East County Hall of Justice

Addendum to
Juvenile Justice Facility and East County Hall of Justice EIS/EIR

SCH No. 2002012080

November 30, 2009

Alameda County General Services Agency
c/o Alameda County Planning Dept.
224 W. Winton Ave., Room 111
Hayward, CA 94544

LAMPHIER - GREGORY
URBAN PLANNING, ENVIRONMENTAL ANALYSIS & PROJECT MANAGEMENT | 510.535.6690

ADDENDUM TO

JUVENILE JUSTICE FACILITY AND EAST COUNTY HALL OF JUSTICE EIS/EIR

State Clearinghouse No. 2002012080

Alameda County General Services Agency
c/o Alameda County Planning Dept.
224 W. Winton Ave., Rm. 111
Hayward, CA 94544

Lamphier-Gregory

November 30, 2009

INITIAL STUDY DETERMINATION

TO DETERMINE WHETHER FURTHER CEQA REVIEW IS REQUIRED FOR DEVELOPMENT OF AN EAST COUNTY HALL OF JUSTICE FACILITY AT THE EAST COUNTY GOVERNMENT CENTER SITE IN DUBLIN, CALIFORNIA

California Environmental Quality Act (CEQA)

The purpose of this evaluation is to determine whether a Subsequent or Supplemental Environmental Impact Report (EIR) is needed to fully assess and evaluate the impacts of the East County Hall of Justice Project proposed for the East County Government Center site in Dublin, California. An earlier proposal to build an East County Hall of Justice on the East County Government Center site was evaluated previously in the Juvenile *Justice Facility and East County Hall of Justice Environmental Impact Statement and Environmental Impact Report* (EIS/EIR), which was certified by the County of Alameda in April 2003 (the "Prior EIS/EIR"). As detailed below, an Addendum is the appropriate environmental document. No Supplemental or Subsequent EIR is required. This document constitutes the Addendum.

1. Project Title: East County Hall of Justice Project

2. Lead Agency Name and Address: Alameda County Board of Supervisors
c/o Alameda County Planning Department
224 W, Winton Avenue, Rm. 111
Hayward, CA 94544

3. Contact Person and Phone Number: Sonia Urzua, AICP, Senior Planner
(510) 670-5400
sonia.urzua@acgov.org

4. Project Location: The Project location is the East County Government Center site, a rectangular 40-acre vacant property located in the northeastern part of the City of Dublin, California. The site is bordered by Gleason Drive on the south, Arnold Drive on the west, Broder Boulevard on the north and the rear property line of buildings facing onto Madigan Avenue on the east. The site location is graphically depicted in **Figure 1**.

5. Project Sponsor's Name and Address: County of Alameda
c/o Jim Kachik, Deputy Director
Alameda County General Services Agency
1401 Lakeside Drive, Suite 1115
Oakland, CA 94612
510/208-9515

6. General Plan Designation: The East County Government Center site is designated "Public/Semi Public" in the East Dublin

Specific Plan, part of the City of Dublin General Plan.

7. Zoning: The zoning designation for the site is Planned Development (PD).

8. Description of Project:

The Project involves the construction of an approximately 194,000 square foot complex of buildings, exterior surface parking and site landscaping on approximately 21.77 acres of the East County Government Center site in the City of Dublin, California. The Juvenile Justice Facility, previously considered for a portion of this site in the Prior EIS/EIR, has been constructed elsewhere [the San Leandro property] and therefore the Dublin site is no longer needed for that facility. The remainder of the formerly 40-acre East County Government Center site was sold in 2008 to the Dublin San Ramon Sanitary District. The only use proposed for this site is the East County Hall of Justice.

The project will include a new five-story courthouse building containing 1 arraignment court, 1 traffic court, and 11 criminal courts (a total of approximately 146,000 gross square feet); a new two-story County Agencies office building providing space for the Public Defender, District Attorney and Probation Department (approximately 43,000 gross square feet); and a central lobby/security screening/entrance area and common elevator console structure between the two main building elements (approximately 6,000 gross square feet). The height of the courthouse building would be approximately 90 feet 6 inches. Surface parking for a total of 865 cars is provided, of which 27 would be in a secured area for judges and 838 stalls provided for all others. Site plan, floor plans and building elevation drawings are depicted in **Figures 3 through 6**.

9. Surrounding Land Uses and Setting:

The East County Government Center site is located in an area that, until the recent economic downturn, has been undergoing rapid change, with large-scale business park, retail and residential development occurring during the past five years. (See **Figure 2**, Neighborhood Context). Single-family and multi-family residential development has occurred to the east and southeast, and industrial/business park uses are located to the southwest. Commercial retail and office development is located about 1 mile south near the I-580 freeway. The U.S. Army's Parks Reserve Forces Training Area (RFTA, also commonly known as Camp Parks) and a federal correctional institution are located to the immediate west and northwest. The County owns approximately 335 acres of land to the north and east on which sit the Santa Rita Rehabilitation Center (County Jail) and related Sheriff's Office uses and large tracts of vacant land. Also to the north, beyond the County Jail, the U.S. Air Force operates a microwave station, the Dublin-San Ramon Services District operates water storage reservoir tanks, Parks RFTA controls approximately 500 acres of former public park land, and private land owners control open hillside and flatland grazing, agricultural and rural residential land.

The project site is part of the County's Santa Rita land holdings, which were annexed to the City of Dublin in the early-1990's for the purpose of facilitating public and private development. It represents the largest remaining buildable parcel of land in the immediate area.

10. Other Public Agency Actions and Required Approvals:

A three-step approvals process is anticipated for the project, as follows.

a) County certification of environmental compliance

The first step would be approval by the Alameda County Board of Supervisors of the findings and determinations set forth in this Initial Study regarding compliance with the California Environmental Quality Act (CEQA).

b) Site Development Review by the City of Dublin

Pursuant to the May 4, 1993 Annexation Agreement between the City of Dublin and the County, any County governmental uses proposed shall be reviewed by the City of Dublin Planning Commission for conformity with City's General Plan in accordance with Government Code section 65402, and shall be subject to Site Development Review in accordance with the City's zoning ordinance. In 2004, the Dublin Planning Commission granted Site Development Review (SDR) approval for an earlier version of the project. The current project would require an amendment to the 2004 Site Development Review (SDR) approval. The SDR criteria and procedures are set forth in Chapter 8.104 of the City of Dublin Zoning Ordinance.

Notwithstanding Dublin's SDR process, all grading, excavation, building, structural, mechanical, electrical and other permits, including compliance with the C.3 provisions of the San Francisco Regional Water Quality Control Board, will remain within the jurisdiction of the County of Alameda.

c) County of Alameda – Final Project Approval

Following SDR approval by the City of Dublin, the Alameda County Board of Supervisors would review and consider approval of the final plans for the project and appropriation of funds for construction.

Following these approvals, implementation of the project through its final design and construction phases would involve on-going project management and oversight by the Alameda County General Services Administration (GSA). GSA will coordinate reviews and inspections by appropriate County agencies (e.g., Public Works Department) for compliance with adopted site grading, structural, electrical, mechanical, building, drainage and clean water standards and requirements throughout the construction process.

The project will also be subject to administrative approval by City of Dublin of all off-site infrastructure improvements (streets, curb, gutter, etc.)

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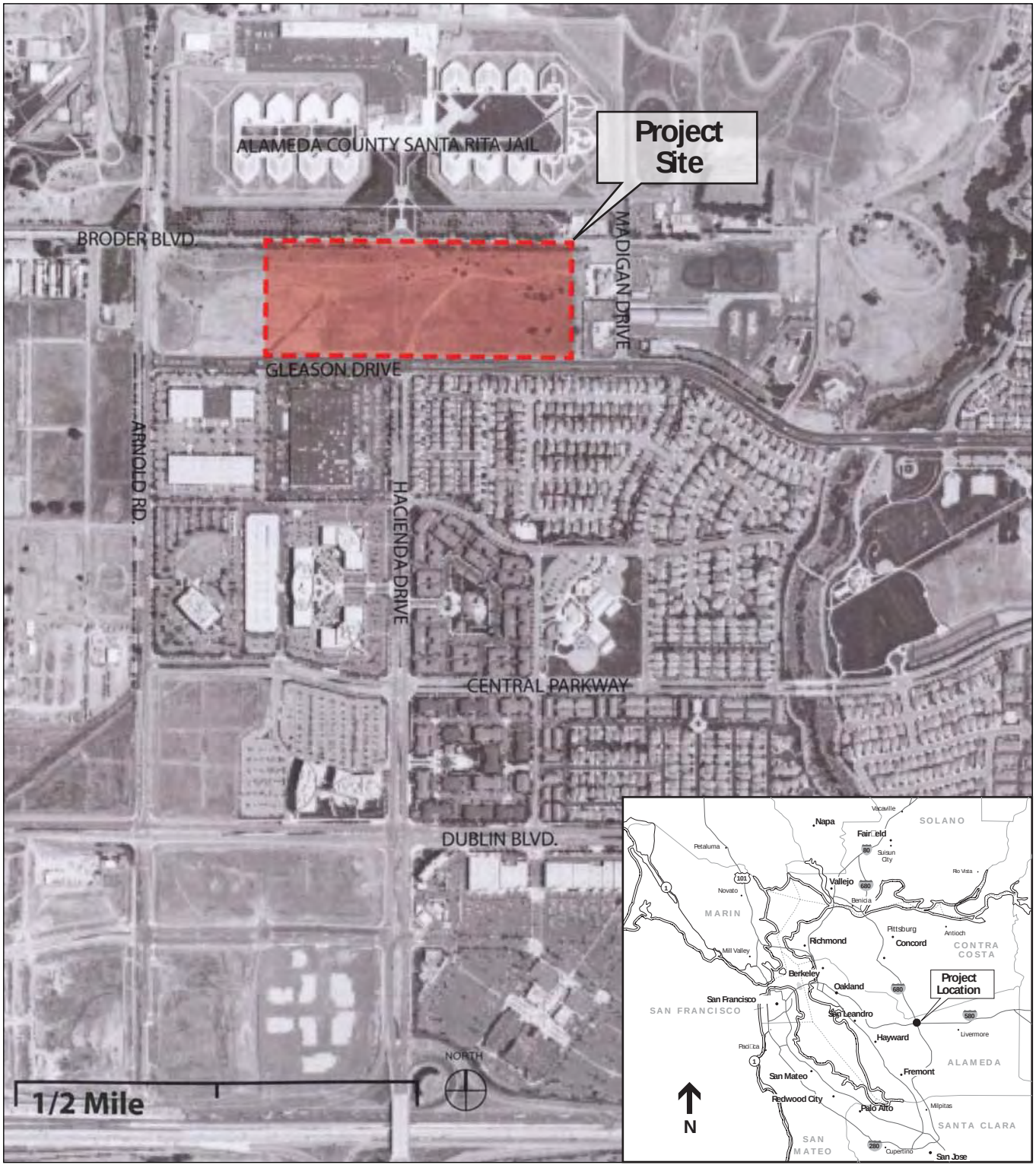

Figure 1
Project Location and Vicinity

Source: KMD Architects

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Hacienda Drive looking north toward Project Site at Gleason Drive.

Project Site looking north across Broder Blvd. toward Santa Rita Jail.

Dublin Blvd at Hacienda Drive looking north toward Project Site.

Figure 2
Neighborhood Context

Source: KMD Architects

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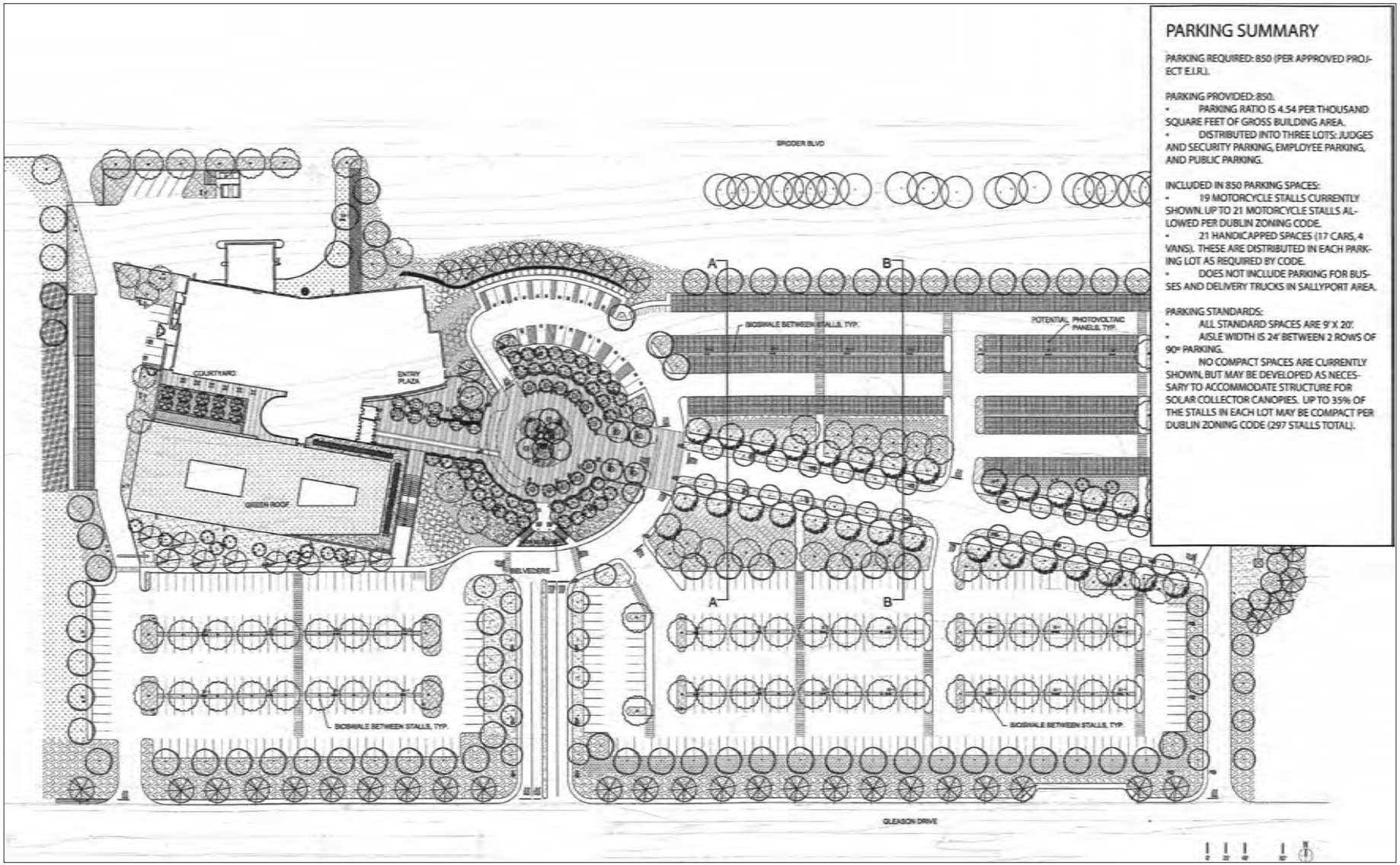

Figure 3
Site and Landscape Plan

Source: KMD Architects

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Figure 4
South Elevation

Source: KMD Architects

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Figure 5
Southwest Elevation

Source: KMD Architects

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Figure 6
Southeast Elevation

Source: KMD Architects

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Figure 7
View from Second Floor of
Gleason Dr. Residential Neighborhood

Source: KMD Architects

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Environmental Factors Potentially Affected

Environmental factors which may be affected by the Project are listed alphabetically below.

Factors marked with a filled in block (■) have been determined to be potentially affected by the Project, involving at least one impact that has been identified as a "Potentially Significant Impact", as indicated in the attached CEQA Evaluation and related discussion that follows.

Unmarked factors (□) were determined to be either not significantly affected by the Project, adequately examined under the Previous CEQA Documents, or fully mitigated through implementation of conditions of approval or revised mitigation measures adopted by the County of Alameda as both lead agency and project sponsor.

☐ Aesthetics	☐ Agricultural Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☐ Hazards/Hazardous Materials	☐ Hydrology/Water Quality	☐ Land Use/Planning
☐ Mineral Resources	☐ Noise	☐ Population/Housing
☐ Public Services Transportation/Traffic	☐ Recreation	☐
☐ Utilities/Service Systems	☐ Mandatory Findings of Significance	

Determination:

On the basis of this initial evaluation:

> I find that although changes are proposed as part of the current Project that would involve revisions to the Previous CEQA Documents, and that changes have occurred with respect to circumstances under which the current Project is undertaken, and there is new information, none of these involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Only minor changes to the previous EIR are required to address these changes in the Project, its circumstance, and new information. Thus an ADDENDUM to the Previous CEQA Documents is appropriate, and this document constitutes that ADDENDUM.

November 30, 2009

Signature
Chris Bazar, Director

Date

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INTRODUCTION

Background

An Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Juvenile Justice Facility and East County Hall of Justice was certified in May 2003 (the "Prior EIS/EIR")[1].Included as part of that analysis, the Prior EIS/EIR described and disclosed the potential environmental consequences associated with construction of an East County Hall of Justice complex of up to 195,000 gross square feet of space and including 13 courtrooms and associated support spaces and facilities, and surface parking for 850 cars, all to be located at the East County Government Center site in Dublin, California. The analysis contained in the Prior EIS/EIR identified all potentially significant environmental impacts of the East County Hall of Justice project and provided mitigation measures that reduced the majority of impacts to a less than significant level. The Prior EIS/EIR identified some impacts that would remain significant and unavoidable even after implementation of mitigation measures. These significant and unavoidable impacts were identified under the environmental topics of Transportation and Traffic, Air Quality and Noise. To acknowledge these significant and unavoidable impacts, the County of Alameda adopted Statements of Overriding Considerations after certification of the Prior EIS/EIR.

Purpose of this Initial Study Determination

This document evaluates the current proposal to build the East County Hall of Justice complex at the East County Government Center site, in Dublin. This proposal constitutes the "Project" analyzed in this Initial Study Determination. The purpose of this evaluation is to determine, pursuant to Public Resources Code Sections 21090 and 21166 and California Environmental Quality Act (CEQA) Guidelines Sections 15180, 15162 and 15163, whether a Subsequent or Supplemental Environmental Impact Report (EIR) is needed to fully assess and evaluate the potential environmental effects of the current East County Hall of Justice Project, or whether the County can rely on the Prior EIS/EIRS for compliance with CEQA.

CEQA provides that when an EIR has been certified, no Subsequent or Supplemental EIR shall be prepared unless the Lead Agency determines, on the basis of substantial evidence, one or more of the following:

- substantial changes are proposed as part of the Project that would involve major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects,
- substantial changes have occurred with respect to circumstances under which the Project is undertaken (i.e., a significant change in the existing or future condition) that would involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects, and/or

[1] County of Alameda, Juvenile Justice Facility and East County Hall of Justice Environmental Impact Statement and Environmental Impact Report, SCH# 2002012080, May 6, 2003.

- new information of substantial importance indicates that the Project may have a new significant environmental effect or a substantial increase in the severity of previously identified significant effects.

If none of these factors are applicable then no Subsequent or Supplemental EIR or negative declaration would be required. If some changes or additions to the original EIR are necessary, but none of the changes would warrant preparation of a Subsequent or Supplemental EIR or negative declaration, the lead agency may prepare an Addendum to the previous CEQA Documents, pursuant to CEQA Guidelines Section 15164.

Changes in the Project

This Initial Study evaluates whether changes that are now proposed as part of the East County Hall of Justice Project may result in new or significantly increased environmental effects. The environmental review now necessary for the project is only required to address substantial changes to the Prior EIS/EIR necessary to adequately address new or different information specific to the current proposal. The current project is very similar to the original Hall of Justice project as described in the Prior EIS/EIR and as presented to the City of Dublin in 2004 during a Site Development Plan Review (SDR) process, although there are some minor differences in some of the details, as indicated in **Table 1** below.

TABLE 1 - COMPARISON OF PROJECT COMPONENTS: ORIGINAL CONCEPT VS. CURRENT PROJECT

Project Component	Original Project Concept	Current Project	Difference
Maximum Building Volume (gross sq. ft.)	**195,000 GSF**	**196,219 GSF**	**+1,219 GSF**
Total No. Courtrooms	**13**	**13**	**No Change**
Approximate Bldg Height*	**90′ 8″**	**5-story (90′ 6″)**	**No change**
Parking	**850 spaces total**	**865 spaces total; 27 for judges, 838 for all others**	**+15 spaces, total; -12 spaces for general public**
Site Size	**21.77 acres**	21.77 acres	No Change

Source: KMD Architects; Alameda County GSA
* Measured from grade at sallyport to top of mechanical penthouse

New Information

This Initial Study will assess whether new information, not known at the time of preparation of the Prior EIS/EIR may indicate a new or significantly increased environmental effect. New information addressed in this Initial Study specifically includes:

- New information about greenhouse gas emissions and their potential effects on global climate change, public environmental policy concern for which has emerged and become more formalized since 2003. Guidance has been issued by the state regarding the requirements for environmental review of proposed projects related to greenhouse gas emissions and global climate change. These issues were not addressed in the Prior EIS/EIR.
- Additionally, in March of 2007 the California Regional Water Quality Control Board - San Francisco Bay Region amended the National Pollutant Discharge Elimination Permit (NPDES) applicable to jurisdictions within the Alameda Countywide Clean Water Program

(including unincorporated Alameda County and the City of Dublin).[2] This amendment, which applies to many areas of the County for projects that create and/or replace 1 acre or more of impervious area, requires that stormwater discharges from applicable new development and redevelopment projects not cause an increase in the erosion potential of the receiving stream over the pre-project (i.e., existing) condition. Any increase in runoff flow and volume is to be managed so that post-project runoff shall not exceed estimated pre-project rates and durations, where such increased flow and/or volume is likely to cause increased potential for erosion of creek beds and banks, silt pollutant generation, or other adverse impacts to beneficial uses due to increased erosive force. Such management shall be through implementation of hydro-modification requirements. The issue of potential hydro-modification requirements was not addressed in the Prior EIS/EIR.

