

ZONE 7 WATER AGENCY  
ALAMO CREEK BANK STABILIZATION AND FLOOD MANAGEMENT PILOT PROJECT

*Initial Study/ Mitigated Negative Declaration  
Responses to Comments  
SCH: 2025010825*

*April 2025*

*Prepared for  
Zone 7 Water Agency*



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## CHAPTER 1.0

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### INTRODUCTION

This Response to Comments Document has been prepared to respond to comments received by Zone 7 Water Agency (Zone 7) on the Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND) for the Alamo Creek Bank Stabilization and Flood Management Pilot Project (Project).

An IS/MND is an informational document prepared by a Lead Agency, in this case, Zone 7 Water Agency (Zone 7), that provides environmental analysis for public review and for agency decisionmakers to consider before taking discretionary actions related to any proposed project that could have a significant effect on the environment.

Before the Zone 7 Board of Directors may approve the Proposed Project, it must approve the Final IS/MND.

This Final IS/MND consists of the following:

- the Draft IS/MND or a revision of that draft;
- comments and recommendations received on the Draft IS/MND;
- a list of persons, organizations, and public agencies commenting on the Draft IS/MND;
- the response of the Lead Agency to significant environmental points raised in the review and consultation process; and
- any other information added by the Lead Agency.

This Response to Comments document to the Draft IS/MND for the Project presents:

- a list of persons, organizations, and public agencies commenting on the Draft IS/MND (Chapter 1);
- the written comments received on the Draft IS/MND along with a response to each comment (Chapters 2), and
- text revisions to the Draft IS/MND (Chapter 3).

Together, this Response to Comments Document and the Draft IS/MND constitute the Final IS/MND.

#### 1.1 COMMENTS ON THE DRAFT IS/MND AND RESPONSES TO COMMENTS

The Draft IS/MND was circulated for public review from January 27 through February 28, 2025. The document was released digitally through the project website, the State Clearinghouse, and the county recorder's office. In addition to this, postcards were mailed to adjacent addresses, newspaper advertisements were placed, and 2 signs were placed along Alamo Canal Trail to notify the public of the review period.

Agencies, organizations, businesses, and individuals that submitted written and oral comments on the Draft IS/MND during the public review and comment period are listed in **Table 1-1. Table 1-2,**

located at the end of this chapter, provides the author of each comment letter, the author's affiliation, a letter designation of each author's comments, and a brief summary of each comment is provided. The comments and responses themselves are presented in Chapter 2, in the order of the listing in Table 1-1. Responses are keyed to the written comments received as indicated in the right margin of the comment letter.

**TABLE 1-1: PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES COMMENTING IN WRITING**

<b>Commenter No.</b>	<b>Comments Received from</b>	<b>Commentor's Affiliation</b>	<b>Date</b>
A	Rourke Healey	East Bay Regional Park District	February 13, 2025
B	Rohan Soni	Resident	February 20, 2025
C	Marcus Griswold	California Department of Fish and Wildlife	February 28, 2025
D	Laurie Sucgang	City of Dublin	February 28, 2025

**TABLE 1-2: COMMENT LETTER SUMMARY**

<b>Date</b>	<b>Commenter</b>	<b>Affiliation</b>	<b>Comment No.</b>	<b>Comment/Topic</b>
February 13, 2025	Rourke Healey	East Bay Regional Park District	A-1	Identify proposed alternate route of the Alamo Canal Trail during closure.
			A-2	Identify responsible party for trail repairs.
February 20, 2025	Rohan Soni	Resident	B-1	Identify mitigation measures that will be put in place in the case overflow occurs.
			B-2	Clarify what “improving habitat for acquiring and riparian species” means.
			B-3	Explain how the project will impact insurance rates and flood insurance coverage.
			B-4	Describe protection of homes adjacent to Alamo Creek during storms.
			B-5	Identify actions to manage small animal populations in and around the creek.
February 28, 2025	Marcus Griswold	CDFW	C-1	Woven coir and geogrid can release microplastics into the environment and negatively impact fish and other aquatic species as well as entrap wildlife.
			C-2	Include recommended Mitigation Measure 1: Coordination and Design Modifications to coordinate with regional CDFW and Conservation Engineering staff on the design.
			C-3	NPPA prohibits the take or possession of state-listed rare and endangered plants. Impacts to special-status plants should be considered significant under CEQA

				unless mitigated under significance level. Rare plant species likely to occur in project area include Congdon's tarplant. The project will have temporary and permanent impacts to grassland.
			C-4	Include recommended Mitigation Measure 2: Surveys and Buffers to include multiple surveys and buffers to avoid indirect impacts to special-status plants.
			C-5	Include recommended Mitigation Measure 3: Compensatory Mitigation and Revegetation to establish compensatory mitigation ratios specific to each special-status plant species.
			C-6	Include recommended Mitigation Measure 3: Compensatory Mitigation and Revegetation (continued) to include preparation of a restoration plan.
			C-7	Burrowing owl is a CESA candidate species. Project construction has the potential to result in take.
			C-8	Modify existing Mitigation Measure BIO-3 to include survey reporting and burrowing owl protections.
			C-9	Modify existing Mitigation Measure BIO-3 to include burrowing owl monitoring and trench and hole management.
			C-10	Include recommended Mitigation Measure 6: Compensatory Mitigation to obtain take authorization from CDFW through issuance of an ITP if full avoidance of take during construction is not feasible.
			C-11	The IS/MND does not analyze potential impacts to Crotch's bumble bee, which is a Candidate Endangered Species under CESA.
			C-12	Conduct a habitat assessment during peak bloom period for floral resources on which the specie feed.
			C-13	Submit a pre-construction survey plan to CDFW for review if Crotch's bumble bee habitat is present in the project area. If the species is captured or handled, a MOU from CDFW should be obtained. Surveys should be conducted during peak bloom period.

			C-14	Include recommended Mitigation Measure 9: Crotch’s Bumble Bee Avoidance or Take Authorization.
			C-15	Avoid mowing activities and use of herbicide application during bloom periods. If unavoidable, obtain take authorization under an ITP.
			C-16	Include compensatory mitigation for the loss of all Crotch’s bumble bee habitat at a 3:1 ratio for permanent impacts.
			C-17	Report any special-status species and natural communities detected during Project surveys to CNDDDB.
February 28, 2025	Laurie Sucgang	City of Dublin	D-1	Update APN figure on page 2.
			D-2	Figure 1-4 incorrectly labels South San Ramon Creek as Coyote Creek.
			D-3	There is a work day discrepancy between the project description and the air quality analysis in the IS/MND.
			D-4	An encroachment permit from the city of Dublin will be required for the detour trail. Zone 7 shall be responsible for repairing damages to the trail pavement caused by trucking and hauling activities.
			D-5	There is a discrepancy on staging access between Section 1.5.2 and Figure 1-4.
			D-6	Amador Valley Boulevard is a City street right-of-way, not owned by Zone 7. Dublin Boulevard is also a City street right-of-way.
			D-7	There is an active construction project on one of the project’s APNs. Zone 7 and its contractors will be required to request to use City-owned property for staging of equipment and materials, which may or may not be granted depending on potential interference with this ongoing project.
			D-8	A Transportation Permit from the City may be required to use the City’s designated truck routes.
			D-9	The General Plan land use designation for the project area is mislabeled.
			D-10	The noise level occurring over a six-month period would result in noise that is unacceptable for nearby residences. Include additional recommended

				mitigation measure language to Mitigation Measure NOISE-1.
			D-11	Include additional recommended mitigation measure language to Mitigation Measure NOISE-1.
			D-12	Portions of the project area have a General Plan land use designation of Open Space.
			D-13	See construction schedule comment regarding detour routes for bicycles and pedestrians on Alamo Canal Trail.
			D-14	There is a discrepancy on number of haul trips between the Transportation and Utilities and Service Systems sections in the IS/MND.
			D-15	There is no discussion of impacts to bicycle and pedestrian facilities in the Transportation section of the IS/MND. The City believes there is a potentially significant impact that requires mitigation.
			D-16	Zone 7 and its contractors shall adhere to the City's Resolution No. 17-21 encouraging limiting idling to no more than 30 seconds.

## CHAPTER 2.0

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### COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT IS/MND

This chapter presents each commentor's letter followed by the corresponding responses. The responses to comments are numbered to correspond to the comment numbers that appear in the margins of the comment letter. Where the responses indicate additions or deletions to the text of the IS/MND, additions are indicated in underline, deletions in strikeouts. All changes to the IS/MND text are summarized in Final IS/MND Chapter 3.0.

The Alamo Creek Bank Stabilization and Flood Management Pilot Project involves a series of bank stabilization modules aimed at reducing erosion, preventing bank failure, and improving habitat for aquatic and riparian species in this reach. The modules will include rock weirs, vegetated soil lifts, and native plantings to stabilize the creek banks and redirect turbulent flows. This project will inform Zone 7's Flood Management Plan for wider use throughout Zone 7's channel system.

