



## **CITY COUNCIL STAFF REPORT**

**ITEM NO. 6.9**

**DATE:** September 8, 2025

**TO:** Honorable Mayor and City Council

**FROM:** Brent Smith, Community Development Director

**SUBJECT:** Resolutions accepting the Altamont Landfill Open Space Committee's recommendation to expend funds consistent with the terms of the Altamont Landfill Settlement Agreement. The expenditure of funds is not a project under the California Environmental Quality Act (CEQA) Guidelines section 15378.

### **RECOMMENDED ACTION**

Staff recommends the City Council adopt separate resolutions confirming the Altamont Landfill Open Space Committee's recommendation to authorize the following grant requests from the Altamont Landfill Settlement Agreement Open Space Account consistent with the Settlement Agreement:

1. UC Davis Road Ecology Center for \$246,803 to research and develop a Payment for Ecosystem Services (PES) method and web-tool
2. California Rangeland Trust (CRT) for \$790,468 to acquire a 160-acre conservation easement on the Sweet Ridge Ranch property
3. Tri-Valley Conservancy for \$25,000 to conduct a conservation values study in unincorporated Alameda County bound by Greenville Road to the west, I-580 to the north, and the South Bay Aqueduct to the south and east
4. Tri-Valley Conservancy (TVC) for \$500,000 to acquire in fee title of the 32-acre "Altamont Hills" Property (APN 99-5680-4)

### **DECISION TYPE**

Administrative

### **SUMMARY**

The City of Livermore serves as a voting member of the Altamont Landfill Open Space Committee (Committee). The City Council is responsible for confirming the recommendation of the Committee to authorize funding expenditures for open space conservation purposes.

On May 16, 2025, the Committee recommended approval of a grant application by the UC Davis Road

Ecology Center for \$246,803 over a two-year period (approximately \$123,402 per year) to research and develop a Payment for Ecosystem Services (PES) method and web-tool to assist with Committee decision making about land and easement acquisition (see Exhibit A to the UCD Concurrence of Funds Resolution). The expenditure would comply with the 5% annual limit for research purposes in Section 7.4.7 of the Settlement Agreement.

Further, on July 18, 2025, the Committee recommended approval of three separate grant requests:

- Grant application by the California Rangeland Trust (CRT) for \$790,468 to acquire a conservation easement on the 160-acre Sweet Ridge Ranch property for the purposes of protecting native biological diversity and wildlife, significant value for visual character, and strategic value in land protection consistent with the Settlement Agreement. The land owner is a willing seller (see Exhibit A to the CRT Concurrence of Funds Resolution for Location Map).
- Grant application by Tri-Valley Conservancy (TVC) for \$25,000 to support research and development of a conservation values study to evaluate appropriate land uses in an area of unincorporated Alameda County bound by Greenville Road to the west, I-580 to the north, and the South Bay Aqueduct to the south and east. The expenditure would comply with the 5% annual limit in Section 7.4.7 of the Settlement Agreement for research purposes (see Exhibit A to the TVC Concurrence of Funds Resolution for Location Map).
- Grant application by TVC for \$500,000 to acquire in fee title of the 32-acre “Altamont Hills” Property (APN 99-5680-4) for the purposes of conserving an identified wildlife crossing through the Diablo Range, increasing recreational access within the existing trail system, and protecting native biological diversity and wildlife. The property contains significant value for visual character, provides strategic value in land protection, and has willing sellers (see Exhibit A to the TVC Altamont Hills Concurrence of Funds Resolution for Location Map).

Staff recommends Council confirm the recommendations of the Committee and find the funding expenditures comply with the Altamont Landfill Settlement Agreement and grant criteria established by the Committee.

## **DISCUSSION**

### **Background**

#### **Altamont Landfill Settlement Agreement Open Space Account**

In 1999, Alameda County, Cities of Livermore and Pleasanton, Sierra Club, Northern California Recycling Association, Altamont Landowners Against Rural Mismanagement, and Waste Management of Alameda County, entered into a Settlement Agreement that resolved a legal challenge relating to the proposed expansion of the Altamont Landfill. Results of the Settlement Agreement include substantial reductions in the landfill expansion and waste imports, and a requirement for the operator to collect a \$0.75 per ton fee for open space acquisition. The collected fees are deposited to an Open Space Account and funding is then allocated through a process established in the Settlement Agreement.

The Settlement Agreement established an Open Space Committee whose role, in part, is to recommend allocations of funding from the Open Space Account. Funding allocations are recommended by the voting members of the Open Space Committee. The City of Livermore, Alameda County, and the Sierra Club represent the voting members for the eastern acquisition priority area which receives 80 percent of

the Open Space Account money. The City of Pleasanton, Alameda County, and the Sierra Club represent the voting members for the western acquisition priority area that receives 20 percent of the Open Space Committee account money. Currently, there is \$21,998,732 in the Open Space Account designated for expenditures in the eastern acquisition area and \$3,366,874 in the western area (as of July 18, 2025).

