

## CITY COUNCIL AGENDA REPORT

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September 4, 2018  
Community Development Department  
Planning Division

**TITLE: APPROVE AGREEMENT WITH FIRSTCARBON SOLUTIONS IN THE AMOUNT NOT TO EXCEED \$222,146 FOR THE PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR PONDEROSA HOMES' HIDDEN CANYON/LESTER PROJECT, LOCATED AT 10807, 11021 AND 11033 DUBLIN CANYON ROAD AND THE PARCEL WEST OF 11021 DUBLIN CANYON ROAD**

### **SUMMARY**

Staff is requesting the City Council authorize the City Manager to execute a Professional Services Agreement with FirstCarbon Solutions (FCS) to provide environmental review services for preparation of an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA). The EIR would analyze the environmental effects of a development proposal from Ponderosa Homes for the construction of 33 single-family detached homes, related improvements, and land dedication on four properties totaling approximately 128.5 acres located south of Dublin Canyon Road. Ponderosa's development would involve Annexation, General Plan Amendments, and Planned Unit Development (PUD) rezoning and development plan approval. The agreement will be in an amount not to exceed \$222,146, which includes a 15 percent contingency.

### **RECOMMENDATION**

1. Authorize the City Manager to execute a Professional Services Agreement with FCS for services related to preparation of an EIR, not to exceed \$222,146, in generally the form shown in Attachment 1, subject to minor modifications approved by the City Manager and City Attorney.
2. Authorize the City Manager to execute a reimbursement agreement with Ponderosa Homes for reimbursement of all costs associated with the Professional Services Agreement with FCS, in generally the form shown in Attachment 2, subject to minor modifications approved by the City Manager and City Attorney.

### **FINANCIAL STATEMENT**

The cost of the Professional Services Agreement would be paid by Ponderosa Homes, under a reimbursement agreement between Ponderosa Homes and the City of Pleasanton. Planning Division review and administration will be conducted by staff and is part of the Current Planning budget, which includes fees paid by Ponderosa Homes for processing of this application.

## **BACKGROUND**

On March 21, 2017, the City Council reviewed and adopted the most recent update to the list of projects included in their 2017/2018 Work Plan. New to the work-plan development process was the addition of a staff priority recommendation for each priority project in the work plan. Each project/initiative was given a ranking (A – D), representing the following designations:

- A. Recommended to be fully/partially completed within first year of work plan
- B. Recommended to be fully/partially completed within second year of work plan
- C. Recommended to be scheduled for completion as capacity permits
- D. Not recommended at this time

The Hidden Canyon/Lester Project is included in the 2017/2018 City Council Work Plan Priorities matrix with a 'B' ranking.

On March 30, 2018, Ponderosa Homes filed an application which currently requires annexing four parcels, with a combined total of approximately 128.5 acres, into City limits for the development of 33 detached, single-family homes. The project also includes dedication of approximately 70 acres of land and construction of a staging area for the East Bay Regional Park District (EBRPD). The location of the project and its conceptual site plan are shown in Attachment 3.

Based on the nature of the site, comprising largely undeveloped hillside properties, and scope of the project, staff has recommended that an EIR be prepared to meet CEQA requirements. The EIR is expected to address the majority of environmental topics typically required to be considered under CEQA, including but not limited to aesthetics/visual impacts, air quality and greenhouse gas emissions, biological resources, cultural resources, noise, traffic and geology and hydrology. The EIR will also consider conformance of the project with land use regulations and policies, including those that implement voter-approved Measures PP and QQ. Staff has also determined that due to the substantial level of effort and technical work involved in preparing an EIR, it is desirable to retain the services of professional consultant.

On June 20, 2018, the Planning Division issued a Request for Proposals (RFP) to seven consulting firms: FirstCarbon Solutions, Geier & Geier Consulting, Inc., Kimley Horn & Associates, Lamphier-Gregory, LSA, M-Group, and Michael Baker International. Of these, five firms submitted proposals that were responsive to the RFP. Staff from the Community Development Department and City Manager's office evaluated the proposals against several criteria including professional qualifications and experience, project understanding, completeness of work program and schedule and budget. Based on this review, FirstCarbon Solutions was selected as the preferred consultant.

## **DISCUSSION**

FCS specializes in environmental planning, regulatory compliance, air quality and greenhouse gas analysis, noise analysis, natural resource management and biological services, cultural resources management and archaeological services, and sustainability

planning. It has provided contract environmental services for hundreds of public agencies, including the City of Pleasanton. FCS prepared the Addendum to the City of Pleasanton Housing Element and Climate Action Plan General Plan Amendment Supplemental EIR; the Draft EIR for the East Pleasanton Specific Plan; and the Draft EIR for the Spotorno subdivision, which is currently being circulated for public review. Staff recommends approving a Professional Services Agreement with FCS for the project based on the following:

- FCS has successfully completed environmental review documents for the City of Pleasanton and other agencies in the Tri-Valley and Bay Area;
- FCS has substantial experience preparing environmental review documents in the City and is familiar with the community and its environmental review concerns;
- The proposal would allow for the use of previously-prepared environmental documents, resulting in more efficient analysis;
- The proposal focuses on the issues of most interest to the community, includes visual simulations to assist readers in understanding the aesthetic implications of the project, and best meets CEQA requirements; and
- The proposal includes TJKM Transportation Consultants (transportation) as a sub-consultant. TJKM is one of the City's on-call transportation consultants and have familiarity with the City.
- The cost proposal and schedule is commensurate with the scope of work specified for the project, and with similar EIRs for recent projects.

The proposed scope of work, schedule and budget is included in Attachment 1, as an exhibit to the draft Professional services agreement. All of the costs of FCS's services are to be paid by Ponderosa Homes, applicant for the proposed development, through a reimbursement agreement with the City.

In conclusion, staff recommends that the City Council authorize the City Manager to execute a Professional Services Agreement with FCS as reflected in Attachment 1, subject to minor modifications approved by the City Manager and City Attorney, and to authorize the City Manager to execute a reimbursement agreement with Ponderosa Homes, to address the costs of preparing the EIR. Per the proposed schedule, work on the EIR is expected to begin in mid-September, with release of the Draft EIR in Spring of 2019.

Submitted by:



Gerry Beaudin  
Director of Community  
Development

Fiscal Review:



Tina Olson  
Director of Finance

Approved by:



Nelson Fialho  
City Manager

**Attachments:**

1. Sample Professional Services Agreement with FCS with Exhibit A, Proposal from FCS including scope of services and budget
2. Reimbursement Agreement with Ponderosa Homes (refer to Exhibit A)
3. Map of proposed project area and project site plan

**PROFESSIONAL SERVICES AGREEMENT**

This Professional Services Agreement ("Agreement") is entered into this 4th day of September, 2018, between the City of Pleasanton, a municipal corporation ("City"), and FirstCarbon Solutions ("FCS"), a California corporation, whose address is 1350 Treat Boulevard, Suite 380, Walnut Creek, CA 94597, and telephone number is (925) 357-2562 ("Consultant").

**RECITALS**

A. Consultant is qualified and experienced in preparing a Subsequent Environmental Impact Report (EIR) to the Happy Valley Specific Plan Final EIR pursuant to the California Environmental Quality Act (CEQA) for the proposed 33-single-family residential community, related improvements, and land dedication on four properties totaling approximately 128.5-acres located at 10807, 11021 and 11033 Dublin Canyon Road and the parcel west of 11021 Dublin Canyon Road for the purposes specified in this Agreement.

B. City finds it necessary and advisable to use the services of Consultant for the preparation of an EIR pursuant to CEQA for the proposed 33-single-family residential community, related improvements, and land dedication that involves Annexation, General Plan Amendments, and Planned Unit Development (PUD) Rezoning and Development Plan approval.

**NOW, THEREFORE**, in consideration of the mutual covenants and conditions in this Agreement, City and Consultant agree as follows:

1. **Consultant's Services.** Consultant shall diligently perform the services and furnish the materials, reports, drawings, and materials related to the preparation of a Subsequent EIR pursuant to CEQA for the proposed development that involves Annexation, General Plan Amendments, and Planned Unit Development (PUD) Rezoning and Development plan for the proposed 33-single-family residential community, related improvements, and land dedication on four properties totaling approximately 128.5-acres located at 10807, 11021 and 11033 Dublin Canyon Road and the parcel west of 11021 Dublin Canyon Road, Pleasanton, as described in Exhibit A, Scope of Work, attached and incorporated to the extent consistent with this Agreement.

2. **City Assistance, Facilities, Equipment, and Clerical Support.** Except as set forth in Exhibit A, Scope of Work, Consultant shall, at its sole cost and expense, furnish all facilities and equipment that may be required for furnishing services pursuant to this Agreement.

3. **Terms.** Time is of the essence. Consultant shall begin work on September 5, 2018. The work as described in Exhibit A, Scope of Work, shall be completed within the

timeframe specified therein, or on a later date as mutually determined by City and Consultant.

**4. Compensation.** For the services to be rendered, City shall pay Consultant for services rendered, based on an hourly rate, as described more particularly in Exhibit A to the extent consistent with the Agreement. Payment shall be made on a monthly basis upon City's receipt and approval of Consultant's invoice. Total compensation for services and reimbursement for costs shall not exceed One Hundred and Ninety-Two Thousand and Six Hundred and Ten Dollars (\$196,610), unless the parties agree to a different amount pursuant to Section 7.

a. Invoices submitted to City must contain a brief description of work performed, percentage of work completed, percentage of contract time used, percentage of contract amount expended, and City reference number. Payment shall be made within thirty (30) days of receipt of Consultant's invoice and approval by City.

b. Upon completion of work and acceptance by City, Consultant shall have sixty (60) days in which to submit final invoicing for payment. An extension may be granted by City upon receiving a written request thirty (30) days in advance of said time limitation. The City shall have no obligation or liability to pay any invoice for work performed which the Consultant fails or neglects to submit within sixty (60) days, or any extension thereof granted by the City, after the work is accepted by the City.

**5. Sufficiency of Consultant's Work.** By executing this Agreement, Consultant warrants that all services will be performed in a competent, professional, and satisfactory manner.

**6. Ownership of Work.** All reports, work data, drawings, work product, and all other documents completed or partially completed by Consultant in the performance of this Agreement shall become the property of City. All materials shall be delivered to City upon completion or termination of the work under this Agreement. If any materials are lost, damaged, or destroyed before final delivery to City, Consultant shall replace them at its own expense. Any and all copyrightable subject matter in all materials is hereby assigned to City, and Consultant agrees to execute any additional documents that may be necessary to evidence such assignment. Consultant shall keep materials confidential. Materials shall not be used for purposes other than performance of services under this Agreement and shall not be disclosed to anyone not connected with these services, unless City provides prior written consent.

**7. Changes.** City may request changes in the scope of services to be provided by Consultant. Any changes and related fees shall be mutually agreed upon between the parties and subject to a written amendment to this Agreement. Changes resulting in up to 20 percent of the project budget may be approved by the City Manager.

**8. Consultant's Status.** In performing the obligations set forth in this Agreement, Consultant shall have the status of an independent contractor, and

Consultant shall not be considered to be an employee of City for any purpose. All persons working for or under the direction of Consultant are its agents and employees and are not agents or employees of City.

**9. Termination of Convenience of City.** City may terminate this Agreement at any time by mailing a notice in writing to Consultant. The Agreement shall then be deemed terminated, and no further work shall be performed by Consultant. If the Agreement is so terminated, Consultant shall be paid for that percentage of the work actually completed at the time the notice of termination is received.

**10. Non-Assignability.** Consultant shall not assign, sublet, or transfer this Agreement or any interest or obligation in the Agreement without the prior written consent of City, and then only upon such terms and conditions as City may set forth in writing. Consultant shall be solely responsible for reimbursing subcontractors.

**11. Indemnity and Hold Harmless.** Consultant shall defend, indemnify, and hold harmless, City and its officers, agents, and employees from and against all claims, losses, damage, injury, and liability for damages arising from, or alleged to have arisen from, errors, omissions, negligent, or wrongful acts of Consultant in the performance of its services under this Agreement, regardless of whether City has reviewed or approved the work or services which has given rise to the claim, loss, damage, injury, or liability for damages. This indemnification shall extend for a reasonable period of time after completion of the project as well as during the period of actual performance of services under this Agreement. The City's acceptance of the insurance certificates required under this Agreement does not relieve the Consultant from its obligation under this paragraph.

**12. Insurance.** During the term of this Agreement, Consultant shall maintain in full force and effect at its own cost and expense the following insurance coverage with insurers with an A.M. Best's rating of no less than A:VII. The specific coverage obligations set forth in this Section 12 are minimums only, and the Consultant shall have the obligation to provide the minimum coverages stated in this Agreement or such greater or broader coverage, if available in the Consultant's policies.

a. **General Liability and Bodily Injury Insurance.** Commercial general liability insurance with limits of at least \$1,000,000 combined limit for bodily injury and property damage that provides that City, its officers, employees, and agents are named additional insureds under the policy. The policy shall state in writing either on the Certificate of Insurance or attached rider that this insurance will operate as primary insurance for work performed by Consultant and its subconsultants, and that no other insurance effected by City or other named insured will be called on to cover a loss.

b. **Automobile Liability Insurance.** Automobile liability insurance with limits not less than \$1,000,000 per person/per occurrence.

c. Workers Compensation Insurance. Workers Compensation Insurance for all of Consultant's employees, in strict compliance with State laws, including a waiver of subrogation and Employer's Liability Insurance with limits of at least \$1,000,000.

d. Professional Liability Insurance. Professional liability insurance in the amount of \$1,000,000.

e. Certificate of Insurance. Consultant shall file a certificate of insurance with City prior to City's execution of this Agreement, and prior to engaging in any operation or activity set forth in this Agreement. The Certificate of Insurance shall provide in writing that the insurance afforded by this Certificate shall not be suspended, voided, canceled, reduced in coverage or in limits without providing thirty (30) days prior written notice by certified mail, return receipt requested, has been given to City. In addition, the insured shall provide thirty (30) days prior written notice to City of any suspension, cancellation, reduction of coverage or in limits, or voiding of the insurance coverage required by this Agreement. City reserves the right to require complete certified copies of policies.

f. Waiver of Subrogation. The insurer agrees to waive all rights of subrogation against City, its officers, employees, and agents.

g. Defense Costs. Coverage shall be provided on a "pay on behalf" of basis, with defense costs payable in addition to policy limits. There shall be no cross liability exclusions.

h. Subcontractors. Consultant shall include all subcontractors as insured under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subconsultants shall be subject to all of the requirements stated in this Agreement, including but not limited to naming additional insureds.

**13. Notices.** All notices herein required shall be in writing and shall be sent by certified or registered mail, postage prepaid, addressed as follows:

To Consultant: Mary Bean  
FCS  
1350 Treat Boulevard  
Suite 380  
Walnut Creek, CA

To City: City Manager  
City of Pleasanton  
P.O. Box 520  
Pleasanton, CA 94566

**14. Conformance to Applicable Laws.** Consultant shall comply with all applicable Federal, State, and Municipal laws, rules, and ordinances. Consultant shall not discriminate in the employment of persons or in the provision of services under this Agreement on the basis of any legally protected classification, including race, color, national origin, ancestry, sex, or religion of such person.



**15. Licenses, Certifications, and Permits.** Prior to City's execution of this Agreement and prior to Consultant's engaging in any operation or activity set forth in this Agreement, Consultant shall obtain a City of Pleasanton business license, which must be kept in effect during the term of this Agreement. Consultant covenants that it has obtained all certificates, licenses, permits, and the like required to perform the services under this Agreement.

**16. Records and Audits.** Consultant shall maintain all records regarding this Agreement and the services performed for a period of three years from the date that final payment is made. At any time during normal business hours, the records shall be made available to City to inspect and audit.

**17. Confidentiality.** Consultant shall exercise reasonable precautions to prevent the unauthorized disclosure and use of City reports, information, or conclusions.

**18. Conflicts of Interest.** Consultant covenants that other than this Agreement, Consultant has no financial interest with any official, employee, or other representative of City. Consultant and its principals do not have any financial interest in real property, sources of income, or investment that would be affected in any manner or degree by the performance of Consultant's services under this Agreement. If such an interest occurs, Consultant will immediately notify City.

**19. Waiver.** In the event either City or Consultant at any time waive any breach of this Agreement by the other, such waiver shall not constitute a waiver of any other or succeeding breach of this Agreement, whether of the same or of any other covenant, condition, or obligation.

**20. Governing Law.** California law shall govern any legal action pursuant to this Agreement with venue in the applicable court or forum for Alameda County.

**21. Attorney's Fees.** The prevailing party in any action brought to enforce or construe the terms of this Agreement may recover from the other party its reasonable costs and attorney's fees expended in connection with such an action.

**22. No Personal Liability.** No official or employee of City shall be personally liable to Consultant in the event of any default or breach by City or for any amount due Consultant.

**23. Exhibits.** All exhibits referred to herein are attached hereto and are by this reference incorporated herein.

**24. Scope of Agreement.** This writing constitutes the entire Agreement between the parties. Any modification to the Agreement shall be in writing and signed by both parties.

**THIS AGREEMENT** is executed the date and year first above written.

**CITY OF PLEASANTON**

**CONSULTANT**  
FirstCarbon Solutions

By: \_\_\_\_\_  
Nelson Fialho, City Manager

By: \_\_\_\_\_  
Mary Bean  
Director, CEQA Services

**ATTEST:**

\_\_\_\_\_  
Karen Diaz, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Daniel Sodergren, City Attorney

# FIRSTCARBON SOLUTIONS™

## Proposal to Prepare an Environmental Impact Report for the Lester Project/Hidden Canyon

Prepared for:  
**City of Pleasanton**  
**Community Development Department**  
**Planning Division**  
2148.0016.P

**July 11, 2018**





July 11, 2018

Natalie Amos, Associate Planner  
Planning Division  
City of Pleasanton  
200 Old Bernal Avenue  
Pleasanton, CA 94566

Subject: Proposal to Prepare an Environmental Impact Report for the  
Lester Project/Hidden Canyon

Dear Ms. Amos:

FirstCarbon Solutions (FCS) is excited to submit this proposal to the City of Pleasanton (City) for the preparation of an Environmental Impact Report (EIR) for the Lester Project/Hidden Canyon. FCS has a wealth of experience with annexation projects and processing materials through Local Agency Formation Commission (LAFCO), as well as residential projects that involve hillside development.

The FCS team consists of environmental resource leaders who possess a thorough understanding of environmental regulations, laws, and compliance issues complemented by an in-depth technical understanding of their individual disciplines. To supplement FCS's knowledge, experience, and staff expertise, we have teamed with Ninyo & Moore, Inc. (for Geology and Soils) and WRECO (for Hydrology, Water Quality, and Flooding). Also, as directed by the Request for Proposals, TJKM will provide a traffic impact study for the project, which FCS will peer review and summarize in the EIR.

FCS is exceptionally well qualified to prepare the EIR for this project for the following reasons:

- **We understand annexation projects.** FCS has recently completed several projects that require review and approval by LAFCO. The Chang Residential Project in San Ramon, the Tassajara Residential project in Contra Costa County, and the Tracy Village Project in the City of Tracy are all recent examples of our experience in evaluating projects that require annexation. Lou Ann Texiera, Executive Officer of Contra Costa LAFCO, is a reference and can attest to our understanding of LAFCO processes.
- **We understand the City's policies regarding hillside development.** FCS evaluated the Spotorno project including remedial grading pursuant to Measures PP and QQ, and will apply this knowledge and experience to the evaluation of the Lester Project/Hidden Canyon.
- **We have a superior record of legal defensibility.** FCS offers in-house land use attorneys who review key sections of documents, prepare findings of fact and statements of

UNITED STATES

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Walnut Creek, CA 94597

Central Valley  
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Fresno, CA 93720

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overriding considerations, and who are also available to participate in conference calls with the City to discuss legal issues.

- **We work closely with City staff to discuss and resolve issues through creative solutions.** FCS works successfully with City staff to develop and refine our California Environmental Quality Act documents to ensure that they communicate environmental effects in a reader-friendly way. The recent Spotorno EIR, as well as the East Pleasanton Specific Plan, and numerous residential addenda all attest to our successful working relationship with the City.

Thank you for taking the time to review our proposal. Should you desire additional information regarding this submittal, please contact me at 925.357.2562 or [mbean@fcs-intl.com](mailto:mbean@fcs-intl.com).

Sincerely,



Mary Bean, AICP, Project Director  
FirstCarbon Solutions  
1350 Treat Boulevard, Suite 380  
Walnut Creek, CA 94597



Cover Letter

**UNITED STATES**

Irvine  
250 Commerce, Suite 250  
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Pasadena, CA 91101

Bay Area  
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Walnut Creek, CA 94597

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Australia

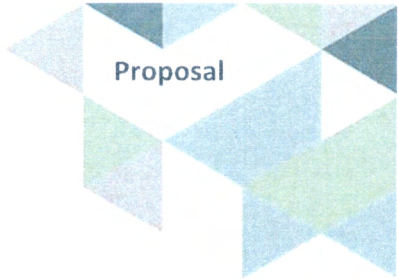
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**Appendix A: Resumes**



## PROJECT UNDERSTANDING AND APPROACH

### Project Understanding

Ponderosa Homes proposes to aggregate and subdivide four (4) properties totaling 128.5 acres, into 33 residential lots, including two lots to replace two existing home sites in the northwestern portion of the property. As part of the subdivision, approximately 70 acres would be dedicated to the East Bay Regional Park District (EBRPD) to remain as open space, including construction of a staging area for hikers and equestrians. Approximately 37.6 acres would remain as private open space and would be maintained by the Homeowners Association; and approximately 5.8 acres along Devany Creek and adjacent to one of the existing home sites would be retained by the Lester Family.





**Key Issues**

There are several key issues that will require evaluation in the EIR:

**1. Measures PP and QQ**

The project includes grading within 100 feet of a ridgeline and also proposes grading on slopes in excess of 25 percent. The city is currently reviewing the application materials and may require refinements to the site plan in light of Measure PP.

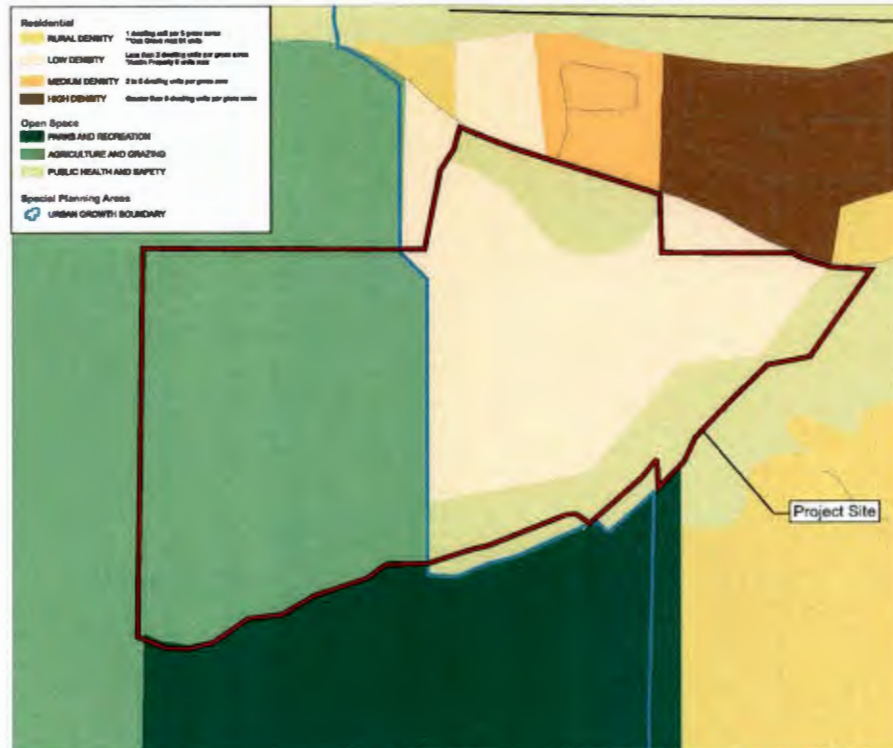
The project proposes the dedication of approximately 70 acres to EBRPD, which appears to meet the intent of Measure QQ and Open Space Policy 6 to encourage the preservation of scenic hillsides and ridgelines, and to study the feasibility of preserving large open-space areas in the Southeast Hills by a combination of private open-space and a public park system.