**Ari Frink**

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**From:** Rank, Elke <erank@zone7water.com>  
**Sent:** Thursday, February 13, 2025 12:45 PM  
**To:** Tang, Jeff; Reyes, Edward; Perez, Adolfo; Ari Frink; Priscilla Liang  
**Subject:** FW: EBRPD Comments on Alamo Creek IS/MND

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Fyi

**Elke Rank** | [Zone 7 Water Agency](#) | E-mail: [erank@zone7water.com](mailto:erank@zone7water.com) | Tel: 925-454-5005

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**From:** Rourke Healey <rhealey@ebparks.org>  
**Sent:** Thursday, February 13, 2025 11:35 AM  
**To:** Rank, Elke <erank@zone7water.com>  
**Cc:** Cliff Rocha <crocha@ebparks.org>; Strategic Actions of Governmental Entities <SAGE@ebparks.org>; Sean Dougan <sdougan@ebparks.org>  
**Subject:** RE: EBRPD Comments on Alamo Creek IS/MND

CAUTION – This email came from outside of Zone 7 Water Agency. Do not open attachments or click on links in suspicious emails.

Thank Elke,

Thank you for the communication. I have not received any word from the engineer thus far though.

One additional comment that the park district would like logged into the administrative record is as follows:

The Park District requires that any new impacts to trail tread of the Alamo Canal Trail will be repaired to, or above, their original state. In the past the construction activities along the Alamo Canal Trail and the Iron Horse Trail have resulted in pavement damage of varying degrees. The contractor has dealt with these issues in the past, then during the construction in 2022 the process changed: Zone 7 did a lidar mapping pre and post construction. It showed that there was one area in particular that the pavement was damaged. Zone 7 stated that they would not be replacing the pavement and slurry-sealed over the damage. Please clarify who is responsible for damages to the trail before construction begins.

A-2

Thank you for your attention to this.

Rourke

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**From:** Rank, Elke <erank@zone7water.com>  
**Sent:** Wednesday, January 29, 2025 1:18 PM  
**To:** Rourke Healey <rhealey@ebparks.org>  
**Cc:** Cliff Rocha <crocha@ebparks.org>; Strategic Actions of Governmental Entities <SAGE@ebparks.org>; Sean Dougan <sdougan@ebparks.org>  
**Subject:** RE: EBRPD Comments on Alamo Creek IS/MND

Hi Rourke. I will ask the project engineering team to reach out to you directly about the trail.

Elke

**Elke Rank** | Zone 7 Water Agency | E-mail: [erank@zone7water.com](mailto:erank@zone7water.com) | Tel: 925-454-5005

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**From:** Rourke Healey <[rhealey@ebparks.org](mailto:rhealey@ebparks.org)>  
**Sent:** Tuesday, January 28, 2025 4:48 PM  
**To:** Rank, Elke <[erank@zone7water.com](mailto:erank@zone7water.com)>  
**Cc:** Cliff Rocha <[crocha@ebparks.org](mailto:crocha@ebparks.org)>; Strategic Actions of Governmental Entities <[SAGE@ebparks.org](mailto:SAGE@ebparks.org)>; Sean Dougan <[sdougan@ebparks.org](mailto:sdougan@ebparks.org)>  
**Subject:** EBRPD Comments on Alamo Creek IS/MND

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Dear Elke Rank,

I am a planner with East Bay Regional Park District (Park District). Thank you for inviting the Park District to comment on the the Alamo Creek Bank Stabilization and Flood Management Pilot Project Initial Study / Mitigated Negative Declaration (IS/MND). The Park District is pleased to see the inclusion of vegetation screening at the conclusion of the project. The Park District would like to be consulted in an on-going basis and updated appropriately regarding construction of project and all related trail closures for the Alamo Canal Trail. Please continue to communicate with myself ([rhealey@ebparks.org](mailto:rhealey@ebparks.org)) and Cliff Rocha, Alameda County Trails Supervisor ([crocha@ebparks.org](mailto:crocha@ebparks.org)) regarding developments.

One question regarding this project that is pertinent to the Park District's operations is the rerouted alignment and associated signage for the Alamo Canal Trail. In *Section 2.4.16 Recreation a)*, your analysis states the following:

*"Less Than Significant Impact. The Project area is not designated as open space (City of Dublin, 2024). The Project area is also used for recreational purposes through the Alamo Creek Trail, located adjacent to and alongside the Project area. Truck traffic and construction activities during construction would temporarily interfere with this trail for the duration of the project.*

*Trail rerouting is anticipated for the Project. Both the Iron Horse Regional Trail and Stagecoach Trail connect to the Alamo Creek Trail on the north side of the Project area. These trails will be detoured eastward to the Alamo Creek Trail. The section of the Alamo Creek Trail passing through the project area will be closed to trail users.*

*Zone 7 will work closely with City of Dublin and East Bay Regional Park District on adequate signage and notifications while the trail is closed. However, Project construction will be temporary in nature and would not result in a shift of use affecting existing neighborhood and regional."*

Reference to an alternate route is also made in the Project Description Section 1.5.1:

*"Project construction is anticipated to occur during the 2025 season (May 1 to October 31). The work days will be from Monday through Friday, and the estimated time to complete the Project is approximately 158 days. A team of up to 10 total construction workers will work on the Project site. **The trails on both sides of the creek will be closed during project construction. An alternate route will be provided during this time.**"*

What is the proposed alternate route of the Alamo Canal Trail during the proposed 6 months of closure? Could you share any schematic drawings of the proposed alignment, or arrange a call with myself and Cliff to discuss this as soon as possible?

Thank you for your work on this and we look forward to collaborating with Zone 7 to support this project.

**Rourke Healey**  
**Trail Planner** | Planning, Trails, and GIS  
East Bay Regional Park District

A-1

A. RESPONSE TO: ROURKE HEALEY, EAST BAY REGIONAL PARK DISTRICT, FEBRUARY 13, 2025

A-1 A detour route identifying the alternate route of the Alamo Canal Trail during the 6 months of closure will be included in the bid package. Zone 7 is working with East Bay Regional Park District to finalize the detour and clarify access agreements, which is expected to be completed by the end of March 2025.

A-2 Zone 7 is not responsible for restoring the trail beyond its pre-construction condition per the recreational license agreement between Zone 7 and the City of Dublin. Ongoing coordination with the City is in progress.

**From:** Rohan Soni <rohansoni10@gmail.com>  
**Sent:** Thursday, February 20, 2025 8:25 PM  
**To:** Rank, Elke <erank@zone7water.com>  
**Cc:** Ankita Soni <ankisoni8@gmail.com>  
**Subject:** Zone 7 Alameda County - Water Conservation District - Notice

Comment Letter B

CAUTION – This email came from outside of Zone 7 Water Agency. Do not open attachments or click on links in suspicious emails.

Hello Ms. Rank,

We received the below notice related to improvements made to the Alamo Creek.

I would like to understand the following:

1. What mitigations will be put in place when heavy rainfall or storm periods occur resulting in overflow outside the creek. | B-1
2. Get clarification on what does “improving habitat for acquiring and riparian species” means? | B-2
3. How does this impact our insurance rates? Flood Insurance coverage? | B-3
4. How homes situated adjacent to the Alamo Creek will be protected during heavy rainfall or storms? | B-4
5. What will be done to reduce the population of small animals like rats, skunks, gophers, squirrels in and around the creek that currently are creating a nuisance for homeowners? | B-5

Thanks,  
Rohan Soni  
630-936-9329

B. RESPONSE TO: ROHAN SONI, RESIDENT, FEBRUARY 20 2025

B-1 This project focuses on stream bank and channel stabilization rather than flood mitigation. Hydrologic and hydraulic analyses indicate that the project will have a negligible impact on water surface elevations and that flow velocities decrease downstream of the project site. While heavy rainfall and bank overflow are beyond this project's scope, the existing Alamo Creek infrastructure through the project area is designed to contain the 100-year design flow (1-percent-annual-chance flood discharge).

For a broader view on flood management, you may be interested in following Zone7's Flood Management Plan project here: <https://www.zone7water.com/post/flood-management-plan-1>.

B-2 On page 21, under item 8 of Section 2.1 in the Environmental Checklist Form, the project description includes "improving habitat for aquatic and riparian species" as one of its goals. This will be achieved by revegetating the project site with native plantings, which will enhance habitat conditions by providing shade, food, and shelter for birds, fish, and mammals that live along the channel.

B-3 The primary goals of this project are focused on local erosion reduction. Homeowners should refer to FEMA guidelines for more information on flood insurance. Also see B-4.

B-4 This project is designed to reduce erosion. The City of Dublin serves as the floodplain manager for the project vicinity, and homeowners should contact them for information on flood insurance requirements for properties adjacent to Alamo Creek.