### **Vasco Road Landfill Open Space Fund**

On May 4, 2006, the Alameda County Board of Supervisors upheld a County Planning Commission approval of an amended Conditional Use Permit allowing continued landfill and recycling activities at the Vasco Road Landfill. Consistent with the language in the Altamont Settlement Agreement, the approval requires the Vasco Road Landfill operator (Republic Services, Inc.) to collect the same per-ton fees for open space, recycling/diversion education, and host community events, as the Altamont Landfill operator (Waste Management of Alameda County, Inc.). Vasco Road Landfill Conditions of Approval require the collection and expenditures from the fee accounts to be identical to the Altamont Landfill Settlement Agreement.

### **ANALYSIS**

The Open Space Committee holds regular meetings under the terms of the Settlement Agreement. Councilmember Wang is Livermore's Open Space Committee representative. The Settlement Agreement requires the Open Space Committee to establish a priority list of future acquisition areas in Eastern Alameda County based upon the selection criteria in the Settlement Agreement:

1. Properties with significant value for preservation of native biological diversity and/or wildlife, and
2. Properties having significant value for visual character and/or non-motorized recreation.

Additional selection criteria include strategic value in land protection, additional funding sources, and willing sellers. The purchase of permanent conservation easements that are consistent with these priorities are also eligible for funding. The Committee has resources to conduct additional study and evaluation of the resources in the Settlement area furthering the purpose and intent of the Settlement Agreement.

Section 7.4.7 of the 1999 Altamont Landfill Settlement Agreement states:

"By approval of a majority of the members of the Advisory Committee, and concurrence by the County and Cities, up to five percent (5%) of the funds received in the Open Space Account in any given year may be expended for the services of independent consultants to aid the Advisory Committee in carrying out its duties to identify open space areas in need of protection and to make plans for their acquisitions, and up to two percent (2%) of the fund received in the Open Space Account any given year may be expended for costs incurred in the financial management of the account."

No funds have been expended this year for consultant services per Section 7.4.7 of the Settlement Agreement. The requested amounts are anticipated to be within the allowed range per year. The City will process and administer the UC Davis Road Ecology Center grant agreement after the funding concurrence has been made. Alameda County will process and administer the grant agreements with CRT and TVC.

The four expenditures and how each meets the Committee's Criteria for grant funding are described below:

Date of Committee approval	Applicant	Grant Amount	Project Description	Settlement Criteria Met (Acquisitions/ Consultant Services)
5/16/2025	UC Davis Road Ecology Center	\$246,803	Develop a Payment for Ecosystem Services (PES) method (Phase I) and web-tool (Phase II) to assist with Committee decision-making about land and easement acquisition. Phase I would begin in October, 2025, (or whenever contracting is finalized) and conclude in September, 2026. Phase II would begin in October, 2026, and be completed by September, 2027. The research would support the goal of supporting the Committee's prioritization of lands for protection based on wildlife presence/activity, potential habitat, and habitat connectivity including across area freeways. The Committee would utilize this information, as appropriate, to support initial strategies for potential land acquisition in fee title or conservation easements.	<ul style="list-style-type: none"> <li>• Identify Properties with significant value for preservation of native biological diversity and/or wildlife</li> <li>• Assist Committee decision making in compliance with Section 7.4.7</li> </ul>
7/18/2025	California Rangeland Trust	\$790,468	The California Rangeland Trust (CRT), a nonprofit land trust, is working in partnership with Charles and Michelle Sweet (Landowner) to place a conservation easement on Sweet Ridge Ranch (Ranch). The Ranch is a 160-acre privately-owned working cattle ranch located near the eastern border of Alameda County on the eastern slopes of the Diablo Range that provides vital foraging habitat for species such as the golden eagle and burrowing owl. A Committee grant would fund purchase of a conservation easement. Proceeds from the easement would help improve water infrastructure and ensure the Ranch remains economically feasible for the Landowners and future generations. CRT holds easements on surrounding parcels.	<ul style="list-style-type: none"> <li>• Value for preservation of native biological diversity and/or wildlife</li> <li>• Value for visual character</li> <li>• Value in land protection</li> <li>• Willing sellers</li> </ul>