**2. Open Space—Public Health and Safety Lands**

The public health and safety designation covers seven of the proposed parcels, as shown in the RFP. The EIR will evaluate the proposed re-designation of these areas to Low Density Residential and will identify mitigation where needed to ensure that future residents are not exposed to conditions that would adversely affect public health and safety.



**3. LAFCO—Analysis of Open Space and Agricultural Lands**

LAFCO requires an assessment of the impacts on prime agricultural, agricultural and open space lands of the Project (as defined by Govt. Code §56064, and §56016). The assessment—either as part of the EIR, or as part of a formal LAFCO application—will contain sufficient information to determine the following:

- (1) how the applicant intends to mitigate any impacts to these lands; and
- (2) the ability to avoid impacts to prime agricultural, agricultural and open space lands; minimize impacts to these lands; and mitigates impacts that cannot be avoided.

The Project contains substantial “agricultural and grazing” acreage located outside the UGB, which is proposed to be retained as public or private open space; a substantial portion (70+ acres) would be dedicated to EBRPD, while the remainder would be owned and maintained by the HOA.

Certain acreage along Devany Creek would be retained by the Lester family and maintained as open space, while the area underlying Lots 22–26 is proposed for conversion from open



space/public health and safety to residential use. LAFCO will require evaluation of the potential to avoid or mitigate for the loss of open space acreage resulting from this proposed conversion. The formal dedication of lands to EBRPD could be considered mitigation, and the assessment would determine whether the dedication as permanent open space lands would be sufficient to offset the impact.

### **FirstCarbon Solutions' Approach**

FCS understands that our role as a consultant is to prepare legally defensible documents on schedule and within budget. FCS strives to present technical information in a way that is readily accessible to the public: using exhibits and graphics wherever possible to tell the story of the project. We also use appendices to incorporate highly technical information so that the body of the document can maintain a more reader-friendly tone and style. Our editors ensure that the Environmental Impact Report (EIR) reads with a single voice and maintains consistent formatting and grammar.

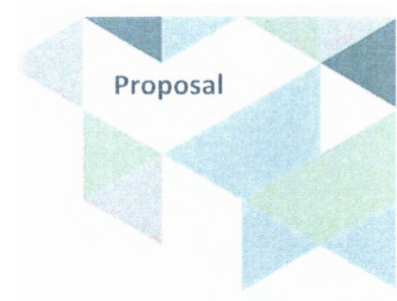
As noted in the Request for Proposals (RFP), the key environmental issues that will require the most extensive analysis in the CEQA document include aesthetics, biological resources, land use, utilities and services, geology and soils, hydrology and water quality, and traffic and circulation. Accordingly, our approach to the EIR will include a thorough analysis of these issues (along with all other CEQA topics) to demonstrate the potential impacts that could result from the project, as well as the level of mitigation that would be required to reduce those impacts. In the end, the purpose of the EIR is to provide factual information that allows for informed public input and supports the City in their consideration of the project application.

As requested by the City, FCS will also prepare drafts of all required CEQA notices, including the Notice of Preparation (NOP) Notice of Completion (NOC), and Notice of Determination (NOD), for the City's review, approval, and distribution. Our in-house legal counsel also regularly prepares Findings of Fact for public agencies, and we are happy to provide this service as part of our core team.

FCS proposes a ten-month schedule starting in August 2018 and ending with a Final EIR in June 2019. Our work plan includes peer review of technical studies and concurrent preparation of the EIR while the transportation analysis is underway, allowing us to daylight any opportunities or constraints that could affect the analysis, the schedule, or the budget.

Based on our long history of working with the City, FCS works proactively to identify opportunities for streamlining. We raise issues early on for discussion, resolution, and implementation of a preferred strategy. As we have demonstrated on our other projects for the City, we will stay in regular contact with the assigned planner (Natalie Amos) to ensure that the CEQA process stays on track. FCS's Project Manager will schedule bi-weekly or monthly calls to provide a forum to discuss and confirm project status.

Our specific methods and practices for maintaining quality in our work are discussed below.



## **Quality Control**

FCS's system of quality control is much more than document review prior to submittal. It involves every step in the preparation of technical studies and environmental documents. Upon project initiation, all team members are provided with a copy of the agreed-upon scope of work, allowing every individual involved with the project to have the same understanding of the required work products, the content of the work products, and the prevailing schedule/budget constraints. One of our in-house attorneys, Megan Starr, JD, oversees the environmental services publications team and the overall Quality Assurance/Quality Control (QA/QC) process for the environmental documents that FCS prepares. FCS's QA/QC Manager, Project Directors, and Project Managers coordinate all activities related to QA/QC—including multiple reviews of project documents—to ensure legal defensibility, technical accuracy, and objectivity. In addition, FCS's management team commits to not only reviewing the "final product" but also to conducting a thorough review of all technical data and studies used to support our documents' findings and conclusions. This ensures that all of FCS's findings are accurate and properly incorporated.

## **Knowledge of Local, State, and Federal Regulations**

FCS regularly works with regulatory agencies through the CEQA process to identify, discuss, and resolve key environmental issues, as well as during the regulatory permitting phases of projects. We have good relationships with local, state, and federal agency staff and can facilitate discussions and meetings as needed to raise issues for discussion and resolution. Our management and technical staff have excellent working relationships with the State Historic Preservation Office (SHPO), California Department of Transportation (Caltrans), California Department of Fish and Wildlife (CDFW), California's Regional Water Quality Control Boards (RWQCBs), and the US Army Corps of Engineers (USACE). We have in-depth experience in Section 106 compliance and reports for cultural resources, obtaining 404 permits from the USACE, preparing water quality certificate applications for the RWQCBs, and obtaining Streambed Alteration Agreements from the CDFW.

## **Compliance with Processing and Legal Requirements**

FCS has established an excellent record of legal defensibility for environmental documents with our clients. We exercise particular care to ensure that our environmental documents contain thorough environmental analyses and explicit documentation of all data sources and research contacts. This approach reduces the potential for successful legal challenge. FCS's staff is experienced in conducting environmental documentation for controversial projects; we have developed research and documentation techniques, and we use agency-accepted environmental assessment techniques that minimize avenues for legal challenge. FCS's in-house attorneys regularly monitor CEQA court decisions and CEQA Amendments to keep FCS Managers abreast of legal precedents and compliance issues. FCS's environmental technical staff attends annual updates regarding CEQA compliance to maintain a current approach to legal compliance. All FCS Project Managers have years of experience preparing and managing project administrative records according to the requirements of CEQA and are well versed in the various processing requirements that apply to specific types of environmental documentation, including minimum circulation periods, distribution and noticing requirements, and processing timelines.

## SCOPE OF WORK

### Task 1: Project Initiation

FCS's Project Manager, **Kelsey Bennett**, and other key team members will meet with City staff (and the applicant team, if appropriate) to clarify and confirm the project description, identify key contacts, discuss scheduling targets, and obtain copies of the project plans and other relevant information. A site visit will be conducted as part of the project initiation process and is assumed to occur on the same day as the kick-off meeting.

Because of the complexities involved in this project, FCS will recommend a schedule for ongoing project team coordination (monthly and/or weekly, as needed) to ensure that issues are discussed and resolved efficiently early in the process.

### Peer Review of Applicant Prepared Reports

The applicant has submitted numerous technical reports. FCS and our subconsultants will review the reports for adequacy and will confirm whether the methodologies used as well as the analysis and recommendations/conclusions are adequate for use in the preparation of the EIR. FCS will identify any scope refinements or additional technical analysis is required.

- FCS will review the reports related to biology and cultural resources.
- WRECO will evaluate reports related to hydrology and water quality
- Ninyo & Moore will review reports related to geology and hazardous materials.

### Task 2: Notice of Preparation

FCS will prepare a Notice of Preparation (NOP) in accordance with requirements of CEQA Guidelines Section 15082. Issuance of the NOP is the first milestone in the CEQA process and announces a lead agency's intent to prepare an EIR. The NOP will identify the project location, provide a summary of the project characteristics, and list probable environmental effects, supported by tables and color graphics. FCS will refine the NOP based on one round of review and comment by the City.

The City will be responsible for distributing the NOP to local agencies and interested parties. Following release of the NOP, this scope of work assumes that the City will hold a public scoping meeting in Pleasanton, which FCS representatives will attend. (Meeting attendance at the scoping meeting is accounted for in Task 11, Meetings/Hearings.) FCS staff will conduct the meeting, presenting project information, answering questions, and summarizing public comment to confirm the scope of the EIR. All public comments received at the scoping meeting will be documented in the Draft EIR.

#### *Deliverables*

- One (1) electronic version of the Administrative NOP to the City of Pleasanton
- One (1) electronic version of the final NOP to the City of Pleasanton
- Fifteen (15) hard copies of the NOP to the State Clearinghouse

### **Task 3: Project Description, Project Objectives, and Alternatives**

FCS will prepare a Draft Project description for review and comment by the City. The Project Description will include a statement of project objectives as well as potential project alternatives that could be evaluated. (Alternatives would be confirmed once the extent of potentially significant impacts are known). FCS will revise the project description based on one round of consolidated comments from the City.

### **Task 4: Administrative Draft EIR**

FCS will prepare an Administrative Draft EIR in accordance with the applicable requirements contained in CEQA Guidelines Sections 15120 through 15132. The Administrative Draft EIR will contain analysis supported by graphics and tables. The document will identify potentially significant impacts, feasible mitigation measures, and the residual significance after mitigation has been implemented. The contents of the Administrative Draft EIR will be as follows:

#### **Executive Summary**

In accordance with CEQA Guidelines Section 15123, the Executive Summary will contain a summary of the project, list the project alternatives, identify areas of controversy, and provide a matrix listing environmental impacts and mitigation measures, and the residual significance of all impacts.

#### **Introduction**

FCS will prepare the introduction including the purpose and background of the project, the determination of the lead agency, scope of the EIR, and the document's organization. The introduction will establish the scope of review of the EIR and identify environmental topics that had been previously evaluated at a sufficient level in the prior rounds of environmental review and, thus, would not need to be re-evaluated.

#### **Project Description**

Pursuant to CEQA Guidelines Section 15124, the project description will identify the project location, describe the project characteristics, list the project objectives, identify necessary approvals, and list other agencies that may use the document. The project description will describe the relationship of the project to the City's General Plan and use tables and color graphics to clearly convey relevant information to the reviewer.

#### **Environmental Setting, Impacts, and Mitigation Measures**

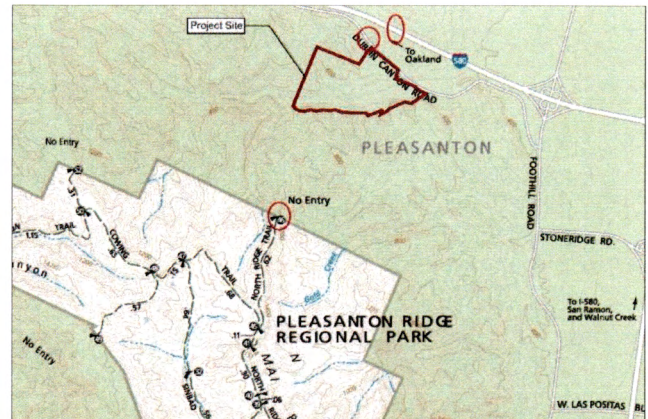
The following specific sections that provide a discussion of environmental setting, impacts, and mitigation measures (if applicable) will be prepared.

## Aesthetics, Light, and Glare

As described below, FCS will evaluate the change in visual character through the use of visual simulations, as well as review of elevations, project plans, and site reconnaissance. Mitigation measures will be proposed if necessary.

## Data Review, Site Reconnaissance and Photography, Review Photographs

FCS will review City policies regarding visual quality in the project area and identify designated visual resources such as topographic features, scenic routes, and prominent publicly accessible locations for visual simulations, such as I-580, Dublin Canyon Road, and the North Ridge Trail in Pleasant Ridge Regional Park.



Prior to conducting fieldwork, FCS will confirm potential viewpoint locations with City staff. FCS will conduct site reconnaissance, and, using a digital single lens reflex (SLR) camera, will photograph the site from key publicly accessible locations such as I-580, Dublin Canyon Road, and Pleasanton Ridge Regional Park. FCS will employ basemap annotation, photo log sheet and GPS recording to document photo viewpoint locations.

FCS will submit a set of simulation review photographs with a viewpoint location map for approval. FCS will coordinate with City staff to select photograph locations. If requested, FCS will attend an optional site meeting to consult with City staff in the field regarding locations (cost not included). The proposed budget includes one site photography trip and a total of up to eight (8) review photographs.

## Visual Simulations

Using digital photographs and advanced computer modeling and rendering techniques, FCS will prepare realistic visual simulations to portray the proposed residential development as seen from selected viewpoints. The simulation images will be presented as before and after views showing the appearance of proposed project features including new houses, and grading as well as access roads and driveways, fencing, and other project elements. The simulations will also show proposed vegetation removal and proposed new landscaping.

A total of up to five (5) simulation viewpoints are included. Digital versions of draft and final visual simulations will be provided. The images will be formatted for printing in color on 8.5 by 11 inch sheets. The simulation viewpoints will be selected in consultation with the project team and City staff. The simulation will be based on project information provided to FCS.

Upon request, as an optional service, FCS can prepare visual simulations from additional viewpoints and/or visual simulations to show a project alternative or a mitigated project. As an additional optional

service, line of sight section drawings to illustrate potential project visibility from selected locations can also be prepared (costs not included).

### **Visual Impact Analysis**

FCS will employ professionally accepted visual analysis methods to develop the EIR visual impact evaluation. The analysis will address CEQA Guidelines for assessing aesthetic impacts. The text will be prepared in a format that is consistent with the FCS document.

The analysis will include a qualitative description of the visual setting illustrated by representative photographs documenting the site's visibility as seen from key public vantage points in the vicinity. Applicable public policies regarding visual quality will be summarized. The evaluation of the project's potential visual impacts will address effects of the proposed residential development, associated grading, and proposed open space areas on the existing visual character of the site and its surroundings. The analysis will focus on views from key locations. Potential light and glare impacts associated with new sources of night lighting will be addressed and recommended aesthetic mitigation measures such as visual screening and increased setbacks will be included, if appropriate. The impact analysis will be supported by a set of computer-generated visual simulations from viewpoints selected in consultation with City staff.

The proposed budget includes up to two review/revision cycles based on minor comments.

### **Requested Data**

Digital drawings are requested in CAD and pdf format:

- Existing site topography with property lines
- Proposed grading for project site
- Proposed site plan showing lot layout, roads etc. (digital and hardcopy format)
- Aerial photograph of site and surrounding area
- Tree survey showing existing trees and proposed tree removal
- Floor plan and elevations drawings for proposed residential buildings
- Information describing exterior colors and materials
- Landscape plan

### **Air Quality/Greenhouse Gas Emissions**

The proposed project contemplates construction and operational activities that would emit criteria air pollutants and greenhouse gas (GHG) emissions. Additionally, the project would emit toxic air contaminants. FCS will prepare the EIR AQ and GHG Emissions sections and identify impacts and mitigation (as appropriate).

The air quality (AQ) and GHG analysis will include an evaluation of short-term (construction) and long-term (operation) impacts. FCS will evaluate short-term (construction) and long-term (operation) impacts. The analysis will follow guidance from the Bay Area Air Quality Management District (BAAQMD) including, but not limited to their CEQA Air Quality Guidelines and personal communications with the air district. The AQ/GHG analysis will be incorporated into the EIR, with the associated model outputs,

assumptions, and calculations provided in the appendices of the EIR. The analysis requires the following tasks.

### **Compile Background Air Quality and Climate Change Information**

The air quality background information will include a description of air pollutants, the factors that influence air quality within the region, existing air quality conditions, and the regulatory environment for air quality. The analysis will briefly describe the health impacts of the various air pollutants. The applicable General Plan policies with respect to air quality will be included as a list.

The GHG background information will include a description of GHGs, a brief discussion of the current state of the science, existing GHG emissions inventories applicable to the project, and the regulatory environment surrounding climate change and potential impacts of climate change. The applicable General Plan policies with respect to GHGs will be included as a list. The City of Pleasanton's Climate Action Plan will be discussed including adopted emission reduction targets (i.e., 15% below 2005 levels by 2020) and applicable emission reductions strategies and measures.

### **Estimate Air Pollutant and Greenhouse Gas Emissions**

Air pollutant emissions associated with construction and operation will be estimated using the most current version of the California Emissions Estimator Model (CalEEMod), which at the time of this writing is Version 2016.3.2. Emissions of the following air quality pollutants will be estimated: reactive organic gases (ROGs), oxides of nitrogen (NO<sub>x</sub>), particulate matter with aerodynamic diameter less than 10 microns (PM<sub>10</sub>), and particulate matter with aerodynamic diameter less than 2.5 microns (PM<sub>2.5</sub>).

Construction equipment and vehicles used during project construction would emit air pollutant and GHG emissions as a result of fossil fuel combustion. Earth disturbance activities such as site grading, cut/fill operations, and site preparation would generate fugitive PM dust in the form of PM<sub>10</sub> and PM<sub>2.5</sub> emissions. However, it should be noted that BAAQMD's construction thresholds only apply to exhaust-related PM<sub>10</sub> and PM<sub>2.5</sub>. The average daily construction-related criteria pollutant and ozone precursor (ROG and NO<sub>x</sub>) emissions estimates will be compared with BAAQMD's thresholds of significance.

Following construction of the proposed project, long-term operational emissions would be generated by area-, energy-, and mobile-source emissions. FCS will rely on vehicle trip generation data from the traffic study to model mobile source emissions. Long-term daily operational emissions will also be compared with BAAQMD's thresholds of significance to determine impacts. FCS will prepare a Request for Information (RFI) detailing all project construction and operational parameters required to perform the modeling. In the case that project-specific information is not available at the time of the analysis, FCS will work with the project applicant to develop reasonable assumptions, or use CalEEMod defaults. It should be noted that default assumptions typically result in conservative results in order to avoid underestimating emissions when project-specific information is unknown. Following finalization of model assumptions through the RFI, major changes to the project features, design, schedule or other parameter(s) that precipitate revisions to the emissions modeling may warrant a budget augment.

GHG emissions associated with construction and operation of the project will also be estimated using CalEEMod. For the GHG analysis, CalEEMod estimates GHG emissions in units of metric tons of carbon dioxide equivalent (MT CO<sub>2</sub>e), which accounts for the global warming potential of GHGs such as carbon



dioxide, methane, and nitrous oxide. FCS will use BAAQMD thresholds of significance to evaluate the project's construction and operational GHG emissions. In addition, FCS will analyze the project's consistency with the City of Pleasanton's Climate Action Plan as required by CEQA. Changes to the project that occur after completing the modeling analysis that require re-modeling will be considered additional work that is not covered by this scope of work.

### **Assess Odor Exposure**

The analysis will assess odor exposure to nearby residents. The discussion will compare the project to the screening criteria and buffer distances prescribed by BAAQMD and the California Air Resources Board (ARB). FCS will provide a qualitative analysis of the project's potential to generate an odor impact. Based on the project land uses (i.e., residential), it is not anticipated that the project would result in an odor impact.

### **Assess Carbon Monoxide Hotspot Impacts**

FCS will use the BAAQMD's screening criteria for carbon monoxide (CO) hotspots, which is anticipated to be sufficient to dismiss any potential impacts. However, in the case that potential CO hotspots are identified, FCS will use dispersion modeling to quantify impacts according to BAAQMD guidance under a revised scope of work and budget. Quantitative CO Hotspot modeling would be considered additional services, if required.

### **Construction-Related Health Risk Assessment**

Based on the area of land to be disturbed, land uses developed, and proximity to sensitive receptors, FCS anticipates that a construction-related Health Risk Assessment (HRA) will be necessary to evaluate the project's construction-related toxic air contaminant (TAC) emissions. FCS will prepare a construction HRA based on the recommended BAAQMD's Health Risk Assessment Guidelines (HRA Guidelines) (BAAQMD 2016) and Office of Environmental Health Hazard Assessment's (OEHHA) Risk Assessment Guidelines (OEHHA 2015). The following tasks will be required for the construction HRA:

FCS will perform the following tasks as part of this analysis.

- Define what a sensitive receptor is and identify nearby sensitive receptors.
- Identify health risk standards and acceptable cancer and acute and chronic non-cancer risk thresholds from diesel emissions that are detailed in BAAQMD's thresholds of significance.
- The following subtasks will be utilized to perform the construction-related HRA:
  - Calculate the on-site construction equipment diesel equipment PM<sub>2.5</sub> and total organic gases emissions rates that were calculated in the AQ Analysis prepared for the proposed project.
  - Calculate the daily construction truck trip estimates used in the AQ Analysis and calculate each truck trip's PM<sub>2.5</sub> emissions rates through use of the EMFAC2017 model.
  - Model the diesel PM<sub>2.5</sub> concentrations at representative nearby sensitive receptors associated with the on-site construction equipment and off-site truck emissions up to 1,000 feet from the project site through utilization of the AERMOD model, using the emissions rates provided in the previous steps and the methodology described in the HRA Guidelines.

- Utilize the prior subtask's calculated toxic air emission levels to calculate the cancer risk and the chronic and acute non-cancer health impacts at the nearby sensitive receptors from the proposed construction site.

FCS will incorporate the results of the HRA in the EIR, while detailed methodology, assumptions, and other technical modeling data will be included in the appendix of the EIR.

### **Operational Health Risk Screening**

The BAAQMD also recommends that the analysis include an evaluation of toxic air contaminants associated with siting a new sensitive receptor (such as residential land uses). Therefore, FCS will also include a screening analysis of toxic air contaminants and PM<sub>2.5</sub> sources, such as Interstate 580, located within a 1,000-foot radius of the proposed project site. FCS assumes that dispersion modeling and an operational HRA will not be warranted to identify and quantify the potential cumulative health risks during project operations. An operational HRA would be considered additional services, if required.

### **Significance Findings/Mitigation Measures**

FCS will make a significance finding before and after mitigation for potential impacts. If the project exceeds criteria pollutant or GHG thresholds of significance, FCS will identify mitigation measures that would reduce criteria pollutants and/or GHG emissions to a less-than-significant level. When possible, mitigation measures will be quantified for their emission reduction potentials using, but not limited to CalEEMod's mitigation component, California Air Pollution Control Officer Association (CAPCOA) guidance, and BAAQMD guidance. Any design features and mitigation measures included in the project will be discussed in the analysis.

### **Biological Resources**

The applicant prepared reports confirm that the site supports several special status species and habitats, including Congdon's tarplant, California red-legged frog, Alameda whipsnake, golden eagle, western burrowing owl, and American badger. FCS will review and summarize the analysis and conclusions and will work proactively, where feasible, to suggest ways to avoid or reduce impacts to these identified resources. FCS will prepare the EIR Biological Resources section, summarizing the impacts identified in the existing biological reports, and will include mitigation where needed to avoid or reduce potential impacts.

## Cultural Resources

The project site contains undeveloped land and, thus, construction activities have the potential to encounter buried resources. FCS will prepare the EIR Cultural Resources section and identify impacts and mitigation (as appropriate) using the historic architecture report prepared by Ward Hill, and the Basin Research Associates Archaeological Report. Neither of the existing residences appear eligible for listing on any national, state, or local register.



11021 Dublin Canyon Road



11033 Dublin Canyon Road

## Geology and Soils

Ninyo & Moore will evaluate the proposed slope stabilization and building pad preparation methodologies as outlined in the Cornerstone reports, to ensure that the proposed techniques are consistent with best practices. Mitigation measures including specific grading and shoring practices for foundation design will be identified, where needed.

## Hazards and Hazardous Materials

FCS will evaluate hazardous materials using readily available sources of information about hazardous materials usage in the project vicinity (e.g., the Geotracker database) and through review of project plans. FCS will also evaluate impacts associated with emergency response and evacuation through review of the applicant-prepared traffic study, site reconnaissance, and review of project plans. FCS will identify impacts and mitigation (as appropriate).

## Hydrology and Water Quality

The Project will involve land disturbance of 31.60 acres and creation and/or replacement of 6.22 acres (271,000 square feet) of impervious surfaces, which have the potential to increase sediment and pollutants in stormwater runoff to nearby Dublin Creek and Devany Canyon Creek, a tributary to Dublin Creek.

