,LDT2
Paving	Vendor	—	8.40	HHDT,MHDT
Paving	Hauling	0.00	20.0	HHDT
Paving	Onsite truck	—	—	HHDT

5.4. Vehicles

5.4.1. Construction Vehicle Control Strategies

Non-applicable. No control strategies activated by user.

5.5. Architectural Coatings

Phase Name	Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)

5.6. Dust Mitigation

5.6.1. Construction Earthmoving Activities

Phase Name	Material Imported (Cubic Yards)	Material Exported (Cubic Yards)	Acres Graded (acres)	Material Demolished (Ton of Debris)	Acres Paved (acres)
Demolition	0.00	0.00	0.00	200	—
Site Preparation	0.00	0.00	1.50	0.00	—
Grading	0.00	49,000	10.0	0.00	—
Paving	0.00	0.00	0.00	0.00	5.05

5.6.2. Construction Earthmoving Control Strategies

Non-applicable. No control strategies activated by user.

5.7. Construction Paving

Land Use	Area Paved (acres)	% Asphalt
Parking Lot	4.70	100%
Other Asphalt Surfaces	0.35	100%

5.8. Construction Electricity Consumption and Emissions Factors

kWh per Year and Emission Factor (lb/MWh)

Year	kWh per Year	CO2	CH4	N2O
2025	0.00	204	0.03	< 0.005

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Parking Lot	305	305	305	111,296	2,999	2,999	2,999	1,094,487
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

5.9.2. Mitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMT/Weekday	VMT/Saturday	VMT/Sunday	VMT/Year
Parking Lot	305	305	305	111,296	2,999	2,999	2,999	1,094,487
Other Asphalt Surfaces	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.1.2. Mitigated

5.10.2. Architectural Coatings

Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
0	0.00	0.00	0.00	13,199

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	180

5.10.4. Landscape Equipment - Mitigated

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	180

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Parking Lot	179,345	204	0.0330	0.0040	0.00
Other Asphalt Surfaces	0.00	204	0.0330	0.0040	0.00

5.11.2. Mitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBTU/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBTU/yr)
Parking Lot	179,345	204	0.0330	0.0040	0.00
Other Asphalt Surfaces	0.00	204	0.0330	0.0040	0.00

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Parking Lot	0.00	989,797
Other Asphalt Surfaces	0.00	0.00

5.12.2. Mitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Parking Lot	0.00	989,797
Other Asphalt Surfaces	0.00	0.00

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Parking Lot	0.00	—
Other Asphalt Surfaces	0.00	—

5.13.2. Mitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)

Parking Lot	0.00	—
Other Asphalt Surfaces	0.00	—

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced

5.14.2. Mitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor

5.15.2. Mitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor

5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)

5.17. User Defined

Equipment Type	Fuel Type

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1.2. Mitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.1.2. Mitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

5.18.2.2. Mitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

8. User Changes to Default Data

Screen	Justification
Land Use	Applicant provided information. Other asphalt surfaces land uses representative of frontage bike lane improvements.
Construction: Construction Phases	Building Construction and Architectural Coating not required for parking lot expansion. Applicant provided construction timing.
Construction: Dust From Material Movement	Applicant provided information.
Construction: Paving	Applicant provided information.
Operations: Vehicle Data	Trip generation of 304 trips per day provided by Traffic Impact Analysis Report prepared for the proposed project by TJKM. Trip rate equal to trip generation/total spaces. Increase in trips associated with the new games and six additional gaming tables to be proposed to be added to the interior of the casino.
Construction: Trips and VMT	Applicant provided haul length information

APPENDIX B

BIOLOGICAL RESOURCES TECHNICAL REPORT

Biological Resource Technical Report

Casino Parkwest 580 Parking Lot Expansion

Livermore, Alameda County, California









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November 2024

WRA#26166-1

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List of Acronyms

AMM	Avoidance and Minimization Measure
APN	Accessor's Parcel Number
BCC	USFWS Birds of Conservation Concern
BGEPA	Bald and Golden Eagle Protection Act
BRA	Biological Resources Assessment
BRTR	Biological Resources Technical Report
Caltrans	California Department of Transportation
CCC	California Coastal Commission
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CESA	California Endangered Species Act
CEQA	California Environmental Quality Act
CFGC	California Fish and Game Code
CFP	California Fully Protected Species
CFR	Code of Federal Regulations
CNDDB	California Natural Diversity Database
CNPS	California Native Plant Society
County	County of Alameda
Corps	U.S. Army Corps of Engineers
CPRC	California Public Resources Code
CRLF	California Red Legged Frog
CSRL	California Soils Resource Lab
CTS	California Tiger Salamander
CWA	Clean Water Act
CZ	Conservation Zone
EACCS	East Alameda County Conservation Strategy
EFH	Essential Fish Habitat
EPA	U.S. Environmental Protection Agency
ESA	Federal Endangered Species Act
ESHA	Environmentally Sensitive Habitat Area
INSP	Isabel Neighborhood Specific Plan
Inventory	California Native Plant Society Rare Plant Inventory
Magnuson-Stevens Act	Magnuson-Stevens Fishery Conservation & Management Act
MBTA	Migratory Bird Treaty Act
MM	Mitigation Measure
MMPA	Marine Mammal Protection Act
NCCP	Natural Community Conservation Plan
NETR	National Environmental Title Research
NOAA	National Oceanic and Atmospheric Administration
NMFS	National Marine Fisheries Service
NPPA	California Native Plant Protection Act
NRCS	Natural Resource Conservation Service
NWI	National Wetland Inventory
NWPL	National Wetland Plant List
OHWM	Ordinary High Water Mark
Rank	California Rare Plant Ranks
RHA	Rivers and Harbors Act

RWQCB	Regional Water Quality Control Board
SC	State Candidate
SFEI	San Francisco Estuary Institute
SSC	Species of Special Concern
SWRCB	State Water Resource Control Board
TOB	Top of Bank
USC	U.S. Code
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
WBWG	Western Bat Working Group
WRA	WRA, Inc.

1.0 INTRODUCTION

This Biological Resources Technical Report evaluates existing biological resources, potential impacts, and mitigation measures (if required) for the Casino Parkwest 580 Parking Lot Expansion Project (Project) proposed at Accessor Parcel Number (APN) 905-000-901-303 adjacent to 968 North Canyons Parkway, Livermore, Alameda County, California (Appendix A – Figure 1, Study Area). The approximately 11.31 acre Study Area is boarded by North Canyons Parkway and a business park to the north, Airway Boulevard and a gas station, restaurant and three hotels to the east, an on ramp to Interstate 580 to the south and the Las Positas Golf Course further south and a parking lot for commercial building, Doolan Road and undeveloped land past Doolan Road to the west. The Study Area is within the Isabel Neighborhood Specific Plan (INSP) area and is designated as a General Commercial. The proposed Project involves developing a 252-space parking lot to accommodate patrons of the Parkwest Casino at 968 North Canyons Parkway.

1.1 Overview and Purpose

This Biological Resources Technical Report provides an assessment of biological resources the Study Area and immediate vicinity and gather information on sensitive land cover types and special-status plant and wildlife species to support an evaluation of the Project under the California Environmental Quality Act (CEQA). This report includes an update to the previous biological resources report and wetland assessment (cite) . This report describes the results of the site visit, which assessed the Study Area for (1) the presence of sensitive land cover types, special-status plant species, and special-status wildlife species, (2) the potential for the site to support special-status plant and wildlife species and potential impacts to sensitive land cover types and special-status species resulting from the proposed Project. If the proposed Project has the potential to result in significant impacts to these biological resources, measures to avoid, minimize, or mitigate for those impacts are described.

This assessment provides general information on the presence, or potential presence, of sensitive species and habitats. Additional focused studies (such as protocol level species surveys) may be required to support regulatory permit applications or to implement mitigation measures included in this report. This assessment is based on information available at the time of the study and on-site conditions that were observed on the dates the site was visited. Conclusions are based on currently available information used in combination with the professional judgement of the biologists completing this study.

1.2 Project Description

The Parkwest Casino 580 is an entertainment and gambling facility, which includes 10 gaming tables, a bar, restaurant, and 108-space parking lot for customers. Parking demands by casino customers have now exceeded the 108 parking spaces available, and as a result, casino employees have begun parking along the east side of Doolan Road and north side of Collier Canyon Road, both of which are located within unincorporated Alameda County. Generally, the employee vehicles are parked on unpaved (but firmly surfaced) shoulders and do not interfere with the flow of traffic in the area, which aside from Casino-bound traffic is very light. The employee on-street parking is concentrated in about a 1,200-foot length of the east side of Doolan Road north of Collier Canyon Road and a length of about 800 feet on the north side of

Collier Canyon Road west of Doolan Road. In parking observations conducted by TJKM, 60 to 100 vehicles are generally parked in this area.

The applicant (Parkwest Casino 580) is proposing to add a new surface parking lot with 252 parking spaces, which would be located east of the existing casino, and would serve the casino's customers and employees. The proposed parking lot expansion totals approximately 5.23 acres within the existing 11.31 acres of the Study Area. The new parking lot would be located on the southern portion of the eastern parcel and would include 202 standard stalls, 22 electric vehicle charging stations, one accessible EV charging station, and four Americans with Disabilities Act (ADA) stalls, as well as racks for up to 35 bicycles. The additional 252 parking spaces would increase the number of available parking spaces for the casino from 108 to 360. In addition, the applicant is proposing to add new games and six additional gaming tables to the interior of the casino, which would increase the number of available gaming tables from 10 to 16. The proposed parking lot would alleviate the existing parking deficit and accommodate the anticipated increase in parking demand resulting from the increase in gaming tables at the casino. The proposed hardscape associated with the parking lot expansion includes concrete totaling 3.29 acres.

A large landscape area planted with hydroseed grass would be located north of the proposed parking lot expansion and smaller landscape medians would be located throughout the parking lot. The proposed landscape area approximately totals 1.52 acres. Three bioretention planters would be located along the center and southwest corner of the parking lot with an approximate acreage of 0.16. Concrete pavement would be located along the western border of the large landscape area and three concrete medians would be located within the parking lot. In addition, poles and lighting would be installed within the parking lot medians. The proposed parking lot would connect to the existing casino parking lot to the west, which is currently accessed via driveways off of Doolan Road and North Canyons Parkway. The proposed parking lot would also connect to a new driveway off of North Canyons Parkway, at the northeast corner of the project site.

On-site improvements would include additional ADA stripping and symbols at four designated ADA parking spaces located in front of the casino entrance, a total of 0.06 acres. The proposed project would also include off-site improvements along North Canyons Parkway including the development of a new bike lane, restriping of traffic lanes, and installment of a new bus shelter, which would replace the existing bus stop. One tree would be removed as part of the proposed project located in the existing parking lot. Removal of the tree would be required to accommodate a pedestrian connection from the new surface parking lot to the existing sidewalk surrounding the building. No changes are to occur to the existing trees that are located along Airway Boulevard. No changes are to occur to half of the undeveloped parcel which contains a storm drain.

The parking lot expansion will require City approval of a Site Plan and Design Review. Exterior improvements to the existing Parkwest Casino 580 will not occur as part of the project. Interior improvements would consist of the additional six gaming tables. Approvals for the increase in gaming tables will be confirmed with the City but are expected to involve both State and City approvals.

1.3 Summary of Results

Approximately 5.23 acres of a total 11.31 acres of non-native grassland and landscaped land across the Study Area are proposed to be converted to parking spaces and associated landscape

and bioswale infrastructure, therefore impacting 5.22 acres of non-native grassland and approximately 0.002 acres of existing landscape. Non-native grasslands and landscaped land are not considered sensitive under Alameda County or CDFW. No compensatory mitigation for loss of sensitive habitats is recommended. No aquatic resources are present within the Study Area and therefore no impacts due to Project activities are anticipated, so no additional permitting from the resource agencies will be required.

Three special-status plants: Livermore tarplant (*Deinandra bacigalupii,* SE, CRPR 1B.1), Cangdon's tarplant (*Centromadia parryi* ssp. *congdonii*, CRPR 1B.1), and San Joaquin spearscale (*Extriplex joaquinana*, CRPR 1B.2), and one special-status invertebrate, Crotch's bumble bee (*Bombus crotchii*, State Candidate), as well as non-status birds with baseline legal protections, have the potential to occur in the Study Area. Mitigation measures and best management practices have been developed and provided herein to avoid impacts to these resources, such as rare plant surveys.

Table 1. Summary of Biological Resources Evaluation

CEQA Assessment Category[1] IV – Biological Resources	Biological Resources Considered	Relevant Laws & Regulations	Responsible Regulatory Agency	Summary of Findings & Report Section[2]
Question A. **Special-status Species**	Special-status Plants Special-status Wildlife Designated Critical Habitat	Federal Endangered Species Act CA Endangered Species Act CA Native Plant Protection Act Migratory Bird Treaty Act Bald & Golden Eagle Protection Act	U.S. Fish & Wildlife Service National Marine Fisheries Service CA Department of Fish & Wildlife	Potentially significant impacts were identified and mitigation measures are recommended. **See Section 7.1 for more information.**
Question B. **Sensitive natural communities & riparian habitat**	Sensitive Natural Communities Streams, Lakes & Riparian Habitat	CA Fish & Game Code Oak Woodland Conservation Act Porter-Cologne Act Clean Water Act	CA Department of Fish & Wildlife U.S. Army Corps of Engineers U.S. Environmental Protection Agency State Water Resources Control Board Regional Water Quality Control Board	Potentially significant impacts were not identified, no mitigation is required for less than significant impacts.
Question C. **State and federally protected wetlands**	Wetlands Unvegetated surface waters	Clean Water Act: Sections 404/401 Rivers & Harbors Act: Section 10 Porter-Cologne Act	U.S. Army Corps of Engineers U.S. Environmental Protection Agency State Water Resources Control Board Regional Water Quality Control Board	Potentially significant impacts were not identified and mitigation measures are not recommended.

[1] *CEQA Questions have been summarized here, see Section 6.2 for details.*
[2] *As given in this report, see Section 5.0 subheadings.*

Table 1. Summary of Biological Resources Evaluation

CEQA Assessment Category[1] IV – Biological Resources	Biological Resources Considered	Relevant Laws & Regulations	Responsible Regulatory Agency	Summary of Findings & Report Section[2]
Question D. **Fish & Wildlife corridors**	Essential Fish Habitat Wildlife Corridors	CA Fish & Game Code Magnuson-Stevens Fishery Conservation & Management Act	CA Department of Fish and Wildlife National Marine Fisheries Service	Potentially significant impacts were not identified and mitigation measures are not recommended.
Question E. **Local policies**	Protected Trees Coastal zone resources Other biological protections	Local Tree Ordinance General Plan (e.g. Stream & Wetland Setbacks) Local ordinances	Local and regional agencies CA Coastal Commission San Francisco Bay Conservation and Development Commission	Potentially significant impacts were identified and mitigation measures are included that reduce those impacts to a level that is less than significant. **See Section 7.5 for more information**
Question F. **Local, state, federal conservation plans**	Habitat Conservation Plans Natural Community Conservation Plans	Federal Endangered Species Act Natural Community Conservation Planning Act	U.S. Fish and Wildlife Service CA Department of Fish and Wildlife	Potentially significant impacts were not identified and mitigation measures are not recommended.

2.0 REGULATORY BACKGROUND

The following sections explain the regulatory context of this biological assessment, including applicable laws and regulations that were applied to the field investigations and analysis of potential project impacts. Table 1 shows the correlation between these regulations and each Biological Resources question in the Environmental Checklist Form (Appendix G) of the CEQA guidelines.

2.1 Federal and State Regulatory Setting

2.1.1 Vegetation and Aquatic Communities

CEQA provides protections for particular vegetation types defined as sensitive by the California Department of Fish and Wildlife (CDFW) and aquatic features protected by laws and regulations administered by the U.S Army Corps of Engineers (Corps), State Water Resources Control Board (SWRCB), and Regional Water Quality Control Boards (RWQCB). The laws and regulations that provide protection for these resources are summarized below.

Sensitive Natural Communities: Sensitive natural communities include habitats that fulfill special functions or have special values. Natural communities considered sensitive are those identified in local or regional plans, policies, regulations, or by the CDFW. CDFW ranks sensitive communities as "threatened" or "very threatened" (CDFW 2024a) and keeps records of their occurrences in its California Natural Diversity Database (CNDDB; CDFW 2021b). Natural communities are ranked 1 through 5 in the CNDDB based on NatureServe's (2020) methodology, with those communities ranked globally (G) or statewide (S) as 1 through 3 considered sensitive. Impacts to sensitive natural communities identified in local or regional plans, policies, or regulations or those identified by the CDFW or U.S. Fish and Wildlife Service (USFWS) must be considered and evaluated under CEQA (California Code of Regulations [CCR] Title 14, Div. 6, Chap. 3, Appendix G). In addition, this general class includes oak woodlands that are protected by local ordinances under the Oak Woodlands Protection Act and Section 21083.4 of California Public Resources Code (CPRC).

Waters of the United States, Including Wetlands: The Corps regulates “Waters of the United States” under Section 404 of the Clean Water Act (CWA). Waters of the United States are defined in the Code of Federal Regulations (CFR) as including the territorial seas, and waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, such as tributaries, lakes and ponds, impoundments of waters of the U.S., and wetlands that are hydrologically connected with these navigable features (33 CFR 328.3). Potential wetland areas, according to the three criteria used to delineate wetlands as defined in the *U.S. Army Corps of Engineers Wetlands Delineation Manual* (Corps Manual; Environmental Laboratory 1987), are identified by the presence of (1) hydrophytic vegetation, (2) hydric soils, and (3) wetland hydrology. Unvegetated waters including lakes, rivers, and streams may also be subject to Section 404 jurisdiction and are characterized by an ordinary high water mark (OHWM) identified based on field indicators such as the lack of vegetation, sorting of sediments, and other indicators of flowing or standing water. The placement of fill material into Waters of the United States generally requires a permit from the Corps under Section 404 of the CWA.

The Corps also regulates construction in navigable waterways of the U.S. through Section 10 of the Rivers and Harbors Act (RHA) of 1899 (33 U.S. Code [USC] 403). Section 10 of the RHA

requires Corps approval and a permit for excavation or fill, or alteration or modification of the course, location, condition, or capacity of, any port, roadstead, haven, harbor, canal, lake, harbor or refuge, or enclosure within the limits of any breakwater, or of the channel of any navigable water of the United States. Section 10 requirements apply only to navigable waters themselves, and are not applicable to tributaries, adjacent wetlands, and similar aquatic features not capable of supporting interstate commerce.

Waters of the State, Including Wetlands: The term "Waters of the State" is defined by the Porter-Cologne Act as "any surface water or groundwater, including saline waters, within the boundaries of the state." The SWRCB and nine RWQCB protect waters within this broad regulatory scope through many different regulatory programs. Waters of the State in the context of a CEQA Biological Resources evaluation include wetlands and other surface waters protected by the *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* (SWRCB 2019). The SWRCB and RWQCB issue permits for the discharge of fill material into surface waters through the State Water Quality Certification Program, which fulfills requirements of Section 401 of the CWA and the Porter-Cologne Water Quality Control Act. Projects that require a Clean Water Act permit are also required to obtain a Water Quality Certification. If a project does not require a federal permit but does involve discharge of dredge or fill material into surface waters of the State, the SWRCB and RWQCB may issue a permit in the form of Waste Discharge Requirements.

Sections 1600-1616 of California Fish and Game Code: Streams and lakes, as habitat for fish and wildlife species, are regulated by CDFW under Sections 1600-1616 of California Fish and Game Code (CFGC). Alterations to or work within or adjacent to streambeds or lakes generally require a 1602 Lake and Streambed Alteration Agreement. The term "stream," which includes creeks and rivers, is defined in the CCR as "a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life [including] watercourses having a surface or subsurface flow that supports or has supported riparian vegetation" (14 CCR 1.72). The term "stream" can include ephemeral streams, dry washes, watercourses with subsurface flows, canals, aqueducts, irrigation ditches, and other means of water conveyance if they support aquatic life, riparian vegetation, or stream-dependent terrestrial wildlife (CDFG 1994). Riparian vegetation has been defined as "vegetation which occurs in and/or adjacent to a stream and is dependent on, and occurs because of, the stream itself" (CDFG 1994). Removal of riparian vegetation also requires a Section 1602 Lake and Streambed Alteration Agreement from CDFW.

2.1.2 Special-status Species

Endangered and Threatened Plants, Fish, and Wildlife. Specific species of plants, fish, and wildlife species may be designated as threatened or endangered by the federal Endangered Species Act (ESA), or the California Endangered Species Act (CESA). Specific protections and permitting mechanisms for these species differ under each of these acts, and a species' designation under one law does not automatically provide protection under the other.

The ESA (16 USC 1531 et seq.) is implemented by the USFWS and the National Marine Fisheries Service (NMFS). The USFWS and NMFS maintain lists of endangered and threatened plant and animal species (referred to as "listed species"). "Proposed" or "candidate" species are those that are being considered for listing and are not protected until they are formally listed as threatened or endangered. Under the ESA, authorization must be obtained from the USFWS or NMFS prior to

take of any listed species. “Take” under the ESA is defined as “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” Take under the ESA includes direct injury or mortality to individuals, disruptions in normal behavioral patterns resulting from factors such as noise and visual disturbance and impacts to habitat for listed species. Actions that may result in take of an ESA-listed species may obtain a permit under ESA Section 10, or via the interagency consultation described in ESA Section 7. Federal-listed plant species are only protected when removal or destruction occurs on federal land; however, if a federal agency authorizes, funds, or carries out an action, that agency must insure through Section 7 consultation that the action is not likely to jeopardize the continued existence of the species.

The ESA also provides for designation of critical habitat, which are specific geographic areas containing physical or biological features “essential to the conservation of the species.” Protections afforded to designated critical habitat apply only to actions that are funded, permitted, or carried out by federal agencies. Critical habitat designations do not affect activities by private landowners if there is no other federal agency involvement.

The CESA (CFGC 2050 et seq.) prohibits the take of any plant and animal species that the CFGC determines to be an endangered or threatened species in California. CESA regulations include take protection for threatened and endangered plants on private lands, as well as extending this protection to candidate species that are proposed for listing as threatened or endangered under CESA. The definition of a "take" under CESA ("hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") only applies to direct impact to individuals, and does not extend to habitat impacts or harassment. CDFW may issue an Incidental Take Permit under CESA to authorize take if it is incidental to otherwise lawful activity and if specific criteria are met. Take of these species is also authorized if the geographic area is covered by a Natural Community Conservation Plan (NCCP), as long as the NCCP covers that activity. CDFW may also authorize take for voluntary restoration projects through the Restoration Management Permit (RMP).

Fully Protected Species and Designated Rare Plant Species. This category includes specific plant and wildlife species that are designated in the CFGC as protected even if not listed under CESA or ESA. Fully Protected Species includes specific lists of birds, mammals, reptiles, amphibians, and fish designated in CFGC. Fully protected species may not be taken or possessed at any time. No licenses or permits may be issued for take of fully protected species, except for necessary scientific research and conservation purposes. The definition of "take" is the same under the California Fish and Game Code and the CESA. By law, CDFW may not issue an Incidental Take Permit for Fully Protected Species. Under the California Native Plant Protection Act (NPPA), CDFW has listed 64 “rare” or “endangered” plant species, and prevents “take,” with few exceptions, of these species. CDFW may authorize take of species protected by the NPPA through the Incidental Take Permit process, or under a NCCP. CDFW may also authorize take for voluntary restoration projects through the Restoration Management Permit (RMP).

Special Protections for Nesting Birds and Bats. The federal Bald and Golden Eagle Protection Act provides relatively broad protections to both of North America’s eagle species [bald eagle (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*)] that in some regards are similar to those provided by the ESA. In addition to regulations for special-status species, most native birds in the United States, including non-status species, have baseline legal protections under the Migratory Bird Treaty Act of 1918 and CFGC, i.e., sections 3503, 3503.5 and 3513.

Under these laws/codes, the intentional harm or collection of adult birds as well as the intentional collection or destruction of active nests, eggs, and young is illegal. For bat species, the Western Bat Working Group (WBWG) designates conservation status for species of bats, and those with a high or medium-high priority are typically given special consideration under CEQA.

Essential Fish Habitat. The Magnuson-Stevens Fishery Conservation and Management Act provides for conservation and management of fishery resources in the U.S., administered by NMFS. This Act establishes a national program intended to prevent overfishing, rebuild overfished stocks, ensure conservation, and facilitate long-term protection through the establishment of Essential Fish Habitat (EFH). EFH consists of aquatic areas that contain habitat essential to the long-term survival and health of fisheries, which may include the water column, certain bottom types, vegetation (e.g., eelgrass (*Zostera* spp.)), or complex structures such as oyster beds. Any federal agency that authorizes, funds, or undertakes action that may adversely affect EFH is required to consult with NMFS.

Species of Special Concern, Movement Corridors, and Other Special-status Species under CEQA. A Species of Special Concern (SSC) is a species formally designated by the CDFW which meets one or more criteria related to a Federal ESA status (if it is not listed under CESA), including extirpation from California, documented population declines, or small population size within California and risk of declines. In addition, CDFW has developed a special animals list as "a general term that refers to all of the taxa the CNDDB is interested in tracking, regardless of their legal or protection status." This list includes lists developed by other organizations, including for example, the Audubon Watch List Species, the Bureau of Land Management Sensitive Species, and USFWS Birds of Conservation Concern. Plant species on the California Native Plant Society (CNPS) Rare Plant Inventory (Inventory; CNPS 2024) with California Rare Plant Ranks (Rank) of 1 and 2, as well as some with a Rank of 3 or 4, are also considered special-status plant species and must be considered under CEQA. Some Rank 3 and Rank 4 species are typically only afforded protection under CEQA when such species are particularly unique to the locale (e.g., range limit, low abundance/low frequency, limited habitat) or are otherwise considered locally rare. Some species listed in the *Rare, Unusual and Significant Plants of Alameda and Contra Costa Counties (web application)* (Lake 2024) are considered sensitive (see Section 2.2). Additionally, any species listed as sensitive within local plans, policies and ordinances are likewise considered sensitive. Movement and migratory corridors for native wildlife (including aquatic corridors) as well as wildlife nursery sites are given special consideration under CEQA.

2.2 Local Plans and Policies

Livermore General Plan. The Livermore General Plan contains policies pertaining to the following biological resources categories:

- Wetlands, streams, riparian, and aquatic areas (Policy OSC-1.2-P3, OSC-1.2-P4, OSC-1.2-P7, etc.)
- Vegetation communities (Policy OSC-1.2-P2, OSC-1.2-P4, OSC-1.2-P5, etc.)
- Plant Species (Policy OSC-1-P4, OSC-1.2-P6, OSC-1.2-P8, etc.)
- Wildlife Species (Policy OSC-1-P4, OSC-1.2-P1, OSC-1.2-P6, OSC-1.2-P8, etc.)
- Wildlife Corridors (Policy OSC-1-P1, OSC-1.2-P12, OSC-1.2-P13, etc.)

Isabel Neighborhood Specific Plan. The Isabel Neighborhood Specific Plan contains policies pertaining to the following biological resources categories:

- Wetlands, streams, riparian, and aquatic areas (Policy ENV-18, ENV-20, ENV-26)
- Vegetation communities (Policy ENV-19, EN-28)
- Plant Species (Policy ENV-21, ENV-22, ENV-23, ENV-24)
- Wildlife Species (Policy ENV-21, ENV-23, ENV-24, ENV-25, ENV-27)
- Wildlife Corridors (Policy ENV-23)

City of Livermore Tree Ordinance. The City of Livermore Tree Ordinance Chapter 12.20 *Street Trees and Tree Preservation* Article I, requires a permit for the trimming, root pruning or removal of any street tree category from any street right-of-way, parkway strip, sidewalk, park, landscaped area, playground or any other public area in the City. The Ordinance also defines a "protected tree" under Article II as a single-trunked, multi-trunked tree or stand of trees dependent upon each other for survival meeting the criteria below:

1. Any tree located on private property occupied by single-family residential development that meets the following criteria:

   a. Any tree with a circumference (CBH) of 60 inches or more; or

   b. Any California native tree having a circumference (CBH) of 24 inches or more;

2. Any tree located on private property occupied by commercial, industrial, institutional (i.e., religious, public agency, hospital, care facilities, etc.), mixed-use or multifamily residential (two or more units) development with a circumference (CBH) of 24 inches or more; or
3. Any tree located on an undeveloped or underdeveloped property, regardless of zoning district, use, or development status, for which new development is proposed, with a circumference (CBH) of 18 inches or more; or
4. Any tree located in an open space, riparian, or habitat area with a circumference (CBH) of 18 inches or more; or
5. Any tree approved as part of a site plan approval, or required as a condition of approval for a development project, zoning use permit, use permit or other site development review; or
6. Any tree designated by the City Council as determined to be an ancestral tree; and/or
7. Any tree listed on the City's ancestral tree inventory; or
8. Any tree required to be planted as mitigation for unlawfully removed trees.

The City of Livermore requires a permit under Section 12.20.190 for any removal or encroachment within a protected zone of any protected tree within a parcel in the City. Permits associated with developments will require a report by a certified arborist. Pursuant to Section 12.20.220 the preservation of protected trees within a site which is undergoing development may request protection measures as a condition of approval. Pursuant to Section 12.20.230 other conditions of approval include mitigation for the removal of protected trees by planting replacement trees or payment to the urban forestry maintenance fund. Residential applicants are generally required to replace removed trees at a minimum ratio of two 15-gallon size trees or one 15-gallon California

native tree for each protected tree removed. Multifamily, commercial, industrial, institutional, multiuse etc. applicants are generally required to replace removed trees at a ratio of three 15-gallon, or two 24-inch box or one 48-inch box replacement trees to each protected tree removed, the type of tree shall be a California native to the extent feasible.

City of Livermore Stream Policies. Policy ENV-18 requires stream setbacks from toe of the channel of 2.5:1 plus 20 feet. In addition, Policy ENV-26 states that construction within 300 feet of freshwater marsh or streambank habitat take place during the non-breeding season for tricolored blackbirds (September 1 through January 31) to the extent feasible.

Rare, Unusual, and Significant Plants of Alameda and Contra Costa Counties. *Rare, Unusual, and Significant Plants of Alameda and Contra Costa Counties (web application)* (Lake 2024) is a database produced by the East Bay Chapter of the CNPS that lists plant taxa which are considered locally rare, unusual, or significant in Alameda and Contra Costa counties. Taxa are assigned rankings of A, B, or C to indicate their degree of rarity or endangerment in the two counties. See Table 2 for a description of each of the rankings. A-ranked taxa receive consideration under sections 15380 and 15125(a) of CEQA and are considered "locally rare" for the purposes of this report. Any locally rare taxa observed in the Study Area are discussed in this report.

Table 2. Description of East Bay CNPS Locally Rare Plant Rankings

RANK	DESCRIPTION
A1	Locally Rare Species. Species occurring in two or fewer regions in Alameda and Contra Costa counties
A1x	Locally Rare Species. Species presumed extirpated from Alameda and Contra Costa counties
A1?	Locally Rare Species. Species possibly occurring in Alameda and Contra Costa counties. Identification or location is uncertain
A2	Locally Rare Species. Plants occurring in three to five regions or are otherwise threatened in Alameda and Contra Costa counties.
B	High Priority Watch List. Plants occurring in six to nine regions in Alameda and Contra Costa counties.
C	Second Priority Watch List. Plants occurring in ten to fifteen regions in Alameda and Contra Costa counties.

*Ranks preceded by an asterisk (e.g., "*A1") also have a statewide rarity ranking

East Alameda County Conservation Strategy (EACCS)

The Study Area is within the boundaries of the EACCS due to the classification of the City of Livermore as a limited urban growth region, an HCP was deemed unnecessary. The EACCS was developed in partnership with the USFWS, CDFW, SFRWQCB, EBRPD and several local agencies within East Alameda County with the efforts of streamlining the permitting process for listed species and implementation of mitigation for development an infrastructure projects, as well as improve voluntary conservation and improve mitigation and conservation of listed and unlisted species. The EACCS includes specific avoidance, minimization and mitigation measures to implement for impacts on 19 focal species including endangered, threatened and special status species and non-listed species, however, no incidental take permits are to result as is the case in an HCP. Protections are also outlined for sensitive habitat types in which these species can or do exist. The goal of EACCS is to provide a baseline of biological resources and conservation priorities for project-level planning and environmental permitting.

3.0 ASSESSMENT METHODOLOGY

On June 18, 2024, WRA, Inc. (WRA) biologists visited the Study Area to map vegetation, aquatic features, and other land cover types; document plant and wildlife species present; and evaluate on-site habitat for the potential to support special-status species as defined by CEQA. Prior to the site visit, WRA biologists reviewed literature resources and performed database searches to assess the potential for sensitive land cover types and special-status species, including:

- Web Soil Survey (USDA 1966)
- Livermore, Dublin, Altamont, diablo, Tassajara, Bryon Hot Springs, Niles, La Costa Valley, and Mendenhall Springs 7.5-minute U.S. Geological Survey (USGS) quadrangle (USGS 2024
- Contemporary aerial photographs (Google Earth 2024)
- National Wetlands Inventory (USFWS 2024a)
- California Aquatic Resources Inventory (SFEI 2024)
- CNDDB (CDFW 2024b)
- CNPS Inventory (CNPS 2024)
- Consortium of California Herbaria (CCH1 2024, CCH2 2024)
- USFWS Information for Planning and Consultation (USFWS 2024b)
- eBird Online Database (Cornell Lab of Ornithology 2024)
- California Bird Species of Special Concern in California (Shuford and Gardali 2008)
- California Amphibian and Reptile Species of Special Concern (Thomson et al. 2016)
- A Field Guide to Western Reptiles and Amphibians (Stebbins 2003)
- A Manual of California Vegetation, Online Edition (CNPS 2024)
- California Natural Community List (CDFW 2024a)
- Database searches (i.e., CNDDB, CNPS) for special-status species focused on the Livermore, Dublin, Altamont, diablo, Tassajara, Bryon Hot Springs, Niles, La Costa Valley, and Mendenhall Springs USGS 7.5-minute quadrangles.

Following the remote assessment, WRA biologists completed a field review to document: (1) land cover types (e.g., vegetation communities, aquatic resources), (2) existing conditions and to determine if such provide suitable habitat for any special-status plant or wildlife species, (3) if and what type of aquatic land cover types (e.g., wetlands) are present, and (4) if special-status species are present.

3.1 Vegetation Communities and Other Land Cover Types

During the site visit, WRA evaluated the species composition and area occupied by distinct vegetation communities, aquatic communities, and other land cover types. Mapping of these classifications utilized a combination of aerial imagery and ground surveys. In most instances, communities are characterized and mapped based on distinct shifts in plant assemblage (vegetation) and follow the California Natural Community List (CDFW 2021a) and A Manual of

California Vegetation, Online Edition (CNPS 2024). These resources cannot anticipate every component of every potential vegetation assemblage in California, and so in some cases, it is necessary to identify other appropriate vegetative classifications based on best professional judgment of WRA biologists. When undescribed variants are used, it is noted in the description. Vegetation alliances (natural communities) with a CDFW Rank of 1 through 3 (globally critically imperiled [S1/G1], imperiled [S2/G2], or vulnerable [S3/G3]) (CDFW 2021a), were evaluated as sensitive as part of this assessment.

On June 18, 2024, the site was reviewed for the presence of wetlands and other aquatic resources according to the methods described in the Corps Manual (Environmental Laboratory 1987), the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West/Western Mountains, Valleys, and Coast Region* (Corps 2008/Corps 2010), and A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States (Lichvar and McColley 2008). No areas meeting these indicators were mapped as no aquatic resources were found using the methods described above. Aquatic communities which are mapped in the NMFS EFH Mapper (NMFS 2020) were outside of the Study Area. There was no presence of riparian habitat which was evaluated based on the lack of woody plant species meeting the definition of riparian provided in *A Field Guide to Lake and Streambed Alteration Agreements, Section 1600-1607, California Fish and Game Code* (CDFG 1994) and based on best professional judgement of biologists completing the field surveys.
Special-status Species

3.1.1 General Assessment

Potential occurrence of special-status species in the Study Area was evaluated by first determining which special-status species occur in the vicinity of the Study Area through a literature and database review as described above. Presence of suitable habitat for special-status species was evaluated during the site visit based on physical and biological conditions of the site as well as the professional expertise of the investigating biologists. The potential for each special-status species to occur in the Study Area was then determined according to the following criteria (see Appendix C):

- **No Potential.** Habitat on and adjacent to the site is clearly unsuitable for the species requirements (foraging, breeding, cover, substrate, elevation, hydrology, plant community, site history, disturbance regime).
- **Unlikely.** Few of the habitat components meeting the species requirements are present, and/or the majority of habitat on and adjacent to the site is unsuitable or of very poor quality. The species is not likely to be found on the site.
- **Moderate Potential.** Some of the habitat components meeting the species requirements are present, and/or only some of the habitat on or adjacent to the site is unsuitable. The species has a moderate probability of being found on the site.
- **High Potential.** All of the habitat components meeting the species requirements are present and/or most of the habitat on or adjacent to the site is highly suitable. The species has a high probability of being found on the site.
- **Present.** Species is observed on the site or has been recorded (i.e., CNDDB, other reports) on the site in the recent past.

If a more thorough assessment was deemed necessary, a targeted or protocol-level assessment or survey is recommended as a future study. If a special-status species was observed during the site visit, its presence was recorded and discussed below in Section 5.2. If designated critical habitat is present for a species, the extent of critical habitat present and an evaluation of critical habitat elements is provided as part of the species discussions below.

3.2 Wildlife Corridors and Native Wildlife Nursery Sites

To account for potential impacts to wildlife movement/migratory corridors, biologists reviewed maps from the California Essential Connectivity Project (CalTrans 2010), and habitat connectivity data available through the CDFW Biogeographic Information and Observation System (CDFW 2024). Additionally, aerial imagery (Google Earth 2024) for the local area was referenced to assess if local core habitat areas were present within, or connected to the Study Area. This assessment was refined based on observations of on-site physical and/or biological conditions, including topographic and vegetative factors that can facilitate wildlife movement, as well as on-site and off-site barriers to connectivity.

The potential presence of native wildlife nursery sites is evaluated as part of the site visit and discussion of individual wildlife species below. Examples of native wildlife nursery sites include nesting sites for native bird species (particularly colonial nesting sites), marine mammal pupping sites, and colonial roosting sites for other species (such as for monarch butterfly [*Danaus plexippus*]).

4.0 ECOLOGICAL SETTING

The approximately 11.31-acres Study Area is located in Livermore, Alameda County immediately north of Interstate 580, south of North Canyons Blvd, west of Airway Blvd and east of Doolan Road. The site was historically agricultural land, however due to developments of the interstate and mixed-use development parcels, the Study Area has been significantly altered from its native state. Discing occurs twice a year and has been surrounded by development since 2007. The Study Area has ornamental trees lining the northeastern boundary adjacent to Airway Blvd. The Study Area includes all areas affected by the Project, as well as the sidewalks and the non-annual grassland hill and storm drain to the east of the proposed Project footprint. Additional details of the local setting are below.

4.1 Soils and Topography

The overall topography of the Study Area is relatively flat with slopes of less than 2 to 10 percent. The general slope is from northeast with elevations ranging from approximately 5 to 15 feet above sea level. According to SoilWeb (CSRL 2024) and Web Soil Survey (USDA 1966), the Study Area is underlain by one native soil mapping unit: Diablo clay, very deep 3 to 15 percent slopes. This mapping unit is considered hydric. The parent soil series of all the Study Area's mapping unit is summarized below.

Diablo Series: The Diablo series consists of well drained, slow permeability soils with slow runoff when dry and medium to rapid when soils are moist. These soils formed in residuum weathered from shale, sandstone, and consolidated sediments with minor areas of tuffaceous material. A typical Diablo series soil has dark gray, neutral and mildly alkaline, silty clay upper A horizons, gray and olive gray, calcareous, silty clay lower A horizons, and light olive gray, silty clay AC and C horizons that rest on shale. Diablo soils are on complex, undulating, rolling to steep uplands with slopes of 5 to 50 percent. This soil is used for grazing and for production of dry farmed grain (CSRL 2024, USDA 1966).

4.2 Climate and Hydrology

The Study Area is located at the edge of the coastal fog belt of the Bay Area in the inland region of Livermore, Alameda. The average monthly maximum temperature in the area is 73.2 degrees Fahrenheit, while the average monthly minimum temperature is 47.7 degrees Fahrenheit. Predominantly, precipitation falls as rainfall between October and March with an annual average precipitation of 15.20 inches.

The local watershed is Lower Arroyo Las Positas (HUC 12: 180500040302) and the regional watershed is San Francisco Bay (HUC 8: 18050004). The Study Area is located in the lower portion of the Lower Arroyo Las Positas watershed. There are no blue-line streams in the Study Area (USGS 2024). There are two freshwater emergent wetlands within one mile and vernal pool complexes at approximately 2 miles of the Study Area, however, no resources are located within the Study Area nor connect with the Study Area (USFWS 2024a) and California Aquatic Resources Inventory (CARI; SFEI 2024). Detailed descriptions of aquatic resources are provided in Section 5.1 below.

4.3 Land Use

The majority of the Study Area is undeveloped and marginally landscaped with some disturbances to add a culvert and a storm drain under the interstate on-ramp. Undeveloped areas consist of non-native annual grassland. The landscaped portion includes street trees along Airway Blvd. Detailed land cover type descriptions are included in Section 5.1 below, and all observed plant species are included in Appendix B. Surrounding land uses include mixed-use developments such as gasoline stations, hotels, businesses and roads (Google Earth 2024). Historically, the Study Area was agricultural land.

5.0 ASSESSMENT RESULTS

5.1 Vegetation Communities and Other Land Cover

WRA observed two land cover types within the Study Area: non-native annual grassland and landscaped/ruderal. The edge of the Study Area contains landscaping and hardscaping (i.e., sidewalks) that provide no ecological value. The grasslands are tilled/disked annually, and the site was tilled at the time of the site visit. Land cover types within the Study Area are illustrated in Appendix A – Figure 3. The non-sensitive land cover types in the Study Area include non-native grasslands and landscape/ruderal.

Table 3. Vegetation Communities and Other Land Cover Types

COMMUNITY / LAND COVERS	SENSITIVE STATUS	RARITY RANKING	ACRES WITHIN STUDY AREA
TERRESTRIAL / COMMUNITY LAND COVER			
Non-native annual grassand	none	none	11.09
Landscaped/Ruderal	None	None	0.22

5.1.1 Terrestrial Land Cover



Photo 1. Terrestrial land cover in the Study Area, dominated by non-native grasses and weeds

Non-native annual grassland (*Avena barbata* Semi-natural Herbaceous Stand). CDFW Rank: None. Nearly the entire Study Area is non-native annual grassland composed of mainly wild oat grassland with substantial cover of yellow sweetclover (Melilotus indicus), ripgut brome (*Bromus diandrus*), soft chess (*B. hordeaceus)*, Italian ryegrass (*Festuca perennis*), and Mediterranean barley (*Hordeum marinum*). Non-native forbs include field bindweed (Convolvulus arvensis), Italian thistle (*Carduus pycnocephalus*), field mustard (*Hirschfeldia incana*) and curly dock (*Rumex crispus*). This community is not considered sensitive by Alameda County, CDFW, or any other regulatory entity.

Landscaped/Ruderal (no alliance). CDFW Rank: None. The northeastern corner of the Study Area consists of a row of street trees likely planted to create scenic value. These landscape trees are all within the public right-of-way along Airway Blvd and are the same species, Bradford pear (*Pyrus calleryana*). Although,

street trees are protected by the Livermore Municipal Ordinance, this community is not considered sensitive by Alameda County, CDFW, or any other regulatory entity,

5.1.2 Aquatic Resources

No sensitive aquatic resources were found within the Study Area. A broad swale runs through the center of the property, terminating at the three-foot culvert. At the time of the site visit, the entire site was disked and tilled with vegetation lying flat mostly everywhere except the deepest areas of the swale. Several areas were sampled following the methods for delineating wetlands outlined in Section 3.1.2. Vegetation was dominated by yellow sweetclover, hood canary grass, and brome, all upland plants. Soils were black (10YR 3/1) heavy clays that contained no redoximorphic features or depletions at two location and less than 5% redoximorphic features within 8 inches of the surface at the third sample site; therefore, the swale's substrate does not meet the criteria for hydric soils. Likewise, there were no indicators of saturation or inundation to meet the wetland hydrology criteria. The presence of non-hydrophytic vegetation, non-hydric soils and no hydrology leads to the conclusion that there are no aquatic resources within the Study Area.

5.2 Special-status Species

5.2.1 Special-status Plants

Based upon a review of the resource databases listed in Section 3.0, 14 special-status plant species have been documented in the vicinity of the Study Area. Figure 3 below depicts special-status species observed within a 5-mile radius of the Study Area. The Study Area is unlikely or has no potential to support 10 of these species for the following reasons:

- Hydrologic conditions (e.g. tidal, riverine) necessary to support the special-status plant species are not present in the Study Area;
- Edaphic (soil) conditions (e.g. volcanic, serpentine) necessary to support the special-status plant species are not present in the Study Area;
- Unique pH conditions (e.g. acidic conditions) necessary to support the special-status plant species are not present in the Study Area;
- Associated vegetation communities (e.g. forest, woodland, scrub, vernal pools) necessary to support the special-status plant species are not present in the Study Area;
- The Study Area is geographically isolated from the documented range of the special-status plant species; and/or
- The land use history (e.g., petro chemical and residential development) of the Study Area has resulted in habitat conversion and/or has a degree of disturbance to preclude the colonization and establishment of special-status species.

Three special-status plant species that could be present within the site with moderate to high potential were not observed during the June 18, 2024, site visit. All of these species germinate and bolt in late spring, and bloom in the summer into fall. Likewise, they are annuals that are tolerant of disturbance (e.g., tilling) and, because they bloom in summer,

can tolerate competitive pressure from non-native annual herbs (e.g., wild oats (*Avena barbata*). These species are detailed below:

Table 4. Potential Special-status Plants

SCIENTIFIC NAME	COMMON NAME	CONSERVATION STATUS	POTENTIAL HABITAT IN THE STUDY AREA
FORMALLY LISTED PLANTS (FESA, CESA, CNPPA)			
Deinandra bacigalupii	Livermore tarplant	SE, Rank 1B.1, G1S1, *A1	The Study Area contains grassland habitat with moderately alkaline clay soils. The species is also tolerant to disturbance.
OTHER SPECIAL-STATUS PLANTS (CEQA, OTHER)			
Centromadia parryi* ssp. *congdonii	Cangdon's tarplant	Rank 1B.1, G3S2, *A2	The Study Area contains moderate alkali conditions, the presence of associated species, and a seed source within close proximity within the direction of the prevailing winds.
Extriplex joaquinana	San Joaquin spearscale	Rank 1B.2, G2S2, *A2	The Study Area contains moderate alkali conditions, the presence of associated species, and a seed source within close proximity within the direction of the prevailing winds.

Livermore tarplant (*Deinandra bacigalupii*). State Endangered, CNPS Rank 1B.1. Moderate Potential. Livermore tarplant is annual forb in the sunflower family (Asteraceae) that blooms from June through October. It typically occurs in alkaline herbaceous communities and scalds within meadow and seep habitat at elevations ranging from 485 to 600 feet (CNPS 2018, CDFW 2018, Baldwin et al. 2012). Observed associated species include ripgut brome (*Bromus diandrus*), soft chess (*B. hordeaceus*), Mediterranean barley (*Hordeum marinum*), salt grass (*Distichlis spicata*), iodine bush (*Allenrolfea occidentalis*), common spikeweed (*Centromadia pungens*), brittlescale (*Atriplex depressa*), sand spurry (*Spergularia* spp.), alkali heath (*Frankenia salina*), yellow tarweed (*Holocarpha virgata*), and three-ray tarweed (*Deinandra lobbii*) (CDFW 2018).

The Study Area contains moderately alkaline clay soil. The most recent occurrence of the species is 6 miles northeast of the Study Area near Springtown Village (CCH2 2024). Livermore tarplant has relative tolerance to disturbance; however, it frequently occurs in strongly alkali conditions, with extended saturation. Therefore, the population near Springtown Village is likely in better soil conditions. However, there is moderate potential for the species to occur within the Study Area.

Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*). CNPS Rank 1B.1. Moderate Potential. Congdon's tarplant is an annual forb in the sunflower family (Asteraceae) that blooms from June to November. It typically occurs in alkaline grassy areas on the edge of

brackish marsh in valley and foothill grassland habitat at elevations ranging from 1 to 750 feet (CDFW 2018, CNPS 2018). Observed associated species include common tarplant (*Centromadia pungens* ssp. *pungens*), alkali heath (*Frankenia salina*), salt grass (*Distichlis spicata*), Italian rye grass (*Festuca perennis*), Mediterranean barley (*Hordeum marinum*), foxtail barley (*Hordeum murinum*), stinkwort (*Dittrichia graveolens*), yellow star thistle (*Centaurea solstitialis*), Italian thistle (*Carduus pycnocephalus*), bull thistle (*Cirsium vulgare*), and Bermuda grass (*Cynodon dactylon*) (CDFW 2018, personal observations 2008-2013).

The Study Area contains moderately alkaline clay soils with species associated with Congdon's tarplant. Due to the species' relative tolerance to disturbance and the presence of a seed source within 3 miles west and within the direction of prevailing winds there is moderate potential for the species to occur within the Study Area (CCH2 2024).

San Joaquin spearscale (*Extriplex joaquinana*). CNPS Rank 1B.2. Moderate Potential. San Joaquin spearscale is an annual herb in the goosefoot family (Chenopodiaceae) that blooms from April to October. It typically occurs in seasonal alkali sink scrub and wetlands in chenopod scrub, alkali meadow, and valley and foothill grassland habitat at elevations ranging from 0 to 2,740 feet (CDFW 2018, CNPS 2018). Observed associated species include salt grass (*Distichlis spicata*), alkali heath (*Frankenia salina*), Mediterranean barley (*Hordeum marinum*), Italian rye grass (*Festuca perennis*), bird's-foot trefoil (*Lotus corniculatus*), docks (*Rumex crispus, R. pulcher*), tarplants (*Centromadia parryi, C. pungens*), pickleweed (*Salicornia pacifica*), and fat hen (*Atriplex prostrata*) (CDFW 2018, personal observations 2010-2012).

The Study Area contains grasslands with moderately alkaline clay soil. Due to the species' relative tolerance to disturbance and the presence of a seed source within 3 miles west and within the direction of prevailing winds there is high potential for the species to occur within the Study Area (CCH2 2024). San Joaquin spearscale has a moderate potential to occur within the Study Area.

5.2.2 Special-status Wildlife

Of the 48 special-status wildlife species documented in the vicinity of the Study Area, most are excluded from the Study Area based on a lack of habitat features. Features not found within the Study Area that are required to support special-status wildlife species include:

- Vernal pools
- Perennial aquatic habitat (e.g. streams, rivers or ponds)
- Tidal marsh areas
- Broad-leafed woodland
- Cismontane woodland
- Serpentine soils to support host plants
- Sandy beaches or alkaline flats
- Presence of specific host plants
- Caves, mine shafts, or abandoned buildings

The absence of such habitat features eliminates components critical to the survival or movement of most special-status species found in the vicinity. For instance, California red-legged frog (*Rana draytonii,* CRLF), northwestern pond turtle (*Actinemys marmota*; NWPT), foothill-yellow legged frog (*Rana boylii*, FYLF) and tricolored blackbird (*Agelaius tricolor*) are known to occur in the open spaces in the vicinity. However, suitable aquatic habitat such as streams, ponds, and emergent wetlands and associated movement corridors connecting the Study Area to source populations are absent due to development, precluding these species from inhabiting or dispersing through the Study Area. Furthermore, no hydrologic connectivity is present to suitable FYLF habitats nearby. Tricolored blackbirds may occasionally be seen flying over the Study Area, though no nesting habitat or significant foraging resources are supported, therefore these species have no potential or are unlikely to occur within the Study Area. Given the Study Area's relative proximity to sensitive habitats on the San Francisco Bay, many species documented nearby are additionally obligates to tidal marsh habitats which are not present on or in the immediate vicinity of the Study Area. Federally listed species that are unlikely to occur within the site are further described below, for completeness.

One special-status species has potential to occur in the immediate vicinity of or in portions of the Study Area: crotch's bumble bee (*Bombus crotchii*), see Table 5. This species is discussed in greater detail below. In addition, non-listed native birds protected by MBTA and CDFG can also be present within the site.

Table 5. Potential Special-status Wildlife

SCIENTIFIC NAME	COMMON NAME	CONSERVATION STATUS	POTENTIAL HABITAT IN THE STUDY AREA
SPECIAL-STATUS WILDLIFE (CEQA, OTHER)			
Bombus crotchii	Crotch's bumble bee	State Candidate	**Moderate Potential.** The Study Area contains suitable foraging habitat including yellow-star thistle (*Centaurea solstitalis*), Italian thistle (*Carduus pycnocephalus*) and mustards.

Crotch bumble bee (*Bombus crotchii*), State candidate. Crotch bumble bee occurs primarily in central and southern California, from coastal areas inland to the foothills (Williams et al. 2014). This species is now largely absent from the Central Valley, although it was historically common in this region (Hatfield et al. 2015). Crotch bumble bee occurs in grassland and scrub habitats, and has also been documented in agricultural areas. Like other bumble bee species, Crotch bumble bee is a social species with an annual life cycle. Queens emerge from hibernation in the late winter/early spring to establish a new colony. The colony produces workers throughout the spring and summer, and reproductives (i.e. drones and queens) in the early fall. Nests are built in pre-existing cavities. They are commonly found underground, in abandoned rodent burrows, or aboveground in grass tufts, rock piles, abandoned bird nests, or tree cavities. Crotch bumble bee feeds on pollen and nectar during all life stages; preferred host species include (but are not limited to) milkweeds (*Asclepias* spp.), chaenactis (*Chaenactis* spp.), clarkias (*Clarkia* spp.), larkspurs (*Delphinium* spp.), buckwheats (*Eriogonum* spp.), lupines (*Lupinus* spp.), medicks (*Medicago* spp.), bladderpod (*Peritoma arborea*), phacelias (*Phacelia* spp.), poppies (*Eschscholzia* spp.), sages (*Salvia* spp.), and thistles (*Centaurea* spp.). Queens overwinter in hibernacula; little is known about habitat requirements for hibernacula; bare ground, leaf litter and/or duff, and pre-existing cavities may provide overwintering habitat.

Major threats to Crotch bumble bee include agricultural intensification and rapid urbanization (Hatfield et al. 2015). Additionally, Crotch bumble bee has a narrow climatic range compared to most bumble bee species, and may be threatened by increasing aridity and global climate change (NatureServe 2022). In general, bumble bees are threatened by a combination of factors including pesticide use, resource competition with non-native bees, and pathogen spillover from managed pollinators (Goulson 2010, Cameron et al. 2011).

The Study Area is within the known range of the species and contains suitable foraging habitat and overwintering habitat for Crotch's bumble bee (Photo 1). Rodent burrows provide suitable ground nesting sites, however, tilling and disking frequency could preclude the species from nesting. Foraging plants available include Italian thistle (Carduus pycnocephalus), yellow star thistle (*Centaurea solstitalis*), black mustard (*Brassica nigra*), and field mustard (*Hirschfeldia incana*). Therefore, there is moderate potential for Crotch's bumble bee presence at the Study Area.

General nesting birds. Nearly all habitats have the potential to seasonally support nesting birds that are protected by the MBTA and CFGC. Trees along the perimeter of the Study Area and the unmowed swale and fringe of the Study Area supporting annual grasses and forbs are examples of these habitats. Direct removal of a nest or disturbance in the vicinity of an active nest that could result in nest abandonment would be considered take under the MBTA and CFGC.

SPECIAL-STATUS SPECIES – UNLIKELY POTENTIAL

Burrowing owl (*Athene cunicularia*; BUOW). CDFW Species of Special Concern; USFWS Bird of Conservation Concern. Burrowing owl occurs as a year-round resident and winter visitor in much of California's lowlands, inhabiting open areas with sparse or non-existent tree or shrub canopies. Typical habitat is annual or perennial grassland, although human-modified areas such as agricultural lands and airports are also used (Poulin et al. 1993). This species is dependent on burrowing mammals to provide the burrows that are characteristically used for shelter and nesting, and in northern California is typically found in close association with California ground squirrels (*Spermophilus beecheyi*). Manmade substrates such as pipes or debris piles may also

be occupied in place of burrows. Prey consists of insects and small vertebrates. Breeding typically takes place from March to July.

The Study Area is disced twice annually for weed and fire control. On the June 18, 2024, visit, several ground squirrel burrows were observed along the perimeter of the Study Area. The squirrel burrows were inspected for sign of BUOW including white-wash, pellets, or feathers. No BUOW or indications of use were noted, which is consistent with the site visit conducted in20216 Furthermore, the Study Area is relatively small, therefore unlikely to support the abundance of prey required to sustain breeding BUOW. A CNDDB record of nesting burrowing owl was documented within 1-mile south of the Study Area in 2006. Adjacent contiguous natural and agricultural lands provide higher quality and quantity of habitat than is available within the Study Area. Therefore, the species is unlikely to forage or nest within the Study Area.

California tiger salamander (*Ambystoma californiense*; CTS), Federal Threatened Species, State Threatened Species. California tiger salamander is restricted to grasslands and low-elevation foothill regions in California (generally under 1500 feet) where it uses seasonal aquatic habitats for breeding. CTS breed in natural ephemeral pools, or ponds that mimic ephemeral pools (stock ponds that go dry) and occupy substantial areas surrounding the breeding pool as adults. CTS spend most of their time in the grasslands surrounding breeding pools. They survive hot, dry summers by living underground in burrows (such as those created by ground squirrels and other mammals and deep cracks or holes in the ground) where the soil atmosphere remains near the water saturation point. During wet periods, the salamanders may emerge from refugia and feed in the surrounding grasslands.

The Study Area does not contain any aquatic features that could support CTS breeding. Multiple occurrences of CTS have been documented in the vicinity including one occurrence where 2 adults were observed crossing roads adjacent to the Study Area in 1992. Since this occurrence, the location of that occurrence has been developed and significant development has occurred in the areas surrounding the Study Area on all sides from 2002 until 2007. While it is possible that the Study Area once supported CTS upland habitat, the site has been completely isolated for nearly 20-years from adjacent habitats and is disced twice per year for weed and fire control. A vestigial population of California ground squirrels occurs with burrows concentrated along the perimeter of the site, however the extent, frequency and duration of disturbance of the site coupled with its completely isolated nature precludes any potential for CTS to occur within the Study Area.

Golden eagle (*Aquila chrysaetos*), Federal Eagle Protection Act, CDFW Fully Protected Species, USFWS Bird of Conservation Concern. Golden eagles are large raptors that occur in open and semi-open areas from sea level to high elevation. Typical occupied habitats include grasslands, shrublands, deserts, woodlands, and coniferous forests. Breeding activity occurs broadly from January through August, and in California is usually initiated from January to March. The large stick nests of this species are reused across years and may be maintained throughout the year. Nests are most often placed on the ledges of steep cliffs, but nesting also occurs in trees and on tall manmade structures (e.g., utility towers) (Kochert et al. 2002). Golden eagles forage over wide areas, feeding primarily on medium-sized mammals (e.g., ground squirrels and rabbits), large birds, and carrion.

A golden eagle nest was recorded in the CNDDB in 1991-1992 approximately 4.4 miles to the northwest of the Study Area (CDFW 2018), however the nest was unsuccessful for unknown reasons. While golden eagles may occasionally fly over or opportunistically forage within the Study Area, no appropriate nesting habitat is available on or in the immediate vicinity of the

site. Furthermore, the Study Area is bounded by highly developed areas and sees regular disturbance via discing for weed and fire control, making it unlikely to be visited by golden eagles. While it is possible that eagles may be occasionally observed in the immediate vicinity, much higher quality foraging habitat is present to the north of the Study Area, and they have no nesting habitat at the site. Therefore, they are unlikely to occur within the Study Area.

White-tailed kite (*Elanus leucurus*). CDFW Fully Protected Species. White-tailed kite is resident in open to semi-open habitats throughout the lower elevations of California, including grasslands, savannahs, woodlands, agricultural areas and wetlands. Vegetative structure and prey availability seem to be more important habitat elements than associations with specific plants or vegetative communities (Dunk 1995). Nests are constructed mostly of twigs and placed in trees, often at habitat edges. Nest trees are highly variable in size, structure, and immediate surroundings, ranging from shrubs to trees greater than 150 feet tall (Dunk 1995). This species preys upon a variety of small mammals, as well as other vertebrates and invertebrates.

White-tailed kite fledglings were observed and recorded in the CNDDB in 2009 approximately 4.75 miles northwest of the Study Area. The wide-range and relative commonality of this species along urban-rural interfaces suggest white-tailed kite could opportunistically forage within the Study Area. However, the Study Area is surrounded by development and high amounts of disturbance due to vehicular traffic and collisions with the landscape trees at the perimeter or the Study Area. In addition, the twice-annual discing of the site means disturbance of the area is likely too high to encourage nearby nesting. White-tailed kites are unlikely to nest or occur within the Study Area.

5.3 Wildlife Corridors and Native Wildlife Nursery Sites

Wildlife movement between suitable habitat areas can occur via open space areas lacking substantial barriers. The terms “landscape linkage” and “wildlife corridor” are often used when referring to these areas. The key to a functioning corridor or linkage is that it connects two larger habitat blocks, also referred to as core habitat areas (Beier and Loe 1992; Soulé and Terbough 1999). It is useful to think of a “landscape linkage” as being valuable in a regional planning context, a broad scale mapping of natural habitat that functions to join two larger habitat blocks. The term “wildlife corridor” is useful in the context of smaller, local area planning, where wildlife movement may be facilitated by specific local biological habitats or passages and/or may be rested by barriers to movement. Above all, wildlife corridors must link two areas of core habitat and should not direct wildlife to developed areas or areas that are otherwise void of core habitat (Hilty et al. 2019).

The Study Area is not within a designated wildlife corridor, an essential habitat connectivity unit, and contains low terrestrial permeability (CalTrans 2010; CDFW 2019). The site is located within a much larger tract of mixed-development land within ISNP of Livermore. While common wildlife species such as birds presumably utilize the site to some degree for movement at a local scale, the Study Area itself does not provide corridor functions beyond providing a similar agricultural and developed land parcel as surrounding areas. Within the ISNP it is categorized as general commercial land use surrounded by business park land use and has no functional connection to surrounding habitats (City of Livermore 2020).

The Study Area is at the south boundary of Conservation Zone 4 of the East Alameda County Conservation Strategy (EACCS), according to Chapter 3 Conservation Strategy CZ 4 is outside of the critical habitat for CTS, CRLF and vernal pool fairy shrimp (*Brachinecta lynchi)*. However, it is

within the non-listed general species mitigation zone, therefore migratory birds and bats need to be considered under CEQA. Since the Project plans are not impacting trees and ground disturbing activity will adhere to the mitigation measures in Section 7.0 to reduce impacts to nesting birds and special-status plants, the impacts are negligible.

6.0 ANALYTICAL METHODOLOGY AND SIGNIFICANCE THRESHOLD CRITERIA

Pursuant to Appendix G, Section IV of the State CEQA Guidelines, a project would have a significant impact on biological resources if it would:

1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or U.S. Fish and Wildlife Service;
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or U.S. Fish and Wildlife Service;
3. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means
4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; and/or,
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

These thresholds were utilized in completing the analysis of potential project impacts for CEQA purposes. For the purposes of this analysis, a “substantial adverse effect” is generally interpreted to mean that a potential impact could directly or indirectly affect the resiliency or presence of a local biological community or species population. Potential impacts to natural processes that support biological communities and special-status species populations that can produce similar effects are also considered potentially significant. Impacts to individuals of a species or small areas of existing biological communities may be considered less than significant if those impacts are speculative, beneficial, de minimis, and/or would not affect the resiliency of a local population.

7.0 IMPACTS AND MITIGATION EVALUATION

Using the CEQA analysis methodology outlined in Section 6.2 above, the following section describes potential significant impacts to sensitive resources within the Project Area as well as suggested mitigation measures which are expected to reduce impacts to less than significant.

7.1 Special-status Species

This section analyzes the Project's potential impacts and mitigation for special-status species in reference to the significance threshold outlined in CEQA Appendix G, Part IV (a):

> *Does the project have the potential to have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or U.S. Fish and Wildlife Service?*

Potential impacts and mitigation for potentially significant impacts are discussed below

7.1.1 Special-status Plant Species

The Project involves permanent and temporary impacts to approximately 5.22 acres of non-native grassland that was determined to have moderate potential to support, Congdon's tarplant, Livermore tarplant, and San Joaquin spearscale. The proposed Project's construction activities due to construction of concrete medians, bioswales, and grading for base rock and asphalt and landscaping could result in the direct removal of special-status plant species and suitable habitat if they are present within the Study Area, which would be considered a significant impact.

> **Potential Impact BIO-1**: The proposed Project could result in direct and permanent impacts of approximately 5.22 acres to special-status plant species, if present, from ground-disturbing activities associated with grubbing, grading, and concrete. There is also the indirect loss of occupied habitat, if present.

To reduce potential impacts to special-status plants to a less-than-significant level, the following measure shall be implemented:

> **Mitigation Measure BIO-1**: Special-status plants
>
> Prior to any vegetation removal or ground-disturbing activities, a focused survey shall be conducted to determine the presence of special-status plant species with potential to occur within the Project disturbance footprint. Surveys shall be conducted in accordance with the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFG 2009). These guidelines require rare plant surveys to be conducted at the proper time of year when rare or endangered species are both "evident" and identifiable. Field surveys shall be scheduled to coincide with known blooming periods, and/or during periods of physiological development that are necessary to identify the plant species of concern. If no special-status plant species are found, then the project will not have any impacts to the species and no additional mitigation measures are necessary. If any of the species are found on-site and cannot be avoided, the following measures shall be required:
>
> - If the survey determines that special-status plant species are present within or adjacent to the proposed Project site, direct and indirect impacts of the project on

the species shall be avoided where feasible through the establishment of activity exclusion zones, where no ground-disturbing activities shall take place, including construction of new facilities, construction staging, or other temporary work areas. Activity exclusion zones for special-status plant species shall be established prior to construction activities around each occupied habitat site, the boundaries of which shall be clearly marked with standard orange plastic construction exclusion fencing or its equivalent. The establishment of activity exclusion zones shall not be required if no construction-related disturbances would occur within 250 feet of the occupied habitat site.

- If exclusion zones and avoidance of impacts on special-status species within the Project disturbance footprint are not feasible, then the loss of individuals or occupied habitat of special-status plants shall be compensated using the habitat mitigation rations impacts on habitat for the species as written below as prescribed by the EACCS and obtain incidental take permit from CDFW for state listed species. Before the implementation of compensation measures, the Project Applicant shall provide detailed information to the CDFW and lead agency on the quality of preserved habitat, location of the preserved occurrences, provisions for protecting and managing the areas, the responsible parties involved, and other pertinent information that demonstrates the feasibility of the compensation.
- Compensation recommendations from the EACCS are as follows:
  - Temporary effects to State and federally listed species, such as Livermore tarplant at 1.1:1
  - Congdon's tarplant at 5:1 or above through coordination with relevant regulatory agencies

Implementation of these mitigation measures will reduce potential impacts to special-status plant species to a level that is less than significant by identifying the presence or absence of the species and if present avoiding the existing individuals

7.1.2 Special-status Wildlife Species

Crotch's bumble bee

Project activities such as grubbing, vegetation removal, grading, and impermeable surface installation will directly remove 5.22 acres of potentially suitable foraging and nesting habitat. Project landscaping will temporarily impact potential Crotch's bumble bee foraging habitat. If the species is present, impacts to Crotch's bumble bees or their occupied habitats would considered a potentially **significant impact** under CEQA,

> **Potential Impact BIO-2:** If Crotch bumble bee is present, the Project will result in permanent impacts to foraging and nesting habitat for the species, if as a result of conversion of grassland to hardscape and installation or ornamental landscaping.

To reduce potential impacts to Crotch bumble bee to a less-than-significant level, the following measures shall be implemented:

> **Mitigation Measure BIO-2**: Prior to start of construction, a qualified biologist shall conduct a survey for Crotch bumble bee during the flight season May to August. If Crotch bumble bee is not present, no further mitigation measures are recommended. If the species is present the following measures can be implemented:

- If CBB is observed, or if this project is going to construction before a pre-construction survey can be done, presence of CBB shall be assumed and the following shall be performed
    - Mow or remove flowering resources in the early Spring to prevent foraging bees from being attracted to the site.
    - A qualified biological monitor for CBB shall be present during construction activities. The monitor shall conduct a preconstruction nesting survey following the CDFW 2023 Survey Considerations and if any nests are encountered, a buffer of 10 feet will be established until the end of the nesting season.
    - Prior to construction the biological monitor shall conduct a worker environmental awareness program training (WEAP).
    - If any bumble bees are observed in the Project Area, all work shall stop until the bee can be identified as not CBB, or if CBB, moves off-site.

Implementation of these mitigation measures will reduce potential impacts to Crotch bumble bee to a level that is less than significant.

Nesting birds

Project plans have the potential to result in direct or indirect impacts including nest abandonment to nesting birds protected by the MBTA and CFGC, which would be considered a **potentially significant impact** under CEQA.

> **Potential Impact BIO-3:** Project activities such as tree removal, grubbing, grading and increased noise, dust and physical encroachment could result in direct and indirect impacts to nesting birds.

To reduce potential impacts to nesting birds to a less-than-significant level, the following measures shall be implemented:

> **Mitigation Measure BIO-3:**
>
> Nesting bird Season: February 1 through August 31
>
> If ground disturbance or removal of vegetation occurs between February 1 and August 31, pre-construction surveys shall be performed by a qualified biologist no more than 14 days prior to commencement of such activities to determine the presence and location of nesting bird species. If active nests are present, establishment of temporary protective nesting season buffers will avoid direct mortality of these birds, nests, or young. The appropriate buffer distance is dependent on the species, surrounding vegetation, and topography and can be determined by following *Nesting Bird Buffer* guidelines (PGE 2015) as appropriate to prevent nest abandonment and direct mortality during construction.

Non-nesting Season: September 1 through January 31

Ground disturbance and removal of vegetation within the Study Area does not require pre-construction surveys if performed between September 1 and January 31.

Implementation of these mitigation measures would reduce potential impacts to nesting birds to a level that is less than significant.

7.2 Sensitive Natural Communities and Land Cover Types

This section addresses the question:

> *b) Does the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or U.S. Fish and Wildlife Service;*

No sensitive land cover types were found within the Study Area, **no impacts** are anticipated.

7.3 Aquatic Resources

This section analyzes the Project's potential impacts and mitigation for wetlands and other areas presumed or determined to be within the jurisdiction of the Corps or BCDC in reference to the significance threshold outlined in CEQA Appendix G, Part IV (c):

> *c) Does the Project have the potential to have a substantial adverse effect on state or federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;*

No sensitive aquatic resources were found within the Study Area, **no impacts** are anticipated.

7.4 Wildlife Corridors and Native Wildlife Nursery Sites

This section analyzes the Project's potential impacts and mitigation for habitat corridors and linkages in reference to the significance threshold outlined in CEQA Appendix G, Part IV (d):

> *d) Does the Project have the potential to interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;*

No wildlife corridors or native wildlife nursery sites were found within the Study Area, **no impacts** are anticipated.

7.5 Local Policies and Ordinances

This section analyzes the Project's potential impacts and mitigation based on conflicts with local policies and ordinances in reference to the significance threshold outlined in CEQA Appendix G, Part IV (e):

e) Does the Project have the potential to conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance;

Local plans and policies related to biological resources examined in this analysis are:

City of Livermore General Plan

- Vegetation communities (Policy OSC-1.2-P2, OSC-1.2-P4, OSC-1.2-P5, etc.)
- Plant Species (Policy OSC-1-P4, OSC-1.2-P6, OSC-1.2-P8, etc.)
- Wildlife Species (Policy OSC-1-P4, OSC-1.2-P1, OSC-1.2-P6, OSC-1.2-P8, etc.)
- Wildlife Corridors (Policy OSC-1-P1, OSC-1.2-P12, OSC-1.2-P13, etc.)

City of Livermore Isabel Neighborhood Specific Plan

- Vegetation communities (Policy ENV-19, EN-28)
- Plant Species (Policy ENV-21, ENV-22, ENV-23, ENV-24)
- Wildlife Species (Policy ENV-21, ENV-23, ENV-24, ENV-25, ENV-27)
- Wildlife Corridors (Policy ENV-23)

The Project entirely avoids sensitive land cover types, sensitive biological communities, and wildlife corridors as they are not present within the Study Area. The Project is therefore consistent with the City of Livermore General Plan and Isabel Neighborhood Specific Plan policies regarding protecting natural biological communities, aquatic resources and wildlife corridors and **no impact** will occur related to these local policies during project components.

The Project has potential to impact special status species with grading activities, installation of hardscape and landscaping features. However, the Project will remain complaint with the general Plan and INSP by following the **Mitigation Measures BIO-1 to BIO-3** of Section 7.1 of this report and the general avoidance measures of the INSP, P-ENV-22, and the avoidance measures of EACCS, GEN-01 to GEN-15, listed below (City of Livermore 2009; City of Livermore 2020):

- *Cleaning construction equipment and vehicles in a designated wash area prior to entering and exiting the construction site.*
- *Minimizing surface disturbance to the greatest extent feasible to complete the work.*
- *Using native, non-invasive species or non-persistent hybrids in erosion control plantings to stabilize site conditions and prevent invasive plant species from colonizing.*
- *Using weed free imported erosion control materials (or rice straw) in upland areas.)*
- *Employees and contractors performing construction activities will receive environmental se nsitivity training. Training will include review of environmental laws and Avoidance and Mi nimization Measures (AMMs) that must be followed by all personnel to reduce or avoid effe cts on covered species during construction activities.*
- *Environmental tailboard trainings will take place on an asneeded basis in the field. The en vironmental tailboard trainings will include a brief review of the biology of the covered spe cies and guidelines that must be followed by all personnel to reduce or avoid negative effe cts to these species during construction activities. Directors, Managers, Superintendents, an*

d the crew foremen and forewomen will be responsible for ensuring that crewmembers co mply with the guidelines.

- *Contracts with contractors, construction management firms, and subcontractors will obliga te all contractors to comply with these requirements, AMMs.*
- *The following will not be allowed at or near work sites for covered activities: trash dumpin g, firearms, open fires (such as barbecues) not required by the activity, hunting, and pets (e xcept for safety in remote locations).*
- *Vehicles and equipment will be parked on pavement, existing roads, and previously disturb ed areas to the extent practicable. Off-road vehicle travel will be minimized.*
- *Vehicles will not exceed a speed limit of 15 mph on unpaved roads within natural land- cover types, or during off-road travel.*
- *Vehicles shall be washed only at approved areas. No washing of vehicles shall occur at job sites.*
- *To discourage the introduction and establishment of invasive plant species, seed mixtures/ straw used within natural vegetation will be either rice straw or weed-free straw.*
- *Pipes, culverts and similar materials greater than four inches in diameter, will be stored so as to prevent covered wildlife species from using these as temporary refuges, and these m aterials will be inspected each morning for the presence of animals prior to being moved.*
- *Erosion control measures will be implemented to reduce sedimentation in wetland habitat occupied by covered animal and plant species when activities are the source of potential er osion problems. Plastic monofilament netting (erosion control matting) or similar material containing netting shall not be used at the project. Acceptable substitutes include coconut coir matting or tackified hydroseeding compounds.*
- *Stockpiling of material will occur such that direct effects to covered species are avoided. St ockpiling of material in riparian areas will occur outside of the top of bank, and preferably outside of the outer riparian dripline and will not exceed 30 days.*
- *Grading will be restricted to the minimum area necessary.*
- *Prior to ground disturbing activities in sensitive habitats, project construction boundaries a nd access areas will be flagged and temporarily fenced during construction to reduce the p otential for vehicles and equipment to stray into adjacent habitats.*

One tree will be removed during the Project, located in the southwestern portion of the Project Area in the existing parking lot. This tree does not fall under any protected categories described in the City of Livermore Tree Ordinance. Therefore, **no impact** will occur to street trees and the Project will remain compliant with the City of Livermore Tree Ordinance Chapter 12.20 *Street Trees and Tree Preservation* Article I. There are 12 "protected trees" within the Study Area, under definition 3 of Article II of the Tree Ordinance, however no work is anticipated near the protected trees and therefore there is also no conflict with Article II. Habitat Conservation Plans.

This section analyzes the Project's potential impacts and mitigation based on conflicts with any adopted local, regional, and state habitat conservation plans in reference to the significance threshold outlined in CEQA Appendix G, Part IV (f):

f) Does the Project have the potential to conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Due to local growth trends of the City of Livermore, there is no HCP for the region, rather there is the EACCS. The EACS serves as a guideline for mitigation and avoidance measures to reduce impacts to special status species and sensitive natural communities, but does not allow take as an HCP does. The Project will remain compliant with the EACCS goals and objectives by following **Mitigation Measure BIO-1** to **Mitigation Measure BIO-3** written in Section 7.1, in addition to the general avoidance measures of the INSP-ENV-22 and the EACCS avoidance measures GEN-01 to GEN-15 listed in Section 7.5.

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APPENDIX A. FIGURES



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Sources: National Geographic, WRA | Prepared By: kobylarz, 7/8/2024

Figure 1. Study Area Regional Location Map

Parkwest Casino 580
Biological and Wetland Assessment
Livermore, California

0 1 2 Miles

N

wra Environmental Consultants



Path: L:\Acad 2000 Files\26000\26166-1\GIS\ArcMap\26166-1Base.aprx Layout Name: Land Cover Types

Sources: USDA NAIP 2022, WRA | Prepared By: kobylarz, 7/8/2024

Figure 2. Land Cover Types in the Study Area

Parkwest Casino 580
Biological and Wetland Assessment
Livermore, California

wra Environmental Consultants



Path: L:\Acad 2000 Files\26000\26166-1\GIS\ArcMap\26166-1Base.aprx Layout Name: Soils

Sources: USDA NAIP Imagery 2022, USDA NRCS SSURGO, WRA | Prepared By: kobylarz, 7/11/2024

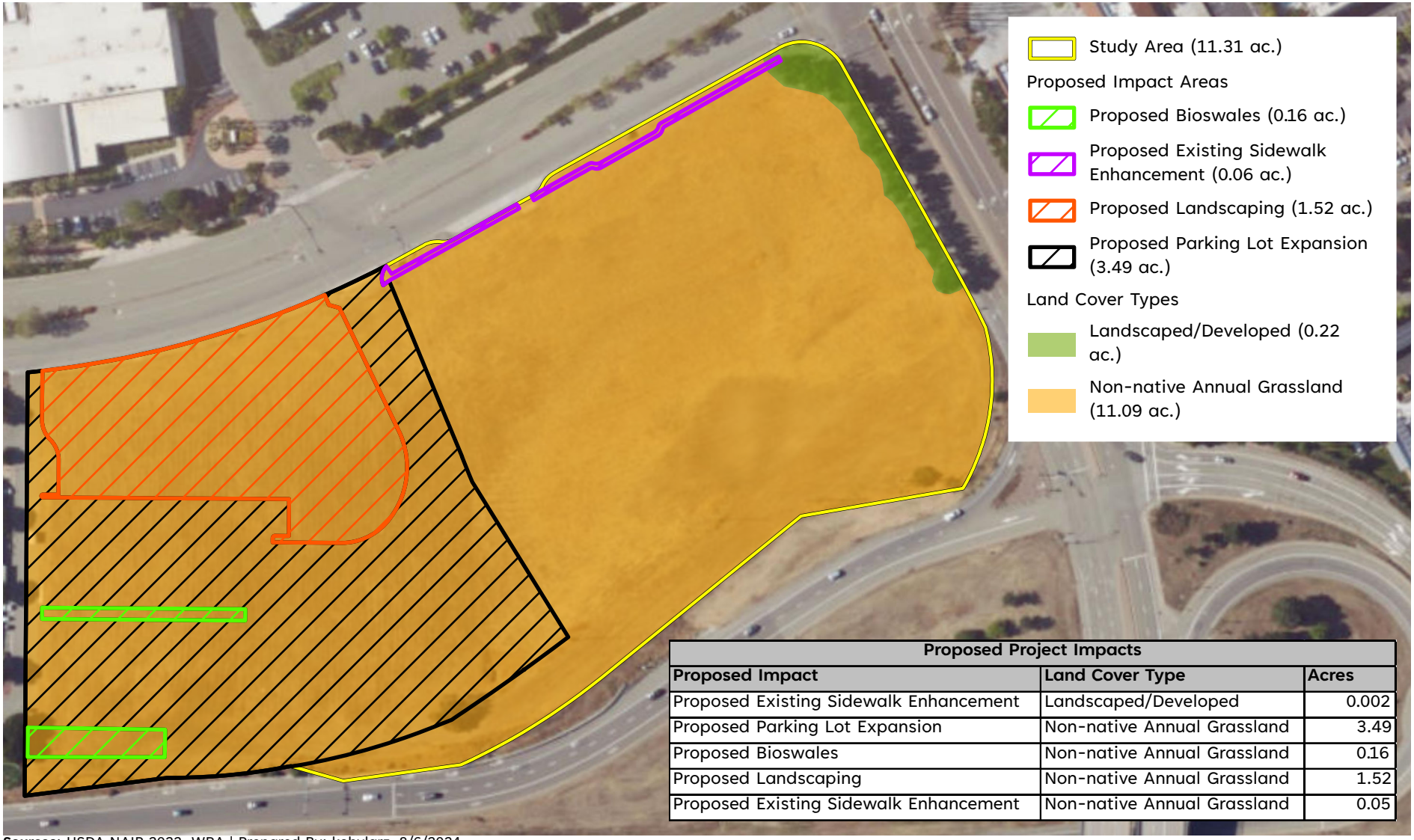
Figure 3. Soil Types within the Study Area

Parkwest Casino 580
Biological and Wetland Assessment
Livermore, California

0 125 250 Feet

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wra Environmental Consultants



Proposed Project Impacts		
Proposed Impact	**Land Cover Type**	**Acres**
Proposed Existing Sidewalk Enhancement	Landscaped/Developed	0.002
Proposed Parking Lot Expansion	Non-native Annual Grassland	3.49
Proposed Bioswales	Non-native Annual Grassland	0.16
Proposed Landscaping	Non-native Annual Grassland	1.52
Proposed Existing Sidewalk Enhancement	Non-native Annual Grassland	0.05

Path: L:\Acad 2000 Files\26000\26166-1\GIS\ArcMap\26166-1Base.aprx Layout Name: Impacts

Sources: USDA NAIP 2022, WRA | Prepared By: kobylarz, 8/6/2024

Figure 4. Proposed Project Impacts

Parkwest Casino 580
Biological and Wetland Assessment
Livermore, California

0 125 250 Feet

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wra Environmental Consultants

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APPENDIX B. SPECIES OBSERVED IN AND AROUND THE STUDY AREA

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Plant Species Observed within the Study Area During the Biological and Wetland Assessment on June 18, 2024

Scientific Name	Common Name	Origin	Form	Rarity Status[1]	CAL-IPC Status[2]	Wetland Status[3]	Alameda Status[4]
Carduus pycnocephalus	Italian thistle	Non-native	Annual	-	Moderate	-	-
Centaurea solstitalis	Yellow star thistle	Non-native	Annual	-	High	-	-
Brassica nigra	Black mustard	Non-native	Annual	-	Moderate	-	-
Hirschfeldia incana	Field mustard	Non-native	Perennial	-	Moderate	-	-
Convolvulus arvensis	Field bindweed	Non-native	Perennial	-	-	-	-
Melilotus indicus	indian sweetclover	Non-native	Annual	-	-	FACU	-
Avena barbata	Slender oat	Non-native	Annual	-	Moderate	-	-
Hordeum murinum	foxtail barley	Non-native	Annual	-	Moderate	FACU	-
Phalaris paradoxa	Hood canarygrass	Non-native	Annual	-	-	FAC	-
Polygonum aviculare	prostrate knotweed	Non-native	Annual/perennial	-	-	FAC	-
Rumex crispus	Curly dock	Non-native	Perennial	-	Limited	FAC	-
Trifolium hirtum	Rose clover	Non-native	Annual	-	Limited	-	-
Anthemis sp.	chamomile	Non-ntive	Annual	-	-	-	-
Pyrus calleryana	Bradford pear	Non-native	Tree	-	-	-	-
Baccharis pilularis	Coyote brush	Native	Shrub	-	-	-	-
Dittrichia graveolens	stinkwort	Non-native	Annual	-	Moderate	-	-
Bellardia trixago	Mediterranean lineseed	Non-native	Annual	-	Limited	-	-

Note: All species identified using the *Jepson eFlora* [Jepson Flora Project (eds.) 2024]; nomenclature follows *Jepson eFlora* [Jepson Flora Project (eds.) 2024] or Rare Plant Inventory (CNPS 2024). Sp.: "species", intended to indicate that the observer was confident in the identity of the genus but uncertain which species.

