Notice of Determination

Appendix D

To:

☒ Office of Planning and Research

U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

Street Address:
1400 Tenth St., Rm 113
Sacramento, CA 95814

☒ County Clerk
County of: Alameda
Address: 1106 Madison Street
Oakland, CA 94607

From:
Public Agency: City of Livermore
Address: 1052 S. Livermore Avenue
Livermore, CA 94550
Contact: Rick Teczon, Assistant City Engineer
Phone: 925-960-4450

Lead Agency (if different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2008092085

Project Title: Downtown Specific Plan Amendments and Regional Performing Arts Theater Subsequent Environmental Impact Report - Livermore Village Remediation Project (DR202118)

Project Applicant: City of Livermore

Project Location (include county): Southeast corner of Railroad Avenue and South L Street (APN 98-289-22)

Project Description: The project consists of approval of a construction contract for the Livermore Village Remediation Project to implement Mitigation Measure HAZ-4 of the certified 2009 Downtown Specific Plan Amendments and Regional Performing Arts Theater Subsequent Environmental Impact Report (2009 SEIR) (SCH No. 2008092085). Mitigation Measure HAZ-4 requires investigation of potential soil and groundwater contamination at the Livermore Village site and, where contamination is identified, remediation, including removal of contaminated materials. The approved contract implements the required remediation through excavation, transportation, and lawful disposal of contaminated soil and is necessary to implement the previously approved Downtown Livermore Apartments project (Resolution No. 2021-072), for which the City approved the related CEQA determination by Resolution No. 2021-071.

The 2009 SEIR expressly analyzed the environmental impacts associated with implementing the remediation required by Mitigation Measure HAZ-4, including demolition, earthwork, and the potential release of hazardous materials during excavation, and concluded that implementation of Mitigation Measure HAZ-4 would reduce the impacts related to potential soil and groundwater contamination to a less-than-significant level. The approved contract implements the remediation and mitigation measure previously evaluated in the 2009 SEIR and does not modify the scope of the previously approved project or the remediation analyzed therein. No substantial changes to the project, no substantial changes in the circumstances under which the project will be undertaken, and no new information of substantial importance requiring major revisions to the 2009 SEIR have occurred; therefore, pursuant to CEQA

Guidelines section 15162, no subsequent or supplemental environmental review is required.

This is to advise that the City of Livermore has approved the above (☒ Lead Agency or ☐ Responsible Agency)

described project on 7/27/2026 (date) and has made the following determinations regarding the above described project.

1. The project [☒ will ☐ will not] have a significant effect on the environment.
2. ☒ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☒ was ☐ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

NOTE: Separately and independently from the above Notice of Determination, the Project is also exempt from CEQA pursuant to CEQA Guideline Section 15308 and 15183(b)(3). Please see/reference an accompanying and concurrently filed Notice of Exemption.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:
1052 South Livermore Avenue, Livermore CA 94550

Signature (Public Agency):  Title: Assistant City Engineer

Date: 7/31/2026 Date Received for filing at OPR: _____

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Revised 2011