

1—INTRODUCTION

1—INTRODUCTION

1.1 OVERVIEW OF THE PROJECT AND ENVIRONMENTAL REVIEW PROCESS

This final subsequent environmental impact report (SEIR) has been prepared by Alameda County (County), the lead agency under the California Environmental Quality Act (CEQA) (Public Resources Code [PRC], Section 21000 et seq.; California Code of Regulations [CCR] Title 14 Section 15000 et seq. [CEQA Guidelines]) pursuant to 14 CCR section 15162, to evaluate the potentially significant environmental effects associated with an amendment to RMC Pacific Materials, LLC's ("CEMEX's" or "the applicant's") approved 1987 reclamation plan for the Eliot Quarry (the "approved reclamation plan") (Lone Star Industries, Inc. 1986), which is the proposed project. The proposed project is a modification of an approved reclamation plan and a modification to Surface Mining Permit 23 (SMP-23) for a vested mining operation. Except as outlined below, the applicant proposes no change to any fundamental element of the existing operation (e.g., mining methods, processing operations, production levels, truck traffic, hours of operation).

Eliot Quarry is an approximately 920-acre sand and gravel mining operation located within the unincorporated area of Alameda County, between the cities of Livermore and Pleasanton, south of Stanley Boulevard and north of Vineyard Avenue (as shown in Figure 1-1, "Regional Location," and Figure 1-2, "Site Location"). The applicant's mining operation at the Eliot Quarry site is vested due to pre-1957 mining and the issuance of various County mining permits, as documented in the County Quarry Permits Q-1 (1957), Q-4 (1957), and Q-76 (1969). Changes in circumstances at the site and in applicable regulatory requirements necessitate preparation of an amended reclamation plan that addresses these changes and provides reclamation objectives that can be feasibly accomplished and permitted by regulatory agencies. In considering the application and the discretionary action of approving the proposed reclamation plan amendment, the County is required to conduct environmental review pursuant to CEQA.

The approved reclamation plan envisions mining the Lakes A and B areas to create two large waterbodies for future operation and management by the Alameda County Flood Control and Water Conservation District, Zone 7 (hereafter referred to as "Zone 7"). Lakes A and B are to be part of a larger "Chain of Lakes" that consist of a series of reclaimed gravel quarry pits converted into nine lakes (Lakes A through I), linked in a series, and used to store and convey seasonal and flood water and recharge groundwater. Under the approved reclamation plan, the natural channel of the Arroyo del Valle (ADV) would be mined out and flow through Lakes A and B via tall concrete spillways at Vallecitos Road and Isabel Avenue and via a concrete and riprap apron at the downstream end of Lake B. The approved reclamation plan also includes an optional lake (Lake J) near the current processing plant site.

The applicant seeks to amend the approved reclamation plan to include changes that are more sensitive to the environment and surrounding community while fulfilling the intent of the *Specific Plan for the Livermore-Amador Valley Quarry Area Reclamation* (LAVQAR Specific Plan) (Alameda County 1981). The LAVQAR Specific Plan comprises the 3,820 acres designated for "Sand and Gravel Quarry" use between Pleasanton and Livermore in the Livermore-Amador Valley. The key concept of the LAVQAR Specific Plan is the shaping of pit areas, which will eventually contain water, into a "Chain of Lakes" during the course of mining over the 50- to 60-year period that sand and gravel reserves are expected to last in the quarry area. The Chain of Lakes is intended to provide a surface water storage and conveyance system to replace a portion of the preexisting subsurface water storage and conveyance system feeding the

groundwater basin. Connecting conduits between the lakes and structures necessary to capture and carry local runoff waters will be provided by the mine operators at no cost to the public through Zone 7. At the conclusion of mining, water from ADV will be capable of being diverted into the Chain of Lakes, and a bypass channel for that watercourse will also be provided to maintain downstream flows necessary to Zone 7 and Alameda County Water District.

The proposed project serves to adjust reclamation boundaries and contours, enhance drainage and water conveyance facilities, incorporate a pedestrian and bike trail, and achieve current surface mining reclamation standards. The planned postmining end uses are water management, open space, and agriculture (nonprime).

Consistent with prior approvals, the project would develop Lakes A and B, which are the first two lakes in the Chain of Lakes pursuant to the LAVQAR Specific Plan. Upon reclamation, Lakes A and B, along with their appurtenant water conveyance facilities, would be dedicated to Zone 7 to store and convey surface water and manage the recharge of groundwater.

Unlike the approved reclamation plan, under the proposed project the ADV would remain separate from the Chain of Lakes. Lake A reclamation would include installation of a surface water diversion from the ADV to Lake A. No further mining would occur in Lake A. A water pipeline conduit would connect water from Lake A to both Lakes B and C. (Lake C is being developed on a neighboring property by Vulcan Materials Company and is not within the project site.) A conduit would also connect Lake C to Lake B. Lake B would include an overflow outlet to allow water to flow back into the ADV when Lake B water levels are high.






