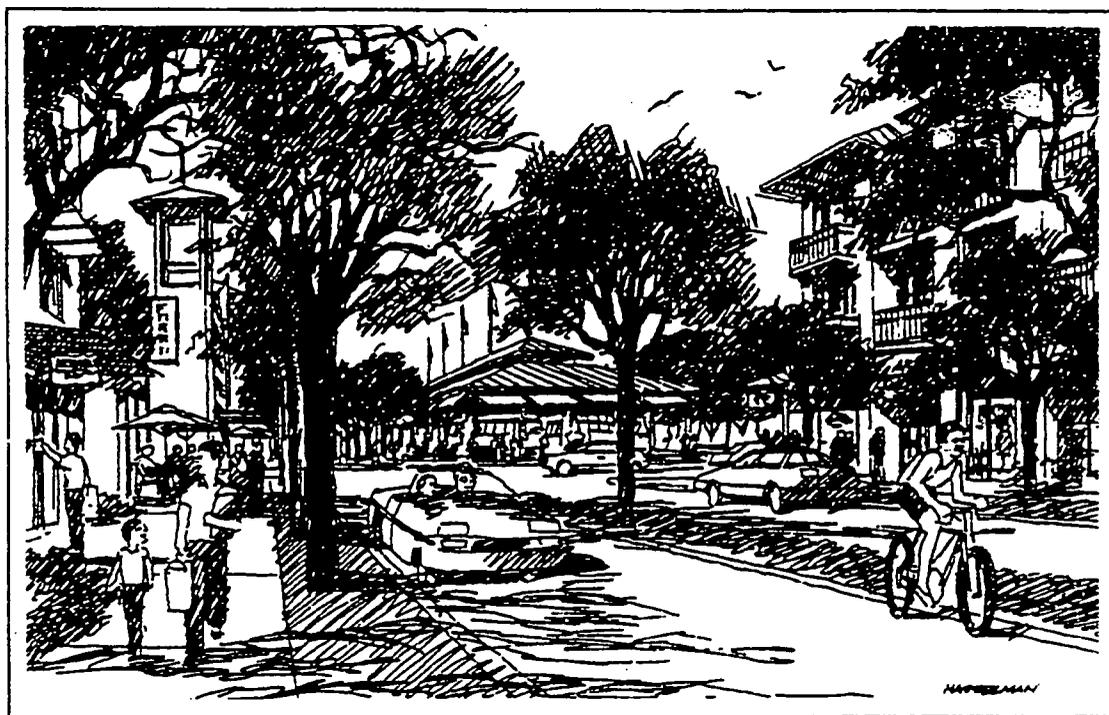


Pittsburg/Bay Point BART Station Area Specific Plan

FINAL ENVIRONMENTAL IMPACT REPORT



CONTRA COSTA COUNTY
CITY OF PITTSBURG

IN CONJUNCTION WITH THE
SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

SCH# 98022071

DECEMBER 2001

revised

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DECEMBER 2001

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1

INTRODUCTION

INTRODUCTION

Purpose and Format of the Final Environmental Impact Report

This final environmental impact report (Final EIR) has been prepared to respond to comments received by Contra Costa County on the Recirculated Draft Environmental Impact Report for the Pittsburg/Bay Point BART Station Area Specific Plan. After completion of the Draft EIR in August 1999, and the Recirculated Draft EIR in July 2001, Contra Costa County (County) is required to consult with, and obtain comments from, public agencies with jurisdiction by law on proposed actions of the Specific Plan (project), and to provide the general public with opportunity to review and comment on the Draft EIR and Recirculated Draft EIR. The County is also required to provide responses to comments raised during the public review period related to significant environmental impacts of the project (California Environmental Quality Act [CEQA] Guidelines Sections 15087 and 15088).

A Draft EIR on the Specific Plan was distributed for public review and comment in August 1999 and the review period ended on October 8, 1999. A letter dated September 27, 1999, from property owner Albert D. Seeno, Jr., President of West Coast Home Builders, was submitted to the County during the public comment period. This letter included a proposed new alternative for development of properties owned by Mr. Seeno (adjacent to the BART station), and a request that the new alternative be analyzed in the EIR.

The County (the Lead Agency), the City of Pittsburg and BART (as Responsible Agencies) evaluated the proposed new alternative and outlined the approach to the environmental analysis and the procedure for revising the EIR. Ultimately, the Seeno alternative was accepted for analysis and designated as Alternative 5: Very High Commercial/Office and Low Residential.

In addition, the three agencies developed a sixth alternative that incorporated some of the more intense development at the BART station while preserving most of the development concepts in the remainder of the Specific Plan area. This alternative is designated as Alternative 6: High Commercial/Office and High Residential.

It was decided that the proposed alternatives would be evaluated on the possibility that either alternative (or some of their components) could be incorporated into the Specific Plan. In order to proceed, the development assumptions of the alternatives were defined

to a level of detail comparable to the project description of the Specific Plan. These alternatives are evaluated in the Recirculated DEIR dated July 2001. Per Section 15088.5 of the CEQA Guidelines, the Recirculated Draft was circulated for public review during the period of August 6 through September 24, 2001.

This document has been prepared as an “attachment or addendum” to the Draft EIR dated August 1999, and the Recirculated Draft EIR dated July 2001 as allowed under Section 15146 (b) of the State CEQA Guidelines. This document includes the comments received on both the Draft EIR of 1999 and the Recirculated Draft EIR of 2001; the responses to specific comments; and a chapter that contains revisions to the Draft EIR text and graphics as appropriate. This document, together with the August 1999 Draft EIR and technical appendices, and July 2001 Recirculated Draft EIR, constitutes the Final EIR. This Final EIR contains the following elements:

- the Draft EIR dated August 1999 (bound separately);
- the Recirculated Draft EIR dated July 2001 (bound separately and as posted to the County Redevelopment Agency link [ccreach.org] to the County website);
- a list of public agencies, organizations, and persons commenting on the Draft EIR and Recirculated Draft EIR;
- a chapter containing revised text and graphics prepared to clarify or correct the text of the Draft EIR or Recirculated Draft EIR.

This Final EIR does not contain the proposed environmental impact findings and mitigation monitoring program to be adopted by the County Board of Supervisors and the City of Pittsburg as part of the certification of the Final EIR before the project may be approved (Public Resources Code Section 21081.6 and CEQA Guidelines 15091 [a][1]).

COMMENTS AND RESPONSES

COMMENTS AND RESPONSES

This chapter contains a list of public agencies, organizations, and persons commenting on the Recirculated and Draft EIRs. This list is followed by copies of written comments and a transcript of verbal comments made at the public hearing on the Draft EIR held by the Contra Costa County Zoning Administrator on September 29, 1999. For each letter, substantive comments are identified by number. Each comment letter is followed by responses to the numerically identified comment. Responses that state that a change to the Recirculated or Draft EIR has been made are immediately followed by the appropriate text. Chapter 3 also contains a compilation of text revisions to the Recirculated and Draft EIRs. Text deletions are indicated in strike-out; text additions are identified in bold underlined text.

List of Public Agencies, Organizations, and Persons Commenting on the 2001 Recirculated Draft EIR and 1999 Draft EIR

Letter	Date	Source
STATE AGENCIES		
1	9/28/01	California Governor's Office of Planning and Research
2	9/14/01	California Department of Toxic Substances Control
3	9/25/01	California Department of Transportation
4	10/6/99	California Department of Transportation
5	9/23/99	California Regional Water Quality Control Board, San Francisco Bay Region
REGIONAL AGENCIES		
6	9/21/01	Contra Costa Water District
7	10/6/99	Contra Costa Water District
8	9/24/01	East Bay Municipal Utility District
9	9/22/99	East Bay Municipal Utility District
10	10/8/99	East Bay Regional Park District
11	9/6/01	Metropolitan Transportation Commission
12	9/2/99	Tri Delta Transit (Eastern Contra Costa Transit Authority)
LOCAL AGENCIES		
13	9/18/01	City of Concord
14	9/29/99	City of Concord
15	9/24/01	Mount Diablo Unified School District
16	9/4/01	Mount Diablo Unified School District
17	9/10/01	Contra Costa County Fire Protection District

Letter	Date	Source
		ORGANIZATIONS
18	9/24/01	CM Realty
19	9/6/01	Pacific Bay Associates
20	9/17/01	SEECON Financial & Construction Co., Inc.
21	9/27/99	West Coast Home Builders, Inc.
		INDIVIDUALS
22	9/29/99	George Delacruz
23	10/7/99	Christopher A. Hoffman
24	9/28/01	Pamela Keedy
25	9/24/01	Pamela Keedy
26	8/9/01	Thomas A. Kent, P.E.
27	9/20/01	Connie Tolleson
28	10/12/99	Oral Comments Received at 9/29/99 Public Hearing with County Zoning Administrator



Gray Davis
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH



Steven A. Nissen
DIRECTOR

01 OCT -2 PM 1:32

September 28, 2001

Letter #1

Maureen Toms
Contra Costa County Community Development Department
651 Pine Street
4th Floor - North Wing
Martinez, CA 94553

Subject: Pittsburg/Bay Point BART Station Area Specific Plan
SCH#: 1998022071

Dear Maureen Toms:

The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on September 24, 2001. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (1998022071) when contacting this office.

Sincerely,

Terry Roberts
Senior Planner, State Clearinghouse

Enclosures
cc: Resources Agency

1-1

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044

916-322-2318 FAX 916-324-9936 www.odr.ca.gov

LETTER
#1
RESPONSE

California Governor's Office of Planning and Research
Terry Roberts, Senior Planner
State Clearinghouse
September 28, 2001

- 1-1 This letter recommends that the Lead Agency consider comments from the California Department of Transportation (Caltrans) in the final environmental document despite having been received after the close of the review period on September 24, 2001. The letter from Caltrans is designated as Letter #3 in this Final EIR. No additional response is required.



Department of Toxic Substances Control



Winston H. Hickox
Agency Secretary
California Environmental
Protection Agency

Edwin F. Lowry, Director
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721

01 SEP 17 PM 6:04

Gray Davis
Governor

Letter #2

September 14, 2001

Maureen Toms
Contra Costa County Community Development Department
651 Pine Street, 4th Floor North Wing
Martinez, CA 94553

Dear Ms. Toms:

Thank you for the opportunity to comment on the Pittsburg/ Bay Point BART Station Area Specific Plan Draft Master Environmental Impact Report (Draft MEIR) (Sch #98022071). As you may be aware, the California Department of Toxic Substances Control (DTSC) oversees the cleanup of sites where hazardous substances have been released pursuant to the California Health and Safety Code, Division 20, Chapter 6.8. As a potential Resource Agency, DTSC is submitting comments to ensure that the environmental documentation prepared for this project to address the California Environmental Quality Act (CEQA) adequately addresses any required remediation activities which may be required to address any hazardous substances release.

The 295 acre project proposes development and redevelopment of existing land to form a mixed use area for commercial and residential use. DTSC recommends that a historical records search be conducted in order to establish a thorough description of the property's past uses. This information will enable you to determine whether hazardous substances may have been used at the Site. Based on that information, sampling should be conducted to determine whether there is an issue which will need to be addressed in the CEQA compliance document. If hazardous substances have been released, they will need to be addressed as part of this project.

2-1

For example, if the remediation activities include the need for soil excavation, the CEQA document should include: (1) an assessment of air impacts and health impacts associated with the excavation activities; (2) identification of any applicable local standards which may be exceeded by the excavation activities, including dust levels and noise; (3) transportation impacts from the removal or remedial activities; and (4) risk of upset should be there an accident at the Site.

2-2

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at www.dtsc.ca.gov.

♻️ Printed on Recycled Paper

Ms. Maureen Toms
September 14, 2001
Page 2

DTSC can assist your agency in overseeing characterization and cleanup activities through our Voluntary Cleanup Program. A fact sheet describing this program is enclosed. We are aware that projects such as this one are typically on a compressed schedule, and in an effort to use the available review time efficiently, we request that DTSC be included in any meetings where issues relevant to our statutory authority are discussed.

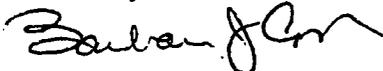
2-2

DTSC is administering the \$85 million Urban Cleanup Loan Program, which provides low-interest loans to investigate and cleanup hazardous materials at properties where redevelopment is likely to have a beneficial impact to a community. The program is composed of two main components: low interest loans of up to \$100,000 to conduct preliminary endangerment assessments of underutilized properties; and loans of up to \$2.5 million for the cleanup or removal of hazardous materials also at underutilized urban properties. These loans are available to developers, businesses, schools, and local governments. A fact sheet regarding this program is attached for your information.

2-3

Please contact Jonathan Largent at (510) 540-3836 if you have any questions or would like to schedule a meeting. Thank you in advance for your cooperation in this matter.

Sincerely,



Barbara J. Cook, P.E., Chief
Northern California - Coastal Cleanup
Operations Branch

Enclosures

cc: without enclosures

Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street
Sacramento, California 95814

Guenther Moskat
CEQA Tracking Center
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806



FACT SHEET
SEPTEMBER 2000

Urban Cleanup Loan Program




California
 Environmental
 Protection Agency



Department of Toxic
 Substances Control

DTSC's mission
 is to protect public
 health and the
 environment from
 hazardous chemical
 releases.

Overview

California is on the leading edge when it comes to programs and policies to stimulate the redevelopment of Brownfields – abandoned, idled or under-used properties where expansion or redevelopment is complicated by real or perceived environmental contamination. Frequently, these properties, once the source of jobs and economic benefits to the entire community, lie abandoned for fear of the contamination and the liability it implies.

The \$85 million Urban Cleanup Loan Program – which is currently under development by the Department of Toxic Substances Control – will provide new financial assistance tools to help developers, businesses, schools and local governments accelerate the pace of cleanup and redevelopment at these sites.

There will be two main components:

Investigating Site Contamination Program

- Provides low-interest loans of up to \$100,000 to conduct preliminary endangerment assessments of underutilized urban properties.
- Loan repayment over a period of two years, if loan recipient buys the property.
- If property is determined not to be economically feasible to purchase, up to 75 percent of the loan amount can be waived by the State.

Cleanup Loans and Environmental Assistance (CLEAN) Program

- Provides low-interest loans of up to \$2.5 million for the cleanup or removal of hazardous materials at properties where redevelopment is likely to have a beneficial impact on the property values, economic viability and quality of life of a community.

Restoring contaminated property can help bring life and strength to a community. Making a once toxic area viable again means more jobs, an enhanced tax base and a sense of optimism about the future. Together, the programs that make up California's Urban Cleanup Loan Program will make it easier for such sites to be redeveloped and become vital, functioning parts of their communities.

For more information, call (916) 324-0706.



DEPARTMENT OF TOXIC SUBSTANCES CONTROL

The Voluntary Cleanup Program

In 1993, the California Environmental Protection Agency's Department of Toxic Substances Control (DTSC) introduced this streamlined program to protect human health and the environment, ensure investigation and cleanup is conducted in an environmentally sound manner and facilitate the reuse and redevelopment of these same properties. Using this program, corporations, real estate developers, other private parties, and local and state agencies entering into Voluntary Cleanup Program agreements will be able to restore properties quickly and efficiently, rather than having their projects compete for DTSC's limited resources with other lower-priority hazardous waste sites. This fact sheet describes how the Voluntary Cleanup Program works.

Prior to initiation of the Voluntary Cleanup Program, project proponents had few options for DTSC involvement in cleaning up low-priority sites. DTSC's statutory mandate is to identify, prioritize, investigate and cleanup sites where releases of hazardous substances have occurred. For years, the mandate meant that, if the site presented grave threat to public health or the environment, then it was listed on the State Superfund list and the parties responsible conducted the cleanup under an enforcement order, or DTSC used state funds to do so. Because of staff resource limitations, DTSC was unable to provide oversight at sites which posed lesser risk or had lower priority.

DTSC long ago recognized that no one's interests are served by leaving sites contaminated and unusable. The Voluntary Cleanup Program allows motivated parties who are able to fund the cleanup – and DTSC's oversight – to move ahead at their own speed to investigate and remediate their sites. DTSC has found that working cooperatively with willing and able project proponents is a more efficient and cost-effective approach to site investigation and cleanup. There are four steps to this process:

- ✓ Eligibility and Application
- ✓ Negotiating the Agreement
- ✓ Site Activities
- ✓ Certification and Property Restoration

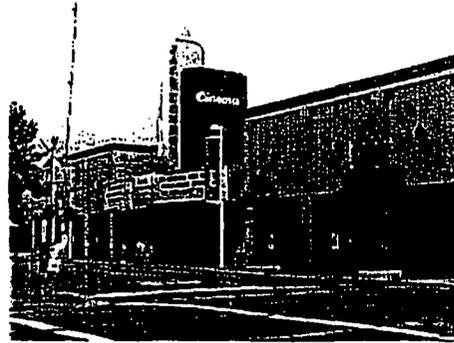
The rest of this fact sheet describes those steps and gives DTSC contacts.

August 1999

The Voluntary Cleanup Program

Step 1: Eligibility and Application

Most sites are eligible. The main exclusions are if the site is listed as a Federal or State Superfund site, is a military facility, or if it falls outside of DTSC's jurisdiction, as in the case where a site contains only leaking underground fuel tanks. Another possible limitation is if another agency currently has oversight, e.g. a county (for underground storage tanks). The current oversight agency must consent to transfer the cleanup responsibilities to DTSC before the proponent can enter into a Voluntary Cleanup Program agreement. Additionally, DTSC can enter into an agreement to work on a specified element of a cleanup (risk assessment or public participation, for example), if the primary oversight agency gives its consent. The standard application is attached to this fact sheet.



Jack London Square Theater, Oakland: Under the Voluntary Cleanup Program, a nine-screen theater was built atop a former Pacific Gas & Electric town gas site, creating a regional entertainment hub.

If neither of these exclusions apply, the proponent submits an application to DTSC, providing details about site conditions, proposed land use and potential community concerns. No fee is required to apply for the Voluntary Cleanup Program.

Step 2: Negotiating the Agreement

Once DTSC accepts the application, the proponent meets with experienced DTSC professionals to negotiate the agreement. The agreement can range from services for an initial site assessment, to oversight and certification of a full site cleanup, based on the proponent's financial and scheduling objectives.

The Voluntary Cleanup Program agreement specifies the estimated DTSC costs, project scheduling, and DTSC services provided. Because every project must meet the same legal and technical cleanup requirements as State Superfund sites, and because DTSC staff provide oversight, the proponent is assured that the project will be completed in an environmentally sound manner.

August 1999



Romero Ranch, Santa Nella: A Voluntary Cleanup Agreement enabled the Nature Conservancy to use the land to preserve natural habitat and promote wildlife development rights.



VOLUNTARY CLEANUP PROGRAM APPLICATION

The purpose of this application is to obtain information necessary to determine the eligibility of the site for acceptance into the Voluntary Cleanup Program. Please use additional pages, as necessary, to complete your responses.

SECTION 1 PROPONENT INFORMATION

Proponent Name _____
Principal Contact Name _____ Phone () _____
Address _____ _____
Proponent's relationship to site _____ _____
Brief statement of why the proponent is interested in DTSC services related to site

SECTION 2 SITE INFORMATION

Is this site listed on Calsites? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide specific name and number as listed
Name of Site _____
Address _____ City _____ County _____ ZIP _____ (Please attach a copy of an appropriate map page)

SECTION 2 SITE INFORMATION (continued)

Current Owner

Name _____

Address _____

Phone () _____

Background: Previous Business Operations

Name _____

Type _____

Years of Operation _____

If known, list all previous businesses operating on this property

What hazardous substances/wastes have been associated with the site?

What environmental media is/was/may be contaminated?

Soil Air Groundwater Surface water

Has sampling or other investigation been conducted? Yes No

Specify

If Yes, what hazardous substances have been detected and what were their maximum concentrations?

SECTION 2 SITE INFORMATION (continued)

Are any Federal, State or Local regulatory agencies currently involved with the site? Yes No
 If Yes, state the involvement, and give contact names and telephone numbers

Agency	Involvement	Contact Name	Phone

What is the future proposed use of the site?

What oversight service is being requested of the Department?
 PEA RI/FS Removal Action Remedial Action RAP Certification
 Other (describe the proposed project)

Is there currently a potential of exposure of the community or workers to hazardous substances at the site?
 Yes No If Yes, explain

SECTION 3 COMMUNITY PROFILE INFORMATION

Describe the site property (include approximate size)

Describe the surrounding land use (including proximity to residential housing, schools, churches, etc.)

Describe the visibility of activities on the site to neighbors

SECTION 3 COMMUNITY PROFILE INFORMATION (continued)

<p>What are the demographics of the community (e.g., socioeconomic level, ethnic composition, specific language considerations, etc.)?</p> <hr/> <hr/>
<p>Local Interest Has there been any media coverage?</p> <hr/>
<p>Past Public Involvement Has there been any past public interest in the site as reflected by community meetings, ad hoc committees, workshops, fact sheets, newsletters, etc.?</p> <hr/> <hr/>
<p>Key Issues and Concerns Have any specific concerns/issues been raised by the community regarding past operations or present activities at the site?</p> <hr/> <hr/> <p>Are there any concerns/issues anticipated regarding site activities?</p> <hr/> <hr/> <p>Are there any general environmental concerns/issues in the community relative to neighboring sites?</p> <hr/> <hr/>
<p>Key Contacts Please attach a list of key contacts for this site, including: city manager; city planning department; county environmental health department, local elected officials; and any other community members interested in the site. (Please include addresses and phone numbers.)</p>

SECTION 4 CERTIFICATION

The signatories below are authorized representatives of the Project Proponent and certify that the preceding information is true to the best of their knowledge.

_____	_____	_____
Proponent Representative	Date	Title

In the agreement, DTSC retains its authority to take enforcement action, if, during the investigation or cleanup, it determines that the site presents a serious health threat, and proper and timely action is not otherwise being taken. The agreement also allows the project proponent to terminate the Voluntary Cleanup Program agreement with 30 days written notice if they are not satisfied that it is meeting their needs.

Step 3: Site Activities

Prior to beginning any work, the proponent must have: signed the Voluntary Cleanup Program agreement; made the advance payment; and committed to paying all project costs, including those associated with DTSC's oversight. The project manager will track the project to make sure that DTSC is on schedule and within budget. DTSC will bill its costs quarterly so that large, unexpected balances should not occur.

Once the proponent and DTSC have entered into a Voluntary Cleanup Program agreement, initial site assessment, site investigation or cleanup activities may begin. The proponent will find that DTSC's staff includes experts in every vital area. The assigned project manager is either a highly qualified Hazardous Substances Scientist or Hazardous Substances Engineer. That project manager has the support of well-trained DTSC toxicologists, geologists, engineers, industrial hygienists, specialists in public participation, and other technical experts.

The project manager may call on any of these specialists to join the team, providing guidance, review, comment and, as necessary, approval of individual documents and other work products. That team will also coordinate with other agencies, as appropriate, and will offer assistance in complying with other laws as needed to complete the project.



The new Federal Courthouse, Sacramento: The largest construction project in the city's history benefited from the Voluntary Cleanup Program when cleaning up a railyard site.

Step 4: Certification and Property Restoration

When remediation is complete, DTSC will issue either a site certification of completion or a "No Further Action" letter, depending on the project circumstances. Either means that what was, "The Site," is now property that is ready for redevelopment or other reuse.

August 1999

To learn more about the Voluntary Cleanup Program, contact the DTSC representative in the Regional office nearest you:



DTSC office locations

North Coast California
Lynn Nakashima / Janet Naito
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721
(510) 540-3839 / (510) 540-3833

Central California
Megan Cambridge
10151 Croydon Way, Suite 3
Sacramento, California 95827
(916) 255-3727

**Central California –
Fresno Satellite**
Tom Kovac
1515 Tollhouse Road
Clovis, California 93611
(209) 297-3939

**Southern California
(Glendale and Cypress)**
Rick Jones
1011 Grandview Avenue
Glendale, California 91201
(818) 551-2862

Additional information on the Voluntary Cleanup Program and other DTSC Brownfields initiatives is available on DTSC's internet web page:

<http://www.dtsc.ca.gov>

August 1999

LETTER
#2
RESPONSE

California Department of Toxic Substances Control
Barbara J. Cook, P.E., Chief
Northern California – Coastal Cleanup Operations Branch
September 14, 2001

- 2-1 This comment recommends that a historical records search be conducted to establish thorough descriptions of past uses of properties subject to redevelopment, and to determine if hazardous substances may have been used at individual sites. At this point in time, no timeframe exists for the implementation of projects outlined in concept in the Specific Plan. It would be impractical to perform historical records searches or sampling at this stage of the project review. The need for subsequent environmental and project review is described in detail in Chapter 1: Introduction, pages 1-13 and 1-14 of the Recirculated Draft EIR. The County or City of Pittsburg, depending in which agency has land use, environmental review, and design review authority, would assess the potential for hazardous materials as part of project review. Should the potential for hazardous materials be identified at that time, a historical records search would be conducted.
- 2-2 This comment identifies the range of possible future environmental analyses of possible remediation activities, depending on the outcome of historical records searches. The DTSC role in the Voluntary Cleanup Program is also described. This comment does not specifically address the proposed projects of the Specific Plan or the Draft or Recirculated Draft EIRs.
- 2-3 This comment provides background information on the Voluntary Cleanup Program and the DTSC role in its administration. This comment does not specifically address the proposed projects of the Specific Plan or the Draft or Recirculated Draft EIRs.

DEPARTMENT OF TRANSPORTATION

P O BOX 23860
OAKLAND, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454



September 25, 2001

RECEIVED
SEP 28 2001
STATE CLEARINGHOUSE

*clear
9/24/01
late
e*

CC-4-20.1
CC004497
SCH# 1998022071

Ms. Maureen Toms
Contra Costa County Community Development Department
651 Pine Street, 4th Floor, North Wing
Martinez, CA 94553

Letter #3

Dear Ms. Toms:

PITTSBURG/BAY POINT BART STATION AREA SPECIFIC PLAN - DRAFT ENVIRONMENTAL IMPACT STUDY

Thank you for including the California Department of Transportation in the environmental review process for the above-referenced project. We have reviewed the Draft Environmental Impact Study, dated July 2001, and offer the following comments:

- 1. There are inconsistencies in the Intersection Capacity Analysis Summary tables. For example, in table 10-3, LOS D is shown for the intersection of Bailey Road/West Leland Road for year 2005 conditions in the AM peak hour. However, on table 10-8, LOS A is shown for the same intersection under the same conditions. 3-1
- 2. The freeway LOS as listed in tables 10-4 and 10-5 may be incorrect or misleading. In cases where the downstream segment has LOS F, the resultant congestion is likely to back up and negatively impact the upstream segments. It is likely that the upstream segments will also operate at LOS F. 3-2
- 3. In Chapter 10, Section 10.3 titled "Impacts and Mitigation Measures," Mitigation Measure 10-2 may be incorrect or misleading. The Area Specific Plan will add traffic to State Route 4, which already operates at LOS F in the peak period. Adding traffic to freeways operation at LOS F is not acceptable without mitigation. Please indicate the proposed mitigation for this impact. 3-3

Should you require further information or have any questions regarding this letter, please call Rick Kuo, of my staff at (510) 286-5988.

Sincerely,

RANDELL H. IWASAKI
Acting District Director

By *Jean CR Finney*

JEAN C. R. FINNEY
District Branch Chief
IGR/CEQA

c: Katie Shulte Jounq (State Clearinghouse)

-
- 3-1 The comment is correct. All level of service tables have been edited (see Appendix B: Revised Tables). No new significant impacts would result.
- 3-2 The comment is potentially correct. The extent of backup from a segment of freeway with LOS F operation affects the level of service of the upstream segment (or segments) and the backup length is dependent upon the operating condition of the one impacted segment the hour preceding the LOS F operation. Only the westbound upstream segments were evaluated in this study. During the AM commute peak hour, the freeway segment upstream of the LOS F location (uphill grade over Willow Pass) between the Bay Point and Bailey Road interchanges is projected to be at LOS C operation in 2005 and LOS D operation in 2010. From a travel speed standpoint, the upstream segment may operate at LOS E or F; from a volume and density standpoint, the operation would be as reported in the Draft EIR.
- 3-3 Virtually all project residential areas and the vast majority of project employment and retail uses will be within walking distance of BART and the Tri Delta Transit bus service that services the BART station. Measurable trip generation reductions have been assigned to project uses within walking distance of the station. Beyond this, project office and retail uses could be encouraged to establish employee Transportation Demand Management (TDM) programs. However, it should be noted that project employment/retail uses would not be likely to add any significant traffic to the freeway segments expected to be experiencing LOS F operation (westbound State Route 4 west of the project during the AM peak hour and eastbound State Route 4 west of the project during the PM peak hour). During commute periods, the traffic generated by the office/retail development assumed in the Specific Plan would be traveling in the off-peak directions. Project office development would, in fact, be expected to pull some existing westbound traffic from the freeway during the AM commute and eliminate some eastbound traffic from the freeway (west of the Bay Point interchange) during the evening commute. Therefore, it is the residential component of project traffic that increases the volume-to-capacity (V/C) ratio on those single segments of State Route 4 west of the Bay Point interchange expected to experience LOS F operation during both commute periods. Beyond the high level of transit use already assumed, there is little else that can be done to reduce the residential trip generation (to/from the west over Willow Pass grade) that could be instituted (controlled) at the residential end of the trip. Thus,

the only measures that would relieve expected Base Case and Base Case + project LOS F operation in the peak flow directions on the uphill Willow Pass grades would be additional travel lanes or a significant increase in the affordable housing stock west of the Willow Pass grade in conjunction with a significant increase in employment east of the Willow Pass grade. However, these are regional issues and beyond the control of an individual project such as the Specific Plan. The project will be required to pay the appropriate regional traffic mitigation fee to the East Contra Costa Regional Fee & Financing Authority, as do all development projects in East County. The fees help finance a program of regional transportation improvements. The fee will soon be increased in all East County jurisdictions except the City of Pittsburg, where the fee will remain at its present level. Another relevant regional consideration is the Mitigation Toolkit included in the East County Action Plan, a regional transportation plan updated in 2000 by the TRANSPLAN Committee, which is the designated regional transportation planning committee for East County. The Mitigation Toolkit encourages transit-oriented development, of which the Specific Plan is an example.

DEPARTMENT OF TRANSPORTATION

P O BOX 23660
OAKLAND, CA 94623-0660
Tel: (510) 288-4444
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TDD (510) 286-4454



October 6, 1999

Letter #4

CC004497
CC-4-20.10
SCH #98022071

Ms. Maureen Toms
Contra Costa County Community Development Dept.
651 Pine Street, 4th floor, North Wing
Martinez, CA 94553

Dear Ms. Toms:

Pittsburg/Bay Point BART Station Area Specific Plan -DEIR

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced project. We have reviewed the Draft Environmental Impact Report (DEIR) and have the following comments to offer.

- The Area Specific Plan will add traffic to SR 4 which already operates at LOS F in the peak period. Adding traffic to freeways operating at LOS F is not acceptable without mitigation. Please indicate the proposed mitigation for this impact. In addition, on Page 10-49 it is stated that it is possible when considering the cumulative growth in BART demand, that even with planned service improvements the load factors on BART could be higher than current levels by 2010. If this does occur, BART patrons might be more inclined to drive instead of taking BART, increasing traffic on State Routes (SR) 242, SR24, and I-680. 4-1
- In Chapter 2, Section 2.5 titled "Summary of Alternatives," Alternative 2 involves the most intensive development, and would require 15-20 years to achieve through natural market forces or 10-15 years with substantial public sector assistance. The Traffic Volume forecast used in the DEIR is only 12 years. This traffic projection should be extended in accordance with the longer time required for implementation. 4-2
- There is currently flooding within the Ambrose Park watershed, upstream of State Route 4 (SR 4). Any improvements within Ambrose Park should include provisions to upgrade the drainage within the park. (Page 3-17) 4-3
- Tables 10-2, 10-4, and 10-15 mention a Level of Service (LOS) at "under capacity." Please indicate what the actual LOS is for these locations. If below the desired LOS, please indicate the proposed mitigation for the impact to these freeway segments. 4-4
- Figure 10-2 shows westbound traffic on SR 4 as 4901. Is this vehicles per hour (vph)? Our data shows about 5400 vph. Please verify. 4-5

- The freeway LOS as listed in Tables 10-2 and 10-4 may be incorrect or misleading. Several locations in these tables are listed as LOS F with upstream segments as "under" capacity. In cases where the downstream segment has LOS F, the resultant congestion is likely to back up and negatively impact the upstream segments. It is likely that the upstream segments will also operate at LOS F. 4-6
- On Page 10-32 it is stated that "Whereas by 2010, West Leland Road is assumed extended westerly to connections with the Bay Point interchange and Willow Pass Road in Concord." Is that the reason the project-generated traffic is *less* in year 2010 than existing traffic (Figures 10-9 & 10-10 versus Figures 10-7 & 10-8)? If so, should the study area be modified or expanded to examine the overall impact of this project? Moreover, the Bay Point interchange (including ramp intersections) should be analyzed if traffic is expected to be diverted to that interchange. 4-7

We appreciate the opportunity to work with you on this project. Please forward us copies of the Final EIR when it is becomes available.

Should you require further information or have any questions regarding this letter, please call Paul Svedersky of my staff at (510) 622-1639.

Sincerely,

HARRY Y. YAHATA
District Director

By 

JEAN C.R. FINNEY
District Branch Chief
IGR/CEQA

C: State Clearinghouse

- 4-1 Please see Response 3-3. In response to increased BART load factors potentially shifting more commuters back to the freeway—comment noted. Potentially, it is the lack of parking at BART stations that has in the past and will in the future force commuters back onto the freeway system, not projected BART load factors. Regarding the comment’s request for mitigations of LOS F operations on State Route 4, that is a pre-existing condition that cannot be mitigated. For precisely this reason, the East County Action Plan – which is the transportation plan of record for East County – dropped its level of service standard for State Route 4, instead adopting a “delay index” and “vehicle occupancy” standard.
- 4-2 Alternative 2 was conservatively assumed to be fully developed by 2010 for analysis purposes. This comment was submitted during the public review period of the Draft EIR, August 1999. Subsequent to that time, the County as lead agency added two new alternatives for analysis and evaluation as well as a revised project analysis based upon the most current East County modeling. As a result, this comment no longer applies to the specific elements of the projected or background conditions under review. The results of the additional analysis are presented in the Recirculated Draft EIR dated July 2001 (in Chapter 10: Transportation, and Chapter 17: Alternatives). The data and conclusions contained in the Recirculated Draft EIR supersedes and replaces data presented in the Draft EIR 1999 as appropriate. No additional response is required.
- 4-3 This comment identifies the need for upgraded drainage within Ambrose Park. Although not specifically identified in the Specific Plan, it is presumed that drainage improvements to Ambrose Park would be incorporated into designs for park expansion or improvements, and implemented concurrent with new projects.
- 4-4 This comment was submitted during the public review period of the August 1999 Draft EIR. Subsequent to that time, the County as Lead Agency added two new alternatives for analysis and evaluation as well as a revised project analysis based upon the most current East County modeling. As a result, this comment no longer applies to the specific elements of the projected or background conditions under review. The results of the additional analysis are presented in the Recirculated Draft EIR dated July 2001 (in Chapter 10: Transportation, and Chapter 17: Alternatives). The data and conclusions contained in the Recirculated Draft EIR supersedes and replaces data presented in the 1999 Draft EIR as appropriate. No additional response is required.
-

- 4-5 This comment was submitted during the public review period of the August 1999 Draft EIR. Subsequent to that time, the County as Lead Agency added two new alternatives for analysis and evaluation as well as a revised project analysis based upon the most current East County modeling. As a result, this comment no longer applies to the specific elements of the projected or background conditions under review. The results of the additional analysis are presented in the Recirculated Draft EIR dated July 2001 (in Chapter 10: Transportation, and Chapter 17: Alternatives). The data and conclusions contained in the Recirculated Draft EIR supersedes and replaces data presented in the 1999 Draft EIR as appropriate. No additional response is required.
- 4-6 See Response 3-2.
- 4-7 This comment was submitted during the public review period of the Draft EIR, August 1999. Subsequent to that time, the County as Lead Agency added two new alternatives for analysis and evaluation as well as a revised project analysis based upon the most current East County modeling. As a result, this comment no longer applies to the specific elements of the projected or background conditions under review. The results of the additional analysis are presented in the Recirculated Draft EIR dated July 2001 (in Chapter 10: Transportation, and Chapter 17: Alternatives). The data and conclusions contained in the Recirculated Draft EIR supersedes and replaces data presented in the 1999 Draft EIR as appropriate. No additional response is required.



**California Regional Water Quality Control Board
San Francisco Bay Region**



Winston H. Hickox
Secretary for
Environmental
Protection

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1515 Clay Street, Suite 1400, Oakland, California 94612
Phone (510) 622-2300 • FAX (510) 622-2460

Gray Davis
Governor

Date: **SEP 23 1999**
File No. 2118.04 (MYM)

Letter #5

Ms. Maureen Toms
Contra Costa County Community Development Department
651 Pine Street, 4th Floor-North Wing
Martinez, CA 94553

Re: **Pittsburg/Bay Point BART Station Area Specific Plan
SCH# 98022071**

99 SEP 27 PM 12:40
2118.04

Dear Ms. Toms:

We have received the above referenced Draft Environmental Impact Report (DEIR) and offer the following comments with which the Regional Board is concerned.

The purpose of the project is to create a high density, mixed use area within easy walking distance of the BART station, the establishment of a neighborhood commercial district along Willow Pass Road, enhancement of the pedestrian and bicycle routes to encourage non-automotive access to the BART station and Delta DeAnza Trail, and the establishment of urban design guidelines for the area.

The proposed development would disturb more than five acres of land during construction. It must be covered under the State NPDES General Permit for Discharges of Storm Water Associated with Construction Activity (General Permit). This can be accomplished by filing a Notice of Intent with the State Water Resources Control Board, Division of Water Quality. The project sponsor must propose and implement control measures that are consistent with the General Permit and with the recommendations and policies of the local agency and the RWQCB, as noted in the DEIR.

5-1

As the project involves jurisdictional wetlands/Waters of the State, Section 401 Water Quality Certification will be necessary, as noted in the DEIR.

5-2

The Regional Board is unable to offer more specific comment at this time. However, I have attached a copy of our General Comments, which discuss the Regional Board's area of responsibility, and which should help guide in the preparation of further CEQA documentation. Regional Board staff also encourage the lead agency to obtain a copy of "Start at the Source," a design guidance manual for stormwater quality protection, which provides innovative ways of designing structures, parking lots, drainage systems, and landscaping. This manual may be obtained at most cities planning offices, or by calling the Bay Area Stormwater Management Agencies Association at 1-800-773-7247.

5-3

California Environmental Protection Agency

If you have any questions, please contact me at (510) 622-2437, or Jennifer Ackerman at (510) 622-2346.