B-5 This project does not include active wildlife management. Residents experiencing concern over the presence of vectors on or near their property can contact Alameda County Vector Control at (510) 567-6800. Vector Control recommends that residents install underground and above ground barriers on their property to help prevent burrowing animals from entering their yards. For additional information, please visit their website: <https://acvcسد.org>.



State of California – Natural Resources Agency  
 DEPARTMENT OF FISH AND WILDLIFE  
 Bay Delta Region  
 2825 Cordelia Road, Suite 100  
 Fairfield, CA 94534  
 (707) 428-2002  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

GAVIN NEWSOM, Governor  
 CHARLTON H. BONHAM, Director



Comment Letter C

February 28, 2025

Elke Rank, Senior Water Resources Planner  
 Zone 7 Water Agency  
 100 N Canyons Parkway  
 Livermore, CA 94551  
[ERank@zone7water.com](mailto:ERank@zone7water.com)

Subject: Alamo Creek Bank Stabilization and Flood Management Pilot Project,  
 Initial Study/Mitigated Negative Declaration, SCH No. 2025010825, Zone 7  
 Water Agency, Alameda County

Dear Elke Rank:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt a Mitigated Negative Declaration (IS/MND) Choose an item from the Zone 7 Water Agency (Lead Agency) for the Alamo Creek Bank Stabilization and Flood Management Pilot Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

#### CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's Lake and Streambed Alteration (LSA) regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

#### PROJECT DESCRIPTION SUMMARY

**Proponent:** Zone 7 Water Agency

**Objective:** The main purpose of this Project is to implement an ecologically uplifting approach to flood management that will reduce erosion, restore aquatic and riparian habitat, and promote public recreation. This Project will also serve as a pilot project for wider use throughout Zone 7's system. The Project includes combinations of habitat

<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Elke Rank  
Zone 7 Water Agency  
February 28, 2025  
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uplift and bank stabilization features, collectively referred to as 'modules.' Module designs will direct flows to the center of the channel and away from the banks and revegetate the banks with native plant species. The Project will reduce bank erosion caused by high turbulence and flows down Alamo Creek, thereby enhancing flood protection by maintaining the flood control channel. Reduced toe scour and bank erosion will also reduce fine sediment inputs to the creek and improve downstream water quality. In total, the modules provide approximately 1,270 linear feet of bank protection and habitat uplift along the channel and total an area of approximately 2.14 acres.

**Location:** The Project is located in the City of Dublin, Alamo Canal (waterway) upstream of Dublin Boulevard. The parcels associated with the Project are assessor parcel numbers (APN) 941-205-1-63 and 941-205-6-6. GPS coordinates are 37°42'33.3"N 121°54'59.2"W.

**Timeframe:** Project construction is anticipated to occur during the 2025 season (May 1 to October 31).

**COMMENTS AND RECOMMENDATIONS**

CDFW offers the comments and recommendations below to assist the Lead Agency in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

**I. Environmental Setting, Mitigation Measures and Related Impact Shortcoming**

**COMMENT 1: Project Design**

The Project includes placement of Rock Slope Protection, woven coir fabric, and a vegetated geogrid. Woven coir and geogrid can release microplastics into the environment as they degrade, negatively impacting fish and other aquatic species. As they break down, they can also become entangled with other natural creek materials as well as entrap wildlife.

C-1

**Recommended Mitigation Measure 1: Coordination and Design Modifications**

CDFW recommends coordination with regional CDFW and Conservation Engineering staff on the design. Coordination should evaluate opportunities to reduce the use of plastic materials in the restoration design and minimize impacts on aquatic and terrestrial life.

C-2

**II. Would the Project 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, or regulations, or by CDFW or U.S. Fish and Wildlife Service?**

**COMMENT 2: Special-Status Plant Species**

The Native Plant Protection Act (NPPA, Fish & G. Code §1900 *et seq.*) prohibits the take or possession of state-listed rare and endangered plants, including any part or product thereof, unless authorized by CDFW or in certain limited circumstances. Take of state-listed rare and/or endangered plants due to Project activities may only be permitted through an Incidental Take Permit (ITP) or other authorization issued by CDFW pursuant to California Code of Regulations, Title 14, section 786.9 subdivision (b).

C-3

Impacts to special-status plant species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. CDFW considers plant

Elke Rank  
Zone 7 Water Agency  
February 28, 2025  
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communities, alliances, and associations with a statewide ranking of S1, S2, S3, and S4 as sensitive and declining at the local and regional level (Sawyer 2009).

Additionally, plants that have a California Native Plant Society (CNPS) California Rare Plant Rank (CRPR) of 1A, 1B, 2A, and 2B are rare throughout their range, endemic to California, and are seriously or moderately threatened in California. All plants constituting CRPR 1A, 1B, 2A, and 2B are eligible for State listing. Impacts to these species or their habitat must be analyzed during preparation of environmental documents relating to CEQA, as they meet the definition of rare or endangered (CEQA Guidelines, § 15380). Please see CNPS Rare Plant Ranks at <https://www.cnps.org/rare-plants/rare-plant-ranking-review> (CNPS 2022) page for additional rank definitions.

Rare plant species likely to occur in the Project area include Congdon's tarplant (*Centromadia parryi* ssp. *Congdonii*). Previously there were large patches of Congdon's tarplant within 0.6 miles of the site and could occur in the Project area. It blooms from May to November. It typically occurs on alkaline soils and sea level grasslands.

The Project will have 0.297 acres of temporary impacts to grassland and 0.954 acres of permanent impacts to grassland.

The Project could impact rare plants through additional grading, earth movement and degraded habitat. In addition to direct impacts, indirect impacts to special-status species could also occur, including habitat degradation as a result of impacts to water quality, competition from added vegetation, introduction of non-native species, and increased human presence.

**Recommended Mitigation Measure 2: Surveys and Buffers**

Measure BIO-2 should include multiple surveys and buffers. According to CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* the protocol botanical field surveys should be conducted in the field at the times of year when plants will be both evident and identifiable. Usually this is during flowering or fruiting. Space botanical field survey visits throughout the growing season to accurately determine what plants exist in the Project area. This usually involves multiple visits to the Project area (e.g., in early, mid, and late-season) to capture the floristic diversity at a level necessary to determine if special-status plants are present. The timing and number of visits necessary to determine if special-status plants are present is determined by geographic location, the natural communities present, and the weather patterns of the year(s) in which botanical field surveys are conducted.

To avoid indirect impacts to special-status plants, an appropriate buffer distance should be established between the special-status plant occurrence and the Project impact areas. Appropriate buffer distance should be based upon review of site-specific conditions (e.g. special-status plants located downstream or in lower elevational areas in relation to the impact location, special-status plants being down wind of earth moving activities, and other conditions).

**Recommended Mitigation Measure 3: Compensatory Mitigation and Revegetation**

A review of protocol-level survey results should be conducted to establish appropriate compensatory mitigation ratios specific to each special-status plant species. Compensatory mitigation ratios should be developed based on the biological factors specific to each species and should be sufficient to compensate for the loss of those species.

All revegetation/restoration areas that will serve as mitigation should include preparation of a restoration plan, to be approved by CDFW prior to any ground disturbance. The restoration plan should include restoration and monitoring methods; annual success

C-3 cont.

C-4

C-5

C-6

Elke Rank  
Zone 7 Water Agency  
February 28, 2025  
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criteria; contingency actions should success criteria not be met; long-term management and maintenance goals; and a funding mechanism for long-term management.

C-6 cont.

**COMMENT 3: Burrowing Owl**

The burrowing owl (*Athene cunicularia*) is currently a candidate species under CESA and is afforded the same protection as a CESA-listed species (CEQA Guidelines, §15380, subds.(b)). Unauthorized take of this species pursuant to CESA is a violation of Fish and Game Code section 2080 et seq.

The Project includes grassland and herbaceous vegetation that may be potential burrowing owl habitat. The Project will have 0.297 acres of temporary impacts to grassland and 0.954 acres of permanent impacts to grassland. The IS/MND notes the presence of ground squirrel (*Marmotini*) burrows on-site.

Burrowing owl were formerly numerous throughout the San Francisco Bay Area region, particularly in the interior east of the Bay. Based on the burrowing owl endangered species petition, the number of breeding burrowing owl pairs in the San Francisco Bay area have declined from 165 in 1993 to less than 25 in 2023. Of the 5 primary threats it lists, the 2024 Burrowing Owl Petition identifies habitat loss, fragmentation, and degradation as the primary threat to burrowing owl in California.

Small, isolated colonies such as those that likely occur in the area are vulnerable to extirpation, especially without the influx of immigrants. Fragmented populations are at higher risk of extinction due to factors like reproductive isolation, inbreeding, and increased predation, and environmental factors such as drought or reduced prey density may further threaten these small populations.

