

PLANNING DEPARTMENT

224 W. Winton Ave., Room 111 Hayward, CA 94544

phone 510.670.5400 fax 510.785.8793 www.acgov.org/cda

Application for Grant Funding

Alameda County Altamont Landfill Open Space Fund

GRANTEE INFORMATION

Name of Applicant Requesting Funding (Project Sponsor): Capstone Christian Ministries

Project Manager or Contact Person: Bill Turnquist

Mailing Address: 1695 Prima Drive, Livermore, CA 94550

Telephone Number: (510) 207-8937 Fax Number:

E-mail Address: bill.turnquist@sbcglobal.net

Is the Applicant a Non-profit or 501(c)(3) organization: Yes No

Federal Tax Identification Number: 91-1959711

LANDOWNER INFORMATION

Name of Landowner: Doris Brooks & Terry L. Brooks

Mailing Address: Doris Brooks Terry L. Brooks P.O. Box 1971 237 Lisa Drive

Hawthorne, NV 89415 Hawthorne, NV 89415

Telephone Number: Doris Brooks - (775) 316-0830 Fax Number:

Terry L. Brooks - (925) 812-5289

E-mail Address: dorisebrooks@yahoo.com

terrybrooks263@gmail.com

PROJECT INFORMATION

Project Title: Cross Property Preservation

Project Location: US Hwy 50 East - Livermore, CA - APN: 099-5680-04 (Cross Property)

Approximately 1/2 miles east of Greenville Road and Altamont Pass Road, north of

westbound I-580

Jurisdiction in which property is located: Alameda County

Land use designation and zoning applicable to the property:

Livermore General Plan – Large Parcel Agriculture (LPA) Livermore Zoning – None

East Alameda County Plan Land Use Designation: Large Parcel Agriculture (LPA)

Alameda County Zoning: Agriculture (A)

PROJECT OBJECTIVE

Acquire the approximately 32-acre property in fee title. Capstone's long-term interest in the property is preservation in perpetuity for open space, while recognizing the significance of cattle grazing to the Livermore Valley's cultural heritage and management of the property's biological resources. In addition, the property is strategically located and geographically suited to provide opportunities for wildlife connectivity with emphasis on safe crossings of I-580 which is a significant barrier. Finally, the property is strategically located to preserve the greenbelt from incursions by the City of Livermore.

Funding Requested: \$510,000

Total Project Cost (including in-kind contributions): \$1,010,000

Itemized Project Expenses, including transaction costs:

(Include all project expenses; indicate those that would be paid for with Altamont funds.

Itemized Expenses (estimated)		
Purchase Price	\$1,000,000	
Transaction Costs (appraisal/ staff/	\$10,000	
legal/title/ escrow)		
Total Project Cost	\$1,010,000	
Funding from ALOSC	\$510,000	
Funding from DVSA	\$500,000	

Please Note: Proposed funding date: March 15, 2024 completion date of project: July 2024	
Is the property currently under a Williamson Act contract? If yes, has a notice of non-renewal been filed? If yes, when does the contract expire?	X Yes No
Are there other easements or deed restrictions on the property (e.g., conservation easemaccess roads, utility lines, pipelines, etc.)? Are other easements currently being negotiate	

Who will hold fee title to the	land or hold the easement? Capstone		
Is that entity aware of this pro	pject?	Yes No	
If yes, provide name and con	tact information of the appropriate representative:		
Bill Turnquist (510) 20	7-8937		
Signature of Applicant:	Pall jumgus	Date:2/23/2024	

PROJECT DESCRIPTION

Thoroughly describe the full project and clearly indicate which portions are proposed for ALOSC funding.

Capstone is seeking to acquire in fee title, approximately 32 acres currently owned by Doris Brooks and Terry L. Brooks. The proposal is to fund 50% of the acquisition with the Altamont Landfill Settlement Agreement Open Space fund, and 50% of funding will be provided by the Dougherty Valley Settlement Agreement fund.

Describe how the project meets the ALOSC funding criteria.

1. Significant Native Biodiversity Value

The property is in the Altamont Hills, adjacent to I-580, and comprised of rolling slopes and annual grasslands. The Altamont Hills are part of the Diablo Range, which connects Mt Diablo to Mt Hamilton and serves as a major wildlife linkage for a variety of species. According to the University of California Agriculture and Natural Resources (UCANR) mapping database, the property receives the highest rating of 1 for Bird Areas and Critical Linkage. Habitat and species maps from the California Natural Diversity Database indicate the property is within Federally-designated critical habitat for California red-legged frog and is identified as potential upland habitat for the Federally-designated California tiger salamander. In addition, according to the East Alameda County Conservation Strategy, the property is in Conservation Zone (CZ) 9. The annual grassland in CZ-9 supports various focal species, including non-breeding amphibian habitat, burrowing owl, American badger, and San Joaquin kit fox.

2. Significant Visual and/or Non-motorized Recreational Value

The property is part of the rolling slopes in Altamont Hills that are visually prominent from Highway I-580 and vantage points in east Livermore. UCANR's mapping database provides a rating for properties that contain significant value for visual/ scenic qualities and non-motorized recreational value. The rating system has a range between 0 and 1 (1 being the highest rating). The property received a rating of .99 for recreation and a rating of .52 for viewshed/ visual quality. Additionally, the property received the highest rating of 1 for Critical Link and Bird Areas.

3. Strategic Value in Land Protection

The Livermore City Council's apparent interest in expanding the Livermore UGB dangerously closer to this parcel is cause for concern, and underlines the need to protect open space lands including this one from the threat of urbanization.

UCANR's mapping database gives the property the highest rating of 1 for Bird Areas and Critical Linkage.

Highway I-580 is currently the most substantial impediment to wildlife movement. The property has the potential to contain significant value for animal movement along a major freeway. Furthermore, a 125-acre property on the south side of Highway I-580 is being pursued which would support the wildlife corridor enhancement.