Sincerely,



Greg Walker
Senior Water Resource Control Engineer

CC (w/o attch): State Clearinghouse
Martin Y. Musonge, RWQCB

California Environmental Protection Agency



Winston F. Hickox
Secretary for
Environmental
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Gray Davis
Governor

General Comments

The San Francisco Regional Water Quality Control Board (Regional Board or RWQCB) is charged with the protection of the Waters of the State of California in the San Francisco Bay Region, including wetlands and stormwater quality. The Regional Board is responsible for administering the regulations established by the Federal Clean Water Act. Additionally, the California Water Code establishes broad state authority for regulation of water quality. The San Francisco Bay Basin Water Quality Control Plan (Basin Plan) explains the Regional Board's strategy for regulating water quality. The Basin Plan also describes the range of responses available to the Regional Board with regard to actions and proposed actions that degrade or potentially degrade the beneficial uses of the Waters of the State of California.

NPDES

Water quality degradation is regulated by the Federal National Pollutant Discharge Elimination System (NPDES) Program, established by the Clean Water Act, which controls and reduces pollutants to water bodies from point and nonpoint discharges. In California, the program is administered by the California Regional Water Quality Control Boards. The Regional Board issues NPDES permits for discharges to water bodies in the San Francisco Bay Area, including Municipal (area- or county-wide) Stormwater Discharge Permits.

Projects disturbing more than five acres of land during construction must be covered under the State NPDES General Permit for Discharges of Storm Water Associated with Construction Activity (General Permit). This can be accomplished by filing a Notice of Intent with the State Water Resources Control Board. An NOI and the General Permit can be obtained from the Board at (510) 266-2300. The project sponsor must propose and implement control measures that are consistent with the General Permit and with the recommendations and policies of the local agency and the RWQCB.

Projects that include facilities with discharges of Storm Water Associated with Industrial Activity must be covered under the State NPDES General Permit for Discharges of Storm Water Associated with Industrial Activity. This may be accomplished by filing a Notice of Intent. The project sponsor must propose control measures that are consistent with this, and with recommendations and policies of the local agency and the RWQCB. In a few cases, the project sponsor may apply for (or the RWQCB may require) issuance of an individual (industry- or facility-specific) permit.

The RWQCB's Urban Runoff Management Program requires Bay Area municipalities to develop and implement storm water management plans (SWMPs). The SWMPs must include a program for implementing new development and construction site storm water quality controls. The objective of this component is to ensure that appropriate measures to control pollutants from new development are: considered during the planning phase, before construction begins; implemented during the construction phase; and maintained after construction, throughout the life of the project.

California Environmental Protection Agency



Impacts and Mitigation Measures

Wetlands

Wetlands enhance water quality through such natural functions as flood and erosion control, stream bank stabilization, and filtration and purification of contaminants. Wetlands also provide critical habitats for hundreds of species of fish, birds, and other wildlife, offer open space, and provide many recreational opportunities. Water quality impacts occur in wetlands from construction of structures in waterways, dredging, filling, and altering drainage to wetlands.

The Regional Board must certify that any permit issued by the U.S. Army Corps of Engineers pursuant to Section 404 of the Clean Water Act (covering, dredging, or filling of Waters of the United States, including wetlands) complies with state water quality standards, or waive such certification. Section 401 Water Quality Certification is necessary for all 404 Nationwide permits, reporting and non-reporting, as well as individual permits.

All projects must be evaluated for the presence of jurisdictional wetlands and other Waters of the State. Destruction of or impact to these waters should be avoided. If the proposed project impacts wetlands or other Waters of the State and the project applicant is unable to demonstrate that the project was unable to avoid those adverse impacts, water quality certification will most likely be denied. 401 Certification may also be denied based on significant adverse impacts to wetlands or other Waters of the State. In considering proposals to fill wetlands, the Regional Board has adopted the California Wetlands Conservation Policy (Executive Order W-59-93, signed August 23, 1993). The goals of the Policy include ensuring "no overall net loss and achieving a long-term net gain in the quantity, quality, and permanence of wetlands acreage and values." Under this Policy, the Regional Board also considers the potential post-construction impacts to wetlands and Waters of the State and evaluates the measures proposed to mitigate those impacts (see Storm Water Quality Control, below).

The Regional Board has adopted U.S. EPA's Clean Water Act Section 404(b)(1) "Guidelines for Specification of Disposal Sites for Dredge or Fill Material," dated December 24, 1980, in the Board's Basin Plan for determining the circumstances under which fill may be permitted.

Section 404(b)(1) Guidelines prohibit all discharges of fill material into regulated waters of the United States, unless a discharge, as proposed, constitutes the least environmentally damaging practicable alternative that will achieve the basic project purpose. For non-water dependent projects, the guidelines assume that there are less damaging alternatives, and the applicant must rebut that assumption.

The Section 404(b)(1) Guidelines sequence the order in which proposals should be approached. First, impacts to wetlands or Waters of the State must be avoided to the maximum extent practicable. Second, the remaining impacts must be minimized. Finally, the remaining unavoidable adverse impacts to wetlands or Waters of the State must be mitigated. Mitigation will be preferably in-kind and on-site, with no net destruction of habitat value. A proportionately greater amount of mitigation is required for projects that are out-of-kind and/or off-site. Mitigation will preferably be completed prior to, or at least simultaneous to, the filling or other loss of existing wetlands.

Successful mitigation projects are complex tasks and difficult to achieve. This issue will be strongly considered during agency review of any proposed wetland fill. Wetland features or ponds created as mitigation for the loss of existing jurisdictional wetlands or Waters of the United States cannot be used as storm water treatment controls.

In general, if a proposed project impacts wetlands or Waters of the State and the project applicant is unable to demonstrate that the project was unable to avoid adverse impacts to wetlands or Waters of the State, water quality certification will be denied. 401 Certification may also be denied based on significant adverse impacts to wetlands or other Waters of the State.

Storm Water Quality Control

Storm water is the major source of fresh water to creeks and waterways. Storm water quality is affected by a variety of land uses and the pollutants generated by these activities. Development and construction activities cause both site-specific and cumulative water quality impacts. Water quality degradation may occur during construction due to discharges of sediment, chemicals, and wastes to nearby storm drains or creeks. Water quality degradation may occur after construction is complete, due to discharges of petroleum hydrocarbons, oil, grease, and metals from vehicles, pesticides and fertilizers from landscaping, and bacteria from pets and people. Runoff may be concentrated and storm water flow increased by newly developed impervious surfaces, which will mobilize and transport pollutants deposited on these surfaces to storm drains and creeks. Changes in runoff quantity or velocity may cause erosion or siltation in streams. Cumulatively, these discharges will increase pollutant loads in creeks and wetlands within the local watershed, and ultimately in San Francisco Bay.

To assist municipalities in the Bay Area with complying with an area-wide NPDES Municipal Storm Water Permit or to develop a Baseline Urban Runoff Program (if they are not yet a co-permittee with a Municipal Storm Water Permit), the Regional Board distributed the *Staff Recommendations for New and Redevelopment Control for Storm Water Programs (Recommendations)* in April 1994. The Recommendations describe the Regional Board's expectations of municipalities in protecting storm water quality from impacts due to new and redevelopment projects, including establishing policies and requirements to apply to development areas and projects; initiating appropriate planning, review, approval, and inspection procedures; and using best management practices (BMPs) during construction and post-construction.

Project impacts should be minimized by developing and implementing a Storm Water Pollution Prevention Plan (SWPPP). A SWPPP is required by the State Construction Storm Water General Permit (General Permit). The SWPPP should be consistent with the terms of the General Permit, the Manual of Standards for Erosion & Sedimentation Control Measures by the Association of Bay Area Governments (ABAG), policies and recommendations of the local urban runoff program (city and/or county), and the Recommendations of the RWQCB. SWPPPs should also be required for projects that may have impacts, but which are not required to obtain an NPDES permit. Preparation of a SWPPP should be a condition of development. Implementation of the SWPPP should be enforced during the construction period via appropriate options such as citations, stop work orders, or withholding occupancy permits.

Impacts identified should be avoided and minimized by developing and implementing the types of controls listed below. Explanations of the controls are available in the Regional Board's construction *Field Manual*, available from Friends of the San Francisco Estuary at (510) 286-0924, in BASMAA's *Start at the Source*, and in the *California Storm Water Best Management Practice Handbooks*.

Site Planning

The project should minimize impacts from project development by incorporating appropriate site planning concepts. This should be accomplished by designing and proposing site planning options as early in the project planning phases as possible. Appropriate site planning concepts to include, but are not limited to the following:

- Phase construction to limit areas and periods of impact.
- Minimize directly connected impervious areas.
- Preserve natural topography, existing drainage courses and existing vegetation.
- Locate construction and structures as far as possible from streams, wetlands, drainage areas, etc.
- Provide undeveloped, vegetated buffer zones between development and streams, wetlands, drainage areas, etc.
- Reduce paved area through cluster development, narrower streets, use of porous pavement and/or retaining natural surfaces.
- Minimize the use of gutters and curbs which concentrate and direct runoff to impermeable surfaces.
- Use existing vegetation and create new vegetated areas to promote infiltration.
- Design and lay out communities to reduce reliance on cars.
- Include green areas for people to walk their pets, thereby reducing build-up of bacteria, worms, viruses, nutrients, etc. in impermeable areas, or institute ordinances requiring owners to collect pets' excrement.
- Incorporate low-maintenance landscaping.
- Design and lay out streets and storm drain systems to facilitate easy maintenance and cleaning.
- Consider the need for runoff collection and treatment systems.
- Label storm drains to discourage dumping of pollutants into them

Erosion

The project should minimize erosion and control sediment during and after construction. This should be done by developing and implementing an erosion control plan, or equivalent plan. This plan should be included in the SWPPP. The plan should specify all control measures that will be used or which are anticipated to be used, including, but not limited to, the following:

- Limit access routes and stabilize access points.
- Stabilize denuded areas as soon as possible with seeding, mulching, or other effective methods.
- Protect adjacent properties with vegetative buffer strips, sediment barriers, or other effective methods.
- Delineate clearing limits, easements, setbacks, sensitive areas, vegetation and drainage courses by marking them in the field.
- Stabilize and prevent erosion from temporary conveyance channels and outlets.
- Use sediment controls and filtration to remove sediment from water generated by dewatering or collected on-site during construction. For large sites, stormwater settling basins will often be necessary.

Chemical and Waste Management

The project should minimize impacts from chemicals and wastes used or generated during construction. This should be done by developing and implementing a plan or set of control measures. The plan or control measures should be included in the SWPPP. The plan should specify all control measures that will be used or which are anticipated to be used, including, but not limited to, the following:

- Designate specific areas of the site, away from streams or storm drain inlets, for storage, preparation, and disposal of building materials, chemical products, and wastes.
- Store stockpiled materials and wastes under a roof or plastic sheeting.
- Store containers of paint, chemicals, solvents, and other hazardous materials stored in containers under cover during rainy periods.
- Berm around storage areas to prevent contact with runoff.
- Cover open Dumpsters securely with plastic sheeting, a tarp, or other cover during rainy periods.
- Designate specific areas of the site, away from streams or storm drain inlets, for auto and equipment parking and for routine vehicle and equipment maintenance.
- Routinely maintain all vehicles and heavy equipment to avoid leaks.
- Perform major maintenance, repair, and vehicle and equipment washing off-site, or in designated and controlled areas on-site.
- Collect used motor oil, radiator coolant or other fluids with drip pans or drop cloths.
- Store and label spent fluids carefully prior to recycling or proper disposal.
- Sweep up spilled dry materials (cement, mortar, fertilizers, etc.) immediately--do not use water to wash them away.
- Clean up liquid spills on paved or impermeable surfaces using "dry" cleanup methods (e.g., absorbent materials, cat litter, rags) and dispose of cleanup materials properly.
- Clean up spills on dirt areas by digging up and properly disposing of the soil.
- Keep paint removal wastes, fresh concrete, cement mortars, cleared vegetation, and demolition wastes out of gutters, streams, and storm drains by using proper containment and disposal.

Post-Construction

The project should minimize impacts from pollutants that may be generated by the project following construction, when the project is complete and occupied or in operation. These pollutants may include: sediment, bacteria, metals, solvents, oil, grease, and pesticides, all of which are typically generated during the life of a residential, commercial, or industrial project after construction has ceased. This should be done by developing and implementing a plan and set of control measures. The plan or control measures should be included in the SWPPP.

The plan should specify all control measures that will be used or which are anticipated to be used, including, but not limited to, the source controls and treatment controls listed in the Recommendations. Appropriate control measures are discussed in the Recommendations, in:

- Table 2: Summary of residential post-construction BMP selection
- Table 3: Summary of industrial post-construction BMP selection
- Table 4: Summary of commercial post-construction BMP selection

Additional sources of information that should be consulted for BMP selection include the *California Storm Water Best Management Practice Handbooks*; the Bay Area Preamble to the *California Storm*

Water Best Management Practice Handbooks and New Development Recommendations; the BASMAA New Development Subcommittee meetings, minutes, and distributed information; and Regional Board staff. Regional Board staff also have fact sheets and other information available for a variety of structural stormwater treatment controls, such as grassy swales, porous pavement and extended detention ponds.

LETTER
#5
RESPONSE

California Regional Water Quality Control Board,
San Francisco Bay Region
Greg Walker, Senior Water Resource Control Engineer
September 23, 1999

-
- 5-1 The Regional Water Quality Control Board (RWQCB) states that the grading projects will require National Pollution Discharge Elimination System (NPDES) permits for discharges of storm water associated with construction activity. The discussion of water quality impacts is presented in the 1999 Draft EIR in Chapter 13: Hydrology and Water Quality. The requirement for NPDES permits is described in detail on pages 13-2 and 13-3. The County and the City of Pittsburg participate in the NPDES process by requiring Best Management Practices be implemented in the design of a project's storm drainage system to reduce or eliminate storm water pollution. For both the County and the City, a project developer will be required to submit a copy of the Notice of Intent filed with the RWQCB, and obtain County or City approval of the applicant's Stormwater Pollution Prevention Plan (SWPPP). SWPPP approval is required prior to issuance of local building permits.
- 5-2 This comment acknowledges that the potential impacts to jurisdictional wetlands/Waters of the State, are addressed in the 1999 Draft EIR. Please see Impact 15-4 and Mitigation Measure 15-4, on page 15-13 of the Draft EIR.
- 5-3 This comment refers to the RWQCB's "General Comments" (copy attached to comment letter). The General Comments provide background information on the Regional Board's area of responsibility, which serve to guide any further CEQA documentation. This comment does not specifically address the proposed project or the Draft or Recirculated Draft EIRs.



**CONTRA COSTA
WATER DISTRICT**

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01 SEP 24 PM 12

September 21, 2001

Letter #6

Via Fax 925/335-1299

Directors
James Pretti
President

Noble O. Elcenko, D.C.
Vice President

Elizabeth R. Anello
Bette Boatman
Joseph L. Campbell

Walter J. Bishop
General Manager

Maureen Toms, AICP, Principal Planner
Contra Costa County Community Development Department
651 Pine Street, 4th Floor, North Wing
Martinez, California 94553-0095

**Subject: Comment on Draft Recirculated EIR for the Pittsburg/Bay Point
BART Station Area Specific Plan**

Dear Ms. Toms:

Thank you for the opportunity to review and comment on the Draft Recirculated EIR for the Pittsburg/Bay Point BART Station Specific Plan. The Contra Costa Water District (CCWD) provided comment on the original Draft EIR for this project on October 6, 1999 (see Attachment 1). This Draft Recirculated EIR addresses two additional alternative actions to the Specific Plan (Alternatives 5 and 6) not considered previously. Changes in the text resulting from the expanded analysis are identified. It is indicated (page 1-10) that relevant written and public hearing comments on this Draft Recirculated EIR will be combined with the comments provided on the original 1999 Draft EIR, including those submitted by CCWD, and addressed in the Responses to Comments documentation to be considered in the Final EIR adoption process. Therefore, CCWD's comments in this communication primarily address the analysis with respect to the two additional alternatives.

The Specific Plan contains three main sections: Land Use, Urban Design and Circulation. Each section contains goals, objectives, policies, and actions for development and redevelopment of parcels totaling 295 acres located within the City of Pittsburg and the unincorporated Bay Point community. Policies and standards are designed to guide the County, Pittsburg and the Bay Area Rapid Transit District (BART) in developing and improving the area through 2010. The Plan area includes the Pittsburg/Bay Point BART Station and adjacent properties north of West Leland Road, Ambrose Park and adjacent parcels, and vacant and developed parcels along Bailey Road, Willow Pass Road and Canal Road. State Highway 4, the Contra Costa Canal and Mokelumne Aqueduct pass through the Plan area in generally east to west orientations.

The proposed Pittsburg/Bay Point BART Station Specific Plan indicates a buildout of 2,195 multi-family housing units (for up to 4,500 population), and 239,000 square feet of retail commercial floor space and 75,000 square feet of office floor space. Additional parking is also planned for BART both in the near term (380 spaces) and the

long term (for a total 2,380 spaces). Landscaping, lighting and selected widening improvements are planned for sidewalks and trails (including the Regional Trail along the Mokelumne Aqueduct). Future development would be subject to architectural design guidelines; streetscape improvements would be installed for portions of West Leland Road, Bailey Road, and Willow Pass Road; pedestrian and bicycle improvements would be constructed; and utilities and infrastructure are expected to be improved as projects are developed.

The project alternatives range in intensities between commercial floor space (e.g., Alternative 4 with 164,000 square feet compared to Alternative 5 with 1,848,000 square feet) and residential use (e.g., Alternative 5 with 1,099 housing units compared to Alternative 1 with 5,600 housing units). Alternative 1 is the "No Project/Expected Growth" Alternative based on the existing City of Pittsburg and Contra Costa County General Plan Land Use Elements.

The following comments on the Recirculated DEIR are provided in the order of the text. All recommended wording changes are shown in **bold**.

Chapter 2: Summary, Impact 8-1, Page 2-8. In the Mitigation Measure (also as stated in the text page 8-16), reference is to the uncertain "timing of CCWD system improvements". It is not explained what CCWD system improvements are intended here to supply the projected demands, since all Specific Plan area treated water services are provided through the two treated water agencies, the City of Pittsburg and California Cities Water Company.

6-1

Chapter 8: Community Services and Utilities, Setting - Water, Page 8-1. Two statements in the first two paragraphs need to be updated. In the first paragraph line 1, please change "400,000 people" to **440,000 people** (based on the 2000 U.S. Census). In the second paragraph line 5, indicate the completion of the Bollman upgrades by changing "is currently being" to **has been**.

6-2

Page 8-2. In the first full paragraph, lines 4 and 5, please remove "however, when this supply is used it must be deducted from the CVP supply". No such restriction is known; however, in reality during a drought year the water quality at Mallard Slough is poor, and typically not available. Please rewrite the balance of this paragraph as follows (starting in line 5): **CCWD has an agreement with the East Contra Costa Irrigation District (ECCID) for the use of up to 8,200 AFA within the portion of the ECCID service area that overlaps with CCWD boundaries. Additionally, in dry years, 4,000 AFA of groundwater is available from ECCID through an exchange. This water can be used anywhere in the CCWD service area.**

6-3

Chapter 17: Alternatives [5 and 6], Water Demand, Page 17-35. We have reviewed the water demands of the new alternatives and find them consistent with the Specific Plan demands, and CCWD's water supply planning for the area.

6-4

Pittsburg/Bay Point BART Station Area Specific Plan Recirculated DEIR
September 21, 2001
Page 3

If you have any questions on the comments, or require further information on the CCWD, please contact Dennis Pisila at 925/688-8119. CCWD is available to meet with the County staff and/or consultant in order to further discuss comments and evaluations, if appropriate.

Sincerely,



Frances I. Garland
Principal Planner

FG/DP

Attachment 1: CCWD NOP Response, October 6, 1999 [See original Letter #7]

LETTER
#6
RESPONSE

Contra Costa Water District
Frances I. Garland, Principal Planner
September 21, 2001

- 6-1 This comment requests a clarification on the reference to “Since the timing of CCWD system improvements is uncertain ...” in Mitigation Measure 8-1 on page 8-16 of the 1999 Draft EIR. This reference reflects the assumption that implementation of the projects in the Specific Plan will be conducted over a long-term timeframe (up to 11 years at the time of preparation, with the horizon year of 2010). On pages 8-2 and 8-3 under the heading of Water Supply and Demand, reference is made to the conclusions of Contra Costa Water District’s Future Water Supply Study: *that water demand would likely be met through a combination of CCWD’s existing water supply, conservation programs, and additional supplies as opportunities arise*. Mitigation Measure 8-1 emphasizes that demonstration of water availability would be required as a condition of approval during project review of Specific Plan projects.
- 6-2 This comment provides text to update statistics presented in the 1999 Draft EIR. (Also refer to Comment 7-3.) The following paragraphs in Chapter 8: Community Services and Utilities, page 8-1, paragraphs 2 and 3, are revised as follows:

Water

The Contra Costa Water District (CCWD) serves approximately 400,000 ~~400,000~~ **440,000** people throughout north-central and east Contra Costa County. Its clients also include 10 major industries, 36 smaller industries and businesses, and 50 agricultural users. CCWD operates raw water distribution facilities, water treatment plants, and treated water distribution facilities. CCWD supplies raw and treated water to Antioch, Concord, Diablo Water District (serving Oakley), Pittsburg, Southern California Water Company (serving Bay Point), Martinez, and parts of Pleasant Hill and Walnut Creek.

The treated water service area for CCWD encompasses all or part of the cities of Concord, Clayton, Clyde, Pleasant Hill, Walnut Creek, Martinez, and Port Costa. Treated water for this service area is provided from the District’s Bollman Water Treatment Plant in Concord. The Bollman facility is a 75 million gallons per day (mgd) conventional plant ~~which is currently being~~ **that was** upgraded to include intermediate ozonation.

CCWD also supplies treated water to the Diablo Water District (DWD), which serves customers in Oakley from a plant jointly owned by CCWD and DWD, **and to Bay Point from a recent pipeline extension from the Bollman Plant.** The Randall-Bold Water Treatment Plant is a 40 mgd direct/deep-bed filtration plant which utilizes both pre- and post-ozonation to provide a high-quality drinking water to the customers in its service area.

- 6-3 This comment provides text to clarify the timing and volume of water CCWD obtains from Mallard Slough. The text of the Draft EIR in Chapter 8: Community Services and Utilities, page 8-2, first full paragraph, is revised as follows:

The actual amount of water supplied is subject to regulatory or temporary restrictions that may be imposed during drought conditions or other conditions. CCWD can divert up to 26,780 AFA of water from Mallard Slough when water quality is acceptable (i.e., generally under 100 mg/l chloride); however, when this supply is used it must be deducted from the CVP supply. CCWD has ~~a current~~ **an** agreement with the East Contra Costa Irrigation District (ECCID) for the use of up to ~~21,000 AFA (i.e., full entitlement available by 2010) only within the ECCID service area portion that overlaps with CCWD boundaries. However, up to 7,000 AFA of this ECCID supply has been sold to the City of Brentwood, and a new contract with ECCID will reduce that total supply to approximately 8,000 AFA. These sources bring CCWD's total water supply to approximately 203,000 AFA.~~ **8,200 AFA within the portion of the ECCID service area that overlaps with CCWD boundaries. Additionally, in dry years, 4,000 AFA of groundwater is available from ECCID through an exchange. This water can be used anywhere in the CCWD service area.**

- 6-4 This comment acknowledges that the water demand factors applied to the new alternatives are consistent with CCWD's water supply planning for the area. No response is required.



**CONTRA COSTA
WATER DISTRICT**

CONSTRUCTION DEPARTMENT
2300 Stanwell, Suite B
Concord, CA 94520
(925) 688-8130 FAX (925) 798-1452

99 OCT -7 PM 2:43

Letter #7

October 6, 1999

Via Fax 925/335-1299

Directors
Joseph L. Campbell
President
James Pretti
Vice President
Elizabeth R. Anello
Bette Boatman
Noble O. Elcenko, D.C.
Walter J. Bishop
General Manager

James Kennedy, Deputy Director Redevelopment
Contra Costa County Community Development Department
651 Pine Street, 4th Floor, North Wing
Martinez, California 94553-0095

Subject: Comment on Draft EIR for the Pittsburg/Bay Point BART Station Area Specific Plan

Dear Mr. Kennedy:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) for the Pittsburg/Bay Point BART Station Specific Plan. The Contra Costa Water District (CCWD) comments cover endangered species and water demands issues, and several other minor areas. The Specific Plan area is within the existing Contra Costa Water District (CCWD) service area boundaries.

The Specific Plan contains three main sections: Land Use, Urban Design and Circulation. Each section contains goals, objectives, policies, and actions for development and redevelopment of parcels totaling 295 acres located within the City of Pittsburg and the unincorporated Bay Point community. Policies and standards are designed to guide the County, Pittsburg and the Bay Area Rapid Transit District in developing and improving the area through 2010 (although a recent marketing study indicated this is unlikely). The Plan area includes the Pittsburg/Bay Point BART Station and adjacent properties north of West Leland Road, Ambrose Park and adjacent parcels, and vacant and developed parcels along Bailey Road, Willow Pass Road and Canal Road. State Highway 4, the Contra Costa Canal and Mokelumne Aqueduct pass through the Plan area generally east to west.

The preferred alternative plan (i.e., four separate alternatives were evaluated in the DEIR) assumes a buildout of 2,195 multi-family housing units (for up to 4,500 population), and 239,000 square feet of retail commercial floor space and 75,000 square feet of office floor space to produce jobs. Additional parking is also planned for BART both in the near term (380 spaces) and long term (for a total 2,380 spaces). Landscaping, lighting and selected widening improvements are planned for sidewalks and trails (including the Regional Trail along the Mokelumne Aqueduct).

CCWD has provided previous input to the Specific Plan process through the submission of two Notice of Preparation responses (dated March 19 and April 20,



1998), and comments on the Draft Specific Plan (March 27, 1998) and the Administrative Draft EIR (January 19, 1999). The NOP inputs addressed the Federal Endangered Species Act (FESA), potential drainage issues into the Contra Costa Canal, and to determine if there is significant increased demands on water supplies arising from the revised land use plan by comparing it with the existing general plan land use elements, and its relationship to recent legislation (Senate Bill 901). The comment on the Specific Plan addressed safety along the canal and recommended minimum rear yard setbacks. The input to the Administrative Draft EIR included updated water use factors for commercial and office uses (derived from the Pleasant Hill BART Station Specific Plan analysis), and clarification of CCWD water supply sources and amounts. In general, the inputs and comments have been incorporated into the Draft EIR, except for a properly quantified analysis of the current general plans water demands with those of the preferred Specific Plan. The following comments are provided on the adequacy to which the above matters and issues have been addressed as well as on other matters, as provided in the sequence of the document. Any recommended wording or figure changes are shown in bold.

Chapter 3, Project Description, Pages 3-22 and -23, Setbacks: It is indicated in the last paragraph on page 3-22 and the first full paragraph on page 3-23 that setback requirements for Multi-Family Residential Low uses will be 20 feet minimum in side and rear yards. This land use designation is shown in the Specific Plan for areas that abut the Contra Costa Canal right-of-way. This should be an acceptable setback to facilitate human safety through the separation of buildings and (to some extent) activities from the canal right-of-way fencing.

7-1

Chapter 5, Land Use, Page 5-25: Impact 5-4 recognizes the potential for an increase in unauthorized entry to the canal right-of-way (i.e., despite CCWD regular patrols) arising from an increased population in the area (resulting from the Specific Plan over implementation of current land use elements). This impact was considered to be less than significant; however, the DEIR recommends that the canal right-of-way be regularly evaluated to identify and correct any areas in which access could be breached, especially by children. CCWD will continue to periodically evaluate its fencing and undertake improvements, as necessary, to prevent any potential unauthorized entry. Developers must be required to install fencing per District requirements.

7-2

Chapter 7, Parks and Recreation, Page 7-2: Under Regional Parks and Preserves, it is stated that Contra Loma Regional Park in Antioch "is under the jurisdiction of the EBRPD" [East Bay Regional Park District]. In reality, EBRPD conducts recreation at Contra Loma in accordance with a Management Agreement with USA (1972). However, the Park land is federally-owned and administered by the U.S. Bureau of Reclamation as part of the Central Valley Project (CVP) with the waterworks facilities (Contra Loma Dam and Reservoir) operated and maintained by CCWD. The Management Agreement allows EBRPD to conduct recreation in a subordinate role to water regulation and the CVP.

7-3

Chapter 8, Community Services and Utilities, Page 8-1: In the Water section, first paragraph, please update the CCWD service area population to 430,000 (i.e., from 400,000), in accordance with more recent CCWD population estimates. In the second paragraph, please add and to Bay Point from a recent pipeline extension from the Bollman Plant, at the end of the fourth sentence.

7-4

Page 8-2: In the first line, replace "Gaylor" with Gaylord.

7-5

Pages 8-4 and -5, Contra Costa County General Plan Policies Related to Water: Reference is to County General Plan Policy 7-21 on page 8-4 and the general statement in the middle of page 8-5 referencing County authority to consult with water agencies on adequate water supplies for projects. No mention is made of recent State legislation (under SB 901, effective January 1, 1996) requiring cities and counties to request a water supply assessment from public water systems applying to both plans (General and Specific Plans) and projects at certain development thresholds. With reference to plans, the threshold criteria (i.e., including the development of more than 500 dwelling units) appears to apply to the net increase in population and building intensity. As the following comments on Impacts and Mitigation Measures for Water Service indicate, CCWD believes that the Specific Plan does propose a net increase in housing units that exceeds the 500 housing unit threshold, thereby triggering the required water assessment reporting under the new legislation. CCWD requested that the County examine the legislation (i.e., a copy was attached for reference) for its applicability to this project in the NOP Response dated April 20, 1998. Please address this issue in the Responses to Comments document.

7-6

Page 8-15, Impacts and Mitigation Measures, Water Service: It appears that the 680 AFA [acre feet per acre] stated as the resulting Specific Plan buildout water demand as Impact 8-1 may be slightly understated. The 680 AFA is derived from Table 8-2 which appears to assume redevelopment of (all) existing uses. However, both Ambrose Park and Bel Air Elementary Schools and their water demands were not included. CCWD estimates, based on water use factors, that these two facilities could increase the buildout demand to approximately 736 AFA. If true, the volume figures expressed in the second paragraph in Water Service would also need to be increased.

7-7

In the third paragraph, it is stated that "a broad estimate of expected growth" under current city and county general plans would result in 263,000 gsf (gross square feet) of commercial uses "and about 5,600 total dwelling units". The resulting calculations produced a 1,592 AFA water demand figure. This leads to the conclusion that implementing the Specific Plan will reduce the buildout water demand for the same geographic area (i.e., "about 46 percent . . . of [current] expected growth").

7-8

This conclusion appeared to be inconsistent with the overall increased residential densities contained in the Specific Plan generally compared with the current city and county general plan land use elements. Therefore, an independent CCWD study was accomplished to precisely overlay the Specific Plan boundaries over the current land

use elements. This showed that the 192.3 acres of private and public lands within the Specific Plan area (i.e., the difference from the overall 295 acres is attributed to State Highway 4, Mokelumne Aqueduct, Contra Costa Canal and local street right-of-ways), based on Assessor Parcel acreage figures, would result in a range of 746 to 1,379 housing units (due to density ranges in both general plans). This is a significantly lowered figure from the DEIR estimated 5,600 housing units. Combining the commercial and existing park and school water use factors with the residential uses indicated 456 AFA of water demand. Water demands were not calculated for the current Heavy Industrial land use designation for 31.4 acres in Bay Point which is generally not quantifiable for general planning purposes since individual industrial water demands are highly variable.

7-8

Discounting the industrial lands demands, it appears that the DEIR calculations are overstated and that the Specific Plan could represent up to a 60% increase in buildout water demands over the current general plans (i.e., from 460 to 736 AFA). The actual difference would be less since the industrial sites will be developed to some water demanding use. While the Specific Plan may, therefore, represent an increased water demand, it does not appear to reach a level of significance. CCWD would support the conclusion that Impact 8-1 "is considered less than significant" from the standpoint of existing water supplies. It is not known what the impact of an apparent increased water demand would have on the City of Pittsburg and Southern California Water Company treatment and distribution facilities in this area. However, the scale and intensity of the proposed land use plan changes may require the County, as the Lead Agency, to request water agencies to formally provide a water assessment at the Notice of Preparation stage, in accordance with Senate Bill 901 (see comments for Pages 8-4 and -5, above).

7-9

Page 8-16, Table 8-2: In the Zone II Demand Factors, please delete "sqft" in the Residential 200 units line.

7-10

Chapter 15, Vegetation and Wildlife, Page 15-5: It is noted that the DEIR referenced other project field studies which found no special status species in the area. Reference to the Interim Service Area Map 1999 Update (CCWD and U.S. Bureau of Reclamation) also indicates no occurrences of listed species in the Specific Plan area. The Interim Service Area Map relies on the Department of Fish and Game's Natural Diversity Data Base (NDDB) for occurrences data. It is acknowledged that the California Department of Fish and Game and the U.S. Fish and Wildlife Service may require surveys for California red-legged frogs for any Specific Plan projects that might affect Lawlor Creek (i.e., Lawlor Creek passes through the Plan area from south to north east of Bailey Road and under State Highway 4). "Lawlor Creek could have habitat for this species."

7-11

Page 15-11: Impact 15-1 states "Activities associated with the Specific Plan could adversely affect rare, threatened, or endangered species. This impact is considered potentially significant." Mitigation Measure 15-1 requires that appropriate State and

7-12

Federal agencies be consulted by the land use authority if construction is proposed that would affect Lawlor Creek.

7-12

Chapter 17, Alternatives, Pages 17-1 and -2: Alternative 1 – No Project/Expected Growth assumes buildout development under the current general plans. It is noted on page 17-2, first paragraph, that “about 3,100 units would be developed on parcels of land within the Specific Plan area [not the 5,600 dwelling units previously indicated], with the remainder of 2,500 homes built in the surrounding area. Based on the comments on the Water Service section, however, this (revised) projected number of housing units may still be excessive.

7-13

If you have any questions on the comments, or require further information on the CCWD, please contact Dennis Pisila, Senior Planner at 925/688-8119. CCWD is available to meet with County and consultant staff in order to further discuss its comments and evaluations, if appropriate.

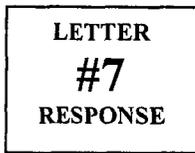
Sincerely,



Gregory Gartrell
Director of Planning

GG/DP

cc: Joel A. Medlin, Field Supervisor, U.S. Fish and Wildlife Service, Sacramento
Robert Edwards, Chief, Engineering, Maintenance & Operations, USBR Tracy



Contra Costa Water District
Gregory Gartrell, Director of Planning
October 6, 1999

- 7-1 This comment confirms the adequacy of the proposed setback requirements for Multi-Family Residential Low uses of 20 feet minimum, for side and rear yards. No response is required.
- 7-2 This comment acknowledges that the 1999 Draft EIR adequately addresses the potential for unauthorized entry into the Contra Costa Canal right-of-way. This comment also states that projects developed adjacent to the canal will be required to install fencing to meet CCWD requirements. No response is required.
- 7-3 See Response 6-2.
- 7-4 This comment provides a clarification of the ownership and operation of the Contra Loma Regional Park in Antioch. The text of the Draft EIR in Chapter 7: Parks and Recreation, page 7-2, paragraph 3, is revised as follows:

Regional Parks and Preserves

Contra Loma Regional Park in Antioch is within a 30-minute driving distance of Pittsburg and Bay Point residents. The 776-acre park offers fishing, swimming, boat rentals and boat launch facilities, picnic areas, paved biking/walking trails, hiking/riding trails, and disabled accessible facilities. ~~It is under the jurisdiction of the EBRPD.~~ **The EBRPD conducts recreation at Contra Loma Regional Park in accordance with a Management Agreement with the USA (1972); however, the parkland is federally-owned and administered by the U.S. Bureau of Reclamation as part of the Central Valley Project (CVP) with the waterworks facilities (Contra Loma Dam and Reservoir) operated and maintained by the Contra Costa Water District. The Management Agreement allows EBRPD to conduct recreation in a subordinate role to water regulation and the CVP.**

- 7-5 This comment provides a text correction to page 8-2, line 1, as follows:
- . . . City of Antioch and Gaylord Container, both customers of the district, also have water rights permits to divert water from the Delta.

7-6 This comment identifies applicable State legislation SB 901 (effective January 1996) that requires consultation with water agencies on adequate water supplies for projects. To the text in Chapter 8: Community Services and Utilities, page 8-4, County Policy 7-21, the following explanatory note is added:

7-21. At the project approval stage, the County shall require new development to demonstrate that adequate water quantity can be provided. The County shall determine whether (1) capacity exists within the water system if a development project is built within a set period of time, or (2) capacity will be provided by a funded program or other mechanism. This funding will be based on information furnished or made available to the County from consultations with the appropriate water agency, the applicant, or other sources.

Note: California Senate Bill (SB) 901 effective January 1, 1996, requires cities and counties to request a water supply assessment from public water systems applying to General and Specific Plans and projects at certain development thresholds. With reference to plans, the threshold criteria (i.e. including the development of more than 500 dwelling units) applies to the net increase in population and building intensity.

The requirements of SB 901 above necessitate a revision of Mitigation Measure 8-1, on page 8-16 of the Draft EIR as follows:

MITIGATION MEASURE 8-1. Since the timing of CCWD system improvements is uncertain, either the City or County, depending which jurisdiction a project is proposed to be developed, would apply the facility or service standards in its adopted Growth Management Element. **If certain development thresholds are met as established by SB 901, the County or the City would request a water supply assessment from CCWD.** The demonstration of water availability would be required as a condition of approval during project design review of Specific Plan projects. This measure would mitigate the impact to a less-than-significant level.

7-7 This comment suggests that the estimated water demand of 680 acre-feet annually (AFA) may be slightly understated. It correctly points out that water use was not estimated for parcels containing the existing Bel Air Elementary School and Ambrose Park. No new land use is assigned to the Bel Air site. Residential uses adjacent to Ambrose Park are considered. This comment suggests a new estimate of 736 AFA, which represents an 8 percent increase in demand over the estimated 680 AFA presented in the Draft EIR.

The suggested estimate of 736 AFA represents approximately 240 million gallons (mg) per year or about 0.66 mgd. When compared to projected water use in the Pittsburg Sphere of Influence by the year 2010 (projected to be 16.9

million gallons per day (mgd) as shown in page 8-16, paragraph 1 of the Draft EIR) this revised estimate of 0.66 mgd represents approximately 3.9 percent of this demand. This revised estimate does not change the conclusion in the Draft EIR, which found this impact to be less than significant.