C-7

Direct mortality could occur through crushing of adults or young within burrows, loss of nesting burrows, loss of nesting habitat, loss of foraging habitat resulting in reduced nesting success (loss or reduced health or vigor of eggs or young), nest abandonment, and reduced frequency or duration of care for young resulting in reduced health or vigor of young. This could occur due to excavation for placement of modules, excess noise and disturbance, and earth moving equipment. Because of their highly specialized, ground-dwelling lifestyle and dependence on underground tunnels, burrowing owl are extremely vulnerable to direct and indirect impacts of grading, disking, tilling, earthmoving, burrow blockage, and eradication of ground squirrels.

**Recommended Mitigation Measure 4: Burrowing Owl Avoidance**

The IS/MND should modify BIO-3 to state that if burrowing owl are detected during surveys within or near the Project area, a protective buffer will be established to ensure construction activities will not impact the burrowing owl or their habitat. Appropriate buffers typically have a 150 to 1,500-foot radius and vary depending on the level of disturbance and timing of construction. If the burrowing owl show signs of distress (e.g., defensive vocalizations and/or flying away from the nest), the buffer distance should be increased. The Designated Biologist shall submit the results of the surveys, including a Burrow Complex Map to CDFW for approval prior to beginning Covered Activities. If changes in burrowing owl presence are detected (e.g., burrowing owl have moved onsite or changed burrow use), the Designated Biologist shall contact the CDFW Regional Representative by phone or email within 24 hours of the observation to consult on appropriate measures to avoid or minimize impacts of the Project. If a lapse in Project-related work of 14 calendar days or longer occurs, the Lead Agency shall contact the CDFW Regional Representative by phone or email and may be required to conduct additional surveys before work may be reinitiated.

C-8

The Designated Biologist shall visually inspect any pipes, debris piles, culverts, pallet stacks, burrow exclusion installations, or similar structures for burrowing owl before the material is moved, buried, or capped. The Designated Biologist shall inspect all open

Elke Rank  
Zone 7 Water Agency  
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holes and trenches within the Project Area at a minimum of twice a day and immediately prior to backfilling. At the end of each workday, the Lead Agency shall place an escape ramp at each end of trenches or holes to allow any animals that may have become trapped in the trench or hole to climb out overnight. The ramp may be constructed of either dirt fill or wood planking or other suitable material that is placed at an angle no greater than 30-45 degrees. If any worker discovers that burrowing owl have become trapped, they shall halt Covered Activities and notify the Designated Biologist immediately. Project workers and the Designated Biologist shall allow the burrowing owl to escape unimpeded.

C-8 cont.

**Recommended Mitigation Measure 5: Burrowing Owl Monitoring**

The Designated Biologist(s) shall be present during construction activities to monitor the behavior of any burrowing owl. The Designated Biologist(s) shall have the authority to order stop work if burrowing owl exhibit distress and/or abnormal behavior for (e.g., excessive vocalizations, defensive flights at intruders, flushing frequently, or otherwise displaying agitated behavior). Permittee shall not resume activities until CDFW has been consulted by the Designated Biologist and both the Designated Biologist and CDFW confirm that the burrowing owl's behavior has normalized. CDFW, in consultation with the Designated Biologist(s), shall determine whether to increase the size of the no-disturbance buffer.

C-9

**Recommended Mitigation Measure 6: Compensatory Mitigation**

CDFW highly recommends that the Project proponent obtain take authorization from CDFW through issuance of an ITP if full avoidance of take during construction and/or operations is not feasible. The IS/MND must include all biologically appropriate and feasible take avoidance measures. If permanent or temporary impacts of the proposed Project to burrowing owl foraging and/or nesting habitat cannot be completely avoided, the IS/MND should include measures to minimize the impacts of construction on owls and their habitat, and effective compensatory mitigation to offset all habitat loss. A mitigation plan should be prepared in consultation with CDFW.

C-10

**COMMENT 4: Crotch's Bumble Bee**

The IS/MND does not analyze potential impacts to Crotch's bumble bee (*Bombus crotchii*) which is currently a Candidate Endangered species under CESA. Bumble bees are critically important because they pollinate a wide range of plants over the lifecycles of their colonies, which typically live longer than most native solitary bee species. As a candidate species, unauthorized take of this species pursuant to CESA is a violation of California Fish and Game Code section 2080 et seq.

The Project will result in permanent impacts to grassland habitats, which may be suitable to support Crotch's bumble bee. Absence of or lack of specificity in occurrence locations should not be interpreted as absence of the species at or near a given site. The Project location is within the Crotch's bumble bee range (<https://wildlife.ca.gov/Conservation/CESA>) and grassland within and adjacent to the Project site may contain potential habitat for Crotch's bumble bee.

C-11

Direct mortality through crushing or filling of active bee colonies and hibernating bee cavities, reduced reproductive success, loss of suitable breeding and foraging habitats, loss of native vegetation that may support essential foraging habitat.

**Recommended Mitigation Measure 7: Habitat Assessment**

A habitat assessment shall be conducted by a qualified entomologist knowledgeable with the life history and ecological requirements of Crotch's bumble bee. The habitat assessment shall include all suitable nesting, overwintering, and foraging habitats within the Project area and surrounding areas. Potential nest habitat (February through October) could include that of other *Bombus* species such as bare ground, thatched

C-12

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grasses, abandoned rodent burrows or bird nests, brush piles, rock piles, and fallen logs. Overwintering habitat (November through January) could include that of other *Bombus* species such as soft and disturbed soil or under leaf litter or other debris. The habitat assessment shall be conducted during peak bloom period for floral resources on which Crotch's bumble bee feed. Further guidance on habitat surveys can be found within *Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species* (<https://wildlife.ca.gov/Conservation/CESA>).

C-12 cont.

**Recommended Mitigation Measure 8: Survey Plan**

If Crotch's bumble bee habitat is present within the Project area, the Project should include a pre-construction survey plan as a mitigation measure. The survey plan should be submitted to CDFW for review. Surveys should be conducted by a qualified entomologist familiar with the behavior and life history of Crotch's bumble bee. If CESA candidate bumble bees will be captured or handled, surveyors should obtain a 2081(a) Memorandum of Understanding (MOU) from CDFW.

C-13

Surveys should be conducted during the colony active period (i.e. April through August) and when floral resources are in peak bloom. Bumble bees move nests sites each year, therefore, surveys should be conducted each year that Project work activities will occur. Further guidance on presence surveys can be found within *Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species* (<https://wildlife.ca.gov/Conservation/CESA>).

**Recommended Mitigation Measure 9: Crotch's Bumble Bee Avoidance or Take Authorization**

If Crotch's bumble bee are detected during pre-construction surveys, a Crotch's bumble bee avoidance plan should be developed and provided to CDFW for review prior to work activities involving ground disturbance or vegetation removal.

C-14

If full take avoidance is not feasible, CDFW strongly recommends that the IS/MND state that the Project proponent will apply to CDFW for take authorization under an ITP.

**Recommended Mitigation Measure 10: Herbicide Application**

To minimize impacts to bumble bees, herbicide application and mowing activities should avoid the bloom periods. If this is not possible, CDFW recommends that the Project obtain take authorization under an ITP, pursuant to Fish and Game Code section 2081 subdivision (b).

C-15

**Recommended Mitigation Measure 11: Compensatory Mitigation**

CDFW recommends that the IS/MND include compensatory mitigation for the loss of all suitable Crotch's bumble bee habitat. Bumble bee floral resources should be mitigated at a 3:1 ratio for permanent impacts in the absence of information regarding the compensatory mitigation site. Floral resources should be replaced as close to their original location as is feasible. If active Crotch's bumble bee nests have been identified and floral resources cannot be replaced within 600 feet of their original location, floral resources should be planted in the most centrally available location relative to identified nests. This location should be no more than 4,900 feet (1.5-km) from any identified nest. Replaced floral resources may be split into multiple patches to meet distance requirements for multiple nests. The IS/MND should state that mitigation lands will be protected in perpetuity under a conservation easement with an endowment established for long-term management of the lands.

C-16

**ENVIRONMENTAL DATA**

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make

C-17

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subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: [http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB\\_FieldSurveyForm.pdf](http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf). The completed form can be mailed electronically to CNDDDB at the following email address: [CNDDDB@wildlife.ca.gov](mailto:CNDDDB@wildlife.ca.gov). The types of information reported to CNDDDB can be found at the following link: [http://www.dfg.ca.gov/biogeodata/cnddb/plants\\_and\\_animals.asp](http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp).

C-17 cont.

### FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

### CONCLUSION

CDFW appreciates the opportunity to comment on the IS/MND to assist Zone 7 Water Agency in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Marcus Griswold, Senior Environmental Scientist (Specialist), at (707) 815-6451 or [Marcus.Griswold@wildlife.ca.gov](mailto:Marcus.Griswold@wildlife.ca.gov).