To facilitate the southerly progression of mining within Lake B, the project includes realigning and restoring an approximately 5,800-linear-foot reach of the ADV. The proposed ADV realignment would result in an enhanced riparian corridor that flows around, rather than through Lake B (as currently anticipated under the approved reclamation plan). The ADV realignment to the south of the Lakes was contemplated as a possibility in the LAVQAR Specific Plan and was subject to environmental review in the prior EIR in 1981.

Outside of Lakes A and B, reclamation treatment for other disturbed areas, including the excavation of a Lake J (not part of the Chain of Lakes), processing plant sites, and process water ponds, would involve backfilling and/or grading to return those areas to open space and/or agriculture. Lake J would be backfilled before final reclamation as part of ongoing mining and processing operations. Post-reclamation, the applicant would continue to own the areas of the property used for open space and/or agriculture (CEMEX 2019).

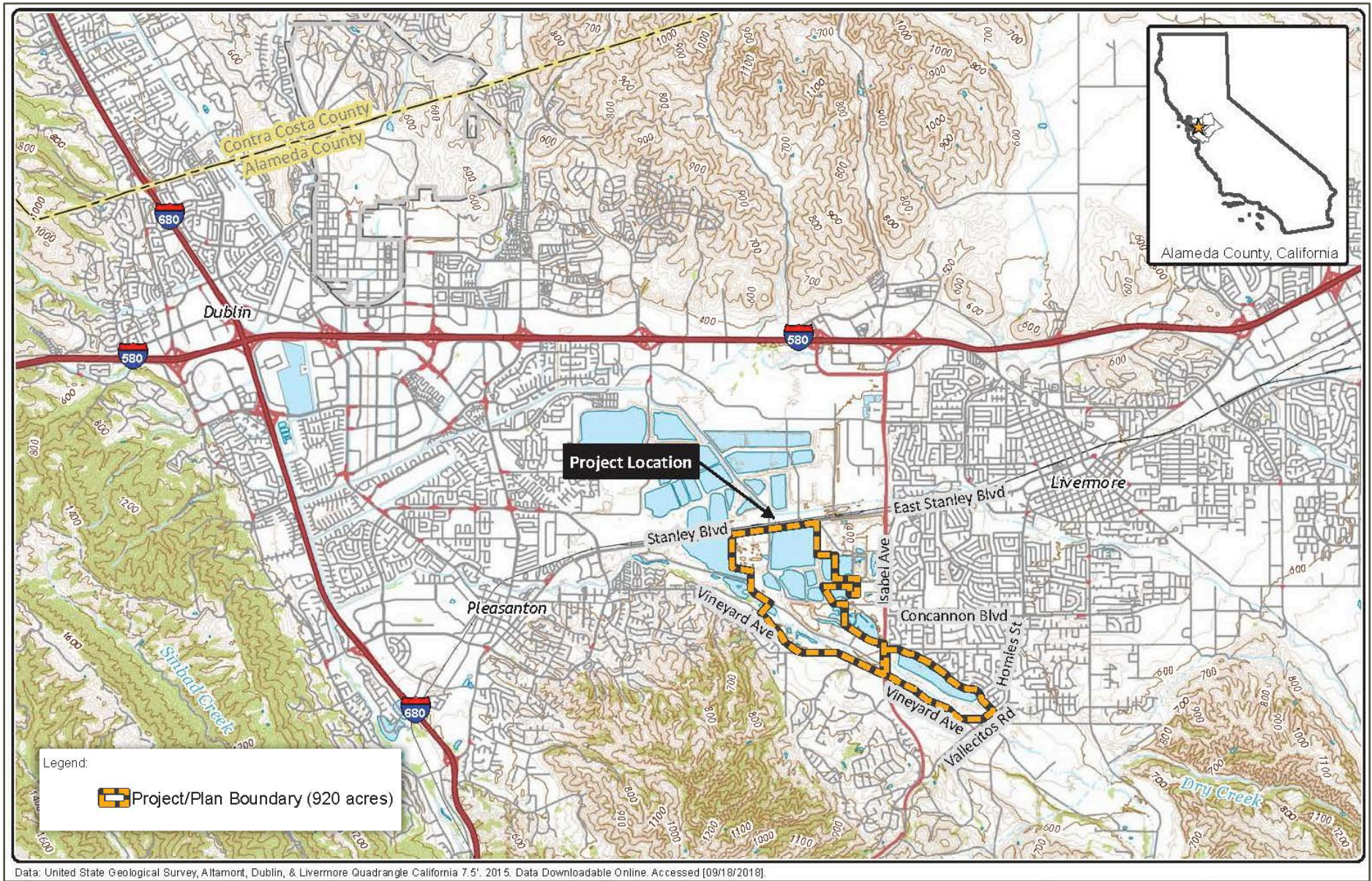
A complete description of the proposed project is provided in Chapter 2, “Project Description,” of the Draft SEIR, which is available on the County Neighborhood Preservation and Sustainability Department website at: <http://nps.acgov.org/Eliot.page?>. The Draft SEIR was circulated for public review and comment between January 27, 2021, and March 12, 2021 (State Clearinghouse Number 2019060144).