WRECO will use information provided by the applicant about proposed storm drainage facilities and water quality treatment measures. WRECO will also review readily available sources of information about surface water features, groundwater resources, municipal storm drainage facilities, and flood hazard areas. According to the Alameda County Watersheds Interactive Map, created by the Alameda County Flood Control and Water Conservation District, these creeks are part of the Alamo Canal

Watershed. Dublin Creek and Devany Canyon Creek do not have listed impairments; however, Dublin Creek and its tributaries have existing beneficial uses of warm freshwater habitat, wildlife habitat, water contact recreation, and water non-contact recreation. Temporary best management practices (BMPs), such as temporary erosion and sediment control, delineation of natural and/or sensitive areas, and site management, will be required to reduce sediment and pollutants to the creeks during construction.

Site design measures include directing runoff from roofs and sidewalks to vegetated areas, minimizing land disturbance and impervious surface, maximizing permeability, using micro-detention areas, protecting sensitive areas, implementing self-treating areas, and implementing self-retaining areas. Source control measures would be provided for storm drains, landscaping, outdoor equipment/materials storage, fire sprinklers, and miscellaneous drain/wash water. Applicable low impact development (LID) measures for the Project to treat the new impervious surfaces include bioretention areas. The Project creates and/or replaces more than 1 acre of impervious surface and is within a white area with natural creeks designated by the Alameda County Clean Water Program's (ACCWP) as susceptible to hydromodification. Therefore, the Project is required to implement hydromodification management measures. The LID measures can also be used as hydromodification management measures and will adhere to the stormwater treatment and hydromodification management design criteria in the ACCWP's C.3 Stormwater Technical Guidance and applicable requirements from the City of Pleasanton.

WRECO will perform a peer review of the documents for the Municipal Regional Permit (MRP) C.3 stormwater treatment best management practices (BMP) compliance and risk level assessment for compliance with the Construction General NPDES Permit. This includes review of BMPs sizing and any hydromodification analysis performed.

## **Land Use**

FCS will evaluate the project for consistency with the City of Pleasanton General Plan, including Measures PP, QQ, and open space policies identified in the Land Use and Open Space Elements. FCS will also evaluate the proposed conversion of lands currently designated Public Health and Safety to confirm whether the proposed conversion would be consistent with the intent of relevant policies.

## **Noise**

The proposed project contemplates construction and operational activities that could potentially expose surrounding land uses to excessive noise and vibration levels. Of particular concern are temporary increases in ambient noise levels during construction and permanent increases in ambient noise levels for operational activities (e.g., vehicle trips, truck deliveries, mobile and stationary equipment, etc.). FCS will prepare a Noise Analysis to evaluate the impacts of project-related construction and operational noise on surrounding land uses. The analysis will be wholly contained in the EIR and the supporting technical data will be appended. To perform this analysis, the following tasks are required.

## **Background Information**

The general characteristics of sound and the categories of audible noise will be described. The regulatory framework related to noise, including applicable City and County plans, policies, and standards will be

summarized. Impacts will be compared to the applicable standards based on the jurisdictional location of impacted sensitive receptors. The existing noise environment will be documented through traffic noise modeling and ambient noise measurements. Up to three (3) short-term and one (1) long-term ambient noise measurements will be conducted on the project site. The purpose of the noise monitoring effort is to establish the existing noise environment for comparison to the City's land use compatibility standards.

### **Construction Noise Impact Analysis**

Construction of the project would require the short-term operation of heavy equipment in the vicinity of nearby residential and church land uses. EPA recommended noise emission levels will be used for the construction equipment. The construction noise impact will be evaluated in terms of maximum levels ( $L_{max}$ ) or hourly equivalent continuous noise levels ( $L_{eq}$ ) and their frequency of occurrence. Noise analysis requirements and thresholds of significance will be based on the sensitivity of the project area and the applicable (City or County) noise ordinance specifications.

### **Operational Noise Impact Analysis**

A quantitative assessment of long-term operational noise impacts related to existing and project-related vehicular trips will also be performed. Transportation noise in the project area is primarily associated with traffic along Interstate-580. Traffic noise impacts will be assessed using the FHWA Traffic Noise Prediction Model (FHWA-RD-77-108). Required model input data include without- and with-project average daily traffic volumes on adjacent roadway segments, day/night percentages of autos, medium and heavy trucks, vehicle speeds, ground attenuation factors, and roadway widths. Projections of the future traffic Community Noise Equivalent Level (CNEL) along selected roadway segments, based on the traffic study to be prepared for the project, will be provided in a table format to show the distance/contour relationship. Traffic noise impacts will be analyzed for comparison to the City's land use compatibility standards and whether the project would result in a permanent substantial increase in traffic noise levels in the project vicinity.

Potential long-term operational noise impacts from project-related stationary noise sources, such as new residential mechanical ventilation system operations, will also be evaluated in comparison to the applicable (City or County) stationary source noise performance thresholds.

### **Summarize Noise Reductions and Significance Findings**

Mitigation measures designed to reduce short- and long-term noise impacts will be identified where appropriate. Both an evaluation of the potential mitigation measures and a discussion of their effectiveness will be provided. This technical analysis for potential noise impacts will be directly incorporated into the EIR, with noise monitoring readouts and modeling data being placed in the Appendices. This task does not include the preparation of a separate, standalone technical noise study.

### **Public Services and Utilities**

The Project includes the development of 33 single family residential units which will require new water and sanitary sewer services. There are some known water delivery deficiencies that are currently being studied by the applicant in greater detail.

The proposed pad elevations range from 446 feet to 594 feet. According to the City's Water Distribution System Master Plan Update (November 2004), the water pressure at all building pads must be 40 psi or more during peak hour demand. Additionally the fire marshal has stated that the fire hydrant flow for the Project must be 1,500 gallons per minute. It is currently believed that the Project will be served by the Dublin Canyon water pressure zone and the Moller 770 water pressure zone.

For the CEQA review, Ninyo & Moore will review the applicant's evaluation of water supply and distribution and associated recommendations for system improvements. FCS will evaluate impacts on public service and utility providers and evaluate the proposed project's impacts in terms of the need to construct new or expanded existing facilities, acquire additional supplies, generate effluent that exceeds the permitted capacity, etc. FCS will use information provided by the applicant about proposed utility demands and facilities. For other areas, FCS information provided by the City of Pleasanton and service/utility providers about service levels, the adequacy of existing infrastructure, and similar topics.

WRECO will review the Project plans for the water main and sanitary sewer systems being prepared by the applicant. The review will be to check for conformance to regulatory requirements and City standards.

## Transportation

As noted in the RFP, TJKM, will prepare a traffic impact analysis for use in preparing the EIR. Accordingly, FCS will summarize the analysis and will include any recommendations as mitigation measures. The following activities are proposed by TJKM:

### 1. Existing conditions

- a. Conduct field review of traffic conditions and field conditions
- b. Obtain a.m. and p.m. peak hour counts at study intersections
  - Dublin Canyon Road at Schaefer Ranch Road
  - Dublin Canyon Road at Canyon Creek/East Project access
  - Dublin Canyon Road at Canyon Meadows entrance
  - Dublin Canyon Road at Foothill Road
  - Foothill Road at I-580 EB ramps
  - Foothill Road at I-580 WB ramps
  - Foothill Road at Stoneridge Drive
  - Stoneridge Drive at Stoneridge Mall Road
  - Stoneridge Drive at I-680 SB ramps
  - Stoneridge Drive at I-680 NB ramps
- c. Obtain 24 hour counts on Dublin Canyon Road near project site
- d. Calculate existing a.m. and p.m. level of service at study intersections
- e. Evaluate collision history on Dublin Canyon Road near project site

### 2. Project conditions

- a. Determine trip generation for both residential and EBRP staging areas
- b. Determine trip distribution and assignment for project traffic
- c. Calculate intersection LOS conditions for the following scenarios

- Existing
  - Existing plus project
  - Existing plus background (approved & pending projects)
  - Existing plus background plus project
  - Cumulative
  - Cumulative plus project
- d. Calculate daily forecasts on Dublin Canyon Road for above scenarios

### 3. Site circulation and related issues

- a. Evaluate pedestrian, bicycle and transit impacts related to the project.
- b. Evaluate adequacy of circulation and parking for residential site and EBRP staging area.
- c. Provide conceptual recommendations for striping and signing along Dublin Canyon Road near the project. Indicate where, if any, pavement widening is required to accommodate any revised striping. Consider both project traffic issues and collision history in the area.
- d. Determine project-related VMT.

### 4. Report

- a. Using City of Pleasanton significance criteria, determine any significant impacts and appropriate mitigation measures. Identify Project fair share requirements for mitigation measures.
- b. Prepare administrative draft free-standing traffic impact study for project
- c. After receiving comments, prepare final traffic study for project
- d. Provide any requested review and comments on CEQA document traffic section prepared by others.
- e. Respond to CEQA document comments T&M basis.

## Cumulative Effects

In accordance with CEQA Guidelines Section 15130, the EIR will address the cumulative effects of the proposed project in combination with other projects. As set forth in the CEQA Guidelines, the cumulative analysis will focus on impacts to which the project has made a significant incremental contribution. The analysis will reflect the severity of the impacts and their likelihood of occurrence, and will be guided by standards of practicality and reasonableness.

## Alternatives

Pursuant to CEQA Guidelines Section 15126.6, the EIR will evaluate a range of feasible alternatives to the proposed project. One of the alternatives will be the CEQA-mandated “No Project Alternative,” which is the circumstance under which the project does not proceed. FCS will evaluate up to two additional alternatives, likely consisting of a reduction in project size or potentially a refinement of proposed residential lot locations to better comply with City policies. In addition, the Alternatives section will address the feasibility of an alternative location, as well as any alternatives that were initially considered but rejected from further consideration.

## Effects Found not to be Significant

CEQA Guidelines Section 15143 establishes that EIRs shall focus on significant impacts on the environment and need not discuss in detail effects that are clearly insignificant or unlikely to occur (e.g., aviation safety risks). Topics that will be addressed include agriculture and forestry resources; geology, soils, and seismicity; mineral resources; population and housing, and recreation.

## Other CEQA Required Sections

This section will address the CEQA-required issues of significant environmental effects that cannot be avoided (CEQA Guidelines Section 15126(b)), significant irreversible environmental changes (CEQA Guidelines Section 15126(c)), growth inducement (CEQA Guidelines Section 15126(d)), and energy conservation (CEQA Guidelines Appendix F).

## Persons and Organizations Consulted/List of Preparers

In accordance with CEQA Guidelines Section 15129, the EIR will identify all agencies, organizations, and individuals consulted during the preparation of the document, as well as the agency representatives and firms that were involved with EIR preparation.

## References

This section will list all resources used in the preparation of the EIR.

## Technical Appendices

Pursuant to CEQA Guidelines Section 15147, supporting technical information will be appended to the EIR as technical appendices. This includes but is not limited to technical studies, modeling data, and correspondence.

### *Deliverables*

- Ten (10) hard copies of the Administrative Draft EIR to the City
- One (1) electronic version of the Administrative Draft EIR to the City

## Task 5: Screencheck Draft EIR

Upon receipt of final City staff comments on the Administrative Draft EIR, FCS will prepare a Screencheck Draft EIR that shows edits in track changes.

### *Deliverable*

- One (1) electronic version of the Screencheck Draft EIR to the City

## Task 6: Draft EIR

Upon receipt of final City staff comments on the Screencheck Draft EIR, FCS will proceed with finalizing and producing the Draft EIR for public review. This task assumes technical staff time to complete revisions to the Draft EIR, plus editing and administrative staff time to prepare the document for publication. If additional hours are required, we will prepare a budget augment to cover the actual level of effort.



FCS will provide copies of the Draft EIR to the City and prepare for and attend a public meeting to receive comments on the Draft EIR. FCS will provide copies of the Draft EIR to the State Clearinghouse, which will distribute the document to state agencies. FCS will also prepare the NOC that will be provided to the State Clearinghouse as part of this task. Finally, this scope of work assumes that City staff will prepare and mail the Draft EIR Notice of Availability to local agencies and interested parties.

#### *Deliverables*

- Fifty (50) hard copies (appendices on CD) and one (1) electronic version of the Draft EIR (including appendices) to the City for circulation
- Fifteen (15) Executive Summary hard copies and fifteen (15) CDs of the Draft EIR and the signed NOC form to the State Clearinghouse

### **Task 7: Administrative Final EIR**

FCS will prepare an Administrative Final EIR in accordance with the applicable requirements contained in CEQA Guidelines Sections 15088 and 15089. The Administrative Final EIR will list all agencies, organizations, and individuals who submitted written comments on the Draft EIR during the public review period and provide written responses to those comments. To enhance readability and avoid redundancy, FCS will use Master Responses to address frequent and reoccurring comments on the Draft EIR's analysis. Additionally, the Administrative Final EIR will contain an Errata, which will document minor changes to the Draft EIR text in strikeout-underline format.

We have budgeted 80 hours of FCS staff time (including technical, editing, and administrative personnel) for this task. Together with the City, FCS will evaluate the volume and complexity of comments received on the Draft EIR. If additional time is required beyond what is budgeted, FCS will prepare a budget augment to cover the actual level of effort.

#### *Deliverables*

- Ten (10) hard copies of the Administrative Final EIR to the City
- One (1) electronic version of the Administrative Final EIR to the City

### **Task 8: Screencheck Final EIR**

Once City staff provides comments on the Administrative Final EIR, FCS will prepare a Screencheck Final EIR that shows edits in track changes.

#### *Deliverable*

- One (1) electronic version of the Screencheck Final EIR to the City

### **Task 9: Final EIR**

Once City staff provides final comments on the Screencheck Final EIR, FCS will proceed with finalizing and producing the Final EIR for public review. This task assumes technical staff time will be required to complete revisions to the Final EIR, plus editing and administrative staff time to prepare the document

for publication. If additional hours are required, we will prepare a budget augment to cover the actual level of effort. FCS will provide copies of the Final EIR to the City, which will be responsible for local distribution, noticing, and posting. FCS will send copies of the Final EIR directly to state agencies that commented on the Draft EIR. Finally, this scope of work assumes that City staff will prepare and mail all notices associated with the Final EIR to local agencies and interested parties.

#### *Deliverables*

- Fifty (50) hard copies (appendices on CD) and one (1) electronic version of the Final EIR (including appendices) to the City
- One (1) CD of the Final EIR to each public agency that commented on the Draft EIR (FCS will be responsible for this task)

### **Mitigation Monitoring and Reporting Program**

FCS will prepare a comprehensive Mitigation Monitoring and Reporting Program (MMRP), pursuant to CEQA Guidelines Section 15097. The MMRP will contain all mitigation measures identified in the EIR. This comprehensive MMRP will provide City staff with a single source of reference to the full range of mitigation measures to be implemented. For each measure or group of similar measures, the agency responsible for ensuring proper implementation will be identified, along with the timing and method of verification. Copies of the MMRP will be included in the Final EIR submittal.

#### *Deliverable*

- One (1) electronic version (PDF format) of the MMRP to City

### **Notice of Determination**

FCS will prepare the Notice of Determination (NOD) and provide it to City staff or applicant for filing with the Alameda County Clerk's Office within five business days of EIR certification. As indicated in this scope of work, City staff or the applicant will be responsible for filing the NOD and paying the associated filing fees.

#### *Deliverable*

- One (1) electronic version (PDF format) of the NOD to the City

### **Task 10: Findings of Fact/Statement of Overriding Considerations**

FCS will prepare the Findings of Fact/Statement of Overriding Consideration pursuant to CEQA Guidelines Sections 15091 and 15093. The Findings of Fact will provide a brief rationale for each significant effect that can be mitigated to a less-than-significant level. If the EIR identifies one or more significant unavoidable impact, a Statement of Overriding Considerations will be prepared that outlines the economic, legal, social, technological, or other benefits of the project that outweigh its environmental consequences.

### *Deliverable*

- One (1) electronic version (Word format) of the Findings of Fact/Statement of Overriding Considerations to the City

## **Task 11: Meetings/Hearings**

FCS will meet by phone with City staff during the EIR preparation process to discuss and resolve problems, develop strategies, and participate in communications. This proposal and its associated budget cover attendance by FCS's Project Director or Project Manager at 10 meetings/hearings. These meetings include but are not limited to the following:

- Kick-off meeting
- Scoping meeting
- Meeting to discuss scoping comments
- Meeting to discuss city comments on the ADEIR
- Planning Commission meeting on Draft EIR
- Meeting to discuss public comments received on Draft EIR
- Planning Commission Hearing(s)
- City Council meeting(s)

This task also covers conference calls. A not-to-exceed budget has been established to cover meeting attendance. If City staff requests additional meeting attendance by FCS staff, or if the amount of time involved in these meetings exceeds the initial budget allocation, FCS will notify city staff of the additional costs and obtain authorization for the extra meeting time.

## **Task 12: Project Management**

In addition to the research, analysis, communications, and report writing tasks described above, FCS will perform a variety of project management duties to ensure that the EIR meets the City's standards of quality, and that it is delivered on time and within budget. These duties will include team supervision and coordination, oral and written communications with City staff, project accounting, and quality assurance review by FCS's Project Director and Technical Editor of all deliverable products. These services also will include ongoing support to City staff, such as providing input to staff reports, regular schedule updates, and discussions of technical issues. This task assumes 70 hours of staff time.

## **Tasks Outside of Scope of Work**

Below are tasks FCS has identified as being outside of its scope of work for the proposed project.

### **Newspaper Noticing**

FCS assumes that City staff will prepare and coordinate publication of any newspaper notices associated with the EIR.

## Notice of Determination Filing/Payment of Fees

FCS assumes that City staff or the applicant will file the NOD with the Alameda County Clerk's Office within five business days of project approval. The purpose of the NOD filing is to limit the legal challenge period to 30 days. If the NOD is not filed within five business days of project approval, the legal challenge period defaults to 180 days.

The NOD filing requires payment of the CDFW CEQA filing fee (currently \$3,168) and a County handling fee (currently \$50). This scope of work assumes that the applicant will be responsible for paying these fees.

## Scope of Work Modifications

FCS assumes a stable and complete project description and project plan set at project initiation. In the event that the project description and/or scope of work change to a degree that alters the fee estimate, FCS will contact City staff in writing to submit a revised fee for mutual agreement, and a contract amendment will be processed. Requests for additional work will be documented, and a completion timetable and estimated fee will be submitted for City approval.

## BUDGET

FCS has prepared a breakdown of total cost by staff and by task.

As requested, the budget includes a 15% contingency.

Additional meeting cost is \$500, assuming attendance at a 2-hour meeting by the Project Manager and one additional team member (technical team member, project director, etc).

## Assumptions

The assumptions used in calculating the above fees are:

- The fee is valid for up to 30 days from the date of this scope, after which it may be subject to revision.
- City staff will be responsible for distribution of public review documents.
- This price is based upon completion of the work within the proposed schedule. If delays occur, an amendment of the price would be warranted to accommodate additional project management and other costs, and to reflect adjustments for updated billing rates.
- Costs have been allocated to tasks, based upon FCS's proposed approach. During the work, FCS may, on its sole authority, re-allocate costs among tasks and/or direct costs, as circumstances warrant, so long as the adjustments maintain the total price within its authorized amount.
- The FCS Project Manager will be the primary representative at the project meeting and public hearing.
- Printing costs are based on the method of printing and binding proposed, numbers of copies proposed as work products, and estimated page lengths. Document printing costs are estimated and will be finalized at the time of printing. On further clarification of the documents (paper and/or digital CD) that City staff will need during the preparation effort, FCS will specifically identify a detailed reproduction work plan with more specific costs.

## SCHEDULE

FCS has prepared the following schedule outlining the anticipated timing of each task.

Task	Week	Estimated Date
Receive Notice to Proceed/Begin NOP and Technical Studies	1	September 17, 2018
Submit Administrative NOP to the City	3	October 1
City staff provide comments on Administrative NOP	4	October 8
FCS revises NOP based on comments	5	October 15
Release NOP for Public Review	5	October 17
Scoping Meeting (TBD)	8	November TBD
Close of Public Review Period	9	November 16
Submit Administrative Draft EIR to the City	17	January 15, 2019
Receive City Comments on Administrative Draft EIR	21	February 15
Submit Screencheck Draft EIR to the City	24	March 8
Receive City Comments on Screencheck Draft EIR	26	March 22
Release Draft EIR for Public Review	27	March 29
Close of Public Review Period	33	May 13
Submit Administrative Final EIR and MMRP to the City	36	June 10
Receive City Comments on Administrative Final EIR and MMRP	39	July 1
Submit Screencheck Final EIR and MMRP to the City	41	July 15
Receive City Comments on Screencheck Final EIR and MMRP	42	July 22
Release Final EIR and MMRP	43	July 29
Public Meetings	TBD	TBD

## SCOPE OF WORK

### Task 1: Project Initiation

FCS's Project Manager, **Kelsey Bennett**, and other key team members will meet with City staff (and the applicant team, if appropriate) to clarify and confirm the project description, identify key contacts, discuss scheduling targets, and obtain copies of the project plans and other relevant information. A site visit will be conducted as part of the project initiation process and is assumed to occur on the same day as the kick-off meeting.

Because of the complexities involved in this project, FCS will recommend a schedule for ongoing project team coordination (monthly and/or weekly, as needed) to ensure that issues are discussed and resolved efficiently early in the process.

### Peer Review of Applicant Prepared Reports

The applicant has submitted numerous technical reports. FCS and our subconsultants will review the reports for adequacy and will confirm whether the methodologies used as well as the analysis and recommendations/conclusions are adequate for use in the preparation of the EIR. FCS will identify any scope refinements or additional technical analysis is required.

- FCS will review the reports related to biology and cultural resources.
- WRECO will evaluate reports related to hydrology and water quality
- Ninyo & Moore will review reports related to geology and hazardous materials.

### Task 2: Notice of Preparation

FCS will prepare a Notice of Preparation (NOP) in accordance with requirements of CEQA Guidelines Section 15082. Issuance of the NOP is the first milestone in the CEQA process and announces a lead agency's intent to prepare an EIR. The NOP will identify the project location, provide a summary of the project characteristics, and list probable environmental effects, supported by tables and color graphics. FCS will refine the NOP based on one round of review and comment by the City.

The City will be responsible for distributing the NOP to local agencies and interested parties. Following release of the NOP, this scope of work assumes that the City will hold a public scoping meeting in Pleasanton, which FCS representatives will attend. (Meeting attendance at the scoping meeting is accounted for in Task 11, Meetings/Hearings.) FCS staff will conduct the meeting, presenting project information, answering questions, and summarizing public comment to confirm the scope of the EIR. All public comments received at the scoping meeting will be documented in the Draft EIR.

#### *Deliverables*

- One (1) electronic version of the Administrative NOP to the City of Pleasanton
- One (1) electronic version of the final NOP to the City of Pleasanton
- Fifteen (15) hard copies of the NOP to the State Clearinghouse

### **Task 3: Project Description, Project Objectives, and Alternatives**

FCS will prepare a Draft Project description for review and comment by the City. The Project Description will include a statement of project objectives as well as potential project alternatives that could be evaluated. (Alternatives would be confirmed once the extent of potentially significant impacts are known). FCS will revise the project description based on one round of consolidated comments from the City.

### **Task 4: Administrative Draft EIR**

FCS will prepare an Administrative Draft EIR in accordance with the applicable requirements contained in CEQA Guidelines Sections 15120 through 15132. The Administrative Draft EIR will contain analysis supported by graphics and tables. The document will identify potentially significant impacts, feasible mitigation measures, and the residual significance after mitigation has been implemented. The contents of the Administrative Draft EIR will be as follows:

#### **Executive Summary**

In accordance with CEQA Guidelines Section 15123, the Executive Summary will contain a summary of the project, list the project alternatives, identify areas of controversy, and provide a matrix listing environmental impacts and mitigation measures, and the residual significance of all impacts.

#### **Introduction**

FCS will prepare the introduction including the purpose and background of the project, the determination of the lead agency, scope of the EIR, and the document's organization. The introduction will establish the scope of review of the EIR and identify environmental topics that had been previously evaluated at a sufficient level in the prior rounds of environmental review and, thus, would not need to be re-evaluated.

#### **Project Description**

Pursuant to CEQA Guidelines Section 15124, the project description will identify the project location, describe the project characteristics, list the project objectives, identify necessary approvals, and list other agencies that may use the document. The project description will describe the relationship of the project to the City's General Plan and use tables and color graphics to clearly convey relevant information to the reviewer.

#### **Environmental Setting, Impacts, and Mitigation Measures**

The following specific sections that provide a discussion of environmental setting, impacts, and mitigation measures (if applicable) will be prepared.