This new information is included in this Initial Study Determination, along with an assessment of whether this new information indicates that the Project may have a new significant environmental effect or a substantial increase in the severity of previously identified significant effect.

Detailed Project Description

The Project evaluated in this Initial Study consists of the construction of an approximately 194,000 square foot complex of buildings, exterior surface parking and site landscaping on approximately 21.77 acres of the 40-acre East County Government Center site in the City of Dublin, California. The two primary structures would be the Courts Building and the County Agencies Building. Connecting these two buildings would be a third structure that, at the ground floor, would consist of a central lobby and entrance space that would provide access to both buildings, and where security screening would occur. The central building element would also house a bank of three (3) elevators for vertical access to the upper floors of both buildings. Site Plans, Floor Plans and perspective elevation drawings of the proposed complex are provided in **Figures 3 through 7**.

Courts Building

The Courts Building would consist of approximately 146,000 gross square feet of space, distributed over five levels of occupancy that range from approximately 27,000 square feet to 37,000 square feet per floor. The lower level (first floor) would include a sallyport and holding cells for criminal defendants and County sheriff operations, a cafeteria, main computer room, employee break room, public restrooms and space for building services (e.g., building maintenance, loading bays for deliveries, a service elevator and elevator equipment room, etc.). The lobby level (second floor) would be the main entry to the complex from the parking areas and the circular drop-off. Usable space would include offices for court clerks, a large jury assembly area, a traffic court and an arraignment court. The next level (third floor, 27,200 square feet) would provides office space for the administrative functioning of the courts, three criminal court rooms, and space for conference rooms and judges' chambers. Floors four and five (also 27,200 square feet) would each house four criminal courts plus associated judges' chambers and conference rooms. A total of 13 court rooms would be provided, including 1 arraignment court, 1 traffic court and 11 courts for criminal cases. The actual use of each courtroom could be adjusted depending upon case loads.

[2] Order #R2-2007-0025, revising the previous Order #R2-2003-0021 regarding NPDES Permit #CAS 0029831

The south elevation of the building would be clad with a tinted glass curtain wall giving the building a light, transparent feeling, as depicted in the perspective and elevation images shown in **Figures 4 through 7.**

County Agencies Building

The County Agencies Building would be an approximately 43,000 square foot, two-story office building immediately to the south of the Courts Building. The building would provide office space for the Public Defender, the Probation Department and the County District Attorney.

Site Plan, Parking and Landscape Plan

As depicted on the Site and Landscape Plan (**Figure 3**), the main entry to the site would be from the existing terminus of Hacienda Drive at Gleason Drive. Other points of access would occur along Gleason Drive at the eastern and western edges of the site, and from Broder Boulevard at the northeast corner of the site.

The parking lot would provide space for 838 cars plus another 27 spaces for judges in a restricted area on the west side of the building. The landscape plan proposes a dual row of trees along the Gleason Drive (south) frontage and along the main drive aisle leading to the circular drop-off area at the building's entrance.

The complex would utilize the easterly 2/3rd of the 40-acre site, thereby not removing the existing drainage detention facility located at the southwest corner of the rectangular East County Government Center site.

Sustainability Strategies

Pursuant to Chapter 4.38, Title 4 of the County Administrative Code (the County's "Green Building Ordinance"), all new County projects initiated after July 2003 are required to meet a minimum LEED "Silver" rating under the LEED rating system (or a County-approved equivalent), and to achieve a minimum diversion of 50% of construction and demolition debris. As part of on-going value-engineering efforts for the project, the design team will be exploring various economically viable strategies that might be incorporated into the project to improve building efficiency and performance, potentially including rows of photovoltaic cells placed between the rows of parking in the northeasterly portion of the parking lot that would shield the parked cars from the sun and also generate electricity for on-site use. Other strategies may include:

- Preferred parking for car/van pools
- dedicated open space
- stormwater management plans designed in accordance with EPA best management practices
- indoor air quality enhancements
- energy conservation and atmosphere emission reductions
- water efficiency
- "green" materials and resources , and
- innovation and design

EVALUATION OF ENVIRONMENTAL IMPACTS

Pursuant to CEQA Guidelines Section 15063, the following sections provide an evaluation of whether the Project will have any new significant effects on the environment.

- If an environmental issue would not be affected by the project or its impact would be less than significant, it is identified in the following evaluation as "***No Impact***" or "***Less than Significant***".
- If an environmental issue may cause a significant effect on the environment, this evaluation also determines whether this effect was adequately examined in the Prior EIS/EIR. If the environmental issue was adequately examined in the previous document, it is identified in the following evaluation as "***No New Impact from those identified in the Prior EIR***". To the extent that mitigation measures were adopted pursuant to the Prior EIS/EIR and these measures are applicable to the project, then these measures are specifically identified in the following discussion. All applicable mitigation measures from the Prior EIS/EIR are listed in **Appendix A.**
- If an environmental issue may cause a significant effect on the environment that was examined in the Prior EIS/EIR but revised or clarified mitigation measures are necessary, it is identified in the following evaluation as "***Less than Significant with Revised Mitigation***" and these revised/clarified measures are specifically identified.
- If there is a new significant environmental effect or a substantial increase in the severity of previously significant effect identified in the Prior EIS/EIR, it is identified in the following evaluation as "***Potentially Significant***" and will be analyzed in a later Supplemental or Subsequent EIR.

	Potentially Significant Impact	Less Than Significant with Revised Mitigation	No New Impact From those Identified in the Prior EIS/EIR	No Impact / Less than Significant
I. AESTHETICS – Would the project:				
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) Substantially degrade the existing visu**al character or quality** of the site and its surroundings?	☐	☐	☐	☑
d) Create a new source of substantial light or glare which would substantially and adversely affect day or nighttime views in the area?	☐	☐	☑	☐

Criteria a and b): Scenic Vistas and Scenic Resources

Current views of the site from the south look at an open site that slopes gently upward to a large earthen berm along the north frontage of the site, facing the Santa Rita Rehabilitation Center. Views of the Santa Rita facility and on to the surrounding open space and hillsides to the north are currently blocked by this berm when looking north from Gleason Drive.

Impact:

Views in the area from all viewpoints would not be significantly changed by the construction of the Project at this site. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant new impact on a scenic vista or on scenic resources. (***No Impact***)

Criteria c): Visual Character and Quality

The existing visual character of the Project area and its surroundings is comprised of a mix of government facilities and suburban mixed-uses. Existing government facilities adjacent to the Project area include the Santa Rita Rehabilitation Center (County Jail) and Firearms training facility north of the site and behind the berm. To the east lies the Heavy Equipment Maintenance Building, the Sheriff's Academy, the California Highway Patrol, the SPCA, the Tri-Valley Animal Shelter and other similar government uses. The U.S. Army's Parks Reserve Forces Training Area (RFTA, or Camp Parks) is situated to the north and west of the site, and the Federal Correctional Institution to the west. A City of Dublin fire station is planned along Madigan Avenue just north of the existing Highway Patrol facility. Suburban mixed-use areas occur south of the proposed development as well. Among these are an industrial business park extending southwest from the corner of Hacienda and Gleason, while a single-family residential development extends southeast from the same intersection. There are similar residential uses farther east of this area plus various commercial developments approximately one-mile south along the 580 freeway at the Tassajara Road and Hacienda Boulevard interchanges.

Impact:

Project development would result in construction of a large multi-story building. The building would be designed so as to not substantially degrade the site or its surroundings including the existing residential uses along Gleason Drive. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant new impact on visual character. (***Less than Significant***)

In the current design of the Project, site grading would relocate some of the mass of the existing berm to create a new landscaped berm along the southern edge of the property (i.e., along the Gleason Drive frontage). The new berm would be landscaped, existing trees would be retained and new trees would be planted along its top, effectively diffusing or blocking visual impacts of the building itself. This proposed feature of the Project site and landscape design would enhance the visual quality of the Project. Views of the project from the nearby neighborhood on Gleason Drive are reflected in the images in **Figure 7**.

Criteria d): Light and Glare

Impact

The proposed Project could result in increased light and glare in the area due to lighting used for security purposes, reflective materials and other sources. This impact was fully discussed and disclosed in the Prior EIS/EIR. (***No New Impact***)

The Prior EIS/EIR found that increased light and glare was a potentially significant impact that that could adversely affect day or nighttime views in the area.

Mitigation Measures

The following mitigation measure from the Prior EIS/EIR is applicable to the Project:

Mitigation Measure 5.3.5	The County shall mitigate potential light and glare impacts during the design-build process, and include measures such as shielding, design revisions, or other means of reducing impacts. For example, lighting should, to the extent feasible, be oriented away from residential uses.

Resulting Level of Significance

Consistent with the conclusion of the Prior EIS/EIR, implementation of Mitigation Measure 5.3.5 would reduce impacts to a less than significant level because it requires the County to consider light and glare impacts in the design-build process and include measures such as shielding, design revisions, or other means of reducing impacts. There are no changes in the project, change in circumstances, or new information that would result in a substantial increase in the severity of previously identified light and glare impacts beyond that disclosed in the Prior EIS/EIR.

	Potentially Significant Impact	Less Than Significant with Revised Mitigation	No New Impact From those Identified in the Prior EIS/EIR	No Impact / Less than Significant
II. AGRICULTURAL RESOURCES -- Would the project:				
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 Resource Agency, to non- agricultural use?	☐	☐	☐	☑
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☑
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	☐	☐	☐	☑

Criteria a, b and c): Agricultural Resources

The project site is part of the County's Santa Rita land holdings which have been in the ownership of federal military agencies or the County of Alameda since prior to the 1940s and any prior agricultural uses of the site would have ceased at that time. The main use of the County's land in the general vicinity of the project site is the Santa Rita Rehabilitation Center, an adult detention facility which was constructed in the late 1980s to replace the old Santa Rita Jail that had occupied other lands to the south since the 1940s. There are no agricultural resources on the project site and none of the site is subject to a Williamson Act contract.

Impact:

The Project would not convert any types of farmland to non-agricultural use, would not conflict with agricultural zoning or a Williamson Act contract, and would not involve any changes in the existing environment which could result in conversion of farmland to non-agricultural use. Consistent with the conclusions of the Prior EIS/EIR, there is no potential impact to agricultural resources from the proposed Project. (***No Impact)***

	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact From those Identified in the Prior EIS/EIR	No Impact / Less than Significant
III. AIR QUALITY -- Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☑
For the remaining CEQA Guidelines air quality checklist items, the BAAQMD maintains quantitative thresholds of significance for analysis of air quality impacts within its jurisdiction, modified from the CEQA Guidelines, Appendix G – Environmental Checklist Form. Under BAAQMD CEQA Guidelines, a project will have a significant air quality effect on the environment if it were to result in the following:				
b) Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation, specifically:				
1. Emit 80 pounds per day of PM10 at the project site or result in a AAQS PM10 exceedance at existing receptors during construction; or	☐	☐	☑	☐
2. Emit 80 pounds per day of ROG or NO; or	☐	☐	☐	☑
3. Emit 550 pounds per day of CO (Localized carbon monoxide concentrations should be estimated for projects in which: 1) vehicle emissions of CO would exceed 550 pounds per day, 2) project traffic would impact intersections or roadway links operating at Level of Service [LOS] D, E or F or would cause LOS to decline to D, E or F, or 3) project traffic would increase traffic volumes on nearby roadways by 10 percent or more); or	☐	☐	☐	☑
4. Contribute to CO concentrations exceeding the State Ambient Air Quality Standard of 9 parts per million (ppm) averaged over 8 hours and 20 ppm for 1 hour?	☐	☐	☐	☑
c) Would the project have the potential to frequently expose members of the public to objectionable odors?	☐	☐	☐	☑
d) Would the project have the potential to expose sensitive receptors or the general public to substantial levels of toxic air contaminants (e.g., probability of contracting cancer for the Maximally Exposed Individual [MEI] exceeds 10 in 1,000,000, ground level concentrations of non-carcinogenic toxic air contaminants would result in a Hazard Index greater than 1 for the MEI)?	☐	☐	☑	☐
e) Would the project have the potential for accidental releases of acutely hazardous substances?	☐	☐	☑	☐
f) Would the project have any cumulative air quality impact (any proposed project that would individually have a significant air quality impact would also be considered to have a significant cumulative air quality impact)?	☐	☐	☐	☑

The Prior EIS/EIR identified the regulatory and existing physical setting for air quality that was known at that time (March 2003). The setting information currently applicable to the East County Government Center site has been updated based on new information that was not known or available at the time of certification of the Prior EIS/EIR, as indicated in the edited text below.

Regulatory and Existing Setting

In general, the Bay Area experiences low concentrations of most pollutants when compared to federal and state standards. The Bay Area is considered "attainment" for all of the national standards, with the exception of ozone. In 2006, the U.S EPA lowered the 24-hour standards for PM2.5 from 65 µg/m^3 to 35 µg/m^3. On December 22, 2008 the EPA issued attainment status designations for the 35 µg/m3 standard. While the EPA has designated the Bay Area as non-attainment for the PM2.5 standard of 35 µg/m^3, President Obama has ordered a freeze on all pending federal rules. Therefore, the effective date of the non-attainment designation is unknown at this time. If or when published, the EPA designation would be effective 90 days after publication of the regulation in the Federal Register.

For State air quality standards, the Bay Area is considered "non-attainment" for ozone and particulate matter.[3]

A number of continuous air monitoring stations are operated by government agencies in the East Bay, the Livermore station being the closest to the project site. Air quality is measured for those pollutants which have state and federal air quality standards, and the highest local air pollutant levels are reported. The Prior EIS/EIR reported the most current data available at the time, from 1999 to 2001 (Table 11.2, pp. 11-8). The Prior EIS/EIR also noted when these state and federal standards (both 1-hour and 8-hour) had been exceeded for ozone, $PM_{2.5}$ and the state standard for PM_{10}.

An updated table is included below for the most recent three years of record, 2005, 2006 and 2007. Exceedances are similar to those noted in the prior EIS/EIR.

[3] BAAQMD, Ambient Air Quality Standards and Bay Area Attainment, via website http://www.baaqmd.gov/pln/air_quality/ambient_air_quality.htm , accessed February 27, 2009.

TABLE 2: MEASURED CRITERIA AIR POLLUTANT CONCENTRATIONS

Pollutant and Measurement Location	Averaging Time	California Ambient Air Quality Standard	National Ambient Air Quality Standard	Measured Levels (Maximum) 2005	2006	2007
Ozone (O_3)						
Livermore	1-hour	0.09 ppm	--	**0.12 ppm**	**0.127 ppm**	**0.12 ppm**
	8-hour	0.07 ppm	0.08 ppm	**0.090 ppm**	**0.101 ppm**	**0.091 ppm**
Carbon Monoxide (CO)						
Livermore	1-hour	20 ppm	35 ppm	3.4 ppm	3.3 ppm	3.3 ppm
	8-hour	9.0 ppm	9.0 ppm	1.8 ppm	1.8 ppm	1.8 ppm
Particulate Matter (PM_{10})						
Livermore	24-hour	50 µg/m^3	150 µg/m^3	49 µg/m^3	**69 µg/m^3**	**75 µg/m^3**
	Annual	30 µg/m^3	--	18.8 µg/m^3	21.8 µg/m^3	19.8 µg/m^3
Particulate Matter ($PM_{2.5}$)						
Livermore	24-hour	--	35 µg/m^3	32.1 µg/m^3	**50.8 µg/m^3**	**54.9 µg/m^3**
	Annual	12 µg/m^3	15 µg/m^3	9.0 µg/m^3	9.8 µg/m^3	9.0 µg/m^3

Source: BAAQMD, Annual Bay Area Air Quality Summaries.
Notes: Values reported in **bold** exceed ambient air quality standard; ppm = parts per million; µg/m^3 = micrograms per cubic meter

Criteria a): Compliance with Air Quality Plan

Impact

Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a conflict with the Bay Area Air Quality Management District's Clean Air Plan. (***No Impact***)

The Prior EIS/EIR determined (pp. 4-28 to 4-34) that the project is consistent with the Eastern Dublin Specific Plan which is a part of the City of Dublin General Plan, and that the Dublin General plan is consistent with the 2000 Clean Air Plan (CAP). Because the project would be consistent with the City of Dublin General Plan, it would also be consistent with the CAP.

Criteria b1): Violation of Air Quality Standards – PM_{10}

Impact

The proposed Project would result in a significant but short-term, temporary impact on air quality from construction-related particulate matter (PM) related to dust, and from construction-period machinery exhaust. This impact was fully discussed and disclosed in the Prior EIS/EIR. (***No New Impact***)

This impact is focused on construction-period particulate matter emissions. The Prior EIS/EIR found that the project would have no significant operational impact related to emission of ozone precursors or particulate matter.

Mitigation Measures

The following mitigation measure from the Prior EIS/EIR is applicable to the Project:

Mitigation Measure 11.3.5a

Reduction of Dust During Construction. Construction dust, generated by soil disturbances, material hauling, and vehicle exhaust, includes PM10. Soil can also be tracked out onto paved roads where it is entrained in the air by passing cars and trucks. Dust emission rates are related to the type and size of the disturbance, meteorological conditions, and soil conditions. Construction activities can cause localized high PM10 concentrations and worsen regional PM10 levels. Since most of the possible Project sites will disturb a large area near sensitive receptors, the construction quality impact is considered potentially significant.

Due to the many variables that affect construction emissions, quantification of the PM_{10} impacts is very difficult. The BAAQMD's recommended approach to construction impacts is to require implementation of effective and comprehensive control measures rather than detailed quantification of the effects. Implementation of feasible controls, outlined below, can effectively reduce construction PM_{10} emissions. Construction activities are also subject to BAAQMD Regulations VIII, which requires suppressing dust emissions from all sources of dust generation using water, chemical stabilizers, and/or vegetative ground cover.

For large projects, the BAAQMD has identified enhanced control measures that should be implemented beyond the requirements of Regulation VIII. Impacts can be greatly reduced by implementing these fugitive dust control measures. The significance of construction dust air quality impacts is typically determined by the control measures that will be implemented.

The implementation of the following measures would reduce the PM_{10} impact to a less than significant level:

a) Water all active construction areas at least twice daily and more often during windy periods. Active areas adjacent to residences should be kept damp at all times.

b) Cover all hauling trucks or maintain at least 2 feet of freeboard. Dust-proof chutes shall be used as appropriate to load debris onto trucks during any demolition.

c) Pave, apply water at least twice daily or apply (nontoxic) soil stabilizers on all unpaved access roads, parking areas and staging areas.

d) Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads.

e) Hydroseed or apply (nontoxic) soil stabilizers to inactive construction areas (previously graded areas that are inactive for 10 days or more).

f) Enclose, cover, water twice daily or apply (nontoxic) soil binders to exposed stockpiles.

g) Limit traffic speeds on any unpaved roads to 15 mph.

h) Replant vegetation in disturbed areas as quickly as possible.

i) Designate an air quality coordinator for the Project. Prominently post a phone number for this person on the job site, and distribute same to all nearby residents and businesses. The coordinator will respond to and remedy any complaints about dust, exhaust or other air quality concerns. A log shall be kept of all complaints and how and when the problem was remedied.

Mitigation Measure 11.3.5b: [which is, by reference, the same text as Mitigation Measure 11.1.1]: Diesel Emissions Control. Construction equipment-generated diesel exhaust is a Toxic Air Contaminant (TAC). It poses a potentially significant impact to nearby receptors. NOx from equipment exhaust can reform chemically into fine acid particulates and further contribute to local PM10 and PM2.5 levels. Several straightforward control measures are available to minimize TAC emissions while also reducing NOx and ROG. First, low-emission fuels can be used. Second, engine tuning and control equipment retrofit will help minimize emissions.

a) To control TACs and PM_{10}, construction contractors should be required to use biodiesel fuel. For equipment with engines built in 1994 or later, use B100 fuel that is 100% biodiesel fuel. B100 reduces TAC emissions by approximately 80% to 90%. In pre-1994 engines, use B-20 fuel (a mixture of 20% biodiesel and 80% fossil diesel fuel). If B20 is used, the fossil diesel component should be ARB low-sulfur fuel (less than 15 ppmw).

b) If a certified unit is available for an individual piece of equipment, the contractor should use an oxidation catalyst or catalytic particulate filter on all diesel-powered equipment rated above 50 horsepower. These systems require ARB low-sulfur diesel fuel. Commercial fossil diesel fuel is available with near-zero sulfur levels. Biodiesel is also ARB certified as low-sulfur (near-zero ppmw).

c) The contractor should use Purinox additive or equivalent. Depending on equipment, this reduces emissions of both NO_x and PM_{10} by 20% to 40%.

d) Where possible, electrical equipment should be used instead of diesel powered (e.g., pumps, compressors).

e) The contractor should install temporary electrical service whenever possible to avoid need for independently powered equipment (e.g., compressors).

f) Diesel equipment standing idle for more than five minutes should be turned off. This would include trucks waiting to deliver or receive soil, aggregate or other bulk materials. Rotating drum concrete trucks could keep their engines running continuously as long as they were on site.

g) Any potential additional measures that would reduce the level of toxic air contaminants (TACs).