- 7-8 This comment incorrectly interprets data presented regarding the comparison of water demand resulting from the Specific Plan compared to the expected growth estimate of 1,592 AFA. The expected growth estimate of 5,600 dwelling units was derived from an assessment of development potential for an area larger than the Specific Plan area (as defined in Figure 3-2, on page 3-4 of the Draft EIR). No conclusion was made as to whether the Specific Plan would reduce buildout water demand. Rather, the comparison was intended to provide the reader with the scale of demand of Specific Plan development compared to expected growth. No further conclusion was suggested. To clarify the basis for the 5,600 dwelling unit estimate, the text on page 8-15, paragraph 5, in the discussion following Impact 8-1, is revised as follows:

Prior to development of the Specific Plan, a broad estimate of expected growth (without the Specific Plan) was assumed under both the County and City of Pittsburg general plans. This assumption involves about 263,000 gsf of commercial uses and about 5,600 total dwelling units. **The estimate of 5,600 dwelling units comprises about 3,100 units within the Specific Plan area, and 2,500 units in the surrounding area.** The water demand from this assumption is approximately....

The estimate of 5,600 dwelling units was developed by staff from the County and the City of Pittsburg. The estimate took into account the size (in acres or square feet), zoning designation, land use designation of parcels within the Specific Plan and surrounding area. The resulting estimate of 1,592 AFA (1.34 mgd) represents a conservative (worst-case) estimate. This comment offers a reduced estimate of 456 AFA (0.41 mgd). Despite the differences in methodology, the conclusion is the same. The potential impact on water service resulting from the Specific Plan development would be less than significant.

- 7-9 This comment supports the conclusion that the impact of water demand is considered less than significant from the standpoint of existing water supplies. No additional response is required.
- 7-10 This comment provides a correction of a typographical error in Table 8-2 on page 8-16. The table has been revised and is provided in Appendix B in this Final EIR.
- 7-11 This comment confirms the information presented in the Draft EIR related to the absence of special status species on parcels in the Specific Plan that are assumed for development. No response is required.

- 7-12 This comment confirms the information presented in the Draft EIR related to the absence of special status species on parcels in the Specific Plan that are assumed for development. No response is required.
- 7-13 This comment correctly references data presented regarding expected growth. As stated on page 17-2, paragraph 1. That is, the 5,600 dwelling units represent the sum total of 3,100 units to be developed on parcels *within the Specific Plan area*, and the remainder of 2,500 units to be built in the surrounding area. Please also see Response 7-8.

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September 24, 2001

Letter #8

James Kennedy
Deputy-Director -Redevelopment
Community Development Department
County Administration Building
651 Pine Street, 4th Floor, North Wing
Martinez, CA 94553-0095

Dear Mr. Kennedy:

Re: Recirculated Draft Environmental Impact Report -
Pittsburg/Bay Point BART Station Area Specific Plan

East Bay Municipal Utility District (District) appreciates the opportunity to comment on the Recirculated Draft Environmental Impact Report (EIR) for the Pittsburg/Bay Point BART Station Area Plan. The District does not provide water or wastewater services to the City of Pittsburg (City), but sections of the District's Mokelumne Aqueduct are within the City limits.

The District's review of the original Draft EIR submitted on September 22, 1999 concerned impacts along the Mokelumne Aqueduct right of way. The District's concerns were not addressed in the Recirculated Draft EIR. Enclosed is a copy of the District's original comments, which are still valid for the Recirculated Draft EIR for the Pittsburg/Bay Point BART Station Area Plan.

8-1

Any questions concerning these comments should be addressed to Clifford A. Threlkeld, Superintendent of Aqueduct Section at (209) 772-8010 or Marie Valmores, Senior Civil Engineer, Water Services Planning, at (510) 287-1084.

Sincerely,



WILLIAM R. KIRKPATRICK
Manager of Water Distribution Planning

WRK:OAH:sb
sb01_245.doc

Enclosure [See original Letter #9]

LETTER
#8
RESPONSE

East Bay Municipal Utility District
William R. Kirkpatrick, Manager of Water Distribution Planning
September 24, 2001

- 8-1 This comment identifies the need for response to comments submitted previously on the 1999 Draft EIR. Responses are provided in response to Letter #9, from EBMUD dated September 22, 1999.

September 22, 1999

Letter #9

99 SEP 27 PM 12:40

James Kennedy
Deputy-Director -Redevelopment
Community Development Department
County Administration Building
651 Pine Street, 4th Floor, North Wing
Martinez, CA 94553-0095

Dear Mr. Kennedy:

SUBJECT: Draft Environmental Impact Report
Pittsburg/Bay Point BART Station Area Specific Plan

Thank you for the opportunity to review the subject environmental document. Although East Bay Municipal Utility District (District) does not provide water or wastewater services to the City of Pittsburg (City), sections of the Mokelumne Aqueduct are within the City limits. The District therefore submits the following comments as a responsible agency under the California Environmental Quality Act.

Pages 2-7 and 2-8, Parks and Recreation and Community Service's Utilities. The DEIR should address the impacts associated with the use and maintenance of the County's Trail on the Mokelumne Aqueduct right-of-way in the Area Plan. The Plan will increase use and maintenance of the County Trail which runs along the District's right-of-way for the Mokelumne Aqueduct.

9-1

Pages 2-11 and 2-13, Transportation. The Plan and DEIR should address pedestrian/bike crossing of the Trail at Bailey Road. The Plan should also identify the policies, standards and streetscape improvements proposed by the Area Plan to improve pedestrian and bicycle safety, specifically for the Trail crossing at Bailey Road.

9-2

Page 2-17, Hydrology and Water Quality. The District will want to review drainage plans for all new development adjacent to or which may contribute to existing storm impacts to the District's Mokelumne Aqueduct right-of-way.

9-3



James Kennedy, Deputy Director
September 22, 1999
Page 2

Any questions concerning these comments should be addressed to Clifford A. Threlkeld, Superintendent of Aqueduct Section at (209) 772-8010, or Jose L. Rios, Senior Civil Engineer, Water Distribution Planning Division, at (510) 287-1091.

Sincerely,



WILLIAM R. KIRKPATRICK
Manager of Water Distribution Planning

WRK:GAA:sb
sb99_341.doc

LETTER
#9
RESPONSE

East Bay Municipal Utility District
William R. Kirkpatrick, Manager of Water Distribution Planning
September 22, 1999

- 9-1 This comment requests that impacts associated with the use of the County's Trail on the Mokelumne Aqueduct right-of-way be addressed. This issue is addressed in two areas: 1) Chapter 3: Project Description, page 3-19, Item 6: the proposed enhancement of the Trail is described as part of the Specific Plan. Landscaping and lighting are proposed to enhance the pedestrian experience and security. 2) Chapter 7: Parks and Recreation, page 7-6, Impact 7-1 describes the demand of park space to accommodate new residents. The analysis presumes that the level of maintenance of the Trail will be consistent with its overall use. That is, with recreation and pedestrian circulation being central to the Specific Plan, increased use of the Trail is considered a beneficial impact. The agency that ultimately installs new landscaping and lighting will be responsible for overall maintenance of these improvements, unless otherwise identified through a maintenance agreement.
- 9-2 This comment requests clarification of an at-grade crossing of the Trail at Bailey Road. The design concept for Bailey Road is described in detail both in the Specific Plan, and in Chapter 3: Project Description, pages 3-15 through 3-25. Additionally, Implementation Task 6 of the Specific Plan, the Bailey Road Beautification Plan, is described on page 3-35 of the 1999 Draft EIR. The Trail would cross Bailey Road in the unincorporated area, and thus will fall within the jurisdiction of the County. The Beautification Plan will include a range of measures to improve the overall character and safety of Bailey Road. These improvements may include, but not be limited to, street trees, improved pedestrian/bicycle crosswalks, special lighting, and other urban design improvements. As part of the Beautification Plan, detailed design and construction plans and funding plan will be developed.
- 9-3 This comment requests that EBMUD be allowed to review drainage plans for all new development adjacent to or which may contribute to existing storm impacts to the Mokelumne Aqueduct right-of-way. The County, as the agency with jurisdiction for project review and approval, would consult with EBMUD as needed on the review of drainage plans adjacent to the District's right-of-way.

REGIONAL PARKS

EAST BAY REGIONAL PARK DISTRICT



Letter #10

October 8, 1999

Maureen Toms
Contra Costa County Community Development Department
651 Pine Street, North Wing - Fourth Floor
Martinez, CA 94553
via fax (925) 335-1265 (original to follow)

RE: Draft Environmental Impact Report
Pittsburg/Bay Point BART Station Area Specific Plan - Delta de Anza Regional Trail

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Dear Ms. Toms:

East Bay Regional Park District ("the District") has received the Draft EIR on the Pittsburg/Bay Point BART Station Area Specific Plan and would like to make the following general comments regarding Chapter 7 - Recreation and Chapter 10 - Transportation, Pedestrian and Bicycle Circulation.

The District operates and maintains the Delta De Anza Trail, the main non-motorized multi-use spine in East County which currently begins at Willow Pass Road near Evora Road in Concord and continues 23 miles to the junction of the Marsh Creek Regional Trail in Oakley, with one small gap between Antioch and Oakley. Neighboring cities plans, such as the Concord's General Plan (1994) addresses the Delta de Anza Trail and has listed as policy, the coordination with East Bay Regional Park District, Contra Costa County, and TRANSPAC on linking the Delta de Anza Trail to the Iron Horse Trail and Contra Costa Canal Trail and to the extensive network of regional trails in Contra Costa and Alameda Counties. As a recent study (1998) indicates, 64% of the trail users surveyed using the Delta de Anza Trail reported using the Trail for transportation to shopping, school, work, friends, and links to public transit. One quarter of respondents stated they use the trail for transportation to school, work, or BART (see attached survey results). When completed, the De Anza Trail will link Central and East Contra Costa County with connections to two BART Stations, residential areas, schools, parks, commercial, and job centers.

The District would like to emphasize non-motorized circulation opportunities to make connections to the Delta de Anza Regional Trail as well as address the value of local bicycle/pedestrian improvements in the Specific Plan area. Any roadway improvements should include accommodation for bicycle lanes and integrate into the Trail. Retrofitting should focus on improved bicycle parking and installation of bike lockers at commercial areas

10-1

2950 Peralta Oaks Court P.O. Box 5381 Oakland, CA 94605-0381

www.ebparks.org TEL: 510 635-0135

and BART to support more non-motorized commuting and provide infrastructures to support regional trail and improved bicycle access. Access into the BART station from the Delta De Anza Trail and development of safe and secure bicycle parking by BART would improve access and use of BART for trail users. If any funding becomes available for enhancements, funds should accommodate additional infrastructure which encourages bicycle commuting as a viable alternative. In addition, any roadway overcrossings, should accommodate multi-use trail users, including bicyclists and pedestrians. These issues work to address air quality, traffic congestion, and improve quality of life by making biking and walking more convenient as transportation alternatives.

10-1

Regarding Chapter 1, Other Environmental Permits and Agreements. Please add that an encroachment permit will also need to be obtained from EBRPD for construction activities associated with, or that would impact the Delta de Anza Regional Trail. This encroachment permit process is a part of the license agreement between EBRPD and EMBUD. In addition, please indicate the continuation of the Trail in an easterly direction in Figure 3-3, Local Setting.

10-2

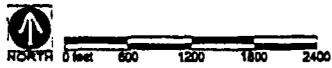
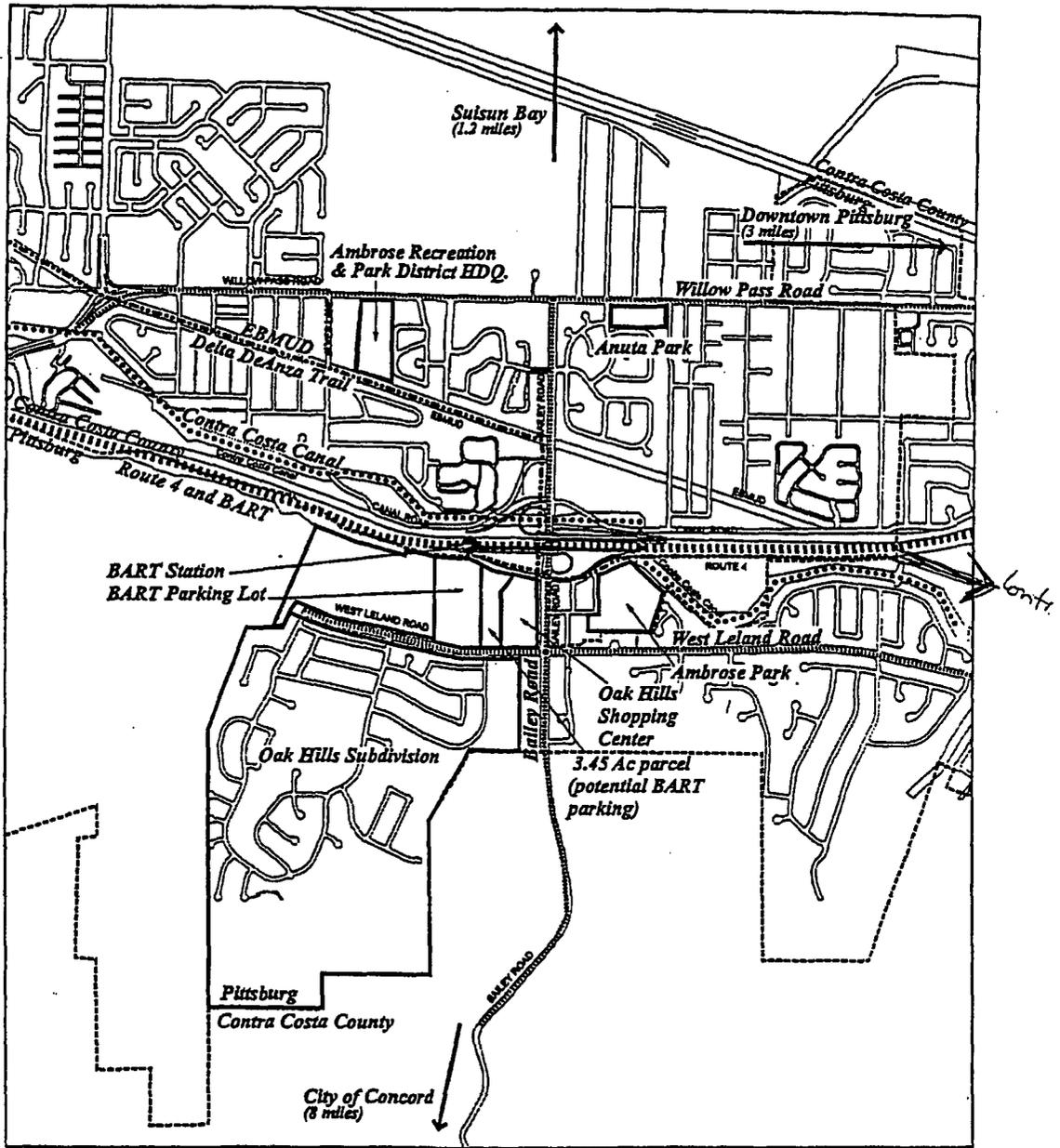
Thank you for this opportunity to comment on the Draft Pittsburg/Bay Point BART Station Area Specific Plan. If you have any additional questions, please feel free to contact me at (510) 544-2602.

Sincerely,



Steve Fiala
Trails Specialist

cc: Don Bright, Park Supervisor-East County Trails
Rachel McDonald, Unit Manager



Source: Pittsburg/Bay Point BART Station Area Specific Plan Public Review Draft, November 1997

FIGURE 3-3
Local Setting

LETTER
#10
RESPONSE

East Bay Regional Park District
Steve Fiala, Trails Specialist
October 8, 1999

- 10-1 This comment expresses support for alternative transportation modes, particularly non-motorized circulation to make connections to the Delta de Anza Regional Trail; the value of local bicycle/pedestrian improvements; and the need for enhancements for bicycle use as funding becomes available. County and City of Pittsburg policies reflect this approach, and are presented in detail in the Recirculated Draft EIR in Chapter 10: Transportation, pages 10-1 through 10-9. Additionally, the potential beneficial impacts from the project to pedestrian and bicycle circulation are the subject of Impact 10-8 on page 10-59. No additional response is required.
- 10-2 This comment clarifies that an additional permit is required for construction activities that could impact the Delta de Anza Regional Trail. A minor revision to Figure 3-3 is also requested. In Chapter 1: Introduction, page 1-15, the following text is appended as the seventh bullet to the list under the subheading as follows:

Other Environmental Permits and Agreements

Implementation of projects contained in the Specific Plan may require additional permits and agreements from the following agencies:

...

- **East Bay Regional Park District (EBRPD) – an encroachment permit will be required from the EBRPD for construction activities associated with, or that would impact, the Delta de Anza Regional Trail. This encroachment permit is part of the license agreement between the EBRPD and the East Bay Municipal Utility District (EBMUD).**

Figure 3-3: Local Setting has been revised to delineate continuation of the Delta de Anza Regional Trail to the east of Bailey Road. The revised figure is presented in Appendix A of this Final EIR.



**METROPOLITAN
TRANSPORTATION
COMMISSION**

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Oakland, CA 94607-4700
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Web site: www.mtc.ca.gov

01 SEP 11 AM 11:07

Letter 11

September 6, 2001

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Cities of Contra Costa County

Steve Kinsey, Vice Chair
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Michael D. Nevin
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Jon Rubin
San Francisco Mayor's Appointee

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Solano County and Cities

Patricia Tortiati
Association of Bay Area Governments

Sheron Wright
Sonoma County and Cities

Harry Yabuta
State Business, Transportation
and Housing Agency

Steve Heminger
Executive Director

Ann Flemer
Deputy Director/Operations

Theresa W. McMillon
Deputy Director/Policy

Maureen Toms
Contra Costa County Community Development Department
651 Pine Street, North Wing-4th Fl.
Martinez, CA 94553

Re: Recirculated DEIR, Pittsburg/Bay Point BART Station Area Specific Plan

Dear Ms. Toms:

This letter sets forth the Metropolitan Transportation Commission's (MTC) staff comments and recommendations on the transportation system impact analysis that was included in the Draft EIR for the Pittsburg/Bay Point BART Station Area Specific Plan. MTC is the transportation planning and financing agency for the nine-county San Francisco Bay Area. We are interested in the transportation impacts of this project on the region's transportation network.

The Specific Plan Area covers approximately 295 acres adjacent to major access routes to the Pittsburg/Bay Point Station, centered on the Route 4/Bailey Road Interchange. The area includes properties located in the BART Station, City of Pittsburg and unincorporated area of Contra Costa County. The specific plan allows for the development of 380 additional parking spaces for BART patrons and for approximately 2,195 dwelling units of which 1,790 units would be located on parcels adjacent to the BART station. It also allows for about 75,000 sq. ft. of office space and 239,000 sq. ft. of commercial space to be developed in parcels at the BART station, along Bailey Road, Willow Pass Rd., Canal Rd. and adjacent to Ambrose Park.

1. Consistency with Adopted Plans and Policies. MTC's 1998 Regional Transportation Plan (RTP), required by state and federal law, is a blueprint to guide the region's transportation development for a 20-year period. It is based on projections of growth and travel demand coupled with financial projections. In the Final EIR, please reference MTC's 1998 RTP on page 1-14 under Other Environmental Permits and Agreements.

2. Freeway System Impacts. The DEIR states that the project would add traffic to segments of Route 4 that are projected to experience LOS F commute period operation by 2010. The DEIR also states that these impacts are insignificant and that no mitigation is required. Given the serious

11-1

11-2

congestion that does exist and will continue to exist in the project area, we consider the freeway impacts to be a significant finding. We suggest that the Final EIR discuss the potential for non-freeway improvements to reduce peak period travel demand on Route 4, such as the implementation of transportation demand management programs, coordination with Tri-Delta Transit on improved or new transit service and on the location of transit stops and provision of new/improved bike facilities at specific plan developments.

11-2

3. Pedestrian, Bicycle Access. This project offers excellent opportunities for development of site planning elements that facilitate bicycle and pedestrian linkages between the land uses and the BART Station, as well as between the project's residential and commercial zones. We support elements such as pedestrian walkways, pedestrian-oriented plazas, orientation of main entrances and reductions of building setbacks to minimize walking distances and provision of walkways and bike paths to transit stops to create a more walkable and pedestrian-friendly environment.

11-3

4. Transit Service. The DEIR states that Tri-Delta bus routes serve the project area and that the project would not cause overcrowding of the existing bus service. Please provide more information about the locations of bus stops near the project site. These bus stop locations should be reviewed carefully and changed to better serve the new development if necessary. Please also address the possibility of developer-funded transit service between the residential areas and the BART Station as a way to increase transit use and reduce freeway and local road system impacts.

11-4

Thank you for the opportunity to review and comment on the DEIR. We look forward to receiving the Final EIR, including responses to our comments. If you have any questions, please call me at 510.464.7738.

Sincerely,



Susan P. Williams
Environmental Review

cc: MTC Commission Chair, Sharon Brown
Mark DeSaulnier, Contra Costa County

LETTER
#11
RESPONSE

Metropolitan Transportation Commission
Susan P. Williams, Environmental Review
September 6, 2001

- 11-1 As stated in the Recirculated Draft EIR Transportation Setting section (page 10-21), the most recent East County Action Plan has eliminated level of service (LOS) and volume-to-capacity (V/C) ratio standards for freeways, although County staff still considers both measures useful for informational purposes and Caltrans uses level of service for evaluation purposes. At the time of the 1999 Specific Plan Draft EIR both LOS and V/C ratio were used for evaluation by the East County Action Plan in effect at that time and LOS F was the established and accepted level of service standard for State Route 4 in Pittsburg. There was, and still is, also a "delay index" standard and a peak-hour vehicle occupancy standard for the State Route 4 freeway in the East County Action Plan. Since the project was not changing LOS F operation, it was not considered a significant impact. Realistically, other than freeway widening (considered unlikely over the Willow Pass grade,) no other measures would be likely to reduce the project's impacts to the State Route 4 freeway to a less-than-significant level based on level of service. As required before certification of the EIR, a Traffic Service Objective (TSO) analysis is now being conducted to evaluate expected 2010 freeway operation with and without the project. If the project is contributing any perceptible change in the freeway's operation, the only ways to address this are through the project's regional fee payments, its promotion of alternative modes of access to the station, and its concentrated development. The freeway already is widened to its ultimate width.
- 11-2 Please see Response 3-3 for comments on TDM programs and Response 11-1 for comments on non-freeway widening improvements. Provision of new or improved bike facilities in the project area will do little to reduce peak congestion on the freeway. However, bike facilities provide a useful and non-polluting mode of travel for those who are able to use them. Other TDM programs, such as site-specific ridesharing programs, may be effective in relieving freeway congestion to some degree.
- 11-3 Developers of areas not within easy walking distance of the BART station would coordinate with local transit agencies to determine if bus stops should be relocated or to provide new bus stops or routes.

- 11-4 Local transit agencies would be consulted during each major phase of project development to determine how best to provide convenient bus service. The applicant would work with the transit agency to incorporate bus stops or other transit measures into their design. The need for service in new areas will be balanced with available rolling stock and office or residential density. The East County Transit Study, expected to be complete in June 2002, will address this issue among others. That study is being conducted by the Contra Costa Transportation Authority and BART.

Virtually all of the project's residential units are within walking distance of the BART station. Numerous subdivisions (particularly hillside subdivisions) located more than a third of a mile from the BART station provide developer-funded transit service to/from the BART stations. BART would continue to explore ways to bring more riders from the surrounding area into its system.



TRI DELTA TRANSIT
EASTERN CONTRA COSTA TRANSIT AUTHORITY

801 Wilbur Avenue
Antioch • California 94509
925 • 754-6622
925 • 757-2530 FAX

99 SEP -7 PH 4: 38

Letter #12

September 2, 1999

Contra Costa County Community Development Department
651 Pine Street, North Wing - Fourth Floor
Martinez, CA 94553

RE: ECCTA comments on Draft EIR Pittsburg/Bay Point BART Station Area Specific Plan

Page	Comment
3-25 Bus Transit	"Tri-Delta" is not correct. It should be written as three words with no hyphens: Tri Delta Transit (three times in this paragraph)
3-25 Bus Transit	This section is not correct. Corrections are: <ul style="list-style-type: none"> ▪ Monday -Friday: Five routes provide local service within the Specific Plan area (380,387,388,389, 390) ▪ Saturday, Sunday, holidays: two routes provide local service within the Specific Plan area (392, 393) ▪ The BART Express bus service is now known as Route 391 and 392 (not 390 as stated)
5-1 Land Use (2 nd paragraph)	"Tri-Delta" is not correct. It should be written as three words with no hyphens: Tri Delta Transit
5-11 Transportation and Circulation	"Tri-Delta Transit" is not correct. It should be written as three words with no hyphens: Tri Delta Transit
10-2 paragraph 1.2 and 1.4	"Tri-Delta Transit" is not correct. It should be written as three words with no hyphens: Tri Delta Transit
10-9 Regulatory Agencies 1 st paragraph	<ul style="list-style-type: none"> ▪ "Tri-Delta Transit" is not correct. It should be written as three words with no hyphens: Tri Delta Transit ▪ County Connection does not operate buses in the Specific Plan Area

12-1

12-2

12-3

12-4

12-5

12-6



Page	Comment
10- 11 Regulatory Agencies – Central Contra Costa Transit Authority	County Connection does not operate buses in the Specific Plan Area. Replace this section with: Eastern Contra Costa Transit Authority The Eastern Contra Costa Transit Authority (ECCTA) is a joint powers agency established in 1977 to plan and operate transit service in the Eastern County. It is comprised of four jurisdictions including Antioch, Brentwood, Pittsburg, and unincorporated Eastern Contra Costa county. In addition to fixed route services, ECCTA administers paratransit services within the ECCTA service area.
10-47 Travel Service Demand at Buildout in the Year 2010	<ul style="list-style-type: none"> ▪ "Tri-Delta Transit" is not correct (two times). It should be written as three words with no hyphens: Tri Delta Transit ▪ Incorrect statement: Three Tri-Delta routes currently serve the Specific Plan area: Routes 380, 388, and 389 Should be: Seven Tri Delta Transit routes currently serve the Specific Plan area: Routes 380, 387, 388, 389, 390, 392, and 393.
10-49 last paragraph	"Tri-Delta Transit" is not correct. It should be written as three words with no hyphens: Tri Delta Transit Should be written: "Tri Delta Transit plans to add additional local route service incrementally over time, as ridership levels warrant. There are currently no capacity problems on any of the routes serving the Specific Area Plan."
10-57 Notes: Transportation #10	"Tri-Delta Transit" is not correct. It should be written as three words with no hyphens: Tri Delta Transit
19-2 Abbreviations	Add: ECCTA Eastern Contra Costa Transit Authority (Tri Delta Transit)

12-7

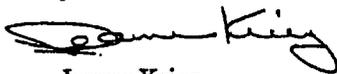
12-8

12-9

12-10

12-11

Attached is Tri Delta Transit's current system map. If you need additional information, please call me at (925) 754-6622.



Jeanne Krieg
General Manager
Tri Delta Transit

LETTER
#12
RESPONSE

Tri Delta Transit
Jeanne Krieg, General Manager
Eastern Contra Costa Transit Authority (ECCTA)
September 2, 1999

- 12-1 Comment noted. The text of the Draft EIR in Chapter 3: Project Description, page 3-25, paragraph 2, is revised as follows:

Bus Transit

With the opening of the BART station, Eastern Contra Costa Transit Authority (~~Tri-Delta~~ **Tri Delta Transit**) reorganized its routes to bring all its local services into the transit center at the station. ~~Three~~ **Monday through Friday, five** routes (Routes 380, ~~387~~, 388, 389 **and 390**) provide local service within the Specific Plan area; **on Saturday, Sunday and holidays, two routes (Routes 392, 393) provide local service within the Specific Plan area.** In addition, ~~Tri-Delta~~ **Tri Delta Transit** has recently taken over the operation of the East County BART Express Bus service currently designated as ~~Route 390~~ **Routes 391 and 392**. BART complies with the Americans with Disabilities Act (ADA) requirement to provide paratransit service which is comparable and complementary to the BART system. Federal ADA regulations define the ADA paratransit service area as a three-quarter-mile radius around a BART station. BART has arranged to provide funding to ~~Tri-Delta~~ **Tri Delta Transit** to provide paratransit service on behalf of BART.

- 12-2 Comment noted. See Response 12-1.
- 12-3 Comment noted. The text of the Draft EIR in Chapter 5: Land Use, page 5-1, paragraph 2, is revised as follows:

The Specific Plan provides a framework for the orderly development and redevelopment of the BART Station and surrounding area. The station opened for service in the fall of 1996. It has since encouraged new development in the planning area. The plan seeks to capitalize on the presence of BART's heavy rail system and the ~~Tri-Delta Transit~~ **Tri Delta Transit** bus service. The Specific Plan supports the public's transit investment in the region, and is compatible with BART's joint development policy adopted in 1984. The Specific Plan is designed to encourage peak BART patronage in the eastbound (reverse commute) direction to take advantage of unused capacity on BART. It emphasizes high quality residential development and land uses that create jobs in the form of commercial retail and office uses.

- 12-4 Comment noted. The text of the Draft EIR in Chapter 5: Land Use, page 5-11, last line/bullet, is revised as follows:

Transportation and Circulation

- Encourages the use of public transit on BART and ~~Tri-Delta Transit~~ **Tri Delta Transit**.

- 12-5 Comment noted. The text of the Draft EIR in Chapter 10: Transportation, page 10-2 and in the Recirculated Draft EIR on pages 10-1 and 10-2, paragraphs 1.2 and 1.4, is revised as follows:

1.2 Coordinate BART and ~~Tri-Delta Transit~~ **Tri Delta Transit** activities to increase transit service to the station, especially from East County.

...

1.4 Build upon the existing multi-modal transportation features of the area such as the BART station, the ~~Tri-Delta~~ **Tri Delta Transit** express bus and local transit services, and the Delta De Anza Trail to create a more supportive multi-modal transportation environment.

- 12-6 Comment noted. The text of the Draft EIR in Chapter 10: Transportation, page 10-9, last full paragraph, is revised as follows:

Regulatory Agencies

The City of Pittsburg has jurisdiction over all City streets and City-operated traffic signals. The freeways, freeway ramps, and State routes (such as State Route 4—"Highway 4") are under the jurisdiction of the State of California Department of Transportation (Caltrans). The transit service providers have jurisdiction over their services. These transit providers include BART, ~~Tri-Delta Transit~~ **Tri Delta Transit**, and County Connection fixed-route bus service (**although County Connection does not currently operate buses in the Specific Plan area**).

- 12-7 Comment noted. Append to the text of the Draft EIR in Chapter 10: Transportation, page 10-11, prior to *10.1 Setting* as follows:

Eastern Contra Costa Transit Authority

The Eastern Contra Costa Transit Authority (ECCTA) is a joint powers agency established in 1977 to plan and operate transit service in the Eastern County. It is comprised of four jurisdictions including Antioch, Brentwood, Pittsburg, and unincorporated Eastern Contra

Costa County. In addition to fixed route services, ECCTA administers paratransit services within the ECCTA service area.

- 12-8 Comment noted. The text of the Draft EIR in Chapter 10: Transportation, page 10-47, under the subheading *Transit Service Demand at Buildout in Year 2010*, following Impact 10-5, and in the Recirculated Draft EIR on pages 10-50 through 10-53, is revised as follows:

To estimate transit trips related to Specific Plan development at buildout, two procedures were used (see Table 10-12). Initially, the projected number of total daily auto trips eliminated from the local roadway system was determined based on the transit percentage reductions shown in Table 10-6, Trip Generation Summary. Next, a factor was applied converting auto trips to person trips. The result is an estimate of total daily trips on Tri-Delta Transit buses and on BART. ~~Three Tri-Delta Transit~~ **Seven Tri Delta Transit** routes currently serve the Specific Plan area: Routes 380, **387, 388, 389, 390, 392 and 393**. A second procedure to determine project transit trips was then employed based upon BART management estimates of the number of BART customers expected from development in close proximity to a BART station (i.e., one person per residential unit and 10 percent of office employees have been found to use BART when within walking distance of a BART station). ~~Tri-Delta Transit~~ **Tri Delta Transit** has no such historical data¹⁰; best estimates have therefore been made regarding expected use of the local bus system for this second procedure.

- 12-9 Comment noted. The text of the Draft EIR in Chapter 10: Transportation, page 10-49, last paragraph, and in the Recirculated Draft EIR on page 10-53, second paragraph, is revised as follows:

~~Tri-Delta Transit has indicated that improvement to local route service would be made incrementally~~ **Tri Delta Transit plans to add additional local route service incrementally** over time, as ridership levels warrant. There are currently no capacity problems on any of the routes serving the Specific Plan area.

- 12-10 Comment noted. The text of the Draft EIR in Chapter 10: Transportation, page 10-57, endnote 10, and in the Recirculated Draft EIR on page 10-61, as endnote 11, is revised as follows:

¹⁰ Steve Ponte, ~~Tri-Delta Transit~~ **Tri Delta Transit**, December 1998.

- 12-11 Comment noted. The text of the Draft EIR in Chapter 19: Abbreviations, page 19-2, following "ECCID," is added:

ECCTA Eastern Contra Costa Transit Authority (Tri Delta Transit)

CITY OF CONCORD
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OFFICE OF THE MAYOR
Telephone: (925) 671-8158

01 SEP 19 PM 4:28



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Letter #13

September 18, 2001

James Kennedy, Deputy Director, Redevelopment Agency
Contra Costa County Community Development Department
County Administration Building
651 Pine Street
4th Floor, North Wing
Martinez, California 94553-0095

Re: Recirculated Draft Environmental Impact Report for the Pittsburg/Bay Point BART Station Area Specific Plan

Dear Mr. Kennedy:

I am writing on behalf of the Concord City Council regarding the Recirculated Draft Environmental Impact Report (DEIR) for the Pittsburg/Bay Point BART Station Area Specific Plan. The Recirculated DEIR incorporates revisions that include an evaluation of two additional alternatives. The two alternatives are Alternative 5 (Very High Commercial/Office and Low Residential) and Alternative 6 (High Commercial/Office and High Residential.) The land development assumptions for the alternatives include an increase in density and height for the commercial and office uses and a reduction in the number of residential units.

After review of the two alternatives in the Recirculated DEIR, it is apparent that the document still has not addressed the concerns previously identified in our letter dated September 29, 1999, in response to the first DEIR (see Attachment A). The City reiterates its concerns about inadequacies of the DEIR in regard to the regional planning context, traffic impacts and inconsistencies with State Planning Law. The two alternatives contained in Recirculated DEIR do not avoid or substantially lessen any of the significant impacts identified with the proposed project and should be rejected. The increased density of the alternatives would encourage and accelerate future suburban sprawl in and near the Specific Plan area.

13-1

e-mail: cityinfo@ci.concord.ca.us • website: www.ci.concord.ca.us

Land Use and Planning

The Recirculated DEIR does not provide an adequate site plan that fully assesses the potential Land Use and Planning impacts of Alternatives 5 and 6. The DEIR needs to include a more descriptive site plan that illustrates the connections between the proposed and existing neighborhoods. It appears that the location of the proposed commercial, office, and residential land uses is very disconnected and not well integrated with the existing neighborhoods. The alternatives do not create a commercial/retail core area that would serve the local residents. The location and size of the commercial/retail would suggest that the retail is more regionally oriented and impacts associated with this type of development need to be identified.

13-2

The Recirculated DEIR does not provide an adequate description on the final land disposition in the Specific Plan area. The Specific Plan incorporates properties that are located in Contra Costa County and the City of Pittsburg. The Specific Plan does not discuss if the properties located in Contra Costa County will be annexed to the City of Pittsburg. The FEIR needs to provide clarification on the final land disposition in the Specific Plan area.

13-3

Transportation/Traffic

Impacts on traffic in Concord are still inadequately addressed in the Recirculated DEIR. The comments in the September 29, 1999 letter are still appropriate. The Recirculated DEIR states that the proposed project causes significant traffic impacts on Bailey Road at the intersections of Concord Boulevard and Myrtle Drive. The agencies proposing the mitigations still have not communicated with the City of Concord regarding the feasibility of the proposed mitigations. As proposed, the mitigation on Bailey Road at Concord Boulevard would widen the street by removing land from a linear parkway. At Myrtle Drive, the road would need to be widened onto the Concord Naval Weapons Station property. Other mitigations need to be evaluated to address these deficiencies.

13-4

Mitigation Measure 10-3 regarding the Bailey Road/Concord Boulevard intersection needs clarification. Bullet #2 states "In addition to the improvements listed above, provide seven exclusive right-turn lanes on the westbound Concord Boulevard approach and on the northbound Concord Boulevard approach." There is no discussion in the text regarding "seven exclusive right-turn lanes." Concord Boulevard does not extend both northbound and westbound.

13-5

Assumptions for the 2010 roadway network are not correct. The DEIR assumes that West Leland Road is extended to Avila Road and ultimately to Willow Pass Road in Concord. The City of Concord is opposed to this connection. It is not in the City of Concord's General Plan. The connection will cause significant impacts on Willow Pass Road at both Avila Road and the nearby on/off ramps to SR 4. The assumed connection

13-6

needs to be deleted, the trips reassigned on the network, and the Level-of-Service recalculated for all intersections.

13-6

State Planning Law

The Recirculated DEIR does not provide a complete analysis on the inconsistencies between the Goals, Objectives, Policy, Land Use and Density Designations of the County's General Plan and the proposed Specific Plan. There is no description of the existing zoning and general plan designations for the parcels located in the County. The land development assumptions for Alternatives 5 and 6 would substantially increase the density resulting in an intensification of land use, which is not consistent with the General Plan. The proposed Specific Plan is out of compliance with the planning process that is outlined in State Planning Law. State Planning Law (Article 8, Sec. 65454) requires that *"no specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan."*

13-7

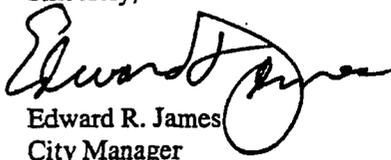
Final Environmental Impact Report

The Final EIR needs to address the concerns and significant impacts that the City of Concord has identified with the two alternatives. Additionally, the FEIR needs to respond to the comments provided in the letter dated September 29, 1999. The Concord City Council's established position is that the DEIR for the Specific Plan is inadequate in its discussion of the regional planning context, traffic impacts, and inconsistencies with State Planning Law.

13-8

If you have any questions regarding these comments, or would like to discuss them further, please contact Deborah Raines, Planning Manager at 671-3369 or John Templeton, Transportation Manager at 671-3129.

Sincerely,



Edward R. James
City Manager

cc: Concord City Council
Board of Supervisors, Contra Costa County
Board of Directors, Bay Area Rapid Transit District
Mayor and Council, City of Pittsburg
Will Casey, City Manager, City of Pittsburg
Lydia Du Borg, Assistant City Manager
Jim Forsberg, Director of Planning and Economic Development
Mike Vogan, Director of Public Works – Maintenance Services
Bob McCleary, Director of Contra Costa Transportation Authority
TRANSPAC

“Attachment A” [See original Letter #14]

3

LETTER
#13
RESPONSE

City of Concord
Edward R. James, City Manager
September 18, 2001

-
- 13-1 This comment asserts that the Recirculated Draft EIR is inadequate with regard to the regional planning context, assessment of traffic impacts, and consistency with State Law. Responses to these comment are provided in Responses 14-1 and 14-2 (regional planning); 13-4 through 13-6 (traffic impacts); and 13-7 (State Planning Law). The author of this comment states that the two new alternatives evaluated in the Recirculated Draft EIR do not avoid or substantially lessen significant impacts of the Specific Plan (proposed project) and thus should be rejected.