## Aesthetics, Light, and Glare

As described below, FCS will evaluate the change in visual character through the use of visual simulations, as well as review of elevations, project plans, and site reconnaissance. Mitigation measures will be proposed if necessary.

## Data Review, Site Reconnaissance and Photography, Review Photographs

FCS will review City policies regarding visual quality in the project area and identify designated visual resources such as topographic features, scenic routes, and prominent publicly accessible locations for visual simulations, such as I-580, Dublin Canyon Road, and the North Ridge Trail in Pleasant Ridge Regional Park.



Prior to conducting fieldwork, FCS will confirm potential viewpoint locations with City staff. FCS will conduct site reconnaissance, and, using a digital single lens reflex (SLR) camera, will photograph the site from key publicly accessible locations such as I-580, Dublin Canyon Road, and Pleasanton Ridge Regional Park. FCS will employ basemap annotation, photo log sheet and GPS recording to document photo viewpoint locations.

FCS will submit a set of simulation review photographs with a viewpoint location map for approval. FCS will coordinate with City staff to select photograph locations. If requested, FCS will attend an optional site meeting to consult with City staff in the field regarding locations (cost not included). The proposed budget includes one site photography trip and a total of up to eight (8) review photographs.

## Visual Simulations

Using digital photographs and advanced computer modeling and rendering techniques, FCS will prepare realistic visual simulations to portray the proposed residential development as seen from selected viewpoints. The simulation images will be presented as before and after views showing the appearance of proposed project features including new houses, and grading as well as access roads and driveways, fencing, and other project elements. The simulations will also show proposed vegetation removal and proposed new landscaping.

A total of up to five (5) simulation viewpoints are included. Digital versions of draft and final visual simulations will be provided. The images will be formatted for printing in color on 8.5 by 11 inch sheets. The simulation viewpoints will be selected in consultation with the project team and City staff. The simulation will be based on project information provided to FCS.

Upon request, as an optional service, FCS can prepare visual simulations from additional viewpoints and/or visual simulations to show a project alternative or a mitigated project. As an additional optional

service, line of sight section drawings to illustrate potential project visibility from selected locations can also be prepared (costs not included).

### **Visual Impact Analysis**

FCS will employ professionally accepted visual analysis methods to develop the EIR visual impact evaluation. The analysis will address CEQA Guidelines for assessing aesthetic impacts. The text will be prepared in a format that is consistent with the FCS document.

The analysis will include a qualitative description of the visual setting illustrated by representative photographs documenting the site's visibility as seen from key public vantage points in the vicinity. Applicable public policies regarding visual quality will be summarized. The evaluation of the project's potential visual impacts will address effects of the proposed residential development, associated grading, and proposed open space areas on the existing visual character of the site and its surroundings. The analysis will focus on views from key locations. Potential light and glare impacts associated with new sources of night lighting will be addressed and recommended aesthetic mitigation measures such as visual screening and increased setbacks will be included, if appropriate. The impact analysis will be supported by a set of computer-generated visual simulations from viewpoints selected in consultation with City staff.

The proposed budget includes up to two review/revision cycles based on minor comments.

### **Requested Data**

Digital drawings are requested in CAD and pdf format:

- Existing site topography with property lines
- Proposed grading for project site
- Proposed site plan showing lot layout, roads etc. (digital and hardcopy format)
- Aerial photograph of site and surrounding area
- Tree survey showing existing trees and proposed tree removal
- Floor plan and elevations drawings for proposed residential buildings
- Information describing exterior colors and materials
- Landscape plan

### **Air Quality/Greenhouse Gas Emissions**

The proposed project contemplates construction and operational activities that would emit criteria air pollutants and greenhouse gas (GHG) emissions. Additionally, the project would emit toxic air contaminants. FCS will prepare the EIR AQ and GHG Emissions sections and identify impacts and mitigation (as appropriate).

The air quality (AQ) and GHG analysis will include an evaluation of short-term (construction) and long-term (operation) impacts. FCS will evaluate short-term (construction) and long-term (operation) impacts. The analysis will follow guidance from the Bay Area Air Quality Management District (BAAQMD) including, but not limited to their CEQA Air Quality Guidelines and personal communications with the air district. The AQ/GHG analysis will be incorporated into the EIR, with the associated model outputs,

assumptions, and calculations provided in the appendices of the EIR. The analysis requires the following tasks.

### **Compile Background Air Quality and Climate Change Information**

The air quality background information will include a description of air pollutants, the factors that influence air quality within the region, existing air quality conditions, and the regulatory environment for air quality. The analysis will briefly describe the health impacts of the various air pollutants. The applicable General Plan policies with respect to air quality will be included as a list.

The GHG background information will include a description of GHGs, a brief discussion of the current state of the science, existing GHG emissions inventories applicable to the project, and the regulatory environment surrounding climate change and potential impacts of climate change. The applicable General Plan policies with respect to GHGs will be included as a list. The City of Pleasanton's Climate Action Plan will be discussed including adopted emission reduction targets (i.e., 15% below 2005 levels by 2020) and applicable emission reductions strategies and measures.

### **Estimate Air Pollutant and Greenhouse Gas Emissions**

Air pollutant emissions associated with construction and operation will be estimated using the most current version of the California Emissions Estimator Model (CalEEMod), which at the time of this writing is Version 2016.3.2. Emissions of the following air quality pollutants will be estimated: reactive organic gases (ROGs), oxides of nitrogen (NO<sub>x</sub>), particulate matter with aerodynamic diameter less than 10 microns (PM<sub>10</sub>), and particulate matter with aerodynamic diameter less than 2.5 microns (PM<sub>2.5</sub>). Construction equipment and vehicles used during project construction would emit air pollutant and GHG emissions as a result of fossil fuel combustion. Earth disturbance activities such as site grading, cut/fill operations, and site preparation would generate fugitive PM dust in the form of PM<sub>10</sub> and PM<sub>2.5</sub> emissions. However, it should be noted that BAAQMD's construction thresholds only apply to exhaust-related PM<sub>10</sub> and PM<sub>2.5</sub>. The average daily construction-related criteria pollutant and ozone precursor (ROG and NO<sub>x</sub>) emissions estimates will be compared with BAAQMD's thresholds of significance. Following construction of the proposed project, long-term operational emissions would be generated by area-, energy-, and mobile-source emissions. FCS will rely on vehicle trip generation data from the traffic study to model mobile source emissions. Long-term daily operational emissions will also be compared with BAAQMD's thresholds of significance to determine impacts. FCS will prepare a Request for Information (RFI) detailing all project construction and operational parameters required to perform the modeling. In the case that project-specific information is not available at the time of the analysis, FCS will work with the project applicant to develop reasonable assumptions, or use CalEEMod defaults. It should be noted that default assumptions typically result in conservative results in order to avoid underestimating emissions when project-specific information is unknown. Following finalization of model assumptions through the RFI, major changes to the project features, design, schedule or other parameter(s) that precipitate revisions to the emissions modeling may warrant a budget augment.

GHG emissions associated with construction and operation of the project will also be estimated using CalEEMod. For the GHG analysis, CalEEMod estimates GHG emissions in units of metric tons of carbon dioxide equivalent (MT CO<sub>2</sub>e), which accounts for the global warming potential of GHGs such as carbon

dioxide, methane, and nitrous oxide. FCS will use BAAQMD thresholds of significance to evaluate the project's construction and operational GHG emissions. In addition, FCS will analyze the project's consistency with the City of Pleasanton's Climate Action Plan as required by CEQA. Changes to the project that occur after completing the modeling analysis that require re-modeling will be considered additional work that is not covered by this scope of work.

### **Assess Odor Exposure**

The analysis will assess odor exposure to nearby residents. The discussion will compare the project to the screening criteria and buffer distances prescribed by BAAQMD and the California Air Resources Board (ARB). FCS will provide a qualitative analysis of the project's potential to generate an odor impact. Based on the project land uses (i.e., residential), it is not anticipated that the project would result in an odor impact.

### **Assess Carbon Monoxide Hotspot Impacts**

FCS will use the BAAQMD's screening criteria for carbon monoxide (CO) hotspots, which is anticipated to be sufficient to dismiss any potential impacts. However, in the case that potential CO hotspots are identified, FCS will use dispersion modeling to quantify impacts according to BAAQMD guidance under a revised scope of work and budget. Quantitative CO Hotspot modeling would be considered additional services, if required.

### **Construction-Related Health Risk Assessment**

Based on the area of land to be disturbed, land uses developed, and proximity to sensitive receptors, FCS anticipates that a construction-related Health Risk Assessment (HRA) will be necessary to evaluate the project's construction-related toxic air contaminant (TAC) emissions. FCS will prepare a construction HRA based on the recommended BAAQMD's Health Risk Assessment Guidelines (HRA Guidelines) (BAAQMD 2016) and Office of Environmental Health Hazard Assessment's (OEHHA) Risk Assessment Guidelines (OEHHA 2015). The following tasks will be required for the construction HRA:

FCS will perform the following tasks as part of this analysis.

- Define what a sensitive receptor is and identify nearby sensitive receptors.
- Identify health risk standards and acceptable cancer and acute and chronic non-cancer risk thresholds from diesel emissions that are detailed in BAAQMD's thresholds of significance.
- The following subtasks will be utilized to perform the construction-related HRA:
  - Calculate the on-site construction equipment diesel equipment PM<sub>2.5</sub> and total organic gases emissions rates that were calculated in the AQ Analysis prepared for the proposed project.
  - Calculate the daily construction truck trip estimates used in the AQ Analysis and calculate each truck trip's PM<sub>2.5</sub> emissions rates through use of the EMFAC2017 model.
  - Model the diesel PM<sub>2.5</sub> concentrations at representative nearby sensitive receptors associated with the on-site construction equipment and off-site truck emissions up to 1,000 feet from the project site through utilization of the AERMOD model, using the emissions rates provided in the previous steps and the methodology described in the HRA Guidelines.

- Utilize the prior subtask's calculated toxic air emission levels to calculate the cancer risk and the chronic and acute non-cancer health impacts at the nearby sensitive receptors from the proposed construction site.

FCS will incorporate the results of the HRA in the EIR, while detailed methodology, assumptions, and other technical modeling data will be included in the appendix of the EIR.

### **Operational Health Risk Screening**

The BAAQMD also recommends that the analysis include an evaluation of toxic air contaminants associated with siting a new sensitive receptor (such as residential land uses). Therefore, FCS will also include a screening analysis of toxic air contaminants and PM<sub>2.5</sub> sources, such as Interstate 580, located within a 1,000-foot radius of the proposed project site. FCS assumes that dispersion modeling and an operational HRA will not be warranted to identify and quantify the potential cumulative health risks during project operations. An operational HRA would be considered additional services, if required.

### **Significance Findings/Mitigation Measures**

FCS will make a significance finding before and after mitigation for potential impacts. If the project exceeds criteria pollutant or GHG thresholds of significance, FCS will identify mitigation measures that would reduce criteria pollutants and/or GHG emissions to a less-than-significant level. When possible, mitigation measures will be quantified for their emission reduction potentials using, but not limited to CalEEMod's mitigation component, California Air Pollution Control Officer Association (CAPCOA) guidance, and BAAQMD guidance. Any design features and mitigation measures included in the project will be discussed in the analysis.

### **Biological Resources**

The applicant prepared reports confirm that the site supports several special status species and habitats, including Congdon's tarplant, California red-legged frog, Alameda whipsnake, golden eagle, western burrowing owl, and American badger. FCS will review and summarize the analysis and conclusions and will work proactively, where feasible, to suggest ways to avoid or reduce impacts to these identified resources. FCS will prepare the EIR Biological Resources section, summarizing the impacts identified in the existing biological reports, and will include mitigation where needed to avoid or reduce potential impacts.

## Cultural Resources

The project site contains undeveloped land and, thus, construction activities have the potential to encounter buried resources. FCS will prepare the EIR Cultural Resources section and identify impacts and mitigation (as appropriate) using the historic architecture report prepared by Ward Hill, and the Basin Research Associates Archaeological Report. Neither of the existing residences appear eligible for listing on any national, state, or local register.



11021 Dublin Canyon Road



11033 Dublin Canyon Road

## Geology and Soils

Ninyo & Moore will evaluate the proposed slope stabilization and building pad preparation methodologies as outlined in the Cornerstone reports, to ensure that the proposed techniques are consistent with best practices. Mitigation measures including specific grading and shoring practices for foundation design will be identified, where needed.

## Hazards and Hazardous Materials

FCS will evaluate hazardous materials using readily available sources of information about hazardous materials usage in the project vicinity (e.g., the Geotracker database) and through review of project plans. FCS will also evaluate impacts associated with emergency response and evacuation through review of the applicant-prepared traffic study, site reconnaissance, and review of project plans. FCS will identify impacts and mitigation (as appropriate).

## Hydrology and Water Quality

The Project will involve land disturbance of 31.60 acres and creation and/or replacement of 6.22 acres (271,000 square feet) of impervious surfaces, which have the potential to increase sediment and pollutants in stormwater runoff to nearby Dublin Creek and Devany Canyon Creek, a tributary to Dublin Creek.

WRECO will use information provided by the applicant about proposed storm drainage facilities and water quality treatment measures. WRECO will also review readily available sources of information about surface water features, groundwater resources, municipal storm drainage facilities, and flood hazard areas. According to the Alameda County Watersheds Interactive Map, created by the Alameda County Flood Control and Water Conservation District, these creeks are part of the Alamo Canal

Watershed. Dublin Creek and Devany Canyon Creek do not have listed impairments; however, Dublin Creek and its tributaries have existing beneficial uses of warm freshwater habitat, wildlife habitat, water contact recreation, and water non-contact recreation. Temporary best management practices (BMPs), such as temporary erosion and sediment control, delineation of natural and/or sensitive areas, and site management, will be required to reduce sediment and pollutants to the creeks during construction.

Site design measures include directing runoff from roofs and sidewalks to vegetated areas, minimizing land disturbance and impervious surface, maximizing permeability, using micro-detention areas, protecting sensitive areas, implementing self-treating areas, and implementing self-retaining areas. Source control measures would be provided for storm drains, landscaping, outdoor equipment/materials storage, fire sprinklers, and miscellaneous drain/wash water. Applicable low impact development (LID) measures for the Project to treat the new impervious surfaces include bioretention areas. The Project creates and/or replaces more than 1 acre of impervious surface and is within a white area with natural creeks designated by the Alameda County Clean Water Program's (ACCWP) as susceptible to hydromodification. Therefore, the Project is required to implement hydromodification management measures. The LID measures can also be used as hydromodification management measures and will adhere to the stormwater treatment and hydromodification management design criteria in the ACCWP's C.3 Stormwater Technical Guidance and applicable requirements from the City of Pleasanton.

WRECO will perform a peer review of the documents for the Municipal Regional Permit (MRP) C.3 stormwater treatment best management practices (BMP) compliance and risk level assessment for compliance with the Construction General NPDES Permit. This includes review of BMPs sizing and any hydromodification analysis performed.

## Land Use

FCS will evaluate the project for consistency with the City of Pleasanton General Plan, including Measures PP, QQ, and open space policies identified in the Land Use and Open Space Elements. FCS will also evaluate the proposed conversion of lands currently designated Public Health and Safety to confirm whether the proposed conversion would be consistent with the intent of relevant policies.

## Noise

The proposed project contemplates construction and operational activities that could potentially expose surrounding land uses to excessive noise and vibration levels. Of particular concern are temporary increases in ambient noise levels during construction and permanent increases in ambient noise levels for operational activities (e.g., vehicle trips, truck deliveries, mobile and stationary equipment, etc.). FCS will prepare a Noise Analysis to evaluate the impacts of project-related construction and operational noise on surrounding land uses. The analysis will be wholly contained in the EIR and the supporting technical data will be appended. To perform this analysis, the following tasks are required.

## Background Information

The general characteristics of sound and the categories of audible noise will be described. The regulatory framework related to noise, including applicable City and County plans, policies, and standards will be

summarized. Impacts will be compared to the applicable standards based on the jurisdictional location of impacted sensitive receptors. The existing noise environment will be documented through traffic noise modeling and ambient noise measurements. Up to three (3) short-term and one (1) long-term ambient noise measurements will be conducted on the project site. The purpose of the noise monitoring effort is to establish the existing noise environment for comparison to the City's land use compatibility standards.

### **Construction Noise Impact Analysis**

Construction of the project would require the short-term operation of heavy equipment in the vicinity of nearby residential and church land uses. EPA recommended noise emission levels will be used for the construction equipment. The construction noise impact will be evaluated in terms of maximum levels ( $L_{max}$ ) or hourly equivalent continuous noise levels ( $L_{eq}$ ) and their frequency of occurrence. Noise analysis requirements and thresholds of significance will be based on the sensitivity of the project area and the applicable (City or County) noise ordinance specifications.

### **Operational Noise Impact Analysis**

A quantitative assessment of long-term operational noise impacts related to existing and project-related vehicular trips will also be performed. Transportation noise in the project area is primarily associated with traffic along Interstate-580. Traffic noise impacts will be assessed using the FHWA Traffic Noise Prediction Model (FHWA-RD-77-108). Required model input data include without- and with-project average daily traffic volumes on adjacent roadway segments, day/night percentages of autos, medium and heavy trucks, vehicle speeds, ground attenuation factors, and roadway widths. Projections of the future traffic Community Noise Equivalent Level (CNEL) along selected roadway segments, based on the traffic study to be prepared for the project, will be provided in a table format to show the distance/contour relationship. Traffic noise impacts will be analyzed for comparison to the City's land use compatibility standards and whether the project would result in a permanent substantial increase in traffic noise levels in the project vicinity.

Potential long-term operational noise impacts from project-related stationary noise sources, such as new residential mechanical ventilation system operations, will also be evaluated in comparison to the applicable (City or County) stationary source noise performance thresholds.

### **Summarize Noise Reductions and Significance Findings**

Mitigation measures designed to reduce short- and long-term noise impacts will be identified where appropriate. Both an evaluation of the potential mitigation measures and a discussion of their effectiveness will be provided. This technical analysis for potential noise impacts will be directly incorporated into the EIR, with noise monitoring readouts and modeling data being placed in the Appendices. This task does not include the preparation of a separate, standalone technical noise study.

### **Public Services and Utilities**

The Project includes the development of 33 single family residential units which will require new water and sanitary sewer services. There are some known water delivery deficiencies that are currently being studied by the applicant in greater detail.



The proposed pad elevations range from 446 feet to 594 feet. According to the City's Water Distribution System Master Plan Update (November 2004), the water pressure at all building pads must be 40 psi or more during peak hour demand. Additionally the fire marshal has stated that the fire hydrant flow for the Project must be 1,500 gallons per minute. It is currently believed that the Project will be served by the Dublin Canyon water pressure zone and the Moller 770 water pressure zone.

For the CEQA review, Ninyo & Moore will review the applicant's evaluation of water supply and distribution and associated recommendations for system improvements. FCS will evaluate impacts on public service and utility providers and evaluate the proposed project's impacts in terms of the need to construct new or expanded existing facilities, acquire additional supplies, generate effluent that exceeds the permitted capacity, etc. FCS will use information provided by the applicant about proposed utility demands and facilities. For other areas, FCS information provided by the City of Pleasanton and service/utility providers about service levels, the adequacy of existing infrastructure, and similar topics.

WRECO will review the Project plans for the water main and sanitary sewer systems being prepared by the applicant. The review will be to check for conformance to regulatory requirements and City standards.

## Transportation

As noted in the RFP, TJKM, will prepare a traffic impact analysis for use in preparing the EIR. Accordingly, FCS will summarize the analysis and will include any recommendations as mitigation measures. The following activities are proposed by TJKM:

### 1. Existing conditions

- a. Conduct field review of traffic conditions and field conditions
- b. Obtain a.m. and p.m. peak hour counts at study intersections
  - Dublin Canyon Road at Schaefer Ranch Road
  - Dublin Canyon Road at Canyon Creek/East Project access
  - Dublin Canyon Road at Canyon Meadows entrance
  - Dublin Canyon Road at Foothill Road
  - Foothill Road at I-580 EB ramps
  - Foothill Road at I-580 WB ramps
  - Foothill Road at Stoneridge Drive
  - Stoneridge Drive at Stoneridge Mall Road
  - Stoneridge Drive at I-680 SB ramps
  - Stoneridge Drive at I-680 NB ramps
- c. Obtain 24 hour counts on Dublin Canyon Road near project site
- d. Calculate existing a.m. and p.m. level of service at study intersections
- e. Evaluate collision history on Dublin Canyon Road near project site

### 2. Project conditions

- a. Determine trip generation for both residential and EBRP staging areas
- b. Determine trip distribution and assignment for project traffic
- c. Calculate intersection LOS conditions for the following scenarios

- Existing
  - Existing plus project
  - Existing plus background (approved & pending projects)
  - Existing plus background plus project
  - Cumulative
  - Cumulative plus project
- d. Calculate daily forecasts on Dublin Canyon Road for above scenarios
- 3. Site circulation and related issues**
- a. Evaluate pedestrian, bicycle and transit impacts related to the project.
  - b. Evaluate adequacy of circulation and parking for residential site and EBRP staging area.
  - c. Provide conceptual recommendations for striping and signing along Dublin Canyon Road near the project. Indicate where, if any, pavement widening is required to accommodate any revised striping. Consider both project traffic issues and collision history in the area.
  - d. Determine project-related VMT.
- 4. Report**
- a. Using City of Pleasanton significance criteria, determine any significant impacts and appropriate mitigation measures. Identify Project fair share requirements for mitigation measures.
  - b. Prepare administrative draft free-standing traffic impact study for project
  - c. After receiving comments, prepare final traffic study for project
  - d. Provide any requested review and comments on CEQA document traffic section prepared by others.
  - e. Respond to CEQA document comments T&M basis.

## Cumulative Effects

In accordance with CEQA Guidelines Section 15130, the EIR will address the cumulative effects of the proposed project in combination with other projects. As set forth in the CEQA Guidelines, the cumulative analysis will focus on impacts to which the project has made a significant incremental contribution. The analysis will reflect the severity of the impacts and their likelihood of occurrence, and will be guided by standards of practicality and reasonableness.

## Alternatives

Pursuant to CEQA Guidelines Section 15126.6, the EIR will evaluate a range of feasible alternatives to the proposed project. One of the alternatives will be the CEQA-mandated “No Project Alternative,” which is the circumstance under which the project does not proceed. FCS will evaluate up to two additional alternatives, likely consisting of a reduction in project size or potentially a refinement of proposed residential lot locations to better comply with City policies. In addition, the Alternatives section will address the feasibility of an alternative location, as well as any alternatives that were initially considered but rejected from further consideration.

## Effects Found not to be Significant

CEQA Guidelines Section 15143 establishes that EIRs shall focus on significant impacts on the environment and need not discuss in detail effects that are clearly insignificant or unlikely to occur (e.g., aviation safety risks). Topics that will be addressed include agriculture and forestry resources; geology, soils, and seismicity; mineral resources; population and housing, and recreation.

## Other CEQA Required Sections

This section will address the CEQA-required issues of significant environmental effects that cannot be avoided (CEQA Guidelines Section 15126(b)), significant irreversible environmental changes (CEQA Guidelines Section 15126(c)), growth inducement (CEQA Guidelines Section 15126(d)), and energy conservation (CEQA Guidelines Appendix F).

## Persons and Organizations Consulted/List of Preparers

In accordance with CEQA Guidelines Section 15129, the EIR will identify all agencies, organizations, and individuals consulted during the preparation of the document, as well as the agency representatives and firms that were involved with EIR preparation.

## References

This section will list all resources used in the preparation of the EIR.

## Technical Appendices

Pursuant to CEQA Guidelines Section 15147, supporting technical information will be appended to the EIR as technical appendices. This includes but is not limited to technical studies, modeling data, and correspondence.

### *Deliverables*

- Ten (10) hard copies of the Administrative Draft EIR to the City
- One (1) electronic version of the Administrative Draft EIR to the City

## Task 5: Screencheck Draft EIR

Upon receipt of final City staff comments on the Administrative Draft EIR, FCS will prepare a Screencheck Draft EIR that shows edits in track changes.

### *Deliverable*

- One (1) electronic version of the Screencheck Draft EIR to the City

## Task 6: Draft EIR

Upon receipt of final City staff comments on the Screencheck Draft EIR, FCS will proceed with finalizing and producing the Draft EIR for public review. This task assumes technical staff time to complete revisions to the Draft EIR, plus editing and administrative staff time to prepare the document for publication. If additional hours are required, we will prepare a budget augment to cover the actual level of effort.