*Special-status only at native occurrences. The Study/Project Area does not contain a native occurrence of this species.

[1] **California Native Plant Society. 2024. Rare Plant Inventory (online edition, v9.5). Sacramento, California. Online at: http://rareplants.cnps.org/; most recently accessed: July 2024.**

FE:	Federal Endangered
FT:	Federal Threatened
SE:	State Endangered
ST:	State Threatened
SR:	State Rare
Rank 1A:	Plants presumed extinct in California
Rank 1B:	Plants rare, threatened, or endangered in California and elsewhere
Rank 2:	Plants rare, threatened, or endangered in California, but more common elsewhere

Rank 3:	Plants about which we need more information – a review list
Rank 4:	Plants of limited distribution – a watch list

[2] **California Invasive Plant Council. 2024. California Invasive Plant Inventory Database. California Invasive Plant Council, Berkeley, CA. Online at: http://www.cal-ipc.org/paf/; most recently accessed: July 2024.**

High:	Severe ecological impacts; high rates of dispersal and establishment; most are widely distributed ecologically.
Moderate:	Substantial and apparent ecological impacts; moderate-high rates of dispersal, establishment dependent on disturbance; limited-moderate distribution ecologically
Limited:	Minor or not well documented ecological impacts; low-moderate rate of invasiveness; limited distribution ecologically
Assessed:	Assessed by Cal-IPC and determined to not be an existing current threat

[3] **U.S. Army Corps of Engineers. 2022. National Wetland Plant List, version 3.6. Engineer Research and Development Center. Cold Regions Research and Engineering Laboratory, Hanover, NH. Online at: http://wetland-plants.sec.usace.army.mil/**

OBL:	Almost always found in wetlands
FACW:	Usually found in wetlands
FAC:	Equally found in wetlands and uplands
FACU:	Usually not found in wetlands
UPL:	Almost never found in wetlands
NL:	Not listed, assumed almost never found in wetlands
NI:	No information; not factored during wetland delineation

[4] **Lake, D [compiler]. 2024. Rare, Unusual, and Significant Plants of Alameda and Contra Costa Counties (web application). Berkeley, California: East Bay Chapter of the California Native Plant Society. Online at: https://rareplants.ebcnps.org/; most recently accessed: July 2024.**

A1:	Locally Rare Species. Species occurring in two or fewer regions in Alameda and Contra Costa counties
A1x:	Locally Rare Species. Species presumed extirpated from Alameda and Contra Costa counties
A1?:	Locally Rare Species. Species possibly occurring in Alameda and Contra Costa counties. Identification or location is uncertain
A2:	Locally Rare Species. Plants occurring in three to five regions or are otherwise threatened in Alameda and Contra Costa counties.
B:	High Priority Watch List. Plants occurring in six to nine regions in Alameda and Contra Costa counties.
C:	Second Priority Watch List. Plants occurring in ten to fifteen regions in Alameda and Contra Costa counties.
*:	Ranks preceded by an asterisk (e.g. "*A1") also have a statewide rarity ranking
#:	Ornamental plantings are not considered locally rare. The individuals in the Project Area are ornamental plantings

Wildlife Species Observed Within and Around the Study Area

SCIENTIFIC NAME	COMMON NAME	STATUS[1a]
BIRDS		
Ardea alba	Great egret (fly over)	none
Corvus brachyrhynchos	American crow	none
Columba livia	Rock dove	none
MAMMALS		
Odocoileus hemionus hemionus	Black tailed deer	none
Otospermophilus beecheyi	California ground squirrel	none
	Tree squirrel	none
INVERTEBRATES		
Bombus vosnesenskii	Yellow-faced bumble bee	none
[1a]California Department Fish and Wildlife. California National Diversity Database. 2024.		

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APPENDIX C. SPECIAL-STATUS SPECIES POTENTIAL TABLE

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Appendix C. Potential for Special Status Plant and Wildlife Species to Occur within the Study Area. List Compiled from the California Department of Fish and Wildlife Natural Diversity Database (CDFW 2024), U.S. Fish and Wildlife Service Information for Planning and Consultation Species Lists (USFWS 2024), and California Native Plant Society Rare Plant Inventory (CNPS 2024) search of the Livermore, Dublin, Altamont, diablo, Tassajara, Bryon Hot Springs, Niles, La Costa Valley, and Mendenhall Springs U.S. Geological Survey 7.5' quadrangles.

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
PLANTS				
Santa Clara thorn-mint *Acanthomintha lanceolata*	Rank 4.2	Chaparral (often serpentine), cismontane woodland, coastal scrub. Elevation ranges from 260 to 3935 feet (80 to 1200 meters). Blooms Mar-Jun.	**No Potential.** No suitable habitat is present within the Study Area,	No further actions are recommended.
large-flowered fiddleneck *Amsinckia grandiflora*	FE, SE, Rank 1B.1	Cismontane woodland, valley and foothill grassland. Elevation ranges from 885 to 1805 feet (270 to 550 meters). Blooms (Mar)Apr-May.	No Potential. No suitable habitat is present within the Study Area.	No further actions are recommended.
Slender silver moss *Anomobryum julaceum*	Rank 4.2	Broadleafed upland forest, lower montane coniferous forest, north coast coniferous forest. Moss which grows on damp rocks and soil; acidic substrates. Usually seen on roadcuts. 100-1000 m.	**No Potential.** No suitable habitat is present within the Study Area, there is no moss growing on damp rocks for the species to propagate.	No further actions are recommended.
Mt. Diablo manzanita *Arctostaphylos auriculata*	Rank 1B.3	Chaparral, cismontane Woodland in canyons and on slopes of sandstone. 180-565 m.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Contra Costa manzanita *Arctostaphylos manzanita* ssp. *laevigata*	Rank 1B.2	Chaparral and rocky slopes at around 150-610 m.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
California androsace *Androsace elongata* ssp. *acuta*	Rank 4.2	Chaparral, cismontane woodland, coastal scrub, meadows and seeps, pinyon and juniper woodland, valley and foothill grassland. Elevation ranges from 490 to 4280 feet (150 to 1305 meters). Blooms Mar-Jun.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
alkali milk-vetch *Astragalus tener* var. *tener*	Rank 1B.2	Playas, valley and foothill grassland (adobe clay), vernal pools. Elevation ranges from 5 to 195 feet (1 to 60 meters). Blooms Mar-Jun.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
heartscale *Atriplex cordulata* var. *cordulata*	Rank 1B.2	Chenopod scrub, meadows and seeps, valley and foothill grassland (sandy). Elevation ranges from 0 to 1835 feet (0 to 560 meters). Blooms Apr-Oct.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
crownscale *Atriplex coronata* var. *coronata*	Rank 4.2	Chenopod scrub, valley and foothill grassland, vernal pools. Elevation ranges from 5 to 1935 feet (1 to 590 meters). Blooms Mar-Oct.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
brittlescale *Atriplex depressa*	Rank 1B.2	Chenopod scrub, meadows and seeps, playas, valley and foothill grassland, vernal pools. Elevation ranges from 5 to 1050 feet (1 to 320 meters). Blooms Apr-Oct.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
lesser saltscale *Atriplex minuscula*	Rank 1B.1	Chenopod scrub, playas, valley and foothill grassland. Elevation ranges from 50 to 655 feet (15 to 200 meters). Blooms May-Oct.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
big-scale balsamroot Balsamorhiza macrolepis	Rank 1B.2	Chaparral, cismontane woodland, valley and foothill grassland. Elevation ranges from 150 to 5100 feet (45 to 1555 meters). Blooms Mar-Jun.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
big tarplant *Blepharizonia plumosa*	Rank 1B.1	Valley and foothill grassland. Elevation ranges from 100 to 1655 feet (30 to 505 meters). Blooms Jul-Oct.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Mt. Diablo fairy-lantern *Calochortus pulchellus*	Rank 1B.2	Chaparral, cismontane woodland, riparian woodland, valley and foothill grassland. Elevation ranges from 100 to 2755 feet (30 to 840 meters). Blooms Apr-Jun.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Oakland star-tulip *Calochortus umbellatus*	Rank 4.2	Broadleafed upland forest, chaparral, cismontane woodland, lower montane coniferous forest, valley and foothill grassland. Elevation ranges from 330 to 2295 feet (100 to 700 meters). Blooms Mar-May.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Congdon's tarplant *Centromadia parryi ssp. congdonii*	Rank 1B.1	Valley and foothill grassland (alkaline). Elevation ranges from 0 to 755 feet (0 to 230 meters). Blooms (Apr)May-Oct(Nov).	**Moderate Potential.** The Study Area contains moderate alkali conditions, the presence of associated species, and a seed source within close proximity within the direction of the prevailing winds.	See recommended mitigation measures in Section 7.1.

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
hispid salty bird's-beak *Chloropyron molle ssp. hispidum*	Rank 1B.1	Meadows and seeps, playas, valley and foothill grassland. Elevation ranges from 5 to 510 feet (1 to 155 meters). Blooms Jun-Sep.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
palmate-bracted bird's-beak *Chloropyron palmatum*	FE, SE, Rank 1B.1	Chenopod scrub, valley and foothill grassland. Elevation ranges from 15 to 510 feet (5 to 155 meters). Blooms May-Oct.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Santa Clara red ribbons *Clarkia concinna* ssp. *automixa*	Rank 4.3	Chaparral, cismontane woodland. Elevation ranges from 295 to 4920 feet (90 to 1500 meters). Blooms (Apr)May-Jun(Jul).	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
small-flowered morning-glory *Convolvulus simulans*	Rank 4.2	Chaparral (openings), coastal scrub, valley and foothill grassland. Elevation ranges from 100 to 2430 feet (30 to 740 meters). Blooms Mar-Jul.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Livermore tarplant *Deinandra bacigalupii*	SE, Rank 1B.1	Meadows and seeps (alkaline). Elevation ranges from 490 to 605 feet (150 to 185 meters). Blooms Jun-Oct.	**Moderate Potential.** The Study Area contains grassland habitat with moderately alkaline clay soils. The species is also tolerant to disturbance.	See recommended mitigation measures in Section 7.1.
Hospital Canyon larkspur *Delphinium californicum* ssp. *interius*	Rank 1B.2	Chaparral (openings), cismontane woodland (mesic), coastal scrub. Elevation ranges from 640 to 3595 feet (195 to 1095 meters). Blooms Apr-Jun.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
recurved larkspur *Delphinium recurvatum*	Rank 1B.2	Chenopod scrub, cismontane woodland, valley and foothill grassland. Elevation ranges from 10 to 2590 feet (3 to 790 meters). Blooms Mar-Jun.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Mt. Diablo buckwheat *Eriogonum truncatum*	Rank 1B.1	Chaparral, coastal scrub, valley and foothill grassland. Dry, exposed clay or sandy substrates. 105-350 m.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
bay buckwheat *Eriogonum umbellatum* var. *bahiiforme*	Rank 4.2	Cismontane woodland, lower montane coniferous forest. Elevation ranges from 2295 to 7220 feet (700 to 2200 meters). Blooms Jul-Sep.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Jepson's woolly sunflower *Eriophyllum jepsonii*	Rank 4.3	Chaparral, cismontane woodland, coastal scrub. Elevation ranges from 655 to 3365 feet (200 to 1025 meters). Blooms Apr-Jun.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Jepson's coyote-thistle *Eryngium jepsonii*	Rank 1B.2	Valley and foothill grassland, vernal pools. Elevation ranges from 10 to 985 feet (3 to 300 meters). Blooms Apr-Aug.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
diamond-petaled California poppy *Eschscholzia rhombipetala*	Rank 1B.1	Valley and foothill grassland (alkaline, clay). Elevation ranges from 0 to 3200 feet (0 to 975 meters). Blooms Mar-Apr.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
San Joaquin spearscale *Extriplex joaquinana*	Rank 1B.2	Chenopod scrub, meadows and seeps, playas, valley and foothill grassland. Elevation ranges from 5 to 2740 feet (1 to 835 meters). Blooms Apr-Oct.	**Moderate Potential.** The Study Area contains moderate alkali conditions, the presence of associated species, and a seed source within close proximity within the direction of the prevailing winds.	See recommended mitigation measures in Section 7.1.
stinkbells *Fritillaria agrestis*	Rank 4.2	Chaparral, cismontane woodland, pinyon and juniper woodland, valley and foothill grassland. Elevation ranges from 35 to 5100 feet (10 to 1555 meters). Blooms Mar-Jun.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
fragrant fritillary *Fritillaria liliacea*	Rank 1B.2	Cismontane woodland, coastal prairie, coastal scrub, valley and foothill grassland. Elevation ranges from 10 to 1345 feet (3 to 410 meters). Blooms Feb-Apr.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
phlox-leaf serpentine bedstraw *Galium andrewsii* ssp. *gatense*	Rank 4.2	Chaparral, cismontane woodland, lower montane coniferous forest. Elevation ranges from 490 to 4755 feet (150 to 1450 meters). Blooms Apr-Jul.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Diablo helianthella *Helianthella castanea*	Rank 1B.2	Broadleafed upland forest, chaparral, cismontane woodland, coastal scrub, riparian woodland, valley and foothill grassland. Elevation ranges from 195 to 4265 feet (60 to 1300 meters). Blooms Mar-Jun.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
hogwallow starfish *Hesperevax caulescens*	Rank 4.2	Valley and foothill grassland (mesic clay), vernal pools (shallow). Elevation ranges from 0 to 1655 feet (0 to 505 meters). Blooms Mar-Jun.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Brewer's western flax *Hesperolinon breweri*	Rank 1B.2	Chaparral, cismontane woodland, valley and foothill grassland. Elevation ranges from 100 to 3100 feet (30 to 945 meters). Blooms May-Jul.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Ferris' goldfields *Lasthenia ferrisiae*	Rank 4.2	Vernal pools (alkaline, clay). Elevation ranges from 65 to 2295 feet (20 to 700 meters). Blooms Feb-May.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
legenere *Legenere limosa*	Rank 1B.1	Vernal pools. Elevation ranges from 5 to 2885 feet (1 to 880 meters). Blooms Apr-Jun.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
serpentine leptosiphon *Leptosiphon ambiguus*	Rank 4.2	Cismontane woodland, coastal scrub, valley and foothill grassland. Elevation ranges from 395 to 3710 feet (120 to 1130 meters). Blooms Mar-Jun.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
bristly leptosiphon *Leptosiphon aureus*	Rank 4.2	Chaparral, cismontane woodland, coastal prairie, valley and foothill grassland. Elevation ranges from 180 to 4920 feet (55 to 1500 meters). Blooms Apr-Jul.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Mt. Hamilton coreopsis *Leptosyne hamiltonii*	Rank 1B.2	Cismontane woodland (rocky). Elevation ranges from 1805 to 4265 feet (550 to 1300 meters). Blooms Mar-May.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
Hall's bushmallow *Malacothamnus hallii*	Rank 1B.2	Chaparral and coastal scrub, with some populations on serpentine. Elevations from 10-735 m.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
woodland woollythreads *Monolopia gracilens*	Rank 1B.2	Broadleafed upland forest (openings), chaparral (openings), cismontane woodland, north coast coniferous forest (openings), valley and foothill grassland. Elevation ranges from 330 to 3935 feet (100 to 1200 meters). Blooms (Feb)Mar-Jul.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
prostrate vernal pool navarretia *Navarretia prostrata*	Rank 1B.2	Coastal scrub, meadows and seeps, valley and foothill grassland (alkaline), vernal pools. Elevation ranges from 10 to 3970 feet (3 to 1210 meters). Blooms Apr-Jul.	**No Potential.** Although some suitable soils present within the Study Area, there is no aquatic resources that would create vernal pools, therefore no suitable habitat is present.	No further actions are recommended.
Mt. Diablo phacelia *Phacelia phaceliodes*	Rank 1B.2, A2*	Chaparral and cismontane woodland adjacent to trails, on rock outcrops and talus slopes; sometimes on serpentine. Elevations from 605-1345 m.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Michael's rein orchid *Piperia michaelii*	Rank 4.2	Chaparral, cismontane woodland, closed-cone coniferous forest, coastal bluff scrub, coastal scrub, lower montane coniferous forest. Elevation ranges from 10 to 3000 feet (3 to 915 meters). Blooms Apr-Aug.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
hairless popcornflower *Plagiobothrys glaber*	Rank 1A	Marshes and swamps (coastal salt), meadows and seeps (alkaline). Elevation ranges from 50 to 590 feet (15 to 180 meters). Blooms Mar-May.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Oregon polemonium *Polemonium carneum*	Rank 2B.2	Coastal prairie, coastal scrub, lower montane coniferous forest. Elevation ranges from 0 to 6005 feet (0 to 1830 meters). Blooms Apr-Sep.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
California alkali grass *Puccinellia simplex*	Rank 1B.2	Chenopod scrub, meadows and seeps, valley and foothill grassland, vernal pools. Elevation ranges from 5 to 3050 feet (2 to 930 meters). Blooms Mar-May.	**No Potential.** Although some suitable soils present within the Study Area, there is no aquatic resources that would create vernal pools, therefore no suitable habitat is present.	No further actions are recommended.
chaparral harebell *Ravenella exigua*	Rank 1B.2	Chaparral (rocky, usually serpentine). Elevation ranges from 900 to 4100 feet (275 to 1250 meters). Blooms May-Jun.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
chaparral ragwort *Senecio aphanactis*	Rank 2B.2	Chaparral, cismontane woodland, coastal scrub. Elevation ranges from 50 to 2625 feet (15 to 800 meters). Blooms Jan-Apr(May).	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
long-styled sand-spurrey *Spergularia macrotheca* var. *longistyla*	Rank 1B.2	Marshes and swamps, meadows and seeps. Elevation ranges from 0 to 835 feet (0 to 255 meters). Blooms Feb-May.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
most beautiful jewelflower *Streptanthus albidus* ssp. *peramoenus*	Rank 1B.2	Chaparral, cismontane woodland, valley and foothill grassland. Elevation ranges from 310 to 3280 feet (95 to 1000 meters). Blooms (Mar)Apr-Sep(Oct).	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Mt. Diablo jewelflower *Streptanthus hispidus*	Rank 1B.3	Valley and foothill grassland, chaparral where talus or rocky outcrops are present at elevations from 245-975 m.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
northern slender pondweed *Stuckenia filiformis* ssp. *alpina*	Rank 2B.2	Marshes and swamps (shallow freshwater). Elevation ranges from 985 to 7055 feet (300 to 2150 meters). Blooms May-Jul.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
California seablite *Suaeda californica*	FE, Rank 1B.1	Marshes and swamps (coastal salt). Elevation ranges from 0 to 50 feet (0 to 15 meters). Blooms Jul-Oct.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
saline clover *Trifolium hydrophilum*	Rank 1B.2	Marshes and swamps, valley and foothill grassland (mesic, alkaline), vernal pools. Elevation ranges from 0 to 985 feet (0 to 300 meters). Blooms Apr-Jun.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
caper-fruited tropidocarpum *Tropidocarpum capparideum*	Rank 1B.1	Valley and foothill grassland (alkaline hills). Elevation ranges from 5 to 1495 feet (1 to 455 meters). Blooms Mar-Apr.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
oval-leaved viburnum *Viburnum ellipticum*	Rank 2B.3	Chaparral, cismontane woodland, lower montane coniferous forest. Elevation ranges from 705 to 4595 feet (215 to 1400 meters). Blooms May-Jun.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
WILDLIFE				

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
MAMMALS				
Townsend's big-eared bat *Corynorhinus townsendii*	SSC, WBWG High	Associated with a wide variety of habitats from deserts to higher-elevation mixed and coniferous forests. Females form maternity colonies in buildings, caves and mines, and males roost singly or in small groups. Foraging typically occurs at edge habitats near wooded areas, e.g. along streams.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Berkeley kangaroo rat *Dipodomys heermanni berkeleyenis*	SCC	Open grassy hilltops, ridgetops and open spaces in chaparral and blue oak/digger pine woodlands. Needs fine, deep, well-drained soil for burrowing.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
hoary bat *Lasiurus cinereus*	WBWG Medium	Prefers open forested habitats or habitat mosaics, with access to trees for cover and open areas or habitat edges for feeding. Roosts in dense foliage of medium to large trees. Feeds primarily on moths.	**No Potential.** There is no suitable roosting or foraging habitat for the species.	No further actions are recommended.
Yuma myotis *Myotis yumanensis*	WBWG Medium	Known for its ability to survive in urbanized environments. Also found in heavily forested settings. Day roosts in buildings, trees, mines, caves, bridges and rock crevices. Night roosts associated with man-made structures.	**No Potential.** There is no suitable roosting or foraging habitat for the species.	No further actions are recommended.

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
San Francisco dusky-footed woodrat *Neotoma fuscipes annectens*	SSC	Forest habitats of moderate canopy and moderate to dense understory. Also in chaparral habitats. Constructs nests of shredded grass, leaves, and other material. May be limited by availability of nest-building materials.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
American badger *Taxidea taxus*	SSC	Most abundant in drier open stages of most shrub, forest, and herbaceous habitats, with friable soils. Requires friable soils and open, uncultivated ground. Preys on burrowing rodents.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
San Joaquin kit fox *Vulpes macrotis mutica*	FE, ST, RP	Annual grasslands or grassy open stages with scattered shrubby vegetation. Need loose-textured sandy soils for burrowing, and suitable prey base.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
BIRDS				
Cooper's hawk *Accipiter cooperii*	DFG:WL not SSC or BCC	Occurs year-round throughout much of California. Favors a variety of forest and woodland habitats, including in towns and urban areas with suitable tree cover. Nests in trees. Preys on birds.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
sharp-shinned hawk *Accipiter striatus*	DFG:WL	Year-round resident and winter visitor in California. Breeds in forest habitats, usually containing conifers; wintering birds may occur in more open areas. Likely a sparse breeder in southern California. Preys on birds.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
grasshopper sparrow *Ammodramus savannarum*	SSC	Summer resident. Breeds in open grasslands in lowlands and foothills, generally with low- to moderate-height grasses and scattered shrubs. Well-hidden nests are placed on the ground.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
golden eagle *Aquila chrysaetos*	SFP	Occurs year-round in rolling foothills, mountain areas, sage-juniper flats, and deserts. Cliff-walled canyons provide nesting habitat in most parts of range; also nests in large trees, usually within otherwise open areas.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
great blue heron *Ardea herodias*	none (breeding sites protected by CDFW); CDF sensitive	Year-round resident. Nests colonially or semi-colonially in tall trees and on cliffs, also sequested terrestrial substrates. Breeding sites usually in close proximity to foraging areas: marshes, lake margins, tidal flats, and rivers. Forages primarily on fishes and other aquatic prey, also smaller terrestrial vertebrates.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
burrowing owl *Athene cunicularia*	SSC	Year-round resident and winter visitor. Occurs in open, dry grasslands and scrub habitats with low-growing vegetation, perches and abundant mammal burrows. Preys upon insects and small vertebrates. Nests and roosts in old mammal burrows, most commonly those of ground squirrels.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
ferruginous hawk *Buteo regalis*	BCC	Winter visitor to open habitats, including grasslands, sagebrush flats, scrub, and low foothills surrounding valleys. Preys on mammals. Does not breed in California.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Swainson's hawk *Buteo swainsoni*	ST, BCC	Summer resident in California's Central Valley and limited portions of the southern California interior. Nests in tree groves and isolated trees in riparian and agricultural areas, including near buildings. Forages in grasslands and scrub habitats as well as agricultural fields, especially alfalfa. Preys on arthropods year-round as well as smaller vertebrates during the breeding season.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
northern harrier *Circus hudsonius (cyaneus)*	SSC	Year-round resident and winter visitor. Found in open habitats including grasslands, prairies, marshes and agricultural areas. Nests on the ground in dense vegetation, typically near water or otherwise moist areas. Preys on small vertebrates.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
white-tailed kite *Elanus leucurus*	SFP	Year-round resident in coastal and valley lowlands with scattered trees and large shrubs, including grasslands, marshes and agricultural areas. Nests in trees, of which the type and setting are highly variable. Preys on small mammals and other vertebrates.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
California horned lark *Eremophila alpestris actia*	DFG:WL not SSC or BCC	Coastal regions, chiefly from Sonoma County to San Diego County. Also main part of San Joaquin Valley and east to foothills. Short-grass prairie, "bald" hills, mountain meadows, open coastal plains, fallow grain fields, alkali flats.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
prairie falcon *Falco mexicanus*	BCC	Year-round resident and winter visitor. Inhabits dry, open terrains, including foothills and valleys. Breeding sites located on steep cliffs. Forages widely.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
American peregrine falcon *Falco peregrinus anatum*	SFP, BCC	Year-round resident and winter visitor. Occurs in a wide variety of habitats, though often associated with coasts, bays, marshes and other bodies of water. Nests on protected cliffs and also on man-made structures including buildings and bridges. Preys on birds, especially waterbirds. Forages widely.	**No Potential.** No suitable nesting habitat is present within the Study Area.	No further actions are recommended.
bald eagle *Haliaeetus leucocephalus*	SE, SFP, BCC	Occurs year-round in California, but primarily a winter visitor; breeding population is growing. Nests in large trees in the vicinity of larger lakes, reservoirs and rivers. Wintering habitat somewhat more variable but usually features large concentrations of waterfowl or fish.	**No Potential.** No suitable nesting habitat is present within the Study Area.	No further actions are recommended.
loggerhead shrike *Lanius ludovicianus*	SSC, BCC	Year-round resident in open woodland, grassland, savannah and scrub. Prefers areas with sparse shrubs, trees, posts, and other suitable perches for foraging. Preys upon large insects and small vertebrates. Nests are well-concealed in densely-foliaged shrubs or trees.	**No Potential.** No suitable foraging or nesting habitat is present within the Study Area.	No further actions are recommended.

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
California black rail *Laterallus jamaicensis coturniculus*	ST, SFP	Year-round resident in marshes (saline to freshwater) with dense vegetation within four inches of the ground. Prefers larger, undisturbed marshes that have an extensive upper zone and are close to a major water source. Extremely secretive and cryptic.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Alameda song sparrow *Melospiza melodia pusillula*	BCC, SSC	Year-round resident of salt marshes bordering the south arm of San Francisco Bay. Inhabits primarily pickleweed marshes; nests placed in marsh vegetation, typically shrubs such as gumplant.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
REPTILES & AMPHIBIANS				
Blainville's (Coast) horned lizard *Phrynosoma blainvillii (coronatum)*	SSC	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Prefers friable, rocky, or shallow sandy soils for burial; open areas for sunning; bushes for cover; and an abundant supply of ants and other insects.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
foothill yellow-legged frog - central coast DPS *Rana boylii pop. 4*	FT, SE	Found in or adjacent to rocky streams in a variety of habitats. Prefers partly-shaded, shallow streams and riffles with a rocky substrate; requires at least some cobble-sized substrate for egg-laying. Needs at least 15 weeks to attain metamorphosis. Feeds on both aquatic and terrestrial invertebrates.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
California red-legged frog *Rana draytonii*	FT, SSC, RP	Lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation. Requires 11 to 20 weeks of permanent water for larval development. Associated with quiet perennial to intermittent ponds, stream pools and wetlands. Prefers shorelines with extensive vegetation. Disperses through upland habitats after rains.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
western spadefoot *Spea (=Scaphiopus) hammondii*	SSC	Occurs primarily in grassland habitats, but can be found in valley-foothill hardwood woodlands. Shallow temporary pools formed by winter rains are essential for breeding and egg-laying.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
San Joaquin whipsnake *Masticophis flagellum ruddocki*	SSC	Found in valley grassland and saltbush scrub in the San Joaquin Valley in open, dry habitats with little or no tree cover. Requires mammal burrows for refuge and breeding sites.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Alameda whipsnake *Masticophis lateralis euryxanthus*	FT, ST	Inhabits chaparral and foothill-hardwood habitats in the eastern Bay Area. Prefers south-facing slopes and ravines with rock outcroppings where shrubs form a vegetative mosaic with oak trees and grasses and small mammal burrows provide basking and refuge.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
California tiger salamander *Ambystoma californiense*	FT, ST, RP	Populations in Santa Barbara and Sonoma counties currently listed as endangered; threatened in remainder of range. Inhabits grassland, oak woodland, and open ruderal habitats. Adults are fossorial and utilize mammal burrows and other subterranean refugia. Breeding occurs in vernal pools and other seasonal water features.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
FISH				

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
steelhead - central CA coast DPS *Oncorhynchus mykiss irideus*	FT	Occurs from the Russian River south to Soquel Creek and Pajaro River. Also in San Francisco and San Pablo Bay Basins. Adults migrate upstream to spawn in cool, clear, well-oxygenated streams. Juveniles remain in fresh water for 1 or more years before migrating downstream to the ocean.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
		INVERTEBRATES		
obscure bumblebee *Bombus caliginosus*	none (Special Animals List)	Obscure bumble inhabits coastal meadows and open grassy prairies. Nests may be located underground or above ground in old bird or rodent nests, rock piles, tree cavities, and tufts of grass.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
Crotch bumblebee *Bombus crotchii*	SC	Range largely restricted to California, favoring grassland and scrub habitats. Typical of bumble bees, nests are usually constructed underground.	**Moderate Potential.** The Study Area contains suitable foraging habitat including yellow-star thistle (*Centaurea solstitalis*), Italian thistle (*Carduus pycnocephalus*) and mustards.	See recommended mitigation measures in Section 7.1

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
western bumble bee *Bombus occidentalis*	SC	Formerly common throughout much of western North America; populations from southern British Columbia to central California have nearly disappeared (Xerces 2015). Occurs in a wide variety of habitat types. Nests are constructed annually in pre-existing cavities, usually on the ground (e.g. mammal burrows). Many plant species are visited and pollinated.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
longhorn fairy shrimp *Branchinecta longiantenna*	FE, RP	Endemic to the eastern margin of the central coast mountains in seasonally astatic grassland vernal pools. Inhabit small, clear-water depressions in sandstone and clear-to-turbid clay/grass-bottomed pools in shallow swales.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
vernal pool fairy shrimp *Branchinecta lynchi*	FT, RP	Endemic to the grasslands of the Central Valley, central coast mountains, and south coast mountains, in astatic rain-filled pools. Inhabit small, clear-water sandstone-depression pools and grassed swale, earth slump, or basalt-flow depression pools.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.
midvalley fairy shrimp *Branchinecta mesovallensis*	SSC	Known only from the Central Valley, primarily its central portions. Typically inhabits short-lived, grass-bottomed vernal pools and other seasonal water features.	**No Potential.** No suitable habitat is present within the Study Area. Outside of known species range.	No further actions are recommended.

SCIENTIFIC NAME	STATUS	HABITAT	POTENTIAL FOR OCCURRENCE	RECOMMENDATIONS
Antioch efferian robberfly *Efferia antiochi*	SSC	Known only from Antioch, Fresno, and Scout Island in the San Joaquin River.	**No Potential.** No suitable habitat is present within the Study Area.	No further actions are recommended.

Rank 1A:	Plants presumed extinct in California
Rank 1B:	Plants rare, threatened, or endangered in California and elsewhere
Rank 2:	Plants rare, threatened, or endangered in California, but more common elsewhere
Rank 3:	Plants about which we need more information – a review list
Rank 4:	Plants of limited distribution – a watch list
BGEPA:	Bald and Golden Eagle Protection Act Species
FC:	Federal Candidate for Listing
FE:	Federal Endangered
FT:	Federal Threatened
SC:	State Candidate for Listing
SE:	State Endangered
SFP:	State Fully Protected Animal
SR:	State Rare
SSC:	State Species of Concern
ST:	State Threatened
RP:	Recovery Plan
WBWG:	Western Bat Working Group

Potential for Occurrence:

No Potential. Habitat on and adjacent to the site is clearly unsuitable for the species requirements (cover, substrate, elevation, hydrology, plant community, site history, disturbance regime).
Unlikely. Few of the habitat components meeting the species requirements are present, and/or the majority of habitat on and adjacent to the site is unsuitable or of very poor quality. The species is not likely to be found on the site.
Moderate Potential. Some of the habitat components meeting the species requirements are present, and/or only some of the habitat on or adjacent to the site is unsuitable. The species has a moderate probability of being found on the site.
High Potential. All of the habitat components meeting the species requirements are present and/or most of the habitat on or adjacent to the site is highly suitable. The species has a high probability of being found on the site.
Present. Species was observed on the site or has been recorded (i.e. CNDDB, other reports) on the site recently.

APPENDIX C

TRANSPORTATION IMPACT ANALYSIS REPORT

Traffic Impact Analysis Report

Parkwest Casino 580 Expansion

Livermore, California

August 31, 2023

Revised: September 6, 2024

Revised: October 29, 2024

Revised: November 6, 2024

TJKM

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Appendix H – Parking Study

EXECUTIVE SUMMARY

This report summarizes the results of the Traffic Impact Analysis (TIA) for the proposed gambling and on-site parking expansion of the Parkwest Casino 580 located at 968 N. Canyons Parkway in Livermore California. The project proposes to expand its facilities by providing six additional gambling table, and increasing the space for the bar, restaurant, and stage area within the existing footprint of the building. The project will also increase its parking facilities by developing the area east of the building and providing a total of 361 parking stalls, which includes existing and proposed facilities.

In addition to the foregoing, the project proposes expanded services at the proposed facilities, including: (i) increasing its hours of operations to 24 hours per day and 7 days per week; (ii) increasing the number of players per table to 10 seated layers and 10 standing or "backline betters"; (iii) increasing the maximum single bet to $1,000.00; and (iv) the playing of any game not prohibited by Section 330 of the Penal Code of the state, with the written consent of the Chief of Police.

This report provides the intersection level of service (LOS) and Vehicle Miles Traveled (VMT) related to the project. Additionally, the report also includes evaluations and recommendations concerning project site access and on-site circulation for vehicles, bicycles, and pedestrians.

To evaluate the impacts on the transportation infrastructure due to the addition of traffic from the proposed project, three study intersections were evaluated during the weekday morning (a.m.) peak hour and evening (p.m.) peak hour under four study scenarios. The study intersections were evaluated under *No Project* and *Plus Project* scenarios for Existing and Cumulative conditions. For the purpose of this analysis, potential traffic operational effects from the proposed project are identified based on established operational thresholds described in the report.

Project Trip Generation

The proposed casino expansion is expected to generate approximately 26 weekday a.m. peak hour trips (14 in, 12 out), 25 weekday p.m. peak hour trips (4 in, 21 out), and 304 new daily trips.

Existing Conditions

Under this scenario, all of the study intersections operate within applicable jurisdictional Level of Service (LOS) standards during the a.m. and p.m. peak hour.

Existing plus Project Conditions

Under this scenario, all of the study intersections continue to operate within applicable jurisdictional LOS standards during the a.m. and p.m. peak hour.

Existing plus Project Queueing Analysis

The project is not expected to increase the queues that exceed storage lengths at existing turn lanes. The existing storage length of the westbound left-turn lane at N. Canyons Parkway/Waxie Driveway is sufficient for the additional trips that will use the new parking lot.

Cumulative Conditions

Under this scenario, all of the study intersections continue to operate within applicable jurisdictional LOS standards during the a.m. and p.m. peak hours.

Cumulative Plus Project Conditions

Under this scenario, all of the study intersections continue to operate within applicable jurisdictional LOS standards during the a.m. and p.m. peak hours.

Cumulative Plus Project Queueing Analysis

The project is not expected to increase the queues that exceed storage lengths at exclusive turn lanes. The storage length for the westbound left-turn lane at N. Canyons Parkway/Waxie Driveway is sufficient for the additional trips that will use the new parking lot in the cumulative scenario.

Site Access and On-Site Circulation

The proposed vehicular access to the project site is via the existing driveways on Doolan Road, N. Canyons Parkway and the new driveway at N. Canyons Parkway/Waxie Driveway. Pedestrians and bicyclists can use the existing multimodal network to access the project site. The parking aisles are wide enough to allow for two-way circulation. Based on a preliminary review of the project site plan, the site access and on-site circulation is considered adequate.

Pedestrian Impacts

The project does not conflict with existing and planned pedestrian facilities; therefore, the impact to pedestrian facilities is ***less than significant***.

Bicycle Impacts

As part of the proposed project, the Class II bicycle facility along the southern frontage of N. Canyons Parkway will be updated to a Class IV separated bikeway. The project does not conflict with existing and planned bicycle facilities; therefore, the impact to bicycle facilities is ***less than significant***.

Transit Impacts

The project site is within walking distance to two Tri-Valley Wheels bus stops that provide local and regional access. Impacts to transit service are expected to be ***less than significant.***

Parking

The project will be supplying 361 parking spaces to satisfy the demand of 352 parking spaces during peak operating hours, which leaves a surplus of 9 stalls.

Vehicle Miles Traveled

TJKM analyzed the casino project as retail. Since the project will be generating 304 new daily trips, the equivalent retail square footage would be 8,053 square feet. Based on OPR's recommendations, the VMT impact is expected to be ***less than significant*** since the retail square footage is below 50,000 square feet, which is considered as local serving retail.

1.0 INTRODUCTION

This report summarizes the results of the Traffic Impact Analysis (TIA) for the proposed gambling and on-site parking expansion of the Parkwest Casino 580 located at 968 N. Canyons Parkway in Livermore California.

1.1 Project Description

The project proposes to expand its facilities by providing six additional gambling tables, increasing the space for the bar, restaurant, and stage area within the existing footprint of the building. The project will also increase its parking facilities by developing the area east of the building and providing a total of 361 parking stalls, which includes existing and proposed facilities.

In addition to the foregoing, the project proposes expanded services at the proposed facilities, including: (i) increasing its hours of operations to 24 hours per day and 7 days per week; (ii) increasing the number of players per table to 10 seated layers and 10 standing or "backline betters"; (iii) increasing the maximum single bet to $1,000.00; and (iv) the playing of any game not prohibited by Section 330 of the Penal Code of the state, with the written consent of the Chief of Police.

The existing casino and parking facility is currently located at the southeast corner of Doolan Road/N. Canyons Parkway. The proposed parking expansion will be located at the southwest corner of N. Canyons Parkway/Waxie Driveway, adjacent to the existing casino facility. The casino entrances will remain the same, except for the south leg of the N. Canyons Parkway/Waxie Driveway intersection, which will be constructed with the parking expansion and become the main entrance to the main parking area.

The following section discusses the TIA Purpose, study intersections, and analysis scenarios.

1.2 Project Purpose

The purpose of the Traffic Impact Analysis is to evaluate the impacts on the transportation infrastructure due to the addition of the traffic from the proposed project. The report also includes evaluations and recommendations concerning project site access and on-site circulation for vehicles, bicycles, and pedestrians, queuing analysis at the study intersections, and parking supply.

1.3 Study Intersections

TJKM evaluated traffic conditions at three study intersections during the a.m. and p.m. peak hours for a typical weekday. The study intersections were selected in consultation with City of Livermore staff. The peak periods were between 7:00 a.m. – 9:00 a.m. and 4:00 p.m. – 6:00 p.m. The study intersections and associated traffic controls are as follows:

1. N. Canyons Parkway/Doolan Road
2. N. Canyons Parkway/Waxie Driveway
3. N. Canyons Parkway/Airway Boulevard

Note: All intersections are owned and operated by the City of Livermore.

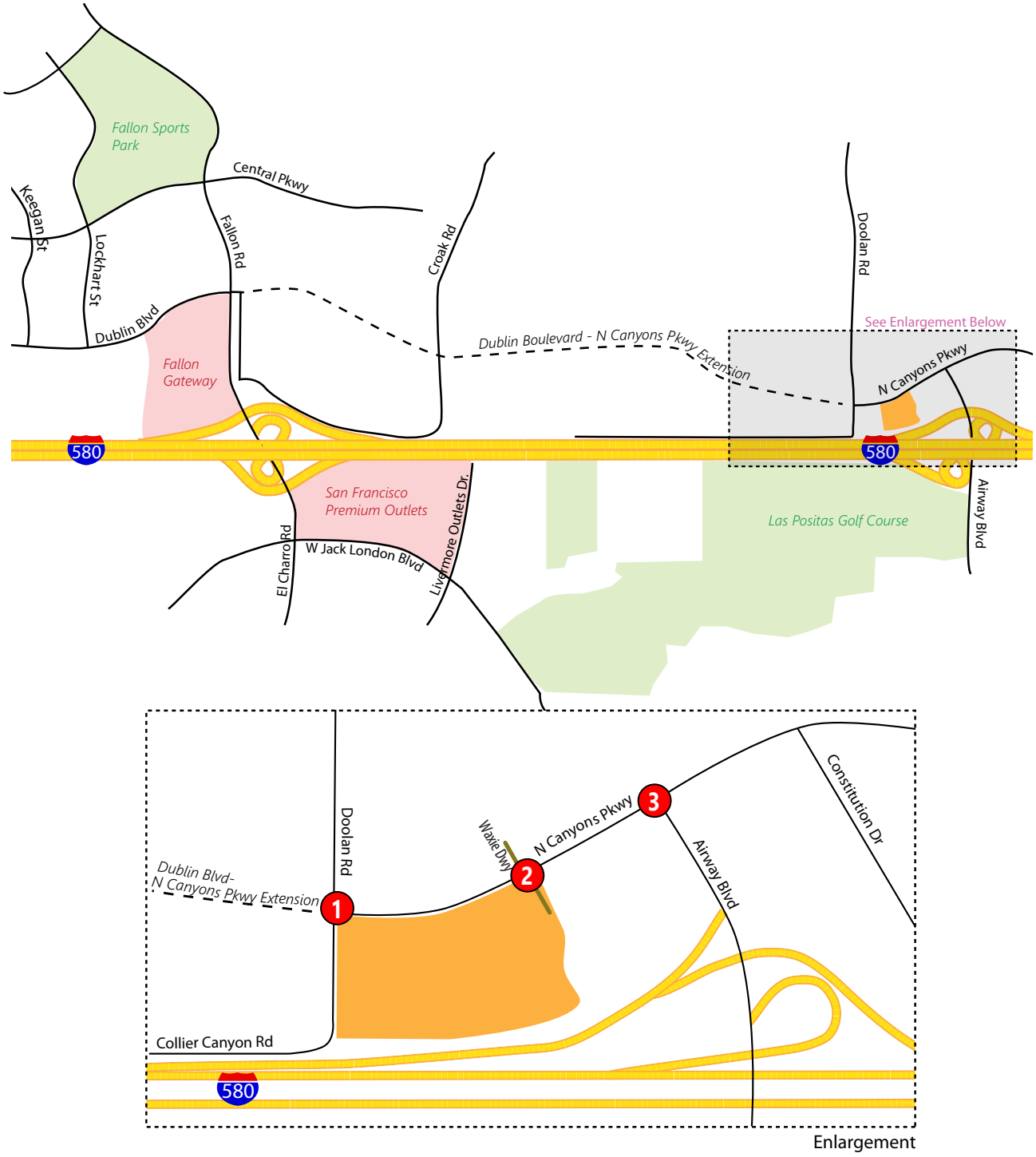
Figure 1 illustrates the study intersections and the vicinity map of the proposed project. **Figure 2** shows the proposed project site plan.

1.4 Analysis Scenarios

This study addresses the following four traffic scenarios:

- **Existing Conditions** – This scenario evaluates the study intersections based on existing traffic volumes, lane geometry, and traffic controls.
- **Existing plus Project Conditions** – This scenario is identical to Existing Conditions, but with the addition of traffic from the proposed project.
- **Cumulative Conditions** – This analysis scenario evaluates future transportation conditions based on forecasted travel volumes without the project.
- **Cumulative plus Project Conditions** – This scenario is identical to Cumulative Conditions but with the addition of traffic from the proposed project.

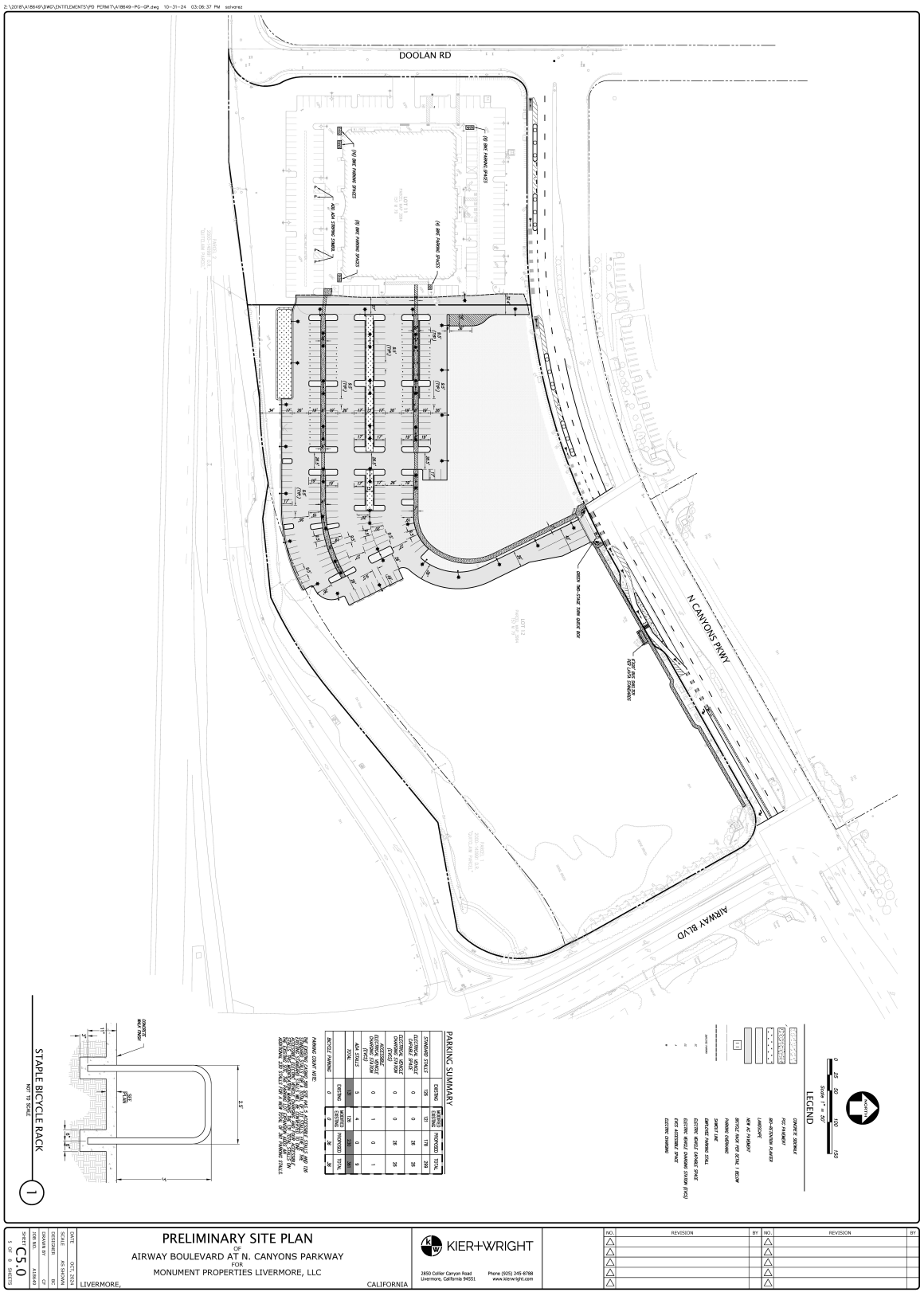
Figure 1: Vicinity Map



LEGEND

- Project Site
- Study Intersection
- Driveway

Figure 2: Site Plan



2.0 STUDY METHODOLOGY

Traffic impacts related to the proposed project were evaluated for both compliance with applicable regulatory documents and environmental significance as defined in the California Environmental Quality Act (CEQA). In Accordance with the *Technical Advisory* published by the Governor's Office of Planning and Research (OPR), a qualitative and quantitative VMT analysis forms the basis of the CEQA analysis for the proposed project. As of July1, 2020, intersection level of service (LOS) can no longer be used to determine significant impacts for CEQA purposes. However, an LOS analysis was conducted to determine consistency with City of Livermore plans and standards.

2.1 Level of Service Analysis Methodology & Standards

Level of Service (LOS) is a qualitative measure that describes operational conditions as they relate to the traffic stream and perceptions by motorists and passengers. The LOS generally describes these conditions in terms of such factors as speed and travel time, delays, freedom to maneuver, traffic interruptions, comfort and convenience, and safety. The operational LOS are given letter designations from A to F, with A representing the best operating conditions (free-flow) and F the worst (severely-congested flow with high delays). Intersections generally are the capacity-controlling locations with respect to traffic operations on arterial and collector streets. The operating conditions at all of the study intersections were analyzed using the 2000 Highway Capacity Manual (HCM) Operations Methodology contained in Synchro Software. The methodology is described in detail in **Appendix A**.

Signalized Intersections

Although level of service is no longer used for identifying impacts under CEQA, level of service analysis is still used for determining consistency with adopted agency plans and standards. Where standards refer to significant environmental impacts, this analysis instead identifies these as significant inconsistencies with adopted plans.

In brief, the LOS standard for signalized intersections in the City of Livermore is mid-level LOS D or better (average control delay equal to or less than 45.0 seconds per vehicle) with and without the project. For signalized intersections located near freeway interchanges (N. Canyons Parkway/Airway Boulevard), the LOS standard is LOS E or better. The signalized intersection experiences a significant inconsistency if:

- The project traffic added to existing conditions would result in the level of service deteriorating below the level of service threshold for signalized intersections i.e., delay greater than 45.0 seconds per vehicle or deteriorates to LOS F.
- For intersections already operating at an unacceptable LOS without the project, it is considered a significant impact if the project related traffic increases the average intersection delay by more than 5.0 seconds.

Unsignalized Intersections

The level of service standard for unsignalized intersections is delay less than or equal to 90.0 seconds. Unsignalized intersections experiences a significant inconsistency if:

- The project traffic added to existing conditions would result in the delay being greater than 90.0 seconds.

2.2 CEQA Requirements

CEQA Requirements for VMT Evaluations

Section 15064.3 describes the requirements and significance thresholds for assessing transportation impacts based on vehicle miles traveled (VMT) that apply statewide. As described in Section 15064.3:

- Land use projects: Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.
- Transportation projects: Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, such as in a regional transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152.

The following criteria are not subject to CEQA significance criteria but should be addressed as appropriate in the findings of the traffic study:

- The project would conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.
- The project conflicts with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.
- If the project substantially increases hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- The project results in inadequate emergency access
- If the project site design does not have adequate parking or circulation capacity to accommodate the anticipated demand
- If the project would result in inadequate internal circulation to accommodate project traffic.

2.3 Vehicle Miles Traveled

SB 743, which was signed into law by Governor Brown in 2013 and codified in Public Resources Code 21099, tasked OPR with establishing new criteria for determining the significance of transportation impacts under CEQA. SB 743 requires the new criteria to "promote the reduction of greenhouse gas

emissions, the development of multimodal transportation networks, and a diversity of land uses." SB 743 changes the way that public agencies evaluate the transportation impacts of projects under CEQA, recognizing that roadway congestion, while an inconvenience to drivers, is not itself an environmental impact (see Pub. Resource Code, § 21099, subd. (b)(2)). In December 2018, OPR circulated its most recent *Technical Advisory on Evaluating Transportation Impacts in CEQA* (OPR) that provides recommendations and describes various options for assessing VMT for transportation analysis purposes. "Vehicle miles traveled" refers to the amount and distance of automobile travel "attributable to a project". Other relevant considerations may include the effects of the project on transit or non-motorized travel. The VMT analysis options described by OPR are primarily tailored towards single-use development residential, office or office projects, not mixed use projects and not athletic facility projects. OPR recommends the following methodology and criteria for specific land uses:

- For residential projects, OPR recommends that VMT impacts be considered potentially significant if a residential project is expected to generate VMT per Capita (i.e., VMT per resident) at a rate that exceeds 85 percent of a regional average.
- For office projects, OPR recommends that VMT impacts be considered potentially significant if an office project is expected to generate VMT per Employee at a rate that exceeds 85 percent of a regional average.
- For retail projects, OPR recommends that VMT impacts be considered potentially significant if a project results in a net increase in total VMT. This approach takes into account the likelihood that retail developments may lead to increases or decreases in VMT, depending on previously existing retail travel patterns. This approach may also be used for other types of projects with customer components.
- OPR also indicates that local serving retail (projects smaller than 50,000 square feet) may be presumed to have a less than significant VMT impact.
- OPR does not provide specific guidance on evaluating other land use types, such as casinos, except to say that other land uses could choose to use the method applicable to the land use with the most similarity to the proposed project. With consultation with the City of Livermore, TJKM utilized retail.
- For mixed-use projects, OPR describes several options that include (1) evaluating each land use separately; or (2) evaluating mixed-use projects based on the method applicable to the dominant land use. Evaluating each land use separately would potentially fail to measure the positive effects of mixed-use projects in reducing VMT.

OPR also recommends exempting some project types from VMT analysis based on the likelihood that such projects will generate low rates of VMT:

- OPR recommends that projects generating less than 110 trips per day generally may be assumed to cause a less than significant transportation impact.
- OPR notes that residential and office projects that located in areas with low VMT, and that incorporate similar features, will tend to exhibit similar low VMT, and can be screened out.

- OPR states that residential, retail, office and mixed-use projects near transit stations or major transit stops should be screened out based on the likelihood that such projects will have a less than significant impact on VMT.

If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered: a lead agency may evaluate the project's vehicle miles travelled qualitatively.

A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. In consultation with the City of Livermore, the Alameda County Transportation Commission (ACTC) VMT Tool was used. Detailed analysis is provided in Chapter 7 of this report.

3.0 EXISTING CONDITIONS

This section describes existing conditions in the immediate project site vicinity, including roadway facilities, bicycle and pedestrian facilities, and available transit service. In addition, existing traffic volumes and operations are presented for the study intersections, including the results of LOS calculations.

3.1 Existing Setting and Roadway System

Access to the proposed project is provided via N. Canyons Parkway and Doolan Road.

N. Canyons Parkway is primarily a four-lane, divided east-west major street in the City of Livermore, extending from Doolan Road to Collier Canyon Road. N. Canyons Parkway provides access to primarily commercial and retail land uses. The speed limit along N. Canyons Parkway is 40 miles per hour (mph).

Doolan Road is a two-lane, undivided rural road in Livermore and unincorporated Alameda County, extending from Collier Canyon Road to its northern terminus in unincorporated Alameda County. The speed limit along Doolan Road is 35 mph.

3.2 Existing Pedestrian Facilities

Walkability is defined as the ability to travel easily and safely between various origins and destinations without having to rely on automobiles or other motorized travel. The ideal "walkable" community includes wide sidewalks, a mix of land uses such as residential, employment, and shopping opportunities, a limited number of conflict points with vehicle traffic, easy access to transit facilities and services and a network of pedestrian facilities. Pedestrian facilities are comprised of crosswalks, sidewalks, pedestrian signals, and off-street paths, which provide safe and convenient routes for pedestrians to access the destinations such as institutions, businesses, public transportation, and recreation facilities. Along N. Canyons Parkway, the width of the sidewalk is approximately 10 feet. All of the study intersections have marked crosswalks and signalized intersections are equipped with pedestrian push buttons and pedestrian signal heads.

At the intersection of N. Canyons Parkway/Airway Boulevard, there are ADA compliant curb-ramps. On the southern portion of N. Canyons Parkway between Airway Boulevard and Doolan Road, there are currently no sidewalks.

The existing pedestrian facilities in the study area are shown in **Figure 3**.

3.3 Existing Bicycle Facilities

The 2018 City of Livermore Bicycle, Pedestrian, & Trails Active Transportation Plan outlines goals and objectives to improve the current active transportation system that includes walking and biking. The various bicycle facilities throughout the city are described below. Existing bicycle facilities in the project vicinity are illustrated in **Figure 3.** In addition to the four classes of bicycle facilities, Alameda County Transportation Commission (Alameda CTC), has adopted a set of sub-classifications for each classification.

- **Class I Shared-Use Path**: Class I bikeways are a completely separate right-of-way designed for the exclusive use of cyclists and pedestrians, with minimal crossings for motorists. These paths are

often located along creeks, canals, and rail lines. There are no existing Class I facilities in the project area. Class I facilities can also be sub-classified into the following:

  - Class IA for paved paths,
  - Class IB for unpaved paths.

- **Class II Bike Lanes**: Class II bike lanes use special lane markings, pavement legends, and signage. Bike lanes provide designated street space for bicyclists, typically adjacent to outer vehicle travel lanes. Buffered bike lanes increase separation through painted buffers between vehicle lanes and/or parking, and green paint at conflict zones (e.g., driveways or intersections). Class II Bike Lanes are available on both sides of N. Canyons Parkway. Class II facilities can be sub-classified into the following:
  - Class IIA – conventional bicycle lanes, consisting of a single strip to delineate the lane,
  - Class IIB – with a striped buffer or with green conflict markings in the bicycle lane,
  - Class IIC – climbing bicycle lanes, which have a dedicated bicycle lane in the uphill direction and a Class III facility in the downhill direction,
  - Class IID – contraflow bicycle lanes.
- **Class III Bike Routes**: Bike routes provide enhanced mixed-traffic conditions for bicyclists through signage, sharrow striping, and or traffic calming treatments, and provide continuity to a bikeway network. Bike routes are typically designated along gaps between bike trails or bike lanes, or along low-volume, low-speed streets. Bicycle Boulevards further enhance bike routes by encouraging slower speeds and discouraging non-local vehicle traffic using traffic diverters, chicanes, traffic circles, and speed tables. There are no existing Class III facilities in the project area. Class III facilities can also be sub-classified into the following:
  - Class IIIA – for signage only routes,
  - Class IIIB – for wide curb or shoulder lanes, that may or may not include signage,
  - Class IIIC – for routes with shared lane markings i.e., sharrows, or other pavement markings, and may also include signage,
  - Class IIID – for routes with green-backed sharrows,
  - Class IIIE – for bicycle boulevards, which are signed and typical located on roadways with low volumes.
- **Class IV Bikeway**: Bikeways are also known as cycle tracks or separated bikeways, are set aside for the exclusive use of bicycles and physically separated from vehicle traffic. Separated bikeways were adopted by Caltrans in 2015. Separation may include grade separation, flexible posts, physical barriers, or on-street parking. There are no existing Class IV facilities in the project area. Class IV facilities can be sub-classified into the following:
  - Class IVA – for one-way separated bikeways,
  - Class IVB – for two-way separated bikeways,

3.4 Existing Transit Facilities

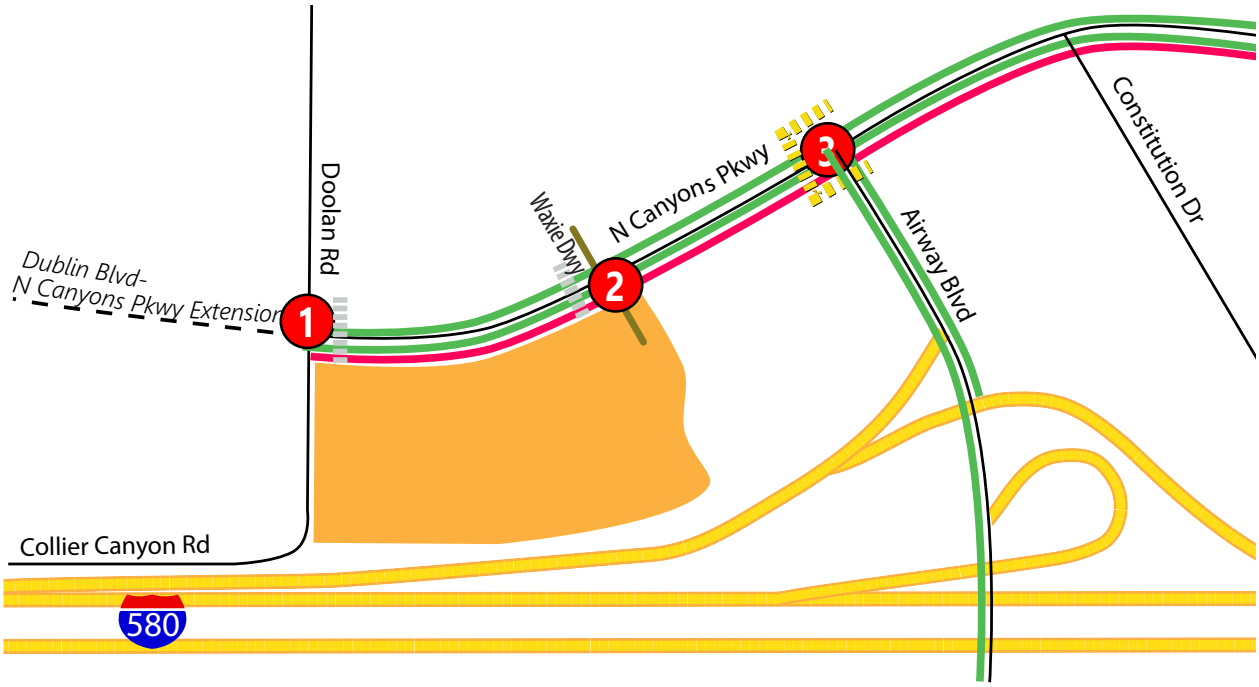
Tri-Valley Wheels provides transit service throughout Dublin, Pleasanton, Livermore, and unincorporated Alameda County. The main transit center in Livermore is the Livermore Transit Center, located in Downtown Livermore. From the Transit Center, riders can connect to Dublin/Pleasanton BART, Lawrence Livermore Lab, Las Positas College as well as local destinations. **Table 1** summarizes the existing Wheels service in the project vicinity. **Figure 4** illustrates the existing transit facilities.

Table 1: Existing Tri-Valley Wheels Transit Service

			Weekdays		*Weekends*	
Route	***From***	***To***	***Operating Hours***	***Headway (minutes)***	***Operating Hours***	***Headway (minutes)***
30R	West Dublin BART	East/Vasco & LLNL	5:06 a.m. – 10:45 p.m.	30-60	5:09 a.m. – 10:42 p.m.	60

Source: Tri-Valley Wheels Website

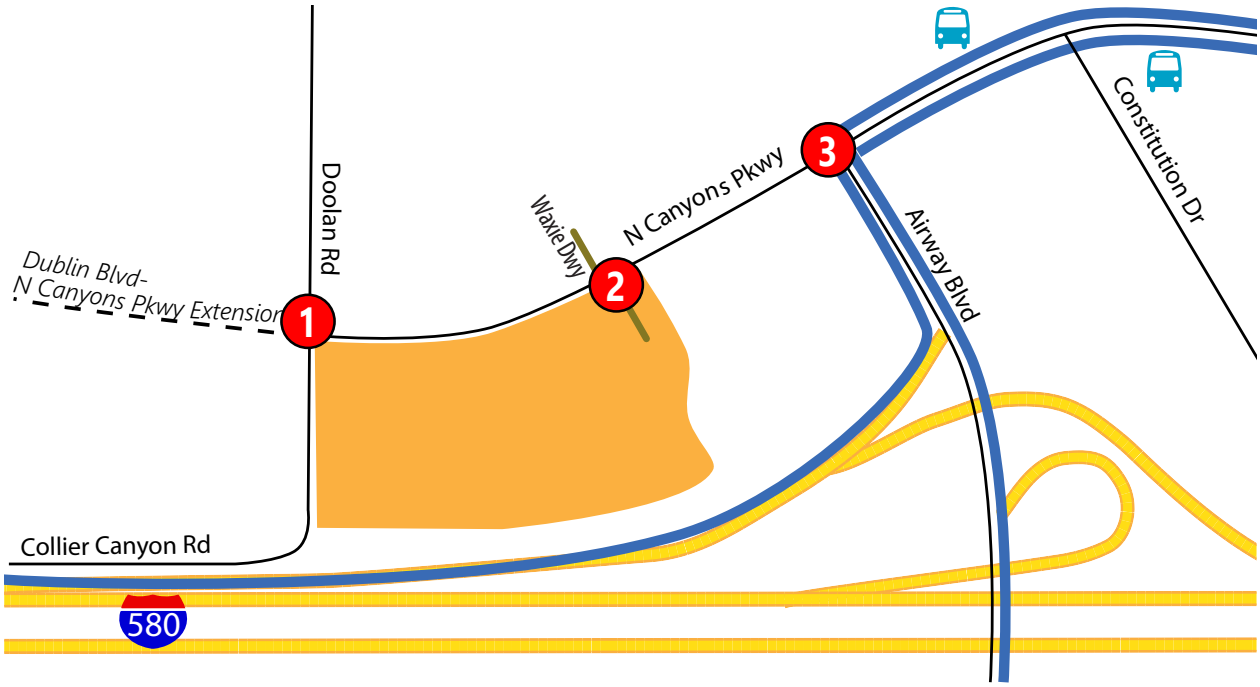
Figure 3: Existing Pedestrian and Bicycle Facilities



LEGEND

- Project Site
- Study Intersection
- Project Access
- No Sidewalk
- Marked Crosswalk
- Marked School Crosswalk
- Class II Bike Lane

Figure 4: Existing Transit Facilities



LEGEND

- Project Site
- Study Intersection
- Project Access
- Route 30R
- Bus Stop

3.5 Existing Peak Hour Traffic Volumes And Lane Configurations

The existing operations of the study intersections were evaluated for the highest one-hour volumes during weekday morning and evening peak periods. Due to the COVID-19 Pandemic and shelter-in-place orders, the ability to collect accurate new traffic counts is limited. Where available, turning movement counts conducted during the Draft EIR of the Dublin Boulevard/N. Canyons Parkway extension were used. New counts were conducted at one study intersections (N. Canyons Parkway/Waxie Driveway) where recent counts were unavailable, plus one proxy intersection that had been previously counted to use as a baseline count reference. Turning movement volumes at the new intersection were then adjusted based on the change in traffic between pre-Covid and during Covid at the proxy intersection of N. Canyons Parkway/Airway Boulevard (intersection #3). New turning movement counts for vehicles, bicycles, and pedestrians were conducted during the weekday a.m. peak period (7:00-9:00 a.m.) and p.m. peak period (4:00-6:00 p.m.) at these study intersections in February 2021. **Appendix B** includes all data sheets for the collected vehicle, bicycle, and pedestrian counts. **Figure 5** illustrates the existing lane geometry, traffic controls, and peak hour volumes for the a.m. and p.m. peak hours at the study intersections.

3.6 Intersection Level of Service Analysis – Existing Conditions

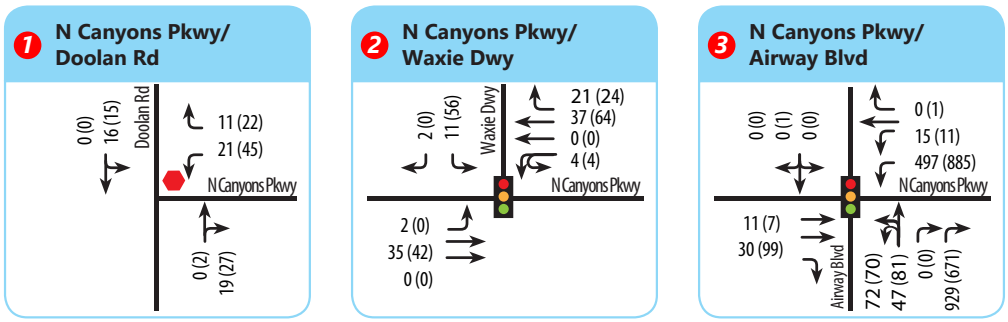
Existing intersection lane configurations, signal timings, and turning movement volumes are used to calculate the level of service for the study intersections during each peak hour. **Table 2** below summarizes peak hour LOS at the study intersections under Existing Conditions. Under this scenario, all of the study intersections operate at the applicable jurisdictional service levels of service for both the a.m. and p.m. peak hour. LOS worksheets are provided in **Appendix C**.

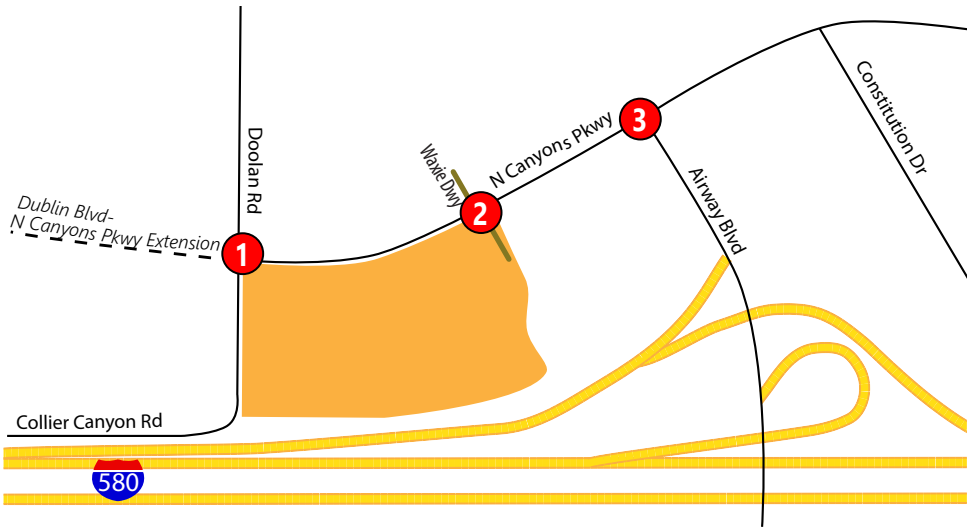
Table 2: Intersection Level of Service Analysis – Existing Conditions

#	Intersection	Control	Peak Hour[1]	Existing Conditions	
				Delay[2]	LOS[3]
1	N. Canyons Pkwy/Doolan Road	One-Way Stop	AM	9.0	A
			PM	9.2	A
2	N. Canyons Pkwy/Waxie Dwy-Future Casino Parking	Signal	AM	6.9	A
			PM	11.3	B
3	N. Canyons Pkwy/Airway Blvd	Signal	AM	31.1	C
			PM	24.0	C

Notes:
1. AM – morning peak hour, PM – evening peak hour
2. Delay – Whole intersection weighted average control delay expressed in seconds per vehicle for signalized and all-way stop controlled intersections. Total control delay for the worst movement is presented for side-street stop – controlled intersections.
3. LOS – Level of Service. **Bold** indicates unacceptable LOS and Delay.

Figure 5: Existing Conditions Lane Geometry, Traffic Controls, and Peak Hour Volumes





LEGEND

- Project Site
- Study Intersection
- Project Access
- Stop Sign
- Traffic Signal
- XX AM Peak Hour Volumes
- (XX) PM Peak Hour Volumes

4.0 EXISTING PLUS PROJECT CONDITIONS

The impacts of the proposed project on the transportation system are discussed in this chapter. First, the method used to estimate the amount of traffic generated by the project is described. Then, the results of the level of service calculations for Existing plus Project Conditions are presented. (Existing plus Project Conditions are defined as Existing Conditions plus traffic generated by the proposed project). A comparison of intersections under Existing plus Project Conditions and Existing Conditions is presented and the impacts of the project on the study intersections are discussed.

The amount of traffic added to the roadway system by the proposed development is estimated using a three-step process.

- Trip Generation – Estimates the amount of traffic added to the roadway network,
- Trip Distribution – Estimates the direction of travel to and from the project site,
- Trip Assignment – The new trips are assigned to specific street segments and intersection turning movements.

4.1 Project Trip Generation

TJKM developed estimated project trip generation for the proposed casino expansion based on employee and player entry/exit data that the Casino collected over three months (data is attached in **Appendix B**). The data collected includes players, those at the casino tables, and backline bettors. The data was collected based on entry and exit tracking, ensuring no one using the casino tables or simply moving around was overlooked. This approach accounted for everyone entering and exiting, including employee shift changes. Although the Casino attracts large amounts of patrons over a 24-hour period, most of the peak hour traffic is generated by employees at shift breaks. Based on the data and increases in parking and gambling tables, the project is expected to generate 26 new trips (14 in, 12 out) in the a.m. peak hour, 25 new trips (4 in, 21 out) in the p.m. peak hour, and 304 new daily trips.

4.2 Project Trip Distribution and Assignment

Trip distribution is a process that determines in what proportion vehicles would be expected to travel between the project site and various destinations outside the project study area and also determines the various routes that vehicles would take from the project site to each destination using the calculated trip distribution.

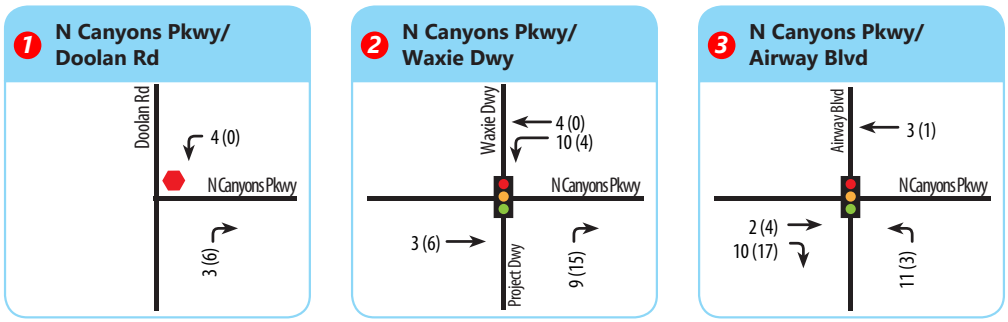
Trip distribution assumptions for the proposed casino expansion and parking lot project were developed based on the existing travel patterns and TJKM's knowledge of the study area.

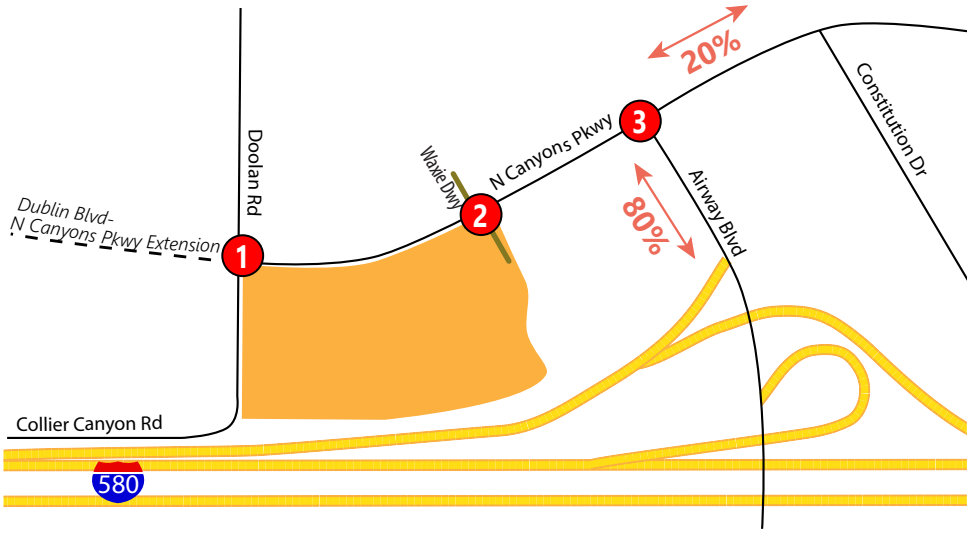
The distribution assumptions are as follows**:**

- 20 percent to/from N. Canyons Parkway east of Airway Boulevard
- 80 percent to/from Airway Boulevard south of N. Canyons Parkway

Figure 6 illustrates the trip distribution percentages and trip assignment project volumes developed for the proposed project. The assigned project trips were then added to traffic volumes under Existing Conditions to generate Existing plus Project Conditions traffic volumes.

Figure 6: Project Trip Distribution and Assignment





LEGEND

- Project Site
- Study Intersection
- Project Access
- Stop Sign
- Traffic Signal
- XX% Existing Plus Project Trip Distribution
- XX AM Trip Assignment
- (XX) PM Trip Assignment

4.3 Intersection Level of Service Analysis – Existing plus Project Conditions

The intersection LOS analysis results for Existing plus Project Conditions are summarized in **Table 3**. Detailed calculation sheets for Existing plus Project Conditions are contained in **Appendix D**. All study intersections are expected to continue operating within the applicable jurisdictional standards in both the a.m. and p.m. peak hour. The results for Existing Conditions are included for comparison purposes.

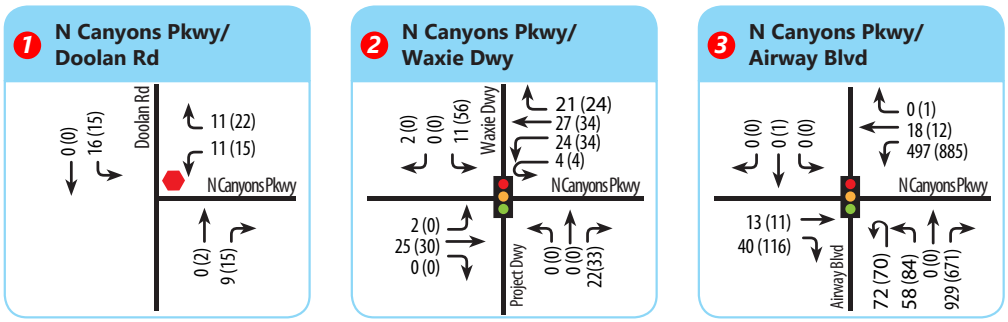
Figure 7 displays projected peak hour turning movement volumes at all of the study intersections for Existing plus Project Conditions.

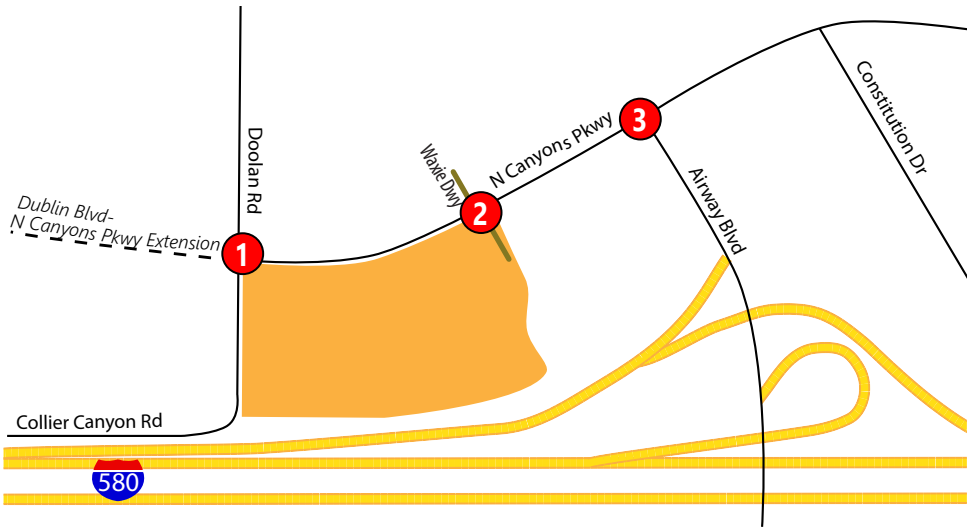
Table 3: Intersection Level of Service Analysis – Existing plus Project Conditions

#	Study Intersections	Control	Peak Hour[1]	Existing Conditions		Existing Plus Project Conditions	
				Delay[2]	LOS[3]	Delay[2]	LOS[3]
1	N. Canyons Pkwy/Doolan Road	One-Way Stop	AM	9.0	A	8.9	A
			PM	9.2	A	8.9	A
2	N. Canyons Pkwy/Waxie Dwy-Future Casino Parking	Signal	AM	6.9	A	7.2	A
			PM	11.3	B	8.9	A
3	N. Canyons Pkwy/Airway Blvd	Signal	AM	31.1	C	30.7	C
			PM	24.0	C	24.1	C

Notes:
1. AM – morning peak hour, PM – evening peak hour
2. Delay – Whole intersection weighted average control delay expressed in seconds per vehicle for signalized and all-way stop controlled intersections. Total control delay for the worst movement is presented for side-street stop – controlled intersections.
3. LOS – Level of Service. **Bold** indicates unacceptable Level of Service.
It should be noted that some of the intersections are estimated to show a decrease in intersection delay due to the addition of project trips to non-critical turn movements. That is, more vehicles would be using the intersection during the peak hour but on non-critical lanes and movements, so the average delay per vehicle decreases.

Figure 7: Existing Plus Project Volumes





LEGEND

- Project Site
- Study Intersection
- Project Access
- Stop Sign
- Traffic Signal
- XX AM Peak Hour Volumes
- (XX) PM Peak Hour Volumes

4.4 Queuing Analysis – Existing Plus Project Conditions

TJKM conducted a vehicle queueing and storage analysis for exclusive left and right turn pockets at the study intersections for Existing and Existing plus Project Conditions. The 95th percentile queues were analyzed using Synchro 10.0 software. Detailed calculations are included in the LOS appendices corresponding to each analysis scenario. **Table 4** summarizes the 95th percentile queue lengths at selected study intersections under Existing and Existing plus Project scenarios.

Table 4: 95th Percentile Queues at Study Intersections

#	Intersection	Lane Group	Storage Length	Existing		Existing plus Project Conditions		Change	
				AM	PM	AM	PM	AM	PM
2	N. Canyons Pkwy/Waxie Dwy	EBL	215	0	0	0	0	0	0
		WBL	145	10	10	20	30	10	20
		WBR	90	0	0	0	0	0	0
		NBR	50	N/A	N/A	0	0	0	0
		SBL	-	10	30	10	30	0	0
		SBR	-	0	0	0	0	0	0
3	N. Canyons Pkwy/Airway Blvd	EBR	230	0	40	0	50	0	10
		WBL	300	220	**450**	220	**460**	0	10
		WBR	195	0	0	0	0	0	0
		NBLT	550	130	170	140	170	10	0
		NBR	-	20	30	20	30	0	0

Notes: Storage length and 95th percentile queue is expressed in feet per lane
AM – morning peak hour, PM – evening peak hour
1 vehicle = 25 feet
Bold indicates queue lengths exceeding capacity

It should be noted that there are two westbound left-turn lanes at N. Canyons Parkway/Airway Boulevard. One of the lanes is a trap lane that extends upstream to N. Canyons Parkway/Constitution Drive, and there is an additional lane near the intersection. Project traffic is expected to use the northbound left-turn at N. Canyons Parkway/Airway Boulevard, but impacts are minimal.

The existing storage length of the westbound left-turn lane at N. Canyons Parkway/Waxie Driveway is sufficient for the additional trips that will use the new parking lot. This is because there is very light commute peak traffic generated by the Casino.

4.5 Signal Warrant Analysis

Traffic signal warrants are a series of standards that provide guidelines for determining if a traffic signal is appropriate. Signal warrant analyses are typically conducted at intersections of uncontrolled major streets and stop sign-controlled minor streets. If one or more signal warrants are met, signalization of the intersection may be appropriate. However, a signal should not be installed if none of the warrants are met, since the installation of signals would increase delays on the previously uncontrolled major street, and may increase the occurrence of particular types of accidents.

As stated in the 2014 edition of the Manual on Uniform Traffic Control Devices (MUTCD), "An engineering study of traffic conditions, pedestrian characteristics, and physical characteristics of the location shall be performed to determine whether installation of a traffic control signal is justified at a particular location. The investigation of the need for a traffic control signal shall include an analysis of the applicable factors contained in the following traffic signal warrants and other factors related to existing operation and safety at the study location."

This analysis focused on the peak hour warrant. The MUTCD states that, "This (peak hour) signal warrant shall be applied only in unusual cases, such as office complexes, manufacturing plants, industrial complexes, or high-occupancy vehicle facilities that attract or discharge large numbers of vehicles over a short time." So the peak hour warrant is being used in this impact analysis study as an "indicator" of the likelihood of an unsignalized intersection warranting a traffic signal in the future. Intersections that exceed the peak hour warrant are considered (for the purposes of this impact analysis) to be likely to meet one or more of the other signal warrants (such as the four-hour or eight-hour warrants). This peak hour analysis is not intended to replace a rigorous and complete traffic signal warrant analysis by the responsible jurisdiction.