The Recirculated Draft EIR describes a range of reasonable alternatives, per Section 15126.6 of the CEQA Guidelines, including those that would avoid or substantially lessen significant effects of the project. Alternative 5 assumes substantially fewer dwelling units, thus reducing the impacts on local community services and utilities. Alternative 6 has similar characteristics to a lesser degree than Alternative 5; however, both alternatives would have less impact on community services and utilities compared to the Specific Plan.

The author further states that the increased density would encourage and accelerate future suburban sprawl in and near the Specific Plan area. Suburban sprawl is defined as the type of growth that is allowed to occur beyond the urban centers and transit hubs. It is characterized by large numbers of single-family residential units and associated commercial strip development. The Specific Plan policies and development assumptions focus on the Pittsburg/Bay Point BART Station area as a regional transit hub to prevent suburban sprawl. The objective of the Specific Plan is to concentrate growth at this transit center, rather than outside the urban areas of the region. The Specific Plan area is already urbanized, is located inside the Urban Limit Line, and is served by all community services and utilities. The County General Plan Amendment and Specific Plan adoption involve no conversion of agricultural uses to urban uses. Additionally, the Specific Plan:

- Has no land use designations for single-family residential;
- Contains policies, design guidelines, and an implementation plan to create neighborhood commercial districts; and
- Proposes commercial and office development strategically planned within, and adjacent to, the BART station to utilize available BART capacity thus creating a reverse commute. See Response 14-1 for additional discussion.

- 13-2 This comment does not address the adequacy of the Recirculated or Draft EIRs, but is a statement of opinion on the merits of the project. Therefore no response is required. For information on the design features of the project alternatives, the reader is directed to Chapter 17: Alternatives of the Recirculated Draft EIR. Development assumptions and building height limits are presented for both Alternatives 5 and 6. In addition, Figure 17-4 of the Recirculated Draft EIR includes a conceptual site plan of development assumed in Development Zone I under Alternative 5. The Specific Plan, as well as the two new alternatives, proposes to create nodes of commercial uses to serve existing and future residents of the unincorporated community of Bay Point and the City of Pittsburg. Both the Circulation and Urban Design sections of the Specific Plan identify area policies and design guidelines to promote functional and aesthetically pleasing new development that complement existing neighborhoods. Future development will require more detailed site plans that will be subject to public review and consideration by either the County or the City depending upon the jurisdiction.
- 13-3 The comment states that the Recirculated Draft EIR does not provide a description of the final land disposition in the Specific Plan area. Annexation of the unincorporated area known as Bay Point is not part of the Specific Plan, and is not a foreseeable action. Analysis of a change in jurisdictional boundaries in this Final EIR would be speculative and inconsistent with the local planning process.
- 13-4 This comment expresses the need for the City of Concord to participate in the development and implementation of mitigation of traffic impacts on City of Concord roadways. It is acknowledged that implementation of Mitigation Measure 10-1 (Year 2005 with Specific Plan Development) and Mitigation Measure 10-3 (Year 2010 with Specific Plan Development) would require approval by the City of Concord and an amendment to their General Plan. The mitigation measures as proposed are technically feasible. Inconsistency with the Concord General Plan does not make these mitigation measures infeasible. To reflect these requirements, the first paragraphs of Mitigation Measures 10-1 and 10-3 (on pages 10-48 and 10-49, respectively in the Recirculated Draft EIR) are revised as follows:

MITIGATION MEASURE 10-1. The following measures would provide acceptable operation at the two intersections experiencing significant impacts due to the addition of project traffic. **These measures will require approval by the City of Concord and amendment of the Concord General Plan:**

...

MITIGATION MEASURE 10-3: The following measures would provide acceptable operation at the two intersections projected to experience significant impacts due to the addition of project traffic. Most measures would already be required to provide acceptable Base Case (without project) operation. **These measures will require approval by the City of Concord and amendment of the Concord General Plan:**

- 13-5 This comment questions the accuracy of the level of service results and volume-to-capacity (V/C) ratios as presented. The level of service results and V/C ratios presented are correct. In Chapter 10: Transportation of the Recirculated Draft EIR, page 10-50, as part of Mitigation Measure 10-3, second bullet under the subheading *Bailey Road/Concord Boulevard*, the text is revised as follows:

Bailey Road / Concord Boulevard

...

- In addition to the improvements listed above, provide ~~seven~~ exclusive right-turn lanes on the westbound Concord Boulevard approach and on the northbound ~~Concord Boulevard~~ **Bailey Road** approach. These additional improvements would provide overall acceptable intersection operation.

Resultant AM peak hour operation: LOS C — V/C = .75

Resultant PM peak hour operation: LOS D — V/C = .87

- 13-6 This comment addresses the West Leland connection to Avila Road. Based upon discussion with County staff, City of Pittsburg staff and John Templeton of the City of Concord at a startup meeting for the Recirculated Draft EIR, it was agreed for 2010 modeling purposes to include the connection of West Leland Road to Avila Road. Should this connection not be made, the result would be increased traffic on the State Route 4 freeway between the Willow Pass and Bay Point interchanges and, to a lesser extent, increased traffic on Evora Road. Additional traffic on the freeway across the Willow Pass grade would aggravate the projected LOS F operation on the uphill grades in the peak commute directions.
- 13-7 The Recirculated Draft EIR, Chapter 1: Introduction, pages 1-1 through 1-12, clearly state that the policies of the Specific Plan would be incorporated into the amended County General Plan and the Specific Plan upon adoption. The proposed actions described in the Draft EIR (an amendment to the County General Plan, followed by adoption of the Specific Plan) is consistent with State Planning Law (Article 8, Sec. 65454) which requires that “no specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan.” Also see Response 14-2.

13-8 This Final EIR responds to the comments of both the September 18, 2001 and September 29, 1999 letters from the City of Concord.

CITY OF CONCORD
1000 Parkside Drive, MS. 01
Concord, California 94519-2578
TAX: (925) 796-0836

CONTRA COSTA

CITY COUNCIL
Michael A. Pastrick, Mayor
Helen M. Allen, Vice Mayor
Laura M. Hoffmeister
Bill McManigal
Mark Peterson

99 OCT -5 AM 10:45



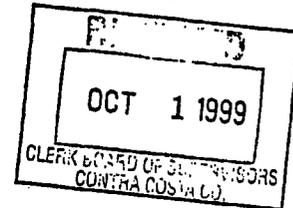
Lanet Keihl, City Clerk
Thomas Wendling, City Treasurer

Edward R. James, City Manager

OFFICE OF THE MAYOR
Telephone: (925) 671-3158

September 29, 1999

Letter #14



James Kennedy, Deputy Director, Redevelopment Agency
Contra Costa County Community Development Department
County Administration Building
651 Pine Street
4th Floor, North Wing
Martinez, CA 94553-0095

Re: **Pittsburg/Bay Point BART Station Area Specific Plan Draft Environmental Impact Report**

Dear Mr. Kennedy:

I am writing on behalf of the Concord City Council regarding the Draft Environmental Impact Report for the Pittsburg/Bay Point BART Station Area Specific Plan. The Concord City Council has taken a unanimous position that the Draft Environmental Impact Report is inadequate in its discussion of regional planning context and of traffic impacts. Also, the Draft Environmental Impact Report identifies necessary mitigation in the City of Concord which the City believes may be infeasible due to noncompliance with the City of Concord General Plan. In addition, the County proposes a planning process which does not conform to State of California planning law. Of more importance than the environmental document, the City Council believes the project lacks merit and is contrary to rational planning. In simple terms, this County should not be in the large scale urban development business.

14-1

Regional Planning

The Draft Environmental Impact Report discussion of land use inadequately addresses the proposal's regional planning significance. The Specific Plan promotes a new urban center or development node without identifying its impact on increased sprawl and congestion. The appropriate place for urban-scale development is in the downtown areas of cities, not in unincorporated areas. Cities including Concord have existing infrastructure in place and plans for future infrastructure development to support urban-scale land use. While the Specific Plan transit village concept includes laudable aims such as countering sprawl and utilizing a location already served by an existing freeway and BART station, the actual effect is to increase both

14-2

*cc: Board Members
CDD/Redevelopment*

sprawl and congestion. As Concord has experienced with the Pleasant Hill BART station specific plan area, increased development intensity in unincorporated areas reduces the ability of cities to intensify development in downtowns, where the infrastructure and community context can accommodate such development with minimal congestion impacts and no sprawl. The proposed Specific Plan Area is not being planned relative to any context of sound regional planning and the principal of orderly, sustainable development of urban development centers. While the proposed development scheme probably has positive fiscal effects for the lead and responsible agencies, the proposal is not consistent with a sound city or regional planning framework. The lead agency must address these city and regional land use effects, both as direct and cumulative impacts of the proposal.

14-2

Traffic

Impacts on traffic in Concord are inadequately addressed in the Draft Environmental Impact Report. While the Specific Plan is described as emphasizing a transit village with pedestrian circulation, the traffic analysis identifies an estimated 21,604 new daily trips added to the local roadway network

14-3

The Draft Environmental Impact Report shows Route 4 projected to operate at LOS F in the peak hour, peak direction, and indicates that the traffic added due to the Specific Plan development will not be a significant impact. The impact on Route 4 is a significant impact, rather than "not significant" as indicated in the Draft Environmental Impact Report, and the Draft Environmental Impact Report should be so amended. As stated in the Draft Environmental Impact Report, "Specific Plan development would add traffic to those sections of the State Route 4 freeway that are projected to be experiencing LOS F commute period operation by 2010 (peak direction travel over the Willow Pass Grade). This impact is considered less than significant." (Impact 10-4, DEIR page 10-46). We believe that the cumulative effect of high intensity development in the plan area plus continued LOS F commute period operation of Route 4 will drive more trips to Bailey Road and will have a significant effect on Concord streets. Externalizing traffic impacts onto already-clogged Route 4 is a significant, unacceptable impact which will have unacceptable consequences for Concord. The Draft Environmental Impact Report should identify these impacts as significant and identify feasible approaches for mitigation of the impacts. The County should be in the business of solving regional traffic problems, not creating more traffic problems. The County should use its resources to help increase commuter parking at the Pittsburg/Bay Point BART station to enable more people to use BART and relieve Route 4 congestion.

14-4

Concord Blvd./Bailey Rd. Mitigations

In the traffic mitigations, the DEIR identifies improvements needed in Concord at Bailey Road and Concord Boulevard. The DEIR does not address the fact that Bailey Road is not in the

14-5

Concord General Plan Circulation Element as an arterial sized and designed to handle inter-regional arterial traffic. The DEIR does not address hazard to motorists as a result of increased traffic volumes on Bailey Road. The Bailey Road/Concord Boulevard intersection is projected to be severely impacted, going in the a.m. peak hour from LOS B in 1998 without the project to LOS E in 2010 with the project. In the p.m. peak hour, the change experienced would be from LOS C in 1998 without the project to LOS F in 2010 with the project. Mitigations proposed in the EIR but not discussed with the City are projected to mitigate levels to LOS B in the a.m. peak hour and LOS D in the p.m. peak hour. The agencies proposing the plan have not communicated with the City of Concord regarding the proposed improvements. No mechanism has been proposed to apply for approvals or consider agreements for such mitigations, which are outside the authority of the Lead Agency and named Responsible Agencies. The DEIR is faulty for failing to investigate the feasibility of the mitigation. The City of Concord may not consider the Master EIR to be a satisfactory CEQA document in the future in the event the lead agency approaches the City to implement the Concord Blvd./Bailey Rd. mitigation.

14-5

State Planning Law

The proposed adoption of the Specific Plan, which is not consistent with the underlying General Plans of Contra Costa County and the City of Pittsburg, is contrary to State planning law. As stated in the Draft Environmental Impact Report, California law allows cities and counties to use specific plans... to implement the jurisdiction's adopted General Plan. The law does not allow specific plans to dictate land use policy not addressed in General Plans. Before General Plan consistency findings can be made for the Specific Plan, the General Plans must be amended to consider comprehensively the consequences of scattered urban-scale nodes outside the downtown areas of cities and must address the location, type and intensity of development contemplated by the specific plan.

14-6

If you have questions regarding our concerns, please contact John Templeton, Transportation Manager, at 671-3129, or David Golick, Chief of Planning, at 671-3166.

Very truly yours,



Michael A. Pastrick
Mayor, City of Concord

- c: Board of Supervisors, Contra Costa County
Board of Directors, Bay Area Rapid Transit District
Mayor and City Council, City of Pittsburg
Edward R. James, City Manager

14-1 This comment states that the project (the Specific Plan) lacks merit, is contrary to rational planning, and the County should not be in the “large-scale urban development business.” The proposed Specific Plan includes the major elements of smart growth strategies. It encourages compact, pedestrian-oriented development in urbanized areas and around an existing transit center. This planned approach to development prescribes new growth in the Pittsburg/Bay Point area in the most appropriate setting – at a transit center. This approach is consistent with regional growth strategies in the County and the San Francisco Bay Area as a whole.

14-2 This comment addresses urban sprawl, issues surrounding the Pleasant Hill BART Station, and associated infrastructure. By the nature of the Specific Plan, focusing growth at a transit center allows the County and the City of Pittsburg to accommodate much needed housing in a higher density setting. This approach is in contrast to developing housing on the urban fringes and/or conversion of agricultural lands (i.e., sprawl). Bay Point and the City of Pittsburg are urbanized areas with existing infrastructure. The majority of the Specific Plan area involves in-fill opportunities and redevelopment of existing blighted and/or underutilized areas. Proposed neighborhood retail services accomplish the goal of creating a vibrant and livable community for existing and future residents of the Specific Plan area. The East County area has been identified through the Association of Bay Area Governments as a region that has an imbalance of jobs to housing. The larger-scale commercial uses proposed in the Specific Plan area will create jobs for this portion of East County, and help correct the current imbalance.

The author states the proposed Specific Plan is not consistent with sound City or regional planning framework. The proposed Specific Plan is consistent with the following planning regulations or policies:

- State Planning Law;
- Transit Village Development Planning Act of 1994;
- The 65/35 Contra Costa County Land Preservation Plan (Measure C-1990);
- Smart Growth principles; and
- Policies of the City of Pittsburg General Plan.

The County will amend its General Plan Amendment prior to adopting the proposed Specific Plan. By doing so, consistency will be created between the two planning documents as required by State Planning Law.

The author further states that development of unincorporated areas competes with the ability of nearby cities to intensify development in their downtown districts. This comment is not supported by the fact that potential economic effects of the project would result from the physical changes. Additionally, the vast majority of development assumed in the Specific Plan would occur in the City of Pittsburg, on vacant parcels adjacent to the Pittsburg/Bay Point BART Station. The commercial uses proposed in the Specific Plan would primarily serve BART patrons, people working in office buildings, and local residents. These markets differ greatly from the traditional downtown district that is implied in this comment.

- 14-3 The traffic model used to project 2010 volumes along Bailey Road in Concord also includes the State Route 4 freeway between Concord and Pittsburg. Therefore, any congestion and delay on the freeway and the resultant diversion of traffic to Bailey Road has been incorporated into the Base Case traffic model projections (specifically, see Response 11- 2). Also see responses to Letters #3 and #4 (from Caltrans), and #11 (from MTC) for an update of the transportation analyses conducted for the Recirculated Draft EIR.
- 14-4 Please see Response 14-3.
- 14-5 Please see Response 14-3.
- 14-6 Please see Responses 13-7 and 14-2.



MT. DIABLO UNIFIED SCHOOL DISTRICT
 JAMES W. DENT EDUCATION CENTER
 1936 Carlotta Drive
 Concord, California 94519-1397
 (925) 682-8000

01 SEP 25 PM 8:48 OFFICE OF
 RESEARCH AND EVALUATION
 DIRECTOR

September 24, 2001

Letter #15

Ms. Maureen Toms, Planning Manager
 Community Development Department
 Contra Costa County
 651 Pine Street, North Wing, 4th Floor
 Martinez, CA 94553-0095

Dear Ms. Toms:

This letter is an inquiry regarding an aspect of the Pittsburg/Bay Point BART Station Area Specific Plan, published July 2001. The question relates to pages 3-13 and 3-15, and the wording in question is as follows under Public Spaces, "The intent of the Public Spaces designation is to ensure that potential conversion of the Bel Air School site is subject to appropriate public review." This reference of action with one of Mt. Diablo Unified School District's schools is unclear and raises some concerns on the part of the school district.

15-1

It is our intent to notify all public agencies that Bel Air Elementary school provides significant space for school children in the Mt. Diablo Unified School District, and is a necessary and important facility. Any action which would remove or reduce this capacity would not be supported by the Mt. Diablo Unified School District.

15-2

Yours truly,

Robert Rayborn, Ph.D.
 Director, Research and Evaluation

c Richard Nicoll, Administrative Services, MDUSD

AN EQUAL OPPORTUNITY EMPLOYER

FAX (925) 600-9138

LETTER
#15
RESPONSE

Mount Diablo Unified School District
Robert Rayborn, Ph.D.
Director, Research and Evaluation
September 24, 2001

- 15-1 This comment expresses concern about the land use designation for the Bel Air Elementary School site as “Public” as described in Chapter 3: Project Description, page 3-15 of the 1999 Draft EIR. This designation is derived from the County General Plan for this parcel, and also is presented in the Specific Plan, Public Review Draft 1997, in Chapter 2: Land Use, page 2.31.

The comment asks for clarification of the intent of the Public land use designation which states: The intent of the Public designation is to ensure that any potential conversion of the Bel Air School Site is subject to appropriate public review. Under this designation, permitted uses include those uses for which the properties are currently utilized and similar and compatible uses as determined by the Contra Costa County Zoning Administrator. Development standards would be determined during project submittal review.

The Specific Plan does not propose conversion of the Bel Air school site; however, it recognizes that demographic trends or facility capacity may change over the long term. The Public land use designation was created to ensure that the public would have sufficient opportunity to review any potential conversion of the site from its current use.

- 15-2 This comment expresses opposition to the alternative use of the Bel Air Elementary School site, or otherwise reduced capacity of the school. This comment does not specifically address the content of the 1999 Draft EIR.



MT. DIABLO UNIFIED SCHOOL DISTRICT
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 1936 Carlotta Drive
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01 SEP -5 PM 1:41

OFFICE OF
 RESEARCH AND EVALUATION
 DIRECTOR

September 4, 2001

Letter #16

Maureen Toms, Planning Manager
 Community Development Department
 Contra Costa County
 651 Pine Street, North Wing, 4th Floor
 Martinez, CA 94553-0095

Dear Ms. Toms:

This is in response to statements contained in a recirculated DEIR for the Pittsburg/Bay Point BART station area, dated July 2001.

The Mt. Diablo Unified School District is responding to apparent inconsistent wording contained in this document. Under the section *Schools, Impact 8-3*, page 8-18, "Proposed land uses in the Specific Plan would result in generation of 769 new students to be enrolled in the Mt. Diablo Unified School District. This impact is considered less than significant." This clearly contradicts language contained under *Student Populations*, page 17-35, which concludes: "With the documented over-crowding in local classrooms, it is possible that either Alternative 5 or 6 would exacerbate the problem. Mitigation measure 8-3 (a) and (b) as described on page 8-19 of this DEIR would be required to mitigate adverse impacts on schools."

16-1

The Mt. Diablo Unified School District would like to go on record as stating that the impact would be significant when viewed in combination with already approved planned projects in the Pittsburg/Bay Point area. It is the District's position that this project, like all projects having significant negative adverse impact, should be fully mitigated, prior to its approval.

16-2

Yours truly,


 Robert Raybern, Ph.D.
 Director, Research and Evaluation

RR/db

- c Randy Jerome, City of Pittsburg Planning Department
- Jeff Ordway, BART
- Richard Nicoll, Assistant Superintendent, MDUSD
- Gary McHenry, Superintendent, MDUSD

AN EQUAL OPPORTUNITY EMPLOYER

FAX (925) 609-9138

- 16-1 This comment expresses concern about apparent inconsistent wording in the evaluation of impacts to local schools in the Draft EIR, page 8-18, Impact 8-3. The author incorrectly describes conclusions of the analysis. In Chapter 8: Community Services and Utilities, page 8-19, paragraph 1, line 6, of the 1999 Draft EIR, the following conclusion is presented:

“As a result, if school construction is not adequately timed and funded to ensure sufficient school facilities are available as project housing units become occupied, the Specific Plan would have a potentially significant impact.”

The estimated population of 769 students that could be generated by the Specific Plan projects is an estimate based on the total number of residential units that would be built at the buildout year of 2010. This student population would not be generated in a short time period; it would be generated over time.

The analysis cited on page 17-35 pertains to the potential student population generated by new Alternative 5 – Very High Commercial/Office and Low Residential, and Alternative 6 – High Commercial/Office and High Residential. The analysis recognizes that overcrowding is an issue for the foreseeable future; but the impacts would be less than those estimated for the Specific Plan.

In any case, the analysis in the 1999 Draft EIR, and for the new alternatives in the July 2001 Recirculated Draft EIR, clearly prescribe the need for full mitigation of impacts on schools. Mitigation Measures 8-3 (a) and (b) recognize that an imbalance between capacity and population could occur if school standards in the County and City Growth Management Elements are not met. Revised Mitigation Measure 8-3 (b) further requires compliance with the County, City and/or Mount Diablo Unified School District school impact fee requirements, depending on the location of a proposed housing development. Also see Response 27-3 for a discussion of school impact fees.

- 16-2 This comment is addressed in Response 16-1. No additional response is required.

Contra Costa County



Fire Protection District

01 SEP 19 PM 3:23

Fire Chief
KEITH RICHTER

September 10, 2001

Letter #17

Contra Costa County
Community Development Department
651 Pine Street, 4th Floor North
Martinez, CA 94553

Attention: Maureen Toms, Principal Planner

Subject: Draft E.I.R.
Pittsburg/Bay Point BART Station Area

Gentlemen:

We have reviewed the draft E.I.R. and offer the following corrections/updates to Chapter 8.

Page 8-11 Fire Protection Service

The Contra Costa County Fire Protection District (CCCFPD) provides fire protection, rescue services, and emergency medical services to the citizens of the City of Pittsburg and the surrounding Bay Point (unincorporated) area. The District also provides service to the cities of Antioch, Martinez, Pleasant Hill, Concord, Clayton, Walnut Creek, San Pablo, Lafayette, and to the communities of Clyde, Pacheco, El Sobrante, and North Richmond. The District provides Fire Prevention, Plan Review, and Fire Investigation services to the Oakley, Bethel Island, and East Diablo Fire Districts. CCCFPD serves the area from 30 fire stations located throughout its jurisdictional area.

The District maintains mutual aid agreements with all fire districts within Contra Costa County including East Bay Regional Parks, California Department of Forestry, and industrial fire departments located within our Fire District.

17-1

2010 GEARY ROAD • PLEASANT HILL, CALIFORNIA 94523-4694 • TELEPHONE (925) 930-5500 • FAX 930-5592
 4527 DEERFIELD DRIVE • ANTIOCH, CALIFORNIA 94509 • TELEPHONE (925) 757-1303 • FAX 754-8852

Pages 8-12 Facilities

Battalion 8 of the District provides fire protection services to Pittsburg, Antioch, and Bay Point. There are a total of eight fire stations in the Battalion, each with a minimum of three firefighters on duty.

Four Fire Stations: 84, 85, 86, and 87 currently serve Pittsburg and Bay Point. The fire station location within the specific plan area is Station 86, located at 3000 Willow Pass Road, Bay Point.

The sections "*Response Standard and ISO Rating, Contra Costa County General Plan Policies Related to Fire Protection,*" and "*City of Pittsburg Policies Related to Fire Protection*" are acceptable as written.

17-2

Pages 8-20 Fire Protection Services, Impact 8-5

As described in the setting section, Fire Station 86 is located within the specific plan area at 3000 Willow Pass Road. The station, constructed in 1946, houses one fire engine, and is of inadequate design and size to house firefighters or store apparatus. The fire station does not meet earthquake standards, does not have hazardous waste and decontamination station, or physical fitness training space. The station does not have adequate outside space for training or drills and was not designed for both sexes or to meet accessibility requirements. As of this date, the Fire District has identified a site which is of adequate size for the relocation and reconstruction of Fire Station 86. All areas.....less than significant.

17-3

Mitigation Measure 8-5

Since the design, orientation, and infrastructure on new commercial and residential development have only been conceptually defined, the full impact on the local fire protection service cannot be estimated; however, the replacement of Fire Station 86 is required due to its inadequate design and size. The developers shall, as development occurs, fund the replacement cost of the station.

17-4

The 2001 costs will be \$1.50 per square foot for the office and commercial buildings and \$500 per dwelling units, payable upon receipt of a building permit. These costs will be adjusted annually to correspond with the consumer price index for the nine bay area counties.

This measure would mitigate the impact to a less-than-significant level.

If you have any questions, please contact the undersigned.

Sincerely,



Richard S. Ryan
Fire Inspector

RSR/snb

FILE PittsEIR.ltr

c: Fire Chief K. Richter
Assistant Fire Chief M. Argo
Assistant Fire Chief D. Savell
Fire Marshal L. Thude

-
- 17-1 This comment provides a clarification on the range of services and localities provided by the Contra Costa County Fire Protection District. The text in the Draft EIR, Chapter 8: Community Services and Utilities, page 8-11, last two paragraphs, is revised as follows:

Fire Protection Service

The Contra Costa County Fire Protection District (**CCCFPD**) provides fire protection, **rescue services, and emergency medical and suppression services to the citizens of** for the City of Pittsburg and **the** surrounding Bay Point (**unincorporated**) community. ~~In addition,~~ **The District also provides primary fire protection services to the majority of the County, including cities of Antioch, Martinez, Pleasant Hill, Concord, Clayton, Walnut Creek, San Pablo, Lafayette, and to the communities of Oakley, Concord, Clyde, Pacheco, El Sobrante, and North Richmond. Martinez, Walnut Creek, Lafayette, areas of West County, and some unincorporated areas. It also** **The District** provides **Fire Prevention, Plan Review, and Fire Investigation** services to ~~Orinda, Moraga, Brentwood, the Oakley, and Bethel Island, and East Diablo Fire Districts.~~ **CCCFPD serves the area from** ~~The District operates out of thirty fire stations located throughout its jurisdictional area.~~

The District maintains mutual aid agreements with all fire districts within Contra Costa County including the ~~East Diablo Fire Protection District,~~ East Bay Regional Park District, California Department of Forestry, and ~~private industrial~~ **fire departments** companies located within its jurisdiction. ~~These agreements provide the District with emergency response assistance on an as-needed basis.~~

- 17-2 This comment provides a clarification and suggested rewrite of text in Chapter 8: Community Services and Utilities, page 8-12, paragraph one. The paragraph is revised as follows:

Facilities

~~Battalion 8 of the District provides fire protection services for Pittsburg, Antioch, Oakley, and surrounding unincorporated areas such as Bay Point. There are a total of nine stations in the battalion, including two reserve~~

~~stations located in Oakley. Three fire stations—stations 84, 85, and 86—currently serve Pittsburg and Bay Point. The station located within the Specific Plan area is Fire Station 86, Bay Point, located at 3000 Willow Pass Road.~~ **Battalion 8 of the District provides fire protection services to Pittsburg, Antioch, and Bay Point. There are a total of eight fire stations in the Battalion, each with a minimum of three firefighters on duty. Four fire stations – 84, 85, 86, and 87 – currently serve Pittsburg and Bay Point. The fire station location within the Specific Plan area is Station 86, located at 3000 Willow Pass Road, Bay Point.**

- 17-3 This comment provides additional factors that require consideration in the discussion of impacts on fire protection services. The text in Chapter 8: Community Services and Utilities, page 8-20, following Impact 8-5, is revised as follows:

As described in the Setting section, Fire Station 86 is located within the Specific Plan area at 3000 Willow Pass Road. **The station, constructed in 1946, houses one fire engine, and is of inadequate design and size to house firefighters or store apparatus. The fire station does not meet earthquake standards, does not have a hazardous waste and decontamination station, or physical fitness training space. The station does not have adequate outside space for training or drills, and was not designed for both sexes or to meet accessibility requirements. As of this date (September 2001), the Fire District has identified a site which is of adequate size for the relocation and reconstruction of Fire Station 86.** All areas of the Specific Plan are accessible from Fire Station 86 within five minutes of notification. The Specific Plan area is approximately 0.5 mile in diameter, such that all properties within the plan area are within 1.5 miles of the station. Since these emergency response criteria would be met, it is unlikely that development from the Specific Plan would adversely affect the District's National ISO rating. This impact is considered less than significant.

- 17-4 This comment provides additional parameters to be included in the content of Mitigation Measure 8-5, presented in Chapter 8: Community Services and Utilities on page 8-20 of the Draft EIR. The text of Mitigation Measure 8-5 is revised as follows:

MITIGATION MEASURE 8-5. Since the design, orientation, and infrastructure of new commercial and residential development have only been conceptually defined, the full impact on the local fire protection service cannot be estimated. **In the long term,** either the City or County, depending in which jurisdiction a project is proposed to be developed, would apply its fire protection facility and service standards in its adopted Growth Management Element. The demonstration of compliance with

these standards would be required as a condition of approval during project design review of Specific Plan projects.

In the short term, the replacement of Fire Station 86 is required due to its inadequate design and size. The developers shall, as development occurs, fund the replacement cost of the station. The 2001 costs will be \$1.50 per square foot for the office and commercial buildings, and \$500 per dwelling unit, payable upon receipt of a building permit. These costs shall be adjusted annually to correspond with the Consumer Price Index (CPI) for the nine Bay Area counties.
This measure would mitigate the impact to a less-than-significant level.



September 24, 2001

Letter #18

Ms. Maureen Toms
Planner
CONTRA COSTA COUNTY REDEVELOPMENT AGENCY
651 Pine Street
Martinez, California 94553-1296

Via Facsimile (925) 335-1265

RE: Pittsburg/Bay Point BART Station Area Specific Plan ("Specific Plan"); Comment to Draft Environmental Impact Report ("DEIR") – Alternatives Section

Dear Ms. Toms:

I am a broker with CM Realty and I am representing Troy Bartz of Pacific Bay Associates Inc. Mr. Bartz is the owner of APN No. 097-100-060-9 and APN No. 097-100-059-1, Parcel F (otherwise referred to herein in its entirety as "Parcel F") (as noted on Figure 17-1 of Chapter 17, the Alternatives Section of the DEIR for the Specific Plan). Pacific Bay Associates, Inc. supports an increase in residential density for Parcel F over the "Low Density" set forth in the Specific Plan. Given the regional need for housing, the fact that Parcel F is within very close proximity to the BART station where increased densities are encouraged and the fact that the environmental impacts of increased density can be mitigated, Parcel F should have the greatest possible density. Of the Alternatives stated in the DEIR, Alternative 6 (the City/County/BART Hybrid) should be the preferred Alternative because it more fairly balances the densities between parcels in the Development Zones. Please note the inconsistency on page 17-5 of the DEIR (referencing 57 residential units on Parcel F) and page 17-25 of the DEIR (referencing 70 residential units on Parcel F). It is my understanding that Alternative 6 would permit 70 units of housing.

18-1

Thank you for your consideration.

Very truly yours,

CM REALTY, INC.

Deborah M. Castles

DMC/vjn

• a commercial real estate company •
391 Diablo Road • Suite 100 • Danville, CA 94526 • 925/314-2600 • 925/552-9872 (fax)

LETTER
#18
RESPONSE

CM Realty
Deborah M. Castles, Broker
Representing Troy Bartz, Pacific Bay Associates, Inc.
September 24, 2001

- 18-1 This comment expresses a personal preference for Alternative 6: High Commercial/Office and High Residential due to its balance of development density between Development Zones.

The author also identifies a typographical error on page 17-5. Figure 17-5: Development Assumptions correctly shows that 70 residential units are proposed for Parcel F. The second bullet on page 17-5 under the heading *Development Zone III* is revised as follows:

- ~~57~~ **70** residential units at a density of 20 du/ac on a parcel located at Canal Road near Alves Lane, or an increase of ~~22~~ **35** units compared to the **development assumed for this parcel in the** Specific Plan.

PACIFIC BAY ASSOCIATES

4970 BLUM ROAD • MARTINEZ, CA 94553
tel (925) 229-3377 • fax (925) 229-3388

Letter #19

September 6, 2001

Maureen Toms
Contra Costa County
Community Development Dept.
Administration Building
651 Pine Street
4th Floor – North Wing
Martinez, CA 94553-1296

Regarding: Baypoint Bart Station Area Redevelopment

Subject: Parcel #097-100-060-9
Parcel #097-100-059-1

Dear Ms. Toms:

I have reviewed the draft EIR that pertains to the subject property locations as listed above. I strongly believe that alternative six is the most appropriate use for the property due to the fact that alternative six will provide a higher density. I believe a higher density is needed in this location due to its close proximity to the Bart Station and because this location will easily accommodate greater density.

19-1

Thank you for your consideration in this matter.

Sincerely,

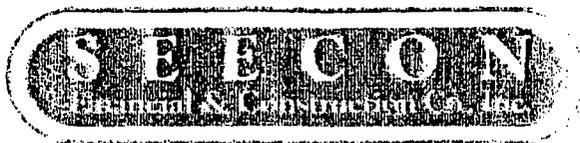


Troy L. Bartz
President

LETTER
#19
RESPONSE

Pacific Bay Associates
Troy L. Bartz, President
September 6, 2001

- 19-1 This comment expresses a personal preference for Alternative 6: High Commercial/Office and High Residential due to its assumption of higher density. This comment does not specifically address the content of the Recirculated Draft EIR. No response is required.



September 17, 2001

4021 East Chicago Highway • P.O. Box 4113
Concord, California 94524-4113
(925) 671-7711

01 SEP 20 PM 2:58

Letter #20

Maureen Toms, Principal Planner
Contra Costa County
Community Development Department
651 Pine Street
North Wing – Fourth Floor
Martinez, CA 94553

**Re: Recirculated Draft Environmental Impact Report
Pittsburg/Bay Point BART Area Specific Plan**

Dear Ms. Toms:

We hereby submit the following comments on the above Recirculated Draft:

The Mitigation Measures on Pages 17 – 31 through 17 – 33 call for offsite traffic improvements at Myrtle Drive and Concord Avenue in the City of Concord (Transpac Area) more than three miles from the Specific Plan Area. There is no regional policy which calls for one region to analyze and mitigate for its traffic impacts in another region. We do not believe it is right to single out this Specific Plan to apply such a policy. Developments in the Specific Plan Area (Transpac Area) will pay significant fees for regional traffic improvements and install many local improvements as described in the other Mitigation Measures..



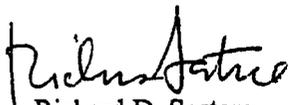
20-1

While the concept of Regional Cooperation may be desirable, it has been largely ignored to date. East County communities have not sensed such cooperation from actions such as Concord's traffic metering system recently installed on Kirker Pass Road. For all of the above reasons, the proposed traffic mitigation measures requiring the installation of improvements in Concord should be deleted.



20-2

Sincerely,


Richard D. Sestero
Project Manager

RDS:ldj
Enclosures

cc: Pittsburg City Council
Pittsburg Planning Commission
Pittsburg Community Development Department
Attn: Randy Jerome

LETTER
#20
RESPONSE

SEECON Financial & Construction Co., Inc.
Richard D. Sestero, Project Manager
September 17, 2001

- 20-1 This comment expresses the opinion that mitigation of traffic impacts should not be applied to off-site locations, specifically intersections in the City of Concord. The County, as Lead Agency, learned of concern about off-site traffic impacts during the public scoping process for the Draft EIR. Thus mitigation measures were developed for the Draft EIR circulated in 1999. Prior to the preparation of the Recirculated Draft EIR, the County further incorporated the City of Concord's traffic concerns. Specific intersections were identified by city staff for analysis in the Recirculated Draft EIR. Mitigation measures were also identified as required under CEQA. In addition, Contra Costa Transportation Authority's technical procedures require that any intersection with 50 or more peak-hour trips generated by a project must be evaluated and mitigations identified, regardless of whether the intersection is on-site or off-site.
- 20-2 This comment expresses a personal opinion regarding the concept of regional cooperation. It does not specifically address the proposed Specific Plan or the Draft or Recirculated Draft EIRs. No response is required.

99 SEP 29 PM 3:20
COMMUNICATIONS SECTION

September 27, 1999

Letter #21

Ms. Maureen Toms
Community Development Department
Contra Costa County
651 Pine Street, 4th Floor North Wing
Martinez, CA 94553

Re: Draft Environmental Impact Report (EIR)
Pittsburg / Bay Point BART Station Area Specific Plan

Dear Ms. Toms:

I hereby submit our comments on the above Draft EIR.

As the owner of the vacant 23-acre and 3.45-acre parcels which abut the BART Station, I believe that the Specific Plan provides an opportunity to have a significant and positive impact on the area. Proposed development can improve the jobs/housing balance in East Contra Costa County and place new housing and employment centers within walking distance of the BART Station. With those important goals in mind, the Specific Plan and EIR should also consider a more intense alternative for the areas immediately adjacent to the BART Station as described below.

The BART Stations in Walnut Creek, Pleasant Hill and Concord have been in operation for over 20 years. It is obvious they have attracted intense development on lands immediately adjacent to them. The Pittsburg/Bay Point Station should be no different. It will be short-sighted to limit development near this new station because it may be hard to envision more intense development in this area than has occurred in the past in East County. This has become known as "smart development." It allows people to stay out of their cars by living and working within walking distance of public transit.

The Specific Plan should allow Development Area No. 1 (Figure 3-6, Page 3-10) to develop at the maximum level the property and market will support. As the owner of this Area, I believe that up to one million square feet of office and commercial uses and high-density residential at up to 65 units/acre should be allowed on it. Building heights up to 10 stories (similar to the other BART Station Areas) should be set as a maximum.

This more intense alternative will benefit Pittsburg, Bay Point and BART. Office development will create many local jobs and support local commercial development in

21-1

Ms. Maureen Toms
Contra Costa County

September 27, 1999
Page 2

Re: Draft Environmental Impact Report (EIR)
Pittsburg/Bay Point BART Station Area Specific Plan

Pittsburg and Bay Point. These jobs will have a minimal impact on County traffic because they will be filled by workers who will have a reverse commute from the west by car or BART. Other workers may relocate from the east and live locally in the new homes and apartments to be built in the San Marco project as well as Area 1 adjacent to the BART Station.

21-1

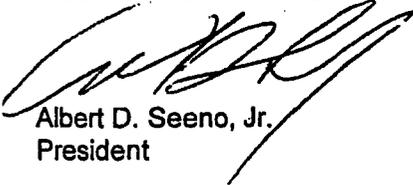
A large employment center and high density housing located adjacent to a BART Station will benefit BART by increasing ridership. People living almost anywhere in the Bay Area will be able to ride BART to jobs that are within walking distance of the Pittsburg/Bay Point Station. Residents of the new housing will be able to leave their cars in the garage and walk to the new offices or ride BART to jobs in Oakland or San Francisco. It would be a mistake to artificially limit the size or the scope of this development area rather than allow the market to determine it.