Resulting Levels of Significance

Consistent with the conclusion of the Prior EIS/EIR, implementation of Mitigation Measures 11.3.2a would reduce the levels of dust during construction to a less than significant level.

With respect to diesel exhaust emissions during construction (Impact 11.3.5) the Prior EIS/EIR found that "implementation of these [this] measure[s] [i.e., Mitigation Measure 11.3.5(b)] would substantially reduce TAC emissions from diesel exhaust during construction. However, in the absence of specific construction equipment and scheduling information, it is not possible to conduct a health risk assessment to determine for certain whether the emissions could pose a specific hazard to the human environment. Therefore, this EIS/EIR concludes that the impact *could remain significant after mitigation*.

There are no changes in the project, change in circumstances, or new information that would result in a substantial increase in the severity of previously identified construction emission impacts beyond that disclosed in the Prior EIS/EIR.

Criteria b2): Violation of Air Quality Standards – Ozone Precursors (ROG and NO_x)

Impact

The proposed project would result in increased emissions of ROG and NO_x, but these emissions will be below BAAQMD thresholds of significance. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in significant operational impacts related to ROG and NO_x. ***(Less than Significant)***

The Prior EIS/EIR estimated that the annual emissions of ROG, NO_x and PM_{10} expected to be generated by operation of the Hall of Justice project to be 1 ton per year, 3.3 tons per year and less than o.1 ton per year respectively. These emissions are well below 15 tons per year threshold.

Criteria b3) and b4): Violation of Air Quality Standards – CO

Impact

The proposed project would result in increased emissions of CO, primarily related to project-generated traffic. However, consistent with the conclusions of the Prior EIS/EIR, the proposed project would not result in significant impact related to CO hot spots. ***(Less than Significant)***

As determined in the Prior EIS/EIR, although several intersections would be congested due to baseline and project-generated traffic, none of the local intersections or roadways would cause any CO hotspots, i.e. exceedance of State or federal standards.

Criteria c): Odors

Impact

Consistent with the conclusions of the Prior EIS/EIR, operation of the proposed project would not be a source of odors that would affect the public frequently in an objectionable way. (***Less than Significant Impact)***

Criteria d) and e): Toxic Air Contaminants

Impact

The proposed Project would result in a significant but short-term, temporary impact on air quality from construction-related machinery exhaust. Construction equipment-generated diesel exhaust is a Toxic Air Contaminant (TAC) that poses a potentially significant impact to nearby receptors. This impact was fully discussed and disclosed in the Prior EIS/EIR. (***No New Impact***)

Consistent with the analysis presented in the Prior EIS/EIR, construction of the East County Hall of Justice project is estimated to take place over about an 18-month construction periods. During this period it was estimated that construction equipment (primarily large trucks hauling materials to and from the site) could emit approximately 10 pounds per day, or 1.2 tons per year of diesel exhaust as a TAC.

Mitigation Measures

The following mitigation measure from the Prior EIS/EIR is applicable to the Project:

Mitigation Measure 11.3.5b: Diesel Emissions Control (see above)

Resulting Level of Significance

Consistent with the conclusion of the Prior EIS/EIR, implementation of the diesel emission control measures included in Mitigation Measure 11.3.5b represent best available control measures, and would reduce TAC emissions by 50% to 80%, assuming some older equipment would not use 100% bio-diesel fuel (B100). However, in the absence of specific construction equipment and scheduling information, it is not possible to conduct a health risk assessment to determine for certain whether the emissions could pose a specific hazard to the human environment. Therefore, consistent with the conclusions of the Prior EIS/EIR this impact ***could remain significant after mitigation***. There are no

changes in the project, change in circumstances, or new information that would result in new significant environmental effects to construction-related emission of toxic air contaminants, or a substantial increase in the severity of previously identified environmental effect to toxic air contaminants.

Criteria f): Cumulative Air Quality Impacts

Impact

Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in cumulative air quality impacts. (***Less than Significant***)

As indicated above, the Project would not be expected to have any project-specific operational air quality impacts. The BAAQMD CEQA Guidelines state that for any project that does not individually have significant operational air quality impacts, the determination of significant cumulative impact should be based on an evaluation of the consistency of the project with the local general plan and of the general plan with the regional air quality plan, which would be the most recently adopted Clean Air Plan. As discussed earlier in this chapter, the Project would be consistent with the Dublin General Plan and the Clean Air Plan

	Potentially Significant Impact	Less Than Significant with Revised Mitigation	No New Impact From those Identified in the Prior EIS/EIR	No Impact / Less than Significant
[PROPOSED]. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☑
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☑

The Prior EIR included a comprehensive assessment of the existing setting and the regulatory setting related to air quality impact assessment based on scientific information and regulatory requirements current as of that time. Since then, there has been a significant advancement in scientific understanding of the relationship between certain air emissions and trend-line changes in climatic conditions that have national and even global ramifications. In light of more recent legislative action on this topic and directives emanating from the California Attorney General's office, this environmental document provides the following thorough assessment of this project's contribution to greenhouse gas effects.

As part of the current effort to integrate the evaluation of greenhouse gas effects into the CEQA process, the Governor's Office of Planning and Research (OPR) has proposed amendments to the CEQA Guidelines related to greenhouse gas (GHG) emissions. This checklist section is based upon these draft guidelines.

A review of the scientific and analytical literature indicates that there are currently no adopted thresholds for determining the significance of a project's potential contribution to greenhouse gas emissions in CEQA documents. In the absence of defined thresholds, significance conclusions must be based on substantial evidence, which includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts (CEQA Guidelines §15064(f).). In addition, under the "rule of reason," an EIR is required to make a good faith effort to evaluate impacts to the extent that is reasonably feasible (CEQA Guideline § 15151). The following analysis therefore provides a quantitative discussion of the Project's potential GHG emissions using currently accepted procedures for calculating project-specific emissions and a comparison to published GHG inventories and projections in the area.

The following analysis also determines whether the Project would result in an incremental increase in GHG emissions, potentially resulting in a cumulative contribution to GCC. Generally, when a lead agency is considering a cumulative impact the lead agency may determine that a project's contribution to the significant cumulative impact is rendered less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact (CEQA Guideline §15130a3). For this analysis an assessment is made as to whether the Project would implement its fair share of reductions in the emission of operational greenhouse gasses as contained in the County's Cool Counties Initiative and Green Building Ordinance, based on a qualitative discussion of those aspects of the project that would help reduce greenhouse gas emissions.

Environmental Setting

In addition to the air pollutants discussed in the Air Quality section, other emissions may not be directly associated with adverse health effects, but are suspected of contributing to "global warming" or "climate change." Global warming has occurred in the past as a result of natural processes, but the term is often used now to refer to the warming predicted by computer models to occur as a result of increased emissions of greenhouse gases (e.g., carbon dioxide, methane, chlorofluorocarbons, nitrous oxide, ozone and water vapor).

Naturally occurring and anthropogenic-generated (generated by mankind) atmospheric gases, such as water vapor, carbon dioxide, methane, and nitrous oxide, can have an effect on global temperatures.[4] Gases that trap heat in the atmosphere are called greenhouse gases (GHG). Solar radiation enters the earth's atmosphere from space, and a portion of the radiation is absorbed at the surface. The earth emits this radiation back toward space as infrared radiation. Greenhouse gases, which are mostly transparent to incoming solar radiation, are effective in absorbing infrared radiation and redirecting some of this back to the earth's surface. As a result, this radiation that otherwise would have escaped back into space is now retained, resulting in a warming of the atmosphere. This is known as the greenhouse effect. The greenhouse effect maintains a habitable climate. Natural processes and human activities emit GHGs. Emissions from human activities, such as electricity production, motor vehicle use and agriculture are elevating the concentration of GHGs in the atmosphere, and are reported to have led to a trend of unnatural warming of the earth's natural climate, known as global warming or climate change. Other than water vapor, the GHGs contributing to global warming include the following gases:

- Carbon dioxide, primarily a byproduct of fuel combustion.
- Nitrous oxide is a byproduct of fuel combustion and also associated with agricultural operations such as fertilization of crops.
- Methane is commonly created by off gassing from agricultural practices (e.g. keeping livestock) and landfill operation.
- Chlorofluorocarbons that were widely used as refrigerants, propellants and cleaning solvents, however their production has been mostly reduced by international treaty.
- Hydrofluorocarbons are now used as a substitute for chlorofluorocarbons in refrigeration and cooling.
- Perfluorocarbons and sulfur hexafluoride emissions are commonly created by industries such as aluminum production and semiconductor manufacturing.

Gases in the atmosphere can contribute to the greenhouse effect both directly and indirectly. Direct effects occur when the gas itself absorbs outgoing radiation. Indirect effects occur when gases cause chemical reactions that produce other GHGs or prolong the existence of other GHGs. The Global Warming Potential (GWP) concept is used to compare the ability of each GHG to trap heat in the

[4] IPCC, 2007: Summary for Policymakers. In: Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change (Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Avery, M. Tignor and H.L. Miller (eds.). Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA. Available at: http://www.ipcc.ch/.

atmosphere relative to carbon dioxide (CO2), which is the most abundant GHG. CO2 has a GWP of 1, expressed as CO2e. Other GHGs, such as methane and nitrous oxide are commonly found in the atmosphere but at much lower concentrations. However, the GWP for methane is 21, while nitrous oxide has a GWP of 310. Other trace gases, such as chlorofluorocarbons (CFCs) and hydro chlorofluorocarbons (HCFCs), which are halocarbons that contain chlorine, have much greater GWPs. Fortunately these gases are found at much lower concentrations and many are being phased out as a result of global efforts to reduce destruction of stratospheric ozone. In the United States, CO2 emissions account for about 85 percent of the CO2e emissions, followed by methane at about 8 percent and nitrous oxide at about 5 percent. [5]

The world's leading climate scientists have reached consensus that global climate change is underway, is "very likely" caused by humans, and hotter temperatures and rises in sea level "would continue for centuries," no matter how much humans control future emissions. A report of the Intergovernmental Panel on Climate Change (IPCC) - an international group of scientists and representatives concludes that "The widespread warming of the atmosphere and ocean, together with ice-mass loss, support the conclusion that it is extremely unlikely that global climate change of the past 50 years can be explained without external forcing, and very likely that it is not due to known natural causes alone."[6]

Human activities have exerted a growing influence on some of the key factors that govern climate by changing the composition of the atmosphere and by modifying vegetation. The concentration of carbon dioxide in the atmosphere has increased from the burning of coal, oil, and natural gas for energy production and transportation and the removal of forests and woodlands around the world to provide space for agriculture and other human activities. Emissions of other greenhouse gases, such as methane and nitrous oxide, have also increased due to human activities. Since the Industrial Revolution (i.e., about 1750), global atmospheric concentrations of CO2 have risen about 36 percent, due primarily to the combustion of fossil fuels[7].

The IPCC predicts a temperature increase of between two and 11.5 degrees Fahrenheit (F) (1.1 and 6.4 degrees Celsius) by the end of the 21st century under six different scenarios of emissions and carbon dioxide equivalent concentrations.[8] Sea levels are predicted to rise by 0.18 to 0.59 meters (seven to 23 inches) during this time, with an additional 3.9 to 7.8 inches possible depending upon the rate of polar ice sheets melting from increased warming. The IPCC report states that the increase in hurricane and tropical cyclone strength since 1970 can likely be attributed to human-generated greenhouse gases.

National Emissions

The U.S. EPA has developed an inventory of anthropogenic emissions by sources and removals by sinks of all greenhouse gases. This inventory is periodically updated with the latest update being

5 *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990 – 2006*. U.S. EPA. April 15, 2008.

6 *Climate Change 2007 - The Physical Science Basis Contribution of Working Group I to the Fourth Assessment Report of the IPCC*. February 2, 2007. (http://ipcc-wg1.ucar.edu/wg1/wg1-report.html]

7 IPCC. 2007: Summary for Policymakers. In: Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change. (http://www.ipcc.ch/pdf/assessment-report/ar4/wg1/ar4-wg1-spm.pdf)

8 Ibid.

2008[9]. EPA reports that total U.S. emissions have risen by 14.7 percent from 1990 to 2006, while the U.S. gross domestic product has increased by 59 percent over the same period. A 1.1 percent decrease was noted from 2005 to 2006, which is reported to be attributable to: (1) climate conditions, (2) reduced use of petroleum products for transportation, and (3) increased use of natural gas over other fuel sources. The inventory notes that the transportation sector emits about 33 percent of CO2 emissions, with 60 percent of those emissions coming from personal automobile use. Residential uses, primarily from energy use, accounted for 20 percent of CO2 emissions.

As a part of U.S. EPA's responsibility to develop and update an inventory of U.S. GHG emissions and sinks, EPA compared trends of other various U.S. data. Over the period between 1990 and 2006, GHG emissions grew at a rate of about 0.9 percent per year. Population growth was slightly higher at 1.1 percent, while energy and fossil fuel consumption were more closely related at 1.0 percent. GDP and energy generation grew at much higher rates.

It is estimated that the United States contributes up to 35 percent of the world's CO2 equivalent emissions.

State Emissions

The effects of climate change on California, in terms of how it would affect the ecosystem and economy, remain uncertain. The State has many areas of concern regarding climate change with respect to global warming. According to the 2006 Climate Action Team Report[10] the following climate change effects and conditions can be expected in California over the course of the next century:

- A diminishing Sierra snow pack declining by 70 percent to 90 percent, threatening the state's water supply;
- Increasing temperatures from eight to 10.4 degrees Fahrenheit (F) under the higher emission scenarios, leading to a 25 to 35 percent increase in the number of days ozone pollution levels are exceeded in most urban areas;
- Coastal erosion along the length of California and seawater intrusion into the Sacramento River Delta from a four-to 33-inch rise in sea level. This would exacerbate flooding in already vulnerable regions;
- Increased vulnerability of forests due to pest infestation and increased temperatures;
- Increased challenges for the state's important agricultural industry from water shortages, increasing temperatures, and saltwater intrusion into the Delta; and
- Increased electricity demand, particularly in the hot summer months.

California emissions of GHG gases or CO2 equivalent emissions was estimated at 484 million metric tons of equivalent CO2 emissions (MMTCO2e), which is about seven percent of the emissions from

[9] *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990 – 2006.* U.S. EPA. April 15, 2008.

[10] California Environmental Protection Agency. 2006. *Climate Action Team Report to Governor Schwarzenegger and the Legislature.* (http://www.climatechange.ca.gov/climate_action_team/reports/2006-04-03_FINAL_CAT_REPORT.PDF]

the entire United States.[11] Transportation is the largest source of greenhouse gas emissions in California, followed by industrial sources and electric power generation.[12] On a per-person basis, greenhouse gas emissions are lower in California than most other states; however, California is a populous state and the second largest emitter of greenhouse gases in the United States and one of the largest emitters in the world.[13]

CARB staff has estimated the 1990 statewide emissions level to be 427 MMTCO2e. Under a "business as usual" scenario, emissions of GHG in California are estimated to increase to approximately 600 MMTCO2e by 2020.

Regulatory Setting

Global climate change resulting from greenhouse gas emissions is an emerging environmental concern being raised and discussed at the international, national, and statewide level. At each level, agencies are considering strategies to control emissions of gases that contribute to global warming.

U.S. EPA

The United States participates in the United Nations Framework Convention on Climate Change (UNFCCC). While the United States signed the Kyoto Protocol, which would have required reductions in GHGs, the Congress never ratified the protocol. The federal government chose voluntary and incentive-based programs to reduce emissions and has established programs to promote climate technology and science. In 2002, the United States announced a strategy to reduce the greenhouse gas intensity of the American economy by 18 percent over a 10-year period from 2002 to 2012. To date, the U.S. EPA has not regulated GHGs under the Clean Air Plan, even though a 2007 Supreme Court ruling held that the U.S. EPA can regulate GHG emissions.[14]

In May 2009, President Obama announced a new national policy aimed at both increasing fuel economy and reducing GHG emissions from new cars and trucks sold in the United States. The new standards would apply to new vehicles sold beginning in 2012 and ultimately require an average fuel economy standard of 35.5 miles per gallon (mpg) in 2016. This surpasses the previous 2007 standard of 35 mpg for 2020 model vehicles established in 2007.

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[11] California Air Resources Board. 2008. *Climate Change Draft Scoping Plan.* June.

[12] California Environmental Protection Agency. 2006. *Climate Action Team Report to Governor Schwarzenegger and the Legislature.* (http://www.climatechange.ca.gov/climate_action_team/reports/2006-04-03_FINAL_CAT_REPORT.PDF]

[13] California Legislative Analyst's Office. 2006. *Analysis of the 2006-07 Budget Bill (Governor's Climate Change Initiative).* (http://www.lao.ca.gov/analysis_2006/resources/res_04_anl06.html]

[14] On April 2, 2007, the United States Supreme Court issued a 5-4 decision in *Massachusetts v. EPA*, which holds that the U.S. Environmental Protection Agency has authority, under the Clean Air Act, to regulate greenhouse gas emissions from new vehicles. The U.S. EPA had previously argued it lacked legal authority under the Clean Air Act to regulate greenhouse gases. The majority opinion of the Supreme Court decision noted that greenhouse gases meet the Clean Air Act's definition of an "air pollutant," and the EPA has the statutory authority to regulate the emission of such gases from new motor vehicles.

State of California

The State of California is concerned about GHG emissions and their effect on global climate change. The State recognizes that "there appears to be a close relationship between the concentration of greenhouse gases in the atmosphere and global temperatures" and that "the "evidence for climate change is overwhelming."

State of California Executive Order S-3-05

In June 2005, the Governor of California signed Executive Order S-3-05, which identified Cal/EPA as the lead coordinating State agency for establishing climate change emission reduction targets in California. A "Climate Action Team", a multi-agency group of state agencies, was set up to implement Executive Order S-3-05. Under this order, the state plans to reduce greenhouse gas emissions to 80 percent below 1990 levels by 2050. In 2006 the California Climate Action Team identified greenhouse gas emission reduction strategies and measures to reduce global warming.[15]

Assembly Bill (AB) 32 - California Global Warming Solutions Act of 2006

In 2006, the governor of California signed AB 32, the Global Warming Solutions Act, into legislation. The Act requires that California cap its greenhouse gas emissions at 1990 levels by 2020. CARB has estimated the 1990 statewide emission level to be 427 MMTCO2e, with a "business as usual" scenario estimated to increase to approximately 600 MMTCO2e by 2020. Therefore, a reduction of almost 30 percent in emissions is required by 2020 to meet the AB32 goal.

This legislation requires CARB to establish a program for statewide greenhouse gas emissions reporting and monitoring/enforcement of that program. CARB recently published a list of discrete greenhouse gas emissions reduction measures that can be implemented immediately. CARB is also required to adopt rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. CARB's Early Action Plan identified regulations and measures that could be implemented in the near future to reduce GHG emissions.

Much of the measures to reduce GHG emissions from transportation will come from CARB. AB 1493, the Pavley Bill, directed CARB to adopt regulations to reduce emissions from new passenger vehicles. CARB's AB32 Early Action Plan released in 2007 included a strengthening of the Pavley regulation for 2017 and included a commitment to develop a low carbon fuel standard (LCFS). In April 2009, CARB adopted the new LCFS aimed at diversifying the variety of fuels used for transportation. This regulation is designed to increase the use of alternative fuels, replacing 20 percent of the fuel used by cars in California with clean alternative fuels by 2020. These fuels include electricity, biofuels, and hydrogen.

CARB is also targeting other sources of emissions. The main measures to reduce GHG emissions are contained in the AB32 Scoping Plan. The Scoping Plan was approved in December 2008. This plan includes a range of GHG reduction actions. Central to the draft plan is a cap and trade program covering 85 percent of the state's emissions. This program will be developed in conjunction with the

[15] California Environmental Protection Agency. 2006. *Climate Action Team Executive Summary Climate Action Team Report to Governor Schwarzenegger and the California Legislature.* (http://www.climatechange.ca.gov/climate_action_team/reports/2006-04-03_FINAL_CAT_REPORT_EXECSUMMARY.PDF]

Western Climate Initiative, comprised of seven states and three Canadian provinces, to create a regional carbon market. The plan also proposes that utilities produce a third of their energy from renewable sources such as wind, solar and geothermal, and proposes to expand and strengthen existing energy efficiency programs and building and appliance standards. The plan also includes full implementation of the Pavley standards to provide a wide range of less polluting and more efficient cars and trucks to consumers who will save on operating costs through reduced fuel use. It also calls for development and implementation of the Low Carbon Fuel Standard, which will require oil companies to make cleaner domestic-produced fuels. Most of the measures in this Scoping Plan will be implemented through the full rulemaking processes at ARB or other agencies. With the exception of Discrete Early Actions, which will be in place by January 1, 2010, other regulations are expected to be adopted by January 1, 2011 and take effect at the beginning of 2012.

Senate Bill 97 - Modification to the Public Resources Code

Pursuant to Senate Bill 97, and as noted above, the Governor's Office of Planning and Research (OPR) is in the process of developing CEQA guidelines addressing GHGs. In June 2008, OPR issued interim guidance for addressing climate change through CEQA. OPR recommends that each agency develop an approach to addressing GHG emissions that is based on best available information. The approach includes three basic steps: (1) identify and quantify emissions; (2) assess the significance of the emissions; and (3) if emissions are significant, identify mitigation measures or alternatives that will reduce the impact to a less-than-significant level. At this time, neither the County of Alameda nor the BAAQMD has identified significance thresholds for GHG emissions. OPR released Draft CEQA Guideline Amendments for Greenhouse Gas Emissions in April 2009 for public comment.