4. Additional Funding Sources

The Dougherty Valley Settlement Fund (DVSA) will be expected to provide the remaining funding of \$500,000. Preliminary discussions with CBG give us high confidence the funds will be approved.

5. Willing Sellers

Doris Brooks and Terry L. Brooks are willing sellers. Capstone has a longstanding relationship and an open, cordial, and productive communication channel with the current owners. If the well known intention of the City of Livermore to procure a valid purchase agreement were to fail, we are confident the owners will agree to sell us this property as the preferred buyer.

Describe how the property will be operated and maintained (e.g., if donated to the East Bay Regional Park District, an agreement showing that EBRPD is willing to accept and maintain the property; if a conservation easement is proposed, indicate what the easement holder's monitoring plan is for the property.)

The Property will be owned and managed as open space by Capstone. As an occupant for many years, we are well suited, prepared and motivated to ideally care for it. We may enable cattle grazing on the property to maintain the property's biological resources and work with partners to help facilitate enhancement to wildlife crossings.

The February 16th meeting of the ALOSC revealed previously unknown weaknesses in the assurance of environmental protection associated with the acceptance of Altamont funding. Clearly we need to go beyond the mere requirement that funds be returned, if we were to violate the terms of our ownership. It should also be expressly disallowable by us as a recipient, to be able to leverage the condition of ownership in order to further any environmental compromises on other nearby lands, as can plausibly be accomplished through sneaky manipulations, unrelated CEQA processes, etc.

As part of the funding process, Capstone will encourage and strongly consider attaching any sort of bulletproof arrangement acceptable by ALOSC which categorically ensures this property will remain open space forever.

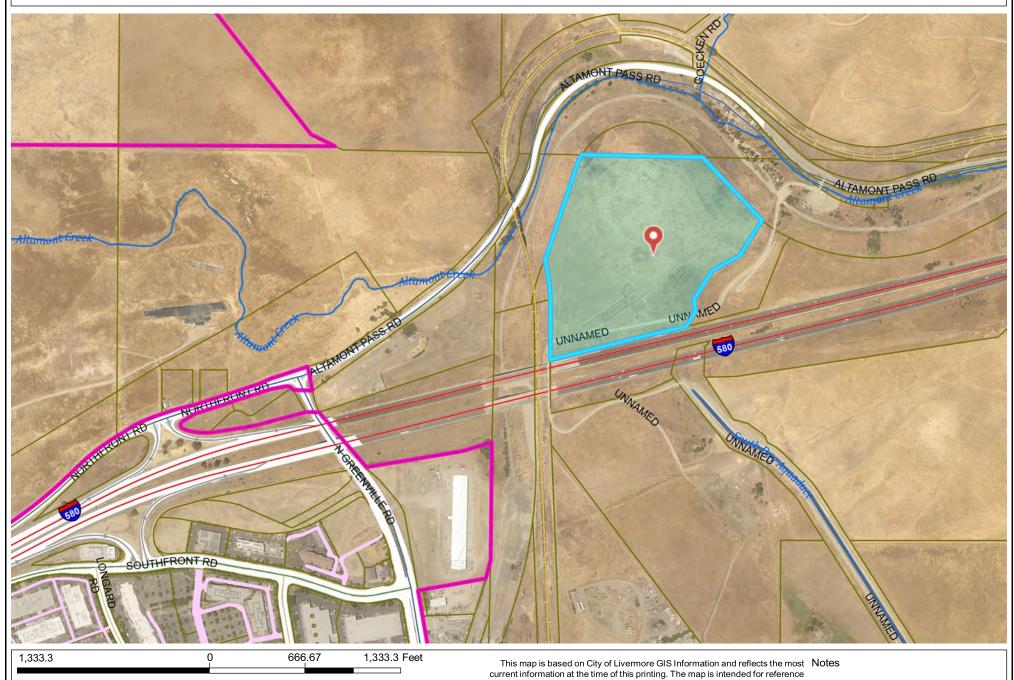
For us, **Permanent means permanent.**

Attachments

- 1. Location Maps
- 2. Habitat Maps
- 3. ACRCD & UC Davis Road Ecology Center Wildlife Presence Research Report Data
- 4. UCANR Resource Data
- 5. Save Mount Diablo Comment Letter on the Notice of Preparation for the East of Greenville Project

