

Suit to Be Filed Over Staples Ranch Development



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Pleasanton, CA – The Center for Biological Diversity, Alameda Creek Alliance, and Safe Streets Pleasanton sent the city of Pleasanton a letter of intent to bring suit under the California Environmental Quality Act for the city’s failure to properly assess and mitigate the environmental impacts of the proposed Staples Ranch development and Stoneridge Drive extension. The letter informed the city that the environmental impact report certified by the Pleasanton City Council on February 24, 2009 did not adequately assess the environmental impacts of the project. The groups are concerned about potential impacts to habitat for sensitive species at the site — species such as the California red-legged frog, California tiger salamander, western pond turtle, and San Joaquin spearscale, and steelhead trout.

“The EIR fails to meet the legal requirements to reduce environmental impacts to less than significant levels and does not adequately address the biological impacts of the development and proposed road extension,” said Ralph Kanz, conservation director for the Alameda Creek Alliance. “This site is adjacent to important aquatic habitat in Arroyo Mocho that needs to be protected and have adequate stream buffers.”

The Staples Ranch, located at the intersection of Interstate 580 and El Charro Road, is currently owned by Alameda County and under the development proposal would be annexed to Pleasanton. Two tributaries of Alameda Creek, Arroyo Las Positas and Arroyo Mocho, flow together adjacent to the project site. The arroyos provide important wildlife habitat and corridors. In 2003, when the Arroyo Las Positas/Arroyo Mocho realignment project was completed by Alameda County, fish ladders were installed in the arroyos as part of the project to allow for the future passage of steelhead trout and riparian vegetation was planted to improve wildlife habitat.

“The impacts of the Stoneridge Drive Extension on the arroyos and the riparian habitat created by the Arroyos project must be analyzed to insure that sensitive plant and wildlife populations will continue to survive in the area,” said Kanz.

The environmental impact report does not analyze the Stoneridge Drive Extension, which was added to the project at the last minute by the city of Pleasanton. Impacts of Stoneridge Drive on nearby residential neighborhoods and the environment were not analyzed, nor were potential mitigation measures that would have reduced the impacts of the project on neighborhoods, traffic, and the environment. The failure of the report to analyze these impacts is a direct violation of the California Environmental Quality Act’s mandate to mitigate the impacts of the project to less-than-significant levels. The environmental impact report also fails to adequately address biological impacts to the steelhead trout, California red-legged frog, California tiger salamander, western pond turtle, and San Joaquin spearscale.

San Joaquin spearscale is a rare plant that occurs on the Staples Ranch site. The city incorrectly asserted in the environmental impact report that the mitigations for spearscale implemented during the 2003 Arroyos project were adequate mitigation for the Staples Ranch project, even though plant habitat on the site would be destroyed.

“The city’s own consultant admitted that the project must mitigate for species currently found on the site, but instead they refused to do what CEQA requires and left out mitigations for the spearscale,” said Kanz.

The Center for Biological Diversity and Alameda Creek Alliance are concerned that California red-legged frog habitat will be degraded by the project. There have been no frog surveys in the project area since 2002, prior to construction of the Arroyos project, but red-legged frogs are known to occur nearby. If invasive predators are removed from the creek and suitable upland habitat is available, the red-legged frog could again occupy this area. The environmental impact report for the adjacent city of Livermore’s El Charro Project contains a mitigation measure requiring the control of bullfrogs in Arroyo Las Positas, Cottonwood Creek, and the golf course ponds.

“Mitigation measures for the Staples project should include protection of a significant creek corridor and buffer along the arroyos as wildlife habitat, maintenance of adjacent upland habitat, and removal of nonnative predators from the creeks,” said Jeff Miller, conservation advocate with the Center for Biological Diversity.

Steelhead trout in the Bay Area were listed as a federally threatened species in 1997, and last year steelhead spawned in Alameda Creek for the first time in 46 years. There are 15 local, state, and federal agencies cooperating on fish-passage projects in Alameda Creek, including dam removals and the construction of fish ladders and fish screens. These restoration projects will make up to 20 miles of Alameda Creek and its tributaries, including the arroyos, accessible to ocean-run fish as early as 2011 or 2012. The potential impacts to steelhead habitat from the Staples Ranch project were not analyzed in the environmental impact report.

“The Staples Ranch project should ensure that adequate riparian habitat and buffers will be maintained to support the future restoration of steelhead and provide quality habitat for all aquatic wildlife,” said Kanz.

Western pond turtles, a state species of concern, have been documented on the Staples Ranch site during the Arroyos project and observed in the Arroyo Mocho since completion. The environmental impact report does not address how the Staples Ranch project will provide for the upland habitat requirements of this species so that it will continue to survive at the location.

Residents affiliated with Safe Streets Pleasanton submitted environmental impact report comments pointing out that the draft environmental impact report expressly and unequivocally assured the interested public that Stoneridge Drive would not be extended to connect to El Charro Road as part of this project — exactly what the city and county are now proposing.

The groups are requesting that the city withdraw its certification of the environmental impact report, prepare a new report that properly analyzes the impacts of the proposed project, and provide mitigations consistent with legal requirements and adequate to maintain native wildlife species.

The [Center for Biological Diversity](#) is a nonprofit conservation organization with more than 200,000 members and online activists dedicated to the protection of endangered species and wild places.

The [Alameda Creek Alliance](#) is a community watershed group with over 1,700 members, dedicated to protection and restoration of the natural ecosystems of the Alameda Creek watershed.