A peak hour signal warrant analysis was conducted for the intersection of N. Canyons Parkway/Doolan Road for Existing and Existing plus Project Conditions. The results of the peak hour warrant analysis are summarized in **Table 5**. The results show that the study intersection does not meet the MUTCD peak hour warrant during the a.m. and p.m. peak period in Existing or Existing plus Project conditions. Peak hour signal warrant analysis work sheets are provided in **Appendix E.**

Table 5: Peak Hour Warrant Analysis

Intersection	***Control***	***Existing Conditions***		***Existing Plus Project Conditions***	
		Meets AM Peak Hour?	***Meets PM Peak Hour?***	***Meets AM Peak Hour?***	***Meets PM Peak Hour?***
N. Canyons Parkway/Doolan Road	One-Way Stop	No	No	No	No

5.0 CUMULATIVE CONDITIONS

This chapter presents the results of the level of service calculations under Cumulative Conditions without the project. Level of service analysis at the study intersections were conducted for Cumulative Conditions to establish a base to evaluate the impacts due to the addition of traffic from the proposed project. Cumulative volumes for the study intersections were referenced from the *Dublin Boulevard – North Canyons Parkway Extension Project Draft EIR* (2019) and include the additional traffic that will travel through N. Canyons Parkway/Dublin Boulevard. The following assumptions were made for Cumulative Conditions analysis:

- Completion of the Dublin Boulevard/N. Canyons Parkway connection,
- Signalization of Dublin Boulevard-N. Canyons Parkway/Doolan Road
- Intersection improvements to N. Canyons Parkway/Airway Boulevard
    - Shifting the median of the northbound approach of Airway Boulevard one lane to the west reducing the southbound lanes from three to two and increasing the number of northbound lanes.
    - Converting the northbound approach to have one left-turn lane, one shared left/through lane, and two right-turn lanes.
    - Converting the westbound approach to have two left-turn lanes, one through lane, one shared through/right-turn lane.

Figure 8 illustrates the Cumulative Conditions lane geometry, traffic controls, and volumes.

5.1 Intersections Level of Service Analysis – Cumulative Conditions

The intersection LOS analysis results for Cumulative Conditions without the proposed project are summarized in **Table 6**. Detailed calculation sheets for Cumulative Baseline Conditions are contained in **Appendix F**.

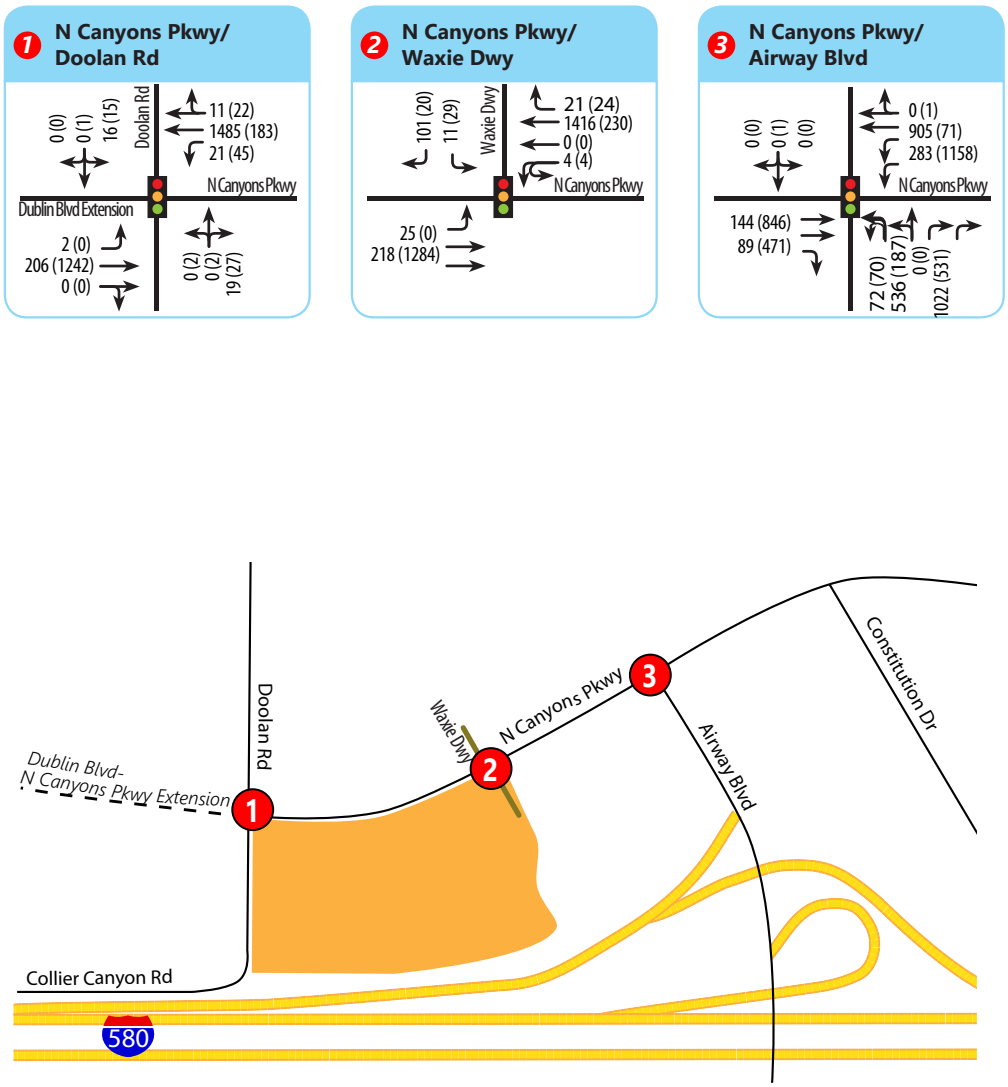
All of the study intersections are projected to operate within the applicable jurisdictional standards during the a.m. and p.m. peak hours.

Table 6: Intersection Level of Service Analysis – Cumulative Conditions

#	*Study Intersections*	*Control*	*Peak Hour*[1]	*Cumulative Conditions*	
				Delay[2]	*LOS*[3]
1	N. Canyons Pkwy/Doolan Road	Signal	AM	3.1	A
			PM	6.4	A
2	N. Canyons Pkwy/Waxie Dwy-Future Casino Parking	Signal	AM	7.4	A
			PM	5.1	A
3	N. Canyons Pkwy/Airway Blvd	Signal	AM	23.2	C
			PM	62.2	E

Notes:
1. AM – morning peak hour, PM – evening peak hour
2. Delay – Whole intersection weighted average control delay expressed in seconds per vehicle for signalized and all-way stop controlled intersections. Total control delay for the worst movement is presented for side-street stop – controlled intersections.
3. LOS – Level of Service. **Bold** indicates unacceptable LOS and Delay.

Figure 8: Cumulative Lane Geometry, Traffic Controls and Volumes



LEGEND

- Project Site
- Study Intersection
- Project Access
- Stop Sign
- Traffic Signal
- XX AM Peak Hour Volumes
- (XX) PM Peak Hour Volumes

6.0 CUMULATIVE PLUS PROJECT CONDITIONS

This scenario is identical to Cumulative Conditions, with the addition or projected traffic from the proposed development. Trip generation is identical to Existing plus Project Conditions. Trip distribution and assignment are slightly modified since the Dublin Boulevard/N. Canyons Parkway connection was assumed to be completed in the cumulative scenario. The modified trip distribution is summarized below:

- 20 percent to/from N. Canyons Parkway east of Airway Boulevard
- 65 percent to/from Airway Boulevard south of N. Canyons Parkway
- 15 percent to/from Dublin Boulevard west of Doolan Road

Figure 9 shows the project trip distribution and assignment for the cumulative scenario. **Figure 10** shows the Cumulative plus Project volumes.

6.1 Intersection Level of Service Analysis – Cumulative Plus Project Conditions

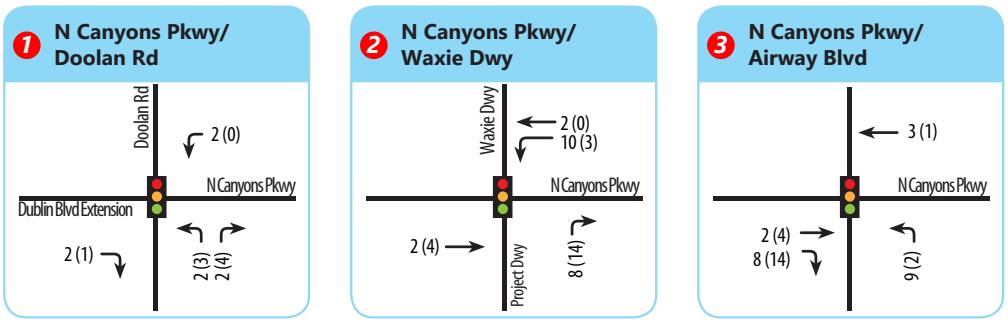
The intersection LOS analysis results for Cumulative plus Project Conditions are summarized in **Table 7**. Detailed calculation sheets for Cumulative plus Project Conditions are contained in **Appendix G**. With the addition of project trips to Cumulative Conditions, all of the study intersections are projected to operate within the applicable jurisdictional standards during the a.m. and p.m. peak.

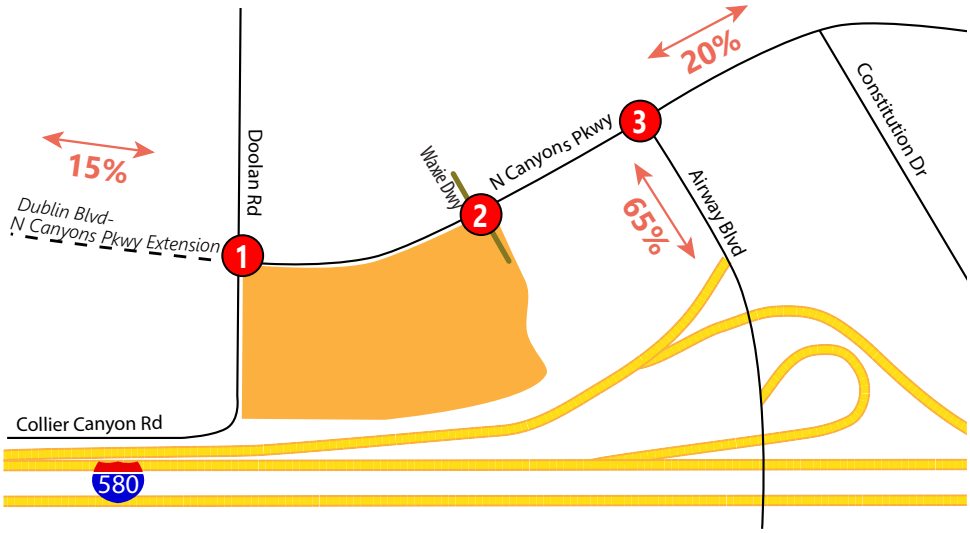
Table 7: Intersection Level of Service Analysis – Cumulative plus Project Conditions

#	Study Intersections	Control	Peak Hour[1]	Cumulative Conditions		Cumulative Plus Project Conditions	
				Delay[2]	LOS[3]	Delay[2]	LOS[3]
1	N. Canyons Pkwy/Doolan Road	Signal	AM	3.1	A	2.7	A
			PM	6.4	A	4.7	A
2	N. Canyons Pkwy/Waxie Dwy-Future Casino Parking	Signal	AM	7.4	A	7.8	A
			PM	5.1	A	6.9	A
3	N. Canyons Pkwy/Airway Blvd	Signal	AM	23.2	C	23.4	C
			PM	62.2	E	63.6	E

Notes:
1. AM – morning peak hour, PM – evening peak hour
2. Delay – Whole intersection weighted average control delay expressed in seconds per vehicle for signalized and all-way stop controlled intersections. Total control delay for the worst movement is presented for side-street stop – controlled intersections.
3. LOS – Level of Service. **Bold** indicates unacceptable Level of Service.
It should be noted that some of the intersections are estimated to show a decrease in intersection delay due to the addition of project trips to non-critical turn movements. That is, more vehicles would be using the intersection during the peak hour but on non-critical lanes and movements, so the average delay per vehicle decreases.

Figure 9: Cumulative Project Trip Distribution and Assignment

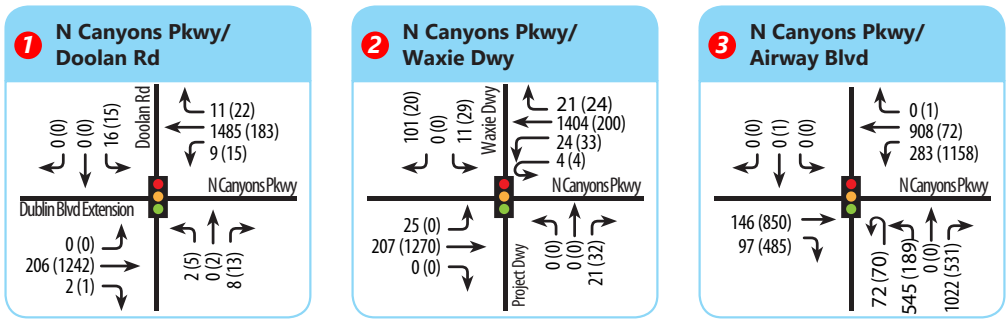


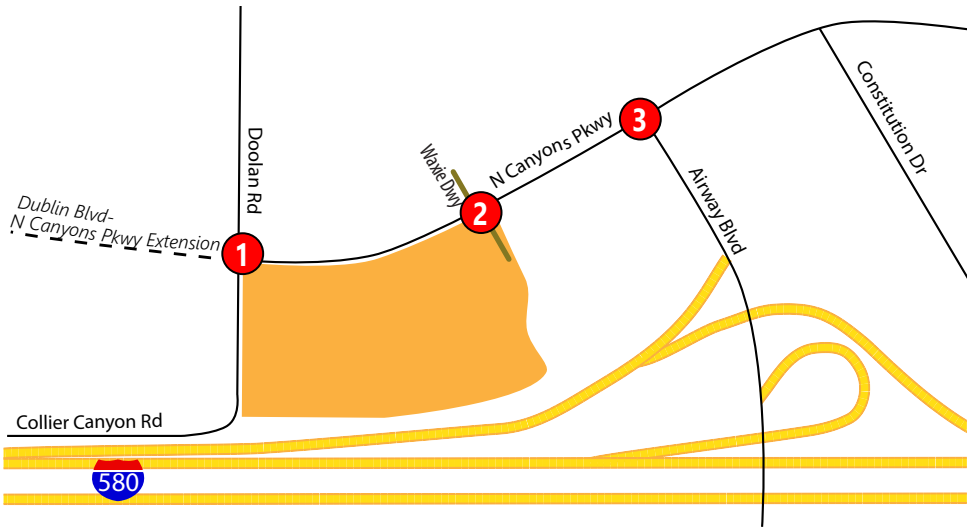


LEGEND

- Project Site
- Study Intersection
- Project Access
- Stop Sign
- Traffic Signal
- XX% Trip Distribution
- XX AM Trip Assignment
- (XX) PM Trip Assignment

Figure 10: Cumulative Plus Project Volumes





LEGEND

- Project Site
- Study Intersection
- Project Access
- Stop Sign
- Traffic Signal
- XX AM Peak Hour Volumes
- (XX) PM Peak Hour Volumes

6.2 Queueing Analysis – Cumulative plus Project Conditions

TJKM conducted a vehicle queueing and storage analysis for exclusive left and right turn pockets at the study intersections for Cumulative and Cumulative plus Project Conditions. The 95th percentile queues were analyzed using Synchro 10.0 software. Detailed calculations are included in the LOS appendices corresponding to each analysis scenario. **Table 8** summarizes the 95th percentile queue lengths at the study intersections under Cumulative and Cumulative plus Project scenarios.

Table 8: 95th Percentile Queues at Study Intersections

#	Intersection	Lane Group	Storage Length	Cumulative		Cumulative plus Project Conditions		Change	
				AM	PM	AM	PM	AM	PM
1	N. Canyons Pkwy/Doolan Rd	EBL	150	0	0	0	0	0	0
		WBL	135	20	40	10	20	-10	-20
		NBLTR	-	0	20	0	20	0	0
		SBLTR	-	20	20	20	20	0	0
2	N. Canyons Pkwy/Waxie Dwy	EBL	215	30	0	30	0	0	0
		WBL	145	10	10	30	30	20	20
		WBR	90	0	0	0	0	0	0
		NBR	50	N/A	N/A	0	0	0	0
		SBL	-	20	30	20	30	0	0
		SBR	-	40	0	0	0	-40	0
3	N. Canyons Pkwy/Airway Blvd	EBR	230	40	**330**	40	**340**	0	10
		WBL	300	160	**750**	160	**750**	0	0
		NBL	550	290	210	290	210	0	0
		NBR	-	30	30	30	30	0	0

Notes: Storage length and 95th percentile queue is expressed in feet per lane
AM – morning peak hour, PM – evening peak hour
1 vehicle = 25 feet
Bold indicates queue lengths exceeding capacity

It should be noted that there are two westbound left-turn lanes at N. Canyons Parkway/Airway Boulevard. One of the lanes is a trap lane that extends upstream to N. Canyons Parkway/Constitution Drive, and there is an additional lane near the intersection. Although the queues exceed the storage lane, project traffic is not expected to use this movement. Project traffic is expected to use the northbound left-turn at N. Canyons Parkway/Airway Boulevard, but impacts are minimal. The queue for the eastbound right-turn at N. Canyons Parkway/Airway Boulevard is projected to increase by 10 feet with the project, which is less than one car length (20-25 feet).

The existing storage length of the westbound left-turn lane at N. Canyons Parkway/Waxie Driveway is sufficient for the additional trips that will use the new parking lot. This is because there is very light commute peak traffic generated by the Casino.

7.0 ADDITIONAL ANALYSES

The following sections provide additional analyses of other transportation issues associated with the project site, including:

- Parking Analysis
- Site access and onsite circulation;
- Pedestrian, Bicycle, and Transit Impacts
- Vehicle Miles Traveled (VMT) Analysis

Unlike the LOS impact methodology, the analyses in these sections is based on professional judgment in accordance with the standards and methods employed by traffic engineers. Although operational issues are not considered CEQA impacts, they do describe traffic conditions that are relevant to the project environment.

7.1 Parking Analysis

On many occasions, the number of customers of Casino 580 exceeds the capacity of the existing parking lot. Employees are often instructed to park on the west side of Doolan Ride or the north side of Collier Canyon Road. To mitigate this, the project will be developing a portion of the area east of the existing facility to accommodate the overflow and the planned expansion of the gambling facilities.

As noted elsewhere, TJKM conducted a 2020 Parking Study Update[1] for Parkwest Casino 580 to evaluate future parking requirements. The parking study is located in **Appendix H**. Because the 2020 parking study could be considered out of date, a new parking analysis was conducted in March 2023. During this survey, the on- and off-street parking was tabulated once an hour between 10 a.m. and midnight from March 1, 2023, to March 23, 2023. The 2023 counts are summarized in **Table 9**. Overall, it was found that the March 2023 counts were approximately 15 percent lower than the counts reported in the 2020 parking study. For example, during the latest survey, there was only one hour when the demand exceeded 200 vehicles; in the earlier study there were observations of demand exceeding 220 vehicles. The earlier counts were conducted between October 2018 and November 2019. With this information, TJKM utilized the earlier counts as the basis for establishing parking demand for the expanded facility. The proposed expansion of the Parkwest Casino 580 facility provides for additional gambling tables and also provides an increase in space for the bar and restaurant and for the stage area that provides an internal venue for periodic entertainment of the gamblers. These facilities are all intended for use by gambling patrons and are not for the use of outsiders. Therefore, the increase in attendance at the facility is expected to be directly proportional to the increase in gambling tables. The facility is currently allowed to occupy 10 gambling tables at a time. The facility intends to increase the legally usable gambling tables from 10 to 16.

[1] *The 2020 Parking Study assumed that the future parking supply would consist of 352 parking spaces. Post 2020, the proposed parking supply was revised to 361 spaces.*

Given the current peak parking demand of 220 vehicles, this amounts to 22 parked vehicles per active gambling table, which includes gamblers and the Parkwest Casino 580 support staff. The 22 stall parking demand represents roughly double the number of actual people at each table. It should be noted that the earlier counts described in Appendix H assumed three of the six new card tables would be designated for VIP only use, accommodating fewer players than the non-VIP tables. For this updated study, all six tables were considered to operate as non-VIP tables. This approach provides a more conservative analysis to the number of players per table and the parking demand. To project future demand for the six added gambling tables, TJKM considers six tables each generating demand for 22 parking stalls. The total added demand is 6 x 22 = 132 parking spaces. When added to the peak demand of 220 stalls, this yields a combined demand of 352 parking stalls. It should be emphasized that this is a very conservative number which should be exceeded less than one-half percent of the hours of operation. Based on the site plan, the circulation aisles, parking stall widths and depths satisfy City of Livermore requirements. In addition, 36 bicycle spaces are provided.

Table 9: Maximum Number of Parked Vehicles and Peak Times, March 2023

M	T	W	Th	F	Sa	Su
		1 178 vehicles 9pm to 10pm	**2** 186 vehicles 9pm to 10pm	**3** 190 vehicles 9pm to 10pm	**4** 191 vehicles 9pm to 10pm	**5** 168 vehicles 3pm to 4pm
6 153 vehicles 8pm to 9pm	**7** 168 vehicles 1pm to 2pm 2pm to 3pm	**8** 178 vehicles 3pm to 4pm	**9** 175 vehicles 2pm to 3pm 4pm to 5pm	**10** 205 vehicles 9pm to 10pm	**11** 180 vehicles 3pm to 4pm 9pm to 10pm	**12** 157 vehicles 3pm to 4pm
13 144 vehicles 3pm to 4pm	**14** 168 vehicles 7pm to 8pm	**15** 184 vehicles 9pm to 10pm	**16** 165 vehicles 9pm to 10pm	**17** 169 vehicles 10pm to 11pm	**18** 182 vehicles 9pm to 10pm	**19** 182 vehicles 2pm to 3pm
20 143 vehicles 3pm to 4pm	**21** 154 vehicles 3pm to 4pm	**22** 165 vehicles 9pm to 10pm	**23** -	**24** -	**25** -	**26** -
27 -	**28** -	**29** -	**30** -	**31** -		

7.2 Site Access and On-Site Circulation

Site Access

The proposed vehicular access to the project site will be the existing driveways on Doolan Road and N. Canyons Parkway. Also, once the parking lot is constructed, customers will be able to use the signalized intersection N. Canyons Parkway/Waxie Driveway as an entry or exit. Sight distance for vehicles exiting the driveways appears to be adequate. Pedestrians and bicyclists can use the existing multimodal network to access the project site.

On-Site Circulation

In terms of external access, the project conceptual plan (dated October 29, 2020) shows the driveways that the proposed project would use. The driveways do not have any turning restrictions, with the exception of the driveway on N. Canyons Parkway between Doolan Road and Waxie Driveway, which will be right-in/right-out only. All driveways appear to accommodate two-way travel. The circulation aisles will provide enough space for two-way circulation.

7.3 Pedestrian, Bicycle, and Transit Impacts

Pedestrian Access

There are no existing sidewalks along the project frontage on N. Canyons Parkway. There is existing street lighting along N. Canyons Parkway and within the project site that appear to be adequate. The proposed project does not conflict with existing and planned pedestrian facilities; therefore, the impact to pedestrian facilities is ***less than significant***.

Bicycle Access

In terms of bicycle access to the project site, there are currently Class II bicycle facilities along N. Canyons Parkway and Airway Boulevard. As part of the proposed project (as illustrated in **Figure 2**), the Class II bicycle facility along the southern frontage of N. Canyons Parkway will be updated to a Class IV separated bikeway. The project does not conflict with existing and planned bicycle facilities; therefore, the impact to bicycle facilities is ***less than significant***

Transit Access

The project site is located within walking distance to two Tri-Valley Wheels bus stops that are located along N. Canyons Parkway. Tri-Valley Wheels provides local and regional access. The existing pedestrian facilities in the project vicinity provide adequate connectivity for pedestrians to the transit stops. Impacts to transit service are expected to be ***less than significant.***

7.4 Vehicles Miles Traveled (VMT)

As previously mentioned, TJKM analyzed the casino project as retail. Based on OPR recommendations, VMT impacts attributable to the project may be considered potentially significant if:

- the project results in an net increase in total VMT; or
- The project is considered a regionally serving retail project larger than 50,000 square feet.

Since the casino expansion will be generating 304 new daily trips, the equivalent retail square footage would be 8,053 square feet (ITE Land Use Code 820, where the rate is 37.75 trips/1000 square feet). Since

the retail square footage is below OPR's threshold of 50,000 square feet, the project can be considered as local serving retail. Therefore, the VMT impact is expected to be ***less than significant***.

The proposed on-site bicycle parking spaces and separated bike lane along the south side of N. Canyons Parkway that will be implemented with the expansion can further mitigate potential VMT impacts.

8.0 CONCLUSIONS AND RECOMMENDATIONS

Project Trip Generation

The proposed casino expansion is expected to generate approximately 26 weekday a.m. peak hour trips (14 in, 12 out), 25 weekday p.m. peak hour trips (4 in, 21 out), and 304 new daily trips.

Existing Conditions

Under this scenario, all of the study intersections operate within applicable jurisdictional Level of Service (LOS) standards during the a.m. and p.m. peak hour.

Existing plus Project Conditions

Under this scenario, all of the study intersections continue to operate within applicable jurisdictional LOS standards during the a.m. and p.m. peak hour.

Existing plus Project Queueing Analysis

The project is not expected to increase the queues that exceed storage lengths at existing turn lanes. The existing storage length of the westbound left-turn lane at N. Canyons Parkway/Waxie Driveway is sufficient for the additional trips that will use the new parking lot.

Cumulative Conditions

Under this scenario, all of the study intersections continue to operate within applicable jurisdictional LOS standards during the a.m. and p.m. peak hours.

Cumulative Plus Project Conditions

Under this scenario, all of the study intersections continue to operate within applicable jurisdictional LOS standards during the a.m. and p.m. peak hours.

Cumulative Plus Project Queueing Analysis

The project is not expected to increase the queues that exceed storage lengths at exclusive turn lanes. The storage length for the westbound left-turn lane at N. Canyons Parkway/Waxie Driveway is sufficient for the additional trips that will use the new parking lot in the cumulative scenario.

Site Access and On-Site Circulation

The proposed vehicular access to the project site is via the existing driveways on Doolan Road, N. Canyons Parkway and the new driveway at N. Canyons Parkway/Waxie Driveway. Pedestrians and bicyclists can use the existing multimodal network to access the project site. The parking aisles are wide enough to allow for two-way circulation. Based on a preliminary review of the project site plan, the site access and on-site circulation is considered adequate.

Pedestrian Impacts

The project does not conflict with existing and planned pedestrian facilities; therefore, the impact to pedestrian facilities is ***less than significant***.

Bicycle Impacts

As part of the proposed project, the Class II bicycle facility along the southern frontage of N. Canyons Parkway will be updated to a Class IV separated bikeway. The project does not conflict with existing and planned bicycle facilities; therefore, the impact to bicycle facilities is ***less than significant***.

Transit Impacts

The project site is within walking distance to two Tri-Valley Wheels bus stops that provide local and regional access. Impacts to transit service are expected to be ***less than significant.***

Parking

The project will be supplying 361 parking spaces to satisfy the demand of 352 parking spaces during peak operating hours, which leaves a surplus of 9 stalls.

Vehicle Miles Traveled

TJKM analyzed the casino project as retail. Since the project will be generating 304 new daily trips, the equivalent retail square footage would be 8,053 square feet. Based on OPR's recommendations, the VMT impact is expected to be ***less than significant*** since the retail square footage is below 50,000 square feet, which is considered as local serving retail.

Appendix A – Level of Service Methodology

APPENDIX A

LEVEL OF SERVICE

The description and procedures for calculating capacity and level of service are found in Transportation Research Board, *Highway Capacity Manual 2000*. *Highway Capacity Manual 2000* represents the latest research on capacity and quality of service for transportation facilities.

Quality of service requires quantitative measures to characterize operational conditions within a traffic stream. Level of service is a quality measure describing operational conditions within a traffic stream, generally in terms of such service measures as speed and travel time, freedom to maneuver, traffic interruptions, and comfort and convenience.

Six levels of service are defined for each type of facility that has analysis procedures available. Letters designate each level, from A to F, with level-of-service A representing the best operating conditions and level-of-service F the worst. Each level of service represents a range of operating conditions and the driver's perception of these conditions. Safety is not included in the measures that establish service levels.

A general description of service levels for various types of facilities is shown in Table A-I.

Table A-I

Level of Service Description

Facility Type	**Uninterrupted Flow**	**Interrupted Flow**
	Freeways Multi-lane Highways Two-lane Highways Urban Streets	Signalized Intersections Unsignalized Intersections Two-way Stop Control All-way Stop Control
LOS		
A	Free-flow	Very low delay.
B	Stable flow. Presence of other users noticeable.	Low delay.
C	Stable flow. Comfort and convenience starts to decline.	Acceptable delay.
D	High density stable flow.	Tolerable delay.
E	Unstable flow.	Limit of acceptable delay.
F	Forced or breakdown flow.	Unacceptable delay

Source: *Highway Capacity Manual 2000*

Urban Streets

The term "urban streets" refers to urban arterials and collectors, including those in downtown areas.

Arterial streets are roads that primarily serve longer through trips. However, providing access to abutting commercial and residential land uses is also an important function of arterials.

Collector streets provide both land access and traffic circulation within residential, commercial and industrial areas. Their access function is more important than that of arterials, and unlike arterials their operation is not always dominated by traffic signals.

Downtown streets are signalized facilities that often resemble arterials. They not only move through traffic but also provide access to local businesses for passenger cars, transit buses, and trucks. Pedestrian conflicts and lane obstructions created by stopping or standing buses, trucks and parking vehicles that cause turbulence in the traffic flow are typical of downtown streets.

The speed of vehicles on urban streets is influenced by three main factors, street environment, interaction among vehicles and traffic control. As a result, these factors also affect quality of service.

The street environment includes the geometric characteristics of the facility, the character of roadside activity and adjacent land uses. Thus, the environment reflects the number and width of lanes, type of median, driveway density, spacing between signalized intersections, existence of parking, level of pedestrian activity and speed limit.

The interaction among vehicles is determined by traffic density, the proportion of trucks and buses, and turning movements. This interaction affects the operation of vehicles at intersections and, to a lesser extent, between signals.

Traffic control (including signals and signs) forces a portion of all vehicles to slow or stop. The delays and speed changes caused by traffic control devices reduce vehicle speeds, however, such controls are needed to establish right-of-way.

The average travel speed for through vehicles along an urban street is the determinant of the operating level of service. The travel speed along a segment, section or entire length of an urban street is dependent on the running speed between signalized intersections and the amount of control delay incurred at signalized intersections.

Level-of-service A describes primarily free-flow operations. Vehicles are completely unimpeded in their ability to maneuver within the traffic stream. Control delay at signalized intersections is minimal.

Level-of-service B describes reasonably unimpeded operations. The ability to maneuver within the traffic stream is only slightly restricted, and control delays at signalized intersections are not significant.

Level-of-service C describes stable operations, however, ability to maneuver and change lanes in midblock location may be more restricted than at level-of-service B. Longer queues, adverse signal coordination, or both may contribute to lower travel speeds.

Level-of-service D borders on a range in which in which small increases in flow may cause substantial increases in delay and decreases in travel speed. Level-of-service D may be due to adverse signal progression, inappropriate signal timing, high volumes, or a combination of these factors.

Level-of-service E is characterized by significant delays and lower travel speeds. Such operations are caused by a combination of adverse progression, high signal density, high volumes, extensive delays at critical intersections, and inappropriate signal timing.

Level-of-service F is characterized by urban street flow at extremely low speeds. Intersection congestion is likely at critical signalized locations, with high delays, high volumes, and extensive queuing.

The methodology to determine level of service stratifies urban streets into four classifications. The classifications are complex, and are related to functional and design categories. Table A-II describes the functional and design categories, while Table A-III relates these to the urban street classification.

Once classified, the urban street is divided into segments for analysis. An urban street segment is a one-way section of street encompassing a series of blocks or links terminating at a signalized intersection. Adjacent segments of urban streets may be combined to form larger street sections, provided that the segments have similar demand flows and characteristics.

Levels of service are related to the average travel speed of vehicles along the urban street segment or section.

Travel times for existing conditions are obtained by field measurements. The maximum-car technique is used. The vehicle is driven at the posted speed limit unless impeded by actual traffic conditions. In the maximum-car technique, a safe level of vehicular operation is maintained by observing proper following distances and by changing speeds at reasonable rates of acceleration and deceleration. The maximum-car technique provides the best base for measuring traffic performance.

An observer records the travel time and locations and duration of delay. The beginning and ending points are the centers of intersections. Delays include times waiting in queues at signalized intersections. The travel speed is determined by dividing the length of the segment by the travel time. Once the travel speed on the arterial is determined, the level of service is found by comparing the speed to the criteria in Table A-IV. Level-of-service criteria vary for the different classifications of urban street, reflecting differences in driver expectations.

description of levels of service for signalized intersections can be found in Table A-V.

Table A-V

Description of Level of Service for Signalized Intersections

Level of Service	Description
A	Very low control delay, up to 10 seconds per vehicle. Progression is extremely favorable, and most vehicles arrive during the green phase. Many vehicles do not stop at all. Short cycle lengths may tend to contribute to low delay values.
B	Control delay greater than 10 and up to 20 seconds per vehicle. There is good progression or short cycle lengths or both. More vehicles stop causing higher levels of delay.
C	Control delay greater than 20 and up to 35 seconds per vehicle. Higher delays are caused by fair progression or longer cycle lengths or both. Individual cycle failures may begin to appear. Cycle failure occurs when a given green phase doe not serve queued vehicles, and overflow occurs. The number of vehicles stopping is significant, though many still pass through the intersection without stopping.
D	Control delay greater than 35 and up to 55 seconds per vehicle. The influence of congestions becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high volumes. Many vehicles stop, the proportion of vehicles not stopping declines. Individual cycle failures are noticeable.
E	Control delay greater than 55 and up to 80 seconds per vehicle. The limit of acceptable delay. High delays usually indicate poor progression, long cycle lengths, and high volumes. Individual cycle failures are frequent.
F	Control delay in excess of 80 seconds per vehicle. Unacceptable to most drivers. Oversaturation, arrival flow rates exceed the capacity of the intersection. Many individual cycle failures. Poor progression and long cycle lengths may also be contributing factors to higher delay.

Source: *Highway Capacity Manual 2000*

The use of control delay, which may also be referred to as signal delay, was introduced in the 1997 update to the *Highway Capacity Manual*, and represents a departure from previous updates. In the third edition, published in 1985 and the 1994 update to the third edition, delay only included stopped delay. Thus, the level of service criteria listed in Table A-V differs from earlier criteria.

Unsignalized Intersections

The current procedures on unsignalized intersections were first introduced in the 1997 update to the *Highway Capacity Manual* and represent a revision of the methodology published in the 1994 update to the 1985 *Highway Capacity Manual*. The revised procedures use control delay as a measure of effectiveness to determine level of service. Delay is a measure of driver discomfort, frustration, fuel consumption, and increased travel time. The delay experienced by a motorist is made up of a number of factors that relate to control, traffic and incidents. Total delay is the difference between the travel time actually experienced and the reference travel time that would result during base conditions, *i. e.,* in the absence of traffic control, geometric delay, any incidents, and any other vehicles. Control delay is the increased time of travel for a vehicle approaching and passing through an unsignalized intersection, compared with a free-flow vehicle if it were not required to slow or stop at the intersection.

Two-Way Stop Controlled Intersections

Two-way stop controlled intersections in which stop signs are used to assign the right-of-way, are the most prevalent type of intersection in the United States. At two-way stop-controlled intersections the stop-controlled approaches are referred as the minor street approaches and can be either public streets or private driveways. The approaches that are not controlled by stop signs are referred to as the major street approaches.

The capacity of movements subject to delay are determined using the "critical gap" method of capacity analysis. Expected average control delay based on movement volume and movement capacity is calculated. A level of service designation is given to the expected control delay for each minor movement. Level of service is not defined for the intersection as a whole. Control delay is the increased time of travel for a vehicle approaching and passing through a stop-controlled intersection, compared with a free-flow vehicle if it were not required to slow or stop at the intersection. A description of levels of service for two-way stop-controlled intersections is found in Table A-VI.

Table A-VI

Description of Level of Service for Two-Way Stop Controlled Intersections

Level of Service	Description
A	Very low control delay less than 10 seconds per vehicle for each movement subject to delay.
B	Low control delay greater than 10 and up to 15 seconds per vehicle for each movement subject to delay.
C	Acceptable control delay greater than 15 and up to 25 seconds per vehicle for each movement subject to delay.
D	Tolerable control delay greater than 25 and up to 35 seconds per vehicle for each movement subject to delay.
E	Limit of tolerable control delay greater than 35 and up to 50 seconds per vehicle for each movement subject to delay.
F	Unacceptable control delay in excess of 50 seconds per vehicle for each movement subject to delay.

Source: *Highway Capacity Manual 2000*

Appendix B – Existing Traffic Counts and Player/Employee Data

Location: Airway Blvd & N Canyons Pkwy
City: Livermore
Control: Signalized

Project ID: 21-080012-001
Date: 2/4/2021

Data - Total

NS/EW Streets:	Airway Blvd				Airway Blvd				N Canyons Pkwy				N Canyons Pkwy				
AM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	0.5	0.5	2	0	0	1	0	0	0	2	1	0	2	1	0	0	
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
7:00 AM	14	4	31	12	0	0	0	0	0	1	18	0	46	2	0	0	128
7:15 AM	16	1	46	14	0	0	0	0	0	4	13	0	60	6	1	1	162
7:30 AM	21	2	56	22	0	0	0	0	0	1	4	0	49	2	0	0	157
7:45 AM	16	1	94	22	0	0	0	0	0	0	10	0	73	4	1	0	221
8:00 AM	20	1	73	8	0	0	0	0	0	1	5	0	47	0	1	0	156
8:15 AM	11	2	87	10	0	1	0	0	0	3	9	0	57	1	1	0	182
8:30 AM	14	3	108	13	0	0	0	0	0	3	6	0	51	1	0	0	199
8:45 AM	10	0	85	12	1	0	0	0	0	6	9	0	52	6	0	1	182
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
TOTAL VOLUMES :	122	14	580	113	1	1	0	0	0	19	74	0	435	22	4	2	1387
APPROACH %'s :	14.72%	1.69%	69.96%	13.63%	50.00%	50.00%	0.00%	0.00%	0.00%	20.43%	79.57%	0.00%	93.95%	4.75%	0.86%	0.43%	
PEAK HR :	07:45 AM - 08:45 AM																TOTAL
PEAK HR VOL :	61	7	362	53	0	1	0	0	0	7	30	0	228	6	3	0	758
PEAK HR FACTOR :	0.763	0.583	0.838	0.602	0.000	0.250	0.000	0.000	0.000	0.583	0.750	0.000	0.781	0.375	0.750	0.000	0.857
	0.875				0.250				0.771				0.760				

PM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	0.5	0.5	2	0	0	1	0	0	0	2	1	0	2	1	0	0	
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
4:00 PM	10	0	120	16	0	1	0	0	0	4	21	0	130	1	0	1	304
4:15 PM	10	0	122	6	0	7	0	0	0	5	22	0	131	4	1	2	310
4:30 PM	8	1	113	15	0	1	0	0	0	4	14	0	142	2	0	1	301
4:45 PM	10	0	131	27	2	5	0	0	0	4	12	0	144	3	1	0	339
5:00 PM	10	0	123	11	1	2	0	0	0	6	14	0	143	4	0	0	314
5:15 PM	14	0	147	14	0	6	0	0	0	2	16	0	151	2	0	0	352
5:30 PM	12	0	147	14	0	4	0	0	0	5	17	0	146	6	0	0	351
5:45 PM	17	0	189	14	0	2	0	0	0	6	19	0	134	1	0	2	384
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
TOTAL VOLUMES :	91	1	1092	117	3	28	0	0	0	36	135	0	1121	23	2	6	2655
APPROACH %'s :	6.99%	0.08%	83.94%	8.99%	9.68%	90.32%	0.00%	0.00%	0.00%	21.05%	78.95%	0.00%	97.31%	2.00%	0.17%	0.52%	
PEAK HR :	05:00 PM - 06:00 PM																TOTAL
PEAK HR VOL :	53	0	606	53	1	14	0	0	0	19	66	0	574	13	0	2	1401
PEAK HR FACTOR :	0.779	0.000	0.802	0.946	0.250	0.583	0.000	0.000	0.000	0.792	0.868	0.000	0.950	0.542	0.000	0.250	0.912
	0.809				0.625				0.850				0.962				

Airway Blvd & N Canyons Pkwy

Peak Hour Turning Movement Count

ID: 21-080012-001
City: Livermore

Day: Thursday
Date: 2/4/2021

PEAK HOURS		COUNT PERIODS
AM	07:45 AM - 08:45 AM	7:00 AM - 09:00 AM
NOON	NONE	NONE
PM	05:00 PM - 06:00 PM	4:00 PM - 06:00 PM

SOUTHBOUND (Airway Blvd)

AM	0	1	0	0	10
NOON	0	0	0	0	0
PM	0	14	1	0	0
Lanes	0	1	0	0	

EASTBOUND (N Canyons Pkwy)

	AM	NOON	PM	Lanes
	67	0	66	
	0	0	0	0
	0	0	0	0
	7	0	19	2
	30	0	66	1

WESTBOUND (N Canyons Pkwy)

Lanes	PM	NOON	AM
0	0	0	3
1	13	0	6
2	574	0	228
0	2	0	0
	628	0	369

NORTHBOUND (Airway Blvd)

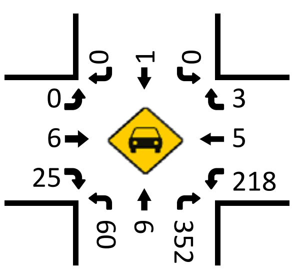
Lanes		0	0.5	0.5	2
PM	707	53	53	0	606
NOON	0	0	0	0	0
AM	312	53	61	7	362

CONTROL

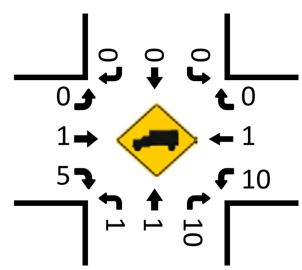
Signalized

	AM	NOON	PM
TEV	758	0	1401
PHF	0.86		0.91

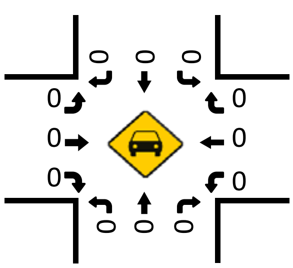
Cars (AM)



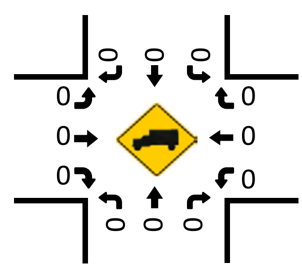
HT (AM)



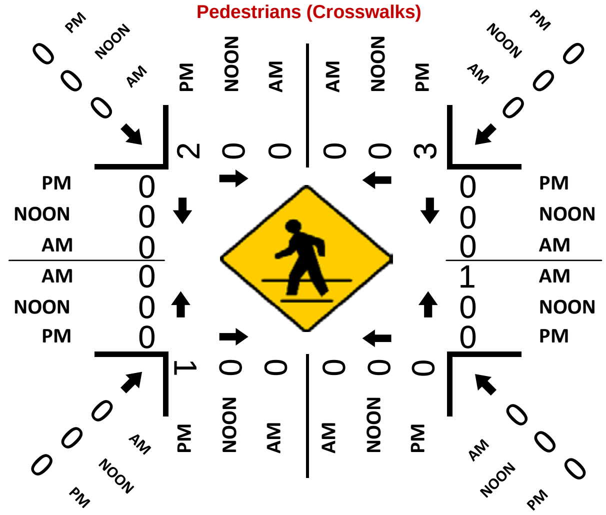
Cars (NOON)



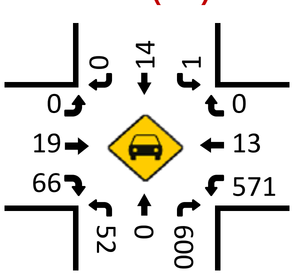
HT (NOON)



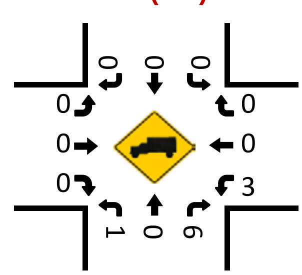
Pedestrians (Crosswalks)



Cars (PM)



HT (PM)



Location: Waxie Sanitary Supply Dwy & N Canyons Pkwy
City: Livermore
Control: Signalized

Project ID: 21-080012-002
Date: 2/4/2021

Data - Total

NS/EW Streets:	Waxie Sanitary Supply Dwy				Waxie Sanitary Supply Dwy				N Canyons Pkwy				N Canyons Pkwy				
AM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	0	0	0	0	1	0	1	0	1	3	0	0	1	2	1	0	
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
7:00 AM	0	0	0	0	1	0	0	0	0	19	0	0	0	12	4	0	36
7:15 AM	0	0	0	0	2	0	0	0	0	12	0	0	0	15	4	2	35
7:30 AM	0	0	0	0	1	0	0	0	0	5	0	0	0	17	7	0	30
7:45 AM	0	0	0	0	1	0	1	0	1	8	0	0	0	7	13	0	31
8:00 AM	0	0	0	0	0	0	0	0	0	7	0	0	0	12	8	0	27
8:15 AM	0	0	0	0	2	0	0	0	0	9	0	0	0	8	4	0	23
8:30 AM	0	0	0	0	3	0	0	0	0	7	0	0	0	7	8	0	25
8:45 AM	0	0	0	0	3	0	0	0	0	9	0	0	0	9	5	2	28
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
TOTAL VOLUMES :	0	0	0	0	13	0	1	0	1	76	0	0	0	87	53	4	235
APPROACH %'s :					92.86%	0.00%	7.14%	0.00%	1.30%	98.70%	0.00%	0.00%	0.00%	60.42%	36.81%	2.78%	
PEAK HR :	07:00 AM - 08:00 AM																TOTAL
PEAK HR VOL :	0	0	0	0	5	0	1	0	1	44	0	0	0	51	28	2	132
PEAK HR FACTOR :	0.000	0.000	0.000	0.000	0.625	0.000	0.250	0.000	0.250	0.579	0.000	0.000	0.000	0.750	0.538	0.250	0.917
					0.750				0.592				0.844				

PM	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	0	0	0	0	1	0	1	0	1	3	0	0	1	2	1	0	
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
4:00 PM	0	0	0	0	8	0	0	0	0	17	0	0	0	9	3	0	37
4:15 PM	0	0	0	0	0	0	0	0	0	26	0	0	0	11	2	1	40
4:30 PM	0	0	0	0	5	0	0	0	0	13	0	0	0	9	1	0	28
4:45 PM	0	0	0	0	5	0	0	0	0	11	0	0	0	11	2	0	29
5:00 PM	0	0	0	0	11	0	0	0	0	8	0	0	0	13	1	0	33
5:15 PM	0	0	0	0	2	0	0	0	0	16	0	0	0	9	5	2	34
5:30 PM	0	0	0	0	3	0	0	0	0	16	0	0	0	14	3	1	37
5:45 PM	0	0	0	0	7	0	0	0	0	20	0	0	0	13	5	0	45
	NL	NT	NR	NU	SL	ST	SR	SU	EL	ET	ER	EU	WL	WT	WR	WU	TOTAL
TOTAL VOLUMES :	0	0	0	0	41	0	0	0	0	127	0	0	0	89	22	4	283
APPROACH %'s :					100.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	77.39%	19.13%	3.48%	
PEAK HR :	05:00 PM - 06:00 PM																TOTAL
PEAK HR VOL :	0	0	0	0	23	0	0	0	0	60	0	0	0	49	14	3	149
PEAK HR FACTOR :	0.000	0.000	0.000	0.000	0.523	0.000	0.000	0.000	0.000	0.750	0.000	0.000	0.000	0.875	0.700	0.375	0.828
					0.523				0.750				0.917				

Waxie Sanitary Supply Dwy & N Canyons Pkwy

Peak Hour Turning Movement Count

ID: 21-080012-002
City: Livermore

Day: Thursday
Date: 2/4/2021

	PEAK HOURS	COUNT PERIODS
AM	07:00 AM - 08:00 AM	7:00 AM - 09:00 AM
NOON	NONE	NONE
PM	05:00 PM - 06:00 PM	4:00 PM - 06:00 PM

Waxie Sanitary Supply Dwy — SOUTHBOUND

	Right	Thru	Left	U-Turn	Departing
AM	1	0	5	0	29
NOON	0	0	0	0	0
PM	0	0	23	0	14
Lanes	1	0	1	0	

N Canyons Pkwy — EASTBOUND

	AM	NOON	PM	Lanes
Departing	52	0	49	
U-Turn	0	0	0	0
Left	1	0	0	1
Thru	44	0	60	3
Right	0	0	0	0

N Canyons Pkwy — WESTBOUND

	Lanes	PM	NOON	AM
Left	1	14	0	28
Thru	2	49	0	51
Right	1	0	0	0
U-Turn	0	3	0	2
Departing		86	0	51

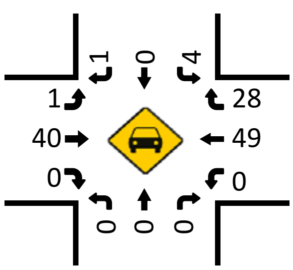
Waxie Sanitary Supply Dwy — NORTHBOUND

	Departing	U-Turn	Left	Thru	Right
Lanes		0	0	0	0
PM	0	0	0	0	0
NOON	0	0	0	0	0
AM	0	0	0	0	0

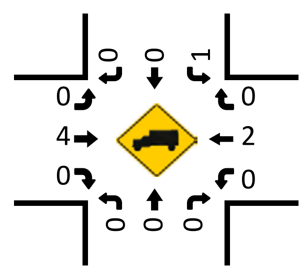
CONTROL: Signalized

	AM	NOON	PM
TEV	132	0	149
PHF	0.92		0.83

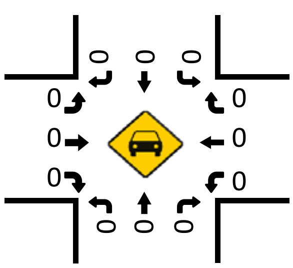
Cars (AM)



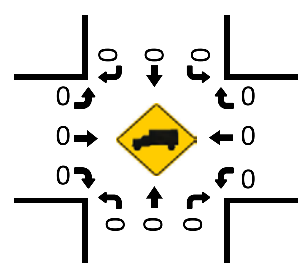
HT (AM)



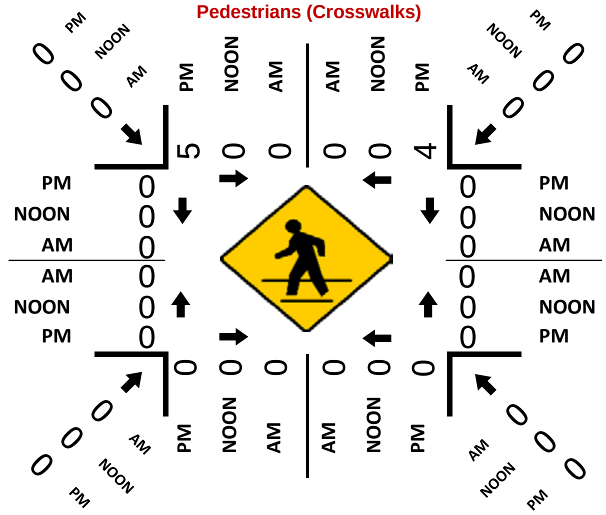
Cars (NOON)



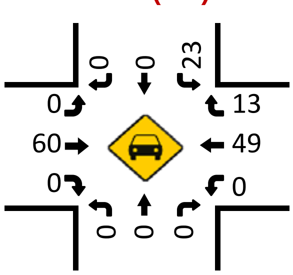
HT (NOON)



Pedestrians (Crosswalks)



Cars (PM)



HT (PM)

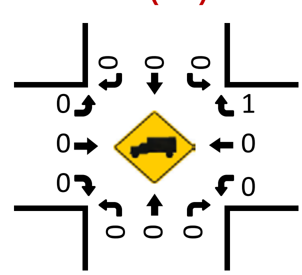


EXHIBIT B

Player arrival and departures

AM Period

	Feb 2019		Dec 2019		Jan 2020	
Weekday	Avg Arrivals	Avg Departures	Avg Arrivals	Avg Departures	Avg Arrivals	Avg Departures
0700-0715	0	0	0	1	0	0
0715-0730	0	1	0	1	0	1
0730-0745	0	0	0	0	0	0
0745-0800	0	1	1	1	1	0
0800-0815	0	1	1	0	1	0
0815-0830	1	1	1	0	0	0
0830-0845	1	1	1	0	1	0
0845-0900	1	0	1	1	1	0

Avg Arrivals	Avg Departures
0	0
0	1
0	0
1	1
1	0
1	0
1	0
1	0

1.1 persons/vehicle

players

	Players in	Players Out	Vehicles in	Vehicles Out	Total Vehicles
Peak: 0745-0845	4	1	4	1	5
		split	80%	20%	

employees

	Employees in	Employees Out	Vehicles in	Vehicles Out	Total Vehicles
Peak: 0730-0830	29	30	26	27	54
		split	49%	51%	

Ex. Conditions 10 gambling tables 44% increase
Future conditior 6 additional tables

Additional Players	AM In	AM Out	AM Additional Trips
	2	0	2

Additional Employees	AM In	AM Out	AM Additional Trips
	12	12	24

Total Additional Trips	AM In	AM Out	AM Total Trips
	14	12	26

PM Period

	Feb 2019		Dec 2019		Jan 2020	
Weekday	Avg Arrivals	Avg Departures	Avg Arrivals	Avg Departures	Avg Arrivals	Avg Departures
1600-1615	3	9	3	6	3	5
1615-1630	3	3	3	6	3	4
1630-1645	3	3	2	6	2	5
1645-1700	3	4	2	8	2	5
1700-1715	3	4	2	5	2	10
1715-1730	3	6	3	10	2	5
1730-1745	3	5	3	4	3	4
1745-1800	3	3	3	2	2	2

Avg Arrivals	Avg Departures
3	7
3	4
3	5
2	6
3	6
3	7
3	4
3	2

	Players in	Players Out	Vehicles in	Vehicles Out	Total Vehicles
Peak: 1630-1730	11	24	10	22	32
		split	31%	69%	

employees

	Employees in	Employees Out	Vehicles in	Vehicles Out	Total Vehicles
Peak: 1600-1700	0	28	0	25	25
		split	0%	100%	

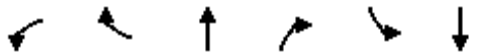
Additional Players	PM In	PM Out	PM Additional Trips
	4	10	14

Additional Employees	AM In	AM Out	AM Additional Trips
	0	11	11

Total Additional Trips	PM In	PM Out	PM Total Trips
	4	21	25

Appendix C – Existing Conditions Intersection Level of Service and Queuing Analysis Work Sheets

HCM Unsignalized Intersection Capacity Analysis
1: Doolan Rd & N. Canyons Pkwy

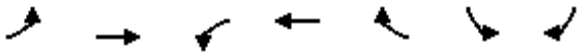


Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	21	11	0	19	16	0
Future Volume (Veh/h)	21	11	0	19	16	0
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.83	0.83	0.83	0.83	0.83	0.83
Hourly flow rate (vph)	25	13	0	23	19	0
Pedestrians	3		3			1
Lane Width (ft)	12.0		12.0			12.0
Walking Speed (ft/s)	3.5		3.5			3.5
Percent Blockage	0		0			0
Right turn flare (veh)						
Median type			None			None
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	56	16			26	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	56	16			26	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	97	99			99	
cM capacity (veh/h)	935	1060			1584	

Direction, Lane #	WB 1	WB 2	NB 1	SB 1
Volume Total	25	13	23	19
Volume Left	25	0	0	19
Volume Right	0	13	23	0
cSH	935	1060	1700	1584
Volume to Capacity	0.03	0.01	0.01	0.01
Queue Length 95th (ft)	2	1	0	1
Control Delay (s)	9.0	8.4	0.0	7.3
Lane LOS	A	A		A
Approach Delay (s)	8.8		0.0	7.3
Approach LOS	A			

Intersection Summary			
Average Delay	5.9		
Intersection Capacity Utilization	17.9%	ICU Level of Service	A
Analysis Period (min)	15		

Queues
2: N. Canyons Pkwy & Waxie Dwy



Lane Group	EBL	EBT	WBL	WBT	WBR	SBL	SBR
Lane Group Flow (vph)	2	38	4	40	23	12	2
v/c Ratio	0.00	0.02	0.01	0.03	0.03	0.03	0.00
Control Delay	8.5	5.4	8.2	5.3	1.3	7.9	0.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	8.5	5.4	8.2	5.3	1.3	7.9	0.0
Queue Length 50th (ft)	0	0	0	0	0	1	0
Queue Length 95th (ft)	3	7	5	7	4	8	0
Internal Link Dist (ft)		662		503			
Turn Bay Length (ft)	215		145		90		
Base Capacity (vph)	1644	3539	1644	3539	1583	1730	1475
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.00	0.01	0.00	0.01	0.01	0.01	0.00

Intersection Summary

HCM Signalized Intersection Capacity Analysis
2: N. Canyons Pkwy & Waxie Dwy



Movement	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	2	35	0	4	0	37	21	0	0	0	11	0
Future Volume (vph)	2	35	0	4	0	37	21	0	0	0	11	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	5.0			4.0	5.0	5.0				4.0	
Lane Util. Factor	1.00	0.95			1.00	0.95	1.00				1.00	
Frt	1.00	1.00			1.00	1.00	0.85				1.00	
Flt Protected	0.95	1.00			0.95	1.00	1.00				0.95	
Satd. Flow (prot)	1770	3539			1770	3539	1583				1770	
Flt Permitted	0.95	1.00			0.95	1.00	1.00				1.00	
Satd. Flow (perm)	1770	3539			1770	3539	1583				1863	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	2	38	0	4	0	40	23	0	0	0	12	0
RTOR Reduction (vph)	0	0	0	0	0	0	21	0	0	0	0	0
Lane Group Flow (vph)	2	38	0	0	4	40	2	0	0	0	12	0
Turn Type	Prot	NA		Prot	Prot	NA	Perm				Perm	
Protected Phases	1	6		5	5	2			8			
Permitted Phases							2	8			4	
Actuated Green, G (s)	0.6	1.0			0.6	1.0	1.0				0.7	
Effective Green, g (s)	0.6	1.0			0.6	1.0	1.0				0.7	
Actuated g/C Ratio	0.04	0.07			0.04	0.07	0.07				0.05	
Clearance Time (s)	4.0	5.0			4.0	5.0	5.0				4.0	
Vehicle Extension (s)	2.0	2.0			2.0	2.0	2.0				2.0	
Lane Grp Cap (vph)	69	231			69	231	103				85	
v/s Ratio Prot	0.00	0.01			c0.00	c0.01						
v/s Ratio Perm							0.00				c0.01	
v/c Ratio	0.03	0.16			0.06	0.17	0.01				0.14	
Uniform Delay, d1	7.1	6.8			7.1	6.8	6.7				7.0	
Progression Factor	1.00	1.00			1.00	1.00	1.00				1.00	
Incremental Delay, d2	0.1	0.1			0.1	0.1	0.0				0.3	
Delay (s)	7.1	6.9			7.2	6.9	6.7				7.3	
Level of Service	A	A			A	A	A				A	
Approach Delay (s)		6.9				6.8			0.0			7.2
Approach LOS		A				A			A			A

Intersection Summary			
HCM 2000 Control Delay	6.9	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.13		
Actuated Cycle Length (s)	15.3	Sum of lost time (s)	13.0
Intersection Capacity Utilization	17.5%	ICU Level of Service	A
Analysis Period (min)	15		

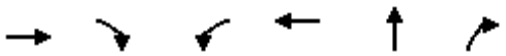
c Critical Lane Group



Movement	SBR
Lane Configurations	
Traffic Volume (vph)	2
Future Volume (vph)	2
Ideal Flow (vphpl)	1900
Total Lost time (s)	4.0
Lane Util. Factor	1.00
Frt	0.85
Flt Protected	1.00
Satd. Flow (prot)	1583
Flt Permitted	1.00
Satd. Flow (perm)	1583
Peak-hour factor, PHF	0.92
Adj. Flow (vph)	2
RTOR Reduction (vph)	2
Lane Group Flow (vph)	0
Turn Type	Perm
Protected Phases	
Permitted Phases	4
Actuated Green, G (s)	0.7
Effective Green, g (s)	0.7
Actuated g/C Ratio	0.05
Clearance Time (s)	4.0
Vehicle Extension (s)	2.0
Lane Grp Cap (vph)	72
v/s Ratio Prot	
v/s Ratio Perm	0.00
v/c Ratio	0.00
Uniform Delay, d1	7.0
Progression Factor	1.00
Incremental Delay, d2	0.0
Delay (s)	7.0
Level of Service	A
Approach Delay (s)	
Approach LOS	

Intersection Summary

Queues
3: Airway Blvd & N. Canyons Pkwy



Lane Group	EBT	EBR	WBL	WBT	NBT	NBR
Lane Group Flow (vph)	13	36	592	18	134	1106
v/c Ratio	0.01	0.04	0.77	0.01	0.54	0.62
Control Delay	18.9	0.1	44.9	4.1	48.7	2.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	18.9	0.1	44.9	4.1	48.7	2.6
Queue Length 50th (ft)	2	0	192	2	84	0
Queue Length 95th (ft)	8	0	216	9	126	16
Internal Link Dist (ft)	503			527	378	
Turn Bay Length (ft)		230	90			
Base Capacity (vph)	1697	819	833	1418	353	1810
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.01	0.04	0.71	0.01	0.38	0.61

Intersection Summary

HCM Signalized Intersection Capacity Analysis
3: Airway Blvd & N. Canyons Pkwy



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	0	11	30	497	15	0	72	47	0	929	0	0
Future Volume (vph)	0	11	30	497	15	0	72	47	0	929	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		6.0	6.0	6.0	6.0				4.2	6.0		
Lane Util. Factor		0.95	1.00	0.97	1.00				1.00	0.88		
Frt		1.00	0.85	1.00	1.00				1.00	0.85		
Flt Protected		1.00	1.00	0.95	1.00				0.95	1.00		
Satd. Flow (prot)		3539	1583	3433	1863				1770	2787		
Flt Permitted		1.00	1.00	0.95	1.00				0.95	1.00		
Satd. Flow (perm)		3539	1583	3433	1863				1770	2787		
Peak-hour factor, PHF	0.84	0.84	0.84	0.84	0.84	0.84	0.92	0.84	0.84	0.84	0.84	0.84
Adj. Flow (vph)	0	13	36	592	18	0	78	56	0	1106	0	0
RTOR Reduction (vph)	0	0	19	0	0	0	0	0	0	702	0	0
Lane Group Flow (vph)	0	13	17	592	18	0	0	0	134	404	0	0
Turn Type		NA	Perm	Prot	NA	Perm		Split	NA	pt+ov		
Protected Phases		2		1	6			8	8	1 8	4	4
Permitted Phases			2			6						
Actuated Green, G (s)		50.4	50.4	23.6	80.0				14.8	42.6		
Effective Green, g (s)		50.4	50.4	23.6	80.0				14.8	38.4		
Actuated g/C Ratio		0.48	0.48	0.22	0.76				0.14	0.37		
Clearance Time (s)		6.0	6.0	6.0	6.0				4.2			
Vehicle Extension (s)		2.0	2.0	2.0	2.0				2.0			
Lane Grp Cap (vph)		1698	759	771	1419				249	1019		
v/s Ratio Prot		0.00		c0.17	0.01				c0.08	0.15		
v/s Ratio Perm			c0.01									
v/c Ratio		0.01	0.02	0.77	0.01				0.54	0.40		
Uniform Delay, d1		14.2	14.4	38.1	3.0				41.9	24.7		
Progression Factor		1.00	1.00	1.00	1.00				1.00	1.00		
Incremental Delay, d2		0.0	0.1	4.2	0.0				1.1	0.1		
Delay (s)		14.3	14.4	42.3	3.0				43.0	24.8		
Level of Service		B	B	D	A				D	C		
Approach Delay (s)		14.4			41.1				26.8			0.0
Approach LOS		B			D				C			A

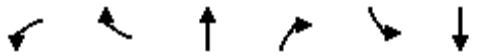
Intersection Summary			
HCM 2000 Control Delay	31.1	HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio	0.32		
Actuated Cycle Length (s)	105.0	Sum of lost time (s)	20.2
Intersection Capacity Utilization	50.8%	ICU Level of Service	A
Analysis Period (min)	15		

c Critical Lane Group



Movement	SBR
Lane Configurations	
Traffic Volume (vph)	0
Future Volume (vph)	0
Ideal Flow (vphpl)	1900
Total Lost time (s)	
Lane Util. Factor	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.84
Adj. Flow (vph)	0
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	

HCM Unsignalized Intersection Capacity Analysis
1: Doolan Rd & N. Canyons Pkwy



Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	45	22	2	27	15	0
Future Volume (Veh/h)	45	22	2	27	15	0
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.76	0.76	0.76	0.76	0.76	0.76
Hourly flow rate (vph)	59	29	3	36	20	0
Pedestrians	3		1			
Lane Width (ft)	12.0		12.0			
Walking Speed (ft/s)	3.5		3.5			
Percent Blockage	0		0			
Right turn flare (veh)						
Median type			None			None
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	65	24			42	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	65	24			42	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	94	97			99	
cM capacity (veh/h)	925	1049			1563	

Direction, Lane #	WB 1	WB 2	NB 1	SB 1
Volume Total	59	29	39	20
Volume Left	59	0	0	20
Volume Right	0	29	36	0
cSH	925	1049	1700	1563
Volume to Capacity	0.06	0.03	0.02	0.01
Queue Length 95th (ft)	5	2	0	1
Control Delay (s)	9.2	8.5	0.0	7.3
Lane LOS	A	A		A
Approach Delay (s)	8.9		0.0	7.3
Approach LOS	A			

Intersection Summary			
Average Delay	6.4		
Intersection Capacity Utilization	17.5%	ICU Level of Service	A
Analysis Period (min)	15		

Queues
2: N. Canyons Pkwy & Waxie Dwy



Lane Group	EBT	WBL	WBT	WBR	SBL
Lane Group Flow (vph)	51	5	77	29	67
v/c Ratio	0.03	0.01	0.04	0.04	0.12
Control Delay	5.0	11.5	2.8	0.8	9.0
Queue Delay	0.0	0.0	0.0	0.0	0.0
Total Delay	5.0	11.5	2.8	0.8	9.0
Queue Length 50th (ft)	1	0	0	0	1
Queue Length 95th (ft)	10	7	7	3	34
Internal Link Dist (ft)	660		503		
Turn Bay Length (ft)		145		90	
Base Capacity (vph)	3502	1584	3502	1511	1667
Starvation Cap Reductn	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0
Reduced v/c Ratio	0.01	0.00	0.02	0.02	0.04

Intersection Summary

Movement	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	0	42	0	4	0	64	24	0	0	0	56	0
Future Volume (vph)	0	42	0	4	0	64	24	0	0	0	56	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.0			4.0	5.0	5.0				4.0	
Lane Util. Factor		0.95			1.00	0.95	1.00				1.00	
Frpb, ped/bikes		1.00			1.00	1.00	0.98				1.00	
Flpb, ped/bikes		1.00			1.00	1.00	1.00				1.00	
Frt		1.00			1.00	1.00	0.85				1.00	
Flt Protected		1.00			0.95	1.00	1.00				0.95	
Satd. Flow (prot)		3539			1770	3539	1547				1770	
Flt Permitted		1.00			0.95	1.00	1.00				1.00	
Satd. Flow (perm)		3539			1770	3539	1547				1863	
Peak-hour factor, PHF	0.83	0.83	0.83	0.83	0.83	0.83	0.83	0.83	0.83	0.83	0.83	0.83
Adj. Flow (vph)	0	51	0	5	0	77	29	0	0	0	67	0
RTOR Reduction (vph)	0	0	0	0	0	0	18	0	0	0	0	0
Lane Group Flow (vph)	0	51	0	0	5	77	11	0	0	0	67	0
Confl. Peds. (#/hr)							9					
Confl. Bikes (#/hr)			1									
Turn Type	Prot	NA		Prot	Prot	NA	Perm				Perm	
Protected Phases	1	6		5	5	2			8			
Permitted Phases							2	8			4	
Actuated Green, G (s)		1.6			0.5	6.1	6.1				0.8	
Effective Green, g (s)		1.6			0.5	6.1	6.1				0.8	
Actuated g/C Ratio		0.10			0.03	0.38	0.38				0.05	
Clearance Time (s)		5.0			4.0	5.0	5.0				4.0	
Vehicle Extension (s)		2.0			2.0	2.0	2.0				2.0	
Lane Grp Cap (vph)		356			55	1357	593				93	
v/s Ratio Prot		0.01			0.00	c0.02						
v/s Ratio Perm							0.01				c0.04	
v/c Ratio		0.14			0.09	0.06	0.02				0.72	
Uniform Delay, d1		6.5			7.5	3.1	3.0				7.4	
Progression Factor		1.00			1.00	1.00	1.00				1.00	
Incremental Delay, d2		0.1			0.3	0.0	0.0				20.6	
Delay (s)		6.6			7.7	3.1	3.0				28.0	
Level of Service		A			A	A	A				C	
Approach Delay (s)		6.6				3.3			0.0			28.0
Approach LOS		A				A			A			C

Intersection Summary			
HCM 2000 Control Delay	11.3	HCM 2000 Level of Service	B
HCM 2000 Volume to Capacity ratio	0.32		
Actuated Cycle Length (s)	15.9	Sum of lost time (s)	13.0
Intersection Capacity Utilization	21.2%	ICU Level of Service	A
Analysis Period (min)	15		

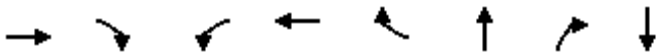
c Critical Lane Group



Movement	SBR
Lane Configurations	
Traffic Volume (vph)	0
Future Volume (vph)	0
Ideal Flow (vphpl)	1900
Total Lost time (s)	
Lane Util. Factor	
Frpb, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.83
Adj. Flow (vph)	0
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	
Confl. Bikes (#/hr)	
Turn Type	Perm
Protected Phases	
Permitted Phases	4
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	

Intersection Summary

Queues
3: Airway Blvd & N. Canyons Pkwy



Lane Group	EBT	EBR	WBL	WBT	WBR	NBT	NBR	SBT
Lane Group Flow (vph)	8	109	973	12	1	165	737	1
v/c Ratio	0.01	0.21	0.71	0.01	0.00	0.65	0.38	0.01
Control Delay	27.7	6.1	31.8	5.8	0.0	53.6	1.4	48.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	27.7	6.1	31.8	5.8	0.0	53.6	1.4	48.0
Queue Length 50th (ft)	2	0	285	2	0	106	0	1
Queue Length 95th (ft)	8	38	#454	10	0	165	28	7
Internal Link Dist (ft)	503			527		378		115
Turn Bay Length (ft)		230	90		195			
Base Capacity (vph)	1013	530	1367	1382	1188	312	1914	283
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.01	0.21	0.71	0.01	0.00	0.53	0.39	0.00

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	0	7	99	885	11	1	70	81	0	671	0	1
Future Volume (vph)	0	7	99	885	11	1	70	81	0	671	0	1
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		6.0	6.0	6.0	6.0	6.0			4.2	6.0		4.0
Lane Util. Factor		0.95	1.00	0.97	1.00	1.00			1.00	0.88		1.00
Frpb, ped/bikes		1.00	0.99	1.00	1.00	1.00			1.00	1.00		1.00
Flpb, ped/bikes		1.00	1.00	1.00	1.00	1.00			1.00	1.00		1.00
Frt		1.00	0.85	1.00	1.00	0.85			1.00	0.85		1.00
Flt Protected		1.00	1.00	0.95	1.00	1.00			0.95	1.00		1.00
Satd. Flow (prot)		3539	1563	3433	1863	1583			1770	2787		1863
Flt Permitted		1.00	1.00	0.95	1.00	1.00			0.95	1.00		1.00
Satd. Flow (perm)		3539	1563	3433	1863	1583			1770	2787		1863
Peak-hour factor, PHF	0.91	0.91	0.91	0.91	0.91	0.91	0.92	0.91	0.91	0.91	0.91	0.91
Adj. Flow (vph)	0	8	109	973	12	1	76	89	0	737	0	1
RTOR Reduction (vph)	0	0	81	0	0	0	0	0	0	338	0	0
Lane Group Flow (vph)	0	8	28	973	12	1	0	0	165	399	0	1
Confl. Peds. (#/hr)			1									
Turn Type		NA	Perm	Prot	NA	Perm		Split	NA	pt+ov		NA
Protected Phases		2		1	6			8	8	1 8	4	4
Permitted Phases			2			6						
Actuated Green, G (s)		26.9	26.9	41.8	74.7	74.7			15.1	61.1		1.0
Effective Green, g (s)		26.9	26.9	41.8	74.7	74.7			15.1	56.9		1.0
Actuated g/C Ratio		0.26	0.26	0.40	0.71	0.71			0.14	0.54		0.01
Clearance Time (s)		6.0	6.0	6.0	6.0	6.0			4.2			4.0
Vehicle Extension (s)		2.0	2.0	2.0	2.0	2.0			2.0			2.0
Lane Grp Cap (vph)		906	400	1366	1325	1126			254	1510		17
v/s Ratio Prot		0.00		c0.28	0.01				c0.09	0.14		c0.00
v/s Ratio Perm			c0.02			0.00						
v/c Ratio		0.01	0.07	0.71	0.01	0.00			0.65	0.26		0.06
Uniform Delay, d1		29.1	29.6	26.5	4.4	4.4			42.5	12.9		51.5
Progression Factor		1.00	1.00	1.00	1.00	1.00			1.00	1.00		1.00
Incremental Delay, d2		0.0	0.3	1.5	0.0	0.0			4.2	0.0		0.5
Delay (s)		29.1	29.9	28.0	4.4	4.4			46.7	12.9		52.1
Level of Service		C	C	C	A	A			D	B		D
Approach Delay (s)		29.9			27.7				19.1			52.1
Approach LOS		C			C				B			D

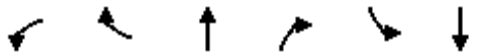
Intersection Summary			
HCM 2000 Control Delay	24.0	HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio	0.49		
Actuated Cycle Length (s)	105.0	Sum of lost time (s)	20.2
Intersection Capacity Utilization	78.2%	ICU Level of Service	D
Analysis Period (min)	15		
c Critical Lane Group			



Movement	SBR
Lane Configurations	
Traffic Volume (vph)	0
Future Volume (vph)	0
Ideal Flow (vphpl)	1900
Total Lost time (s)	
Lane Util. Factor	
Frpb, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.91
Adj. Flow (vph)	0
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	

Intersection Summary

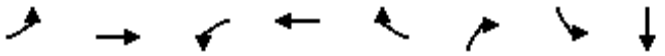
Appendix D – Existing plus Project Conditions Intersections Level of Service and Queuing Work Sheets



Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	11	11	0	9	16	0
Future Volume (Veh/h)	11	11	0	9	16	0
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.83	0.83	0.83	0.83	0.83	0.83
Hourly flow rate (vph)	13	13	0	11	19	0
Pedestrians	3		3			1
Lane Width (ft)	12.0		12.0			12.0
Walking Speed (ft/s)	3.5		3.5			3.5
Percent Blockage	0		0			0
Right turn flare (veh)						
Median type			None			None
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	50	10			14	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	50	10			14	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	99	99			99	
cM capacity (veh/h)	943	1068			1600	

Direction, Lane #	WB 1	WB 2	NB 1	SB 1
Volume Total	13	13	11	19
Volume Left	13	0	0	19
Volume Right	0	13	11	0
cSH	943	1068	1700	1600
Volume to Capacity	0.01	0.01	0.01	0.01
Queue Length 95th (ft)	1	1	0	1
Control Delay (s)	8.9	8.4	0.0	7.3
Lane LOS	A	A		A
Approach Delay (s)	8.6		0.0	7.3
Approach LOS	A			

Intersection Summary			
Average Delay	6.5		
Intersection Capacity Utilization	17.9%	ICU Level of Service	A
Analysis Period (min)	15		



Lane Group	EBL	EBT	WBL	WBT	WBR	NBR	SBL	SBT
Lane Group Flow (vph)	2	27	30	29	23	24	12	2
v/c Ratio	0.00	0.02	0.06	0.02	0.03	0.02	0.02	0.00
Control Delay	8.5	5.6	7.7	5.1	1.3	0.0	7.9	0.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	8.5	5.6	7.7	5.1	1.3	0.0	7.9	0.0
Queue Length 50th (ft)	0	1	2	1	0	0	1	0
Queue Length 95th (ft)	3	6	16	6	4	0	9	0
Internal Link Dist (ft)		662		503				387
Turn Bay Length (ft)	215		145		90	50		
Base Capacity (vph)	1636	3539	1636	3539	1583	1541	1722	1541
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.00	0.01	0.02	0.01	0.01	0.02	0.01	0.00

Intersection Summary



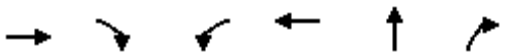
Movement	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	2	25	0	4	24	27	21	0	0	22	11	0
Future Volume (vph)	2	25	0	4	24	27	21	0	0	22	11	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	5.0			4.0	5.0	5.0			4.0	4.0	4.0
Lane Util. Factor	1.00	0.95			1.00	0.95	1.00			1.00	1.00	1.00
Frt	1.00	1.00			1.00	1.00	0.85			0.85	1.00	0.85
Flt Protected	0.95	1.00			0.95	1.00	1.00			1.00	0.95	1.00
Satd. Flow (prot)	1770	3539			1770	3539	1583			1583	1770	1583
Flt Permitted	0.95	1.00			0.95	1.00	1.00			1.00	1.00	1.00
Satd. Flow (perm)	1770	3539			1770	3539	1583			1583	1863	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	2	27	0	4	26	29	23	0	0	24	12	0
RTOR Reduction (vph)	0	0	0	0	0	0	21	0	0	23	0	2
Lane Group Flow (vph)	2	27	0	0	30	29	2	0	0	1	12	0
Turn Type	Prot	NA		Prot	Prot	NA	Perm			Perm	Perm	NA
Protected Phases	1	6		5	5	2			8			4
Permitted Phases							2	8		8	4	
Actuated Green, G (s)	0.6	1.0			0.7	1.1	1.1			0.7	0.7	0.7
Effective Green, g (s)	0.6	1.0			0.7	1.1	1.1			0.7	0.7	0.7
Actuated g/C Ratio	0.04	0.06			0.05	0.07	0.07			0.05	0.05	0.05
Clearance Time (s)	4.0	5.0			4.0	5.0	5.0			4.0	4.0	4.0
Vehicle Extension (s)	2.0	2.0			2.0	2.0	2.0			2.0	2.0	2.0
Lane Grp Cap (vph)	68	229			80	252	113			71	84	71
v/s Ratio Prot	0.00	0.01			c0.02	c0.01						0.00
v/s Ratio Perm							0.00			0.00	c0.01	
v/c Ratio	0.03	0.12			0.38	0.12	0.01			0.02	0.14	0.00
Uniform Delay, d1	7.1	6.8			7.1	6.7	6.6			7.0	7.1	7.0
Progression Factor	1.00	1.00			1.00	1.00	1.00			1.00	1.00	1.00
Incremental Delay, d2	0.1	0.1			1.1	0.1	0.0			0.0	0.3	0.0
Delay (s)	7.2	6.9			8.2	6.8	6.7			7.1	7.3	7.0
Level of Service	A	A			A	A	A			A	A	A
Approach Delay (s)		6.9				7.3			7.1			7.3
Approach LOS		A				A			A			A

Intersection Summary			
HCM 2000 Control Delay	7.2	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.20		
Actuated Cycle Length (s)	15.4	Sum of lost time (s)	13.0
Intersection Capacity Utilization	25.7%	ICU Level of Service	A
Analysis Period (min)	15		

c Critical Lane Group



Movement	SBR
Lane Configurations	
Traffic Volume (vph)	2
Future Volume (vph)	2
Ideal Flow (vphpl)	1900
Total Lost time (s)	
Lane Util. Factor	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.92
Adj. Flow (vph)	2
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	



Lane Group	EBT	EBR	WBL	WBT	NBT	NBR
Lane Group Flow (vph)	15	48	592	21	147	1106
v/c Ratio	0.01	0.06	0.77	0.01	0.56	0.61
Control Delay	19.3	0.1	44.9	4.3	48.8	2.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	19.3	0.1	44.9	4.3	48.8	2.5
Queue Length 50th (ft)	2	0	192	3	93	0
Queue Length 95th (ft)	10	0	216	11	135	15
Internal Link Dist (ft)	503			527	378	
Turn Bay Length (ft)		230	90			
Base Capacity (vph)	1673	809	833	1405	356	1817
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.01	0.06	0.71	0.01	0.41	0.61

Intersection Summary

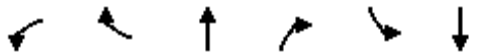
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	0	13	40	497	18	0	72	58	0	929	0	0
Future Volume (vph)	0	13	40	497	18	0	72	58	0	929	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		6.0	6.0	6.0	6.0				4.2	6.0		
Lane Util. Factor		0.95	1.00	0.97	1.00				1.00	0.88		
Frt		1.00	0.85	1.00	1.00				1.00	0.85		
Flt Protected		1.00	1.00	0.95	1.00				0.95	1.00		
Satd. Flow (prot)		3539	1583	3433	1863				1770	2787		
Flt Permitted		1.00	1.00	0.95	1.00				0.95	1.00		
Satd. Flow (perm)		3539	1583	3433	1863				1770	2787		
Peak-hour factor, PHF	0.84	0.84	0.84	0.84	0.84	0.84	0.92	0.84	0.84	0.84	0.84	0.84
Adj. Flow (vph)	0	15	48	592	21	0	78	69	0	1106	0	0
RTOR Reduction (vph)	0	0	25	0	0	0	0	0	0	693	0	0
Lane Group Flow (vph)	0	15	23	592	21	0	0	0	147	413	0	0
Turn Type		NA	Perm	Prot	NA	Perm		Split	NA	pt+ov		
Protected Phases		2		1	6			8	8	1 8	4	4
Permitted Phases			2			6						
Actuated Green, G (s)		49.6	49.6	23.6	79.2				15.6	43.4		
Effective Green, g (s)		49.6	49.6	23.6	79.2				15.6	39.2		
Actuated g/C Ratio		0.47	0.47	0.22	0.75				0.15	0.37		
Clearance Time (s)		6.0	6.0	6.0	6.0				4.2			
Vehicle Extension (s)		2.0	2.0	2.0	2.0				2.0			
Lane Grp Cap (vph)		1671	747	771	1405				262	1040		
v/s Ratio Prot		0.00		c0.17	0.01				c0.08	0.15		
v/s Ratio Perm			c0.01									
v/c Ratio		0.01	0.03	0.77	0.01				0.56	0.40		
Uniform Delay, d1		14.7	14.8	38.1	3.2				41.5	24.2		
Progression Factor		1.00	1.00	1.00	1.00				1.00	1.00		
Incremental Delay, d2		0.0	0.1	4.2	0.0				1.6	0.1		
Delay (s)		14.7	14.9	42.3	3.2				43.2	24.3		
Level of Service		B	B	D	A				D	C		
Approach Delay (s)		14.9			41.0				26.5			0.0
Approach LOS		B			D				C			A

Intersection Summary			
HCM 2000 Control Delay	30.7	HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio	0.33		
Actuated Cycle Length (s)	105.0	Sum of lost time (s)	20.2
Intersection Capacity Utilization	50.8%	ICU Level of Service	A
Analysis Period (min)	15		

c Critical Lane Group



Movement	SBR
Lane Configurations	
Traffic Volume (vph)	0
Future Volume (vph)	0
Ideal Flow (vphpl)	1900
Total Lost time (s)	
Lane Util. Factor	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.84
Adj. Flow (vph)	0
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	



Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Volume (veh/h)	15	22	2	15	15	0
Future Volume (Veh/h)	15	22	2	15	15	0
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.76	0.76	0.76	0.76	0.76	0.76
Hourly flow rate (vph)	20	29	3	20	20	0
Pedestrians	3		1			
Lane Width (ft)	12.0		12.0			
Walking Speed (ft/s)	3.5		3.5			
Percent Blockage	0		0			
Right turn flare (veh)						
Median type			None			None
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	57	16			26	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	57	16			26	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	98	97			99	
cM capacity (veh/h)	935	1060			1584	

Direction, Lane #	WB 1	WB 2	NB 1	SB 1
Volume Total	20	29	23	20
Volume Left	20	0	0	20
Volume Right	0	29	20	0
cSH	935	1060	1700	1584
Volume to Capacity	0.02	0.03	0.01	0.01
Queue Length 95th (ft)	2	2	0	1
Control Delay (s)	8.9	8.5	0.0	7.3
Lane LOS	A	A		A
Approach Delay (s)	8.7		0.0	7.3
Approach LOS	A			

Intersection Summary			
Average Delay	6.2		
Intersection Capacity Utilization	17.5%	ICU Level of Service	A
Analysis Period (min)	15		



Lane Group	EBT	WBL	WBT	WBR	NBR	SBL
Lane Group Flow (vph)	36	46	41	29	40	67
v/c Ratio	0.02	0.10	0.02	0.04	0.03	0.12
Control Delay	6.6	10.7	3.6	0.8	0.1	9.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	6.6	10.7	3.6	0.8	0.1	9.8
Queue Length 50th (ft)	0	0	0	0	0	0
Queue Length 95th (ft)	8	27	4	3	0	34
Internal Link Dist (ft)	660		503			
Turn Bay Length (ft)		145		90	50	
Base Capacity (vph)	3502	1528	3502	1511	1504	1609
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.01	0.03	0.01	0.02	0.03	0.04

Intersection Summary



Movement	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	0	30	0	4	34	34	24	0	0	33	56	0
Future Volume (vph)	0	30	0	4	34	34	24	0	0	33	56	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.0			4.0	5.0	5.0			4.0	4.0	
Lane Util. Factor		0.95			1.00	0.95	1.00			1.00	1.00	
Frpb, ped/bikes		1.00			1.00	1.00	0.98			1.00	1.00	
Flpb, ped/bikes		1.00			1.00	1.00	1.00			1.00	1.00	
Frt		1.00			1.00	1.00	0.85			0.85	1.00	
Flt Protected		1.00			0.95	1.00	1.00			1.00	0.95	
Satd. Flow (prot)		3539			1770	3539	1547			1583	1770	
Flt Permitted		1.00			0.95	1.00	1.00			1.00	1.00	
Satd. Flow (perm)		3539			1770	3539	1547			1583	1863	
Peak-hour factor, PHF	0.83	0.83	0.83	0.83	0.83	0.83	0.83	0.83	0.83	0.83	0.83	0.83
Adj. Flow (vph)	0	36	0	5	41	41	29	0	0	40	67	0
RTOR Reduction (vph)	0	0	0	0	0	0	19	0	0	35	0	0
Lane Group Flow (vph)	0	36	0	0	46	41	10	0	0	5	67	0
Confl. Peds. (#/hr)							9					
Confl. Bikes (#/hr)			1									
Turn Type	Prot	NA		Prot	Prot	NA	Perm			Perm	Perm	
Protected Phases	1	6		5	5	2			8			4
Permitted Phases							2	8		8	4	
Actuated Green, G (s)		1.5			0.7	6.2	6.2			2.2	2.2	
Effective Green, g (s)		1.5			0.7	6.2	6.2			2.2	2.2	
Actuated g/C Ratio		0.09			0.04	0.36	0.36			0.13	0.13	
Clearance Time (s)		5.0			4.0	5.0	5.0			4.0	4.0	
Vehicle Extension (s)		2.0			2.0	2.0	2.0			2.0	2.0	
Lane Grp Cap (vph)		305			71	1261	551			200	235	
v/s Ratio Prot		c0.01			c0.03	0.01						
v/s Ratio Perm							0.01			0.00	c0.04	
v/c Ratio		0.12			0.65	0.03	0.02			0.03	0.29	
Uniform Delay, d1		7.3			8.2	3.6	3.6			6.7	6.9	
Progression Factor		1.00			1.00	1.00	1.00			1.00	1.00	
Incremental Delay, d2		0.1			14.2	0.0	0.0			0.0	0.2	
Delay (s)		7.4			22.4	3.7	3.6			6.7	7.1	
Level of Service		A			C	A	A			A	A	
Approach Delay (s)		7.4				11.1			6.7			7.1
Approach LOS		A				B			A			A

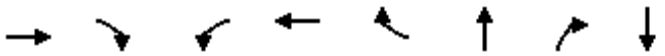
Intersection Summary			
HCM 2000 Control Delay	8.9	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.29		
Actuated Cycle Length (s)	17.4	Sum of lost time (s)	13.0
Intersection Capacity Utilization	29.4%	ICU Level of Service	A
Analysis Period (min)	15		

c Critical Lane Group



Movement	SBR
Lane Configurations	
Traffic Volume (vph)	0
Future Volume (vph)	0
Ideal Flow (vphpl)	1900
Total Lost time (s)	
Lane Util. Factor	
Frpb, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.83
Adj. Flow (vph)	0
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	
Confl. Bikes (#/hr)	
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	

Intersection Summary



Lane Group	EBT	EBR	WBL	WBT	WBR	NBT	NBR	SBT
Lane Group Flow (vph)	12	127	973	13	1	168	737	1
v/c Ratio	0.01	0.24	0.71	0.01	0.00	0.65	0.38	0.01
Control Delay	27.6	6.7	31.9	5.8	0.0	53.6	1.4	48.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	27.6	6.7	31.9	5.8	0.0	53.6	1.4	48.0
Queue Length 50th (ft)	3	0	284	2	0	108	0	1
Queue Length 95th (ft)	11	45	#457	11	0	167	28	7
Internal Link Dist (ft)	503			527		378		115
Turn Bay Length (ft)		230	90		195			
Base Capacity (vph)	1008	536	1366	1379	1185	314	1916	283
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.01	0.24	0.71	0.01	0.00	0.54	0.38	0.00

Intersection Summary

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	0	11	116	885	12	1	70	84	0	671	0	1
Future Volume (vph)	0	11	116	885	12	1	70	84	0	671	0	1
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		6.0	6.0	6.0	6.0	6.0			4.2	6.0		4.0
Lane Util. Factor		0.95	1.00	0.97	1.00	1.00			1.00	0.88		1.00
Frpb, ped/bikes		1.00	0.99	1.00	1.00	1.00			1.00	1.00		1.00
Flpb, ped/bikes		1.00	1.00	1.00	1.00	1.00			1.00	1.00		1.00
Frt		1.00	0.85	1.00	1.00	0.85			1.00	0.85		1.00
Flt Protected		1.00	1.00	0.95	1.00	1.00			0.95	1.00		1.00
Satd. Flow (prot)		3539	1563	3433	1863	1583			1770	2787		1863
Flt Permitted		1.00	1.00	0.95	1.00	1.00			0.95	1.00		1.00
Satd. Flow (perm)		3539	1563	3433	1863	1583			1770	2787		1863
Peak-hour factor, PHF	0.91	0.91	0.91	0.91	0.91	0.91	0.92	0.91	0.91	0.91	0.91	0.91
Adj. Flow (vph)	0	12	127	973	13	1	76	92	0	737	0	1
RTOR Reduction (vph)	0	0	95	0	0	0	0	0	0	336	0	0
Lane Group Flow (vph)	0	12	32	973	13	1	0	0	168	401	0	1
Confl. Peds. (#/hr)			1									
Turn Type		NA	Perm	Prot	NA	Perm		Split	NA	pt+ov		NA
Protected Phases		2		1	6			8	8	1 8	4	4
Permitted Phases			2			6						
Actuated Green, G (s)		26.7	26.7	41.8	74.5	74.5			15.3	61.3		1.0
Effective Green, g (s)		26.7	26.7	41.8	74.5	74.5			15.3	57.1		1.0
Actuated g/C Ratio		0.25	0.25	0.40	0.71	0.71			0.15	0.54		0.01
Clearance Time (s)		6.0	6.0	6.0	6.0	6.0			4.2			4.0
Vehicle Extension (s)		2.0	2.0	2.0	2.0	2.0			2.0			2.0
Lane Grp Cap (vph)		899	397	1366	1321	1123			257	1515		17
v/s Ratio Prot		0.00		c0.28	0.01				c0.09	0.14		c0.00
v/s Ratio Perm			c0.02			0.00						
v/c Ratio		0.01	0.08	0.71	0.01	0.00			0.65	0.26		0.06
Uniform Delay, d1		29.3	29.8	26.5	4.5	4.4			42.3	12.8		51.5
Progression Factor		1.00	1.00	1.00	1.00	1.00			1.00	1.00		1.00
Incremental Delay, d2		0.0	0.4	1.5	0.0	0.0			4.5	0.0		0.5
Delay (s)		29.3	30.2	28.0	4.5	4.4			46.8	12.8		52.1
Level of Service		C	C	C	A	A			D	B		D
Approach Delay (s)		30.1			27.7				19.1			52.1
Approach LOS		C			C				B			D

Intersection Summary			
HCM 2000 Control Delay	24.1	HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio	0.49		
Actuated Cycle Length (s)	105.0	Sum of lost time (s)	20.2
Intersection Capacity Utilization	78.4%	ICU Level of Service	D
Analysis Period (min)	15		
c Critical Lane Group			



Movement	SBR
Lane Configurations	
Traffic Volume (vph)	0
Future Volume (vph)	0
Ideal Flow (vphpl)	1900
Total Lost time (s)	
Lane Util. Factor	
Frpb, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.91
Adj. Flow (vph)	0
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	

Intersection Summary

Appendix E – Signal Warrant Analysis Work Sheets

Peak Hour Warrant (Rural Areas)

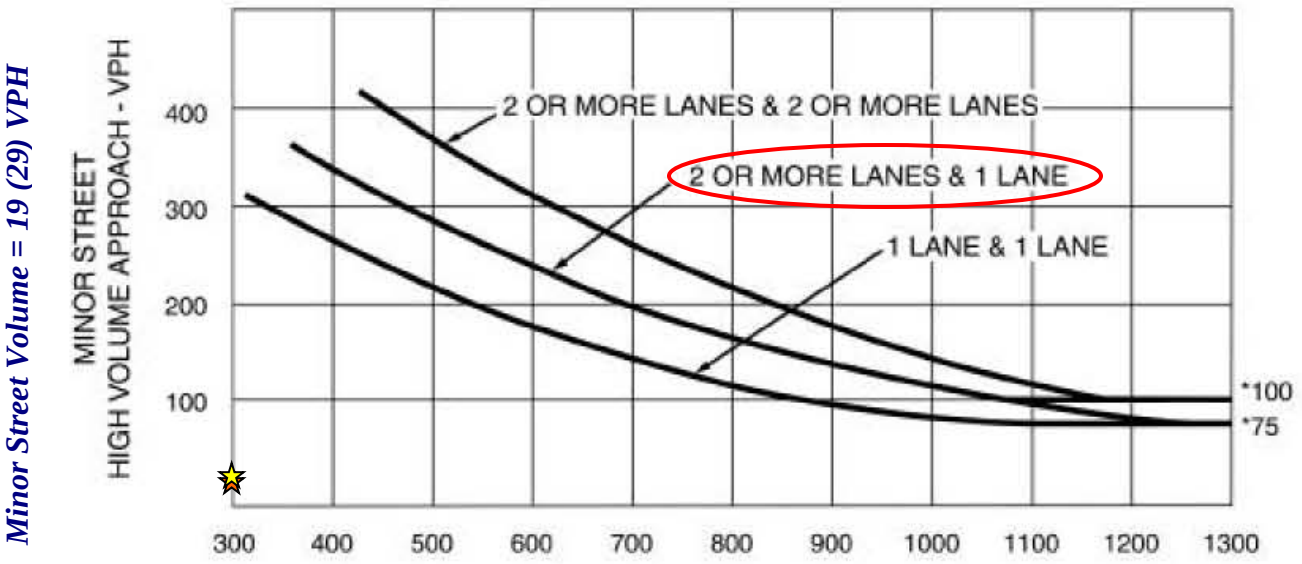
(Community less than 10,000 population or above 70 km/h (40 mph) on Major Street)

Intersection: N. Canyons Parkway and Doolan Rd, Livermore, CA

Scenario: Existing Conditions A.M. & P.M. Peak Hour

Figure 4C-4. Warrant 3, Peak Hour (70% Factor)

(COMMUNITY LESS THAN 10,000 POPULATION OR ABOVE 70 km/h (40 mph) ON MAJOR STREET)



*Note: 100 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 75 vph applies as the lower threshold volume for a minor-street approach with one lane.