Sincerely,

DocuSigned by:

*Erin Chappell*

B77E8A6211EF486

Erin Chappell

Regional Manager  
Bay Delta Region

ec: Office of Planning and Research, State Clearinghouse, Sacramento

Attachment 1: Special-Status Species and Commercially/Recreationally Important Species

### REFERENCES

California Department of Fish and Wildlife (CDFW). 2025. Biogeographic Information and Observation System (BIOS). <https://www.wildlife.ca.gov/Data/BIOS>. Accessed February 20, 2025.

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**ATTACHMENT 1: Special-Status Species**

Species	Status
<b>Fish and Invertebrates</b>	
Crotch's bumble bee ( <i>Bombus crotchii</i> )	State candidate (SC)
<b>Birds</b>	
burrowing owl ( <i>Athene cunicularia</i> )	SC
<b>Mammals</b>	
pallid bat ( <i>Antrozous pallidus</i> )	SSC
<b>Reptiles and Amphibians</b>	
California red-legged frog ( <i>Rana draytonii</i> )	Federally Threatened (FT), SSC
western pond turtle ( <i>Emys marmorata</i> )	Proposed FT, SSC
<b>Plants</b>	
Congdon's tarplant ( <i>Centromadia parryi</i> ssp. <i>congdonii</i> )	S2, 1B.1
San Joaquin spearscale ( <i>Extriplex joaquinana</i> )	1B
Prostrate vernal pool navarretia ( <i>Navarretia prostrata</i> )	1B
Saline clover ( <i>Trifolium hydrophilum</i> )	1B

C. RESPONSE TO: MARCUS GRISWOLD, CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE, FEBRUARY 28, 2025

General Response: Zone 7 has submitted additional ecological information to support a CDFW project permit application and anticipates additional discussion with CDFW to ensure adequate protection of resources.

C-1 The erosion control fabric will be made from coconut fiber rather than woven coir. Geogrid will only be used on the top of the bank and will not be placed in the channel. This information is now included in Section 1.4.1 Module Key Components of the Project Description:

- “Geogrid will only be used on the top of the bank and will not be placed in the channel.”
- Vegetated soil lifts will be used in Modules 3 and 4 as an alternative approach to using rock for bank stabilization. Each 16-inch lift of native soil will be wrapped in woven coir fabric made of coconut fiber and compacted after installation.

C-2 Please refer to comment reply C-1. The erosion control fabric will not be made of plastic materials and the geogrid will not be placed in the channel. Through the CDFW permitting process, Zone 7 will seek a coordination meeting with the CDFW Conservation Engineering group to discuss the project.

C-3 Several mitigation measures have been identified to help reduce the impact on Special-Status Plant Species (see below). Furthermore, the Project is not recreational in nature and will not increase the amount of human traffic in comparison to existing conditions. Construction workers will only be on site temporarily to construct this Project. New vegetation planting will be made up of native species; refer to the Project Description for a list of species that may be selected.

BIO-1 includes minimizing the project footprint, use of fencing to protect resources where possible, and worker environmental training.

The implementation of BIO-2: Pre-Construction Plant Surveys shall be implemented in accordance with CDFW Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. Zone 7 will coordinate with CDFW on identifying additional avoidance and mitigation measures to be implemented.

C-4 Also refer to reply C-3. Pre-Construction Plant surveys will be conducted and Zone 7 will coordinate with CDFW on identifying additional mitigation measures to be implemented if necessary.

C-5 Also refer to reply C-3. Botanical surveys will be conducted prior to project construction. Zone 7 will coordinate with CDFW to ensure adequate protection of resources..

C-6 A planting plan has been prepared and submitted to CDFW with the project permit application. Vegetation planting will be composed of native species, as described in the Project Description (Section 1.4.1). The implementation of BIO-2: Pre-Construction Plant

Surveys shall follow CDFW Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (2020 version).

- C-7 Comment acknowledged. Please refer to Mitigation Measure BIO-3: Pre-Construction Burrowing Owl Survey. Within 2 weeks of initial ground disturbance, all fossorial mammal burrows within the BSA should be examined for signs of occupation by burrowing owls. If burrowing owls are detected, the AMM methodologies outlined by CDFW on Burrowing Owl Mitigation would be implemented prior to initiating any project-related activities that may impact burrowing owls. Mitigation Measure BIO-7 also outlines measures taken in order to avoid active nest sites. No-disturbance buffers per CDFW guidelines and biologist monitoring should be followed.
- C-8 Comment acknowledged. Buffers will be implemented following CDFW guidelines. Zone 7 will coordinate with CDFW to ensure compliance.
- C-9 Comment acknowledge. Designated Biologist(s) will be present during construction activities to monitor the behavior of any burrowing owl should burrowing owl be present on-site. Zone 7 will coordinate with CDFW to ensure compliance.
- C-10 Comment acknowledged. Zone 7 will coordinate with CDFW to ensure adequate protection of resources.
- C-11 Comment acknowledged. Zone 7 will coordinate with CDFW to ensure adequate protection of resources
- C-12 A habitat assessment shall be conducted by a qualified entomologist during the appropriate season (April – June) to confirm occurrence/lack of occurrence. If Crotch’s bumble bee habitat is present, additional mitigation measures will be proposed and documented as part of the permit process with CDFW.
- C-13 If Crotch’s bumble bee habitat is present within the project area, Zone 7 will coordinate with CDFW on identifying the need for additional mitigation measures to be implemented.
- C-14 If Crotch’s bumble bee are detected during pre-construction surveys, Zone 7 will coordinate with CDFW on identifying the need for additional mitigation measures to be implemented.
- C-15 Comment acknowledged. Herbicide application and mowing activities will be avoided during bloom periods.
- C-16 If suitable Crotch’s bumble bee habitat is lost as a result of the project, Zone 7 will coordinate with CDFW on identifying the appropriate compensatory mitigation.
- C-17 Comment acknowledged. Special-status species and natural communities detected during Project surveys will be reported to the California Natural Diversity Database (CNDDB).



February 28, 2025

Elke Rank  
Alameda County Flood Control and Water Conservation District, Zone 7  
100 North Canyons Parkway  
Livermore, CA 94551  
Via e-mail only: [erank@zone7water.com](mailto:erank@zone7water.com)

**SUBJECT: Alamo Creek Bank Stabilization and Flood Management Pilot Project, Notice of Intent to Adopt a Mitigated Negative Declaration, City of Dublin Comments**

Elke,

The City of Dublin (City) provided your agency with a letter of support for the Floodplain Management Protection and Risk Awareness Grant Program through the Department of Water Resources Proposition 68 grant application for this project, so we are pleased to see that the project is ready to move forward to the construction phase.

Thank you for the opportunity to review the Alamo Creek Bank Stabilization and Flood Management Pilot Project Initial Study and Mitigated Negative Declaration (IS/MND). To ensure the adequacy of the IS/MND, the City requests that Zone 7 address the following comments, some of which are minor inconsistencies within the IS/MND while others are the City's concerns with the impact analysis and mitigation measures:

- City Council**  
925.833.6650
- City Manager**  
925.833.6650
- Community Development**  
925.833.6610
- Economic Development**  
925.833.6650
- Finance/IT**  
925.833.6640
- Fire Prevention**  
925.833.6606
- Human Resources**  
925.833.6605
- Parks & Community Services**  
925.833.6645
- Police**  
925.833.6670
- Public Works**  
925.833.6630

- D-1 1. On Page 2, in Section 1.3 (Project Location and Setting), two Assessor's Parcel Numbers (APNs) are identified as part of the proposed project. However, APN 941-205-6-6 is not shown on Figure 1-2 (Project Assessor Parcel Numbers) on Page 4.
- D-2 2. On Page 3, Figure 1-1, and on Page 11, Figure 1-4, South San Ramon Creek is incorrectly labeled as Coyote Creek.
- D-3 3. On Page 10, in Section 1.5.1 (Construction Schedule/Sequencing), the IS/MND states that "work days will be from Monday through Friday." However, on Page 27, in Section 2.4.3b. (Air Quality), and on Page 55, in Section 2.4.8a. (Greenhouse Gas Emissions), the IS/MND states that construction would occur six days a week.
- D-4 4. On Page 10, in Section 1.5.1 (Construction Schedule/Sequencing), the IS/MND states that the "trails on both sides of the creek will be closed during project construction." Please clarify. The City understands that the Alamo Canal Trail is located along the eastern bank and a Zone 7 maintenance road with restricted access to only Zone 7 is located on the western bank. Any trail detours or "alternate routes" proposed shall be for the Alamo Canal Trail.

The City understands that Zone 7 plans to detour trail users to other City or East Bay Regional Park District trails (Alamo Creek Trail and Stagecoach Trail), and/or City street rights-of-way sidewalks and bike lanes (Dublin Boulevard, Dougherty Road, and Amador Valley Boulevard).

D-4 cont.