Attachment 1

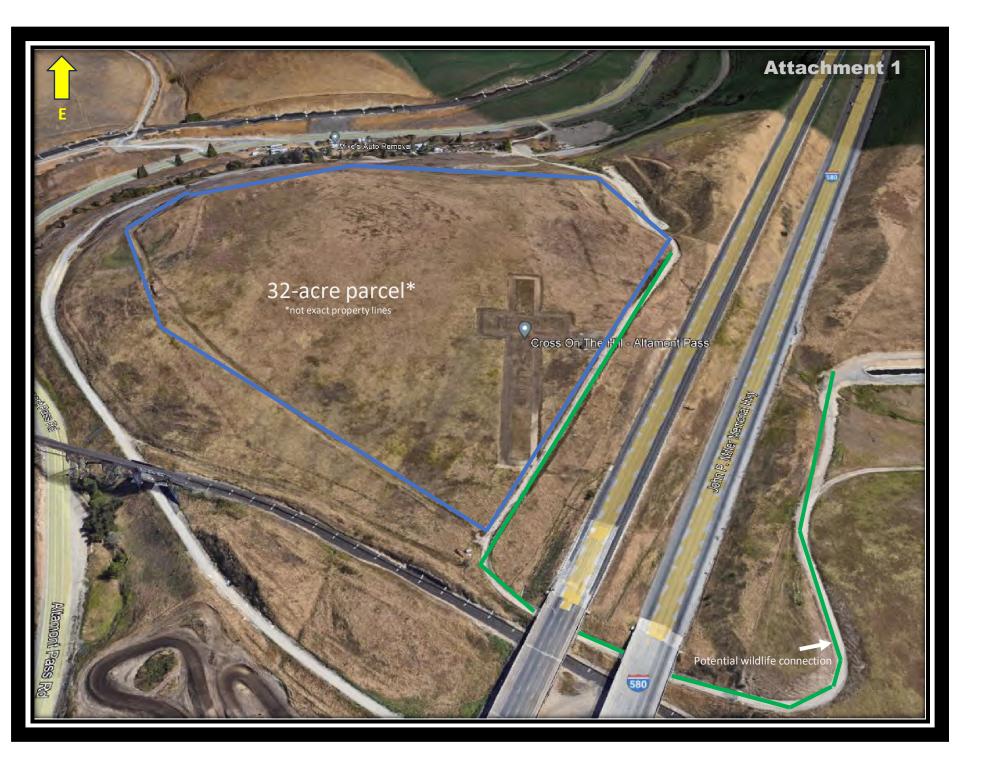


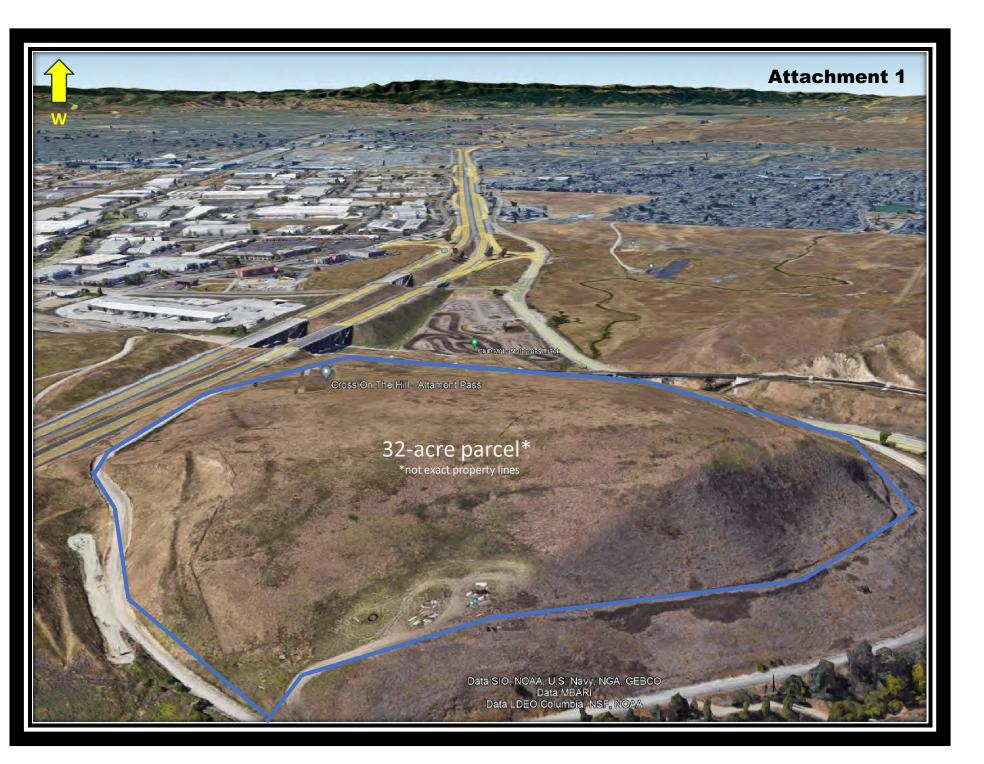


purposes only.