Minor Street Volume = 19 (29) VPH

Major Street Volume = 32 (67) VPH

Legend:

XX – AM Peak Volume

(XX) – PM Peak Volume

★ – A.M.

☆ – P.M.

A signal is not warranted for the A.M. or P.M. Peak Hour

Source: CA MUTCD 2014, Chapter 4C – Traffic Control Signal Needs Studies, Part 4 - Highway Traffic Signals, Figure 4C-4

Peak Hour Warrant (Rural Areas)

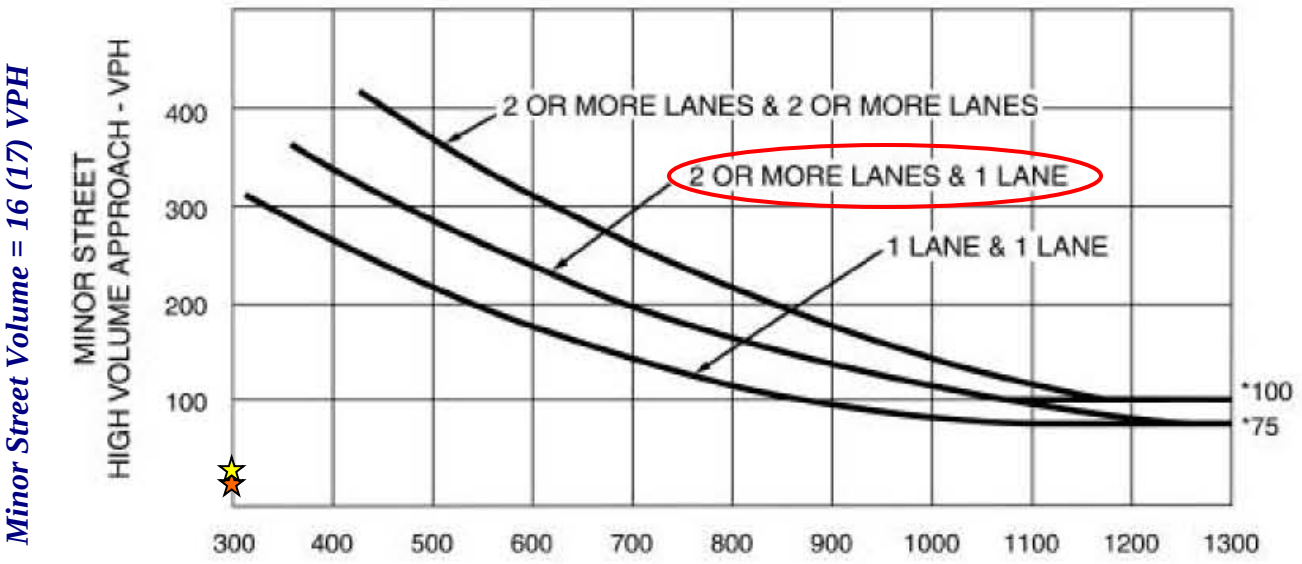
(Community less than 10,000 population or above 70 km/h (40 mph) on Major Street)

Intersection: N. Canyons Parkway and Doolan Rd, Livermore, CA

Scenario: Existing plus Project Conditions A.M. & P.M. Peak Hour

Figure 4C-4. Warrant 3, Peak Hour (70% Factor)

(COMMUNITY LESS THAN 10,000 POPULATION OR ABOVE 70 km/h (40 mph) ON MAJOR STREET)



*Note: 100 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 75 vph applies as the lower threshold volume for a minor-street approach with one lane.

Minor Street Volume = 16 (17) VPH

Major Street Volume = 22 (37) VPH

Legend:

XX – AM Peak Volume

(XX) – PM Peak Volume

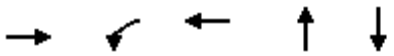
★ – A.M.

☆ – P.M.

A signal is not warranted for the A.M. or P.M. Peak Hour

Source: CA MUTCD 2014, Chapter 4C – Traffic Control Signal Needs Studies, Part 4 - Highway Traffic Signals, Figure 4C-4

Appendix F – Cumulative Conditions Level of Service and Queueing Work Sheets

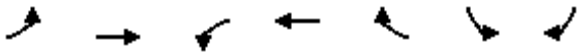


Lane Group	EBT	WBL	WBT	NBT	SBT
Lane Group Flow (vph)	224	23	1626	21	17
v/c Ratio	0.07	0.10	0.49	0.03	0.07
Control Delay	2.9	21.0	2.0	0.1	20.6
Queue Delay	0.0	0.0	0.0	0.0	0.0
Total Delay	2.9	21.0	2.0	0.1	20.6
Queue Length 50th (ft)	0	6	0	0	4
Queue Length 95th (ft)	34	24	164	0	19
Internal Link Dist (ft)	601		661	375	404
Turn Bay Length (ft)		135			
Base Capacity (vph)	3282	394	3278	1043	712
Starvation Cap Reductn	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0
Reduced v/c Ratio	0.07	0.06	0.50	0.02	0.02

Intersection Summary

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	206	0	21	1485	11	0	0	19	16	0	0
Future Volume (vph)	0	206	0	21	1485	11	0	0	19	16	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.5		4.5	4.5			4.5			4.5	
Lane Util. Factor		0.95		1.00	0.95			1.00			1.00	
Frpb, ped/bikes		1.00		1.00	1.00			0.99			1.00	
Flpb, ped/bikes		1.00		1.00	1.00			1.00			1.00	
Frt		1.00		1.00	1.00			0.86			1.00	
Flt Protected		1.00		0.95	1.00			1.00			0.95	
Satd. Flow (prot)		3539		1770	3535			1588			1765	
Flt Permitted		1.00		0.95	1.00			1.00			1.00	
Satd. Flow (perm)		3539		1770	3535			1588			1858	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	224	0	23	1614	12	0	0	21	17	0	0
RTOR Reduction (vph)	0	0	0	0	0	0	0	21	0	0	0	0
Lane Group Flow (vph)	0	224	0	23	1626	0	0	0	0	0	17	0
Confl. Peds. (#/hr)				3		1			3	3		
Turn Type	Prot	NA		Prot	NA			NA		Perm	NA	
Protected Phases	5	2		1	6			4			8	
Permitted Phases							4			8		
Actuated Green, G (s)		38.9		1.3	44.7			1.3			1.3	
Effective Green, g (s)		38.9		1.3	44.7			1.3			1.3	
Actuated g/C Ratio		0.71		0.02	0.81			0.02			0.02	
Clearance Time (s)		4.5		4.5	4.5			4.5			4.5	
Vehicle Extension (s)		3.0		3.0	3.0			3.0			3.0	
Lane Grp Cap (vph)		2503		41	2872			37			43	
v/s Ratio Prot		0.06		0.01	c0.46			0.00				
v/s Ratio Perm											c0.01	
v/c Ratio		0.09		0.56	0.57			0.01			0.40	
Uniform Delay, d1		2.5		26.6	1.8			26.2			26.5	
Progression Factor		1.00		1.00	1.00			1.00			1.00	
Incremental Delay, d2		0.0		16.4	0.3			0.1			5.9	
Delay (s)		2.5		42.9	2.0			26.4			32.4	
Level of Service		A		D	A			C			C	
Approach Delay (s)		2.5			2.6			26.4			32.4	
Approach LOS		A			A			C			C	

Intersection Summary			
HCM 2000 Control Delay	3.1	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.62		
Actuated Cycle Length (s)	55.0	Sum of lost time (s)	13.5
Intersection Capacity Utilization	56.5%	ICU Level of Service	B
Analysis Period (min)	15		
c Critical Lane Group			



Lane Group	EBL	EBT	WBL	WBT	WBR	SBL	SBR
Lane Group Flow (vph)	27	237	4	1539	23	12	110
v/c Ratio	0.15	0.11	0.03	0.60	0.02	0.07	0.43
Control Delay	28.2	4.0	28.0	7.4	0.6	26.6	12.4
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	28.2	4.0	28.0	7.4	0.6	26.6	12.4
Queue Length 50th (ft)	7	7	1	78	0	3	0
Queue Length 95th (ft)	32	31	10	297	3	19	40
Internal Link Dist (ft)		661		503			
Turn Bay Length (ft)	215		145		90		
Base Capacity (vph)	360	2515	605	2664	1205	1158	1118
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.07	0.09	0.01	0.58	0.02	0.01	0.10

Intersection Summary

HCM Signalized Intersection Capacity Analysis
2: N. Canyons Pkwy & Waxie Dwy

Movement	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	25	218	0	4	0	1416	21	0	0	0	11	0
Future Volume (vph)	25	218	0	4	0	1416	21	0	0	0	11	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	5.0			4.0	5.0	5.0				4.0	
Lane Util. Factor	1.00	0.95			1.00	0.95	1.00				1.00	
Frt	1.00	1.00			1.00	1.00	0.85				1.00	
Flt Protected	0.95	1.00			0.95	1.00	1.00				0.95	
Satd. Flow (prot)	1770	3539			1770	3539	1583				1770	
Flt Permitted	0.95	1.00			0.95	1.00	1.00				0.91	
Satd. Flow (perm)	1770	3539			1770	3539	1583				1693	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	27	237	0	4	0	1539	23	0	0	0	12	0
RTOR Reduction (vph)	0	0	0	0	0	0	8	0	0	0	0	0
Lane Group Flow (vph)	27	237	0	0	4	1539	15	0	0	0	12	0
Turn Type	Prot	NA		Prot	Prot	NA	Perm				Perm	
Protected Phases	1	6		5	5	2			8			
Permitted Phases							2	8			4	
Actuated Green, G (s)	2.2	40.6			0.9	39.3	39.3				4.4	
Effective Green, g (s)	2.2	40.6			0.9	39.3	39.3				4.4	
Actuated g/C Ratio	0.04	0.69			0.02	0.67	0.67				0.07	
Clearance Time (s)	4.0	5.0			4.0	5.0	5.0				4.0	
Vehicle Extension (s)	2.0	2.0			2.0	2.0	2.0				2.0	
Lane Grp Cap (vph)	66	2439			27	2361	1056				126	
v/s Ratio Prot	c0.02	0.07			0.00	c0.43						
v/s Ratio Perm							0.01				c0.01	
v/c Ratio	0.41	0.10			0.15	0.65	0.01				0.10	
Uniform Delay, d1	27.7	3.0			28.6	5.8	3.3				25.4	
Progression Factor	1.00	1.00			1.00	1.00	1.00				1.00	
Incremental Delay, d2	1.5	0.0			0.9	0.5	0.0				0.1	
Delay (s)	29.2	3.1			29.5	6.3	3.3				25.5	
Level of Service	C	A			C	A	A				C	
Approach Delay (s)		5.7				6.3			0.0			25.4
Approach LOS		A				A			A			C

Intersection Summary			
HCM 2000 Control Delay	7.4	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.59		
Actuated Cycle Length (s)	58.9	Sum of lost time (s)	13.0
Intersection Capacity Utilization	52.9%	ICU Level of Service	A
Analysis Period (min)	15		

c Critical Lane Group



Movement	SBR
Lane Configurations	
Traffic Volume (vph)	101
Future Volume (vph)	101
Ideal Flow (vphpl)	1900
Total Lost time (s)	4.0
Lane Util. Factor	1.00
Frt	0.85
Flt Protected	1.00
Satd. Flow (prot)	1583
Flt Permitted	1.00
Satd. Flow (perm)	1583
Peak-hour factor, PHF	0.92
Adj. Flow (vph)	110
RTOR Reduction (vph)	102
Lane Group Flow (vph)	8
Turn Type	Perm
Protected Phases	
Permitted Phases	4
Actuated Green, G (s)	4.4
Effective Green, g (s)	4.4
Actuated g/C Ratio	0.07
Clearance Time (s)	4.0
Vehicle Extension (s)	2.0
Lane Grp Cap (vph)	118
v/s Ratio Prot	
v/s Ratio Perm	0.01
v/c Ratio	0.07
Uniform Delay, d1	25.3
Progression Factor	1.00
Incremental Delay, d2	0.1
Delay (s)	25.4
Level of Service	C
Approach Delay (s)	
Approach LOS	

Intersection Summary

Queues
3: Airway Blvd & N. Canyons Pkwy



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR	
Lane Group Flow (vph)	157	97	308	984	329	332	1111
v/c Ratio	0.15	0.18	0.60	0.55	0.48	0.48	0.53
Control Delay	30.8	6.2	52.3	21.6	29.7	29.8	1.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	30.8	6.2	52.3	21.6	29.7	29.8	1.6
Queue Length 50th (ft)	44	0	114	247	204	207	0
Queue Length 95th (ft)	75	37	159	322	289	291	27
Internal Link Dist (ft)	503			527		372	
Turn Bay Length (ft)		230	90				
Base Capacity (vph)	1076	552	513	1782	691	691	2109
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.15	0.18	0.60	0.55	0.48	0.48	0.53

Intersection Summary



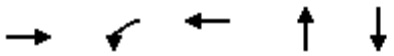
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	0	144	89	283	905	0	72	536	0	1022	0	0
Future Volume (vph)	0	144	89	283	905	0	72	536	0	1022	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		6.0	6.0	6.0	6.0			4.2	4.2	6.0		
Lane Util. Factor		0.95	1.00	0.97	0.95			0.95	0.95	0.88		
Frt		1.00	0.85	1.00	1.00			1.00	1.00	0.85		
Flt Protected		1.00	1.00	0.95	1.00			0.95	0.95	1.00		
Satd. Flow (prot)		3539	1583	3433	3539			1681	1681	2787		
Flt Permitted		1.00	1.00	0.95	1.00			0.95	0.95	1.00		
Satd. Flow (perm)		3539	1583	3433	3539			1681	1681	2787		
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	157	97	308	984	0	78	583	0	1111	0	0
RTOR Reduction (vph)	0	0	67	0	0	0	0	0	0	488	0	0
Lane Group Flow (vph)	0	157	30	308	984	0	0	329	332	623	0	0
Turn Type		NA	Perm	Prot	NA		Perm	Split	NA	pt+ov		
Protected Phases		2		1	6			8	8	1 8	4	4
Permitted Phases			2				8					
Actuated Green, G (s)		36.5	36.5	17.9	60.4			49.4	49.4	71.5		
Effective Green, g (s)		36.5	36.5	17.9	60.4			49.4	49.4	67.3		
Actuated g/C Ratio		0.30	0.30	0.15	0.50			0.41	0.41	0.56		
Clearance Time (s)		6.0	6.0	6.0	6.0			4.2	4.2			
Vehicle Extension (s)		2.0	2.0	2.0	2.0			2.0	2.0			
Lane Grp Cap (vph)		1076	481	512	1781			692	692	1563		
v/s Ratio Prot		0.04		0.09	c0.28				c0.20	0.22		
v/s Ratio Perm			0.02					0.20				
v/c Ratio		0.15	0.06	0.60	0.55			0.48	0.48	0.40		
Uniform Delay, d1		30.4	29.6	47.7	20.5			25.8	25.9	14.9		
Progression Factor		1.00	1.00	1.00	1.00			1.00	1.00	1.00		
Incremental Delay, d2		0.3	0.2	1.4	0.2			0.2	0.2	0.1		
Delay (s)		30.7	29.8	49.1	20.7			26.0	26.1	15.0		
Level of Service		C	C	D	C			C	C	B		
Approach Delay (s)		30.4			27.5				19.1			0.0
Approach LOS		C			C				B			A

Intersection Summary			
HCM 2000 Control Delay	23.2	HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio	0.57		
Actuated Cycle Length (s)	120.0	Sum of lost time (s)	20.2
Intersection Capacity Utilization	54.1%	ICU Level of Service	A
Analysis Period (min)	15		

c Critical Lane Group



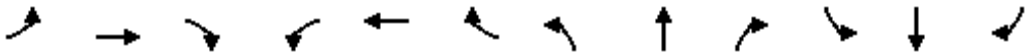
Movement	SBR
Lane Configurations	
Traffic Volume (vph)	0
Future Volume (vph)	0
Ideal Flow (vphpl)	1900
Total Lost time (s)	
Lane Util. Factor	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.92
Adj. Flow (vph)	0
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	



Lane Group	EBT	WBL	WBT	NBT	SBT
Lane Group Flow (vph)	1350	49	223	33	16
v/c Ratio	0.48	0.18	0.07	0.14	0.06
Control Delay	7.2	22.4	1.5	12.7	22.4
Queue Delay	0.0	0.0	0.0	0.0	0.0
Total Delay	7.2	22.4	1.5	12.7	22.4
Queue Length 50th (ft)	0	12	0	1	4
Queue Length 95th (ft)	270	41	15	22	20
Internal Link Dist (ft)	481		660	324	404
Turn Bay Length (ft)		135			
Base Capacity (vph)	2825	415	3094	652	746
Starvation Cap Reductn	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0
Reduced v/c Ratio	0.48	0.12	0.07	0.05	0.02

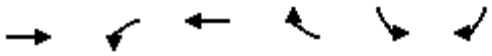
Intersection Summary

HCM Signalized Intersection Capacity Analysis
1: Doolan Rd & Dublin Blvd Extension/N. Canyons Pkwy



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	1242	0	45	183	22	2	2	27	15	0	0
Future Volume (vph)	0	1242	0	45	183	22	2	2	27	15	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.5		4.5	4.5			4.5			4.5	
Lane Util. Factor		0.95		1.00	0.95			1.00			1.00	
Frpb, ped/bikes		1.00		1.00	1.00			0.99			1.00	
Flpb, ped/bikes		1.00		1.00	1.00			1.00			1.00	
Frt		1.00		1.00	0.98			0.88			1.00	
Flt Protected		1.00		0.95	1.00			1.00			0.95	
Satd. Flow (prot)		3539		1770	3482			1616			1765	
Flt Permitted		1.00		0.95	1.00			0.98			1.00	
Satd. Flow (perm)		3539		1770	3482			1582			1858	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	1350	0	49	199	24	2	2	29	16	0	0
RTOR Reduction (vph)	0	0	0	0	5	0	0	28	0	0	0	0
Lane Group Flow (vph)	0	1350	0	49	218	0	0	5	0	0	16	0
Confl. Peds. (#/hr)				1					3	3		
Turn Type	Prot	NA		Prot	NA		Perm	NA		Perm	NA	
Protected Phases	5	2		1	6			4			8	
Permitted Phases							4			8		
Actuated Green, G (s)		34.1		2.7	41.3			2.3			2.3	
Effective Green, g (s)		34.1		2.7	41.3			2.3			2.3	
Actuated g/C Ratio		0.65		0.05	0.79			0.04			0.04	
Clearance Time (s)		4.5		4.5	4.5			4.5			4.5	
Vehicle Extension (s)		3.0		3.0	3.0			3.0			3.0	
Lane Grp Cap (vph)		2294		90	2733			69			81	
v/s Ratio Prot		c0.38		c0.03	0.06							
v/s Ratio Perm								0.00			c0.01	
v/c Ratio		0.59		0.54	0.08			0.08			0.20	
Uniform Delay, d1		5.3		24.3	1.3			24.1			24.3	
Progression Factor		1.00		1.00	1.00			1.00			1.00	
Incremental Delay, d2		0.4		6.6	0.0			0.5			1.2	
Delay (s)		5.6		30.9	1.3			24.6			25.5	
Level of Service		A		C	A			C			C	
Approach Delay (s)		5.6			6.6			24.6			25.5	
Approach LOS		A			A			C			C	

Intersection Summary			
HCM 2000 Control Delay	6.4	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.56		
Actuated Cycle Length (s)	52.6	Sum of lost time (s)	13.5
Intersection Capacity Utilization	51.2%	ICU Level of Service	A
Analysis Period (min)	15		
c Critical Lane Group			



Lane Group	EBT	WBL	WBT	WBR	SBL	SBR
Lane Group Flow (vph)	1396	4	250	26	32	22
v/c Ratio	0.47	0.02	0.12	0.03	0.12	0.07
Control Delay	4.9	19.0	3.6	0.5	17.9	0.4
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	4.9	19.0	3.6	0.5	17.9	0.4
Queue Length 50th (ft)	0	1	0	0	5	0
Queue Length 95th (ft)	234	8	17	2	28	0
Internal Link Dist (ft)	660		503			
Turn Bay Length (ft)		145		90		
Base Capacity (vph)	2940	908	3192	1381	1718	1469
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.47	0.00	0.08	0.02	0.02	0.01

Intersection Summary

Movement	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	0	1284	0	4	0	230	24	0	0	0	29	0
Future Volume (vph)	0	1284	0	4	0	230	24	0	0	0	29	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.0			4.0	5.0	5.0				4.0	
Lane Util. Factor		0.95			1.00	0.95	1.00				1.00	
Frpb, ped/bikes		1.00			1.00	1.00	0.97				1.00	
Flpb, ped/bikes		1.00			1.00	1.00	1.00				1.00	
Frt		1.00			1.00	1.00	0.85				1.00	
Flt Protected		1.00			0.95	1.00	1.00				0.95	
Satd. Flow (prot)		3539			1770	3539	1540				1770	
Flt Permitted		1.00			0.95	1.00	1.00				1.00	
Satd. Flow (perm)		3539			1770	3539	1540				1863	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	1396	0	4	0	250	26	0	0	0	32	0
RTOR Reduction (vph)	0	0	0	0	0	0	7	0	0	0	0	0
Lane Group Flow (vph)	0	1396	0	0	4	250	19	0	0	0	32	0
Confl. Peds. (#/hr)							9					
Confl. Bikes (#/hr)			1									
Turn Type	Prot	NA		Prot	Prot	NA	Perm				Perm	
Protected Phases	1	6		5	5	2			8			
Permitted Phases							2	8			4	
Actuated Green, G (s)		27.6			0.7	32.3	32.3				2.1	
Effective Green, g (s)		27.6			0.7	32.3	32.3				2.1	
Actuated g/C Ratio		0.64			0.02	0.74	0.74				0.05	
Clearance Time (s)		5.0			4.0	5.0	5.0				4.0	
Vehicle Extension (s)		2.0			2.0	2.0	2.0				2.0	
Lane Grp Cap (vph)		2250			28	2633	1146				90	
v/s Ratio Prot		c0.39			0.00	c0.07						
v/s Ratio Perm							0.01				c0.02	
v/c Ratio		0.62			0.14	0.09	0.02				0.36	
Uniform Delay, d1		4.8			21.1	1.5	1.4				20.0	
Progression Factor		1.00			1.00	1.00	1.00				1.00	
Incremental Delay, d2		0.4			0.9	0.0	0.0				0.9	
Delay (s)		5.1			21.9	1.5	1.4				20.9	
Level of Service		A			C	A	A				C	
Approach Delay (s)		5.1				1.8			0.0			20.4
Approach LOS		A				A			A			C

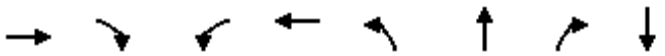
Intersection Summary			
HCM 2000 Control Delay	5.1	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.59		
Actuated Cycle Length (s)	43.4	Sum of lost time (s)	13.0
Intersection Capacity Utilization	46.3%	ICU Level of Service	A
Analysis Period (min)	15		

c Critical Lane Group



Movement	SBR
Lane Configurations	
Traffic Volume (vph)	20
Future Volume (vph)	20
Ideal Flow (vphpl)	1900
Total Lost time (s)	4.0
Lane Util. Factor	1.00
Frpb, ped/bikes	1.00
Flpb, ped/bikes	1.00
Frt	0.85
Flt Protected	1.00
Satd. Flow (prot)	1583
Flt Permitted	1.00
Satd. Flow (perm)	1583
Peak-hour factor, PHF	0.92
Adj. Flow (vph)	22
RTOR Reduction (vph)	21
Lane Group Flow (vph)	1
Confl. Peds. (#/hr)	
Confl. Bikes (#/hr)	
Turn Type	Perm
Protected Phases	
Permitted Phases	4
Actuated Green, G (s)	2.1
Effective Green, g (s)	2.1
Actuated g/C Ratio	0.05
Clearance Time (s)	4.0
Vehicle Extension (s)	2.0
Lane Grp Cap (vph)	76
v/s Ratio Prot	
v/s Ratio Perm	0.00
v/c Ratio	0.01
Uniform Delay, d1	19.7
Progression Factor	1.00
Incremental Delay, d2	0.0
Delay (s)	19.7
Level of Service	B
Approach Delay (s)	
Approach LOS	

Intersection Summary



Lane Group	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBT
Lane Group Flow (vph)	920	512	1259	78	139	140	577	1
v/c Ratio	1.04	0.79	0.76	0.03	0.71	0.57	0.28	0.02
Control Delay	95.5	26.9	36.6	5.1	79.1	67.5	1.2	71.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	95.5	26.9	36.6	5.1	79.1	67.5	1.2	71.0
Queue Length 50th (ft)	~500	164	507	7	137	135	0	1
Queue Length 95th (ft)	#658	328	#748	21	210	203	25	8
Internal Link Dist (ft)	503			527		378		115
Turn Bay Length (ft)		230	90					
Base Capacity (vph)	883	646	1658	2729	205	258	2027	409
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.04	0.79	0.76	0.03	0.68	0.54	0.28	0.00

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	0	846	471	1158	71	1	70	187	0	531	0	1
Future Volume (vph)	0	846	471	1158	71	1	70	187	0	531	0	1
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		6.0	6.0	6.0	6.0			4.2	4.2	6.0		4.0
Lane Util. Factor		0.95	1.00	0.97	0.95			0.95	0.95	0.88		1.00
Frpb, ped/bikes		1.00	0.99	1.00	1.00			1.00	1.00	1.00		1.00
Flpb, ped/bikes		1.00	1.00	1.00	1.00			1.00	1.00	1.00		1.00
Frt		1.00	0.85	1.00	1.00			1.00	1.00	0.85		1.00
Flt Protected		1.00	1.00	0.95	1.00			0.95	0.95	1.00		1.00
Satd. Flow (prot)		3539	1562	3433	3532			1681	1681	2787		1863
Flt Permitted		1.00	1.00	0.95	1.00			0.76	0.95	1.00		1.00
Satd. Flow (perm)		3539	1562	3433	3532			1340	1681	2787		1863
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	920	512	1259	77	1	76	203	0	577	0	1
RTOR Reduction (vph)	0	0	264	0	0	0	0	0	0	213	0	0
Lane Group Flow (vph)	0	920	248	1259	78	0	0	139	140	364	0	1
Confl. Peds. (#/hr)			1									
Turn Type		NA	Perm	Prot	NA		Perm	Split	NA	pt+ov		NA
Protected Phases		2		1	6			8	8	1 8	4	4
Permitted Phases			2				8					
Actuated Green, G (s)		34.2	34.2	72.5	112.7			22.1	22.1	98.8		1.0
Effective Green, g (s)		34.2	34.2	72.5	112.7			22.1	22.1	94.6		1.0
Actuated g/C Ratio		0.23	0.23	0.48	0.75			0.15	0.15	0.63		0.01
Clearance Time (s)		6.0	6.0	6.0	6.0			4.2	4.2			4.0
Vehicle Extension (s)		2.0	2.0	2.0	2.0			2.0	2.0			2.0
Lane Grp Cap (vph)		806	356	1659	2653			197	247	1757		12
v/s Ratio Prot		c0.26		c0.37	0.02				0.08	0.13		c0.00
v/s Ratio Perm			0.16					c0.10				
v/c Ratio		1.14	0.70	0.76	0.03			0.71	0.57	0.21		0.08
Uniform Delay, d1		57.9	53.1	31.6	4.7			60.9	59.5	11.8		74.0
Progression Factor		1.00	1.00	1.00	1.00			1.00	1.00	1.00		1.00
Incremental Delay, d2		78.3	10.8	1.8	0.0			9.0	1.8	0.0		1.1
Delay (s)		136.2	63.9	33.4	4.7			69.9	61.3	11.8		75.1
Level of Service		F	E	C	A			E	E	B		E
Approach Delay (s)		110.3			31.8				29.3			75.1
Approach LOS		F			C				C			E

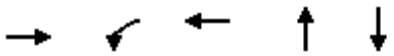
Intersection Summary			
HCM 2000 Control Delay	62.2	HCM 2000 Level of Service	E
HCM 2000 Volume to Capacity ratio	0.84		
Actuated Cycle Length (s)	150.0	Sum of lost time (s)	20.2
Intersection Capacity Utilization	89.6%	ICU Level of Service	E
Analysis Period (min)	15		
c Critical Lane Group			



Movement	SBR
Lane Configurations	
Traffic Volume (vph)	0
Future Volume (vph)	0
Ideal Flow (vphpl)	1900
Total Lost time (s)	
Lane Util. Factor	
Frpb, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.92
Adj. Flow (vph)	0
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	

Intersection Summary

Appendix G – Cumulative Plus Project Conditions Level of Service and Queueing Work Sheets

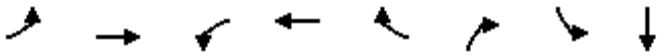


Lane Group	EBT	WBL	WBT	NBT	SBT
Lane Group Flow (vph)	226	10	1626	11	17
v/c Ratio	0.07	0.05	0.49	0.04	0.07
Control Delay	2.7	21.1	2.0	0.3	20.7
Queue Delay	0.0	0.0	0.0	0.0	0.0
Total Delay	2.7	21.1	2.0	0.3	20.7
Queue Length 50th (ft)	0	3	0	0	4
Queue Length 95th (ft)	33	14	165	0	20
Internal Link Dist (ft)	601		661	375	404
Turn Bay Length (ft)		135			
Base Capacity (vph)	3274	393	3281	677	711
Starvation Cap Reductn	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0
Reduced v/c Ratio	0.07	0.03	0.50	0.02	0.02

Intersection Summary

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	206	2	9	1485	11	2	0	8	16	0	0
Future Volume (vph)	0	206	2	9	1485	11	2	0	8	16	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.5		4.5	4.5			4.5			4.5	
Lane Util. Factor		0.95		1.00	0.95			1.00			1.00	
Frpb, ped/bikes		1.00		1.00	1.00			0.99			1.00	
Flpb, ped/bikes		1.00		1.00	1.00			1.00			1.00	
Frt		1.00		1.00	1.00			0.89			1.00	
Flt Protected		1.00		0.95	1.00			0.99			0.95	
Satd. Flow (prot)		3535		1770	3535			1622			1765	
Flt Permitted		1.00		0.95	1.00			1.00			1.00	
Satd. Flow (perm)		3535		1770	3535			1637			1858	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	224	2	10	1614	12	2	0	9	17	0	0
RTOR Reduction (vph)	0	0	0	0	0	0	0	11	0	0	0	0
Lane Group Flow (vph)	0	226	0	10	1626	0	0	0	0	0	17	0
Confl. Peds. (#/hr)				3		1			3	3		
Turn Type	Prot	NA		Prot	NA		Perm	NA		Perm	NA	
Protected Phases	5	2		1	6			4			8	
Permitted Phases							4			8		
Actuated Green, G (s)		39.2		1.1	44.8			1.3			1.3	
Effective Green, g (s)		39.2		1.1	44.8			1.3			1.3	
Actuated g/C Ratio		0.71		0.02	0.81			0.02			0.02	
Clearance Time (s)		4.5		4.5	4.5			4.5			4.5	
Vehicle Extension (s)		3.0		3.0	3.0			3.0			3.0	
Lane Grp Cap (vph)		2514		35	2874			38			43	
v/s Ratio Prot		0.06		0.01	c0.46							
v/s Ratio Perm								0.00			c0.01	
v/c Ratio		0.09		0.29	0.57			0.01			0.40	
Uniform Delay, d1		2.5		26.6	1.8			26.3			26.5	
Progression Factor		1.00		1.00	1.00			1.00			1.00	
Incremental Delay, d2		0.0		4.5	0.3			0.1			5.9	
Delay (s)		2.5		31.1	2.0			26.3			32.4	
Level of Service		A		C	A			C			C	
Approach Delay (s)		2.5			2.2			26.3			32.4	
Approach LOS		A			A			C			C	

Intersection Summary			
HCM 2000 Control Delay	2.7	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.62		
Actuated Cycle Length (s)	55.1	Sum of lost time (s)	13.5
Intersection Capacity Utilization	54.1%	ICU Level of Service	A
Analysis Period (min)	15		
c Critical Lane Group			



Lane Group	EBL	EBT	WBL	WBT	WBR	NBR	SBL	SBT
Lane Group Flow (vph)	27	225	30	1526	23	23	12	110
v/c Ratio	0.15	0.11	0.17	0.59	0.02	0.03	0.07	0.28
Control Delay	27.5	4.9	27.5	7.0	0.6	0.1	27.0	1.9
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	27.5	4.9	27.5	7.0	0.6	0.1	27.0	1.9
Queue Length 50th (ft)	7	6	8	77	0	0	3	0
Queue Length 95th (ft)	31	30	33	269	3	0	19	0
Internal Link Dist (ft)		661		503				387
Turn Bay Length (ft)	215		145		90	50		
Base Capacity (vph)	364	2393	613	2698	1219	1291	1260	1177
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	0.07	0.09	0.05	0.57	0.02	0.02	0.01	0.09

Intersection Summary



Movement	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	25	207	0	4	24	1404	21	0	0	21	11	0
Future Volume (vph)	25	207	0	4	24	1404	21	0	0	21	11	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	5.0			4.0	5.0	5.0			4.0	4.0	4.0
Lane Util. Factor	1.00	0.95			1.00	0.95	1.00			1.00	1.00	1.00
Frt	1.00	1.00			1.00	1.00	0.85			0.85	1.00	0.85
Flt Protected	0.95	1.00			0.95	1.00	1.00			1.00	0.95	1.00
Satd. Flow (prot)	1770	3539			1770	3539	1583			1583	1770	1583
Flt Permitted	0.95	1.00			0.95	1.00	1.00			1.00	0.98	1.00
Satd. Flow (perm)	1770	3539			1770	3539	1583			1583	1817	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	27	225	0	4	26	1526	23	0	0	23	12	0
RTOR Reduction (vph)	0	0	0	0	0	0	8	0	0	21	0	102
Lane Group Flow (vph)	27	225	0	0	30	1526	15	0	0	2	12	8
Turn Type	Prot	NA		Prot	Prot	NA	Perm			Perm	Perm	NA
Protected Phases	1	6		5	5	2			8			4
Permitted Phases							2	8		8	4	
Actuated Green, G (s)	2.2	38.9			2.2	38.9	38.9			4.1	4.1	4.1
Effective Green, g (s)	2.2	38.9			2.2	38.9	38.9			4.1	4.1	4.1
Actuated g/C Ratio	0.04	0.67			0.04	0.67	0.67			0.07	0.07	0.07
Clearance Time (s)	4.0	5.0			4.0	5.0	5.0			4.0	4.0	4.0
Vehicle Extension (s)	2.0	2.0			2.0	2.0	2.0			2.0	2.0	2.0
Lane Grp Cap (vph)	66	2365			66	2365	1058			111	128	111
v/s Ratio Prot	0.02	0.06			c0.02	c0.43						0.00
v/s Ratio Perm							0.01			0.00	c0.01	
v/c Ratio	0.41	0.10			0.45	0.65	0.01			0.01	0.09	0.07
Uniform Delay, d1	27.4	3.4			27.4	5.6	3.2			25.2	25.3	25.3
Progression Factor	1.00	1.00			1.00	1.00	1.00			1.00	1.00	1.00
Incremental Delay, d2	1.5	0.0			1.8	0.5	0.0			0.0	0.1	0.1
Delay (s)	28.9	3.4			29.2	6.1	3.2			25.2	25.4	25.4
Level of Service	C	A			C	A	A			C	C	C
Approach Delay (s)		6.1				6.5			25.2			25.4
Approach LOS		A				A			C			C

Intersection Summary			
HCM 2000 Control Delay	7.8	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.59		
Actuated Cycle Length (s)	58.2	Sum of lost time (s)	13.0
Intersection Capacity Utilization	52.6%	ICU Level of Service	A
Analysis Period (min)	15		

c Critical Lane Group



Movement	SBR
Lane Configurations	
Traffic Volume (vph)	101
Future Volume (vph)	101
Ideal Flow (vphpl)	1900
Total Lost time (s)	
Lane Util. Factor	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.92
Adj. Flow (vph)	110
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	



Lane Group	EBT	EBR	WBL	WBT	NBL	NBT	NBR
Lane Group Flow (vph)	159	105	308	987	333	337	1111
v/c Ratio	0.15	0.19	0.62	0.56	0.47	0.48	0.53
Control Delay	31.0	6.7	53.3	22.2	29.1	29.3	1.6
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	31.0	6.7	53.3	22.2	29.1	29.3	1.6
Queue Length 50th (ft)	45	0	114	251	206	209	0
Queue Length 95th (ft)	76	41	160	327	290	294	27
Internal Link Dist (ft)	503			527		372	
Turn Bay Length (ft)		230	90				
Base Capacity (vph)	1069	551	498	1760	702	702	2112
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.15	0.19	0.62	0.56	0.47	0.48	0.53

Intersection Summary



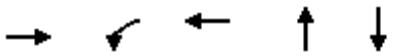
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	0	146	97	283	908	0	72	545	0	1022	0	0
Future Volume (vph)	0	146	97	283	908	0	72	545	0	1022	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		6.0	6.0	6.0	6.0			4.2	4.2	6.0		
Lane Util. Factor		0.95	1.00	0.97	0.95			0.95	0.95	0.88		
Frt		1.00	0.85	1.00	1.00			1.00	1.00	0.85		
Flt Protected		1.00	1.00	0.95	1.00			0.95	0.95	1.00		
Satd. Flow (prot)		3539	1583	3433	3539			1681	1681	2787		
Flt Permitted		1.00	1.00	0.95	1.00			0.95	0.95	1.00		
Satd. Flow (perm)		3539	1583	3433	3539			1681	1681	2787		
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	159	105	308	987	0	78	592	0	1111	0	0
RTOR Reduction (vph)	0	0	73	0	0	0	0	0	0	486	0	0
Lane Group Flow (vph)	0	159	32	308	987	0	0	333	337	625	0	0
Turn Type		NA	Perm	Prot	NA		Perm	Split	NA	pt+ov		
Protected Phases		2		1	6			8	8	1 8	4	4
Permitted Phases			2				8					
Actuated Green, G (s)		36.3	36.3	17.4	59.7			50.1	50.1	71.7		
Effective Green, g (s)		36.3	36.3	17.4	59.7			50.1	50.1	67.5		
Actuated g/C Ratio		0.30	0.30	0.14	0.50			0.42	0.42	0.56		
Clearance Time (s)		6.0	6.0	6.0	6.0			4.2	4.2			
Vehicle Extension (s)		2.0	2.0	2.0	2.0			2.0	2.0			
Lane Grp Cap (vph)		1070	478	497	1760			701	701	1567		
v/s Ratio Prot		0.04		0.09	c0.28				c0.20	0.22		
v/s Ratio Perm			0.02					0.20				
v/c Ratio		0.15	0.07	0.62	0.56			0.48	0.48	0.40		
Uniform Delay, d1		30.6	29.8	48.2	21.0			25.4	25.5	14.8		
Progression Factor		1.00	1.00	1.00	1.00			1.00	1.00	1.00		
Incremental Delay, d2		0.3	0.3	1.6	0.2			0.2	0.2	0.1		
Delay (s)		30.9	30.1	49.8	21.3			25.6	25.7	14.9		
Level of Service		C	C	D	C			C	C	B		
Approach Delay (s)		30.5			28.1				18.9			0.0
Approach LOS		C			C				B			A

Intersection Summary			
HCM 2000 Control Delay	23.4	HCM 2000 Level of Service	C
HCM 2000 Volume to Capacity ratio	0.58		
Actuated Cycle Length (s)	120.0	Sum of lost time (s)	20.2
Intersection Capacity Utilization	54.1%	ICU Level of Service	A
Analysis Period (min)	15		

c Critical Lane Group



Movement	SBR
Lane Configurations	
Traffic Volume (vph)	0
Future Volume (vph)	0
Ideal Flow (vphpl)	1900
Total Lost time (s)	
Lane Util. Factor	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.92
Adj. Flow (vph)	0
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	
Intersection Summary	



Lane Group	EBT	WBL	WBT	NBT	SBT
Lane Group Flow (vph)	1351	16	223	21	16
v/c Ratio	0.42	0.06	0.07	0.08	0.06
Control Delay	3.9	19.3	0.9	13.7	18.9
Queue Delay	0.0	0.0	0.0	0.0	0.0
Total Delay	3.9	19.3	0.9	13.7	18.9
Queue Length 50th (ft)	0	3	0	1	3
Queue Length 95th (ft)	250	19	15	18	19
Internal Link Dist (ft)	481		660	324	404
Turn Bay Length (ft)		135			
Base Capacity (vph)	3188	454	3281	747	817
Starvation Cap Reductn	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0
Reduced v/c Ratio	0.42	0.04	0.07	0.03	0.02

Intersection Summary

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	0	1242	1	15	183	22	5	2	13	15	0	0
Future Volume (vph)	0	1242	1	15	183	22	5	2	13	15	0	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		4.5		4.5	4.5			4.5			4.5	
Lane Util. Factor		0.95		1.00	0.95			1.00			1.00	
Frpb, ped/bikes		1.00		1.00	1.00			0.99			1.00	
Flpb, ped/bikes		1.00		1.00	1.00			1.00			1.00	
Frt		1.00		1.00	0.98			0.91			1.00	
Flt Protected		1.00		0.95	1.00			0.99			0.95	
Satd. Flow (prot)		3539		1770	3482			1659			1765	
Flt Permitted		1.00		0.95	1.00			1.00			1.00	
Satd. Flow (perm)		3539		1770	3482			1679			1858	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	1350	1	16	199	24	5	2	14	16	0	0
RTOR Reduction (vph)	0	0	0	0	4	0	0	14	0	0	0	0
Lane Group Flow (vph)	0	1351	0	16	219	0	0	7	0	0	16	0
Confl. Peds. (#/hr)				1					3	3		
Turn Type	Prot	NA		Prot	NA		Perm	NA		Perm	NA	
Protected Phases	5	2		1	6			4			8	
Permitted Phases							4			8		
Actuated Green, G (s)		33.9		1.1	39.5			1.1			1.1	
Effective Green, g (s)		33.9		1.1	39.5			1.1			1.1	
Actuated g/C Ratio		0.68		0.02	0.80			0.02			0.02	
Clearance Time (s)		4.5		4.5	4.5			4.5			4.5	
Vehicle Extension (s)		3.0		3.0	3.0			3.0			3.0	
Lane Grp Cap (vph)		2418		39	2772			37			41	
v/s Ratio Prot		c0.38		c0.01	0.06							
v/s Ratio Perm								0.00			c0.01	
v/c Ratio		0.56		0.41	0.08			0.20			0.39	
Uniform Delay, d1		4.0		23.9	1.1			23.8			23.9	
Progression Factor		1.00		1.00	1.00			1.00			1.00	
Incremental Delay, d2		0.3		6.9	0.0			2.6			6.0	
Delay (s)		4.3		30.8	1.1			26.4			30.0	
Level of Service		A		C	A			C			C	
Approach Delay (s)		4.3			3.1			26.4			30.0	
Approach LOS		A			A			C			C	

Intersection Summary			
HCM 2000 Control Delay	4.7	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.55		
Actuated Cycle Length (s)	49.6	Sum of lost time (s)	13.5
Intersection Capacity Utilization	47.1%	ICU Level of Service	A
Analysis Period (min)	15		
c Critical Lane Group			



Lane Group	EBT	WBL	WBT	WBR	NBR	SBL	SBT
Lane Group Flow (vph)	1380	40	217	26	35	32	22
v/c Ratio	0.53	0.17	0.12	0.03	0.06	0.13	0.03
Control Delay	7.9	21.4	3.9	0.4	0.2	20.8	0.1
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	7.9	21.4	3.9	0.4	0.2	20.8	0.1
Queue Length 50th (ft)	71	8	7	0	0	7	0
Queue Length 95th (ft)	254	34	15	2	0	29	0
Internal Link Dist (ft)	660		503				387
Turn Bay Length (ft)		145		90	50		
Base Capacity (vph)	2580	822	2993	1299	1413	1601	1449
Starvation Cap Reductn	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0
Reduced v/c Ratio	0.53	0.05	0.07	0.02	0.02	0.02	0.02

Intersection Summary



Movement	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	0	1270	0	4	33	200	24	0	0	32	29	0
Future Volume (vph)	0	1270	0	4	33	200	24	0	0	32	29	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		5.0			4.0	5.0	5.0			4.0	4.0	4.0
Lane Util. Factor		0.95			1.00	0.95	1.00			1.00	1.00	1.00
Frpb, ped/bikes		1.00			1.00	1.00	0.97			1.00	1.00	1.00
Flpb, ped/bikes		1.00			1.00	1.00	1.00			1.00	1.00	1.00
Frt		1.00			1.00	1.00	0.85			0.85	1.00	0.85
Flt Protected		1.00			0.95	1.00	1.00			1.00	0.95	1.00
Satd. Flow (prot)		3539			1770	3539	1539			1583	1770	1583
Flt Permitted		1.00			0.95	1.00	1.00			1.00	1.00	1.00
Satd. Flow (perm)		3539			1770	3539	1539			1583	1863	1583
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	1380	0	4	36	217	26	0	0	35	32	0
RTOR Reduction (vph)	0	0	0	0	0	0	7	0	0	33	0	20
Lane Group Flow (vph)	0	1380	0	0	40	217	19	0	0	2	32	2
Confl. Peds. (#/hr)							9					
Confl. Bikes (#/hr)			1									
Turn Type	Prot	NA		Prot	Prot	NA	Perm			Perm	Perm	NA
Protected Phases	1	6		5	5	2			8			4
Permitted Phases							2	8		8	4	
Actuated Green, G (s)		28.0			2.1	34.1	34.1			3.3	3.3	3.3
Effective Green, g (s)		28.0			2.1	34.1	34.1			3.3	3.3	3.3
Actuated g/C Ratio		0.60			0.05	0.73	0.73			0.07	0.07	0.07
Clearance Time (s)		5.0			4.0	5.0	5.0			4.0	4.0	4.0
Vehicle Extension (s)		2.0			2.0	2.0	2.0			2.0	2.0	2.0
Lane Grp Cap (vph)		2135			80	2600	1131			112	132	112
v/s Ratio Prot		c0.39			c0.02	0.06						0.00
v/s Ratio Perm							0.01			0.00	c0.02	
v/c Ratio		0.65			0.50	0.08	0.02			0.02	0.24	0.01
Uniform Delay, d1		6.0			21.6	1.7	1.7			20.0	20.4	20.0
Progression Factor		1.00			1.00	1.00	1.00			1.00	1.00	1.00
Incremental Delay, d2		0.5			1.8	0.0	0.0			0.0	0.3	0.0
Delay (s)		6.5			23.4	1.7	1.7			20.1	20.7	20.1
Level of Service		A			C	A	A			C	C	C
Approach Delay (s)		6.5				4.8			20.1			20.4
Approach LOS		A				A			C			C

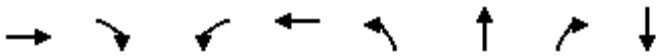
Intersection Summary			
HCM 2000 Control Delay	6.9	HCM 2000 Level of Service	A
HCM 2000 Volume to Capacity ratio	0.60		
Actuated Cycle Length (s)	46.4	Sum of lost time (s)	13.0
Intersection Capacity Utilization	52.6%	ICU Level of Service	A
Analysis Period (min)	15		

c Critical Lane Group



Movement	SBR
Lane Configurations	
Traffic Volume (vph)	20
Future Volume (vph)	20
Ideal Flow (vphpl)	1900
Total Lost time (s)	
Lane Util. Factor	
Frpb, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.92
Adj. Flow (vph)	22
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	
Confl. Bikes (#/hr)	
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	

Intersection Summary



Lane Group	EBT	EBR	WBL	WBT	NBL	NBT	NBR	SBT
Lane Group Flow (vph)	924	527	1259	79	140	141	577	1
v/c Ratio	1.05	0.81	0.76	0.03	0.71	0.57	0.28	0.02
Control Delay	98.0	27.9	36.6	5.2	79.0	67.4	1.2	71.0
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	98.0	27.9	36.6	5.2	79.0	67.4	1.2	71.0
Queue Length 50th (ft)	~508	174	505	7	138	136	0	1
Queue Length 95th (ft)	#663	343	#749	22	210	204	25	8
Internal Link Dist (ft)	503			527		378		115
Turn Bay Length (ft)		230	90					
Base Capacity (vph)	879	651	1658	2725	206	259	2029	409
Starvation Cap Reductn	0	0	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0	0	0
Reduced v/c Ratio	1.05	0.81	0.76	0.03	0.68	0.54	0.28	0.00

Intersection Summary

~ Volume exceeds capacity, queue is theoretically infinite.
Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.
Queue shown is maximum after two cycles.

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	0	850	485	1158	72	1	70	189	0	531	0	1
Future Volume (vph)	0	850	485	1158	72	1	70	189	0	531	0	1
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		6.0	6.0	6.0	6.0			4.2	4.2	6.0		4.0
Lane Util. Factor		0.95	1.00	0.97	0.95			0.95	0.95	0.88		1.00
Frpb, ped/bikes		1.00	0.99	1.00	1.00			1.00	1.00	1.00		1.00
Flpb, ped/bikes		1.00	1.00	1.00	1.00			1.00	1.00	1.00		1.00
Frt		1.00	0.85	1.00	1.00			1.00	1.00	0.85		1.00
Flt Protected		1.00	1.00	0.95	1.00			0.95	0.95	1.00		1.00
Satd. Flow (prot)		3539	1562	3433	3532			1681	1681	2787		1863
Flt Permitted		1.00	1.00	0.95	1.00			0.76	0.95	1.00		1.00
Satd. Flow (perm)		3539	1562	3433	3532			1340	1681	2787		1863
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	0	924	527	1259	78	1	76	205	0	577	0	1
RTOR Reduction (vph)	0	0	271	0	0	0	0	0	0	212	0	0
Lane Group Flow (vph)	0	924	256	1259	79	0	0	140	141	365	0	1
Confl. Peds. (#/hr)			1									
Turn Type		NA	Perm	Prot	NA		Perm	Split	NA	pt+ov		NA
Protected Phases		2		1	6			8	8	1 8	4	4
Permitted Phases			2				8					
Actuated Green, G (s)		34.0	34.0	72.5	112.5			22.3	22.3	99.0		1.0
Effective Green, g (s)		34.0	34.0	72.5	112.5			22.3	22.3	94.8		1.0
Actuated g/C Ratio		0.23	0.23	0.48	0.75			0.15	0.15	0.63		0.01
Clearance Time (s)		6.0	6.0	6.0	6.0			4.2	4.2			4.0
Vehicle Extension (s)		2.0	2.0	2.0	2.0			2.0	2.0			2.0
Lane Grp Cap (vph)		802	354	1659	2649			199	249	1761		12
v/s Ratio Prot		c0.26		c0.37	0.02				0.08	0.13		c0.00
v/s Ratio Perm			0.16					c0.10				
v/c Ratio		1.15	0.72	0.76	0.03			0.70	0.57	0.21		0.08
Uniform Delay, d1		58.0	53.6	31.6	4.8			60.7	59.4	11.7		74.0
Progression Factor		1.00	1.00	1.00	1.00			1.00	1.00	1.00		1.00
Incremental Delay, d2		82.5	12.0	1.8	0.0			8.9	1.8	0.0		1.1
Delay (s)		140.5	65.7	33.4	4.8			69.6	61.1	11.7		75.1
Level of Service		F	E	C	A			E	E	B		E
Approach Delay (s)		113.4			31.7				29.3			75.1
Approach LOS		F			C				C			E

Intersection Summary			
HCM 2000 Control Delay	63.6	HCM 2000 Level of Service	E
HCM 2000 Volume to Capacity ratio	0.85		
Actuated Cycle Length (s)	150.0	Sum of lost time (s)	20.2
Intersection Capacity Utilization	90.5%	ICU Level of Service	E
Analysis Period (min)	15		
c Critical Lane Group			



Movement	SBR
Lane Configurations	
Traffic Volume (vph)	0
Future Volume (vph)	0
Ideal Flow (vphpl)	1900
Total Lost time (s)	
Lane Util. Factor	
Frpb, ped/bikes	
Flpb, ped/bikes	
Frt	
Flt Protected	
Satd. Flow (prot)	
Flt Permitted	
Satd. Flow (perm)	
Peak-hour factor, PHF	0.92
Adj. Flow (vph)	0
RTOR Reduction (vph)	0
Lane Group Flow (vph)	0
Confl. Peds. (#/hr)	
Turn Type	
Protected Phases	
Permitted Phases	
Actuated Green, G (s)	
Effective Green, g (s)	
Actuated g/C Ratio	
Clearance Time (s)	
Vehicle Extension (s)	
Lane Grp Cap (vph)	
v/s Ratio Prot	
v/s Ratio Perm	
v/c Ratio	
Uniform Delay, d1	
Progression Factor	
Incremental Delay, d2	
Delay (s)	
Level of Service	
Approach Delay (s)	
Approach LOS	

Intersection Summary

Appendix H – Parking Study

June 26, 2020

John Park
Owner
Parkwest Casino 580
968 North Canyons Parkway
Livermore, CA 9451

Subject: 2020 Parking Study Update for Parkwest Casino 580 in Livermore

Dear Mr. Van Wagner:

TJKM Transportation Consultants has prepared this parking analysis of Parkwest Casino 580 in the City of Livermore. This study is being completed to assist you and the City of Livermore to understand the existing parking situation at the site in preparation for a planned expansion. TJKM was retained to determine existing parking levels at the facility and to forecast future parking demand. In recent history, Parkwest Casino 580 has had significant overflow parking issues. Now, an expansion of not only the gambling facilities but also a major expansion of on-site parking are planned.

Existing Conditions
Parkwest Casino 580 currently occupies the main portion of a 42,000 square foot building located in the southeast quadrant of the intersection of North Canyons Parkway and Doolan Road. The building was previously occupied by other businesses in addition to Parkwest Casino 580, but now only about one-quarter of the building is occupied by a single user. The remaining portion of the building is occupied by Parkwest Casino 580 or is vacant. The parking lot contains about 129 parking stalls of which about 14 are reserved for the use of the other building occupant during normal business hours and are available for Casino 580 customers after hours and weekends.

Because the number of customers of Casino 580 exceeds the capacity of the parking lot on many occasions, the management instructs its employees to park on the west side of Doolan Road or the north side of Collier Canyon Road (the frontage road on the north side of I-580). These two areas are located in unincorporated portions of Alameda County and the roadway has no parking restrictions. Generally, the employee vehicles are parked on unpaved (but firmly surfaced) shoulders and do not interfere with the flow of traffic in the area, which aside from Casino-bound traffic is very light.

The employee on-street parking is concentrated in about a 1,200 foot length of the east side of Doolan Road north of Collier Canyon Road and a length of about 800 feet on the north side of Collier Canyon Road west of Doolan Road. In parking observations conducted for this study, from 60 to 100 vehicles are generally parked in this area. Although there are no street lights in the unincorporated areas, there are four street lights on the east side of Doolan Road in this area, which provide some lighting for the area used for parking. The four light fixtures

themselves are located about 20 feet laterally from the parking areas across the street. There are no street lights on Collier Canyon Road. On Doolan Road, there are sidewalks for employees to walk to and from their cars, but on the east side of the street. On Collier Canyon Road there are no sidewalks.

In TJKM's surveys, it was observed that there is a very active private security force patrolling the area within and near Parkwest Casino 580. The security people are monitoring both on- and off-site parking to insure that parkers and their vehicles are safe.

Parking Observations

In order to determine how parking conditions changed since TJKM's previous detailed observations during December 2015 and January 2016, TJKM was tasked with making new parking counts. Unfortunately, due to the Corona Virus outbreak, Parkwest Casino 580 was closed down in Mid-March of 2020 before the parking observations could be made. Instead, TJKM utilized in-house parking observations made over a several month period in 2018 and 2019. TJKM had intended to make separate counts to validate the in-house counts.

Upon inspection, it was found that the characteristics and patterns of the new counts appeared identical to the earlier TJKM counts. In the 3.5 year period between the TJKM counts and the in-house counts, parking demand grew about 10 to 12 percent, or about three percent per year. TJKM is of the opinion that the in-house counts are reliable and representative of actual conditions.

The earlier TJKM counts were conducted four times a day over a seven week period, with a total of about 200 observations. The in-house counts were conducted hourly, 24/7, for the months of October, November and December 2018 and from April to November in 2019. Parking observations during this time period occurred over 245 days for a total of over 5,800 hourly observations. Each parking observation included both on-site and off-site parking. It is the intent to provide sufficient on-site parking to satisfy the total parking demand for the expanded facility.

There is one other business on-site occupying about one quarter of the 42,000 square foot building and sharing the parking lot. The business sells and maintains motorcycles and has a relatively low parking demand. In addition to its internal garage, there are about 14 parking stalls marked for use from 9 a.m. to 6 p.m. on weekdays. The rest of the time, the stalls are available for the casino. The in-house counts that were made included the parked vehicles related to this business. This business will remain in the after condition.

TJKM's earlier observations also included head counts of casino occupants at the same time as cars counts were made in order to estimate average auto occupancy. The calculated occupancies ranged from about 1.1 to 1.3 persons per vehicle. This statistic was less informative than the actual counts of parked cars.

Table 1 demonstrate the variation of parked vehicles by time of day. Parkwest Casino 580 is open 24 hours daily, except for closures on Mondays from 2 to 11 a.m. The two days reflected on this chart – Friday October 25, 2019 and the next day Saturday October 26, 2019 were the two busiest days in the last month of counts that are available. In that sense, they would approximate the counts that might have been made by TJKM about four months later. Fridays and Saturdays are typically the two busiest days of the week; in most weeks Sunday is the third highest. On Fridays, the counts peak after 9 p.m. and continue past midnight.

Table 1: Hourly Variations in Parked Vehicles on a Friday and Saturday

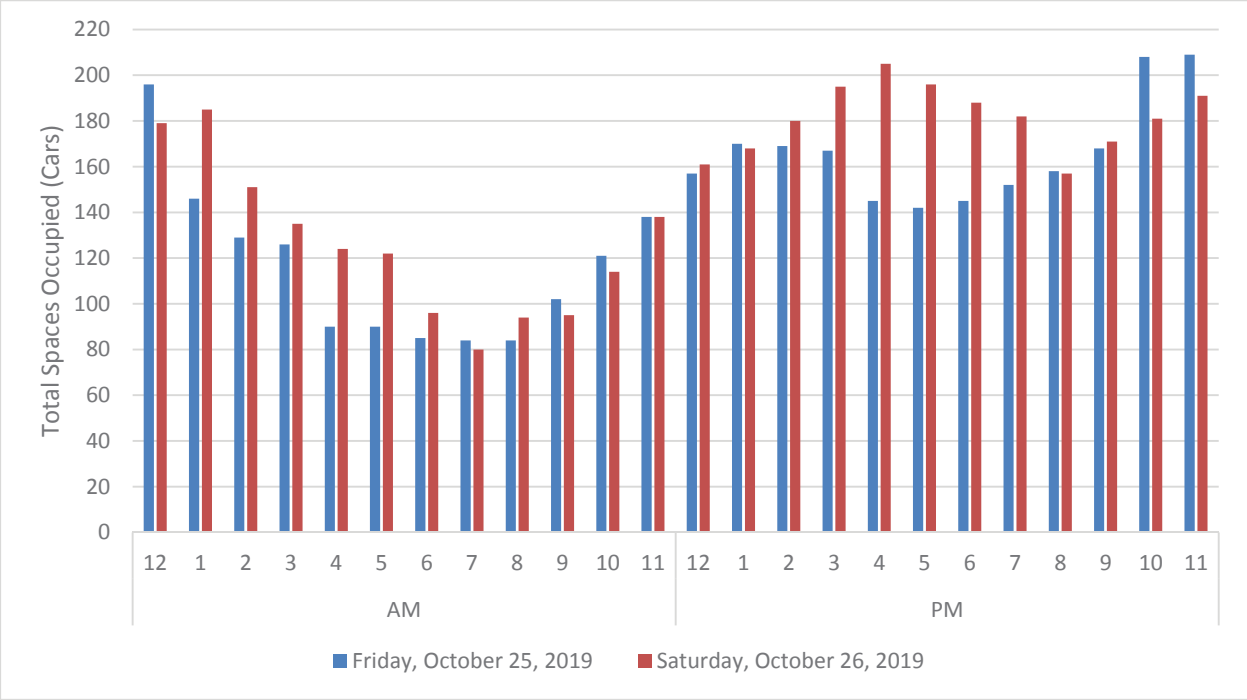


Table 2: Summary of Hours Exceeding 220 Parked Vehicles

Month	Days	Hours >220 Vehicles	Highest No. of Vehicles	Details of 220 Vehicle Exceedances
Oct. 2018	15	0	217	
Nov. 2018	30	1	225	Nov. 9
Dec. 2018	2	0	212	
Apr. 2019	5	0	203	
May 2019	31	0	220	
June 2019	30	0	215	
July 2019	31	21	236	7/15: 6 times, 7/16: 6 times, 7/17: 1 time, 7/18: 1 time, 7/23: 3 times, 7/30: 4 times
Aug. 2019	31	1	223	Aug. 8
Sept. 2019	30	0	219	
Oct. 2019	31	1	225	Oct. 21
Nov. 2019	9	0	203	
Total	**245**	**24**	**-**	

TJKM reviewed the hourly spreadsheets for all 245 days in which parking observations were made. Most days had no hours with more than 200 parked vehicles, some had between 200 and 220 parked vehicles. **Table 2** shows the highest observed hour during each of the observed months. There were only 24 single hours during the 245 days of observations in which there were more than 220 parked vehicles. Interestingly, all but three of those hours occurred in the last two weeks of June 2019, and half of them were in two consecutive days. The use of 220 parked cars as a current upper limit results in this number of parked vehicles being exceeded only 0.4 percent of the time.

Potential Parking Capacity Increases

The proposed expansion of the Parkwest Casino 580 facility provides for additional gambling tables and also provides an increase in space for the bar and restaurant and for the stage area that provides an internal venue for periodic entertainment of the gamblers. These facilities are all intended for use by gambling patrons and are not for the use of outsiders. Therefore, the increase in attendance at the facility is expected to be directly proportional to the increase in gambling tables.

The facility is currently allowed to occupy 10 gambling tables at a time. The facility intends to increase the legally usable gambling tables from 10 to 16. Of the six increased tables, three would be used as VIP tables, only accommodating two or three gamblers per table instead of the typical eight to ten per table. The VIP tables would accommodate a maximum of five people, including staffing. Given the current peak parking demand of 220 vehicles, this amounts to 22 parked vehicles per active gambling table, which includes gamblers and the Parkwest Casino 580 support staff. The 22 stall parking demand represents roughly double the number of actual people at each table.

To project future demand for the six added gambling tables, TJKM considers three standard tables each generating demand for 22 parking stalls and three VIP tables, each generating demand for 10 parking stalls. The total added demand is 3 x 22 + 3 x 10 = 96 parking spaces. When added to the peak demand of 220 stalls, this yields a combined demand of 316 parking stalls. It should be emphasized that this is a very conservative number which should be exceeded less than one-half percent of the hours of operation.

The proposed expanded parking facilities will hold a total of 350 vehicles in the existing and new parking areas. This leaves a surplus of 34 parking stalls, an excess of 10 percent.

Site Circulation

The entrance to the new parking lot is an existing signalized intersection on N. Canyons Parkway, approximately midway between Airway Boulevard and Doolan Road. At the present time, essentially all arriving and departing traffic uses Airway Boulevard to access the I-580 freeway, so the signalized entrance to the new parking lot will be heavily utilized. In addition, the two existing site driveways will remain – the existing main entrance on Doolan Road and the

existing right in/ right out driveway near the east end of the building. This driveway will be used primarily for exiting traffic in the future.

The cities of Livermore and Dublin and the County of Alameda are planning to connect North Canyons Parkway in Livermore with Dublin Boulevard in Dublin. This roadway is currently being designed and should be constructed and open within about five years, pending final financing. The signalized access point will be helpful when traffic increases on N. Canyons Parkway.

For on-site circulation, a future VIP entrance to the building is expected to be added at a new location on the south (freeway) side of the building, supplementing the existing entrance near the Doolan Road driveway. The new VIP entrance is being considered and will be finalized as part of any Casino remodel/upgrades. Both entrances would be accessible for patrons and staff utilizing both existing and new parking facilities. In the near term, only the existing west entrance will be available.

Summarizing:

- The Parkwest Casino 580 facility has a strong history of measuring and recording recent parking activity in which parking lot counts have been made hourly 24/7 for 245 days.
- The peak parking demand at the facility is 220 parked vehicles. This number was only exceeded in 24 individual hours during the 245 survey days, or 0.4 percent of the time.
- The expanded facility will generate an additional parking demand of 96 parking spaces, bringing the total demand to 316 parking stalls, under absolute peak conditions.
- The combined capacity of the existing and new parking lots is 350 parking stalls, leaving a surplus of 34 parking stalls during peak conditions.
- The expanded facilities will have excellent automobile access to the parking areas and excellent pedestrian access to the building itself.

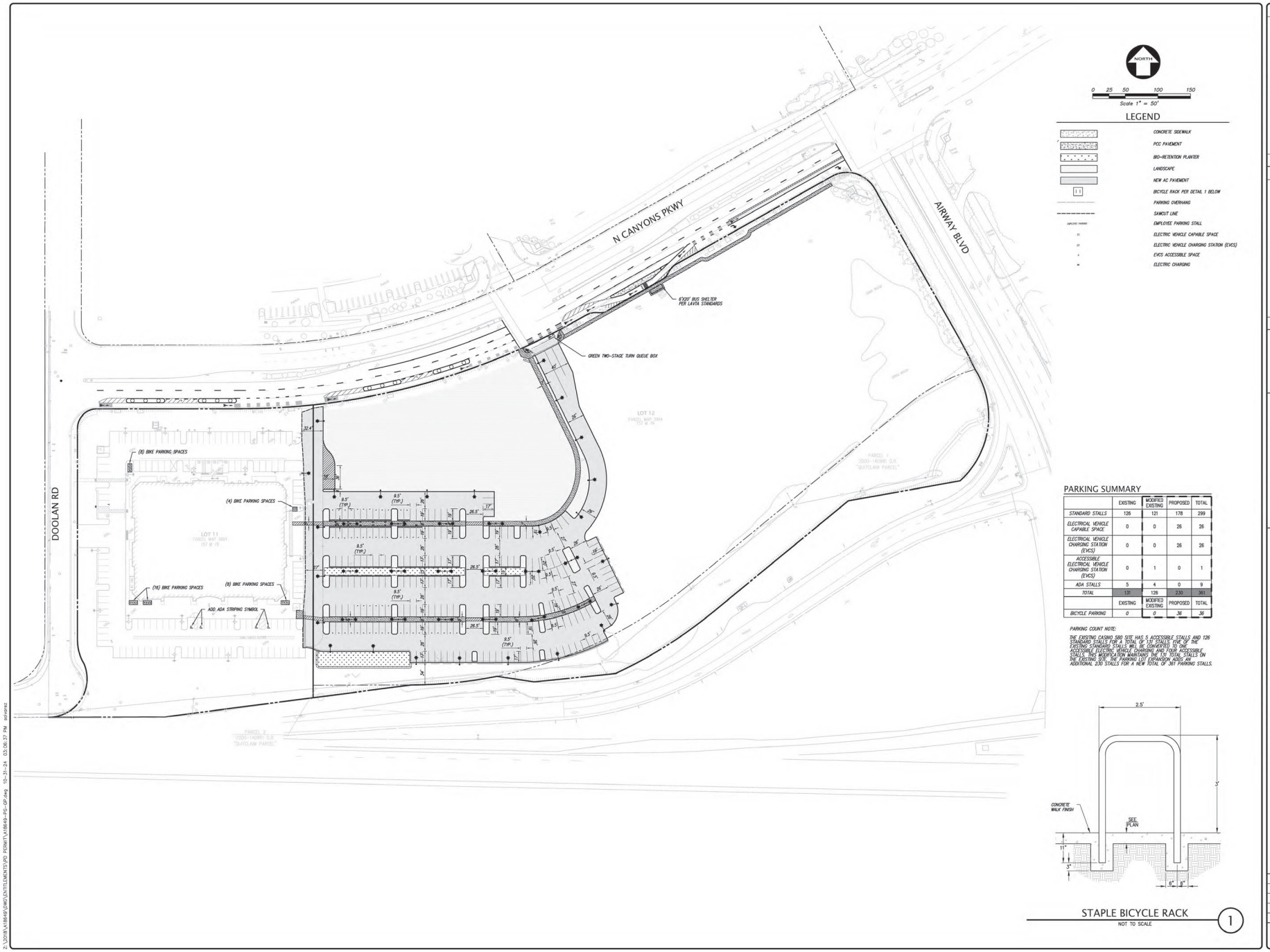
Please contact me if there are questions about this material.

Very truly yours,

Chris D. Kinzel

Chris D. Kinzel, P.E.
Vice President

Attachment: Proposed site plan



REVISION NO. BY

REVISION NO. BY

KIER+WRIGHT
2850 Collier Canyon Road
Livermore, California 94551
Phone (925) 245-8788
www.kierwright.com

PRELIMINARY SITE PLAN
OF
AIRWAY BOULEVARD AT N. CANYONS PARKWAY
FOR
MONUMENT PROPERTIES LIVERMORE, LLC
LIVERMORE, CALIFORNIA

DATE	OCT, 2024
SCALE	AS SHOWN
DESIGNER	BC
DRAWN BY	CF
JOB NO.	A18649
SHEET	C5.0
	5 OF 8 SHEETS

J:\JOBS\A18640\DWG\ENTITLEMENTS\PD PERMIT\A18649-PSP.dwg 10-31-24 03:06:37 PM ashanks

California Department of Transportation

DISTRICT 4
OFFICE OF REGIONAL AND COMMUNITY PLANNING
P.O. BOX 23660, MS–10D | OAKLAND, CA 94623-0660
www.dot.ca.gov

December 4, 2024

SCH #: 2024110526
GTS #: 34620
GTS ID: 04-ALA-2024-00874
Co/Rt/Pm: ALA/580/15.25

Ashley Vera, Senior Planner
City of Livermore
1052 S. Livermore Avenue
Livermore, CA 94550

Re: Parkwest Casino 580 Expansion Project — Mitigated Negative Declaration (MND)

Dear Ashley Vera:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Parkwest Casino 580 Expansion Project. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities. The following comments are based on our review of the November 2024 MND.

Please note this correspondence does not indicate an official position by Caltrans on this project and is for informational purposes only.

Project Understanding
The proposed project would add a new surface parking lot with 230 parking spaces located east of the existing casino. The new parking lot would include 178 standard stalls, 26 electric vehicle (EV) capable spaces, 26 EV charging stations, and racks for up to 36 bicycles. Access to the parking lot would be provided by existing driveways on Doolan Road and North Canyons Parkway, as well as a new driveway from North Canyons Parkway, at the northeast corner of the project site. The proposed project would also include off-site improvements along North Canyons Parkway, including the development of a new Class IV bike lane with a landscaped buffer, restriping of traffic lanes, and shifting the existing bus turnout and bus shelter pad to the north. The proposed project is directly adjacent to Interstate (I)-580.

Project Coordination
This project is within the limits of a Caltrans project known internally as EA 0Q30U. The project will construct express lanes, rehabilitate the pavement, and upgrade highway-

related features along southbound I-680 from 0.4 miles south of Calaveras Rd Undercrossing in Alameda County and 1.1 miles north of Alcosta Blvd Overcrossing in Contra Costa County. The project is under construction with major highway work to be completed in December 2025. This project has the following subprojects:

1.EA 2X490 is a Toll System Integration Installation project funded and administered by Alameda County Transportation Commission (Alameda CTC). This project will start the design phase in January 2025 and construction in Summer 2025.

2.EA 0Q303 is a Planting Mitigation project funded by Alameda CTC, with Caltrans managing the construction phase. This project will start the design phase in January 2025 and construction in Summer 2026.

Please provide any project plans and other technical documents when they are available for Caltrans review.

Hydrology
Please provide the flow rate at the outfall of the bio-treatment planters (Outfall Q)and clarify where the bio-treatment planters outfall to, as there are concerns that the outfall may tie to the State Drainage System.. If the bio-treatment planters are tied to a State drain, further mitigation measures may be needed. Please see the attachment at the end of this letter for known drainage facilities in the area.

Construction-Related Impacts
Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. To apply, please visit Caltrans Transportation Permits (*link*).Prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to the State Transportation Network (STN).

Equitable Access
If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

Encroachment Permit
Please be advised that any permanent work or temporary traffic control that encroaches onto Caltrans' Right of Way (ROW) requires a Caltrans-issued encroachment permit.

The Office of Encroachment Permit requires 100% complete design plans and supporting documents to review and circulate the permit application package. The review and approval of encroachment projects is managed through the Encroachment Permits Office Process (EPOP) or the Project Delivery Quality Management Assessment Process (QMAP), depending on project scope, complexity, and completeness of the application. Please use the following resources to determine the appropriate review process:

- TR-0416 Applicant's Checklist (*link*)
- Flowchart, Figure 1.2 in Chapter 100 – The Permit Function, Caltrans Encroachment Permit Manual (*link*)

The permit approval may take 30 days to 6 months or more depending on the project scope, size, complexity, completeness, compliance with policies and quality of the permit package submitted. Projects requiring exceptions to design standards or external agency approvals may need more time to process.