Zone 7 and its contractor will be required to apply for an Encroachment Permit from the City (and provide associated traffic control plans) for installation of any temporary detour route facilities and signage and will be required to monitor, maintain, and keep safe and clear of debris and hazards for the duration of the detour. This includes a pre-construction evaluation of the route for compliance with applicable safety requirements for both bicycle and pedestrian use, identifying and eliminating any sidewalk hazards, and ensuring accessibility. Additionally, Zone 7 and its contractor may be required to perform periodic street sweeping of the bike lanes along the detour route for the duration of the detour. Zone 7 shall also be responsible for repairing damages to the trail pavement caused by the trucking and hauling activities.

D-5

5. On Page 10, in Section 1.5.2 (Staging/Materials Delivery and Laydown), the IS/MND states that access would be from Amador Valley ~~Road~~ Boulevard and Dublin Boulevard. However, Figure 1-4 (Staging and Access) on Page 11 shows access would also be from Dougherty Road.

D-6

6. On Page 10, in Section 1.5.2 (Staging/Materials Delivery and Laydown), the third sentence incorrectly indicates that Amador Valley ~~Road~~ Boulevard is owned by Zone 7. Amador Valley Boulevard is a City street right-of-way. Dublin Boulevard is also a City street right-of-way.

D-7

7. On Page 11, in Section 1.5.2 (Project Construction Staging/Materials Delivery and Laydown), Figure 1-4 Staging and Access, there is a proposed staging area located on City-owned property, APN 941-2768-6-2, known as the Iron Horse Nature Park and Open Space property. There is an active construction project on the property to install improvements as a part of the City's Green Stormwater Infrastructure project. Zone 7 and its contractors will be required to request to use City-owned property for staging of equipment and materials, which may not be granted due to potential interference and use of park/open space property and/or the green stormwater infrastructure use.

D-8

8. On Page 12, in Section 1.5.4 (Truck Trips and Haul Routes), the estimated import and export may require Zone 7 and its contractor to obtain a Transportation Permit from the City and for the contractor to use the City's designated truck routes. Upon review of an application for a Transportation Permit, the City will determine if a pre- and post-construction survey/evaluation of the roadway pavement along the haul routes is necessary along with any remediation caused by the trucking and hauling activities.

D-9

9. On Page 19, in Section 2.1 (Environmental Checklist Form), the General Plan land use designation for the project area is identified as Open Space and the zoning is identified as R-1 (Single-Family Residential). However, the General Plan land use designation for APN 941-205-1-63 is Open Space and Stream Corridor and the zoning is R-1. The General Plan land

D-9 cont.

use designation for APN 941-205-6-6 is Medium/High Density Residential and the zoning is M-1 (Light Industrial).

10. On Page 65, in Section 2.4.13 (Noise), the IS/MND states that the City does not have noise regulations that would apply to the construction of the project and the County's Noise Ordinance exempts construction noise provided that it occurs between 7:00 a.m. and 7:00 p.m. Monday through Friday and between 8:00 a.m. and 5:00 p.m. Saturdays and Sundays. The noise impact analysis in the IS/MND, which is based on FTA guidelines, states that 90dBA Leq is the threshold of significance. Leq is the average noise over a period of time, typically an hour, which means noise from construction equipment over an hour could actually be louder than 90 dBA. Examples of 90dBA are lawnmowers, power tools, and motorcycles. On Page 66, the IS/MND states that all phases of the project would have noise impacts on nearby residences.

The General Plan Noise Element includes a table of land use compatibility noise environments. Normally acceptable noise for residential land uses is 60 dB or less and clearly unacceptable noise is over 75 dB. Although the project is temporary, it would occur over a six-month period and would result in noise that would be well above a clearly unacceptable level for nearby residences.

D-10

Similarly, on Page 69, the IS/MND states that all phases of the project would result in potentially significant vibration damage and annoyance impacts to nearby residences. It further states that "Due to the narrow shape of the Project construction area, in combination with the close proximity of the Project construction area and sensitive receivers, vibration annoyance mitigation is challenging. Effective equipment distance limits from sensitive receivers to mitigate annoyance are unlikely to be reasonably achievable. It is recommended that the contractor work with the occupants/owners to keep construction to times that will minimize disturbance, as described in **Mitigation Measure NOISE-1: General Noise Mitigation Measures.**"

The City does not believe Mitigation Measure NOISE 1 goes far enough to mitigate construction noise and vibration impacts and recommends the following revisions shown in ~~strike-out~~ and underline text:

#### **Mitigation Measure NOISE-1: General Noise Mitigation Measures**

D-11

- Provide temporary construction noise barriers, blocking the line-of-sight from noisy activities to noise-sensitive receivers; provide walled enclosures or mass-loaded vinyl curtains around noisy equipment or activities; and/or wrap noisy equipment with mass-loaded vinyl as feasible;
- Utilize quiet and properly functioning equipment that is maintained in a state of good repair and fitted with silencers or mufflers that provide the same or better noise reduction than original equipment manufacturer (OEM) equipment;

D-11 cont.

- Plan truck routes and loading activities away from noise-sensitive receivers.

~~To comply with the Alameda County noise ordinance, construction should not take place between 7:00 pm and 7:00 am on Mondays through Fridays, or between 5:00 pm and 8:00 am on Saturdays and Sundays.~~  
Construction activities, including the idling, maintenance, and warming up of equipment, shall be limited to Monday through Friday, and non-City holidays, between the hours of 7:30 a.m. and 6:00 p.m. except as otherwise approved by the City Engineer. Extended hours or Saturday work will be considered by the City Engineer on a case-by-case basis. Note that the construction hours of operation within the public right-of-way are more restrictive.

Planting, Irrigation, and Trail Repair phase: ~~Utilize~~ A non-vibratory roller shall be utilized in place of a vibratory roller.

Remaining phases: Bulldozers and loaded trucks ~~should~~ shall have limited use within 15 feet of nearby structures. If this is not reasonably achievable, vibration monitoring ~~is recommended~~ shall be conducted at 6450 Dougherty Road (South), ~~a residence located on~~ [insert specific addresses] Hickory Lane adjacent to the site, and ~~a residence located on~~ [insert specific addresses] Spruce Lane adjacent to the site. Contractor ~~should~~ shall work with occupants/owners to keep construction to times that will minimize disturbance. [Should monitoring also be conducted at residences along Prince Drive and Ebensburg Lane?]

D-12

11. On Page 74, in Section 2.4.16a. (Recreation), the IS/MND states that the project area is not designated open space. However, portions of the project area have a General Plan land use designation of Open Space.

D-13

12. On Page 74, in Section 2.1.16a (Recreation), see comment above in Section 1.5.1 (Construction Schedule/Sequencing) regarding detour routes for bicycles and pedestrians on Alamo Canal Trail.

D-14

13. On Page 75, in Section 2.4.17a. (Transportation), the IS/MND estimates that the project would generate 1,549 “haul” trips. However, on Page 83, in Section 2.4.19d, e. (Utilities and Service Systems), the IS/MND estimates earthwork of import and export materials would require approximately 1,713 “truck” trips.

D-15

14. On Page 75, in Section 2.4.17a. (Transportation), potential impacts due to construction worker and haul trips are discussed. However, there is no discussion of impacts to bicycle and pedestrian facilities. Although temporary, the proposed project would close a portion of the Alamo Creek Trail in the project area for six months. The City believes this is a potentially significant impact to bicycle and pedestrian facilities that requires mitigation.

Additionally, the proposed detour route may be potential conflict with the proposed construction access points. Zone 7 and its contractor may be required to have a flagger to direct construction traffic and trail users at these conflict points.

D-15 cont.

Zone 7 and its contractor will be required to repair or replace any damaged curb, gutter, and sidewalk at the proposed construction access points on Dublin Boulevard, Dougherty Road, and Amador Valley Boulevard.

D-16

Other general advisory notes:

15. The City of Dublin is committed to reducing greenhouse gases within city limits and has declared the city as an idle-free city. Zone 7 and its contractors shall adhere to the City's Resolution No. 17-21 (enclosed for reference) encouraging limiting idling to no more than 30 seconds.

Should you have any questions, please do not hesitate to contact Gabby Abdon or me at (925) 833-6630.