SOURCES: ESRI World Shaded Relief accessed Jan. 2020; ESRI World Topographic Map accessed Jan. 2020; ESRI World Streetmap, 2009; compiled by Benchmark Resources in 2020

-  Project Location
-  City Boundary
-  County Boundary
-  Major Highway
-  Major Road

THIS PAGE
INTENTIONALLY
LEFT BLANK



SOURCE: CEMEX 2019, Project Description; modified by Benchmark Resources in 2020.

NOTE: Figure is not printed to scale.

THIS PAGE
INTENTIONALLY
LEFT BLANK

1.2 FINAL SEIR REQUIREMENTS

This Final SEIR provides responses to comments received on the Draft SEIR. Section 15132 of the CEQA Guidelines requires that the Final SEIR consist of:

- The Draft SEIR or a revision of the draft;
- Comments and recommendations received on the Draft SEIR either verbatim or in summary;
- A list of persons, organizations, and public agencies commenting on the Draft SEIR;
- The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- Any other information added by the Lead Agency.

This Final SEIR for the proposed project has been prepared to provide responses to comments received on the Draft SEIR and is to be used in conjunction with, rather than in place of, the Draft SEIR. Therefore, the information in this Final SEIR, which incorporates the Draft SEIR including its appendices, fulfills state and County CEQA requirements for a complete SEIR.

Chapter 3, “Draft SEIR Errata,” of this Final SEIR provides revisions for clarification or amplification of information in the record. In no instances do the errata provide substantial new information or indicate a new impact or increase in the severity of an impact identified in the Draft SEIR.

1.3 USE OF THE SEIR IN THE DECISION-MAKING PROCESS

The SEIR is an informational document designed to inform the public of the significant environmental effects of a project, identify possible ways to minimize or mitigate the significant effects, and describe reasonable alternatives to the project.

The County will use the SEIR, together with economic, social, and technical information, to decide whether to approve the discretionary entitlements being requested. The County has made this Final SEIR available prior to hearings on proposed project approval or denial to provide an opportunity for agency and public review of the complete SEIR before decisions are made. In addition, the County provided responses to comments to each of the agencies commenting on the Draft SEIR 10 days before the first County Planning Commission hearing to consider certification of the Final SEIR.

The County reviews proposed mining use permits, reclamation plans, and financial assurance estimates before considering their approval. The proposed project would be regulated by the County in accordance with the *Alameda County Surface Mining Ordinance* and the California Surface Mining and Reclamation Act (PRC § 2710 et seq.).

The SEIR (consisting of this Final SEIR and the Draft SEIR which is incorporated by reference) reviews the environmental consequences of the proposed project, as described in Section 3.0 of the Draft SEIR. The County will use the SEIR, along with other information, in its consideration of the Reclamation Plan Amendment application.

Before rendering decisions on the discretionary actions, the County must certify that:

- The SEIR has been completed in compliance with CEQA,
- The SEIR was presented to the decision-making body of the Lead Agency,
- The information in the SEIR was reviewed and considered before approving the project, and

- The SEIR reflects the Lead Agency’s independent judgment and analysis.

Should the County approve the proposed project, a statement of findings would be adopted for each significant environmental impact of the proposed project, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

- Changes or alterations have been required in, or incorporated into, the project to avoid or substantially lessen the significant environmental effects as identified in the Final EIR;
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency; and/or
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final SEIR.

The Lead Agency must adopt, in conjunction with the findings, a program for reporting or monitoring the changes that it has either required in the project or made a condition of approval to avoid or substantially lessen impacts (CEQA Guidelines § 15091[d]). These measures must be fully enforceable through conditions of approval, agreements, or other measures in a program referred to as the Mitigation Monitoring and Reporting Program (MMRP), which shall be prepared in advance of a public hearing on the proposed project.

In addition, because of the significant and unavoidable impacts identified in the SEIR, the County must adopt a statement of overriding considerations for those impacts to approve the proposed project. The statement of overriding considerations would set forth the specific reasons why the benefits of the project outweigh the unavoidable significant environmental impacts. The statement of overriding considerations and the findings must be adopted by the County decision-making body following its decision at a public hearing.

1.4 SIGNIFICANT AND UNAVOIDABLE IMPACTS

The analysis determined that environmental impacts for the following issues would remain significant after implementation of all feasible mitigation:

- Impact 4.2-1: Conflict with or Obstruct Implementation of the Applicable Air Quality Plan (significant and unavoidable);
- Impact 4.2-2a: Result in a Cumulatively Considerable Net Increase of Any Criteria Pollutant for which the Project Region is Non-Attainment Under an Applicable Federal or State Ambient Air Quality Standard: NO_x (significant and unavoidable);
- Impact 7-2a: Impacts that are Individually Limited but Cumulatively Considerable: Conflict with Air Quality Plan (significant and unavoidable); and
- Impact 7-2b: Impacts that are Individually Limited but Cumulatively Considerable: Criteria Pollutant NO_x (significant and unavoidable).