To obtain more information and download the permit application, please visit Caltrans Encroachment Permits (*link*). When the applicant is ready to pursue a Caltrans encroachment permit, please contact D4Permits@dot.ca.gov to initiate the process.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Melissa Hernandez, Associate Transportation Planner via LDR-D4@dot.ca.gov.

For future early coordination opportunities or project referrals, please visit Caltrans LDR website (*link*) or contact LDR-D4@dot.ca.gov.

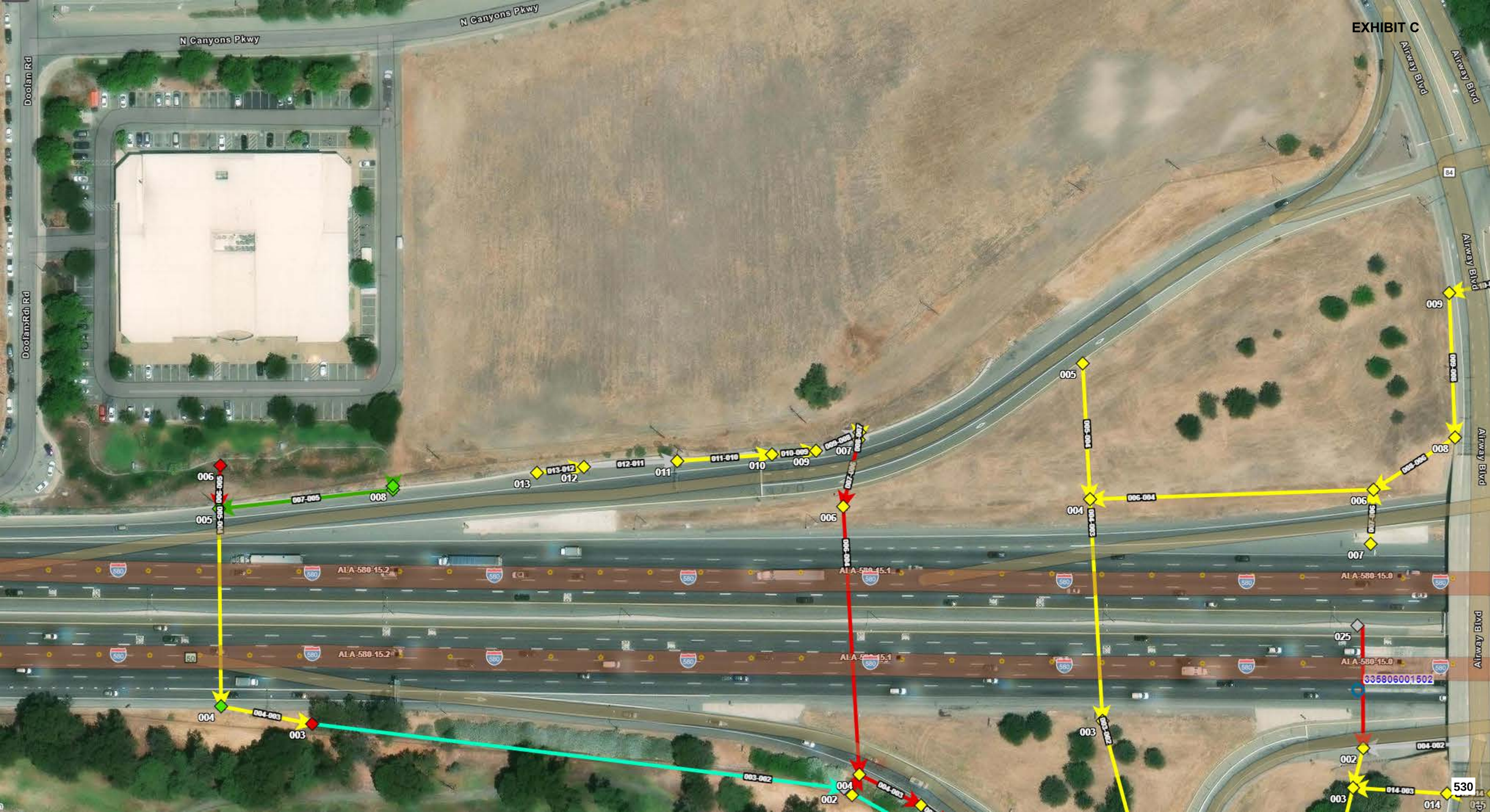
Sincerely,

Marley Mathews

Marley Mathews
Acting Branch Chief, Local Development Review
Office of Regional and Community Planning

c: State Clearinghouse

EXHIBIT C


N Canyons Pkwy
N Canyons Pkwy
Doolan Rd
Doolan Rd
Airway Blvd
Airway Blvd
Airway Blvd
Airway Blvd
84
580
50
ALA-580-15.2
ALA-580-15.2
ALA-580-15.1
ALA-580-15.1
ALA-580-15.0
ALA-580-15.0
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PARKWEST CASINO 580 EXPANSION PROJECT

RESPONSES TO PUBLIC COMMENTS ON THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

This Responses to Comments document contains comments received during the public review period for the Parkwest Casino 580 Expansion Project (proposed project) Initial Study/Mitigated Negative Declaration (IS/MND). The City of Livermore, as lead agency, released the IS/MND for public review beginning on November 15, 2024 and ending on December 4, 2024, pursuant to CEQA Guidelines Section 15105.

According to CEQA Guidelines Sections 15073 and 15074, the lead agency must consider the comments received during consultation and review periods together with the IS/MND. However, unlike with an Environmental Impact Report (EIR), comments received on an IS/MND are not required to be attached to the negative declaration, nor must the lead agency make specific written responses to public agencies. Nonetheless, the lead agency has chosen to provide responses to those specific public comments that are related to the environmental analysis contained in the IS/MND.

COMMENTS AND RESPONSES

The City of Livermore received one comment letter from the California Department of Transportation (Caltrans) during the open comment period on the IS/MND for the proposed project. The following section includes the letter received in addition to responses to each of the comments within the letter, insofar as the comments address environmental topics. The environmental-related comments within the letter are bracketed with assigned comment numbers. The bracketed comment letter is followed by numbered responses corresponding to each bracketed comment. Where revisions to the IS/MND text are required in response to a comment, new text is <u>double underlined</u> and deleted text is ~~struck through~~.

CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, GOVERNOR

California Department of Transportation

DISTRICT 4
OFFICE OF REGIONAL AND COMMUNITY PLANNING
P.O. BOX 23660, MS–10D | OAKLAND, CA 94623-0660
www.dot.ca.gov

December 4, 2024

SCH #: 2024110526
GTS #: 34620
GTS ID: 04-ALA-2024-00874
Co/Rt/Pm: ALA/580/15.25

Ashley Vera, Senior Planner
City of Livermore
1052 S. Livermore Avenue
Livermore, CA 94550

Re: Parkwest Casino 580 Expansion Project – Mitigated Negative Declaration (MND)

Dear Ashley Vera:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Parkwest Casino 580 Expansion Project. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities. The following comments are based on our review of the November 2024 MND.

Please note this correspondence does not indicate an official position by Caltrans on this project and is for informational purposes only.

Project Understanding
The proposed project would add a new surface parking lot with 230 parking spaces located east of the existing casino. The new parking lot would include 178 standard stalls, 26 electric vehicle (EV) capable spaces, 26 EV charging stations, and racks for up to 36 bicycles. Access to the parking lot would be provided by existing driveways on Doolan Road and North Canyons Parkway, as well as a new driveway from North Canyons Parkway, at the northeast corner of the project site. The proposed project would also include off-site improvements along North Canyons Parkway, including the development of a new Class IV bike lane with a landscaped buffer, restriping of traffic lanes, and shifting the existing bus turnout and bus shelter pad to the north. The proposed project is directly adjacent to Interstate (I)-580.

Project Coordination
This project is within the limits of a Caltrans project known internally as EA 0Q30U. The project will construct express lanes, rehabilitate the pavement, and upgrade highway-

Letter 1 Cont'd

related features along southbound I-680 from 0.4 miles south of Calaveras Rd Undercrossing in Alameda County and 1.1 miles north of Alcosta Blvd Overcrossing in Contra Costa County. The project is under construction with major highway work to be completed in December 2025. This project has the following subprojects:

1.EA 2X490 is a Toll System Integration Installation project funded and administered by Alameda County Transportation Commission (Alameda CTC). This project will start the design phase in January 2025 and construction in Summer 2025.

2.EA 0Q303 is a Planting Mitigation project funded by Alameda CTC, with Caltrans managing the construction phase. This project will start the design phase in January 2025 and construction in Summer 2026.

Please provide any project plans and other technical documents when they are available for Caltrans review.

Hydrology

1-1 Please provide the flow rate at the outfall of the bio-treatment planters (Outfall Q)and clarify where the bio-treatment planters outfall to, as there are concerns that the outfall may tie to the State Drainage System.. If the bio-treatment planters are tied to a State drain, further mitigation measures may be needed. Please see the attachment at the end of this letter for known drainage facilities in the area.

Construction-Related Impacts

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Equitable Access

If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

Encroachment Permit

Please be advised that any permanent work or temporary traffic control that encroaches onto Caltrans' Right of Way (ROW) requires a Caltrans-issued encroachment permit.

Letter 1
Cont'd

The Office of Encroachment Permit requires 100% complete design plans and supporting documents to review and circulate the permit application package. The review and approval of encroachment projects is managed through the Encroachment Permits Office Process (EPOP) or the Project Delivery Quality Management Assessment Process (QMAP), depending on project scope, complexity, and completeness of the application. Please use the following resources to determine the appropriate review process:

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- Flowchart, Figure 1.2 in Chapter 100 – The Permit Function, Caltrans Encroachment Permit Manual (*link*)

The permit approval may take 30 days to 6 months or more depending on the project scope, size, complexity, completeness, compliance with policies and quality of the permit package submitted. Projects requiring exceptions to design standards or external agency approvals may need more time to process.

To obtain more information and download the permit application, please visit Caltrans Encroachment Permits (*link*). When the applicant is ready to pursue a Caltrans encroachment permit, please contact D4Permits@dot.ca.gov to initiate the process.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Melissa Hernandez, Associate Transportation Planner via LDR-D4@dot.ca.gov.

For future early coordination opportunities or project referrals, please visit Caltrans LDR website (*link*) or contact LDR-D4@dot.ca.gov.

Sincerely,

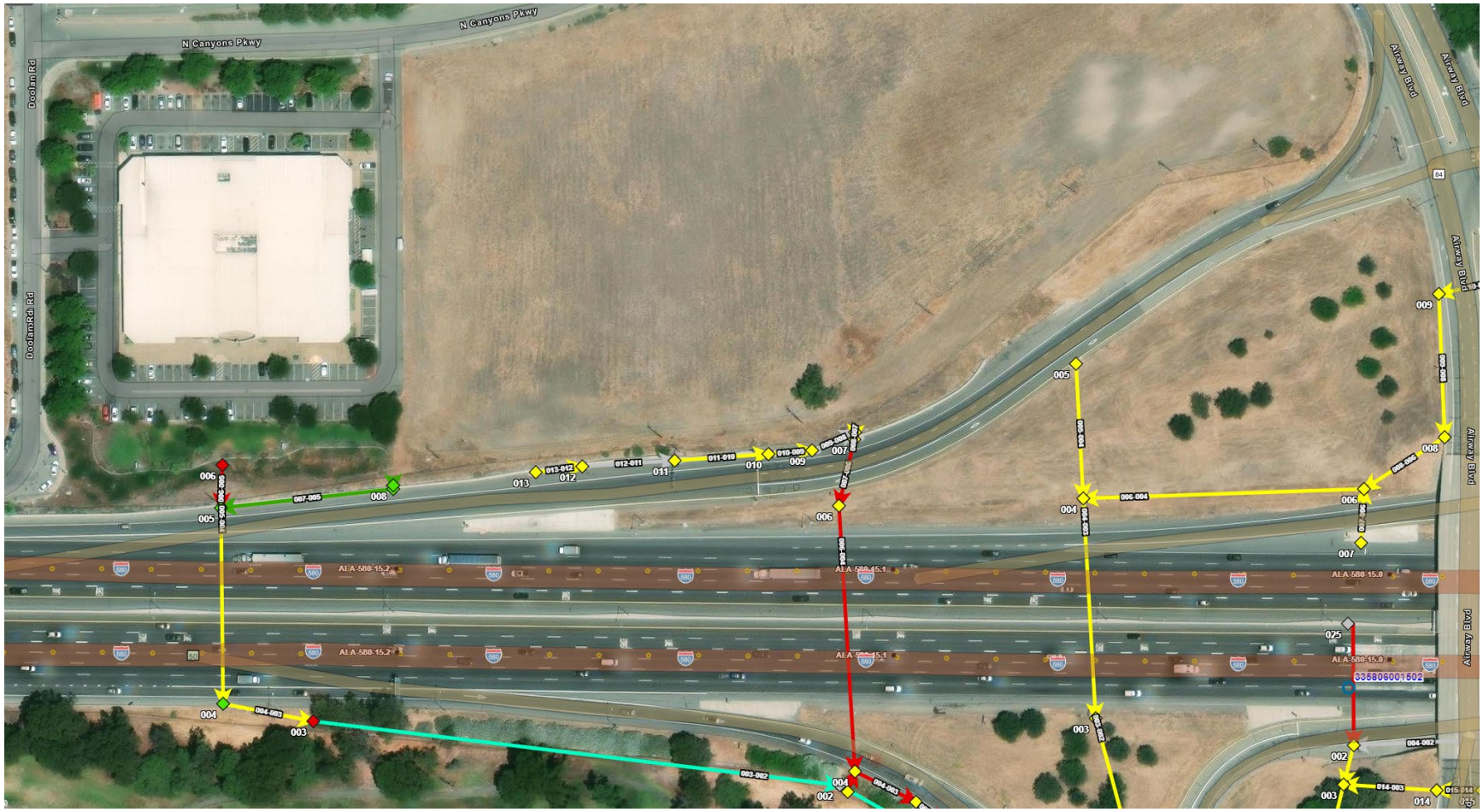
Marley Mathews

Marley Mathews
Acting Branch Chief, Local Development Review
Office of Regional and Community Planning

c: State Clearinghouse

EXHIBIT D

Letter 1
Cont'd



LETTER 1: CALIFORNIA DEPARTMENT OF TRANSPORTATION, DECEMBER 4, 2024

Response to Comment 1-1

In response to the comment, the project applicant has modified project plans to avoid all California Department of Transportation (Caltrans) right-of-way, easements, and infrastructure. The layout of the proposed project has shifted slightly, but the number of parking stalls would remain unchanged. The proposed project's storm drain infrastructure would connect to the City's existing storm drain that travels through the project site. Therefore, Figure 3 and Figure 4 of the IS/MND have been replaced with those shown at the end of this document.

The last two paragraphs of page 8 of the IS/MND are hereby revised as follows:

> A landscape area planted with hydroseed grass would be located north of the proposed parking lot expansion and smaller landscape islands would be located throughout the parking lot. ~~Three~~ One bioretention planter~~s~~ would be located along the ~~center and~~ southwest corner of the parking lot. Concrete pavement would be located along the eastern border of the large landscape area~~ and three concrete islands would be located within the parking lot~~.
>
> The proposed project would include approximately ~~2.72~~ 2.404 gross acres of new impervious surfaces as part of development of the parking lot. The project site would ~~be divided into two~~ consist of one drainage management area~~s~~ (DMA~~s~~).

The first paragraph of page 12 of the IS/MND is hereby revised as follows:

> Stormwater runoff from the new impervious surfaces within the DMA~~s~~ would be directed to the ~~three~~ on-site bioretention planter~~s, with two located within DMA 1~~ as part of Treatment Control Measure (TCM) 1~~, and one located within DMA 2 as part of TCM 2~~. (see Figure 4).

Page 56 of the IS/MND is hereby revised as follows:

> The City of Livermore has adopted the Alameda County C.3 Stormwater Standards, which require new development and redevelopment projects that create or alter 10,000 or more square feet (sf) of impervious area to contain and treat all stormwater runoff from the project site. A total of approximately ~~118,506~~ 104,734 sf of new impervious surfaces would exist on-site following implementation of the proposed project. Thus, the project would be subject to the requirements of the C.3 Stormwater Standards related to stormwater treatment, which are included in the City's NPDES General Permit.
>
> Stormwater runoff within the project site would flow to ~~three~~ a bioretention planter~~s~~ located within the parking lot that would provide treatment and detention of the on-site stormwater runoff. In addition, the project would include various other landscaping elements that would allow for stormwater infiltration. The bio-treatment planter~~s~~ consist~~s~~ primarily of pervious landscaping, allowing for stormwater to infiltrate underlying soils. ~~The proposed project would also include an approximately 0.45-acre landscaped self-treatment area located in the eastern portion of the project site.~~
>
> ~~Each of the~~ The bio-treatment planter~~s~~ would be sized to adequately handle all runoff from the proposed impervious surfaces and landscaping within the project site. Thus, the proposed project would comply with the requirements of the SWRCB and the Regional

Water Quality Control Board (RWQCB), and would meet C.3 Standards related to stormwater treatment. During operation, the project would comply with all relevant water quality standards and waste discharge requirements, and would not degrade water quality.

Page 58 of the IS/MND is hereby revised as follows:

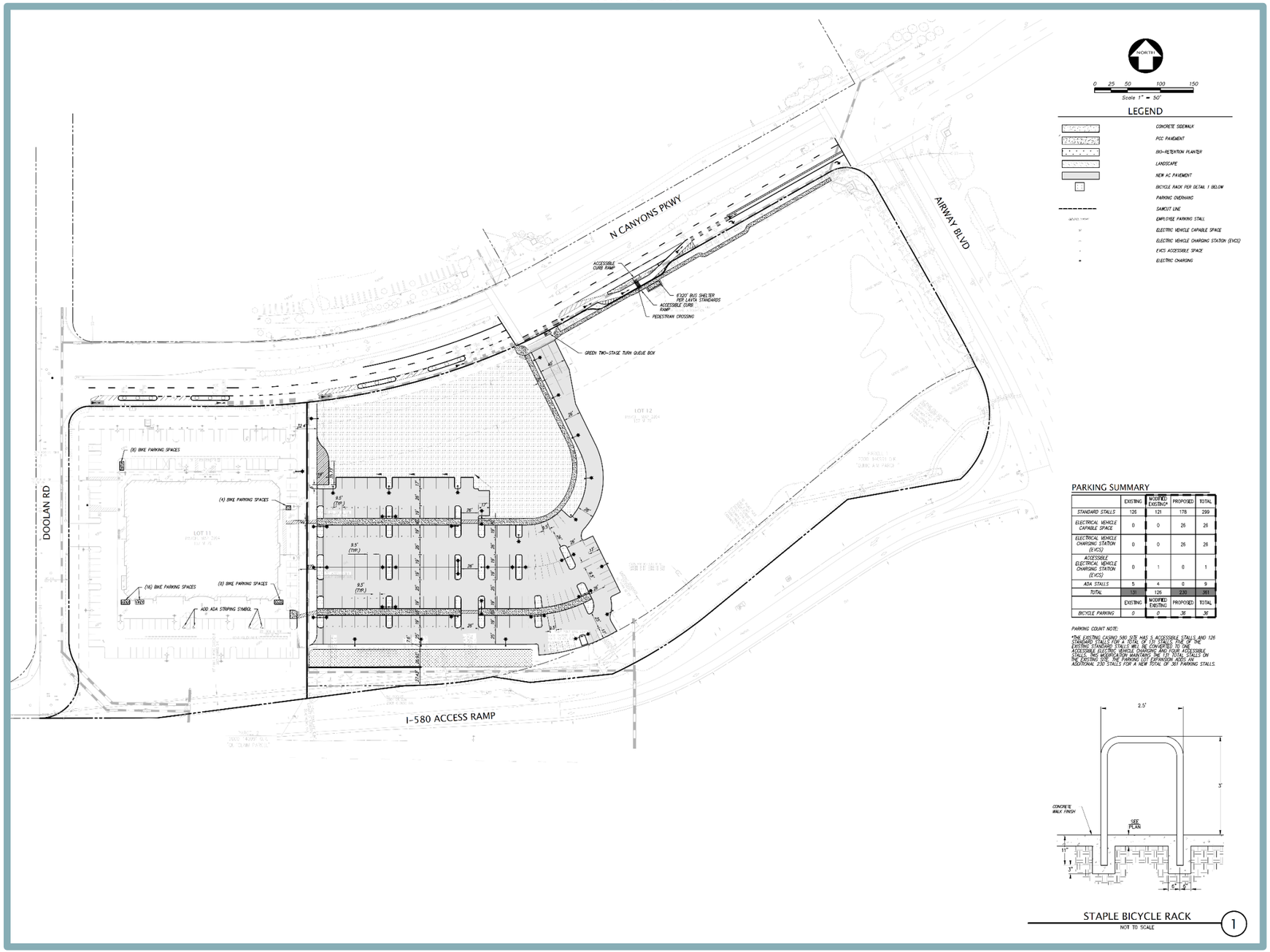
Project development would result in an increase in on-site impervious surfaces, which would reduce the infiltration of groundwater as compared to existing conditions. However, approximately ~~2.02~~ 2.01 acres, or approximately 42 percent of the site, would remain as pervious surfaces, which would allow for the natural percolation of stormwater in those areas, which would continue to contribute to groundwater recharge similar to existing conditions. Furthermore, the proposed project would include the development of ~~three~~ an on-site bioretention planter~~s~~, which would allow for the on-site infiltration of surface water to continue, and contribute to groundwater recharge. Therefore, the proposed project would not interfere substantially with groundwater recharge on-site or interfere with groundwater recharge in the area.

Based on the above, the proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the Livermore-Amador Valley Groundwater Basin. In addition, the project would not conflict with or obstruct implementation of a water quality control plan or the 2005 GMP. Thus, a ***less-than-significant*** impact would occur.

c.i-iii. A total of approximately ~~118,506~~ 104,734 sf of new impervious surfaces would exist on-site following implementation of the proposed project. As discussed above, the proposed project would be subject to the County C.3 Standards related to stormwater.

Storm water runoff within the project site would flow to ~~three~~ a bioretention planter~~s~~ located in the proposed parking lot that would provide treatment and retention of the on-site stormwater runoff. As shown above in Figure 4, the total treatment area on-site would be equal to new impervious area plus 10 percent of the landscaped area, as required by the County C.3 Stormwater Standards. Thus, adequate storage would be provided on-site.

Figure 1
Site Plan



PARKING SUMMARY

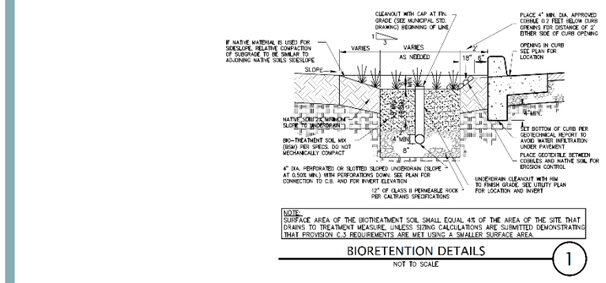
	EXISTING	MODIFIED EXISTING1	PROPOSED	TOTAL
STANDARD STALLS	126	121	178	299
ELECTRICAL VEHICLE CAPABLE SPACE	0	0	26	26
ELECTRICAL VEHICLE CHARGING STATION (EVCS)	0	0	26	26
ACCESSIBLE ELECTRICAL VEHICLE CHARGING STATION (EVCS)	0	1	0	1
ADA STALLS	5	4	0	9
TOTAL	131	125	230	361
	EXISTING	MODIFIED EXISTING	PROPOSED	TOTAL
BICYCLE PARKING	0	0	38	38

PARKING COUNT NOTE:

*THE EXISTING CASINO 580 SITE HAS 5 ACCESSIBLE STALLS AND 126 STANDARD STALLS FOR A TOTAL OF 131 STALLS. ONE OF THE EXISTING STANDARD STALLS WILL BE CONVERTED TO ONE ACCESSIBLE ELECTRIC VEHICLE CHARGING AND FOUR ACCESSIBLE STALLS. THIS MODIFICATION MAINTAINS THE 131 TOTAL STALLS ON THE EXISTING SITE. THE PARKING LOT EXPANSION ADDS AN ADDITIONAL 230 STALLS FOR A NEW TOTAL OF 361 PARKING STALLS.

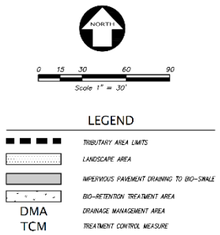
STAPLE BICYCLE RACK
NOT TO SCALE
1

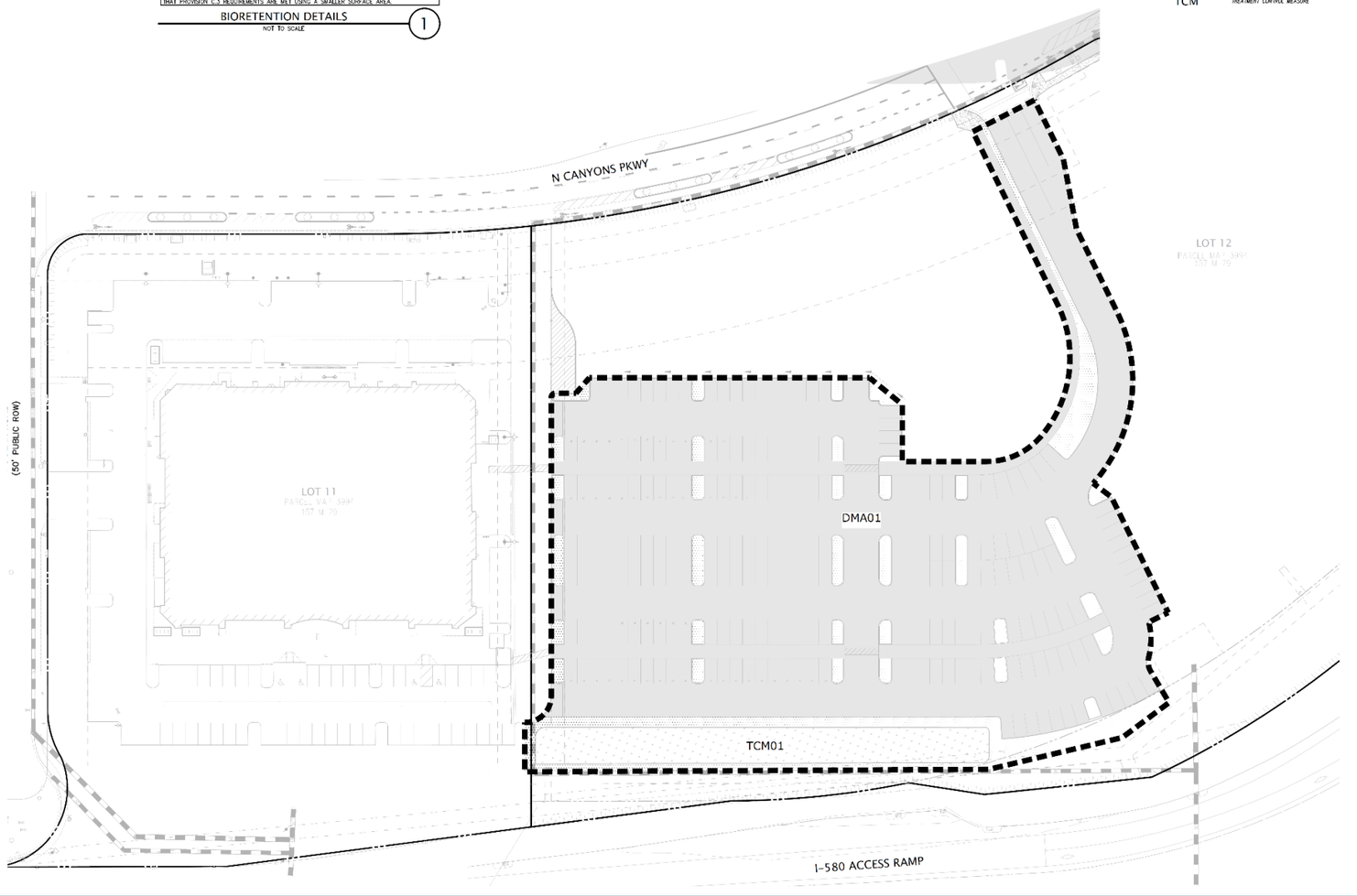
Figure 2
Preliminary Stormwater Quality Control Plan



Area No.	Area (SF)	Area (AC)	Landscape (SF)	Landscape (AC)	Imperv. (SF)	Imperv. (AC)	Treatment Area* (SF)	Treatment Provided (SF)	Sizing Ratio (%)	Type of Planter
DMA01	122,727	2.978	87,504	2.011	104,734	2.404	113,493	9,117	8%	Bio-Retention Planter
TOTAL	179,727	2.978	87,504	2.011	104,734	2.404	113,493	9,117	8%	

*: Total Treatment Area is equal to Impervious Area + 0.10 * Landscape Area.





MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a "mitigated negative declaration" or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Parkwest Casino 580 Expansion Project (proposed project). The intent of the MMRP is to ensure implementation of the mitigation measures identified within the Initial Study/Mitigated Negative Declaration (IS/MND) for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the applicant.

COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the IS/MND for the proposed project, prepared by the City of Livermore. This MMRP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the IS/MND that was prepared for the proposed project.

The proposed project IS/MND presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the proposed project. Mitigation is defined by CEQA Guidelines, Section 15370, as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMRP is to ensure the implementation of adopted mitigation measures. The MMRP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Livermore. The table attached to this report identifies the mitigation measure, the monitoring action for the mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP. The City will be responsible for monitoring compliance.

MITIGATION MONITORING AND REPORTING PROGRAM

The following table indicates the item number, the checklist questions the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
IV-a	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service	*Special-Status Plant Species* *IV-1* *Prior to any vegetation removal or ground-disturbing activities, a focused survey shall be conducted to determine the presence of special-status plant species with potential to occur within the project site. Surveys shall be conducted in accordance with the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFG 2009), which require rare plant surveys to be conducted at the proper time of year when rare or endangered species are both "evident" and identifiable. Field surveys shall be scheduled to coincide with known blooming periods, and/or during periods of physiological development that are necessary to identify the plant species of concern. The results of the surveys shall be submitted to the City of Livermore Community Development Department prior to the commencement of construction activities. If special-status plant species are not found, additional mitigation measures are not necessary. If any of the species are found on-site and cannot be avoided, the following measures shall be required:* • *If the survey determines that special-status plant species are present within or adjacent to the project site, direct and indirect impacts of the project on the species shall be avoided where feasible through the establishment of activity exclusion zones, where ground-disturbing activities shall not*	City of Livermore Community Development Department	Prior to any vegetation removal or ground-disturbing activities during the appropriate survey period (when rare or endangered species are both "evident" and identifiable)	

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		take place, including construction of new facilities, construction staging, or other temporary work areas. Activity exclusion zones for special-status plant species shall be established prior to construction activities around each occupied habitat site, the boundaries of which shall be clearly marked with standard orange plastic construction exclusion fencing or its equivalent. The establishment of activity exclusion zones shall not be required if construction-related disturbance would not occur within 250 feet of the occupied habitat site. • *If exclusion zones and avoidance of impacts on special-status species within the project site are not feasible, then the loss of individuals or occupied habitat of special-status plants shall be compensated using the habitat mitigation rations impacts on habitat for the species as written below as prescribed by the East Alameda County Conservation Strategy (EACCS) and obtain an incidental take permit from the California Department of Fish and Wildlife (CDFW) for State listed species. Before the implementation of compensation measures, the project applicant shall provide detailed information to the CDFW and City of Livermore Community Development Department on the quality of preserved habitat,*			

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		location of the preserved occurrences, provisions for protecting and managing the areas, the responsible parties involved, and other pertinent information that demonstrates the feasibility of the compensation. • *Compensation recommendations from the EACCS are as follows:* ○ *Temporary effects to State and federally listed species, such as Livermore tarplant at a 1:1 ratio.* ○ *Congdon's tarplant at a 5:1 ratio or above through coordination with relevant regulatory agencies.* ○ *San Joaquin spearscale at a 1:1 ratio.* *Crotch's Bumble Bee* *IV-2 The provisions contained herein only apply if Crotch's bumble bee is a candidate species or is listed under CESA at the commencement of construction. Following CDFW's status report on Crotch's bumble bee, if the California Fish and Game Commission finds that the petitioned action is not warranted, the provisions contained herein shall not be required.* *If feasible, initial ground-disturbing activities associated with the proposed project (e.g., grading, vegetation removal, staging) shall take place between September 1 and March 31 (i.e., outside the colony active period) to*	City of Livermore Community Development Department	Within 14 days prior to the commencement of construction activities	

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		avoid potential impacts on special-status bumble bees. If completing all initial ground-disturbing activities between September 1 and March 31 is not feasible, then at a maximum of 14 days prior to the commencement of construction activities, a qualified biologist with 10 or more years of experience conducting biological resource surveys within California shall conduct a preconstruction survey for special-status bumble bees in the area(s) proposed for impact. *The survey shall occur during the period from one hour after sunrise to two hours before sunset, with temperatures between 65 degrees Fahrenheit and 90 degrees Fahrenheit, with low wind and zero rain. If the timing of the start of construction makes the survey infeasible due to the temperature requirements, the surveying biologist shall select the most appropriate days based on the National Weather Service seven-day forecast and shall survey at a time of day that is closest to the temperature range stated above. The survey duration shall be commensurate with the extent of suitable floral resources (which represent foraging habitat) present within the area proposed for impact, and the level of effort shall be based on the metric of a minimum of one person-hour of searching per three acres of suitable floral resources/foraging habitat. A meandering pedestrian survey shall be conducted throughout the area proposed for impact in order to identify patches of suitable floral*			

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		resources. Suitable floral resources for Crotch's bumble bee include species in the following families: Apocynaceae, Asteraceae, Boraginaceae, Fabaceae, and Lamiaceae. Suitable floral resources for western bumble bee include species in the following families: Asteraceae, Fabaceae, Rhamnaceae, and Rosaceae, as well as plants in the genera Eriogonum and Penstemon. *At a minimum, preconstruction survey methods shall include the following:* • *Search areas with floral resources for foraging bumble bees. Observed foraging activity may indicate a nest is nearby, and therefore, the survey duration shall be increased when foraging bumble bees are present;* • *If special-status bumble bees are observed, watch any special-status bumble bees present and observe their flight patterns. Attempt to track their movements between foraging areas and the nest;* • *Visually look for nest entrances. Observe burrows, any other underground cavities, logs, or other possible nesting habitat;* • *If floral resources or other vegetation preclude observance of the nest, small areas of vegetation may be removed via hand removal, line trimming, or mowing to a height of a minimum of*			

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		four inches to assist with locating the nest; • *Look for concentrated special-status bumble bee activity;* • *Listen for the humming of a nest colony; and* • *If bumble bees are observed, attempt to photograph the individual and identify it to species.* *The biologist conducting the survey shall record when the survey was conducted, a general description of any suitable foraging habitat/floral resources present, a description of observed bumble bee activity, a list, of bumble bee species observed, a description of any vegetation removed to facilitate the survey, and their determination of if survey observations suggest a special-status bumble bee nest(s) may be present or if construction activities could result in take of special-status bumble bees. The report shall be submitted to the City of Livermore Community Development Department prior to the commencement of construction activities.* *If bumble bees are not located during the preconstruction survey or the bumble bees located are definitively identified as a common species (i.e., not special-status species), then further mitigation or coordination with the CDFW is not required.* *If any sign(s) of a bumble bee nest is observed, and if the species present cannot be*			

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		established as a common bumble bee, then construction shall not commence until either (1) the bumble bees present are positively identified as common (i.e., not a special-status species), or (2) the completion of coordination with CDFW to identify appropriate mitigation measures, which may include, but not be limited to, waiting until the colony active season ends, establishment of nest buffers, or obtaining an Incidental Take Permit (ITP) from CDFW. *If special-status bees are located, and after coordination with CDFW take of special-status bumble bees cannot be avoided, the project proponent shall obtain an ITP from CDFW, and the project proponent shall implement all conditions identified in the ITP. Mitigation required by the ITP may include, but not be limited to, the project proponent translocating nesting substrate in accordance with the latest scientific research to another suitable location (i.e., a location that supports similar or better floral resources as the impact area), enhancing floral resources on areas of the project site that will remain appropriate habitat, worker awareness training, and/or other measures specified by CDFW.* *Nesting Birds and Raptors* *IV-3 If project construction begins during the nesting season (February 1 to August 31), a qualified biologist shall conduct a nesting bird survey within seven days prior to construction activities. The nesting bird survey shall include*	City of Livermore Community Development Department	Seven days prior to construction activities if project construction begin during the nesting	

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		walking transects to search for ground nesting birds, and an examination of all trees on-site and within all accessible areas within 200 feet of the entire project site and off-site improvement areas (i.e., within a zone of influence of nesting birds). If nesting birds are not found within the project site or off-site improvement areas, further mitigation shall not be required. *If migratory birds are identified nesting on or within the zone of influence, the Wildlife Agencies shall be notified immediately of nest locations. A qualified biologist shall establish a temporary protective nest buffer around the nest(s). The nest buffer shall be staked with orange construction fencing. The buffer must be of sufficient size to protect the nesting site from construction-related disturbance and shall be established by a qualified ornithologist or biologist with extensive experience working with nesting birds near and on construction sites. Typically, adequate nesting buffers are 75 feet from the nest site or nest tree dripline for small birds and up to 300 feet for sensitive nesting birds that include several raptor species known in the region of the project site but that are not expected to occur on the project site. Upon completion of nesting surveys, if nesting birds are identified on or within a zone of influence of the project site, a qualified ornithologist/biologist that frequently works with nesting birds shall prescribe adequate nesting buffers to protect the nesting*		season (February 1 to August 31)	

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		birds from harm while the project is constructed. *Construction or earth-moving activity shall not occur within any established nest protection buffer prior to September 1 unless a qualified ornithologist/biologist determines that the young have fledged and have attained sufficient flight skills to avoid project construction zones, or that the nesting cycle is otherwise completed. In the region of the project site, most species complete nesting by mid-July; however, the date may be significantly earlier or later, and would have to be determined by the qualified biologist. At the end of the nesting cycle, and fledging from the nest by its occupants, as determined by a qualified biologist, temporary nesting buffers may be removed and construction may commence in established nesting buffers without further regard for the nest site. If active nesting buffers are established and a biologist does not confirm that the nesting cycle is completed, then the nesting buffers must be maintained until the end of the CDFW recognized nesting season (September 1).* *Should construction activities cause a nesting bird to do any of the following in a way that would be considered a result of construction activities, then the exclusionary buffer shall be increased such that activities are far enough from the nest to stop the following agitated behavior: vocalize, make defensive flights at intruders, get up from a brooding position, or*			

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			fly off the nest. The revised non-disturbance buffer shall remain in place until the chicks have fledged or as otherwise determined by a qualified biologist in consultation with the City of Livermore. *A report detailing compliance with the provisions set forth herein shall be prepared by the qualified biologist and submitted for review and approval to the City of Livermore Community Development Department.*			
V-b,c	b. Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5 c. Disturb any human remains, including those interred outside of dedicated cemeteries	*V-1*	*In the event a potentially significant cultural resource is encountered during subsurface earthwork activities, all construction activities on-site shall cease and workers should avoid altering the materials until an archaeologist who meets the Secretary of Interior's Professional Qualification Standards for archaeology has evaluated the find(s). The Applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The qualified archeologist shall make recommendations to the Lead Agency on the measures that shall be implemented to protect the discovered resources, including but not limited to, culturally appropriate temporary and permanent treatment, which may include avoidance of cultural resources, in-place preservation, and/or re-burial on project property so the resource(s) are not subject to further disturbance in perpetuity. If avoidance is determined to be infeasible, pursuant to CEQA Guidelines Section 15126.4(b)(3)(C), a data recovery plan, which makes provisions for*	City of Livermore Community Development Department The Northwest Information Center (NWIC) The State Historic Preservation Office (SHPO)	During subsurface earthwork activities, in the event a potentially significant cultural resource is encountered	

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		adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. If necessary, excavation and evaluation of the find(s) shall comply with Section 15064.5 of the CEQA Guidelines. *Potentially significant cultural resources include, but are not limited to, stone, bone, glass, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites, including trash pits older than 50 years. Any previously undiscovered resources found during construction within the project site shall be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and will be submitted to the City of Livermore, the Northwest Information Center, and the State Historic Preservation Office (SHPO), as required.*			
		V-2 *In the event of the accidental discovery or recognition of any human remains, further excavation or disturbance of the find or any nearby area reasonably suspected to overlie adjacent human remains shall not occur until compliance with the provisions of CEQA Guidelines Section 15064.5(e)(1) and (2) has occurred. The Guidelines specify that in the event of the discovery of human remains other than in a dedicated cemetery, no further*	City of Livermore Community Development Department Alameda County Coroner Native American Heritage	During construction, in the event of the accidental discovery or recognition of any human remains	

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		excavation at the site or any nearby area suspected to contain human remains shall occur until the County Coroner has been notified to determine if an investigation into the cause of death is required. If the Coroner determines that the remains are Native American, then, within 24 hours, the Coroner must notify the Native American Heritage Commission, which in turn will notify the most likely descendants who may recommend treatment of the remains and any grave goods. The potential exists that the Native American Heritage Commission may be unable to identify a most likely descendant, the most likely descendant fails to make a recommendation within 48 hours after notification by the Native American Heritage Commission, or the landowner or his authorized agent rejects the recommendation by the most likely descendant and mediation by the Native American Heritage Commission fails to provide a measure acceptable to the landowner. In such a case, the landowner or his authorized representative shall rebury the human remains and grave goods with appropriate dignity at a location on the property not subject to further disturbances. Should human remains be encountered, a copy of the resulting County Coroner report noting any written consultation with the Native American Heritage Commission shall be submitted as proof of compliance to the City's Community Development Department.	Commission (NAHC) (if the coroner determines that the remains are Native American)		

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VII-d	Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property	*VII-1* *Prior to approval of any grading permits, a Geotechnical Analysis shall be conducted by a California Registered Civil Engineer or Geotechnical Engineer to characterize the subsurface conditions of the project site. The report shall address and make recommendations on the following:* • *Road, pavement, and parking area design;* • *Grading practices;* • *Erosion/winterization; and* • *Special problems discovered on-site, (i.e., groundwater, expansive/unstable soils, etc.).* *All grading plans for the project shall be designed by a Civil and Structural Engineer and reviewed and approved by the Director of Public Works/City Engineer, Chief Building Official, and a qualified Geotechnical Engineer prior to issuance of grading and building permits to ensure that all geotechnical recommendations specified in the Geotechnical Analysis are properly incorporated and utilized in the project design.*	City of Livermore City Engineer Chief Building Official	Prior to approval of any grading and/or building permits	
VII-f	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature	*VII-2* *The following requirements shall be noted on project Improvement Plans, subject to review and approval by the City of Livermore Community Development Department. Should any vertebrate fossils (e.g., teeth, bones), an unusually large or dense accumulation of intact invertebrates, or well-preserved plant material (e.g., leaves) be unearthed by the construction crew, then ground-disturbing activity shall be*	City of Livermore Community Development Department	During construction, in the event of accidental discovery of vertebrate fossils, invertebrates, or well-preserved plant materials	

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		diverted to another part of the project site and a paleontologist shall be called on-site to assess the find and, if significant, recover the find in a timely matter. Finds determined significant by the paleontologist shall then be conserved and deposited with a recognized repository, such as the University of California Museum of Paleontology. The alternative mitigation would be to leave the significant finds in place, determine the extent of significant deposit, and avoid further disturbance of the significant deposit. The City of Livermore Community Development Department shall be notified of the discovery of any paleontological resources.			
XVIII-a,b	a. 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) b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in	*XVIII-1* *Implement Mitigation Measures V-1 and V-2.* *XVIII-2* *<u>Tribal Monitoring.</u> Prior to ground disturbing activities, the project applicant shall coordinate with the Confederated Villages of Lisjan Nation, the Amah Mutsun Tribal Band of San Juan Bautista, and the Indian Canyon Band of Costanoan Ohlone People to retain a representative Tribal Monitor(s). The Tribal Monitor(s) shall have the authority to halt and redirect work should any archeological or Tribal Cultural Resources be identified during monitoring. If archeological or Tribal Cultural Resources are encountered during ground disturbing activities, work within 100 feet of the find must halt and the find must be evaluated for listing in the CRHR and NRHP. Monitoring may be reduced or halted at the discretion of*	See Mitigation Measures V-1 and V-2 City of Livermore Community Development Department Representative Tribal Monitor	See Mitigation Measures V-1 and V-2 Prior to ground disturbing activities	

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	subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe	*the Tribal Monitor(s), in consultation with the City of Livermore Community Development Department, as warranted by conditions such as encountering bedrock, sediments being excavated are fill, negative findings during the first 50 percent of the entire area of ground disturbance, etc. If monitoring is reduced to spot checking, spot checking shall occur when ground disturbing activities moves to a new location within the project site and when ground disturbance will extend to depths not previously reached (unless those depths are within bedrock).*			
		XVIII-3 *<u>Inadvertent Discovery of Tribal Cultural Resources.</u> If cultural resources of Native American origin are identified during grading or excavation of the proposed project, all ground disturbing activities within 100 feet shall cease until an archeologist has evaluated the nature and significance of the find as a cultural resource and a representative from culturally affiliated Native American Tribes is consulted by the government agency. The archeologist will stake the area of discovery, placing stakes no more than 10 feet apart, forming a circle having a radius of no less than 100 feet from the point of discovery. If the entity in consultation with the consulting Tribe(s), determines that the resource is a Tribal Cultural Resource and thus significant under CEQA and/or the Tribe, the entity shall retain a qualified archeologist and a Tribal monitor, at the applicant's expense, to prepare a mitigation plan, which shall be implemented by*	Representative Tribal Monitor	During grading or excavation activities, in the event of accidental discovery of Tribal Cultural Resources	

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		the entity in accordance with state guidelines and in consultation with the consulting Tribe. The mitigation plan shall include avoidance of the resource or, if avoidance of the resource is not feasible, the plan shall outline appropriate treatment of the resource in coordination with the consulting Tribe and, if applicable, a qualified archeologist. Examples of appropriate mitigation for the Tribal cultural resources include, but are not limited to, protecting the cultural character and integrity of the resources, protecting traditional use of the resources, protecting the confidentiality of the resources, or heritage recovery.			
		XVIII-4 *<u>Tribal Cultural Resources Awareness Training.</u> The following language shall be noted on project Improvement Plans, subject to review and approval by the City of Livermore Community Development Department:* *Prior to the initiation of construction, all construction crew members, consultants, and other personnel involved in project implementation shall receive project-specific Tribal Cultural Resource (TCR) Awareness Training. The training shall be conducted in coordination with qualified cultural resource specialists and representatives from culturally affiliated Native American Tribes. The training will emphasize the requirement for confidentiality and culturally appropriate, respectful treatment of any finds of significance to culturally affiliated Native American Tribes. All personnel required to receive the training*	City of Livermore Community Development Department	Prior to the approval of Improvement Plans	

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		shall also be required to sign a form that acknowledges receipt of the training, which shall be submitted to the City of Livermore Community Development Department for review and approval. As a component of the training, a brochure will be distributed to all personnel associated with the project implementation. At a minimum the brochure shall discuss the following topics in clear and straightforward language: • *Field indicators of potential archaeological or cultural resources (i.e., what to look for, for example: archaeological artifacts, exotic or non-native rock, unusually large amounts of shell or bone, significant soil color variations, etc.)* • *Regulations governing archeological resources and tribal cultural resources.* • *Consequences of disregarding or violating laws protecting archeological or tribal cultural resources.* • *Steps to take if a worker encounters a possible resource.* *The training shall include project specific guidance for on-site personnel including protocols for resource avoidance, when to stop work, and whom to contact if potential archeological or TCRs are identified. The training shall also address the stoppage of work if potentially significant cultural resources are discovered during ground disturbing*			

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		activities, and in the case of possible human remains the proper course of action requiring immediate contact with the County Coroner and the NAHC.			

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION APPROVING CONDITIONAL USE PERMIT MODIFICATION (CUPM) 24-001, SITE PLAN DESIGN REVIEW (SPDR) 24-010 AND SITE PLAN DESIGN REVIEW MODIFICATION (SPDRM) 24-024, SUBJECT TO CONDITIONS OF APPROVAL, FOR THE PARKWEST CASINO 580 EXPANSION PROJECT

The City received applications for Conditional Use Permit Modification 24-001, Site Plan Design Review 24-010 and Site Plan Design Review Modification 24-024 to authorize operational changes at Parkwest Casino 580 including increasing the number of card tables, increasing hours of operation, increasing the maximum bet limit, permitting limited backline betting, and permitting the play of new card games not prohibited by state law, and to approve the development of a 230-space surface parking lot for the Parkwest Casino 580 Expansion Project ("Project").

At a duly noticed public hearing on January 7, 2025, the Planning Commission considered the Project and staff recommendation, heard public testimony, made the necessary findings and adopted Planning Commission Resolution No. 02-25, attached hereto as Exhibit A, containing the Planning Commission's actions and/or recommendations thereon.

On February 24, 2025, the City Council held a duly noticed public hearing to consider the Project, Planning Commission and staff recommendations, all public comments and testimony, and findings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that prior to taking action on the Project, and at a properly noticed public hearing, the City Council reviewed written and oral staff reports, conducted a public hearing on the Project and took testimony, and received into the record all pertinent documents related to the Project (collectively, the "Record Evidence"). The City Council's determination is based on the Record Evidence, which is incorporated into this Resolution by reference.

BE IT FURTHER RESOLVED that the City Council of the City of Livermore has considered the Record Evidence and adopted a resolution adopting an Initial Study and Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

BE IT FURTHER RESOLVED that the City Council of the City of Livermore has considered the findings made in Planning Commission Resolution No. 02-25, attached hereto as Exhibit A, and the City Council hereby adopts the same findings by this reference and incorporates them as their own findings as part of this resolution. Based upon the City Council's own independent review of the Record Evidence and considerations, the City Council hereby approves Conditional Use Permit Modification 24-001, Site Plan Design Review 24-010 and Site Plan Design Review Modification 24-024,

subject to Conditions of Approval, attached hereto as Exhibit B, for the Parkwest Casino 580 Expansion Project.

BE IT FURTHER RESOLVED that the City Council of the City of Livermore directs the Planning Manager to file a Notice of Determination with the Alameda County Clerk.

The documents that constitute the record of proceedings upon which this decision is based can be found in the City Clerk's Office, 1052 S. Livermore Avenue, in Livermore California.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 24, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

_____
Deborah L. Elam
City Clerk

APPROVED AS TO FORM:

/s/ Katherine Mirassou
Katherine Mirassou
Assistant City Attorney

Exhibit A – Planning Commission Resolution No. 02-25
Exhibit B – Draft Conditions of Approval

IN THE PLANNING COMMISSION OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE MUNICIPAL CODE AMENDMENT (MUNI) 24-002, DEVELOPMENT CODE AMENDMENT (DCA) 24-004, CONDITIONAL USE PERMIT MODIFICATION (CUPM) 24-001, DEVELOPMENT AGREEMENT (DA) 24-003, SITE PLAN DESIGN REVIEW (SPDR) 24-010, AND SITE PLAN DESIGN REVIEW MODIFICATION (SPDRM) 24-024 FOR THE PARKWEST CASINO 580 EXPANSION PROJECT AND CITYWIDE CARDROOM OPERATIONS

The City received an application from Parkwest Casino 580 for Municipal Code Amendment (MUNI) 24-002, Development Code Amendment (DCA) 24-004, Conditional Use Permit Modification (CUPM) 24-001, Development Agreement (DA) 24-003, Site Plan Design Review (SPDR) 24-010, and Site Plan Design Review Modification (SPDRM) 24-024 to 1) amend the Livermore Municipal Code including increasing the total number of card tables permitted citywide, increasing the total number of card table permitted per gambling establishment, increasing allowable hours of operation, increasing the maximum bet limit, permitting limited backline betting, permitting the play of new card games not prohibited by state law, modifying tournament noticing requirements, modifying the number of cardroom licenses permitted per person, and additional miscellaneous amendments made for clarification; 2) authorize operational changes at Parkwest Casino 580 including increasing the number of card tables, increasing hours of operation, increasing the maximum bet limit, permitting limited backline betting, and permitting the play of new card games not prohibited by state law; and 3) approve the development of a 230-space surface parking lot for Parkwest Casino 580 for the Parkwest Casino 580 Expansion Project ("Project").

On January 7, 2025, the Planning commission held a duly noticed public hearing to consider the Project and staff recommendations, all public comments and testimony, and findings.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Livermore that prior to taking action on the Project, and at a properly noticed public meeting, the Planning Commission reviewed written and oral staff reports, conducted a public hearing on the Project and took testimony, and received into the record all pertinent documents related to the Project (collectively, the "Record Evidence"). The Planning Commission's determination is based on the Record Evidence, which is incorporated into this Resolution by reference.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Livermore has considered the Record Evidence and recommends the City Council adopts an Initial Study/Mitigated Negative Declaration for the Project consistent with the California Environmental Quality Act.

BE IT FURTHER RESOLVED with respect to Municipal Code Amendment (MUNI) 24-002 (attached hereto as Exhibit A) the Planning Commission of the City of Livermore finds based on the information presented:

1. The amendment is internally consistent with all other provisions of the Municipal Code.

   Response: The proposed amendments to the Municipal Code consist of amendments to Chapter 5.20, Cardrooms, only and do not impact any other provisions of the Municipal Code. Therefore, the amendment is internally consistent with all other provisions of the Municipal Code.

2. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

   Response: The proposed amendment was analyzed in conformance with the California Environmental Quality Act (CEQA). The analysis concluded that the project, including the Municipal Code amendments, would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

3. The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the proposed or anticipated uses and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

   Response: Based on the plans and specifications provided by the Applicant and reviewed by City staff, the project site is physically suitable to accommodate the proposed parking and intensified cardroom uses. In addition, the Project was analyzed in conformance with CEQA, which found the site was suitable in terms of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment and disposal, etc.). The land uses and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

BE IT FURTHER RESOLVED with respect to Development Code Amendment (DCA) 24-004 (attached hereto as Exhibit B) the Planning Commission of the City of Livermore finds based on the information presented:

4. The amendment is internally consistent with all other provisions of the General Plan.

Response: The Development Code Amendment consists of an amendment to the cardroom definition found in Part 11, Definitions. Specifically, the amendment updates the reference to the Municipal Code Cardroom Ordinance section which will be updated following Project approval. The amendment does not modify provisions related to the General Plan, therefore, the amendment is internally consistent with the General Plan.

5. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

   Response: The Development Code Amendment updates the reference to the Municipal Code Cardroom Ordinance section which will be updated following Project approval. This amendment is made for clarification and will not detrimental to the public interest, health, safety, convenience, or welfare of the City.

6. The proposed amendment is internally consistent with other applicable provisions of this Development Code.

   Response: The Development Code Amendment updates the reference to the Municipal Code Cardroom Ordinance section. No other references in the Development Code are modified by this amendment. Therefore, the amendment is internally consistent with other applicable provisions of this Development Code

BE IT FURTHER RESOLVED with respect to Conditional Use Permit Modification (CUPM) 24-001 the Planning Commission of the City of Livermore finds based on the information presented:

1. Circumstances under which the permit or approval was granted have been changed by the applicant to an extent that one or more of the findings that justified the original approval can no longer be made, and the public health, safety, and welfare require the modification or revocation.

   Response: The originally approved Conditional Use Permit (CUP) 10-007 authorizes limited game play, a total number of card tables, a total number of players per table, a maximum betting limit, and hours of operation, all of which will be modified with Project approval. In addition, CUP10-007 references the property's previous zoning district which is no longer accurate as the zoning district was amended in 2020 from Planned Development Industrial 00-181 to Isabel Neighborhood Specific Plan. Therefore, CUP10-007 must be modified by CUPM24-001 to capture the modified business operations and updated zoning district.

2. The permit or other approval was granted, in whole or in part, on the basis of a fraud, misrepresentation, or omission of a material statement in the application, or in the applicant's testimony presented during the public hearing, for the permit or approval.

   Response: CUP10-007 was not granted in whole or in part, on the basis of a

fraud, misrepresentation, or omission of a material statement in the application, or in the applicant's testimony presented during the public hearing, for the permit or approval. This finding does not apply to the Project.

3. One or more of the conditions of the original permit or approval have not been substantially fulfilled or have been violated.

   Response: The conditions set forth in CUP10-007 have been fulfilled and have not been violated. This finding does not apply to the Project.

4. The approved use or structure, except those approved under a Conditional Use Permit and Zoning Use Permit, has not been implemented within two years of the date of approval.

   Response: The approved use as a cardroom was implemented within two years of the date of approval. This finding does not apply to the Project.

5. The approved use or structure has ceased to exist or has been suspended for a period in excess of 12 months.

   Response: The approved use as a cardroom is an active use. This finding does not apply to the Project.

6. An improvement authorized in compliance with the permit or approval is in violation of any applicable code, law, ordinance, regulation, or statute.

   Response: CUP10-007 complies with all applicable codes, laws, ordinances, regulations, or statutes. This finding does not apply to the Project.

7. The improvement/use allowed by the permit or approval has become detrimental to the public health, safety, or welfare or the manner of operation constitutes or is creating a nuisance.

8. Response: The use as a cardroom has not become detrimental to the public health, safety, or welfare or the manner of operation constitutes or is creating a nuisance. This finding does not apply to the Project.

BE IT FURTHER RESOLVED with respect to the Development Agreement (DA) 24-003 (attached hereto as Exhibit C) the Planning Commission of the City of Livermore finds based on the information presented:

1. The Development Agreement provides benefit to the City.

   Response: The Development Agreement establishes terms and obligations

for public benefits, including the Applicant's increased monthly per table fee on all card tables in operation and a financial contribution toward the purchase, installation, and maintenance of safety and security equipment. For these reasons, the Development Agreement will provide benefit to the City.

2. The Development Agreement is consistent with the purpose, intent, goals, policies, programs, and land use designations of the General Plan, any applicable Specific Plan, and this Development Code.

   Response: The Development Agreement requires the Applicant to provide a monthly per table financial contribution on all card tables in operation and a financial contribution toward the purchase, installation, and maintenance of safety and security equipment. This is consistent with Section 9.04.030(A) of the Livermore Development Code which requires a public benefit be offered by the applicant. In addition, the Development Agreement, in tandem with the Conditional Use Permit, authorizes the use of the property as a cardroom, which is conditionally permitted in the Isabel Neighborhood Specific Plan. Therefore, the Development Agreement is consistent with the purpose, intent, goals, policies, programs, and land use designations of the General Plan, any applicable Specific Plan, and this Development Code.

3. The Development Agreement complies with the requirements of Government Code Sections 65864 through 65869.5

   Response: The proposed development complies with the requirements of Government Code Section 65864 through 65869.5 by securing the terms and timing for improvements and amenities for the benefit of the broader Livermore community.

BE IT FURTHER RESOLVED with respect to the Site Plan Design Review (SPDR) 24-010 and Site Plan Design Review Modification 24-024 the Planning Commission of the City of Livermore finds based on the information presented:

1. The proposed development will be allowed within the subject zone.

   Response: SPDR24-010 includes development of a surface parking lot associated with Parkwest Casino 580. Cardrooms are conditionally permitted in the Isabel Neighborhood Specific Plan. SPDRM24-024 includes modifications to the existing site including tree removal and bicycle rack installation. These modifications do not change the use of the property. Therefore, the development of the surface parking lot and modifications to the existing property are allowed within the subject zone.

2. Be designed such that:
   a. The project will not be detrimental to the public health, safety, or general welfare, and not detrimental to adjacent property;

b. Architectural design and functional plan of the structure(s) and related improvements are of reasonable aesthetic quality and compatible with adjacent developments;
c. Structure(s) and related improvements are suitable for the proposed use of the property and provide adequate consideration of the existing and contemplated uses of land and orderly development in the general area of the subject site; and
d. The project's site plan and design is consistent with the City's Design Standards and Guidelines.

Response: An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for the project. The IS/MND does not find any significant impacts on the public health, safety, or general welfare to adjacent properties. Based on the review of the development plans for the Project, the design of the proposed development is compatible with adjacent developments and consistent with the Design Standards and Guidelines. No aspect of the proposed development will be detrimental to the existing uses of land and the orderly development in the general area.

3. Be designed to include the following criteria, as applicable:
   a. Compliant with this Chapter, this Development Code, Municipal Code Title 15 (Buildings and Construction), and all other applicable City regulations and policies;
   b. Efficient site layout and design;
   c. Compatible and appropriate scale to neighboring properties and developments;
   d. Efficient and safe public access (both pedestrian and vehicular) and parking;
   e. Appropriate and harmonious arrangement and relationship of proposed structures and signs to one another and to other development in the vicinity, based on good standards of design;
   f. Appropriate relationship to land use and development of adjacent properties, including topographic and other physical characteristics of the land;
   g. Proper site utilization and the establishment of a physical and architectural relationship to existing and proposed structures on the site;
   h. Compatible architectural style with the character of the surrounding area, both to avoid repetition of identical design where not desired, and to ensure compatibility in design where desired;
   i. Harmonious relationship with existing and proposed developments and the avoidance of both excessive variety and monotonous repetition;
   j. Compatible in color, material, and composition of the exterior elevations to neighboring visible structures;
   k. Appropriate exterior lighting which provides for public safety and is not of a nature that will constitute a hazard or nuisance to adjacent properties;
   l. Compatible in scale and aesthetic treatment of proposed structures with public areas;
   m. Appropriate open space and use of water efficient landscaping; and
   n. Consistent with the General Plan and any applicable Specific Plan.

Response: The Project is designed to be compatible and in scale with the existing surrounding developments. The Project is designed to provide adequate on-site improvements including parking, lighting and landscaping. Based on the design review of the project, as documented in the Planning Commission staff report, the Project meets all the design criteria identified above.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Livermore has considered the Record Evidence and adopted a resolution recommending adoption of an Initial Study/Mitigated Negative Declaration for the Parkwest Casino 580 Expansion Project.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Livermore has considered the findings set forth above and adopts these findings as part of this resolution. Based upon the Planning Commission's independent review of the Record Evidence and considerations, the Planning Commission recommends that the City Council approve Municipal Code Amendment (MUNI) 24-002, Development Code Amendment (DCA) 24-004, Conditional Use Permit Modification (CUPM) 24-001, Development Agreement (DA) 24-003, Site Plan Design Review (SPDR) 24-010, and Site Plan Design Review Modification (SPDRM) 24-024, subject to the Conditions of Approval attached hereto as Exhibit D, for the Parkwest Casino 580 Expansion Project.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Livermore recommends that the City Council approve cancellation of Ordinance No. 1938 approving DA10-003 following adoption of DA24-003.

BE IT FURTHER RESOLVED, the Planning Commission of the City of Livermore recommends that the City Council direct the Planning Manager to file a Notice of Determination with the Alameda County Clerk, if the Project is approved.

The documents that constitute the record of proceedings upon which this decision is based can be found in the Community Development Department, 1052 S. Livermore Avenue, in Livermore, California.

On the motion by Commissioner Fintschenko, seconded by Commissioner Kronzak, the foregoing Resolution was passed and adopted at the Planning Commission meeting of January 7, 2025, by the following vote:

AYES: ANDERSON, FINTSCHENKO, KRONZAK, LEARY.
NOES: NONE.
ABSENT: NONE.

Jacob Anderson, Chairperson

Stephe Riley

by Stephen Riley, Planning Manager
Secretary to the Planning Commission

Exhibit A – Municipal Code Amendment MUNI24-002
Exhibit B – Development Code Amendment (DCA) 24-004
Exhibit C – Draft Development Agreement (DA) 24-003
Exhibit D – Conditions of Approval

CONDITIONS OF APPROVAL

Parkwest Casino 580 Expansion Project

Municipal Code Amendment (MUNI) 24-002, Development Code Amendment (DCA) 24-004, Conditional Use Permit Modification (CUPM) 24-001, Development Agreement (DA) 24-003, Site Plan Design Review (SPDR) 24-010, and Site Plan Design Review Modification (SPDRM) 24-024

The project is to amend the Livermore Municipal Code including increasing the total number of card tables permitted citywide, increasing the total number of card table permitted per gambling establishment, increasing allowable hours of operation, increasing the maximum bet limit, permitting limited backline betting, permitting the play of new card games not prohibited by state law, modifying tournament noticing requirements, modifying the number of cardroom licenses permitted per person, and additional miscellaneous amendments made for clarification; 2) authorize operational changes at Parkwest Casino 580 including increasing the number of card tables, increasing hours of operation, increasing the maximum bet limit, permitting limited backline betting, and permitting the play of new card games not prohibited by state law; and 3) approve the development of a 230-space surface parking lot for Parkwest Casino 580 for the Parkwest Casino 580 Expansion Project ("Project").

Recommended for Approval by Planning Commission: January 7, 2025
Approved by City Council: February 24, 2025

PROJECT AUTHORIZATION

1. This project shall be in conformance with all City Ordinances, rules, regulations, and policies. The conditions listed below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.
2. Approval is limited to the conformance of the land use to the Isabel Neighborhood Specific Plan and Development Code requirements and as stated in the Development Agreement (DA) 24-003. Use of the property shall be limited to those permitted by the these documents as they exist now or may be amended in the future.

PROJECT SPECIFIC CONDITIONS

Prior to issuance of a Building Permit, the applicant shall demonstrate conformance to the following conditions to the satisfaction of the Planning Division:

1. The applicant shall respond in writing to all conditions contained in this document and its attachments. Responses shall describe how the condition has been met and shall, where applicable, direct the plan checker to the page and/or drawing detail that demonstrates compliance with the condition. A copy of these responses shall be provided with each set of improvement and revised plans.
2. Applicant shall comply with terms outlined in DA 24-003, as it exists now or may be amended in the future. The City may revoke this Conditional Use Permit Modification

if the cardroom is in violation of the Development Agreement or the Development Agreement is terminated.

3. The applicant shall comply with all applicable Mitigation Measures required by the Parkwest Casino 580 Expansion Project Initial Study/Mitigated Negative Declaration Mitigation Monitoring and Reporting Program, attached hereto as Attachment 1.
4. The applicant shall submit an updated shared use parking agreement noting the shared parking on Assessor Parcel Numbers (APNs) 905-16-88 and 905-13-3, the existing parking lot for Parkwest Casino 580 and CalMoto and the new surface parking lot, respectively. The parking agreement must be executed and recorded prior to issuance of a building permit. The agreement must be reviewed and approved by the Community Development Department staff before it is recorded. The parking agreement must be in effect for the life of this Conditional Use Permit and Development Agreement, unless modified by the parties to the Agreement.
5. The applicant shall submit a floor plan including but not limited to the location of the 16 card tables, office space, security space, event space, and other related spaces used as part of the casino operations, subject to review and approval by the Community Development Director.
6. To ensure that the project landscaping does not conflict with the scenic corridor policy and create a wall-like effect, the applicant shall modify the following landscape plan as follows:
    a. Along the length of the southern property line only, replace proposed shrubs S4 and S7 as identified on sheet L1.0 to a mix of low (i.e., 24-36 inches maximum height) ground cover. Refer to Attachment 2 for a detailed markup.
    b. Remove the four westernmost proposed Scarlet Oak trees proposed along the southern property line as shown in Attachment 2. To the extent feasible, re-locate the proposed Scarlet Oak trees along the easternmost driveway to compensate for the removed trees.

7. At the discretion of the Community Development Department Director, the Conditional Use Permit (and Development Agreement if necessary) can be returned to the Planning Commission (and City Council if necessary) to amend the parking requirement if it is determined at a later date that existing on-site parking is insufficient. Evidence of insufficient parking includes, but is not limited to, vehicles of cardroom patrons parked on adjacent properties or parked illegally on the street. Amendments shall be in conformance with Chapter 9, Permits and Approvals, of the Livermore Development Code as it exists now or may be amended in the future.

8. This Conditional Use Permit Modification shall be revoked following the necessary procedures for revocation if the State cardroom license is denied by the State Bureau of Gambling Control and/or the City cardroom license is denied by the

Police Chief in accordance with Municipal Code Chapter 5.20. Furthermore, CUPM24-001 shall be revoked if the cardroom is in violation of the Development Agreement or the Conditional Use Permit Modification conditions of approval.

GENERAL CONDITIONS OF APPROVAL

1. Development shall conform to the plans designated by the City as Exhibit B-1. Exhibit B-1 plans shall include but are not limited to civil, landscape, and lighting plans reviewed and approved by the Planning Commission and City Council and amended by the applicant to reflect any changes indicated above in the Project Specific Conditions or required by the City in the approval process. The applicant shall submit any required amended plans to the Community Development Department within 90 days of project approval.
2. The Developer shall pay the processing and development impact fees applicable City-wide that are in effect at the time the fees are paid. Payment for said fees shall be made prior to issuance of any building permits.
3. The Community Development Department may approve minor amendments to the permit, provided that the permit is still in substantial conformance with the original approval.
4. Approval of the Site Plan Design Review and Site Plan Design Review Modification entitlements is not an authorization to commence construction. Construction, alterations, repairs, sign erection, or occupancy shall not be permitted without prior approval of the Building Division through issuance of any required permits.
5. To the extent permitted by law, the project applicant shall defend, indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorney's fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

ENGINEERING DIVISION – DEVELOPMENT

1. Development shall conform to the attached Engineering Considerations, dated December 23, 2024 (refer to Attachment 3).

BUILDING DIVISION

1. Future development shall conform to California codes adopted at time of Building permit submittal.

Attachments:

1. Parkwest Casino 580 Expansion Project Initial Study/Mitigated Negative Declaration Mitigation Monitoring and Reporting Program

2. Landscape Planting Plan Sheet L1.0 markup
3. Engineering Considerations dated December 23, 2024

MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a "mitigated negative declaration" or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Parkwest Casino 580 Expansion Project (proposed project). The intent of the MMRP is to ensure implementation of the mitigation measures identified within the Initial Study/Mitigated Negative Declaration (IS/MND) for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the applicant.

COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the IS/MND for the proposed project, prepared by the City of Livermore. This MMRP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the IS/MND that was prepared for the proposed project.

The proposed project IS/MND presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the proposed project. Mitigation is defined by CEQA Guidelines, Section 15370, as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMRP is to ensure the implementation of adopted mitigation measures. The MMRP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Livermore. The table attached to this report identifies the mitigation measure, the monitoring action for the mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP. The City will be responsible for monitoring compliance.

MITIGATION MONITORING AND REPORTING PROGRAM

The following table indicates the item number, the checklist questions the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
IV-a	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service	*Special-Status Plant Species* *IV-1* *Prior to any vegetation removal or ground-disturbing activities, a focused survey shall be conducted to determine the presence of special-status plant species with potential to occur within the project site. Surveys shall be conducted in accordance with the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFG 2009), which require rare plant surveys to be conducted at the proper time of year when rare or endangered species are both "evident" and identifiable. Field surveys shall be scheduled to coincide with known blooming periods, and/or during periods of physiological development that are necessary to identify the plant species of concern. The results of the surveys shall be submitted to the City of Livermore Community Development Department prior to the commencement of construction activities. If special-status plant species are not found, additional mitigation measures are not necessary. If any of the species are found on-site and cannot be avoided, the following measures shall be required:* • *If the survey determines that special-status plant species are present within or adjacent to the project site, direct and indirect impacts of the project on the species shall be avoided where feasible through the establishment of activity exclusion zones, where ground-disturbing activities shall not*	City of Livermore Community Development Department	Prior to any vegetation removal or ground-disturbing activities during the appropriate survey period (when rare or endangered species are both "evident" and identifiable)	

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		take place, including construction of new facilities, construction staging, or other temporary work areas. Activity exclusion zones for special-status plant species shall be established prior to construction activities around each occupied habitat site, the boundaries of which shall be clearly marked with standard orange plastic construction exclusion fencing or its equivalent. The establishment of activity exclusion zones shall not be required if construction-related disturbance would not occur within 250 feet of the occupied habitat site. • *If exclusion zones and avoidance of impacts on special-status species within the project site are not feasible, then the loss of individuals or occupied habitat of special-status plants shall be compensated using the habitat mitigation rations impacts on habitat for the species as written below as prescribed by the East Alameda County Conservation Strategy (EACCS) and obtain an incidental take permit from the California Department of Fish and Wildlife (CDFW) for State listed species. Before the implementation of compensation measures, the project applicant shall provide detailed information to the CDFW and City of Livermore Community Development Department on the quality of preserved habitat,*			

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		location of the preserved occurrences, provisions for protecting and managing the areas, the responsible parties involved, and other pertinent information that demonstrates the feasibility of the compensation. • *Compensation recommendations from the EACCS are as follows:* ○ *Temporary effects to State and federally listed species, such as Livermore tarplant at a 1:1 ratio.* ○ *Congdon's tarplant at a 5:1 ratio or above through coordination with relevant regulatory agencies.* ○ *San Joaquin spearscale at a 1:1 ratio.* *Crotch's Bumble Bee* *IV-2 The provisions contained herein only apply if Crotch's bumble bee is a candidate species or is listed under CESA at the commencement of construction. Following CDFW's status report on Crotch's bumble bee, if the California Fish and Game Commission finds that the petitioned action is not warranted, the provisions contained herein shall not be required.* *If feasible, initial ground-disturbing activities associated with the proposed project (e.g., grading, vegetation removal, staging) shall take place between September 1 and March 31 (i.e., outside the colony active period) to*	City of Livermore Community Development Department	Within 14 days prior to the commencement of construction activities	

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		avoid potential impacts on special-status bumble bees. If completing all initial ground-disturbing activities between September 1 and March 31 is not feasible, then at a maximum of 14 days prior to the commencement of construction activities, a qualified biologist with 10 or more years of experience conducting biological resource surveys within California shall conduct a preconstruction survey for special-status bumble bees in the area(s) proposed for impact. *The survey shall occur during the period from one hour after sunrise to two hours before sunset, with temperatures between 65 degrees Fahrenheit and 90 degrees Fahrenheit, with low wind and zero rain. If the timing of the start of construction makes the survey infeasible due to the temperature requirements, the surveying biologist shall select the most appropriate days based on the National Weather Service seven-day forecast and shall survey at a time of day that is closest to the temperature range stated above. The survey duration shall be commensurate with the extent of suitable floral resources (which represent foraging habitat) present within the area proposed for impact, and the level of effort shall be based on the metric of a minimum of one person-hour of searching per three acres of suitable floral resources/foraging habitat. A meandering pedestrian survey shall be conducted throughout the area proposed for impact in order to identify patches of suitable floral*			

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		resources. Suitable floral resources for Crotch's bumble bee include species in the following families: Apocynaceae, Asteraceae, Boraginaceae, Fabaceae, and Lamiaceae. Suitable floral resources for western bumble bee include species in the following families: Asteraceae, Fabaceae, Rhamnaceae, and Rosaceae, as well as plants in the genera Eriogonum and Penstemon. *At a minimum, preconstruction survey methods shall include the following:* • *Search areas with floral resources for foraging bumble bees. Observed foraging activity may indicate a nest is nearby, and therefore, the survey duration shall be increased when foraging bumble bees are present;* • *If special-status bumble bees are observed, watch any special-status bumble bees present and observe their flight patterns. Attempt to track their movements between foraging areas and the nest;* • *Visually look for nest entrances. Observe burrows, any other underground cavities, logs, or other possible nesting habitat;* • *If floral resources or other vegetation preclude observance of the nest, small areas of vegetation may be removed via hand removal, line trimming, or mowing to a height of a minimum of*			

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		four inches to assist with locating the nest; • *Look for concentrated special-status bumble bee activity;* • *Listen for the humming of a nest colony; and* • *If bumble bees are observed, attempt to photograph the individual and identify it to species.* *The biologist conducting the survey shall record when the survey was conducted, a general description of any suitable foraging habitat/floral resources present, a description of observed bumble bee activity, a list, of bumble bee species observed, a description of any vegetation removed to facilitate the survey, and their determination of if survey observations suggest a special-status bumble bee nest(s) may be present or if construction activities could result in take of special-status bumble bees. The report shall be submitted to the City of Livermore Community Development Department prior to the commencement of construction activities.* *If bumble bees are not located during the preconstruction survey or the bumble bees located are definitively identified as a common species (i.e., not special-status species), then further mitigation or coordination with the CDFW is not required.* *If any sign(s) of a bumble bee nest is observed, and if the species present cannot be*			

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		established as a common bumble bee, then construction shall not commence until either (1) the bumble bees present are positively identified as common (i.e., not a special-status species), or (2) the completion of coordination with CDFW to identify appropriate mitigation measures, which may include, but not be limited to, waiting until the colony active season ends, establishment of nest buffers, or obtaining an Incidental Take Permit (ITP) from CDFW. *If special-status bees are located, and after coordination with CDFW take of special-status bumble bees cannot be avoided, the project proponent shall obtain an ITP from CDFW, and the project proponent shall implement all conditions identified in the ITP. Mitigation required by the ITP may include, but not be limited to, the project proponent translocating nesting substrate in accordance with the latest scientific research to another suitable location (i.e., a location that supports similar or better floral resources as the impact area), enhancing floral resources on areas of the project site that will remain appropriate habitat, worker awareness training, and/or other measures specified by CDFW.* *Nesting Birds and Raptors* *IV-3 If project construction begins during the nesting season (February 1 to August 31), a qualified biologist shall conduct a nesting bird survey within seven days prior to construction activities. The nesting bird survey shall include*	City of Livermore Community Development Department	Seven days prior to construction activities if project construction begin during the nesting	

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		walking transects to search for ground nesting birds, and an examination of all trees on-site and within all accessible areas within 200 feet of the entire project site and off-site improvement areas (i.e., within a zone of influence of nesting birds). If nesting birds are not found within the project site or off-site improvement areas, further mitigation shall not be required. *If migratory birds are identified nesting on or within the zone of influence, the Wildlife Agencies shall be notified immediately of nest locations. A qualified biologist shall establish a temporary protective nest buffer around the nest(s). The nest buffer shall be staked with orange construction fencing. The buffer must be of sufficient size to protect the nesting site from construction-related disturbance and shall be established by a qualified ornithologist or biologist with extensive experience working with nesting birds near and on construction sites. Typically, adequate nesting buffers are 75 feet from the nest site or nest tree dripline for small birds and up to 300 feet for sensitive nesting birds that include several raptor species known in the region of the project site but that are not expected to occur on the project site. Upon completion of nesting surveys, if nesting birds are identified on or within a zone of influence of the project site, a qualified ornithologist/biologist that frequently works with nesting birds shall prescribe adequate nesting buffers to protect the nesting*		season (February 1 to August 31)	

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		birds from harm while the project is constructed. *Construction or earth-moving activity shall not occur within any established nest protection buffer prior to September 1 unless a qualified ornithologist/biologist determines that the young have fledged and have attained sufficient flight skills to avoid project construction zones, or that the nesting cycle is otherwise completed. In the region of the project site, most species complete nesting by mid-July; however, the date may be significantly earlier or later, and would have to be determined by the qualified biologist. At the end of the nesting cycle, and fledging from the nest by its occupants, as determined by a qualified biologist, temporary nesting buffers may be removed and construction may commence in established nesting buffers without further regard for the nest site. If active nesting buffers are established and a biologist does not confirm that the nesting cycle is completed, then the nesting buffers must be maintained until the end of the CDFW recognized nesting season (September 1).* *Should construction activities cause a nesting bird to do any of the following in a way that would be considered a result of construction activities, then the exclusionary buffer shall be increased such that activities are far enough from the nest to stop the following agitated behavior: vocalize, make defensive flights at intruders, get up from a brooding position, or*			

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT						
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			fly off the nest. The revised non-disturbance buffer shall remain in place until the chicks have fledged or as otherwise determined by a qualified biologist in consultation with the City of Livermore. *A report detailing compliance with the provisions set forth herein shall be prepared by the qualified biologist and submitted for review and approval to the City of Livermore Community Development Department.*			
V-b,c	b. Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5 c. Disturb any human remains, including those interred outside of dedicated cemeteries	*V-1*	*In the event a potentially significant cultural resource is encountered during subsurface earthwork activities, all construction activities on-site shall cease and workers should avoid altering the materials until an archaeologist who meets the Secretary of Interior's Professional Qualification Standards for archaeology has evaluated the find(s). The Applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The qualified archeologist shall make recommendations to the Lead Agency on the measures that shall be implemented to protect the discovered resources, including but not limited to, culturally appropriate temporary and permanent treatment, which may include avoidance of cultural resources, in-place preservation, and/or re-burial on project property so the resource(s) are not subject to further disturbance in perpetuity. If avoidance is determined to be infeasible, pursuant to CEQA Guidelines Section 15126.4(b)(3)(C), a data recovery plan, which makes provisions for*	City of Livermore Community Development Department The Northwest Information Center (NWIC) The State Historic Preservation Office (SHPO)	During subsurface earthwork activities, in the event a potentially significant cultural resource is encountered	

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
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		adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. If necessary, excavation and evaluation of the find(s) shall comply with Section 15064.5 of the CEQA Guidelines. *Potentially significant cultural resources include, but are not limited to, stone, bone, glass, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites, including trash pits older than 50 years. Any previously undiscovered resources found during construction within the project site shall be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and will be submitted to the City of Livermore, the Northwest Information Center, and the State Historic Preservation Office (SHPO), as required.*			
		V-2 *In the event of the accidental discovery or recognition of any human remains, further excavation or disturbance of the find or any nearby area reasonably suspected to overlie adjacent human remains shall not occur until compliance with the provisions of CEQA Guidelines Section 15064.5(e)(1) and (2) has occurred. The Guidelines specify that in the event of the discovery of human remains other than in a dedicated cemetery, no further*	City of Livermore Community Development Department Alameda County Coroner Native American Heritage	During construction, in the event of the accidental discovery or recognition of any human remains	

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		excavation at the site or any nearby area suspected to contain human remains shall occur until the County Coroner has been notified to determine if an investigation into the cause of death is required. If the Coroner determines that the remains are Native American, then, within 24 hours, the Coroner must notify the Native American Heritage Commission, which in turn will notify the most likely descendants who may recommend treatment of the remains and any grave goods. The potential exists that the Native American Heritage Commission may be unable to identify a most likely descendant, the most likely descendant fails to make a recommendation within 48 hours after notification by the Native American Heritage Commission, or the landowner or his authorized agent rejects the recommendation by the most likely descendant and mediation by the Native American Heritage Commission fails to provide a measure acceptable to the landowner. In such a case, the landowner or his authorized representative shall rebury the human remains and grave goods with appropriate dignity at a location on the property not subject to further disturbances. Should human remains be encountered, a copy of the resulting County Coroner report noting any written consultation with the Native American Heritage Commission shall be submitted as proof of compliance to the City's Community Development Department.	Commission (NAHC) (if the coroner determines that the remains are Native American)		

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VII-d	Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property	*VII-1* *Prior to approval of any grading permits, a Geotechnical Analysis shall be conducted by a California Registered Civil Engineer or Geotechnical Engineer to characterize the subsurface conditions of the project site. The report shall address and make recommendations on the following:* • *Road, pavement, and parking area design;* • *Grading practices;* • *Erosion/winterization; and* • *Special problems discovered on-site, (i.e., groundwater, expansive/unstable soils, etc.).* *All grading plans for the project shall be designed by a Civil and Structural Engineer and reviewed and approved by the Director of Public Works/City Engineer, Chief Building Official, and a qualified Geotechnical Engineer prior to issuance of grading and building permits to ensure that all geotechnical recommendations specified in the Geotechnical Analysis are properly incorporated and utilized in the project design.*	City of Livermore City Engineer Chief Building Official	Prior to approval of any grading and/or building permits	
VII-f	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature	*VII-2* *The following requirements shall be noted on project Improvement Plans, subject to review and approval by the City of Livermore Community Development Department. Should any vertebrate fossils (e.g., teeth, bones), an unusually large or dense accumulation of intact invertebrates, or well-preserved plant material (e.g., leaves) be unearthed by the construction crew, then ground-disturbing activity shall be*	City of Livermore Community Development Department	During construction, in the event of accidental discovery of vertebrate fossils, invertebrates, or well-preserved plant materials	

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		diverted to another part of the project site and a paleontologist shall be called on-site to assess the find and, if significant, recover the find in a timely matter. Finds determined significant by the paleontologist shall then be conserved and deposited with a recognized repository, such as the University of California Museum of Paleontology. The alternative mitigation would be to leave the significant finds in place, determine the extent of significant deposit, and avoid further disturbance of the significant deposit. The City of Livermore Community Development Department shall be notified of the discovery of any paleontological resources.			
XVIII-a,b	a. 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) b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in	*XVIII-1* *Implement Mitigation Measures V-1 and V-2.* *XVIII-2* *<u>Tribal Monitoring.</u> Prior to ground disturbing activities, the project applicant shall coordinate with the Confederated Villages of Lisjan Nation, the Amah Mutsun Tribal Band of San Juan Bautista, and the Indian Canyon Band of Costanoan Ohlone People to retain a representative Tribal Monitor(s). The Tribal Monitor(s) shall have the authority to halt and redirect work should any archeological or Tribal Cultural Resources be identified during monitoring. If archeological or Tribal Cultural Resources are encountered during ground disturbing activities, work within 100 feet of the find must halt and the find must be evaluated for listing in the CRHR and NRHP. Monitoring may be reduced or halted at the discretion of*	See Mitigation Measures V-1 and V-2 City of Livermore Community Development Department Representative Tribal Monitor	See Mitigation Measures V-1 and V-2 Prior to ground disturbing activities	

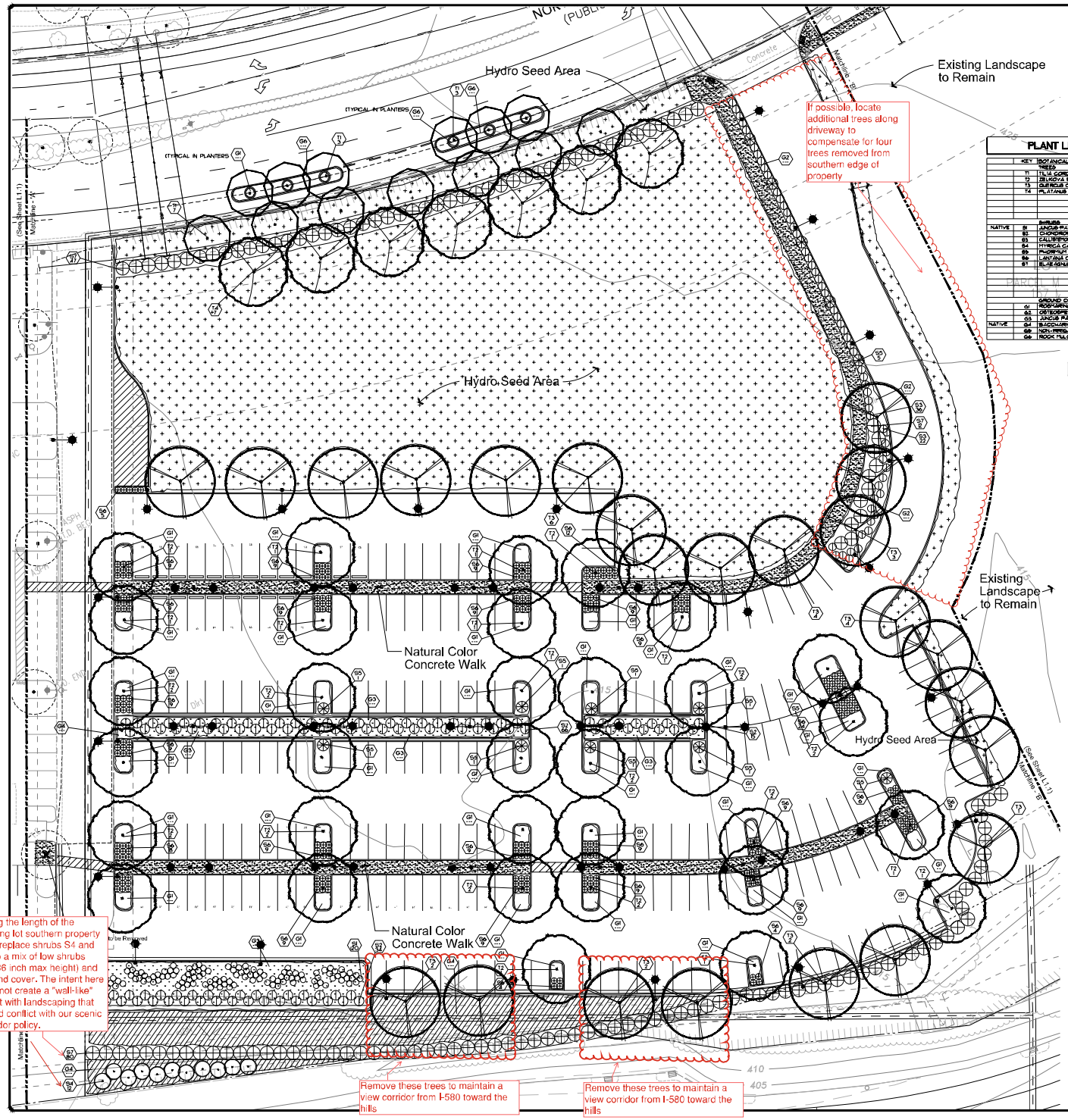
MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
	subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe	*the Tribal Monitor(s), in consultation with the City of Livermore Community Development Department, as warranted by conditions such as encountering bedrock, sediments being excavated are fill, negative findings during the first 50 percent of the entire area of ground disturbance, etc. If monitoring is reduced to spot checking, spot checking shall occur when ground disturbing activities moves to a new location within the project site and when ground disturbance will extend to depths not previously reached (unless those depths are within bedrock).*			
		XVIII-3 *<u>Inadvertent Discovery of Tribal Cultural Resources.</u> If cultural resources of Native American origin are identified during grading or excavation of the proposed project, all ground disturbing activities within 100 feet shall cease until an archeologist has evaluated the nature and significance of the find as a cultural resource and a representative from culturally affiliated Native American Tribes is consulted by the government agency. The archeologist will stake the area of discovery, placing stakes no more than 10 feet apart, forming a circle having a radius of no less than 100 feet from the point of discovery. If the entity in consultation with the consulting Tribe(s), determines that the resource is a Tribal Cultural Resource and thus significant under CEQA and/or the Tribe, the entity shall retain a qualified archeologist and a Tribal monitor, at the applicant's expense, to prepare a mitigation plan, which shall be implemented by*	Representative Tribal Monitor	During grading or excavation activities, in the event of accidental discovery of Tribal Cultural Resources	

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		the entity in accordance with state guidelines and in consultation with the consulting Tribe. The mitigation plan shall include avoidance of the resource or, if avoidance of the resource is not feasible, the plan shall outline appropriate treatment of the resource in coordination with the consulting Tribe and, if applicable, a qualified archeologist. Examples of appropriate mitigation for the Tribal cultural resources include, but are not limited to, protecting the cultural character and integrity of the resources, protecting traditional use of the resources, protecting the confidentiality of the resources, or heritage recovery.			
		XVIII-4 *<u>Tribal Cultural Resources Awareness Training.</u> The following language shall be noted on project Improvement Plans, subject to review and approval by the City of Livermore Community Development Department:* *Prior to the initiation of construction, all construction crew members, consultants, and other personnel involved in project implementation shall receive project-specific Tribal Cultural Resource (TCR) Awareness Training. The training shall be conducted in coordination with qualified cultural resource specialists and representatives from culturally affiliated Native American Tribes. The training will emphasize the requirement for confidentiality and culturally appropriate, respectful treatment of any finds of significance to culturally affiliated Native American Tribes. All personnel required to receive the training*	City of Livermore Community Development Department	Prior to the approval of Improvement Plans	

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		shall also be required to sign a form that acknowledges receipt of the training, which shall be submitted to the City of Livermore Community Development Department for review and approval. As a component of the training, a brochure will be distributed to all personnel associated with the project implementation. At a minimum the brochure shall discuss the following topics in clear and straightforward language: • *Field indicators of potential archaeological or cultural resources (i.e., what to look for, for example: archaeological artifacts, exotic or non-native rock, unusually large amounts of shell or bone, significant soil color variations, etc.)* • *Regulations governing archeological resources and tribal cultural resources.* • *Consequences of disregarding or violating laws protecting archeological or tribal cultural resources.* • *Steps to take if a worker encounters a possible resource.* *The training shall include project specific guidance for on-site personnel including protocols for resource avoidance, when to stop work, and whom to contact if potential archeological or TCRs are identified. The training shall also address the stoppage of work if potentially significant cultural resources are discovered during ground disturbing*			

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		activities, and in the case of possible human remains the proper course of action requiring immediate contact with the County Coroner and the NAHC.			