At the direction of OPR, CARB is currently developing statewide interim thresholds of significance for GHG emissions. CARB is focusing on common project types that, collectively, are responsible for substantial GHG emissions – specifically industrial, residential, and commercial projects. Several workshops have been planned to discuss further development of concepts introduced in its Preliminary Draft Staff Proposal on Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases under the California Environmental Quality Act (CEQA).

California's Energy Efficiency Standards for Residential Buildings, Title 24, Part 6, of the California Code of Regulations

The Energy Efficiency Standards for Residential Buildings were established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The 2005 Standards went into effect October 1, 2005. Projects that apply for a building permit on or after this date must comply with the 2005 Standards. The 2008 Standards are currently being developed and will go into effect in 2009.

Senate Bill 375 - California's Regional Transportation and Land Use Planning Efforts

Recently, California enacted legislation (SB 375) to expand the efforts of AB 32 by controlling indirect GHG emissions caused by urban sprawl through changes in the way land use and transportation planning is done in California. SB 375 provides incentives for local governments and developers to implement new conscientiously planned growth patterns (i.e., Sustainable Communities Strategies). This includes incentives for creating attractive, pedestrian-friendly and sustainable communities and revitalizing existing communities. The legislation also allows developers to bypass

certain environmental reviews under CEQA for projects that are consistent with the new Sustainable Community Strategies. Development of more alternative transportation options that would reduce vehicle trips and miles traveled, along with traffic congestion, would be encouraged. SB 375 enhances CARB's ability to reach the AB 32 goals by directing the agency to develop regional GHG emission reduction targets to be achieved from the transportation sector for 2020 and 2035. CARB would work with the metropolitan planning organizations (e.g., ABAG and MTC) to align their regional transportation, housing, and land use plans to reduce vehicle miles traveled and demonstrate the region's ability to attain its greenhouse gas reduction targets. A similar process is used to reduce transportation emissions of ozone precursor pollutants in the Bay Area.

California's Heavy Duty Vehicle GHG Emissions Reduction Measure

On December 12, 2008 (one day after adopting the AB32 Climate Action Plan), CARB adopted the Heavy Duty Vehicle Greenhouse Gas Emission Reduction measure that requires long-haul truckers to install fuel-efficient tires and aerodynamic devices on their trailers. This measure will reduce GHG emissions through improved fuel economy.

Bay Area Air Quality Management District

In April 2009, the Bay Area Air Quality Management District (BAAQMD) issued a draft report on CEQA thresholds of significance, as part of a planned update of BAAQMD's CEQA Guidelines, which were last updated in 1999. The existing BAAQMD CEQA Guidelines contain no thresholds of significance for GHGs. The April 2009 report identifies two potential approaches for determining the significance of GHG emissions, one based on AB 32 emission reduction goals, and the second based on thresholds currently being developed by CARB. The BAAQMD report identifies the following three options for proceeding under the AB 32 approach: establishment of a project-specific numerical threshold; establishment of a performance standard equal to the emissions reduction required to meet the AB 32 target; or a combination of performance standard and numerical threshold. Under the CARB approach, a project would generally be found to have a less-than-significant effect with respect to GHGs if it were to implement a series of performance standards and, potentially, have emissions at an amount less than a quantitative threshold (yet to be established for most types of projects), or if the project were consistent with a CARB-approved Sustainable Communities Strategy (SCS), which is a regional plan for GHG reduction to be developed by the applicable metropolitan planning organization (in the Bay Area, the Metropolitan Transportation Commission) (see discussion of SB 375, above).

Alameda County

Cool Counties Initiative

In July 2007, Alameda County joined 12 other counties across the United States, along with the Sierra Club, to launch the Cool Counties Initiative (Initiative). The Initiative mobilizes county governments to catalyze bold regional and federal action to address climate change. The Initiative commits the County to work with its communities to reduce countywide greenhouse gas emissions by 80 percent by 2050. In joining the Initiative, Alameda County signed the Cool Counties Declaration, which consists of three commitments:

- A commitment to reduce County operational greenhouse gas (GHG) emissions by creating an inventory of their local emissions and then planning and implementing policies and programs to achieve significant, measurable and sustainable reductions.

- A commitment to work closely with regional and state governments and others to reduce regional GHG emissions to 80 percent below current levels by 2050. The idea is to engage the metropolitan planning organizations to develop regional GHG emissions inventories and create regional implementation plans that establish short-, mid-, and long-term emissions reduction targets. The goal is to stop the increase in emissions by 2010, and to achieve average reductions of 10 percent every five years thereafter through to 2050.
- A commitment to urge Congress and the Obama Administration to enact a multi-sector national program of market-based limits and incentives for reducing GHG emissions to 80 percent below current levels by 2050, and to urge Congress and the Administration to strengthen standards by enacting legislation such as a Corporate Average Fuel Economy ("CAFE") standard that achieves at least 35 miles per gallon (mpg) within 10 years for cars and light trucks.

Green Building and Construction Debris Management

Pursuant to Chapter 4.38, Title 4 of the County Administrative Code, County projects must divert construction debris from landfills and incorporate Green Building Practices. The relevant sections of the Administrative Code include:

> 4.38.030: Construction and demolition debris management.
>
> The construction and demolition debris generated by county projects initiated on or after July 1, 2003, shall be diverted from landfill as follows:
>
> A. County projects (except traditional public works projects) with a total estimated cost of construction of one hundred thousand dollars ($100,000) or greater and county projects consisting primarily of demolition with a total estimated cost of twenty five thousand dollars ($25,000) or greater shall meet the following diversion requirements:
>
> 1. At least fifty (50) percent of the total debris generated by the project shall be diverted from landfill via reuse or recycling.
>
> 4.38.040: Green Building Practices.
>
> A. All county projects initiated on or after July 1, 2003, except traditional public works projects, shall meet a minimum LEED™ "Silver" rating under the LEED rating system, or a county-approved equivalent.

City of Dublin

In July of 2007 the Dublin City Council adopted Resolution 10379, authorizing the City's participation in the Climate Protection Project (Cool Counties Initiative) for Alameda County jurisdictions.

Criteria a): Greenhouse Gas Emissions

Impact

Project-related construction and operational activities would emit greenhouse gasses, primarily through consumption of energy for transportation and energy usage. However, project emissions

would represent such a small fraction of the current total emission generated both Countywide and within the City of Dublin as to be considered less than significant. (***Less than Significant***)

CO2, the primary man-made greenhouse gas of concern, would be generated by the project primarily from mobile sources and energy usage. Typically, more than 80 percent of total energy consumption takes place from the long-term operation of the building whereas less than 20 percent is consumed during construction, which is temporary. Therefore, only GHG emissions during the use of the building have been calculated. The California Air Pollution Control Officers Association (CAPCOA) has provided guidance for calculating project emissions.[16] Emissions associated with the development of the proposed Project were calculated utilizing the methodologies indicated in the CAPCOA guidance.

Area source emissions in the form of natural gas combustion for heating (i.e., space and water), emissions from landscape equipment, and emission from architectural coatings were calculated using the URBEMIS2007 model (version 9.2.4) with default assumptions for government (civic center) buildings. The URBEMIS2007 model was also used to estimate mobile source emissions from build out of the project. This model is based on the CARB's EMFAC2007 on-road mobile source emission factor model. The model includes emission factors for CO2.

Indirect emissions associated with the generation of electricity provided to the project were calculated using California Climate Action Registry (CCAR) General Reporting Protocol for Indirect Emissions from Electricity Use[17] using PG&E 2007 emission rate of 0.63567 pounds of CO2 per kilowatt hour of electricity produced.[18]

Although there are emissions of methane and nitrous oxide, which are more potent GHGs, these emissions are very small compared to CO2 for this type of project (i.e., less than three percent CO2 equivalent). As a result, only CO2 emissions were calculated. **Table 3** shows the annual CO2 emissions in metric tons per year.

TABLE 3: ANNUAL OPERATIONAL CO_2 EMISSIONS

Source Type	Basis for Calculation	Annual Emissions (in metric tons per year)
Area Source	Natural gas and landscape equipment from URBEMIS2007	258
Mobile Sources	Traffic from URBEMIS2007	6,856
Electricity Usage	Estimated using CCAR method, using PG&E Emission Rates	943
Total		**8,057 metric tons per year**

Source: Lamphier-Gregory, 2009

16 *CEQA & Climate Change*, California Air Pollution Control Officers Association, January 2008.

17 California Climate Action Registry. California Climate Action Registry General Reporting Protocol – Reporting Entity-Wide Greenhouse Gas Emissions, Version 3.1. January 2009.

18 PG&E specific emissions factor taken from www.climateregistry.org/resources/docs/PUP_Metrics-June-2009.xls

Alameda County has developed an inventory of major greenhouse gas (GHG) emissions as part of its continuing commitment to tackling the potential problems presented by global climate change. The inventory includes emissions from each of the 14 municipalities in the County and the unincorporated regions.[19] The results of the inventory indicate that Alameda County communities emit over 13.7 million metric tons of CO_2e. This includes the emissions of the three major greenhouse gases – carbon dioxide, methane, and nitrous oxide.

The City of Dublin has also worked with the International Council of Local Environmental Initiatives (ICLEI) to conduct a greenhouse gas emissions inventory. During calendar year 2005, the ICLEI inventory determined that 231,517 metric tons of carbon dioxide equivalents or greenhouse gases were emitted in Dublin. This report forecasts year 2020 emissions at 488,542 metric tons with no mitigation.[20]

As a facility providing County-wide services, it is reasonable to compare the emissions anticipated to be generated by the project to both County-wide emissions, as well as to the emissions of the local jurisdiction (City of Dublin). Project emissions would represent a very small fraction (less than $1/10^{th}$ of 1%) of current County-wide emissions, less than 3.5% of Dublin's 2005 inventory, and approximately 1.6% of Dublin's projected 2020 total emissions.

Given these very low contributions of greenhouse gas emissions of the project relative to both County-wide emissions and the emissions of the City of Dublin, project-specific greenhouse gas emissions are not considered to be significant. The estimated CO2 emissions from the project are also a conservative estimate in that, absent the project, the courthouse functions of the Hall of Justice project would continue to operate elsewhere, with similar or potentially greater emissions. Because this Project represents in large part relocation of an existing use, much of the GHG emissions are not in fact new emissions, but are part of the current inventory.

Criteria b): Consistency with Plans to Reduce Greenhouse Gas Emissions

Impact

> Project-related construction and operation will contribute incrementally to cumulative increases in GHG emissions. However, the project will be consistent with the commitment embodied in the Cool Climate Initiative and the County's Green Building Ordinance by implementing efforts to achieve significant, measurable and sustainable reductions in greenhouse gas emissions. (***Less than Cumulatively Significant***)

Although no project-specific significant impacts related to GHG emissions have been identified and no project-specific mitigation is required, the Project will generate greenhouse gas emissions that will contribute incrementally to an overall increase in cumulative emissions. The following is a discussion

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[19] Prepared by ICLEI – Local Governments for Sustainability and presented at the Alameda County & Cities Climate Forum, January 23, 2009 http://www.acgov.org/climate/documents/2009-02-09_County_climate_inventory-summary.pdf

[20] City of Dublin, Greenhouse Gas Emission Analysis, prepared by ICLEI, May 2009, accessed at http://www.ci.dublin.ca.us/pdf/Item73GreenhouseGasEmisn.pdf .

of those aspects of the project, including its required mitigation measures, which will provide for significant, measurable and sustainable reduction in greenhouse gas emissions.

"Green Building Practices" - LEED Design and Construction

Pursuant to Chapter 4.38, Title 4 of the County Administrative Code, all new County projects initiated after July 2003 are required to meet a minimum LEED "Silver" rating under the LEED rating system (or a County-approved equivalent).. As part of on-going value-engineering efforts for the project, the design team will be exploring various economically viable strategies that might be incorporated into the project to improve building efficiency and performance, potentially including rows of photovoltaic cells placed between the rows of parking in the northeasterly portion of the parking lot that would shield the parked cars from the sun and also generate electricity for on-site use. Other strategies may include:

- Preferred parking for car/van pools
- dedicated open space
- stormwater management plans designed in accordance with EPA best management practices
- indoor air quality enhancements
- energy conservation and atmosphere emission reductions
- water efficiency
- "green" materials and resources , and
- innovation and design

Waste Diversion

Also pursuant to Chapter 4.38, Title 4 of the County Administrative Code, all new County projects initiated after July 2003 are required to achieve a minimum diversion of 50% of construction and demolition debris. The County will prepare a Waste Diversion and Reduction Plan for the project which will be required to meet this 50% diversion goal.

Energy Efficiency

The proposed Project would be required to comply with all applicable local, state, and federal regulations associated with the generation of GHG emissions and energy conservation. In particular, construction of the proposed Project would be required to meet California Energy Efficiency Standards for Nonresidential Buildings, California Building Code and Title 24 energy conservation requirements and the requirements of pertinent County policies, helping to reduce future energy demand as well as reduce the project's contribution to regional GHG emissions.

Relocation and Centralization of Existing Uses

The Unified California Superior Court in Alameda County currently operates 13 court facilities throughout the County of Alameda. The proposed Project would accommodate all the necessary services to hear civil, family, traffic, criminal misdemeanor and criminal felony cases for the East County area, and is intended to replace existing leased space, as well as to provide long-term

expansion space for existing and future demand.[21] Because this Project represents in large part relocation of an existing use, much of the project's estimated GHG emissions from vehicle sources would not, in fact, be new emissions. Instead, because the project would result in a consolidation of courthouse and related uses into one central location for the East County as opposed to multiple locations elsewhere in the County, it is likely this would reduce trips and trip lengths as compared to the existing situation.

Required Mitigation Measures

Additional greenhouse gas emission reductions would be achieved through compliance with all the regulatory requirements and mitigation measures included in the Prior EIS/EIR. The following mitigation measures from the Prior EIS/EIR are applicable to the Project, and would serve to further reduce greenhouse gas emissions:

Mitigation Measure 9.4.5a: TSM/TDM Program. Implementation of a Transportation Systems Management/Transportation Demand Management program to reduce the use of single-occupant vehicles would also help reduce GHG emissions. (See the Transportation section for additional details on this measure.)

Mitigation Measure 9.4.5b: Enhanced Transit Program. Implementation of an enhanced transit program to improve access to the Project would also help reduce GHG emissions. (See the Transportation section for additional details on this measure.)

Mitigation Measure 9.4.5c: TVTC Fees. Improvements to regional transportation funded through contribution to regional transportation mitigation programs would improve regional transit and reduce congestion on freeways, which would also help reduce GHG emissions. (See the Transportation section for additional details on this measure.)

While the project would contribute incrementally to an overall increase in cumulative GHG emissions, many of these emissions are in large part a relocation of emissions from current facilities which are currently included in the County-wide emissions inventory. The new facility will be LEED certified, state-of-the-art, energy efficient, transit accessible and centrally located, all of which would result in a reduction of current emissions as well as a minimization of emissions from needed facility expansion. The project would be consistent with the commitment embodied in the Cool Counties Initiative to achieve significant, measurable and sustainable reductions in County operational greenhouse gas emissions. The proposed project is consistent with applicable plans, policies and regulations adopted for the purpose of reducing greenhouse gas emissions. Therefore, the Project's cumulative impact related to greenhouse gas emissions would be less than significant.

[21] County of Alameda, Juvenile Justice Facility and East County Hall of Justice Draft EIR, January 2003, p.2-6 to 2-7.

	Potentially Significant Impact	Less Than Significant with Revised Mitigation	No New Impact From those Identified in the Prior EIS/EIR	No Impact / Less than Significant
IV. BIOLOGICAL RESOURCES -- Would the project:				
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 Game 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, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☑
c) Have a substantial adverse effect on 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?	☐	☐	☑	☐
d) 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?	☐	☐	☐	☑

Criteria a): Special Status Species

Impact

The proposed Project would result in potentially significant impacts on sensitive wildlife species, including Congdon's tarplant or the foraging habitat for burrowing owl, white-tailed kite, the northern harrier and other species. This impact was fully discussed and disclosed in the Prior EIS/EIR. (***No New Impact***)

The Prior EIS/EIR found that development on the project site would result in the elimination of the occurrence of Congdon's tarplant, which would be a significant impact. Congdon's tarplant has no legal protective status under the state or federal Endangered Species Acts, but is considered rare under Section 15380 of the CEQA Guidelines. No other special-status plant species were encountered on the site during systematic surveys conducted in 2001 and 2002, and none are believed to occur on the site.

Suitable foraging habitat for burrowing owl, white-tailed kite, northern harrier, other raptors and loggerhead shrike would be affected by proposed development. While no nests of these species were encountered during field surveys, there is a possibility that nests could be established prior to construction. Consistent with the conclusion of the Prior EIS/EIR, no direct impacts on any state or federally listed species are anticipated as a result of the project. This includes California red-legged frog and San Joaquin kit fox, which are not believed to occur on the site or pass through the site vicinity.

Mitigation Measures

The following mitigation measures from the Prior EIS/EIRS are applicable to the current Project:

Mitigation Measure 8.1.5a: Preconstruction Nesting Surveys. Preconstruction nesting surveys for loggerhead shrike and raptors shall be conducted during the months of April through July prior to any destruction of suitable nesting habitat. The surveys shall be conducted by a qualified biologist no more than 30 days prior to initiation of grading. If any of these species are found within the construction area after April of the construction year, grading and construction in the area shall either stop or continue only after the nests are protected by an adequate setback approved by a qualified biologist. If avoidance of nests is not feasible, impacts to foraging habitat and kite, shrike and raptor nests shall be minimized by avoiding disturbances to the birds during the nesting season unless a qualified biologist verifies that the birds have either (1) not begun egg-laying and incubation, or (2) that the juveniles from those nests are foraging independently and capable of survival at an earlier date.

If avoidance is not feasible, mitigation shall be developed in consultation with the CDFG and shall meet with the approval of the County General Services Agency prior to any construction or grading. The results of the preconstruction survey and any required mitigation monitoring shall be submitted to the CDFG and County General Services Agency.

Mitigation Measure 8.1.5b: Preconstruction Burrowing Owl Survey. Preconstruction surveys shall be conducted for burrowing owl within 30 days of Project-related ground disturbing activities throughout the year to determine whether any nesting owls are present and to provide for their protection during the active breeding season or passive relocation during the non-breeding season if nests are encountered. The surveys shall be conducted by a qualified biologist and shall comply with Burrowing Owl Protocol and Mitigation Guidelines. If burrowing owls are found on site, the Mitigation Guidelines generally require the creation of other suitable habitat for burrowing owls nearby, relocating any burrowing owls that are found on site and filling all on-site burrows once they have been vacated.

If avoidance is not feasible, mitigation shall be developed in consultation with the CDFG and shall meet with the approval of the County General Services Agency prior to any construction or grading. The results of the preconstruction survey and any required mitigation monitoring shall be submitted to the CDFG and County General Services Agency.

Mitigation Measure 8.1.5c: Congdon's Tarplant Mitigation Program. A detailed off-site mitigation program shall be prepared to address the loss of Congdon's tarplant on the site. The program shall be prepared by a qualified botanist or plant ecologist, and shall at minimum provide for seed collection and reseeding, and creating

replacement habitat at secure locations. The program shall include identification of appropriate areas(s), including shallow depressions designed with a suitable hydrologic regime for Congdon's tarplant to be sown with seed collected from the site. Seed shall be collected from the site in early fall prior to initiation of construction activities. This seed collection and re-establishment may be combined with other mitigation plans for the vicinity, such as the mitigation being developed for impacts associated with the Dublin Transit Center. Any mitigation plan shall include monitoring for a minimum of five years to determine success of reseeding and habitat creation.

In addition, preservation of another existing occurrence of Congdon's tarplant shall be required if monitoring efforts indicate that the re-establishment efforts have not been successful after five years. The preservation program shall provide for permanent protection of a minimum of 325 plants through land acquisition or use of a conservation easement over an existing population in east Alameda County (minimum 1:1 replacement). Any off-site mitigation lands shall include establishment of a management endowment as necessary to provide for long-term management of the population. The detailed mitigation program shall be developed in conjunction with the Mitigation and Monitoring Plan for this EIS/EIR. The plan shall be prepared in consultation with the CDFG and meet with the approval of the County General Services Agency prior to any construction or seed collection on the site.

Resulting Level of Significance

Consistent with the conclusion of the Prior EIS/EIR, implementation of Mitigation Measures 8.1.5a, 8.1.5b and 8.5.1c would reduce impacts to a less than significant level. There are no changes in the project, change in circumstances, or new information that would result in new significant environmental effects to special status species, or a substantial increase in the severity of previously identified environmental effects to special status species beyond that disclosed in the Prior EIS/EIR.

Criteria b): Habitat (Loss of Sensitive Natural Communities)

The proposed Project would not result in a loss of sensitive natural community types, nor would it substantially increase any impacts on sensitive natural community types. Consistent with the conclusions of the Prior EIS/EIR, sensitive natural community types such as riparian scrub and native grasslands are absent from the East County Government Center site and no impacts are anticipated. (***No Impact***)

Criteria c): Wetlands

Impact

The proposed Project would result in the elimination of scattered seasonal wetlands in the man-made depressions on the project site. This impact was fully discussed and disclosed in the Prior EIR. (***No New Impact***)

Consistent with the conclusions of the Prior EIS/EIR, the Project would result in the elimination of approximately 0.098 acres (4,280 square feet) of scattered seasonal wetlands in the man-made depressions on the site. These seasonal depressions function largely as grasslands, with no unique values to wildlife although they are used by common species associated with seasonal wetlands such as invertebrates and pacific tree frog. Because these features are physically isolated and non-navigable interstate waters, they are not anticipated to be subject to regulations under Section 404 of the Clean Water Act. Similarly, the man-made detention basin in the western portion of the site is most likely exempt from U.S. Army Corps of Engineers (Corps) jurisdiction as it was constructed in uplands for flood control. These assumptions must be confirmed by the Corps as part of its jurisdictional determination. If these features are determined to be jurisdictional, then their loss would be considered significant, requiring mitigation.