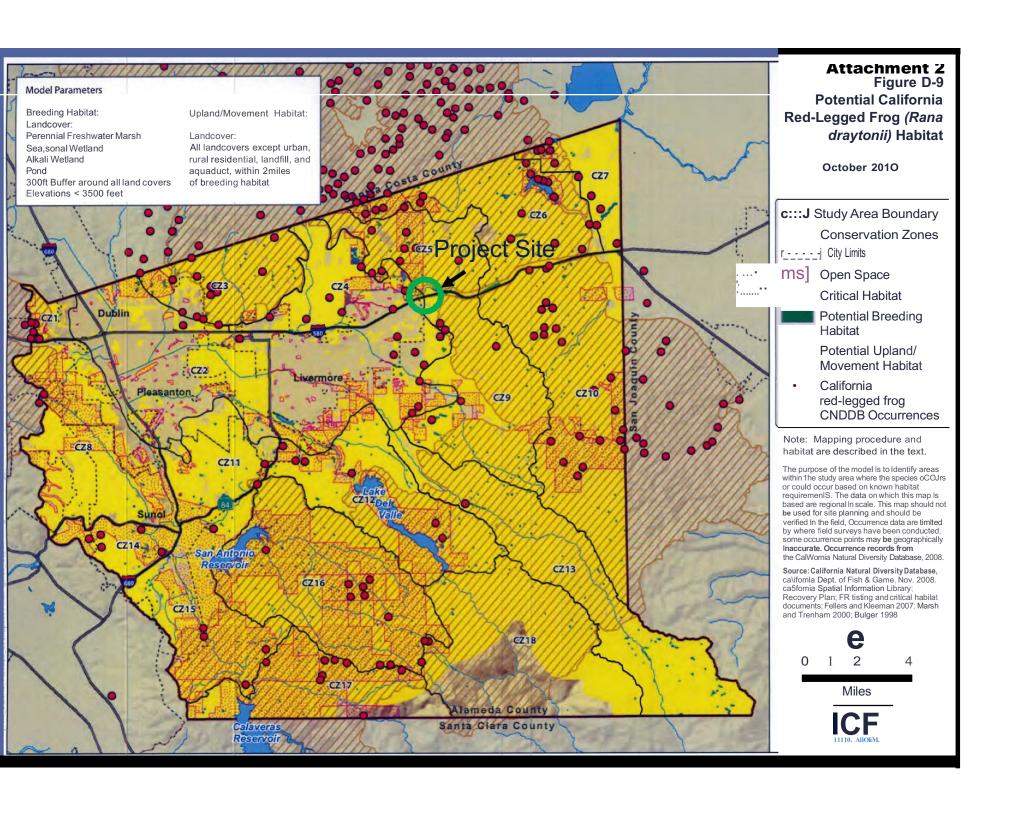
1: 8,000

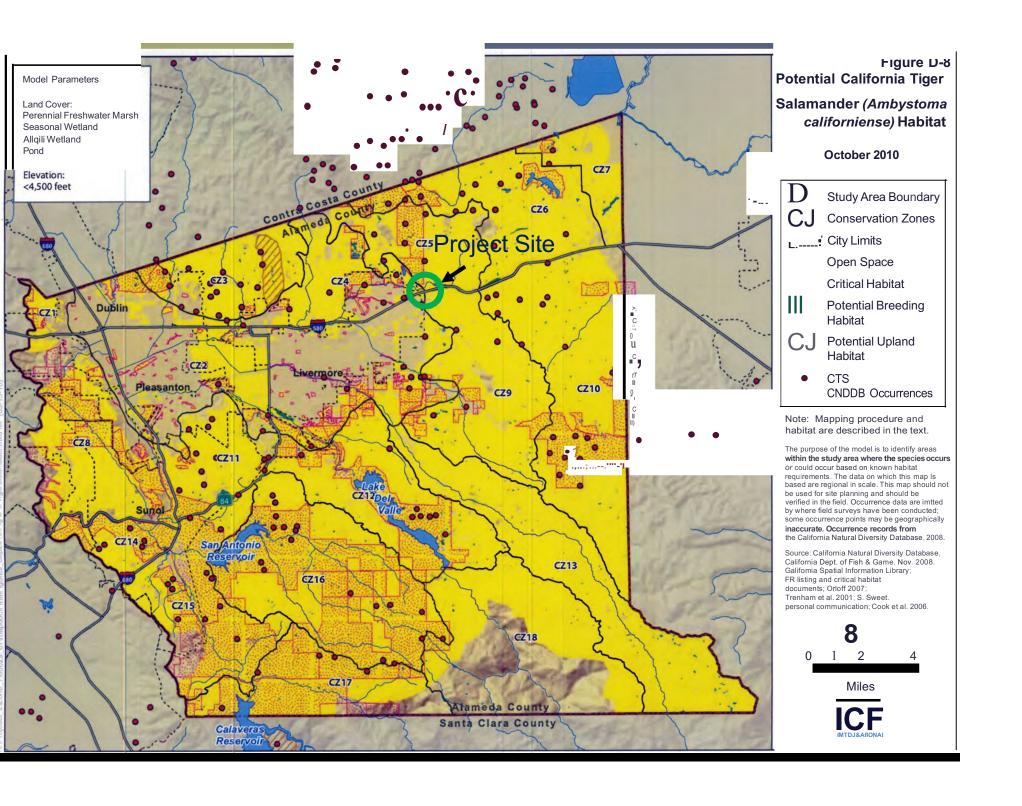
NAD_1983_2011_StatePlane_California_III_FIPS_0403_Ft_US Livermore IT, GIS Services

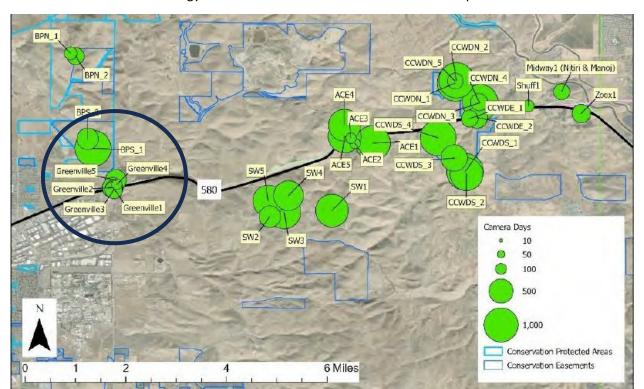






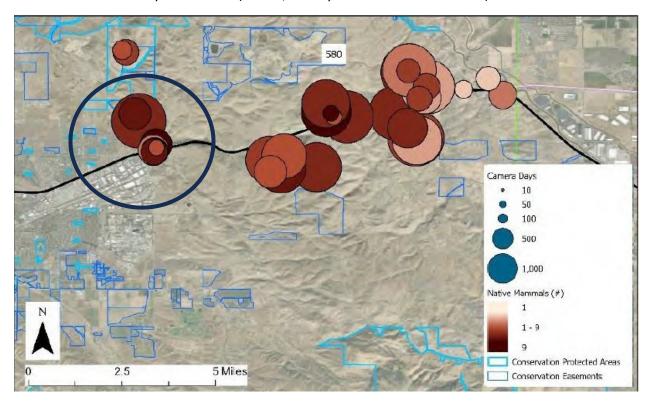






ACRCD & UC Davis Road Ecology Center – Wildlife Presence Final Research Report

*Wildlife camera ac2vity - Greenville (29 to 1,163 days observed across all sites)