I request that the more intense alternative described above be considered in the EIR so that it may be incorporated into the adopted Specific Plan. It is very important that the Specific Plan have the foresight to allow a level of development that can give a significant boost to the local economy by creating jobs and increasing sales tax revenue for Pittsburg and Bay Point. A more intense level of development will also do more to increase the local jobs/housing ratio, ease traffic congestion and increase BART ridership.

21-2

Sincerely,

WEST COAST-HOME BUILDERS, INC.



Albert D. Seeno, Jr.
President

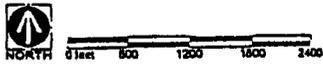
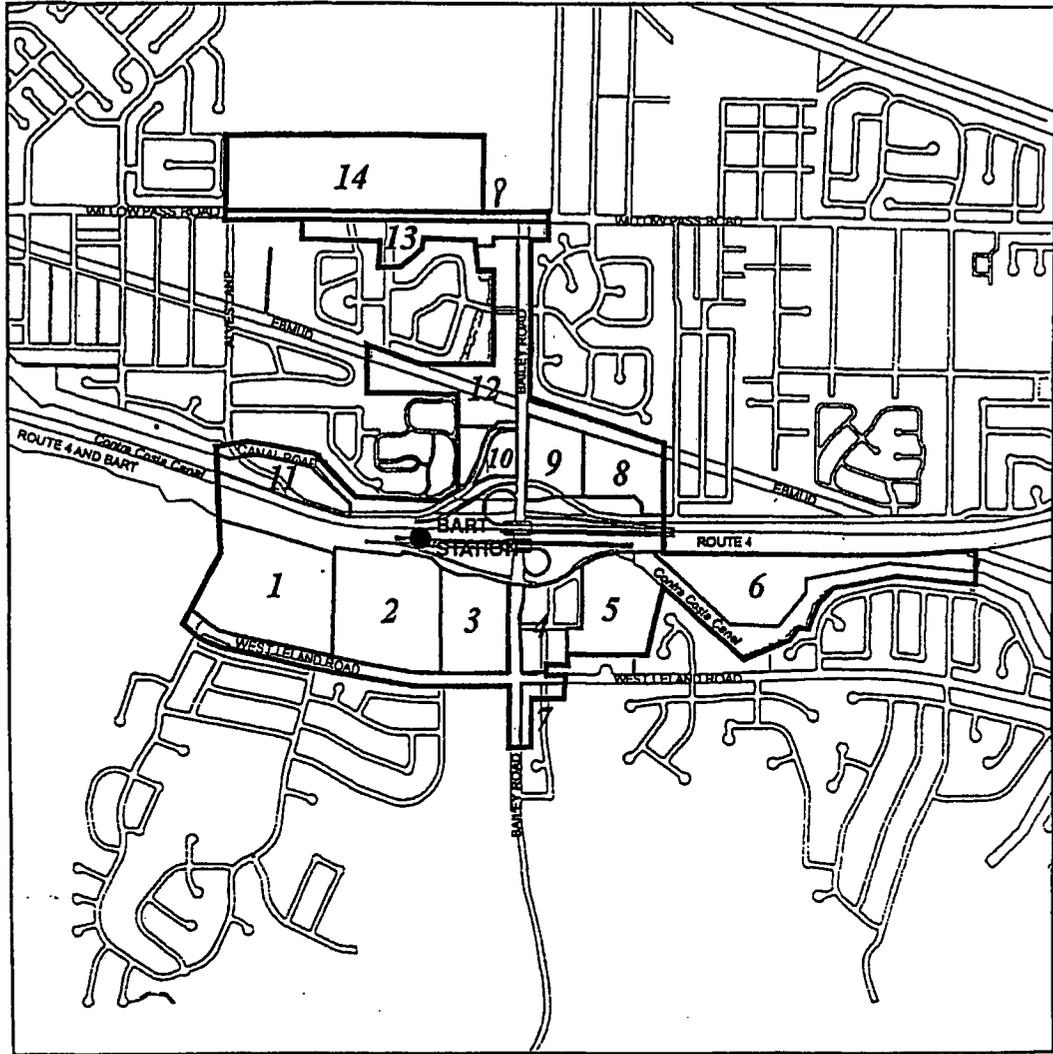
/bjr

Attachment

cc: Federal Glover
Joe Canciamilla
Joel Keller
Jeff Ordway; BART
Randy Jerome; City of Pittsburg

(All w/Attachment)

misc\cccc0927



Source: Pittsburg/Bay Point BART Station Area Specific Plan Public Review Draft, November 1997

FIGURE 3-6
Development Areas

LETTER
#21
RESPONSE

West Coast Home Builders, Inc.
Albert D. Seeno, Jr., President
September 27, 1999

- 21-1 This comment recommends that the Draft EIR examine a higher density development alternative for the parcels immediately adjacent to the BART Station. The author provides a personal opinion regarding the merits of a high-density alternative. No response is required.
- 21-2 As a result of this comment, the Lead Agency elected to examine a high-density alternative for parcels immediately adjacent to the BART Station. Alternative 5: Very High Commercial/Office and Low Residential was added for analysis in the Recirculated Draft EIR. The results of this analysis are presented in Chapter 17: Alternatives. No further response is required.

Letter #22

September 29, 1999

Rec'd 9/29/99
ZA MTA

The Honorable Dennis Barry
Zoning Administrator
Contra Costa County

Having been involved with the Bay Point BART Specific Plan from its inception and being a committee member and attending each and every meeting regarding the plan, I would like to make a few comments:

22-1

Approval of the plan should move forward at the fastest possible speed. This plan has been well thought out and has been sliced and diced by all segments of the community and elected officials. It has few if any flaws.

The "Transit Village Concept" is an important part of the overall BART transit corridor mode. This will work well here in Bay Point as well as in the areas of Pittsburg included in the plan. It will encourage more BART riders without a doubt.

The permit process worked out in the plan will encourage development in this area. Developers will only have to deal with one agency instead of the many now mandated.

I would like to respectfully request you approve this plan and send it on to the Board of Supervisors.

In regard to the City of Concord's response to the Bay Bart Specific Plan, Let me make a few comments:

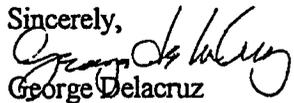
- Concord appears to be suffering from the "sour grape syndrome." They have been unable, for whatever reason, to develop around the Concord BART station. Is this through ineptitude or not having the foresight to create a decent development plan? Pleasant Hill had this foresight.
- Every comment Concord makes seems to infer that Bay Point should get no development because it is in unincorporated county.

George Delacruz'
Bay Point BART Specific Plan Comments
Page 2

- Have they not read or do they not understand the "Transit Village Concept?" The impacts on traffic in Concord *were* addressed. These traffic issues were in place irrespective of the Bay Point BART Specific Plan. Concord has simply ignored its traffic responsibilities in the Baily Road, Concord Blvd. area. The lead agency has no responsibility to mitigate Concord in this area.
- Concord refers to 21,604 new trips a day. These trips would be there even if there were no Bay Point BART plan. They are because of insufficient lanes on Highway 4, nothing else.
- Development around the Concord BART station, will only attract more cars to that area. Isn't that what they want?
- The lead agency, (Contra Costa County) has an obligation to consider the best use alternatives for development and it has. This just happens to be described in the Bay Point BART Specific Plan.
- The Concord BART station is far from freeways, thereby adding to congestion in the neighborhood. (Common Sense?)
- Concord seems intent on proposing barriers to traffic flow (Example: unmetered traffic on Ygnacio Valley Road) rather than collaborative efforts.

Thank you for your consideration.

Sincerely,



George Delacruz
Bay Point Municipal Advisory Council

99 OCT -8 PM 4:38

Christopher A. Hoffman
55 Ambrosia Way
Bay Point, Ca. 94565

October 7, 1999

Letter #23

Maureen Toms
Planner
Community Development Department
Contra Costa County
651 Pine Street, 4th Floor, North Wing
Martinez, California 94553-1296

Re: Pittsburg/Bay Point BART Station Area Specific Plan

Dear Ms. Toms:

I am writing this letter in order to express my views on the August 1999 "Draft Environmental Impact Report" of the above-referenced plan.

Preliminarily, I am impressed with the plan and recognize that it holds great promise for my community in terms of both economic development and improvement of the quality of life. For that reason, I urge that it be implemented as soon as possible. Despite my overall support for the plan, I must mention a few reservations.

First, figure 3-11, "Building Height Limits," indicates that the height limits for the area to be developed between Bailey Road and Alves Lane along Willow Pass Avenue shall 50 feet. While this would be acceptable on the northern side of Willow Pass, I feel that it is unacceptable for the Southern side. After all, the plan indicates that the new development is meant to be in keeping with the overall character of the surrounding area. Immediately to the south of Willow Pass are sited a group of single-family homes. Allowing buildings of 50 feet in height to abut these homes will not only have a significant and negative impact on the quality of life for those who occupy them, it will not be in keeping with the character of the neighborhood: three-story structures will simply overshadow and overwhelm the single-family residences in the area. I, therefore, urge you to reduce the height limits in this area to 30 feet or two-stories. This represents a satisfactory compromise in that it allows for reasonable development along the southern side of Willow Pass, but it also avoids the problem of allowing structures that would be grossly disproportionate to the neighboring homes.

23-1

Second, in part the plan is designed to encourage greater utilization of BART by commuters. To that end, more than 2000 new residences are envisioned for the area around the Bay Point BART station. This is in principle a fine idea, and I do believe that community planning should attempt to take best advantage of local means of public transportation. Nevertheless, I am not convinced that BART has the capability of handling the increased usage that would result from this plan. I currently take BART myself, and it has been my experience that during morning peak hours, the BART trains are usually near capacity by the time they leave the Concord station which is only two stops from Bay Point. If, as the plan indicates, ridership increases significantly at BART's point of origin, Bay Point, it is hard to see how BART will be able to efficiently handle the problem of insufficient seating given current capacity problems. Moreover, recent revelations about

23-2

the earthquake safety issues for the Trans-Bay Tube further draws into question the ability of BART to handle on a financial basis the increased demands that will come with more riders. Therefore, I urge the plan to contemplate greater use of Tri-Delta Transit and County Connection as a means of efficiently transporting the new residents being contemplated.

23-2

Third, I recommend that the Plan explore the possibility of developing an artists' colony in Bay Point similar to what is found at the Hunters Point Shipyards and the Marin Headlands. While it is true that the latter two examples take advantage of already existing warehouse and loft structures, that need not preclude this possibility. Not only are there industrial sites in the Bay Point area which have the potential to be utilized in this way, given proper zoning, but there is also the possibility that developers may be able to build structures with this target community in mind. Artists would be drawn here by the relatively low costs and the quiet of the region, while, in turn, they would greatly enrich the cultural features of the area, just as they have done at Hunters Point.

23-3

Fourth, figure 3-9, "Conceptual Urban Design Plan," indicates that there will be an "Ambrose Community College." Although I asked about this at the public hearing held at the Ambrose Center, I was unable to learn anything about what is meant by this. The point is that if this is indicated in the figure, something should be said about it in the plan. Frankly, I would be surprised if the State would be willing to build a Community College in Bay Point especially when Los Medanos and Diablo Valley are both so near. I would, of course, support such an initiative, but seriously doubt that California would be able to follow through on this in any meaningful way. At any rate, as it is indicated in the Plan figure, it should be explained.

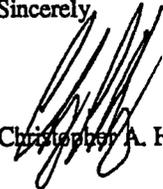
23-4

Fifth, it has recently come to light that the City of Concord opposes development in Bay Point of the sort envisioned by this plan on the grounds that Bay Point is an unincorporated area. While I doubt that this nugatory objection will be taken seriously since it has no legitimate basis, I nevertheless am compelled to say that it must not be given any weight whatsoever. In essence, it is an objection that stands for the proposition that unincorporated communities have no right to hope for any improvement in the quality of life they enjoy. To follow it to its logical conclusion would be to say that all unincorporated areas must either remain static or devolve to the point of their elimination. Needless to say, such a ridiculous approach is not merely harmful to those of us who live in these communities, it is also ultimately harmful to the County itself. It is axiomatic that this County needs both to encourage rational growth in all areas in order to maintain and improve the quality of life it offers and to take measures that maintain its sovereignty as a legal entity. To simply allow cities to develop and impose a principle of stagnation on unincorporated areas is nothing short of a recipe for disaster for the County on both counts.

23-5

As I said at the beginning, overall this is a good plan and it offers great hope for the prosperity of Bay Point. I strongly support its implementation as early as possible.

Sincerely,


Christopher A. Hoffman

-
- 23-1 This comment expresses concern with the Specific Plan's proposed building height limit of 50 feet for the area located on the south side of Willow Pass Road (as shown in Figure 3-11 of the 1999 Draft EIR). The proposed building height limit for this area is best evaluated by reviewing the Specific Plan, Chapter 4: Urban Design, page 4.13, and pages 4.25 through 4.29. While this comment expresses legitimate concern about building scale and compatibility with adjacent residential uses, it fails to consider the range of design guidelines developed which, if implemented, will create a new commercial district. The guidelines provided specific guidance with regard to building setback, storefront design, the allowance of residential uses over commercial uses, and encouragement for creation of distinctive architectural treatments, such as towers and varied roof lines. It specifically prohibits creation of a "wall of buildings" that would detract from the pedestrian experience and/or create an uninviting commercial image.
- 23-2 This comment expresses the opinion that BART capacity would be insufficient to accommodate the demand generated by the Specific Plan's proposed office and residential uses. This issue is addressed in detail in the July 2001 Recirculated Draft EIR, in Chapter 10: Transportation, Impact 10-5, on pages 10-50 through 10-53. Future capacity is projected to increase on the Concord Line in the foreseeable future. As described on page 10-52, last paragraph, BART is planning significant service improvements along the Concord Line. These improvements will improve the load factor from a current 1.23 to an estimated 0.96. This estimate includes full development assumed in the Pittsburg/Bay Point BART Station Area Specific Plan and the Pleasant Hill BART Station Area Specific Plan. Tri Delta Transit bus service is considered an integral part of the transit service provided to the project area.
- 23-3 This comment recommends that the Specific Plan explore the possibility of developing an artist colony in Bay Point. It should be noted that while the Specific Plan does not specifically propose such a targeted land use, the land uses and design guidelines that are proposed do not preclude or inhibit the creation of an artist colony. Residential uses are proposed over the commercial uses in the Willow Pass Road commercial district. Similarly, although Light Industrial uses are indicated for parcels north of Willow Pass Road (see Figure 3-7: Development Assumptions in the July 2001 Recirculated Draft EIR), no development assumptions have been prescribed in the Specific Plan.

Opportunity may exist for development of land uses that can enrich the cultural features of Bay Point.

- 23-4 This comment expresses a question about the designation of Ambrose Community College in Figure 3-9 of the Draft EIR. This designation and development form are conceptual in nature and do not represent a specific development proposal. The college designation is in error. A Revised Figure 3-9 is presented in Appendix A of this Final EIR. Figure 3-7: Development Assumptions, correctly shows this area designated as Ambrose Community Center.
- 23-5 This comment expresses the opinion that objections to development in Bay Point (as described in the Specific Plan) should not be considered. This comment does not specifically address the proposed projects of the Specific Plan or the Draft or Recirculated Draft EIRs. No response is required.

Letter #24

Contra Costa County
Community Development Department
Attn: Mauran Toms
651 Pine Street
North Wing-Fourth Floor
Martinez, CA 94553

September 28, 2001

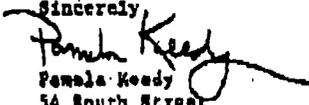
Dear Ms. Toms,

This fax concerns the Recirculated Draft Environmental Impact Report Pittsburg/BayPoint BART Station Area Specific Plan. In looking at this document more should be done to increase park/recreational and open space in Bay Point. New parks and the ability (space) in Pittsburg seems to have been addressed but not for Bay Point. The Specific Plan has only considered an actual increase of park space in Bay Point of 6.9 acres to an existing park (Ambrose Park). There are approximately 22,000 people who live Bay Point and as parts of the Specific Plan are put into place this number will increase. As it stands now Bay Point should have about 88 acres of parks and open space, but only has about 45 acres. Eleven of these acres are Pacifica which if it becomes a school again will not be available to the general public. About three acres are Anuta Park which is unusable for many months of the year because it also serves as flood control and also has no restrooms. Ambrose Park does not serve most of the residents of Bay Point because it is difficult to get to. Children from ~~the~~ ^{Ambrose} Recreational Center have to walk the 3 miles to Ambrose Park if they want to go swimming or use the other park facilities.

Pittsburg residents will benefit the most from improvements to Ambrose Park since the park is surrounded on three sides by Pittsburg. Bay Point will become a wasteland of houses, apartments and commercial buildings, where you will have to drive somewhere else to get relief from the urban environment. Parks/recreational facilities and open space cannot be put off or added somewhere down the line in Bay Point since it is surrounded and cannot expand like Pittsburg. When in filling Bay Point consideration should be made to infill it with a park or leave some portion as open space. There is no putting a park at the edge of town because the edge of town is already filled in.

CC: Ledger Dispatch
fax#706-2305

Sincerely,


Pamela Keedy
54 South Street
Bay Point, CA 94565
925-709-1284

24-1

- 24-1 This comment incorrectly points out that the Specific Plan proposes 6.5 acres of new park space at Ambrose Park. In fact, the proposed 6.5 acres of park space is the total acreage of parks and open space proposed for the Specific Plan area. The issue of parks demand is addressed in Chapter 7: Parks and Recreation, page 7-6, Impact 7-1 of the August 1999 Draft EIR. The analysis shows that the vast majority of projected new residents from Specific Plan projects would be located in the City of Pittsburg (approximately 3,680 residents) versus the unincorporated County (estimated at 900 residents). Despite the addition of 6.5 acres of parkland, a shortfall of 15 acres is projected at buildout. As described under Mitigation Measure 7-1 on page 7-7, per requirements of the County and the City's Growth Management Elements, additional park land would be created as projects from the Specific Plan are implemented. Either the County or the City of Pittsburg, depending on which jurisdiction is responsible for land use and environmental review, would levy fees on new development to meet County and City park standards.

Letter #25

September 24, 2001

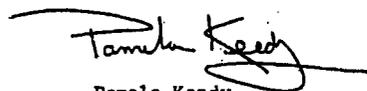
Contra Costa County Community Development Department
Attn: Maureen Toms
651 Pine Street
North Wing-Fourth Floor
Martinez, CA 94553
fax#925-335-1265

Dear Ms. Toms,

I would like to request a extention for the review period of the Recirculated Draft EIR for the Pittsburg/Bay Point BART Station Area Specific Plan and the adoption of the Specific Plan. I do not feel enough time was given for interested agencies, organizations & individuals to adequately go over this very large document. Also, for the last two weeks most people have been focusing on national events and not on local happenings. Therefore, I feel that an extension of four months should be made for the review and comments of the Recirculated Draft EIR for The Pittsburg/Bay Point BART Station Area Spcific Plan.

25-1

Sincerely,



Pamela Keedy
Bay Point CAP Member
54 South Street
Bay Point, CA 94565
925-709-1284

LETTER
#25
RESPONSE

Pamela Keedy
Bay Point CAP Member
September 24, 2001

- 25-1 This comment requests a four-month extension to the public review period. As the Lead Agency, the County informally extended the deadline for receipt of public comment through the end of September 2001; however, a four-month extension was determined to be infeasible. The remainder of this comment letter does not specifically address the proposed Specific Plan or the Draft or Recirculated Draft EIRs. No response is required.

Thomas J. Kent, P. E.
2570 Walnut Blvd. #24
Walnut Creek, CA 94596-4294
(925) 945-6388

01 AUG 14 AM 9:31

Letter #26

9 August 2001

Ms. Maureen A. Toms, AICP
Contra Costa County, Community Development Department
651 Pine Street, 4th Floor, North Wing
Martinez, CA 94553-0095

Subject: Recirculated Draft Environmental Impact Report
Pittsburg/Bay Point BART Station Area Specific Plan
- Comments on Projected Residential Unit Totals

Dear Ms. Toms:

After downloading portions of the Recirculated Draft EIR (Chapters 1, 2, and 17) last night, in line with your 6 August letter, I have initial comments about projected Residential Unit totals in this material. My comments follow recapitulation of certain data in the Draft EIR.

<u>Alternatives</u>	<u>Residential Units</u>	<u>Details</u>
Specific Plan (High Residential)	2,195	1,790 Zone I, 270 Zone II, 135 Zone III (S of BART) (SE of BART) (NE of BART)
Alternative 1 (no project)	5,600	3,100 approx. within Specific Plan Zones 2,500** in surrounding vicinity
Alternative 2 (Mixed Use)	1,754	based on Alternative A (Zone makeup unknown)
Alternative 3 (High Residential)	2,248	based on Alternative C (all in Zone I?)
Alternative 4 (Low Residential)	1,130	50% approx. of Alternative 3 (all in Zone I?)
Alternative 5 (Low Residential)	1,099	694 Zone I, 270 Zone II, 135 Zone III
Alternative 6 (High Residential)	1,882	1,190 Zone I, 445 Zone II, 247 Zone III

Continued...

26-1

Note: The 2,500 Units identified by ** in Alternative 1 are not included in the Specific Plan or in Alternatives 2 through 6.

26-1

Thus, when only projected Residential Units in Zones I, II, and III are considered, the range is considerably narrowed - from 1,099 to 2,248 (excluding the no project case). They are between 35% to 73% of the no project scenario total and so are not well described by the Low and High descriptions given them. All should be labeled Moderate in scope.

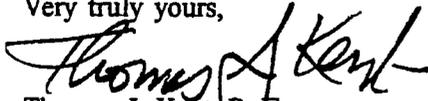
26-2

From my viewpoint, the only real basis upon which to choose one alternative over the others is that of Commercial/Office Use. Alternative 6 is my choice as a temperate, considered plan for Pittsburg/Bay Point development in the Specific Plan area. It does not veer overboard on high-rise office uses, as does Seeno Construction's self-serving proposal, but does acknowledge the need for a significant amount of office space adjacent to the BART station.

26-3

I'm most interested in seeing what eventually comes out of the Draft EIR review process.

Very truly yours,



Thomas J. Kent, P. E.
CA Mechanical Engineer #M-25226

LETTER
#26
RESPONSE

Thomas J. Kent, P.E.
August 9, 2001

-
- 26-1 This comment summarizes the development assumptions of the Specific Plan and alternatives. The 2,500 residential units identified in Alternative 1 (No Project) includes proposed projects on the periphery of the Specific Plan boundary. During preparation of the Draft EIR, it was determined that such development was probable during the short term and thus should be included in the analysis of Alternative 1.
- 26-2 This comment addresses the labeling methodology of the alternatives analyzed in the July 2001 Recirculated Draft EIR. While the comment has some merit regarding what alternatives should be considered Low, Medium, or High Residential, the nature of the comment does not pertain to the analysis or conclusions presented. No response is required.
- 26-3 This comment expresses a personal preference for selection of Alternative 6: High Commercial/Office and High Residential. No response is required.

Letter #27

Connie Tolleson
39 Madison Avenue
Bay Point, CA 94565
(925) 458-6603

September 20, 2001

Maureen Toms
Principal Planner
Contra Costa County Community Development Department
651 Pine Street
North Wing- Fourth Floor
Martinez, CA 94553

Dear Ms. Toms,

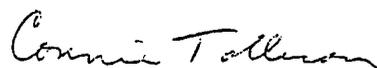
Here are my comments on the *Recirculated Draft Environmental Impact Report Pittsburg/Bay Point BART Station Area Specific Plan* for inclusion in your response to comments.

I am very concerned that inadequate notification of the public has severely limited public participation in the review of this document. It appears that only people who served on the Task Force were aware of the existence of the Task Force and that this plan was being created.

I am also concerned that only a month was allotted to review and comment on this plan. Members of the Task Force would be able to do this, since they are familiar with the contents, but members of the general public would probably need more time to research, reflect and comment on the contents.

I would like to request a 4-month extension of the comments period until January 24, 2002. I suggest that adequate notification of all interested parties be undertaken, particularly those property owners whose land use has been radically altered in text and drawings.

Sincerely,



Connie Tolleson

27-1

**Comments on the
Recirculated Draft Environmental Impact Report Pittsburg/Bay
Point BART Station Area Specific Plan
By Connie Tolleson**

I will comment on the follow eight topics:

- I. **Changes to density plans without Task Force or public input that disregard the decisions made by the Task Force.**
- II. **School Facilities Infrastructure:**
- III. **Ambrose Park.**
- IV. **Non-automobile access to the BART station:**
- V. **Willow Pass Road and Bailey Road intersection.**
- VI. **Willow Pass Road Commercial District.**
- VII. **Preserving the Bay environment in Bay Point**
- VIII. **ADA, seniors, Low Income**

I feel competent to comment on theses areas because:

- ◆ I have been a member of the Traffic Advisory Committee for Bay Point for 8 years
- ◆ I was a member of the Tri-Delta Transit Board for 3 years
- ◆ I am a member of the Mt. Diablo Unified School District Facilities Task Force, a group that looks at facilities needed to house students.
- ◆ I was a small business owner for over a decade in Honolulu, Hawaii.
- ◆ I am involved in the Long Term Care Integration Planning Project for Aged, Blind and Disabled.

Comments

I. Changes to density plans without Task Force or public input that disregard the decisions made by the Task Force.

A. Seeno Construction, a developer, was allowed to add two high-density alternatives to the Task Force without participating in the Task Force or having its alternatives reviewed by the Task Force.

B. The Task Force was very specific that it did not want "Very High Commercial/Office and Low Residential" or "High Commercial/Office and High Residential" development as there is not adequate infrastructure and there is not enough space available to put in the infrastructure.

C. Traffic from the new development would affect the gridlock already existing around the Highway 4 ramps. The overpass really needs to be replaced to make Bailey Road wide enough to accommodate all the additional cars.

D. I think the county needs to start the entire process over if it wants to include these two alternatives, not just slip them in at the end of the project.

- 1. Pittsburg rejected its staff report on this same development because of the sneaky way that the developer has interjected his desired plan over the stated desires of the community.***

27-2

II. School Facilities Infrastructure:

A. , MDUSD should be included in Mitigation Measure 8-3 B on page 8-19 because the area under discussion lies wholly in the Mt. Diablo Unified School District

1. Currently, there are 2,153 students attending elementary and 963 attending middle school in Bay Point for a total of 3,116 students who actually have a classroom in Bay Point.

a) All the local schools (Bel Air, Rio Vista, Shore Acres and Riverview) are seriously overcrowded.

2. There are 1283 high school students from Bay Point attending MDUSD high schools

a) Most Bay Point/Pittsburg MDUSD students attend Mt. Diablo High School with a few scattered in the other 5 high schools in the district. Mt Diablo High School is ranked "1" in state rankings, which puts it on the very lowest rung.

B. In order to house the approximately 3,500 students who live in Bay Point, but attend school elsewhere, MDUSD needs to build 1 elementary school, 1 middle school and 1 high school.

1. It is estimated that currently as many as 1,700 elementary and middle school students attend schools outside of Bay Point, and that as many as 400-500 high school students from MDUSD are attending high schools in Pittsburg, Martinez, Antioch and other areas.

2. The impact on traffic of all these students traveling is easy to see when school lets out for the summer. The commute is noticeably improved.

3. Even with car pools and buses to Mt. Diablo High School (approximately 400 students use the buses) there are still thousands of extra motorists on the Willow Pass of Highway 4 driving their children back and forth to school.

27-3

27-4

4. Young drivers are driving some of the worst traffic in the Bay area to get to High School.

C. Without any additional housing being approved, Bay Point/Pittsburg will need to build five or six new schools within the next 5 to seven years.

1. There are 3,240 units already approved which will be built in the next 5-7 years; the student generation rates for these mostly single-family detached units is .444.
2. The housing turnover rates for Pittsburg/Bay Point yield a student generation rate of almost one student per unit (0.938).
3. Within five years an additional 1,900 students could be generated at the current rates bringing the total of students with no classroom and no desk in Bay Point/Pittsburg to 5,400 (including high school students)

27-5

D. Developer fees are not adequate to build the facilities that are needed for the students being generated by their projects. As of January 18, 2001, \$1,460,049 had been collected from developer fees to pay for needed school facilities.

27-6

1. In order to build the schools necessary for the current unhoused students and the students generated by units already approved and housing turnover rates it would cost the district \$128,750,000
 - a) It costs \$15,500,000 to build a new elementary school. If the land needs to be bought, it is an additional \$6,500,000
 - b) It costs \$33,000,000 to build a new middle school. If the land needs to be bought, it is an additional \$13,000,000
 - c) It costs \$57,000,000 to build a new high school. If the land needs to be bought, it is an additional \$26,000,000

E. The estimated 769 new students generated by the BART Station Area Specific Plan would require one more additional school be built for an additional \$15,000,000 to \$33,000,000. If the higher density plans are used, it would of course cost more.

27-7

F. Developer delays in constructing mandated facilities. The developer has delayed the one elementary school that was supposed to be finished five years ago.

27-8

1. The school has been relocated who knows how many times.
2. It has now been placed on a piece of land that is pretty useless. An arrangement was made to use the excavation dirt from grading new houses to fill in a ditch on the property. It turns out that may not be possible since the ditch may actually an environmentally sensitive area.

G. The developer is naturally interested in maximizing his profit. The community and those representing it on this Task Force need to be sure that the educational infrastructure made necessary by development is paid for by developer fees and that the developer has the integrity to complete those projects mandated by the community. It makes no sense to compromise the education and therefore the future of thousands of children living in Pittsburg and Bay Point in order for one person to make excessive profits.

27-9

III. Ambrose Park was specifically designated a park area. Not to be developed. This is not adequately reflected in this document.

27-10

IV. Non-automobile access to the BART station

A. Grades should be included on page 3-19 and 3-32 where it talks about improving pedestrian movement and safety.

- 1. An additional problem with the underpass is the grade. It is too steep to walk and impossible for a wheelchair.**
- 2. The almost 45° grade up to the BART station itself is daunting.**
- 3. From Willow Pass to the entrance to BART it is a mile-long gradually increasing grade. Because of this any housing development to the South of Highway 4 should not be included in pedestrian or bike trip reduction totals (page 10-36).**

27-11

B. Transit planning in conjunction with land use planning is a very important concept in Bay Point since we have a fragmented system.

27-12

- 1. Buses normally don't run parallel to BART, but because Tri-Delta's service area ends in Bay Point a bus line was kept so that people from Shore Acres to Bailey Road could get to the BART station.**
- 2. There is no bus that runs from east of Bailey Road to West of Bailey Road.**
- 3. There is no bus that runs over Bailey Road to Concord.**
- 4. There is no bus that runs over Highway 4 to Concord.**
- 5. Anyone catching a bus west of Bailey will have to go to the BART station to catch a bus going east or take the BART and catch a bus in central county to go west.**
- 6. Local trip reduction could happen if some sort of shuttle inside of Bay Point enabled people to get to the BART station without a major hike to the bus stop.**
- 7. Local trip reduction in morning commute traffic would be lessened if there were a bus that enabled students to go from east of Bailey Road to the schools in Shore Acres without having to go to the BART station first.**

C. The more people who use transit in Bay Point would, in effect, increase the parking lot capacity at the BART station.

V. Willow Pass Road and Bailey Road intersection.

A. Page 6-21. There is no place to turn into if you turn left at Bailey Road.

B. Willow Pass Road needs to be restriped to enlarge the bike lanes on both sides to be the required bike lane width. Combining a traffic lane with a bike lane is a bad idea. This bike route is used by elementary and middle school children to go from residences on the far east side of Bay Point to the schools located in Shore Acres. Commuters have no respect for children on bikes, forcing them onto the sidewalks, which then endanger pedestrians.

C. There cannot be a raised median area between Bailey Road and Clearland Avenue without eliminating all the businesses on this part of Willow Pass. These are the only businesses that are actually surviving. The gas station, Ben's, and Bill's Ranch Market all require the left/right turn striping in order for their customers from the east to get into their parking lots. Figure 6-4 has obliterated these businesses. (See comments in VI regarding commercial viability of this area.)

D. If you want this area to be pedestrian friendly, the intersection has to be rebuilt to slow cars turning and to shorten the distance between curbs that people have to walk.

27-13

VI. Willow Pass Road Commercial District. There are several serious flaws in the concept of a commercial district along Willow Pass Road:

A. It does not have a 360° area from which to draw customers. The fact that the bay runs all along the south

27-14

of Willow Pass Road means that any store located there will have only half of the needed residential territory that is needed to support it.

B. Highway 4 limits the customers that can be drawn from the local neighborhoods to the north of Willow Pass Road. Normally, customers would be drawn from several miles down local streets. This source of customers does not exist in Bay Point. The neighborhoods to the north of Willow Pass run between 3 blocks deep and ½ mile deep.

C. There is only one access street coming from each of three directions, the north, from the east and from the west. . There is no access road from the south.

D. Remember it is "Location, Location, Location"

E. Commuters are just passing through unless it is hecka easy to stop and shop, which it is not along the Willow Pass corridor. The best time for shopping is in the afternoon/evening commute home and the envisioned stores are all located on the wrong side of the street. People would have to turn left twice.

F. Parking. There is none. See page 3-28.

G. Only a specialty store, like being the only Beanie Baby outlet in the Bay Area 3 years ago, during the height of the craze could survive. This is the reason that Bill' Ranch Market survives – people come far distances to buy from him.

H. Even if you built apartments from Bailey Road to Clearland you would not have enough customers to keep stores alive without car commuters.

I. If you built all the apartments, the additional people driving up and down Willow Pass and Bailey Road would create a nightmare traffic jam even worse than it is now. It takes longer to go from one end of Bay Point to the other than to go to Concord during commute hours.

VII. Preserving the view of the bay from Bay Point.

A. The eight-acre parcel on the south side of Willow Pass Road east of Bailey Road is one of the few remaining places in Bay Point where the Bay is visible. The Bay is far more important in establishing a sense of place than even the ridges, keeping visual access to it is important.

1. Anything built here should adhere to page 3-8: Land Use Concepts, 6: "The establishment of urban design elements for future developments that provide physical and visual linkages between land uses and establish a sense of place and identity."

27-15

2. The ideas submitted so far make Bay Point look like someplace in Orange County, not a bayside community. It would look the same looking east from Bailey as it would looking west rows of dense apartments, which would soon fall into disrepair and ruin. There are not enough services close enough for owners, and it would cost so much to rent that each unit would be overcrowded.

B. Anyone involved in making plans or designs for Bay Point should be sensitive to the value of waterways and bodies of water

C. . Bay Point is geographically isolated from its neighbors. Geographical barriers that prevent much of the growth that has been suggested surround it. It should be a place where people come for beauty, calm, and access to the Bay, if not physical, then at least spiritual and visual.

27-16

D. It is foolish to take the few remaining areas that have a sense of place and identity and obscure the vista with tacky buildings destined to become slums, when they could be used as a little bit of green in an overcrowded area that will be disparate for open space.

E. There is wildlife in this 8 acres, I would like to see it catalogued, as well as the paths used by migratory animals along the shore.

F. I want to know more about storm water run-off from the developments to the south of Willow Pass.

27-16

VIII. Any developments in Bay Point should have units available for ADA individuals, seniors who can age-in-place and units for very low-income people. These units should not be junky and overcrowded.

27-17

27-1 This comment expresses a personal opinion regarding the length of the public review period for the July 2001 Recirculated Draft EIR. A four-month extension was requested until January 24, 2002. The County as Lead Agency, rejected this proposal; however, the review period was extended by one week and ended on September 30, 2001.

27-2 The main point of this comment is the belief that the Seeno Corporation was allowed to add two high-density alternatives for review in the July 2001 Recirculated Draft EIR. In fact, Alternative 5 is the only alternative proposed by West Coast Home Builders. Alternative 6 was developed by the County and the City of Pittsburg as a way of combining aspects of the Seeno proposal and aspects of the original plan scenario.

Existing congestion at the Bailey Road/State Route 4 interchange is in part due to the diversion of subregional traffic to/from the freeway via Bailey Road because freeway widening (until just recently) extended from Concord only to Bailey Road. As State Route 4 is widened to the east of the Railroad Avenue interchange in Pittsburg, those people now using surface streets parallel to State Route 4 to access the freeway at Bailey Road will access the freeway east of Bailey (before they get to Bailey Road). The East County Traffic Model shows that this should produce a significant reduction in commute-period traffic at the Bailey Road/State Route 4 interchange.

The remainder of this comment does not address the content of the Specific Plan or the Recirculated and Draft EIRs. No further response is required.

27-3 This comment recommends that the Mount Diablo Unified School District (MDUSD) be included in Mitigation Measure 8-3 (b), in Chapter 8: Community Services and Utilities, page 8-19. This text is revised as follows:

MITIGATION MEASURE 8-3

- (a) Since the timing of local school system expansion and improvements is uncertain, either the City or County, depending on the location, would apply its school impact standards in its adopted Growth Management Element. The demonstration of compliance with established school facility and staffing standards

would be required as a condition of approval during project design review of Specific Plan projects. This measure would mitigate the impact to a less-than-significant level.

- (b) All applicants of Specific Plan projects would be required to comply either with County, City of Pittsburg, **and/or Mount Diablo Unified School District** school impact fee requirements, depending on the location of the housing development. As a requirement of BART's development agreement for constructing up to 1,790 housing units at the BART station, a project school financing and cost distribution plan should be prepared that demonstrates to County, City, **and MDUSD** satisfaction that sufficient funding will be available as and when needed to construct school facilities to comply with applicable County, City **and/or MDUSD** policies and standards. These measures would mitigate the impact to a less-than-significant level.

27-4 This comment expresses the personal opinion that student traffic is a major component of local traffic patterns. It further provides an estimate of type and number of schools required to accommodate students who live in Bay Point. The information presented regarding student overcrowding amplifies the information presented on pages 8-18 and 8-19 in the August 1999 Draft EIR.

Schools produce little or no increases to PM peak hour volumes. They do, however, add traffic to AM commute conditions. All schools are included in the traffic model. However, the model's projections are based upon children going to the nearest school. While this may not be true in all cases today, it is unknown if this will be the case in the future. It should be noted that the East County model used in this study was calibrated to existing traffic conditions, which reflects the distribution of some children to schools far from their homes.

27-5 This comment conveys a personal estimate of student populations if no additional housing is approved. This comment does not address the content of the Specific Plan or the Recirculated and Draft EIRs. No response is required.

27-6 This comment expresses the opinion that developer fees are inadequate to build school facilities. Mitigation Measure 8-3 (b) has been revised in this Final EIR to include participation by the Mount Diablo Unified School District (MDUSD) in the application of school impact fees. See Response 27-3.

27-7 This comment presents a personal estimate of the cost of school facilities needed to accommodate the estimated 769 students generated by the Specific Plan. The information presented is beyond the scope of the Draft EIR analysis. No response is required.