Mitigation Measures

The following mitigation measure from the Prior EIR/EIS is applicable to the current Project:

Mitigation Measure 8.3.5: Wetland Delineation and Possible Replacement. The preliminary wetland delineation shall be submitted to the Corps for verification, if this site is selected for the project.* If the identified wetlands and detention basin to be filled are not considered jurisdictional then no additional mitigation is considered necessary. If the Corps and/or Regional Water Quality Control Board determine these features are jurisdictional and must be filled, then a mitigation program shall be prepared by a qualified wetland specialist, and shall at minimum provide for no net loss of wetlands. This mitigation program will be required to provide for the creation of replacement habitat with an increase in acreage and value at a secure location to meet the "no net loss" standard. Any mitigation program shall include monitoring and management for a minimum of five years to ensure success of wetlands creation; specify success criteria, maintenance, monitoring requirements, and contingency measures; and define site preparation and revegetation procedures, along with an implementation schedule, and funding sources to ensure long-term management. If required, the detailed mitigation program shall be prepared in consultation with the Corps and/or Regional Water Quality Control Board and meet with the approval of the County General Services Agency prior to any construction on the site.

* To clarify any unintended misunderstandings, this mitigation measure was originally written before a decision was made to use the East County Government Center site for the East County Hall of Justice facility. Now that that decision is about to be made formally, this mitigation measure will be implemented and the "if" clause in this sentence will become moot.

Resulting Level of Significance

Consistent with the conclusion of the Prior EIS/EIR, implementation of Mitigation Measure 8.3.5 would reduce impacts to a less than significant level. There are no changes in the project, change in circumstances, or new information that would result in new significant environmental effects on wetlands, or a substantial increase in the severity of previously identified environmental effect on wetlands beyond that disclosed in the Prior EIS/EIR.

Criteria d): Interference with the Movement of Fish or Wildlife Species

Impact

The proposed Project would not result in a significant new impact on the loss of wildlife habitat, interfere substantially in the movement of wildlife or result in a substantial loss of wildlife habitat, nor would it substantially increase any impacts on wildlife habitat or the movement of wildlife. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant new impact on the movement of fish or wildlife species. (***Less than Significant Impact)***

As concluded in the Prior EIS/EIR, this site is surrounded on three sides by existing development and is not directly connected to an existing stream or other natural movement corridor. Proposed development would eliminate the remaining grassland habitat, and wildlife would either be destroyed or displaced to the surrounding lands. Most of these species are relatively common and the loss of habitat or individuals would not be considered significant.

	Potentially Significant Impact	Less Than Significant with Revised Mitigation	No New Impact From those Identified in the Prior EIS/EIR	No Impact / Less than Significant
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines δ15064.5.	☐	☐	☑	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to δ15064.5?	☐	☐	☑	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☑	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☑	☐

Criteria a - d): Historic and Archaeological Resources and Human Remains

The Prior EIS/EIR found no evidence to suggest the presence of National Register or California Register listed, determined or pending archaeological sites, or significant local, state or federal historic properties or landmarks, or unique geological or paleontological resources or human remains on this site. It also stated that it would be unlikely that excavation activity associated with the proposed Project would disturb any previously undisturbed archaeological resources, paleontological resources and/or human remains on this site.

Impact:

If the project were to disturb any currently unknown, previously undisturbed archaeological resources, paleontological resources and/or human remains on this site it would be considered a potentially significant impact. This impact was fully discussed and disclosed in the Prior EIR. (***No New Impact***)

Mitigation Measures

The following mitigation measure from the Prior EIS/EIR is applicable to the Project:

Mitigation Measure 15.1.2: Halt Construction/Assess Significance of Find. Prior to the initiation of ground-disturbing activities (either at the Project site or at the Existing San Leandro Property), the County of Alameda shall inform all supervisory personnel and all contractors whose activities may have subsurface soil impacts of the potential for discovering archaeological resources, paleontological resources and/or human remains and of the procedures to be followed if these previously unrecorded cultural resources are discovered. These procedures shall include:

- halting all ground-disturbing activities within 100 feet of the area where a potential cultural resource has been found;
- notifying a qualified archaeologist of the discovery; and
- following a treatment plan prescribed by the appropriate professional if the cultural resource is deemed significant, in accordance with federal or state law.

The County of Alameda shall retain an on-call archaeologist to periodically review any excavation (either associated with construction at the Project site and/or demolition at the Existing San Leandro Property), assess the significance of the potential cultural resource and prescribe a treatment plan for it. The archaeologist will consult with a paleontologist as required. The archaeologist shall report any finds in accordance with current professional protocols, including closure at the end of an on-call contract. The archaeologist shall meet the Professional Qualifications Standards mandated by the Secretary of the Interior and the California Office of Historic Preservation.

In the event that any human remains are uncovered at the Project site during construction or at the San Leandro site during demolition, there shall be no further excavation or disturbance of the site or any nearby area until after the Alameda County Coroner has been informed and has determined that no investigation of the cause of death is required, and (if the remains are determined to be of Native American origin) the descendants from the deceased Native American(s) have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.

Resulting Level of Significance

Consistent with the conclusion of the Prior EIS/EIR, implementation of Mitigation Measure 15.1.2 would reduce impacts to a less than significant level. There are no changes in the project, change in circumstances, or new information that would result in new significant environmental effects to cultural, historic or archaeological resources, or to human remains, or a substantial increase in the severity of previously identified environmental effect to cultural, historic or archaeological resources, or to human remains beyond that disclosed in the Prior EIS/EIR.

	Potentially Significant Impact	Less Than Significant with Revised Mitigation	No New Impact From those Identified in the Prior EIS/EIR	No Impact / Less than Significant
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to substantial 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 or Seismic Hazards Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publications 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 be come 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 - 1-B of the Uniform Building Code (1994), creating substantial 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 waste water?	☐	☐	☐	☑

Criteria a (i), a (iii), and a (iv): Fault Rupture, Seismic Ground Failure, or Landslides

Impact

Geotechnical studies prepared for the Prior EIS/EIR concluded that development at the project site would not be exposed to risk of loss, injury or death due to the rupture of any known earthquake fault, found no evidence of landslides and found that the risk of liquefaction is considered low due to the nature of soils found at the project site. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant new impact related to fault rupture, seismic ground failure or landslides. (***Less than Significant***)

The project site is not located within an Alquist-Priolo Earthquake Fault Zone, and no earthquake faults have been identified within the East County Government Center site. Liquefaction and densification of the soil could occur in certain zones of sand and gravel on site. However, the soils encountered in the borings on site consist predominantly of silty to sandy clay and clayey sand, and

relatively dense sand. These soils have sufficient cohesion and/or density not to be prone to liquefaction. This represents a less than significant environmental impact. The East County Government Center site is relatively flat, and there is no risk of landslides.

Criteria a (ii): Strong Seismic Shaking

Impact

While the project site is not located within an Alquist-Priolo Earthquake Fault Zone, it is located in the seismically active Bay Area region. Earthquakes occurring along identified Bay Area faults have the potential to produce strong seismic ground shaking which could result in risk of loss, injury or death. This impact was fully discussed and disclosed in the Prior EIS/EIR. (***No New Impact***)

Significant earthquakes in the Bay Area have been associated with movements along well-defined fault zones. Earthquakes occurring along the Hayward, San Andreas or any of a number of other Bay Area faults have the potential to produce strong ground shaking at the site, which could result in risk of loss, injury or death.

Mitigation Measures

The following mitigation measure from the Prior EIS/EIR is applicable to the Project:

Mitigation Measure 6.2.5: Seismic Design. The Project shall be designed to address the projected seismic shaking hazards present at the site, in conformance with the Uniform Building Code and the California Building Code.

Resulting Level of Significance

Consistent with the conclusion of the Prior EIS/EIR, implementation of Mitigation Measure 6.2.5, requiring compliance with current seismic codes and standards, would reduce potential impacts associated with strong ground shaking to levels generally considered acceptable according to engineering standards for projects of this type in the seismically active San Francisco Bay region. Therefore, implementation of this measure would reduce this impact to a less than significant level. There are no changes in the project, change in circumstances, or new information that would result in new significant environmental effects related to seismic shaking, or a substantial increase in the severity of previously identified environmental effect related to seismic shaking beyond that disclosed in the Prior EIS/EIR.

Criteria b): Erosion

Impact

The proposed Project could result in an increase in soil erosion during site preparation and site grading operations. Unless suitable site-specific erosion control features are incorporated, the ongoing operation of the proposed project could result in soil erosion. This impact was fully discussed and disclosed in the Prior EIR. (***No New Impact***)

Mitigation Measures

The following mitigation measure from the Prior EIS/EIR is applicable to the Project:

Mitigation Measure 6.5.5: Implementation of a Storm Water Pollution Prevention Program (SWPPP). The SWPPP will need to include all erosion control measures required under the most recent SWPPP requirements including stormwater quality BMPs that will reduce runoff of sediment and other pollutants during construction to less than significant levels. Some of the post-construction source control BMPs that could be included in the SWPPP would reduce the generation of pollutants from activities such as lawn maintenance, vehicle use, material storage and waste collection/recycling. In order to be approved by the Regional Water Quality Control Board, the SWPPP will need to demonstrate that implementation will reduce potential soil erosion to a level of less than significant.

Resulting Level of Significance

Consistent with the conclusion of the Prior EIS/EIR, implementation of Mitigation Measure 6.5.5 would reduce impacts to a less than significant level. There are no changes in the project, change in circumstances, or new information that would result in new significant environmental effects related to the potential for erosion, or a substantial increase in the severity of previously identified environmental effects related to erosion beyond that disclosed in the Prior EIS/EIR.

Criteria c and d): Unstable or Expansive Soils

Impact

Expansive soils have been identified at the East County Government Center site, and construction in areas characterized by expansive soils could result in property damage. This impact was fully discussed and disclosed in the Prior EIS/EIR. (***No New Impact)***

The clayey soil encountered in both the fill and native soil across the entire site has a medium to high plasticity and a moderate to high expansion potential. Information from the field explorations indicates that more highly expansive soils were generally encountered in the fill and shallower native soils. The Project can be supported on spread footings or a mat foundation bearing on native soil or properly compacted fill with limited long-term differential settlement.

Mitigation Measures

The following mitigation measure from the Prior EIS/EIR is applicable to the Project:

Mitigation Measure 6.7.5: Deepening Building Footings/Use of Non-expansive Fill. Preliminary geotechnical engineering recommendations call for the deepening of all building footings and using a layer of non-expansive fill to support both interior and exterior slabs on grade.

Resulting Level of Significance

Consistent with the conclusion of the Prior EIS/EIR, implementation of Mitigation Measure 6.7.5 would reduce potential expansive soil impacts at the site to a less than significant level. Compliance with geotechnical engineering recommendations for the foundations of structures would also reduce potential impacts associated with soil instability to a level of less than significant. There are no changes in the project, change in circumstances, or new information that would result in new significant environmental effects resulting from expansive or unstable soils, or a substantial increase in the severity of previously identified environmental effect related to expansive or unstable soils beyond that disclosed in the Prior EIS/EIR.

Criteria e): Septic Systems

Impact

The Project would be served by a municipal sewerage system. Use of septic systems is not anticipated. (***No Impact***)

	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact From those Identified in the Prior EIS/EIR	No Impact / Less than Significant
VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
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 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 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, and would result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☑
f) For a project located with the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☑
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☑
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☑

Criteria a, b and c): Routine Use, Emissions and Potential Accident Conditions Involving Hazardous Materials

Impact

The Project would not create a significant new hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, nor would it increase the likelihood of upset or accident conditions involving the release of hazardous materials into the environment. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant new impact related to the use of hazardous materials. (***Less than Significant Impact***)

Development of this site as proposed would not entail the use of substantial quantities of hazardous materials, and routine operation of the facilities would not entail the use of substantial quantities of hazardous materials. The Project would not include Priority 1 High Risk facilities as identified by local fire department and/or emergency services. Additionally, construction and operation of the

proposed facilities would not require the use, transportation or storage of significant quantities of hazardous materials. Although some common household and industrial hazardous materials may occur and would require proper disposal, they would not likely occur in significant quantities. It is also unlikely that any foreseeable upset or accident associated with the construction and operation of the proposed facilities would involve the release of significant quantities of hazardous materials that would pose a threat to public health or the environment. The site is not within one-quarter mile of any existing or proposed school.

Criteria c) and d): Public Health Hazards Related to Potential Handling of Hazardous Materials

Impact

The project site is not listed as a hazardous materials site on the Cortese list (Government Code §65962.5), but limited environmental testing conducted at the site suggests that soil containing petroleum hydrocarbons and metals may exist in localized source areas. This impact was fully discussed and disclosed in the Prior EIS/EIR. (***No New Impact)***

The Previous EIS/EIR identified that the site may contain an inactive underground storage tank (UST) buried below the site and, if present, may still contain petroleum hydrocarbon byproducts. Buried utility lines that could be coated with or constructed of asbestos-containing materials also may exist on site. Chemicals including pesticides, herbicides and/or heavy metal-based amendments may have been used and stored in this area, and surface releases of these compounds may have occurred during the time of prior use. Vehicle repair and maintenance may also have been conducted in this area, with petroleum hydrocarbon compounds and other chemicals. The majority of the fill located at the property is believed to be soil excavated during the development of the adjacent Santa Rita Rehabilitation Center. The fill may contain remnants of past surface releases or artifacts and chemical residues from past source areas associated with former farming and agricultural activities, which were conducted at the adjacent jail site in the past. At the storm water detention basin, various heavy metals, petroleum hydrocarbons and other chemical substances may have accumulated in basin sediments.

The extent to which soils and groundwater may have been contaminated by these previous activities at the site is unknown, but such contamination (if present) could result in potential construction worker health effects from contact with subsurface materials, a potentially significant impact.

Mitigation Measure

The following mitigation measure from the Prior EIS/EIR is applicable to the Project:

Mitigation Measure 12.1.5: Preparation and Implementation of a Soil Handling/Management Plan (SHMP). Prior to site preparation, Alameda County shall notify their grading and excavation contractor(s) of the potential presence of improvements below the native ground surface, and shall prepare and implement a Soil Handling/Management Plan (SMP). The SMP should address worker notification, dust control, and include a contingency plan for unexpected conditions. Effective implementation of an SMP would reduce the potential impact associated with exposure to soil and/or groundwater contaminants to a level of less than significant.

Resulting Level of Significance

Consistent with the conclusion of the Prior EIS/EIR, implementation of this Mitigation Measure 12.1.5 would reduce potential impacts related to the potential presence of hazardous materials on site to a less that significant level. There are no changes in the project, change in circumstances, or new information that would result in a substantial increase in the severity of previously identified hazardous materials impacts beyond that disclosed in the Prior EIS/EIR.

Criteria e through h): Proximity to Airports or Airstrips; Relation to Emergency Response Plans, and Potential Risk from Wildland Fires

Impact

> The proposed Project would not result in a significant new impact related to the site's proximity to an airport or private airstrip, would not require an Emergency Response Plan, and is not subject to risk of loss resulting from wildfires. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant impact related to these issues. (***No Impact***)

As stated in the Prior EIS/EIR, the City of Livermore Airport is located more than six miles southeast of the site, and development of this site as proposed would not create any aviation-related safety hazard.

	Potentially Significant Impact	Less Than Significant with Revised Mitigation	No New Impact From those Identified in the Prior EIS/EIR	No Impact / Less than Significant
VIII. HYDROLOGY AND WATER QUALITY				
— Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☑	☐	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☑
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course a stream or river in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☑
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☑
e) 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?	☐	☐	☐	☑
f) Otherwise substantially degrade water quality?	☐	☑	☐	☐
g) Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☑
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☑
i) Expose people or structures to a substantial risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☑
j) inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☑

Criteria a, e and f): Violate Water Quality Standards, Provide Substantial Additional Sources of Polluted Runoff or Otherwise Degrade Water Quality

Regulatory Setting

The Prior EIS/EIR identified the Regulatory Setting for water quality applicable at that time (March 2003), but also noted that "the County will comply with the NPDES permit and SMP requirements

that are in effect when its submits the Notice of Intent (NOI) to the State Water Resources Control Board (SWRCB), prior to construction." The water quality regulatory setting currently applicable to development at the East County Government Center site has been updated, with additional context information as well, as indicated in the edited text below.

Federal

The United States Congress adopted the federal Clean Water Act (CWA) in 1972 with the goal of restoring the biological, physical and chemical integrity of the nation's waters. Water quality objectives for all waters of the United States were established under applicable provisions of Section 303 of the CWA. Section 303 of the CWA requires states to adopt water quality standards for all surface waters of the United States.

National Pollutant Discharge Elimination System Permit Program

As mandated by the 1987 amendments to the Federal Clean Water Act, discharge of stormwater from developed areas is regulated under the National Pollutant Discharge Elimination System (NPDES) permit program. The NPDES permit program set nationwide permitting requirements for discharging pollutants into waterways. The limits vary by category of industry and are based on a level or treatment that uses the best available technology. Additionally, the 1987 amendments required that municipal stormwater discharges obtain NPDES permit coverage, which, in effect, prohibited non-stormwater discharges into municipal storm drain systems and required the implementation of controls to reduce pollutants in stormwater to the maximum extent practicable. The USEPA has delegated authority for NPDES permitting to the California State Water Resources Control Board (SWRCB).

State

To comply with the CWA, California passed the Porter-Cologne Water Quality Control Act. Division 7 of the Porter-Cologne Water Quality Control Act designates the SWRCB as the administrators of the NPDES program via the Regional Water Quality Control Boards (Regional Boards). The San Francisco Bay Regional Water Quality Control Board (RWQCB) regulates water quality in the project area. In addition, the State Porter-Cologne Act requires the development of Basin Plans for drainage basins within California. The Basin Plans are implemented also through the NPDES program.

Construction General Permit and Stormwater Pollution Prevention Plan (SWPPP)

The SWRCB permits all regulated construction activities under NPDES General Permit for Storm Water Discharges Associated with Construction Activity [Construction General Permit]). The Construction General Permit is an NPDES permit that implements section 402(p) (2) (B) of the CWA. Construction activities on one acre or more are regulated by the SWRCB, and are subject to the permitting requirements of the General Permit. The SWRCB established the Construction General Permit program to reduce surface water impacts from construction activities. Construction activity subject to this permit includes clearing, grading and disturbances to the ground such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. At its meeting on September 2, 2009, the SWRCB adopted updated General Permit standards; no Order Number has been issued for the new permit as of the time of this

writing but the new standards will be applicable to the Project as of July 1, 2010. Changes from existing regulations are available on the SWRCB website.[22]

The Construction General Permit requires the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) for construction activities. The SWPPP must be prepared before the construction begins. The SWPPP must include specifications for best management practices (BMPs) to be implemented during project construction. BMPs are measures undertaken to control degradation of surface water by preventing soil erosion or the discharge of pollutants from the construction area. The SWRCB has identified BMPs in the California Storm Water Best Management Practice Handbook to effectively reduce degradation of surface waters to an acceptable level. Additionally, the SWPPP must describe measures to prevent or control runoff after construction is complete, and identify procedures for inspecting and maintaining facilities or other project elements.

Regional Regulations

The regional board with responsibility for the Project Site is the San Francisco Bay Regional Water Quality Control Board (RWQCB). The RWQCB has the authority to set water quality policies, establish objectives and standards, administer various permit programs, undertake enforcement actions, and conduct investigations and monitoring activities to carry out their water quality responsibilities. Water quality objectives for the San Francisco Bay and its tributaries are specified in the San Francisco Bay Basin Water Quality Control Plan Basin (Basin Plan) prepared by the RWQCB in compliance with the federal CWA and the State Porter-Cologne Water Quality Control Act. In addition, the responsibility for implementing the NPDES permit program has been delegated to the RWQCB. Because the proposed Project is located within the San Francisco RWQCB's jurisdiction, all discharges to surface water or groundwater are subject to the Basin Plan requirements and RWQCB oversight.

Alameda County - Alameda Countywide Clean Water Program

The Alameda Countywide Clean Water Program (ACCWP) is a consortium of public agencies within Alameda County, including Alameda County (unincorporated), 14 cities in the County, the Alameda County Flood Control and Water Conservation District (ACFCWCD), and the Zone 7 Water Agency, that discharge stormwater into San Francisco Bay.

The San Francisco RWQCB has issued a National Pollution Discharge Elimination System (NPDES) Municipal Stormwater Permit to the ACCWP. Each member of the ACCWP is a Permittee under this Municipal Stormwater Permit. The Permittees, including the County of Alameda, each have jurisdiction over and/or maintenance responsibility for their respective municipal separate storm drain systems and/or watercourses in Alameda County. The member agencies have developed performance standards to clarify the requirements of the stormwater pollution prevention program, adopted stormwater management ordinances, conducted extensive education and training programs, and reduced stormwater pollutants from industrial areas and construction sites. In the project area, the ACCWP administers the stormwater program to meet CWA requirements by controlling pollution in the local storm drain systems.