7/18/2025	Tri-Valley Conservancy	\$25,000	Tri-Valley Conservancy (TVC) has commissioned a study to evaluate conservation values in unincorporated area of Alameda County, east of Greenville Road up to the South Bay Aqueduct (SBA) between I-580 to the north and the intersection of the SBA with Greenville Road to the south. The study would review literature, aerial photo interpretation, and on-site survey to evaluate: sensitive vegetation communities; wetlands and waterways; special-status botanical occurrences and habitat; special-status wildlife occurrences and habitat; potential wildlife corridors; potential trail corridors; agricultural lands; land use designations; existing protected lands; and proposed development lands in the study area. The purpose of the study is to identify the best and most efficient use of all lands evaluated. This study is intended to provide a framework document to assist decision-makers and the public on the existing values and appropriate land uses in the area.	<ul style="list-style-type: none"> <li>• Identify properties with significant value for preservation of native biological diversity and/or wildlife</li> <li>• Assist Committee decision making in compliance with Section 7.4.7</li> </ul>
7/18/2025	Tri-Valley Conservancy	\$500,000	TVC seeks to acquire the Altamont Hills property, a 32-acre parcel (APN 99-5680-4) in unincorporated North Livermore visible from I-580. This parcel has been identified by UC Davis's Road Ecology Center Wildlife Crossing Study as part of a unique wildlife crossing under the I-580 freeway. The property is currently unmanaged grassland with potential upland habitat for California Tiger Salamander, California Red Legged Frog, and is a critical link for species migration across the Diablo Range. The property is identified as a conservation priority within the East Alameda County Resource Conservation Study, TVC's priority conservation plan, and by the Alameda County Resource Conservation District. Additionally, this property is less than 0.2 miles from the City of Livermore, making it a key conservation priority for preserving the urban greenbelt around the city.	<ul style="list-style-type: none"> <li>• Value for preservation of native biological diversity and/or wildlife</li> <li>• Value for visual character</li> <li>• Value in land protection</li> <li>• Additional funding source</li> <li>• Willing sellers</li> </ul>

### **General Plan**

The funding requests are consistent with the General Plan Open Space and Conservation policies that are listed below:

- Goal OSC-1: Conserve the value and function of Livermore's open space as a biological resource.
- Objective OSC-1.1: Maintain biodiversity within the Planning Area with special emphasis on species that are sensitive, rare, declining, unique, or represent valuable biological resources.
- P1.: Priority shall be given to land acquisition efforts that would result in the creation and

expansion of linkages between existing protected natural resource areas.

- P2.: The City shall support efforts to preserve and maintain Corral Hollow, important as the most northerly range of desert plants and animals, as open space.
- OSC-1.2 P1.: Habitats of rare or endangered species shall be preserved.
- OSC-1.4 P2.: The City shall encourage and cooperate with the County of Alameda to undertake a study to: (1) map the precise distribution of the rare and endangered species as to their number and sites; and (2) determine the sensitivity of these species to development, so that effective management programs can be developed.
- OSC-1.4 P.3.: The City shall encourage and cooperate with the County, EBRPD, LARPD, and other agencies and organizations to establish a program to preserve representative examples of natural and near-natural landscape communities, such as the Springtown Alkali Sink, Brushy Peak, Corral Hollow, Cedar Mountain, and Sycamore Grove.

Based on consistency with General Plan policies above, staff recommends the Council accept the Open Space Committee's proposed expenditures.

### **FISCAL AND ADMINISTRATIVE IMPACTS**

The current balance of the Altamont Landfill Settlement Open Space Fund for the East Acquisition Priority Area is approximately \$21,998,732 and current balance of the West Acquisition Priority Area is approximately \$3,366,874. If the City Council accepts the Open Space Committee's recommendation, the balance for the East Acquisition Priority Area would be reduced by \$1,507,910. The balance for the West Acquisition Priority Area would be reduced by \$54,360. Funding the grant requests would have no impact on the City's General Fund other than the allocation of staff time to prepare this report to the City Council and administering a grant agreement with the UC Davis Road Ecology Center.

### **COMMUNITY PILLAR**

3: Environmental Stewardship

### **GOAL**

1: Lead efforts to implement the updated Climate Action Plan in collaboration with internal and external partners

### **ATTACHMENTS**

1. Resolution - Concurrence of Funds UCD
2. Exhibit A - UCD Grant Application
3. Resolution - Concurrence of Funds CRT
4. Exhibit A - CRT Grant Application
5. Resolution - Concurrence of Funds TVC
6. Exhibit A - TVC Grant Application
7. Resolution - Concurrence of Funds TVC Altamont Hills
8. Exhibit A - TVC Grant Application Altamont Hills

Prepared by: Kam Purewal  
Associate Planner

Approved by:



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Marianna A. Burch  
City Manager

Fiscal Review by:



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Tina Olson  
Administrative Services Director