- 27-8 This comment expresses a personal opinion about the delays related to a planned elementary school in the Specific Plan vicinity. It does not address the Specific Plan or the Recirculated or Draft EIRs. No response is required.
- 27-9 This comment expresses a personal opinion about how best to ensure that educational infrastructure is paid for by developer fees. It does not address the Specific Plan or the Recirculated or Draft EIRs. No response is required.
- 27-10 This comment expresses an incorrect assumption about the proposed uses for the Ambrose Park area. In Chapter 3: Project Description, page 3-17, paragraph 4, Ambrose Park is proposed to be improved and expanded. Figure 3-10 on page 3-18 provides a conceptual plan. Both the text and graphic illustrate an expanded park space, along with a child care center, and multi-family residential immediately fronting West Leland Road.
- 27-11 This comment expresses a personal opinion that existing grades of sidewalks to and from the BART station are too steep to walk. It requests that housing development south of State Route 4 not be included in pedestrian and bicycle trip reduction totals (in Chapter 10: Transportation, page 10-36). This comment is erroneous in that no trip reduction is assumed due to pedestrian or bicycle use. As explained beginning in paragraph 3, Item 1, page 10-36, under the heading *Adjustments to Trip Generation Rates*, continuing to paragraph 1, Item 2, on page 10-37: a 35 percent transit trip reduction was applied to residential uses and office uses; for retail uses, a 25 percent reduction was applied, which also included a reduction due to pass-by trips.
- All housing within Specific Plan Zones I and II are within easy walking distance of the BART station. Zone III and Zone IV are north (downhill) of the BART station. Zone IV, along Willow Pass Road, has no residential development. Zone III, just north of the freeway, has 135 apartment units, most of which are projected to be constructed within walking distance of the BART station.
- 27-12 This comment emphasizes the need for continuing transit planning in the Bay Point area. It does not specifically address the Specific Plan or the content of the Recirculated or Draft EIRs.
- 27-13 This comment provides specific suggestions for the restriping and reconstruction of portions of Willow Pass Road to improve pedestrian and bicycle safety, and promote access to existing businesses. It should be noted that the proposed roadway improvements as described in the Recirculated Draft EIR in Chapter 3: Project Description, pages 3-25 through 3-28 are conceptual and establish policies and goals for a range of possible improvements. Neither the text nor

Figure 3-14 depicting street sections, represent engineering programs or design documents. Future engineering and design efforts will balance the design of improvements within the constraints of land use and roadway geometry.

- 27-14 This comment expresses the personal opinion that the concept of a proposed commercial district along Willow Pass Road is flawed. The author provides personal observations about existing conditions that she contends support this position; however, the author dismisses potential benefits resulting from targeted land use, urban design, and infrastructure improvements proposed in the Specific Plan. When evaluated within the context of the proposed Implementation Plan as described in the Specific Plan (and summarized in Chapter 3: Project Description, pages 3-34 through 3-40 of the Recirculated Draft EIR), the cumulative effect will be to create a distinct identity of a commercial district.
- 27-15 This comment identifies a vantage point from an 8-acre parcel along the south side of Willow Pass Road as affording views of the bay; however, the precise location of this parcel is not clear. Review of Figure 4, on page 1.5 of the Specific Plan does not show a parcel with these features. The remainder of this comment expresses personal opinions about adherence to proposed land use concepts and interpretation of design guidelines. No response is required.
- 27-16 This comment expresses a personal opinion that future plans or designs for Bay Point should be sensitive to the value of waterways and bodies of water. It continues to provide personal opinions on the visual quality of the Bay Point area. This comment does not address the Specific Plan or Recirculated or Draft EIRs. No response is required.
- 27-17 This comment expresses a personal opinion that any development in Bay Point should have units available for Americans with Disabilities Act individuals, seniors, and low-income people. Standards for housing development will be implemented by the County or City depending on the location of the proposed development. This comment does not address the Specific Plan or Recirculated or Draft EIRs. No response is required.

**Verbal Comments Made at the Public Hearing on the Draft EIR
September 29, 1999**

A Public Hearing was held by the County Zoning Administrator, Dennis Barry, on September 2, 1999. The public comments on the Pittsburg/Bay Point BART Station Area Specific Plan DEIR were recorded and transcribed. A copy of the written transcript, followed by the responses is below.

Mr. Barry: The meeting of the Contra Costa County Zoning Administrator for September 29th, 1999 is now in session.

This evening we have a special meeting here in Bay Point and it's a pleasure to be out here. We have two items on our agenda this evening:

The first is Public Comment. This is a point in the agenda where anyone who would like to speak on an item that's not otherwise on the agenda, is able to come forward and make any comments that you have.

The other item that we have, Item Number Two is on the Pittsburg/Bay Point BART Station Area Specific Plan Environmental Impact Report, and if anyone would like to make a public comment other than on the Environmental Impact Report, now is the time to do so.

Seeing no one coming forward, we'll move on to Item Number Two. This is the time for a public hearing to accept comments on the adequacy of and completeness of the Draft Environmental Impact Report prepared for the proposed Pittsburg/Bay Point BART Station Area Specific Plan Environmental Impact Report. The Environmental Impact Report covers the proposed amendments to the County General Plan and the City of Pittsburg General Plan and the adoption of the Specific Plan by both of those agencies. The EIR covers the proposed amendments to the General Plan and the Specific Plan and includes, in the evaluation, 75,000 square feet of office, commercial/retail 239,000 square feet and 2,195 multiple family dwelling units. There are four alternatives evaluated in the EIR. Those include the no-project alternative, which would be the existing General Plan, no adoption of the Specific Plan, That alternative is required by CEQA - The California Environmental Quality Act. Alternative Number Two is a mixed-use development assuming 294,000 square feet of commercial uses, 100,000 square feet of office use, and 1,754 dwelling units. The Third Alternative is a low commercial office and high residential assuming 167,000 square feet of commercial, 56,000 square feet of office use and 2,248 dwelling units. Alternative Four, the low commercial office and low residential assumes 124,000 of commercial use, 40,000 square feet of office uses, and 1,130 dwelling units. The Environmental Impact Report was prepared by a consultant under contract with the County. The Specific Plan was completed in November of 1997 and initial study indicated that significant impacts on the environment could occur by the adoption of that Specific Plan and so an Environmental Impact Report was required. Back on February 18, 1998, a Notice of Preparation was sent out to responsible and trusty agencies as required by CEQA, and on August 18, 1999, a Notice of Completion of the Draft

Environmental Impact Report was sent to the State Clearing House. This is the Draft Environmental Impact Report, which is the subject of the hearing this evening.

Although the State CEQA guidelines do not require a public hearing on the adequacy of an EIR, the County in its procedures for processing Environmental Impact Reports recommends that we hold hearings and so we go beyond what the State requires. In addition, written comments may also be submitted; some have been submitted already. Written comments will be received before 5:00 p.m. Friday, October 8, 1999. Those written comments should be mailed to the Contra Costa County Community Development Department, 651 Pine Street, North Wing, 4th Floor, Martinez, CA 94553, before 5:00 p.m. on October 8, 1999. Just a few words about the conduct of the hearing this evening. As I mentioned, this is a hearing on the adequacy of the EIR. Does it adequately cover the impacts of the project? Does it look at the alternatives that should be looked at? Are mitigation measures included that are feasible? And does it show all of the other things that are required by the California Environmental Quality Act? There will be separate, subsequent hearings on the Specific Plan itself. The County Planning Commission will hold hearings and will make a recommendation to the Board of Supervisors on both the General Plan Amendment and the Specific Plan itself. And then the Board of Supervisors will hold subsequent hearings. The purpose of this hearing, again, is for the Environmental Impact Report and whether it's adequate. I will be making a recommendation to the County Board of Supervisors and will ultimately, after comments are compiled, and a Response to Comments Document is created, that Response to Comments Document, together with this Draft, together will constitute what's called the Final Environmental Impact Report. That Final Environmental Impact Report, I will take back to a Zoning Administrator hearing and will, in a public hearing setting, make a recommendation as to whether it's adequate in my view and recommend whether the Board should adopt it for use in making their decisions on CEQA. I'm sure the City has similar procedures. (Jim Kennedy: You might also mention that the City will be going through similar hearings with their Planning Commission and City Council.) And, as I mentioned, very briefly, the City also has a similar process. The State Planning Law requires that where there is a General Plan Amendment or the adoption of a Specific Plan, the City or the County Planning Commission must make a recommendation to the Legislative Body. For the City, the Legislative Body would be the City Council. For the County, the Legislative Body is, of course, the Board of Supervisors. In either case, the respective planning commissions must make a report and recommendation prior to action being taken. So there are those two opportunities for public hearings on the substance of the Specific Plan itself. So this evening we will be taking testimony about whether the EIR is adequate and the Response Document will subsequently be prepared. There will be a transcript of this evening's testimony that will be prepared. Those comments that are germane to the analysis of the impact, and so forth, will be included in the Final EIR and they will be responded to by the consultants. Ultimately, we will need to independently judge whether or not that is an adequate document. So this is a very important step in that process: taking public testimony and then evaluating whether or not the Final EIR adequately responds to the comments that are made. There are green speaker slips that

are provided on the table here, and anyone who would like to come to the microphone and enter testimony into the record, please fill out a green speaker card. It does ask for your name, your address, your city, your telephone number and so on. The main reason for asking for that is that, once we have your name and address and so forth, we're able to contact you for subsequent meetings. So when we hold a meeting before the Planning Commission or the City does, we will be able to put you on the mailing list for notices for when those hearings will be held. So, we'd like you to please fill that out. It also is helpful when we prepare the comments for the people that are reviewing the comments and responding to them, to properly identify who it was that made the comment. So if we have your handwritten indication on the card, we'll get the spelling of your name right and so forth. So that would be helpful.

Are there any questions about the form and content of the Public Hearing this evening?

Respondent #1: I have one question Dennis, just arose to my mind here. Does BART have any legislative input into this as they paid for this study with the City of Pittsburg and the County?

Mr. Barry: BART does not have legislative authority over land use. They do have decision-making that they will ultimately be making about the property at the BART Station and any property that they have control over. And when they make decisions like that, they have to comply with CEQA as a public agency. So that's why they would use this EIR for any decision-making that they would undertake.

Yes Ma'am:

Respondent #2: Can you explain to me where the EIR comes into play in the whole scheme of things? I don't know what order things are done in. Where are we in the scheme of things?

Mr. Barry: Sure. Initially, a proposal is put together by a combination - this is a joint project between the City of Pittsburg, the County of Contra Costa and the BART District. The City and the County and the District staff sat down together with a policy-making body that's composed of representatives of the legislative bodies of each of those groups and determined what the shape of the Specific Plan Proposal would be. (Respondent #2: When?) Back in 1997 (Respondent #2: O.K.) and there were, at that time, newspaper articles and publicity about the formation of the task force and the formulation of the Specific Plan. There was quite a bit of publicity back then. This proposal that's described as "The Project" in the EIR is the result of those discussions of what would be appropriate proposals to be considered. The California Environmental Quality Act requires that before a decision-making body like the Board of Supervisors or City Council makes a decision on a project that could have a significant effect on the environment, they must first comply with the analysis requirements and the disclosure of the potential significant impact and disclose what mitigation measures could be incorporated in the project in order to reduce those impacts hopefully to a level where they're no longer significant. Or if they're not able to reduce it to the level where it's not significant any more, then they have to adopt findings that say "Why not?". What's more important than those significant impacts? So, the Draft Environmental Impact Report, which analyzes the impacts of that proposal, is put together and sent out for public

comment and for agencies and the State to look at, and to determine whether the analysis that's contained in it is appropriate. Once that's done, a Response Document is prepared that responds to those comments. That Response Document, together with the Draft, is called a Final Environmental Impact Report. That Final Environmental Impact Report has to be reviewed and considered by the decision-making body before they make their decision. Once they do, then they can make a decision: yes, no or nothing.

Respondent #2: So this is only step one in a multi—step process and they have..., none of these steps been taken to either finalize whether this is actually going to be done or not, and nobody has been collected yes to do any of this?

Mr. Barry: Well, quite a bit of money has been expended in the preparation of the Environmental Impact Report, as I'm sure the consultants can attest.

Respondent #2: Has anybody been collected to do the project?

Mr. Barry: I'm sorry?

Respondent #2: Has anybody been collected to do the project?

Mr. Barry: No. There have been monies set aside by both the City and the County and the District for moving forward with the project approvals. The monies that would be expended, assuming that the project is approved ultimately, would mainly be private sector investment. And the property owners and others would works with agencies on projects that they would propose that were consistent with the Specific Plan that was adopted.

Respondent #2: Builders and whatnot...

Mr. Barry: Yes. So, although we're not at step one, we're probably at about the middle of the process you might say. Yes sir:

Respondent #3: Is there a possibility that Pittsburg will annex the landing

Mr. Barry: It's possible. That is within the sphere of influence of the City. Any other questions before we start on the testimony? Larry Wall.

Mr. Wall: Question... I still have, but I was curious about the community colleges referred to on the map in certain places, and I detailed explanation of what that was.

Mr. Barry: O.K. Well, that's something that you'd probably want to talk about in terms of testimony, and I would stress is what I'm here to do this evening is to take testimony, not to respond to the comments. That will be done in a subsequent step. We're preparing all the responses at one time; it won't be done tonight.

Respondent #3: Is there planning here for a community college?

Mr. Barry: No.

Respondent #3: O.K.

Mr. Barry: At least I didn't see any.

Respondent #4: Is there an extra copy of the Development, the Land Use Development....

Mr. Barry: Of the Specific Plan? Copies of the Specific Plan and the EIR are available in the local libraries and then they're available for purchase, both from the City and the County. I don't know if we have any extras this evening for sale. We do? (M. Toms: Three.) O.K. So if you want to see Maureen after the meeting about getting a copy, you are welcome to do that. By the way, Maureen Toms here is acting both as the recording secretary this evening, and is a Senior Planner with our staff and is a Project Planner on this application. So... yes sir?

Respondent #5: Since I haven't seen the map, can I bring up comments at the next meeting?

Mr. Barry: Yes. You can make comments about the project at the next meeting. Comments about the adequacy of the Environmental Impact Report should be made either tonight or in writing, prior to October 8th.

Respondent #6: How about Rezoning?

Mr. Barry: Rezoning is a subsequent step. Once the Specific Plan has been adopted, and maybe I should step back a bit; the General Plan is what's called the Constitution for Land Use for a city or county, and the General Plan controls land use. The Specific Plan adds detail to the general policies that are included in the General Plan. And then the Zoning is an implementation tool that carries out the policies and the guidelines in the General Plan and the Specific Plan. So, a rezoning would be done after the General Plan has been amended and the Specific Plan has been adopted. Then the zoning would be applied consistent with the policies in that document. O.K.? Any other general comments or questions?

O.K., then we'll start on the testimony. Richard Sestero is our first speaker.

Sestero: Mr. Barry, my name is Richard Sestero and I'm with Seeno Construction. The owner of the two parcels, they actually abut the BART Station on the West and the East. I think they're Area 1 and Area 3. We submitted some comments in writing that staff has received. I want to go over them briefly tonight. I won't read them but, just to talk about the BART thoughts and the EIR. The development of the Specific Plan has happened

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over it's almost three years now, I think, and during that time there's been a lot of things happening in the County. Certainly, everybody's aware of the increased traffic and there's a lot of talk about jobs/housing ratio. We're building a lot of houses in the east part of the County. The jobs seem to be in the central and west part of the County. There's a lot of interest in creating jobs locally in each of the cities and the County; to have people working closer to home and not commuting across the County. So, the other thing that's come up recently is the term "Smart Growth" and really, what that amounts to, I think, is putting jobs close to housing; have people being able to possibly walk to their jobs or be close to mass transit. And so I think this provides a real opportunity to do that. As we've thought about this over the last few years, we were concerned that the Specific Plan, now, it may be a little shortsighted, particularly around the BART Station Area, the immediate area. If we look at what's happened in Concord and Walnut Creek and Pleasant Hill at those BART Stations over the last twenty years, you can see there's very intense development and many big offices and high-density residential projects have sprung up over that time, and there's a very good reason. Again, it's the idea that people, if they have the opportunity to leave their car in the garage and take mass transit to their jobs or to walk from their homes to the BART Station, for instance, it makes a lot of sense. And so, as we've thought about this over the last year, while the EIR was being prepared, we're thinking: Why should the Pittsburg/Bay Point BART Station be any different? And so, what we really are thinking about is that maybe there should be another alternative that hasn't been addressed, and that would be a more intense alternative, particularly in the area immediately around the BART Station. And so, what we'd like to do is propose that Area 1, which is the 23 acres abutting the BART Station on the west, that the limits be raised on that area, as far as allowable development. We're thinking that a million to a million and a half square feet of office space may be appropriate as time goes on, and possibly up to ten stories in height, as you see in Pleasant Hill and Walnut Creek and Concord. The 65 unit—per-acre residential development that's already in the plan makes sense, but it becomes a question of how much of that you have and how much office? And also we agree with the idea of the commercial development in the area. But, what we'd like to propose that the higher density alternative be looked at and that our hands not be tied, so that as the market, let the market dictate in the future, the level of development, and also the mix of office, commercial and residential, and that an artificial ceiling not be placed on the area right now. And this, of course, has advantages to everyone involved here. Certainly by putting more intense offices and housing next to the BART Station, it'll increase BART ridership. It'll also help the East County jobs/housing ratio and there'll be more people locally to support local retail in both the Bay Point area and the Pittsburg area. There'll be more people during the daytime in the offices that can shop in the local retail stores. In the evening and on weekends, there'll be more local residents. The other advantage is that by putting the housing close to BART, of course, people can walk to their jobs in the new offices or they can walk to BART and stay out of their cars. Also there's an opportunity for reverse commute by people coming from Central County. They can take BART and walk to the new offices. So again, these are things that help to while maybe not exactly relieving traffic congestion, they probably are not really adding to it. And finally, that workers coming from the east part of the County can get off at this exit and go and work in these offices rather than continue going to Central County where the traffic doesn't get any better. Again, what we're requesting in

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our letter, and again tonight, is that a more intense alternative be looked at, particularly for Area A that would allow the market to determine the level of development. Obviously, with good planning and with respect for the adjacent homes in the area, that that higher level be considered so that when the decision-makers make their decision on the Specific Plan, that the EIR would be able to address that higher level if they elect to go that way. Thank you.

28-1

Mr. Barry: Thank you. George de la Cruz?

Mr. de la Cruz: Good evening, Dennis. Some of my comments may not be totally germane to the EIR, and let me apologize. I do have some short comments; I also submit them in writing. My name is George de la Cruz. I'm the Bay Point Municipal Advisory Council's representative on the committees for the Bay Point BART Specific Plan. I'm also the Director of Ambrose Recreation and Park District and a member of the Redevelopment Committee. I've been involved in the Bay Point BART Specific Plan from the very beginning, and I've been a committee member and I've attended each and every one meeting regarding the Plan, and I just have a few comments. Approval of this plan should move forward as fast as possible speed. The Plan has been well thought out and has been sliced and diced by all segments of the community and the elected officials and there are few, if any, flaws that I can see. I would like to support Mr. Sestero and the Seeno Corporation's idea of, perhaps increasing the density of the commercial development in the area. I thought about this at the very first. I do think that Senior should have probably brought this up at — Dick should have brought some of this up at an earlier meeting, but I guess the economy's picked up now compared to when these committees were formed and things may have changed, so move it up; ten stories is fine. Transit Village concept is an important part of this overall BART transit corridor picture. It'll work well in this area. I encourage that. I'm talking along, I guess, the same thing as Mr. Sestero talked about. Permit process has been worked out between the City of Pittsburg and the County is going to work great. It's going to encourage development in the area. And I would respectfully request that this Plan be approved and sent on to the Board of Supervisors. There's another matter, however, that was brought to my attention. The City of Concord has responded to this EIR and I thought some of the things they had to say were rather inappropriate and I would like to make comment for the record. Concord appears to, in my estimation, to be suffering from a little bit of a "sour grapes syndrome." They've been unable, for whatever reason, to develop around the Concord BART Station and I don't know if that's due to ineptitude or not having the foresight to formulate a decent development plan for that area. Pleasant Hill had this foresight with the Redevelopment Agency and they've done well. That's a real good thing. I did talk to some members of Concord's Planning Staff yesterday. They're right - they're sitting in the middle of the city. They haven't the access to the freeways that Bay Point and Pleasant Hill have. So we really have an opportunity here to move forward with some excellent development. Every comment that Concord seems to make, they infer that Bay Point shouldn't have the right to develop because we're an unincorporated area. That's ridiculous. If no unincorporated area could ever develop, no area would have ever become a city. That's plain as the nose on my face, and I'd like to comment on that. I don't know if the City of Concord ever looked at the Transit Village Concept. The impacts on traffic in the Concord area were addressed in this EIR and the traffic issues

were in place, irrespective of the Bay Point BART Specific Plan. Concord has simply ignored its traffic responsibilities in the Bailey Road/Concord Boulevard area they refer to. The lead agency has no responsibility to mitigate Concord in this area. Concord refers to 21,604 new trips a day. These trips would be there in the year that they claim that would be, whether this Bay Point BART Specific Plan went forward or not. Development around the Concord BART Station's only going to attract more cars to that area, and isn't that what they really want. The Lead Agency, which is Contra Costa County, has no obligation, or has an obligation, pardon me, to consider the best use alternatives for development, and it has. It just happens to be described in the Bay Point BART Specific Plan and in this ETR. Concord, if I may just add this and maybe it's inappropriate, but they seem intent on proposing barriers to traffic flow. I give you an example: the unmetered traffic on Ygnacio Valley Road to slow traffic down so people wouldn't use Ygnacio Valley through Concord. I think that's ridiculous, and in my estimation, asinine. I want to thank you, Dennis, for hearing me out and I hope all my comments were appropriate for this EIR. Thank you.

Mr. Barry: Thank you. Janet Homrighausen?

Ms. Homrighausen: Thank you; I'm Janet Homrighausen, a planner for the City of Concord, representing the City of Concord. Last night the City Council of the City of Concord did consider the Pittsburg/Bay Point BART Station Specific Plan Draft EIR. The City Council agreed to send a letter to, I think Mr. Kennedy was named as the contact person on the EIR, but I'm submitting it to the Zoning Administrator. Our letter details the City's comments on the Draft EIR, especially the areas of planning and traffic. The City strongly opposes the Specific Plan and, as explained in the letter, believes the County should not promote urban development in unincorporated areas.

Mr. Barry: I'm going to ask that everyone be given the same courtesy as all the speakers have been. Please, this is a public hearing. I would ask for some courtesy. Thank you.

Ms. Homrighausen: This concludes my comments. The detailed comments about the EIR, and thank you for your consideration.

Mr. Barry: Thank you. Allen Valentine?

Mr. Valentine: Good evening. My name is Allen Valentine. I am a Pittsburg Planning Commissioner, but tonight I'm speaking strictly as a citizen of Pittsburg. I have a few comments to make. One is you have on page 71, talking about the Stoneman Park. You mention that there's a rifle range at Stoneman Park. There is no public rifle range in the City of Pittsburg that's available at that park. I'd like that to be in the record. That is a Police firing range only. That is not public use. There's a street there that's called Rifle Range Road, but there's no public rifle range located in Stoneman Park. We mention, with development as it stands now, we're going to add 4,493 approximate new residents, and I'd like to know is that going to be on top of the approximately 6,000 plus residents

28-2

28-3

who are going to be moving into the San Marco when that is finally done. You mention on Section 10-5, SD about establishing a collection fee for new development based on what a particular business is going to contribute to traffic. I've seen plenty of documents where businesses come in and it says "no significant traffic impacts." So I'd like to see how that's going to be addressed, when, if another McDonald's opens up. How are they going to get billed for that traffic that's brought in to them. I also notice a severe lack of any input from Tri-Delta Transit. This is supposed to be a Transit-Village. All I've seen so far is cars, cars, cars, cars, cars and BART. That's, I think, what we're trying to get away from: cars, cars, cars and BART. There's no mention of any type of taxi services that will help alleviate transportation problems in the BART area, or in East County in particular. Taxi services work in many other large cities and small cities to alleviate traffic. You have on Section 10-2 1, last paragraph, about building a BART garage for 380 cars, and there we go again, cars and cars. I think we should be looking at the dollar costs to benefit vs. turning that money over to Tri-Delta Transit to increase bus service, times and routes. And I don't see that addressed at all in the document. I have to digress a little bit and agree with the Seeno Construction Company to a specific point. I think we should go as intense development in that location as possible up and to creating another cement environment. I don't think that's what any of us actually want is to have a cement city. Once again, we have to look at the cost benefits to BART building areas for more cars vs. using other alternate means of transportation to get to and from the BART Station. On Section page 15-5, we're talking about the wildlife status. I just don't see the reason why we would destroy an environmental area just to re-create it somewhere else. There's many areas that this document is including that, in my humble opinion, is not developable when you have ravines and landslides in that area. it mentions here that raptors should not be disturbed during breeding season. O.K. Breeding season's over. Where are we supposed to send those birds? I think one of the reasons why, besides affordable housing, a lot of us moved out here because of the environmental quality. I, for one, did not want to see cement and blacktop over raptors and other wildlife. Again, on 15-7, there's more about Lawlor Creek: why we would want to change that, fill it in, just to have to create a creek somewhere else just to handle the flooding that it's going to create when we keep putting more cement down. Section 15-10: I think we should pay attention more to preserving one of the most valuable resources in this area is our environment and the open space that we all enjoy quite a bit. Other than that, I would say that the document is very good, but we really have to start concentrating on getting people out of their cars. I think that's the concept of this whole plan. C. Klein Construction Company has the right, let's get to intense development office with some more intense housing units, not single family, but townhouses, apartment buildings... not apartment buildings, apartment complexes. And we really need to get Tri-Delta Transit to input on this, that the bus system, as it stands now, is very inadequate because simply, somebody sitting down and calculating when the BART trains come and go, people would need these systems. But there's absolutely nothing in this document from Tri-Delta Transit. I find that extremely disappointing. This is a transit—village. The last time I checked, Tri-Delta Transit is a public transit agency, and I'd like to see some input from Tri-Delta Transit. Thank you.

28-3

28-4

28-5

Mr. Barry: Thank you. I notice there are a number of people who are standing or sitting on the floor. There are four chairs up here if anyone would like to use 'em. I don't stand on ceremony. These aren't sacred or anything. I know it gets uncomfortable after a while sitting and standing. Thank you very much. I'm going try this; may not get it right. Dimitri Kiradai? Kiradais?

Mr. Karadais: Hello. My name is Dimitri Karadais. Tin speaking on behalf of Monica Cervantes, which we are representing TIGHT - Tobacco Industry Gets Hammered by Teens, and the West Pittsburg/Bay Point East County Youth Connection. Can old dogs learn new tricks? The people of West Pittsburg/Bay Point are tired of watching the County roll over and play dead to cities and developers while our law both should be servicing our community is annexed and built on by outsiders. In the EIR, it goes as far as to say that extra 769 students that a housing project could generate, would not affect the Mt. Diablo Unified School District. The arrangements of the School District has been affecting this community as individuals on a daily basis for over twenty years. We're tired of being Pittsburg's stepchild and Concord's nuisance. Use this land to serve our youth. Invest in our future. How else are we going to make this land more productive than by using it to better up our own community; by honoring our residents and educating our youth instead of tearing up our soul to bring in people who find themselves without facilities to serve this community. Save our land. Stop shipping LIS outside our community for services that are entitled to us and have been for years - over twenty years. Our most precious assets are being deprived and ignored. Give them their education. Give them this land in hopes of giving them a school. Let them stay in a community that cares about them instead of shipping them into a community where they are strangers. That's from Monica Cervantes. And I would like to state that in the EIR it doesn't say anything about possible high school. if you know, there's many high school students in Bay Point — the last time I checked there's over 1,200 and it's going to bring over 200 more -and how are you going to attract people to live in an area where you have to send to Mt. Diablo High School that's at least thirteen miles to a high school? And on top of that, Mt. Diablo High School is ranked the worst school in the Mt. Diablo Unified School District. So wouldn't it be smart to think about putting up a high school here in Bay Point? Thank you.

28-6

Mr. Barry: Thank you. Christopher Hoffman?

Mr. Hoffman: My name is Chris Hoffman and I serve on the Bay Point Project Area Committee, but I'm speaking tonight, basically, as an ordinary resident of Bay Point. And I think I want to preface my comments with a general comment, then I'll make a few comments that are specific to the plan itself. The general comment, I guess I would say, is that simply cities or towns or communities, by their nature, really have a choice of going in one of three directions. They can either move forward, they can remain static or they can go backward. And, with regard to the concerns raised by Concord, I simply say that it is their position that we, as a community, are not allowed to move forward, and they're really saying that we only have the right to remain in place or to move backward.

28-7

The BART Specific Plan for Bay Point, while not perfect, represents a great deal of hope; the hope that we as a community, have the choice of moving forward and actually looking out for our own interests. There's issues of High School Street with an expanding population, certainly by 2010. And I think that if ultimately if we are to side with Concord, and perhaps other communities that raise these issues as well, and say that unincorporated communities by virtue of being unincorporated have no say or no ability to move forward, then they're essentially consigning us to decay and stasis, and that is, surely we deserve more than that. Now, my specific concerns, as I said before, its not a perfect plan, it's a good plan. I'm very excited about it, relate to the height issue along Willow Pass, and I guess I say this out of selfishness since I happen to live near there, but I'm concerned about the height limit being fifty feet which may be incorrect, but I suppose it's around three stories or so. And I remember that the plan itself talks to the issue of fitting in with the local community character, and it seems to me that a height limit of fifty feet, however stories that ends up being, is not quite in keeping with the character. I think the height limit should actually be shorter along the Willow Pass corridor. The issue of BART capacity crossed my mind as well with regard to the Transit Village that were talked about - some 2000-odd units being added. I actually ride BART somewhat frequently, and in my experience between the seven and eight a.m. hour, which is the normal rush hour, at a time we leave here and arrive and leave the Concord Station, which is just two stations from here, there's only standing room on the BART. So I question the ability of BART actually to deal with the capacity envisioned by having this expanded population taking. BART here. The last issue I wanted to raise simply will to what might even be just a hare-brained scheme. But the issue of an Art Community or an Art Colony. And I point you in the direction of Hunter's Point, which was converted into an Art Colony by the Navy, and also the Marin Headlands which likewise has done the same thing. And I would suggest that Bay Point would be a prime location to build lofts, essentially, in the light—industrial or quasi—commercial areas which could, essentially, be presented to artists and would not only enhance the cultural richness of Bay Point itself, but ultimately would really be a good combination of interests between artists and our community. So those are my suggestions or concerns, and I appreciate your time.

28-7

Mr. Barry: Thank you.

Mr. Orozco: O.K. My name is Jaime Orozco and I'm just coming to speak. I live here in Bay Point. I've lived here for seven years and I have children and in about three or four years, they'll be going to school to high school, and we don't have a high school here and I think it's a time. I read some of the reports are from page eight and three. They don't mention very much stuff about education for our kids and our kids is our future for everyone. If we don't have a school to teach our children to become lawyers and teachers and doctors and electricians and plumbers, we're not going to have a very good future here. And I just want to add that we need our land also. And we need it at the high school. That's all I need to say.

Dennis: Thank you.

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Mr. Orozco: Thank you.

Mr. Barry: That's the last speaker card that I have. Would anyone else like to make a comment on the Environmental Impact Report before we move on? Mike Stoddard?

Mr. Stoddard: Thank you Mr. Barry. My name's Mike Stoddard. I'm the attorney for Far Hills Mobile Park. One of the proposed uses is the subject of a study. I sat for three years on the policy advisory committee, and watched the study proceed. It led to the Draft ER. I've reviewed the Draft EIR and I find it, from my observations, to be extremely complete. I would echo what George de la Cruz has said and urge that that Draft EIR be approved; that it move with dispatch to go for public hearing before the County and the City and that we move forward with the Specific Plan. Thank you,

Mr. Barry: Thank you very much. is there anyone else that would like to come forward and speak? Would you like to speak on the EIR? (No) Thank you; just making sure; give everybody the opportunity. There being no other speakers who would like to come forward and make comments on the adequacy of this EIR, I'm going to close the hearing and direct the staff to prepare a transcript of the comments that have been received, to assemble those comments along with any written comments received by the October 8th, 1999 at 5:00 o'clock; to transmit those to the Consultant to prepare a Response Document which the staff determines to be adequate for forwarding back to me to review in a Public Hearing and to make recommendation to the Board of Supervisors. Item Number 3 on our Agenda: Is there a staff report? (voice: No.) O.K., then this meeting of the Zoning Administrator is adjourned. Thank you.

- 28-1 This comment re-emphasizes points contained in Letter #21 received from West Coast Home Builders. The comment describes the advantages of creating high-density office and commercial uses adjacent to the BART station. This concept was later evaluated as Alternative 5: Very High Commercial/Office and Low Residential, in Chapter 17: Alternatives of the July 2001 Recirculated Draft EIR. No response is required.
- 28-2 This comment identifies an inaccuracy in Chapter 7: Parks and Recreation, page 7-1, of the August 1999 Draft EIR. It provides the correction that no rifle range is provided at Stoneham Park. The text of the Draft EIR is revised as follows:

City of Pittsburg

There are no city-owned park facilities located in the Specific Plan area. Stoneman Park, the nearest city-owned park facility, is located off of West Leland Avenue, southeast and outside of the planning area. This park provides passive recreation opportunities, picnic areas, **and** a soccer field. ~~and a rifle range.~~ Additional parkland (5 acres) is proposed as part of the Oak Hills development. The San Marco development proposes a 36-acre community park. Two smaller community recreation areas that would provide ball fields and courts, as well as three village parks also would be included in the new development.

- 28-3 This comment requests a clarification of the population estimate associated with development proposed in the Specific Plan, and whether it includes the San Marco development. The estimate of 4,493 residents does not include the San Marco development.
- 28-4 This comment questions the need for a parking garage of 380 spaces at the BART station and calls for more emphasis on bus service than on BART and automobiles. The proposed parking garage with a capacity of about 2,000 cars would be built in the long term. The garage would replace the parking currently provided in the at-grade parking lot. In the short term, an at-grade parking lot of approximately 380 spaces would be created on a vacant 3.45-acre parcel. The purpose of this parking lot, and resultant impacts, are addressed in detail in Chapter 10: Transportation, page 10-55, Impact 10-7 of the July 2001

Recirculated Draft EIR. See responses in Letters #11 (MTC) and #12 (Tri Delta Transit) dealing with bus service.

- 28-5 This comment erroneously states that the Specific Plan would disrupt wildlife and result in the fill of Lawlor Creek. No alterations of any kind are proposed to Lawlor Creek. The issues of potential impacts to wildlife and wetlands are addressed in Chapter 15: Vegetation and Wildlife, pages 15-12 and 15-13, under Impacts 15-3 and 15-4. Impacts to wildlife are considered less than significant. Impacts to wetlands were considered potentially significant without mitigation. With mitigation, impacts would be reduced to less-than-significant levels.
- 28-6 This comment points out that the Draft EIR does not "... say anything about a possible high school." The potential impact to schools is described in Chapter 8: Community Services and Utilities, pages 8-18 and 8-19, Impact 8-3, of the August 1999 Draft EIR. Approximately 198 students of high school age would be generated by the projects proposed in the Specific Plan. The analysis in the Draft EIR points out that classroom overcrowding is a current problem. The addition of 769 students (198 high school students; 176 middle school students, and 395 elementary school students) could exacerbate the problem. Mitigation Measure 8-3 (b) has been revised in this Final EIR to include the changes requested by the Mount Diablo Unified School District. See Response 27-3.
- 28-7 This comment summarizes comments later submitted in Letter #23. Please refer to responses to Letter #23 provided in this Final EIR.



3

**REVISIONS TO THE DRAFT EIR
AND RECIRCULATED DRAFT EIR**

REVISIONS TO THE DRAFT EIR/ RECIRCULATED DRAFT EIR

The revisions and additions to the Draft and Recirculated Draft EIR text included throughout Chapter 2: Comments and Responses are presented sequentially within this chapter.

Chapter 1: Introduction

Page 1-15:

Seventh bullet to the list

Other Environmental Permits and Agreements

Implementation of projects contained in the Specific Plan may require additional permits and agreements from the following agencies:

...

- **East Bay Regional Park District (EBRPD) – an encroachment permit will be required from the EBRPD for construction activities associated with, or that would impact, the Delta de Anza Regional Trail. This encroachment permit is part of the license agreement between the EBRPD and the East Bay Municipal Utility District (EBMUD).**

Chapter 3: Project Description

Please refer to Appendix A for revised figures contained in Chapter 3: Project Description.

Page 3-25:

Paragraph 2

Bus Transit

With the opening of the BART station, Eastern Contra Costa Transit Authority (~~Tri-Delta~~ **Tri Delta Transit**) reorganized its routes to bring all its local services into the transit center at the station. Three **Monday through Friday, five** routes (Routes 380, **387, 388, 389 and 390**) provide local service within the Specific Plan area; **on Saturday, Sunday and holidays, two routes (Routes 392, 393) provide local service within the Specific Plan area.** In addition, ~~Tri-Delta~~ **Tri Delta Transit** has recently taken over the operation of the East County BART Express Bus service currently designated as ~~Route 390~~ **Routes 391 and 392**. BART complies with the Americans with Disabilities Act (ADA) requirement to provide paratransit service which is comparable and complementary to the BART system. Federal ADA regulations define the ADA paratransit service area as a three-quarter-mile radius around a BART station. BART has arranged to provide funding to ~~Tri-Delta~~ **Tri Delta Transit** to provide paratransit service on behalf of BART.

Chapter 5: Land Use

Page 5-1:

Paragraph 2

The Specific Plan provides a framework for the orderly development and redevelopment of the BART Station and surrounding area. The station opened for service in the fall of 1996. It has since encouraged new development in the planning area. The plan seeks to capitalize on the presence of BART's heavy rail system and the ~~Tri-Delta Transit~~ **Tri Delta Transit** bus service. The Specific Plan supports the public's transit investment in the region, and is compatible with BART's joint development policy adopted in 1984. The Specific Plan is designed to encourage peak BART patronage in the eastbound (reverse commute) direction to take advantage of unused capacity on BART. It emphasizes high quality residential development and land uses that create jobs in the form of commercial retail and office uses.

Page 5-11:

Last line/bullet

Transportation and Circulation

- Encourages the use of public transit on BART and ~~Tri-Delta Transit~~ **Tri Delta Transit**.

Chapter 7: Parks and Recreation

Page 7-1:

Last paragraph

City of Pittsburg

There are no city-owned park facilities located in the Specific Plan area. Stoneman Park, the nearest city-owned park facility, is located off of West Leland Avenue, southeast and outside of the planning area. This park provides passive recreation opportunities, picnic areas, **and** a soccer field, ~~and a rifle range~~. Additional parkland (5 acres) is proposed as part of the Oak Hills development. The San Marco development proposes a 36-acre community park. Two smaller community recreation areas that would provide ball fields and courts, as well as three village parks also would be included in the new development.