[22] http://www.swrcb.ca.gov/water_issues/programs/stormwater/docs/constpermits/cgp_change2_090209.pdf

The ACCWP has developed a Stormwater Quality Management Plan (SQMP), which is designed to help ACCWP member agencies comply with RWQCB and NPDES requirements. The plan includes a comprehensive strategy to reduce the discharge of pollutants into creeks and the San Francisco Bay to the maximum extent practicable, as well as new provisions, including controlling specific pollutants of concern and review and permitting of development and redevelopment Projects by local governments. The SQMP is only a guide; each of the member agencies of ACCWP is responsible for complying with the NPDES permit requirements for discharges from its municipally owned storm drain system

Construction General Permit

As noted above, the updated General Permit adopted by SWRCB on September 2, 2009 requires that prior to initiating construction for sites of one acre or larger, Project Applicants, including Alameda County, must submit a Notice of Intent (NOI) to the State Water Resources Control Board (SWRCB) to be covered by the NPDES General Permit for Storm Water Discharges Associated with Construction Activity, (Construction General Permit). The General Permit requires the implementation of a Stormwater Pollution Prevention Plan (SWPPP), which must be prepared before construction begins. The SWPPP will include:

- Specifications for best management practices (BMPs) that will be implemented during project construction to minimize the potential for accidental releases or contamination, and to minimize runoff from the construction areas, including storage and maintenance areas and building materials lay-down areas.
- A description of a plan for communicating appropriate work practices to field workers.
- A plan for monitoring, inspecting and reporting any release of hazardous materials.
- Specifications for BMPs that will be incorporated into the project itself to minimize runoff of pollutants after the project has been completed.
- A description of a plan to monitor stormwater runoff after the project has been completed.

Municipal Stormwater Permit

Construction activities associated with the proposed Project would also be subject to the NPDES permit requirements for stormwater management and discharges. The 2003 NPDES Municipal Stormwater Permit (NPDES Permit Order R2-2003-0021 CAS0029831) for Alameda County incorporates updated state and federal requirements related to the quantity and quality of post-construction stormwater discharges from new development and redevelopment projects. The 2003 Municipal Permit is currently being revised and updated, with a draft version of the proposed new standards having been posted on the RWQCB website in February 2009. It is likely that the proposed new Municipal Permit requirements will be formally adopted and become operative prior to the start of construction of the Project.

Provision C.3 of the NPDES permit governs storm drain systems and regulates post construction stormwater runoff. Specifically, Provision C.3 of the 2003 NPDES permit requires the County to continue to implement development and redevelopment performance standards as contained in the SQMP, and to improve them to achieve the control of stormwater pollutants to the maximum extent practicable. The County includes conditions of approval in permits for applicable projects to ensure that stormwater pollutant discharges are reduced by incorporation of treatment measures and other appropriate source control and site design measures, and to manage increases in runoff flows to the

maximum extent practicable. Such conditions require project proponents to implement site design and landscape characteristics where feasible that maximize infiltration and provide retention or detention (where appropriate), slow runoff, and minimize impervious land coverage so that post-development pollutant loads from a site are reduced to the maximum extent practicable.

Under the terms of the County of Alameda's NPDES permit for stormwater discharges, new development or redevelopment projects that create or replace more than 10,000 square feet of impervious surfaces are required to implement appropriate stormwater treatment measures and post-construction best management practices (BMPs) that meet the maximum extent practicable (MEP) definition of treatment specified in the Clean Water Act (CWA). The County of Alameda implements its current NDPES permit for discharges under the *Alameda County Countywide Clean Water Program, Stormwater Management Plan* (SMP) (EOA, Inc., February 1997). The Proposed Project would involve grading and site preparation of more than 10,000 square feet and would therefore be required to comply with Provision C.3 of the NPDES permit. The County will comply with the NPDES permit and SMP requirements that are in effect when it submits the Notice of Intent (NOI) to the State Water Resources Control Board (SWRCB) prior to construction.

Hydrograph Modification Management Plan

Pursuant to Provision C.3.f. of Order No. 2003-0021 as modified and amended on March 14, 2007, projects where increased flow and/or volume is likely to cause increased erosion of creek beds and banks, silt pollutant generation, or other impacts to beneficial uses, NPDES permit provisions require managing such increases in peak runoff flow and increased runoff volume. Such management shall be through implementation of a Hydrograph Modification Management Plan (HMP) such that post-project runoff does not exceed estimated pre-project rates and/or durations, and so that increased stormwater discharge rates and/or durations will not result in increased potential for erosion or other significant adverse impacts to beneficial uses.

Impact

Development of the site as proposed may have both short-term, temporary adverse effects from construction activity and long-term effects on local water quality. The short-term effects from construction activity include erosion and siltation, illicit disposal of debris, and wash water from construction vehicles and equipment. This impact was fully discussed and disclosed in the Prior EIS/EIR. (***No New Impact)***

Mitigation Measure

The following mitigation measure from the Prior EIS/EIR, and as revised below, is applicable to the Project:

Mitigation Measure 7.1.2: Obtain Coverage Under the Construction General Permit, Including Storm Water Pollution Prevention Plan, and Comply With Alameda Countywide NPDES Municipal Stormwater Permit C.3 Provisions. The Project sponsor shall obtain coverage under the SWRCB Construction General Permit, including implementation of a Storm Water Pollution Prevention Plan (SWPPP), and shall demonstrate compliance with the countywide NPDES permit requirements by preparing a detailed Stormwater Management Plan (SMP), incorporating the most appropriate

post-construction source control measures into the Project design.

h) The Alameda County GSA shall ensure that construction practices for the Project comply with practices to prevent water pollution under the provisions of the Construction General Permit. In order to obtain a permit, the Project Applicant must file a Notice of Intent (NOI) with the SWRCB prior to the start of construction.

i) The County of Alameda shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP), as required by the National Pollutant Discharge Elimination System General Permit. The SWPPP shall be consistent with the terms of the General Permit; the Manual of Standards for Erosion & Sedimentation Control Measures by the Association of Bay Area Governments (ABAG); the Best Management Practices as provided in the California Stormwater Quality Association (CASQA) handbooks; policies and recommendations of the local urban runoff program; and the Staff Recommendations of the RWQCB. The SWPPP shall incorporate specific measures to reduce and treat runoff from developed areas of the site by means of vegetative buffers, grassy swales or other means, to be effective for the life of the Project, and shall incorporate Best Management Practices (BMPs) to control sediment and erosion, both during the building process and in the long-term. Examples of Best Management Practices include, but are not limited to the following:

- Only clear land which will be actively under construction in the near term (e.g., within the next 6-12 months), minimize new land disturbance during the rainy season, and avoid clearing and disturbing sensitive areas (e.g., steep slopes and natural watercourses) and other areas where site improvements will not be constructed.

- Provide temporary stabilization of disturbed soils whenever active construction is not occurring on a portion of the site through water spraying or application of dust suppressants, and gravel covering of high-traffic areas. Provide permanent stabilization during finish grade and landscape the Project Site.

- Safely convey runoff from the top of the slope and stabilize disturbed slopes as quickly as possible.

- Delineate the Project Site perimeter to prevent disturbing areas outside the project limits. Divert upstream run-on safely around or through the construction. Runoff from the Project Site should be free of excessive sediment and other constituents. Control tracking at points of ingress to and egress from the Project Site.

- Retain sediment-laden waters from disturbed, active areas within the Project Site.

- Perform activities in a manner to keep potential pollutants from coming into contact with stormwater or being transported off site to eliminate or avoid exposure.

- Store construction, building, and waste materials in designated areas, protected from rainfall and contact with stormwater runoff. Dispose of all construction waste in designated areas, and keep stormwater from flowing onto or off these areas. Prevent spills and clean up spilled materials.

j) The Stormwater Management Plan shall be prepared during County's review of project engineering design and shall incorporate the required post-construction (permanent) stormwater quality controls. The SMP should include, but is not limited to demonstration of the following:

- The proposed finished grade,

- The storm drainage system including all inlets ,pipes, catch basins, overland flows, outlets and water flow directions,

- The permanent stormwater treatment system (soil and landscape-based treatment facilities, filters and separators), including all design details,

- Design details of all source control measures (preventing contact between stormwater and potential sources of pollution) and site design measures (reductions in flow from impervious surfaces) to be implemented, and

- Calculations demonstrating that stormwater treatment measures are hydraulically sized as specified by the County's stormwater permit.

- An Operations and Management Plan to ensure continued effectiveness of structural BMPs and implementation of non-structural BMPs. The Alameda County GSA and Alameda County Health Services shall be responsible for continued long-term operations and maintenance of stormwater quality BMPs.

- The post-construction stormwater quality controls shall be regularly maintained. Ease of maintenance and long-term costs should be considered in the design of the post-construction stormwater quality controls.

k) Because the project site is located upstream of areas where hydro-modification impacts are of concern due to factors such as bank instability, sensitive habitat, or restoration projects,

the Hydro-modification Management Standards and all associated requirements apply. Stormwater discharges from the project shall not cause an increase in the erosion potential of the receiving stream over the pre-project (existing) condition. Increase in runoff flow and volume shall be managed so that post-project runoff shall not exceed estimated pre-project rates and durations, where such increased flow and/or volume is likely to cause increased potential for erosion of creek beds and banks, silt pollutant generation, or other adverse impacts to beneficial uses due to increased erosive force.

Resulting Level of Significance

Consistent with the conclusion of the Prior EIS/EIR, implementation of Mitigation Measure 7.1.2 would ensure that the project would not violate water quality standards or otherwise degrade water quality. There are no changes in the project or change in circumstances that would result in new significant environmental effects on water quality, or a substantial increase in the severity of previously identified water quality effect beyond that disclosed in the Prior EIS/EIR. New information pertaining to the County's current NPDES permit requirements has been added to Mitigation Measure 7.1.2 that require the project to comply with the NPDES permit and SMP requirements that are in effect when the County submits the Notice of Intent (NOI) to the State Water Resources Control Board (SWRCB) prior to construction.

Criteria b): Effects on Groundwater

Impact

Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant impact on groundwater resources. (***No Impact)***

Although development of the project site would result in an increase in the amount of impervious surface, within the context of the total area of the groundwater basins affected, this interference with groundwater recharge would not be regarded as substantial. The project would not draw directly from local groundwater resources, and would not contribute substantially toward the depletion of any groundwater resources.

Criteria c and d): Effects Resulting from Alterations to Existing Drainage Patterns

Impact

The proposed project would involve minor modifications to existing drainage patterns, but project plans would be designed to effectively link the site to the adjacent stormwater collection systems that are already in place, so as not to contribute to either on- or off-site siltation. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in an alteration to drainage patterns that would result in flooding or increased erosion or sedimentation. ***(Less than Significant)***

Criteria g): Exceed the Capacity of Stormwater Drainage System Infrastructure

Impact

Development of the site may cause the existing storm drain pipes on Gleason Road to exceed their designed capacity. This impact was fully discussed and disclosed in the Prior EIS/EIR. (***No New Impact)***

A full discussion of this impact is provided under the Utilities section of this Initial Study Determination, consistent with the approach utilized in the Prior EIS/EIR.

Mitigation Measure

The following mitigation measure from the Prior EIS/EIR is applicable to the Project:

Mitigation Measure 14.5.5: Timely Completion of Bypass System. (see full text in the Utilities section of this Initial Study Determination)

Resulting Level of Significance

Consistent with the conclusion of the Prior EIS/EIR, implementation of Mitigation Measure 14.5.5 would reduce potential impacts related to the capacity of storm drain infrastructure to a less that significant level. There are no changes in the project, change in circumstances, or new information that would result in a substantial increase in the severity of previously identified storm drainage capacity impact beyond that disclosed in the Prior EIS/EIR.

Criteria g - j): Exposure to Flood Hazards, Seiche, Tsunami or Mudflows

Impact

The proposed project would not result in the placement of any structures within a designated 100-Year Flood Hazard Area or expose people or structures to a significant risk of loss, injury or death involving flooding. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant impact related to these issues. ***(Less than Significant)***

As stated in the Prior EIS/EIR, strong seismic activity may create waves in the existing 1.6-acre detention basin on the western side of the East County Government Center site. This may cause the detention basin to overflow onto Arnold Drive or Gleason Drive. The site's isolation from other development and proximity of the detention basin to the existing drainage channel south of the site on Arnold Drive and to the drainage channel that will be built immediately west of the site as part of Alameda County's bypass drainage system will ensure that the impacts of a potential seiche would be less than significant.

	Potentially Significant Impact	Less Than Significant with Revised Mitigation	No New Impact From those Identified in the Prior EIS/EIR	No Impact / Less than Significant
IX. LAND USE AND PLANNING -- Would the project:				
a) Physically divide an established community?	☐	☐	☐	☑
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☑
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☑

Criteria a): Divide Established Community

Impact:

Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a physical division of an established community. (***No Impact)***

The project site is a vacant parcel of land surrounded by public streets and other governmental and/or private uses including the Santa Rita Rehabilitation Center, an office for the California Highway Patrol, the County Animal Shelter, and a County Sheriff Training facility. The proposed Hall of Justice complex would integrate the East County Government Center with the remainder of the Eastern Dublin community as part of the governmental services sector. Development of the project site would complete the long-deferred and previously planned use of the property. No connections among private uses would be interfered with as a result of developing the site for the proposed East County Hall of Justice and therefore the project would not physically divide the surrounding community.

Criteria b): Land Use Conflict

Impact:

The Project would not result in a land use conflict. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would be consistent with the development intensity limitations and other provisions of the City of Dublin General Plan, the East Dublin General Plan Amendment (EDGPA) and the *Eastern Dublin Specific Plan* (EDSP). ***(No Impact)***

The project site is located within an area described in the Dublin General Plan as the "County Center", and the EDSP and EDGPA designate this site for Public/Semi-Public uses. The Public/Semi-Public land use designation provides for the development of governmental or institutional type uses. The designation generally applies to parcels of land owned by a public entity or governmental agency. Sites designated as Public/Semi-Public are not restricted to public uses, and can be approved for joint development (i.e., a private development on a publicly owned parcel of land or a public/semi-public

facility built on a privately owned parcel). The proposed government and institutional uses are consistent with the Public/Semi-Public land use designation of the site under the EDSP.

The East County Hall of Justice, with a total gross square footage of approximately 196,000 square feet, would reflect a Floor Area Ratio (FAR) of 0.20, which is lower than the maximum development intensity allowed under the EDSP. This development would be consistent with the EDSP development intensity assumptions.

The Prior EIS/EIR also notes that pursuant to the 1993 Annexation Agreement between the City of Dublin and the County, any County governmental uses proposed shall be reviewed by the City of Dublin Planning Commission for conformity with City's General Plan in accordance with Government Code §65402, and shall be subject to Site Development Review in accordance with the City's zoning ordinance. In 2004, the Dublin Planning Commission granted Site Development Review (SDR) approval for an earlier version of the project. The current project would require an amendment to the 2004 Site Development Review (SDR) approval. The SDR criteria and procedures are set forth in Chapter 8.104 of the City of Dublin Zoning Ordinance.

Criteria c): Conflict with Habitat Conservation Plan

Impact:

> The Project would not be subject to or be in conflict with a habitat conservation plan or Natural Community Conservation Plan. (***No Impact)***

Consistent with the conclusions of the Prior EIS/EIR, the proposed Project site is not located in an area covered by any Habitat Conservation Plan or Natural Community Conservation Plan, although the site is close to designated Critical Habitat/Recovery Plan for the San Joaquin kit fox, a federally listed endangered species. Development of the proposed project would not result in a significant new conflict with a Habitat Conservation Plan or Natural Community Conservation Plan or the Critical Habitat and Recovery Plans for these listed species, nor would it substantially increase any conflict with Habitat Conservation Plans or Natural Community Conservation Plans or the Critical Habitat and Recovery Plans.

	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact From those Identified in the Prior EIS/EIR	No Impact / Less than Significant
X. MINERAL RESOURCES -- Would the project:				
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?	☐	☐	☐	☑

Criteria a and b): Mineral Resources

Impact:

The Project would not result in the loss of availability of a known mineral resource. ***(No Impact)***

The Prior EIS/EIR eliminated the presence of mineral resources as a focus of study. There are no changes with the current Project that would alter this conclusion. There are no mineral resources at the Project site. There are no changes in the project, change in circumstances, or new information that would result in new significant environmental effect on mineral resources, or a substantial increase in the severity of previously identified environmental effect on mineral resources.

	Potentially Significant Impact	Less Than Significant with Revised Mitigation	No New Impact From those Identified in the Prior EIS/EIR	No Impact / Less than Significant
XI. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?	☐	☐	☐	☑
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☑
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☑	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☑	☐
c) 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 expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☑
d) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☑

Criteria a and b): Noise Levels or Vibration in Excess of Established Local Standards

Impact

Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant impact related to the exposure of people to noise or groundborne vibration levels in excess of local standards, nor would it substantially increase any such noise or groundborne vibration impacts. (***Less than Significant)***

As described in the Prior EIS/EIR, the East County Hall of Justice is a noise sensitive land use and is subject to noise and land use compatibility guidelines. This site is subject to noise from vehicular traffic on Hacienda Drive and noise from the nearby firing range which is intermittently audible at the site. The Prior EIS/EIR indicated that exterior noise exposure at the site is L_{dn}/CNEL of 60 to 65 dBA under existing and future conditions. Noise levels in indoor and outdoor activity areas would be acceptable for the intended uses based on attenuation provided by structural systems of the building and the distance from the adjacent roadways.

Criteria c): Permanent Increase in Ambient Noise Levels

Impact

Traffic noise generated by the East County Hall of Justice project would add approximately 1.8 dBA (rounded up to 2 dBA) [23] to existing ambient noise levels, which were measured at 58 dBA. The net effect would exceed the 60 dBA Ldn noise acceptability threshold for residential uses at the most impacted roadway segment, along Hacienda Drive near Gleason. The noise threshold from the Prior EIS/EIR indicated a significant impact would occur if; "noise resulting from the proposed project would increase average ambient noise levels CNEL (Ldn) by more than 3 dBA at a sensitive receiver, and the resulting noise level is above the level considered acceptable for that land use (e.g., 60 dBA Ldn for residences). Since the significance threshold is 3 dBA and the project would generate less than 2 dBA, this impact would not be significant. (***Less than Significant***)

The Prior EIS/EIR concluded that traffic noise generated by the Project would be a significant effect. The "project" analyzed in the EIS/EIR was a combined Juvenile Justice Facility and the Hall of Justice, which would have generated approximately 3 dBA (as compared to 2 dBA for the Hall of Justice only). When this traffic noise was added to the expected increase in ambient traffic noise levels, the resulting increase in traffic noise was found to exceed 3 dB and would have equaled or exceeded the goal of 60 dB L_{dn}/CNEL for residential land use compatibility, thus triggering the CEQA threshold of the Prior EIS/EIR. Because the current project is only one component of the prior "project", its contribution of traffic noise would be less than the full project previously studied.

Cumulative Noise Impact

The cumulative increase in ambient noise levels would significantly impact residents who live in the subdivision on the east side of Hacienda Drive, immediately south of the project site. This impact was fully discussed and disclosed in the Prior EIS/EIR. (***No New Impact)***

Per the Prior EIS/EIR, the increase in baseline traffic conditions (i.e., without the project) is projected to increase by about 3 dBA over the existing noise levels along Hacienda Drive. Adding the 2 dBA of traffic noise from the Hall of Justice project to this cumulative baseline would result in a cumulative traffic noise increase of about 5 dBA along Hacienda Drive. Because the cumulative increase in traffic noise on Hacienda Drive would be greater than 3 dBA and future noise levels would equal or exceed the 60 dB L_{dn}/CNEL goal for land use compatibility, consistent with the conclusions of the Prior EIS/EIR, the cumulative impacts of traffic noise are considered significant. Other local roadways would experience an increase of less than 3 dBA over the future baseline conditions.

There are noise-sensitive receivers in the Summerhill residential subdivision southeast of the East County Government Center site across Gleason Drive, east of Hacienda Drive. These single-family residences would be affected by traffic noise increases on Hacienda Drive south of Gleason Drive. Sound walls were constructed by the housing developers at the time the housing was constructed to control future traffic noise levels. Those walls were generally intended to address long-term traffic

[23] Per Table 10.4 of the 2003 EIS/EIR, in reference to "Scenario B" (Hall of Justice Only), page 10-28

noise projected as a result of build-out of the Eastern Dublin Specific Plan; it is not reasonable or feasible to consider increasing the heights of the existing barriers to address the actual noise conditions in the area or the incremental increase in cumulative noise resulting from this and other projects. The City of Dublin found that the East Dublin Specific Plan would result in significant unavoidable traffic noise to existing residences as a result of cumulative development allowed under the Specific Plan, acknowledging that physical constraints may prevent full mitigation of the traffic noise impact.

Mitigation Measure

Mitigation Measure 10.2.5a: Traffic Noise. In the future, the City of Dublin and/or County could consider the use of "quiet pavement" options such as Open Grade Asphalt Concrete or Rubberized Asphalt to reduce traffic noise in the area when resurfacing local roadways. This pavement could reduce noise by up to 3 dBA, which would reduce the cumulative traffic noise impact to below 3 dBA and therefore be less than significant.