Sincerely,



Laurie Sugang, P.E.  
Assistant Public Works Director/City Engineer

CC: Gabby Abdon, Senior Civil Engineer  
Sai Midididdi, Senior Civil Engineer  
Shannan Young, Environment and Sustainability Manager  
Debbie Bell, Public Works Manager  
Kristie Wheeler, Special Projects Manager

Enclosure: City of Dublin Resolution No. 17-21 Declaring the City of Dublin an Idle-Free City

**RESOLUTION NO. 17 - 21**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF DUBLIN**

**DECLARING THE CITY OF DUBLIN AN IDLE-FREE CITY**

**WHEREAS**, idling vehicles emit pollutants such as greenhouse gases (GHGs), hydrocarbons, nitrogen oxides, carbon monoxide, particulate matter, and other toxic air contaminants that are harmful to both the environment and to human health; and

**WHEREAS**, the City of Dublin has committed to reducing GHG emissions with the adoption of its Climate Action Plan 2030 and Beyond, which includes goals to reduce GHG emissions to 40 percent below 1990 levels by 2030 and to reach carbon neutrality by 2045; and

**WHEREAS**, the emissions produced by idling vehicles can cause health issues such as increased rates of heart and lung diseases and can aggravate lung illnesses such as acute respiratory infections, asthma, chronic bronchitis, emphysema, and lung cancer; and

**WHEREAS**, it is vital to protect public health and safeguard the well-being of vulnerable populations such as children, elderly people, pregnant women, people with respiratory diseases, and people with compromised immune systems who are disproportionately affected by poor air quality; and

**WHEREAS**, idling a typical vehicle for longer than 10 seconds consumes more fuel than restarting the vehicle, resulting in preventable GHG and toxic air emissions and wasted fuel; and

**WHEREAS**, education about reducing idling can raise awareness and encourage the Dublin community to develop idle free habits; and

**WHEREAS**, the City of Dublin aims to support a high quality of life and a safe and secure environment; and

**WHEREAS**, the Dublin community can improve air quality by turning off vehicles whenever idling would occur for 30 seconds or longer.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Dublin hereby declares Dublin to be an Idle-Free City and encourages residents, visitors, employees and other individuals within City limits not to exceed 30 seconds of idling time in their vehicles.

**PASSED, APPROVED AND ADOPTED** this 2<sup>nd</sup> day of March 2021, by the following vote:

**AYES:** Councilmembers Hu, Josey, Kumagai, McCorrison and Mayor Hernandez

**NOES:**

**ABSENT:**

**ABSTAIN:**

DocuSigned by:

*M. Hernandez*

97C94F7A46A8461...

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Mayor

**ATTEST:**

DocuSigned by:

*Marsha Moore*

9BB70845D22F40A...

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City Clerk

- D. RESPONSE TO: LAURIE SUCGANG, CITY OF DUBLIN, FEBRUARY 28, 2025
- D-1 Comment acknowledged. Section 1.3 (Project Location and Setting), Figure 1-1 has been updated to include both APNs. Please refer to Chapter 3.0 Revisions for the removed and updated figure.
- D-2 Comment acknowledged. Figure 1-2 has been updated to reflect the change from “Coyote Creek” to “South San Ramon Creek.” Please refer to Chapter 3.0 Revisions for the removed and updated figure.
- D-3 Construction will occur from Monday through Friday throughout the construction season. Some, but not all Saturdays may be required to complete the project within the construction work window.
- D-4 Comment acknowledged. Zone 7 and its contractor will apply for an Encroachment Permit from the City of Dublin for the trail detour and comply with the requirements listed in the permit.
- D-5 Amador Valley Road Boulevard, Dublin Boulevard, and Dougherty Road will be used as access points.
- D-6 Comment acknowledged. Section 1.5.2 Staging/Materials Delivery and Laydown has been corrected as follows:
- “The primary access point will occur from Amador Valley Road, a City of Dublin street right-of-way which is owned by Zone 7.”
- D-7 Comment acknowledged. Zone 7 and its contractors will follow appropriate protocols and request access as needed.
- D-8 Comment acknowledged. Zone 7 and its contractors will obtain a Transportation Permit from the City of Dublin to use the City’s designated truck routes.
- D-9 Comment acknowledged. Please refer to Section 2.1 Environmental Checklist Form for correction. The General Plan and zoning designations have been corrected as follows:
- General Plan designation: Open Space, Stream Corridor, Medium/High Density Residential
  - Zoning: R-1 Single Family Residential (Minimum Lot Area), M-1 (Light Industrial)
- D-10 Comment acknowledged. Mitigation Measure NOISE-1: General Noise Mitigation Measures will be modified to include the City of Dublin’s recommendations, as described in the reply to comment D-11, below.
- D-11 Comment acknowledged. The following language originally included in the mitigation measure would be removed: “To comply with the Alameda County noise ordinance, construction should not take place between 7:00 pm and 7:00 am on Mondays through Fridays, or between 5:00 pm and 8:00 am on Saturdays and Sundays.”

In addition to this, the following language recommended by the City of Dublin would be included: “Construction activities, including the idling, maintenance, and warming up of equipment, shall be limited to Monday through Friday, and non-City holidays, between the hours of 7:30 a.m. and 6:00 p.m. except as otherwise approved by the City Engineer. Extended hours or Saturday work will be considered by the City Engineer on a case-by-case basis. Note that the construction hours of operation within the public right-of-way are more restrictive. Planting, Irrigation, and Trail Repair phase: Utilize A non-vibratory roller shall be utilized in place of a vibratory roller.”

Mitigation Measure NOISE-1 would be modified to reflect the City of Dublin’s recommended revisions, as follows:

- **“NOISE-1: General Noise Mitigation Measures**

- Provide temporary construction noise barriers, blocking the line-of-sight from noisy activities to noise-sensitive receivers; provide walled enclosures or mass-loaded vinyl curtains around noisy equipment or activities; and/or wrap noisy equipment with mass- loaded vinyl as feasible;
- Utilize quiet and properly functioning equipment that is maintained in a state of good repair and fitted with silencers or mufflers that provide the same or better noise reduction than original equipment manufacturer (OEM) equipment;
- Plan truck routes and loading activities away from noise-sensitive receivers.

~~To comply with the Alameda County noise ordinance, construction should not take place between 7:00 pm and 7:00 am on Mondays through Fridays, or between 5:00 pm and 8:00 am on Saturdays and Sundays.~~

Construction activities, including the idling, maintenance, and warming up of equipment, shall be limited to Monday through Friday, and non-City holidays, between the hours of 7:30 a.m. and 6:00 p.m. except as otherwise approved by the City Engineer. Extended hours or Saturday work will be considered by the City Engineer on a case-by-case basis. Note that the construction hours of operation within the public right-of-way are more restrictive.

Planting, Irrigation, and Trail Repair phase: ~~Utilize a~~ A non-vibratory roller shall be utilized in place of a vibratory roller.

Remaining phases: Bulldozers and loaded trucks ~~should~~ shall have limited use within 15 feet of nearby structures. If this is not reasonably achievable, vibration monitoring ~~is recommended~~ shall be conducted at 6450 Dougherty Road (South), ~~a residence located on Hickory Lane adjacent to the site, and a residence located on Spruce Lane adjacent to the site.~~ Contractor ~~should~~ shall work with occupants / owners to keep construction to times that will minimize disturbance.”

D-12 Comment acknowledged. Please refer to Section 2.4.16(a) (Recreation) for correction. The correction is made as follows:

- “The Project area is not designated as open space (City of Dublin, 2024). Parts of the Project area are designated as Open Space.”

D-13 Comment acknowledged. Please refer to reply D-4 regarding detour routes for the Alamo Canal Trail.

D-14 Haul trips refer specifically to truck trips that transport materials to or from the project site, while truck trips include all construction-related truck activity. Therefore, the number of “haul” trips is smaller than the number of “truck” trips as “haul” trips are a subset of “truck” trips. This differentiation is important because haul trips directly affect road wear, congestion on haul routes, and local traffic.

D-15 Zone 7 will comply with the requirements outlined in the City of Dublin encroachment permit. Relevant elements will be incorporated as need-be.

D-16 Zone 7 and its contractors will adhere to the City’s Resolution No. 17-21 regarding idling limits. The City’s Resolution will be incorporated into the contractors’ specifications and communicated in pre-construction meetings to ensure that compliance is met.

## CHAPTER 3.0

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### REVISIONS

#### 3.1 INTRODUCTION

The following corrections/clarifications have been made to the IS/MND text and figures. These corrections include corrections or clarifications requested by a specific response to comments. The revisions are organized by Chapter and page number that appear in the IS/MND. ~~Deleted~~ text and figures presented in this section indicates text and figures that have been deleted from the IS/MND. Text that has been added to this IS/MND is presented as underlined. References in bolded parenthesis refer to Draft IS/MND comment letters.