Page 7-2:

Paragraph 3

Regional Parks and Preserves

Contra Loma Regional Park in Antioch is within a 30-minute driving distance of Pittsburg and Bay Point residents. The 776-acre park offers fishing, swimming, boat rentals and boat launch facilities, picnic areas, paved biking/walking trails, hiking/riding trails, and disabled accessible facilities. ~~It is under the jurisdiction of the EBRPD.~~ **The EBRPD conducts recreation at Contra Loma Regional Park in accordance with a Management Agreement with the USA (1972); however, the parkland is federally-owned and administered by the U.S. Bureau of Reclamation as part of the Central Valley Project (CVP) with the waterworks facilities (Contra Loma Dam and Reservoir) operated and maintained by the Contra Costa Water District. The Management Agreement allows EBRPD to conduct recreation in a subordinate role to water regulation and the CVP.**

Chapter 8: Community Services and Utilities

Page 8-1:

Paragraph 1 under 8.1 Setting

Water

The Contra Costa Water District (CCWD) serves approximately ~~400,000~~ **440,000** people throughout north-central and east Contra Costa County. Its

clients also include 10 major industries, 36 smaller industries and businesses, and 50 agricultural users. CCWD operates raw water distribution facilities, water treatment plants, and treated water distribution facilities. CCWD supplies raw and treated water to Antioch, Concord, Diablo Water District (serving Oakley), Pittsburg, Southern California Water Company (serving Bay Point), Martinez, and parts of Pleasant Hill and Walnut Creek.

The treated water service area for CCWD encompasses all or part of the cities of Concord, Clayton, Clyde, Pleasant Hill, Walnut Creek, Martinez, and Port Costa. Treated water for this service area is provided from the District's Bollman Water Treatment Plant in Concord. The Bollman facility is a 75 million gallons per day (mgd) conventional plant ~~which is currently being~~ **that was** upgraded to include intermediate ozonation. CCWD also supplies treated water to the Diablo Water District (DWD), which serves customers in Oakley from a plant jointly owned by CCWD and DWD, **and to Bay Point from a recent pipeline extension from the Bollman Plant.** The Randall-Bold Water Treatment Plant is a 40 mgd direct/deep-bed filtration plant which utilizes both pre- and post-ozonation to provide a high-quality drinking water to the customers in its service area.

Page 8-2:

Line 1

. . . City of Antioch and Gaylord Container, both customers of the district, also have water rights permits to divert water from the Delta.

First full paragraph

The actual amount of water supplied is subject to regulatory or temporary restrictions that may be imposed during drought conditions or other conditions. CCWD can divert up to 26,780 AFA of water from Mallard Slough when water quality is acceptable (i.e., generally under 100 mg/l chloride); however, when this supply is used it must be deducted from the CVP supply. CCWD has ~~a current~~ **an** agreement with the East Contra Costa Irrigation District (ECCID) for the use of up to 21,000 AFA ~~(i.e., full entitlement available by 2010) only within the ECCID service area portion that overlaps with CCWD boundaries. However, up to 7,000 AFA of this ECCID supply has been sold to the City of Brentwood, and a new contract with ECCID will reduce that total supply to approximately 8,000 AFA. These sources bring CCWD's total water supply to approximately 203,000 AFA.~~ **8,200 AFA within the portion of the ECCID service area that overlaps with CCWD boundaries. Additionally, in dry years, 4,000 AFA of groundwater is available from ECCID through an**

exchange. This water can be used anywhere in the CCWD service area.

Page 8-4:

County Policy 7-21

7-21. At the project approval stage, the County shall require new development to demonstrate that adequate water quantity can be provided. The County shall determine whether (1) capacity exists within the water system if a development project is built within a set period of time, or (2) capacity will be provided by a funded program or other mechanism. This funding will be based on information furnished or made available to the County from consultations with the appropriate water agency, the applicant, or other sources.

Note: California Senate Bill (SB) 901 effective January 1, 1996, requires cities and counties to request a water supply assessment from public water systems applying to General and Specific Plans and projects at certain development thresholds. With reference to plans, the threshold criteria (i.e., including the development of more than 500 dwelling units) applies to the net increase in population and building intensity.

Page 8-11:

Last two paragraphs

Fire Protection Service

The Contra Costa County Fire Protection District (**CCCFPD**) provides fire protection, **rescue services, and emergency medical** and suppression services **to the citizens of** for the City of Pittsburg and **the** surrounding Bay Point (**unincorporated**) community. ~~In addition,~~ **The District** also provides ~~primary fire protection services to the majority of the County, including~~ **cities of** Antioch, **Martinez, Pleasant Hill, Concord, Clayton, Walnut Creek, San Pablo, Lafayette, and to the communities of** Oakley, ~~Concord, Clyde, Pacheco,~~ **El Sobrante, and North Richmond.** ~~Martinez, Walnut Creek, Lafayette, areas of West County, and some unincorporated areas.~~ It also **The District** provides **Fire Prevention, Plan Review, and Fire Investigation** services to ~~Orinda, Moraga, Brentwood, the Oakley, and Bethel Island, and East Diablo Fire Districts.~~ **CCCFPD serves the area from** ~~The District operates out of thirty fire stations located throughout its jurisdictional area.~~

The District maintains mutual aid agreements with all fire districts within Contra Costa County including the ~~East Diablo Fire Protection District, East Bay Regional Park District, California Department of Forestry, and private industrial~~ **fire departments** companies located within its jurisdiction. ~~These agreements provide the District with emergency response assistance on an as-needed basis.~~

Page 8-12:

Paragraph 1

Facilities

~~Battalion 8 of the District provides fire protection services for Pittsburg, Antioch, Oakley, and surrounding unincorporated areas such as Bay Point. There are a total of nine stations in the battalion, including two reserve stations located in Oakley. Three fire stations—stations 84, 85, and 86—currently serve Pittsburg and Bay Point. The station located within the Specific Plan area is Fire Station 86, Bay Point, located at 3000 Willow Pass Road.~~ **Battalion 8 of the District provides fire protection services to Pittsburg, Antioch, and Bay Point. There are a total of eight fire stations in the Battalion, each with a minimum of three firefighters on duty. Four fire stations – 84, 85, 86, and 87 – currently serve Pittsburg and Bay Point. The fire station location within the Specific Plan area is Station 86, located at 3000 Willow Pass Road, Bay Point.**

Page 8-15:

Paragraph 5, following Impact 8-1

Prior to development of the Specific Plan, a broad estimate of expected growth (without the Specific Plan) was assumed under both the County and City of Pittsburg general plans. This assumption involves about 263,000 gsf of commercial uses and about 5,600 total dwelling units. **The estimate of 5,600 dwelling units comprises about 3,100 units within the Specific Plan area, and 2,500 units in the surrounding area.** The water demand from this assumption is approximately....

Page 8-16:

Mitigation Measure 8-1

MITIGATION MEASURE 8-1. Since the timing of CCWD system improvements is uncertain, either the City or County, depending which jurisdiction a project is proposed to be developed, would apply the facility or service standards in its adopted Growth Management Element. **If certain development thresholds are met as established by SB 901, the**

County or the City would request a water supply assessment from CCWD. The demonstration of water availability would be required as a condition of approval during project design review of Specific Plan projects. This measure would mitigate the impact to a less-than-significant level.

Page 8-19:

Mitigation Measure 8-3

MITIGATION MEASURE 8-3

- (a) Since the timing of local school system expansion and improvements is uncertain, either the City or County, depending on the location, would apply its school impact standards in its adopted Growth Management Element. The demonstration of compliance with established school facility and staffing standards would be required as a condition of approval during project design review of Specific Plan projects. This measure would mitigate the impact to a less-than-significant level.

- (b) All applicants of Specific Plan projects would be required to comply either with County, City of Pittsburg, **and/or Mount Diablo Unified School District** school impact fee requirements, depending on the location of the housing development. As a requirement of BART's development agreement for constructing up to 1,790 housing units at the BART station, a project school financing and cost distribution plan should be prepared that demonstrates to County, City, **and MDUSD** satisfaction that sufficient funding will be available as and when needed to construct school facilities to comply with applicable County, City **and/or MDUSD** policies and standards. These measures would mitigate the impact to a less-than-significant level.

Page 8-20:

Following Impact 8-5

As described in the Setting section, Fire Station 86 is located within the Specific Plan area at 3000 Willow Pass Road. **The station, constructed in 1946, houses one fire engine, and is of inadequate design and size to house firefighters or store apparatus. The fire station does not meet earthquake standards, does not have a hazardous waste and decontamination station, or physical fitness training space. The station does not have adequate outside space for training or drills, and was not designed for both sexes or to meet accessibility requirements. As of this date (September 2001), the Fire District has identified a site**

which is of adequate size for the relocation and reconstruction of Fire Station 86. All areas of the Specific Plan are accessible from Fire Station 86 within five minutes of notification. The Specific Plan area is approximately 0.5 mile in diameter, such that all properties within the plan area are within 1.5 miles of the station. Since these emergency response criteria would be met, it is unlikely that development from the Specific Plan would adversely affect the District's National ISO rating. This impact is considered less than significant.

Mitigation Measure 8-5

MITIGATION MEASURE 8-5. Since the design, orientation, and infrastructure of new commercial and residential development have only been conceptually defined, the full impact on the local fire protection service cannot be estimated. **In the long term,** either the City or County, depending in which jurisdiction a project is proposed to be developed, would apply its fire protection facility and service standards in its adopted Growth Management Element. The demonstration of compliance with these standards would be required as a condition of approval during project design review of Specific Plan projects.

In the short term, the replacement of Fire Station 86 is required due to its inadequate design and size. The developers shall, as development occurs, fund the replacement cost of the station. The 2001 costs will be \$1.50 per square foot for the office and commercial buildings, and \$500 per dwelling unit, payable upon receipt of a building permit. These costs shall be adjusted annually to correspond with the Consumer Price Index (CPI) for the nine Bay Area counties. This measure would mitigate the impact to a less-than-significant level.

Chapter 10: Transportation

Please refer to Appendix A for revised traffic figures and Appendix B for revised traffic tables contained in Chapter 10: Transportation.

Page 10-9:

Last full paragraph

Regulatory Agencies

The City of Pittsburg has jurisdiction over all City streets and City-operated traffic signals. The freeways, freeway ramps, and State routes (such as State Route 4—"Highway 4") are under the jurisdiction of the State of California Department of Transportation (Caltrans). The transit service providers have jurisdiction over their services. These transit

providers include BART, ~~Tri-Delta Transit~~ **Tri Delta Transit**, and County Connection fixed-route bus service (**although County Connection does not currently operate buses in the Specific Plan area.**)

Page 10-11:

Prior to 10.1 Setting

Eastern Contra Costa Transit Authority

The Eastern Contra Costa Transit Authority (ECCTA) is a joint powers agency established in 1977 to plan and operate transit service in the Eastern County. It is comprised of four jurisdictions including Antioch, Brentwood, Pittsburg, and unincorporated Eastern Contra Costa County. In addition to fixed route services, ECCTA administers paratransit services within the ECCTA service area.

Page 10-36:

10.2 Standards of Significance, 10th and 11th bullets

- **If** the peak load factor on the BART Concord Line is increased **by the project** to over 1.15.
- If proposed **Specific Plan** parking standards are inconsistent with established policies and standards of the City of Pittsburg and Contra Costa County.

Page 10-48:

Mitigation Measure 10-1

MITIGATION MEASURE 10-1. The following measures would provide acceptable operation at the two intersections experiencing significant impacts due to the addition of project traffic. **These measures will require approval by the City of Concord and amendment of the Concord General Plan:**

Bailey Road / Concord Boulevard

- Provide exclusive left-turn lanes on the northbound and southbound Bailey Road intersection approaches along with protected left-turn phasing for the north- and southbound intersection approaches.

Resultant PM peak hour operation: LOS D — V/C = .88

Bailey Road / Myrtle Drive

- Provide signalization and an exclusive left-turn lane on the southbound Bailey Road intersection approach.

Resultant AM peak hour operation: LOS B — V/C = .68

Resultant PM peak hour operation: LOS C — V/C = .74

Page 10-49:

Mitigation Measure 10-3

MITIGATION MEASURE 10-3: The following measures would provide acceptable operation at the two intersections projected to experience significant impacts due to the addition of project traffic. Most measures would already be required to provide acceptable Base Case (without project) operation. **These measures will require approval by the City of Concord and amendment of the Concord General Plan:**

Bailey Road / Myrtle Drive

- Provide signalization and an exclusive left-turn lane on the southbound Bailey Road intersection approach.

Resultant AM peak hour operation: LOS C — V/C = .76

Resultant PM peak hour operation: LOS D — V/C = .87

Bailey Road / Concord Boulevard

- Add exclusive left-turn lanes to the northbound and southbound Bailey Road intersection approaches along with protected left-turn phasing for the north- and southbound intersection approaches (required for Base Case operation). These improvements would bring Specific Plan operation to the same or better levels than Base Case operation (but not necessarily to an acceptable level of service).

Resultant AM peak hour operation: LOS C — V/C = .79

Resultant PM peak hour operation: LOS E — V/C = .99

- In addition to the improvements listed above, provide ~~seven~~ exclusive right-turn lanes on the westbound Concord Boulevard approach and on the northbound ~~Concord Boulevard~~ **Bailey Road** approach. These additional improvements would provide overall acceptable intersection operation.

Resultant AM peak hour operation: LOS C — V/C = .75

Resultant PM peak hour operation: LOS D — V/C = .87

Page 10-50:

Transit Service Demand at Buildout in Year 2010, following Impact 10-5

To estimate transit trips related to Specific Plan development at buildout, two procedures were used (see Table 10-12). Initially, the projected number of total daily auto trips eliminated from the local roadway system was determined based on the transit percentage reductions shown in Table 10-6, Trip Generation Summary. Next, a factor was applied converting auto trips to person trips. The result is an estimate of total daily trips on Tri-Delta Transit buses and on BART. ~~Three Tri-Delta Transit~~ **Seven Tri Delta Transit** routes currently serve the Specific Plan area: Routes 380, **387, 388, 389, 390, 392 and 393**. A second procedure to determine project transit trips was then employed based upon BART management estimates of the number of BART customers expected from development in close proximity to a BART station (i.e., one person per residential unit and 10 percent of office employees have been found to use BART when within walking distance of a BART station). ~~Tri-Delta Transit~~ **Tri Delta Transit** has no such historical data¹¹; best estimates have therefore been made regarding expected use of the local bus system for this second procedure.

Page 10-53:

Paragraph 2

~~Tri-Delta Transit has indicated that improvement to local route service would be made incrementally~~ **Tri Delta Transit plans to add additional local route service incrementally** over time, as ridership levels warrant. There are currently no capacity problems on any of the routes serving the Specific Plan area.

Page 10-61:

Endnote 11

¹¹ Steve Ponte, ~~Tri-Delta Transit~~ **Tri Delta Transit**, December 1998.

Chapter 17: Alternatives

Please refer to Appendix A for a revised Figure 17-5 (Alternative 6).

Page 17-5:

Second bullet under the heading Development Zone III

- ~~57~~ **70** residential units at a density of 20 du/ac on a parcel located at Canal Road near Alves Lane, or an increase of ~~22~~ **35** units compared to the **development assumed for this parcel in the** Specific Plan.

Chapter 19: Abbreviations

Page 19-1:

Following "CBD"

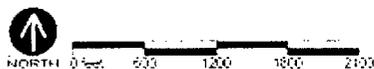
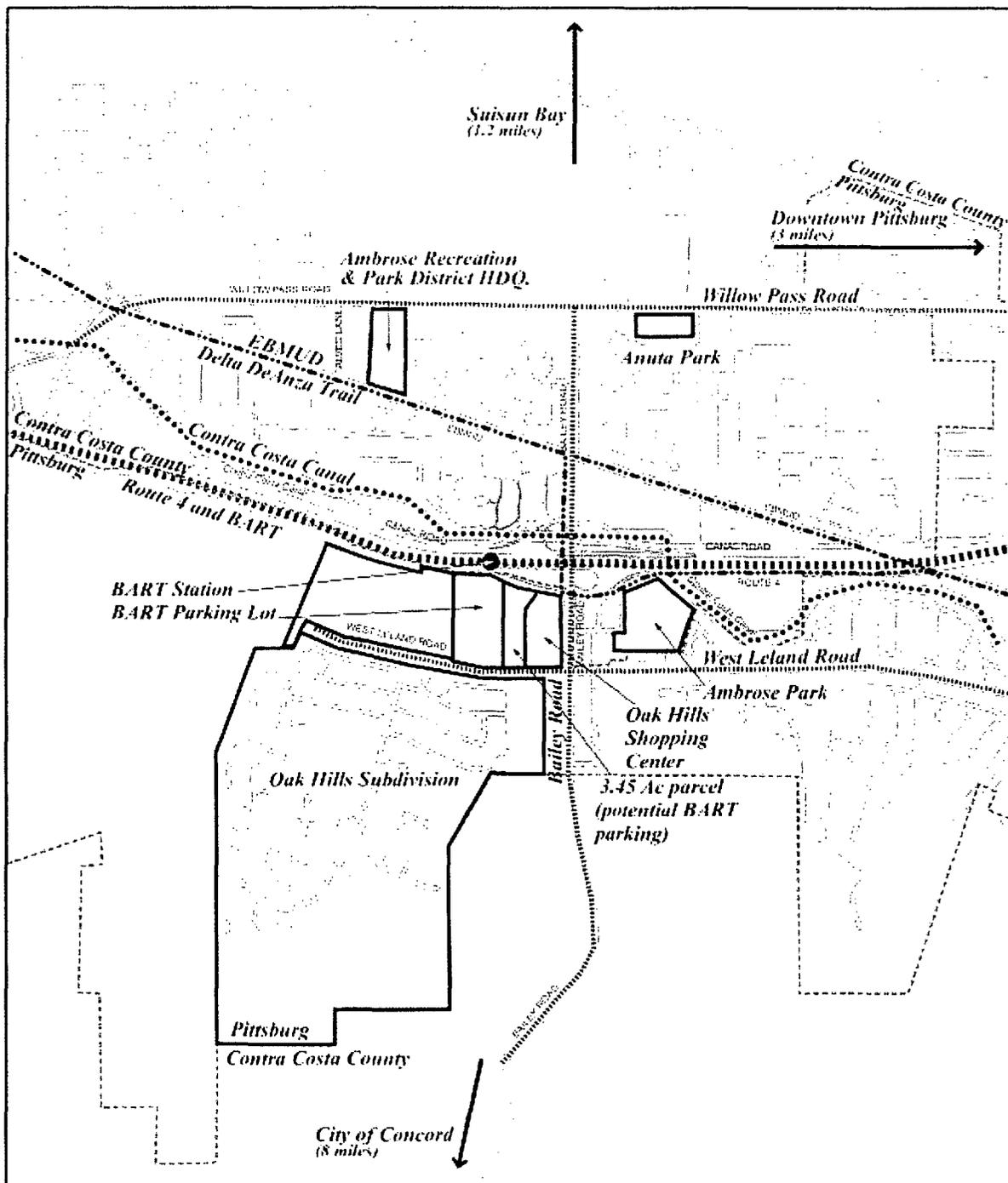
CCCFPD **Contra Costa County Fire Protection District**

Page 19-2:

Following "ECCID"

ECCTA **Eastern Contra Costa Transit Authority (Tri Delta Transit)**

Appendix A
REVISED FIGURES



Source: Pittsburg/Bay Point BART Station Area Specific Plan Public Review Draft, November 1997

FIGURE 3-3
Local Setting

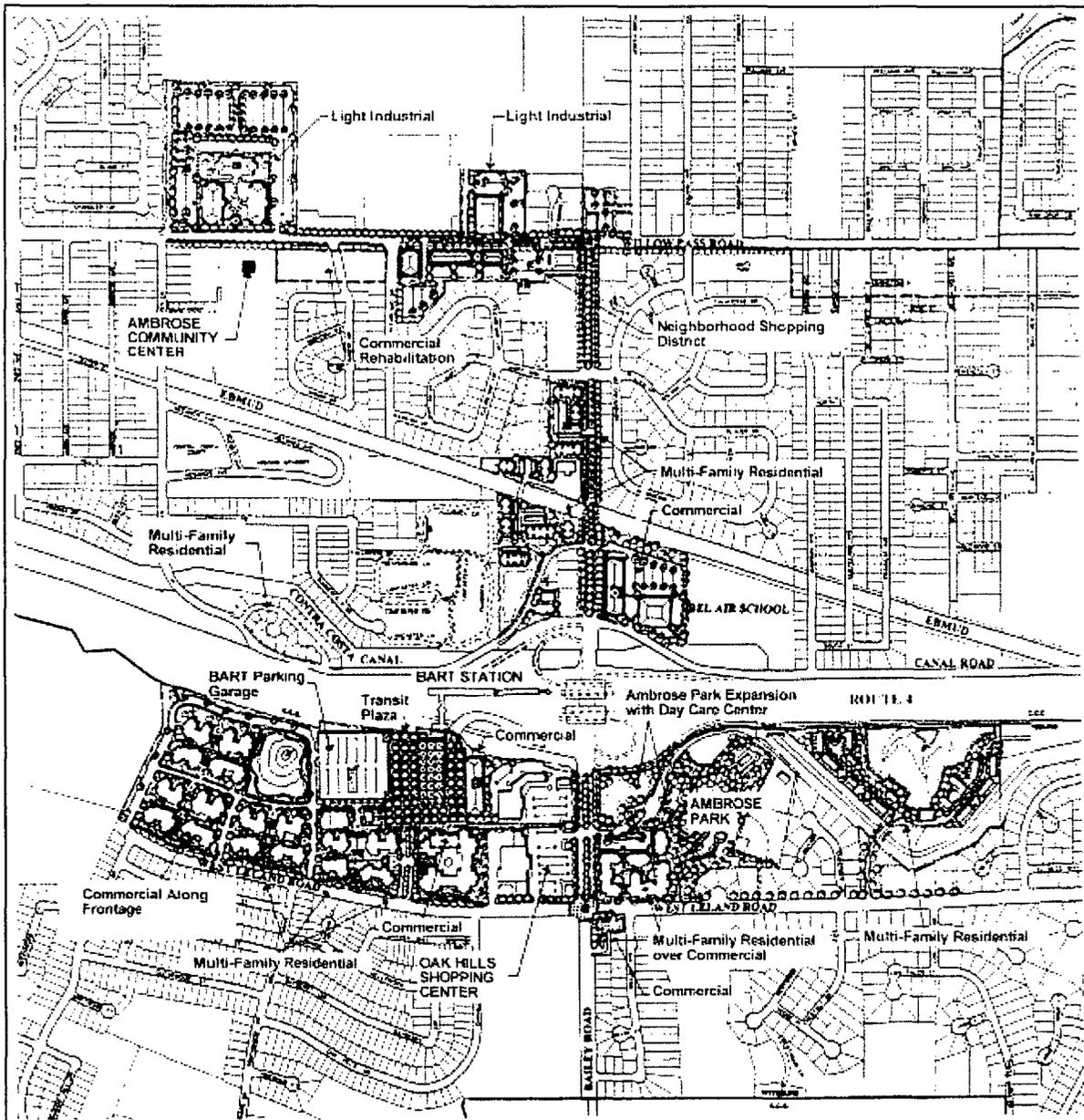


FIGURE 3-9
Conceptual Urban Design Plan



Source: Pittsburg/Bay Point BART Station Area Specific Plan Public Review Draft, November 1997