Resulting Level of Significance

Consistent with the conclusion of the Prior EIS/EIR, implementation of Mitigation Measure 10.2.5 could reduce cumulative traffic noise over the long-term if the local pavement resurfacing and maintenance program were to utilize the "quiet pavement" options. However, cumulative impacts related to increased traffic-generated noise, over the short-term, is expected to be ***Significant and Unavoidable.*** There are no changes in the project, change in circumstances, or new information that would result in a substantial increase in the severity of this previously identified traffic noise impact beyond that disclosed in the Prior EIS/EIR. Because the current project would generate less traffic than the "full" project analyzed in the Prior EIS/EIR, the severity of this impact would be reduced as compared that disclosed in the Prior EIS/EIR, but not to a level of less than significant.

d): Construction Noise

Impact:

Construction-generated noise generated by the project would exceed 60 dBA $L_{eq.}$ Given that there are residents living in close proximity to the project site, construction noise impacts were considered to be significant and unavoidable. This impact was fully discussed and disclosed in the Prior EIS/EIR. (***No New Impact***)

Mitigation Measures

The following mitigation measure from the Prior EIS/EIR is applicable to the Project:

Mitigation Measure 10.3.5: Controls on Construction Equipment and Activity.

a) *Construction Scheduling.* Limit noise-generating construction activities, including truck traffic coming to and from the site for any purpose, to daytime, weekday non-holiday hours (7:00 a.m. to 6:00 p.m.).

b) *Construction Equipment Mufflers and Maintenance.* Properly muffle and maintain all construction equipment powered by internal combustion engines.

c) *Idling Prohibitions.* Prohibit unnecessary idling of internal combustion engine.

d) *Equipment Location and Shielding.* Locate all stationary noise-generating construction equipment such as air compressors as far as practical from existing nearby residences and other noise-sensitive land uses. Acoustically shield such equipment.

e) *Quiet Equipment Selection.* Select quiet construction equipment, particularly air compressors, whenever possible. (Fit motorized equipment with proper mufflers in good working order).

f) *Notification.* Notify neighbors located within 500 feet of the construction site of the construction schedule, in writing.

g) *Noise Disturbance Coordinator.* Designate a "noise disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and would require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a contact telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. (The Agency should be responsible for designating a noise disturbance coordinator and the individual project sponsor should be responsible for posting the phone number and providing construction schedule notices.).

Resulting Level of Significance

Consistent with the conclusion of the Prior EIS/EIR, implementation of Mitigation Measure 10.3.5 would reduce demolition / construction equipment noise, but a ***Significant and Unavoidable*** impact would remain for an extended period of time for some residents near the activity. There are no changes in the project, change in circumstances, or new information that would result in new significant construction-related noise impact, or a substantial increase in the severity of this previously identified construction-related noise impact on nearby residents.

Criteria e and f): Airport Noise

The Project is not located within an airport land use plan, nor is it located within two miles of a public airport or private airstrip. The Project site is not within a Noise or Safety Referral Zone. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not be significantly impacted by airport noise. (***No Impact***)

	Potentially Significant Impact	Less Than Significant with New Mitigation	No New Impact From those Identified in the Prior EIS/EIR	No Impact / Less than Significant
XII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area either directly (for example by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☑
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑

Criteria a, b and c): Population Growth and Displacement

Impact:

The Project would not induce substantial population growth, displace substantial numbers of existing housing or displace substantial numbers of people. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not significantly impact population or housing. (***No Impact***)

The proposed Project would provide new facilities for existing court rooms and related functions of the County's judicial system that are currently housed in rented buildings in the City of Pleasanton and other locations. The existing facilities would be vacated and the County's judicial operations would be relocated to the East County Government Center site upon completion of construction.

The project site does not include construction or displacement of housing, displacement of people or any other indirect inducement for substantial population increase. There are no changes in the project, change in circumstances, or new information that would result in new significant environmental effects on population and housing.

	Potentially Significant Impact	Less Than Significant with Revised Mitigation	No New Impact From those Identified in the Prior EIS/EIR	No Impact / Less than Significant
XIII. PUBLIC SERVICES —				
a) 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:				
i) Fire protection?	☐	☐	☐	☑
ii) Police protection?	☐	☐	☐	☑
iii) Schools?	☐	☐	☐	☑
iv) Parks?	☐	☐	☐	☑
v) Other public facilities – Solid Waste	☐	☐	☑	☐
v) Other public facilities – Library Services	☐	☐	☐	☑

Criteria a-i): Fire Protection:

Impact:

Construction of a new East County Hall of Justice would increase demand for fire protection services, emergency medical response services and hazardous materials response services to this site, but would not result in a loss of acceptable response times or other performance standards of the Alameda County Fire Department. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant new impact on fire protection services. (***Less than Significant***)

Response time for emergency services provided by the ACFD from the new Fire Station 17 (located adjacent to the Government Center site at the corner of Madigan and Broder Boulevard) would be no more than two minutes, well within the five-minute response time established by the City of Dublin.

Criteria a-ii): Police Services

Impact

The proposed courthouse and related facilities of the project would not result in a significant reduction in Dublin Police Department performance objectives, nor result in significant adverse physical or environmental impacts. Consistent with the conclusions of the Prior EIS/EIR, the

proposed Project would not result in a significant impact on police services. (***Less than Significant***)

The Alameda County Sheriff's Office would be responsible for security at all courthouses at the East County Government Center site. Security would include a central entrance with weapon screening and metal detectors, surveillance and alarms. Additionally, each courtroom would be staffed with a Sheriff Department bailiff and the bailiff would be responsible for maintaining control of in-custody detainees in court and maintaining decorum in juvenile courts.

As indicated in the Prior EIS/EIR, the Dublin Police Department would not be required to provide police services at the Hall of Justice, but there would nonetheless be an increased need for police services in the City related to the increase in vehicular, pedestrian and bicycle traffic traveling along roadways leading to and from the site, and people who work or conduct business at the Hall of Justice frequenting nearby shops and restaurants. Although the Dublin Police Department would continue to operate from its offices at the City's Civic Center, it may need to increase staffing levels and equipment in order to keep pace with increased demand for police services.

Criteria a-iii): Schools

Impact

The proposed Project would not place a significant burden on the Dublin Unified School District. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant new impact on schools. (***Less than Significant***)

Although Hall of Justice employees with school-age children may move to Dublin, this population would not place a significant burden on the Dublin Unified School District because the district has included, in its facilities planning, planned growth in Dublin, accounting for this increase.

Criteria a-iv): Parks

Impact

Construction and operation of the proposed project would not overburden the local parks and recreation service providers. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant new impact on parks. (***Less than Significant***)

The Prior EIS/EIR indicated that the addition of a new East County Hall of Justice would increase demand for parks and recreation services due to the presence of employees and visitors. However, construction and operation of these facilities would not overburden the local parks and recreation service providers because City of Dublin has already accounted for this projected increase within the *Eastern Dublin Specific Plan*, which calls for several new park facilities in the area. Further, by agreement with Alameda County, the City of Dublin would not assess parks and recreation development fees when it develops County-owned land for use by County governmental agencies.

Criteria a-v): Other Public Facilities (Solid Waste)

Impact

The proposed Project would result in an increased demand for disposal of solid waste, potentially conflicting with the City's waste diversion goals. This impact was fully discussed and disclosed in the Prior EIR. (***No New Impact***)

The Prior EIS/EIR stated that the City of Dublin disposes of approximately 36,000 tons of solid waste per year at the Altamont Landfill (Alameda County, 2000). For the year 2008, the comparable amount was 26,743 tons (City of Dublin, 2009). Construction of a new Hall of Justice at the East County Government Center would increase the generation of solid waste needing collection and disposal within the City of Dublin by approximately 155 tons per year. This increase would be less than 1 percent of the annual solid waste disposed of by the City of Dublin. The Prior EIS/EIR found that it is not likely that this volume of solid waste would threaten landfill capacity, but could conflict with the City's waste diversion goals. In 2008, both the County of Alameda and the City of Dublin increased their goals for solid waste reduction from 50% to 75% by 2010. Mitigation Measure 13.6.5B has been modified accordingly so as to conform to this new information.

Mitigation Measures

Mitigation Measure 13.6.5B: Waste Reduction and Diversion. The Alameda County Probation Department and Superior Court, in cooperation with the County's General Service Agency, should prepare a plan that demonstrates good faith efforts at diverting at least 75 percent of the solid waste generated by the new facility from landfill disposal via waste reduction and recycling.

Resulting Level of Significance

Consistent with the conclusion of the Prior EIS/EIR, implementation of Mitigation Measure 13.6.5B would reduce impacts to a less than significant level because it requires the County to seek to divert at least 75 percent of the solid waste generated by the new facility, including construction-related waste, from landfill disposal. This level of diversion remains an adequate standard for a less-than-significant impact. There are no changes in the project, change in circumstances, or new information that would result in a substantial increase in the severity of previously identified solid waste disposal impacts beyond that disclosed in the Prior EIS/EIR.

Criteria a-v): Other Public Facilities (Library Services)

Impact

The addition of a new East County Hall of Justice would not significantly increase demand for library services. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant new impact on libraries. (***Less than Significant***)

Employees of the East County Hall of Justice would not be expected to place any more significant demand on County library services than employees of other businesses in Dublin. Construction of a

new governmental facility would not result in a failure to achieve performance objectives by the City Library.

E	Potentially Significant Impact	Less Than Significant with Revised Mitigation	No New Impact From those Identified in the Prior EIS/EIR	No Impact / Less than Significant
XIV. RECREATION --				
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?	☐	☐	☐	☑

Criteria a and b): Recreation

The proposed Project would not result in a significant new impact on the demand for neighborhood or regional parks or recreational facilities. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant new impact on recreation facilities. (***Less than Significant***)

As indicated in the Prior EIS/EIR, development of the Hall of Justice project would slightly increase demand for recreation and park services, but construction and operation of these facilities would not overburden the local parks and recreation service providers.

	Potentially Significant Impact	Less Than Significant with Revised Mitigation	No New Impact From those Identified in the Prior EIS/EIR	No Impact / Less than Significant
XV. TRANSPORTATION/TRAFFIC -- Would the project:				
a) An increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads or congestion at intersections). This criteria is further defined as being significant if the project would cause the baseline level of service to degrade to worse than LOS D at signalized intersections; and/or would increase the volume/capacity ratio of a signalized intersection operating at LOS E under baselines conditions to increase by more than 1 percent.	☐	☐	☑	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? This criteria is further defined as being significant if the project would cause the baseline level of service to degrade to worse than LOS E (i.e. to LOS F) on routes of regional significance, and/or would increase the volume/capacity ratio by more than 1 percent for a roadway segment already operating at LOS F under baseline conditions.	☐	☐	☑	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	☐	☐	☐	☑
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☑
e) Result in inadequate emergency access?	☐	☐	☐	☑
f) Result in inadequate parking capacity?	☐	☐	☐	☑
g) A conflict with adopted policies, plans or programs supporting alternative transportation.	☐	☐	☐	☑

Criteria a): Increase in Traffic

Impact:

The Hall of Justice project would add a significant volume of traffic to two local intersections; Dougherty Road/Dublin Boulevard and Tassajara Road/Dublin Boulevard during the p.m. peak hour period. The project's contribution of traffic to these intersections would exceed established thresholds and would be a significant effect. This impact was fully discussed and disclosed in the Prior EIS/EIR. (***No New Impact***)

The threshold used in the Prior EIS/EIR for identifying a significant effect on local intersections is if the project would add traffic that would cause the baseline level of service to degrade to worse than LOS D at signalized intersections; and/or would increase the volume/capacity ratio of a signalized intersection operating at LOS E under baselines conditions to increase by more than 1 percent.

The traffic analysis contained in the Prior EIS/EIR evaluated a number of potential development scenarios for the East County Government Center site. Among those development scenarios was Scenario "B", further defined as development of an East County Hall of Justice with 13 courtrooms located on the East County Government Center site, with a Juvenile Justice Facility located elsewhere outside of the area of influence in Dublin. Other cumulative development would occur according to the City of Dublin's Specific Plan and General Plan. The Scenario "B" analysis from the Prior EIS/EIR is representative of the current Hall of Justice project. According to that prior Scenario "B" analysis, the current Hall of Justice project would generate approximately 5,938 daily trips, 710 a.m. peak hour trips and 710 p.m. peak hour trips on a typical weekday. This additional traffic would contribute to significant impacts at the following local intersections:

- The intersection of Dougherty Road/Dublin Boulevard would operate at LOS F during the p.m. peak hour both with and without the project, and the project would add more than 4% of the total traffic - thus increasing the volume/capacity ratio by more than 4% over baseline conditions. This contribution of traffic would be considered a significant effect of the Project.
- The intersection of Tassajara Road/Dublin Boulevard would operate at LOS E during the p.m. peak hour both with and without the project, and the project would add more than 1% of the total traffic - thus increasing the volume/capacity ratio by more than 1% over baseline conditions. This contribution of traffic would be considered a significant effect of the Project.

Under the Scenario "B" analysis from the Prior EIS/EIR, the other 17 of the 19 study intersections are expected to continue to operate acceptably during the peak hours.

Mitigation Measures

The following mitigation measures from the Prior EIS/EIR are applicable to the Project:

Mitigation Measure 9.1.5a: Contribute Funds Toward the Implementation of the Scarlett Drive Extension. The intersection of Dougherty Road/Dublin Boulevard is expected to operate unacceptably during both the a.m. and the p.m. peak hours. In order to minimize the Project's effect on the Dougherty Road / Dublin Boulevard intersection, the County should contribute a fair share of funding toward the implementation of the Scarlett Drive extension, which is a planned improvement that would be jointly funded by the City and numerous development sponsors.

Mitigation Measure 9.1.5b: Modify Configuration of Tassajara Road / Dublin Blvd. Intersection. The Tassajara Road/Dublin Boulevard intersection is expected to operate at LOS E during the p.m. peak hour with Baseline traffic and with Project-generated traffic. The County should contribute a fair share of funding toward the conversion of an eastbound through lane to a third right-turn lane (the same mitigation recommended under the Baseline scenario).

Resulting Level of Significance

Consistent with the conclusion of the Prior EIS/EIR, implementation of Mitigation Measure 9.1.5a and 9.1.5b would reduce cumulative traffic impacts at these intersections.

- The County's fair-share of funding toward the conversion of an eastbound through lane to a third right-turn lane at the intersection of Dublin Boulevard and Tassajara Road would

mitigate the project's impact at this intersection. When implemented, this intersection improvement would improve operations to acceptable conditions and mitigate this impact to a level of ***Less than Significant***.

- The County's fair-share of funding toward the extension of Scarlett Drive to connect Dougherty Road and Dublin Boulevard would mitigate the project's impact at the Dougherty Road/Dublin Boulevard intersection. However, when implemented, the extension of Scarlett drive would not be able to improve operations to acceptable conditions. Additional mitigation at the intersection of Dougherty Road/Dublin Boulevard is not feasible due to physical constraints at this location. Thus, the impact at Dougherty Road/Dublin Boulevard would remain ***Significant and Unavoidable***.

There are no changes in the project, change in circumstances, or new information that would result in a substantial increase in the severity of this previously identified traffic impact beyond that disclosed in the Prior EIS/EIR.

Criteria b): Meeting the Requirements for the Land Use Analysis Program Established by the County Congestion Management Program for Designated Roads or Highways

Impact

The Hall of Justice project would add a significant volume of traffic to Dougherty Road south of Dublin Boulevard in the northbound direction in both the a.m. and p.m. peak hour periods, and southbound in the p.m. peak period. Dougherty Road is part of the Metropolitan Transportation System roadways for which the Alameda County Congestion Management Agency (CMA) requires analysis to be conducted. The project's contribution of traffic to this roadway would exceed established thresholds and would be a significant effect. This impact was fully discussed and disclosed in the Prior EIS/EIR. (***No New Impact***)

The threshold for identifying a significant effect on CMA-designated MTS roadways is if the project would add traffic that would exceed, either individually or cumulatively, a level of service standard established by the County Congestion Management Agency for designated roads or highways. This criteria is further defined as being significant if the project would cause the baseline level of service to degrade to worse than LOS E (i.e. to LOS F) on routes of regional significance, and/or would increase the volume/capacity ratio by more than 1 percent for a roadway segment already operating at LOS F under baseline conditions.

As discussed above, the Scenario "B" analysis from the Prior EIS/EIR is representative of the current Hall of Justice project. According to that prior Scenario "B" analysis, the current Hall of Justice project would contribute to the following level of service conditions on CMA-designated MTS roadways:

- Dougherty Road northbound, south of Dublin Boulevard would change from LOS E to LOS F during the a.m. peak hours when traffic generated by the Project is added. The Project's contribution of traffic to this roadway during the a.m. peak hour would be approximately 5%. This addition of traffic is a significant effect of the Project. Dougherty Road northbound, south of Dublin Boulevard would also operate at LOS F during the p.m. peak hour both with and without the project, and the project would add more than 1% of the total traffic - thus increasing the volume/capacity ratio by more than 1% over baseline conditions. This contribution of traffic would be considered a significant effect of the Project.

- Dougherty Road southbound, south of Dublin Boulevard would change from LOS E to LOS F during the p.m. peak hours when traffic generated by the Project is added. The Project's contribution of traffic to this roadway during the p.m. peak hour would be approximately 4%, which would also be considered a significant effect of the Project.

The Prior EIS/EIR indicated that traffic generated by the project (i.e., Scenario "B") would not change level of service from LOS E to LOS F, or increase the volume/capacity ratio by more than 1% for a roadway segment already operating at LOS F under baseline conditions on any other MTS roadways.[24]

Mitigation Measures

The following mitigation measure from the Prior EIS/EIR is applicable to the Project:

Mitigation Measure 9.4.5a: TSM/TDM Program. The County of Alameda should implement a Transportation Systems Management/Transportation Demand Management program for this Project designed to reduce the use of single-occupant vehicles, particularly during peak hour periods. This program should include such strategies as on-site distribution of transit information and passes, provision of shuttle services to and from the BART station, participation in ridesharing services, preferential parking for vanpools and carpools, provision of on-site bicycle parking and employee showers, and potentially flexible or staggered work hours.

Mitigation Measure 9.4.5b: Enhanced Transit Program. The County of Alameda should implement an enhanced transit program designed to improve access to the Project, with particular emphasis on expanding LAVTA route coverage and hours serving the site. Such a program should also consider the potential for participation in funding LAVTA shuttle services to and from the BART station.

Mitigation Measure 9.4.5c: TVTC Fees. The County of Alameda should contribute a proportionate amount to regional transportation mitigation programs as determined by the current Tri-Valley Transportation Council fee program. Regional improvements that may be implemented through use of these fees may include enhanced rail and feeder bus transit services, construction or upgrading of I-580 and/or I-680 freeways, and/or construction or upgrading of alternative road corridors to relieve demand on the I-580 and I-680 freeways.

[24] The Prior EIS/EIR concluded that under Scenario B there would be LOS F conditions on I-580 eastbound, east of Tassajara Road in the p.m. peak, and on I-680 northbound, north of I-580 in the p.m. peak. However, the project (Scenario "B") would neither cause the baseline level of service to degrade from LOS E to LOS F, or increase the volume/capacity ratio by more than 1 percent when these roadway segments were already operating at LOS F under baseline conditions.

Resulting level of Significance

Consistent with the conclusion of the Prior EIS/EIR, implementation of Mitigation Measure 9.4.5a, 9.4.5b and 9.4.5c would reduce cumulative traffic impacts on MTS roadways, but would not be capable of reducing impacts to a less than significant level. The project's contribution to cumulative traffic impacts on Dougherty Road (an MTS roadway) would remain ***Significant and Unavoidable*****.** There are no changes in the project, change in circumstances, or new information that would result in a substantial increase in the severity of this previously identified traffic impact beyond that disclosed in the Prior EIS/EIR.

Criteria b (2): Cumulative Traffic Impacts.

Impact:

The Prior EIS/EIR included an analysis of cumulative traffic impacts ("Year 2025 Cumulative conditions" at pp. 17.16 –17.55) and found that "development of the East County Government Center site …under any of the six scenarios evaluated would contribute traffic to roadway segments expected to experience unacceptable levels of service (LOS F) in 2025." The cumulative scenario that most closely conforms to the current East County Hall of Justice project was Scenario A2, which is defined in the Prior EIS/EIR as "…the same as the Year 2025 cumulative conditions, with the addition of traffic from the proposed 13 courtrooms and 225,000 square feet of office use to be located at the ECGC."

The following mitigation measures from the Prior EIS/EIR are applicable to the project:

Mitigation Measure 17.3.5a and 17.3.6a: Contribute a Fair Share of Funds Toward the Implementation of Local Roadway and Intersection Improvements. Several roadway and intersection projects are expected to be required as a result of background cumulative development in the area. The Project would add traffic to those areas adversely affected, and so should contribute a fair share towards the necessary improvements.

Dougherty Road/Dublin Boulevard with and without the Scarlett Drive extension between Dublin Boulevard and Dougherty Road. The extension would run northwest from the intersection of Dublin Boulevard at Scarlett Drive, allowing vehicles heading west on Dublin Boulevard to north on Dougherty Road and south on Dougherty Road to east on Dublin Boulevard to bypass the Dublin/Dougherty intersection. Therefore, traffic making southbound left turns and westbound right turns would be reduced. Even with a 75 percent reduction in traffic for these movements, Dougherty Road/Dublin Boulevard is expected to operate at LOS F. There are no feasible mitigation measures given the physical constraints at this intersection. Perhaps future improvements to I-580 may reduce the amount of traffic diverting from the freeway to this intersection.