FCS will provide copies of the Draft EIR to the City and prepare for and attend a public meeting to receive comments on the Draft EIR. FCS will provide copies of the Draft EIR to the State Clearinghouse, which will distribute the document to state agencies. FCS will also prepare the NOC that will be provided to the State Clearinghouse as part of this task. Finally, this scope of work assumes that City staff will prepare and mail the Draft EIR Notice of Availability to local agencies and interested parties.

#### *Deliverables*

- Fifty (50) hard copies (appendices on CD) and one (1) electronic version of the Draft EIR (including appendices) to the City for circulation
- Fifteen (15) Executive Summary hard copies and fifteen (15) CDs of the Draft EIR and the signed NOC form to the State Clearinghouse

### **Task 7: Administrative Final EIR**

FCS will prepare an Administrative Final EIR in accordance with the applicable requirements contained in CEQA Guidelines Sections 15088 and 15089. The Administrative Final EIR will list all agencies, organizations, and individuals who submitted written comments on the Draft EIR during the public review period and provide written responses to those comments. To enhance readability and avoid redundancy, FCS will use Master Responses to address frequent and reoccurring comments on the Draft EIR's analysis. Additionally, the Administrative Final EIR will contain an Errata, which will document minor changes to the Draft EIR text in strikeout-underline format.

We have budgeted 80 hours of FCS staff time (including technical, editing, and administrative personnel) for this task. Together with the City, FCS will evaluate the volume and complexity of comments received on the Draft EIR. If additional time is required beyond what is budgeted, FCS will prepare a budget augment to cover the actual level of effort.

#### *Deliverables*

- Ten (10) hard copies of the Administrative Final EIR to the City
- One (1) electronic version of the Administrative Final EIR to the City

### **Task 8: Screencheck Final EIR**

Once City staff provides comments on the Administrative Final EIR, FCS will prepare a Screencheck Final EIR that shows edits in track changes.

#### *Deliverable*

- One (1) electronic version of the Screencheck Final EIR to the City

### **Task 9: Final EIR**

Once City staff provides final comments on the Screencheck Final EIR, FCS will proceed with finalizing and producing the Final EIR for public review. This task assumes technical staff time will be required to complete revisions to the Final EIR, plus editing and administrative staff time to prepare the document

for publication. If additional hours are required, we will prepare a budget augment to cover the actual level of effort. FCS will provide copies of the Final EIR to the City, which will be responsible for local distribution, noticing, and posting. FCS will send copies of the Final EIR directly to state agencies that commented on the Draft EIR. Finally, this scope of work assumes that City staff will prepare and mail all notices associated with the Final EIR to local agencies and interested parties.

#### *Deliverables*

- Fifty (50) hard copies (appendices on CD) and one (1) electronic version of the Final EIR (including appendices) to the City
- One (1) CD of the Final EIR to each public agency that commented on the Draft EIR (FCS will be responsible for this task)

### **Mitigation Monitoring and Reporting Program**

FCS will prepare a comprehensive Mitigation Monitoring and Reporting Program (MMRP), pursuant to CEQA Guidelines Section 15097. The MMRP will contain all mitigation measures identified in the EIR. This comprehensive MMRP will provide City staff with a single source of reference to the full range of mitigation measures to be implemented. For each measure or group of similar measures, the agency responsible for ensuring proper implementation will be identified, along with the timing and method of verification. Copies of the MMRP will be included in the Final EIR submittal.

#### *Deliverable*

- One (1) electronic version (PDF format) of the MMRP to City

### **Notice of Determination**

FCS will prepare the Notice of Determination (NOD) and provide it to City staff or applicant for filing with the Alameda County Clerk's Office within five business days of EIR certification. As indicated in this scope of work, City staff or the applicant will be responsible for filing the NOD and paying the associated filing fees.

#### *Deliverable*

- One (1) electronic version (PDF format) of the NOD to the City

### **Task 10: Findings of Fact/Statement of Overriding Considerations**

FCS will prepare the Findings of Fact/Statement of Overriding Consideration pursuant to CEQA Guidelines Sections 15091 and 15093. The Findings of Fact will provide a brief rationale for each significant effect that can be mitigated to a less-than-significant level. If the EIR identifies one or more significant unavoidable impact, a Statement of Overriding Considerations will be prepared that outlines the economic, legal, social, technological, or other benefits of the project that outweigh its environmental consequences.

#### *Deliverable*

- One (1) electronic version (Word format) of the Findings of Fact/Statement of Overriding Considerations to the City

### **Task 11: Meetings/Hearings**

FCS will meet by phone with City staff during the EIR preparation process to discuss and resolve problems, develop strategies, and participate in communications. This proposal and its associated budget cover attendance by FCS's Project Director or Project Manager at 10 meetings/hearings. These meetings include but are not limited to the following:

- Kick-off meeting
- Scoping meeting
- Meeting to discuss scoping comments
- Meeting to discuss city comments on the ADEIR
- Planning Commission meeting on Draft EIR
- Meeting to discuss public comments received on Draft EIR
- Planning Commission Hearing(s)
- City Council meeting(s)

This task also covers conference calls. A not-to-exceed budget has been established to cover meeting attendance. If City staff requests additional meeting attendance by FCS staff, or if the amount of time involved in these meetings exceeds the initial budget allocation, FCS will notify city staff of the additional costs and obtain authorization for the extra meeting time.

### **Task 12: Project Management**

In addition to the research, analysis, communications, and report writing tasks described above, FCS will perform a variety of project management duties to ensure that the EIR meets the City's standards of quality, and that it is delivered on time and within budget. These duties will include team supervision and coordination, oral and written communications with City staff, project accounting, and quality assurance review by FCS's Project Director and Technical Editor of all deliverable products. These services also will include ongoing support to City staff, such as providing input to staff reports, regular schedule updates, and discussions of technical issues. This task assumes 70 hours of staff time.

### **Tasks Outside of Scope of Work**

Below are tasks FCS has identified as being outside of its scope of work for the proposed project.

#### **Newspaper Noticing**

FCS assumes that City staff will prepare and coordinate publication of any newspaper notices associated with the EIR.

## Notice of Determination Filing/Payment of Fees

FCS assumes that City staff or the applicant will file the NOD with the Alameda County Clerk's Office within five business days of project approval. The purpose of the NOD filing is to limit the legal challenge period to 30 days. If the NOD is not filed within five business days of project approval, the legal challenge period defaults to 180 days.

The NOD filing requires payment of the CDFW CEQA filing fee (currently \$3,168) and a County handling fee (currently \$50). This scope of work assumes that the applicant will be responsible for paying these fees.

## Scope of Work Modifications

FCS assumes a stable and complete project description and project plan set at project initiation. In the event that the project description and/or scope of work change to a degree that alters the fee estimate, FCS will contact City staff in writing to submit a revised fee for mutual agreement, and a contract amendment will be processed. Requests for additional work will be documented, and a completion timetable and estimated fee will be submitted for City approval.

## BUDGET

FCS has prepared a breakdown of total cost by staff and by task.

As requested, the budget includes a 15% contingency.

Additional meeting cost is \$500, assuming attendance at a 2-hour meeting by the Project Manager and one additional team member (technical team member, project director, etc).

Table 1. Cost Estimate for Lester Project / Hidden Canyon

Task	Employee Name Career Role	FCS Staff																	Subconsultant					Reimbursables	Total w/o Direct Expense				
		M. Bean Director	K. Bennett Senior Project Manager	L. Baskir Assistant Project Manager	P. Ault Senior Noise Scientist	J. Paukovits Sr. AQ Project Manager	K. Johnson Air Quality Analyst	Y. Kam Senior Graphic Designer	B. Mayerle Senior Scientist Biology	R. Carroll Scientist I	D. DePietro Senior Archaeologist	S. Plgnotti Analyst II	K. McCracken GIS Specialist	E. Rodriguez Word Processor	S. Harris Proposal Manager	M. Starr Attorney	M. Chatelle Analyst	E. LJ Air Quality Scientist	FCS Labor Total	WRECO	Ninyo & Moore	TJKM	Subconsultant Total						
Task 1: Initiation and Peer Review of Reports		2	4	4	2	2	2																						
Task 2: Initial Study and NOP		2	6	12																									
Task 3: Project Description			12	24																									
Task 4: Admin DEIR		6	16	50	7	8	35	60	2	8																			
Task 5: Screencheck EIR		4	20	20		2	10																						
Task 6: Public Draft EIR			8	8																									
Task 7: Admin FEIR		6	12	20																									
Task 8: Screencheck FEIR		4	6	10																									
Task 9: Final EIR and MMRP			2	4																									
Task 10: Findings of Fact, Statement of Overriding Consi																													
Task 11: Meeting Attendance		8	32	20																									
Task 12: Project Management			20	40																									
Task 13: Additional Visual Simulations								40																					
Total Hours		32	138	212	9	12	47	100	4	8	2	292	14	50	39	50	50	50											
FCS 2018 Billing Rates		260	195	110	180	210	100	160	180	120	180	90	125	95	60	175	70	125											
<b>Subtotals</b>		<b>\$8,320</b>	<b>\$26,910</b>	<b>\$23,320</b>	<b>\$1,620</b>	<b>\$2,520</b>	<b>\$4,700</b>	<b>\$16,000</b>	<b>\$720</b>	<b>\$960</b>	<b>\$360</b>	<b>\$26,280</b>	<b>\$1,750</b>	<b>\$4,750</b>	<b>\$2,340</b>	<b>\$8,750</b>	<b>\$3,500</b>	<b>\$6,250</b>	<b>\$139,050</b>	<b>\$6,600</b>	<b>\$6,600</b>	<b>\$34,650</b>	<b>\$47,850</b>	Reimbursables	<b>\$186,900</b>				
<b>Direct Expenses</b>																													
Reproductions																													
Equipment Rental																													
Postage and Delivery																													
Travel, Auto, incld. Mileage at current IRS rate (.535/mile)																													
General Direct Expense																													
<b>Direct Expense Subtotal</b>																													
<b>Subtotal price</b>																													
<b>15% Contingency</b>																													
<b>Total price</b>																													



## Assumptions

The assumptions used in calculating the above fees are:

- The fee is valid for up to 30 days from the date of this scope, after which it may be subject to revision.
- City staff will be responsible for distribution of public review documents.
- This price is based upon completion of the work within the proposed schedule. If delays occur, an amendment of the price would be warranted to accommodate additional project management and other costs, and to reflect adjustments for updated billing rates.
- Costs have been allocated to tasks, based upon FCS's proposed approach. During the work, FCS may, on its sole authority, re-allocate costs among tasks and/or direct costs, as circumstances warrant, so long as the adjustments maintain the total price within its authorized amount.
- The FCS Project Manager will be the primary representative at the project meeting and public hearing.
- Printing costs are based on the method of printing and binding proposed, numbers of copies proposed as work products, and estimated page lengths. Document printing costs are estimated and will be finalized at the time of printing. On further clarification of the documents (paper and/or digital CD) that City staff will need during the preparation effort, FCS will specifically identify a detailed reproduction work plan with more specific costs.

## SCHEDULE

FCS has prepared the following schedule outlining the anticipated timing of each task.

Task	Week	Estimated Date
Receive Notice to Proceed/Begin NOP and Technical Studies	1	September 17, 2018
Submit Administrative NOP to the City	3	October 1
City staff provide comments on Administrative NOP	4	October 8
FCS revises NOP based on comments	5	October 15
Release NOP for Public Review	5	October 17
Scoping Meeting (TBD)	8	November TBD
Close of Public Review Period	9	November 16
Submit Administrative Draft EIR to the City	17	January 15, 2019
Receive City Comments on Administrative Draft EIR	21	February 15
Submit Screencheck Draft EIR to the City	24	March 8
Receive City Comments on Screencheck Draft EIR	26	March 22
Release Draft EIR for Public Review	27	March 29
Close of Public Review Period	33	May 13
Submit Administrative Final EIR and MMRP to the City	36	June 10
Receive City Comments on Administrative Final EIR and MMRP	39	July 1
Submit Screencheck Final EIR and MMRP to the City	41	July 15
Receive City Comments on Screencheck Final EIR and MMRP	42	July 22
Release Final EIR and MMRP	43	July 29
Public Meetings	TBD	TBD



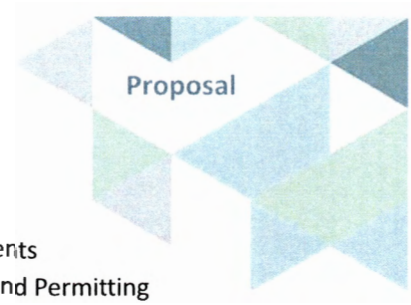
## CONSULTANT TEAM DESCRIPTION OF QUALIFICATIONS

### FirstCarbon Solutions

Founded and incorporated in the State of California in 1982, FCS International, Inc., doing business as FirstCarbon Solutions (FCS), is a California Corporation (California Corporation #1162594) that has provided hundreds of local government, state and federal agencies, and private development clients with environmental services. We have prepared a full range of CEQA documents for a variety of projects, including residential subdivisions, planned communities, mixed-use, retail, industrial, commercial, golf courses, transportation facilities, schools, theaters, landfills, dams, reservoirs, cemeteries, churches, correctional facilities, and waste treatment facilities. In addition to environmental planning services, we also provide air quality and GHG analysis, noise analysis, regulatory compliance, natural resources management and biological services, cultural resources management and archaeological services, and sustainability planning services. FCS serves clients in the Western United States with a staff of more than 100 professionals from offices located in Walnut Creek, Rocklin, Fresno, San Bernardino, Los Angeles, and Irvine (HQ). If selected, FCS staff will be able to respond immediately to the City from our Walnut Creek office.

Below is a list of FCS’s broad-based environmental services that are relevant to the needs of the City:

- Air Quality and GHG Emissions Analyses
- Archaeological Surveys, Testing, and Salvage
- Biological Surveys and Assessment
- CEQA/National Environmental Policy Act (NEPA) Documentation
- CAPs
- Cultural Resources Evaluations (Section 106)
- Development Applications and Entitlements Processing
- Due Diligence Assessments
- Environmental Documentation
- Expert Witness Testimony, Peer Review, and Consensus Building
- Fugitive Dust Control and Construction Mitigation Plans
- Geographical Information Systems (GIS)
- Green Building/Leadership in Energy and Environmental Design
- Habitat Characterizations, Mapping, and Impact Analyses
- Hazardous Materials Risk Analyses
- HRAs
- Historic Property Survey Reports
- Legislative and Policy Analyses
- Mitigation Monitoring Plans/Programs
- Native American Consultation
- Noise Analyses
- Opportunities and Constraints Analyses
- Paleontological Surveys and Salvage
- Permit Processing (Clean Water Act [CWA] 404, CWA 401, Fish and Game Code 1600, Endangered Species Act [ESA] Section 7)
- Phase I Environmental Site Assessments
- Project Review and Processing Services
- Proponent’s Environmental Assessments
- Public Outreach (CEQA Noticing, Mailing Lists, Scoping Meetings)
- Regulatory Compliance Assistance
- Renewable Energy Site Assessments
- Sensitive Species Investigations
- Special-Status Species Surveys
- Specific Plans
- Site-Specific Community Planning
- Sustainable Community Analyses
- Transportation Corridor Analyses
- Wastewater Analyses



- Historic Resources Compliance Reports
- Indirect Source Review Applications
- Water Supply Assessments
- Wetlands Delineation and Permitting
- Zoning Compliance and Permits

### **Ninyo & Moore, Inc. (Geology and Soils)**

Established in 1986, Ninyo & Moore, Inc. (Ninyo & Moore) is one of the largest firms in the Western United States specializing in Geotechnical Engineering, Geologic Hazards Assessments, Environmental Engineering, Engineering Geology, and Materials Testing and Inspection Services. For the last 31 years, Ninyo & Moore has grown to a staff of 439 with 16 offices located throughout the Western United States. In the San Francisco Bay Area, the firm has offices in Oakland, San Jose, and San Francisco. The firm's work has been historically focused on the public sector.

Ninyo & Moore has successfully provided Geotechnical Services for many municipal, state, county, local, and federal agencies; school districts; and universities in accordance with applicable state, federal, and local government regulations and/or guidelines. The firm has worked closely with many of the Bay Area cities to perform geotechnical engineering services for slope stabilization, pavement rehabilitation, streetscape, retaining walls, parks, libraries, and public buildings.

Ninyo & Moore's primary goal is to deliver high-quality and responsive services; a philosophy that has contributed to the firm's growth and client satisfaction since 1986. Ninyo & Moore has successfully completed numerous projects for public works agencies in cities throughout Northern California in accordance with applicable federal, state, and local government regulations and guidelines.

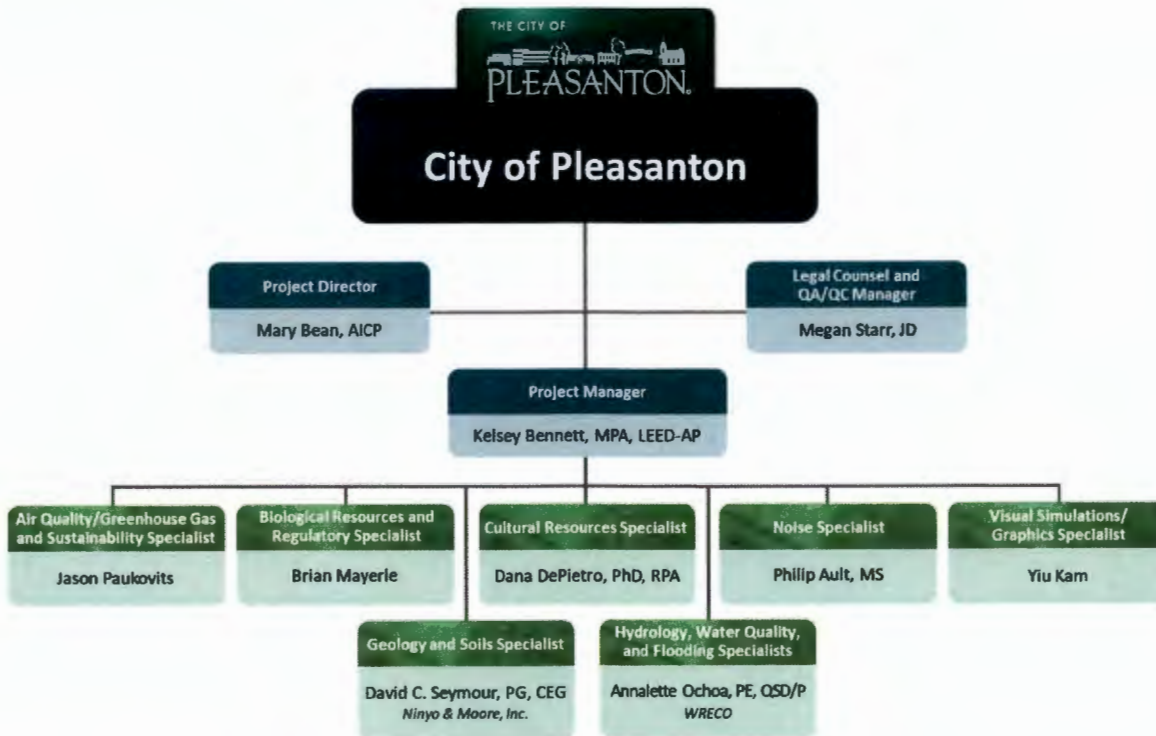
### **WRECO (Hydrology, Water Quality, and Flooding)**

WRECO is a small business and a minority-owned engineering consulting firm (California Unified Certification Program Disadvantaged Business Enterprise [DBE] No. 30066). The firm resolves sophisticated engineering and environmental problems in local communities, watersheds, streams, wetlands, estuaries, and coastal areas with feasible and cost-effective solutions. The firm was founded in 1995 and incorporated in 1996 as a standard California "C" corporation.

By offering a diverse line of services, including an in-house materials testing lab, WRECO is able to streamline project delivery to give the best value to the firm's clients. WRECO is composed of exceptional professional civil engineers, hydraulic engineers, geotechnical engineers, hydrologists, biologists, geologists, environmental scientists, water quality specialists, Qualified Storm Water Pollution Prevention Plan Developers and Practitioners, Qualified Industrial Stormwater Practitioners, CASQA-qualified National Pollutant Discharge Elimination System Construction General Permit Trainers of Record, and CADD technicians. WRECO's proposed staff is available and committed to the successful completion and timely delivery of the project.

## Organization Chart

Our proposed management structure is illustrated in the organization chart below. FCS would supplement our identified team with key specialty subcontracting firms providing particular technical expertise if/when relevant and necessary to meet the City’s project and technical needs.



## Project Team Expertise

### Project Director

**Mary Bean, AICP**, has more than 20 years of experience managing the preparation of CEQA and NEPA documents in both the public and private sectors. She is knowledgeable about a broad range of environmental topics, backed by her experience in the field, research, technical writing, and planning. She specializes in leading interdisciplinary teams in the preparation of technical studies that support environmental clearance at the local, state, and national levels. Her depth of experience allows her to be particularly effective in strategizing with clients about the most efficient approach to environmental review.

### Project Manager

**Kelsey Bennett, MPA, LEED-AP**, is an experienced Environmental Project Manager with 17 years of experience in assisting jurisdictions and companies in complex environmental compliance undertakings. Ms. Bennett specializes in preparing environmental documents that adhere to CEQA and NEPA requirements. She is also familiar with California Assembly Bill 32, the Clean Air Act, the CWA, the Coastal Zone Management Act, the ESA, the National Historic Preservation Act (NHPA), planning/zoning



laws, adopted and proposed climate change legislation, and other Federal, State, and local environmental mandates. With her in-depth knowledge and expertise in environmental compliance, Ms. Bennett has authored sustainability, environmental, and renewable energy policy briefs and recommendations. She offers strong planning and analytical skills with experience in a broad range of multifaceted projects, including proposed campus (academic and health care), GHG reduction, sustainability planning, residential, mixed-use, commercial, industrial, civic, institutional, infrastructure, transportation, redevelopment, and general/specific plan projects.

### **Legal Counsel and Quality Assurance/Quality Control Manager**

**Megan Starr, JD**, is a licensed Attorney who has extensive experience in providing support and direction to multiple stakeholders on large projects involving state and federal environmental laws, including CEQA, the ESA, the Migratory Bird Treaty Act (MBTA), the NHPA, the Clean Air Act, and the CWA. She has represented a wide variety of public agencies, including cities, counties, school districts, community services districts, transportation agencies, and water districts, with environmental and land use planning. Ms. Starr has also assisted in the preparation of numerous environmental documentations, including EIRs/Environmental Impact Statements, Multiple Species Habitat Conservations Plans (MSHCPs), Categorical Exclusions, Findings of No Significant Impact, Negative Declarations, and MMRPs. Aside from legal counsel services, she has served as a CEQA Guidelines Project Manager; she was responsible for all aspects of preparing and distributing custom environmental guidelines and forms on an annual basis for more than 60 different public agencies. She has also participated in committees and extracurricular activities with individuals from diverse social and cultural backgrounds, and she conducts seminars and lectures on environmental and legal issues at schools and municipal and professional organizations.

### **Air Quality/Greenhouse Gas and Sustainability Specialist**

**Jason Paukovits** is an Air Quality, GHG, and Global Climate Change Planning Specialist with more than 19 years of experience working on a diverse range of construction, residential, commercial, industrial, and transportation projects. He specializes in CEQA and NEPA documentation and in offering long-range planning and mitigation strategies associated with air quality, climate change, and energy impacts. He has a broad background in environmental analysis, project management, contract administration, regional planning, and project-specific review. Through his work as both a consultant and government employee, Mr. Paukovits has significant experience with agency coordination and local, state, and federal environmental and planning regulations. For example, he managed air quality planning and policy development for the eight San Joaquin Valley metropolitan planning organizations and led the development of the 2007 Regional Transportation Plan for Fresno County, including the management of the EIR, staff activities, and coordination with state and federal agencies. Mr. Paukovits was also responsible for contract administration; compliance with local, state, and federal mandates; conformity analyses; and management of the Congestion Mitigation and Air Quality grant program. In addition, he coordinated the development of GHG policies for the Fresno Council of Governments with the California Attorney General's office and local jurisdictions.