Species Diversity – Varies across locations

Positions	Location	Location Type	Number Wild Mammal Species	Number Native Mammal Species	Number Non-Native Mammal Species	Species List	Shannon Species Diveristy Index
A	Alameda County			1		AB, BJR, BC, CGS, CKR, COY, DC,	
ACE1,2,3,5	East Alameda County	Wildlife Trail	15	11	4	EGS, GF, HKR, Rac, RF, SS, VO, WP	1.1
ACE4	East Brushy Peak	Underpass	7	7	0	AB, BC, CGS, Coy, DC, Rac, SS AB, BJR, BC, CGS, Coy, DC, EFS,	1.12
BPN,S	Regional Park Contra Costa	Wildlife Trail	13	9	4	EGS, MD, Rac, RF, SS, VO	1.72
CCWDE_1,2	Water District Contra Costa	Underpass	7	6	1	BC, CGS, Coy, DC, GF, Rac, RF AB, BC, CGS, Coy, DC, EFS, MD,	0.397
CCWDS_1,2,3,4	Water District	Wildlife Trail	11	8	3	Rac, RF, SS, WP	1,3
CCWDN_1,2,3,4,5		Wildlife Trail	10	7	3	AB, BC, CGS, Coy, DC, EGS, ML, RF, SS, VO	1.12
CC_1,DCE_1,DCN _1	Don Castro Regional Park Don Castro	Wildlife Trail	8	5	3	BC, Coy, EFS, EGS, MD, Rac, SS, VO	0.475
DCS_3, DCS_4	Regional Park Five Canyons	Underpass	7	6	1	CGS, Coy, DC, EFS, MD, Rac, SS	0.775
FC_1	Open Space Area Greenville Road	Wildlife Trail	Ť	7	O	BC, Coy, GF, MD, ML, Rac, SS AB, BJR, BC, CGS, Coy, DC, EFS, GF,	1.35
Greenville1,2,3,4,5		Underpass	13	10	3	MD, Rac, RF, SS, VO	1.37
Midway1 (Nitiri & Manoj)	Midway1 (Nitiri & Manoj) Palo Verde Rd	Wildlife Trail	3	2	1	CGS, Rac, RF	0.683
PVR east,west	UC VEIGE NO	Underpass	5	5	0	AB, CGS, Coy, MD, Rac	1.3
Rodeo1	Rodeo	Wildlife Trail	3	3	0	Coy, MD, Rac	0.279
Shuff1	Shuff	Underpass	2	2	0	Coy, MD, Rac	0.796
	Schaefer Ranch					E. N. C. S. M. S. C.	14.27
SRR_east, west	Rd	Underpass	2	2	Ö	MD, Rac AB, BC, BR, CGS, Coy, DC, Rac	0.693
SW1,2,3,4,5	Stop Waste	Wildlife Trail	12	9	3	Rat, RF, SS, VO, WP	1,33
Zoox1	Zoox	Wildlife Trail	5	4	1	Coy, GF, Rac, RF, SS	0.598

Species codes: AB –American Badger, BC –Bobcat, BJR –Black-tailed Jackrabbit, BR –Brush Rabbit, CGS –California Ground Squirrel, CKR – California Kangaroo Rat, Coy –Coyote, DC –Desert Cotontail, EFS –Eastern Fox Squirrel, EGS –Eastern Gray Squirrel, GF –Gray Fox, HKR – Heermann's Kangaroo Rat, MD –Mule Deer, ML –Mountain Lion, Rac–Raccoon, Rat –Unknown Rat Species, RF –Red Fox, SS –Striped Skunk, VO – Virginia Opossum, WP –Wild Pig

<u>University of California Agricultural and Natural Resources Data</u> <u>ALOSC Land Conservation Prioritization Tool Findings</u>

Subject Property - " Property" - Livermore, CA

APN: 99B-5680-4

Acres	33.92
Bird Areas	1.00
Wetland	0.00
Whipsnake	0.00
Red Legged Frog	0.00
Tiger Salamander	0.00
Delta Smelt	0.00
Fairy Shrimp	0.00
Critical Link	1.00
Intensified Connectivity	0.47
Diffuse Connectivity	0.64
Channelized Connectivity	0.00
Recreation	0.99
Viewshed	0.52

Protected Area Parcel Ranking

Range: 0 - lowest ranking 1 - highest ranking



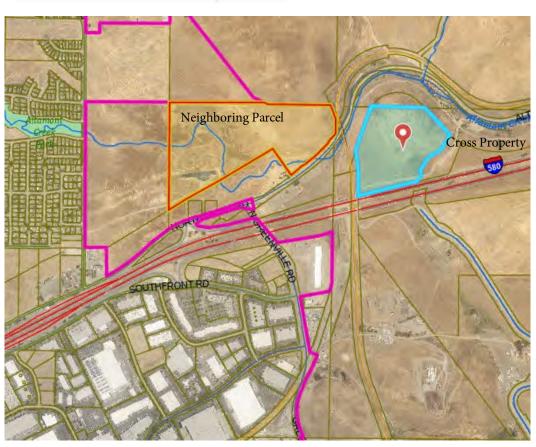
Neighboring Property - Laughlin Road Livermore, CA

APN: 99B-5500-1-10

Acres	88.72
Bird Areas	1.00
Wetland	0.00
Whipsnake	0.00
Red Legged Frog	0.97
Tiger Salamander	0.00
Delta Smelt	0.00
Fairy Shrimp	0.53
Critical Link	0.52
Intensified Connectivity	0.00
Diffuse Connectivity	0.59
Channelized Connectivity	0.00
Recreation	1.00
Viewshed	0.42

Protected Area Parcel Ranking

Range: 0 - lowest ranking 1 - highest ranking



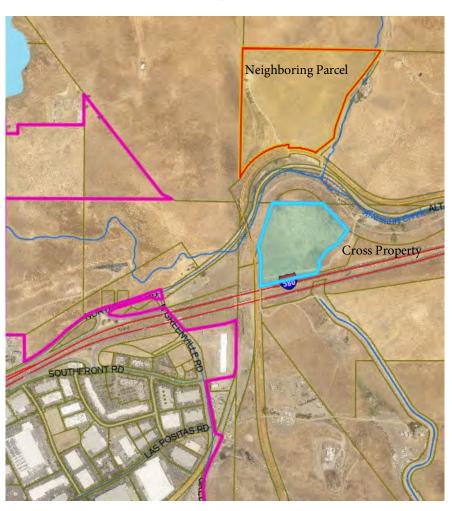
Neighboring Property - Goecken Road Livermore, CA