Hacienda Drive/I-580 Westbound Off-ramp: The northbound Hacienda Drive approach (overcrossing) would need to be widened so that the right most through lane only serves traffic

headed for the I-580 westbound loop on-ramp. Furthermore, an additional northbound through lanes would be needed on the overpass to supplement the existing three northbound through lanes.

Tassajara Road/I-580 Westbound Off-ramp: Three southbound through lanes would be needed on Tassajara Road approach. This improvement is currently under construction as part of the new Tassajara Road/Santa Rita Road overpass over I-580.

Tassajara Road/Gleason Drive To mitigate Tassajara Road/Gleason Drive, the southbound Tassajara Road would need one left-turn lane, three through lanes, and one right-turn lane. The existing curb-to-curb width on this approach is wide enough for two left-turn lanes, two through lanes, and one right-turn lane.

Tassajara Road/Central Parkway was analyzed without the Fallon Road Extension. Without the Extension, the level of service at this intersection is expected to be LOS E (1.00) during the a.m. peak hour as shown on Table 9. Therefore, a third through lane would be needed on the southbound Tassajara Road approach to Central Parkway.

Tassajara Road/Dublin Boulevard. The southbound Tassajara Road approach would need to be widened to include three left-turn lanes, four through lanes and two right-turn lanes. The existing curb-to-curb width on this approach is wide enough for two left-turn lanes, four through lanes, and two right-turn lanes. The northbound Tassajara Road approach would need to be widened to include three left-turn lanes, four through lanes and one right-turn lane. The existing curb-to-curb width on this approach is wide enough for three left-turn lanes, two through lanes, and one right-turn lane. The eastbound Dublin Boulevard approach would need to be widened to include two left-turn lanes, three through lanes and three right-turn lanes. The existing curb-to-curb width on this approach is wide enough for two left-turn lanes, three through lanes, and two right-turn lanes. The westbound Dublin Boulevard approach would need to be widened to include three left-turn lanes, two through lanes, and a shared through/right lane. The existing curb-to-curb width on this approach is wide enough for three left-turn lanes, one through lane, and a share through/right lane.

Hopyard Road/I-580 Eastbound Off-ramp: The I-580 eastbound off-ramp approach would need to be widened to include three left-turn lanes (two exists) and two right-turn lanes (already exists).

Santa Rita Road/I-580 Eastbound Off-ramp/Pimlico Drive: The northbound Santa Rita Road approach would need to be widened to include three through lanes (two exists) that goes

onto the overpass and two through lanes (already exists) that feed the I-580 eastbound on-ramp.

Mitigation Measure 17.3.5b and 17.3.6b:

Implement Local Roadway and Intersection Improvements. Several roadway and intersection projects are triggered by the development of the East County Government Center and/or Site 15A under the various scenarios. The Project should therefore fund the necessary improvements at such time as they are documented as being necessary, unless other funding or alternative improvements have been constructed that alleviate the Project's significant effects.

Tassajara Road/Gleason Drive: In addition to the mitigation measure described above for Year 2025 cumulative conditions without the Project, it is expected that the second northbound left-turn lane on Tassajara Road approach would need to be open for traffic.

Hacienda Drive/I-580 Eastbound Off-ramp: The Project would result in a need for the I-580 eastbound off-ramp to be widened to include two left turn lanes (already exist), one shared left/right lane, and two right-turn lanes (already exist).

Hacienda Drive/Dublin Boulevard: The northbound Hacienda Drive approach would need to include three left-turn lanes (already exist), three through lanes (two exist), and one right turn lane (two exist). The eastbound Dublin Boulevard approach would need to be widened to include two left-turn lanes (already exist), four through lanes (three exist), and two right-turn lanes (already exist). The westbound Dublin Boulevard approach would need to be widened to include two left-turn lanes (already exist), three through lanes (two exist), and one right-turn lane (already exists).

Hacienda Drive/Central Parkway: The southbound Hacienda Drive approach would need to include one left-turn lane (already exists), two through lanes, and one shared through/right turn lane (one right-turn lane exists).

Resulting level of significance

Consistent with the conclusion of the Prior EIS/EIR, implementation of Mitigation Measures 17,2,5a, 17.2.6a, 17.2.5b and 17.2.6b would reduce cumulative traffic impacts at all intersections to levels of less than significant except for the Dougherty Road/Dublin Boulevard intersection which would remain ***significant and unavoidable***, as indicated in Table 17.15 in the Prior EIS/EIR.

There are no changes in the project, change in circumstances, or new information that would result in a substantial increase in the severity of this previously identified traffic impact beyond that disclosed in the Prior EIS/EIR.

Criteria c): Change in Air Traffic Patterns

Impact

Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in any change in air travel patterns. (***No Impact)***

Criteria d): Hazardous Design Features

Impact

The East County Government Center site is appropriate for the Hall of Justice project. The project would be designed to conform to applicable emergency access codes, including interior existing strategies and emergency response routes, and would include secondary roadway access to the perimeter of the site and buildings. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in any hazardous design feature. (***No Impact)***

Criteria e): Emergency Access

Impact

The East County Government Center is located in a developed setting with adequate emergency response routes. The site would be developed with secondary access and emergency evacuation routes. Separate access would be provided to the Project from Gleason Drive, Arnold Road, Madigan Avenue and Broder Blvd. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in any conflicts with emergency access. (***No Impact)***

Criteria f): Parking Adequacy

Impact

The proposed Project would provide sufficient on-site parking to meet anticipated parking demand. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant new parking impact. (***No Impact***)

As estimated in the Prior EIS/EIR, the East County Hall of Justice project is estimated to generate a peak parking demand of 850 spaces at noon during the week, and minimal to no demand for parking spaces on Saturday since the courts would be closed. This parking demand would be accommodated on site in a surface parking lot accessed directly from Gleason Drive and Hacienda Drive, with secondary access from Gleason Drive near Madigan Avenue and at Broder Boulevard. The surface parking lot would include 838 publicly accessible parking stalls and 27 secured parking spaces for judges, for a total of 865 spaces. An additional bus parking facility would be provided at the sally-port for detainee intake.

Although the Prior EIS/EIR recommended a mitigation measure that would requires the County to re-stripe the secure parking lot at the Santa Rita Rehabilitation Center to accommodate additional jail staff in order to provide additional public parking for the Juvenile Justice Facility and East County Hall of Justice Projects, if only one of the Project components is developed at the site, then it was

recognized that adequate parking could be provided in surface lots on the Project site without providing additional jail staff parking.

Mitigation Measure

None required. Mitigation Measure 9.2.5: Re-stripe Parking to Increase Capacity, as included in the Prior EIS/EIR is not applicable to the current Hall of Justice project.

Criteria g): Increase in Demand for Transit Services, and Conflicts with Adopted Policies, Plans or Programs Supporting Alternative Transportation

Impact

> The East County Hall of Justice would generate transit demand for approximately 594 daily trips, with approximately 71 trips in each of the a.m. and p.m. peak hours. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant impact on demands for transit services. (***Less than Significant***)

As indicated in the Prior EIS/EIR, Livermore Amador Valley Transit Authority (LAVTA) may consider expanding route coverage and hours to accommodate the increased ridership. The County has drafted a transit plan that analyzes available transit service, travel times, and cost, and the opportunity for improving access to the site. That plan includes cost estimates for improving transit service to the site, and could be implemented to address transit needs. BART has sufficient capacity on trains serving the Dublin/Pleasanton Station to accommodate increased ridership. Demand increases due to the development of the Hall of Justice project would not place a significant demand on the BART system.

Transit service will be provided to meet the needs and/or choices of persons who use alternatives to the private automobile. The County of Alameda participates in programs to encourage ridesharing by employees. Those programs would apply to development of this project. Preferential parking for carpools and vanpools, provision of motorcycle and bicycle parking, shower facilities for employees, guaranteed ride home, and similar programs are available to varying degrees, and would be incorporated into the Project.

	Potentially Significant Impact	Less Than Significant with Revised Mitigation	No New Impact From those Identified in the Prior EIS/EIR	No Impact / Less than Significant
XVI. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☑
b) Require or result in construction of new water or wastewater treatment facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☑
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☑	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☑
e) 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?	☐	☐	☐	☑

Criteria a and e) Wastewater Treatment and Disposal Capacity

Impact:

The project would incrementally increase system-wide demand for wastewater treatment and disposal. However, existing and planned wastewater treatment facilities at the Wastewater Treatment Plant can accommodate the wastewater increase attributed to this project. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant impact on wastewater treatment and disposal. (***Less than Significant***)

Future development of this site has been anticipated in the Eastern Dublin Specific Plan and Dublin San Ramon Services District's (DSRSD's) long-term service plans. Existing and planned wastewater treatment facilities at the Wastewater Treatment Plant can accommodate the wastewater increase attributed to this alternative. Similarly, completion of the larger Livermore-Amador Valley Water Management Agency (LAVWMA) wastewater disposal pipe from the DSRSD Wastewater Treatment Plant to the East Bay Dischargers Authority's (EBDA's) outfall pipe to San Francisco Bay would be adequate to accommodate increased wastewater flows from this project.

DSRSD currently charges wastewater connection and other fees on all new development within the District's service area. Fees are used for construction of planned wastewater treatment and disposal system capital improvements, as well as ongoing wastewater system maintenance. The Project would pay these wastewater and other fees to the DSRSD, as required.

Criteria b) Wastewater Collection System

Impact:

The project will install on-site wastewater collection infrastructure from the point of the nearest public infrastructure system into the new facilities. This new connection would be a required improvement for any new facility constructed, and would be part of the overall Project costs. The existing sanitary sewer system owned and operated by DSRSD has been designed and constructed with sufficient capacity to accommodate the wastewater flows from this project. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant impact on the wastewater collection system. (***Less than Significant***)

DSRSD currently charges wastewater connection and other fees on all new development within the District's service area. Fees are used for construction of planned wastewater treatment and collection system capital improvements as well as ongoing wastewater system maintenance. The project would be required to pay these fees as determined by DSRSD.

Criteria b): Water Distribution System

Impact:

The project would connect to the existing Alameda County private water system loop, either at a 16-inch pipe along Arnold Road, or to a 12-inch pipe along Broder Boulevard. Water connections for fire hydrants would be to the nearest pipe on Broder, Gleason or Arnold roads. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant impact on the local water delivery system. (***Less than Significant***)

The project site is located within DSRSD's East Dublin service area. DSRSD has prepared a *Water Master Plan* (DSRSD, 2000), which identifies the potable water delivery system improvements needed for buildout of the East Dublin area. Since this East County Government Center (also including a Juvenile Justice Facility) was assumed as part of the buildout of East Dublin, the water distribution infrastructure needed to serve this site is included in the overall East Dublin system improvements.

Both Zone 7 and DSRSD currently charge treatment and connection fees respectively on new development within their service areas. Fees are used for construction of planned water system capital improvements including storage, pumping, transmission and ongoing water system maintenance and improvements. The project would be required to pay these fees as determined by Zone 7 and DSRSD.

Criteria c): Storm Drainage Conveyance System

Setting

The project site lies within Zone 7 of the Alameda County Flood Control and Water Conservation District (Zone 7). The existing storm drainage system available to serve the site is maintained and operated by Zone 7. Surface runoff drains as follows:

- Surface runoff from the majority of the East County Government Center site (approximately 35 acres of its western portion) collects in an existing detention basin located on site along the west property boundary at Arnold Road. The detention basin drains into triple 36-inch

diameter reinforced concrete pipes under Arnold Road, discharging into the Arnold Road channel.

- Additionally, an existing 24- to 30-inch storm drain line is located within the western section of Gleason Drive, which drains into the Arnold Road channel.
- There is also an existing 48-inch-diameter reinforced concrete pipe that conveys a portion of the storm water from the Santa Rita Rehabilitation Center along Broder Boulevard and empties into the detention basin. This system conveys an estimated peak flow rate of 75 cubic feet per second (cfs) from the existing jail facility to the existing detention basin. The remainder of the storm water from the jail facility drains southwesterly via a drainage ditch onto the Parks RFTA property.

Drainage from the Arnold Road channel discharges to a flow splitter near Central Parkway, with a portion of the flow continuing south in a closed pipe to a triple 54-inch culvert under I-580 at Arnold Road. These pipes convey storm flows into Zone 7's Line G-2. The remainder continues through an open channel to a closed pipe through the BART station and under the I-580. This open channel conveys storm flows into the relatively new Line G-5, which then drains into to Line G-2 south of I-580. Line G-2 drains into the Chabot Channel and then to Arroyo Mucho.

- Surface runoff from the remainder of the site (approximately 5 acres of its eastern portion) discharges into a second pipe located within the eastern section of Gleason Drive. This existing 24-inch storm drain line drains easterly to Tassajara Creek (designated Line K by Zone 7).

Tassajara Creek drains to the Arroyo Mocho, which then drains to the Arroyo de la Laguna. Alameda Creek receives flows from the Arroyo de la Laguna, and flows in a westerly direction through Niles Canyon until it ultimately discharges to San Francisco Bay.

Impact:

The existing storm pipes south of the site on Gleason Drive are designed to serve the site in its current undeveloped condition. The project would increase the impervious coverage of the site such that the storm drainage runoff coefficient following development may be greater than the design intent of both of the existing storm drain pipes south of the site along Gleason Drive, and these pipes would not be able to convey all storm water from the developed site. This impact was fully discussed and disclosed in the Prior EIS/EIR. (**No New Impact**)

As indicated in the Prior EIS/EIR, construction of a new bypass storm drain system to reduce runoff into the on-site detention basin is planned. The bypass storm drain system includes building a new open channel on Arnold Avenue (between Broder Boulevard and Gleason Drive) and reconfiguring the splitter that drains the Santa Rita Rehabilitation Center. The goal is to redirect a larger proportion of the storm water from Santa Rita Rehabilitation Center site through the proposed new channel or through the existing ditch on the Parks RFTA property instead of into the detention basin. If the bypass storm system improvement is completed prior to construction of the project, discharge into the existing storm drain pipe along the western side of Gleason Drive and into the detention basin will not exceed their designed capacity.

If the bypass storm system improvement is not completed prior to construction of the Project, the design capacity of both may be exceeded. This would be a potentially significant environmental impact.

On the approximately 5 acres of the eastern portion of the site that drains easterly, new impervious surfaces could also create runoff that may exceed the design capacity of the existing pipe. The proposed bypass system would not address this potentially significant environmental impact.

Mitigation Measures

The following mitigation measures from the Prior EIS/EIR are applicable to the Project:

Mitigation Measure 14.5.5: Timely Completion of Bypass System. Adequate storm drainage capacity is contingent upon concurrent construction of the County's bypass system. If the bypass system is not completed in time to service the proposed development at the site, additional off-site storm drainage improvements will be required to provide adequate storm drainage improvements per the interim condition. These alternative improvements may include a new detention basin north of the site to detain storm water runoff. This temporary detention basin would be located at the mouth of the creek that enters the Santa Rita Rehabilitation Center from the Parks RFTA property to its north.

Mitigation Measure 14.5.6: Storm Water Pollution Prevention Plan. Sufficient drainage is required to ensure the protection of water quality, and the SWPPP may include provisions for swales and small detention ponds that would collect water on-site. These measures would augment the existing drainage and would ensure that sufficient drainage is provided and water quality is protected. Creating small on-site detention ponds would also ensure the "no net loss" standard for wetlands is met (as per Mitigation Measure 8.3.5 in Biological Resources).

Resulting Level of Significance

Consistent with the conclusion of the Prior EIS/EIR, implementation of Mitigation Measure 14.5.5 requiring timely completion of the bypass system or alternative interim storm drain system improvements would prevent storm water capacity problems, and implementation of the SWPPP at the site would reduce impacts to a ***Less than Significant*** level. There are no changes in the project, change in circumstances, or new information that would result in a substantial increase in the severity of previously identified storm drainage system impacts beyond that disclosed in the Prior EIS/EIR.

Criteria d): Availability of Water Supplies to Serve the Project from Existing Entitlements and Resources

Impact:

Water supplies are currently available to serve the proposed project at this site. Consistent with the conclusions of the Prior EIS/EIR, the proposed Project would not result in a significant impact on water supplies. (***Less than Significant***)

Consistent with the assumptions for the Prior EIS/EIR, the proposed Hall of Justice would generate an increase in demand for potable water of approximately 29,000 gallons per day (gpd).[25] Additionally, the exterior irrigation water demand, assuming approximately 8 acres of irrigated area, is estimated to be approximately 25,000 gpd, resulting in a total estimated water demand of approximately 54,000 gpd.

The Prior EIS/EIR concluded that DSRSD's *Final Water Service Analysis for Eastern Dublin* (DSRSD, 2001) demonstrated a secured water supply sufficient to serve more than 4.9 million gpd of potable water to meet the demand for all of Eastern Dublin, assuming significant exterior water demands are met with recycled water. The potable water demand of between 109,000 to 121,000 gpd for an East County Government Center (which also included a Juvenile Justice Facility), was included in this total Eastern Dublin potable water demand estimate. Since the potable water demands of the current project are less than one-half of that assumed in the Prior EIS/EIR, and that the demand assumed in the Prior EIS/EIR could be met with secured supplies, this reduced current demand can also be met with current supplies, assuming significant exterior water demands are met with recycled water.

Mitigation Measures

Although water supply has been determined to be available to serve the potable water demands of the project, the following mitigation measure from the Prior EIS/EIR is applicable to the Project to further reduce water demand, consistent with current regulations:

Mitigation Measure 14.1.5A: Water Conservation. The project should be designed to incorporate water conservation strategies such as low-flow plumbing installed throughout the facility, installation of pressure-reducing valves to maintain a maximum of 50 pounds per square inch (psi) water pressure and drinking fountains with self-closing valves. On the exterior, drought-tolerant or native plants should be used for landscaping, lawn and turf areas should be minimized and efficient irrigation systems (i.e., drip systems) installed to minimize evaporation. Additionally, all landscaping at the facility should comply with DSRSD's Water Efficient Landscape Ordinance to minimize use of irrigation water.

Mitigation Measure 14.1.5B: Recycled Water Use. DSRSD ordinance requires that recycled water be used for all approved customer categories for all new land uses, including the East County Government Center site, within the DSRSD potable water service area. The project would be required to install dual water systems and a recycled water distribution system to serve all outdoor irrigation needs of this facility.

[25] Give the current project's slightly smaller square footage, this previous estimate is likely over-conservative and the project's actual water demand would be less than previously estimated.

Resulting Level of Significance

Although this impact is considered *less than significant* due to the availability of water supplies from DSRSD to serve the project, the mitigation measures above would serve to further reduce water demand consistent with DSRSD ordinances and regulations.

Increased demand for electrical, gas and telecommunication services

Impact:

The Prior EIS/EIR [Impact 14.6.5] found that although a new East County Government Center would increase the demand for electrical, gas and telecommunications service in the area, the supply lines and capacity for these services already exist to serve future governmental facilities in this area. And although electrical services are available to serve this site, the following mitigation measure (measure 14.6.2B, which is the same as 14.6.5] is recommended to reduce overall energy demand for this alternative:

Mitigation Measure 14.6.2B: Energy Conservation. The County of Alameda should consider the potential for fulfilling some portion of its energy needs through the use of on-site solar panels and/or steam energy.

Consistent with the conclusion of the Prior EIS/EIR, implementation of Mitigation Measure 14.6.2B, requiring that the County consider the use of on-site solar panels and/or steam energy as means to fulfill a portion of its energy needs, would reduce potential environmental consequences associated with construction of new gas lines to a less than significant level.

There are no changes in the project, change in circumstances, or new information that would result in a substantial increase in the severity of previously identified impacts on the demand for electrical, gas or telecommunication services beyond that disclosed in the Prior EIS/EIR.

	Potentially Significant Impact	Less Than Significant with Revised Mitigation	No New Impact From those Identified in Previous CEQA Documents	No Impact / Less than Significant
XVII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to 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, 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?	☐	☐	☑	☐

Explanation:

1) This Initial Study Determination does not indicate that there are any significant and unavoidable impacts related to biology, hydrology or water quality issues associated with the proposed Project that would substantially degrade the quality of the environment. Implementation of the Project including its required mitigation measures would not threaten to eliminate a plant or animal, nor reduce the number nor restrict the range of a rare or endangered plant or animal species (***Less than Significant)***. There are no changes in the project, change in circumstances, or new information that would result in new significant environmental effects that would potentially degrade the quality of the environment, or a substantial increase in the severity of previously identified environmental effect that would potentially degrade the quality of the environment.

2) The Prior EIS/EIR found several cumulatively considerable impacts associated with development at the East County Hall of Justice site pertaining to the issues of traffic, air quality and noise. Although mitigation measures are required of the Projects to address these cumulative effects, impacts related to cumulative traffic on Dougherty Road, cumulative traffic at the Dougherty Road/Dublin Boulevard intersection and traffic noise would remain significant and unavoidable. These cumulative impacts were fully discussed and disclosed in the Prior EIS/EIR (***No New Impact***). There are no changes in the project, change in circumstances, or new information that would result in new significant cumulative environmental effects or a substantial increase in the severity of previously identified cumulative environmental effects.

3) The proposed Project would result in a significant but short-term, temporary impact on air quality from construction-related machinery exhaust. Construction equipment-generated diesel exhaust is a Toxic Air Contaminant (TAC) that poses a potentially significant impact to

nearby receptors. This impact was fully discussed and disclosed in the Prior EIS/EIR (***No New Impact***). There are no changes in the project, change in circumstances, or new information that would result in new significant environmental effects that would cause a substantial adverse effect on humans, or a substantial increase in the severity of previously identified environmental effect that would cause a substantial adverse effect on humans.