### Biological Resources and Regulatory Specialist

**Brian Mayerle** is an experienced Ecologist and Environmental Consultant with more than 27 years of professional experience in natural resources assessment and regulatory analysis for projects located throughout the Western United States. He is a well-versed regulatory project manager and an expert in the provisions of Sections 10, 401, and 404 of the federal CWA; the CDFG Codes; CEQA; NEPA; the federal MBTA; and the State of California and Federal ESAs. He is also extensively experienced with numerous local ordinances, policies, and guidelines protecting natural resources in California and with survey protocols established by state and federal regulatory agencies. He has conducted extensive fieldwork throughout Northern and Southern California and has led teams of field biologists on complex field projects with diverse geography and resources.

### Cultural Resources Specialist

**Dana DePietro, PhD, RPA**, is a Registered Professional Archaeologist who meets the Secretary of the Interior's Standards for historic preservation programs in archaeology. Dr. DePietro has more than 15 years of experience in all aspects of cultural resource management, including prehistoric and historic archaeology, paleontology, materials conservation, history of art and architecture, and community engagement. He has experience in compliance with NEPA, CEQA, the NHPA, and the Archaeological Resources Protection Act. Dr. DePietro has completed cultural resource projects that have involved agency, client, Native American, and subcontractor coordination; treatment plans and research design development; archival research; field reconnaissance; site testing; data recovery excavation; construction monitoring; site recordation; site protection/preservation; mapping/cartography; spatial analysis/Geographic Information System (GIS); laboratory analysis; materials conservation; artifact curation and exhibition; and report production. He has completed projects in California within the jurisdiction of the BLM and other federal agencies requiring compliance with Section 106 of the NHPA. He has also completed projects throughout California under CEQA for state and local governments and municipalities, including Caltrans, and has worked with clients to ensure deliverables meet and exceed the standards set by the SHPO.

### Noise Specialist

**Philip Ault, MS**, has more than 11 years of experience in noise and air quality environmental impact analysis. He is proficient with the use of the FHWA Highway Traffic Noise Prediction Model (FHWA RD-77-108), SOUND32 noise model, FHWA TNM 2.5, and SoundPLAN 7.4 (a 3-D noise mapping computer modeling program). He conducts field noise measurements with the Larson Davis LxT, 720, 820, and 824 models and the Extech 407780 model sound level meters in compliance with FHWA, FTA, and HUD standards. Mr. Ault prepares stand-alone noise and air quality studies, as well as studies in compliance with CEQA and NEPA requirements. He has prepared CEQA analyses for programmatic documents, including general plans, general plan updates, and specific plans, and he provides peer review and expert testimony noise services. Mr. Ault has conducted extensive research in environmental and energy topics, including energy-efficient project design, sizing of wind and solar PhotoVoltaic hybrid generator systems, and project GHG emission impacts related to global climate change. He has also conducted extensive research into

LEED for Neighborhood Developments, a tool developed by the USGBC as a standard for sustainable community design and development, and how such tools can blend with CEQA requirements.

### Visual Simulations/Graphics Specialist

**Yiu Kam** is a multidisciplinary Designer specializing in developing meaningful and compelling visual tools for stakeholder and community consideration and collaboration. With more than 10 years of graphics expertise in the urban planning, long range planning, and environmental planning fields, Mr. Kam keenly understands the power of effective visual communication to educate, inform, and inspire an audience. He specializes in creating visual simulations and renderings for development projects undergoing CEQA review, with special consideration of sensitive scenic concerns. His workflow, developed over the years, ensures the geographically accurate and photorealistic depiction of a project's buildings, landscaping, and grading within an existing environment. Mr. Kam also has an award-winning graphic communications experience in developing creative campaigns for various projects that encompass the disciplines of graphic design, project and event branding and art direction, informational animation videos, social media, and web design/user interface.

### Geology and Soils Specialist (Ninyo & Moore, Inc.)

**David C. Seymour, PG, CEG**, has professional experience in geologic and geotechnical investigations for commercial construction, highways and toll roads, dams and levees, bridges, landfills, pipelines, hospitals, and educational facilities. Mr. Seymour manages geotechnical studies, performs geologic mapping and field investigations, mentors staff, and provides QA/QC services during construction projects. His responsibilities at Ninyo & Moore consist of technical direction to the staff of geologists and field personnel, and in-house QA/QC review of investigations and analyses on geologic and geotechnical projects.

### Hydrology, Water Quality, and Flooding Specialist (WRECO)

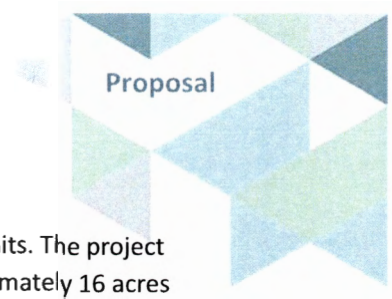
**Analette Ochoa, PE, QSD/P**, has more than 24 years of experience in hydrologic, hydraulic, and floodplain analyses. She has extensive experience evaluating project impacts to floodplains, performing floodplain risk assessments, and preparing Location Hydraulic and Floodplain Impact studies. She performed hydraulic studies of several stream crossings as part of the US 101/State Route 25 Interchange Improvement Project. She is also experienced in designing stormwater treatment/green infrastructure facilities. Ms. Ochoa assisted local cities and Caltrans Headquarters in updating stormwater-related manuals and templates, as well as training local agencies and Caltrans' staff on low-impact development (LID) design requirements and hydromodification mitigation design.

### Relevant Project Experience and References

#### **ISMND and LAFCO Application for the Chang Single-Family Residential Subdivision Project, City of San Ramon, CA**

FCS prepared an Initial Study/Mitigated Negative Declaration and associated technical studies (Air Quality and GHG Emissions Analysis, Biological Resources Assessment, Cultural Resources Assessment, Noise Analysis, and Transportation Analysis) for a proposed 43-lot subdivision in the City of San Ramon. The 195-acre project site is located at the northwest quadrant of the intersection of Bollinger Canyon Road/Crow





Canyon Road in unincorporated Contra Costa County, adjacent to the San Ramon City limits. The project applicant proposed to develop 43 single-family detached, large lot residences on approximately 16 acres that lie within the City's Urban Growth Boundary. The remaining 157 acres would be permanently preserved as open space. The City Council adopted the ISMND and approved the project in October 2017.

FCS also prepared the LAFCO annexation materials for the City and applicant, and processed the annexation through LAFCO. LAFCO will consider the annexation on July 11, 2018.

**Contact:** Debbie Chamberlain, Community Development Director  
**Client:** City of San Ramon  
**Address:** 2401 Crow Canyon Road, San Ramon, CA 94583  
**Phone:** 925.973.2566  
**Email:** dchamberlain@sanramon.ca.gov

**Contact:** Lou Ann Texiera, Executive Officer  
**Client:** Contra Costa LAFCO  
**Address:** 651 Pine St #6, Martinez, CA 94553  
**Phone:** 925.335.1094  
**Email:** LouAnn.Texeira@lafco.cccounty.us

#### **EIR for the Tracy Village Development Project, City of Tracy, CA**

FCS prepared an EIR for the Tracy Village Development project, which analyzed the effects of a proposed 600-unit single-family subdivision on 134 acres in the City's sphere of influence. The project required a concurrent annexation by the City of surrounding properties. The project also required approval of a GPA, annexation and pre-zoning, modification to the City's Measure A allocation limits, and a tentative subdivision map. Key issues analyzed in the EIR include water use, traffic circulation, and annexation requirements. The City Council certified the Final EIR and approved the project on May 15, 2018.

**Contact:** William Dean, Assistant Development Services Director  
**Client:** City of Tracy Development Services Department  
**Address:** 333 Civic Center Plaza, Tracy, CA 95376  
**Phone:** 209.831.6400  
**Email:** william.dean@ci.tracy.ca.us

#### **Tassajara Parks Project EIR, Contra Costa County, CA**

FCS prepared a comprehensive, project-level EIR for the Tassajara Parks Project, which encompasses approximately 771 acres in the Tassajara Valley area of unincorporated Contra Costa County. The project is located east of the City of San Ramon and the Town of Danville and adjacent to (but outside of) the Contra Costa County Urban Limit Line. The project consists of an approximately 155-acre Northern Site and an approximately 616-acre Southern Site; the two sites are separated by Camino Tassajara Road. The project proposes to construct 125 single-family residences on a semi-flat 30-acre portion of the Northern Site, along with two trail staging areas and trail heads, a detention basin, various frontage improvements to Camino Tassajara, and minor modifications to portions of a parking lot for the adjacent Tassajara Hills Elementary School. The remaining portion of the Northern Site will be permanently preserved for open

space, park, or recreational uses. On the 616-acre Southern Site, an area consisting of approximately five acres may be offered for dedication for potential future use by the San Ramon Valley Fire Protection District. The remaining 611 acres will be permanently preserved for non-urban uses such as parks, open space, grazing, wetlands, and habitat mitigation. The Draft EIR was circulated in May 2016; a recirculated Draft EIR evaluating off-site water conservation measures was published in September 2016. The Final EIR is currently being prepared.

**Contact:** John Kopchik, Director

**Client:** Contra Costa County Conservation and Development Department

**Address:** 30 Muir Road, Martinez, CA 94553

**Phone:** 925.674.7205

**Email:** john.kopchik@dcd.cccounty.us

### **EIR for the Spotorno Residential Subdivision Project, City of Pleasanton, CA**

FCS is currently preparing an EIR, technical studies/analyses, and related documents for a 39-lot residential subdivision in the Happy Valley area of Pleasanton. The project applicant (Tim Lewis Communities) is proposing to rezone and subdivide the project site to support 39 single-family residential lots and roadways on the 31-acre Spotorno Flat portion of the site and permanently preserve acreage as open space. A public trail would be constructed along the Westbridge Lane frontage and the proposed site plan includes preservation of an existing wetland area in the western portion of the site and the construction of an adjacent bioretention area for on-site stormwater management. The proposed project will require the following discretionary approvals: General Plan Amendment (GPA), Specific Plan Amendment, Planned Unit Development rezoning and Development Plan, Growth Management Allocation, and EIR certification. The project application proposes to remove the proposed "Bypass Road" contemplated by the Happy Valley Specific Plan.

**Contact:** Ellen Clark, Planning Manager

**Client:** City of Pleasanton, Planning Division

**Address:** 200 Old Bernal Avenue, Pleasanton, CA 94566

**Phone:** 925.931.5606

**Email:** eclark@cityofpleasantonca.gov

### **East Pleasanton Specific Plan EIR, City of Pleasanton, CA**

FCS completed a Draft EIR for the East Pleasanton Specific Plan, which encompasses approximately 1,100 acres located east of Valley Avenue and Busch Road and north of Stanley Boulevard and includes quarry lakes, public facilities, and undeveloped land. The Specific Plan is designed to guide the development of residential (1,300 dwelling units), commercial, industrial, office, and parks/recreation uses within this area, as well as an extension of El Charro Road to the south, to connect with Stanley Boulevard. The Draft EIR was released in April 2015; however, the City elected not to continue processing of the project.

**Contact:** Brian Dolan, Assistant City Manager

**Client:** City of Pleasanton Planning Division

**Address:** 200 Old Bernal Avenue, Pleasanton, CA 94566

**Phone:** 925.931.5002

**Email:** bdolan@cityofpleasantonca.gov



### **Trellis Residential Project EIR, City of Walnut Creek, CA**

FCS prepared an EIR for the Trellis Residential Project, which consists of 53 single-family homes and associated improvements on 5.28 acres of an 8.15-acre site in Walnut Creek, California. The project site currently includes a vacant 35,635-square-foot community center, a parking lot, an outdoor pool, a children’s play area, various accessory structures, and a commercial landscape nursery, in addition to a portion of the City’s Tice Valley Park and Gym. As part of the project, the existing community center and associated structures would be demolished. However, the Tice Valley Community Gymnasium would remain in place on roughly 2.87 acres of the project site. The project generated significant public interest and involvement, primarily related to concerns about existing flooding of Tice Creek and the potential for the project to exacerbate the issues of transportation and congestion of local roadways, the effect the project would have on pedestrian safety due to a lack of sidewalks and bicycle lanes in the project vicinity, compatibility with surrounding densities, and the proposed change from an open space designation to a residential designation.

FCS prepared a comprehensive analysis of the effects of the project, including effects upon Tice Creek and upon traffic levels of service and pedestrian safety. The project included the provision of new sidewalks and pedestrian crosswalks to enhance safety, which directly addresses this issue. When additional public concern over flooding and pedestrian safety was raised at the Planning Commission hearing, FCS was asked to provide further analysis of these issues for the City Council. FCS and the City identified an acceptable third party to peer review the documentation included in the Draft EIR. Additional clarification was provided as part of the City Council packet, but the third-party review confirmed that the project would not contribute to any exacerbation of flooding and would actually improve the existing condition by treating more stormwater flows on-site. The EIR was certified and the project was approved by the City Council in December 2015.

**Contact:** Jeremy Lochirco (now Principal Planner, City of Hayward) 510.583.4239

**Client:** City of Walnut Creek Planning Division

**Address:** 2<sup>nd</sup> Floor, 1666 North Main Street, Walnut Creek, CA 94596

**Telephone:** 510.583.4239

**Email:** jeremy.lochirco@hayward-ca.gov

### **CONFLICT OF INTEREST**

We certify that neither FCS nor any of our subcontractors or subsidiary have recent, present, or proposed work undertaken, or any other type of business or other relationship that could represent a potential, real, or perceived conflict of interest with respect to this project.



**Appendix A:**  
**Resumes**

## MARY BEAN, AICP—PROJECT DIRECTOR

### OVERVIEW

- More than 20 years of experience

### Education

- Bachelor's Degree, Environmental Studies and Planning, University of California, Santa Barbara, CA, 1988

### Professional Affiliations

- American Institute of Certified Planners (AICP)
- Association of Environmental Professionals (AEP)
- American Planning Association (APA)
- Urban Land Institute
- Women's Transportation Seminar

**Mary Bean, AICP**, has more than 20 years of experience managing the preparation of California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) documents in both the public and private sectors. She is knowledgeable about a broad range of environmental topics, backed by her experience in the field, research, technical writing, and planning. She specializes in leading interdisciplinary teams in the preparation of technical studies that support environmental clearance at the local, state, and national levels. Her depth of experience allows her to be particularly effective in strategizing with clients about the most efficient approach to environmental review.

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### RELATED EXPERIENCE AND CLIENT SUMMARY

#### *Environmental Impact Report for the Spotorno Residential Subdivision Project, City of Pleasanton, CA*

Ms. Bean is directing the preparation of an EIR, technical studies/analyses, and related documents for a 39-lot residential subdivision in the Happy Valley area of Pleasanton. The project applicant (Tim Lewis Communities) is proposing to rezone and subdivide the project site to support 39 single-family residential lots and roadways on the 31-acre Spotorno Flat portion of the site and permanently preserve acreage as open space. A public trail would be constructed along the Westbridge Lane frontage and the proposed site plan includes preservation of an existing wetland area in the western portion of the site and the construction of an adjacent bioretention area for on-site stormwater management. The proposed project will require the following discretionary approvals: General Plan Amendment (GPA), Specific Plan Amendment, Planned Unit Development rezoning and Development Plan, Growth Management Allocation, and EIR certification. The project application proposes to remove the proposed "Bypass Road" contemplated by the Happy Valley Specific Plan.

#### *Planning, Environmental Compliance, and Project Management Services for the Chang Property Subdivision, City of San Ramon, CA*

Ms. Bean directed the preparation of LAFCO application materials, as well as an Initial Study/Mitigated Negative Declaration and associated technical studies (Air Quality and GHG Emissions Analysis, Biological Resources Assessment, Cultural Resources Assessment, Noise Analysis, and Transportation Analysis) for a proposed 43-lot subdivision in the City of San Ramon. The 195-acre project site is located

## **MARY BEAN, AICP—PROJECT DIRECTOR**

at the northwest quadrant of the intersection of Bollinger Canyon Road/Crow Canyon Road in unincorporated Contra Costa County, adjacent to the San Ramon City limits. The project applicant proposed to develop 43 single-family detached, large lot residences on approximately 16 acres that lie within the City's Urban Growth Boundary. The remaining 157 acres would be permanently preserved as open space. The City Council adopted the ISMND and approved the project in October, 2017

### *Tassajara Parks Environmental Impact Report, Contra Costa County, CA*

Ms. Bean is directing the preparation of an EIR for this landmark project that is located outside the boundary of the existing urban limit line (ULL) in Contra Costa County. The project site consists of two separate parcels: the 155-acre northern site to be developed with 125 single-family residences, a walking trail, and trail staging area; and the 616-acre southern site, the majority of which would be dedicated to the East Bay Regional Parks District for permanent open space uses, with two 5-acre parcels dedicated to the San Ramon Valley Unified School District and San Ramon Valley Fire Protection District. Particular attention will be focused on potential traffic impacts, aesthetic impacts, and growth inducement. The Draft EIR was circulated in May 2016; a recirculated Draft EIR evaluating offsite water conservation measures was published in September 2016. The Final EIR is currently being prepared.

### *Environmental Impact Report for the Tracy Village Development Project, City of Tracy, CA*

Ms. Bean directed the preparation of an EIR for the Tracy Village Development Project, which analyzes the effects of a proposed 600-unit single-family subdivision on 134 acres in the City's sphere of influence. The project requires a concurrent annexation by the City of surrounding properties. The project requires approval of a GPA, annexation and pre-zoning, modification to the City's Measure A allocation limits, and a tentative subdivision map. Key issues are water use, traffic circulation, and annexation requirements. The City Council certified the Final EIR and approved the project on May 15, 2018.

### *East Pleasanton Specific Plan Environmental Impact Report, City of Pleasanton, CA*

As the Project Director for this project, Ms. Bean directed the preparation of a Draft EIR for the East Pleasanton Specific Plan in the City of Pleasanton. The Specific Plan encompassed approximately 1,100 acres located east of Valley Avenue and Busch Road and north of Stanley Boulevard, and included quarry lakes, public facilities, and undeveloped land. The Specific Plan would guide the development of residential (1,300 dwelling units), commercial, industrial, office, and parks/recreation uses within this area, as well as an extension of El Charro Road to the south to connect with Stanley Boulevard. The Draft EIR was released in April 2015; however, the City elected not to continue processing of the project.

### *Trellis Residential Project Environmental Impact Report, City of Walnut Creek, CA*

Ms. Bean directed the preparation of an EIR for the Trellis Residential Project, which proposed to construct 53 single-family homes on 5.28 acres of an 8.15-acre site in Walnut Creek, California. The project site currently includes a vacant 35,635-square-foot community center, a parking lot, an outdoor pool, a children's play area, various accessory structures, and a commercial landscape nursery, in addition to a portion of the City's Tice Valley Park and Gym. The project proposed to demolish the existing community center and associated structures; however, the Tice Valley Community Gymnasium would remain in place on roughly 2.87 acres. The project generated significant public interest and involvement, especially around the issues of transportation and congestion on local roadways, compatibility with surrounding densities, and the proposed change from an open space designation to a

## MARY BEAN, AICP—PROJECT DIRECTOR

residential designation. The EIR was certified and the project was approved by the City Council in December 2015.

### Other Bay Area Environmental Impact Reports

- CarMax Auto Mall Addendum, City of Pleasanton, CA
- Arcadia Park Redevelopment Environmental Impact Report, City of Oakland, CA
- Housewives Marketplace Residential Project Environmental Impact Report, City of Oakland, CA
- New Farm Master Plan Environmental Impact Report, Contra Costa County, CA
- Pantages Residential Development Environmental Impact Report, Contra Costa County, CA
- Tra Vigne Subdivision Environmental Impact Report and Recirculated Environmental Impact Report, Madera County, CA
- Roddy Ranch Annexation and Master Plan Environmental Impact Report, City of Antioch, CA
- Tierra Villas Residential Development Initial Study and Limited Topic Environmental Impact Report, City of Antioch, CA
- HOPE VI Residential Project Environmental Impact Report/Environmental Assessment, City of Richmond, CA
- Sufism Reoriented Project Environmental Impact Report, Contra Costa County, CA
- Alamo YMCA Campus Environmental Impact Report, Contra Costa County, CA
- Napa Logistics Center Environmental Impact Report, City of American Canyon, CA
- Concar Offices Environmental Impact Report, City of San Mateo, CA
- Kaiser Dublin Medical Center Environmental Impact Report, City of Dublin, CA
- John Muir Medical Center Campus Master Plan Environmental Impact Report, City of Concord, CA
- Carmax Auto Superstore Project Environmental Impact Report, City of Pleasant Hill, CA

## KELSEY BENNETT, MPA, LEED-AP—PROJECT MANAGER

### OVERVIEW

- 17 years of experience

### Education

- Master of Public Administration, Environmental Science and Policy, Columbia University, School of International and Public Affairs (SIPA) and The Earth Institute, NY, 2008
- Bachelor of Science, Biology, Minors in Environmental Studies and Psychology, University of California, San Diego, CA, 1999

### Training and Certifications

- US Green Building Council (USGBC), Leadership in Energy and Environmental Design (LEED) Accredited-Professional (AP), 2008
- Certificate in California Water Management and Ecosystem Restoration, University of California, Berkeley Extension, 2009

**Kelsey Bennett, MPA, LEED-AP**, is an experienced Environmental Project Manager with 17 years of experience in assisting jurisdictions and companies in complex environmental compliance undertakings. Ms. Bennett specializes in preparing environmental documents that adhere to CEQA and NEPA requirements. She is also familiar with California AB 32, the Clean Air Act, the CWA, the Coastal Zone Management Act (CZMA), the Endangered Species Act (ESA), the National Historic Preservation Act (NHPA), planning/zoning laws, adopted and proposed climate change legislation, and other Federal, State, and local environmental mandates. With her in-depth knowledge and expertise in environmental compliance, Ms. Bennett has authored sustainability, environmental, and renewable energy policy briefs and recommendations. She offers strong planning and analytical skills with experience in a broad range of multifaceted projects, including proposed campus (academic and health care), GHG reduction, sustainability planning, residential, mixed-use, commercial, industrial, civic, institutional, infrastructure, transportation, redevelopment, and general/specific plan projects.

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### RELATED EXPERIENCE AND CLIENT SUMMARY

#### *City of Oakland, Wood Street Environmental Impact Report, Oakland, CA*

Ms. Bennett authored the Wood Street Project EIR, which included a GPA and rezoning of the project site from business mix to mixed-use development consisting of residential, live/work and retail, and non-retail commercial space, per the proposed Wood Street Zoning District. The project also facilitated restoration and adaptive reuse of the historic 16th Street Train Station.

#### *Santa Clara County, YCS, Residential Environmental Impact Report, Santa Clara County and San Jose, CA*

Ms. Bennett served as the Project Manager for an EIR that analyzed a proposed subdivision of 79 homes, four affordable housing units, a 4,000-gross-square-foot community center, potential additional affordable housing units, 1,947 acres of open space, and associated roadway and utility improvements within unincorporated Santa Clara County and the City of San Jose. All development occurred on two County parcels, with the exception of limited off-site improvements to Silver Creek Valley Road and on-site improvements to an existing ranch road for emergency vehicle access.



**KELSEY BENNETT, MPA, LEED-AP—PROJECT MANAGER**

*City of Walnut Creek, 1500 N. California Boulevard Environmental Impact Report, Walnut Creek, CA*

Ms. Bennett authored the EIR that assessed 140 residential units above retail space proposed at a site within the Traditional Downtown Area and within three City-designated scenic viewsheds featuring Mount Diablo. Key issues concerned traffic, land use and visual compatibility, and construction air quality and health risks. The Planning Commission specifically commended the GHG section that Ms. Bennett authored.

*City of Sacramento, KW Cap Towers, Sacramento Commons Master Plan Environmental Impact Report*

Ms. Bennett performed Quality Assurance/Quality Control (QA/QC) for a project EIR that assessed two options: 1) Hotel Scenario: removing existing 206 apartments and developing a 320-room hotel, 1,422 dwelling units, and retail/support space resulting in 140 units/acre density and 2) No Hotel Scenario: removing 206 existing apartments and developing 1,522 dwelling units and retail/support space resulting in 150 units/acre density.

*City and County of San Francisco, Crescent Heights, 10 S. Van Ness Avenue Mixed-Use Environmental Impact Report, San Francisco, CA*

Ms. Bennett served as the Project Manager for the Crescent Heights mixed-use project, which proposed to redevelop a parcel containing a Honda Dealership at Van Ness Avenue and Market Street adjacent to the MUNI Van Ness Avenue station. The project included the removal of the existing structure and the construction of two towers containing 855 residential units, 9,950 gross square feet of lobby space, 28,100 gross square feet of commercial uses, 453 parking spaces, and 347 bike spaces.