APN: 99B-5680-14

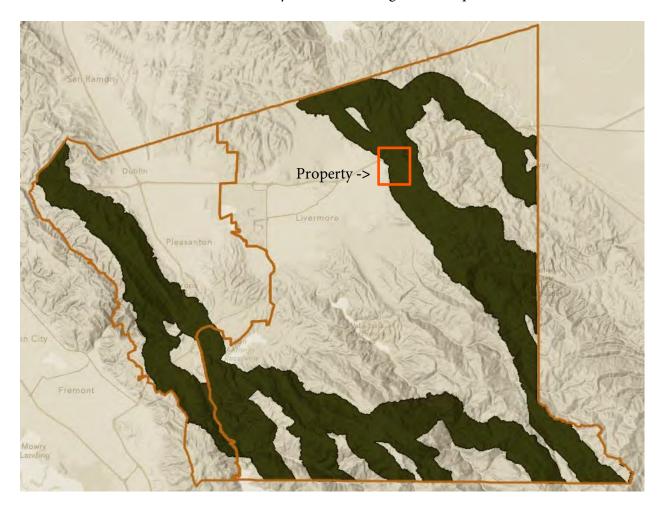
Acres	74.11
Bird Areas	1.00
Wetland	0.00
Whipsnake	0.00
Red Legged Frog	1.00
Tiger Salamander	0.00
Delta Smelt	0.00
Fairy Shrimp	0.00
Critical Link	1.00
Intensified Connectivity	0.46
Diffuse Connectivity	0.20
Channelized Connectivity	0.24
Recreation	1.00
Viewshed	0.59

Protected Area Parcel Ranking

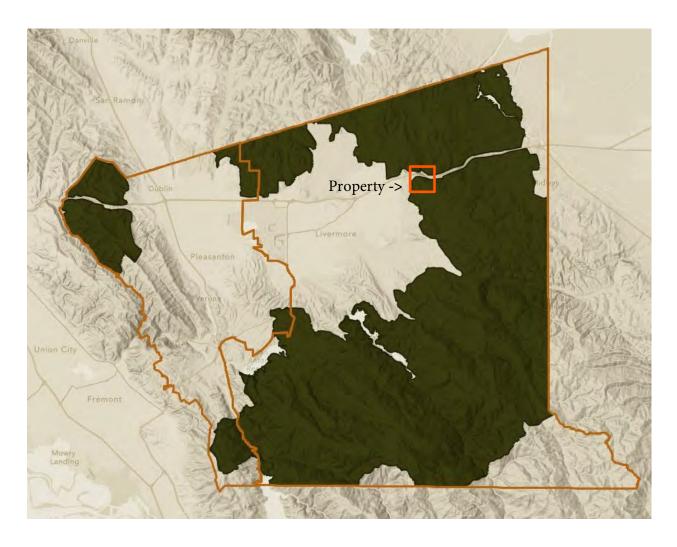
Range: 0 - lowest ranking 1 - highest ranking



Connectivity - Critical Linkage Area Map



California Red-Legged Frog (Rana draytonii) Habitat



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December 19th, 2023

Ashley Vera, Senior Planner City of Livermore Planning Division 1052 South Livermore Av. Livermore, CA, 94550

Save Mount Diablo Comment Letter on the Notice of Preparation for the East of Greenville Project (POLI23-003)

Dear Ms. Vera,

Save Mount Diablo (SMD) is a non-profit conservation organization founded in 1971 which acquires land, or interests in land, for conservation purposes and often for addition to parks on and around Mount Diablo. We also monitor land use planning which might affect protected lands. We build trails, restore habitat, and are involved in environmental education. In 1971, there was just one park on Mount Diablo totaling 6,778 acres; today there are almost 50 parks and preserves around Mount Diablo totaling 120,000 acres. We include more than 11,000 donors and supporters.

We are writing this letter to provide comments on the Notice of Preparation (NOP) for the East of Greenville Project (Project). In short, this Project is a bad idea that could have major negative consequences for the environment and Livermore residents.

The Project consists of a potential ballot measure authorized by the Livermore City Council to expand the North Livermore Urban Growth Boundary (UGB) east to include about 1,140 acres of land between Greenville Rd and the South Bay Aqueduct, south of I-580. If the Project were to win at the ballot, this land would be developed for industrial, commercial and other land uses.

As the staff report prepared for the NOP by City staff points out, nearly all California Environmental Quality Act (CEQA) categories would be analyzed as part of the environmental review for the Project, which without a doubt requires a full and comprehensive Environmental Impact Report (EIR). This is appropriate because our review of available information indicates that the Project could cause major environmental harm, especially in the impact categories of Aesthetics, Agriculture, Biological Resources, Carbon Pollution (ie, Greenhouse Gas Emissions), Transportation and Land Use and Planning.

The Project would lead to the development of 1,400 acres of land in the narrowest point (about 7 miles) of the 200-mile long Diablo Range. It is essential to maintain this mostly undeveloped corridor between Livermore and Tracy to allow for the north-south wildlife corridor and ecological connectivity between the Mount Diablo region, and the rest of the Diablo Range further south. The I-580 already negatively impacts biological connectivity across the width of this pinch-point, and there are only a few places where wildlife are able to safely cross under it. The Project would lead to development that would effectively block one of these crossing points. This corridor has already been identified by several authoritative sources, discussed below, as essential to the ecological integrity of the region. Moreover, the Project site itself is recognized as essential wildlife habitat for threatened species.