EXHIBIT D
EXHIBIT B



TREE REMOVAL REPLACEMENT RATIO

(2) NEW TREES AT 24" MINIMUM BOX SIZE FOR EACH TREE APPROVED TO BE REMOVED

1 EXISTING TREES TO BE REMOVED

2 MITIGATION TREES REQUIRED FOR 24" BOX REPLACEMENT SIZE

4 PROPOSED NEW MITIGATION TREES TO BE INSTALLED AT 24" BOX SIZE.

78 TOTAL NEW TREES TO BE INSTALLED AT 24" BOX SIZE

PLANT LIST:

	KEY	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	REMARKS	FULL SIZE DIMENSIONS	WUCOLS
		TREES						
	T1	TILIA CORDATA	LITTLE LEAF LINDEN TREE	13	24" BX	STANDARD	36'H x 46'W	MEDIUM
	T2	ZELKOVA SERRATA	SAWLEAF ZELKOVA	34	24" BX	STANDARD	40'H x 30'W	LOW
	T3	QUERCUS COCCINEA	SCARLET OAK	24	24" BX	STANDARD	70'H x 30'W	LOW
	T4	PLATANUS X HISPANICA 'COLUMBIA'	COLUMBIA LONDON PLANE TREE	7	24" BX	STANDARD	60'H x 45'W	MEDIUM
		SHRUBS						
NATIVE	S1	JUNCUS PATENS	CALIFORNIA GRAY RUSH	120	5 GAL		2'H x 2.5'W	LOW
	S2	CAREX DIVULSA 'TECTORUM'	SMALL COMB RUSH	181	5 GAL		4'H x 4'W	LOW
	S3	CALLISTEMON 'LITTLE JOHN'	BOTTLEBRUSH	198	5 GAL		3'H x 3'W	LOW
	S4	MYRICA CALIFORNICA	PACIFIC WAX MYRTLE	0	5 GAL		10'H x 20'W	LOW
	S5	PHORMIUM 'TELLOW WAVE'	HYBRID FLAX	9	5 GAL		4'H x 3'W	LOW
	S6	LANTANA C. 'RADIATION'	RADIATION BUSH LANTANA	178	5 GAL		4'H x 4'W	LOW
	S7	ELAEAGNUS P. 'MACULATA'	SILVERBERRY	138	5 GAL		10'H x 10'W	LOW
		GROUND COVERS						
	G1	ROSMARINUS O. 'HUNTINGTON CARPET'	HUNTINGTON CARPET ROSEMARY		1 GAL	36" OC.	1'H x 6'W	LOW
	G2	OSTEOSPERMUM 'WHITE'	FREEWAY DAISY		1 GAL	18" OC.	1'H x 4'W	LOW
	G3	JUNCUS PATENS	CALIFORNIA GRAY RUSH				1'H x 3'W	LOW
NATIVE	G4	BACCHARIS P. 'TUIN PEAKS'	DWARF COYOTE BRUSH		1 GAL	24" OC.	2'H x 8'W	LOW
	G5	NON-IRRIGATED HYDROSEED	SEE SEED MIX NOTE THIS SHEET		SEED	---		LOW
	G6	ROCK MULCH	AS APPROVED BY CITY OF LIVERMORE		---	3" DEPTH		---

PLANT NOTES:

1. THE CONTRACTOR SHALL VERIFY PLANT QUANTITIES FROM THE PLANTING PLAN. QUANTITIES SHOWN IN LEGEND ARE FOR CONVENIENCE ONLY.
2. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IN THE EVENT OF ANY DISCREPANCIES BETWEEN ACTUAL SITE CONDITIONS AND THE PLANTING PLAN.
3. PLANT GROUNDCOVER IN SHRUB AREAS AS NOTED, USE TRIANGULAR SPACING.
4. SEE DETAIL AND SPECIFICATION SHEETS FOR ADDITIONAL INFORMATION.
5. THERE WILL BE NO MATERIALS OR PLANT MATERIALS SUBSTITUTIONS WITHOUT APPROVAL OF THE OWNER OR THE LANDSCAPE ARCHITECT.
6. IN THE EVENT OF ANY DISCREPANCIES BETWEEN THIS PLAN AND ACTUAL SITE CONDITIONS, THE LANDSCAPE ARCHITECT IS TO BE NOTIFIED IMMEDIATELY.
7. ENTIRE SITE IS TO BE ROUGH GRADED BY THE GRADING CONTRACTOR TO WITHIN 3/10TH FOOT OF FINISH GRADE. LANDSCAPE CONTRACTOR IS TO FINE GRADE ALL LANDSCAPE AREAS.
8. ALL SITE UTILITIES ARE TO BE PROTECTED DURING CONSTRUCTION. IN THE EVENT OF CONFLICT BETWEEN THE PLANS AND UTILITIES THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT. ANY DAMAGE TO UTILITIES, STRUCTURES, OR OTHER FEATURES TO REMAIN, AND CAUSED BY THE LANDSCAPE CONTRACTOR SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR AT NO EXPENSE TO THE OWNER.
9. THE WORK IN THESE DRAWINGS AND SPECIFICATIONS MAY RUN CONCURRENTLY WITH WORK BY OTHERS. THE LANDSCAPE CONTRACTOR SHALL COORDINATE THE WORK WITH OTHER CONTRACTORS.
10. PRIOR TO ANY DIGGING OR TRENCHING, CALL UNDERGROUND SERVICE ALERT 1-800.227.2600
11. ALL NEW INSTALLED TREES TO BE A MINIMUM OF 6 FEET AT THE TIME OF INSTALLATION.

PLANT SYMBOLS

KEY — INDICATES PLANT KEY
QTY — INDICATES PLANT QUANTITY

NON-IRRIGATED HYDROSEED SEED MIX

SEEDING RATE	BOTANICAL NAME	COMMON NAME
	Species/Common Name - 36 Total Lbs./ PER ACRE	
	12LBS.	Bromus carinatus/Native "Bay Area" California Brome
	10 LBS.	Elymus glaucus/ "Bay Area" Blue Wildrye
	8 LBS	Hordeum californicum/California Barley
	6 LBS	Leymus triticoides. Native/Native Creeping Wildrye

USE ONLY PURE LIVE SEED.
SEED MIX SHALL BE APPLIED AT A MIN. RATE OF 35.72 POUNDS PER ACRE.

FERTILIZER SHALL BE A SLOW RELEASE ORGANIC MATERIAL SUCH AS BIOSOL 7-2-3 AT 1000 POUNDS PER ACRE.

FIBER SHALL BE INSTALLED AT A MINIMUM OF 500 POUNDS PER ACRE AND SHALL BE MIXED AND APPLIED WITH THE SEED AND FERTILIZER

CLEAN BEDDING STRAW (RICE STRAW PREFERRED) SHALL BE EVENLY SPREAD ACROSS THE SITE FOLLOWING SEEDING. THE STRAW SHALL BE APPLIED AT A RATE OF ONE (1) TON PER ACRE.

FOLLOWING THE SPREADING OF THE STRAW, AN ORGANIC TACKIFIER SUCH AS M-BINDER SHALL BE SPRAYED OVER THE STRAW USING THE TECHNIQUES AND APPLICATION RATE SPECIFIED BY THE MANUFACTURER. THE BINDER SHALL BE APPLIED AT A RATE OF 100 POUNDS PER ACRE.

WATER SHALL BE OF THE QUALITY SUITABLE FOR AGRICULTURAL USE. ADHESIVE SHALL BE "SENTINEL" OR APPROVED EQUAL.

STREET TREE IRRIGATION

1. STREET TREE IRRIGATION BUBBLERS TO BE THE CONNECTED TO THE 'ON-SITE' IRRIGATION SYSTEM.

PARKING STALL TREE RATIO

6 NEW TREES FOR EVERY 20 PARKING STALLS.

230 PROPOSED PARKING STALLS.

69 NEW TREES REQUIRED

78 NEW TREES TO BE INSTALLED

Scale 1" = 20' ft
check Scale - 42"x36"

BEFORE EXCAVATING CALL 811 TO AVOID UTILITY CONFLICTS AND PLANNING WORK OPERATIONS

811 Know what's below. Call before you dig.

NO.	BY	REVISION

PAUL JAY REED No. 6900 EXP. 8/30/25 REGISTERED LANDSCAPE ARCHITECT STATE OF CALIFORNIA

KIER+WRIGHT
2830 Collier Canyon Road
Livermore, California 94551
Phone: (925) 245-8788
www.kierwright.com

REED ASSOCIATES LANDSCAPE ARCHITECTURE

LANDSCAPE PLANTING PLAN

OF

AIRWAY BOULEVARD AT N. CANYONS PARKWAY

FOR

MONUMENT PROPERTIES LIVERMORE, LLC

LIVERMORE, CALIFORNIA

DATE	06/28/2022
SCALE	1" = 20'
DESIGNER	PJR
DRAWN BY	ds
JOB NO.	A18619
SHEET	L1.0
OF SHEETS	

CITY OF LIVERMORE
ENGINEERING CONSIDERATIONS

Date: December 23, 2024

LOCATION: **950-968 North Canyons Parkway & unaddressed vacant property to the east of 950-968 North Canyons Parkway**
DEVELOPER: **Monument Properties Livermore LLC**
PLANNING REFERRAL #: **MUNI 24-002, DCA 24-004, DA 24-003, CUPM 24-001, SPDRM 24-024, & SPDR 24-010**

Note: Specific conditions are shown in large type. *Standard conditions that apply to this project are shown in italic type.*

1. DEFINITIONS:

For the purpose of this agreement, the following words shall have the meanings respectively ascribed to them by this section:

Developer:	*Person(s) or Corporation(s) that will obtain permits for construction*
Improvement Plans:	*Construction drawings for required public and private improvements*
Services:	*Utility lateral, or any portions of a conduit cable or duct, between a utility distribution line and the site it serves*
Project:	*The work to be performed by Developer*

2. PROJECT ENTITLEMENTS

A. The project shall be in conformance with all City Ordinances, rules, regulations, and policies. The conditions listed below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

B. Approval or conditional approval of the above listed entitlements and agreement shall not supersede these Engineering Considerations and any applicable City Standards nor limit the City's Engineer's ability to require workable designs on future grading and improvement plans based upon these Engineering considerations and the City's Standard engineering specifications and details.

3. SPECIFIC CONDITIONS:

The Developer shall comply with the following conditions:

A. The fire service and fire sprinklers shall be connected to the potable water system.
B. The Developer shall install pressure reduction valves (PRVs), backflow prevention devices and appurtenances on the potable and reclaimed water services as directed by the City Engineer. All waterline valves must notate "EPDM" on the valve body.

C. There are no existing overhead electric, telephone, and cable TV wires along the frontage of this project. However there are existing overhead electric power that are 60KV and higher along the southern boundary of this site. The existing electric power that is 60KV or higher can remain overhead and all new services shall be installed underground (with the exception of electric lines with 60 KV and higher voltages). The Developer shall note this work on the approved site plans.

D. There is/are existing City sanitary sewer/storm drain/water easement(s) on-site. Trees, structures, and other utility facilities shall not be placed within this/these easement(s).

E. There are private easements on this site and it is the Developer's responsibility to not interfere with the use of these easements.

F. The Developer shall have a certified CASp Specialist review and certify that the design for all pedestrian improvements within the public right-of-way or a public easement complies with a minimum of one of the following applicable regulations: American with Disabilities Act (ADA) requirements, the Public Rights-of-Way Accessibility Guidelines (PROWAG), and the requirements found in Chapter 11B of the 2019 California Building Code. If an accessibility design cannot meet the above listed applicable standards, the Developer shall propose and the CASp Specialist shall concur with a design exception request for approval by the City Engineer or their designee. In addition, the Developer shall have the certified CASp Specialist inspect and certify that pedestrian improvements are installed per the CASp certified design. Pedestrian improvements include new trails, walkways, sidewalks, accessible ramps, connections between existing and new pedestrian improvements, and modifications to existing pedestrian improvements within or adjacent to the project site, as shown on the approved plans.

G. All proposed on-site improvements shall not impede into the existing Caltrans right of way located along the southern boundary of this project.

H. The Developer shall dedicate a public sidewalk easement along the frontage of North Canyons Parkway where new sidewalk, curb, gutter, and bus shelter are located beyond the existing public right of way.

I. In accordance with the CEQA analysis for this project, the maximum amount of soil export for the surface parking lot shall be limited to 49,000 cubic yards or less.

J. The development shall annex into Community Facilities Maintenance District 2023-1 (Isabel Neighborhood Specific Plan) to provide the City maintenance funds to maintain portions of

public infrastructure and landscaping that is installed with the Isabel Neighborhood Specific Plan in accordance with the applicable rate and method of apportionment. The Developer shall initiate and bear the costs for the annexation into CFD 2023-1. Annexation documents shall be filed prior to the issuance of any permit for the project. The necessary documentation shall be submitted for City review with the first building permit plan submittal.

K. This development is within the Triad Community Facilities District 90-1A and is subject to the charges and requirements thereof.

L. The developer shall provide a reciprocal access easement/agreement with the adjacent property. This document shall be recorded prior to the issuance of a permit for the project.

4. STORM WATER SITE DRAINAGE AND TREATMENT REQUIREMENTS:

A. General

1. This site is subject to the National Pollutant Discharge Elimination System (NPDES) Program. Prior to the issuance of the initial grading or building permit, the Developer shall provide evidence that the site is covered by the statewide General Permit to Discharge Storm Water associated with construction activity. This requires confirmation that a Notice of Intent (NOI) and the applicable fee was sent to the State Water Resources Control Board. In addition, the grading plans need to state: "All grading shall be in accordance with the Storm Water Pollution Prevention Plan prepared by the Developer per the Notice of Intent on file with the State Water Resources Control Board".

2. Necessary interceptor ditches shall be concrete. Field inlets and storm drainage pipe may be necessary in conjunction with concrete interceptor ditches as secondary drainage releases. All interceptor ditches shall be privately maintained.

B. Storm Drainage Requirements

Per the City's Facilities Planning Guidelines (dated June 2005), the flows must have the following characteristics:

For a 10-year design discharge: a hydraulic grade line (HGL) is no higher than 1.25 feet below the top of curb elevation at any manhole or inlet.

For a 100-year design discharge: a HGL does not exceed the top of curb elevation. (This is required for item 3 above.)

For additional detail on these guidelines, the applicant should refer to the following resources: City of Livermore Storm Drain Master Plan & City of Livermore Facilities Planning Guidelines (both available at the Engineering counter at City Hall).

The Developer shall connect to the existing city storm drain line located along the southern boundary within the existing city storm drain easement without encroaching into the existing Caltrans right of way.

C. Stormwater Drainage Maintenance Funding

The cost to maintain all private storm drainage infrastructure installed with this project shall be funded by the Developer.

D. Stormwater Treatment, Detention and Trash Capture Requirements

1. The Developer shall treat the storm water runoff from this site prior to having the storm water enter the City's storm water distribution system. Stormwater Treatment, Low Impact Development, and Trash Capture, is required by the Regional Water Quality Control Board. The Developer shall complete and or update the required Stormwater Quality Checklist. The Developer shall provide a storm water treatment plan with calculations indicating treatment that meets the latest requirements indicated in Section C.3 of the City's NPDES Permit with the Regional Water Quality Control Board. Approval of this plan and calculations by the City is required prior to the approval of the building permit.

2. If this project is greater than one acre, the Developer shall provide a Hydrograph Modification Plan (HMP) with calculations in accordance with the Alameda Countywide Cleanwater Program (ACCWP) Bay Area Hydrology Model (BAHM) guidelines. The software for the design of control measures to meet the Flow Duration Control is available to download from www.bayareamodel.org. *For additional information you may contact Debbie Salgado in the City's Engineering Department at (925-960-4558)*

3. Prior to building permit approval, the applicant shall enter into a maintenance agreement with the City of Livermore for all storm water treatment devices deemed necessary on this site. If the stormwater treatment devices will be maintained by more than one property owner a cleanout will be necessary at the property lines to allow the property owners to maintain their portion of the private stormwater treatment system. If the stormwater treatment device will be maintained by a Business Association then the cleanouts or manholes at each of the property lines may not be needed. The stormdrain treatment devices shall be shown on an exhibit and included in the Operations and Maintenance Agreement. The Operations and Maintenance Agreement shall be recorded prior to occupancy.

E. Stormwater Treatment Infrastructure Maintenance Funding

The cost to maintain all storm water treatment, detention and low impact development infrastructure installed with this project shall be funded by the Developer.

5. REQUIRED ON-SITE SOURCE CONTROL STORMWATER MEASURES:

The Regional Water Quality Control Board adopted Order R2-2022-0018 issuing the Alameda Countywide NPDES municipal storm water permit for the Alameda Countywide Clean Water Program. The 17 member agencies, including Livermore, are subject to this permit and all its requirements including the following:

"The Permittees shall, as part of their continuous improvement process, submit enhanced new development and significant redevelopment Performance Standards that summarize source control requirements for such projects to limit pollutant generation, discharge, and runoff, to the maximum extent practicable…"

In accordance with this requirement, the following source control measures are included as part of these Conditions of Approval shall be implemented as a part of this project.

A. Structural Control Measures

1. Illegal Dumping to Storm Drain Inlets and Waterways

   On-site storm drain inlets shall be clearly marked with the words "No Dumping! Flows to Bay" on a stainless steel marker. The stainless steel markers are available for purchase from the Water Resources Division. For ordering information, please call 925-960-8100. For projects with newly-developed, privately-maintained streets, agency staff will verify that storm drain inlets have been marked before the final sign-off on the project's building permit or encroachment permit.

2. Interior Floor Drains (Not Used)

3. Parking Garages (Not Used)

4. Pesticide/Fertilizer Application and Irrigation

   a. Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where possible, minimize the use of fertilizers and pesticides that can contribute to storm water pollution, and incorporate appropriate Bay-Friendly Landscaping principles.

   b. If a landscaping plan is required as part of a development project application, the plan shall meet the following conditions related to reduction of pesticide use on the project site:

I. Where feasible, landscaping shall be designed and operated to treat storm water runoff by incorporating elements that collect, detain, and infiltrate runoff. In areas that provide detention of water, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified.

II. Plant materials selected shall be appropriate to site specific characteristics such as soil type, topography, climate, amount and timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment.

III. Existing native trees, shrubs, and ground cover shall be retained and incorporated into the landscape plan to the maximum extent practicable.

IV. Unless otherwise specified, proper maintenance of landscaping shall be the responsibility of the property owner.

V. Integrated pest management (IPM) principles and techniques shall be encouraged as part of the landscaping design. Some examples of IPM principles and techniques include the following:

i. Select plants that are well adapted to soil conditions at the site.
ii. Select plants that are well adapted to sun and shade conditions at the site. Consider future conditions when plants reach maturity. Consider seasonal changes and time of day.
iii. Provide irrigation appropriate to the water requirements of the selected plants.
iv. Select pest and disease resistant plants.
v. Plant a diversity of species to prevent a potential pest infestation from affecting the entire landscaping plan.
vi. Use “insectary” plants in the landscaping to attract and keep beneficial insects.

VI. Landscaping shall also comply with City of Livermore’s “Water Efficient Landscape Ordinance”. However, areas of a site used for bio-swales or other landscaped areas that function as a storm water treatment measure shall be exempt from the Water Efficient Landscaping requirements.

VII. An efficient irrigation system shall be installed in areas requiring irrigation. An example of an efficient irrigation system is one that includes a weather-based (automatic, self-adjusting) irrigation controller with a moisture and/or rain sensor shutoff, and in which sprinkler and spray heads are not permitted in areas less than 8 feet wide.

5. Pool, Spa, and Fountain Discharges (Not Used)

6. Food Service Equipment Cleaning (Not Used)

7. Refuse Areas

   a. New or redevelopment projects shall provide a roofed and enclosed area for dumpsters, recycling containers, compactors, and food waste containers. The area shall be designed to prevent water run-on to the area, to prevent runoff from the refuse area and to properly contain litter and trash. Dumpster leakage from covered food/trash compactor enclosures shall drain to the sanitary sewer via connection to an approved oil and grease interceptor device.

   b. Runoff from trash enclosures, recycling areas, and/or food compactor enclosures or similar facilities shall not discharge directly to the storm drain system. Trash enclosure areas shall be designed to avoid run-on to the trash enclosure area. In most cases, drains are not permitted within trash enclosure areas. A drain, however, must be provided for compactors. If a drain is required in or beneath dumpsters, compactors, and tallow bin areas, it shall be connected to a grease removal device prior to discharging to the sanitary sewer.

8. Outdoor Process Activities/Equipment [1] (Not Used)

9. Outdoor Equipment/Materials Storage (Not Used)

10. Vehicle/Equipment and Commercial/Industrial Cleaning (Not Used)

11. Vehicle/Equipment Repair and Maintenance (Not Used)

12. Fuel Dispensing Areas (Not Used)

13. Loading Docks (Not Used)

14. Fire Sprinkler Test Water

    Provisions shall be made in the project design and construction to allow for the discharge of fire sprinkler test water to an onsite vegetated area. If this is not feasible, provide for discharge to the sanitary sewer in accordance with current plumbing codes.

15. Miscellaneous Drain or Wash Water

    a. Boiler drain lines shall be connected to the sanitary sewer system and may not discharge to the storm drain system.

[1] Examples of businesses that may have outdoor process activities and equipment include machine shops and auto repair shops, and industries that have pretreatment facilities.

b. For small air conditioning units, air conditioning condensate shall be directed to landscaped areas as a minimum BMP. For large air conditioning units, in new developments or significant redevelopments, condensation lines shall be connected to the sanitary sewer system, wherever feasible.

c. Roof drains shall discharge and drain away from the building foundation to landscaped areas wherever feasible.

d. Washing and/or steam cleaning activities must be performed at an appropriately equipped facility that drains to the sanitary sewer as specified in Section J. Any outdoor washing or pressure washing must be in compliance with the City's Stormwater Management Program requirements and managed in such a way that there is no discharge of soaps or other pollutants to the storm drain system. The applicant shall contact the Water Resources Division for specific discharge requirements.

16. Architectural Copper Installation (Not Used)

B. OPERATIONAL BMPS

This section details Best Management Practices (BMP) that private property owners and/or the occupants of private property must implement following the construction of projects. Ultimately, the responsibility for implementation of these BMPs rests with the property owners. The City of Livermore's Source Control Program routinely performs inspections of industrial and commercial sites to verify BMP implementation and effectiveness.

1. Paved Sidewalks and Parking Lots

   Sidewalks and parking lots shall be swept regularly to minimize the accumulation of litter and debris. Wash water resulting from the pressure washing of parking lots must be captured, pretreated (if necessary) to meet local discharge limits, and discharged to the sanitary sewer. Wash water resulting from the pressure washing of sidewalks may be allowed to drain to the storm drain system provided that (a) no soap or other cleaning agents are used, and (b) all debris are trapped and collected to prevent entry into the storm drain system. Under no circumstances shall wash water containing any soap or other cleaning agents be discharged to the storm drain system.

2. Vehicle/Equipment Repair and Maintenance (Not Used)

3. Fueling Areas (Not Used)

4. Loading Docks (Not Used)

5. On-site Storm Drains

All on-site storm drains must be inspected and, if necessary, cleaned at least once a year immediately prior to the rainy season.

6. Architectural Copper Cleaning, Treating or Washing (Not Used)

6. STREETS:

A. The Developer shall install new separated bike lanes, striping, new bus turnout with a 6'x20' LAVTA approved bus shelter, and sidewalk improvements from Doolan Road to Airway Blvd. along North Canyons Parkway as depicted on sheets C2.0, C4.0, and C5.0 of the proposed planning entitlement plan set for this project.

B. The Per the provisions of DA 24-003, the Developer shall apply for an encroachment permit with the City and Alameda County to install "No Parking" signs along the west side of Doolan Road and along both sides of Collier Canyon Parkway. Within the City limits, the "No Parking" signs shall extend north for a minimum of 900 feet from the southern end of Doolan Road. The language, spacing, and ultimate extent of signs along Doolan Road shall be done to the satisfaction of the City Engineer or Alameda County Public Works Agency, respectively.

C. The developer shall modify the existing 3-way traffic signal to a new 4-way traffic signal at the intersection of North Canyons Parkway and the project's proposed new access driveway. The modification shall include all required upgrades for a fully traffic actuated traffic signal per current City and Caltrans standards and using equipment as specified by the City Engineer. Traffic signals shall be in operation seven days prior to the occupancy.

7. STANDARD CONDITIONS:

A. The Developer shall field verify the locations of all existing utility systems (water, sewer, drainage, electric, gas, etc.) that are necessary for this project.

B. The Developer shall extend necessary utilities to this site so that this project can be connected to them.

C. Submit plans of all existing and proposed public improvements, sanitary sewer and water services, and on-site storm drainage, for review and approval prior to building permit issuance.

D. Construct underground utility services (electric, phone, etc.) to the site. These services are typically from the utility mains that are located along a site's street frontage(s). The Developer shall note this work on the approved site plans.

E. Construct functional systems for on-site and off-site storm drainage, sanitary sewerage, and water.

G. Intercept and dispose of existing drainage upgrade from the site by an approved storm drainage system to avoid off-site ponding or the concentration of the natural run-off along the periphery of the site. Complete sufficient off-site investigation to insure that the plans clearly delineate existing conditions.

H. Avoid conflict with flood hazard areas per the City Code.

I. Install a one-way cleanout on all 6-inch laterals to provide for cleaning the laterals from the cleanout to the sewer main.

J. Install fire hydrants per Fire Marshal's recommendation.

K. This project is located within the reclaimed water service area, the irrigation system shall be connected to the reclaimed water system. If the Reclaimed water main is not currently located along the sight frontage of this project, the Developer shall extend the water main as necessary to connect to the main along said project site frontage.

L. Prepare a "Reclaimed Water Engineer's Report". (This development is within an area served by the City's reclaimed water system.)

M. Obtain City approval and State Department of Health Services approval of the "Reclaimed Water Engineer's Report" prior to issuance of a building permit.

M. Connect the fire hydrant service and the irrigation service to the City's reclaimed water system.

N. A separate water meter(s) shall be provided for the irrigation of the landscaping.

O. Prior to removal of a 1-inch, a 1.5-inch, or a 2-inch water service, the Developer shall contact the City's Water Resources Division at (925) 960-8100, and ask if the City would like to convert the service to a water sampling station. Existing water services (of any size) that will not be used by the proposed development shall be abandoned at the main unless the City wants to convert it to a water sampling station. Large services shall be abandoned by placing a blind flange on the tee at the main. Small services shall be abandoned by removing the corporation stop valve and by then installing the appropriate plug in the services. Any valves or meters on abandoned services shall be removed. The meters shall be returned to the Water Resources Division if they are not reused. The Developer shall coordinate water service installations and removals with the City's Water Resources Division as well as with the public works inspector.

P. The fire service backflow preventer(s) shall be effectively screened from the public right-of-way while at the same time preserving ease of maintenance access to the backflow preventer(s). Screening shall be as specified on City Standard Detail W-10A, B and C. The

fire service backflow preventer(s) shall meet the performance standards of the backflow preventer shown in City Standard Detail W-10A, B and C. The fire service(s) shall be located so that the fire service backflow preventer(s) can be screened without blocking sight distance at driveways and intersections.

Q. Provide adequate sight distance at all driveways and intersections. Monument signs and landscaping at driveways shall be located so that they don't restrict the sight distance of exiting drivers. Landscaping and mounding in the sight distance area along the street shall be kept to a maximum height of 2.5 feet above the top of street curb. Tree branches in the area shall be trimmed to be a minimum of 8 feet above the top of the street curb.

R. All new driveways shall be street level driveways per City Detail ST-6. Driveway widths shall comply with Note 4 on City Detail ST-8.

S. (Not Used)

T. (Not Used)

U. (Not Used)

V. Utility cuts in the frontage street along this project will require a 1-1/2" overlay across the entire length of the affected street frontage(s) to water seal the street surface, to restore the ride quality of the street surface, and to restore the appearance of the street surface.

W. Modify signing and striping as necessary.

X. (Not Used)

Y. (Not Used)

Z. If the project is on a corner lot and the sidewalk does not already have a standard access ramp then the applicant shall construct a City standard access ramp.

AA. (Not Used)

BB. (Not Used)

CC. (Not Used)

DD. Show all necessary erosion control measures on the improvement plans. In addition, the following notes shall be included on the improvement plans:

> *1. Construction Operations - Dust shall be controlled. Wastewater generated during construction shall not be discharged to the storm drain system. This includes waste*

from painting, sawcutting, concrete work, etc. The contractor shall make arrangements to eliminate discharges to the storm drain system and, if necessary, provide an area for on-site washing activities during construction. Materials that could contaminate storm runoff shall be stored in areas that are designed to prevent exposure to rainfall and to not allow storm water to run onto the area.

2. Pavement Cleaning - Flushing of streets/parking lots to remove dirt and construction debris is prohibited unless proper sediment controls are used. Preferably, areas requiring cleaning should be swept.

EE. Prepare all public improvement plans in conformance with the latest edition of the following City of Livermore documents:

1. *Standard Specifications and Details*
2. *Development Plan Check and Procedures Manual*

FF. Submit for approval a cost estimate for the public improvements.

GG. Submit for approval a cost estimate for the public improvements. Prior to the issuance of a building permit for the site, the Developer shall provide cash or a check in the amount of the City approved cost estimate and a letter stating that the City of Livermore may put this money in a non-interest bearing trust account and may use this money at its discretion to correct safety problems if the Developer's contractor leaves unsafe conditions while performing the work, and that the City could also use this money at its discretion to restore off site or public areas to a satisfactory condition if the Developer were to abandon the project when it was partially completed. If unused this money will be returned to the Developer when the City has accepted the public improvements.

HH. Submit a certificate of insurance in the form and with the coverages required by the City.

II. Obtain an Encroachment Permit from the City's Permit Center at (925) 960-4440, prior to starting any public improvements. Construct all public improvements per City standard details and specifications.

JJ. (Not Used)

KK. Replace any broken or displaced curbs, gutters, sidewalks and driveways. The Engineering Division at (925) 960-4500 will mark the location of these defective facilities upon request by the Developer.

LL. Complete all public improvements prior to occupancy, except that the Developer may formally request to defer items that are not related to public safety. Any request to receive occupancy prior to the completion of all public improvements shall be submitted in writing to

the City Engineer and shall include the reasons that justify the request, and the number of weeks after occupancy that are needed to complete the improvements. If the request is approved by the City Engineer, the Developer may submit a cash bond in the amount of 200% of the cost of the deferred improvements with a letter that states that if the Developer has not completed the improvements by the date established by the City Engineer, the Developer will forfeit the entire cash bond to the City. The Developer's letter shall also state that the Developer understands that the City will use the forfeited funds to complete the improvements, and that the Developer also understands that the City will retain any unspent portion of the funds for administrative expenses.

MM. Submit descriptions, plats and deed documents for all necessary right-of-way and easement dedications for review and approval. The City will only accept right-of-way and easement dedications after the improvements required over said dedications have been completed by the Developer and approved by the City. The Developer shall not receive approval for occupancy until required dedications have been accepted.

8. DEVELOPMENT FEES:

A. Pay current development fee rates as adopted by the City Council. (They may be adjusted from time to time to reflect the cost of providing a facility.) The fees shall be those that are in effect on the date the City receives a complete application for a building permit. The City's "Development Fees" information sheet has the following fees that apply to this project:

City Storm Drainage
County Storm Drainage – Building
County Storm Drainage - Public Improvements
Sanitary Sewer Connection
Encroachment Permit
Inspection for Public Improvements
Building Permit
Park Facilities Fee
City Water Connection
Alameda County Water Connection, Zone 7
Tax on Construction
Low Income Housing Impact (Commercial and Industrial)
Traffic Impact Fee
Improvement Plan Check Fee
Tri-Valley Transportation
Art in Public Places
General Plan Cost Recovery
Social and Human Services
School Impact Fees (contact the Livermore School District at (925) 606-3200.)

9. INFORMATION FOR THE DEVELOPER:

There are City Municipal Code requirements regarding the quality of water that is discharged to the sanitary sewer and the storm drainage systems. The Developer should contact the City's Water Resources Division at (925) 960-8100.

FL:DES:MAP

Muni24-002 - Casino 580 Engineering conditions Final for PC 12-23-24

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

AN ORDINANCE AMENDING LIVERMORE MUNICIPAL CODE CHAPTER 5.20 CARDROOMS AND DEVELOPMENT CODE PART 11, CHAPTER 11.01 DEFINITIONS

(Municipal Code Amendment (MUNI) 24-002 and Development Code Amendment (DCA) 24-004)

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LIVERMORE DOES ORDAIN AS FOLLOWS:

Section 1. *Public Hearing*. The City Council has considered the findings made in Planning Commission Resolution Numbers 01-25 and 02-25, and hereby adopts the same findings by this reference and incorporates them herein, and based upon the City Council's own independent review of the Record Evidence and considerations, it adopts this Ordinance.

Section 2. *Environmental*. The City Council considered the environmental review and adopted the Initial Study/Mitigated Negative Declaration for the Parkwest Casino 580 Expansion Project by Resolution [_____].

Section 3. *Ordinance*. Chapter/Section 5.20 Cardrooms, of the Livermore Municipal Code is hereby amended as set forth in Exhibit A attached hereto, and Part 11, Chapter 11.01, Definitions, of the Livermore Development Code is hereby amended as set forth in Exhibit B attached hereto.

Section 4. *Consistency.* The ordinance is consistent with the Livermore General Plan, any applicable specific plan, and the Livermore Development Code.

Section 5. *Publication and Effective Date.* This ordinance or a comprehensive summary thereof shall be published once in a newspaper of general circulation of the city of Livermore within 15 days after its adoption and shall take effect and be in force 30 days from and after its adoption.

Section 6. *Filing.* Planning Manager is directed to file a Notice of Determination with the Alameda County Clerk.

Section 7. *Documents.* The documents that constitute the record of proceedings upon which this decision is based on can be found in the City Clerk's Office, 1052 S. Livermore Avenue, Livermore, California.

Section 8. *Severability.* If any part of this ordinance is declared unconstitutional or invalid by a court, such unconstitutionality or invalidity shall not affect any remaining parts.

The foregoing ordinance was introduced at the meeting of the City Council of the City of Livermore held on February 24, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

The ordinance was adopted at the regular meeting of the City Council held on _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Mayor, City of Livermore

ATTEST:

_____
Deborah L. Elam
City Clerk

APPROVED AS TO FORM:

/s/ Katherine Mirassou
Katherine Mirassou
Assistant City Attorney

Exhibit A – Municipal Code Amendment
Exhibit B – Development Code Amendment

Chapter 5.20
CARDROOMS

Sections:

5.20.010 Cardroom defined.
5.20.015 Exception – Fundraisers by nonprofit organizations.
5.20.020 Chapter does not permit games prohibited by state law.
5.20.030 License – Required.
5.20.040 License – Application – Fingerprints required – Renewal – Continuing obligation to provide current information.
5.20.050 License – Only ~~one~~ two licenses per person – Transferability.
5.20.060 License – Fee~~ – Exceptions~~.
5.20.070 License – Denial by Chief of Police – Grounds.
5.20.080 Change of location – Approval required.
5.20.090 Employee work permits – Required when.
5.20.100 Employee work permits – Application.
5.20.110 Employee work permits – Issuance restrictions.
5.20.120 Employee work permits – Term –Renewal not required upon change in place of employment.
5.20.130 Employee work permits – Denial conditions – Appeal.
5.20.140 Suspension and revocation of license and work permits.
5.20.150 Number of tables – Limitation.
5.20.160 Operation – Rules and regulations.
5.20.170 Patron safety and security.

5.20.010 Cardroom defined.

For the purpose of this chapter, a “cardroom” means any space, room or enclosure furnished or equipped with a table used or intended to be used as a card table for the playing of cards and similar games, and the use of which is available to the public or any portion of the public~~; provided, however, that this section shall not apply to any bona fide nonprofit society, club, fraternal, labor or other organization as defined in LMC 5.20.060~~. (Ord. 1883 § 1 (Exh. A), 2009; Ord. 1563 § 1, 1999)

For the purpose of this chapter, a “standard services” cardroom is defined as a cardroom that is limited to operational rules and regulations as described in LMC Section 5.20.160(A) through LMC Section 5.20.160(P). For the purpose of this chapter, a “expanded services” cardroom is defined as a cardroom that may include additional services through a Development Agreement and Conditional Use Permit pursuant to LMC Section 5.20.160(Q).

5.20.015 Exception – Fundraisers by nonprofit organizations.

The regulations in this chapter shall not apply to a nonprofit organization, as defined by Business and Professions Code Section 19986(h), conducting a fundraiser using controlled games as a funding mechanism when the fundraiser is conducted in compliance with the requirements of Business and Professions Code Section 19986 and the regulations adopted by the Division of Gambling Control to effectuate that statute, and is preapproved by the Division of Gambling Control. A nonprofit organization shall obtain a temporary use permit as provided in the Livermore Development Code before conducting a fundraiser excepted from the regulations of this chapter. (Ord. 1901 § 3 (Exh. A § 12), 2010; Ord. 1883 § 1 (Exh. A), 2009)

5.20.020 Chapter does not permit games prohibited by state law.

The Council of the City declares that it is not the intention of this chapter to permit the licensing of any cardroom for the playing of any game prohibited by the laws of the state, including, but not limited to, those games enumerated in Section 330 of the Penal Code of the state, which section includes banking and percentage games. (Ord. 2065 § 1(A), 2018; Ord. 1883 § 1 (Exh. A), 2009; Ord. 1563 § 1, 1999)

5.20.030 License – Required.

A cardroom use may not be established by right. It is unlawful for any person, for himself, herself, or for any other person, to establish, own, or operate a cardroom in the City, unless the person first obtains the following:

A. A valid cardroom license from the City in compliance with this chapter; ~~and~~

B. All valid licenses required by the California Department of Justice, Division of Gambling Control and the California Gambling Control Commission pursuant to the

Gambling Control Act (California Business and Professions Code Section 19800 et seq., as it may be amended from time to time) for the cardroom, each person who has a financial interest in the cardroom, and for all key employees as that term may be defined by the Gambling Control Act and both Division 18, Title 4 and Division 3, Title 11 of the California Code of Regulations. (Ord. 2065 § 1(A), 2018; Ord. 1883 § 1 (Exh. A), 2009; Ord. 1563 § 1, 1999); and

C. All necessary land use entitlements and building permits in conformance with the provisions of the Livermore Municipal Code and the Livermore Development Code. Adequate on-site parking that is consistent with the requirements of the Livermore Development Code must be demonstrated as part of the land use entitlement process.

5.20.040 License – Application – Fingerprints required – Renewal – Continuing obligation to provide current information.

A. Any person who wishes to establish, own, or operate a cardroom within the City shall file with the Chief of Police a license application on a standard form supplied by the City and shall pay an application filing fee as established by resolution of the City Council. The applicant has the responsibility and the burden to supply evidence to justify the grant of a cardroom license. If the applicant is other than an individual, an officer of the business entity or an individual with the majority interest therein shall sign the application. All applications shall include the following information:

1. Identifying information:

a. If the applicant is an individual, the individual shall state his or her legal name, including any aliases, and address, and submit satisfactory written proof that he or she is at least 18 years of age.

b. If the applicant is a partnership, the applicant shall state the partnership's complete name, the address for the partnership's principal place of business, the names and current addresses of all partners, and whether the partnership is general or limited. The applicant shall also attach to the application a current copy of the partnership agreement.

c. If the applicant is a corporation, the applicant shall state the corporation's complete name and corporate identification number, the state of incorporation, the date of its incorporation, evidence that the corporation is qualified to do business and in good standing under the laws of California, the names, addresses, and capacities of all officers and directors, the names of any related parent or subsidiary corporations, and the name of the registered corporate agent and the address of the registered office for service of process.

d. If the applicant intends to operate the cardroom under any name other than that of the applicant, the applicant shall file and maintain a fictitious business name statement in Alameda County. The applicant shall also attach to the application proof of registration of the fictitious name.

2. The applicant's telephone number and address to which correspondence related to the application, including the notice of action, is to be delivered.

3. The street address, building number, and assessor's parcel number for the location where the proposed cardroom is to be established.

4. The applicant shall sign the application under penalty of perjury stating that the information contained in the application is true and correct.

5. The applicant also shall complete and sign the standard background investigation form supplied by the Livermore police department, and provide the following information and documents:

a. The full name and aliases, current home address, date of birth, social security number, and a copy of the driver's license or identification card issued by a state Department of Motor Vehicles for the applicant and each person who has a financial interest in the cardroom;

b. The past criminal record, if any, of the applicant and of all persons financially interested in the cardroom;

c. A passport-size photograph and the fingerprints of the applicant and of all persons financially interested in the cardroom taken by the Livermore police department;

d. The employment history, business, or occupation of the applicant for the three-year period immediately preceding the date the application is submitted; and

e. The residential and employment, business or occupation address for the applicant, each person who has a financial interest in the cardroom, all key employees, and all partners and controlling members of a corporation which will establish, own, and operate the cardroom.

6. A copy of each license issued by the California Department of Justice, Division of Gambling Control and the California Gambling Control Commission pursuant to the California Gambling Control Act, for the cardroom, for each owner who has a financial interest in the cardroom, and for each employee that was issued a license but is not required to obtain an employee work permit from the City pursuant to LMC Section 5.20.090.

7. Any approval by the California Department of Justice, Division of Gambling Control of an agent for the applicant along with the true names and addresses of any such agent.

8. Proof of registration of the cardroom by the California Department of Justice pursuant to the Gambling Control Act and Chapter 6, Division 1, Title 11 of the California Code of Regulations.

9. A plan for the security and safety of patrons as required by LMC Section 5.20.170.

B. If an applicant has applied to the California Department of Justice, Division of Gambling Control and the California Gambling Control Commission for a license or registration required by the Gambling Control Act, but the state has not issued the license and registration prior to the applicant's application for a city cardroom license, the applicant shall provide the Chief of Police with true and correct copies of the

completed applications furnished to the state. However, the applicant shall submit a true and correct copy of each license and registration prior to the City's issuance of a cardroom license.

C. A city-issued cardroom license shall be valid for a period of one year, unless revoked or suspended by the Chief of Police, or surrendered by a licensee. ~~Any valid city cardroom license in effect on January 1, 2009, shall be deemed to have been awarded pursuant to this chapter on that date and shall expire December 31, 2010, unless revoked, suspended, or renewed prior to that date.~~

D. A cardroom licensee shall be under a continuing obligation to provide the Chief of Police current information regarding the items required by subsection A of this section. Applicant shall notify the Chief of Police within 10 calendar days of any changes to the items required by subsection A of this section, except for changes to a criminal record which shall be provided within 48 hours of any change.

E. A valid city cardroom license may be renewed in accordance with the following process:

1. The licensee shall file with the Chief of Police a renewal application no later than 60 days before the anniversary date of the license to be renewed, otherwise the licensee must submit an application for a new license;

2. The renewal application shall include the information required by subsection A of this section and comply with this chapter;

3. The renewal application shall include the following statement signed by the applicant under penalty of perjury:

I hereby state that the cardroom has been operated consistent with this chapter and~~/or~~ the Gambling Control Act at all times during the term of the license to be renewed; and that there has been no change in the fitness of the following persons to establish, own or operate a cardroom: each person who established, owned, ~~or~~ operated or had a financial interest in the cardroom, all key employees, and all partners and controlling members of a corporation.

Dated:_____ Signed:_____

4. The Chief of Police shall renew the cardroom license for an additional one-year term unless he or she finds the cardroom was not operated consistent with the requirements of this chapter and the Gambling Control Act or sufficient grounds exist pursuant to LMC Section 5.20.070 to deny the renewal application. (Ord. 2065 § 1(A), 2018; Ord. 1883 § 1 (Exh. A), 2009; Ord. 1563 § 1, 1999)

5.20.050 License – Only ~~one~~ two licenses per person – Transferability.

~~No person shall be granted a license to conduct more than one cardroom.~~ A person may be granted up to a maximum of two cardroom licenses by the Chief of Police. Each cardroom license shall require a separate application and approval. No cardroom license shall be assignable or transferable. (Ord. 1883 § 1 (Exh. A), 2009; Ord. 1563 § 1, 1999)

5.20.060 License – Fee ~~– Exceptions~~.

A. A fee charged for a cardroom license, and any renewal thereof, shall be set by resolution in an amount to cover the actual cost incurred in administering the provisions of this chapter.

B. This fee shall be in addition to the business license tax imposed by LMC Section 3.08.060.

~~C. A nonprofit society, club, or fraternal, labor, or other organization having adopted bylaws and duly elected directors and members may be granted a license without fee by the Chief of Police when it appears the tables are for the exclusive use of members of the society, club, or fraternal, labor or other organization and no charge is made for any of the facilities.~~

~~D. A nonprofit organization as defined by Business and Professions Code Section 19986(h) may be granted a license without fee by the Chief of Police to conduct a fundraiser provided the fundraiser is approved by the California Department of Justice, Division of Gambling Control, and satisfies the regulations in both California Business and Professions Code Section 19986 and Chapter 1, Division 3, Title 11 of the~~

~~California Code of Regulations, as those regulations may be amended from time to time.~~ (Ord. 2065 § 1(A), 2018; Ord. 1883 § 1 (Exh. A), 2009; Ord. 1563 § 1, 1999)

5.20.070 License – Denial by Chief of Police – Grounds.

A. The Chief of Police shall deny any application for a cardroom license if:

1. The operation of a cardroom at the proposed location will aggravate the crime problems in the area, or otherwise be detrimental to crime prevention or be detrimental to the public peace, health, welfare or safety in the area; or

2. A report of the Chief of Police, fire chief, building official, or planning manager indicates that issuance of the license would result in a violation of the laws or regulations administered by those officials; or

3. The applicant, its owners, officers, or employees are unfit to operate a cardroom business. In making such determination, the Chief of Police may consider:

a. The commission of any acts by the applicant, its owners, officers, or employees involving dishonesty, fraud, or deceit with the intent to benefit substantially oneself or another, or substantially injure another;

b. The license and permit history of the applicant, its owners, officers, and employees, and whether such person in previously operating in this or another state under a license or permit has had such license or permit revoked, denied, or suspended, the reasons for such action, and the resulting actions of such persons;

c. Any previous convictions of the applicant, its owners, officers, and employees for any crimes involving dishonesty, fraud, or the use of narcotics; or

4. The applicant has failed to comply with or is not in conformance with any of the provisions of the Livermore Municipal Code, the Livermore ~~zoning ordinance~~Development Code, or other laws, permits or land use approvals applicable to the premises, equipment, or operation of the business for which a permit is requested; or

5. The applicant has knowingly made false statements in the application; or

6. The applicant has failed to obtain or maintain a license or registration required by the Department of Justice, Division of Gambling Control, or the California Gambling Control Commission.

B. The action of the Chief of Police in denying such a license shall be subject to an appeal ~~before~~ to the City Manager in accordance with the provisions of LMC Chapter 1.22. An appeal shall be filed ~~with the city clerk within 10 days after the denial of such license~~ in accordance with the provisions of LMC Chapter 1.22. Upon failure to file such notice ~~within the 10-day period~~, the action of the Chief of Police in denying such license shall be final and conclusive. (Ord. 2065 § 1(A), 2018; Ord. 1883 § 1 (Exh. A), 2009; Ord. 1563 § 1, 1999)

5.20.080 Change of location – Approval required.

No licensed cardroom may be moved to a new location within the City without prior approval by the Chief of Police. In addition to the requirements of this chapter, all cardroom locations must meet Development Code and all other applicable city requirements. (Ord. 2065 § 1(A), 2018; Ord. 1901 § 3 (Exh. A § 13), 2010; Ord. 1883 § 1 (Exh. A), 2009; Ord. 1563 § 1, 1999)

5.20.090 Employee work permits – Required when.

Cardroom employees must obtain a work permit from the Chief of Police. “Cardroom employees,” for the purpose of this chapter, are defined as dealers, overseers and others directly connected with the operation and supervision of the card tables. The term “cardroom employees” does not include ~~waitresses~~servers, bartenders, culinary workers, and other employees not connected with the operation and supervision of a cardroom and whose duties do not require or authorize access to restricted areas. (Ord. 2065 § 1(A), 2018; Ord. 1883 § 1 (Exh. A), 2009; Ord. 1563 § 1, 1999)

5.20.100 Employee work permits – Application.

A. Applications for cardroom employee work permits shall be submitted under oath and contain the past criminal record, if any, of the applicant and any other information required by the Chief of Police.

B. The application shall also be accompanied by:

1. A photograph and fingerprints of the applicant.

2. A copy of a work permit issued by the California Gambling Control Commission pursuant to the California Gambling Control Act. (Ord. 2065 § 1(A), 2018; Ord. 1883 § 1 (Exh. A), 2009; Ord. 1563 § 1, 1999)

5.20.110 Employee work permits – Issuance restrictions.

A work permit shall be issued only to ~~citizens of~~individuals authorized to work in the United States ~~who have resided in the state of California for at least one year immediately preceding the submission of a work permit application~~. (Ord. 1883 § 1 (Exh. A), 2009; Ord. 1563 § 1, 1999)

5.20.120 Employee work permits – Term –Renewal not required upon change in place of employment.

A. Each application for a work permit shall be accompanied by a fee, the amount of which shall be set by resolution in an amount to cover the actual costs of administration. The work permit shall be valid for a period of one year. The fee shall not be returned in the event that the work permit is refused, revoked or suspended as provided in this chapter.

B. Only one work permit shall be required each year, even though the holder of the work permit may change ~~his~~ their place of employment within the City. (Ord. 2065 § 1(A), 2018; Ord. 1883 § 1 (Exh. A), 2009; Ord. 1563 § 1, 1999)

5.20.130 Employee work permits – Denial conditions – Appeal.

A. The Chief of Police shall deny any such applicant a work permit if:

1. The applicant has previously been convicted of a felony or misdemeanor involving theft, dishonesty, fraud, or the use of narcotics; provided, however, that he or she may disregard such conviction if he or she finds and determines that mitigating circumstances exist, such as, but not limited to, evidence of rehabilitation, length of time elapsed since such conviction, the age of such person

at the time of conviction, or the fact that the permit applied for is unrelated to such conviction; or

2. Any of the grounds for denial by the Gambling Commission, set forth in Business and Professions Code Section 19859, are present; or

3. The applicant has not obtained a work permit required by the California Gambling Control Commission as required by the Gambling Control Act or Chapter 2, Division 18, Title 4 of the California Code of Regulations, as those regulations may be amended from time to time.

B. In addition, pursuant to California Business and Professions Code Section 19912, the Department of Justice, Division of Gambling Control, may object to the issuance of a work permit, in which case the application shall be denied.

C. The action of the Chief of Police in denying such a work permit shall be subject to an appeal to the City Manager in accordance with the provisions of LMC Chapter 1.22 ~~LMC~~. An appeal shall be filed in accordance with the provisions of LMC Chapter 1.22 after the denial of such permit. Upon failure to file such notice, the action of the Chief of Police in denying such permit shall be final and conclusive. (Ord. 2065 § 1(A), 2018; Ord. 2052 § 1(H), 2017; Ord. 1883 § 1 (Exh. A), 2009; Ord. 1563 § 1, 1999)

5.20.140 Suspension and revocation of license and work permits.

A. The Chief of Police shall have the right for cause, after notice and a hearing, to revoke or suspend any cardroom license or cardroom work permit issued under this chapter, and to take possession of such permit. Any grounds upon which the Chief of Police shall be required to refuse to issue an initial cardroom license or cardroom work permit shall also constitute grounds for such revocation or suspension. In addition, the failure of a holder of a cardroom license or cardroom work permit to comply with the provisions of this chapter shall also constitute grounds for revocation or suspension of such license or work permit.

B. The Chief of Police shall also have the right to revoke or suspend any cardroom license or cardroom work permit by reason of abandonment by the licensee under the following conditions:

1. The operation of a cardroom has not commenced within one year after the issuance of the city cardroom license; or

2. The cardroom has failed to operate for a period of six consecutive months.

C. Before revocation or suspension, the Chief of Police shall notify the cardroom operator of his or her intent to revoke or suspend the cardroom license or cardroom work permit issued under this chapter, and to take possession of such permit. The notice shall list the grounds for the proposed revocation or suspension.

Within 10 days of the mailing of the notice, the cardroom operator may request a hearing with the City Manager, which shall be conducted within 30 days of the request. After the hearing, the City Manager may either uphold or overturn the decision of the Chief of Police. If no hearing is requested within 10 days of the mailing of the notice, the proposed revocation or suspension shall take effect.

D. Notwithstanding the provisions set forth in LMC Chapter 1.22, t~~T~~he decision of the City Manager in this respect shall be subject to an appeal to the City Council. An appeal shall be filed with the City Manager within 10 days after the revocation or suspension. Once an appeal is filed, the license is suspended until the appeal is processed and a final decision is rendered by the City Council. The City Council shall consider the appeal within 60 days of the appeal filing. Upon failure to file an appeal within the 10-day period, the decision of the City Manager shall be final and conclusive. (Ord. 2065 § 1(A), 2018; Ord. 1883 § 1 (Exh. A), 2009; Ord. 1563 § 1, 1999)

5.20.150 Number of tables – Limitation.

The total number of tables allowed within the City shall be limited to ~~one table per 4,200 residents of the City of Livermore~~a total of ~~28~~32 tables. Each standard services cardroom, as defined in LMC Section 5.20.010, is limited by LMC Section 5.20.160(D) to a maximum of 10 tables. A cardroom operator may apply to the Chief of Police for an expanded services cardroom, as defined in LMC Section 5.20.010. Each expanded

services cardroom is limited by LMC Section 5.20.160(Q) to a maximum of 16 tables. If the cardroom has an existing Development Agreement and Conditional Use Permit governing its use, the City, in its sole discretion, may require the cardroom to enter into an amended Development Agreement and Conditional Use Permit.

When the Chief of Police determines that an additional card table is available based upon the ~~population~~ total number of tables permitted in the City of Livermore, he or she shall give notice to existing validly licensed expanded services cardrooms having less than the maximum number of tables allowed pursuant to LMC Section 5.20.160(~~D~~Q) that they are eligible to apply for the additional card table. The City, in its sole discretion, may require the expanded services cardroom to enter into an amended Development Agreement and Conditional Use Permit prior to approving an additional card table. An amended Development Agreement and Conditional Use Permit may include but are not limited to amended terms, provision of public benefit, and conditions of approval. In the event that two or more expanded services cardrooms are equally eligible to receive the additional card table, the Chief of Police shall award the additional table by drawing lots.

~~In the event more than one existing cardroom is eligible and applies for the additional card table, the Chief of Police shall first offer the additional card table to the cardroom that has executed a development agreement pursuant to LMC 5.20.160(Q). In the unlikely event that two or more cardrooms are equally eligible to receive the additional card table, the Chief of Police shall award the additional table by drawing lots.~~

In the event no eligible expanded services cardroom applies for the additional card table within 180 days after the Chief of Police delivers notice of its availability, the additional card table shall become available for use on a first come, first served basis by a new standard services cardroom obtaining a license consistent with the terms and conditions of this chapter. (Ord. 2065 § 1(A), 2018; Ord. 1883 § 1 (Exh. A), 2009; Ord. 1563 § 1, 1999)

5.20.160 Operation – Rules and regulations.

It is unlawful to operate a cardroom in violation of any of the following regulations and rules:

A. Not more than one cardroom shall be located at any one address.

B. Neither the operator nor any employee of a cardroom shall extend credit to a player, nor shall they accept IOUs or other notes, or otherwise loan money to any person on any ring, watch or other article of personal property for the purpose of securing tokens, chips or other representatives of money as an ante.

C. No games, except lowball, draw poker, without variations as defined by Hoyle, pinochle, pangini, rummy, contract or auction bridge, and Texas hold 'em, shall be played in any cardroom, and the rules and manner of play for such games shall be consistent with LMC Section 5.20.020.

D. Not more than 10 of the total number of tables allowed pursuant to LMC Section 5.20.150 shall be permitted in any single cardroom, except as allowed in LMC Section 5.20.160(Q).

E. No more than eight players shall be permitted at a table, except as allowed in LMC Section 5.20.160(Q).

F. Cardrooms shall be located on the ground floor and so arranged that at least 25 percent of the cardroom shall be plainly visible from the front door opening when such is opened. No wall, partition, screen or similar structure between the front door opening on the street and any card table located in the cardroom shall be permitted if it interferes with such visibility.

G. No person under 21 years of age shall be permitted at any card table or participate in any game played thereat. No person under age 21 shall be permitted to remain in a cardroom.

H. Except as allowed in Section 520.160(Q), cCardrooms may operate seven days a week, with the following daily schedule: Monday, Tuesday, Wednesday and Thursday, from 10:00 a.m. to 2:00 a.m., and Friday from 10:00 a.m. continuous to 2:00 a.m. Monday morning, unless the Chief of Police determines that a reduction in the hours is necessary due to the number of calls for service or the inability of the licensee to implement a security plan acceptable to the Chief of Police. The Chief of Police has the discretion to give written approval to the continuous operation of a standard services or expanded services cardroom on national holidays or for tournament play.

I. All cardrooms shall be open to police inspection during all hours of operation.

J. Only table stakes shall be permitted. Each game shall have a maximum single bet of $20.00, except as allowed in Section 5.20.160(Q).

K. The cardroom shall have assigned to it a person holding a valid card table work permit, whose duty it shall be to supervise the game and to see that it is played strictly in accordance with the terms of this chapter and with the provisions of the Penal Code of the state. This person may have more than one table under his supervision. The licensee may act as a table operator or supervisor without having a work permit.

L. There shall be posted at every cardroom, in letters plainly visible from all parts thereof, signs stating that no game except lowball, draw poker without variations as defined by Hoyle, pinochle, pangini, rummy, contract or auction bridge, or Texas hold 'em shall be played in the cardroom. These signs shall also contain such other information relating to the regulations contained herein as the Chief of Police may require. A copy of this chapter shall also be conspicuously posted.

M. No person who is in a state of intoxication shall be permitted in any cardroom.

N. Loitering about the card tables shall not be permitted.

O. Cardrooms shall be operated consistent with the regulations established by the California Department of Justice, Division of Gambling Control and the California Gambling Control Commission for the operation of gambling establishments.

P. Each licensed cardroom may offer tournament play events with the prior written approval of the Chief of Police. A cardroom licensee shall give the Chief of Police notice at least ~~five~~ 14 calendar days before the event. The notice shall include ~~and provide a~~the day(s) of the tournament, a list of games that will be played during the tournament, a security plan, and a parking plan to be approved in writing by the Chief of Police. All tournament play shall comply with the bet limits, number of players, number of tables, and all other provisions of this chapter and such conditions as may be imposed by the Chief of Police.

Q. A cardroom may offer expanded services, subject to the approval of a conditional use permit and a development agreement in conformance to the Livermore Development Code. The development agreement shall assure the cardroom of the expanded services, subject to conditions, and define the community benefit to be provided by the cardroom operator. If the cardroom has an existing Development Agreement and Conditional Use Permit governing its use, the City, in its sole discretion, may require the cardroom to enter into an amended Development Agreement and Conditional Use Permit prior to approving the expanded services pursuant to this subsection. An amended Development Agreement and Conditional Use Permit may include but are not limited to amended terms, provision of public benefit, and conditions of approval. The Chief of Police may revoke or suspend the expanded services for a cardroom following the same provisions for the suspension and revocation of license and work permits of LMC Section 5.20.140. All provisions of this chapter shall apply to an expanded services cardroom, except the following expanded services may be permitted:

1. A cardroom may operate up to a maximum of 16 card tables within one establishment.
~~1.~~2. Any game ~~approved~~ not prohibited ~~by the California Department of Justice, except Pai Gow played with tiles~~as set forth in LMC Section 5.20.020, is permitted with the written consent of the Chief of Police. There shall be posted at every cardroom, in letters plainly visible from all parts thereof, stating the permitted games.
~~2.~~3. Not more than 10 seated players and 10 standing or "backline bettors" shall be permitted at the table. For purposes of this section, "backline bettors" shall mean standing players placing a wager on the seated player's bets.
~~3.~~4. Cardrooms may operate 24 hours per day, seven days a week~~except for a nine-hour period on Monday between 2:00 a.m. and 11:00 a.m. The Chief of Police has the discretion to give written approval to the continuous operation of a cardroom on Monday for national holidays or for tournament play, provided the cardroom is closed during another nine-hour period during the week~~.
~~4.~~5. Each game shall have a maximum single bet of $~~200.00~~1,000.00.

R. Cardrooms shall conform to the Livermore Development Code. (Ord. 2065 § 1(A), 2018; Ord. 1901 § 3 (Exh. A § 14), 2010; Ord. 1892 § 1, 2009; Ord. 1883 § 1 (Exh. A), 2009; Ord. 1563 § 1, 1999)

5.20.170 Patron safety and security.

Each cardroom licensee shall be responsible for the security and safety of patrons in the cardroom and in and around off-street parking areas and shall:

A. Provide at least one security guard in distinctive uniform attire not resembling the uniforms worn by the Livermore police department during all hours when the cardroom is open for business; and

B. Present and implement a security plan acceptable to the Chief of Police. (Ord. 2065 § 1(A), 2018; Ord. 1883 § 1 (Exh. A), 2009; Ord. 1563 § 1, 1999)

Livermore Development Code Text Amendment

Development Code Amendment (DCA) 24-004

Amend Part 11, Definitions, of the Livermore Development Code, as follows:

Cardroom. A space, room or enclosure furnished or equipped with a table used or intended to be used for the playing of cards and similar games, and the use of which is available to the public or any portion of the public; does not apply to a nonprofit society, club, fraternal, labor or other organization as defined in LMC 5.20.015.

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT WITH CASINO 580, LLC FOR THE PARKWEST CASINO 580 EXPANSION PROJECT

(Development Agreement 24-003)

THE CITY COUNCIL OF THE CITY OF LIVERMORE DOES ORDAIN AS FOLLOWS:

Section 1. *Authority*. Pursuant to Government Code Section 65864 et seq., the City Council considers that certain document under City Application No. Development Agreement 24-003 and entitled "Development Agreement for Parkwest Casino 580 Expansion Project ("Development Agreement"). The Development Agreement is attached as Exhibit A.

Section 2. *Recommendation*. The Planning Commission held a duly noticed public hearing on January 7, 2025 to consider adoption of the Development Agreement and by its Resolution No. 02-25, recommended that the City Council approve the Development Agreement.

Section 3. *Environmental Review*. The City Council considered the environmental review and adopted the Initial Study /Mitigated Negative Declaration for Parkwest Casino 580 Expansion Project by Resolution No.[___].

Section 4. *Consistency*. Development Agreement 24-003 is consistent with the General Plan, any applicable specific plan, and the Livermore Development Code Chapter 9.04.

Section 5. *Approval*. The City Council has considered the findings made by the Planning Commission for adoption of the Development Agreement in Planning Commission Resolution No. 02-25, and hereby adopts the same findings by this reference and incorporates them as part of this resolution, and based on the City Council's own independent review and considerations, hereby approves Development Agreement 24-003.

Section 6. *Signing Authority*. The City Manager is hereby authorized to sign the Development Agreement, attached hereto as Exhibit A, on behalf of the City of Livermore.

Section 7. *Publication and Effective Date.* This ordinance or a comprehensive summary thereof shall be published once in a newspaper of general circulation of the city of Livermore within 15 days after its adoption and shall take effect and be in force thirty days from and after its adoption.

Section 8. *Filing.* Planning Manager is directed to file a Notice of Determination with the Alameda County Clerk.

Section 9. *Recording.* The City Clerk is directed to record the Development Agreement within 10 days after the effective date of the Development Agreement.

Section 10. *Documents.* The documents that constitute the record of proceedings upon which this decision is based on can be found in the City Clerk's Office, 1052 S. Livermore Avenue, Livermore, California.

Section 11. *Severability.* If any part of this ordinance is declared unconstitutional or invalid by a court, such unconstitutionality or invalidity shall not affect any remaining parts.

The foregoing ordinance was introduced at the meeting of the City Council of the City of Livermore held on February 24, 2025, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

The ordinance was adopted at the regular meeting of the City Council held on _____, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
Mayor, City of Livermore

ATTEST:

_____
Deborah L. Elam
City Clerk

APPROVED AS TO FORM:

/s/ Katherin Mirassou_____
Katherine Mirassou
Assistant City Attorney

Exhibit A – Development Agreement

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

City Clerk, City of Livermore
1052 S. Livermore Avenue
Livermore, CA 94550

No fee for recording pursuant to
Government Code Section 27383

(Space Above This Line Reserved for Recorder's Use Only)

DEVELOPMENT AGREEMENT

BY AND BETWEEN

THE CITY OF LIVERMORE

AND

CASINO 580, LLC

DEVELOPMENT AGREEMENT (DA 24-003)
PARKWEST CASINO 580 EXPANSION PROJECT

This Development Agreement ("Agreement") is entered into on _____, 2025 between the City of Livermore, a municipal corporation ("City") and Casino 580, LLC a California limited liability corporation ("Developer") for the Parkwest Casino 580 Expansion Project ("Project"). The City and Developer are sometimes referred to below each individually as a "Party" and collectively as the "Parties."

RECITALS

This Agreement is based on the following facts:

A. The City has the authority to enter into a development agreement under Government Code section 65864 et seq. ("Development Agreement Statutes") and Chapter 9.04 of the Livermore Development Code to vest certain rights to the Developer and to meet certain public purposes of the local government.

B. The Developer is the owner of property located at 960 and 968 North Canyons Parkway identified by Assessor Parcel Numbers (APNs) 905-16-86 and 905-16-87, respectively. The Developer also owns the unaddressed property identified by APN 905-9-13-3. The Developer leases a portion of the property located at 952 North Canyons Parkway identified by APN 905-16-84. The property located at 950 North Canyons Parkway and identified by APN 905-16-88 is maintained through a commercial Homeowner's Association and permits the tenants the right to park on the property. All five properties are in the City of Livermore, County of Alameda and described more specifically in **Exhibit A** (Property Description), attached hereto (Property). The Developer is a cardroom operator.

C. On March 14, 2011, the City Council adopted Resolution No. 2011-046 approving Conditional Use Permit (CUP) 10-007, Ordinance No. 1937 approving Development Code Amendment (DCA) 10-006, and Ordinance No. 1938 approving Development Agreement (DA) 10-003 to use a portion of the Property as an expanded services cardroom.

D. On April 25, 2011, Developer and City entered into DA10-003 recorded as Document No. 2011159003 in the Official Records of Alameda County. DA10-003 provides expanded cardroom services as defined in Livermore Municipal Code 5.20.160(Q) and implements CUP10-007.

E. On June 14, 2019, the Developer applied for Municipal Code Amendment (MUNI) 24-002, DCA24-004, Conditional Use Permit Modification (CUPM) 24-001, Development Agreement (DA) 24-003, Site Plan Design Review (SPDR) 24-010 and Site Plan Design Review Modification (SPDRM) 24-024. An Initial Study/Mitigated Negative Declaration (IS/MND) (SCH # 2024110526) for the Project has been prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate potential impacts to the environment from the Project, including the above listed entitlements.

F. On _____, 2025 the City Council certified the IS/MND, introduced ordinances pursuant to MUNI24-002, DCA24-004, and DA24-003 and approved resolutions approving CUPM24-001, SPDR24-010, and SPDRM24-024.

G. On _____, 2025 the City Council also cancelled DA10-003, rescinding Ordinance No. 1938.

H. The City conducted duly noticed public hearings on this Agreement pursuant to Government Code section 65867 and Livermore Development Code Section 9.04.050 and found that the provisions of this Agreement and its purposes are consistent with the objectives, policies, general land uses, and programs specified in the City's General Plan and Livermore Development Code.

I. This Agreement was adopted by ordinance of the City Council after notice and public hearings before the Planning Commission and City Council, and after City Council certification of an IS/MND in accordance with CEQA, Public Resources Code section 21000 et seq.

NOW, THEREFORE, the City and Developer hereby agree that the aforementioned recitals are true and correct and incorporated by reference as fully set forth below, and further agree as follows:

1. The Property. The Property which is the subject of this Agreement is described above in Paragraph B and shown more specifically in **Exhibit A** (Property Description), attached hereto.

2. The Project. The Developer is authorized to develop and use the Property as follows, subject to the conditions described in **Exhibit B** (Conditions of Approval), attached hereto:

    a. Gaming operations consisting of cardroom table play shall be limited to the properties identified as APNs 905-16-86 and 905-16-87 and shall comply with the applicable regulations described in Livermore Municipal Code Section 5.20, Cardrooms, including the expanded services cardroom regulations as described in Livermore Municipal Code Section 5.20.160(Q), and Livermore Development Code Section 6.03.030, Cardrooms.
    b. Gaming operations consisting of cardroom table play shall be prohibited in the properties identified as APNs 905-16-84, 905-9-13-3, and 905-16-88.
    c. CUP10-007, as modified by CUPM24-001, including the expanded services authorized by the CUP or CUPM as follows:
        i. Games which are not prohibited by state law may be permitted with the written consent of the Chief of Police;
        ii. The operation of a maximum of 16 card tables at a time;
        iii. A maximum of ten seated players and ten standing or "backline betters" at a table, as defined in Livermore Municipal Code 5.20.160(Q)(3);
        iv. A maximum single bet limit of $1,000.00; and
        v. 24-hour operations, seven days a week.

d. Development of a surface parking lot with approximately 230 parking spaces shall be constructed on the property identified as APN 905-9-13-3 to meet the customer and employee parking demand for current and future cardroom operations and remove off-site parking along Doolan Road and Collier Canyon Road as shown in **Exhibit C** (Surface Parking Lot Site Plan). This property may only be used for parking by Parkwest Casino 580 customers and employees, unless otherwise modified through an updated shared use parking agreement approved by the City. The remainder of this parcel may only be developed through an application to the City and shall be subject to the rules and regulations in place at the time of application submittal. With the exception of minor site modifications, the existing surface parking on the property identified as APN 905-16-88 shall remain unchanged and used for Parkwest Casino 580 and the neighboring tenant's customers and employees. For the purposes of this Agreement, minor modifications include actions related to landscaping and lighting improvements and related modifications determined to be minor in nature by the Community Development Department Director.

e. Development and use of the Property shall be in conformance with the terms and conditions of CUP10-007 as modified by CUPM24-001, approved by the City Council on March 14, 2011, and _____, 2025, respectively and the terms and conditions of SPDRM24-024 and SPDR24-010, approved by the City Council on _____, 2025. Collectively, the documents associated with these entitlements contain the required terms regarding the permitted uses of the property and the intensity of use (Government Code Section 65865.2.).

3. Effective Date. The effective date of this Agreement (the "Effective Date") is the later of (a) thirty (30) days after the date the Ordinance approving this Agreement is adopted by the City Council and attested by the City Clerk, or (b) if a referendum petition is timely and duly circulated, filed and qualified by the Elections Official, the date the election results on the ballot measure by City voters approving this Agreement are certified by the City Council in the manner provided by the Elections Code. This Agreement shall be executed by the City within ten (10) days after the Effective Date and recorded as provided in Government Code Section 65868.5.

4. Term. The term of this Agreement is twenty (20) years ("Term"), beginning on the Effective Date. The Agreement may be extended as provided for in the Development Agreement Statutes and the Livermore Development Code, subject to the written consent of the City and Developer.

5. Developer Obligations; Schedule of Performance. The Developer shall comply with the requirements set forth in the Schedule of Performance and tasks listed below. The Schedule of Performance is subject to revision from time-to-time as mutually agreed upon in writing between the City and the Developer, which shall be accomplished through a separate document and without the need to amend this Agreement. The City Manager shall have the authority to approve on behalf of the City any revision to a date in the Schedule of Performance that he or she deems appropriate, provided that the revision extends the performance deadline for a time period no longer than one year. Developer shall comply with the following Schedule of Performance:

a. The Conditions of Approval as described in **Exhibit B** (Conditions of Approval) for CUP10-007, as modified by CUPM24-001; SPDRM24-024; and SPDR24-010, attached hereto.
b. Developer shall complete construction of the surface parking lot and frontage improvements and receive final inspection approval by the City within 9 months of the Effective Date of this Agreement, unless modified by written agreement between Parties.
c. Prior to receiving final inspection approval of the surface parking lot and frontage improvements described in section 5(b), above, the Developer shall apply for an encroachment permit with the City and Alameda County to install "No Parking" signs along the west side of Doolan Road and along both sides of Collier Canyon Road. Within the City limits, the "No Parking" signs shall extend north for a minimum of 900 feet from the southern end of Doolan Road. The language, spacing, and number of signs along Doolan Road shall be done to the satisfaction of the City Engineer. The language, spacing, and number of signs along Collier Canyon Road shall be done to the satisfaction of the Alameda County Public Works Agency.
d. Developer shall provide a monthly contribution to the City to satisfy the public benefit required by the Livermore Development Code. The contribution shall be delivered to the City's Finance Division on a quarterly basis (due on the fifteenth business day of January, April, July, and October) via check, Automated Clearing House payment, or other form of payment deemed acceptable by the City's Finance Division. Delivery of the quarterly contribution shall include a reference informing the City's Finance Division of the number of active card tables in operation until the Developer is consistently operating all 16 card tables. The amount of the contribution is as follows:
    i. Before expanded services are implemented, as described in Section 2 of this Agreement, the monthly per table contribution shall be $1,891.00 beginning on the effective date of this Agreement. This contribution shall remain effective and increase by the June San Francisco-Oakland-Hayward Consumer Price Index beginning Fiscal Year 2025-2026 and apply each subsequent fiscal year to the 10 existing card tables in operation.
    ii. For the first six (6) months following the Chief of Police's approval of an amended cardroom license allowing for expanded services as described in Section 2 of this Agreement, the monthly per table contribution shall be the rate in place as described in Section 5.d(i) and applied to all active tables in operation.
    iii. Six (6) months after the Chief of Police approves the amended cardroom license allowing for expanded services as described in Section 2 of this Agreement, the monthly per table contribution shall increase to $4,800.00. The $4,800.00 monthly per table contribution shall be applied to all 16 card tables following this date, unless modified by written agreement between Parties. The June San Francisco-Oakland-Hayward Consumer Price Index shall be added to the monthly per table contribution three (3)

years following the date of the approved amended cardroom license and shall be applied every year thereafter.

e. Developer shall submit a one-time contribution of $60,000.00 via check or other form of payment deemed acceptable by the Livermore Police Department towards the purchase and installation of three (3) new traffic cameras generally located at: (1) the I-580 westbound off-ramp to Airway Boulevard; (2) at the intersection of Airway Boulevard and North Canyons Parkway; and (3) at the intersection of North Canyons Parkway and Doolan Road. The traffic cameras shall be purchased and installed by the Livermore Police Department with this contribution. This contribution shall be paid prior to Police Department approval of an amended cardroom license, subject to City staff's discretion, documenting the operational changes to the business. Should any future cameras be needed, the Parties agree to meet and confer based on quantity and cost of cameras needed.

f. Developer shall submit a one-time contribution of $5,000.00 via check or other form of payment deemed acceptable by the Livermore Police Department for the maintenance of the off-site traffic cameras. The off-site traffic cameras and license plate readers shall be maintained by the Livermore Police Department. This one-time contribution shall be submitted no later than three (3) months following the Chief of Police's approval of the amended cardroom license.

g. Developer shall submit a one-time contribution of $24,000.00 via check or other form of payment deemed acceptable by the Livermore Police Department to support license plate reader purchase, installation, annual subscription/maintenance costs, and replacement/upgrades as needed by the Livermore Police Department. The license plate readers shall be purchased, installed, and subscribed/maintained by the Livermore Police Department. The license plate readers shall be located generally in the same location as the traffic cameras as described in Section 5.e., above. This one-time contribution shall be submitted no later than three (3) months following the Chief of Police's approval of the amended cardroom license. Should any future license plate readers be needed, the Parties agree to meet and confer based on quantity and cost of cameras needed.

h. Developer shall install and maintain additional cameras that provide complete and high-quality coverage of the expanded on-site parking areas and shall provide unlimited access to camera feeds for the existing and any newly installed cameras that provide footage of outdoor spaces to the Police Department to the satisfaction of the Chief of Police.

i. Developer shall install and maintain on-site external lighting surrounding the casino and the expanded parking area. All parking area lighting shall comply with Municipal Code Section 15.18.120, Lighting and parking areas, as it exists today or as amended.