*City and County of San Francisco, Fritz Realty, 41 Tehama Street Residential Tower Community Plan Exemption, San Francisco, CA*

In support of the Community Plan Exemption (CPE), Ms. Bennett served as an EIR and GHG Compliance Checklist author. A CPE and supporting technical studies were prepared for a proposed 32-story residential tower with 325 residential units, ground-level open space plaza, open space terraces, and below-ground parking. The project originally started as a focused EIR; however, approval of the Transit Center District Plan allowed the project to move forward as a CPE, negating the need for an EIR. Subsequent to CPE approval, the project was revised to increase height for additional units. Therefore, a CPE modification to account for the increase in project size was completed.

*City and County of San Francisco, Maximus, 1979 Mission Street Mixed-Use Environmental Impact Report, San Francisco, CA*

Ms. Bennett served as the EIR Project Manager for Maximus' proposed redevelopment of a parcel containing two commercial structures and a surface parking lot at Mission and 16th Streets adjacent to the BART 16th Street Mission station. The project included the removal of the existing structures and the construction of one structure containing 331 residential units, 34,198 gross square feet of commercial uses, 163 parking spaces, and 192 bike spaces.

*City of La Cañada Flintridge, Tentative Tract Map 53647 and Variance Environmental Impact Report*

Ms. Bennett served as the Deputy Project Manager for a project that included 17 residential lots, one 18-acre open space lot for placement under a conservation easement, and a variance allowing smaller minimum lot sizes than the hillside ordinance designated. The EIR focused on aesthetics, traffic, emergency vehicle access, water quality, slope stability, landform alteration associated with grading, loss of biological resources, extension of utilities, and construction-related air and noise emissions.

## MEGAN STARR, JD—LEGAL COUNSEL AND QA/QC MANAGER

### OVERVIEW

- More than 19 years of experience

### Education

- Juris Doctorate, with Honors, University of Southern California Gould School of Law, CA, 2001
- Bachelor of Arts, History, with a Comparative Degree in Law and Society, Cum Laude, Dean's List, Regents Scholar, University of California, Riverside, CA, 1998

### Licenses and Certifications

- California State Bar No. 217675 (inactive)

**Megan Starr, JD**, is a licensed Attorney who has extensive experience in providing support and direction to multiple stakeholders on large projects involving state and federal environmental laws, including the CEQA, the ESA, the Migratory Bird Treaty Act, the NHPA, the Clean Air Act, and the CWA. She has represented a wide variety of public agencies, including cities, counties, school districts, community services districts, transportation agencies, and water districts, with environmental and land use planning. Ms. Starr has also assisted in the preparation of numerous environmental documentations, including EIRs/EISs, Multiple Species HCPs (MSHCPs), Categorical Exclusions, Findings of No Significant Impact (FONSI), NDs, and MMRPs. Aside from legal counsel services, she has served as a CEQA Guidelines Project Manager; she was responsible for all aspects of preparing and distributing custom environmental guidelines and forms on an annual basis for more than 60 different public agencies. She has also participated in committees and extracurricular activities with individuals from diverse social and cultural backgrounds and she conducts seminars and lectures on environmental and legal issues at schools and municipal and professional organizations.

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## RELATED EXPERIENCE AND CLIENT SUMMARY

### Best Best & Krieger LLP

- Assisted local governments in identifying, preparing, filing, certifying, and defending appropriate environmental documents, including EIR/EIS, MSHCPs, Categorical Exclusions, FONSI, NDs, and MMRPs for a diverse set of projects, including commercial, residential, mixed-use, industrial facilities, and warehouse construction projects, as well as specific and general plans and HCPs
- Provided support and advice to clients regarding various complex and time-sensitive legal matters
- Authored numerous titles on environmental and land use topics
- Represented both municipal and private clients in administrative proceedings, negotiations, settlement meetings, and litigation
- Drafted comment letters and prepared responses to comments on behalf of public agencies
- Was responsible for all aspects of numerous trial and appellate court cases
- Coordinated and facilitated internal project team meetings (formal and informal public meetings, scoping meetings, public hearings, and workshops) involving various experts, environmental consultants, and public agency staff and attorneys
- Regularly gave presentations regarding legal issues before municipal boards and commissions
- Managed and mentored a team of junior associates, paralegals, and IT staff

**MEGAN STARR, JD—LEGAL COUNSEL AND QA/QC MANAGER**

- Mentored summer associates and new attorneys, advised and supervised law students for potential employment, and participated in employment offer decisions

*Western Riverside County Multiple Species Habitat Conservation Plan, Riverside County, CA*

Ms. Starr drafted numerous implementing agreements for multiple participating agencies, assisted in the preparation of responses to comments on the Draft EIR/EIS, and created and certified the administrative record. Ms. Starr was part of the multidisciplinary team responsible for creating, defending, and implementing the Western Riverside County MSHCP. The legal team, including Ms. Starr, defended the MSHCP against numerous lawsuits and other legal challenges.

*Local California Environmental Quality Act Guidelines*

As the Project Manager, Ms. Starr created and conducted on-site training programs; reviewed new state and federal legislation and registration; drafted articles, memoranda, and web alerts for both lay and technical audiences explaining the potential impacts of new laws and regulations; managed billing and budgeting of projects; conducted an annual review of client programs and policies to ensure compliance with emerging or changing regulations; and consulted with public agency staff to provide support and direction.

## JASON PAUKOVITS—AIR QUALITY/GREENHOUSE GAS AND SUSTAINABILITY SPECIALIST

### OVERVIEW

- More than 19 years of experience

### Education

- Master's Degree, Public Policy, Duke University, NC, 2001
- Master's Degree, Environmental Management, Duke University, NC, 2001
- Bachelor of Science, Environmental Resource Management, Pennsylvania State University, PA, 1996
- Bachelor of Arts, Psychology, Pennsylvania State University, PA, 1996

**Jason Paukovits** is an Air Quality, GHG, and Global Climate Change Planning Specialist with more than 19 years of experience working on a diverse range of construction, residential, commercial, industrial, and transportation projects. He specializes in CEQA and NEPA documentation and in offering long-range planning and mitigation strategies associated with air quality, climate change, and energy impacts. He has a broad background in environmental analysis, project management, contract administration, regional planning, and project-specific review. Through his work as both a consultant and government employee, Mr. Paukovits has significant experience with agency coordination and local, state, and federal environmental and planning regulations. For example, he managed air quality planning and policy development for the eight San Joaquin Valley metropolitan planning organizations and led the development of the 2007 Regional Transportation Plan for Fresno County, including the management of the EIR, staff activities, and coordination with state and federal agencies. Mr. Paukovits was also responsible for contract administration; compliance with local, state, and federal mandates; conformity analyses; and management of the Congestion Mitigation and Air Quality grant program. In addition, he coordinated the development of GHG policies for the Fresno Council of Governments with the California Attorney General's office and local jurisdictions.

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### RELATED EXPERIENCE AND CLIENT SUMMARY

#### *Environmental Impact Report for the Spotorno Residential Subdivision Project, City of Pleasanton, CA*

FCS is preparing an EIR, technical studies/analyses, and related documents for a 39-lot residential subdivision in the Happy Valley area of Pleasanton. The project applicant (Tim Lewis Communities) is proposing to rezone and subdivide the project site to support 39 single-family residential lots and roadways on the 31-acre Spotorno Flat portion of the site and permanently preserve acreage as open space. A public trail would be constructed along the Westbridge Lane frontage and the proposed site plan includes preservation of an existing wetland area in the western portion of the site and the construction of an adjacent bioretention area for on-site stormwater management. The proposed project will require the following discretionary approvals: General Plan Amendment (GPA), Specific Plan Amendment, Planned Unit Development rezoning and Development Plan, Growth Management Allocation, and EIR certification. The project application proposes to remove the proposed "Bypass Road" contemplated by the Happy Valley Specific Plan. Mr. Paukovits is providing air quality/greenhouse gas services.

## **JASON PAUKOVITS—AIR QUALITY/GREENHOUSE GAS AND SUSTAINABILITY SPECIALIST**

### *10 SVN, LLC, 10 South Van Ness Mixed-Use Project, San Francisco County, CA*

Mr. Paukovits developed air quality and global climate analyses for the project to construct a 984-unit residential tower. Mr. Paukovits developed the GHG technical report and submitted an application to receive certification from the Governor that the project meets AB 900 requirements.

### *Third-Party Technical Review of California Environmental Quality Act-Related Air Quality, Greenhouse Gas, and/or Health Risk Assessment Study Documents for the Riverside County Planning Department, Riverside County, CA*

As a Senior Analyst, Mr. Paukovits provided quality control and peer review of technical air quality and GHG studies for Riverside County Planning Department projects that included single-family, multifamily, commercial, and industrial developments. He also coordinated technical review letters citing findings and recommendations, and participated in conference calls to discuss revisions to the technical studies.

### *Town and Country Resort and Convention Center Redevelopment Project, San Diego County, CA*

Lowes Enterprises proposed a hotel redevelopment project that includes 840 residential units. Mr. Paukovits developed the air quality and GHG technical reports, including the analysis of health risks from construction activities and freeways.

### *Initial Study/Mitigated Negative Declaration for the Orangefair Multifamily Development, City of Fullerton, Orange County, CA*

Mr. Paukovits developed the air quality and GHG sections of the MND for a proposed 323-unit apartment complex in the City of Fullerton. He evaluated impacts of the project based on guidance from the South Coast Air Quality Management District (SCAQMD).

### *Technical Review of Air Quality and Greenhouse Gas Reports, City of Irvine, Orange County, CA*

As a Senior Analyst, Mr. Paukovits was involved in peer reviewing technical air quality and GHG technical studies for residential and commercial development projects. He provided comments and drafted technical comment letters with findings and recommendations.

### *Environmental Impact Report for the Santa Ana River Parkway Extension Project, Orange County, CA*

Mr. Paukovits assisted the Orange County Parks Department by developing the air quality and GHG sections of the EIR for a project to construct bikeway and hiking trails. He evaluated the impacts of the project based on guidance from the SCAQMD.

### *Greenhouse Gas Emissions Analysis for the Imperial Valley College/San Diego State University Transit Shuttle Project, Imperial County, CA*

Mr. Paukovits assisted the Southern California Association of Governments in developing a technical memorandum that analyzed GHG emissions for the proposed transit routes between the Imperial Valley College and San Diego State University campuses.

## BRIAN MAYERLE—BIOLOGICAL RESOURCES AND REGULATORY SPECIALIST

### OVERVIEW

- More than 27 years of experience

### Education

- Bachelor of Science, Ecology and Systematic Biology, California Polytechnic State University, San Luis Obispo, CA, 1992

### Professional Affiliations

- AEP
- Society of Wetland Scientists
- California Native Plant Society (CNPS)
- Building Industry Association

### Training, Permits, and Certifications

- Wetland Delineation Certification Course, Wetland Training Institute, 1996

**Brian Mayerle** is an experienced Ecologist and Environmental Consultant with more than 27 years of professional experience in natural resources assessment and regulatory analysis for projects located throughout the Western United States. He is a well versed regulatory project manager and an expert in the provisions of Sections 10, 401, and 404 of the federal CWA; the CDFG Codes; CEQA; NEPA; the federal Migratory Bird Treaty Act; and the State of California and Federal ESAs. He is also extensively experienced with numerous local ordinances, policies, and guidelines protecting natural resources in California and with survey protocols established by state and federal regulatory agencies. He has conducted extensive fieldwork throughout Northern and Southern California and has led teams of field biologists on complex field projects with diverse geography and resources.

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## PROFESSIONAL EXPERIENCE AND CLIENT SUMMARY

### *Environmental Impact Report for the Spotorno Residential Subdivision Project, City of Pleasanton, CA*

FCS is currently preparing an EIR, technical studies/analyses, and related documents for a 39-lot residential subdivision in the Happy Valley area of Pleasanton. The project applicant (Tim Lewis Communities) is proposing to rezone and subdivide the project site to support 39 single-family residential lots and roadways on the 31-acre Spotorno Flat portion of the site and permanently preserve acreage as open space. A public trail would be constructed along the Westbridge Lane frontage and the proposed site plan includes preservation of an existing wetland area in the western portion of the site and the construction of an adjacent bioretention area for on-site stormwater management. The proposed project will require the following discretionary approvals: General Plan Amendment (GPA), Specific Plan Amendment, Planned Unit Development rezoning and Development Plan, Growth Management Allocation, and EIR certification. The project application proposes to remove the proposed "Bypass Road" contemplated by the Happy Valley Specific Plan. Mr. Mayerle is the Senior Biologist preparing relevant sections for the EIR.

**BRIAN MAYERLE—BIOLOGICAL RESOURCES AND REGULATORY SPECIALIST**

*Planning Services and Initial Study/Mitigated Negative Declaration for the Chang Property Subdivision, City of San Ramon, CA*

Mr. Mayerle prepared relevant sections of an IS/MND for a proposed residential subdivision in the City of San Ramon. As part of our contract, FCS is also providing planning services to support the City's processing of the development application, including the facilitation of meetings with the LAFCO, the public, and a myriad of committees that must consider the application package.

*Environmental Impact Report for the Tracy Village Development Project, City of Tracy, CA*

Mr. Mayerle authored a Biological Resource Assessment for the project and prepared the biological resources section of the EIR. FCS is directing the preparation of an EIR for the Tracy Village Development Project, which analyzes the effects of a proposed 600-unit single-family subdivision on 134 acres in the City's sphere of influence. The project requires a concurrent annexation by the City of surrounding properties. The project requires approval of a GPA, annexation and pre-zoning, modification to the City's Measure A allocation limits, and a tentative subdivision map. Key issues are water use, traffic circulation, and annexation requirements. An NOP was issued in October 2016, and the Draft EIR was published in 2017.

*Santa Nella Community Specific Plan Environmental Impact Report, Merced County, CA*

Mr. Mayerle is preparing the Biological Resources technical reports to support an IS in support of an Addendum to Santa Nella Community Specific Plan Recirculated Program EIR. Santa Nella is an unincorporated community located in Western Merced County, approximately 9 miles northwest of Los Banos and 48 miles south of Tracy. Consistent with the 2000 Specific Plan Update and EIR, the applicants AKT and RCI are now proposing to develop certain lands within the Community Specific Plan (and have already obtained tentative subdivision maps from Merced County to do so). Known as the Parkway Project, collectively, it would involve the construction of 1,598 single-family residential lots, approximately 7 acres of commercial uses, approximately 10 acres of school uses, and approximately 43 acres of parks and open space. The Parkway Project would require the expansion of an existing wastewater treatment plant as well as the construction of water and wastewater infrastructure improvements to serve the Parkway Project. To that end, the Santa Nella County Water District has decided to move forward to update its Infrastructure Master Plans (for both water and sewer) (collectively, Master Plans). While these infrastructure improvements were generally envisioned in the 2000 Specific Plan Update and EIR to support the planned growth (including the Parkway Project), the specific scope and other details of these improvements are to be defined more fully in the Master Plans to be prepared for Santa Nella and funded in accordance with a Master Agreement between Santa Nella, RCI, and AKT.

## DANA DEPIETRO, PHD, RPA—CULTURAL RESOURCES SPECIALIST

### OVERVIEW

- More than 15 years of experience

### Education

- Doctor of Philosophy, Near Eastern Art and Archaeology, University of California, Berkeley, CA, 2012
- Master of Arts, Near Eastern Art and Archaeology, University of California, Berkeley, CA, 2005
- Bachelor of Arts, Archaeology and History (double major), University of California, San Diego, CA, 2002

### Fellowships and Awards

- Albright Institute Educational and Cultural Affairs Fellowship, 2015
- Katherine Davis Foundation Projects for Peace Prize, 2012
- International House Gateway Fellowship, 2011–2012
- The George Franklin Dales Foundation Fellowship for Archaeological Research, 2011
- Council of American Overseas Research Centers Multi-country Dissertation Research Fellowship, 2010
- Albright Institute ECA Fellowship for Dissertation Research in Jerusalem, 2009
- University of California, Berkeley Dean's Normative Time Fellowship, 2009
- University of California, Berkeley Department of Near Eastern Studies Block Grant Award, 2006–2011
- University of California, Berkeley Graduate Division Summer Research Grant, 2006
- Tel Dor Scholarship for Summer Excavations in Israel, 2005–2006
- USA Funds Access to Education Scholarship, 2005–2007
- University of California, Berkeley Archaeological Research Facility Stahl Research Grant, 2004
- American University in Cairo Simpson Scholarship for Studies in Egyptology, 2001
- California Scholastic Federation Life Membership Award, 1998

**Dana DePietro, PhD**, is a Registered Professional Archaeologist who meets the Secretary of the Interior's Standards for historic preservation programs in archaeology. Dr. DePietro has more than 15 years of experience in all aspects of cultural resource management, including prehistoric and historic archaeology, paleontology, materials conservation, history of art and architecture, and community engagement. He has experience in compliance with NEPA, CEQA, the NHPA, and the Archaeological Resources Protection Act. Dr. DePietro has completed cultural resource projects that have involved agency, client, Native American, and subcontractor coordination; treatment plans and research design development; archival research; field reconnaissance; site testing; data recovery excavation; construction monitoring; site recordation; site protection/preservation; mapping/cartography; spatial analysis/Geographic Information System (GIS); laboratory analysis; materials conservation; artifact curation and exhibition; and report production. He has completed projects in California within the jurisdiction of the BLM and other federal agencies requiring compliance with Section 106 of the NHPA. He has also completed projects throughout California under CEQA for state and local governments and municipalities, including Caltrans, and has worked with clients to ensure deliverables meet and exceed the standards set by the SHPO.



### RELATED EXPERIENCE AND CLIENT SUMMARY

As the Lead Archaeologist/Cultural Resources Specialist for FCS, Dr. DePietro conducts evaluations and performs field documentation of historic and prehistoric cultural resources; prepares EIRs, cultural resources assessments, Department of Parks and Recreation forms and Section 106 reports; conducts mapping, GIS analysis, and state and county record searches; leads archaeological surveys and field monitoring efforts; and coordinates with state, federal, and tribal officials and institutions for a variety of FCS projects, including the following:

- EIR for the Spotorno Residential Subdivision Project, City of Pleasanton, CA
- Planning Services and IS/MND for Chang Property Subdivision, City of San Ramon, CA
- Tassajara Parks EIR, Contra Costa County, CA
- EIR for the Tracy Village Development Project, City of Tracy, CA
- Trellis Residential Project EIR, City of Walnut Creek, CA
- Due Diligence for Meadowlark Project in Pleasanton, City of Pleasanton, CA
- Kaiser Dublin Medical Center EIR, City of Dublin, CA
- Merced Gateway Master Plan Project EIR, City of Merced, CA
- Program EIR for the Broadway District Specific Plan (BDSP), City of American Canyon, CA
- Blanchard Road Industrial EIR Project, City of San Jose, CA
- Solano 360 Specific Plan/Solano 360 Fairgrounds Development Project EIR, City of Vallejo, CA
- IS/MND for Residential Condominiums at 1509 El Camino Real, City of Burlingame, CA
- IS/MND for the 6th Street Residential Project, City of San Jose, CA
- 110 Dry Creek Road Hotel and Affordable Housing Project IS/MND, City of Healdsburg, CA
- Glen Berry Apartments Landscape Renovation Projects, Cities of Petaluma, Hayward, and Livermore, CA
- Due Diligence Level IA Entitlements for the Boscell Road Osgood Project, City of Fremont, CA
- IS Checklist/Addendum for the Newpark Mall Project, City of Newark, CA
- CEQA Analysis for Mayhew Way Project, Contra Costa County, CA
- Mount Madonna County Park Master Plan Environmental Constraints Analysis and IS/MND, Santa Clara County, CA
- Professional Services to Support the Development of a Preferred Development Plan and Associated Regulatory Strategies for the Solano 360 Project, Solano County, CA
- Chico Walmart Expansion Project, City of Chico, CA
- La Paloma Winery Demo Project IS/MND, City of Clovis, CA
- El Nido Dam Historical Evaluation, City of Merced, CA
- Downtown Napa General Plan and Zoning Ordinance, City of Napa, CA
- Cultural Resources and Historic Evaluation for Sacramento Dome Theatre, City of Sacramento, CA
- 2268 El Camino Real, Mountain View—II CEQA Compliance Checklist Project, City of Mountain View, CA
- Cultural Resources Services for Haven Berryessa Block 7 and 8 San Jose Flea Market, City of San Jose, CA
- Due Diligence Site Review for Parcel APN 68-241-30 located at 260 Bartlett Way, Santa Cruz, CA
- CEQA Documentation for New Science Building, City of Fairfield, Solano County, CA
- CEQA Services for Clover Spring Open Space Preserve Project, City of Cloverdale, CA
- Farmstand IS/MND, City of Healdsburg, CA

## PHILIP AULT, MS—NOISE SPECIALIST

### OVERVIEW

- 11 years of experience

### Education

- Master of Science, Advanced Environmental and Energy Studies for Architecture, University of East London at Center for Alternative Technology, Wales, UK, 2007
- Bachelor of Science, Mathematics, Bob Jones University, Greenville, SC, 1991

### Professional Affiliations

- Associate Member, Institute of Noise Control Engineering
- AEP

### Training and Certifications

- USGBC, LEED-AP, without specialty
- TRAFFIX Training, Dowling Associates, Inc., Oakland, CA
- FHWA Traffic Noise Model (TNM) 2.5 and Traffic Noise Fundamentals Training Course, Bowlby & Associates, Inc., Franklin, TN
- Principles of Ecological Design, Case Studies in Ecological Design, San Francisco Institute of Architecture San Francisco, CA

**Philip Ault, MS**, has more than 11 years of experience in noise and air quality environmental impact analysis. He is proficient with the use of the FHWA Highway Traffic Noise Prediction Model (FHWA RD-77-108), SOUND32 noise model, FHWA TNM 2.5, and SoundPLAN 7.4 (a 3-D noise mapping computer modeling program). He conducts field noise measurements with the Larson Davis LxT, 720, 820, and 824 models and the Extech 407780 model sound level meters in compliance with FHWA, FTA, and HUD standards. Mr. Ault prepares stand-alone noise and air quality studies, as well as studies in compliance with CEQA and NEPA requirements. He has prepared CEQA analyses for programmatic documents, including general plans, general plan updates, and specific plans, and he provides peer review and expert testimony noise services. Mr. Ault has conducted extensive research in environmental and energy topics, including energy-efficient project design, sizing of wind and solar PhotoVoltaic hybrid generator systems, and project GHG emission impacts related to global climate change. He has also conducted extensive research into LEED for Neighborhood Developments, a tool developed by the USGBC as a standard for sustainable community design and development, and how such tools can blend with CEQA requirements.

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### RELATED EXPERIENCE AND CLIENT SUMMARY

#### *Environmental Impact Report for the Spotorno Residential Subdivision Project, City of Pleasanton, CA*

FCS is currently preparing an EIR, technical studies/analyses, and related documents for a 39-lot residential subdivision in the Happy Valley area of Pleasanton. The project applicant (Tim Lewis Communities) is proposing to rezone and subdivide the project site to support 39 single-family residential lots and roadways on the 31-acre Spotorno Flat portion of the site and permanently preserve acreage as open space. A public trail would be constructed along the Westbridge Lane frontage and the

## **PHILIP AULT, MS—NOISE SPECIALIST**

proposed site plan includes preservation of an existing wetland area in the western portion of the site and the construction of an adjacent bioretention area for on-site stormwater management. The proposed project will require the following discretionary approvals: General Plan Amendment (GPA), Specific Plan Amendment, Planned Unit Development rezoning and Development Plan, Growth Management Allocation, and EIR certification. The project application proposes to remove the proposed “Bypass Road” contemplated by the Happy Valley Specific Plan. Mr. Ault prepared a noise impact analysis to support the preparation of the EIR.

### *Planning Services and Initial Study/Mitigated Negative Declaration for Chang Property Subdivision, City of San Ramon, CA*

Mr. Ault prepared a noise impact analysis to support the preparation of an IS/MND for a proposed subdivision in the City of San Ramon. As part of the contract, FCS is also providing planning services to support the City’s processing of the development application, including facilitation of meetings with the LAFCO, the public, and a myriad of committees that must consider the application package.