Biological Resources Analysis Must Consider Impact on Crucial Wildlife Corridor

As we pointed out above, the Project would eat into the narrowest part of the Diablo Range: a 7-mile wide corridor of largely undeveloped land between Livermore and Tracy that connects the Mount Diablo region with the rest of the 200-mile long Diablo Range. A detailed review and analysis of the impacts of destroying this crucial corridor must be included in the biological resources section of the EIR.

The most important natural resource planning tools in the region recognize this area as extremely important for the ecological integrity of the Bay Area. For example, the Conservation Lands Network (CLN; https://www.bayarealands.org/) is a regional conservation strategy for the San Francisco Bay Area, with a set of goals and science-based decision-making tools that support strategic investments in land protection and stewardship. It equips the Bay Area to respond to climate change, connect landscapes, and connect upland and bayland conservation.

Figure 1 below shows that CLN identifies most of the Project site as "Essential" to meeting the conservation goals of the region, meaning that it must be left undeveloped and protection must be established in order to meet said goals. Goals range from maintaining crucial ecological and hydrological processes to conserving irreplaceable landscapes. A significant part of the site not deemed as "Essential" is identified as either "Important" to meeting conservation goals or areas that "Ensure a connected network" of protected lands.

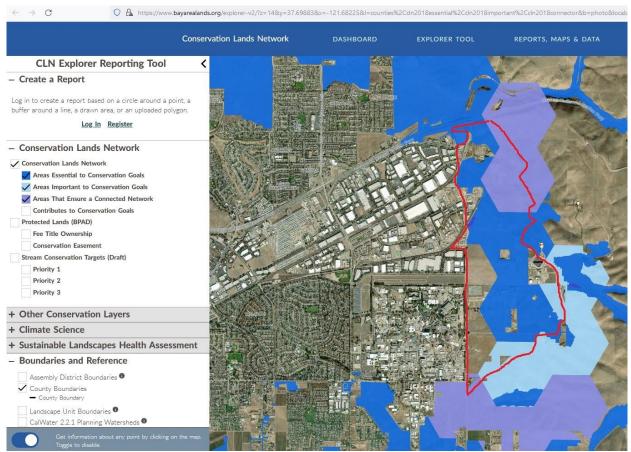


Figure 1. Map of Project site (outlined in red) on the Conservation Lands Network (CLN) Explorer Tool. Note that most of the Project site consists of "Areas Essential to Conservation Goals" (shown in dark blue on the map), and the vast majority of the Project site consists of land that is in some way important to achieving the science-based conservation goals of the CLN (shown as dark blue, light blue and purple on the map). Legend on the left side of the image.

In addition, the Critical Linkages Report (HERE) prepared for the nine county Bay Area region to identify vital wildlife corridors also identifies the Project site as an essential area. This report complements CLN by providing a detailed analysis of areas where maintenance or restoration of ecological connectivity is essential to conserving biological diversity, wildlife crossings, and corridors. Figure 2 below shows that the Project would impact the vital Mt. Diablo-Diablo Range linkage identified in the report. Figure 3 precisely shows the Project's location and that it would partly destroy this already narrow corridor.

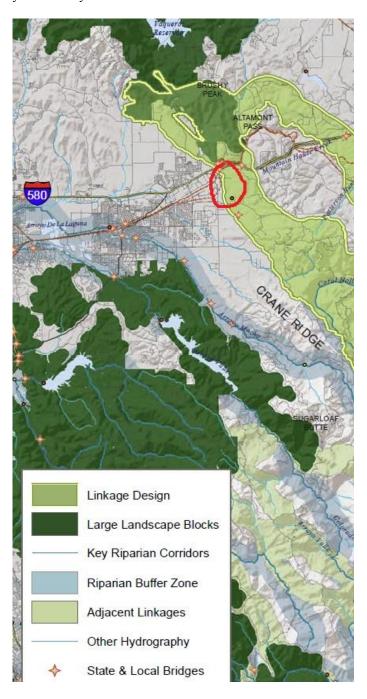


Figure 2. Map and legend of the Mt. Diablo-Diablo Range Critical Linkage as shown in the Critical Linkages Report, with the general area of the Project site circled in red (see Fig. 3 for a more detailed aerial view of the linkage and Project site).

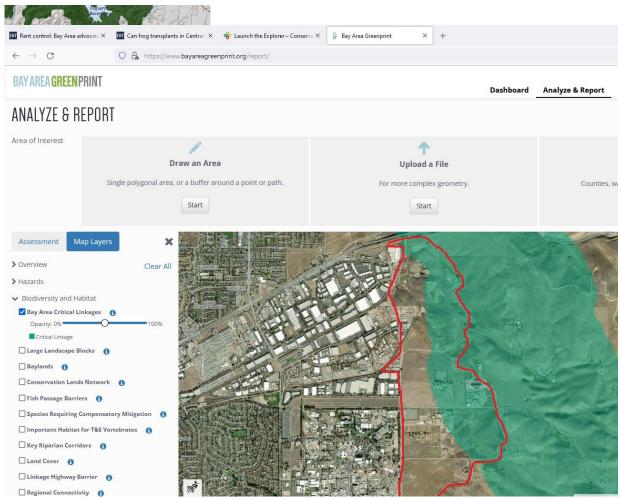


Figure 3. Map of Project site (outlined in red) on the Bay Area Greenprint Analyze and Report Tool showing the designated Mt. Diablo-Diablo Range Critical Linkage (in green). Half of the Project site is part of the critical linkage.

We can accurately visualize the Project's impact on this corridor in Fig. 3 with Bay Area Greenprint (https://www.bayareagreenprint.org/). This tool reveals the multiple benefits of natural and agricultural lands, empowering users to inform land use decisions with better data. The Bay Area Greenprint identifies, maps, and measures the values that natural resources contribute to the ecosystem, the economy, and the local and regional community. The goal of the Bay Area Greenprint is to provide a regional source of accessible conservation data and a framework for interpretation for planners, agencies, conservation practitioners, and other community stakeholders to facilitate the incorporation of natural and agricultural values information early into land use and infrastructure planning.

