

Local environmentalists, organizations plan court suit to stop Staples Ranch development

Claim EIR OK'd without considering impact of Stoneridge Drive extension

by **Jeb Bing**
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Two environmental groups in concert with a Pleasanton coalition that has opposed extending Stoneridge Drive to Livermore are expected to file a suit in Alameda County Superior Court as early as tomorrow challenging the legality of an Environmental Impact Report for Staples Ranch.

The suit, to be filed by Center for Biological Diversity and the Alameda Creek Alliance, could delay or possibly scuttle plans by Alameda County and the city of Pleasanton to proceed with a multi-million-dollar development of commercial, retail, residential and recreational projects recently approved by the Pleasanton City Council for the 124-acre unincorporated Staples Ranch.

Just four weeks ago, the council, in a 3-2 vote, approved extending Stoneridge Drive as a four-lane thoroughfare to El Charro Road and Livermore, completing its final policy decision for Staples and giving the green light for developers to start submitting final plans for their projects.

Last Friday, Keith Wagner, a lawyer with the Sacramento office of the law firm of Lippe Gaffney Wagner LLP, served notice that his firm intends to challenge the city's approval of the Stoneridge Drive Specific Plan under the California Environmental Quality Act (CEQA).

Working with local environmentalist Matt Morrison, a tax research specialist and Sierra Club activist, and what Morrison described as an "inner circle" of environmental advocates, Wagner and the organizations he represents contend the final EIR for Staples is not legal because it failed to include data related to the Stoneridge Drive extension.

The same argument was made at council meetings where the overall EIR for Staples and the Stoneridge extension were discussed, but was determined to be irrelevant by both a majority on the council and by attorneys representing Pleasanton and Alameda County.

At one of the public hearings, Morrison said the Sierra Club had asked him to share its objection to the certification of the Environmental Impact Report as it relates to the overall Staples Ranch development, but not the Stoneridge Drive extension specifically.

"Furthermore, while the Sierra Club, of course, has the option of either joining or supporting a lawsuit over the Staples Ranch environmental documents, the Sierra Club would not initiate any legal action in this case," he said.

Morrison was part of a citizens' group coalition, Pleasanton First and Friends of Pleasanton that submitted a joint statement earlier defining their "common interest in acquiring and constructing community park amenities on the Staples Ranch property, and to request a community process to plan what will be Pleasanton's fourth largest park."

In a document obtained by the Weekly, Morrison talks of an "inner circle" that is working to undo the Stoneridge Drive approval and, with it, the EIR that also governs the development plan for

Staples Ranch.

In a memo to Ralph Kanz of the Alameda Creek Alliance and Jeff Miller of the Center for Biological Diversity, Morrison cites a \$2,500 contribution by Mark Emerson, a Pleasanton resident and a clinical psychologist with offices in Dublin, to the legal fund. Morrison said another \$2,500 "up front or over the next few months" would be contributed by John Carroll with a total of \$3,000 promised by Richard Pugh and former City Planning Commissioner Brian Arkin, although both are "wanting to donate through a tax deductible group if we were to arrange that."

"Last I heard," Morrison wrote, "we have another \$1,500 or so in smaller contributions (\$100-\$250) from various folks who we can't really offer options of how (they'll) donate until the ACA and CBD participation in the suit is common knowledge."

In a reply, Kanz told Morrison that anyone who want to contribute to this effort should "contribute to the ACA for the Staples litigation" by contacting Jeff Miller of the Alameda Creek Alliance at alamendacreek@hotmail.com.

Although the lawsuit against Pleasanton and Alameda County could delay both development plans for Staples and final approval of the city's General Plan update, which includes the Staples Ranch plan, city analysts aren't sure of the ultimate impact. Most of the development plans now ready to proceed aren't likely to be "shovel ready" for at least a year depending on the economy. Even if a court orders an update of Staples' Environmental Impact Report, that process could be completed and approved before any projects, including the extension of Stoneridge Drive, get under way.

The major developments with their plans already in place are:

- * Hendrick Automotive Group, which wants to build a new auto mall on its 37-acre portion of Staples, next to the junction of I-580 and El Charro Road, directly across El Charro from a 180-plus store outlet mall that Livermore has approved.
- * Stoneridge Creek Pleasanton, a 45-acre senior continuing care community to be developed by Continuing Life Communities (CLC), with up to 800 units for assisted living, skilled nursing and independent living residents.
- * Fremont Land, an 11-acre retail development, which would include various shops and also may include a food market, bank and restaurant.
- * Sharks Ice Center, a two-story, four rink facility to be built by San Jose Arena Management, a subsidiary of the San Jose Sharks, with the facility to occupy about 10 acres of a 17-acre public park that the Sharks would also develop for the city.

Each of those developments will still need specific approvals of their site plans and subsequent building permits, which will require more discussions with city planners, the Planning Commission and finally again with the City Council.