### *Tassajara Parks Environmental Impact Report, Contra Costa County, CA*

Mr. Ault prepared a noise impact analysis to support the EIR for this landmark project that is located outside the boundary of the existing ULL in Contra Costa County. The project site consists of two separate parcels: the 155-acre northern site to be developed with 125 single-family residences, a walking trail, and trail staging area; and the 616-acre southern site, the majority of which would be dedicated to the East Bay Regional Parks District for permanent open space uses, with two 5-acre parcels dedicated to the San Ramon Valley Unified School District and San Ramon Valley Fire Protection District. Particular attention will be focused on potential traffic impacts, aesthetic impacts, and growth inducement.

### *Environmental Impact Report for the Tracy Village Development Project, City of Tracy, CA*

Mr. Ault is preparing a noise impact analysis supporting the EIR for the Tracy Village Development Project, which analyzes the effects of a proposed 600-unit single-family subdivision on 134 acres in the City’s sphere of influence. The project requires a concurrent annexation by the City of surrounding properties. The project requires approval of a GPA, annexation and pre-zoning, modification to the City’s Measure A allocation limits, and a tentative subdivision map. Key issues are water use, traffic circulation, and annexation requirements. An NOP was issued in October 2016, and the Draft EIR was published in 2017.

### *East Pleasanton Specific Plan Environmental Impact Report, City of Pleasanton, CA*

Mr. Ault prepared a noise impact analysis to support the preparation of a Draft EIR for the East Pleasanton Specific Plan in the City of Pleasanton. The Specific Plan encompassed approximately 1,100 acres located east of Valley Avenue and Busch Road, and north of Stanley Boulevard; and included quarry lakes, public facilities, and undeveloped land. The Specific Plan would guide the development of residential (1,300 dwelling units), commercial, industrial, office, and parks/recreation uses within this area, as well as an extension of El Charro Road to the south, to connect with Stanley Boulevard. The project is no longer moving forward; the Draft EIR was released in April 2015, and the City elected not to complete the Final EIR.

**PHILIP AULT, MS—NOISE SPECIALIST**

*Trellis Residential Project Environmental Impact Report, City of Walnut Creek, CA*

Mr. Ault prepared the construction and operational noise impact analysis supporting the EIR for the Trellis Residential Project, which proposed to construct and operate 71 single-family detached residences and associated improvements in the southern portion of the City of Walnut Creek. The project included a series of paseos that traversed the project site and connected residences to common landscape areas and to off-site locations. As part of the project, the existing community center and associated structures were demolished. However, the adjacent Tice Valley Community Gymnasium and Tice Valley Neighborhood Park remained in place, and the associated existing parking lot was improved with new landscaping and lighting.

## YIU KAM—VISUAL SIMULATIONS/GRAPHICS SPECIALIST

### OVERVIEW

- More than 10 years of experience

### Education

- Bachelor of Arts, Urban Studies, University of California, Berkeley, CA, 2006

### Skills

- Graphic Design
- Urban Design
- Web Design
- 3-D Modeling + Visualizations
- Cartography
- Brand Development
- Marketing
- Copywriting
- Photography

### Technical Expertise

- Adobe Creative Suite
- Microsoft Office
- SketchUp + Podium
- ArcGIS

**Yiu Kam** is a multidisciplinary Designer specializing in developing meaningful and compelling visual tools for stakeholder and community consideration and collaboration. With more than 10 years of graphics expertise in the urban planning, long range planning, and environmental planning fields, Mr. Kam keenly understands the power of effective visual communication to educate, inform, and inspire an audience. He specializes in creating visual simulations and renderings for development projects undergoing CEQA review, with special consideration of sensitive scenic concerns. His workflow, developed over the years, ensures the geographically accurate and photorealistic depiction of a project's buildings, landscaping, and grading within an existing environment. Mr. Kam also has an award-winning graphic communications experience in developing creative campaigns for various projects that encompass the disciplines of graphic design, project and event branding and art direction, informational animation videos, social media, and web design/user interface.

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## RELATED EXPERIENCE AND CLIENT SUMMARY

- EIR for the Spotorno Residential Subdivision Project, City of Pleasanton, CA
- Planning, Environmental Compliance, and Project Management Services for the Chang Property Subdivision, City of San Ramon, CA
- San Leandro Shoreline Development Project EIR, City of San Leandro, CA
- Homes at Deer Hill/Terraces of Lafayette EIR/Supplemental EIR, City of Lafayette, CA
- Fire Station 41 (El Granada) Replacement Project EIR, Coastside Fire Protection District, San Mateo County, CA
- Palo Alto Comprehensive Plan Update and EIR, City of Palo Alto, CA
- Suisun Commerce and Logistics Center Project EIR, City of Suisun City, CA
- Vallejo Comprehensive General Plan Update and EIR, City of Vallejo, CA
- Programmatic EIR, IS, and Technical Studies for the Highway 74 Business Corridor Project, Riverside County, CA
- Light Tree Apartments Landscape Plans and Visualizations, City of East Palo Alto, CA
- 2129 Shattuck Avenue Mixed-Use Project Visual Simulations, City of Berkeley, CA
- Downtown Area Plan, City of Berkeley, CA

**YIU KAM—VISUAL SIMULATIONS/GRAPHICS SPECIALIST**

- I-80/Gilman Intersection Improvement Project Graphic Outreach, Visual Simulations, and Project Branding, Alameda County Transportation Commission, City of Berkeley, CA
- Stanford Avenue Staging Area Expansion Project Visual Simulations, Mission Peak Regional Preserve Renderings, East Bay Regional Parks District, City of Oakland, CA
- Woodbury Highlands IS, City of Lafayette, CA
- Retail Analysis for the City of San Ramon, City of San Ramon, CA
- Downtown Napa General Plan and Zoning Ordinance, City of Napa, CA
- Envision Stockton General Plan Update, City of Stockton, CA
- M-2 Zoning Update, City of Menlo Park, CA
- Hillsdale Station Area Plan, City of San Mateo, CA
- Dell Avenue Area Plan, City of Campbell, CA
- CUP and Site Plan and Architectural Review Services for Chicken Town Mini Golf Center, City of Petaluma, CA
- Northwest Specific Plan, City of Rohnert Park, CA
- Comprehensive Parks Needs Assessment, Los Angeles County, CA
- Hollywood Central Park CEQA/NEPA Documentation and Associated Technical Studies, City of Los Angeles, CA
- Bergamot Area Plan, City of Santa Monica, CA
- IS/MND and Technical Studies for the Downtown Hemet Specific Plan and GPAs, City of Hemet, CA
- Bay Trail Design Guidelines and Toolkit, Association of Bay Area Governments
- Visual Simulations for Carlsbad, Vista, and San Diego, San Diego Association of Governments
- Seacoast Drive Visual Simulations in Imperial Beach, San Diego Association of Governments

**REIMBURSEMENT AGREEMENT FOR THIRD-PARTY CONSULTING COSTS  
INCURRED BY THE CITY OF PLEASANTON TO PREPARE  
AN ENVIRONMENTAL IMPACT REPORT (EIR) TO EVALUATE THE  
ENVIRONMENTAL EFFECTS OF A PROPOSAL  
BY PONDEROSA HOMES**

This Reimbursement Agreement (“Agreement”) for third-party consulting costs incurred by the City of Pleasanton to prepare an Environmental Impact Report (EIR) to evaluate the environmental effects of a proposed 33-single-family unit residential community, related improvements, and land dedication on four parcels totaling approximately 128.5-acres located at 10807, 11021 and 11033 Dublin Canyon Road and the parcel west of 11021 Dublin Canyon Road (“Project”) is entered into on September 4, 2018, between the City of Pleasanton, a general law city (“City”) and Ponderosa Homes, a California corporation (“Owner”).

**RECITALS**

A. Owner owns or has an interest in four parcels totaling approximately 128.5 acres located at 10807, 11021 and 11033 Dublin Canyon Road and the parcel west of 11021 Dublin Canyon Road in the City of Pleasanton, County of Alameda, State of California (the “Property”).

B. On September 4, 2018, the City Council of the City of Pleasanton approved the professional services agreement between the City and FirstCarbon Solutions (FCS), a California corporation, for the preparation of a Subsequent EIR pursuant to CEQA for the proposed 33-single-family unit residential community, related improvements, and land dedication on the Property.

**NOW, THEREFORE**, it is agreed as follows:

**Section 1. Reimbursement of Third-Party Consulting Costs.** A list of the third-party consultants proposed to be retained by the City to prepare the EIR, together with a description of the proposed scope of work and estimate of costs for each third-party consultant, is attached hereto (and incorporated herein as if set forth in full) as Exhibit A (the “Eligible Consulting Costs”). During the term of this Agreement, Owner agrees to reimburse City for the Cost Estimate.

**Section 2. Time and Manner of Reimbursement.** Payment for Eligible Consulting Costs shall be made in two phases as follows: (a) Owner shall make an initial \$50,000 payment (the “Initial Deposit”) to the City when the City executes an agreement for Eligible Consulting Costs; (b) within thirty (30) days of the Owner’s receipt of an invoice from the City documenting the costs incurred by the City for Eligible Consulting Costs that exceed the Initial Deposit. All invoices shall be provided by City pursuant to the notice requirements of Section 6, below. Once received, Owner shall review each invoice to confirm the costs set forth therein are Eligible Consulting Costs. In the event Owner determines that any invoiced costs are not Eligible Consulting Costs, Owner shall notify the City within fifteen (15) days of receipt of an invoice from City. Following such notification by Owner, the City shall review the invoice to confirm all costs are Eligible Consulting Costs, and shall notify Owner of its determination. In the event

Owner has notified City of the ineligibility of certain costs as described above, payment for Eligible Consulting Costs shall be made within thirty (30) days of Owner's receipt of City's final determination as to the permissible costs.

The City hereby directs that any Eligible Consulting Costs due to the City pursuant to this Agreement shall be payable to the City of Pleasanton and mailed to:

Attention: Natalie Amos  
City of Pleasanton Planning Division  
200 Old Bernal  
Avenue  
P.O. Box 520  
Pleasanton, CA 94566-0802

**Section 3. Term.** This Agreement shall be effective on the date of execution and shall continue until September 4, 2019, or the approval of the Project by the City Council, whichever occurs later.

**Section 4. Amendments.** Any amendment, modification, suspension or cancellation of this Agreement must be in writing, signed by the City and Owner.

**Section 5. Disputes.** Disputes arising under this Agreement shall be filed with the City Manager, who shall be authorized to resolve such disputes. Any decision made by the City Manager with respect to this Agreement may be appealed to the City Council. Any such appeal to the City Council must be made in writing and addressed to the City Council. Final action of the City Council shall be required before legal action pursuant to this Agreement may be instituted. Notwithstanding the foregoing, either party may, in addition to any other rights or remedies, institute legal action to cure, correct or remedy and default, enforce any covenant or agreement herein, enjoin any threatened or attempted violation or enforce by specific performance the obligations and rights of the parties hereto. In such event, the prevailing party shall be entitled to its attorneys' fees and costs, if any, in addition to any other relief to which such party may be entitled.

**Section 6. Notice.** Any notices required or permitted to be given hereunder shall be given in writing and shall be delivered by U.S. Mail, with a courtesy copy provided by e-mail. Such notices shall be addressed as follows:

If to City: City Manager  
City of Pleasanton  
P.O. Box 520  
Pleasanton, CA 94566

If to Owner: Ponderosa Homes II, INC.  
Attn: Jeff Schroeder  
5020 Franklin Drive, Ste. 200  
Pleasanton, CA 94588



**Section 7. Applicable Law and Venue.** The laws of the State of California shall govern the interpretation and enforcement of this Agreement, and venue shall be the Alameda County Superior Court.

**Section 8. Successors-In-Interest.** Except as otherwise provided in this Agreement, for the term of this Agreement, all of the provisions, rights, powers, terms, covenants, and other obligations contained in this Agreement shall be binding upon the parties and their respective heirs, successors (by merger, consolidation, or otherwise) and assignees, devisees, administrators, representatives, lessees, and all other persons or entities acquiring the Property, or any portion thereof, or any interest therein, whether by sale, operation of law or in any manner whatsoever, and shall inure to the benefit of the parties and their respective heirs, successors (by merger, consolidation or otherwise) and assignees. All of the provisions of this Agreement shall be enforceable during the term hereof as equitable servitudes and constitute covenants running with the land.

**Section 9. Counterparts and Exhibits.** This Agreement may be executed in two (2) duplicate counterparts, each of which shall be deemed to be an original. This Agreement and its Exhibits constitute the entire understanding and agreement of the parties. This Agreement and its Exhibits integrate all of the terms and conditions mentioned herein or incidental hereto, and constitute the entire understanding of the parties with respect to the subject matter hereof; and all prior written agreements, understandings, representations, and statements are terminated and superseded by this Agreement.

CITY OF PLEASANTON

OWNER

Ponderosa Homes II, INC.

\_\_\_\_\_  
Nelson Fialho, City

By: Ponderosa Homes II,  
INC., Its: Designated  
Manager

Manager ATTEST:

By: \_\_\_\_\_

\_\_\_\_\_  
Karen Diaz, City Clerk

Name: \_\_\_\_\_

Title: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Daniel Sodergren , City Attorney

**Exhibit A**

**Eligible Consulting  
Costs**

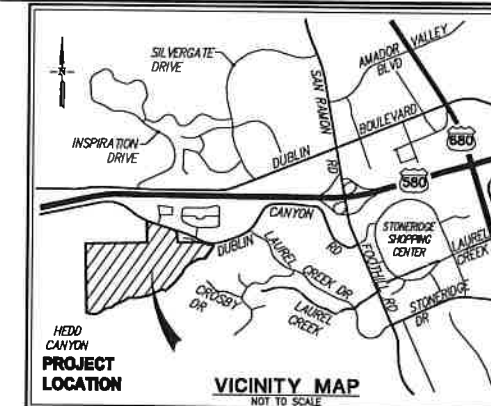
## PROJECT UNDERSTANDING AND APPROACH

### Project Understanding

Ponderosa Homes proposes to aggregate and subdivide four (4) properties totaling 128.5 acres, into 33 residential lots, including two lots to replace two existing home sites in the northwestern portion of the property. As part of the subdivision, approximately 70 acres would be dedicated to the East Bay Regional Park District (EBRPD) to remain as open space, including construction of a staging area for hikers and equestrians. Approximately 37.6 acres would remain as private open space and would be maintained by the Homeowners Association; and approximately 5.8 acres along Devany Creek and adjacent to one of the existing home sites would be retained by the Lester Family.



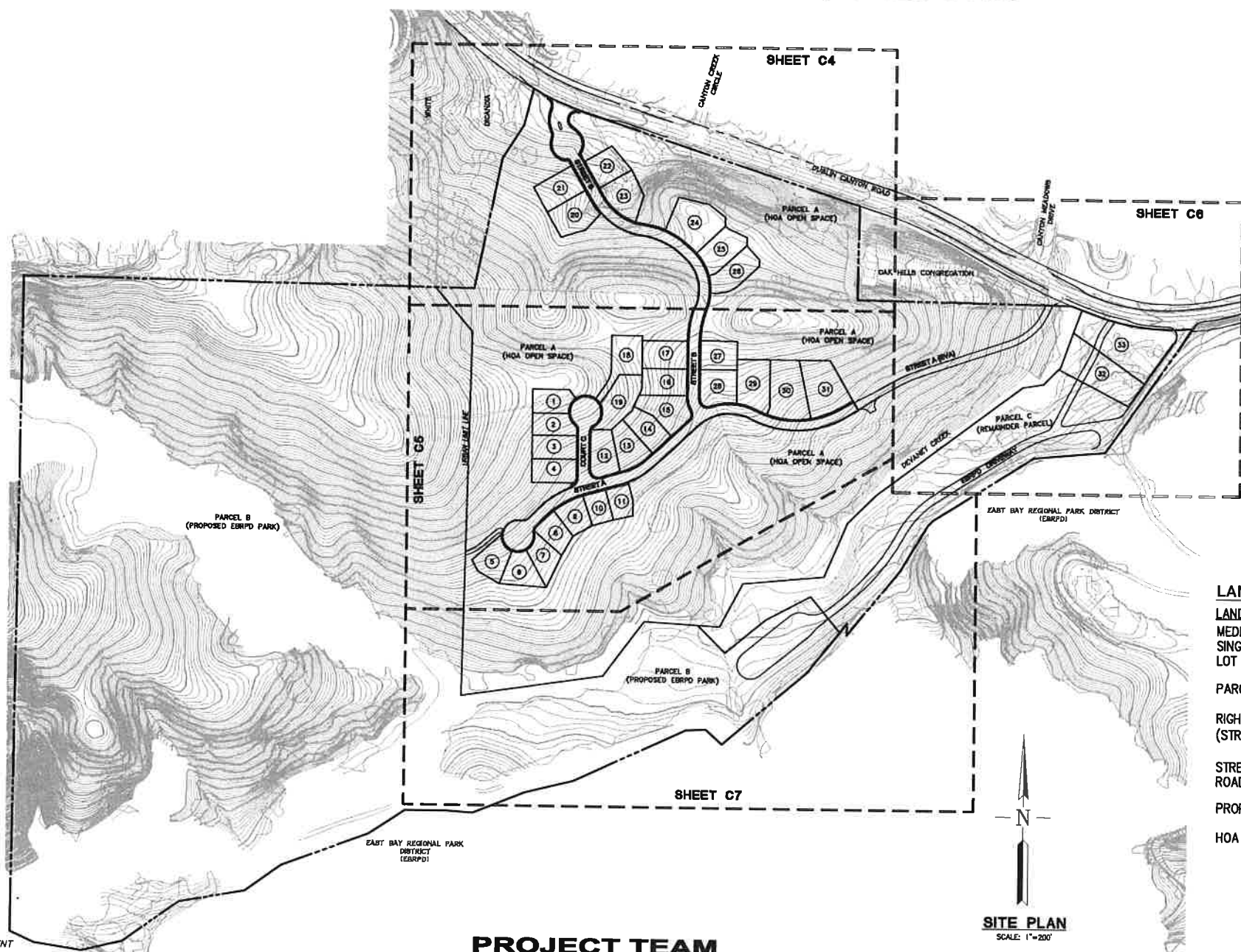
# PLANNED UNIT DEVELOPMENT HIDDEN CANYON (LESTER PROPERTY) CITY OF PLEASANTON, ALAMEDA COUNTY, CALIFORNIA



PROPOSED	DESCRIPTION	EXISTING
---	TRACT BOUNDARY	---
---	LOT LINE	---
---	RIGHT OF WAY	---
---	CENTER LINE	---
---	MATCH LINE	---
---	RETAINING WALL	---
---	EASEMENT LINE	---
---	STORM DRAIN	---
---	SANITARY SEWER	---
---	WATER	---
---	RECYCLED WATER	---
---	CURB & GUTTER	---
---	SIDEWALK	---
---	OVERHEAD UTILITIES	---
---	JOINT POLE	---
---	EARTH OR GRASS SWALE	---
---	CONCRETE DITCH	---
---	STORM WATER INLET	---
---	FIELD INLET	---
---	AREA DRAIN	---
---	DIRECTION OF FLOW	---
---	MANHOLE	---
---	FIRE HYDRANT	---
---	BLOW OFF	---
---	SANITARY SEWER CLEAN OUT	---
---	WATER VALVE	---
---	STREET LIGHT	---
---	MONUMENT	---
---	TRAFFIC SIGN	---
---	STREET NAME SIGN	---
---	FENCE	---
---	BARRICADE	---
---	SLOPE	---
---	HANDICAP RAMP	---
---	SAVE TREE	---
---	REMOVE TREE	---
---	CONTOUR ELEVATIONS	---
---	SPOT ELEVATION	---
---	ASPHALT PAVEMENT	---
---	BIORETENTION AREA	---
---	LIFT STATION	---
---	DIRECTION OF FUTURE FLOW	---
---	25% SLOPE LIMIT	---

### ABBREVIATIONS

AB	AGGREGATE BASE	LP	LOW POINT
AC	ASPHALT CONCRETE or ACRES	ME	MAINTENANCE EASEMENT
AD	AREA DRAIN	MH	MANHOLE
BC	BEGINNING OF CURVE	OH	OVERHEAD UTILITIES
BSM	BIO-TREATMENT SOIL MIX	PAE	PRIVATE ACCESS EASEMENT
BVC	BEGIN VERTICAL CURVE	PCC	POINT OF COMPOUND CURVE
BO	BLOW OFF	PL	PROPERTY LINE
BW	BOTTOM OF WALL	PRC	POINT OF REVERSE CURVE
CL	CENTER LINE	PSDE	PRIVATE STORM DRAIN EASEMENT
CMP	CORRUGATED METAL PIPE	PSE	PUBLIC SERVICE EASEMENT
CY	CUBIC YARD	PVC	POLYVINYL CHLORIDE PIPE
DWY	DRIVEWAY	PVI	POINT OF VERTICAL INTERSECTION
DIP	DUCTILE IRON PIPE	RCP	REINFORCED CONCRETE PIPE
EC	END OF CURVE	RET	CURB RETURN
EVC	END VERTICAL CURVE	RW	RIGHT-OF-WAY
EVAE	EMERGENCY VEHICLE ACCESS EASEMENT	SDE	STORM DRAIN EASEMENT
EX	EXISTING	SF	SQUARE FEET
FC	FACE OF CURB	SO	SIDE OPENING INVERT
FG	FINISHED GRADE	SSCO	SANITARY SEWER CLEAN OUT
FH	FIRE HYDRANT	STA	STATION
FI	FIELD INLET	SW	STORM WATER INLET
FL	FLOW LINE	SWK	SIDEWALK
GB	GRADE BREAK	TC	TOP OF CURB
GR	GRATE	TD	TOP OF DITCH
HP	HIGH POINT	TW	TOP OF WALL
INV	INVERT ELEVATION	WLE	WATER LINE EASEMENT
JP	JOINT POLE	WM	WATER METER
		VC	VERTICAL CURVE



### SHEET INDEX

SHEET NO.	DESCRIPTION
1	C1 COVER SHEET
2	C2 BOUNDARY AND EASEMENTS
3	C3 SLOPE CLASSIFICATION
4-7	C4-C7 SITE DEVELOPMENT PLAN
8	C8 EXISTING TREE PLAN
9	C9 TRAIL CONNECTION EXHIBIT
<b>ARCHITECTURE</b>	
SEE SEPARATE ARCHITECTURE PLAN SET	
<b>LANDSCAPE ARCHITECTURE</b>	
46	L1 SITE PLAN
47	L2 CONCEPTUAL LANDSCAPE PLAN
48	L3 CONCEPTUAL LANDSCAPE PLAN
49	L4 CONCEPTUAL LANDSCAPE PLAN
50	L5 CONCEPTUAL LANDSCAPE PLAN
51	L6 CONCEPTUAL LANDSCAPE DETAILS

### LAND USE SUMMARY

LAND USE	UNITS	ACRES	% OF SITE
MEDIUM DENSITY RESIDENTIAL (MDR) SINGLE FAMILY ATTACHED LOT SIZE: 7,000 SF TO 39,304 SF	33	10.2	7.9
PARCEL C (PRIVATE)	-	5.8	4.5
RIGHT-OF-WAY (STREETS & SIDEWALKS)	-	2.8	2.2
STREET A (EVA), EBRPD ACCESS ROAD	-	1.8	1.4
PROPOSED EBRPD PARK (PARCELS B)	-	70.3	54.7
HOA OPEN SPACE (PARCEL A)	-	37.6	29.3
	33	128.5	100

### PROJECT TEAM

#### Applicant

Ponderosa Homes III, Inc.  
5020 Franklin Drive, Suite 200  
Pleasanton, CA 94588  
Contact: Rick Rosenbaum  
(925) 460-8910

#### Architects

Bassenian-Lagoni  
2031 Orchard Drive, Suite 100  
Newport Beach, CA 92660  
Contact: Si Kim  
(949) 553-9100

WHA  
5000 Executive Pkwy #375,  
San Ramon, CA 94583  
Contact: Mark Rutherford  
(925) 463-1700

#### Civil Engineering & Planning

Ruggeri-Jensen-Azar  
4690 Chabot Drive, Suite 200  
Pleasanton, CA 94588  
Contact: Steve Lichliter  
(925) 227-9100

#### Landscape Architect

vanderToolen Associates  
855 Bordeaux Way, Suite 240  
Napa, CA 94558  
Contact: Byron Williams  
(707) 224-2299

**SITE PLAN**  
SCALE: 1"=200'



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