6. Vested Development Rights. Subject to this Agreement and during the life of this Agreement, except as provided below, the Developer has the right to develop and use the Property in accordance with:

   a. CUP10-007, as modified by CUPM24-001, including the expanded services authorized by the CUP or CUPM as follows:

i. Games which are not prohibited by state law may be permitted with the written consent of the Chief of Police;
ii. The operation of a maximum of 16 card tables at a time;
iii. A maximum of ten seated players and ten standing or "backline betters" at a table, as defined in Livermore Municipal Code 5.20.160(Q)(3);
iv. A maximum single bet limit of $1,000.00; and
v. 24-hour operations, seven days a week.

b. SPDR24-010 to develop APN 905-9-13-3 with a surface parking lot and street frontage improvements consisting of approximately 230 parking spaces. This property may only be used for Parkwest Casino 580 customers and employees, unless otherwise modified through an updated shared use parking agreement approved by the City.

c. SPDRM24-024 to modify the common area of the property identified by APN 905-16-88. Modifications include constructing bicycle racks consistent with the Livermore Development Code requirements and removing one tree to accommodate a pedestrian connection from the new surface parking lot to the existing sidewalk surrounding 952-968 North Canyons Parkway.

d. The City's General Plan, Municipal Code, and Development Code in effect on the effective date, except that Developer shall:
   i. Comply with changes in City laws, regulations, plans or policies applicable city-wide, the terms of which are found by the City Council, based on substantial evidence, to be necessary to protect members of the public from a condition dangerous to their health or safety;
   ii. Comply with a change in City law, regulations, plans or policies which are:
      1. Specifically mandated by state or federal law, or by any regional governmental agency that has legal authority over the City under state law or a joint powers agreement; or
      2. A result of or in response to state or federal law, or regional agency action, made necessary in order for the City to avoid losing or not receiving substantial funding or other substantial public benefits or facilities that would be available to the City only if it makes such a change; or
      3. Specifically mandated by, or necessary for compliance with or implementation of, the terms of any permit, entitlement or other authorization necessary for the development of the Property issued or granted to the City, County and/or Property Owner by any federal, state or regional agency.

7. Periodic Review. Review of this Agreement shall be made annually, consistent with Government Code section 65865.1 and Livermore Development Code Chapter 9.04 Development Agreements as they are amended from time-to-time.

8. Amendments. The Agreement may be amended in writing by the Parties, by mutual agreement, consistent with the procedures set forth in the Development Agreement Statutes and the Livermore Development Code Chapter 9.04 Development Agreements, as they are amended from time-to-time.

9. Force Majeure. The Term of this Agreement shall be extended by, and the performance by any Parties of their obligations hereunder (other than for payment of money) shall be excused during, any period of "Force Majeure" as hereinafter defined. "Force Majeure" means a delay caused by any labor disputes or strikes, labor or material shortages or embargoes, pandemic, fire, unusual delay in transportation, earthquakes, floods, tornadoes or extreme wind or other adverse weather conditions not reasonably foreseeable by Developer, or material adverse underground conditions not reasonably foreseeable by Developer.

10. Remedies for Default. If a Party is in default under this Agreement, another Party may pursue one or more of the following courses of action after providing 30 days' written notice to the purportedly defaulting Party (or such longer period as may be required to cure the default, so long as such Party commences the cure within such 30-day period and diligently pursues the cure to completion): (a) waive the default; (b) in the City's case, pursue administrative remedies, including denial or otherwise withholding issuance of building permits, certificates of occupancy, or other approvals; (c) pursue judicial remedies; or (d) terminate this Agreement. Any purported default by a Party hereunder shall be subject to, and tolled by, any event of Force Majeure that prevents such Party from performing the act necessary to avoid or cure such purported default. Any such tolling shall end at the termination of the event of Force Majeure.

11. Termination. This Agreement shall terminate if the Developer ceases operation for more than a continuous six-month period or if the Developer submits a written request to the City for termination of all expanded services and a request to modify the CUP terminating all expanded services, subject to the City's approval of the CUPM. Upon termination of this Agreement, at the request of Developer, the City shall record a Notice of Termination for each affected parcel in a form satisfactory to the City Attorney in the Office of the Alameda County Recorder. In the event this Agreement is terminated, neither party shall have any further rights or obligations hereunder except for those obligations of Developer set forth in Section 14 (No Damages Relief) and Section 19 (Legal Action; Attorneys' Fees).

12. Abandonment and Forfeiture. Developer acknowledges, understands, and agrees that this Agreement, CUP10-007, and CUPM24-001 are expressly contingent upon the Developer holding a valid cardroom license issued by the City. Developer further acknowledges, understands, and agrees that in the event its license to operate a cardroom in the City is revoked, this Agreement, CUP10-007, and CUPM24-001 shall be deemed to be abandoned and forfeited.

13. Mortgagee Protection.

    i. This Agreement shall not prevent or limit Developer in any manner, at Developer's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust, or other security device securing financing with respect to the Property ("Mortgage"). This Agreement shall be superior and senior to any lien placed upon the Property or any portion thereof after the date of recording this Agreement,

including the lien of any Mortgage. Notwithstanding the foregoing, no breach hereof shall defeat, render invalid, diminish, or impair the lien of any Mortgage made in good faith and for value, but all of the terms and conditions contained in this Agreement shall be binding upon and effective against and inure to the benefit of any person or entity, including any deed of trust beneficiary or mortgagee ("Mortgagee") who acquires title to the Property, or any portion thereof, by foreclosure, trustee's sale, deed in lieu of foreclosure, or otherwise.

ii. Liability for Past Defaults. Any Mortgagee, including the successful bidder at a foreclosure sale, who takes title and possession of the Property, or any portion thereof, pursuant to such foreclosure, shall take the Property, or portion thereof, subject to the provisions of this Agreement; provided, however, in no event shall such Mortgagee be liable for any defaults or monetary obligations of Developer arising prior to acquisition of title to the Property by such Mortgagee. Notwithstanding the preceding sentence, in no event shall any such Mortgagee or its successors or assigns be entitled to a building permit, final inspection, or occupancy certificate until all fees and other monetary obligations due under this Agreement have been paid to the City and any other existing defaults under this Agreement that are reasonably subject to cure are cured.

iii. Notice of Default to Mortgagee; Right of Mortgagee to Cure. If City receives a notice from a Mortgagee requesting a copy of any Notice of Default given to Developer hereunder and specifying the address for service thereof, then City shall deliver to such Mortgagee, concurrently with service thereon to Developer, any notice given to Developer with respect to any claim by City that Developer has committed a default. If the City makes a determination of noncompliance hereunder, City shall likewise serve notice of such noncompliance on such Mortgagee concurrently with service thereof on Developer. Each Mortgagee shall have the right (but not the obligation) during the same period available to Developer to cure or remedy, or to commence to cure or remedy, the event of default claimed or the areas of noncompliance set forth in City's notice.

14. No Damages Relief. The Parties acknowledge that the City would not have entered into this Agreement were it exposed to damages claims from Developer for any breach thereof. As such, the Parties agree that in no event shall Developer be entitled to recover damages against City for breach of this Agreement. To the extent permitted by law, specific enforcement of this Agreement, including specific performance of Developer's payment obligations set forth in Section 5(d) through 5(g), is the proper and desirable remedy.

15. Recordation; Binding Effect. This Agreement shall be recorded in the office of the Alameda County Recorder and shall be binding upon and inure to the benefit of any successors in interest to the Parties. The Parties acknowledge that, as of the date of

preparing this Agreement, the Property is owned in fee by Seller and that Seller shall have all rights and obligations of "Developer" under this Agreement.

16. Waiver and Release.

a. Developer agrees that it will not initiate, support, fund or otherwise carry out any litigation or other proceeding, whether administrative, legislative or otherwise, against the City to dispute or challenge the validity, enforceability, or legality of: i) MUNI24-002; (ii) Ordinance No. 2025-_____; (iii) DCA24-004; (iv) Ordinance No. 2025-_____; (v) DA24-003; (vi) Ordinance No. 2025-_____; (vii) CUP10-007; (viii) Resolution No. 2009-165; (ix) CUPM24-001; (x) Resolution No. 2025-_____; (xi) SPDR24-010; (xii) Resolution No. 2025-_____; (xiii) SPDRM24-024; (xiv) Resolution No. 2025-_____; or (xv) any environmental review document prepared under CEQA to evaluate the environmental impacts of any action identified under (i) through (xv) above. In addition, the Developer specifically waives any right it has or may have to dispute the payment of the contribution for an expanded services cardroom or to seek a refund of any contributions paid.

   The Developer further acknowledges, understands, and agrees that the prohibitions set forth in this section shall apply to the Developer and any, person or entity controlling, controlled by or under the common control of the Developer, whether it acts independently or in conceit with other persons, entities, or associations, whether under its name or some other name.

b. The Developer on behalf of itself and its successors, heirs, assigns, partners, officers, directors, shareholders, and trustees hereby releases and absolutely and forever discharges the City and its elected officials, officers, directors, employees, agents and designated volunteers from all claims, demands, causes of action, whether or not now known, suspected or claimed, which each ever had, now have, claim to have had, or may have had against each other relating to the validity, enforceability, or legality of MUNI24-002; Ordinance No. 2025-_____; DCA24-004; Ordinance No. 2025-_____; DA24-003; Ordinance No. 2025-_____; CUP10-007; Resolution No. 2009-165; CUPM24-001; Resolution No. 2025-_____; SPDR24-010; Resolution No. 2025-_____; or SPDRM24-024; Resolution No. 2025-_____.

c. The Developer further expressly waives, on behalf of itself and each of its successors, heirs, assigns, partners, officers, directors, shareholders, and trustees all rights and benefits that they may have in the future under the provisions of California Civil Code section 1542 with regard to the validity, enforceability, or legality of the Development Agreement (DA10-003), Ordinance No. 1883, Conditional Use Permit 10-007, and Resolution No. 2009-165. Civil Code section 1542 provides:

   A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER

FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR.

17. Release Upon Transfer. Upon the sale, transfer, or assignment, in whole or in part, of Developer's right and interest to all or any portion of the Property, Developer shall be released from its obligations hereunder with respect to the portion so conveyed, provided: (i) Developer (or transferee) was not in default of this Agreement at the time of conveyance, (ii) Developer provided to City prior written notice of such transfer, and (iii) with respect to sale or transfer of any lot that has not been fully improved, the transferee executes and delivers to City a written assumption agreement in which: (a) the name and address of the transferee is set forth, and (b) the transferee expressly assumes the obligations of Developer under this Agreement as to the portion of the Property conveyed. Failure to deliver a written assumption agreement hereunder shall not negate, modify, or otherwise affect the liability of any transferee pursuant to the provisions of this Agreement.

18. Timing of Development.

    a. Because the California Supreme Court held in *Pardee Construction Co. v. City of Camarillo*, 37 Cal.3d 465 (1984), that the failure of the parties therein to provide for the timing of development resulted in a later adopted initiative restricting the timing of development to prevail over the parties' agreement, it is the Parties' intent to avoid that result by acknowledging, that unless provided for in this Agreement, Developer shall have the right (without obligation) to develop the Property in such order and at such rate and at such times as Developer deems appropriate within the exercise of its subjective business judgment, subject to the terms, requirements and conditions of the Entitlements and this Agreement.

    b. Developer will use its best efforts, in accordance with its own business judgment and taking into consideration market conditions and other economic factors influencing Developer's business decision, to commence or to continue development, and to develop the Project in a regular, progressive, and timely manner in accordance with the terms, requirements and conditions of the Entitlements and this Agreement. Nothing in this subsection concerning the expectations set by the Parties for the timing of development in response to Pardee Construction Co. V. City of Camarillo, 37 Cal.3d 465 (1984) is intended, nor shall it be construed, to relieve Developer from any time related requirements set forth in the Schedule of Performance or the project approvals.

19. Legal Action; Attorneys' Fees. If the City chooses to defend any third party claim or suit challenging any action taken by the City with regard to this Agreement or any procedure or aspect of the City's approval of the development of the Project, including the environmental review process, the Developer in its capacity as either Developer or owner of the Property agrees to reimburse the City for the City's reasonable attorneys' fees,

expert witness fees, and related costs as the City may incur in connection with its retention of outside counsel, and for any award of court costs or fees against the City. The City has the right to choose and retain such legal counsel as the City deems appropriate. After expenses reach $100,000, and each $100,000 thereafter, the Parties will confer to review the status of the litigation and their options for proceeding or settling, and they will negotiate in good faith about how the expenses will be allocated. The Developer, in its capacity as the Developer or owner of the Property, shall have no obligation to reimburse the City for costs incurred after the date on which the Developer or owner of the Property give the City written notice of their decision to settle a case, even if the City does not agree to the settlement. If legal action is brought by one of the Parties to enforce a provision of this Agreement, the prevailing party is entitled to reasonable attorneys' fees, expert witness fees, and court costs.

20. Severability; Choice of Law. If any term, provision, condition, or covenant of this Agreement, or the application thereof to any Party or circumstances, shall to any extent be held invalid or unenforceable, the remainder of the instrument, or the application of such term, provision, condition, or covenant, or the application of such term, provision, condition, or covenant to persons or circumstances other than those as to whom or which it is held invalid or unenforceable, shall not be affected thereby and each term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law. This Agreement shall be governed by the laws of the State of California.

21. Covenants Run with the Land. All of the terms, provisions, covenants, conditions, rights, powers, duties and obligations contained in this Agreement shall be binding upon the Parties and their respective heirs, successors and assigns acquiring any portion of the Property and shall inure to the benefit of the parties and their respective heirs, successors and assigns.

22. No Third Party Beneficiaries. This Agreement is entered only for the benefit of the Parties executing this Agreement, their successors in interest. This Agreement is not for the benefit of any other individual, entity or person. Nothing herein shall be construed to create any right of any third party to enforce this Agreement or to seek any benefit therefrom.

23. Time Is of the Essence. Time is of the essence for each provision of this Agreement for which time is an element.

24. Certificate of Compliance. Any Party may, at any time, request that the City indicate in writing: (i) whether this Agreement is in full force and effect; (ii) whether this Agreement has been amended or modified, and if so amended, the nature of any such amendments; or (iii) whether to the best of City's knowledge the requesting Party is in default in the performance of any of its obligations under this Agreement, and if in default, the nature of any such default. City shall endeavor in good faith to respond to any such request within thirty (30) days following the receipt thereof. The Parties shall be entitled to one certificate of compliance per year without any fee being assessed by the City. For any additional certificates of compliance requested in a single year, the City may charge the requesting party a reasonable fee related to the actual cost to prepare the certificate.

25. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which constitute one and the same instrument.

26. Notices. The address of each party for the purpose of all notices permitted or required by this Agreement is as follows:

To City:	City of Livermore 1052 South Livermore Avenue Livermore, CA 94550 Attention: Community Development Director and Ashley Vera, Senior Planner
With a copy to:	City Attorney City of Livermore 1052 South Livermore Avenue Livermore, CA 94550
With a copy to:	Livermore Police Department City of Livermore 1110 South Livermore Avenue Livermore, CA 94550
To Developer:	John Park Casino 580, LLC dba Parkwest Casino 580 888 Bicycle Casino Drive Bell Gardens, CA 90201
With a copy to:	Jeffrey Van Wagner Casino 580, LLC dba Parkwest Casino 580 888 Bicycle Casino Drive Bell Gardens, CA 90201

The written address of each Party set forth above may be changed by written notice given not less than five (5) days prior to the date such change is to be in effect. All notices under this Agreement shall be in writing, shall be properly addressed, and shall be sent by personal delivery, United States mail (registered, certified, or Express Mail, return receipt requested and postage prepaid), or by overnight courier delivery service. All such notices shall be considered delivered: (i) if personally delivered, on the date of delivery; (ii) if sent by United States mail in the manner prescribed above, on the date shown on the return receipt for acceptance or rejection; or (iii) if sent by overnight courier delivery service, on the date of delivery or attempted delivery as shown by the written delivery record of such service.

[Signatures on following page]

IN WITNESS WHEREOF, the Parties have signed this Agreement on the dates indicated below.

DEVELOPER

CASINO 580, LLC a California Limited Liability Company

Date: 2/3/25

By: _____

John Park
Owner

CITY OF LIVERMORE

Date: _____

By: _____

Marianna Marysheva
City Manager

Attest:

Approved to as Form:

_____

Deborah L. Elam
City Clerk

_____

Deputy/Assistant/City Attorney

Attachments:

Exhibit A - Property Description
Exhibit B - Conditions of Approval
Exhibit C - Surface Parking Lot Site Plan

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles)

On 2/03/2025 before me, Marilou Zepeda Lopez (Notary Public)
(insert name and title of the officer)

personally appeared John Heejong Park,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

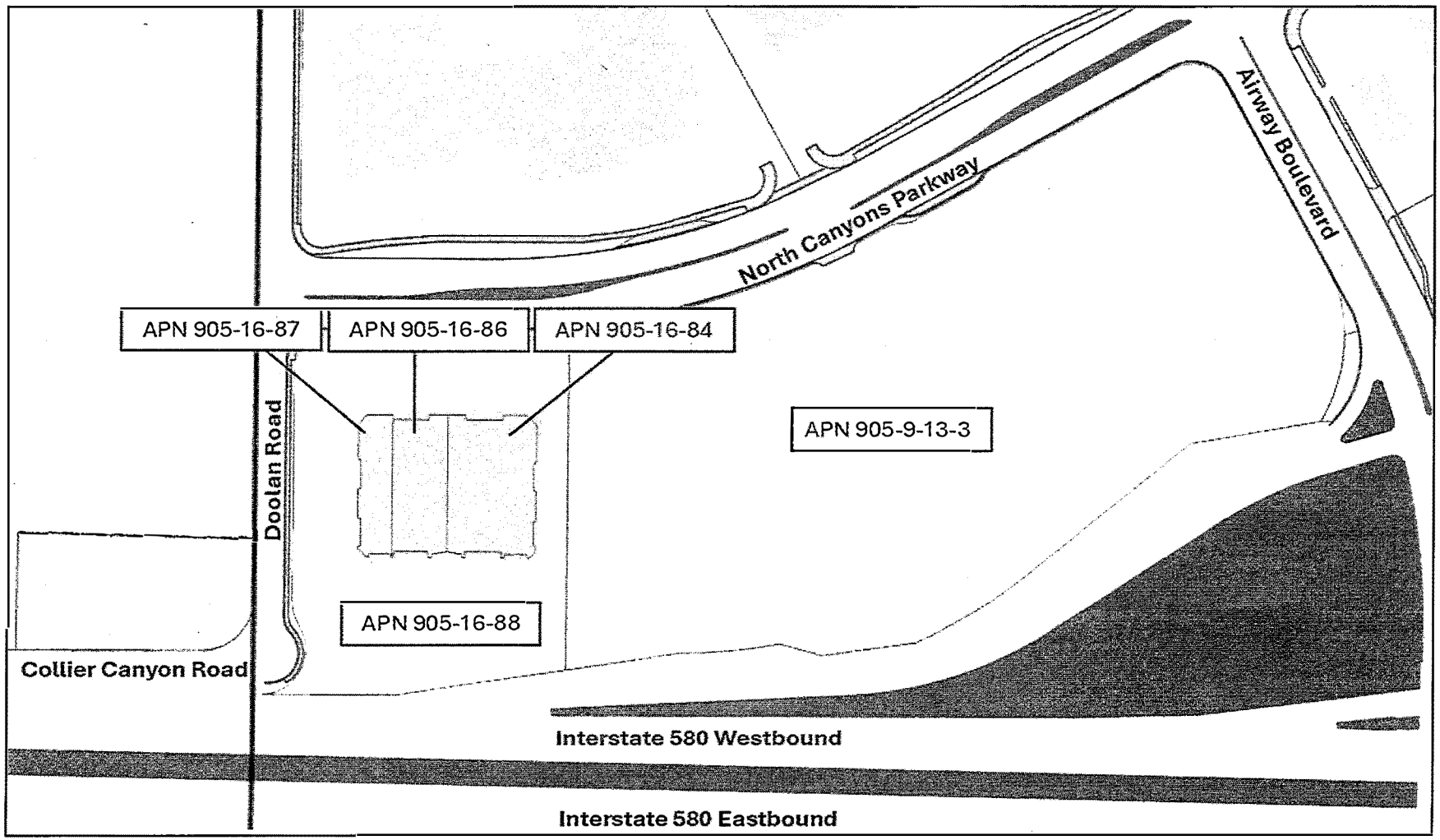
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

MARILOU ZEPEDA LOPEZ
Notary Public - California
Los Angeles County
Commission # 2428235
My Comm. Expires Dec 22, 2026

Signature _____ (Seal)

Property Description



A LEGIBLE COPY OF THIS GRAPHIC CAN BE FOUND ON FILE WITH THE COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION – 1052 S. LIVERMORE AVE., LIVERMORE, CA 94550

EXHIBIT A

CONDITIONS OF APPROVAL

Parkwest Casino 580 Expansion Project

Municipal Code Amendment (MUNI) 24-002, Development Code Amendment (DCA) 24-004, Conditional Use Permit Modification (CUPM) 24-001, Development Agreement (DA) 24-003, Site Plan Design Review (SPDR) 24-010, and Site Plan Design Review Modification (SPDRM) 24-024

The project is to amend the Livermore Municipal Code including increasing the total number of card tables permitted citywide, increasing the total number of card table permitted per gambling establishment, increasing allowable hours of operation, increasing the maximum bet limit, permitting limited backline betting, permitting the play of new card games not prohibited by state law, modifying tournament noticing requirements, modifying the number of cardroom licenses permitted per person, and additional miscellaneous amendments made for clarification; 2) authorize operational changes at Parkwest Casino 580 including increasing the number of card tables, increasing hours of operation, increasing the maximum bet limit, permitting limited backline betting, and permitting the play of new card games not prohibited by state law; and 3) approve the development of a 230-space surface parking lot for Parkwest Casino 580 for the Parkwest Casino 580 Expansion Project ("Project").

Recommended for Approval by Planning Commission: January 7, 2025
Approved by City Council: February 24, 2025

PROJECT AUTHORIZATION

1. This project shall be in conformance with all City Ordinances, rules, regulations, and policies. The conditions listed below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.
2. Approval is limited to the conformance of the land use to the Isabel Neighborhood Specific Plan and Development Code requirements and as stated in the Development Agreement (DA) 24-003. Use of the property shall be limited to those permitted by the these documents as they exist now or may be amended in the future.

PROJECT SPECIFIC CONDITIONS

Prior to issuance of a Building Permit, the applicant shall demonstrate conformance to the following conditions to the satisfaction of the Planning Division:

1. The applicant shall respond in writing to all conditions contained in this document and its attachments. Responses shall describe how the condition has been met and shall, where applicable, direct the plan checker to the page and/or drawing detail that demonstrates compliance with the condition. A copy of these responses shall be provided with each set of improvement and revised plans.
2. Applicant shall comply with terms outlined in DA 24-003, as it exists now or may be amended in the future. The City may revoke this Conditional Use Permit Modification

if the cardroom is in violation of the Development Agreement or the Development Agreement is terminated.

3. The applicant shall comply with all applicable Mitigation Measures required by the Parkwest Casino 580 Expansion Project Initial Study/Mitigated Negative Declaration Mitigation Monitoring and Reporting Program, attached hereto as Attachment 1.
4. The applicant shall submit an updated shared use parking agreement noting the shared parking on Assessor Parcel Numbers (APNs) 905-16-88 and 905-13-3, the existing parking lot for Parkwest Casino 580 and CalMoto and the new surface parking lot, respectively. The parking agreement must be executed and recorded prior to issuance of a building permit. The agreement must be reviewed and approved by the Community Development Department staff before it is recorded. The parking agreement must be in effect for the life of this Conditional Use Permit and Development Agreement, unless modified by the parties to the Agreement.
5. The applicant shall submit a floor plan including but not limited to the location of the 16 card tables, office space, security space, event space, and other related spaces used as part of the casino operations, subject to review and approval by the Community Development Director.
6. To ensure that the project landscaping does not conflict with the scenic corridor policy and create a wall-like effect, the applicant shall modify the following landscape plan as follows:
    a. Along the length of the southern property line only, replace proposed shrubs S4 and S7 as identified on sheet L1.0 to a mix of low (i.e., 24-36 inches maximum height) ground cover. Refer to Attachment 2 for a detailed markup.
    b. Remove the four westernmost proposed Scarlet Oak trees proposed along the southern property line as shown in Attachment 2. To the extent feasible, re-locate the proposed Scarlet Oak trees along the easternmost driveway to compensate for the removed trees.
7. At the discretion of the Community Development Department Director, the Conditional Use Permit (and Development Agreement if necessary) can be returned to the Planning Commission (and City Council if necessary) to amend the parking requirement if it is determined at a later date that existing on-site parking is insufficient. Evidence of insufficient parking includes, but is not limited to, vehicles of cardroom patrons parked on adjacent properties or parked illegally on the street. Amendments shall be in conformance with Chapter 9, Permits and Approvals, of the Livermore Development Code as it exists now or may be amended in the future.
8. This Conditional Use Permit Modification shall be revoked following the necessary procedures for revocation if the State cardroom license is denied by the State Bureau of Gambling Control and/or the City cardroom license is denied by the

Police Chief in accordance with Municipal Code Chapter 5.20. Furthermore, CUPM24-001 shall be revoked if the cardroom is in violation of the Development Agreement or the Conditional Use Permit Modification conditions of approval.

GENERAL CONDITIONS OF APPROVAL

1. Development shall conform to the plans designated by the City as Exhibit B-1. Exhibit B-1 plans shall include but are not limited to civil, landscape, and lighting plans reviewed and approved by the Planning Commission and City Council and amended by the applicant to reflect any changes indicated above in the Project Specific Conditions or required by the City in the approval process. The applicant shall submit any required amended plans to the Community Development Department within 90 days of project approval.
2. The Developer shall pay the processing and development impact fees applicable City-wide that are in effect at the time the fees are paid. Payment for said fees shall be made prior to issuance of any building permits.
3. The Community Development Department may approve minor amendments to the permit, provided that the permit is still in substantial conformance with the original approval.
4. Approval of the Site Plan Design Review and Site Plan Design Review Modification entitlements is not an authorization to commence construction. Construction, alterations, repairs, sign erection, or occupancy shall not be permitted without prior approval of the Building Division through issuance of any required permits.
5. To the extent permitted by law, the project applicant shall defend, indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorney's fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

ENGINEERING DIVISION – DEVELOPMENT

1. Development shall conform to the attached Engineering Considerations, dated December 23, 2024 (refer to Attachment 3).

BUILDING DIVISION

1. Future development shall conform to California codes adopted at time of Building permit submittal.

Attachments:

1. Parkwest Casino 580 Expansion Project Initial Study/Mitigated Negative Declaration Mitigation Monitoring and Reporting Program

2. Landscape Planting Plan Sheet L1.0 markup
3. Engineering Considerations dated December 23, 2024

MITIGATION MONITORING AND REPORTING PROGRAM

INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a "mitigated negative declaration" or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Parkwest Casino 580 Expansion Project (proposed project). The intent of the MMRP is to ensure implementation of the mitigation measures identified within the Initial Study/Mitigated Negative Declaration (IS/MND) for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the applicant.

COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the IS/MND for the proposed project, prepared by the City of Livermore. This MMRP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the IS/MND that was prepared for the proposed project.

The proposed project IS/MND presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the proposed project. Mitigation is defined by CEQA Guidelines, Section 15370, as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMRP is to ensure the implementation of adopted mitigation measures. The MMRP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Livermore. The table attached to this report identifies the mitigation measure, the monitoring action for the mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP. The City will be responsible for monitoring compliance.

MITIGATION MONITORING AND REPORTING PROGRAM

The following table indicates the item number, the checklist questions the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
IV-a	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service	*Special-Status Plant Species* *IV-1 Prior to any vegetation removal or ground-disturbing activities, a focused survey shall be conducted to determine the presence of special-status plant species with potential to occur within the project site. Surveys shall be conducted in accordance with the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFG 2009), which require rare plant surveys to be conducted at the proper time of year when rare or endangered species are both "evident" and identifiable. Field surveys shall be scheduled to coincide with known blooming periods, and/or during periods of physiological development that are necessary to identify the plant species of concern. The results of the surveys shall be submitted to the City of Livermore Community Development Department prior to the commencement of construction activities. If special-status plant species are not found, additional mitigation measures are not necessary. If any of the species are found on-site and cannot be avoided, the following measures shall be required:* • *If the survey determines that special-status plant species are present within or adjacent to the project site, direct and indirect impacts of the project on the species shall be avoided where feasible through the establishment of activity exclusion zones, where ground-disturbing activities shall not*	City of Livermore Community Development Department	Prior to any vegetation removal or ground-disturbing activities during the appropriate survey period (when rare or endangered species are both "evident" and identifiable)	

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		take place, including construction of new facilities, construction staging, or other temporary work areas. Activity exclusion zones for special-status plant species shall be established prior to construction activities around each occupied habitat site, the boundaries of which shall be clearly marked with standard orange plastic construction exclusion fencing or its equivalent. The establishment of activity exclusion zones shall not be required if construction-related disturbance would not occur within 250 feet of the occupied habitat site. • *If exclusion zones and avoidance of impacts on special-status species within the project site are not feasible, then the loss of individuals or occupied habitat of special-status plants shall be compensated using the habitat mitigation rations impacts on habitat for the species as written below as prescribed by the East Alameda County Conservation Strategy (EACCS) and obtain an incidental take permit from the California Department of Fish and Wildlife (CDFW) for State listed species. Before the implementation of compensation measures, the project applicant shall provide detailed information to the CDFW and City of Livermore Community Development Department on the quality of preserved habitat,*			

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		location of the preserved occurrences, provisions for protecting and managing the areas, the responsible parties involved, and other pertinent information that demonstrates the feasibility of the compensation. • *Compensation recommendations from the EACCS are as follows:* o *Temporary effects to State and federally listed species, such as Livermore tarplant at a 1:1 ratio.* o *Congdon's tarplant at a 5:1 ratio or above through coordination with relevant regulatory agencies.* o *San Joaquin spearscale at a 1:1 ratio.*			
		Crotch's Bumble Bee *IV-2 The provisions contained herein only apply if Crotch's bumble bee is a candidate species or is listed under CESA at the commencement of construction. Following CDFW's status report on Crotch's bumble bee, if the California Fish and Game Commission finds that the petitioned action is not warranted, the provisions contained herein shall not be required.* *If feasible, initial ground-disturbing activities associated with the proposed project (e.g., grading, vegetation removal, staging) shall take place between September 1 and March 31 (i.e., outside the colony active period) to*	City of Livermore Community Development Department	Within 14 days prior to the commencement of construction activities	

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		avoid potential impacts on special-status bumble bees. If completing all initial ground-disturbing activities between September 1 and March 31 is not feasible, then at a maximum of 14 days prior to the commencement of construction activities, a qualified biologist with 10 or more years of experience conducting biological resource surveys within California shall conduct a preconstruction survey for special-status bumble bees in the area(s) proposed for impact. *The survey shall occur during the period from one hour after sunrise to two hours before sunset, with temperatures between 65 degrees Fahrenheit and 90 degrees Fahrenheit, with low wind and zero rain. If the timing of the start of construction makes the survey infeasible due to the temperature requirements, the surveying biologist shall select the most appropriate days based on the National Weather Service seven-day forecast and shall survey at a time of day that is closest to the temperature range stated above. The survey duration shall be commensurate with the extent of suitable floral resources (which represent foraging habitat) present within the area proposed for impact, and the level of effort shall be based on the metric of a minimum of one person-hour of searching per three acres of suitable floral resources/foraging habitat. A meandering pedestrian survey shall be conducted throughout the area proposed for impact in order to identify patches of suitable floral*			

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		resources. Suitable floral resources for Crotch's bumble bee include species in the following families: Apocynaceae, Asteraceae, Boraginaceae, Fabaceae, and Lamiaceae. Suitable floral resources for western bumble bee include species in the following families: Asteraceae, Fabaceae, Rhamnaceae, and Rosaceae, as well as plants in the genera Eriogonum and Penstemon. *At a minimum, preconstruction survey methods shall include the following:* • *Search areas with floral resources for foraging bumble bees. Observed foraging activity may indicate a nest is nearby, and therefore, the survey duration shall be increased when foraging bumble bees are present;* • *If special-status bumble bees are observed, watch any special-status bumble bees present and observe their flight patterns. Attempt to track their movements between foraging areas and the nest;* • *Visually look for nest entrances. Observe burrows, any other underground cavities, logs, or other possible nesting habitat;* • *If floral resources or other vegetation preclude observance of the nest, small areas of vegetation may be removed via hand removal, line trimming, or mowing to a height of a minimum of*			

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
Item Number	**Checklist Question**	**Mitigation Measure**	**Monitoring Agency**	**Implementation Schedule**	**Sign-Off**
		four inches to assist with locating the nest; • *Look for concentrated special-status bumble bee activity;* • *Listen for the humming of a nest colony; and* • *If bumble bees are observed, attempt to photograph the individual and identify it to species.* *The biologist conducting the survey shall record when the survey was conducted, a general description of any suitable foraging habitat/floral resources present, a description of observed bumble bee activity, a list, of bumble bee species observed, a description of any vegetation removed to facilitate the survey, and their determination of if survey observations suggest a special-status bumble bee nest(s) may be present or if construction activities could result in take of special-status bumble bees. The report shall be submitted to the City of Livermore Community Development Department prior to the commencement of construction activities.* *If bumble bees are not located during the preconstruction survey or the bumble bees located are definitively identified as a common species (i.e., not special-status species), then further mitigation or coordination with the CDFW is not required.* *If any sign(s) of a bumble bee nest is observed, and if the species present cannot be*			

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		established as a common bumble bee, then construction shall not commence until either (1) the bumble bees present are positively identified as common (i.e., not a special-status species), or (2) the completion of coordination with CDFW to identify appropriate mitigation measures, which may include, but not be limited to, waiting until the colony active season ends, establishment of nest buffers, or obtaining an Incidental Take Permit (ITP) from CDFW. *If special-status bees are located, and after coordination with CDFW take of special-status bumble bees cannot be avoided, the project proponent shall obtain an ITP from CDFW, and the project proponent shall implement all conditions identified in the ITP. Mitigation required by the ITP may include, but not be limited to, the project proponent translocating nesting substrate in accordance with the latest scientific research to another suitable location (i.e., a location that supports similar or better floral resources as the impact area), enhancing floral resources on areas of the project site that will remain appropriate habitat, worker awareness training, and/or other measures specified by CDFW.* *Nesting Birds and Raptors* *IV-3 If project construction begins during the nesting season (February 1 to August 31), a qualified biologist shall conduct a nesting bird survey within seven days prior to construction activities. The nesting bird survey shall include*	City of Livermore Community Development Department	Seven days prior to construction activities if project construction begin during the nesting	

MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
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		walking transects to search for ground nesting birds, and an examination of all trees on-site and within all accessible areas within 200 feet of the entire project site and off-site improvement areas (i.e., within a zone of influence of nesting birds). If nesting birds are not found within the project site or off-site improvement areas, further mitigation shall not be required. *If migratory birds are identified nesting on or within the zone of influence, the Wildlife Agencies shall be notified immediately of nest locations. A qualified biologist shall establish a temporary protective nest buffer around the nest(s). The nest buffer shall be staked with orange construction fencing. The buffer must be of sufficient size to protect the nesting site from construction-related disturbance and shall be established by a qualified ornithologist or biologist with extensive experience working with nesting birds near and on construction sites. Typically, adequate nesting buffers are 75 feet from the nest site or nest tree dripline for small birds and up to 300 feet for sensitive nesting birds that include several raptor species known in the region of the project site but that are not expected to occur on the project site. Upon completion of nesting surveys, if nesting birds are identified on or within a zone of influence of the project site, a qualified ornithologist/biologist that frequently works with nesting birds shall prescribe adequate nesting buffers to protect the nesting*		season (February 1 to August 31)	

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		birds from harm while the project is constructed. *Construction or earth-moving activity shall not occur within any established nest protection buffer prior to September 1 unless a qualified ornithologist/biologist determines that the young have fledged and have attained sufficient flight skills to avoid project construction zones, or that the nesting cycle is otherwise completed. In the region of the project site, most species complete nesting by mid-July; however, the date may be significantly earlier or later, and would have to be determined by the qualified biologist. At the end of the nesting cycle, and fledging from the nest by its occupants, as determined by a qualified biologist, temporary nesting buffers may be removed and construction may commence in established nesting buffers without further regard for the nest site. If active nesting buffers are established and a biologist does not confirm that the nesting cycle is completed, then the nesting buffers must be maintained until the end of the CDFW recognized nesting season (September 1).* *Should construction activities cause a nesting bird to do any of the following in a way that would be considered a result of construction activities, then the exclusionary buffer shall be increased such that activities are far enough from the nest to stop the following agitated behavior: vocalize, make defensive flights at intruders, get up from a brooding position, or*			

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		fly off the nest. The revised non-disturbance buffer shall remain in place until the chicks have fledged or as otherwise determined by a qualified biologist in consultation with the City of Livermore. *A report detailing compliance with the provisions set forth herein shall be prepared by the qualified biologist and submitted for review and approval to the City of Livermore Community Development Department.*			
V-b,c	b. Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5 c. Disturb any human remains, including those interred outside of dedicated cemeteries	*V-1* *In the event a potentially significant cultural resource is encountered during subsurface earthwork activities, all construction activities on-site shall cease and workers should avoid altering the materials until an archaeologist who meets the Secretary of Interior's Professional Qualification Standards for archaeology has evaluated the find(s). The Applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. The qualified archeologist shall make recommendations to the Lead Agency on the measures that shall be implemented to protect the discovered resources, including but not limited to, culturally appropriate temporary and permanent treatment, which may include avoidance of cultural resources, in-place preservation, and/or re-burial on project property so the resource(s) are not subject to further disturbance in perpetuity. If avoidance is determined to be infeasible, pursuant to CEQA Guidelines Section 15126.4(b)(3)(C), a data recovery plan, which makes provisions for*	City of Livermore Community Development Department The Northwest Information Center (NWIC) The State Historic Preservation Office (SHPO)	During subsurface earthwork activities, in the event a potentially significant cultural resource is encountered	

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		adequately recovering the scientifically consequential information from and about the historical resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. If necessary, excavation and evaluation of the find(s) shall comply with Section 15064.5 of the CEQA Guidelines. *Potentially significant cultural resources include, but are not limited to, stone, bone, glass, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites, including trash pits older than 50 years. Any previously undiscovered resources found during construction within the project site shall be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and will be submitted to the City of Livermore, the Northwest Information Center, and the State Historic Preservation Office (SHPO), as required.*			
		V-2 *In the event of the accidental discovery or recognition of any human remains, further excavation or disturbance of the find or any nearby area reasonably suspected to overlie adjacent human remains shall not occur until compliance with the provisions of CEQA Guidelines Section 15064.5(e)(1) and (2) has occurred. The Guidelines specify that in the event of the discovery of human remains other than in a dedicated cemetery, no further*	City of Livermore Community Development Department Alameda County Coroner Native American Heritage	During construction, in the event of the accidental discovery or recognition of any human remains	

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		excavation at the site or any nearby area suspected to contain human remains shall occur until the County Coroner has been notified to determine if an investigation into the cause of death is required. If the Coroner determines that the remains are Native American, then, within 24 hours, the Coroner must notify the Native American Heritage Commission, which in turn will notify the most likely descendants who may recommend treatment of the remains and any grave goods. The potential exists that the Native American Heritage Commission may be unable to identify a most likely descendant, the most likely descendant fails to make a recommendation within 48 hours after notification by the Native American Heritage Commission, or the landowner or his authorized agent rejects the recommendation by the most likely descendant and mediation by the Native American Heritage Commission fails to provide a measure acceptable to the landowner. In such a case, the landowner or his authorized representative shall rebury the human remains and grave goods with appropriate dignity at a location on the property not subject to further disturbances. Should human remains be encountered, a copy of the resulting County Coroner report noting any written consultation with the Native American Heritage Commission shall be submitted as proof of compliance to the City's Community Development Department.	Commission (NAHC) (if the coroner determines that the remains are Native American)		

MITIGATION MONITORING AND REPORTING PROGRAM
PARKWEST CASINO 580 EXPANSION PROJECT

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VII-d	Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property	*VII-1* *Prior to approval of any grading permits, a Geotechnical Analysis shall be conducted by a California Registered Civil Engineer or Geotechnical Engineer to characterize the subsurface conditions of the project site. The report shall address and make recommendations on the following:* • *Road, pavement, and parking area design;* • *Grading practices;* • *Erosion/winterization; and* • *Special problems discovered on-site, (i.e., groundwater, expansive/unstable soils, etc.).* *All grading plans for the project shall be designed by a Civil and Structural Engineer and reviewed and approved by the Director of Public Works/City Engineer, Chief Building Official, and a qualified Geotechnical Engineer prior to issuance of grading and building permits to ensure that all geotechnical recommendations specified in the Geotechnical Analysis are properly incorporated and utilized in the project design.*	City of Livermore City Engineer Chief Building Official	Prior to approval of any grading and/or building permits	
VII-f	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature	*VII-2* *The following requirements shall be noted on project Improvement Plans, subject to review and approval by the City of Livermore Community Development Department. Should any vertebrate fossils (e.g., teeth, bones), an unusually large or dense accumulation of intact invertebrates, or well-preserved plant material (e.g., leaves) be unearthed by the construction crew, then ground-disturbing activity shall be*	City of Livermore Community Development Department	During construction, in the event of accidental discovery of vertebrate fossils, invertebrates, or well-preserved plant materials	

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		diverted to another part of the project site and a paleontologist shall be called on-site to assess the find and, if significant, recover the find in a timely matter. Finds determined significant by the paleontologist shall then be conserved and deposited with a recognized repository, such as the University of California Museum of Paleontology. The alternative mitigation would be to leave the significant finds in place, determine the extent of significant deposit, and avoid further disturbance of the significant deposit. The City of Livermore Community Development Department shall be notified of the discovery of any paleontological resources.			
XVIII-a,b	a. 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) b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in	*XVIII-1* *Implement Mitigation Measures V-1 and V-2.* *XVIII-2* *Tribal Monitoring. Prior to ground disturbing activities, the project applicant shall coordinate with the Confederated Villages of Lisjan Nation, the Amah Mutsun Tribal Band of San Juan Bautista, and the Indian Canyon Band of Costanoan Ohlone People to retain a representative Tribal Monitor(s). The Tribal Monitor(s) shall have the authority to halt and redirect work should any archeological or Tribal Cultural Resources be identified during monitoring. If archeological or Tribal Cultural Resources are encountered during ground disturbing activities, work within 100 feet of the find must halt and the find must be evaluated for listing in the CRHR and NRHP. Monitoring may be reduced or halted at the discretion of*	See Mitigation Measures V-1 and V-2 City of Livermore Community Development Department Representative Tribal Monitor	See Mitigation Measures V-1 and V-2 Prior to ground disturbing activities	

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	subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe	*the Tribal Monitor(s), in consultation with the City of Livermore Community Development Department, as warranted by conditions such as encountering bedrock, sediments being excavated are fill, negative findings during the first 50 percent of the entire area of ground disturbance, etc. If monitoring is reduced to spot checking, spot checking shall occur when ground disturbing activities moves to a new location within the project site and when ground disturbance will extend to depths not previously reached (unless those depths are within bedrock).*			
		XVIII-3 <u>Inadvertent Discovery of Tribal Cultural Resources.</u> *If cultural resources of Native American origin are identified during grading or excavation of the proposed project, all ground disturbing activities within 100 feet shall cease until an archeologist has evaluated the nature and significance of the find as a cultural resource and a representative from culturally affiliated Native American Tribes is consulted by the government agency. The archeologist will stake the area of discovery, placing stakes no more than 10 feet apart, forming a circle having a radius of no less than 100 feet from the point of discovery. If the entity in consultation with the consulting Tribe(s), determines that the resource is a Tribal Cultural Resource and thus significant under CEQA and/or the Tribe, the entity shall retain a qualified archeologist and a Tribal monitor, at the applicant's expense, to prepare a mitigation plan, which shall be implemented by*	Representative Tribal Monitor	During grading or excavation activities, in the event of accidental discovery of Tribal Cultural Resources	

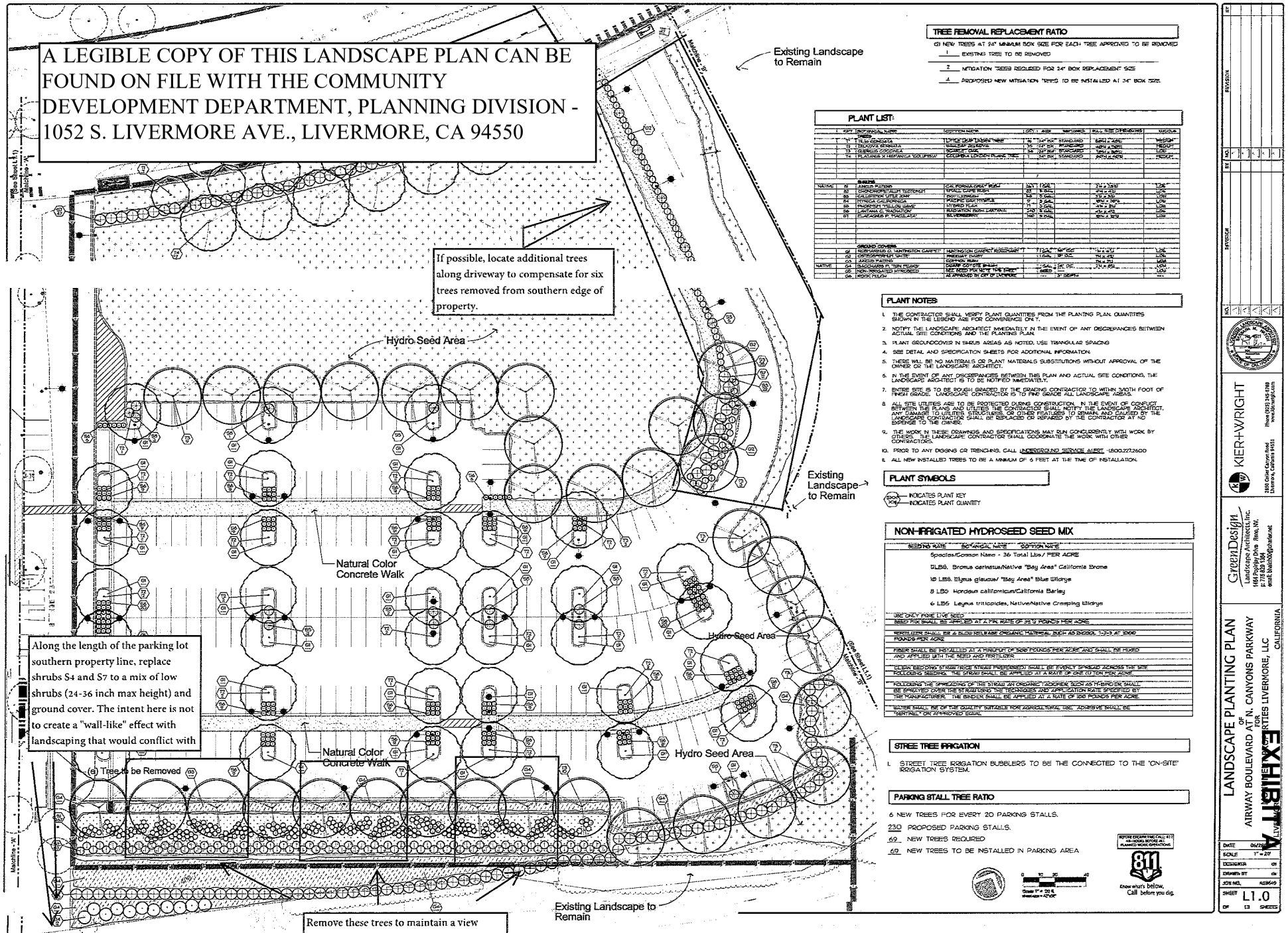
MITIGATION MONITORING AND REPORTING PROGRAM PARKWEST CASINO 580 EXPANSION PROJECT					
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		the entity in accordance with state guidelines and in consultation with the consulting Tribe. The mitigation plan shall include avoidance of the resource or, if avoidance of the resource is not feasible, the plan shall outline appropriate treatment of the resource in coordination with the consulting Tribe and, if applicable, a qualified archeologist. Examples of appropriate mitigation for the Tribal cultural resources include, but are not limited to, protecting the cultural character and integrity of the resources, protecting traditional use of the resources, protecting the confidentiality of the resources, or heritage recovery.			
		XVIII-4 *Tribal Cultural Resources Awareness Training. The following language shall be noted on project Improvement Plans, subject to review and approval by the City of Livermore Community Development Department:* *Prior to the initiation of construction, all construction crew members, consultants, and other personnel involved in project implementation shall receive project-specific Tribal Cultural Resource (TCR) Awareness Training. The training shall be conducted in coordination with qualified cultural resource specialists and representatives from culturally affiliated Native American Tribes. The training will emphasize the requirement for confidentiality and culturally appropriate, respectful treatment of any finds of significance to culturally affiliated Native American Tribes. All personnel required to receive the training*	City of Livermore Community Development Department	Prior to the approval of Improvement Plans	

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		shall also be required to sign a form that acknowledges receipt of the training, which shall be submitted to the City of Livermore Community Development Department for review and approval. As a component of the training, a brochure will be distributed to all personnel associated with the project implementation. At a minimum the brochure shall discuss the following topics in clear and straightforward language: • *Field indicators of potential archaeological or cultural resources (i.e., what to look for, for example: archaeological artifacts, exotic or non-native rock, unusually large amounts of shell or bone, significant soil color variations, etc.)* • *Regulations governing archeological resources and tribal cultural resources.* • *Consequences of disregarding or violating laws protecting archeological or tribal cultural resources.* • *Steps to take if a worker encounters a possible resource.* *The training shall include project specific guidance for on-site personnel including protocols for resource avoidance, when to stop work, and whom to contact if potential archeological or TCRs are identified. The training shall also address the stoppage of work if potentially significant cultural resources are discovered during ground disturbing*			

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		activities, and in the case of possible human remains the proper course of action requiring immediate contact with the County Coroner and the NAHC.			

EXHIBIT A

A LEGIBLE COPY OF THIS LANDSCAPE PLAN CAN BE FOUND ON FILE WITH THE COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION - 1052 S. LIVERMORE AVE., LIVERMORE, CA 94550



TREE REMOVAL REPLACEMENT RATIO

(2) NEW TREES AT 24" MINIMUM BOX SIZE FOR EACH TREE APPROVED TO BE REMOVED

1 EXISTING TREE TO BE REMOVED

2 MITIGATION TREES REQUIRED FOR 24" BOX REPLACEMENT SIZE

4 PROPOSED NEW MITIGATION TREES TO BE INSTALLED AT 24" BOX SIZE

PLANT LIST:

KEY	QTY	BOTANICAL NAME	COMMON NAME	POT SIZE	SPACING	WATER USE	REMARKS
		TREES					
	14	ULMUS CARPINIFOLIA	LITTLE LEAF LINDEN	24" BOX	AS SHOWN	MODERATE	
	13	ZELKOVA SERRATA	JAPANESE ZELKOVA	24" BOX	AS SHOWN	MODERATE	
	13	CERCIDIUM FLORIDUM	BLUE PALO VERDE	24" BOX	AS SHOWN	LOW	
	74	PLATANUS X HISPANICA 'COLUMBIA'	COLUMBIA LONDON PLANE TREE	24" BOX	AS SHOWN	MODERATE	
		SHRUBS					
NATIVE	82	JUNCUS PATENS	CALIFORNIA GRAY RUSH	5GAL	4'-0" o.c.	LOW	
	82	CHONDROPETALUM TECTORUM	SMALL CAPE RUSH	5GAL	4'-0" o.c.	LOW	
	69	KALLISTROA 'LITTLE JOHN'	DWARF FLEMEGOLD	5GAL	3'-0" o.c.	LOW	
	84	RHUS CALIFORNICA	PACIFIC SUMAC SHRUB	5GAL	3'-0" o.c.	LOW	
	68	PHLOMIS 'YELLOW SAGE'	YELLOW SAGE	5GAL	3'-0" o.c.	LOW	
	66	LANTANA C. 'RADICANS'	RADICATION PURPLE LANTANA	5GAL	4'-0" o.c.	LOW	
	61	PLATANUS P. 'YUCCATAN'	SILVERBERRY	5GAL	4'-0" o.c.	LOW	
		GROUND COVERS					
	68	ROSMARINUS O. 'HUNTINGTON CARPET'	HUNTINGTON CARPET ROSEMARY	1 GAL	24" o.c.	LOW	
	62	COTONEASTER LUCIDUS	PEKING COTONEASTER	1 GAL	36" o.c.	LOW	
	63	JUNCUS PATENS	CALIFORNIA GRAY RUSH	1 GAL	24" o.c.	LOW	
NATIVE	64	BACCHARIS P. 'TOM PEAKO'	DWARF COYOTE BRUSH	1 GAL	36" o.c.	LOW	
	65	NON-IRRIGATED HYDROSEED	SEE SEED MIX NOTE THIS SHEET	SEED	AS SHOWN	LOW	
	66	ROCK MULCH	AS APPROVED BY CITY OF LIVERMORE		3" DEPTH		

PLANT NOTES:

1. THE CONTRACTOR SHALL VERIFY PLANT QUANTITIES FROM THE PLANTING PLAN. QUANTITIES SHOWN IN THE LEGEND ARE FOR CONVENIENCE ONLY.
2. NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IN THE EVENT OF ANY DISCREPANCIES BETWEEN ACTUAL SITE CONDITIONS AND THE PLANTING PLAN.
3. PLANT GROUNDCOVER IN SHRUB AREAS AS NOTED, USE TRIANGULAR SPACING
4. SEE DETAIL AND SPECIFICATION SHEETS FOR ADDITIONAL INFORMATION.
5. THERE WILL BE NO MATERIALS OR PLANT MATERIALS SUBSTITUTIONS WITHOUT APPROVAL OF THE OWNER OR THE LANDSCAPE ARCHITECT.
6. IN THE EVENT OF ANY DISCREPANCIES BETWEEN THIS PLAN AND ACTUAL SITE CONDITIONS, THE LANDSCAPE ARCHITECT IS TO BE NOTIFIED IMMEDIATELY.
7. ENTIRE SITE IS TO BE ROUGH GRADED BY THE GRADING CONTRACTOR TO WITHIN 1/10TH FOOT OF FINISH GRADE. LANDSCAPE CONTRACTOR IS TO FINE GRADE ALL LANDSCAPE AREAS.
8. ALL SITE UTILITIES ARE TO BE PROTECTED DURING CONSTRUCTION. IN THE EVENT OF CONFLICT BETWEEN THE PLANS AND UTILITIES THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT. ANY DAMAGE TO UTILITIES, STRUCTURES, OR OTHER FEATURES TO REMAIN, AND CAUSED BY THE LANDSCAPE CONTRACTOR SHALL BE REPLACED OR REPAIRED BY THE CONTRACTOR AT NO EXPENSE TO THE OWNER.
9. THE WORK IN THESE DRAWINGS AND SPECIFICATIONS MAY RUN CONCURRENTLY WITH WORK BY OTHERS. THE LANDSCAPE CONTRACTOR SHALL COORDINATE THE WORK WITH OTHER CONTRACTORS.
10. PRIOR TO ANY DIGGING OR TRENCHING, CALL UNDERGROUND SERVICE ALERT 1.800.227.2600
11. ALL NEW INSTALLED TREES TO BE A MINIMUM OF 6 FEET AT THE TIME OF INSTALLATION.

PLANT SYMBOLS

INDICATES PLANT KEY
INDICATES PLANT QUANTITY

NON-IRRIGATED HYDROSEED SEED MIX

SEEDING RATE	BOTANICAL NAME	COMMON NAME
	Species/Common Name - 36 Total Lbs / PER ACRE	
	12 LBS. Bromus carinatus/Native "Bay Area" California Brome	
	10 LBS. Elymus glaucus/ "Bay Area" Blue Wildrye	
	8 LBS Hordeum californicum/California Barley	
	6 LBS Leymus triticoides, Native/Native Creeping Wildrye	

USE ONLY PURE LIVE SEED.
SEED MIX SHALL BE APPLIED AT A MIN. RATE OF 25 ½ POUNDS PER ACRE.
FERTILIZER SHALL BE A SLOW RELEASE ORGANIC MATERIAL SUCH AS DIGGER, 1-2-3 AT 2000 POUNDS PER ACRE
FIBER SHALL BE INSTALLED AT A MINIMUM OF 3000 POUNDS PER ACRE AND SHALL BE MIXED AND APPLIED WITH THE SEED AND FERTILIZER.
GREEN BINDING STRAW (RICE STRAW PREFERRED) SHALL BE EVENLY SPREAD ACROSS THE SITE FOLLOWING SEEDING. THE STRAW SHALL BE APPLIED AT A RATE OF ONE (1) TON PER ACRE.
FOLLOWING THE SPREADING OF THE STRAW AN ORGANIC TACKIFIER, SUCH AS HY-BIND OR SIMILAR, BE SPRAYED OVER THE STRAW USING THE TECHNIQUES AND APPLICATION RATE SPECIFIED BY THE MANUFACTURER. THE BINDER SHALL BE APPLIED AT A RATE OF 100 POUNDS PER ACRE.
WATER SHALL BE OF THE QUALITY SUITABLE FOR AGRICULTURAL USE. ADHESIVE SHALL BE "AGRITAC" OR APPROVED EQUAL

STREET TREE IRRIGATION

1. STREET TREE IRRIGATION BUBBLERS TO BE THE CONNECTED TO THE "ON-SITE" IRRIGATION SYSTEM.

PARKING STALL TREE RATIO

6 NEW TREES FOR EVERY 20 PARKING STALLS.
230 PROPOSED PARKING STALLS.
69 NEW TREES REQUIRED
69 NEW TREES TO BE INSTALLED IN PARKING AREA

811 Know what's below. Call before you dig.

REVISION | NO. | BY

KIER+WRIGHT
2350 Corder Canyon Road, Livermore, California 94551
Phone (925) 245-8788 www.kierwright.com

GreenDesign Landscape Architects, Inc.
1661 Poplar Drive Brea, CA
p. 714.833.1564
email: bsleitch@pacbell.net

LANDSCAPE PLANTING PLAN
OF AIRWAY BOULEVARD AT N. CANYONS PARKWAY
CITY OF LIVERMORE, LLC
ALAMEDA COUNTY CALIFORNIA

EXHIBIT A

DATE 06/29/21
SCALE 1" = 20'
DESIGNER CH
DRAWN BY ck
JOB NO. 4238549
SHEET L1.0
OF 13 SHEETS

CITY OF LIVERMORE
ENGINEERING CONSIDERATIONS

Date: December 23, 2024

LOCATION: **950-968 North Canyons Parkway & unaddressed vacant property to the east of 950-968 North Canyons Parkway**
DEVELOPER: **Monument Properties Livermore LLC**
PLANNING REFERRAL #: **MUNI 24-002, DCA 24-004, DA 24-003, CUPM 24-001, SPDRM 24-024, & SPDR 24-010**

Note: Specific conditions are shown in large type. *Standard conditions that apply to this project are shown in italic type.*

1. DEFINITIONS:

For the purpose of this agreement, the following words shall have the meanings respectively ascribed to them by this section:

Developer:	*Person(s) or Corporation(s) that will obtain permits for construction*
Improvement Plans:	*Construction drawings for required public and private improvements*
Services:	*Utility lateral, or any portions of a conduit cable or duct, between a utility distribution line and the site it serves*
Project:	*The work to be performed by Developer*

2. PROJECT ENTITLEMENTS

A. The project shall be in conformance with all City Ordinances, rules, regulations, and policies. The conditions listed below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

B. Approval or conditional approval of the above listed entitlements and agreement shall not supersede these Engineering Considerations and any applicable City Standards nor limit the City's Engineer's ability to require workable designs on future grading and improvement plans based upon these Engineering considerations and the City's Standard engineering specifications and details.

3. SPECIFIC CONDITIONS:

The Developer shall comply with the following conditions:

A. The fire service and fire sprinklers shall be connected to the potable water system.
B. The Developer shall install pressure reduction valves (PRVs), backflow prevention devices and appurtenances on the potable and reclaimed water services as directed by the City Engineer. All waterline valves must notate "EPDM" on the valve body.

C. There are no existing overhead electric, telephone, and cable TV wires along the frontage of this project. However there are existing overhead electric power that are 60KV and higher along the southern boundary of this site. The existing electric power that is 60KV or higher can remain overhead and all new services shall be installed underground (with the exception of electric lines with 60 KV and higher voltages). The Developer shall note this work on the approved site plans.

D. There is/are existing City sanitary sewer/storm drain/water easement(s) on-site. Trees, structures, and other utility facilities shall not be placed within this/these easement(s).

E. There are private easements on this site and it is the Developer's responsibility to not interfere with the use of these easements.

F. The Developer shall have a certified CASp Specialist review and certify that the design for all pedestrian improvements within the public right-of-way or a public easement complies with a minimum of one of the following applicable regulations: American with Disabilities Act (ADA) requirements, the Public Rights-of-Way Accessibility Guidelines (PROWAG), and the requirements found in Chapter 11B of the 2019 California Building Code. If an accessibility design cannot meet the above listed applicable standards, the Developer shall propose and the CASp Specialist shall concur with a design exception request for approval by the City Engineer or their designee. In addition, the Developer shall have the certified CASp Specialist inspect and certify that pedestrian improvements are installed per the CASp certified design. Pedestrian improvements include new trails, walkways, sidewalks, accessible ramps, connections between existing and new pedestrian improvements, and modifications to existing pedestrian improvements within or adjacent to the project site, as shown on the approved plans.

G. All proposed on-site improvements shall not impede into the existing Caltrans right of way located along the southern boundary of this project.

H. The Developer shall dedicate a public sidewalk easement along the frontage of North Canyons Parkway where new sidewalk, curb, gutter, and bus shelter are located beyond the existing public right of way.

I. In accordance with the CEQA analysis for this project, the maximum amount of soil export for the surface parking lot shall be limited to 49,000 cubic yards or less.

J. The development shall annex into Community Facilities Maintenance District 2023-1 (Isabel Neighborhood Specific Plan) to provide the City maintenance funds to maintain portions of

public infrastructure and landscaping that is installed with the Isabel Neighborhood Specific Plan in accordance with the applicable rate and method of apportionment. The Developer shall initiate and bear the costs for the annexation into CFD 2023-1. Annexation documents shall be filed prior to the issuance of any permit for the project. The necessary documentation shall be submitted for City review with the first building permit plan submittal.

K. This development is within the Triad Community Facilities District 90-1A and is subject to the charges and requirements thereof.

L. The developer shall provide a reciprocal access easement/agreement with the adjacent property. This document shall be recorded prior to the issuance of a permit for the project.

4. STORM WATER SITE DRAINAGE AND TREATMENT REQUIREMENTS:

A. General

1. This site is subject to the National Pollutant Discharge Elimination System (NPDES) Program. Prior to the issuance of the initial grading or building permit, the Developer shall provide evidence that the site is covered by the statewide General Permit to Discharge Storm Water associated with construction activity. This requires confirmation that a Notice of Intent (NOI) and the applicable fee was sent to the State Water Resources Control Board. In addition, the grading plans need to state: "All grading shall be in accordance with the Storm Water Pollution Prevention Plan prepared by the Developer per the Notice of Intent on file with the State Water Resources Control Board".

2. Necessary interceptor ditches shall be concrete. Field inlets and storm drainage pipe may be necessary in conjunction with concrete interceptor ditches as secondary drainage releases. All interceptor ditches shall be privately maintained.

B. Storm Drainage Requirements

Per the City's Facilities Planning Guidelines (dated June 2005), the flows must have the following characteristics:

For a 10-year design discharge: a hydraulic grade line (HGL) is no higher than 1.25 feet below the top of curb elevation at any manhole or inlet.

For a 100-year design discharge: a HGL does not exceed the top of curb elevation. (This is required for item 3 above.)

For additional detail on these guidelines, the applicant should refer to the following resources: City of Livermore Storm Drain Master Plan & City of Livermore Facilities Planning Guidelines (both available at the Engineering counter at City Hall).

The Developer shall connect to the existing city storm drain line located along the southern boundary within the existing city storm drain easement without encroaching into the existing Caltrans right of way.

C. Stormwater Drainage Maintenance Funding

The cost to maintain all private storm drainage infrastructure installed with this project shall be funded by the Developer.

D. Stormwater Treatment, Detention and Trash Capture Requirements

1. The Developer shall treat the storm water runoff from this site prior to having the storm water enter the City's storm water distribution system. Stormwater Treatment, Low Impact Development, and Trash Capture, is required by the Regional Water Quality Control Board. The Developer shall complete and or update the required Stormwater Quality Checklist. The Developer shall provide a storm water treatment plan with calculations indicating treatment that meets the latest requirements indicated in Section C.3 of the City's NPDES Permit with the Regional Water Quality Control Board. Approval of this plan and calculations by the City is required prior to the approval of the building permit.

2. If this project is greater than one acre, the Developer shall provide a Hydrograph Modification Plan (HMP) with calculations in accordance with the Alameda Countywide Cleanwater Program (ACCWP) Bay Area Hydrology Model (BAHM) guidelines. The software for the design of control measures to meet the Flow Duration Control is available to download from www.bayareamodel.org. *For additional information you may contact Debbie Salgado in the City's Engineering Department at (925-960-4558)*

3. Prior to building permit approval, the applicant shall enter into a maintenance agreement with the City of Livermore for all storm water treatment devices deemed necessary on this site. If the stormwater treatment devices will be maintained by more than one property owner a cleanout will be necessary at the property lines to allow the property owners to maintain their portion of the private stormwater treatment system. If the stormwater treatment device will be maintained by a Business Association then the cleanouts or manholes at each of the property lines may not be needed. The stormdrain treatment devices shall be shown on an exhibit and included in the Operations and Maintenance Agreement. The Operations and Maintenance Agreement shall be recorded prior to occupancy.

E. Stormwater Treatment Infrastructure Maintenance Funding

The cost to maintain all storm water treatment, detention and low impact development infrastructure installed with this project shall be funded by the Developer.

5. REQUIRED ON-SITE SOURCE CONTROL STORMWATER MEASURES:

The Regional Water Quality Control Board adopted Order R2-2022-0018 issuing the Alameda Countywide NPDES municipal storm water permit for the Alameda Countywide Clean Water Program. The 17 member agencies, including Livermore, are subject to this permit and all its requirements including the following:

"The Permittees shall, as part of their continuous improvement process, submit enhanced new development and significant redevelopment Performance Standards that summarize source control requirements for such projects to limit pollutant generation, discharge, and runoff, to the maximum extent practicable..."

In accordance with this requirement, the following source control measures are included as part of these Conditions of Approval shall be implemented as a part of this project.

A. Structural Control Measures

1. Illegal Dumping to Storm Drain Inlets and Waterways

   On-site storm drain inlets shall be clearly marked with the words "No Dumping! Flows to Bay" on a stainless steel marker. The stainless steel markers are available for purchase from the Water Resources Division. For ordering information, please call 925-960-8100. For projects with newly-developed, privately-maintained streets, agency staff will verify that storm drain inlets have been marked before the final sign-off on the project's building permit or encroachment permit.

2. Interior Floor Drains (Not Used)

3. Parking Garages (Not Used)

4. Pesticide/Fertilizer Application and Irrigation

   a. Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where possible, minimize the use of fertilizers and pesticides that can contribute to storm water pollution, and incorporate appropriate Bay-Friendly Landscaping principles.

   b. If a landscaping plan is required as part of a development project application, the plan shall meet the following conditions related to reduction of pesticide use on the project site:

I. Where feasible, landscaping shall be designed and operated to treat storm water runoff by incorporating elements that collect, detain, and infiltrate runoff. In areas that provide detention of water, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified.

II. Plant materials selected shall be appropriate to site specific characteristics such as soil type, topography, climate, amount and timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment.

III. Existing native trees, shrubs, and ground cover shall be retained and incorporated into the landscape plan to the maximum extent practicable.

IV. Unless otherwise specified, proper maintenance of landscaping shall be the responsibility of the property owner.

V. Integrated pest management (IPM) principles and techniques shall be encouraged as part of the landscaping design. Some examples of IPM principles and techniques include the following:

i. Select plants that are well adapted to soil conditions at the site.
ii. Select plants that are well adapted to sun and shade conditions at the site. Consider future conditions when plants reach maturity. Consider seasonal changes and time of day.
iii. Provide irrigation appropriate to the water requirements of the selected plants.
iv. Select pest and disease resistant plants.
v. Plant a diversity of species to prevent a potential pest infestation from affecting the entire landscaping plan.
vi. Use "insectary" plants in the landscaping to attract and keep beneficial insects.

VI. Landscaping shall also comply with City of Livermore's "Water Efficient Landscape Ordinance". However, areas of a site used for bio-swales or other landscaped areas that function as a storm water treatment measure shall be exempt from the Water Efficient Landscaping requirements.

VII. An efficient irrigation system shall be installed in areas requiring irrigation. An example of an efficient irrigation system is one that includes a weather-based (automatic, self-adjusting) irrigation controller with a moisture and/or rain sensor shutoff, and in which sprinkler and spray heads are not permitted in areas less than 8 feet wide.

5. Pool, Spa, and Fountain Discharges (Not Used)

6. Food Service Equipment Cleaning (Not Used)

7. Refuse Areas

   a. New or redevelopment projects shall provide a roofed and enclosed area for dumpsters, recycling containers, compactors, and food waste containers. The area shall be designed to prevent water run-on to the area, to prevent runoff from the refuse area and to properly contain litter and trash. Dumpster leakage from covered food/trash compactor enclosures shall drain to the sanitary sewer via connection to an approved oil and grease interceptor device.

   b. Runoff from trash enclosures, recycling areas, and/or food compactor enclosures or similar facilities shall not discharge directly to the storm drain system. Trash enclosure areas shall be designed to avoid run-on to the trash enclosure area. In most cases, drains are not permitted within trash enclosure areas. A drain, however, must be provided for compactors. If a drain is required in or beneath dumpsters, compactors, and tallow bin areas, it shall be connected to a grease removal device prior to discharging to the sanitary sewer.

8. Outdoor Process Activities/Equipment [1] (Not Used)

9. Outdoor Equipment/Materials Storage (Not Used)

10. Vehicle/Equipment and Commercial/Industrial Cleaning (Not Used)

11. Vehicle/Equipment Repair and Maintenance (Not Used)

12. Fuel Dispensing Areas (Not Used)

13. Loading Docks (Not Used)

14. Fire Sprinkler Test Water

    Provisions shall be made in the project design and construction to allow for the discharge of fire sprinkler test water to an onsite vegetated area. If this is not feasible, provide for discharge to the sanitary sewer in accordance with current plumbing codes.

15. Miscellaneous Drain or Wash Water

    a. Boiler drain lines shall be connected to the sanitary sewer system and may not discharge to the storm drain system.

[1] Examples of businesses that may have outdoor process activities and equipment include machine shops and auto repair shops, and industries that have pretreatment facilities.

b. For small air conditioning units, air conditioning condensate shall be directed to landscaped areas as a minimum BMP. For large air conditioning units, in new developments or significant redevelopments, condensation lines shall be connected to the sanitary sewer system, wherever feasible.

c. Roof drains shall discharge and drain away from the building foundation to landscaped areas wherever feasible.

d. Washing and/or steam cleaning activities must be performed at an appropriately equipped facility that drains to the sanitary sewer as specified in Section J. Any outdoor washing or pressure washing must be in compliance with the City's Stormwater Management Program requirements and managed in such a way that there is no discharge of soaps or other pollutants to the storm drain system. The applicant shall contact the Water Resources Division for specific discharge requirements.

16. Architectural Copper Installation (Not Used)

B. OPERATIONAL BMPS

This section details Best Management Practices (BMP) that private property owners and/or the occupants of private property must implement following the construction of projects. Ultimately, the responsibility for implementation of these BMPs rests with the property owners. The City of Livermore's Source Control Program routinely performs inspections of industrial and commercial sites to verify BMP implementation and effectiveness.

1. Paved Sidewalks and Parking Lots

   Sidewalks and parking lots shall be swept regularly to minimize the accumulation of litter and debris. Wash water resulting from the pressure washing of parking lots must be captured, pretreated (if necessary) to meet local discharge limits, and discharged to the sanitary sewer. Wash water resulting from the pressure washing of sidewalks may be allowed to drain to the storm drain system provided that (a) no soap or other cleaning agents are used, and (b) all debris are trapped and collected to prevent entry into the storm drain system. Under no circumstances shall wash water containing any soap or other cleaning agents be discharged to the storm drain system.

2. Vehicle/Equipment Repair and Maintenance (Not Used)

3. Fueling Areas (Not Used)

4. Loading Docks (Not Used)

5. On-site Storm Drains

All on-site storm drains must be inspected and, if necessary, cleaned at least once a year immediately prior to the rainy season.

6. Architectural Copper Cleaning, Treating or Washing (Not Used)

6. STREETS:

A. The Developer shall install new separated bike lanes, striping, new bus turnout with a 6'x20' LAVTA approved bus shelter, and sidewalk improvements from Doolan Road to Airway Blvd. along North Canyons Parkway as depicted on sheets C2.0, C4.0, and C5.0 of the proposed planning entitlement plan set for this project.

B. The Per the provisions of DA 24-003, the Developer shall apply for an encroachment permit with the City and Alameda County to install "No Parking" signs along the west side of Doolan Road and along both sides of Collier Canyon Parkway. Within the City limits, the "No Parking" signs shall extend north for a minimum of 900 feet from the southern end of Doolan Road. The language, spacing, and ultimate extent of signs along Doolan Road shall be done to the satisfaction of the City Engineer or Alameda County Public Works Agency, respectively.

C. The developer shall modify the existing 3-way traffic signal to a new 4-way traffic signal at the intersection of North Canyons Parkway and the project's proposed new access driveway. The modification shall include all required upgrades for a fully traffic actuated traffic signal per current City and Caltrans standards and using equipment as specified by the City Engineer. Traffic signals shall be in operation seven days prior to the occupancy.

7. STANDARD CONDITIONS:

A. The Developer shall field verify the locations of all existing utility systems (water, sewer, drainage, electric, gas, etc.) that are necessary for this project.

B. The Developer shall extend necessary utilities to this site so that this project can be connected to them.

C. Submit plans of all existing and proposed public improvements, sanitary sewer and water services, and on-site storm drainage, for review and approval prior to building permit issuance.

D. Construct underground utility services (electric, phone, etc.) to the site. These services are typically from the utility mains that are located along a site's street frontage(s). The Developer shall note this work on the approved site plans.

E. Construct functional systems for on-site and off-site storm drainage, sanitary sewerage, and water.

G. Intercept and dispose of existing drainage upgrade from the site by an approved storm drainage system to avoid off-site ponding or the concentration of the natural run-off along the periphery of the site. Complete sufficient off-site investigation to insure that the plans clearly delineate existing conditions.

H. Avoid conflict with flood hazard areas per the City Code.

I. Install a one-way cleanout on all 6-inch laterals to provide for cleaning the laterals from the cleanout to the sewer main.

J. Install fire hydrants per Fire Marshal's recommendation.

K. This project is located within the reclaimed water service area, the irrigation system shall be connected to the reclaimed water system. If the Reclaimed water main is not currently located along the sight frontage of this project, the Developer shall extend the water main as necessary to connect to the main along said project site frontage.

L. Prepare a "Reclaimed Water Engineer's Report". (This development is within an area served by the City's reclaimed water system.)

M. Obtain City approval and State Department of Health Services approval of the "Reclaimed Water Engineer's Report" prior to issuance of a building permit.

M. Connect the fire hydrant service and the irrigation service to the City's reclaimed water system.

N. A separate water meter(s) shall be provided for the irrigation of the landscaping.

O. Prior to removal of a 1-inch, a 1.5-inch, or a 2-inch water service, the Developer shall contact the City's Water Resources Division at (925) 960-8100, and ask if the City would like to convert the service to a water sampling station. Existing water services (of any size) that will not be used by the proposed development shall be abandoned at the main unless the City wants to convert it to a water sampling station. Large services shall be abandoned by placing a blind flange on the tee at the main. Small services shall be abandoned by removing the corporation stop valve and by then installing the appropriate plug in the services. Any valves or meters on abandoned services shall be removed. The meters shall be returned to the Water Resources Division if they are not reused. The Developer shall coordinate water service installations and removals with the City's Water Resources Division as well as with the public works inspector.

P. The fire service backflow preventer(s) shall be effectively screened from the public right-of-way while at the same time preserving ease of maintenance access to the backflow preventer(s). Screening shall be as specified on City Standard Detail W-10A, B and C. The

fire service backflow preventer(s) shall meet the performance standards of the backflow preventer shown in City Standard Detail W-10A, B and C. The fire service(s) shall be located so that the fire service backflow preventer(s) can be screened without blocking sight distance at driveways and intersections.

Q. Provide adequate sight distance at all driveways and intersections. Monument signs and landscaping at driveways shall be located so that they don't restrict the sight distance of exiting drivers. Landscaping and mounding in the sight distance area along the street shall be kept to a maximum height of 2.5 feet above the top of street curb. Tree branches in the area shall be trimmed to be a minimum of 8 feet above the top of the street curb.

R. All new driveways shall be street level driveways per City Detail ST-6. Driveway widths shall comply with Note 4 on City Detail ST-8.

S. (Not Used)

T. (Not Used)

U. (Not Used)

V. Utility cuts in the frontage street along this project will require a 1-1/2" overlay across the entire length of the affected street frontage(s) to water seal the street surface, to restore the ride quality of the street surface, and to restore the appearance of the street surface.

W. Modify signing and striping as necessary.

X. (Not Used)

Y. (Not Used)

Z. If the project is on a corner lot and the sidewalk does not already have a standard access ramp then the applicant shall construct a City standard access ramp.

AA. (Not Used)

BB. (Not Used)

CC. (Not Used)

DD. Show all necessary erosion control measures on the improvement plans. In addition, the following notes shall be included on the improvement plans:

1. Construction Operations - Dust shall be controlled. Wastewater generated during construction shall not be discharged to the storm drain system. This includes waste

from painting, sawcutting, concrete work, etc. The contractor shall make arrangements to eliminate discharges to the storm drain system and, if necessary, provide an area for on-site washing activities during construction. Materials that could contaminate storm runoff shall be stored in areas that are designed to prevent exposure to rainfall and to not allow storm water to run onto the area.

2. Pavement Cleaning - Flushing of streets/parking lots to remove dirt and construction debris is prohibited unless proper sediment controls are used. Preferably, areas requiring cleaning should be swept.

EE. Prepare all public improvement plans in conformance with the latest edition of the following City of Livermore documents:

1. *Standard Specifications and Details*
2. *Development Plan Check and Procedures Manual*

FF. Submit for approval a cost estimate for the public improvements.

GG. Submit for approval a cost estimate for the public improvements. Prior to the issuance of a building permit for the site, the Developer shall provide cash or a check in the amount of the City approved cost estimate and a letter stating that the City of Livermore may put this money in a non-interest bearing trust account and may use this money at its discretion to correct safety problems if the Developer's contractor leaves unsafe conditions while performing the work, and that the City could also use this money at its discretion to restore off site or public areas to a satisfactory condition if the Developer were to abandon the project when it was partially completed. If unused this money will be returned to the Developer when the City has accepted the public improvements.

HH. Submit a certificate of insurance in the form and with the coverages required by the City.

II. Obtain an Encroachment Permit from the City's Permit Center at (925) 960-4440, prior to starting any public improvements. Construct all public improvements per City standard details and specifications.

JJ. (Not Used)

KK. Replace any broken or displaced curbs, gutters, sidewalks and driveways. The Engineering Division at (925) 960-4500 will mark the location of these defective facilities upon request by the Developer.

LL. Complete all public improvements prior to occupancy, except that the Developer may formally request to defer items that are not related to public safety. Any request to receive occupancy prior to the completion of all public improvements shall be submitted in writing to

the City Engineer and shall include the reasons that justify the request, and the number of weeks after occupancy that are needed to complete the improvements. If the request is approved by the City Engineer, the Developer may submit a cash bond in the amount of 200% of the cost of the deferred improvements with a letter that states that if the Developer has not completed the improvements by the date established by the City Engineer, the Developer will forfeit the entire cash bond to the City. The Developer's letter shall also state that the Developer understands that the City will use the forfeited funds to complete the improvements, and that the Developer also understands that the City will retain any unspent portion of the funds for administrative expenses.

MM. Submit descriptions, plats and deed documents for all necessary right-of-way and easement dedications for review and approval. The City will only accept right-of-way and easement dedications after the improvements required over said dedications have been completed by the Developer and approved by the City. The Developer shall not receive approval for occupancy until required dedications have been accepted.

8. DEVELOPMENT FEES:

A. Pay current development fee rates as adopted by the City Council. (They may be adjusted from time to time to reflect the cost of providing a facility.) The fees shall be those that are in effect on the date the City receives a complete application for a building permit. The City's "Development Fees" information sheet has the following fees that apply to this project:

City Storm Drainage
County Storm Drainage – Building
County Storm Drainage - Public Improvements
Sanitary Sewer Connection
Encroachment Permit
Inspection for Public Improvements
Building Permit
Park Facilities Fee
City Water Connection
Alameda County Water Connection, Zone 7
Tax on Construction
Low Income Housing Impact (Commercial and Industrial)
Traffic Impact Fee
Improvement Plan Check Fee
Tri-Valley Transportation
Art in Public Places
General Plan Cost Recovery
Social and Human Services
School Impact Fees (contact the Livermore School District at (925) 606-3200.)

9. INFORMATION FOR THE DEVELOPER:

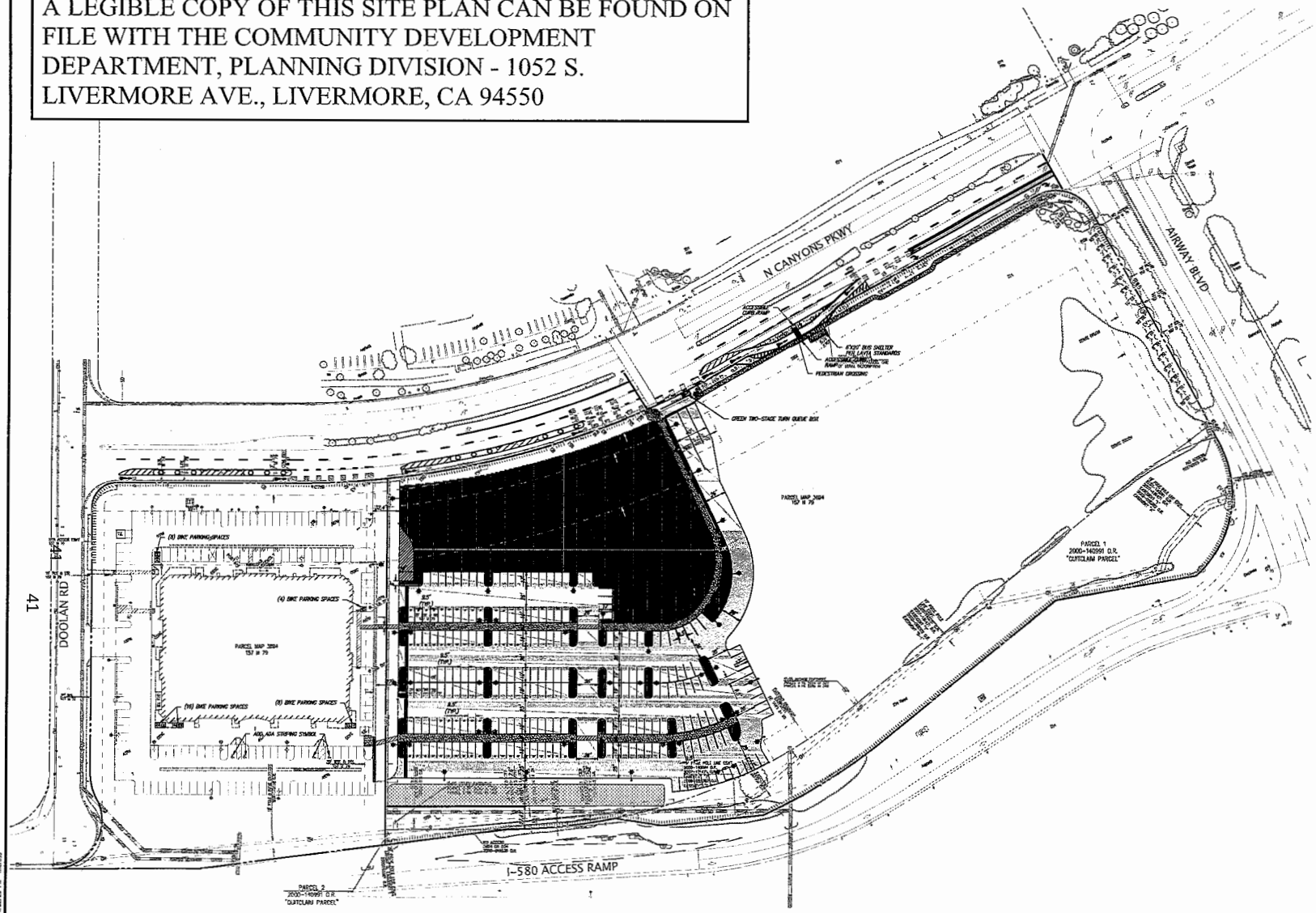
There are City Municipal Code requirements regarding the quality of water that is discharged to the sanitary sewer and the storm drainage systems. The Developer should contact the City's Water Resources Division at (925) 960-8100.