This Project is a perfect example of how Bay Area Greenprint can be used to identify high impacts to ecologically crucial areas, evaluate those impacts, and allow decision makers to consider better options. Given the substantial negative impacts the Project would have on a recognized ecologically vital corridor for the Bay Area, it would be difficult to justify moving the Project forward.

However, if the Project is considered further, the EIR must thoroughly review and analyze the Project's impacts on this corridor, and propose substantial mitigation to compensate for them, such as the acquisition of the Mt. Diablo-Diablo Range corridor for conservation purposes and the creation of a green wall of protected land to block urban expansion further east.

Biological Resources Analysis Must Consider Impact on "Hotspot" of Protected Status Species

The Project site is not only part of a vital wildlife and ecological corridor for the region, but also a recognized "hotspot" for protected species that require compensatory mitigation. Figure 4 below shows us through Bay Area Greenprint that the vast majority of the Project site has been determined to be a "hotspot" for species with regulatory protective status that requires compensatory mitigation when they are impacted by development. Even those areas that are not identified as "hotspot" are identified as lands with "many" or "some" protected species that require mitigation when impacted by development.

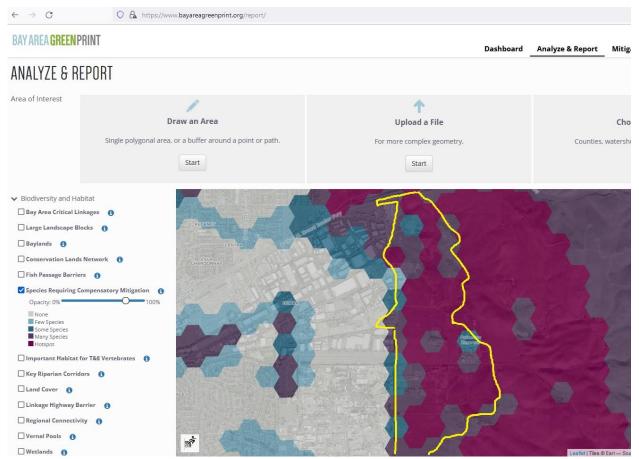


Figure 4. Map of Project site (outlined in yellow) on the Bay Area Greenprint Analyze and Report Tool, overlayed by categories of data showing the number of species with regulatory protective status that requires compensatory action to mitigate development impacts. Note that most of the Project site is a "hotspot" (ie, has a very high number of species) for species that require compensatory mitigation (violet/purple color), and the rest of the site consists of land with "many" or "some" species that require compensatory mitigation. Legend is on the left side of the image.

This is not surprising given that designated critical habitat for several listed species, including California tiger salamander, California red-legged frog, and Alameda whipsnake, is located just a few miles from the Project site, and in the case of red-legged frog, lies directly adjacent to, or is even located on, the Project site. Given the dispersal ranges of these species, it is entirely possible that the Project site serves as habitat for each one of these species.

The EIR include a comprehensive list of the vulnerable plant and animal species that could be impacted by the Project and propose mitigation to offset the potential impacts of development. Given the high vulnerable species richness of the site, an extremely high mitigation ratio for habitat throughout the Project site must be considered.

Other Considerations for the EIR

Aside from biological impacts, the Project would likely have a large number of other significant impacts. As we mentioned before, Aesthetics, Agriculture, Carbon Pollution (ie, Greenhouse Gas Emissions), Transportation and Land Use and Planning impacts of the Project would be substantial and require thorough review and analysis.

For example, the Project calls for more than 1,000 acres of urban development beyond the current edge of an existing city that lies along a major transportation corridor that suffers from chronic traffic congestion. The stated intention of the City Council is to construct industrial and commercial facilities at the Project site. Carbon pollution created from the vehicle traffic to and from the site would be massive. If the Project relies on typical car travel, Traffic impacts will also be substantial. Industrial and commercial uses are also very different from the predominantly rural and agricultural uses currently on the Project site, likely causing significant Agriculture and Aesthetic impacts that would completely change basically everything about the land.

Given that residents clearly place high value on their UGB and a vote of Livermore residents would be necessary to deliver the development the Project envisions, Land Use and Planning impacts would be dramatic.

If Project Advances, Then Major, Precisely-Targeted Mitigation is Necessary

We urge City staff and decision makers to drop this Project, as it would cause substantial negative impacts to a vital wildlife corridor, crucial habitat for listed species, and be contrary to the protection of rural lands that Livermore residents and leadership have valued for decades. The desire for protection of rural economies and habitat values on the part of Livermore has recently been demonstrated in the areas south of the city as well as in the Doolan Canyon area, where mitigation efforts initiated by the City of Livermore have expanded on land use protections (ie, Dublin East-Side Urban Limit Line and subsequent defense of said ULL) that SMD, our organizational allies, and local residents, including many people in Livermore, helped achieve.

If the Project is pursued further, it requires a thorough and comprehensive analysis of impacts, as well as substantial mitigation that prevents any further eastward expansion of urban development and reduces north-south wildlife movement across the I-580 corridor. This could include the acquisition of large areas high-quality in the Mt. Diablo-Diablo Range corridor for natural resource protection, creation of a wide green-wall of protected land along all of Livermore's east side to prevent further eastward expansion, and improving the safe permeability of the I-580 corridor for wildlife by creating and improving under and/or overcrossings for wildlife that build on quality research and our designed to maximize the use such crossing points for wildlife.

Thank you for the opportunity to provide comments on this Project.

Regards,

Juan Pablo Galván Martínez Senior Land Use Manager