#### 3.2 FIGURE REVISIONS

##### CHAPTER 1.0 PROJECT DESCRIPTION

Page 4. Section 1.3 (**Comment D-2**)



X:\GIS\Projects\012-04 Alamo Creek\APRX\staging\_and\_access.aprx

### Legend

 Project Boundary



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### Legend

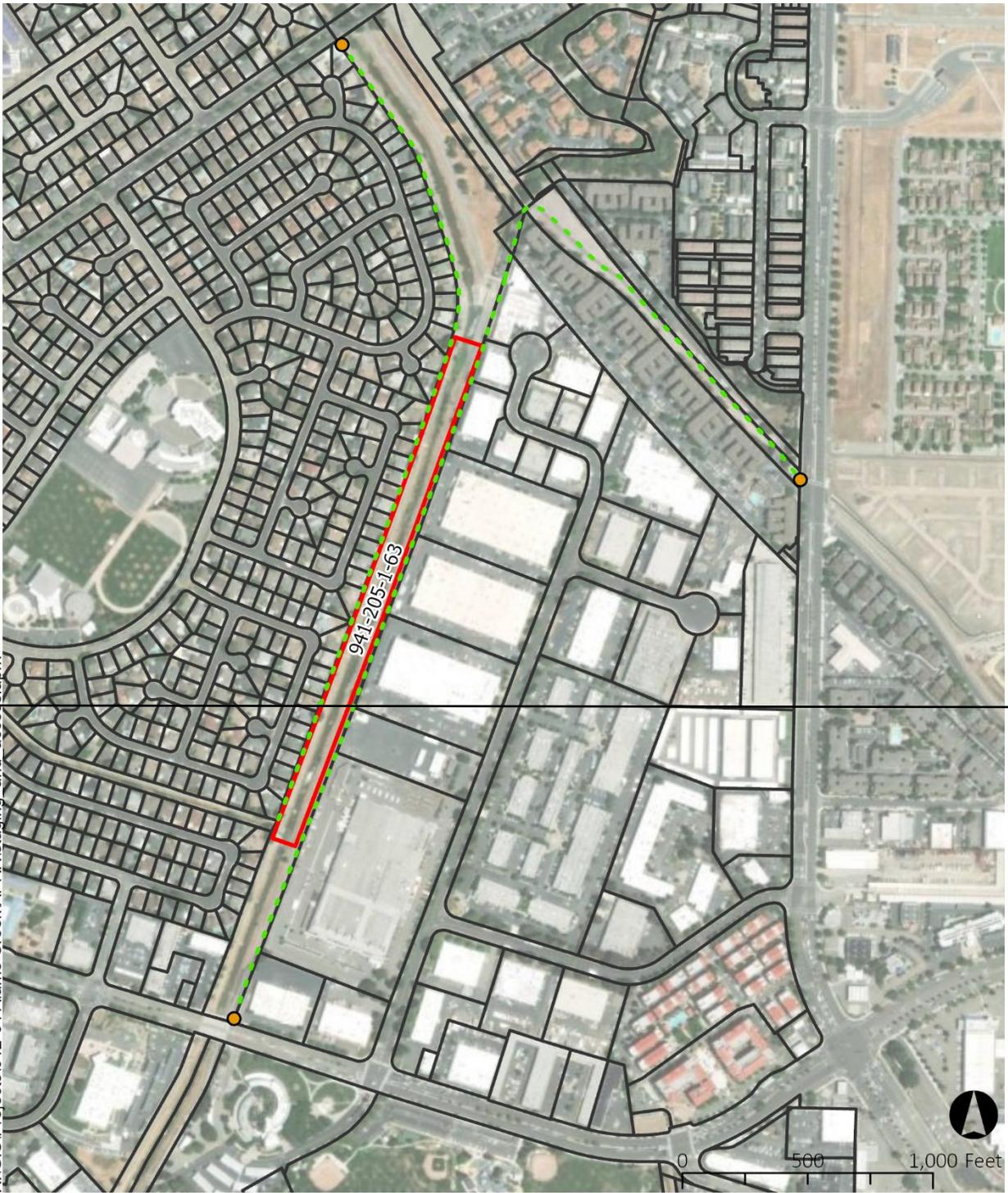
 Project Boundary



FIGURE 1-1 PROJECT LOCATION

Page 6. Section 1.3 (**Comment D-1**)

X:\GIS\Projects\012-04 Alamo Creek\APR\staging\_and\_access.aprx



### Legend

- Project Boundary
- Access Routes
- Parcels
- Access Points



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### Legend

- Project Boundary
- Access Routes
- Parcels
- Access Points



FIGURE 1-2 PROJECT ASSESSOR PARCEL NUMBERS

### 3.3 TEXT REVISIONS

#### CHAPTER 1.0 PROJECT DESCRIPTION

Page 10, Section 1.4.1 (**Comment C-1**)

##### **Embedded Rocks for Bank and Toe Stabilization**

Banks will be armored with rock slope protection by over-excavating, placing rocks, and filling with soil. Rocks will be half-ton in size at the toe, and will decrease in size moving up the slope. Rock embedded in the banks will be placed with a maximum thickness of 3 feet measured perpendicularly from the slope, and then a 1-foot layer of soil will be placed over the rock and hydroseeded. Gaps between rocks will be filled in with soil. Live willow staking (discussed in greater detail in the following section) will be installed concurrently with the rock placement to ensure plant establishment throughout the stabilized bank.

In addition to rock slope protection, a small amount of geogrid will be placed under the access road and along part of the slope to prevent longitudinal cracking of the aggregate base road at the top of the slope. Geogrid will only be used on the top of the bank and will not be placed in the channel.

##### **Vegetated Soil Lifts**

Vegetated soil lifts will be used in Modules 3 and 4 as an alternative approach to using rock for bank stabilization. Each 16-inch lift of native soil will be wrapped in woven coir fabric made of coconut fiber and compacted after installation. At the front of each lift is a densely packed mattress of biodegradable coir fibers that are attached to the coir fabric. The lifts will be anchored with stakes and/or live willow cuttings.

Page 12, Section 1.5.2 (**Comment D-6**)

All staging and access activities will occur within the Project boundary as shown in Error! Reference source not found.. The Project boundary shows the maximum area of disturbance. The primary access point will occur from Amador Valley Road, a City of Dublin street right-of-way which is owned by Zone 7. Dublin Boulevard will be used for access from the south.

#### CHAPTER 2.0 INITIAL STUDY

Page 21, Section 2.1 (**Comment D-9**)

6. General Plan designation: Open Space, Stream Corridor, Medium/High Density Residential
7. Zoning: R-1 Single Family Residential (Minimum Lot Area), M-1 (Light Industrial)

Page 71, Section 2.4.13, Mitigation Measures Related to Noise (**Comment D-11**)

Mitigation measures related to noise

**Mitigation Measure NOISE-1: General Noise Mitigation Measures**

- Provide temporary construction noise barriers, blocking the line-of-sight from noisy activities to noise-sensitive receivers; provide walled enclosures or mass-loaded vinyl curtains around noisy equipment or activities; and/or wrap noisy equipment with mass-loaded vinyl as feasible;
- Utilize quiet and properly functioning equipment that is maintained in a state of good repair and fitted with silencers or mufflers that provide the same or better noise reduction than original equipment manufacturer (OEM) equipment;
- Plan truck routes and loading activities away from noise-sensitive receivers.

~~To comply with the Alameda County noise ordinance, construction should not take place between 7:00 pm and 7:00 am on Mondays through Fridays, or between 5:00 pm and 8:00 am on Saturdays and Sundays.~~

Construction activities, including the idling, maintenance, and warming up of equipment, shall be limited to Monday through Friday, and non-City holidays, between the hours of 7:30 a.m. and 6:00 p.m. except as otherwise approved by the City Engineer. Extended hours or Saturday work will be considered by the City Engineer on a case-by-case basis. Note that the construction hours of operation within the public right-of-way are more restrictive.

Planting, Irrigation, and Trail Repair phase: ~~Utilize a~~ A non-vibratory roller shall be utilized in place of a vibratory roller.

Remaining phases: Bulldozers and loaded trucks ~~should~~ shall have limited use within 15 feet of nearby structures. If this is not reasonably achievable, vibration monitoring ~~is recommended~~ shall be conducted at 6450 Dougherty Road (South), ~~a residence located on Hickory Lane adjacent to the site, and a residence located on Spruce Lane adjacent to the site.~~ Contractor ~~should~~ shall work with occupants / owners to keep construction to times that will minimize disturbance.

Page 76, Section 2.4.16, First Paragraph of Impact Analysis a) (**Comment D-12**)

**Less Than Significant Impact.** ~~The Project area is not designated as open space (City of Dublin, 2024).~~ Parts of the Project area are designated as Open Space. The Project area is ~~also~~ used for recreational purposes through the Alamo Creek Trail, located adjacent to and alongside the Project area. Truck traffic and construction activities during construction would temporarily interfere with this trail for the duration of the project.

CHAPER 4.0 APPENDICES

Appendix B. Mitigation, Monitoring, and Reporting Plan (**Comment D-11**)

**NOISE-1: General Noise Mitigation Measures**

- Provide temporary construction noise barriers, blocking the line-of-sight from noisy activities to noise-sensitive receivers; provide walled enclosures or mass-loaded vinyl curtains around noisy equipment or activities; and/or wrap noisy equipment with mass-loaded vinyl as feasible;
- Utilize quiet and properly functioning equipment that is maintained in a state of good repair and fitted with silencers or mufflers that provide the same or better noise reduction than original equipment manufacturer (OEM) equipment;
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