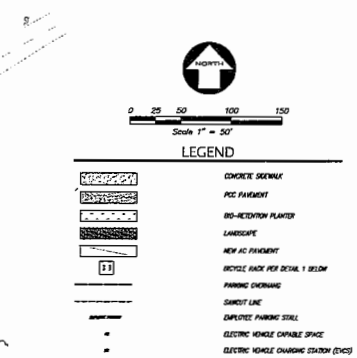
FL:DES:MAP

Muni24-002 - Casino 580 Engineering conditions Final for PC 12-23-24

EXHIBIT C

A LEGIBLE COPY OF THIS SITE PLAN CAN BE FOUND ON FILE WITH THE COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION - 1052 S. LIVERMORE AVE., LIVERMORE, CA 94550



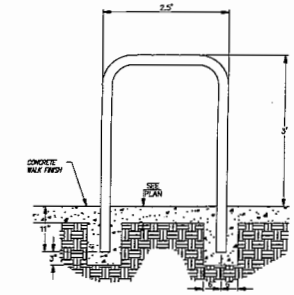


PARKING SUMMARY

	EXISTING	MODIFIED EXISTING*	PROPOSED	TOTAL
STANDARD STALLS	126	121	178	299
ELECTRICAL VEHICLE CAPABLE SPACE	0	0	26	26
ELECTRICAL VEHICLE CHARGING STATION (EVCS)	0	0	26	26
ACCESSIBLE ELECTRICAL VEHICLE CHARGING STATION (EVCS)	0	1	0	1
ADA STALLS	5	4	0	9
TOTAL	131	126	230	361

	EXISTING	MODIFIED EXISTING	PROPOSED	TOTAL
BICYCLE PARKING	0	0	36	36

PARKING COUNT NOTE:
*THE EXISTING CASINO 3RD SITE HAS 5 ACCESSIBLE STALLS AND 126 STANDARD STALLS FOR A TOTAL OF 131 STALLS. ONE OF THE EXISTING STANDARD STALLS WILL BE CONVERTED TO ONE ACCESSIBLE ELECTRIC VEHICLE CHARGING AND FOUR ACCESSIBLE STALLS. THIS MODIFICATION MAINTAINS THE 131 TOTAL STALLS ON THE EXISTING SITE. THE PARKING LOT EXPANSION ADDS AN ADDITIONAL 230 STALLS FOR A NEW TOTAL OF 361 PARKING STALLS.



STAPLE BICYCLE RACK
NOT TO SCALE
7

NO.	REVISION	BY
1	PD PERMIT SUBMITTAL 12/16/2024	JAM

KIER+WRIGHT
2850 Collier Canyon Road
Livermore, California 94551
Phone (925) 245-8788
www.kierwright.com

PRELIMINARY SITE PLAN
OF
EXHIBIT A
AT N. CANYONS PARKWAY
FOR
MONUMENT PROPERTIES LIVERMORE, LLC
LIVERMORE, CALIFORNIA

DATE	NOV. 2024
SCALE	AS SHOWN
DESIGNER	BC
DRAWN BY	CF
JOB NO.	A18649
SHEET	C5.0
	5 OF 8 SHEETS

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 6.2**

DATE: February 24, 2025

TO: Honorable Mayor and City Council

FROM: Brent Smith, Community Development Director

SUBJECT: Hearing to authorize negotiation of a Development Agreement with the Adventus Corporation to secure community benefits associated with requested land use designation changes to be considered as part of the proposed General Plan Update. Location: 3658 Las Colinas Road.

RECOMMENDED ACTION

Staff recommends the City Council adopt a resolution authorizing staff to proceed with negotiating terms for a Development Agreement (DA24-004) with the Adventus Corporation to secure community benefits associated with requested land use designation changes to be considered by the City Council at a later date as part of the proposed General Plan Update.

SUMMARY

On December 9, 2024, the Adventus Corporation submitted a Development Agreement application requesting land use designation changes on its 122-acre property, located at 3658 Las Colinas Road, north of Interstate 580 in the Springtown neighborhood (Attachment 1, Location Map). The existing General Plan land use designation for the site is Limited Agricultural with a floating Community Facilities – High School designation. As part of the General Plan Update, the property owner is requesting to change the land use designation to Hillside Conservation with a floating Medium Density Residential designation.

Before deciding on the re-designation of the property as part of the General Plan Update (City Council final adoption of the Update is anticipated in the first quarter of 2026), staff recommends that the City Council authorize the negotiation of a Development Agreement with the property owner. The property owner is agreeable to this, and staff would pursue terms and timing of community benefits through a combination of trails and park improvements, permanent conservation of open space, financial contributions to public facilities and amenities, other public infrastructure enhancements, and contributions to the Community Benefit Fund. The Livermore Development Code requires advance City Council authorization for staff to proceed with these negotiations and to confirm the general subject areas of negotiation.

DISCUSSION

In October 2005, the City entered into a Development Agreement with the property owner for the 122-acre project site at 3658 Las Colinas Road. The Development Agreement, along with a concurrently approved Conditional Use Permit, authorized the development of a private high school campus on a portion of the project site consistent with the 2003 General Plan land use designation of Limited Agriculture with a floating Community Facilities – High School designation. However, since the execution of the original Agreement, the high school development has not come to fruition, and the site remains undeveloped.

With the existing Development Agreement set to expire in December 2025, the property owner submitted a new Development Agreement application on December 9, 2024. The application seeks to obtain residential land use rights on a portion of the property and is requesting redesignation of the site to Hillside Conservation with a floating Medium Density Residential designation (14-18 dwelling units per acre) to be considered as part of the General Plan Update. This proposal would limit the residential designation and buildable area to a similar footprint as the previously approved private high school campus (approximately 35 acres).

No specific development is proposed as part of the Development Agreement application. Staff is recommending the General Plan Update have policies for this site to require additional localized planning in the form of a Neighborhood Plan (similar to the Brisa or Arroyo Vista neighborhoods) or Planned Development zoning to address site issues, natural features, circulation, and compatibility with the adjacent neighborhood.

It is anticipated the City Council will consider the final Development Agreement concurrently with the General Plan Update. Subsequent to Development Agreement approval, the property owner or any subsequent applicants will be required to initiate development of a Neighborhood Plan (which will include neighborhood outreach) and seek City approval of the Plan. Subsequent to Neighborhood Plan approval, the landowner can submit applications for a Tentative Tract Map and Site Plan Design Review to actually develop the site.

Staff does not recommend the City Council consider land use designation changes without understanding the tradeoffs. Staff finds that additional community benefit is necessary to justify the change in land use designation. In January 2024, the Council adopted the Community Benefit Policy and established the Community Benefit Fund. The policy established expenditure categories including economic incentive programs and investment in public facilities. Staff recommends City Council authorize staff to negotiate a Development Agreement to establish terms and timing for a combination of public benefits such as trails and park improvements, permanent conservation of open space, financial contributions to public facilities and amenities, other public infrastructure enhancements and financial contributions to the Community Benefit Fund.

The Livermore Development Code Chapter 9.04 requires City Council authorization for staff to proceed with negotiating a Development Agreement. Review of the Agreement together with the General Plan Update will provide the City Council and the public a more complete understanding of the intended land uses changes and enable a better-informed decision-making process.

ENVIRONMENTAL DETERMINATION

Authorization to negotiate a Development Agreement does not constitute a project for the purposes of the California Environmental Quality Act (CEQA) per section 21065 of the California Environmental Quality Act and CEQA Guidelines. Therefore, no environmental review under CEQA is required for the recommended action. Future land use designation changes approved as part of the General Plan Update will be examined in its associated Environmental Impact Report.

FISCAL AND ADMINISTRATIVE IMPACTS

Authorization includes costs associated with allocation of staff resources in negotiating terms and timing of a Development Agreement. The Development Agreement application fees paid by the applicant are meant to offset these costs.

COMMUNITY PILLAR

5: A City That Works

GOAL

17: Ensure effective use of public resources

ATTACHMENTS

1. Location Map
2. Resolution

Prepared by: Shannon Pagan
Assistant Planner

Approved by:



Marianna A. Burch
City Manager

Fiscal Review by:

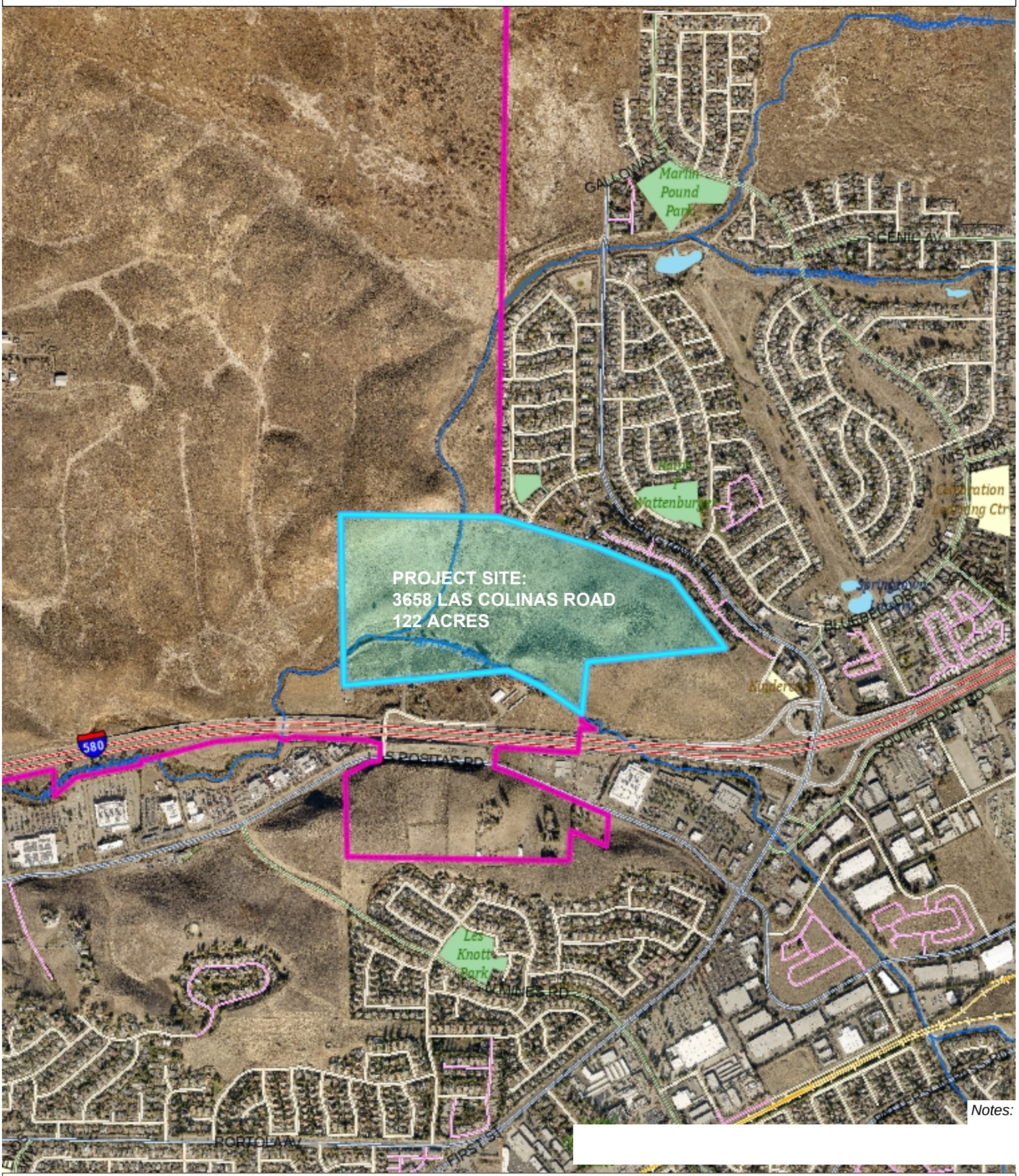


Tina Olson
Administrative Services Director

LIVERMORE CALIFORNIA

City of Livermore

ATTACHMENT 1



Notes:

2,666.7 0 1,333.33 2,666.7 Feet

NAD_1983_2011_StatePlane_California_III_FIPS_0403_

Livermore IT, GIS Services

Scale: 1: 16,000

This map is based on City of Livermore GIS Information and reflects the most current information at the time of this printing. The map is intended for reference purposes only and the City and its staff is not responsible for errors.

Prepared:

1/14/2025
12:18:42 AM

IN THE CITY COUNCIL OF THE CITY OF LIVERMORE, CALIFORNIA

A RESOLUTION AUTHORIZING STAFF TO NEGOTIATE TERMS FOR A DEVELOPMENT AGREEMENT WITH ADVENTUS CORPORATION

The applicant, the Adventus Corporation, as property owner of 3658 Las Colinas Road, submitted an application to the City of Livermore ("City") for Development Agreement (DA) 24-004 requesting land use designation changes to be considered at a later date as part of the proposed General Plan Update.

The proposed land use changes would redesignate the property's land use from Limited Agricultural with a floating Community Facilities designation to Hillside Conservation with a floating Medium Density Residential designation.

A Development Agreement is the appropriate mechanism to secure community benefit from future development of the property. Section 9.04.040 of the Livermore Development Code states that the City Council shall hold a noticed public hearing where it shall determine whether it wishes to enter into a Development Agreement along with the general subject areas City staff is authorized to negotiate.

Authorization to negotiate a Development Agreement does not constitute a project for the purposes of the California Environmental Quality Act (CEQA) per section 21065 of the California Environmental Quality Act and CEQA Guidelines. Therefore, no environmental review under CEQA is required.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Livermore that it hereby authorizes staff to negotiate Development Agreement 24-004 containing the terms by which the development on 3658 Las Colinas Road shall provide community benefit and facilitate the production of housing.

BE IT FURTHER RESOLVED by the City Council of the City of Livermore that the Development Agreement shall be considered by City Council at a later date with the proposed General Plan Update.

On motion of Council Member _____, seconded by Council Member _____, the foregoing resolution was passed and adopted on February 24, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

_____
Deborah L. Elam
City Clerk

APPROVED AS TO FORM:

/s/ Katherine Mirassou
Katherine Mirassou
Assistant City Attorney

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 7.1**

DATE: February 24, 2025

TO: Honorable Mayor and City Council

FROM: Brent Smith, Community Development Director

SUBJECT: 2045 Comprehensive General Plan Update – 2045 Draft General Plan Land Use Map

RECOMMENDED ACTION

Staff recommends the City Council receive an update on 2045 Draft General Plan Land Use Map.

SUMMARY

Since the summer of 2024, the General Plan project team has modified the preferred General Plan Land Use Scenario to create the Draft 2045 General Plan land use map. The project team's modifications incorporate Council's direction in the focus areas, adjust formatting and readability, and include changes to areas outside the focus areas that reflect property owner requests, align with current or surrounding uses, and achieve broader community goals or meet state requirements. The 2045 General Plan land use map will guide development and open space conservation over the next 20 years. Staff recommends City Council receive an update on the draft land use map.

DISCUSSION

DRAFT GENERAL PLAN LAND USE MAP

The General Plan land use map regulates land use (development and conservation) in Livermore. Updates to the land use map are an important part of the overall General Plan Update. The draft land use map reflects:

- Land use changes within the Focus Areas.
- Land use changes outside the Focus Areas.
- Updates to map legibility and the content of current land use designations.

Attachment 1 includes the Draft General Plan land use map.

Focus Area Land Use Changes.

The General Plan Advisory Committee (GPAC) identified Focus Areas or places where the current General Plan land use designation might change to lead to new or different land uses in the future, then created a new land use scenario within each Focus Area by mixing and matching various features of land use alternatives within each of the Focus Areas. On May 7, 2024, the Planning Commission reviewed the GPAC preferred land use scenario and made a recommendation to the City Council to largely accept the GPAC recommendation with some targeted land use changes. On June 10, 2024, the City Council provided final direction on land use changes within the Focus Areas, largely accepting the Planning Commission's recommendation. (Attachment 2 is a summary of City Council direction on the preferred land use scenario).

Land Use Changes Outside Focus Area

Attachment 3 summarizes the proposed land use changes outside the focus area. These changes fall into two categories:

- Property Owner Requests. Several property owners have submitted requests for land use designation changes.
- Staff Recommendations. Staff made further land use modifications to bring designations into alignment with current uses and/or to achieve broader community goals or meet State requirements. In some cases, these changes could result in non-conforming uses, which means that an existing use no longer meets current standards and may not be allowed to re-build or expand.

Property owners, including the Livermore Valley Joint unified School District, continue to request land use changes to the draft map. Staff continues to evaluate the requests and will bring back any substantive changes to the draft map to Council at a future date.

Updates to Current General Plan Land Use Designations

To finalize the preferred land use scenario, the General Plan team, which consists of City staff and Place Works planning consultants, reviewed the existing General Plan land use designations and Place Types menu from the Alternatives Evaluation to create a complete set of land use designations. While most of the land use designations remain the same, the General Plan team recommends:

- Renaming General Plan land use designations to better reflect the allowed uses.
- Merging some designations to simplify designations that allow similar uses and offer greater flexibility.
- Adding new designations resulting from the land use alternatives process.

The draft 2045 General Plan land use designations are included in Attachment 4. (For reference, the existing land use designations can be found on the city website here).

Residential Land Use Designation Revisions

The project team adjusted the formatting of the residential designations and naming convention. The intent of the reformatting creates a visually simpler map in a manner that does not change residential densities within existing neighborhoods. The project team merged the colors and created residential subcategories. (The current General Plan Land Use Map does this to some degree with the existing Urban Low and Urban High residential designations). Attachment 5 illustrates the comparisons between

the existing and the proposed land use residential categories. The proposed restructuring aligns with conventional planning practice, market conditions, and the Place Types menu used during the land use alternatives process.

Non-Residential Land Use Designation Revisions

Based on the GPAC's work on the land use alternatives process and creation of a preferred scenario, the project team consolidated some of the existing non-residential land use designations and created new designations listed below:

- **Regional Commercial:** Merges Highway Commercial and Community Serving Commercial because both existing designations allow regional commercial uses.
- **Wine-Country Commercial:** Supports wine country/visitor serving uses such as tasting rooms, groceries, restaurants, and lodging.
- **Mixed Industrial-Commercial:** Allows for production areas including sales of products made on site, which could occur in the same building, such as a winery with production uses and a tasting room, cheese production, or coffee roasting; or could occur in separate buildings next to each other.
- **Industrial-Office:** Merger of Business and Commercial Park and Low-Intensity Industrial to simplify the designations since they allow similar uses. The designation would accommodate commercial uses in addition to light industrial activities such as R&D.
- **General Industrial:** Renames High-Intensity Industrial to align with the Place Types menu and broadens the industrial uses since Low-Intensity Industrial has been replaced with the new Industrial-Office designation.
- **Specific Plan:** Applies a single land use designation color to identify Specific Plans on the Land Use Map. (The College Avenue Specific Plan is proposed to be eliminated to simplify and update the standards for that the area). The General Plan describes the intent and purpose of each Specific Plan area:
    - Downtown Specific Plan
    - Isabel Neighborhood Specific Plan
    - El Charro Specific Plan
    - South Livermore Valley Specific Plan
    - Midtown Specific Plan (newly proposed)

PLANNING COMMISSION

On December 17, 2024, the Planning Commission received a presentation on the Draft Land Use Map. Based on their independent review and the presentation received, the Planning Commission appreciated the modest changes to improve readability as well as the consolidation of land use designations to remove redundancy and add flexibility. The Planning Commission asked for further explanation of the Regional Commercial designation and did not have any future comments or questions about land use changes.

The Planning Commission asked about why specific elements of the map such as the East of Greenville Focus Area were missing. Staff explained the proposed General Plan Update will include additional maps, graphics and exhibits that will illustrate future study areas like East of Greenville consistent with Council direction, transfer development credit receiver sites and other attributes related to land use.

COMMUNITY ENGAGEMENT

On December 6, 2024, the project team mailed approximately 2,000 letters to property owners that were affected by the land use changes or near proposed changes. The letters directed the recipient to the project website, which included an explanation of the changes, a copy of the map, an interactive version of the map, and a comment box to submit feedback and ask questions. As of the date of staff report publication, the project team has received seven emails. Mainly, the emails are questions and some request for additional correspondence through the process and broader flexibility in the land use designation to maintain the existing land uses.

NEXT STEPS

Following the project team's presentation to the City Council on the draft General Plan land use map, the project team will continue work on the Draft Environmental Impact Report, complete technical modeling, and build-out analysis. In addition, the project team will work towards the next project milestones:

- Planning Commission policy review - Q2 2025
- City Council policy review - Q2 2025
- Draft General Plan and EIR publication Q3 - 2025
- Community Engagement - Q3-Q4 2025
- Draft review and adoption hearings (anticipated in) - Q4 2025-Q1 2026

FISCAL AND ADMINISTRATIVE IMPACTS

On March 1, 2021, the City Council prioritized the General Plan Update and directed staff to develop a work program. The Draft Land Use Map is a component of the work program and consistent with funds previously appropriated by Council.

COMMUNITY PILLAR

4: Inclusive & Inviting Spaces & Places

GOAL

4: Continue to Complete the General Plan Update

ATTACHMENTS

1. 2045 Draft General Plan Land Use Map
2. Summary of Council Direction on Land Use Focus Areas, June 10, 2024
3. Summary of Non-Focus Areas Land Use Changes
4. Draft 2045 General Plan Landuse Use Designations
5. Draft Residential Land Use Designations Comparison Graphic

Prepared by: Andy Ross
Principal Planner

Approved by:

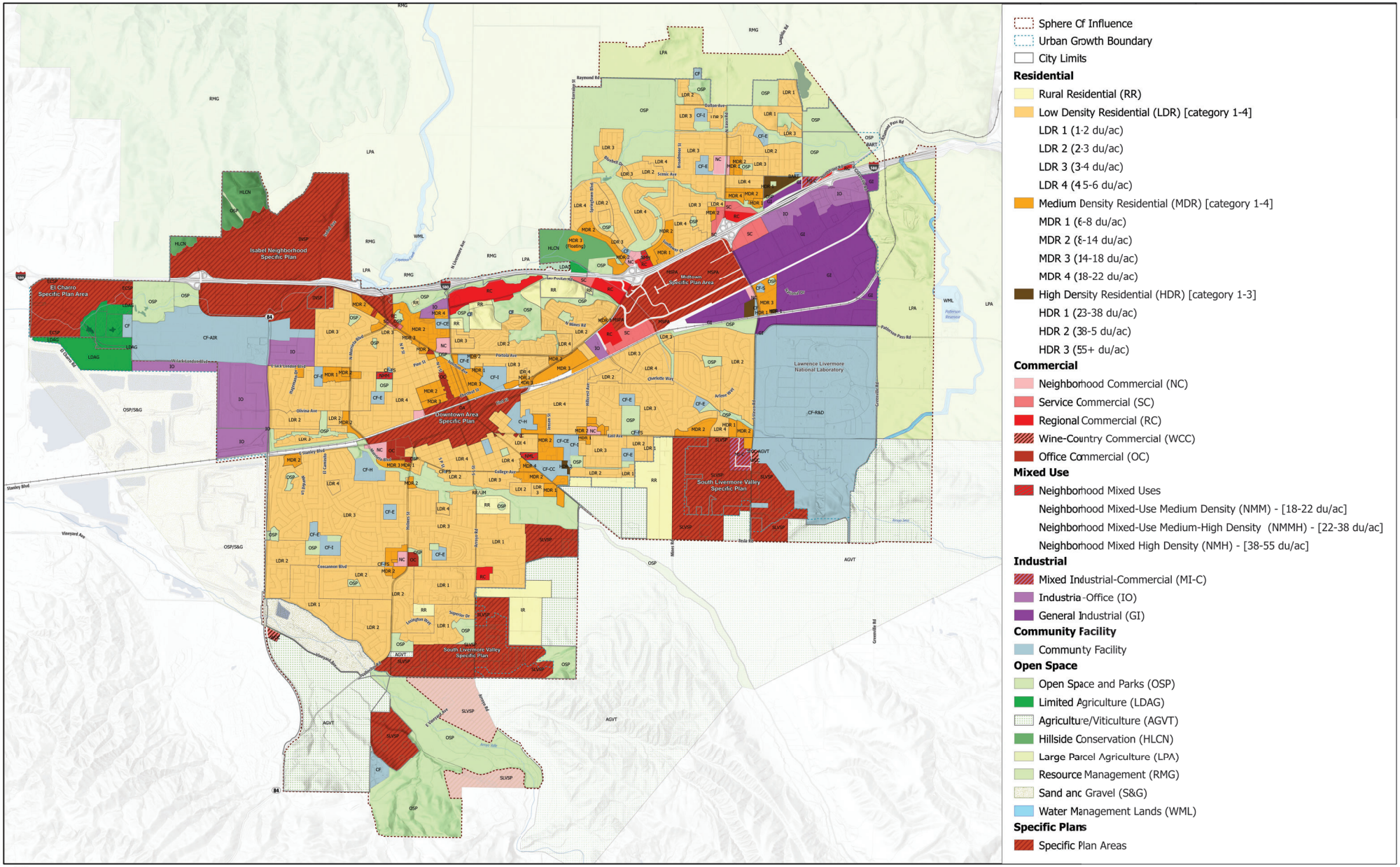


Marianna A. Burch
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director



2045 Draft General Plan Land Use Map

Source: City of Livermore, 2021; Esri, 2024; PlaceWorks, 2024

City Council Direction on the Preferred Land Use Scenario

On June 10, 2024, City Council provided the following direction on each of the General Plan Land Use Scenarios by Focus Area.

Vasco Row Focus Area

Direction for the Vasco Row Focus Area included:

- Conduct additional study to possibly develop a neighborhood or specific plan for this focus area. This plan should:
    - Evaluate the feasibility of lower/medium density housing to the extent it supports the goals of the plan. If housing is feasible, the evaluation should identify how many units to plan for.
    - Evaluate the displacement of existing industrial uses.
    - Plan for improved parking, lighting, walking, connectivity, etc.
    - Explore mechanisms to facilitate the vision for the area to enhance and expand small businesses.
- Increase the amount of land designated for Mixed Industrial Commercial to support makers village type uses, such as breweries, distilleries, wine making, and other uses.
- Limit Wine Country Commercial to the east side of Vasco Road.

Laughlin Road Focus Area

Direction for the Lauglin Road Focus Area included:

- Change Residential Medium-High Density to Residential Medium Density.
- Allow general commercial uses in the General Industrial designation.
- Blend/interface between medium density to the existing neighborhoods

Midtown Focus Area

Direction for the Midtown Focus Area included:

- Identify Midtown as a future specific plan area.
- Development of the specific plan should consider:
    - Circulation improvements outside of Midtown.
    - Improving connectivity across the focus area
        - Los Positas Road
        - North of I-580
        - Springtown area should be able to access the transit center
        - Connections to Ironhorse trail
    - Adding a north/south mixed use corridor.
    - Increase the Residential Medium-High minimum density
    - Plan for amenities that will support the future job center
    - Station planning, including planning for commuter parking.
        - evaluation of use

- Specific plan should consider a back-up land use plan if Valley Link doesn't happen.
- Limit the land use designation changes to the Midtown Core Area, but consider circulation issues for the larger Midtown Focus Area boundary, roughly North Mines Road to South Vasco Road from west to east and I-580 to Las Positas or Patterson Pass Road from north to south. The Council directed Staff to determine the actual boundary.

Las Positas Court Focus Area

Direction for the Las Positas Court Focus Area included:

- No change to existing land use designations; eliminate Las Positas Court as a Focus Area.

East of Greenville Focus Area

Direction for the East of Greenville Focus Area included:

- Identify East of Greenville as a future study area in the General Plan.
- At this time, do not identify land use designations in this area or propose expanding the Urban Growth Boundary.
- Include policies in the General Plan that specify triggers that would initiate when future land uses for this area would be studied. Triggering events or parameters could include:
    - Need to accommodate additional economic development.
    - Opportunity to provider substantial benefit to the community.
    - Current land uses.
    - Opportunity to improve quality of life.

Other Direction

In addition, to accepting the Planning Commission recommendation on the preferred land use scenario by Focus Area, the Council also directed Staff to undertake the following:

- Develop a new designation for townhomes with a density range of approximately 24 to 35 dwelling units per acre.
- Investigate development and absorption trends over the last 20 years, including business types and current operations.
- Identify the number of acres currently undeveloped and viable for industrial and commercial uses.
- Assess fiscal impacts and infrastructure improvements associated with commercial and industrial development over the last 20 years.
- Evaluate projected trends over the next 20 years.

Parcel Address	APN	Acres	Existing General Plan Land Use Designation	Preferred Scenario Land Use Designation
Property Owner Request				
3658 Colinas Rd	902 000800100	122.5	Limited Agriculture with a Potential Future School Site	Hillside Conservation with a floating Medium Density Residential 3 (14 to 18 du/ac); . The location of the residential uses would be determined through a future Neighborhood Plan.
355 S. Vasco Rd.	099 132603900	9.9	High Intensity Industrial	High Density Residential 1 (23 to 38 du/ac)
2133 Las Positas	099 010003701	7.9	Business and Commercial Park	Medium Density Residential 4 (18 to 22 du/ac)
685 E Jack London Blvd (Administrative Offices)	098 035700200	4.2	Community Facility	Medium Density Residential 2 (8 to 14 du/ac)
1040 Florence (Former Arroyo Mocho School Site)	097 008809400	9.0	Community Facility	Low Density Residential 4 (4.5 to 6 du/ac)
Staff Recommendation				
1412, 1155, 1245, 1253 Portola Ave	099 010000904 099 013000510 099 013000505 099 013000411	2.2	Highway Commercial	Service Commercial
First St (Railroad tracks to Travarno Rd)	52 Unique APNs	50.1	Service Commercial (SC), Urban High Residential (SC/UH-2)	Medium Density Residential 3 (14 to 18 du/ac)
Springtown Blvd/Bluebell Dr	099 002300702 099 002300400 099 002300702 099002300701	6.3	Service Commercial	Neighborhood Commercial
175 E Vineyard Ave	099 135699999 099 135600801 099 135600802 099 135600803	6.3	Neighborhood Commercial	Wine Country Commercial
945 Concannon Blvd	099 029802600	4.2	Urban Low Medium Residential (2 to 3 du/ac)	Medium Density Residential 2 (8 to 14 du/ac)

Parcel Address	APN	Acres		Preferred Scenario Land Use Designation
Laughlin Road Focus Area	099B530000213	39.9	Urban Low Residential 1 (1 to 1.5 du/ac)	Open Space and Parks
1600 N Vasco Rd	099B521200500 099B521200400 099B521200800 099B521200900 099B521200700 099B521200303 099B521200600 099B521200201	12.5	Community Serving General Commercial	Neighborhood Commercial
Entire neighborhood – South of Alden Ln and west of Holmes St/Vallecitos Rd	358 Unique APNs	106.8	SLVSP	Urban Low Residential 1 (UL-1) or similar
South of W Jack London Rd, west of Discovery Dr	904 000300104	51.4	Open Space/Sand & Gravel	Industrial-Office
West of Isabel Ave and south of Discovery Dr	904 001000203 904 001000205 904 001000208 904 001000207 904 001000202	84.4	Open Space/Sand & Gravel	Industrial-Office
Area bounded by Contractors Pl, Last Positas Rd, and Technology Dr	65 Unique APNs	42.2	Low & High-Intensity Industrial	Service Commercial
2000 Arroyo Rd	099 070015002 099 070001802 099 070000151	11.5	Urban Low Residential	Regional Commercial

Imagine Livermore 2045 General Plan Draft Land Use Designations

Residential

Rural Residential (RR) (1 du/ac – 1 du/5 ac; Minimum lot size - 1 acre.)
The Rural Residential designation encourages large lot development with a rural character, generally on the urban edge. This designation provides a transition between developed areas and the agricultural and open areas surrounding the community.

Low Density Residential (LDR) (Category 1-4) [density range 1-6 du/ac]
The Low Density Residential designations accommodate the lowest range of traditional suburban residential densities provide opportunities for mostly single family detached housing types in a range of neighborhood settings.

Category 1 (LDR-1): (1.0 – 2.0 du/ac)
Category 1 is rural in character and includes large separations from between buildings.

Category 2 (LDR-2): (2.0 - 3.0 du/ac)
Category 2 provides a transition from the lowest densities at the edge of the community to the higher densities experiences in the center of the community.

Category 3 (LDR-3): (3.0 - 4.5 du/ac)
Category 3 also applies to areas generally located closer to surrounding neighborhood commercial development.

Category 4 (LDR-4): (4.5 - 6.0 du/ac)
Category 4 encourages “clustering” residential development to ensure the reservation of urban open spaces and community facilities.

Medium Density Residential (MDR) (Category 1-4) [density range 6-22 du/ac]
The Medium Density Residential designations accommodate the mid-range of traditional suburban residential densities in the City. They provide single family detached housing types in a range of neighborhood settings.

Category 1(MDR-1): (6 - 8 du/ac)

Category 1 accommodates both attached and detached single family units.

Category 2 (MDR-2): (8 - 14 du/ac)

Category 2 accommodates townhouses and duplexes, and other similar attached building types.

Category 3 (MDR-3): (14 - 18 du/ac)

Category 3 provides housing opportunities through a mix of townhouses and apartments.

Category 4 (MDR-4): (18 - 22 du/ac)

Category 4 provides housing opportunities through a mix of townhouses, apartments, other attached multi-family building types.

High Density Residential (HDR) (Categories 1-3) [density 23-55+du/ac]
High Density Residential designations accommodate the highest range of residential densities in the City. They are located nearest to regional transit, employment, and activity centers and provide attached housing types such as townhouses, garden apartments, and apartments.

Category 1 (HDR-1): (23 - 38 du/ac)

Category 1 provides housing opportunities primarily in the form of apartments, condominiums, and townhouses.

Category 2 (HDR-2): (38 - 55 du/ac)

Category 2 provides housing opportunities primarily through a district wide mix of apartments, condominiums, and townhouses in a form compatible with other nonresidential uses.

Category 3 (HDR-3): (55+ du/ac)

Category 3 facilitates the highest density ranges in the City. It is primarily found nearest to regional transit and activity centers and is typically implemented through a Specific Plan to ensure compatibility and adequate infrastructure and services to accommodate development at this scale.

Commercial

Regional Commercial (RC) (.30 to 1.0 FAR)
The Regional Commercial designation is applied to commercial development along major streets, and adjacent and accessible to a highway or freeway, where any one or combination of significant community serving retail, office, and service activities are appropriate. The Regional Commercial designation encourages the location of commercial uses generally consisting of a size, bulk, and coverage found in a regional retail shopping center environment, including:

- Destination-oriented prime retail tenants and accessory retail uses.
- Business and commercial services.
- Professional and administrative offices.
- Hotels and motels.
- Restaurants.
- Motor vehicle and gasoline service stations.

Regional Commercial areas are typically located near Interstate 580 and along Major Streets and function as gateways to the community.

Neighborhood Commercial (NC) (.30 FAR)

Neighborhood Commercial areas serve neighborhood convenience shopping needs. Neighborhood Commercial areas are generally planned commercial centers comprised of a grocery store and smaller supporting uses, located on a major arterial. Neighborhood Commercial areas are intended to provide uses to meet general daily service needs including general retail (grocery stores and drug stores), restaurants, personal services (salons and dry cleaners) and professional uses (real estate, law, insurance agencies, or medical offices).

Service Commercial (SC) (.30 FAR)

Service Commercial uses include auto sales and service, general and specialized contracting services, construction equipment and material sales, nurseries, home maintenance centers and wholesale establishments, and light industrial and related uses. The SC designation is a transitional district between purely commercial activities and heavy industrial processing. This designation is applied to areas outside of the Downtown near major streets, in the general vicinity of freeway interchanges, or at other locations with significant access potential from the community at large.

Office Commercial (OC) (.60 FAR)

The Office Commercial designation provides primarily for medical, legal, insurance, and similar uses. In order to ensure maximum compatibility with land use development patterns, the OC designation envisions limited, small-scale neighborhood serving retail uses for the convenience of and benefit to the surrounding neighborhood, and medium density residential development consistent with the MDR-2 Residential land use designation (15 to 23 du/acre)(Category 1 MNM designation).

Wine-Country Commercial (WCC) (0.30 – 1.0 FAR)

The Wine-Country Commercial designation accommodates sites for visitor serving uses intended to support viticulture, agriculture, and hospitality in Livermore. Appropriate visitor serving uses include, wineries, production facilities, tasting rooms, specialty foods and goods retail, food and beverage service and sales, restaurants, rental facilities (e.g. bicycles), event spaces and entertainment venues, and lodging and overnight accommodations. The WCC designation is applied to areas on gateways into South Livermore Wine Country and designed in a manner intended to enhance the wine country and visitor experience through high quality design meant to evoke the character of South Livermore

Mixed-Use

Mixed Industrial-Commercial (MIC) (0.30 – 1.0 FAR)

The Mixed Industrial – Commercial l designation provides sites for uses where production areas have a commercial component, including sales of products made on site or related to primary production, and event spaces. Appropriate uses include artist spaces, food and beverage production and sales including wineries, distilleries, coffee roasters, and breweries, and furniture or craft products. The MIC designation may include other light manufacturing of goods, products, and materials in existing industrial park settings. Operations and sales could occur in attached or detached commercial structures on the same site.

Neighborhood Mixed-Use (NM)

The Neighborhood Mixed-Use designations are intended to help improve the pedestrian orientation of Livermore's neighborhoods by providing neighborhood commercial services within walking distance of existing residents and integrating housing with commercial development on a single site. Neighborhood serving commercial uses are typically locally-based stores or small scale shops selling various types of merchandise, small-scale food service uses such as a local market, deli, or coffee shop or small co-working and flexible office space. Mixed residential and commercial land uses are required at these sites. The redevelopment of NM sites are intended to accommodate a range of residential uses must provide a minimum of 20-percent floor area for neighborhood supportive commercial uses.

Category 1 – Neighborhood Mixed-Use Medium Density

A maximum of .30 FAR is allowed for the commercial portion of development on these sites. The residential baseline density is MDR-3: 18 du/ac – 22 du/ac.

Category 2 – Neighborhood Mixed-Use Medium-High Density

A maximum of .30 FAR is allowed for the commercial portion of development on these sites. The residential density is MDH-1: 22 du/ac – 38 du/ac.

Category 3 – Neighborhood Mixed-Use High Density

A maximum of .30 FAR is allowed for the commercial portion of development on these sites. The residential density is MDH-2: 38 du/ac – 55 du/ac.

Industrial

Industrial-Office (IO) (0.30 to 1.0 FAR)

This designation identifies locations near major streets, with relatively easy access to freeway interchanges, where a mix of manufacturing, research and development, and light industrial activities may be appropriate. The IO designation encourages the development of employment-generating activities with regional access set in campus-like environments with related amenities and ancillary uses for the benefit of the workforce and nearby residents. Light industrial uses in IO areas should not include objectionable levels of noise, vibration, odors, glare, or hazards that would create a nuisance for surrounding uses. In addition to primarily light industrial activities, ancillary uses could include commercial components, office, and services for the local workforce and the surrounding neighborhood, like childcare or professional education.

The IO designation is placed in areas where it will promote the location of:

- Advanced research and development
- Manufacturing
- Professional and administrative offices
- Support and ancillary services (e.g. restaurants, commercial retail, service stations)
- Low Intensity Industrial uses compatible with the above uses.

General Industrial (GI) (FAR .3- 1.0)

Appropriate uses for this designation include manufacturing, warehousing, research and development facilities, recycling facilities, and heavy industry that uses, stores, or processes raw materials. The General Industrial designation is intended to provide an insulated area for uses that may be objectionable in other areas due to noise, odors, vibration, glare or hazards. General-Industrial uses are located in the eastern portion of the city near Patterson Pass Road and I-580, generally between Vasco Road and Greenville Road.

Open Space and Agriculture

Open Space and Parks (OSP)

The Open Space designation is applied to areas to be maintained as permanent or semi-permanent open space. This designation may be applied to areas that are already open space, and those that should remain open space because they have valuable natural or scenic resources, or because they are unsuitable for development due to environmental hazards. This designation includes parks, trailways, recreation areas, recreation corridors, and protected areas, such as creeks and arroyos, or similar open space uses determined appropriate for the site. All proposed structures on parcels designated OSP are subject to City Design Review. General locations for potential future park facilities are indicated on the General Plan Land Use Map by a floating designation as a circular symbol and the text "OSP." Floating designations indicate the need for the facility within the general area of the City where future need for this facility is anticipated. Floating designations are not intended to be site specific.

Agriculture/Viticulture (AGVT) (100-acre site minimum; 1 du/100 ac)

Agriculture/Viticulture areas have been designated to preserve and promote agriculture and viticulture uses in locations suitable for cultivated agriculture, and to protect sensitive or unique environmental and land characteristics, including an area's rural character.

Limited Agriculture (LDAG) (20-acre minimum site)

The Limited Agriculture designation applies to those areas where 20-acre parcels may be appropriate due to existing parcel size. Appropriate uses are similar to those in the Agriculture/Viticulture designation. This designation may be used to create a transition between the areas of Large Parcel Agriculture or Agriculture/Viticulture surrounding the City and the low-density residential areas on its outskirts.

Hillside Conservation (HLCN) (1 du/20 ac to 1 du/100 ac)

The intent of this designation is to protect the natural resources of hillside areas, avoid development in areas with potentially hazardous hillside conditions, maintain the visual quality of hills and ridgelines, create a public trail system, and retain the existing rural character and small-scale agriculture of the area. This designation establishes a series of performance standards for determining density, based on physical and environmental features such as slope gradient, ridgelines, and existing and potential landslides. Relatively unconstrained sites, those with slopes below 20 percent gradient, will be permitted up to 1 dwelling unit per 20 acres; sites with steeper slopes and additional constraints will be permitted 1 unit per 100 acres. No development is permitted on the steepest slopes or ridgetops. However, these areas may be given a density credit

of 1 unit per 100 acres that could be transferred to other portions of the property or within the Hillside Conservation designation when using a specific plan.

Large Parcel Agriculture (LPA) (100-acre minimum site)

This is a designation from the Alameda County East County Area Plan (ECAP) that applies to locations outside the City UGB but within the Planning Area. Only the following uses, as identified in the *North Livermore Urban Growth Boundary Initiative*, and their normal and appropriate accessory uses and structures (as well as uses preemptively authorized by federal and State law), may be permitted in North Livermore, including: agricultural uses, agriculture processing facilities, limited agricultural support uses, secondary residential uses, visitor serving commercial facilities, recreational uses, public and quasi public uses, solid waste landfills and related waste management facilities, quarries, wind farms and related facilities, utility corridors, and similar uses compatible with agriculture. This is the default designation for undesignated parcels on the General Plan Land Use Map.

Resource Management (RMG) (100-acre minimum site size; 1 du/parcel)

This is also a designation from the ECAP. It is intended mainly for land designated for long-term preservation as open space but may include low-intensity agricultural or residential uses. The Resource Management designation provides for agricultural uses, recreational uses, habitat protection, watershed management, public and quasi-public uses, secondary residential units, active sand and gravel and other quarries, reclaimed quarry lakes, and similar and compatible uses. This designation is also applied to areas unsuitable for development because of public health and safety hazards or environmentally sensitive features. One single-family home per parcel is allowed provided that all relevant development standards are met.

Water Management Lands (WML) (100-acre minimum site; 1du/parcel)

This designation is also from the ECAP. It provides for active sand and gravel quarries, reclaimed quarry lakes, watershed lands, arroyos and similar and compatible uses. One single-family home per parcel is allowed provided that all relevant development standards are met.

Open Space/Sand and Gravel (OSP/S & G)

These are areas of Statewide concern due to their demonstrated level of quality aggregate. The primary use allowed in areas designated OSP/S & G is open space, as defined above under Open Space (OSP), and sand and gravel extraction, processing and related activities shall be secondary. Use of S & G lands for agricultural use shall be given priority over mineral extraction in areas where the soils are designated for prime or unique farmland. Extraction of aggregate shall be conditionally permitted only after appropriate mitigation for potential impacts to environmental resources and surrounding uses has been provided. Processing and distribution of aggregate uses shall be limited to ensure that impacts on downwind land uses are appropriately mitigated.

Community Facilities

The Community Facilities designation provides areas for public agencies and institutions, including City, County, State and federal government facilities, Livermore Valley Joint Unified School District property, and the Livermore Municipal Airport. General locations for potential community facilities (i.e., schools and parks) are indicated on the General Plan Land Use Map by a floating designation; parks are indicated by a circular symbol and the text "OSP," and schools are indicated by a building–shaped symbol and the text "CF-S" or "CFH." Floating designations indicate the need for the facility within the general area of the City where future need for these facilities is anticipated. Floating designations are not intended to be site specific.

Specific Plan and Neighborhood Plan Areas

Downtown Area (DA)

The Downtown Area (DA) designation is a general designation that applies to the area traditionally known as Downtown Livermore. The DA seeks to provide a unique, locally-oriented, pedestrian-friendly shopping environment. Higher-intensity residential development of a density that will support the predominantly commercial environment is integral to the economic viability of this district. This area supports a mix of uses, including commercial, office, entertainment, cultural arts, lodging, and residential. Land uses, development, and redevelopment in the Downtown Area shall be implemented through the Downtown Specific Plan, which includes specific land use designations, development standards, and design requirements.

Isabel Neighborhood (IN)

The Isabel Neighborhood (IN) designation applies to the northwest area of the city between the Airway Boulevard and Isabel Avenue interchanges. The IN seeks to create a safe, vibrant, complete neighborhood that includes amenities for residents, workers, and students and support transit ridership and citywide goals for increased transportation options, housing choices, and economic vitality. The IN is implemented through the Isabel Neighborhood Specific Plan (INSP) which establishes specific land use designations and development standards to guide development of the area surrounding the future Valley Link station in the I-580 median at Isabel Avenue.

Midtown Area (MA)

The Midtown Area (MA) designation applies to the area comprising mostly of the Southfront Priority Development Area (PDA) in Livermore. The boundaries of this area are shown in Figure X-X. The MA designation is intended to create a mixed-use, transit-supportive neighborhood that balances housing, commercial, office, and industrial uses and creates a complete community independent of whether or when a future transit station is developed. Land uses, circulation, development standards, design requirements, infrastructure and service needs, and other specifications for the Midtown Area will be determined through a specific plan.

South Livermore Valley (SV)

The City Council adopted the SLVSP in November 1997. The SLVSP is an extension of this General Plan and is used as both a policy and a regulatory document to guide the quantity, location and character of development in the South Livermore area. This General Plan contains goals,

objectives, policies, actions, and designations that are both consistent with the Alameda County South Livermore Valley Area Plan and provides the regulatory foundation for the City's South Livermore Valley Specific Plan (SLVSP).

El Charro (EC)

The El Charro Specific Plan Area is regional retail destination that benefits from its proximity to Interstate 580 (I-580) while integrating a design that fits into the area's surrounding natural context. Travelers along I-580 experience views of rolling hills, interspersed with development, on either side of them throughout the region. The uses within El Charro are primarily regional-serving retail, selling clothing and accessories, home furnishings, electronics, jewelry, and other similar items and services. This commercial development draws its market from the region as well as outside of the regional trade area, focusing on providing and servicing volume rather than the niche markets provided by the retail found in Downtown Livermore.

Comparison of Residential Land Use Changes

Figure 1. Current Residential Land Use Designations

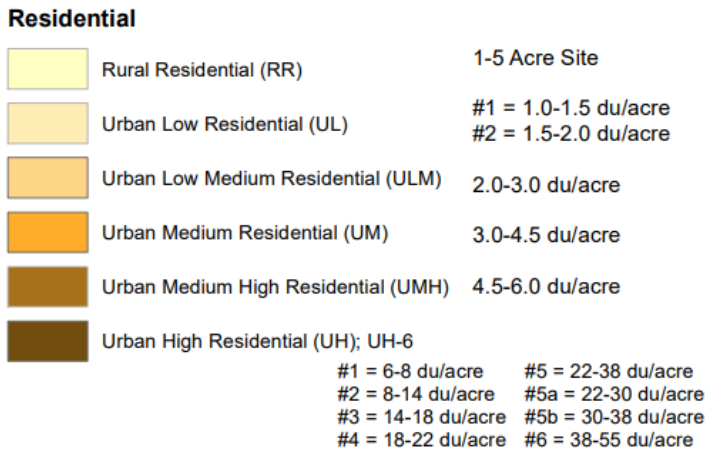
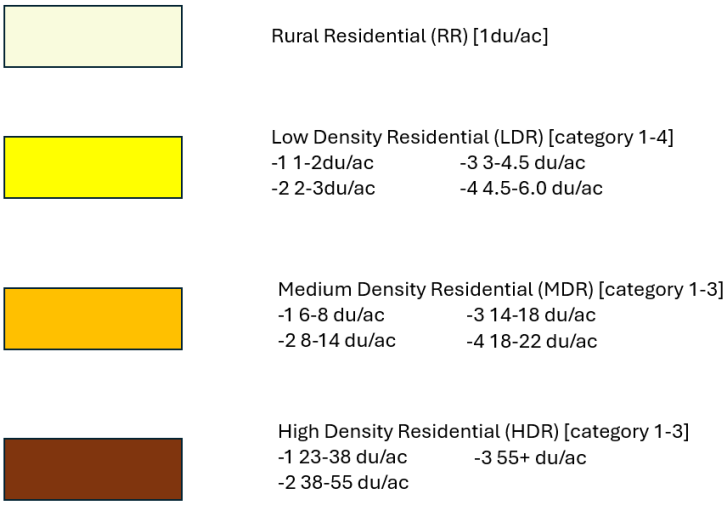


Figure 2- Proposed 2045 Residential Land Use Designations



LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 10.1**

DATE: February 24, 2025

TO: Honorable Mayor and City Council

FROM: Marianna Marysheva, City Manager

SUBJECT: **REVISED** Supplemental materials received prior to the meeting.

RECOMMENDED ACTION

SUMMARY

These materials were posted online and made available to the public at the same time that they were distributed to the City Council.

6.1	Hearing to consider a request for a Municipal Code Amendment, Development Code Amendment, Conditional Use Permit Modification, Development Agreement, Site Plan Design Review, and Site Plan Design Review Modification for the Parkwest Casino 580 Expansion Project and citywide cardroom operations. Material: Revised PowerPoint Presentation
6.2	Hearing to authorize negotiation of a Development Agreement with the Adventus Corporation to secure community benefits associated with requested land use designation changes to be considered as part of the proposed General Plan Update. Location: 3658 Las Colinas Road. Materials: PowerPoint Presentation and Public Comment
7.1	2045 Comprehensive General Plan Update – 2045 Draft General Plan Land Use Map Materials: PowerPoint Presentation and Public Comment
8.0	Council Committee Reports and Matters Initiated by City Manager, City Attorney, Staff, and Council Members. Material: Council Reports

DISCUSSION

ATTACHMENTS

1. Revised Supplemental Materials

Prepared by: Helena Graves
Deputy City Clerk

Approved by:



Marianna A. Burch
City Manager

Fiscal Review by:



Tina Olson
Administrative Services Director



Municipal Code Amendments related to Cardroom Operations and Amendments to Parkwest Casino 580 Operations

February 24, 2025

Presented by Susan Frost
Special Projects Coordinator

CITY OF LIVERMORE

1

Regulatory Context

State Law and Livermore Municipal Code

- Cardrooms are not casinos
- Statewide, cardrooms are regulated under the Department of Justice, Bureau of Gambling Control
- City of Livermore cardroom operations are regulated through LMC - Chapter 5.20, Cardrooms (regulates cardroom licensing, employee work permits, number of card tables, operations, and safety and security)
- Two cardrooms in Livermore
  - Parkwest Casino 580
  - Livermore Casino

CITY OF LIVERMORE

2

Municipal Code Amendments

Citywide

Topic	Current Regulation	Proposed Regulation
Total number of card tables in the city	1 table per 4,200 residents - equals 19 tables max citywide	32 card tables max citywide
Cardroom licenses permitted per person	1 Cardroom license permitted per person	2 per person

CITY OF LIVERMORE CALIFORNIA

3

Municipal Code Amendments

Individual Cardroom – Expanded Services

Topic	Current Regulation	Proposed Regulation
Total number of card tables per cardroom	10 card tables	16 card tables
Maximum bet limit	$200.00	$1,000.00
Players per table	10 seated players	10 seated players and up to 1 backline better for each player

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4

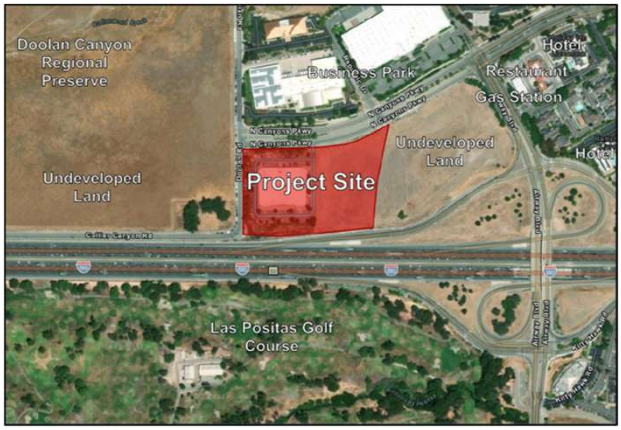
Casino 580 Request

- Casino 580 requested to expand number of tables, maximum bet limit and players per table allowed IF the Municipal Code amendments are approved by the City Council
- No physical expansion
- Additional parking and safety measures would be required to accommodate additional operations
- Casino 580 request requires a new Development Agreement (DA) and Conditional Use Permit (CUP) Modification

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5

Casino 580: Project Location



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6

Casino 580: Development Agreement

Staff and Planning Commission rationale to support the request:

- No prior issues with this operator
- Willingness to enhance parking and security:
  - Financial contribution toward safety and security equipment **$60,000** for traffic cameras and **$29,000** for license plate readers at three nearby intersections
- Additional public benefits:
  - Monthly card table fee increase from $**1900**/table/month to $**4800**/table /month

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7

Casino 580: Conditional Use Permit Modification

The following modifications are proposed:

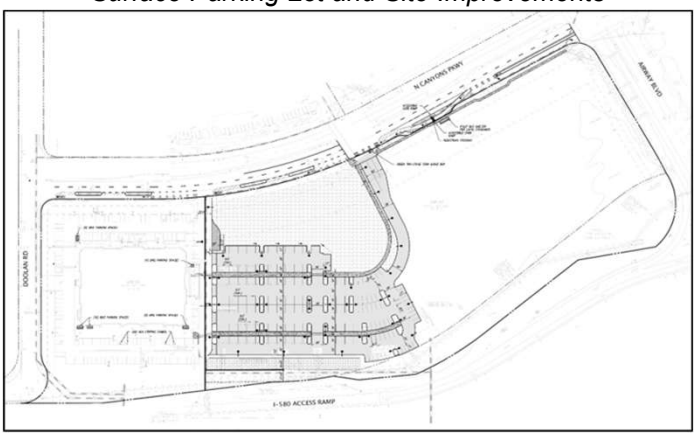
- Requesting 16 tables and betting and player limits consistent with the Municipal Code Amendment
- 24-hour operations, seven days a week;
- Games which are not prohibited by state law with the written consent of the Chief of Police.

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8

Casino 580: Site Plan Design Review and Modification

Surface Parking Lot and Site Improvements



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9

Recommendation

Planning Commission and staff recommend the City Council take the following actions:

1. Adopt a resolution certifying the Initial Study/Mitigated Negative Declaration for the Parkwest Casino 580 Expansion Project;
2. Adopt a resolution approving Conditional Use Permit Modification (CUPM) 24-001; Site Plan Design Review (SPDR) 24-010 and Site Plan Design Review Modification (SPDRM) 24-024;
3. Introduce an ordinance and waive the first reading, approving Municipal Code Amendment (MUNI) 24-002 and Development Code Amendment (DCA) 24-004; and,
4. Introduce an ordinance and waive the first reading, approving Development Agreement (DA) 24-003.

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10



Authorization to Negotiate Development Agreement 24-004 with the Adventus Corporation

February 24, 2025

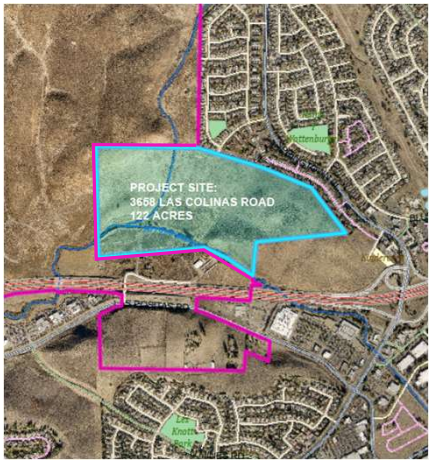
Shannon Pagan, Assistant Planner

CITY OF LIVERMORE

1

Project Site and Current Conditions

- 122-acre site near the Springtown Neighborhood
- Located north of I-580 and Las Colinas Road
- Adjacent to existing residential and open space uses



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2

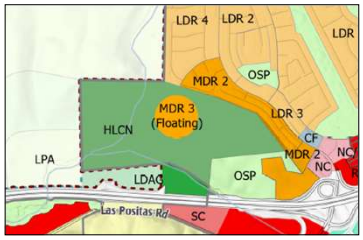
Requested Land Use Changes

- Existing General Plan: Limited Agriculture with a Floating Community Facilities – High School Site.



▲ Existing ▼ Proposed

- Draft General Plan: Hillside Conservation with a floating Medium Density Residential (14 to 18 du/ac). Residential location determined through a future Neighborhood Plan.



CITY OF LIVERMORE

3

Development Agreement

- Negotiate a Development Agreement that incorporates desired land use changes along with community benefits, such as:
  - Trails and park improvements
  - Permanent conservation of open space
  - Other public infrastructure enhancements
  - Contribution to the Community Benefit Fund

CITY OF LIVERMORE

4

Staff Recommendation

Staff recommends the City Council:

- Adopt a resolution authorizing staff to proceed with negotiating terms for a Development Agreement (DA24-004) with the Adventus Corporation to be considered by the City Council at a later date as part of the proposed General Plan Update.

CITY OF LIVERMORE CALIFORNIA

5

Helena Graves

From: Debi Finestone [redacted]
Sent: Thursday, February 20, 2025 4:58 PM
To: City Clerk
Subject: problem with e-comment system for city council agenda

Categories: Public Comment

[redacted]

Hi,
I got a notice about a public hearing regarding my neighborhood as part of the Feb. 24 city council meeting.

First, thank you for the great communication here, including the update.

I reviewed the agenda online and would like to submit a comment, but the online system for doing that isn't working. It won't validate my email. This is my first time attempting to comment on city council actions.

Is there another way I can submit my comment in advance? I'm unable to attend the meeting in person.

Agenda Item 6.2)
Hearing to authorize negotiation of a Development Agreement with the Adventus Corporation to secure community benefits associated with requested land use designation changes to be considered as part of the proposed General Plan Update. Location: 3658 Las Colinas Road.

Position: Oppose

My comment:

This property is directly behind my home. When I bought it, not all that long ago, I was told it would always be preserved as open space. One of the things that makes Livermore a wonderful place to live is its open areas and that we don't feel (or look) like it's too crowded.
Please do not change the general plan for this purpose. We have better places in the city to put housing instead of losing our beautiful open space and ranching heritage.

Thanks so much,
Deborah Finestone

Finestone Marketing Solutions

Helena Graves

From: Jean King [redacted]
Sent: Monday, February 24, 2025 12:00 PM
To: City Clerk
Subject: Council Feb. 24, 2025 Council Meeting Item 6.2

[redacted]

6.2) Hearing to authorize negotiation of a Development Agreement with the Adventus Corporation to secure community benefits associated with requested land use designation changes to be considered as part of the proposed General Plan Update. Location: 3658 Las Colinas Road.

Livermore City Counncil

These 122 acres are very important since they are on the eastern edge within the City's North Urban Growth Boundary (UGB). The City has been purchasing lands in that area to protect the UGB and this will be a help.
Since the high school will not be built, there is still the opportunity to save 87 acres for open space. I am glad to see that public benefits such as trails and park improvements and permanent conservation of open space can be established. The future Development Agreement with its future land use designations will require an Environmental Impact Report (EIR).
A lower density housing would be better for the thirty-five acres. This area is on the edge of Springtown and a lower density might be more acceptable to the present Springtown residents. Less dense Medium Density Residential or Low Density Residential designations should be considered. The City should bargain for greater community benefits in negotiations with the developer.
Thank you.
Jean King
Livermore CA 45550



Informational Presentation on the Status of the 2045 General Plan Update

Land Use Map Review and Changes

February 24, 2025

Andy Ross, Principal Planner

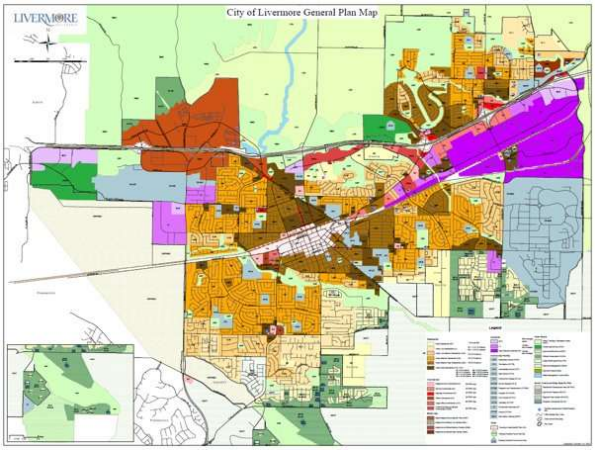
CITY OF LIVERMORE

1

Current General Plan Land Use Map

Map and designations determine:

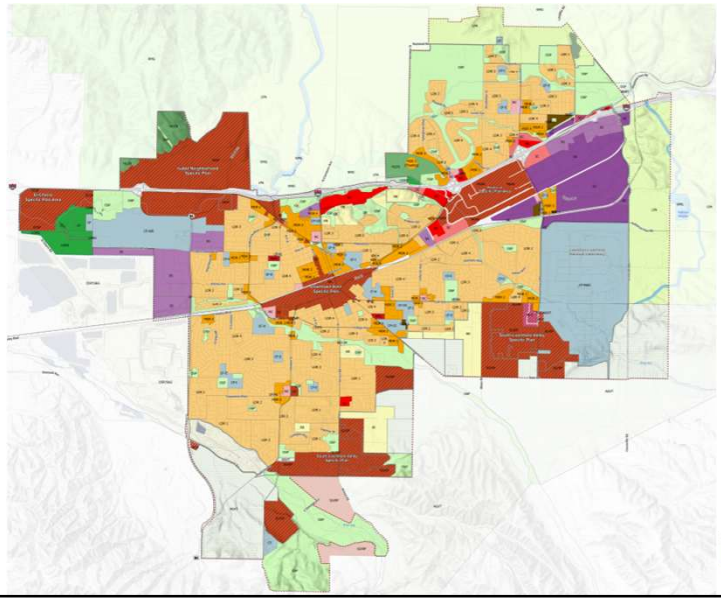
- What can be built and where (including Open Space Designations)
- At what intensity or density
- Open Space and Conservation Areas



CITY OF LIVERMORE

2

2045 Draft General Plan Land Use Map



3

2045 Draft General Plan Land Use Map

- Incorporates Council direction for 4 focus areas:
  - Laughlin Road
  - Midtown
  - Vasco Row
  - East of Greenville (will be left as future study area outside of City boundaries)
- Reflects land use changes outside focus areas:
  - Property owner requests
  - Staff recommendations based on staff's assessment to:
    - Bring existing land uses into conformance
    - Achieve broader community goals or meet State requirements.
- Shows updated and simplified existing designations

4

Updates and Simplifications

- Targeted naming updates to better reflect the allowed uses
- Merges some designations that allow similar uses
- New single Specific Plan designation
- Adds new designations resulting from the Focus Areas land use alternatives process

Existing General Plan Residential Designations

Rural Residential (RR)	1-5 Acre Site
Urban Low Residential (UL)	#1 = 1.0-1.5 du/acre #2 = 1.5-2.0 du/acre
Urban Low Medium Residential (ULM)	2.0-3.0 du/acre
Urban Medium Residential (UM)	3.0-4.5 du/acre
Urban Medium High Residential (UMH)	4.5-6.0 du/acre
Urban High Residential (UH); UH-6	#1 = 6-8 du/acre #5 = 22-38 du/acre #2 = 8-14 du/acre #5a = 22-30 du/acre #3 = 14-18 du/acre #5b = 30-38 du/acre #4 = 18-22 du/acre #6 = 38-55 du/acre

Draft General Plan Residential Designations

Rural Residential (RR) [1 du/ac]

Low Density Residential (LDR) [category 1-4]
-1 1-2du/ac -3 3-4.5 du/ac
-2 2-3du/ac -4 4.5-6.0 du/ac

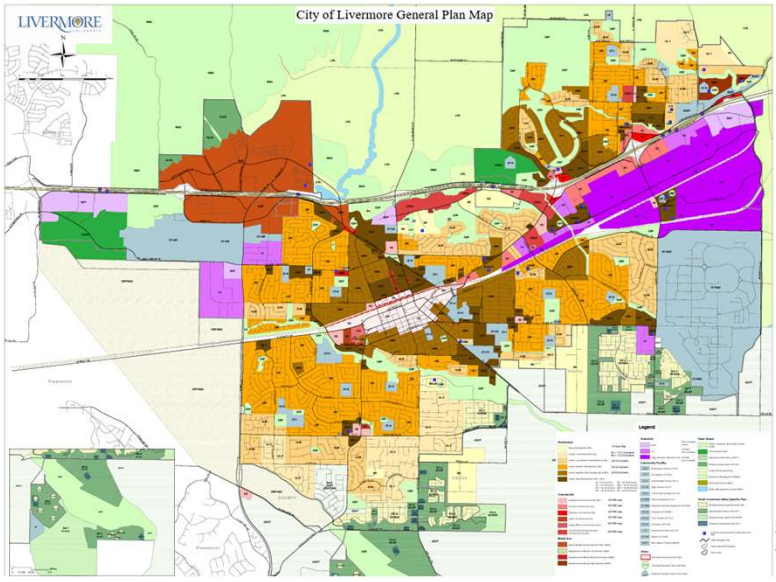
Medium Density Residential (MDR) [category 1-3]
-1 6-8 du/ac -3 14-18 du/ac
-2 8-14 du/ac -4 18-22 du/ac

High Density Residential (HDR) [category 1-3]
-1 23-38 du/ac -3 55+ du/ac
-2 38-55 du/ac

CITY OF LIVERMORE CALIFORNIA

5

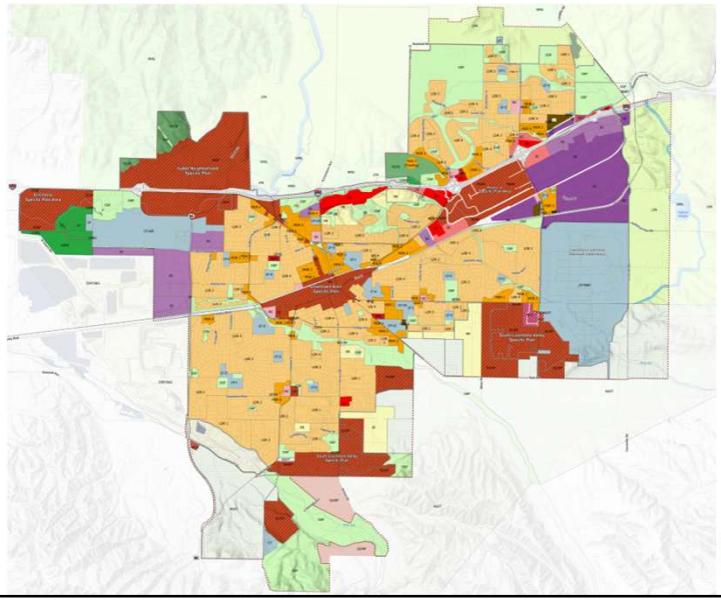
Current General Plan Land Use Map



CITY OF LIVERMORE CALIFORNIA

6

2045 Draft General Plan Land Use Map

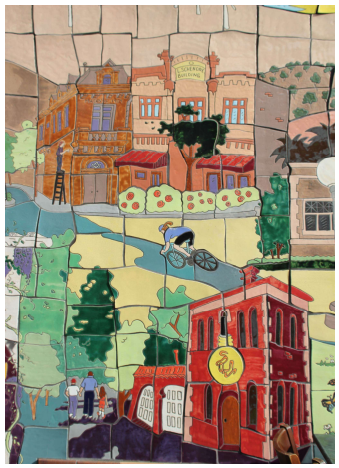


CITY OF LIVERMORE CALIFORNIA

7

2045 Draft Land Use Map Next Steps

- Respond to property owners and community questions
- Continue EIR Modeling and Build-Out Analysis
- Continue Policy Development and Prepare Draft Document



CITY OF LIVERMORE CALIFORNIA

8

Staff Recommendation

- This is an informational update with no City Council action
- Staff is available for questions

9

2045 General Plan Update Next Steps

- Planning Commission policy review - March 2025
  - Meeting #3: Land Use Element, Community Identity Element, and Economic Development Element
- Council direction on policies – April/May 2025
- Draft General Plan and EIR publication – Summer/Fall 2025

10

Helena Graves

From: Chan, Michelle W. (Perkins Coie) <MWChan@perkinscoie.com>
Sent: Thursday, February 20, 2025 4:10 PM
To: City Clerk
Cc: Andy Ross
Subject: Comment Letter (Agenda Item 7.1) -- General Plan Update
Attachments: 2025.02.03_Letter to City Council.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Public Comment

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

Good afternoon,

Please find attached a comment letter from McGrath RentCorp in connection with Agenda Item 7.1 for the City Council meeting on February 24th. Thank you,

Michelle

Michelle Chan
PARTNER
Perkins Coie
505 Howard Street Suite 1000
San Francisco, CA 94105-3204
+1.415.344.7019
mwchan@perkinscoie.com
perkinscoie.com

NOTICE: This communication from Perkins Coie LLP may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

McGRATH

5700 Las Positas Road, Livermore, CA 94551 | mgrc.com

February 3, 2025

VIA EMAIL

Mayor John Marchand, mayormarchand@livermoreca.gov
Council Member Evan Branning, egbranning@livermoreca.gov
Council Member Ben Barrientos, bbarrientos@livermoreca.gov
Council Member Steven Dunbar, sjdunbar@livermoreca.gov
Council Member Kristie Wang, kwang@livermoreca.gov
1052 S. Livermore Ave
Livermore, CA 94550

Re: McGrath Requests that City Council Reconsider Redesignating Property Located at 5700 Las Positas Road to Residential Use

Dear City Council Members:

McGrath RentCorp ("McGrath") appreciated the opportunity to meet with several members of City Council earlier this month to discuss its concerns regarding the City of Livermore's ("City") proposal to amend the General Plan Land Use Map to redesignate a substantial portion of McGrath's property from industrial to residential use. As McGrath conveyed to the Council Members, redesignating McGrath's property to residential use will significantly impact the value of the property and limit McGrath's current and future ability to use its property, adversely impacting its business, employees, and clients.

The property is located at 5700 Las Positas Road and consists of approximately 140 acres, situated south of Interstate 580 near the intersection of Vasco Road and Las Positas Road. The City included the property within the Midtown Focus Area as part of the City's General Plan Update. Much of the property is currently designated High Intensity Industrial under the General Plan and is located within the Heavy Industrial (I-3) zoning district. McGrath understands that the City intends to redesignate the property from industrial to high-density residential use to meet the City's *future anticipated* Regional Housing Needs Allocation (RHNA) goal. Based on the City's current proposal, it is McGrath's understanding that the General Plan Update will include goals and objectives describing the City's intent to redesignate the area to residential use, with specific land use and development standards to be set forth in a specific plan which the City will consider in the future.

McGrath acquired the property in 1991 and has been operating on the property for over 30 years. McGrath is a business-to-business rental company that rents and sells relocatable modular buildings, ground level storage solutions and offices, and electronic test equipment to all types of businesses across a diverse range of industries, including businesses based in the City and surrounding communities. McGrath's national office headquarters are located on the property and McGrath employs over 1,200 people with over 200 of those individuals working from the Livermore facility, many who are residents of the City. McGrath's operational facilities are also located on the property and include modular buildings, ground level offices and storage solutions (i.e., containers that have been converted to different uses).

McGRATH

5700 Las Positas Road, Livermore, CA 94551 | mgrc.com

McGrath has consistently demonstrated its commitment to maintaining its offices and operations within the City of Livermore, where its customer base extends to both the City and the surrounding communities. Furthermore, McGrath will continue to serve the local community by providing storage solutions, portable classrooms, modular school buildings, and other temporary facilities to local schools, educational institutions, businesses including those in construction, and in support of local events.

Redesignating the property to residential use will make McGrath's current use of the property a legal nonconforming use under the City's Development Code. This would severely limit what McGrath can do on the property, including its ability to adapt to its changing business and operational needs. For instance, McGrath would not be able to expand its office headquarters or pursue additional development on the property as may be required by McGrath's current and future business and operational needs. McGrath would like to continue to serve its diverse range of clients without the limitations that the City imposes on legal nonconforming uses. Redesignating the property to high-density residential use would also adversely impact the fair market value of the property, making it economically infeasible for McGrath to sell the property and relocate in the event McGrath needs to change its current use of the property in a manner that is restricted by the City's regulations for legal nonconforming uses. In fact, the City's proposal to redesignate the property to residential use has already negatively impacted the value of the property. As McGrath has communicated to City staff, McGrath remains committed to developing its business in the City and continuing to serve the local school districts and businesses and contributing to the local economy. McGrath does not want, or intend, to relocate from the property. McGrath therefore respectfully requests that the City consider alternative land use proposals that would allow McGrath to continue to use and operate on the property as a legal land use.

McGrath has appreciated the opportunity to discuss its concerns with several of the Council members and looks forward to continuing to pursue these discussions further with the City.

Sincerely,

Mike Bray
Director of Real Estate
Mike.bray@mgrc.com
972-456-4082 ext. 224082

Council Member	Date of Meeting or Event	Committee or Organization	Meeting or Event Type (ex. board meeting or ribbon cutting)	Summary of Meeting or Event
Mayor Marchand	2/11/2025	City of Livermore	Reading program	Read to students at Jackson Avenue School
Mayor Marchand	2/12/2025	Livermore Valley Chamber of Commerce	Attending morning business booster	Networking with businesses
Mayor Marchand	2/12/2025	Valley Link	Board meeting	Approved financials, Architecture, Engineering, Construction, Operations, and Management (AECOM) alternative delivery methods discussion, legislative update and formed the Funding ad hoc committee.
Mayor Marchand	2/12/2025	Alameda County Mayors Conference	Monthly business meeting	Made appointments to regional bodies
Mayor Marchand	2/13/2025	City of Livermore	Mayor's Report on TV30	Provided an update of City activities
Mayor Marchand	2/13/2025	Livermore Valley Chamber of Commerce	Ribbon-cutting	Welcomed the Burgundy Rose Tea Room
Mayor Marchand	2/14/2025	Innovation Tri-Valley	Panel discussion	Participated in a regional Mayors panel discussion
Mayor Marchand	2/18/2025	Visit Tri-Valley	Hospitality Industry Kick-off	Attended kick-off
Mayor Marchand	2/19/2025	City of Livermore	Employee Service Awards	Recognized 71 employees and 8 retirees who served over 1200 years of service including one with 35 years of service.
Mayor Marchand	2/20/2025	Livermore Valley Chamber of Commerce	Reception	Met with representatives Federal Financing Bank (FFB) and Concannon
Mayor Marchand	2/23/2025	Young Men's Service League	Career fair	Talked about opportunities with the City.
Mayor Marchand	2/24/2025	Alameda County Transportation Commission (ACTC)	Organization retreat	Summarized roles and responsibilities of commissioners and the organization's mission.

Council Member	Date of Meeting or Event	Committee or Organization	Meeting or Event Type (ex. board meeting or ribbon cutting)
Vice Mayor Branning	2/18/2025	Livermore Downtown Inc (LDI)	Board meeting
Vice Mayor Branning	2/19/2025	Livermore Amador Valley Water Management Authority (LAVWMA)	Board meeting

Council Member	Date of Meeting or Event	Committee or Organization	Meeting or Event Type (ex. board meeting or ribbon cutting)	Summary of Meeting or Event
Council Member Dunbar	2/19/2025	Livermore Amador Valley Water Management Agency (LAVWMA)	Board Meeting	Issuing Request For Proposals (RFP) for solar installations on LAVWMA plant as a portion of a larger Dublin San Ramon Services District (DSRSD) solar RFP (DSRSD land) Discussed issues with Federal Emergency Management Agency (FEMA) reimbursement delays Project update on San Leandro pump station parts delays

Council Member	Date of Meeting or Event	Committee or Organization	Meeting or Event Type (ex. board meeting or ribbon cutting)	Summary of Meeting or Event
Council Member Wang	2/13/2025	Livermore Public Library and Tri-Valley for Black Lives	Black History Month Trivia Night	Hosted by Faith Alpher and very well attended!
Council Member Wang	2/14/2025	Livermore Valley Arts	Syncopated Ladies at Bankhead Theater	Fun and inspiring tap dancing performance
Council Member Wang	2/16/2025	Livermore Public Library and Granada High School Hip Hop Club	Student hip hop dance performance	Very well attended and so much fun!
Council Member Wang	2/19/2025	City of Livermore	Employee Service Awards Luncheon	Recognition of employee years of service and Reach Award winners
Council Member Wang	2/19/2025	Livermore Valley Chamber of Commerce	Monthly mixer	Hosted by Sultan's Kebab
Council Member Wang	2/21/2025	Charming Fig	Faith Alpher comedy night	Sold out show! Super fun.
Council Member Wang	2/22/2025	Livermore Public Library	Art of the African Diaspora reception	Very well attended. Delicious food!
Council Member Wang	2/22/2025	Shakespeare and Performing Arts Regional Company (SPARC) Theater and Tri-Valley for Black Lives	"Shakespeare in Harlem" reading	Fantastic show. Sold out!

LIVERMORE
CALIFORNIA

CITY COUNCIL STAFF REPORT **ITEM NO. 10.2**

DATE: February 24, 2025

TO: Honorable Mayor and City Council

FROM: Marianna Marysheva, City Manager

SUBJECT: Supplemental materials received at the meeting.

RECOMMENDED ACTION

SUMMARY

DISCUSSION

ATTACHMENTS

1. Items Received at the Meeting

Prepared by: Helena Graves
Deputy City Clerk

Approved by:

Marianna A. Burch
City Manager

Fiscal Review by:

Tina Olson
Administrative Services Director

Las Positas College

HONORING WOMEN VETERANS



Guest Speaker

JENNIFER VOLLBRECHT

US Marine Corps Veteran,
Mother, Consultant/Entrepreneur, Author



Save the Date: March 27, 2025 - Thurs
Doors Open at 4 pm
@ Las Positas College
Keynote Speaker, Quilts of Valor & Scholarship Presentation, and more.

Info: 925.424.1570
www.laspositascollege.edu/veterans
email: lpcveteransfirst@laspositascollege.edu



SCAN ME TO RSVP

THANK YOU FOR YOUR SERVICE!

An event to celebrate

VETERANS

1st Annual CHARITY GOLF TOURNAMENT



OPEN TO THE PUBLIC, VETERANS, & MILITARY AFFILIATED FAMILIES

Play Golf for a Cause

All the proceeds goes to help the Veterans First Program at Las Positas College

Contests & Games; Raffle Baskets; Silent Auction; Mulligans for purchase; Photo Opportunity with Congressional Medal of Honor Recipient James Taylor

Scan the QR Code above
Registration & Signups
Last day to sign-up APRIL 11, 2025 for shirt

LAS POSITAS COLLEGE

VETERANS FIRST

SATURDAY

APRIL 26, 2025

REGISTRATION: 7:30 AM TO 8:30 AM

SHOTGUN START 9 AM

LAS POSITAS GOLF COURSE

917 CLUBHOUSE DR
LIVERMORE, CA 94551

- INDIVIDUAL & TEAM SIGN-UPS
- GOLF CART FOR TEAMS
- BOX LUNCH INCLUDED



Win a new Mazda CX30 HOLE in ONE Game
Sponsored by Dublin Mazda

MORE INFO : www.laspositascollege.edu/veterans
925.424.1570

VETERANS FIRST PROGRAM
LAS POSITAS COLLEGE

UPCOMING EVENTS

SCAN ME

SCAN ME ... BE IN THE KNOW ABOUT UPCOMING EVENTS



Visit the Veterans First Program, Building 1310
925.424.1570 or email: lpcveteransfirst@laspositascollege.edu
or scan the QR code for more

Item	Name	Comment
5.6) Resolution authorizing additional appropriations and execution of consultant amendments for the Livermore Village (L Street) Parking Garage Construction Project DR586003.	Brittni Kiick	As a council member I asked staff to look into bike lockers instead of insecure bike racks. I don't see any information about that here. If we are serious about encouraging active transportation modes, we need to also invest in the infrastructure to encourage it. We spend over 60K per parking space, let's budget for bikes as well. I know this was brought up in multiple briefings. Please check in with Steve Stewart & Paul Spence who would have been present at the time of these requests.

Livermore Valley
CHAMBER of COMMERCE

Feb 24, 2025

City of Livermore

1052 S. Livermore Ave

Livermore, CA 94550

Attn: Mayor, Council Members, City Manager & Staff

Subject: Parkwest Casino 580 Expansion Request

Parkwest Casino 580, located at 968 North Canyons Parkway, Livermore, California, is a member of good standing of the Livermore Valley Chamber of Commerce. They have been a continuous member in good standing since 2017. Not only are they a member of the Livermore Valley Chamber of Commerce they are a business partner. Parkwest Casino 580 works hard to be a good community partner.

LVCC is supporting their efforts to expand and improve their location and amenities for the patrons and the community residences and businesses in their area. We support expansion efforts and improvements they are citing.

- Expansion of their parking lot – This has been needed to accommodate their employees and patrons in a safer environment for everyone with an additional 230 parking spaces. This prevents overflow onto Doolan Rd and Collier Canyon Rd.
- Extension of their operating hours, increase in their betting limits and additional card games already allowed in California.
- Additional Safety improvements of 3 new cameras and license plate readers, inclusive of maintenance fees, located at North Canyons Pkwy and Airway Blvd.
- Funding of an additional police officer and a Community Development Department for the City of Livermore. Additional revenue from the gaming tables will also be a community benefit.
- They are proactive in addressing the possible addictive behaviors that some patrons may experience and have implemented educational opportunities in staff training and patron awareness materials and processes to alleviate the possible outcomes of addictive behaviors.

We are pleased that the Livermore Planning Commission unanimously agreed to permit their project proposal on January 7, 2025.

Livermore Valley
CHAMBER of COMMERCE

We have been community partners with Parkwest Casino 580 from the beginning of their arrival in Livermore and can vouch for their good intentions and ongoing community mindedness. They are a Chairman's Circle sponsor for the Chamber and continue to support our Leadership Livermore program and our business programs regularly. Their intention is positive and is projected in their efforts to improve our environment for better outcomes.

Please consider this project in a favorable light, just as their commitment to the community and their patrons has been from the beginning. We are here to ask for your support of their project.

Thank you,

Sherri Souza

Sherri Souza

CEO/President

Livermore Valley Chamber of Commerce

2157 First St.

Livermore, CA 94550

925-447-1606

www.LivermoreChamber.org

USA-bag™

A Lotta bag!

From - Constance Kopps -



Feb 24, 2025

City Council Meeting

Item - 7.1

review of the General plan

The General Plan is incomplete (maps) - Facts - unaddressed Questions to staff and council ignored.

Please backtrak to consider the honest input given at. ~~ALL OF~~ the meetings ~~that~~ which disagree with the Specific Plan proposed for your General plan - proposed for Springtown. The meetings I have attended that improperly report the facts are.

1. ~~meeting at~~ Sheak Center meeting - Facts - denied answer to Mayor at (1) meeting Ben at one meeting
2. Many Park meetings - conflict of interest Beth Wilson chose RRM design
3. The meeting Darin Greenwood had at 931 Larkspur. ON HOA property. - said he offerd the HOA a Buck to get the property Back
4. An Elks meeting - a promise to plan the area
5. 2 other Elks meetings - on the same day - Developer was also in attendance who was Not a Homeowner
6. Another Elks Meeting in April of 2025.
7. + Another Elks meeting + staff ~~uninformed~~ informed in the Summer of 2025

City manager

There are many concerns that City Staff has Not answered that should be addressed before you force this agenda ON these homeowners.

[redacted]

ADDITIONALLY- I Attended 12 meetings GPAC all together + General plan Advisory Committees so about