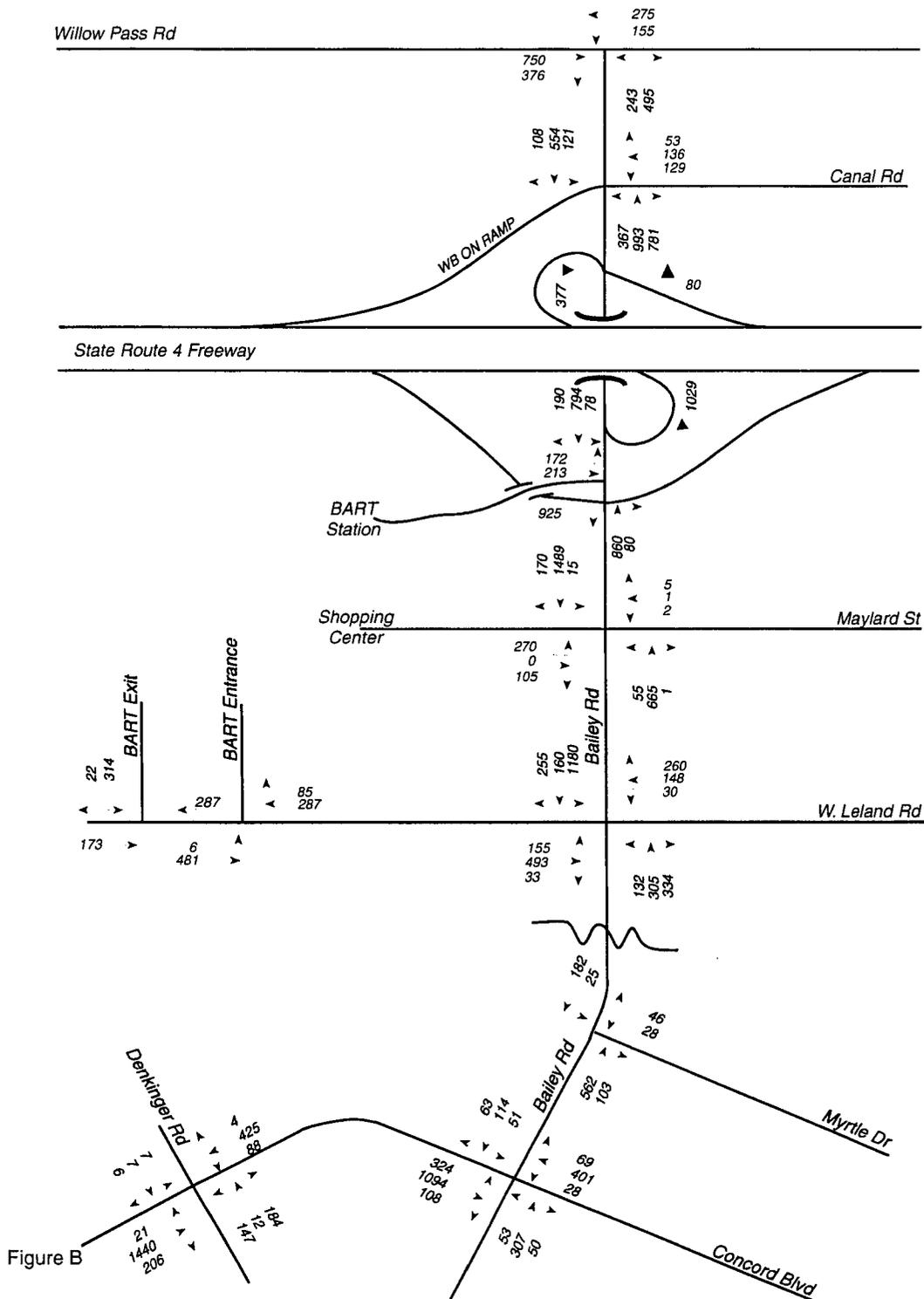


Figure B

FIGURE 10-3
2000 Traffic Volumes
Without Project
PM Peak Hour



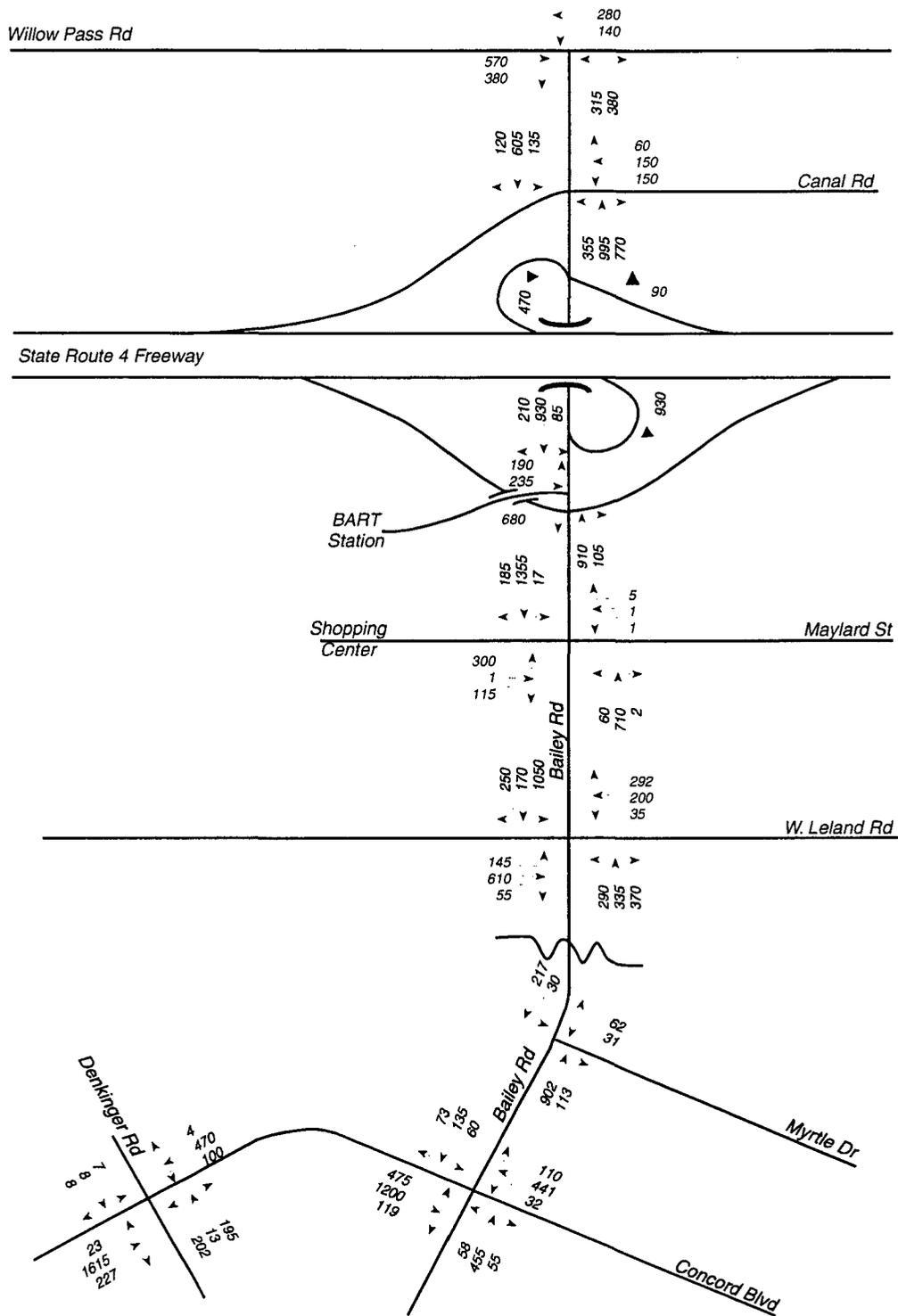


FIGURE 10-5
Year 2005
Base Case
PM Peak Hour

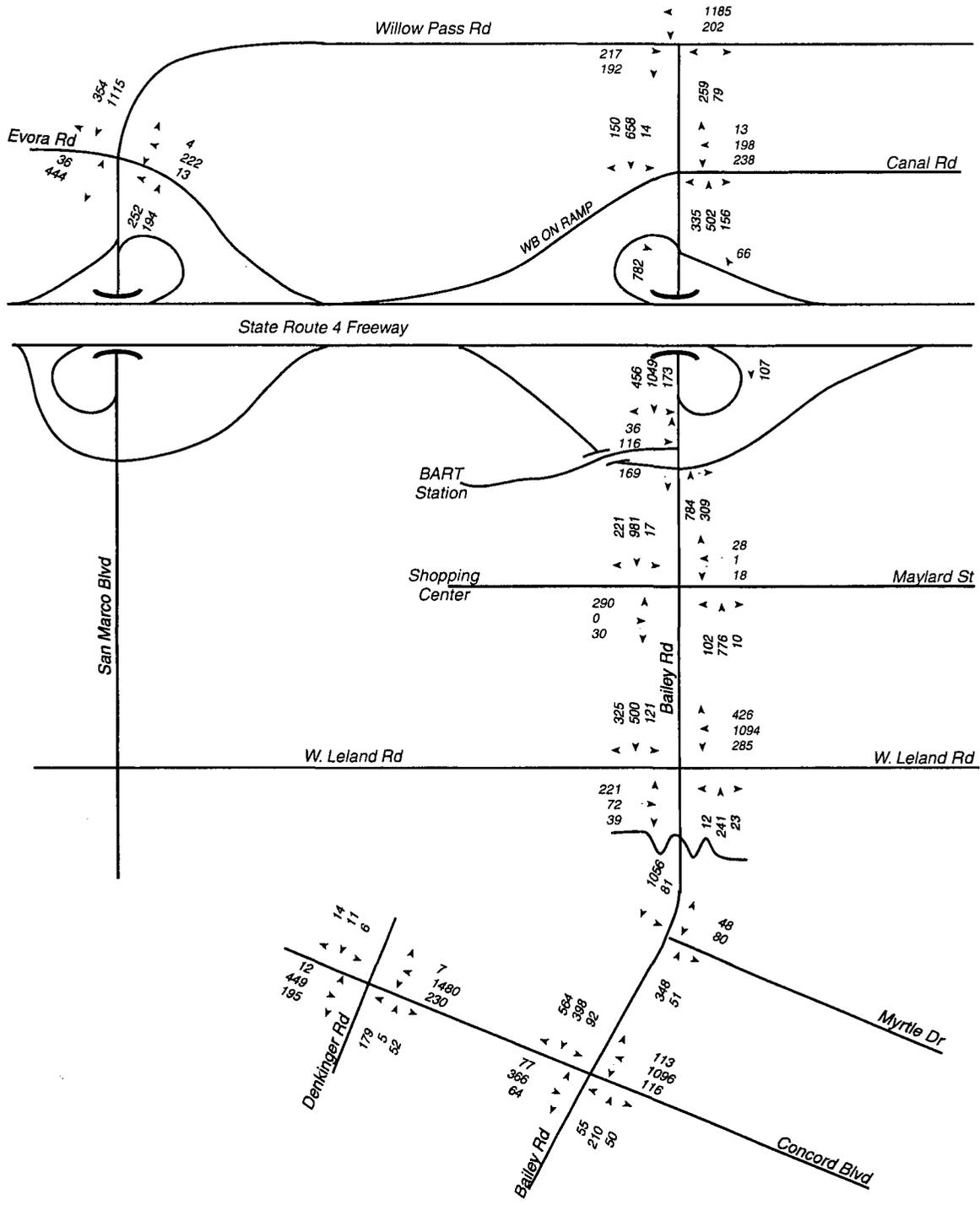


FIGURE 10-6
 Year 2010
 Base Case
 AM Peak Hour

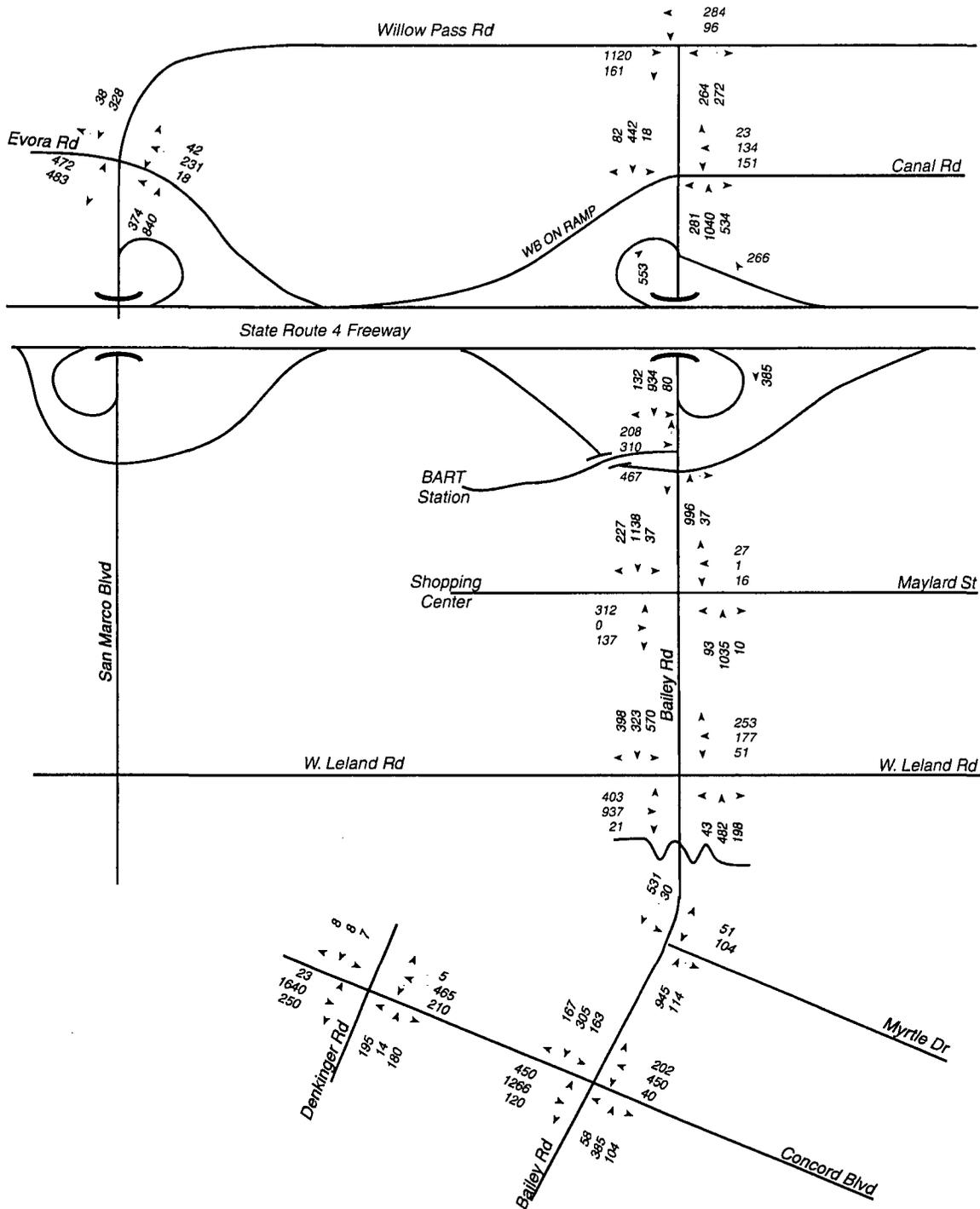


FIGURE 10-7
 Year 2010
 Base Case
 PM Peak Hour

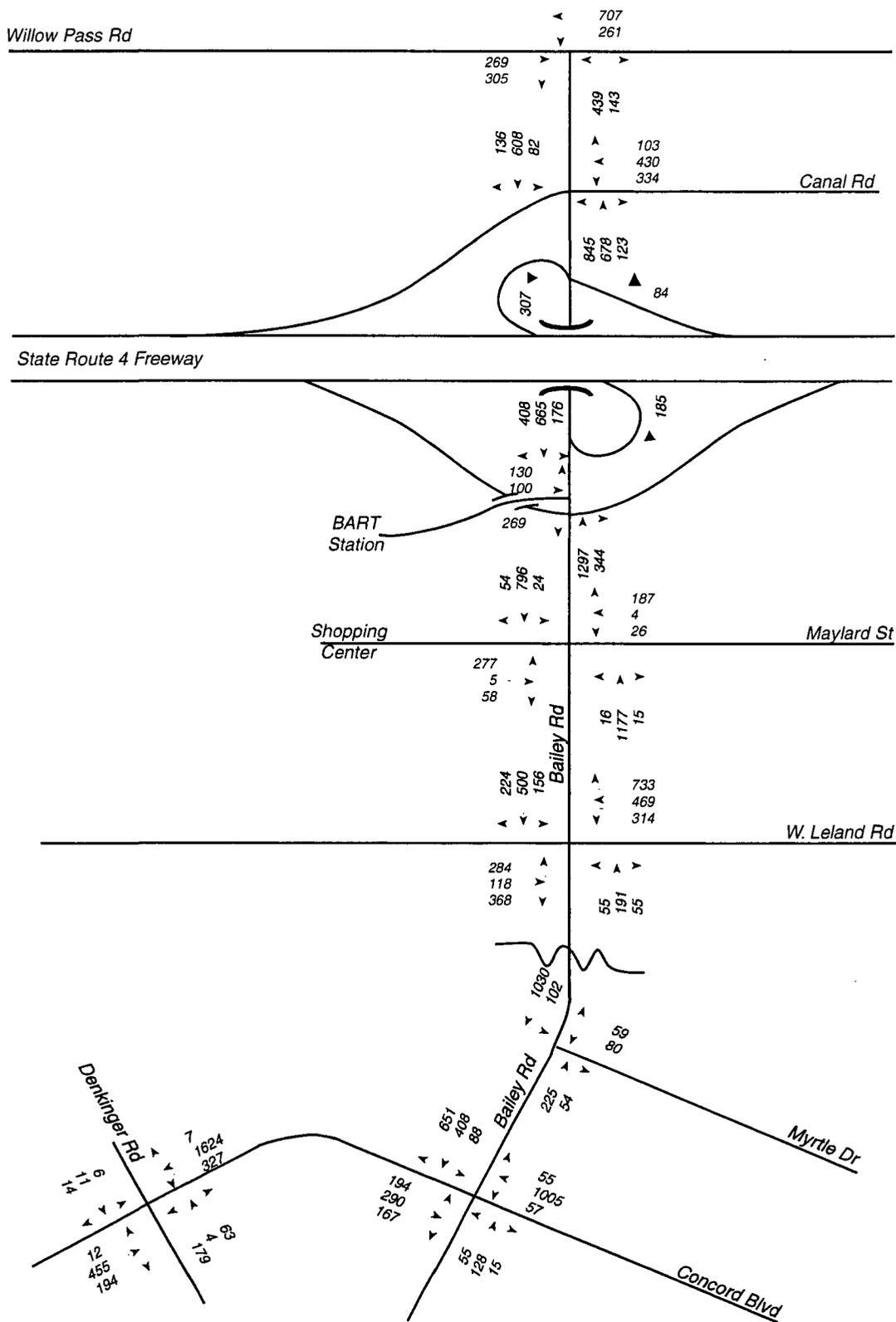


FIGURE 10-9
 Year 2005
 Specific Plan
 AM Peak Hour



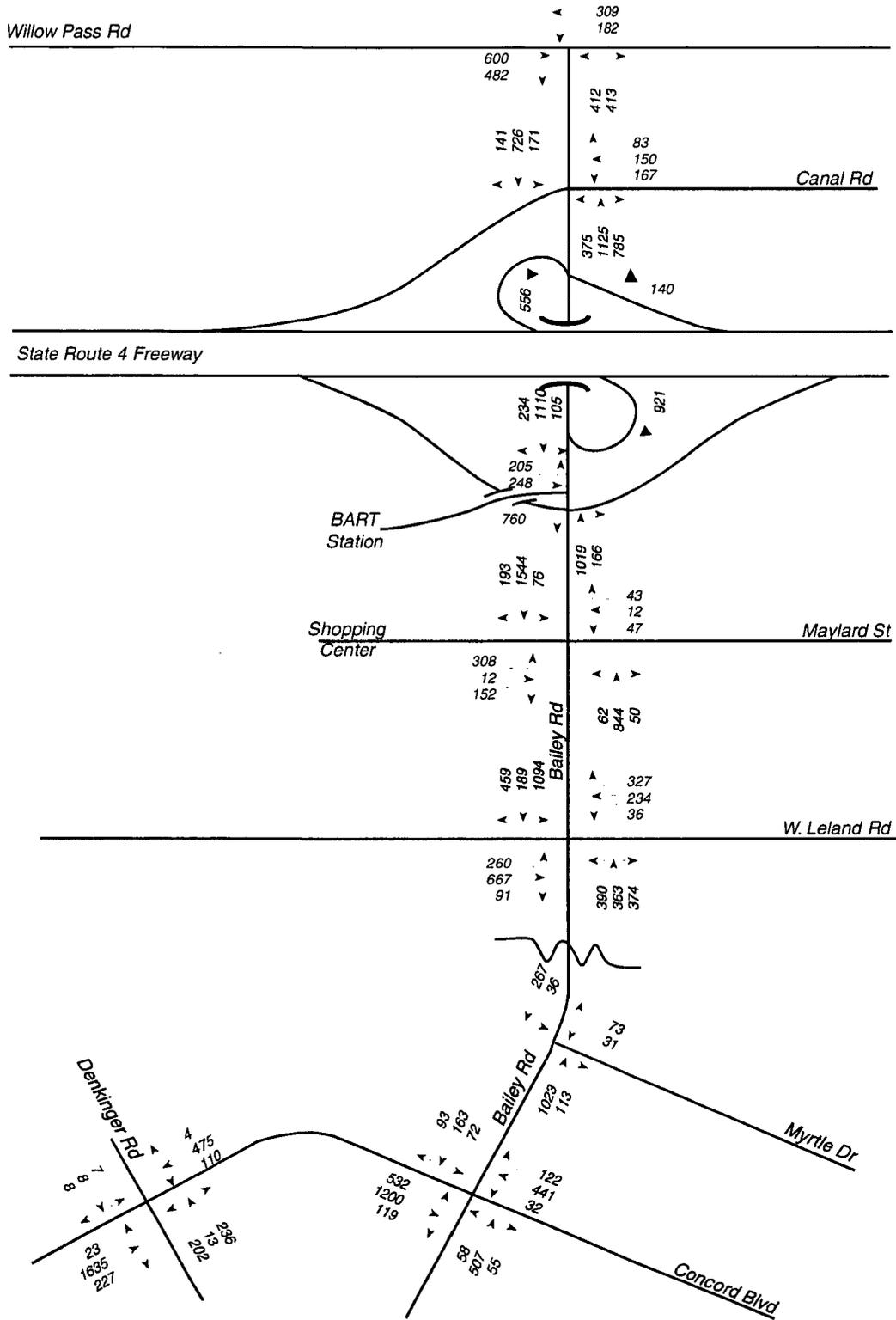


FIGURE 10-10
 Year 2005
 Specific Plan
 PM Peak Hour

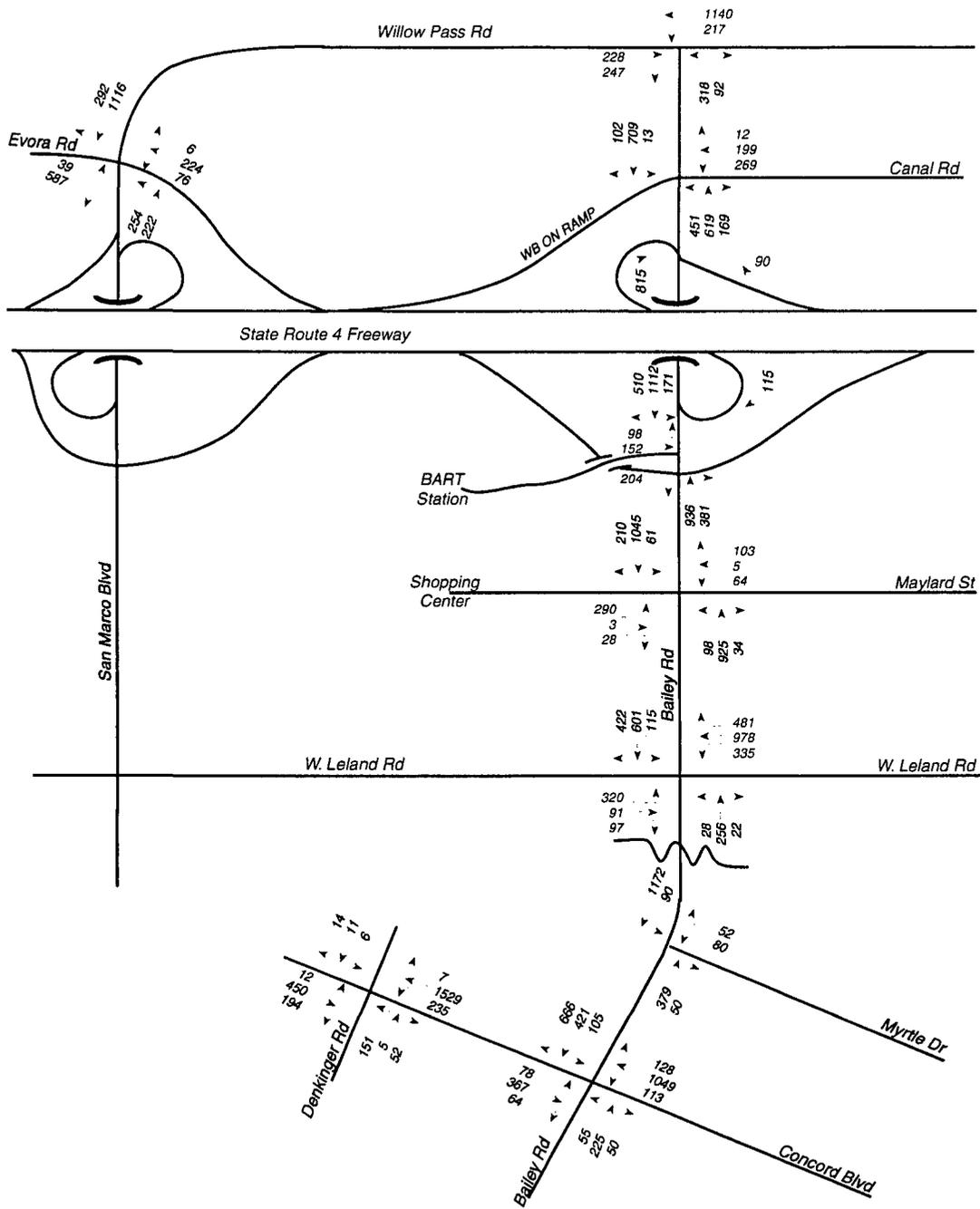


FIGURE 10-11
 Year 2010
 Specific Plan
 AM Peak Hour

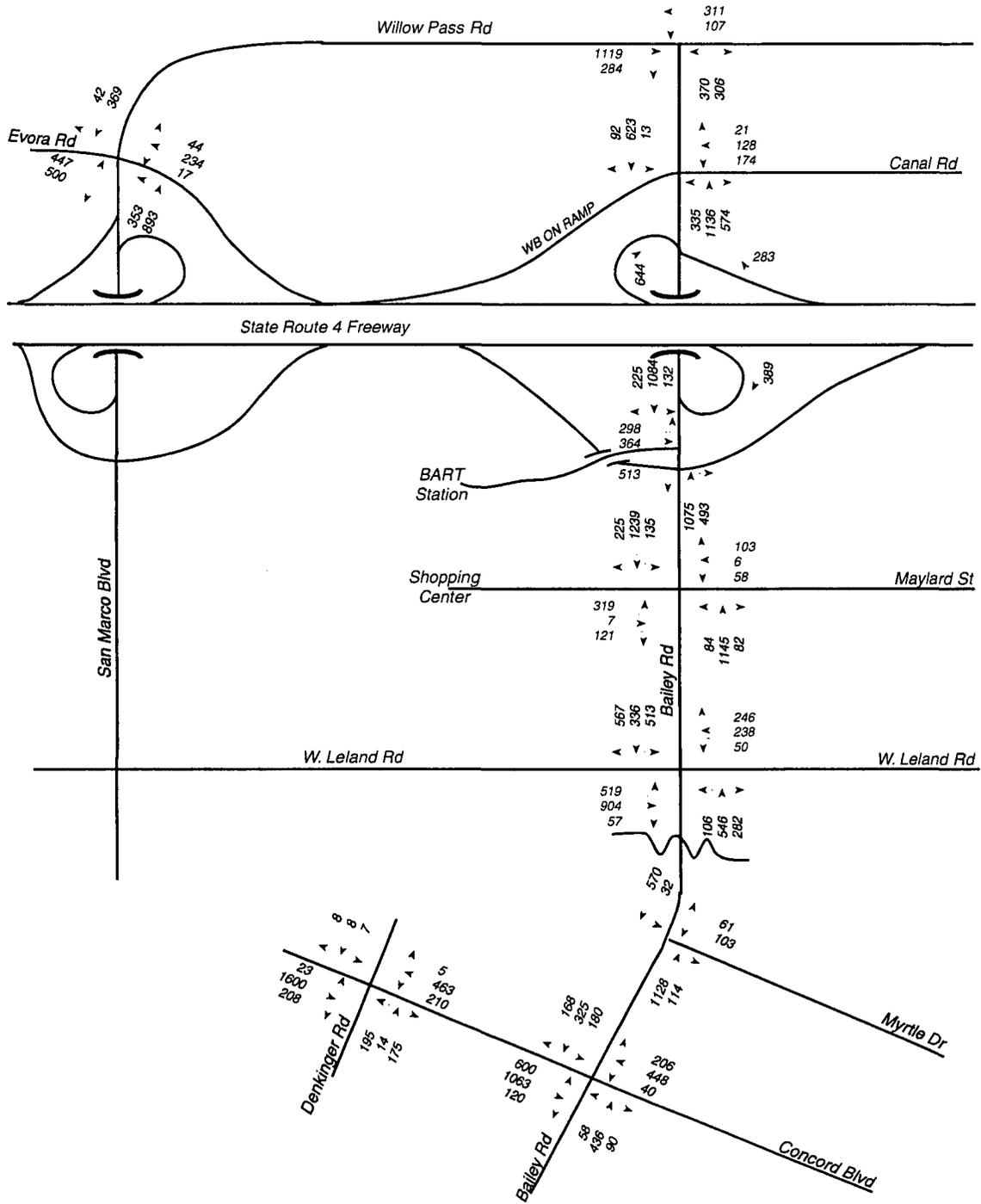


FIGURE 10-12
2010 Specific Plan
PM Peak Hour

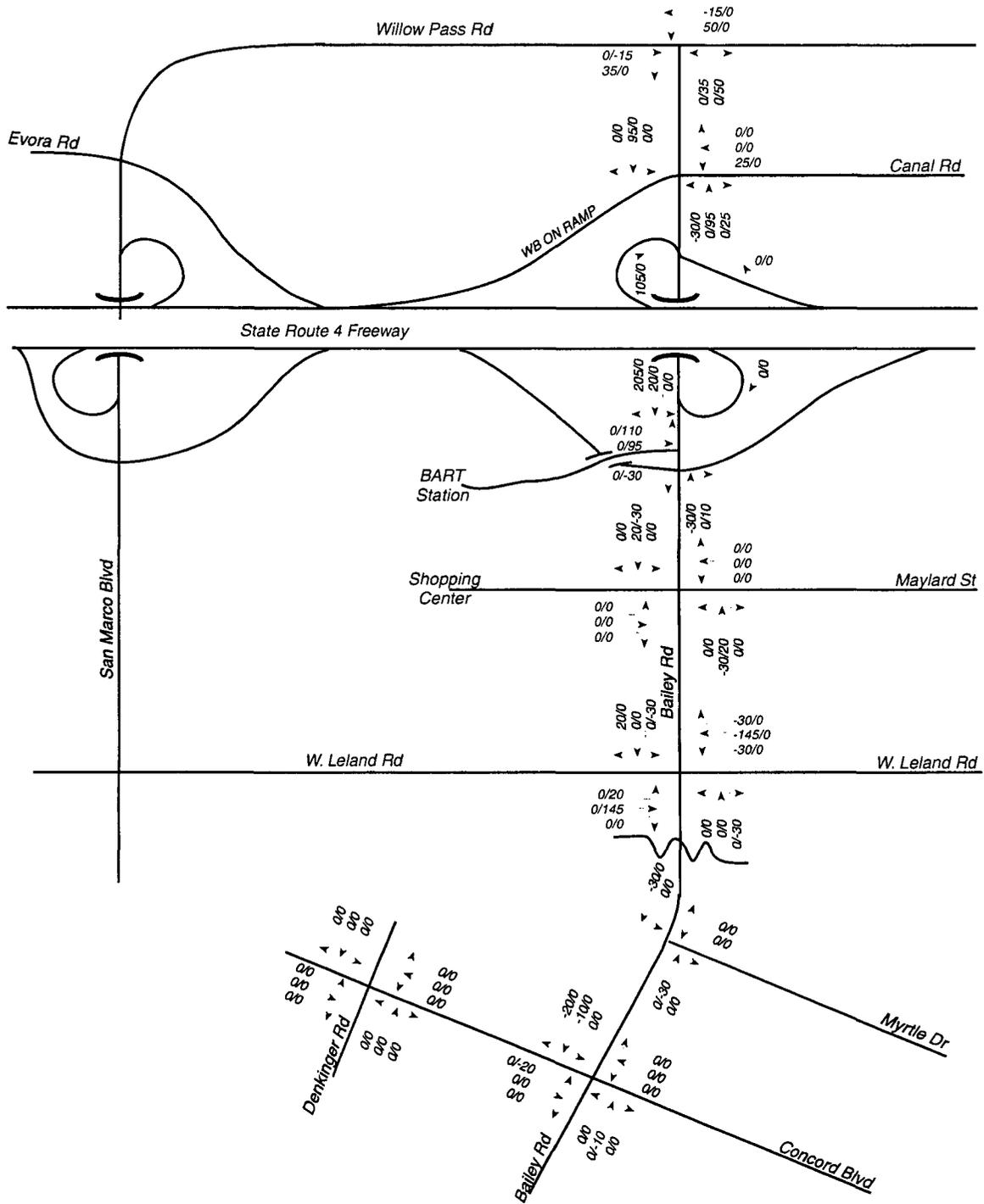
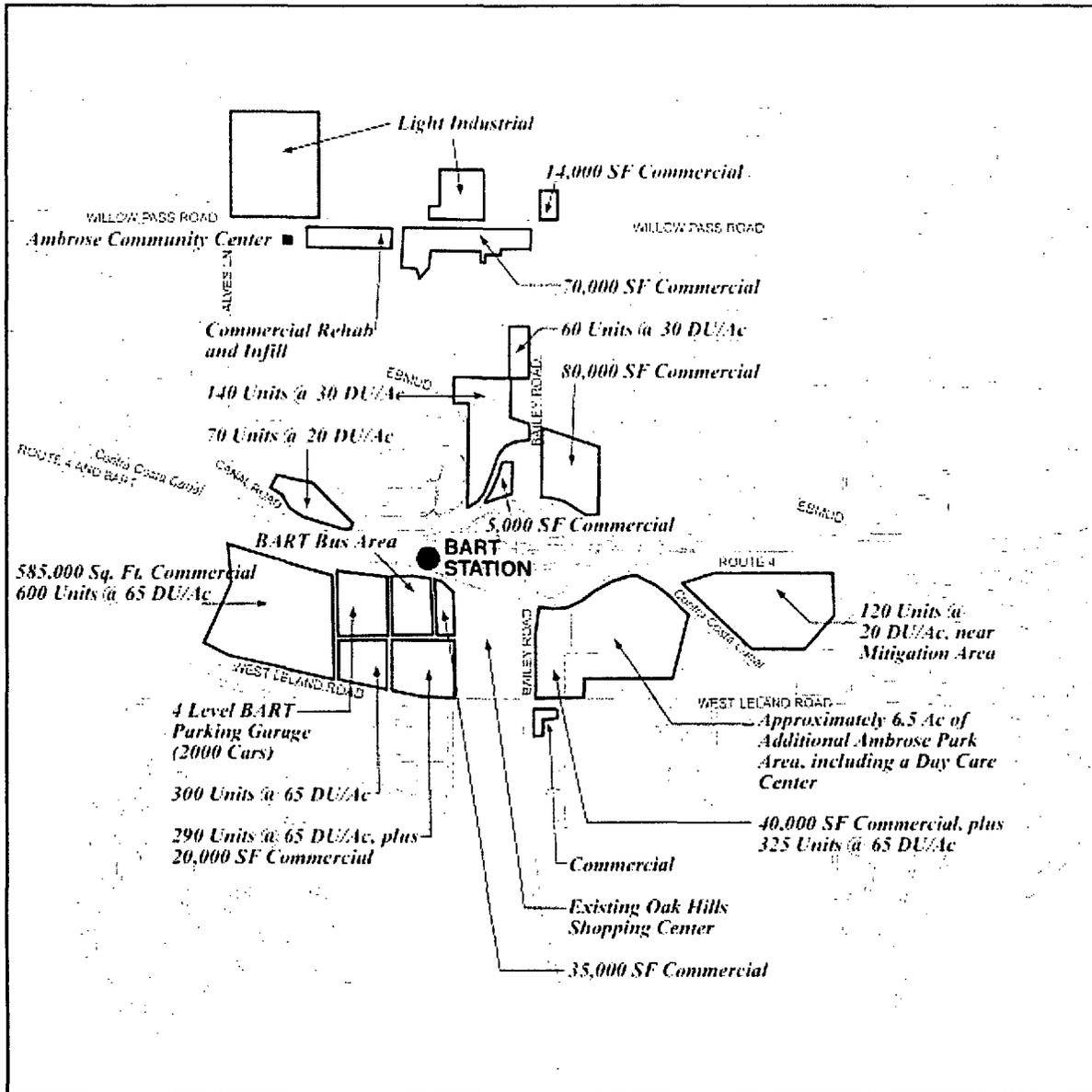


FIGURE 10-13
Maximum Project Generated Traffic with 380-Space BART Parking Lot - AM and PM Peak Hours



Source: Contra Costa County
Community Development Department, February 2001

FIGURE 17-5
Development Assumptions

Alternative 6
(Hybrid)

Appendix B
REVISED TABLES

TABLE 8-2

Estimated Water Demand

Zone	Land Use	Area	Demand Factor ^a	Demand in AFA ^b
I	Office	75,000 s.f.	.0725 g/sqft/d	6.09
	Commercial	50,000 s.f.	.2946 g/sqft/d	16.51
	Residential 1,790 units @ 65 units/acre	27.5 ac	240 gpd/du	481.25
II	Commercial	20,000 s.f.	.2946 g/sqft/d	6.60
	Residential 200 units @ 40 units/acre	5.0 ac	240 gpd/du	53.77
	70 units @ 12 units/acre	5.8 ac	4.0 af/ac/yr	23.2
III	Commercial	155,000 s.f.	.2946 g/sqft/d	51.15
	Residential 100 units @ 15 units/acre	6.7 ac	4.0 af/ac/yr	26.8
	35 units @ 10 units/acre	3.5 ac	3.0 af/ac/yr	10.50
IV	Commercial	14,000 s.f.	.2946 g/sqft/d	4.62
Total				680.49

^a Demand factors obtained from (1) CCWD *Future Water Supply Study*, 1996, Table 7 (for af/ac/yr); (2) "Water Quality," 1985 by George Tchobanoglous and Edward D. Schroeder, pages 8 and 9 (for g/sqft/d); and (3) CCWD May 13, 1992 Water Duty Study (for gpd/du); CCWD recommends demand factor of 240 gpd/du for high density residential uses of three or more stories.

^b **AFA** is acre-feet annually; 1 acre-foot is equal to approximately 325,900 gallons; **g/sqft/d** is gallons per square foot per day; and **gpd/du** is gallons per day per dwelling unit.

Source: Balloffet & Associates, Inc.

TABLE 10-2

State Route 4 Freeway Operation — Existing Conditions

Segment	AM PEAK HOUR			PM PEAK HOUR				
	Capacity	Volume ^a	Volume/Capacity Ratio	At or Under Capacity ^f	Capacity	Volume	Volume/Capacity Ratio	At or Under Capacity
WESTBOUND								
Railroad Avenue to Bailey Road	4,500 ^b	4,545	1.01	At LOS F	4,500 ^b	2,950	.66	Under
Bailey Road to Bay Point	7,050 ^c 1,800 HOV ^d	<u>5,413</u> 500	<u>.77</u> .28	Under Under	9,400 ^e	<u>3,104</u>	<u>.33</u>	Under
EASTBOUND								
Bay Point to Bailey Road	9,400 ^e	2,415	.26	Under	7,050 ^c 1,800 HOV ^d	<u>5,583</u> 500	<u>.79</u> .28	Under Under
Bailey Road to Railroad Avenue	4,500 ^b	<u>2,474</u>	<u>.55</u>	Under	4,500 ^b	4,500	1.00	At LOS F

^a Volumes are in passenger car equivalents (PCE). All trucks and buses are assigned an equivalency factor converting them into a greater number of automobiles. Typically, 1 truck is equivalent to 2 autos on level freeways, and to 8 or more autos on lengthy, steep freeway grades. This conversion is required for capacity analyses.

^b Capacity for two non-High Occupancy Vehicle (HOV) travel lanes.

^c Capacity for three non-HOV travel lanes.

^d Capacity for HOV travel lane.

^e Capacity for four non-HOV travel lanes.

^f See Appendix C for Level of Service Definitions.

Source: Crane Transportation Group, July 2001.

TABLE 10-3

Intersection Capacity Analysis Summary –
Comparison Between 2005 and 2010 Base Case (without Project) Conditions

Intersection	Level of Service / (V/C Ratio) Unless Noted			
	Year 2005 Conditions		Year 2010 Conditions	
	AM Peak Hour	PM Peak Hour	AM Peak Hour	PM Peak Hour
Willow Pass Road / Bailey Road	A / (.52)	A-B / (.60)	A / (.50)	D / (.86)
Bailey Road / Canal Road / State Route 4 WB On-Ramp	<u>C / (.78)</u>	<u>B / (.68)</u>	<u>A / (.50)</u>	<u>A / (.43)</u>
Bailey Road / State Route 4 EB Ramps	A / (.55)	<u>B / (.69)</u>	A / (.40)	A / (.59)
Bailey Road / Maylard Street	<u>A / (.51)</u>	A / (.49)	<u>A / (.43)</u>	<u>A / (.50)</u>
Bailey Road / West Leland Road	D / (.81)	C-D / (.80)	D / (.83)	C / (.72)
Bailey Road / Concord Boulevard	C / (.79)	E / (.92)	D / (.90)	F / (1.09)
Concord Blvd. / Denkinger Road	A-B / (.60)	B / (.66)	A / (.58)	C / (.76)
Bailey Road / Myrtle Drive	F (52.3) ^a	D (32.1) ^a	F (114) ^a	F (234) ^a

Source: Crane Transportation Group, March 2001.

^a Level of Service / (average vehicle delay in seconds) – Myrtle Drive stop sign controlled approach.

TABLE 10-4

State Route 4 Freeway Operation — 2005: AM Peak Hour

Segment	Capacity	Base Case (No Project) Condition			With Specific Plan		
		Volume ^a	V/C Ratio	At or Under Capacity (%)	Volume	V/C Ratio	At or Under Capacity (%)
Westbound (Peak Direction)							
East of Bailey Road	7,050 ^b 1,800 HOV ^c	4,562 768	.65 .43	Under (C) Under	4,609 777	.65 .43	Under (C) Under
Bailey Road to San Marco Boulevard	8,050 ^d 1,800 HOV ^c	5,305 1,010	.66 .56	Under (C) Under	5,380 1,026	.67 .57	Under (C) Under
San Marco Boulevard to top of Willow Pass Grade	8,050 ^d 1,800 HOV ^c	8,418 ^e 1,227	1.05 .68	At LOS F Under	8,646 ^e 1,274	1.07 .71	At LOS F Under
Top of Willow Pass Grade to Willow Pass Road (Concord)	8,050 ^d 1,800 HOV ^c	6,518 ^e 1,227	.81 .68	Under (D) Under	6,746 ^e 1,274	.84 .71	Under (D) Under
Eastbound (Off-Peak Direction)							
Willow Pass Road (Concord) to top of Willow Pass Grade	10,400 ^f	3,160 ^e	.30	Under (A)	3,205 ^e	.31	Under (B)
Top of Willow Pass Grade to San Marco Boulevard	10,400 ^f	2,505 ^e	.24	Under (A)	2,550 ^e	.25	Under (A)
San Marco Boulevard to Bailey Road	10,400 ^f	2,312	.22	Under (A)	2,342	.23	Under (A)
East of Bailey Road	9,400 ^g	2,439	.26	Under (A)	2,508	.27	Under (A)

^a Volumes are in passenger car equivalents (PCE).

^b Capacity for three non-HOV travel lanes.

^c Capacity for one HOV travel lane.

^d Capacity for three non-HOV travel lanes plus one auxiliary lane between interchanges.

^e Difference in volumes between interchanges reflect PCEs for truck traffic uphill versus downhill.

^f No HOV lane restrictions in off-peak direction—capacity for four through travel lanes plus one auxiliary lane between interchanges.

^g No HOV lane restrictions—capacity for four through travel lanes.

Source: Crane Transportation Group.

*** (Level of Service)**

1997 HCM Analysis Methodology

TABLE 10-4 (CONTINUED)

State Route 4 Freeway Operation --- 2005: PM Peak Hour

Segment	Capacity	Base Case (No Project) Condition			With Specific Plan		
		Volume ^a	V/C Ratio	At or Under Capacity [*]	Volume	V/C Ratio	At or Under Capacity [*]
Westbound (Off-Peak Direction)							
East of Bailey Road	9,400 ^b	2,941	.31	Under (B)	3,081	.33	Under (B)
Bailey Road to San Marco Boulevard	10,400 ^c	3,007	.29	Under (A)	3,051	.29	Under (A)
San Marco Boulevard to top of Willow Pass Grade	10,400 ^c	4,095 ^d	.39	Under (B)	4,195 ^d	.40	Under (B)
Top of Willow Pass Grade to Willow Pass Road (Concord)	10,400 ^c	3,250 ^d	.31	Under (B)	3,350 ^d	.32	Under (B)
Eastbound (Peak Direction)							
Willow Pass Road (Concord) to top of Willow Pass Grade	8,050 ^e 1,800 HOV ^f	8,592 ^d 1,003	1.07 .56	At LOS F Under	8,853 ^d 1,035	1.10 .58	At LOS F Under
Top of Willow Pass Grade to San Marco Boulevard	8,050 ^e 1,800 HOV ^f	6,683 ^d 1,003	.83 .56	Under (D) Under	6,944 ^d 1,035	.86 .58	Under (D) Under
San Marco Boulevard to Bailey Road	8,050 ^e 1,800 HOV ^f	5,492 864	.68 .48	Under (C) Under	5,580 879	.69 .49	Under (C) Under
East of Bailey Road	7,050 ^g 1,800 HOV ^f	4,508 663	.64 .37	Under (C) Under	4,620 677	.66 .38	Under (C) Under

^a Volumes are in passenger car equivalents (PCE).

^b No HOV lane restrictions in off-peak direction—capacity for four through travel lanes.

^c No HOV lane restrictions in off-peak direction—capacity for four through travel lanes plus one auxiliary lane between interchanges.

^d Differences in volumes between interchanges reflects different PCEs for truck traffic uphill versus downhill.

^e Capacity for three non-HOV travel lanes plus one auxiliary lane between interchanges.

^f Capacity for one HOV travel lane.

^g Capacity for three non-HOV travel lanes.

Source: Crane Transportation Group.

* (Level of Service)

1997 HCM Analysis Methodology

TABLE 10-5

State Route 4 Freeway Operation — 2010: AM Peak Hour

Segment	Base Case (No Project) Condition			With Specific Plan			
	Capacity	Volume ^a	V/C Ratio	At or Under Capacity (*)	Volume	V/C Ratio	At or Under Capacity (*)
Westbound (Peak Direction)							
East of Bailey Road	7,050 ^b	6,238	.88	Under (D)	6,394	.91	Under (E)
Bailey Road to San Marco Boulevard	1,800 HOV ^c	1,183	.66	Under	1,179	.66	Under
	8,050 ^d	5,988	.74	Under (D)	6,167	.77	Under (D)
	1,800 HOV ^c	1,264	.70	Under	1,253	.70	Under
San Marco Boulevard to top of Willow Pass Grade	8,050 ^d	8,709 ^e	1.08	At LOS F	8,959 ^e	1.11	At LOS F
Top of Willow Pass Grade to Willow Pass Road (Concord)	1,800 HOV ^c	1,456	.81	Under	1,450	.81	Under
	8,050 ^d	6,600 ^e	.82	Under (D)	6,793 ^e	.84	Under (D)
	1,800 HOV ^c	1,456	.81	Under	1,450	.81	Under
Eastbound (Off-Peak Direction)							
Willow Pass Road (Concord) to top of Willow Pass Grade	10,400 ^f	3,110 ^e	.30	Under (A)	3,208 ^e	.31	Under (B)
Top of Willow Pass Grade to San Marco Boulevard	10,400 ^f	2,464 ^e	.24	Under (A)	2,543 ^e	.24	Under (A)
San Marco Boulevard to Bailey Road	10,400 ^f	2,176	.21	Under (A)	2,208	.21	Under (A)
East of Bailey Road	9,400 ^g	2,503	.27	Under (A)	2,593	.28	Under (A)

^a Volumes are in passenger car equivalents (PCE).

^b Capacity for three non-HOV travel lanes.

^c Capacity for one HOV travel lane.

^d Capacity for three non-HOV travel lanes plus one auxiliary lane between interchanges.

^e Difference in volumes between interchanges reflect PCEs for truck traffic uphill versus downhill.

^f No HOV lane restrictions in off-peak direction—capacity for four through travel lanes plus one auxiliary lane between interchanges.

^g No HOV lane restrictions—capacity for four through travel lanes.

Sources: 2010 East County Model Projections by Dowling Associates); Crane Transportation Group.

* (Level of Service)

1997 HCM Analysis Methodology

TABLE 10-5 (CONTINUED)

State Route 4 Freeway Operation — 2010: PM Peak Hour

Segment	Capacity	Base Case (No Project) Condition			With Specific Plan		
		Volume ^a	V/C Ratio	At or Under Capacity (*)	Volume	V/C Ratio	At or Under Capacity (*)
Westbound (Off-Peak Direction)							
East of Bailey Road	9,400 ^b	3,286	.35	Under (B)	3,374	.36	Under (B)
Bailey Road to San Marco Boulevard	10,400 ^c	2,959	.28	Under (A)	2,996	.29	Under (A)
San Marco Boulevard to top of Willow Pass Grade	10,400 ^c	4,205 ^d	.40	Under (B)	4,310 ^d	.41	Under (B)
Top of Willow Pass Grade to Willow Pass Road (Concord)	10,400 ^c	3,331 ^d	.32	Under (B)	3,417 ^d	.33	Under (B)
Eastbound (Peak Direction)							
Willow Pass Road (Concord) to top of Willow Pass Grade	8,050 ^e 1,800 HOV ^f	8,791 ^d 1,163	1.09 .65	At LOS F Under	8,938 ^d 1,165	1.11 .65	At LOS F Under
Top of Willow Pass Grade to San Marco Boulevard	8,050 ^e 1,800 HOV ^f	6,720 ^d 1,163	.83 .65	Under (D) Under	6,839 ^d 1,165	.85 .65	Under (D) Under
San Marco Boulevard to Bailey Road	8,050 ^e 1,800 HOV ^f	6,228 1,060	.77 .59	Under (D) Under	6,260 1,054	.78 .59	Under (D) Under
East of Bailey Road	7,050 ^g 1,800 HOV ^f	6,193 1,009	.88 .56	Under (D) Under	6,394 1,008	.91 .56	Under (E) Under

^a Volumes are in passenger car equivalents (PCE).

^b No HOV lane restrictions in off-peak direction—capacity for four through travel lanes.

^c No HOV lane restrictions in off-peak direction—capacity for four through travel lanes plus one auxiliary lane between interchanges.

^d Differences in volumes between interchanges reflects different PCEs for truck traffic uphill versus downhill.

^e Capacity for three non-HOV travel lanes plus one auxiliary lane between interchanges.

^f Capacity for one HOV travel lane.

^g Capacity for three non-HOV travel lanes.

Sources: 2010 East County Model Projections by Dowling Associates; Crane Transportation Group

*** (Level of Service)**

1997 HCM Analysis Methodology

TABLE 10-8

Intersection Capacity Analysis Summary – Year 2005 AM Peak Hour (With and without Project)

Intersection	Level of Service (VIC Ratio) Unless Noted	
	Without Project	With Project
Willow Pass Road / Bailey Road	A / (.52)	A / (.56)
Bailey Road / Canal Road / State Route 4 WB On-Ramp	C / (.78)	C / (.78)
Bailey Road / State Route 4 EB Ramps	A / (.55)	A / (.59)
Bailey Road / Maylard Street	<u>A / (.51)</u>	A / (.60)
Bailey Road / West Leland Road	<u>D / (.81)</u>	D / (.90)
Bailey Road / Concord Boulevard	C / (.79)	D / (.84)
Concord Boulevard / Denkinger Road	A-B / (.60)	A-B / (.60)
Bailey Road / Myrtle Drive	F / (52.3) ^a	F / (90.2) ^a

Source: Crane Transportation Group, March 2001.

^a Level of Service / (average vehicle delay in seconds) Myrtle Drive stop sign controlled approach.**TABLE 10-11**

Intersection Capacity Analysis Summary – Year 2010 PM Peak Hour

Intersection	Level of Service (VIC Ratio) Unless Noted	
	Without Project	With Project
Willow Pass Road / Bailey Road	D / (.86)	E / (.93)
Bailey Road / Canal Road / State Route 4 WB On-Ramp	A / (.43)	A / (.46)
Bailey Road / State Route 4 EB Ramps	A / (.59)	B / (.65)
Bailey Road / Maylard Street	A / (.50)	B / (.66)
Bailey Road / West Leland Road	C / (.72)	D / (.81)
Bailey Road / Concord Boulevard	F / (1.09)	F / (1.22)
Concord Boulevard / Denkinger Road	C / (.76)	C / (.74)
Bailey Road / Myrtle Drive	F / (234) ^a	F / (480) ^a
Willow Pass Rd / Evora Rd / State Route 4 EB Off-Ramps	A / (.59)	<u>A / (.58)</u>

Source: Crane Transportation Group, March 2001.

^a Level of Service / (average vehicle delay in seconds) Myrtle Drive stop sign controlled approach.